

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting -- July 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
Sonia Ashworth
David Barrow, Jr.
Charles Betts
O. P. (Bob) Bobbitt
Royce Faulkner
C. W. Hetherly
Jean Mathér
Buford Stewart

Absent

None

Also Present

Richard Lillie, Director of Planning
Jack Alexander, Assistant Director of Planning
Ed Stevens, Building Inspector
Caroline Schreffler, Administrative Secretary

ZONING

The following zoning changes were considered by the Zoning Committee at the meetings of July 3 and 5, 1972.

Present

C. W. Hetherly, Chairman
Sonia Ashworth
**David Barrow, Jr.
Charles Betts
Royce Faulkner
*Buford Stewart

Also Present

Richard Lillie, Director of Planning
Jack Alexander, Asst. Dir. of Planning
Al Baker, Zoning Administrator
Fermin de Goicoechea, Planner I
Caroline Schreffler, Adm. Sec.

*Present only on July 3, 1972.

**Present only on July 5, 1972.

C14-72-095 Mr. and Mrs. L. W. Carroll: A to B (as amended)
4409-4413 Merle Drive

STAFF REPORT: This case was referred back to the Planning Commission by the City Council. The subject property totals 37,810 square feet and is located on a minor residential street with fifty feet of right-of-way and thirty feet of surfacing. The area along Ben White Boulevard on both the north and south sides from Pack Saddle Pass to Banister Lane was the subject of a 1961 Area Study, C14-61-134. From this area study, rezoning occurred with "O" Office established as a buffer zone for the single-family residences on the streets running perpendicular to Ben White Boulevard, particularly the minor residential streets such as Merle Drive and Russell Drive. The "O" Office zoning was limited to three lots in depth from Ben White Boulevard, excluding the lot fronting on Ben White Boulevard.

The staff recommends that this case be denied as an unnecessary intrusion into a single-family neighborhood with sufficient buffering between the single-family homes and commercial development on Ben White Boulevard. Office or apartment developments have failed to take place on Merle Drive and it is felt there is no justification for "B" Residence zoning at this time.

TESTIMONY

WRITTEN COMMENT

Mrs. Donald Sawyer: 4414 Merle Drive	AGAINST
Mrs. Earl E. Madden: 3111 Clawson Road	AGAINST
Mrs. Marie L. Lehde	AGAINST
Vernon L. Huff: 4412 Merle Drive	AGAINST
C. E. Hansen: 4407 Merle Drive	AGAINST
Mrs. Carl B. Herron: 4415 Merle Drive	AGAINST
Mr. and Mrs. Herman W. Kieke: 4408 Merle Drive	AGAINST
Gene Cullen	AGAINST
Mattie L. Wilson: 4408 Russell Drive	AGAINST
Mr. and Mrs. Roy Ayers: 4410 Russell Drive	AGAINST

PERSONS APPEARING

J. Wilkins (representing applicant)	
Charlie S. Shuberg: 4410 Merle Drive	AGAINST
Herman W. Kieke: 4408 Merle Drive	AGAINST
Mr. and Mrs. Julius Casarez: 4414 Russell Drive	AGAINST
Mrs. D. L. Sawyer: 4414 Merle Drive	AGAINST
Mrs. Herman W. Kieke: 4408 Merle Drive	AGAINST
Mr. and Mrs. Vernon Huff: 4412 Merle Drive	AGAINST
Petition with fifteen signatures	AGAINST

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Stewart stated that the requested zoning is a proper gradation and will establish a buffer for the residential uses. Mrs. Ashworth stated that this neighborhood has been maintained; in addition, the existing "O" Office zoning has not been fully developed. A majority of the Committee concluded that this request should be granted, subject to five feet of right-of-way on Merle Drive and a six-foot privacy fence on the east and south boundary lines.

C14-72-095 Mr. and Mrs. L. W. Carroll--Contd.

AYE: Messrs. Betts, Hetherly and Stewart
NAY: Mrs. Ashworth and Mr. Faulkner

The Commission members discussed the zoning in this area. Mr. Milstead stated that the homes on this street are well maintained. The Commission then

VOTED: To recommend that the request of Mr. and Mrs. L. W. Carroll for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area (as amended) for property located at 4409-4413 Merle Drive be DENIED.

AYE: Messrs. Milstead, Barrow, Faulkner. Mmes Ashworth and Mather
NAY: Messrs. Betts, Bobbitt, Hetherly and Stewart

C14-72-104 Joe M. Wiley: A to O
 7403 Geneva Drive

STAFF REPORT: Subject tract is developed with a duplex and there are a number of other duplexes along Geneva Drive. All land to the south is zoned and developed under "A" Residence with reasonably new dwellings. The area to the north which fronts on Highway 290 is zoned "GR" General Retail.

The staff recommends that this case be denied, as the zoning requested would be an intrusion into an "A" Residence area, rather than acting as a buffer. The duplexes on Geneva Drive provide a reasonable buffer between the single-family area to the south and the non-residential development along Highway 290. "O" Office zoning allows certain retail uses in addition to professional offices. In addition, the granting of a change in zoning on this tract would set a precedent for a number of other duplex lots along the residential streets south of Highway 290.

TESTIMONY

WRITTEN COMMENT

Cutter and Nutter Builders, Inc.

FOR

PERSONS APPEARING

Will Ehrle (representing applicant)

Joe Wiley (applicant)

Mr. and Mrs. J. C. Bridges: 7321 Geneva Drive

AGAINST

COMMENTS AND ACTION BY THE COMMITTEE

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

AYE: Messrs. Hetherly, Betts, Faulkner and Stewart. Mrs. Ashworth

C14-72-104 Joe M. Wiley--Contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Joe M. Wiley for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 7403 Geneva Drive be GRANTED.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mmes. Ashworth and Mather

C14-72-115 Kay Mears Murchison Trust: A to GR
3509 Lawton Avenue

STAFF REPORT: Subject tract, totaling 7,000 square feet, is on a minor residential street with only fifty feet of right-of-way and a surfacing width of thirty feet. As indicated at the hearing earlier this year, the entire length of Lawton Avenue, except for those lots fronting on West 35th Street, is zoned "A" Residence. The street is developed primarily with single-family dwellings, modest and generally well-maintained. Non-residential zoning and developments in this area have been limited to Jefferson Street, Bull Creek Road Shopping Center and uses oriented to the intersection at 35th Street. The neighborhood objected to any change in zoning at the last hearing and stated the area was covered by a restrictive covenant. The Planning Commission agreed unanimously in March that a change in zoning for subject tract be denied as an intrusion into a well-maintained area designed for single-family dwellings and duplexes.

The staff recommends that this case be denied, as any change in zoning would be an intrusion into an established single-family area. The right-of-way and surfacing on Lawton Avenue is only adequate for single-family and duplex development. Subject tract has the necessary 7,000 square feet required for duplex development. All but one lot fronting on Lawton Avenue has sufficient area for a duplex. Lawton Avenue is not designed to accommodate a change in zoning or provide an effective termination point of rezoning.

TESTIMONY

WRITTEN COMMENT

Hawes Campbell: 1615 Westover Road	FOR
Conway Taylor: 1805 West 35th Street	FOR
H. R. Stinson: 4607 Elwood Road	FOR

PERSONS APPEARING

Steve Harris (representing applicant)	
R. G. Mueller	AGAINST

C14-72-115 Kay Mears Murchison Trust--Contd.

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. Hetherly, Betts, Faulkner and Stewart. Mrs. Ashworth

At the Commission meeting, the members discussed the zoning and the condition of this immediate area. Mr. Bobbitt stated that this immediate block of homes is deteriorating badly. Mr. Hetherly stated that the requested zoning would set an undesirable precedent for this residential area. The Commission then

VOTED: To recommend that the request of the Kay Mears Murchison Trust for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 3509 Lawton Avenue be DENIED.

AYE: Messrs. Barrow, Betts, Faulkner, Hetherly and Stewart. Mmes Ashworth and Mather

NAY: Messrs. Bobbitt and Milstead

C14-72-122 Don Woody, Trustee: A to BB
2401-2415 Parker Lane

STAFF REPORT: This property totals 1.33 acres and is on a neighborhood collector street. Directly to the west of subject tract, across Parker Lane, is a relatively new "A" Residence area developed with single-family homes. There are duplexes to the immediate south. Duplexes also exist on the north side of Rockridge Terrace as a buffer between the "GR" General Retail zoning on Oltorf and this single-family development to the south. This site was part of a ten-acre tract for which "GR" General Retail zoning was requested in 1968, recommended for denial by Planning Commission and withdrawn prior to the City Council hearing. There was considerable neighborhood opposition to the rezoning. Another case involving this tract was heard in 1969, and a combination of zoning was granted on the ten-acre tract. The subject tract remained "A" Residence in deference to the single-family developments, and in the interest of zoning compatibility. During 1970, "BB" Residence zoning was requested for the tract to the immediate south. The Planning Commission recommended denial, and the case was withdrawn. Subject tract poses an additional problem to the single-family dwellings as it is several feet higher than the homes to the west across Parker Lane, and overlooks on the "A" Residence area.

The staff recommends that this case be denied, as the requested zoning would be incompatible with the single-family area, and if granted, would dilute the existing duplex developments which were encouraged as buffers. The Planning Commission has twice recommended that subject tract remain "A" Residence for compatibility purposes. Subject tract can be developed with either single-family homes or duplexes. The depth is a very workable 120 feet and eight duplexes could be developed on this property.

Cl4-72-122 Don Woody, Trustee--Contd.

TESTIMONY

WRITTEN COMMENT

F. M. Robinson: 2406 Parker Lane	AGAINST
Cyrus W. Palmore: 2402 Parker Lane	AGAINST
Mrs. Robert J. Franzetti	AGAINST
Mr. and Mrs. Louis A. Herry	AGAINST

PERSONS APPEARING

Steve Harris (representing applicant)	
Mr. and Mrs. F. M. Robinson: 2406 Parker Lane	AGAINST
Cyrus Palmore: 2402 Parker Lane	AGAINST
Roger Bengtson: 2511 Glen Springs Way	AGAINST

COMMENTS AND ACTION BY THE COMMITTEE

The Committee voted to allow this application to be withdrawn, as requested by the applicant.

AYE: Messrs. Hetherly, Betts, Faulkner and Stewart. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Don Woody, Trustee for a change of zoning from "A" Residence, First Height and Area to "BB" Residence, First Height and Area for property located at 2401-2415 Parker Lane be WITHDRAWN.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
 Mmes Ashworth and Hetherly

Cl4-72-130 A. M. Tolson, Jr.: C, 1st to C, 2nd
 9038 North Interstate Highway 35

STAFF REPORT: This property contains 0.34 acres. The area contains mostly commercial and general retail zoning, which is fronting on I.H. 35, and there is older established residential zoning in the outlying sections to the west. "GR" General Retail, Fifth Height and Area zoning is located directly across I.H. 35.

The staff recommends that this case be granted, as the request for second height and area does not conflict with the present surrounding area zoning. The fifth height and area which is directly across I.H. 35 differs from second height and area only in the distance for required setbacks.

C14-72-130 A. M. Tolson, Jr.--Contd.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

None

COMMENTS AND ACTION BY THE COMMITTEE

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

AYE: Messrs. Hetherly, Betts, Faulkner and Stewart. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of A. M. Tolson, Jr. for a change of zoning from "C" Commercial, First Height and Area to "C" Commercial, Second Height and Area for property located at 9038 North Interstate Highway 35 be GRANTED.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
 Mmes Ashworth and Mather

C14-72-131 Burnet Road Enterprises, Inc.: Int. A, Int. 1st and C, 1st to C, 2nd
 8711 Burnet Road
 2100-2318 Polaris Avenue

STAFF REPORT: This property totals 8.26 acres and is located at the intersection of Burnet Road and Polaris Avenue. Burnet Road is classified as a major arterial and Polaris Avenue is a major residential street with 50 feet of right-of-way surfaced to 18-22 feet and with no curb or gutter.

"A" Residence zoning exists to the south, and is developed predominately with well-maintained single-family homes. "BB" Residence zoning developed with apartments exists at the east and west ends of Polaris Avenue; the west tract being recently recommended for "BB" Residence zoning by the Planning Commission, instead of the commercial zoning requested. Further to the south along Doris Drive is an elementary school. Commercial zoning in this area has been limited to tracts fronting Burnet Road, and where sites fall at the intersection of two major arterial streets. The developments in this area, including the miniature golf activity on the subject tract, occurred before annexation to the City.

The staff recommends that this case be granted, subject to a subdivision combining both tracts, the dedication of five feet of right-of-way on Polaris Avenue, and prohibition of vehicular access to Polaris Avenue. Consideration should be given to privacy fencing along Polaris Avenue for protection of the residential area to the south.

C14-72-131 Burnet Road Enterprises, Inc.--Contd.

The requested zoning is not compatible with this area without proper buffering, as the commercial zoning permits uses such as warehousing, contractors' storage operations and semi-industrial activities. The present use of the property requires "C" Commercial zoning; the property has both major street and railroad access. Polaris Avenue is not adequate for commercial traffic; vehicular access should be from Burnet Road.

TESTIMONY

WRITTEN COMMENT

Mrs. Henry L. Brooks: 21 Belknap Beach Road
Robert W. Farley: P. O. Box 4125

AGAINST
AGAINST

PERSONS APPEARING

None

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, as proper use for the tract, subject to requirements as outlined in the staff report.

AYE: Messrs. Hetherly, Betts, Faulkner and Stewart. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Burnet Road Enterprises, Inc., for a change of zoning from Interim "A" Residence, Interim First Height and Area and "C" Commercial, First Height and Area to "C" Commercial, Second Height and Area for property located at 8711 Burnet Road and 2100-2318 Polaris Avenue be GRANTED, subject to subdivision; five feet of right-of-way on Polaris Avenue; no vehicular access to Polaris Avenue; and six-foot privacy fencing along Polaris Avenue.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart
 Mmes Ashworth and Mather

C14-72-132 Ann Gerhardt: A to O
 1911 Koenig Lane

STAFF REPORT: This tract covering 8,700 square feet of land is located in a basically residential area, with the exception of lots fronting on major arterial streets. Rezoning trends on Koenig Lane began in 1967. Koenig Lane has varying right-of-way, and is recommended to go to ninety feet. Both lots adjacent to the subject tract are either zoned or pending "O" Office zoning. The requested zoning is compatible with existing zoning and past recommendations of the Planning Commission. The staff recommends that this case be granted, subject to ten feet of right-of-way on Koenig Lane.

C14-72-132 Ann Gerhardt--Contd.

TESTIMONY

WRITTEN COMMENT

Mamie R. Paul: 2703 Westgrove, Houston, Texas 77027 FOR
Joe Badgett Construction Co., Inc.: P. O. Box 9401 FOR
Glen E. Lewis, Inc.: 4920 N. Interregional #35 FOR

PERSONS APPEARING

None

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this application should be granted, as compatible with the area, subject to ten feet of right-of-way on Koenig Lane.

AYE: Messrs. Hetherly, Betts, Faulkner and Stewart. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Ann Gerhardt for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 1911 Koenig Lane be GRANTED, subject to ten feet of right-of-way on Koenig Lane.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
 Mmes Ashworth and Mather

C14-72-133 Victor Michalenko: A to O
 1916 Justin Lane

STAFF REPORT: Subject tract is located at the northeast corner of Justin Lane and Hardy Drive, and covers 6,786 square feet of land. Justin Lane has varying right-of-way, with forty feet of surfacing; there are no plans for widening in the near future. Hardy Drive is a minor residential street, surfaced to thirty feet. This tract is approximately two blocks east of Burnet Road. "A" Residence zoning and development exists to the north and northwest, and apartments developed under "BB" Residence zoning are located directly south across Justin Lane. "O" Office zoning adjoins this property to the east, and "O" Office zoning exists diagonally across Justin Lane.

The staff recommends that this case be granted, subject to a subdivision identifying this tract, and dedication of 22.5 feet of right-of-way on Justin Lane and five feet of right-of-way on Hardy Drive. The requested zoning is an extension of the existing "O" Office zoning to the east, and existing non-residential zoning located between this tract and Burnet Road. It is recommended that rezoning eastward on Justin Lane be terminated at the east boundary line of Lot 13, Block 15 of Crestview Addition, Section 1.

C14-72-133 Victor Michalenko--Contd.

TESTIMONY

WRITTEN COMMENT

John Browning: 1910 Justin Lane

FOR

PERSONS APPEARING

None

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Stewart stated that excessive right-of-way should not be required from a property owner; he suggested that right-of-way be required on Justin Lane sufficient to bring it up to seventy-five feet. The Committee concluded that this request should be granted, subject to subdivision, fifteen feet of right-of-way on Justin Lane and five feet of right-of-way on Hardy Drive.

AYE: Messrs. Hetherly, Betts, Faulkner and Stewart. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Victor Michalenko for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 1916 Justin Lane be GRANTED, subject to subdivision, fifteen feet of right-of-way on Justin Lane and five feet of right-of-way on Hardy Drive.

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

Mmes Ashworth and Mather

C14-72-134 Estate of Parelee Preece: A to O
4212 Medical Parkway

STAFF REPORT: This tract covers 13,325 square feet of land, and is located on Medical Parkway, which has sixty feet of right-of-way with forty feet of paving. This area is a mixture of single-family, office, and retail-commercial zoning and uses. The zoning in this area other than residential is primarily confined to lots fronting on Medical Parkway. The adjoining lots to the north and south of this tract are zoned "O" Office. The requested zoning is compatible with the area, and complies with the recent study of this area. The staff recommends that this request be granted, subject to five feet of right-of-way and a five-foot sidewalk and utility easement on Medical Parkway.

TESTIMONY

WRITTEN COMMENT

W. A. Hibbert, Jr.: 918 East 32nd Street

FOR

PERSONS APPEARING

None

C14-72-134 Estate of Parelee Preece--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, as compatible with the area, subject to five feet of right-of-way and a five-foot sidewalk/ utility easement on Medical Parkway.

AYE: Messrs. Hetherly, Betts, Faulkner and Stewart. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of the Estate of Parelee Preece for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 4212 Medical Parkway be GRANTED, subject to five feet of right-of-way and a five-foot sidewalk/utility easement on Medical Parkway.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mmes Ashworth and Mather

C14-72-135 Conrad F. Wisian, Jr. and William W. Schmidt: A to O
502-504 West Oltorf Street

STAFF REPORT: This property covers 14,000 square feet of land located on West Oltorf Street, which is a major arterial street with seventy feet of right-of-way, planned to go to eighty feet. This tract is located less than one block from the intersection of Oltorf and South First Streets, the corners of which are zoned "C" Commercial. "GR" General Retail zoning exists to the west of the subject tract, with "O" Office zoning across the street. A subsidized apartment development constructed under "B" Residence zoning is developed to the immediate north. The requested zoning is consistent with existing zoning and is compatible with the area. A subdivision is needed to eliminate the 25-foot lots which are substandard under the Subdivision Ordinance. The staff recommends that this case be granted, subject to short form subdivision and ten feet of right-of-way on Oltorf Street.

TESTIMONY

WRITTEN COMMENT

Herbert H. Sladek: 2602 Wilson Street
Joe C. Saldana: 503 West Oltorf Street

FOR
FOR

PERSONS APPEARING

Ann Green (representing applicant)
William W. Schmidt (applicant)

C14-72-135 Conrad F. Wisian, Jr. and William W. Schmidt--Contd.

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 subdivision for each tract, and ten feet of right-of-way on Oltorf Street.

AYE: Messrs. Hetherly, Betts, Faulkner and Stewart. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Conrad F. Wisian, Jr. and William W. Schmidt for a change of zoning from "A" Residence, First Height and Area to "O" Office First Height and Area for property located at 502-504 West Oltorf Street be GRANTED, subject to subdivision and ten feet of right-of-way on West Oltorf Street.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
 Mmes Ashworth and Mather

C14-72-136 Henry G. Sanders: A to LR
 4120 East 12th Street

STAFF REPORT: This property covering 11,734 square feet of land is located approximately one-half block from the intersection of East 12th Street and Springdale Road. Property to the north, east and south is zoned "A" Residence and developed with single-family dwellings to the west and northwest. A City park exists one to two blocks west on 12th Street. To the east is a small shopping center, developed under "LR" Local Retail zoning; a large percent of this shopping center is undeveloped. The subject tract was a part of a 1968 zoning case covering the property to the north and across 12th Street, in which the Planning Commission recommended "BB" Residence zoning after several lots were removed from the application. This case was recently dismissed, as the new owners did not wish to finalize the application.

The staff recommends that this case be denied, as an intrusion into an "A" Residence zoned area with single-family homes adjoining to the west. "LR" Local Retail zoning is more appropriate at the intersection of two major arterial streets. The fact that the existing shopping center has not fully developed is an indication that additional local retail zoning is unwarranted at this time.

TESTIMONY

WRITTEN COMMENT

Gray and Becker: P. O. Box 9385

NO OBJECTION

PERSONS APPEARING

None

C14-72-136 Henry G. Sanders--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Stewart stated that the requested zoning appears to be compatible with the area. The members concluded that this request should be granted, subject to subdivision.

AYE: Messrs. Hetherly, Betts, Faulkner and Stewart. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Henry G. Sanders for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 4120 East 12th Street be GRANTED, subject to subdivision.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
 Mmes Ashworth and Mather

C14-72-137 Forest S. Pearson: A to C
 2711 South First Street

C14-72-138 Mrs. Lee Maners: A to LR
 2713 South First Street

STAFF REPORT: The staff has combined these two cases for review purposes, as they are adjoining properties. 2711 South First Street covers 6,000 square feet of land, and 2713 South First Street contains approximately 7,200 square feet of land. South First Street is a major arterial street with eighty feet of right-of-way; however, it is surfaced to forty-four feet, with no plans to widen the surfacing. South First Street north of Ben White Boulevard is in transition to multi-family and non-residential zoning and use. "C" Commercial zoning exists to the north and is oriented to the intersection of Oltorf Street and South First Street, which is approximately three blocks to the north of the subject tracts.

The undeveloped "C" Commercial tracts adjoining Tract 1 to the north were granted this zoning in 1954. The cafe at the corner of El Paso Street and South First Street is a non-conforming use, having been in existence prior to 1946, when the first Zoning Ordinance went into effect. To the south and across South First Street from these tracts is a site which was recently granted "GR" General Retail zoning on the front 200 feet, with the west portion to remain "B" Residence zoning, in deference to the adjoining single-family development. On a case heard last month located one block further south, the Commission stated that "GR" General Retail zoning was too intense and recommended "LR" Local Retail zoning for the front 150 feet and "B" Residence for the remainder. One of these tracts, 2711 South First Street, was the subject of a request for "C" Commercial during 1970. The Planning Commission recommended for denial, stating any non-residential use would be incompatible

C14-72-137 Forest S. Pearson--Contd.C14-72-138 Mrs. Lee Maners--Contd.

with the single-family development to the east. "B" Residence zoning was recommended by the Commission to create an alignment with the "B" Residence zoning across South First Street. There are four small developments in the twelve to thirteen blocks on South First Street requiring "C" Commercial; in most cases "LR" Local Retail zoning would suffice.

The staff recommends that "C" Commercial, First Height and Area on Tract 1, and "LR" Local Retail, First Height and Area on Tract 2 be denied, but recommends that "B" Residence, First Height and Area be granted for both tracts. A recent past Planning Commission recommended against non-residential zoning for lots on this side of South First Street in this block. In the most recent case, the Commission felt that "LR" Local Retail zoning with sufficient buffering should be the most permissive zoning along South First Street. Any zoning more permissive than "B" Residence is considered to be incompatible with the single-family development to the east. "C" Commercial zoning by Ordinance is designed for wholesale and intensive commercial uses. The staff would normally recommend for local retail use along most of South First Street, but the limited depth of the lot on the east side, and the adjoining single-family development in this case preclude this recommendation.

TESTIMONY

WRITTEN COMMENT

C14-72-137 Forest S. Pearson

Mr. & Mrs. Harold Butler: 2700 Stacy Lane

Nelson Putee: 5425 Burnet Road

Jack E. McCown: 2704 Stacy Lane

FOR

FOR

AGAINST

C14-72-138 Mrs. Lee Maners:

Mr. & Mrs. Harold Butler: 2700 Stacy Lane

Nelson Puett: 5425 Burnet Road

Standard Mortgage: P. O. Box 1987

FOR

FOR

FOR

PERSONS APPEARING

C14-72-137 Forest S. Pearson

Forest Pearson (applicant)

John Campbell

FOR

C14-72-138 Mrs. Lee Maners

None

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Faulkner stated that the large area involved justifies the requested zoning. The members reviewed the information and concluded that the zoning requested on both cases should be granted.

AYE: Messrs. Hetherly, Betts, Faulkner and Stewart. Mrs. Ashworth

C14-72-137 Forest S. Pearson--Contd.

C14-72-138 Mrs. Lee Maners--Contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Forest S. Pearson for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 2711 South First Street be GRANTED. (C14-72-137)

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

Mmes Ashworth and Mather

VOTED: To recommend that the request of Mrs. Lee Maners for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 2713 South First Street be GRANTED. (C14-72-138)

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

Mmes Ashworth and Mather

C14-72-139 D. L. Pickett: A to C
808-810 East 52nd Street

STAFF REPORT: This property totaling 7,800 square feet of land is located on East 52nd Street within the first block east of Airport Boulevard. East 52nd Street is a minor residential street with narrow surfacing and is not planned for widening. Property to the north, west and south is zoned "C" Commercial and "C-2" Commercial, and except directly across the street from the subject tract, is developed with retail-commercial uses. The land adjoining the subject tract is not developed with the "C-2" Commercial zoning reflected for this property. The area to the east and including the property adjoining the subject tract is developed with a nice older area of single-family homes and duplexes. Most of these residences are well-maintained and many are freshly painted.

The staff recommends that this case be denied, but recommends that "O" Office, First Height and Area be granted, subject to subdivision eliminating the substandard lots and dedicating five feet of right-of-way on East 52nd Street. It is felt that the requested zoning would be an intrusion into a residential area rather than an extension of zoning fronting on Airport Boulevard. "O" Office zoning would provide a reasonable buffer for the single-family homes along East 52nd Street, and this is recommended only because of the close retail-commercial development along Airport Boulevard. 52nd Street is inadequate for intense zoning. Further, it is recommended that the west side of Depew Avenue be the termination of rezoning on 52nd Street.

C14-72-139 D. L. Pickett--Contd.

TESTIMONY

WRITTEN COMMENT

Walter Lad Bartosh: 9607 Sprinkle Road

FOR

PERSONS APPEARING

None

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, as a suitable use for this tract, subject to subdivision and five feet of right-of-way on 52nd Street. It is also recommended that the west side of Depew Avenue be the termination of rezoning on 52nd Street.

AYE: Messrs. Hetherly, Betts, Faulkner and Stewart. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of D. L. Pickett for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 808-810 East 52nd Street be GRANTED, subject to subdivision and five feet of right-of-way on 52nd Street. It is further recommended that the west side of Depew Avenue be the termination of rezoning on 52nd Street.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
 Mmes Ashworth and Mather

C14-72-140 O. Newton Wilds, Jr.: O and A to GR and C-2 (as amended)
 3704 Crawford Avenue
 1512 West 35th Street Cut-off

STAFF REPORT: The two tracts under this application total 21,760 square feet of land. The applicant is requesting "C-2" Commercial zoning to allow operation of a package liquor store for off-premises consumption. The general area is one of mixed zoning, somewhat originating from the complex design of the streets such as 35th, 38th, and Crawford Streets, as well as other streets, which create various triangular-shaped blocks. There is a good deal of "O" Office zoning and uses reflecting the service needs of the hospitals in this area. The staff has no objection to a package store on this property, but is unable to recommend for "C-2" Commercial zoning on the entire property as this zoning district allows all those uses permitted in the "C" Commercial zoning district. "C" Commercial zoning allows commercial recreation, wholesale and intensive commercial use. It is felt that these additional uses, such as open storage yards, warehousing, second-hand activities, car lots, and semi-industrial functions would be incompatible with the existing and anticipated development in this area.

C14-72-140 O. Newton Wilds, Jr.--Contd.

The staff recommends that "GR" General Retail zoning be granted for both tracts, as "C" Commercial zoning would set a bad precedent for this immediate area.

TESTIMONY

WRITTEN COMMENT

Amy Joyce Parks: 208 West 31st Street
Rankin H. Chapman: 3911 North Hills Drive

FOR
AGAINST

PERSONS APPEARING

Tom Curtis (representing applicant)

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, as amended; with "GR" General Retail zoning, except for 2500 square feet of "C-2" Commercial zoning to be granted on the tract abutting 35th Street, to be defined by metes and bounds.

AYE: Messrs. Hetherly, Betts, Faulkner and Stewart. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of O. Newton Wilds, Jr. for a change of zoning from "A" Residence First Height and Area and "O" Office, First Height and Area to "GR" General Retail, First Height and Area and "C-2" Commercial, First Height and Area (as amended), for property located at 3404 Crawford Avenue and 1512 West 35th Street Cut-off be GRANTED, as amended, subject to metes and bounds on the area zoned "C-2" Commercial, First Height and Area.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart
Mmes Ashworth and Mather

C14-72-141 Wayne Dayton Plumbing, Inc.: Int. "A", Int. 1st to C
8501 Research Boulevard

C14-72-142 Wayne T. Dayton, Jr.: Int. A, Int. 1st to C
8509 Research Boulevard

STAFF REPORT: These two tracts of land are being combined for review purposes. It is divided into two tracts, with Tract 1 containing 1.279 acres of land, and Tract 2 containing .301 acres of land. This is a commercial area with some property remaining undeveloped "A" Residence. The trend of rezoning for commercial uses began in 1967, with numerous commercial uses along Research Boulevard. The staff recommends that this case be granted, subject to a subdivision identifying these tracts. The requested zoning is compatible with present zoning fronting on Research Boulevard.

C14-72-141 Wayne Dayton Plumbing, Inc.--Contd.

C14-72-142 Wayne T. Dayton, Jr.--Contd.

TESTIMONY

WRITTEN COMMENT

Gray & Becker	FOR
Nelson Puett	FOR
Mildred A. Dayton: 8509 Remington Lane	AGAINST
Thomas M. Rodgers: 8510 Remington Lane	AGAINST
Elmer C. Webb: 8512 Remington Lane	AGAINST
Robert A. Helphenstine: 8507 Remingont Lane	AGAINST
Frank Ritz: 8504 Remington Lane	AGAINST
Raymond C. Godwin	AGAINST
Kenneth W. Powell: 8513 Remington Lane	AGAINST
Arvin Harrell: 8508 Remington Lane	AGAINST
Ronald & Mary Coleman: 1421 Fairfield Drive	AGAINST

PERSONS APPEARING

T. M. Rodgers: 8510 Remington Lane	AGAINST
Mr. & Mrs. Frank Retz: 8504 Remington Lane	AGAINST
Mildred A. Dayton: 8509 Remington Lane	AGAINST
Ray Godwin: 8511 Remington Lane	AGAINST

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed and discussed the information. While the adjacent residential development should be protected, the requested zoning is a suitable use for Research Boulevard. They concluded that this request should be granted, subject to subdivision identifying the two tracts, and six-foot privacy fencing where the property is adjacent to residential development.

AYE: Messrs. Hetherly, Betts, Faulkner and Stewart. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Wayne Dayton Plumbing, Inc. for a change of zoning from Interim "A" Residence, Interim First Height and Area to "C" Commercial, First Height and Area for property located at 8501 Research Boulevard be GRANTED, subject to subdivision and a six-foot privacy fence where adjoining residential development.
(C14-72-141)

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mmes Ashworth and Mather

C14-72-141 Wayne Dayton Plumbing, Inc.--Contd.

C14-72-142 Wayne T. Dayton, Jr.--Contd.

The Commission then

VOTED: To recommend that the request of Wayne T. Dayton, Jr. for a change of zoning from Interim "A" Residence, Interim First Height and Area to "C" Commercial First Height and Area for property located at 8509 Research Boulevard be GRANTED, subject to subdivision. (C14-72-142)

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mmes Ashworth and Mather

C14-72-143 Charles Carpenter: LR to GR (Tract 1) and C-2 (Tract 2)
Rear of 1801-1819 East Riverside Drive

STAFF REPORT: The tracts under consideration are located within the River Hills Shopping Center; Tract 1 contains 1,250 square feet, and Tract 2 contains 1,000 square feet of land. The area is a mixture of different zoning oriented to Riverside Drive, a major arterial street. The most restrictive zoning adjacent to the subject tracts is "B" Residence. The predominant zoning in this area is local retail and general retail. The staff recommends that this case be granted, as the requested zoning is compatible with the present zoning, and conforms to recent recommendations of the Planning Commission.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

None

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as a compatible use for this area.

AYE: Messrs. Hetherly, Betts, Faulkner and Stewart. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Charles Carpenter for a change of zoning from "LR" Local Retail, Second Height and Area to "GR" General Retail, Second Height and Area (Tract 1) and to "C-2" Commercial, Second Height and Area (Tract 2), for property located at 1801-1819 East Riverside Drive be GRANTED.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mmes Ashworth and Mather

C14-72-144 Jim and Dolly Fritts: A to C
4320 Gillis Street
1406 Casey Street

STAFF REPORT: This property covers 19,200 square feet of land, and is located on Gillis Street, a minor residential street with a surfaced width of thirty feet, and Casey Street, a minor collector street. This tract is approximately one block south of Ben White Boulevard. The southeast and southwest corners of Ben White Boulevard are zoned and developed as "GR" General Retail, as recommended by an area study made several years ago. A drive-in theater adjoins the property to the west. The property adjacent to the north was granted "GR" General Retail during 1969 by the City Council, after a unanimous recommendation for denial by the Planning Commission. Subsequently, the lot directly across the street from this earlier case was granted "GR" General Retail zoning in 1971, as an extension of the zoning granted in 1969. This case proposes an additional zoning encroaching further into a reasonably well-maintained single-family area.

The staff recommends that this case be denied, but recommends that "BB" Residence, First Height and Area zoning be granted, subject to five feet of right-of-way on Gillis Street. The requested change in zoning would be an unnecessary intrusion into a single-family neighborhood. The staff reluctantly recommends "BB" Residence zoning, and feels that such zoning should extend no further than Casey Street. Unless a point of termination is established, the rezoning of this single-family neighborhood could continue on a lot by lot basis, creating further incompatibility. The streets in this area are adequate for only single-family and duplex development. In addition, commercial-retail zoning is recommended for the intersection of two major arterial streets, which is not true in this case.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Phil Mockford (representing applicant)

COMMENTS AND ACTION BY THE COMMITTEE

The members discussed the uses adjacent to this tract. Mr. Stewart stated that "GR" General Retail zoning would be compatible with the uses in the area. A majority of the Committee concluded that this request should be denied, but that "GR" General Retail zoning should be granted, as compatible with existing uses, subject to five feet of right-of-way on Gillis Street.

The members also recommend that Casey Street should be the boundary line of further rezoning in this area.

AYE: Messrs. Hetherly, Betts, Faulkner and Stewart
NAY: Mrs. Ashworth

C14-72-144 Jim and Dolly Fritts--Contd.

The Commission reviewed the information and

VOTED: To recommend that the request of Jim and Dolly Fritts for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 4320 Gillis Street and 1406 Casey Street be DENIED, but recommend that "GR" General Retail, First Height and Area zoning be GRANTED, subject to five feet of right-of-way on Gillis Street. It is further recommended that Casey Street be designated as the boundary line of further rezoning in this area.

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

NAY: Mmes Ashworth and Mather

C14-72-145 Fred C. Morse: Int. A, Int. 1st to GR (Tr. 1) and BB (Tr. 2) (as amended)
6902-6926 Ed Bluestein Boulevard (U.S. Highway 183)

STAFF REPORT: This property totals 24.34 acres and has 600 feet of frontage on this major arterial and over 2,000 feet of depth to the east. On Tract 1, the applicant is requesting "GR" General Retail zoning for the front 600 feet to a depth of 600 feet. This totals 8.25 acres. For Tract 2, there is a request for "B" Residence zoning for approximately 1,800 feet east of Tract 1. This area consists of 16.09 acres.

The overall area east of Ed Bluestein Boulevard is basically zoned Interim "A" Residence and planned for single-family/duplex developments in deference to the school site north of Purple Sage Drive, which is planned to serve this area. Some retail-commercial type zoning is anticipated when tracts have frontage on this boulevard. There is "GR" General Retail zoning across Ed Bluestein Boulevard from the subject tract and a pending case of "GR" General Retail zoning at the north corner of Purple Sage Drive and Ed Bluestein Boulevard. The case north of Purple Sage Drive has a varying depth to the east, allowing for compatibility with the single-family development.

The staff recommends that this case be denied, but recommends that "GR" General Retail zoning be granted on the western-most 314 feet of Tract 1, to form an alignment with the "GR" General Retail zoning to the north. It is recommended that the remainder of Tract 1 and all of Tract 2 remain Interim "A" Residence, and that there be a six-foot privacy fence along the east boundary line of Tract 1. It is felt that the 4.13 acres of "GR" General Retail zoning proposed by the staff is a logical extension of the earlier case to the north. The staff recognizes the plans for this area, which provides for reasonable use of the land. The staff suggests that the Planned Unit Development may be the approach to the remainder of this tract as there are some topography problems with this land.

C14-72-145 Fred C. Morse--Contd.

TESTIMONY

WRITTEN COMMENT:

None.

PERSONS APPEARING

Robert Davis (representing applicant)

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information. Mr. Stewart stated that sufficient "GR" General Retail zoning should be allowed for adequate parking for the general retail uses. Mr. Faulkner stated that apartment development would possibly have a bad effect on the school in the area. Mrs. Ashworth stated that a Planned Unit Development would be more suitable for this property. A majority of the Committee concluded that this request should be denied, but recommended "GR" General Retail, First Height and Area zoning to a depth of 500 feet, with the remainder to be zoned "BB" Residence, First Height and Area, subject to a six-foot privacy fence on the east boundary line.

AYE: Messrs. Hetherly, Betts, Faulkner and Stewart

NAY: Mrs. Ashworth

At the Planning Commission meeting, the members discussed the size of this tract, and the density which could be developed under "BB" Residence zoning. They were of the opinion that the zoning of this tract will set a precedent for the undeveloped property in the area and felt that a more definite plan of development is needed for the residential use. The Commission then

VOTED: To recommend that the request of Fred C. Morse for a change of zoning from Interim "A" Residence, Interim First Height and Area to "GR" General Retail, First Height and Area (Tract 1), and "BB" Residence, First Height and Area (Tract 2), as amended, for property located at 6902-6926 Ed Bluestein Boulevard be DENIED, but recommend that "GR" General Retail, First Height and Area be GRANTED on the five hundred (500) feet from the west property line, with the remainder of the tract to be "A" Residence, First Height and Area, subject to a six-foot privacy fence along the east boundary line of the property zoned "GR" General Retail.

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

 Mmes Ashworth and Mather

C14-72-146 Adelia Dahlstrom, et al: C, 6th and A, 1st to DL, 6th Tract 1;
100-306 St. Elmo Road C, 1st Tract 2; BB, 1st Tract 3
4200-4350 Congress Avenue (as amended)

STAFF REPORT: This application is on a tract containing thirty-seven acres of land, located at the northwest corner of South Congress Avenue and St. Elmo Road. Tract 1 covers approximately 19.75 acres, of which 3.4 acres front on South Congress Avenue and is zoned "C" Commercial, 6th Height and Area; the remainder is classified "A" Residence. Tract 2 covers approximately 15.8 acres, of which 3.75 acres front on South Congress Avenue, and is zoned "C" Commercial, 6th Height and Area; the remainder is zoned "A" Residence. Tract 3 totals approximately 1.8 acres, all of which is zoned "A" Residence.

This area is one of commercial-industrial uses east of South Congress Avenue and residential-commercial development west of South Congress Avenue. The east 250 feet of both Tracts 1 and 2 are zoned "C" Commercial and front on South Congress Avenue. To the south under "C" Commercial zoning is a liquor store at the corner of St. Elmo Road and South Congress Avenue. Across St. Elmo Road a large apartment dwelling group was recently approved under special permit.

To the south and southwest of Tracts 2 and 3 is an older single-family residential area. The Planning Commission recommended a 100-foot buffer zone be provided in a recent rezoning case adjoining to the east of this subdivision. To the north-northwest of Tract 1 across the railroad spur and Radam Lane, there is a rest home and several single-family homes extending westward to South First Street. To the direct west of Tracts 1, 2, and 3 the land is zoned "A" Residence and is largely undeveloped. There are several large tracts included and two of these appear to be land-locked.

The staff recommends that this case be denied, but recommends that "DL" Industrial, 6th Height and Area be granted on Tract 1; that "C" Commercial, 1st Height and Area be granted on Tract 2; and that "BB" Residence, First Height and Area be granted on Tract 3. This recommendation is subject to these tracts being identified by short form subdivision and a varying amount of right-of-way to be dedicated on St. Elmo Road to bring the street to seventy feet.

The staff feels that with Tract 3 as "BB" Residence, rather than the requested "B" Residence zoning, this application is consistent with the zoning and development existing and planned for this area. The "BB" Residence zoning provides for more compatibility with the single-family development in this area, and is less of a precedent for higher densities than a more permissive zoning.

TESTIMONY

WRITTEN COMMENT

Lawrence F. Gall: 4305 South First Street

FOR

PERSONS APPEARING

Emmitt Shelton (representing applicant)

C14-72-146 Adelia Dahlstrom, et al--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, as amended, as proper use for these tracts, subject to subdivision and varying right-of-way on St. Elmo Road to bring it to seventy feet.

AYE: Messrs. Hetherly, Betts, Faulkner and Stewart. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Adelia Dahlstrom, et al, for a change of zoning from "C" Commercial, Sixth Height and Area and "A" Residence, First Height and Area to "DL" Industrial, Sixth Height and Area (Tract 1), "C" Commercial, First Height and Area (Tract 2), and "BB" Residence, First Height and Area (Tract 3), as amended, for property located at 100-306 St. Elmo Road and 4200-4350 Congress Avenue be GRANTED, as amended, subject to subdivision and varying right-of-way on St. Elmo Road to bring it to seventy feet.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
 Mmes Ashworth and Mather

C14-72-147 Citizens National Bank: A to B
 5415-5417 Harmon Avenue

STAFF REPORT: This property totals 8,500 square feet. Harmon Avenue is a minor residential street with fifty feet of right-of-way and thirty feet of surfaced width. The surrounding area to the north, west and south is developed with single-family homes. To the east there is "C" Commercial zoning along I.H. 35.

During 1963, the lot to the immediate north, now zoned "B" Residence, was the subject of a zoning case for the purpose of affording commercial access to a proposed banking operation on Harmon Avenue. There was opposition to this intrusion into a single-family neighborhood and this case was recommended for denial by the Planning Commission. The case was postponed and heard by the City Council in 1965, which granted the requested zoning for purposes of a driveway and parking area. The bank is now asking for more rezoning of an adjoining tract for additional parking.

The staff recommends that this case be denied, as the staff feels that the requested zoning would be an additional unwarranted intrusion rather than an extension of existing zoning. The dominant zoning west of I.H. 35 is "A" Residence developed with single-family dwellings in very good condition. Harmon Street with its narrow surfacing is inadequate for other than single-family or duplex traffic.

C14-72-157 J. D. Culp--Contd.

TESTIMONY

WRITTEN COMMENT

Albert C. Holland: 1148 Gunter

FOR

PERSONS APPEARING

John Selman (representing applicant)

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information. Mr. Betts stated that the requested zoning is consistent with this area. A majority of the members concluded that this request should be granted, subject to subdivision and five feet of right-of-way on Gunter Street.

AYE: Messrs. Betts, Faulkner and Stewart. Mrs. Ashworth

ABSTAIN: Mr. Hetherly

At the Commission meeting, Mr. Hetherly stated that it was not necessary for him to abstain from this case. The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of J. D. Culp for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 1144 Gunter Street be GRANTED, subject to subdivision and five feet of right-of-way on Gunter Street.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart. Mmes Ashworth and Mather

C14-72-158 Highland Veterinary Clinic, Inc.: 0 to C
8106-8110 Shoal Creek Boulevard

STAFF REPORT: This property totaling 28,800 square feet is located on a major arterial with eighty feet of right-of-way. The proposed use is for a veterinary clinic and a special permit covering this use will be subject to a public hearing. Subject tract is one-half block south of the intersection of Steck Avenue and Balcones Drive. This intersection is zoned "C" Commercial and "GR" General Retail. One of the "GR" General Retail tracts adjoins subject tract. Across Balcones Drive from this proposed veterinary site is a combination day school and child-care center. The greater area across Balcones Drive is undeveloped land zoned "O" Office. Adjoining subject tract to the west is the Steck-Warlick Printing Plant and office. The land to the south is primarily zoned "O" Office and is developed with a professional office center and a dental clinic.

C14-72-158 Highland Veterinary Clinic, Inc.--Contd.

The staff recommends that this case be denied, as "C" Commercial district is considered incompatible with the developments and existing zoning since it is designed for wholesale and intensive commercial developments, such as used by contractors operations, warehousing and semi-industrial activities.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Tom Miller (representing applicant)

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, as a proper use for this site, subject to subdivision and a special permit, with the stipulation that no outside activities, such as runs or kennels, are to be permitted.

AYE: Messrs. Hetherly, Betts, Faulkner and Stewart. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of the Highland Veterinary Clinic, Inc., for a change of zoning from "O" Office, First Height and Area to "C" Commercial, First Height and Area for property located at 8106-8110 Shoal Creek Boulevard be GRANTED, subject to subdivision and special permit, to have no outside runs or kennels.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart. Mmes Ashworth and Mather

C14-72-159 Tom Bradfield and Donald H. Cummins: C to C-2
2405 Nueces Street

STAFF REPORT: The subject tract contains 4,414 square feet. The surrounding area is zoned commercial and multi-family. This zoning has been a direct result of the University and its rapid growth. Seton Hospital is located approximately one and one-half blocks from subject tract. The old Woolridge Elementary School is located directly across Nueces Street from subject tract and is now property owned by the University of Texas and is used for classroom study.

The staff recommends that this case be granted, as it has no objection to this zoning.

C14-72-147 Citizens National Bank--Contd.

TESTIMONY

WRITTEN COMMENT

Walt Schieffer: 1011 E. 40th Street

FOR

PERSONS APPEARING

Phil Mockford (representing applicant)

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, subject to one curb cut on Harmon Avenue, to be 25-30 feet; fencing on Harmon Avenue and on the south property line, where adjacent to residential use; and fencing setback as is now in existence.

AYE: Messrs. Hetherly, Betts, Faulkner and Stewart. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of the Citizens National Bank for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 5415-5417 Harmon Avenue be GRANTED, subject to one curb cut on Harmon Avenue, 25-30 feet in width; fencing on Harmon Avenue and on the south property line, where adjacent to residential use; and a fencing setback as is now in existence.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
 Mmes Ashworth and Mather

C14-72-148 Hyde Park Baptist Church: A to O
 4000 Avenue G (Tract 1)
 4000 Avenue F (Tract 2)

STAFF REPORT: Tract 1, located at the northwest corner of 40th Street and Avenue G, totals 19,500 square feet. Tract 2, consisting of 10,625 square feet, is located at the northeast corner of 40th Street and Avenue F. These properties are owned by the Hyde Park Baptist Church which is requesting this zoning to provide for an educational activities building and/or a parking lot. The Building Inspection Department advises rezoning is required for these proposed developments when such are removed from the main structure. These two tracts are part of an older section of Hyde Park with few zoning encroachments on the interior area bounded by Speedway, Duval, 40th and 43rd Streets. A high percentage of this interior area remains "A" Residence. Tract 2 adjoins "C" Commercial zoning to the west, which is developed with a Methodist Church. Tract 2 is being used as a parking lot at this time. The property in the other three directions is zoned "A" Residence. The land to the direct south, although zoned "A" Residence, is part of the block in which the main church is located and is used as a parking lot. All property approximately two blocks from Tract 1 is zoned "A" Residence.

C14-72-148 Hyde Park Baptist Church--Contd.

The staff recommends that the case be denied, as any change in zoning on these tracts would be an intrusion into an "A" Residence neighborhood. Regardless of the proposed use of these properties, rezoning would establish an undesirable precedent, encourage rezoning of other properties in this area, and lead to a deterioration of the single-family neighborhood.

TESTIMONY

WRITTEN COMMENT

Elsie Lindahl: 3916 Avenue H	FOR
Carey Legett, Jr.: 2904 Swisher Street	FOR
A. H. Deen: 4011 Avenue G	AGAINST
Walter V. Jessee: 3912 Avenue H	AGAINST

PERSONS APPEARING

Don Tew (representing applicant)	
Homer Reed (representing applicant)	
Ralph Smith (representing applicant)	
Gordon Grahm (representing applicant)	
Bob Shotwell (representing applicant)	
Ralph Ash (representing applicant)	
Mr. and Mrs. Ralph Rash: 5002 Balcones Drive	FOR
Mr. and Mrs. Walter Richter: 3901 Avenue G	AGAINST
Robin Richter: 3901 Avenue G	AGAINST
Gary Richter: 3901 Avenue G	AGAINST
John Crutchfield: 2907 Lake Austin Boulevard	AGAINST
Clay Fuller: 3815 Avenue F	AGAINST
Mr. and Mrs. Walter V. Jesse	AGAINST
Mrs. Clay Fuller: 3815 Avenue F	AGAINST
Zeaton G. Falls: 4002 1/2 Avenue F	AGAINST
Miguel Gonzalez-Gerth: 4109 Avenue G	AGAINST
Mrs. Otie O. Gage: 3908 Avenue H	AGAINST
One Petition bearing 72 signatures	AGAINST

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed and discussed this application. Mr. Stewart stated that this zoning is proper for the church-related activities for which it will be used, as it is difficult for a church to expand in a developed area. Mrs. Ashworth stated that this zoning will set an undesirable precedent for this area. Mr. Faulkner pointed out that the area between Speedway and Guadalupe Street is more suitable for "B" Residence, Second Height and Area zoning, as brought out by the area study. A motion to deny a change of zoning on Tract 1, and to grant "O" Office zoning on Tract 2 failed by the following vote:

AYE:	Mrs. Ashworth and Mr. Faulkner
NAY:	Messrs. Hetherly, Betts and Stewart

C14-72-148 Hyde Park Baptist Church--Contd.

A majority of the Committee concluded that this request should be granted.

AYE: Messrs. Hetherly, Betts and Stewart
NAY: Mrs. Ashworth and Mr. Faulkner

At the Commission meeting, the members discussed this area. Mr. Betts stated that the area is in a state of transition. The members then

VOTED: To recommend that the request of the Hyde Park Baptist Church for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 4000 Avenue G, (Tract 1), and 4000 Avenue F, (Tract 2), be GRANTED.

AYE: Messrs. Milstead, Betts, Bobbitt, Hetherly and Stewart.
NAY: Messrs. Barrow and Faulkner. Mmes Ashworth and Mather

C14-72-149 Leffler Millwork Company: Int. A, Int. 1st to C
2509-2609 Buell Avenue

STAFF REPORT: This property totals 1.63 acres and is located on the south side of Buell Avenue, approximately one-half block west of Burnet Road. Buell Avenue has fifty feet of right-of-way. On both sides of Buell Avenue there are operations and activities of a wholesale and intensive commercial use for which the "C" Commercial zoning district is designed. Substantially all of the development on this street took place prior to annexation.

The staff recommends that this case be granted, subject to up to five feet right-of-way on Buell Avenue and a six-foot privacy fence along the south boundary line. The requested zoning is consistent with development along Buell Avenue. Sixty feet is the minimum required right-of-way for "C" Commercial zoning. Five feet has already been dedicated from most of the property on the north side of Buell Avenue. A shielding requirement is considered appropriate for the residential property adjoining to the south.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Donald Dumas (representing applicant)

COMMENTS AND ACTION BY THE COMMITTEE

The Committtee reviewed the information and concluded that this request should be granted, as consistent with the area, subject to subdivision, up to five feet of right-of-way on Buell Avenue, and a six-foot privacy fence along the south boundary line.

AYE: Messrs. Hetherly, Betts, Faulkner and Stewart. Mrs. Ashworth

C14-72-149 Leffler Millwork Company--Contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Leffler Millwork Company for a change of zoning from Interim "A" Residence, Interim First Height and Area to "C" Commercial, First Height and Area for property located at 2509-2609 Buell Avenue be GRANTED, subject to subdivision, up to five feet of right-of-way on Buell Avenue, and six-foot privacy fence along the south boundary line.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
 Mmes Ashworth and Mather

C14-72-150 Emile Jamail: A to B
 4402-4410 Barrow Avenue

STAFF REPORT: This property consists of 30,960 square feet and is on a minor residential street with fifty feet of right-of-way. Subject tract is located near the south end of Barrow Avenue, a one block stub street with a drainage problem caused by the tract and this block being divided by Waller Creek. There are homes on both sides of the street extending southward approximately one block from East 45th Street. There is a substantial amount of apartment and retail-commercial zoning on the perimeters of this rather isolated area.

The staff recommends that this case be denied, but recommends that "BB" Residence, First Height and Area zoning be granted for this tract, subject to a short-form subdivision combining these lots into one and dedicating five feet of right-of-way on Barrow Avenue. The eight units which can be constructed on this tract under "BB" Residence zoning are the most that should be recommended. Subject tract backs on "A" Residence uses and the lower density zoning would be more compatible with these single-family developments. Barrow Avenue has insufficient surfacing for servicing higher densities.

TESTIMONY

WRITTEN COMMENT

David G. Beverage: 7824 Highwood Avenue
Jonnie M. Clawson: 4413 Barrow Avenue
David O. Johnson: 4401 Barrow Avenue

FOR
AGAINST
AGAINST

PERSONS APPEARING

Robert Davis (representing applicant)
David Johnson: 4401 Barrow Avenue

AGAINST

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Faulkner stated that this request is five lots deep into an "A" Residence zoned street, and the marsh-like condition at the end of the street makes it impossible to construct a cul-de-sac. Mr. Betts stated that the street is not adequate to

C14-72-150 Emile Jamail--Contd.

handle higher density than "BB" Residence zoning. He stated that this street is surrounded by higher density uses, and the majority of the homes in this area are changing to rental units. A majority of the Committee concluded that this request should be denied, but recommend that "BB" Residence, First Height and Area zoning be granted, subject to subdivision combining the lots into one, and five feet of right-of-way on Barrow Avenue.

AYE: Messrs. Hetherly, Stewart and Betts. Mrs. Ashworth
NAY: Mr. Faulkner

At the Commission meeting, the members discussed the uses in this area and the topography of this tract. Mr. Milstead stated that higher density zoning should not be placed at the end of a street of single-family homes. The Commission then

VOTED: To recommend that the request of Emile Jamail for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 4402-4410 Barrow Avenue be DENIED.

AYE: Messrs. Milstead, Barrow and Faulkner. Mmes Ashworth and Mather
 Messrs. Betts, Bobbitt, Hetherly and Stewart

C14-72-151 C. M. Lanier: A to O
 1304-1306 Treadwell Street

STAFF REPORT: This property totaling 5,930 square feet is located at the northeast corner of Josephine Street and Treadwell Street, both residential streets. Subject tract is one block west of South Lamar Boulevard which is basically zoned "C" Commercial. The tract directly south is zoned "GR" General Retail and developed as a shopping center. This shopping center is allowed one curb cut onto Treadwell Street as a means of protecting the single-family area from traffic. However, the subject tract is part of an older single-family area north of Treadwell Street which has no zoning encroachments.

The staff recommends that this case be denied, as "O" Office is considered to be incompatible with the residences as it not only permits offices, but also public parking lots, limited retail operations, and apartments. Treadwell Street is considered to be a natural and effective buffer between the "A" Residence area and the retail development on the south side of Treadwell Street. If granted any change in zoning, there would be no logical point at which to terminate the zoning due to the solid single-family development on the north side of Treadwell Street.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Robert Davis (representing applicant)

C14-72-151 C. M. Lanier--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied, as setting an undesirable precedent for this residential neighborhood.

AYE: Messrs. Hetherly, Betts, Faulkner and Stewart. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of C. M. Lanier for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 1304-1306 Treadwell Street be DENIED.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart. Mmes Ashworth and Mather

C14-72-152 W. K. Dill, Sr.: A to BB
 1631-1633 Waterson Avenue

STAFF REPORT: This property totals 15,674 square feet. "B" Residence zoning adjoins subject tract to the east and exists across Waterson Avenue from MoPac to West Lynn Street, approximately four blocks.

The staff recommends that this case be granted, subject to a short-form subdivision combining the two substandard lots into one and dedicating ten feet of right-of-way on Waterson Avenue. The requested zoning is consistent with existing zoning due to the preponderance of minor residential streets, many of which are unpaved. The subdivision is required to eliminate the substandard lots, each with less than forty-two feet of frontage. The combining of lots also discourages developments on smaller tracts.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

David Lowie (representing applicant)
Mr. and Mrs. McCutcheon

NO OPINION

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, as consistent with the uses in this area, subject to subdivision and ten feet of right-of-way on Waterson Avenue.

AYE: Messrs. Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

C14-72-152 W. K. Dill, Sr.--Contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of W. K. Dill, Sr., for a change of zoning from "A" Residence, First Height and Area to "BB" Residence, First Height and Area for property located at 1631-1633 Waterson Avenue be GRANTED, subject to subdivision and ten feet of right-of-way on Waterson Avenue.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart. Mmes Ashworth and Mather

C14-72-153 Reverend Vincent M. Harris: A, 1st to B, 2nd
3900-3914 Duval Street, 401-407 East 40th Street
3901-3917 Avenue H and 400-410 East 39th Street

STAFF REPORT: This property totals 2.63 acres. This tract is part of an older, well-maintained "A" Residence neighborhood known as Shadow Lawn, which has no zoning encroachments between 38th and 40th streets, Avenue H and Peck Avenue. There is some "B" Residence zoning north of 40th Street and principally along Duval Street, which was granted several years ago. A recent case requesting "B" Residence zoning for the northeast corner of Duval Street and 38th Street was denied by the City Council as an intrusion into this area.

The staff recommends that this case be denied, as any change in zoning on this tract would be an intrusion into a neighborhood of older residences, a number of which are all brick homes. Rezoning of this tract would set a precedent by encouraging other rezoning of properties close by and lead to a deterioration of this neighborhood in which there are a number of retired families. Thirty-two townhouses or sixteen duplexes could be constructed on this tract without a change in zoning.

TESTIMONY

WRITTEN COMMENT

Dr. and Mrs. Pedro Cue: 3816 Avenue H	AGAINST
Mrs. F. Lawrence Carlson: 3814 Avenue H	AGAINST
Elsie Lindahl: 3916 Avenue H	AGAINST
Mr. and Mrs. Jack R. Chick: 3810 Duval Street	AGAINST
Eubie B. Howell: 3817 Duval Street	AGAINST
Walter H. Richter: 3901 Avenue G	AGAINST
Fred Williams: 3815 Avenue G	AGAINST
Mrs. V. A. Fredrickson: 3913 Duval	AGAINST

C14-72-153 Reverend Vincent M. Harris--Contd.

PERSONS APPEARING

John Selman (representing applicant)	
Mr. and Mrs. Walter Richter: 3901 Avenue G	AGAINST
Miguel Gonzalez-Gerth: 4109 Avenue G	AGAINST
Mr. and Mrs. Walter V. Jesse: 3912 Avenue H	AGAINST
Mrs. Pearl Craddock: 4000 Duval	AGAINST
Gus Attal: 3810 Avenue H	AGAINST
Mr. and Mrs. Pedro Cue, Jr.: 3816 Avenue H	AGAINST
Fred M. Bullard: 206 W. 33rd	AGAINST
John Crutchfield: 2907 Lake Austin Boulevard	AGAINST
Clay Fuller: 3815 Avenue F	AGAINST
Mrs. Olie O. Gage: 3908 Avenue H	AGAINST
Robin Richter: 3901 Avenue G	AGAINST
Gary Richter: 3901 Avenue G	AGAINST
Felix Williams: 3815 Avenue H	AGAINST
Mrs. Frances Arbuckle: 3904 Avenue H	AGAINST
Mr. and Mrs. Clayson Fuller: 3815 Avenue F	AGAINST
Petition bearing 36 signatures	AGAINST

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Stewart stated that this tract is not suitable for single-family development, as it fronts on Duval Street, which is a major arterial street. Mr. Betts stated that intense development of this tract would create overflow parking on the adjoining residential streets; lesser zoning, such as "BB" Residence, would afford protection to the neighborhood. Mr. Hetherly stated that this property should be zoned for other than "A" Residence density. Mrs. Ashworth stated that Avenue H and Duval Street are of a different character, but this residential neighborhood should be saved.

A majority of the Committee concluded that this request should be denied, but that "BB" Residence, First Height and Area zoning should be granted, subject to no curb breaks on Avenue H and no curb breaks on the westerly one-half of East 39th Street; privacy fencing or hedging on these same two boundaries; varying right-of-way on East 39th Street; five feet of right-of-way and a five-foot sidewalk easement on Duval Street.

AYE: Messrs. Hetherly, Betts, Faulkner and Stewart
NAY: Mrs. Ashworth

At the Commission meeting, the members discussed this area and the traffic and zoning on Duval Street. Mr. Milstead stated that this property is vacant. Mrs. Ashworth pointed out that thirty-two townhouses could be developed on this tract under the present zoning; "BB" Residence zoning will allow sixty apartment units. Mrs. Mather stated that there is a trend toward revitalizing residential areas near the center of the City; she feels this trend should

C14-72-153 Reverend Vincent M. Harris--Contd.

be encouraged through protection of these areas from zoning encroachments. She noted the strong neighborhood opposition to this change. The Commission then

VOTED: To recommend that the request of the Most Reverend Vincent M. Harris for a change of zoning from "A" Residence, First Height and Area to "B" Residence Second Height and Area for property located at 3900-3914 Duval Street, 401-407 East 40th Street, 3901-3917 Avenue H, and 400-410 East 39th Street be DENIED, but recommend that "BB" Residence, First Height and Area be GRANTED, subject to no curb breaks on Avenue H West, and no curb breaks on the westerly one-half of East 39th Street; privacy fencing or hedging on these same two boundaries; varying right-of-way on East 39th Street; five feet of right-of-way and a five-foot sidewalk easement on Duval Street.

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

NAY: Mmes Ashworth and Mather

C14-72-154 Terrell Timmerman: BB to B
7101 Guadalupe Street

STAFF REPORT: This property totaling 14,643 square feet is located on the east side of Guadalupe Street, which has sixty feet of right-of-way and is surfaced to forty feet. This area along Guadalupe Street, between Airport Boulevard and St. John's Avenue, is in transition to apartment zoning as noted by the various cases of "BB" Residence and "B" Residence zoning. Except at the northwest corner of Guadalupe Street and Swanee Street, no "B" Residence zoning has been granted on Guadalupe Street north of Swanee Street, although "B" Residence zoning was requested on several of these cases. The staff's physical review of this block revealed several tracts developed under the "BB" Residence zoning and none of them appear to be developed to the maximum density under "BB" Residence. All but one of the lots on this block have the 8,000 square feet required for "BB" Residence zoning. Many exceed 14,000 square feet.

The staff recommends that this request be denied, as "BB" Residence is more appropriate than the "B" Residence requested, due to the low density developments to date under "BB" Residence zoning and the remaining single-family homes on Guadalupe Street, as well as those on St. John's Avenue. Eight units may be constructed on this tract without a change in zoning.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Martin Boozer (representing applicant)

C14-72-154 Terrell Timmerman--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied, as too intense a use for this area.

AYE: Messrs. Hetherly, Betts, Faulkner and Stewart. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Terrell Timmerman for a change of zoning from "BB" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 7101 Guadalupe Street be DENIED.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart. Mmes Ashworth and Mather

C14-72-155 Terrell Timmerman: A to B
903-905 East 53 1/2 Street

STAFF REPORT: This property, totaling 20,935 square feet, is located approximately 1 1/2 blocks east of Airport Boulevard. East 53 1/2 Street is planned to go to eighty feet of right-of-way. This area east of Helen Street is solidly "A" Residence zoning and is developed with older single-family homes, many being freshly painted. Adjacent to the west of subject tract, there are offices developed under "LR" Local Retail zoning, which provide an effective and compatible buffer for the single-family neighborhood. During 1971 the Planning Commission unanimously recommended denial of "B" Residence zoning for a site on 53 1/2 Street, approximately one block east of subject tract. This case was withdrawn prior to City Council hearing. In 1970 a case of rezoning to "O" Office was unanimously denied by the Planning Commission and the City Council on the subject tract as an intrusion into an "A" Residence zoned area.

The staff recommends that this case be denied, as recent cases of rezoning in this immediate area have been recommended for denial by the Planning Commission and the City Council. Also, this would be an intrusion into a single-family neighborhood and would set a precedent for additional change in zoning on other tracts. The offices developed under "LR" Local Retail zoning to the west provide a good buffer between the commercial-retail developments on Airport Boulevard and the single-family neighborhood east of Helen Street. It is recommended that no more rezoning occur as a means of maintaining this overall area as "A" Residence. Also, these lots have sufficient area for two duplex lots.

C14-72-155 Terrell Timmerman--Contd.

TESTIMONY

WRITTEN COMMENT -

Mr. and Mrs. H. A. Coach: 927 E. 53 1/2 Street	AGAINST
Walter Lad Bartosh: 9607 Sprinkle Road	FOR
Mrs. Thomas D. Ellis: 130 Epler Drive, San Antonio, Texas	FOR
Mr. and Mrs. W. T. Brady: 5304 Bennett Avenue	FOR

PERSONS APPEARING

Martin Boozer (representing applicant)

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Hetherly stated that this request is premature, as this area is not in a state of transition. The Committee concluded that this request should be denied.

AYE: Messrs. Hetherly, Betts, Faulkner and Stewart. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Terrell Timmerman for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 903-905 East 53 1/2 Street be DENIED.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mmes Ashworth and Mather

C14-72-156 John D. Byram: C, 2nd and GR, 1st to C, 2nd
2602-2632 South Congress Avenue
100-114 Cumberland Road

STAFF REPORT: This property totaling 4.07 acres is located at the northwest corner of South Congress and Cumberland Road, major arterial and minor residential streets, respectively. The applicant is requesting "C" Commercial, Second Height and Area zoning for approximately 8,100 square feet which is zoned "GR" General Retail, First Height and Area. The alignment of zoning both for permitted uses and height and area on this tract was established in deference to the "A" Residence zoning and low-density developments west of South Congress Avenue. There are older but fairly well-maintained single-family homes and duplexes within one block from South Congress Avenue. Edens, Howell Drive and Euclid Avenue in this area are all minor residential streets. There is a case of "O" Office, First Height and Area zoning on the corner of Cumberland Road, Edens and Howell Drive which was granted during 1971.

The staff recommends that this case be granted. The staff has no objection to this limited extension of zoning since the recent granting of the "O" Office zoning at the corner of Cumberland Road, Edens, and Howell Drive.

C14-72-156 John D. Byram--Contd.

TESTIMONY

WRITTEN COMMENT

Marcella Spiller: 2605 Euclid Avenue

FOR

PERSONS APPEARING

Robert Sneed (representing applicant)

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. Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of John D. Byram for a change of zoning from "C" Commercial, Second Height and Area and "GR" General Retail, First Height and Area to "C" Commercial, Second Height and Area for property located at 2602-2632 South Congress Avenue and 100-114 Cumberland Road be GRANTED.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart. Mmes Ashworth and Mather

C14-72-157 J. D. Culp: A to B
 1144 Gunter Street

STAFF REPORT: This property totals 39,312 square feet and is on a minor residential street with fifty feet of right-of-way and narrow surfacing. This area east of Airport Boulevard and south of Oak Springs Drive is basically comprised of single-family dwellings, mobile homes and duplexes. There is one case of "B" Residence zoning adjoining subject tract to the north. This was granted in early 1969 to allow the mobile home park on Airport Boulevard access to Gunter Street. Rather than limit the zoning to the size of a normal driveway, it was granted on the whole tract. There are mobile homes on the subject tract as well as the tract to the north which is zoned "B" Residence.

The staff recommends that this case be denied, but recommends that "MH" Mobile Home, First Height and Area be granted, subject to subdivision combining subject tract with the mobile home development to the west and dedicating five feet of right-of-way on Gunter Street. It is felt that apartment zoning is too intense for this area with its single-family developments and inadequate street. The staff feels that "MH" Mobile Home zoning is appropriate in light of this tract adjoining the mobile home development to the west. Normally, we would not recommend this small an area for "MH" Mobile Home zoning, but we do so in this case as the tract adjoins a mobile home and there is a common ownership of these properties.

C14-72-159 Tom Bradfield and Donald H. Cummins--Contd.

TESTIMONY

WRITTEN COMMENT

Kelly R. McAdams: 2607 Great Oaks Parkway

AGAINST

PERSONS APPEARING

Kelly R. McAdams: 2607 Great Oaks Parkway

AGAINST

Ralph Bertrees

AGAINST

COMMENTS AND ACTION BY THE COMMITTEE

The Committee discussed this request, and were of the opinion that this location is not appropriate for a package liquor store. They noted that liquor by the drink could be served with restaurant facilities. They concluded that this request should be denied.

AYE: Messrs. Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Tom Bradfield and Donald H. Cummins for a change of zoning from "C" Commercial, Fourth Height and Area to "C-2" Commercial, Fourth Height and Area for property located at 2405 Nueces Street be DENIED.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart. Mmes Ashworth and Mather

C14-72-160 Clear Creek Properties, Inc.: Int. A, Int. 1st to MH
6721-6819 Bluff Springs Road (Old Lockhart Highway)

STAFF REPORT: This application covers a 120-lot subdivision known as South Creek South, Section 1. To the north of subject tract is a mobile home subdivision on which "MH" Mobile Home zoning was granted by the Council in May of this year. There is additional "MH" Mobile Home zoning further to the north and an LCRA substation to the northwest. The land to the south is outside the City limits.

The staff recommends that this case be granted, as the requested zoning is consistent with plans for the area and recent Planning Commission recommendations.

TESTIMONY

WRITTEN COMMENT

R. Odell Charles: 2011 Bitter Creek

FOR

PERSONS APPEARING

Carl B. Morris (representing applicant)

C14-72-160 Clear Creek Properties, Inc.--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

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

AYE: Messrs. Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Clear Creek Properties, Inc., for a change in zoning from Interim "A" Residence, Interim First Height and Area to "MH" Mobile Home, First Height and Area for property located at 6721-6819 Bluff Springs Road (Old Lockhart Highway) be GRANTED.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart. Mmes Ashworth and Mather

C14-72-161 City of Austin: C and D, 1st, 2nd, 4th to L (Lake)
South side of Town Lake from South First Street to one tract west of Blunn Creek,
400-430 West Riverside Drive, 108-124 Barton Springs Road
and 170-300 East Riverside Drive (as amended)

STAFF REPORT: The City Council has adopted provisions for a new zoning district known as "L" Lake District and instructed the staff to initiate zoning on certain properties on the south side of Town Lake. The properties selected for study are those which front on the south side of Town Lake from South First Street to Riverside Drive in the vicinity of Academy Drive and Blunn Creek's entry into Town Lake. There are ten properties included in this case. The primary access streets are Riverside Drive and Barton Springs Road. The flood plain is reflected on the staff map by the varying solid line along the south property line of subject tract. Under the provisions of the "L" Lake District, all development is to be subject to a special permit which must be approved by both the Planning Commission and the City Council.

TESTIMONY

WRITTEN COMMENT

W. L. Moore and Charles D. Nash: 2802 Wooldridge Drive	FOR
Robert E. Kleberg: 504 Academy Drive	FOR
R. E. James, et al: P. O. Box 2155	NO OPINION

PERSONS APPEARING

Roger Giles: 3909-B East Avenue	AGAINST
Bob Bradshaw: Capitol National Bank	NO OPINION

C14-72-161 City of Austin--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Faulkner stated that he was on the Committee which established this zoning, and the property owners with existing development were not involved in that discussion. As one of the owners with existing development was present in opposition to this change, he was of the opinion that the developed property should not be included in this application. Mr. Barrow concurred with Mr. Faulkner. Mrs. Ashworth stated that all of the property should be zoned, as requested by the City Council. A majority of the Committee concluded that this request should be denied, but recommend this zoning be granted, except for the property from Southshore Apartments east.

AYE: Messrs. Barrow, Betts and Faulkner

NAY: Mrs. Ashworth and Mr. Hetherly

At the Commission meeting the members discussed the existing development, and were of the opinion that this development conforms with this area. The Commission then

VOTED: To recommend that the request of the City of Austin for a change of zoning from "C" Commercial and "D" Industrial, First, Second and Fourth Height and Area to "L" Lake District for property located at the south side of Town Lake from South First Street to one tract west of Blunn Creek, 400-430 West Riverside Drive, 108-124 Barton Springs Road and 170-300 East Riverside Drive (as amended) be GRANTED.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart. Mmes Ashworth and Mather

C14-72-162 Westover Hills, Inc.: Int. A, Int. 1st to GR (as amended)
9001-9025 Mesa Drive,
9148-9154 Old U.S. Highway 183
9000-9024 Mesa Drive

STAFF REPORT: This property totaling approximately one acre is located at the southeast and southwest corners of Old U.S. Hwy 183 (Burnet Road) and Mesa Drive, regional and major arterials respectively. The area plan for this section recommends that these two corners be zoned "C" Commercial with a buffer of "B" Residence to the adjoining south of each tract. There are plans for additional retail or commercial zoning north of the subject tracts.

The staff recommends that this case be denied, but recommends that "GR" General Retail be granted in both tracts, as it is felt that "GR" General Retail conforms more to the spirit of the area plans and would be a better precedent for the remaining properties fronting along this side of Hwy 183.

C14-72-162 Westover Hills, Inc.--Contd.

TESTIMONY

WRITTEN COMMENT

F. A. Hildbrand, Jr.: Route 4, Box 288 E	FOR
Mr. and Mrs. F. E. Gatliff: 9126 and 9110 Jolleyville Road	FOR
Mr. and Mrs. Ronald D. Brown: 4001 Currywood Circle	AGAINST
Mr. and Mrs. N. David Spurgin: 8905 Split Oak Circle	AGAINST
William Kastner: 8827 Silverarrow Circle	AGAINST
George R. Brooking: 8610 Mesa Drive	AGAINST
Col. Walter A. Miller: 8717 Ridgehill Drive	AGAINST
Patton M. Duncan: 8813 Mesa Drive	AGAINST

PERSONS APPEARING

Glenn Cortez (representing applicant)	
James M. Perdue, Jr.: 4016 Greystone Drive	FOR
David Spurgin: 8905 Split Oak Circle	AGAINST
George R. Brooking: 8610 Mesa Drive	AGAINST
Gene Whitehead: 8815 Mesa Drive	AGAINST
Ronald Brown: 4001 Currywood Circle	AGAINST
Petition bearing 76 signatures	AGAINST

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and were of the opinion that the property adjacent to U. S. Highway 183 will be developed commercially. They expressed strong concern for the protection of the residential development to the south, and stated that while the requested zoning should be granted on this property, a buffer should be established adjacent to the residential development. They concluded that this request should be granted, as amended. The Committee also recommends that the property adjacent to the south of these tracts be developed as "A" Residence, to provide protection for the residential neighborhood.

AYE: Messrs. Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Westover Hills, Inc., for a change of zoning from Interim "A" Residence, Interim First Height and Area to "GR" General Retail (as amended), First Height and Area for property located at 9001-9025 Mesa Drive, 9148-9154 Old U. S. Highway 183, and 9000-9024 Mesa Drive be GRANTED, (as amended). It is further recommended that the tracts adjacent to the south of this property remain "A" Residence zoning to provide a buffer for the residential development.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart. Mmes Ashworth and Mather

CP14-72-011 John D. Byram: 40-Unit Apartment Complex
6800-6804 Burnet Lane

STAFF REPORT: This application has been filed as required under Section 6-A, Subsection B, Paragraph 75-e, and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This tract covers 1.09 acres of land, with existing zoning "C" Commercial, First Height and Area. The applicant proposes construction of a forty-unit apartment complex in three structures with a swimming pool and laundry facilities. This medium-density use is compatible with the commercial uses in the area. There will be no usable open space except the pool area. The site plan has been circulated to the various City departments and their requirements are on file at the City Planning Department. The staff recommends approval of this request, subject to departmental requirements.

TESTIMONY

WRITTEN COMMENT

Nelson Puett: 5425 Burnet Road

FOR

PERSONS APPEARING

None

COMMENTS AND ACTION BY THE COMMITTEE

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

AYE: Messrs. Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To APPROVE the request of John D. Byram for a special permit for the development of a 40-unit apartment complex on property located at 6800-6804 Burnet Lane, subject to departmental requirements, and authorized the Chairman to sign the necessary resolution upon completion.

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

 Mmes Ashworth and 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.

CP14-72-024 Bill Milburn: Electric Utility Substation
Tract of land located on Salem Hill Drive, bounded
by Williamson Creek and the I. & G. N. Railroad.

STAFF REPORT: This application has been filed as required under Section 10, Subsection A, Paragraph 3, and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This tract contains

CP14-72-024 Bill Milburn--Contd.

5.03 acres of land, and is presently zoned "BB" Residence, First Height and Area. It is bounded by the railroad tracks and an "A" Residence zoned subdivision. This project would serve as a buffer between the railroad and the residences, with suitable landscaping. The site plan has been circulated to the various City departments and their requirements and comments are on file at the City Planning Department. The staff recommends approval of this request, subject to departmental requirements.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

None

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information. This area will be available for public use, as the applicant will sell the property to the City for this development. The members concluded that this request should be granted, subject to departmental requirements.

AYE: Messrs. Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To APPROVE the request of Bill Milburn for special permit for an electric utility substation on property located on Salem Hill Drive, bounded by Williamson Creek and the I. & G. N. Railroad, subject to departmental requirements, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mmes Ashworth and 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.

CP14-72-025 Tommy W. Neel and Minnie Neel: Day Care Center
1703 East 38 1/2 Street

STAFF REPORT: This application has been filed as required under Section 4, Subsection A, Paragraph 86, and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This is a request to operate a commercial day care center for thirty children; this tract is presently zoned "A" Residence. The site contains 9,600 square feet of land. The code will permit an occupancy of twenty-four children maximum; in addition, there would be a minimum of three staff members. This area is a well-established residential subdivision, with no encroachment of non-residential uses at this time.

CP14-72-025 Tommy W. Neel and Minnie Neel--Contd.

38 1/2 Street has only thirty feet of paving in this area, with a very high traffic count of 6,000 cars per day. Any activities such as parking and loading within the right-of-way would be detrimental to the flow of traffic and create a hazardous situation for both vehicles and local residents. For these reasons the staff considers the subject tract an improper location for a commercial day care center and recommends that this request be denied.

This site plan has been circulated to the various City departments, and the comments are on file with the City Planning Department. If this request is considered a proper use, the staff offers the following minimum requirements as alternates in order to protect the public and the market value of adjacent properties:

A loop driveway to permit loading and unloading of children off the street.
A minimum of three off-street parking spaces along the side of the building.
Proper landscaping for compatibility with surrounding residences. A six-foot privacy fence where play-yard is adjacent to residences, and departmental requirements.

TESTIMONY

WRITTEN COMMENT

Sarah I. and Kathleen Needham: 1705 East 38 1/2 Street	AGAINST
Mrs. Floyd C. Buttry: 1707 East 38 1/2 Street	AGAINST

PERSONS APPEARING

Mrs. Minnie Neel (applicant)	
Mrs. Thornton (representing applicant)	
Ed Calahan: 1700 East 38 1/2 Street	AGAINST
Nelson D. McCracken: 1711 East 38 1/2 Street	AGAINST

COMMENTS AND ACTION BY THE COMMITTEE

As the applicant was heard after those in objection had left the hearing, the members referred this case to the full Commission and requested more detailed information on the proposed expansion of this existing day care center.

AYE: Messrs. Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The staff reported that new information has been provided by the applicant, resulting in a revised site plan. This application is on property adjacent to an existing day care center, which has been in operation for several years. This application is for additional facilities, and will share the parking and driveway area. The revised application is recommended to be granted, subject to subdivision combining the two tracts, which will also limit the use to a day care center; maximum number of children to be fifty for the combined tracts; no access permitted to 38 1/2 Street; and six-foot privacy fencing where play areas adjoin residential uses, and along 38 1/2 Street. The applicant has requested use of ten feet of land for a driveway entrance which is owned by the City adjacent to Cherrywood Road; this request would be considered by the Board of Adjustment.

CP14-72-025 Tommy W. Neel and Minnie Neel--Contd.

The Commission reviewed and discussed the information. Mr. Barrow stated that the parking and driveway areas are too narrow, and that this intense use is not appropriate for this location. Mr. Milstead stated that large day care centers should probably be located in an "O" Office or "LR" Local Retail zoned area, as it is a public use generating heavy traffic. Mr. Betts stated that there is heavy traffic at this location, and pointed out the existing church across the street from this property on Cherrywood Road. The Commission then

VOTED: To DISAPPROVE the request of Tommy W. and Minnie Neel for a special permit for the operation of a day care center allowing thirty children on property located at 1703 East 38 1/2 Street.

AYE: Messrs. Milstead, Barrow, Bobbitt, Faulkner, Hetherly and Stewart.
Mmes Ashworth and Mather

NAY: Mr. Betts

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.

CP14-72-026 Bill Milburn: 20-Unit Condominium Duplexes
7434-7498 Ed Bluestein Boulevard

STAFF REPORT: This application has been filed as required under Section 5-A, Subsection 8, Paragraph e, and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. The development on this tract covering 4.74 acres of land will be forty living units. This property is presently zoned "B" Residence, First Height and Area. This zoning was granted subject to no access on Ed Bluestein Boulevard, and a thirty-foot private street between Langston Drive and Dubuque Lane. At present, the lot adjacent to the east of this tract is occupied by the sales office for the Vintage Hills Subdivision; therefore, it will be necessary for the owner to grant a thirty-foot perpetual access easement to the homeowners association of the condominium in order to satisfy the requirements of the zoning. The site plan has been circulated to the various city departments and the comments are on file at the Planning Department.

The project shows a good open design with a fair amount of usable green area. Eleven extra parking spaces are located near the pool area. Spacing between buildings was laid out to permit direct access to City vehicles in case of emergency. This project is a compatible use for this site, and approval is recommended subject to departmental requirements to include subdivision showing perpetual access easement, volume and page number; approval of design of private street by Public Works Department; and submission of a copy of the access easement document to the Planning Department for approval, and a recorded copy for the file.

TESTIMONY

WRITTEN COMMENT

None

CP14-72-026 Bill Milburn--Contd.

PERSONS APPEARING

Mr. Waston: 3008 Val Drive	NO OPINION
C. D. Lewis: 7305 Fred Morse Drive	NO OPINION
A. M. Rouse: 312 Lynridge Drive	NO OPINION

COMMENTS AND ACTION BY THE COMMITTEE

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

AYE: Messrs. Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To APPROVE the request of Bill Milburn for a special permit for the development of a twenty-unit condominium duplex project on property located at 7434-7498 Ed Bluestein Boulevard, subject to departmental requirements and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mmes Ashworth and 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.

CP14-72-027 Christie Sarris: Improvements to Restaurant
108 Barton Springs Road

STAFF REPORT: This application has been filed as required under Section 45, Subsection 22.5, Paragraph 2, and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. The departmental comments on this application are on file at the Planning Department.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Christi Sarris (applicant)
Robert R. Bradshaw (representing applicant)
John Coffee (representing applicant)
Mr. Leach (representing applicant)

CPI4-72-027 Christie Sarris--Contd.

COMMENTS AND ACTION BY THE COMMITTEE

The staff reported that departmental comments have not been completed on this application, and requested that this hearing be continued to the full Planning Commission. The Committee voted to continue this hearing before the full Commission.

AYE: Messrs. Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

At the Commission meeting, the staff reported that this application is on an area of 120,069 square feet, with the applicant proposing the addition of a new structure and additional landscaping to his existing restaurant facilities. The addition would be partially located below the 25-year flood elevation and extend over the present water level. There appears to be an encroachment into a proposed hike and bike trail easement, which needs clarification on the site plan. Although the applicant intends to comply with all requirements, it is necessary that the site plan show more clearly the development near the water's edge. This could be accomplished by showing a front and side elevation drawing indicating the 435-foot elevation line, the present lake level, elevation of the first floor, and the location of the hike and bike trail easement.

This application is being considered at the same time the guidelines for this zoning district are being formulated; it is felt that these will be met if the requirements as listed in the recommendation are complied with. Also required under this "L" Lake District is review by the Parks and Recreation Board, the Navigation Board, and the Board of Natural Resources. The Navigation Board and the Board of Natural Resources both recommend this application; however, a report has not been received from the Parks and Recreation Board, which has reviewed this project. It is felt that the proposed hike and bike easement will meet with the Parks and Recreation Board's approval. The site plan has been circulated to the various city departments and the comments are on file at the City Planning Department.

The staff recommends approval of this request subject to the following requirements: (1) engineering approval by the Public Works Department of those portions below the 25-year flood elevation; (2) identification of the size and location of the hike and bike trail easement and dedication of such easement; (3) Lake front and side elevation drawings on the site plan; and (4) compliance with the "L" Lake District guidelines.

The applicant and his representative were present and were in agreement with the staff recommendation.

The Commission members reviewed and discussed this development and were of the opinion that this request should be granted. The members then

VOTED: To recommend that the request of Christie Sarris for a special permit for improvements to a restaurant on property located at 108 Barton Springs Road be GRANTED, subject to departmental requirements, to include the comments of the Parks and Recreation Board, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart. Mmes Ashworth and Mather

CP14-72-027 Christie Sarris--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.

CP14-72-028 Donald R. Dearing: Day Care Nursery
4401 Lareina Drive

STAFF REPORT: This application has been filed as required under Section 4, Subsection A, Paragraph 6, and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This tract contains 12,880 square feet of land, which is zoned "A" Residence, First Height and Area. The applicant proposes a day care center in an existing building, with a maximum of thirty-five children. St. Elmo Road will be expanded to seventy feet of right-of-way in the future. The site plan has been circulated to the various city departments and the comments are on file at the City Planning Department. Under the established procedure the City would require the additional ten feet of right-of-way on a zoning application or in case of a resubdivision on the subject property. In 1969 this applicant was issued an occupancy permit for seventeen children at 4405 Lareina Drive. The staff recommends the approval of this request subject to departmental requirements to include maximum of thirty-five children, and six-foot privacy fencing where the play area is adjacent to single-family homes.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Jackie Fellers (representing applicant)

COMMENTS AND ACTION BY THE COMMITTEE

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

AYE: Messrs. Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To APPROVE the request of Donald R. Dearing for a special permit for the operation of a day care center allowing thirty-five children on property located at 4401 Lareina Drive, subject to departmental requirements and authorized the Chairman to sign the necessary resolution upon completion.

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

Mmes Ashworth and Mather

CP14-72-028 Donald R. Dearing--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.

CP14-72-029 Jim Hudson and Mike Eledge: 80-Unit Apartment Complex (as amended)
4817 East Riverside Drive

STAFF REPORT: The revised site plan shows eighty apartments with swimming pool, tennis courts, volley ball courts, and some usable open space on this 3.3 acre tract. "BB" Residence zoning has been approved for this tract. The site plan has been circulated to the various city departments and the comments are on file at the City Planning Department. This project meets with ordinance requirements, and the staff recommends approval, subject to departmental requirements.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Jim Hudson (applicant)
Mike Eledge (applicant)

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 departmental requirements.

AYE: Messrs. Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To APPROVE the request of Jim Hudson and Mike Eledge for a special permit for an eighty-unit apartment complex (as amended) on property located at 4817 East Riverside Drive, subject to departmental requirements, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart. Mmes. Ashworth and 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.

CP14-72-030 Jack Andrewartha: Apartment Dwelling Group
1200 Barton Hills Drive

STAFF REPORT: This application has been filed as required under Sections 5 and 5-b, Subsections 8 and 22, Paragraphs e and g, and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin.

CP14-72-030 Jack Andrewartha--Contd.

The tract under consideration covers approximately 7.16 acres of land. The applicant proposes a density of thirty-one units per acre, which is permitted under the existing zoning of "B" Residence and "LR" Local Retail, First Height and Area. Due to the traffic volume this project will generate, the main driveway and the access ramps should be thirty feet wide for movement of vehicles. The site plan has been circulated to the various City departments and the comments are on file at the City Planning Department. The staff recommends approval of this request, subject to departmental requirements, to include subdivision; a setback variance along the east property line; four-foot privacy fencing where parking is adjacent to residential use; interior drives to be twenty-five feet to allow maneuvering room for parked cars; and access ramps to be thirty feet wide with a ten-foot radius.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

V. Aubrey Hallum (representing applicant)

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, subject to departmental requirements, and recommended that the variance on building setbacks be granted by the Board of Adjustment.

AYE: Messrs. Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To APPROVE the request of Jack Andrewartha for a special permit for an apartment dwelling group on property located at 1200 Barton Hills Drive, subject to departmental requirements, and recommending that the variance on building setbacks on the east property line be granted by the Board of Adjustment, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart. Mmes Ashworth and 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.

CP14-72-031 R. Brenton Smith, DVM: Veterinarian Clinic
8106-8110 Shoal Creek Boulevard

The staff reported that deed restrictions on this property have necessitated a complete redesign of the proposed development. It is requested that this case be postponed for thirty days to allow redistribution of the plan to all City departments.

CP14-72-031 R. Brenton Smith, DVM--Contd.

TESTIMONY

WRITTEN COMMENT

R. B. Rylander: 5311 Balcones Drive
Mortgage and Trust, Inc.: P.O. Box 53210

FOR
AGAINST

PERSONS APPEARING

None

COMMENTS AND ACTION BY THE COMMITTEE

The members concluded that this request should be postponed for thirty days.

AYE: Messrs. Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To POSTPONE for thirty days the request of R. Brenton Smith, DVM, for a special permit for a Veterinarian clinic on property located at 8106-8110 Shoal Creek Boulevard.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart. Mmes Ashworth and Mather

CP14-72-032 Carrington Built Homes, Inc.: 40-Unit Apartment Complex
2739-2819 Loyola Lane

STAFF REPORT: This application has been filed as required under Section 5-B, Subsection A, Paragraph 22-G, and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This application is on a tract covering 3.19 acres of land, which was zoned "GR" General Retail, First Height and Area in 1963. At the time this tract was zoned there was no development in this area; the tract is now surrounded by property zoned and developed "A" Residence. The present zoning of this tract would allow the development of commercial or multi-family uses, such as a shopping center or apartments if all units were in one building. A special permit is required where more than one apartment building is developed on one tract.

It is felt that the zoning of this tract should be more indicative of the proposed uses. The owner could show his intent by requesting a rollback of zoning to "BB" Residence for the area to be developed with an apartment complex and "A" Residence zoning for the tract which is the club area adjacent to this tract. Four homes are developed across Loyola Lane which would face the proposed apartments; a three-foot hedge is suggested at this boundary to prevent glare from automobile headlights. Additional parking would be desirable, due to the surrounding uses and the 60-foot width of Loyola Lane; however, the topography of the site and the building mass does not allow additional parking.

The site plan has been circulated to the various city departments and the comments are on file at the City Planning Department. The staff recommends approval of this request, subject to departmental requirements to include subdivision, a hedge along the north property line, provision for walkways into the community park area, and approval of the Public Works Department of location of buildings in relation to drainage easements.

CP14-72-032 Carrington Built Homes, Inc.--Contd.

TESTIMONY

WRITTEN COMMENT

Perry V. Spalding, III: 6612 Auburn Hill Drive	AGAINST
Mr. and Mrs. Chester L. Chiles: 2700 Dunbarton Drive	AGAINST
Vance Littleton	AGAINST
Mr. & Mrs. Jack Elrod: 2511 Lehigh Drive	AGAINST
Mr. & Mrs. Merrill C. Hiscock: 6708 Tulsa Cove	AGAINST
Dr. & Mrs. Thomas N. Dixon: 6810 Willamette Drive	AGAINST
Mrs. Kay Hill: 7312 Bucknell Drive	AGAINST
Ernest J. Schmidt: 2800 Loyola Drive	AGAINST
Mrs. Phyllis Hubbard: 2906 Loyola Lane	AGAINST
Mrs. Marceda Van Pelt: 2904 Loyola Lane	AGAINST
Mrs. Charles A. Wilson	AGAINST
Carol Purdy: 6800 Byrn Manor	AGAINST
Dr. & Mrs. E. D. Junkin	AGAINST
Cliff M. Collins: 6613 Auburndale	AGAINST
Alvin J. Brauckman: 6800 De Paul Cove	AGAINST
Albert Greenburg	AGAINST
Mr. & Mrs. Charles E. Hickox: 6813 Willamette Drive	AGAINST
Mr. & Mrs. James R. Davies: 6807 De Paul Cove	AGAINST
Mr. & Mrs. F. W. Zoeller: 6709 Tulsa Cove	AGAINST
Robert B. Pringle: 2704 Dunbarton Drive	AGAINST
C. M. Edwards: 7213 Geneva Drive	AGAINST
Linda B. Barney: 7205 Hartnell Drive	AGAINST
Homer & Laurita Foxx: 6702 Langston Drive	AGAINST
Terry Dale: 6700 Langston Drive	AGAINST
Cyril & Roberta Crawford: 6507 Auburndale	AGAINST
Ray Schkade: 7101 Creighton Lane	AGAINST
W. A. Engstrom: 3303 Loyola Lane	AGAINST
Mr. & Mrs. Robert I. Marshall: 6909 Northeast Drive	AGAINST
Cliff M. Collins: 6613 Auburndale	AGAINST
D. E. McCollum: 2608 Dunbarton Drive	AGAINST
Mr. & Mrs. Frank Del Rio: 3100 Loyola Lane	AGAINST
Mr. & Mrs. P. L. James: 6703 Dubuque Lane	AGAINST
Nicholas Sidovar: 6907 Drexel Drive	AGAINST
Lt/Col & Mrs. Richard Bower	AGAINST
Mr. & Mrs. Walter L. Jones: 6904 Langston Drive	AGAINST
Mrs. David P. Bell: 2803 Loyola Lane	AGAINST
Bill T. Breed: 6710 Tulsa Cove	AGAINST
Merle N. Jensen: 7401 Bucknell Drive	AGAINST
Dorothy M. Jordan: 2802 Loyola Lane	AGAINST
Mary Robbins: 7301 Marywood Circle	AGAINST
Mr. & Mrs. Perry G. Darby: 6914 Bryn Mawr Drive	AGAINST
William A. Lay: 2902 Loyola Lane	AGAINST
Fred Pool: 2804 Loyola Lane	AGAINST
Joan Bartz	AGAINST
George L. Colley: 6602 Betty Cook Drive	AGAINST
Charles G. Kindle: 7211 Geneva Drive	AGAINST
Joe Donaho: 100 East 27th Street	AGAINST
Petitions bearing 644 signatures	AGAINST

CP14-72-032 Carrington Built Homes, Inc.--Contd.

PERSONS APPEARING

Brady Barnes (representing applicant)	
Rodney Shepard (representing applicant)	
JoAnne Bartz: 6713 Tulsa Cove	AGAINST
Thomas Wolf: 6813 De Paul Cove	AGAINST
Ernest J. Schmidt: 2800 Loyola Drive	AGAINST
Cliff M. Collins: 6613 Auburndale	AGAINST
Ed Hess	AGAINST
Bud Engstrom: 3303 Loyola Lane	AGAINST
Catherine Carter	AGAINST
Robert B. Pringle: 2704 Dunbarton Drive	AGAINST

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information and noted that the tract was zoned for general retail use before the residential homes surrounding it were developed; they pointed out that such development as a large grocery store could be placed on this tract without special permit consideration. In view of the strong neighborhood opposition to this development, it was suggested that the applicant and representatives of the neighborhood meet to discuss the possibility of purchase of this property for use of the neighborhood as a park. The jurisdiction of the Committee covers only consideration of the site plan for this special permit. The members concluded that this site plan is adequate, and should be granted, subject to departmental requirements.

AYE: Messrs. Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To APPROVE the request of Carrington Built Homes, Inc., for a special permit for the development of a 40-unit apartment complex on property located at 2739-2819 Loyola Lane, subject to departmental requirements, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart. Mmes Ashworth and 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.

CP14-72-033 Sid Jagger: Office Building
1828 South Interstate Highway 35

The staff reported that it is recommended that this case be withdrawn due to the incompatibility of the design with existing flood plain easements crossing the property. The area of the tract does not seem to be sufficient to accommodate the parking and setbacks required for an office building of this size.

CP14-72-033 Sid Jagger--Contd.

TESTIMONY

WRITTEN COMMENT

Mrs. Helen B. Tegge: 1607 Sunnyvale Street

FOR

PERSONS APPEARING

William Scudder (representing applicant)

COMMENTS AND ACTION BY THE COMMITTEE

The Committee concluded that this request should be postponed.

Messrs. Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To POSTPONE the request of Sid Jagger for a special permit for the development of an office building on property located at 1828 South Interstate 35.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart. Mmes Ashworth and Mather

CP14-72-034 Sid Jagger: 410-Unit Apartment Project
Shadow Mountain Drive, Shadow Park Drive, and Shadow Hills Drive

STAFF REPORT: This application has been filed as required under Section 4-A, Subsection 6, Paragraph F, and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This application is on a tract containing 18.14 acres of land, with a proposed density of 22.5 units per acre. The density and parking of this project satisfy Ordinance requirements. Overall design shows good usable open space and an interesting layout of buildings. The structures that cross the 40-foot gully are not acceptable to the Building Inspection Department or the Planning Department, as no elevation drawings or engineering plans have been presented for approval. These structures are encroaching into a drainage easement which has not been specified by Public Works.

The section to the south has only one point of access for seventy-six units. A second access point should be provided by extending the driveway into the small parking lot to intersect the proposed street to the west.

The Planning staff recommends that this project be postponed until such time as a reasonably firm site plan can be submitted by virtue of the approval of a final subdivision plat. The topography and need for easements make this layout purely speculative. The impact of this project on the community will warrant a proper public hearing and review by the Planning Commission once it has reached the final stage of design. The site plan has been circulated to the various City departments and the comments are on file at the City Planning Department.

CP14-72-034 Sid Jagger--Contd.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

William Scudder (representing applicant)

Jim Perdue: Northwest Austin Citizens' Association

FOR

COMMENTS AND ACTION BY THE COMMITTEE

The members reviewed the information. Mr. Barrow stated that this design is excellent; the members were of the opinion that departmental requirements could be worked out with the applicant. They concluded that this request should be granted, subject to departmental requirements.

AYE: Messrs. Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

The Commission concurred with the Committee recommendation and

VOTED: To APPROVE the request of Sid Jagger for a special permit for the development of a 410-unit apartment project on property located at Shadow Mountain Drive, Shadow Park Drive, and Shadow Hills Drive, subject to departmental requirements.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart. Mmes Ashworth and 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.

CP14-72-035 Trico Development Company: 80-Unit Apartment Condominium
3715-3811 Manchaca Road

STAFF REPORT: This application has been filed as required under Section 5, Subsection 8, Paragraph e, and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This application is on 5.9 acres of land, which is presently zoned "O" Office. The proposed density is 13.3 units per acre. The project has good internal traffic patterns and a large amount of open space. Access to the development will be from Manchaca Road on the west, and a proposed 60-foot street on the east; the owners are dedicating thirty feet of right-of-way for this street. Access to this street should be by two 25-foot curb cuts as shown on the site plan. The site plan has been circulated to the various city departments and the comments are on file at the City Planning Department. The staff recommends approval of this request, subject to departmental requirements.

CP14-72-035 Trico Development Company--Contd.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

A. N. Fleming

Petition bearing five signatures

NO OPINION

NO OPINION

COMMENTS AND ACTION BY THE COMMITTEE

The members referred this case to the full Commission, as they felt the site plan did not meet the requirements of the Ordinance.

AYE: Messrs. Hetherly, Barrow, Betts and Faulkner. Mrs. Ashworth

At the Commission meeting the staff reported that the applicant has submitted a revised site plan showing the building locations, sidewalks and amenities. The recreation area has a large pool, a tot-lot, a picnic area, a volleyball court, and an open gazebo. The pool area has a safety fence for the protection of unsupervised children. The drainage of this tract to the southeast will be handled by a culvert and pipe leading under a group of seven buildings to the property line and into future City facilities. Approval of this request is recommended, subject to departmental requirements.

The members reviewed the information and

VOTED: To APPROVE the request of the Trico Development Company for a special permit for the development of an eighty-unit apartment condominium on property located at 3715-3811 Manchaca Road, subject to departmental requirements and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart. Mmes Ashworth and Mather

The Chairman announced that any interested party aggrieved by this decision may appeal to 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.

MASTER PLAN COMMITTEE

STAFF REPORT: Mr. Richard Lillie, Director of Planning, presented a report to the Committee recommending that all four requests for Master Plan change to the Manufacturing and Related Use designation be denied. This should be done to preserve and protect the residential development from non-compatible land uses. There is a need to avoid the growth of industrial strips and the growth trends demonstrate a need for residential land in this area and its desirability for this purpose is influenced by the location of Walnut Creek, the Austin Independent School District and planned accessibility.

Master Plan Committee--Contd.

Austin now has more than five times the amount of industrially designated land than will be needed by 1985, if growth rate and patterns continue. It is the staff's feeling that the railroad need not be a deterrent to single-family home development. There is to be a three-hundred acre regional park in this area. Present land use designations do not prohibit office or local retail development. Apartments could also be developed as long as the septic tank requirements could be met.

Mr. Lillie also presented recommendations from the staff. A Master Plan designation should be extended to the City of Austin's five mile control limit, within the study area (between U. S. 183 and IH 35.) It is specifically recommended that this designation be low-density residential as far north as McNeil Road, McNeil Road cutoff and Howard Lane east of F. M. 1325. The area north of this boundary and extending to the five mile control limit should be designated suburban density residential.

The following interim policy for considering Master Plan changes to either manufacturing and related use or commercial and semiindustrial designations be adopted:

1. Tracts under 300 acres will be considered if they are adjacent to an area presently designated for manufacturing and related use.
2. Small tracts not contiguous to previously designated industrial areas will also be considered if declared a Planned Development Area.
3. Tracts greater than 300 acres will be given consideration, although these will require sufficient time to complete an area study and specific conditions will be determined if the situation warrants.
4. Accept applications only once a quarter.

Mr. Milstead stated that the recommendations on the five mile limit and the change in Master Plan policies are matters that should have public hearings and be heard before the full Commission. He stated that the public should be notified of these proposed changes,

C2-72-1(f) Richard E. Chalmers

From Undesignated to Manufacturing and Related Uses on approximately forty-one acres located at the intersection of McNeil Road and F.M. 1325.

TESTIMONY

WRITTEN COMMENT

None

Master Plan Committee--Contd.

PERSONS APPEARING

Mr. Jackson: (representing the applicant)	
Richard Baker: representing Austin White Lime Company	AGAINST
Travis Raven	AGAINST
Mr. and Mrs. B. G. Thomas: 2904 Del Robles	AGAINST
Mr. and Mrs. J. O. Robinson, Sr.: 2811 McNeil Road	AGAINST
Mr. and Mrs. J. F. Robinson: 13101 El Camino Road	AGAINST
Mr. and Mrs. Lowell Berggren: 12504 Silver Spur	AGAINST
Mr. and Mrs. C. R. Morrison: 206 East Powell Lane	AGAINST
E. M. Jenkins: 3700 McNeil Drive	AGAINST
Mrs. Robert L. Schluter: 13003 El Camino	AGAINST
James Allman: Rt. 3, Box 216 E	AGAINST
Leonard A. Iselt: 2908 Del Robles Road	AGAINST
Mrs. Lewis Barnes: 2905 Del Robles Road	AGAINST
Jim Hardy: 2909 Del Robles Road	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Jackson stated that the intended use is an asphalt mix plant, the plant that has been at the airport. The owners bought a tract several times larger than necessary in order to provide a buffer for area property owners. He pointed out that the Master Plan designation does not go out this far and the owner is going through this process to be fair to the area property owners.

Arguments Presented AGAINST:

Mr. Richard Baker, representing Austin White Lime Company, stated that his client is opposed to any action on this property at this time due to the effect it could have on their entire 7,000 acres of land. The area is developing residentially and a use of this type would be a detriment to the area.

Several area residents spoke, stating that the proposed use would pollute the air and decrease the value of their property as well as limit the uses of the land.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee agreed with the staff recommendation that this area is not a good location for an asphalt plant and that this request should be denied.

AYE: Messrs. Milstead, Barrow, Faulkner and Stewart.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Richard E. Chalmers for a change in the Master Plan from Undesignated to Manufacturing and Related Uses on approximately 41 acres located at the intersection of McNeil Road and F. M. 1325 be DENIED.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart. Mmes Ashworth and Mather

Master Plan Committee--Contd.C2-72-1(h) Elizabeth Paterson

From Suburban Residential to Manufacturing and Related Uses approximately 24.73 acres bounded on the south by Walnut Creek, the north by the south line of the Arch Adams tract, on the west by a line parallel to the T & N O railroad (about 400 feet west of the track), on the east by the T & N O railroad.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

None

COMMENTS AND ACTION BY THE COMMITTEE

The Committee agreed that a change in the Master Plan should not be allowed on this property without knowing what is proposed. It was pointed out that the access to the property from F.M. 1325 is not good. The Committee concurred that this request should be denied.

AYE: Messrs. Milstead, Barrow, Faulkner and Stewart.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Elizabeth Paterson for a change in the Master Plan from Suburban Residential to Manufacturing and Related Uses on approximately 24.73 acres bounded on the south by Walnut Creek, on the north by the south line of the Arch Adams tract, on the west by a line parallel to the T & N O railroad (approximately 400 feet west of the track), and on the east by the T & N O railroad be DENIED.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mmes Ashworth and Mather

C2-72-1(i) G. E. Hyden, J. E. Youngquist and Ray Hudson

From Suburban Residential to Manufacturing and Related Uses on approximately 12.8 acres bounded on the south and west by the Don Dyda tract, on the north by the south line of the John Huber tract, and on the east by the T & N O railroad.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

Ray Hudson (applicant)

Mrs. Jimmy Robinson: 13101 El Camino Road

AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Ray Hudson stated that he and other applicants wish to subdivide this property for warehouse use. He pointed out that the land is flat and there are no trees

Master Plan Committee--Contd.

on the property. He stated that there is no access to this property other than across the railroad track; there is a road that runs parallel to the tracks.

Arguments Presented AGAINST:

Mrs. Robinson stated that there are houses in close proximity to this property.

COMMENTS AND ACTION BY THE COMMITTEE

Mr. Lillie pointed out that this property would need some access to a public street in order to obtain utilities. Due to the fact that there is no access, this tract would not be suitable for a Planned Development Area.

Mr. Faulkner stated that he felt the same way about this application; it is premature due to not having access. The Committee concurred that this request should be denied.

AYE: Messrs. Milstead, Barrow, Faulkner and Stewart

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of G. E. Hyden, J. E. Youngquist, and Ray Hudson for a change in the Master Plan from Suburban Residential to Manufacturing and Related Uses on approximately 12.8 acres bounded on the south and west by the Don Dyda Tract, on the north by the south line of the John Huber tract, and on the east by the T & N O Railroad, be DENIED.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mmes Ashworth and Mather

C2-72-1(j) John Huber

From Undesignated to Manufacturing and Related Uses on approximately 43.2 acres bounded on the south by the north line of the George Hyden tract, on the north by Longhorn Drive, on the west by the east property line of the Carl Shepard, Jr. tract, on the east by the T & N O Railroad.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING

None

COMMENTS AND ACTION BY THE COMMITTEE

The Committee concurred that this application is premature as it has no access to a dedicated street and would not be in conformance with future plans for the area.

AYE: Messrs. Milstead, Barrow, Faulkner and Stewart

Master Plan Committee--Contd.

The Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of John Huber for a change in the Master Plan from Undesignated to Manufacturing and Related Uses on approximately 43.2 acres bounded on the south by the north line of the George Hyden tract, on the north by Longhorn Drive, on the west by the east property line of the Carl Shepard, Jr. tract, and on the east by the T & N O Railroad be DENIED.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mmes Ashworth and Mather

C2-72-1 Austin Development Plan

The members discussed extended coverage of the Master Plan designation to the five-mile limit, revised application procedures, and realignment of uses within industrial districts. They were of the opinion that a public hearing on these changes should be held by the Planning Commission, with notification to all interested parties and the news media of this meeting.

STREET VACATIONS

C10-72-114 Texas Department of Mental Health and Mental Retardation
That portion of Exposition Boulevard east of Carlton Road.

The staff reported that this application is requested to be withdrawn, as a license agreement will be reached between the State and the City on the requested area. The Commission then

VOTED: To recommend that the request for street vacation for that portion of Exposition Boulevard east of Carlton Road be WITHDRAWN.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mmes Ashworth and Mather

C10-72-116 Mr. Phil Miller and Ramada Inns, Inc.
Edgecliff Street west of Manlove Street:
postponed from last month's meeting.

The staff reported a request to postpone this application for thirty days. The Commission then

VOTED: To recommend that the request of Mr. Phil Miller and Ramada Inns, Inc. Inc., for the vacation of Edgecliff Street west of Manlove Street be POSTPONED for thirty days.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mmes Ashworth and Mather

C10-72-122 C. Ben Hibbetts

Hancock Drive at North Loop Boulevard

The staff reported that postponement of this application is requested to allow the Traffic and Transportation Department sufficient time to conduct field surveys and office design investigations. The Commission then

VOTED: To recommend that the request of C. Ben Hibbetts for the vacation of a portion of Hancock Drive at North Loop Boulevard be POSTPONED for thirty days.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
 Mmes Ashworth and Mather

PUBLIC HEARINGS

C2-72-8 Subdivision Ordinance Amendments (Text)

Section 41.1 Definitions

Sections 41-13, 41-35, 41-53, 41-57, 13-16 Subdivisions
where sewage system is not available.Section 41.47 Land Drainage - Drainage ditches in
lieu of storm sewers.

Section 41.1 Definitions. The members reviewed the information and were of the opinion that further consideration of this item is needed. They then

VOTED: To POSTPONE consideration of Section 41.1 for thirty days.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and
 Stewart. Mmes Ashworth and Mather

Sections 41-13, 41-35, 41-53, 41-57, and 13-16. The members reviewed the following information.

That Section 41-13(1) of the Austin City Code of 1967, is hereby amended, and after having been so amended, shall hereafter read as follows
Sec. 41-13. Plats generally.

(1) If the subdivision is not to be served immediately by a sewage-collecting system connected to a community septic tank or treatment plant or to a public sewer system, and if disposal of domestic sewage through a septic tank system has been approved by the city health officer, a restriction prohibiting occupancy of any lot until a septic tank installed in accordance with the rules and regulations of the state health department and the city health officer, has been inspected and approved by the city health officer.

That Section 41-35(a) of the Austin City Code of 1967, is hereby amended by adding to the end of subsection (a) the following:

Sec. 41-35. Lot sizes.

(a) The minimum lot size established by this section envisions single family housing units. Where other than single family units are involved, the city health officer shall determine the lot size necessary for a septic tank system to function properly. The minimum lot size may be increased or special precautions may be required in order to assure proper functioning of a septic system.

C2-72-8 Subdivision Ordinance Amendments (Text)--Contd.

That Section 41-53 of the Austin City Code of 1967, is hereby amended, and after having been so amended, shall hereafter read as follows:

Sec. 41-53. Subdivision where water or sewer utilities are not available.

Before the planning commission may approve a final plat for an urban subdivision located outside of or beyond areas served by a water utility, the subdivider shall be required to furnish the planning commission satisfactory evidence including, but not limited to, the results of tests and borings, and statements from local and state health authorities, that water satisfactory for human consumption may be obtained from surface or subsurface sources on the land. Where the subdivision lies outside of or beyond areas served by a sanitary sewer utility, unless disposal of domestic sewage through a septic tank system has been approved by the city health officer, the subdivider shall install a sanitary sewer collecting system and construct or cause to be constructed on land provided by him, an approved method of sewage treatment and disposal, of sufficient capacity to serve such subdivision, designed and located in accordance with the requirements of the state health department and the city health officer.

That Section 41-57 of the Austin City Code of 1967, is hereby amended, and after having been so amended, shall hereafter read as follows:

Sec. 41-57. Same--Septic tank.

If disposal of domestic sewage through a septic tank system has been approved by the city health officer, a septic tank shall be installed on each lot in a suburban subdivision in accordance with the regulations of the state health department and the city health officer and shall be inspected and approved by such officer.

That Section 13-16 of the Austin City Code of 1967, is hereby amended, and after having been so amended, shall hereafter read as follows:

Sec. 13-16. Same--Prerequisites to issuance.

No permit under this article shall be issued by the health officer if a sanitary sewer is available within one hundred feet of the nearest lot line of the property in question, or if percolation tests conducted under the supervision of the health officer or with the approval of the health officer indicate a reasonable probability that the soil on such property is unsuitable for a soil absorption system and no permit will be issued authorizing the construction of any cesspool.

The members reviewed and discussed these amendments to the ordinance, which would place primary responsibility for suitability of septic tank use upon the condition of the soil, rather than the size of a tract. They were of the opinion that these

C2-72-8 Subdivision Ordinance Amendments (Text)--Contd.

amendments are needed, and that new standards should be set by the City-County Health Officer. The Commission then

VOTED: To recommend APPROVAL of amendments to the subdivision ordinance, Sections 41-13, 41-35, 41-53, 41-57, and 13-16. In addition, it is recommended that the City Council consider the standards for septic tanks concurrently with the hearing on subdivision ordinance amendments.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart. Mmes Ashworth and Mather

Section 41.47. The members reviewed the following information.

The property value enhancement provision in Section 41-47 of the Subdivision Ordinance be amended, delegating to the Director of Public Works the authority to designate whether all or parts of a drainage system shall be open or enclosed, except in those cases of creeks or waterways with peak flows of 300 cubic feet or more per second which will be considered by the Planning Commission and City Council. The Director of Public Works would act according to the decision of the City Council.

The members noted that this amendment is in conformance with the Flood Management Program as recommended by the Planning Commission and adopted by the City Council. The Commission then

VOTED: To recommend APPROVAL of amendment to the subdivision ordinance, Section 41-47.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart. Mmes Ashworth and Mather

C3-72-1 Zoning Ordinance Amendments (Text)

Section 45.1 Definitions.

Section 45-32 Zoning for uses annexed to the City

Section 45-4 Compliance with zoning ordinance generally

Section 45.1 Definitions The members reviewed the following information.

Section 45-1 of the Austin City Code of 1967 is hereby amended by changing the definition of "efficiency apartment" to read as follows:

Efficiency Apartment. An apartment having a maximum floor area of four hundred square feet.

Mr. Ed Stevens, of the Building Inspection Department, explained that this change is primarily one of design, as the present ordinance states that an efficiency apartment shall be one room. This change to square footage designation will allow the construction of walls between areas, which is now being done with construction of bookcases, etc. The members then

VOTED: To recommend APPROVAL of amendment to Section 45-1 of the Austin City Code.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart. Mmes Ashworth and Mather

C3-72-1 Zoning Ordinance Amendments (Text)--Contd.

Section 45-32. The members reviewed the following information.

An ordinance amending Section 45-32 of the Austin City Code of 1967 by making express provision for nonconforming use of land at the time the land is annexed to the City of Austin, and providing for discontinuance of said nonconforming uses not conducted within a building.

Be it ordained by the City Council of the City of Austin:

Part 1. Subsection 45-32(a) is amended by inserting after the reference to the date therein the words "or existing at the time of annexation of said land to the City of Austin."

Part 2. Subsection 45-32(b) is amended by inserting after the first use of the word "chapter" therein, the following words: "or for uses inconsistent with "A" residence district, first height and area district which exist on land at the time of annexation of that land to the City of Austin."

Part 3. Subsection 45.32(c) is amended by inserting after the reference to the date therein, the words: "or existing at the time of annexation of said premises to the City of Austin."

Part 4. Subsection 45-32(d) is amended by inserting after the first use of the word "district" the following words: "or by annexation of the City of Austin of the land on which such building is located,"

Part 5. Subsection 45-32(f) is amended by adding after the last word thereof the following words: "or within 10 years after annexation to the City of Austin of the land on which said use was being conducted at time of annexation of said land, or 10 years after the date of this ordinance, or whichever date is later."

Part 6. Subsection 45-32(h) is amended by adding after the last word thereof, the words: "or within six months after annexation to the City of Austin of the land on which said use was being conducted at time of annexation, or six months from the date of this ordinance, or whichever date is later."

Mr. Frank Rundell was present at this hearing; he suggested that owners of non-conforming uses be informed of the regulations at the time their property is annexed. The staff reported that this notification could be placed on the notice to the property owners.

The Commission reviewed the information and concluded that these amendments are needed to clarify the ordinance, and felt that notice should be given to affected property owners. The members then

VOTED: To recommend APPROVAL of amendments to Section 45-32 of the Austin City Code, and further recommend that notification of requirements be given to owners of non-conforming uses when their property is annexed.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart. Mmes Ashworth and Mather

C3-72-1 Zoning Ordinance Amendments (Text)--Contd.

Section 45-4. The members reviewed the following information.

Section 45-4 of the Austin City Code of 1967 is amended by adding thereto the following subsection:

(d) One house trailer or mobile home to serve as a dwelling may be permitted on a construction site during construction upon application to the Building Official setting out the need therefor to provide security against theft or vandalism of materials or equipment or other property left on the site during night time. This permit shall allow no more than one such dwelling per construction site, and shall run for no more than six months, and shall be renewable, upon application, for no more than six months. Denial of such a permit shall be appealable to the Board of Adjustment.

The members then

VOTED: To recommend APPROVAL of amendment to Section 45-4 of the Austin City Code.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart. Mmes Ashworth and Mather

C2-72-5(a) Special Zoning Districts
"L" Lake District Guidelines

Mr. Richard Lillie, Director of Planning, reported on the guidelines to be used for the preparation of special permits for development in the "L" Lake District. The site plan accompanying an application for a "L" Lake Development District should show the relationship of the proposed development to the Town Lake Plan, to the adjacent private development, and to the movement of vehicular and pedestrian traffic. Major emphasis should be placed on enhancing the beauty and the environmental quality of the lake area. Screening and landscaping of parking areas, open space, pedestrian movement along Town Lake and general landscaping will be major items considered in approving or disapproving proposed development. The plan shall be submitted on tracing paper or other reproducible material, no larger than twenty-four by thirty-six (24 x 36) inches in size. The site plan shall give a minimum of the following information:

1. Date, scale, north point, title, name of owner, and name of person preparing plan.
2. Location of existing boundary lines and dimensions of tract.
3. Centerline of existing water courses (other than Town Lake), drainage features, and location and size of existing and proposed streets and alleys.
4. Location and size (including height) to the nearest one-half foot of all proposed or existing buildings and land improvements.
5. Identification of proposed use or uses for each structure.
6. Clear designation of areas reserved for off-street parking; off-street loading; garbage pick-up; location and size of points of ingress and egress; number of parking spaces provided; and identification of the number of spaces required by ordinance. Head-in parking is not suggested from dedicated right-of-way.
7. General use, character and location of major buildings within 200 feet of tract boundaries.

C2-72-5(a) Special Zoning Districts--Contd.

8. Location of existing or proposed easements.
9. Clear designation of pedestrian pathways, hike and bike trails or other non-vehicular traffic routes. Non-vehicular traffic routes that will be accessible for general public use should be clearly indicated on plan.
10. Location of public non-vehicular traffic routes within 200 feet of tract boundaries.
11. Identification of the twenty-five (25) and the one hundred (100) year flood plains and the location of Town Lake's water edge. Elevation of the first floor (other than parking) should be indicated for each building.
12. Location, size and type of trees over six inches in diameter. Trees to be removed should be clearly indicated.
13. A schematic plan for all landscaping is required showing the general character of planting and other aesthetic improvements (plazas, pedestrian paths, etc.).
14. For apartments: need table showing number of one-bedroom, two-bedroom units, etcetera, contained in each structure.

The members discussed the guidelines. Setbacks from the lake would be determined by the individual special permit. Development of the hike and bike trail through private property will be difficult unless the City acquires easements through the property; it was noted that of the thirteen miles of shoreline, eleven miles is publicly owned. Mr. Garland Evans was present for this public hearing. The Commission then

VOTED: To recommend that the "L" Lake District Guidelines be APPROVED.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart. Mmes Ashworth and Mather

C1-72-2(a) Planning Commission Work Program

The Commission members reviewed and discussed the following work program:

1. Austin Development Plan Program: Complete Phases I and II.
2. Strengthen existing and develop new regulations on septic tank and package treatment plant systems and municipal utility districts, and develop a policy statement on extension of utilities.
3. Review and recommend changes in fee schedules for Ordinance amendments.
4. Develop legislation to strengthen planning controls beyond the corporate limits.
5. Develop public relations program to help educate the public to better planning.
6. Develop land data base program.
7. Continue to upgrade CIP and process.
8. Undertake planning seminars for Planning Commissioners and staff.

C1-72-2(a) Planning Commission Work Program--Contd.

9. Undertake 701 planning programs for surrounding communities.
10. Develop a parks and recreation plan for land acquisition, facilities, operations and programs.
11. Continuous evaluation of zoning and subdivision procedures.

R146 SUBDIVISION COMMITTEE

The Committee Chairman reported action taken on the subdivisions at the meeting of June 27, 1972, and requested that this action be made a part of the minutes of the Planning Commission.

The staff reported that there have been four appeals from the Subdivision Committee: C8-69-112 Parker Heights, Section Three; C8-70-67 Burton Terrace, Section Two; C8-71-110 Four Seasons, Fall Section; and C8-72-56 North Oaks Hillside, Section Two-B. One referral has been made to the Commission; C8-72-61 HSR Subdivision.

PRELIMINARY PLANS

C8-69-112 Parker Heights, Section Three
East Oltorff Street & Barton Terrace

C8-70-67 Burton Terrace, Section Two
Burton Drive

The staff reported that these two subdivisions are located along Burton Drive. A variance is requested to delete the sidewalk requirements along Burton Drive, due to severe topographical changes. Special permits have been approved and partially developed in this area, which will have interior sidewalks; in addition, the developer will provide sidewalks for the commercial areas. This variance is recommended. The Commission reviewed the information and

VOTED: To GRANT a variance on sidewalk requirements on these subdivision plats, C8-69-112 Parker Heights, Section Three and C8-70-67 Burton Terrace, Section Two, not requiring sidewalks along Burton Drive, except where adjacent to commercial property.

AYE: Messrs. Milstead, Barrow, Betts, Faulkner, Hetherly and Stewart.
Mmes Ashworth and Mather

ABSTAIN: Mr. Bobbitt

C8-72-61 HSR Subdivision
Spicewood Springs Road & Mesa Drive

The staff reported that the owners, the engineer, and the staff have worked on the plans for this development and are in agreement with the requirements. This request is recommended, subject to compliance with departmental requirements, to include dedication of sixty feet of right-of-way for a street connecting Spicewood Springs Road and Steck Avenue; and subject to the vacation of Greenview Drive west of Hillrise Drive at no expense to the adjacent property owners.

C8-72-61 HSR Subdivision--Contd.

The members reviewed the information and

VOTED: To ACCEPT and APPROVE the preliminary plat of the HSR Subdivision, subject to departmental requirements, to include dedication of sixty feet of right-of-way for a street connecting Spicewood Springs Road and Steck Avenue, subject to the vacation of Greenview Drive west of Hillrise Drive, such vacation to be initiated by the City.

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mmes Ashworth and Mather

C8-71-110 Four Seasons-Fall Section
Braker Lane and June Drive

C8-72-56 North Oaks Hillside - Section 2-B
Wedgewood Drive and Spring Circle Drive

The staff reported that these two subdivisions, which are adjacent, are located north of the City, east of Interstate Highway 35, and north of Braker Lane on Big Walnut Creek. These applications were postponed for additional information. During the past several months, major changes have been made by the Health Department regarding septic tank regulations. While the preliminary plat of these two subdivisions was recommended for septic tank use, the final plats have been recommended for denial by the Health Department until a central wastewater collection system and treatment plant can be made available. Under the current Ordinance, if an approved preliminary plat has met all requirements, the staff is obligated to recommend approval. While septic tank regulations need to be strengthened, and such regulations are presently under study, these two plats were approved under the present regulations. It is recommended that these two plats be disapproved pending compliance with departmental requirements, deleting the Health Department recommendation.

The applicants were present and stated that percolation tests have been performed, and all Ordinance requirements have been met on these applications.

The members discussed the history of these plats, and the proposed density. As the Health Department has stated that no septic tanks will be approved for this area, the members expressed concern that a purchaser of a lot would be unable to develop it until a sewage system is available. The Commission then

VOTED: To DISAPPROVE the following subdivision plats, pending compliance with departmental requirements, deleting the Health Department recommendation.

C8-71-110 Four Seasons, Fall Section
Braker Lane and June Drive
C8-72-56 North Oaks Hillside - Section 2-B
Wedgewood Drive and Spring Circle Drive

AYE: Messrs. Betts, Bobbitt, Faulkner, Hetherly and Stewart
NAY: Messrs. Milstead and Barrow. Mmes Ashworth and Mather

FINAL SUBDIVISION PLATS - FILED AND CONSIDERED

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

VOTED: To APPROVE the following final subdivision plats:

C814-71-06	<u>Rock Cove at Lakeway PUD</u>
	<u>Knarr Street and Morning Cloud</u>
C8-71-16	<u>Shady Hollow Addition</u>
	<u>Brodie Lane and Shady Valley Drive</u>
C8-71-72	<u>Industrial Terrace, Section Four</u>
	<u>Neils Thompson Drive & Industrial Terrace</u>
C8-71-115	<u>Travis Country</u>
	<u>Country Circle & Travis Country Boulevard</u>
C8-71-143	<u>Bannockburn</u>
	<u>Brodie Lane and McCarty Lane</u>
ABSTAIN:	Mr. Stewart
C8-72-13	<u>Tanglewild Estates</u>
	<u>Parmer Lane and Running Bird Lane</u>
C8-72-51	<u>Quail Creek West, Section Five</u>
	<u>Colony Creek Drive & Pointer West Lane</u>
ABSTAIN:	Mr. Hetherly
C8-72-52	<u>Greenbriar, Section Four</u>
	<u>Royal Hills Drive</u>
C8-72-54	<u>Crockett Heights, Section 2</u>
	<u>Stassney Lane and Toomey Drive</u>
ABSTAIN:	Mr. Stewart
C8-72-58	<u>The Village, Section Six</u>
	<u>Cockburn Drive and Berkley Drive</u>
C8-72-59	<u>Willow Creek, Section Four</u>
	<u>Oltorf Street and Willow Creek Drive</u>
C8-72-74	<u>Timber Creek, Section Six</u>
	<u>Timber Creek Drive & Hedgerow Place</u>

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart. Mmes Ashworth and Mather

ABSTAIN: As noted above.

The Commission then

VOTED: To ACCEPT FOR FILING and DISAPPROVE C814-72-02 The Park at Quail Creek, Section Two PUD, pending compliance with departmental requirements, required easements, fiscal arrangements and current tax certificates.

VOTED: To ACCEPT FOR FILING and DISAPPROVE C8-72-68 Loyola Center, pending compliance with departmental requirements, required easements and fiscal arrangements.

Final Subdivision Plats--Contd.

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

<u>C8-72-10</u>	<u>Creek Bend South, Section One</u>
	North Bluff Drive & Knuckles Crossing
<u>C8-72-21</u>	<u>Cherry Creek, Phase III, Section 1</u>
	Aldford Drive and Berkley Drive
<u>C8-72-42</u>	<u>Peppertree Park, Section Three</u>
	Peppertree Parkway & Stassney Lane
<u>C8-72-76</u>	<u>Avon Heights, Section Eight</u>
	Meadowridge Drive & Bluebonnet Lane
<u>C8-72-77</u>	<u>Western Hills</u>
	Brodie Lane and Rustlers Ridge
<u>C8-72-79</u>	<u>Mesa Park, Section Six</u>
	Wind River Road and Pyreneese Drive

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

<u>C8-72-45</u>	<u>Indian Hills, Section Three</u>
	North Bluff Drive & Stoneleigh Place
<u>C8-72-50</u>	<u>Southwest Park</u>
	Emerald Forest Drive & Turtle Creek Boulevard
<u>C8-72-75</u>	<u>Carrell Oaks, Section Two</u>
	Mathews Lane and Meadow Run
<u>C8-72-80</u>	<u>Village Oaks, Section Three</u>
	Shady Oaks Drive & Springvale Drive
<u>C8-72-81</u>	<u>Quail Creek West, Phase II, Section Ten</u>
	Mearns Meadow Boulevard & Mt. Quail Road
<u>C2-72-85</u>	<u>Rolling Hills West, Section Two</u>
	Ripple Creek Drive & Pinnacle Road

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mmes Ashworth and Mather

SHORT FORM SUBDIVISIONS

Eleven short form subdivisions have appeared before the Commission in the past and have now complied with all departmental requirements; the staff recommends that these be approved. The Commission then

VOTED: To APPROVE the following short from subdivision plats:

<u>C8s-72-181</u>	<u>Resubdivision No.1, Radian Subdivision</u>
	Shoal Creek Boulevard
<u>C8s-72-189</u>	<u>Mince Subdivision</u>
	Interstate Highway 35
<u>C8s-72-190</u>	<u>Resub. Lot 1, Walnut Hills, Section 4</u>
	Northeast Drive
<u>C8s-72-191</u>	<u>Walter L. McBride Subdivision No. 2</u>
	Delores Avenue

Short Form Subdivisions--Contd.

<u>C8s-72-192</u>	<u>Con-Cir Addition</u> South Congress Avenue and The Circle
<u>C8s-72-196</u>	<u>Resubdivision of Rosell Subdivision</u> Pecan Springs Road & Marymount Drive
<u>C8s-72-197</u>	<u>Fleming and Lewis Addition</u> East 19th Street & Tillery Street
<u>C8s-72-198</u>	<u>Resub. of Lots 1-8 of Block 29, Hyde Park Addition</u> Avenue H & East 41st Street
<u>C8s-72-199</u>	<u>Fiesta Apartments No. 2</u> Avenue A off West 42nd Street
<u>C8s-72-201</u>	<u>Resub. Lots 31 & 32, Block 1, Barton Hollow</u> Hollow Creek Drive
<u>C8s-72-204</u>	<u>Resub. of Lot 7, Block B, Northwest Hills Section 9-C</u> North Hills Drive & Village Center
ABSTAIN:	Mr. Barrow

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mmes Ashworth and Mather

ABSTAIN: As noted above.

The Commission then

VOTED: To ACCEPT FOR FILING and APPROVE C8s-72-206 The Resubdivision of the 3.78 Subdivision.

VOTED: To DISAPPROVE C8s-72-207 National Mobile Parks Subdivision.
(Long Form Subdivision required.)

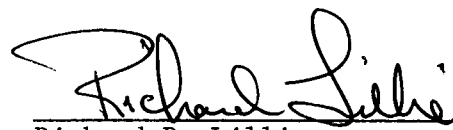
VOTED: To ACCEPT FOR FILING and DISAPPROVE C8s-72-211 Acme Brick Addition,
pending compliance with departmental requirements, and granting the
requested variance to exclude the balance of the tract.

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

<u>C8s-72-208</u>	<u>Buell Addition Resubdivision</u> Buell Avenue
<u>C8s-72-209</u>	<u>Resub. of Lot 3-B, Huffstutler Subdivision</u> West Cow Path and Bull Run
<u>C8s-72-210</u>	<u>Dayton Plumbing Addition</u> Research Boulevard
<u>C8s-72-212</u>	<u>Schettler Addition</u> Richardson Street
<u>C8s-72-213</u>	<u>Resub. Lot 125, & Part of Lot 127 of West Park Addition</u> South Lamar Boulevard

AYE: Messrs. Milstead, Barrow, Betts, Bobbitt, Faulkner, Hetherly and Stewart.
Mmes Ashworth and Mather

The meeting was adjourned at 1:15 p.m.


Richard R. Lillie
Executive Secretary