

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting--March 12, 1974

The meeting of the Commission was called to order at 7:00 p.m. in the Electric Building Auditorium

Present

William Milstead, Chairman
*Charles Betts
O. P. "Bob" Bobbitt
C. W. Hetherly
Betty Himmelblau
Philip Juarez
Jean Mather
Charles Nash

*Arrived at 7:15 p.m.

Also Present

Richard Lillie, Director of Planning
Jack Alexander, Assistant Director
of Planning
Bill Bulloch, Urban Transportation
Charles Graves, Director of Engineering
Stewart Henry, Director of Environmental
Resource Management
Pat Settle, Secretary I

Absent

Bennie Washington

ZONING

The following zoning changes were considered by the Zoning Committee at the meetings of March 4 and 5, 1974.

Present

C. W. Hetherly, Chairman
*Charles Betts
O. P. "Bob" Bobbitt
Betty Himmelblau
Bennie Washington

Also Present

Jack Alexander, Assistant Director
of Planning
**Duncan Muir, Planner
***Brian Schuller, Planner
Pat Settle, Secretary I

* Arrived at 7:10 p.m.

** Present only on March 4, 1974

*** Present only on March 5, 1974

C14-73-246 Gov. Allan Shivers, John Shivers and C. McAden: B, 1st to
5300-5306 Joe Sayers Avenue B, 2nd (as amended)
1500-1504 North Loop Boulevard

STAFF REPORT:

The applicant has requested that this case be postponed.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

J. V. Walden: 1410 West North Loop Drive	FOR
Conway Taylor: 1805 West 35th Street	FOR
Don J. Jackson: 3604 Balcones Drive	AGAINST
Mrs. Mary Blanche Grayson Ellis: P. O. Box 1714, Silsbee, Texas	AGAINST

PERSONS APPEARING

Tim Mashburn (representing applicant)

COMMITTEE ACTION:

Members reviewed the request and recommended that this case be postponed for 30 days.

AYE: Messers. Hetherly, Betts, Bobbitt and Washington. Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information and were in agreement with the Committee action.

COMMISSION VOTE:

To recommend that the request of Gov. Allan Shivers, John Shivers and C. McAden for a zoning change from "B" Residence, First Height and Area to "B" Residence, Second Height and Area, as amended, on property located at 5300-5306 Joe Sayers Avenue and 1500-1504 North Loop Boulevard be POSTPONED for 30 days.

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Betts and Washington

C14-73-251 Emile Jamail, et al: Int. A, 1st to O, 1st on Tract A; B, 1st
8000 U.S. Highway 290, East on Tract B (as amended)
Rear of 7700-8000 U.S. Highway 290, East (Original Request:
Rear of 2400-2448 Ed Bluestein Boulevard Int. A, 1st to C, 1st)
also bounded by Old Cameron Road

STAFF REPORT:

This 95-acre tract is located north of the intersection of Ed Bluestein Boulevard and U. S. Highway 290. It has frontage at two points: approximately 150 feet on U. S. 290 and 900 (plus or minus) feet on the undeveloped Old Cameron Road on the west portion of the property. This street will probably be developed to provide access to the district park to be developed

C14-73-251 Emile Jamail, et al--Contd.

west of the subject tract. A small part of the western portion of the subject property is proposed to be purchased by the City for the park. An arterial street is proposed to run along the eastern boundary of the subject property, providing additional access.

This interior property, as well as most of the surrounding area, is undeveloped by City standards. The 75-plus acre property between the subject tracts and the intersection of U. S. 290 and Ed Bluestein Boulevard to the south is more appropriate for business and apartment purposes, and will most likely be zoned accordingly. Subject tract does and will have only a small amount of arterial frontage. Southwest across Little Walnut Creek from the subject tract, is a proposed retail and apartment development with access to both Ed Bluestein Boulevard and the proposed extension of Rutherford Lane. The existing retail and apartment zoning in this area, the probability that the tract just south of subject tract will be zoned for some retail, office and apartment uses, and the conclusions of the area study, are sufficient reasons for the staff to recommend that only the limited portion of the subject tract with direct access to a major arterial be granted for medium-density apartments.

STAFF RECOMMENDATION:

That this case be denied as inappropriate zoning for this interior tract, but that "BB" Residence be granted on the easternmost 800 feet fronting on the proposed arterial, and "A" Residence on the western portion of this tract, subject to a subdivision to provide for streets (including the proposed major arterial.)

This recommendation will allow for approximately 15 acres of apartment development adjacent to the arterial and uses such as conventional single-family, duplex, townhouse or P. U. D. developments allowing up to ten units per acre on the interior portion of this property. The "A" Residence District provides reasonable flexibility in developing unusual terrain, such as created by gravel pits and creeks. The staff will recommend that the 75-plus acre tract to the south of the subject tract provide the land use buffers for the anticipated retail uses there. If apartment zoning is favored for the entire property, then a Master Plan change will be required because of the impact on the surrounding area.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Robert L. Davis (representing applicant)

PERSONS APPEARING

Robert L. Davis (representing applicant)

Emile Jamail (applicant)

COMMITTEE ACTION:

The staff presented an area study for the Committee's consideration. Members reviewed the information presented. Mr. Hetherly felt that no additional information resulted to change his vote on this case. He felt that since this case had been postponed previously, it was unfair to delay the applicant any longer. Members were in agreement that this request

C14-73-251 Emile Jamail, et al--Contd.

be granted as originally approved. The members then voted to recommend that "O" Office, First Height and Area be granted on Tract X; "B" Residence, First Height and Area on Tract Y; and "BB" Residence, First Height and Area on Tract Z, subject to a subdivision to provide for streets (including the proposed major arterial) and subject to a master plan change.

AYE: Messrs. Hetherly, Betts, Bobbitt and Washington. Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information presented. Mr. Hetherly stated that this request had been delayed for three months and that he would not be in favor of delaying it any longer. He stated he would consider zoning this tract as agreed upon by the Zoning Committee. Mr. Bobbitt agreed that he would not be in favor of delaying the applicant any longer. He stated that with the natural division of the land itself south of U. S. Highway 183 to Highway 290, this area will naturally develop with retail, commercial and apartment zoning. He stated he would support the zoning and would like to see a Master Plan amendment submitted for this area. Mr. Milstead was of the opinion that this Master Plan amendment should appear before the Council at the same time as the zoning request so that both items could be reviewed simultaneously. It was pointed out by the staff that there was a time limit of 45 days for the City to complete their recommendation on a zoning case. Ms. Himmelblau expressed concern about delaying the applicant. Ms. Mather expressed opposition to the requested zoning and made a motion to deny the request. The motion failed 3-5. The staff pointed out that if the Commission denied an amendment to the Master Plan, the applicant has the option to develop the area under "A" Residence zoning such as a Planned Unit Development or to make another application for a zoning change. A motion was then made to recommend that this request be granted, subject to departmental requirements.

COMMISSION VOTE:

To recommend that the request of Emile Jamail, et al, for a zoning change from Interim "A" Residence, Interim First Height and Area to "O" Office, First Height and Area (Tract A) and "B" Residence, First Height and Area (Tract B), as amended, on property located at the rear of 7700-8000 U. S. Highway 290, East, and rear of 2400-2448 Ed Bluestein Boulevard, also bounded by Old Cameron Road, be DENIED, but GRANT "O" Office, First Height and Area (Tract X); "B" Residence, First Height and Area (Tract Y) and "BB" Residence, First Height and Area (Tract Z), subject to a subdivision to provide for streets (including the proposed major arterial); and subject to a Master Plan change to Medium Density Residential land use classification.

AYE: Messrs. Milstead, Betts, Bobbitt, Hetherly and Nash. Ms. Himmelblau
NAY: Mr. Juarez. Ms. Mather
ABSENT: Mr. Washington

C14-74-013 Ben Hur Shrine Temple: Int, A, 1st to C, 2nd on Part A and
 7901-8131 Research Boulevard (U. S. 183) C, 1st on Part B
 7900-8114, 8200-8212 and rear of (as amended)
 8116-8154 North Lamar Boulevard

STAFF REPORT:

This 25-acre tract lies at the complicated intersection of Lamar Boulevard, Anderson Lane, and Research Boulevard, where business activity has been established, as well as some apartment development. Although "C" Commercial zoning is common at this intersection, the uses which have been established there are predominantly more restrictive. A single-family neighborhood is located a short distance north of the subject tract, and directly north is a large mobile home park development.

Second Height and Area District, which allows a building height of 60 feet, has been granted on the southernmost tract of this intersection. The established uses, though, fall principally within the height limitation of the First or Fifth Height and Area District, 35 feet.

STAFF RECOMMENDATION:

That this case be denied, but that "C" Commercial, Second Height and Area be granted on Part A of subject tract (as reflected on the staff map) and "C" Commercial, First Height and Area be granted on Part B of subject tract.

CITIZEN COMMUNICATION (NORTH AUSTIN CIVIC ASSOCIATION)

WRITTEN COMMENT

Rayco Construction Co.: 8745 N. Lamar, Suite 100 AGAINST
 PERSONS APPEARING

Joseph P. Witherspoon, III (representing applicant)	
Walter E. Orr: 3410 Mt. Bonnell Road	FOR
B. H. Bland: 1510 Windsor Road	FOR
David A. Curry: 7306 Old Bee Caves Road	FOR
Hans Blangger: 1715 Norris Drive	FOR
Ernest Smith: 1801 Lavaca 6F	FOR
Marshall Turner: 2517 West 45th Street	FOR
J. T. Browning (Ben Hur Shrine Temple)	FOR
Joe K. Wells: 2203 Townes Lane	FOR
Burch Biggerstaff: 500 East Anderson Lane	FOR
Edwin M. Goldman: 6209 Highland Hills Drive	FOR

COMMITTEE ACTION:

The applicant amended his application to read from Interim "A" Residence, Interim First Height and Area to "C" Commercial, Second Height and Area on Part A and "C" Commercial, First Height and Area on Part B to agree with the staff's recommendation. Members reviewed the information presented and recommended that this request be granted, as amended.

AYE: Messrs. Hetherly, Betts, Bobbitt and Washington. Ms. Himmelblau

C14-74-013 Ben Hur Shrine Temple--Contd.

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee action.

COMMISSION VOTE:

To recommend that the request of Ben Hur Shrine Temple for a zoning change from Interim "A" Residence, Interim First Height and Area to "C" Commercial, Second Height and Area on Part A and "C" Commercial, First Height and Area on Part B, as amended, on property located at 7901-8131 Research Boulevard (U. S. 183), 7900-8114, 8200-8212 and rear of 8116-8154 North Lamar Boulevard be GRANTED, as amended.

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.

Mmes. Himmelblau and Mather

ABSENT: Messrs. Betts and Washington

C14-74-014 Richard Bernard Robinson: et ux: A, 1st to C, 1st
1139D-1141D Springdale Road

STAFF REPORT:

This property is located at the intersection of two major arterials. It is bounded on the south by "C" Commercial, on the north by "LR" Local Retail, and on the east by "A" Residence. Across the street is Givens District Park. Springdale Road is a major arterial planned for 80 feet of right-of-way at this location; 15 feet is needed from the subject tract.

STAFF RECOMMENDATION:

That "C" Commercial be denied, but that "GR" General Retail be granted, subject to a subdivision providing for 15 feet of right-of-way on Springdale Road pursuant to the ultimate right-of-way of 80 feet.

The extension of the "C" Commercial district is not justified due to the presence of the park across the street and the "A" Residence district behind subject tract. The "GR" district is an appropriate gradation between the "C" Commercial and "LR" Local Retail districts.

CITIZEN COMMUNICATION (CONCERNED CITIZENS OF EAST AUSTIN)

WRITTEN COMMENT

None

PERSONS APPEARING

Richard B. Robinson (applicant)

Gabrial Brown: 4611 Ledesma

Tommie A. Brown: 4611 Ledesma

AGAINST

AGAINST

C14-74-014 Richard Bernard Robinson, et ux--Contd.

COMMITTEE ACTION:

Mr. Hetherly expressed concern about the traffic problem but felt that if the applicant met the off-street parking requirements he would have no objection to this request. He expressed concern for the church located in this area. Mr. Washington felt that this business would probably not be open on Sunday, therefore, the church would not be affected by this request. However, he felt that a business of this nature might possibly tend to encourage street parking. Members reviewed the information and recommended to grant this request, subject to a subdivision providing for 15 feet of right-of-way on Springdale Road.

AYE: Messrs. Hetherly, Betts, Bobbitt and Washington. Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee action.

COMMISSION VOTE:

To recommend that the request of Richard Bernard Robinson, et ux, for a zoning change from "A" Residence, First Height and Area to "C" Commercial, First Height and Area on property located at 1139D-1141D Springdale Road be GRANTED, subject to a subdivision providing 15 feet of right-of-way on Springdale Road.

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Betts and Washington

C14-74-015 David L. Lindsey: A, 1st to B, 1st
4300 Shoalwood Avenue
1800-1802 West 43rd Street

STAFF REPORT:

The staff reported that the applicant has requested that this case be withdrawn.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

William E. Thompson: Rt. 1, Box 464, Belton, Texas AGAINST
PERSONS APPEARING
David Lindsey (applicant)

COMMITTEE ACTION:

Members reviewed the information presented and were in agreement that this case be withdrawn.

AYE: Messrs. Hetherly, Betts, Bobbitt and Washington. Ms. Himmelblau

C14-74-015 David L. Lindsey--Contd.

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee action.

COMMISSION VOTE:

To recommend that the request of David L. Lindsey for a zoning change from "A" Residence, First Height and Area to "B" Residence, First Height and Area on property located at 4300 Shoalwood Avenue and 1800-1802 West 43rd Street be WITHDRAWN.

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.

Mmes. Himmelblau and Mather

ABSENT: Messrs. Betts and Washington

C14-74-016 Carl W. Cole and Edgar A. Smith: Int. A, 1st to C, 1st
5429-5535 South Congress Avenue
5528-5534 Wasson Road

STAFF REPORT:

This property lies between the Y-intersection of South Congress Avenue and Wasson Road. "C" Commercial uses are common along this portion of South Congress and the "C" Commercial District has been consistently recommended by the Staff and Planning Commission for the immediate vicinity of the subject tract.

STAFF RECOMMENDATION:

That this case be granted.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Bennie Fojtik: 2802 Ware Road

W. A. Hasse: 5402 South Congress Avenue

PERSONS APPEARING

None

FOR

AGAINST

COMMITTEE ACTION:

Members reviewed the information presented and recommended that this request be granted.

AYE: Messrs. Hetherly, Betts, Bobbitt and Washington. Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee action.

C14-74-016 Carl W. Cole and Edgar A. Smith--Contd.

COMMISSION VOTE:

To recommend that the request of Carl W. Cole and Edgar A. Smith for a zoning change from Interim "A" Residence, Interim First Height and Area to "C" Commercial, First Height and Area on property located at 5429-5535 South Congress Avenue and 5528-5534 Wasson Road be GRANTED.

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Betts and Washington

C14-74-017 Gulf Oil Corporation: C, 6th to C, 2nd
7504 North Interstate Highway 35

STAFF REPORT:

This is a 15-foot by 30-foot sign application on the west side of I. H. 35. Subject tract is adjacent to a Fifth Height and Area District, which allows the same maximum height (60 feet) as the Second Height and Area district, and much of the property along the west side of I. H. 35 has been designated Fifth Height and Area.

STAFF RECOMMENDATION:

That this case be granted.

CITIZEN COMMUNICATION (ST. JOHNS NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Albert & Florence Clemons: 709 Delmar Avenue

AGAINST

PERSONS APPEARING

W. B. Anderson (representing applicant)

COMMITTEE ACTION:

Members reviewed the information presented and a majority recommended that this request be granted.

AYE: Messrs. Hetherly, Betts and Washington. Ms. Himmelblau

NAY: Mr. Bobbitt

COMMISSION ACTION:

Members reviewed the information presented and a majority was in agreement with the Committee action.

COMMISSION VOTE:

To recommend that the request of Gulf Oil Corporation for a zoning change from "C" Commercial, Sixth Height and Area to "C" Commercial, Second Height and Area on property located at 7504 North Interstate Highway 35 be GRANTED.

AYE: Messrs. Milstead, Betts, Hetherly and Nash.
Ms. Himmelblau

NAY: Mr. Bobbitt. Ms. Mather

ABSENT: Mr. Washington. Mr. Juarez (out of room)

C14-74-018 Norene Lance: Int. A, 1st to C-2, 1st
5537 Decker Lake Road

STAFF REPORT:

This property is located at the intersection of two major arterials, yet oriented to Decker Lake Road. Single-family developments are under construction and being planned to the east and north; a junior high school site is located to the west across Ed Bluestein Boulevard. "GR" General Retail has been granted on the northwest quadrant of this intersection. "LR" Local Retail has been granted to the northeast fronting on Decker Lake Road.

The staff has no objection to bars or lounges which are internally oriented to a shopping center. But the staff cannot recommend a bar or tavern use which is externally oriented like the traditional strip-commercial zone. The "C" Commercial district at this location is not compatible with previous zoning precedents nor the character of the existing and anticipated uses of the surrounding area.

STAFF RECOMMENDATION:

That this case be denied, but that "GR" General Retail be granted, subject to a subdivision to identify the tract.

The "GR" General Retail district is a common recommendation at the intersections of major arterials and has been established on one corner of this intersection.

CITIZEN COMMUNICATION (UNIVERSITY HILLS HOME OWNERS)**WRITTEN COMMENT**

None

PERSONS APPEARING

James C. Lance (representing applicant)

Norene Lance (applicant)

Joan Bartz (University Hills Homeowners' Assn.)

Woodrow Sledge (AISD)

AGAINST

AGAINST

COMMITTEE ACTION:

Members reviewed the information presented. Mr. Washington stated that he felt the school site was not the problem with this case, but that this area would probably be developed into a residential area. Ms. Himmelblau stated that she did not object to the lounge or the "GR" zoning but felt there should be some buffering. Mr. Betts felt the area would probably be developed with strip-type development. A motion was made to deny the request but grant "GR" General Retail. The motion died for lack of a second. The motion was then made to grant "C-2" Commercial, First Height and Area.

AYE: Messrs. Hetherly, Betts and Bobbitt. Ms. Himmelblau

NAY: Mr. Washington

C14-74-018 Norene Lance--Contd.

COMMISSION ACTION:

Members reviewed the Committee recommendation. Mr. Bobbitt stated that the building is currently being used commercially in this area which was developed prior to being annexed. Mr. Bobbitt then made a substitute motion.

COMMISSION VOTE:

To recommend that the request of Norene Lance for a zoning change from Interim "A" Residence, Interim First Height and Area to "C-2" Commercial, First Height and Area on property located at 5537 Decker Lake Road be DENIED, but GRANT "C-2" Commercial, First Height and Area on the 1,200 square foot portion of the building to be used as a lounge and "GR" General Retail, First Height and Area on the remaining area.

AYE: Messrs. Betts, Bobbitt, Hetherly and Juarez. Ms. Himmelblau
NAY: Ms. Mather
ABSTAIN: Messrs. Milstead and Nash
ABSENT: Mr. Washington

C14-74-019	Texas Municipal Retirement System: B, 1st to O, 1st (as amended)
	700-702 East 12th Street (Original Request: B, 1st
	1201-1205 Sabine Street to LR, 1st)

STAFF REPORT:

This property lies within the Council-adopted Brackenridge Urban Renewal Plan and the subject tract is part of the "B-1" District of that plan, which is synonymous with the City's "O" Office District but not the requested "LR" Local Retail District. The Urban Renewal Plan "B-1" District at this location will allow a height of 200 feet.

STAFF RECOMMENDATION:

That this case be denied, but that "O" Office, First Height and Area be granted to conform to Council-adopted Brackenridge Urban Renewal Plan. For the staff to recommend for the requested "LR" Local Retail district here, the applicant would first have to obtain a change in the Brackenridge Urban Renewal Plan.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Mrs. Ethel V. Davis: Box 3075

FOR

PERSONS APPEARING

Gaynor Kendall (representing applicant)

COMMITTEE ACTION:

The applicant amended his request to read from "B" Residence, First Height and Area to "O" Office, First Height and Area. Members reviewed the information presented and recommended that this request be granted, as amended.

AYE: Messrs. Hetherly, Betts, Bobbitt and Washington. Ms. Himmelblau

C14-74-019 Texas Municipal Retirement System--Contd.

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee action.

COMMISSION VOTE:

To recommend that the request of Texas Municipal Retirement System for a zoning change from "B" Residence, First Height and Area to "O" Office, First Height and Area, as amended, on property located at 700-702 East 12th Street and 1201-1205 Sabine Street be GRANTED, as amended.

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Betts and Washington

C14-74-020 Iza M. Wallin and Allen C. Clark: A, 1st to GR, 1st (as amended)
Rear of 5501-5511 North Lamar Blvd. (Original Request: A, 1st
704-714 Nelray Boulevard to C, 1st)

STAFF REPORT:

This property is located on a minor residential street (presently). It is bounded by "C" Commercial zoning to the west and north, by recently-granted "O" Office to the east and by "B" Residence and "A" Residence across Nelray Boulevard.

STAFF RECOMMENDATION:

That "C" Commercial be denied but that "O" Office be granted, subject to a subdivision to identify this property and dedication of one-half the right-of-way (five feet) to increase Nelray Boulevard from 50 to 60 feet.

The recommended "O" Office is considered appropriate in view of the developing zoning pattern, and "O" Office provides a buffer between the multi-family district to the south and the "C" Commercial activities to the north.

Today the staff received a letter amending this request to "GR" General Retail".

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

William Terry Bray (representing applicant)
Carlos D. Smith: 5417 North Lamar Boulevard

FOR

PERSONS APPEARING

John Van Winkle (representing applicant)

C14-74-020 Iza M. Wallin and Allen C. Clark--Contd.

COMMITTEE ACTION:

Members reviewed the information presented and recommended that this request be granted, as amended, subject to a subdivision to identify this property and dedication of one-half the right-of-way (five feet) to increase Nelray Boulevard from 50 to 60 feet.

AYE: Messrs. Betts, Bobbitt and Washington. Ms. Himmelblau
ABSTAIN: Mr. Hetherly

COMMISSION ACTION:

Members reviewed the information presented and a majority were in agreement with the Committee action.

COMMISSION VOTE:

To recommend that the request of Iza M. Wallin and Allen C. Clark for a zoning change from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area, as amended, on property located at the rear of 5501-5511 North Lamar Boulevard and 704-714 Nelray Boulevard be GRANTED, as amended, subject to a subdivision to identify this property and dedication of one-half the right-of-way (five feet) to increase Nelray Boulevard from 50 to 60 feet.

AYE: Messrs. Milstead, Betts, Bobbitt and Nash. Mmes. Himmelblau and Mather
ABSTAIN: Messrs. Hetherly and Juarez
ABSENT: Mr. Washington

C14-74-021 Spicewood Enterprises, Inc. and Jack L. Burkett: Int. A, 1st to LR, 1st
3809-3913 Spicewood Springs Road (Tracts 1 & 3) and Int. A, 1st to
0, 1st (Tract 2)

STAFF REPORT:

This property is located on Spicewood Springs Road about mid-way between Balcones Drive and Mesa Drive. On the north side of Spicewood Springs Road across from the subject tracts, "O" Office, "BB" Residence, and "LR" Local Retail zoning was granted. The "LR" Local Retail and "O" Office was granted over the objections of the staff, which was concerned about strip-zoning and development. The staff would like to add that the "O" Office granted on the small tract across Spicewood Springs Road had a restrictive covenant attached to it stating that if the property were used for anything other than an office for the American Cancer Society, the zoning would revert to "A" Residence.

On the south side of Spicewood Springs Road and to the east, across the proposed extension of Hart Lane, "O" Office with a 25-foot buffer strip of "A" Residence was granted with the stipulation that there be only one

C14-74-021 Spicewood Enterprises, Inc. and Jack L. Burkett--Contd.

street access point through the buffer strip from Hart Lane into the "O"-zoned tract and that the street access be located no more than 400 feet from Spicewood Springs Road. This buffer strip is an effort to provide a stopping point to non-residential zoning so that strip development would not occur.

As a requirement for obtaining the "O" Office zoning mentioned above, the then proposed buyer, Koger Properties, Inc., was required to provide a final subdivision on the entire property within 18 months of August 1, 1972, and that the proposed office park be provided with greenbelt areas similar to its development in San Antonio. The failure to accomplish such agreement was stipulated to be grounds for the City to initiate a rollback of zoning to "BB" Residence. The subdivision requirements have not been complied with.

It is anticipated that additional requests for rezoning of land along and in the vicinity of Spicewood Springs Road between the proposed MoPac Expressway and Mesa Drive will be before the Commission. Strip-zoning is incompatible with development in this area and with the approval of retail zoning at the major arterial intersections of Balcones Drive and Mesa Drive. The most compatible use of the remaining undeveloped properties is residential at a density comparable to the established development of the neighborhoods to the north and south. The present "A" Residence District allows for single-family, duplex, townhouse, and planned unit development; a flexibility ranging in density from acreage lots to a maximum of 10 units per acre.

STAFF RECOMMENDATION:

That this case be denied as incompatible with established development in the area and inconsistent with the intent of the Commission to terminate non-residential zoning to the east by requiring the "A" Residence buffer strip.

CITIZEN COMMUNICATION (BALCONES CIVIC ASSOCIATION AND NORTH WEST AUSTIN CIVIC ASSOCIATION)**WRITTEN COMMENT**

S. W. Casner, M. D.: 4019 Spicewood Springs Road

FOR

Garry W. Vacek: 330 West Cheryl Drive #1708

AGAINST

PERSONS APPEARING

Phil Mockford (representing applicant)

Jim Landrum (Balcones Civic Association)

AGAINST

Paul J. Szaniszlo: 8015 Greenslope Drive

AGAINST

Leon Whitney: 3909 Rockledge Drive

AGAINST

James M. Perdue (Northwest Austin Civic Association)

AGAINST

David R. Passarella: 8004 Hillrise Drive

AGAINST

Gerald A. Fay: 7908 Ceberry Drive

AGAINST

Don Herzog: 8002 Hillrise Drive

AGAINST

Gerald Baum: 8608 Tallwood Drive

AGAINST

C14-74-021 Spicewood Enterprises, Inc. and Jack L. Burkett--Contd.

COMMITTEE ACTION:

Members reviewed the information presented. Concern was expressed about the traffic along Spicewood Springs Road. Mr. Hetherly stated that Spicewood Springs Road was designed as a major arterial. He felt a change in the zoning would be premature and he could not vote in favor of a change until he knew what was going to happen to Spicewood Springs Road. Mr. Bobbitt felt the distance from MoPac to subject tract would not support additional "LR". Mr. Betts felt he had no objection to Tracts 1 & 3 being zoned "LR" since this tract is presently developed with non-residential uses and will probably continue to be used as "LR" uses. He felt "LR" would be more appropriate than "O" Office. A motion was made to grant "LR" on Tracts 1 and 3 and deny "O" Office on Tract 2. The motion failed 2 - 3. A motion was then made to deny the request.

AYE: Messrs. Hetherly and Washington. Ms. Himmelblau
NAY: Messrs. Betts and Bobbitt

COMMISSION ACTION:

The applicant requested that this case be withdrawn. Members reviewed the request and recommended that this case be withdrawn.

COMMISSION VOTE:

To recommend that the request of Spicewood Enterprises, Inc. and Jack L. Burkett for a zoning change from Interim "A" Residence, Interim First Height and Area to "LR" Local Retail, First Height and Area (Tracts 1 & 3) and Interim "A" Residence, Interim First Height and Area to "O" Office, First Height and Area (Tract 2) on property located at 3809-3913 Spicewood Springs Road be WITHDRAWN.

AYE: Messrs. Milstead, Betts, Bobbitt, Hetherly, Juarez and Nash.
 Mmes. Himmelblau and Mather
ABSENT: Mr. Washington

C14-74-022 Edward R. Rathgeber, Jr.: Int. A, 1st to GR, 1st
 6900-7014 Nuckols Crossing Road

STAFF REPORT:

This 10-acre property is located at the intersection of two major arterials, Nuckols Crossing Road (90 feet of right-of-way) and the proposed Outer Loop (120 feet of right-of-way), as indicated on the staff map. Single-family neighborhoods are presently being established to the south and to the west of the subject tract. The flood plain of Onion Creek along the west boundary of the subject tract is proposed to be a park.

Approximately 2,000 feet west of the subject tract, 45 acres of retail zoning have been granted at the intersection of Pleasant Valley Road and Outer Loop (Nuckols Crossing Road.) In view of that, the staff is reluctant to recommend for extensive retail zoning at this intersection.

C14-74-022 Edward R. Rathgeber, Jr.--Contd.

STAFF RECOMMENDATION:

That this case be granted, subject to right-of-way dedication on Outer Loop and Nuckols Crossing Road to be determined by the Engineering Department; a maximum of four (4) curb cuts; and a subdivision.

This recommendation is consistent with the staff policy of recommending retail zoning at the intersections of major arterials.

CITIZEN COMMUNICATION (SOUTH AUSTIN NEIGHBORHOODS EAST)

WRITTEN COMMENT

None

PERSONS APPEARING

Tom Curtis (representing applicant)
John Pope (Austin Police Assn.)

FOR

COMMITTEE ACTION:

Members reviewed the information presented and recommended that this request be granted, subject to right-of-way dedication on Outer Loop and Nuckols Crossing Road to be determined by the Engineering Department; a maximum of four (4) curb cuts; and a subdivision.

AYE: Messrs. Hetherly, Betts, Bobbitt and Washington. Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee action.

COMMISSION VOTE:

To recommend that the request of Edward R. Rathgeber, Jr. for a zoning change from Interim "A" Residence, Interim First Height and Area to "GR" General Retail, First Height and Area on property located at 6900-7014 Nuckols Crossing Road be GRANTED, subject to right-of-way dedication on Outer Loop and Nuckols Crossing Road to be determined by the Engineering Department; and a maximum of four (4) curb cuts; and subject to a subdivision.

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.
 Mmes. Himmelblau and Mather

ABSENT: Messrs. Betts and Washington

C14-74-023 Edna Houston and Robert J. Hammond: A, 1st to LR, 1st
 1604-1606 East 19th Street
 1900-1904 Leona Street

STAFF REPORT:

This property is located on East 19th Street at its intersection with Leona Street. East 19th Street is a major arterial to be increased to 90 feet of right-of-way, all of which is to be taken from the north side

C14-74-023 Edna Houston and Robert J. Hammond--Contd.

of the street in this area due to the cemetery on the south side. The zoning districts are clearly defined at this location: the local commercial for the area is located at the intersection of Chicon Street and East 19th Street, then an apartment district, and then the subject tract within the "A" Residence.

STAFF RECOMMENDATION:

That this case be denied. The granting of "LR" Local Retail at this site would be incompatible with zoning boundaries which are distinct, and would set a precedent for creating a strip-commercial zone along East 19th Street.

If this case is recommended, dedication of 10 feet of right-of-way is required on East 19th Street, one-half the right-of way (3-1/2 feet) to increase Leona Street to 60 feet, and a 45-foot setback on East 19th Street to allow the City to purchase the right-of-way necessary to increase this street to 90 feet.

CITIZEN COMMUNICATION (CONCERNED CITIZENS OF EAST AUSTIN)**WRITTEN COMMENT**

Robert J. Hammond (applicant)	
Mrs. Odessa Larkins: 1800 East 19th Street	FOR
Mrs. Lucy B. Fields: 1800 East 19th Street	FOR
Josephine Williams: 3746 Clinton, San Diego, Cal.	FOR
Dorothy Parker: 3746 Clinton, San Diego, Cal.	FOR
Garfield Wells: 1910 Salina Street	AGAINST

PERSONS APPEARING

Martin Boozer (representing applicant)	
Robert Jackson	FOR
Petition bearing 37 names	FOR

COMMITTEE ACTION:

Members reviewed the information presented. Mr. Washington felt that this neighborhood was changing, in that some of the homes in this area were rental property and not in the best condition. He also pointed out the cemetery and church located in the area. He felt this request would be no problem since there was no opposition from any one immediately behind or on either side of the subject property. A majority of the members recommended that this request be granted, subject to dedication of 10 feet of right-of-way on East 19th Street, one-half the right-of-way (3-1/2 feet) to increase Leona Street to 60 feet, and a 45-foot setback on East 19th Street to allow the City to purchase the right-of-way necessary to increase this street to 90 feet.

AYE: Messrs. Betts, Bobbitt and Washington.
NAY: Mr. Hetherly. Ms. Himmelblau

C14-74-023 Edna Houston and Robert J. Hammond--Contd.

COMMISSION ACTION:

Members reviewed the information presented. The motion to grant this request by the Zoning Committee failed 3-5. A motion was then made to deny this request.

COMMISSION VOTE:

To recommend that the request of Edna Houston and Robert J. Hammond for a zoning change from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area on property located at 1604-1606 East 19th Street and 1900-1905 Leona Street be DENIED.

AYE: Messrs. Milstead, Hetherly, Juarez and Nash. Mmes. Himmelblau
 and Mather
NAY: Messrs. Betts and Bobbitt
ABSENT: Mr. Washington

C14-74-024 John Bode, Trustee: A, 1st to LR, 1st
 5720 Balcones Drive

STAFF REPORT:

This property is located in northwest Austin along Balcones Drive, a neighborhood collector street and is located one lot north of Northland Drive, a major arterial street. The Highland Hills single-family subdivision is located to the west and adjacent to subject tract, a non-conforming office use is located between subject tract and Northland Drive to the south, a vacant tract is adjacent to subject tract to the north, and a vacant tract owned by the City of Austin is across Balcones Drive from subject tract. Although this tract is presently surrounded by "A" Residence zoning, the vacant tract to the north will also be heard this month for a zoning change and it is adjacent to "O" Office zoning with a restrictive covenant limiting its use. Retail zoning and use exist along Balcones Drive south of Northland Drive, and MoPac Expressway will be approximately 250 feet east of Balcones Drive at this location.

The "O" Office zoning to the north has a restrictive covenant which excludes apartments, mirrored glass on the west side of the building, white or reflectant roofs, and stipulates a maximum building height of 760 feet above sea level and a 20-foot greenbelt along the western boundary that is to be retained in its natural state. When this case was heard by the Planning Commission, the Planning Department staff only recommended for "BB" Residence. The staff's major concerns were not allowing strip-type development along Balcones Drive north of Northland Drive and keeping Balcones Drive as a residential collector street providing access for the residential uses to the north and west.

C14-74-024 John Bode, Trustee--Contd.

STAFF RECOMMENDATION:

That "LR" Local Retail be denied, but that "BB" Residence be granted, subject to a subdivision to identify the tract. The Commission might also consider limiting curb cuts. Although "O" Office exists north of subject tract, restrictions were placed on the property to provide compatibility with surrounding use. Strip non-residential uses or the higher housing densities allowed in "B" Residence and less restrictive districts along this section of Balcones Drive are not compatible with the existing single-family development.

CITIZEN COMMUNICATION (NORTH WEST AUSTIN CIVIC ASSOCIATION AND
WEST CENTRAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Paul A. Keller: 203 Riverside Drive	FOR
Rudolph Beck: 5803 Trailridge Circle	AGAINST
Billy N. Banister: 5703 Highland Hills Drive	AGAINST
L. W. McConachie: 5704 Highland Hills Drive	AGAINST
Gary Kent and Julia Belle Underhill: 5707 Trailridge	AGAINST
Mrs. Lucile Marek: 5707 Highland Hills Drive	AGAINST
Charles H. Roth, Jr.: 5711 Trailridge Drive	AGAINST
Robert V. Morgan, Sr.: 5625 Shoal Creek Blvd.	AGAINST
Mrs. Ralph Mitchell: 5703 Trailridge Drive	AGAINST
Mr. & Mrs. Paul T. Gillett: 5803 Trailridge Drive	AGAINST
Ruby and Betty Shafer: 5700 Trailridge Drive	AGAINST
Dr. & Mrs. B. Brooks Goldsmith: 5701 Trailridge Drive	AGAINST
Mr. & Mrs. D. N. Curry: 5705 Trailridge Drive	AGAINST
Sal Levantino: 5705 Highland Hills Drive	AGAINST
Loudie S. Moffatt: 5708 Trailridge Drive	AGAINST
Murray C. Moffatt: 5708 Trailridge Drive	AGAINST
Mr. & Mrs. C. L. Zeigler: 5702 Trailridge Drive	AGAINST
Charles C. Laird: 5704 Trailridge Drive	AGAINST
Mr. & Mrs. Mark G. Goade: 5802 Trailridge Circle	AGAINST
Mr. & Mrs. Garth Jones: 5710 Trailridge	AGAINST
Frank G. Collins: 5709 Trailridge	AGAINST
David L. McWilliams: 5706 Highland Hills Drive	AGAINST
Jo Ann Jordan: 3408A Northland Drive	AGAINST

PERSONS APPEARING

Tom Bradfield (representing applicant)	
Mr. & Mrs. C. L. Zeigler: 5702 Trailridge Drive	AGAINST
Mr. & Mrs. Billy N. Banister: 5703 Highland Hills	AGAINST
Gary K. Underhill: 5707 Trailridge Drive	AGAINST
Frank Collins: 5709 Trailridge Drive	AGAINST
Mr. & Mrs. Donald E. Rodmond: 5805 Trailridge Drive	AGAINST
Mr. & Mrs. Rudolph Beck: 5803 Trailridge Circle	AGAINST
Betty Meek: 5804 Trailridge Circle	AGAINST
Mrs. B. Brooks Goldsmith: 5701 Trailridge	AGAINST
Mrs. Lucile Marek: 5707 Highland Hills Drive	AGAINST

C14-74-024 John Bode, Trustee--Contd.

Mrs. Ralph Mitchell:	5703 Trailridge	AGAINST
Dr. & Mrs. David N. Curry:	5705 Trailridge	AGAINST
Mr. & Mrs. Sal Levantino:	5705 Highland Hills	AGAINST
Mr. & Mrs. C. H. Roth:	5711 Trailridge	AGAINST
Mr. & Mrs. Charles E. Laird:	5704 Trailridge	AGAINST

COMMITTEE ACTION:

Members reviewed the information presented and recommended that this case be referred to full Commission in order to give the applicant and the neighborhood time to work out a plan that would be agreeable to both.

AYE: Messrs. Hetherly, Betts, Bobbitt and Washington. Ms. Himmelblau

COMMISSION ACTION:

MISSION ACTION:

The applicant requested that this case be postponed. Members reviewed the information presented and recommended that this case be postponed.

COMMISSION VOTE:

To recommend that the request of John Bode, trustee, for a zoning change from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area on property located at 5720 Balcones Drive be POSTPONED FOR 30 DAYS.

AYE: Messrs. Milstead, Betts, Bobbitt, Hetherly, Juarez and Nash.
Mmes. Himmelblau and Mather

ABSENT: Mr. Washington

C14-74-025 Tom W. Bradfield: A, 1st to LR, 1st
5752 Balcones Drive

STAFF REPORT:

This property is located in northwest Austin along Balcones Drive, a neighborhood collector street and is located one lot north of Northland Drive, a major arterial street. The Highland Hills single-family subdivision is located to the west and adjacent to subject tract, a non-conforming office use and a vacant tract is located between subject tract and Northland Drive to the south, an "O" Office-zoned tract is adjacent to subject tract to the north, and a vacant tract owned by the City of Austin is across Balcones Drive from subject tract. Although this tract is presently bounded by "A" Residence zoning on three sides, the vacant tract to the south will also be heard this month for a zoning change. Retail zoning and use exist along Balcones Drive south of Northland Drive, and MoPac Expressway will be approximately 250 feet east of Balcones Drive at this location.

The "O" Office zoning to the north has a restrictive covenant which excludes apartments, mirrored glass on the west side of the building, white or reflectant roofs, and stipulates a maximum building height of 760 feet

C14-74-025 Tom W. Bradfield--Contd.

above sea level and a 20-foot greenbelt along the western boundary that is to be retained in its natural state. When this case was heard by the Planning Commission, the Planning Department staff only recommended for "BB" Residence. The staff's major concerns were not allowing strip-type development along Balcones Drive north of Northland Drive and keeping Balcones Drive as a residential collector street providing access for the residential uses to the north and west.

STAFF RECOMMENDATION:

That "LR" Local Retail be denied but that "BB" Residence be granted, subject to a subdivision to identify the tract. The Commission might also consider limiting curb cuts. Although "O" Office exists north of subject tract, restrictions were placed on the property to provide compatibility with surrounding use. Strip non-residential uses or the higher housing densities allowed in "B" Residence and less restrictive districts along this section of Balcones Drive are not compatible with the existing single-family development.

CITIZEN COMMUNICATION (NORTH WEST AUSTIN CIVIC ASSOCIATION AND WEST CENTRAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Paul A. Keller: 203 Riverside Drive	FOR
Mrs. L. W. McConachie: 5704 Highland Hills Drive	AGAINST
Billy N. Banister: 5703 Highland Hills Drive	AGAINST
Rudolph Beck: 5803 Trailridge Circle	AGAINST
Gary Kent & Julia Belle Underhill: 5707 Trailridge	AGAINST
Mrs. Lucile Marek: 5707 Highland Hills Drive	AGAINST
Charles H. Roth, Jr.: 5711 Trailridge	AGAINST
Robert V. Morgan: 5625 Shoal Creek	AGAINST
Mrs. Ralph Mitchell: 5703 Trailridge	AGAINST
Mr. & Mrs. Paul T. Gillett: 5803 Trailridge	AGAINST
Ruby & Betty Shafer: 5700 Trailridge Drive	AGAINST
Dr. & Mrs. Brooks Goldsmith: 5701 Trailridge	AGAINST
D. N. & Edith Curry: 5705 Trailridge	AGAINST
Sal Levantino: 5705 Highland Hills Drive	AGAINST
Mr. & Mrs. Murray C. Moffatt: 5708 Trailridge	AGAINST
Mr. & Mrs. C. L. Zeigler: 5702 Trailridge	AGAINST
Charles E. Laird: 5704 Trailridge	AGAINST
Mr. & Mrs. Mark G. Goode: 5802 Trailridge	AGAINST
Frank G. Collins: 5709 Trailridge	AGAINST
David L. McWilliams: 5706 Highland Hills Drive	AGAINST
John Jordan: 3408-A Northland Drive	AGAINST

PERSONS APPEARING

Tom W. Bradfield (applicant)	
Mr. & Mrs. Charles E. Laird: 5704 Trailridge	AGAINST
Mr. & Mrs. Donald E. Redmond: 5805 Trailridge	AGAINST
Mr. & Mrs. C. L. Zeigler: 5702 Trailridge	AGAINST
Mr. & Mrs. C. H. Roth: 5711 Trailridge	AGAINST
Mr. & Mrs. Sal Levantino: 5705 Highland Hills	AGAINST
Mrs. Ralph Mitchell: 5703 Trailridge	AGAINST

C14-74-025 Tom W. Bradfield--Contd.

Mrs. Lucile Marek: 5707 Highland Hills	AGAINST
Mrs. B. Brooks Goldsmith: 5701 Trailridge	AGAINST
Helen H. Beck: 5803 Trailridge	AGAINST
Betty Meek: 5804 Trailridge Circle	AGAINST
Rudolph Beck: 5803 Trailridge Circle	AGAINST
Frank Collins: 5709 Trailridge	AGAINST
Gary K. Underhill: 5707 Trailridge	AGAINST
Dr. & Mrs. David N. Curry: 5705 Trailridge	AGAINST
Mr. & Mrs. Billy N. Banister: 5703 Highland Hills	AGAINST

COMMITTEE ACTION:

Members reviewed the information presented and recommended that this case be referred to the full Commission in order to give the applicant and the neighborhood time to work out a plan that would be agreeable to both.

AYE: Messrs. Hetherly, Betts, Bobbitt and Washington. Ms. Himmelblau

COMMISSION ACTION:

The applicant requested that this case be postponed. Members reviewed the request and recommended that this case be postponed.

COMMISSION VOTE:

To recommend that the request of Tom W. Bradfield for a zoning change from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area on property located at 5752 Balcones Drive be POSTPONED FOR 30 DAYS.

AYE: Messrs. Milstead, Betts, Bobbitt, Hetherly, Juarez and Nash.
 Mmes. Himmelblau and Mather

ABSENT: Mr. Washington

C14-74-026 Bettye Jo Lumpkins: BB, 1st to O, 1st (as amended)
 3501-3503 Owen Circle (Original Request: BB, 1st to O, 2nd)
 3411 Owen Avenue

STAFF REPORT:

This property is located on Owen Avenue and Owen Circle, one block east of North Lamar Boulevard. Street access is very limited at this location. Subject tracts are substantially surrounded by less restrictive use districts except to the east where "A" Residence survives.

A strip of Fifth Height and Area district exists to approximately a one-block depth on either side of North Lamar Boulevard. This district, which allows up to 60 feet of building height, is predominantly developed with First Height and Area buildings.

C14-74-026 Betty Jo Lumpkins--Contd.

STAFF RECOMMENDATION:

That this case be denied. Any change in zoning on this property would be incompatible with the available vehicular access. The requested Second Height and Area is also incompatible with adjacent development, especially the single-family homes to the east.

CITIZEN COMMUNICATION (NORTH UNIVERSITY NEIGHBORHOODS ASSOCIATION AND
SAVE UNIVERSITY NEIGHBORHOODS)

WRITTEN COMMENT

Emile Jamail: 3711 North Lamar Boulevard

FOR

George A. Olson

AGAINST

PERSONS APPEARING

Robert Davis (representing applicant)

Emile Jamail: 3711 North Lamar Boulevard

FOR

COMMITTEE ACTION:

The applicant amended his request from "BB" Residence, First Height and Area to "O" Office, First Height and Area. Members reviewed the information presented and recommended that this request be granted, as amended.

AYE: Messrs. Hetherly, Betts, Bobbitt and Washington. Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee action.

COMMISSION VOTE:

To recommend that the request of Betty Jo Lumpkins for a zoning change from "BB" Residence, First Height and Area to "O" Office, First Height and Area, as amended, on property located at 3501-3503 Owen Circle and 3411 Owen Avenue be GRANTED, as amended.

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.

Mmes. Himmelblau and Mather

ABSENT: Mr. Betts and Washington

C14-74-027 Continental Assurance Co.: C, 4th to C-2, 4th
2014-2018 Whitis Avenue
301-305 West 21st Street
(Within Dobie Mall, street level N.E. corner)

STAFF REPORT:

This tract is, for all practical purposes, part of the Dobie Center Building and if granted would allow a bar or tavern in that building. This use is considered compatible with the adjacent uses, and especially those business uses which are within the internally-oriented Dobie Center shopping mall.

C14-74-027 Continental Assurance Co.--Contd.

STAFF RECOMMENDATION:

That this case be granted.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

None

PERSONS APPEARING

Joe Milner (representing applicant)

COMMITTEE ACTION:

Members reviewed the information presented and recommended that this case be granted.

AYE: Messrs. Hetherly, Betts, Bobbitt and Washington. Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee action.

COMMISSION VOTE:

To recommend that the request of Continental Assurance Co. for a zoning change from "C" Commercial, Fourth Height and Area to "C-2" Commercial, Fourth Height and Area on property located at 2014-2018 Whitis Avenue, 301-305 West 21st Street (within Dobie Mall at street level, northeast corner) be GRANTED.

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.
 Mmes. Himmelblau and Mather

ABSENT: Messrs. Betts and Washington

C14-74-028 Fawnridge Development Corp.: Int. A, 1st to LR, 1st
 7901-7907 South First Street
 Also bounded by Dittmar Road
 and Boggy Creek

STAFF REPORT:

This 2.5-acre site is bounded by South First Street, Dittmar Road and Boggy Creek. Low-density residential has been established north of the subject tract and is developing to the south around an elementary school site. Presently, Dittmar Road (West Boggy Creek Road) is the only east-west street between Eberhart Lane and Slaughter Lane, and is planned for 70 feet of right-of-way. Although the staff has recommended for retail zoning only at major intersections along South First Street, this case is different in that the distance between William Cannon Drive and Slaughter Lane is almost two miles or twice the distance between major streets north of William Cannon Drive. Because of this distance and because Dittmar Road is the only through street planned in the area at this time, the staff can support a limited amount of "LR" Local Retail zoning to support the immediate needs of the existing and planned residential development. The creek acts as a good buffer for the residential area to the south and east of this tract.

C14-74-028 Fawnridge Development Corp.--Contd.

STAFF RECOMMENDATION:

That this case be granted, subject to dedication of right-of-way necessary to increase Dittmar Road from approximately 45 feet to 70 feet as indicated on the final plat of Beaconridge I (C8-73-73), a maximum of two (2) curb cuts on Dittmar Road, one (1) curb on South First Street, and a subdivision.

This recommendation recognizes the need for local business in predominantly residential areas and should not be interpreted as a precedent for strip zoning along South First Street.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)**WRITTEN COMMENT**

Morris K. Gully: 201 First Federal Savings Bldg. FOR
PERSONS APPERARING
Robert Davis (representing applicant)

COMMITTEE ACTION:

Members reviewed the information presented and recommended that this case be granted, subject to dedication of right-of-way necessary to increase Dittmar Road from approximately 45 feet to 70 feet as indicated on the final plat of Beaconridge I (C8-73-73), a maximum of two (2) curb cuts on Dittmar Road, one (1) curb cut on South First Street, and a subdivision.

AYE: Messrs. Hetherly, Betts, Bobbitt and Washington. Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee action.

COMMISSION VOTE:

To recommend that the request of Fawnridge Development Corp. for a zoning change from Interim "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area on property located at 7901-7907 South First Street, also bounded by Dittmar Road and Boggy Creek be GRANTED, subject to dedication of right-of-way necessary to increase Dittmar Road from approximately 45 feet to 70 feet as indicated on the final plat of Beaconridge I (C8-73-73); a maximum of two curb cuts on Dittmar Road, one curb cut on South First Street; and subject to a subdivision.

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.
 Mmes. Himmelblau and Mather
ABSENT: Messrs. Betts and Washington

C14-74-029 City of Austin: GR, 1st & Int. A, 1st to A, 1st
 2739-2945 Loyola Lane

STAFF REPORT:

This property was recently purchased by the City of Austin for use as a public park. Its present use district classification of "GR" General Retail is no longer appropriate.

C14-74-029 City of Austin--Contd.

STAFF RECOMMENDATION:

That this case be granted so that the zoning classification will conform to this tract's present and proposed use as a park.

CITIZEN COMMUNICATION (UNIVERSITY HILLS HOME OWNERS)

WRITTEN COMMENT

Robert L. Dobbs: 6817 Willamette Drive	FOR
W. F. Morehead: Box 12075	FOR
Richard C. Palm: 3006 Lakeside Drive	FOR
W. F. Morehead: 6705 Langston Drive	FOR
Richard C. Palm: 3006 Lakeside Drive	FOR
Joseph A. Page: 6509 Aubornhill	FOR
Richard C. Palm: 3006 Lakeside	FOR

PERSONS APPEARING

Joan Bartz (University Hill Homeowner's Assn.)	FOR
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COMMITTEE ACTION:

Members reviewed the information presented and recommended that this case be granted.

AYE: Messrs. Hetherly, Betts, Bobbitt and Washington. Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee action.

COMMISSION VOTE:

To recommend that the request of the City of Austin for a zoning change from "GR" General Retail, First Height and Area and Interim "A" Residence, Interim First Height and Area to "A" Residence, First Height and Area on property located at 2739-2945 Loyola Lane be GRANTED.

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.
 Mmes. Himmelblau and Mather

ABSENT: Messrs. Betts and Washington

PLANNED UNIT DEVELOPMENTS

C814-74-001	Houston Instrument: Four Office buildings with Recreation
	8500 Cameron Road <u>Facilities, including baseball field,</u>
	<u>pool and tennis courts, called</u>
	<u>"Houston Square"</u>

STAFF REPORT:

This is an application for a Planned Unit Development on the site formerly occupied by Infotronics located on the west side of Cameron Road just north of Rutherford Lane.

Prior to the annexation of this area in 1973, the Infotronics site was designated a Planned Development Area which allowed the development of this "clean" industry, subject to a specific plan which was reviewed by the City.

C814-74-001 Houston Instrument--Contd.

Houston Instruments, a division of Bausch & Lomb, has recently purchased the property and wishes to continue the Industrial classification of the property. The uses of the existing and proposed buildings will include offices and an optical instrument assembly area. In addition, the applicant proposes a baseball field, two tennis courts, a swimming pool and a recreation building for employees.

Since this is an industrial use and the property is now inside the city limits, the continued use would require either a zoning change to an industrial classification or the approval of a Commercial Planned Unit Development.

The staff cannot recommend a zoning change to Industrial on the tract, however, due to the flexibility in design afforded by a Planned Unit Development and the opportunity for careful review by the City Planning Commission and Council, and a commitment to a specific site plan, the staff can recommend a Commercial Planned Unit Development on the tract.

STAFF RECOMMENDATION:

The staff recommends approval of this Planned Unit Development, subject to compliance with departmental requirements as on file with the City of Austin Planning Department.

**CITIZEN COMMUNICATION (NORTH EAST AUSTIN RESIDENTS ASSOCIATION)
(HERITAGE HILLS HOMEOWNERS)****WRITTEN COMMENT**

Walter and Ruby D. Neitsch: 8514 Cameron Road FOR
PERSONS APPEARING
J. S. Raybon (representing applicant)

COMMITTEE ACTION:

Members reviewed the information presented and recommended to approve the preliminary subdivision and the site plan, subject to departmental requirements.

AYE: Messrs. Hetherly, Betts, Bobbitt and Washington. Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee action.

COMMISSION VOTE:

To APPROVE the preliminary subdivision and site plan of Houston Instrument for four office buildings with recreation facilities, including baseball field, pool and tennis courts, called "Houston Square" on property located at 8500 Cameron Road, subject to compliance with departmental requirements as on file with the City of Austin Planning Department.

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.
Mmes. Himmelblau and Mather
ABSENT: Mr. Washington

C814-74-002 Fred Eby, Jr.: 199 Attached Single-family Dwelling Units With
4000 Mt. Bonnel Drive marina, tennis courts and boat
dock facilities, called "Williamsport"

STAFF REPORT:

The applicant has requested that this case be postponed for 30 days.

CITIZEN COMMUNICATION (WEST CENTRAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Charles F. Stahl: 1906 Mountainview Drive	FOR
Laraine Goeth: 3616 Westlake Drive	AGAINST
Elsie Goeth: 3616 Westlake Drive	AGAINST
Lisbeth M. Goeth: 3616 Westlake Drive	AGAINST
Richard N. Goeth: 3616 Westlake Drive	AGAINST
Hugo F. Kuehn: 3617 Westlake Drive	AGAINST
Mrs. Maury Hughes, Jr.: 1507 High Road	AGAINST
Maury Hughes, Jr.: 1507 High Road	AGAINST
Mrs. K. W. Spence: 3413 Monte Vista Drive	AGAINST
Dr. Robert Helmraich: 3623 Westlake Drive	AGAINST
Mrs. Charles Cleland: 3427 Monte Vista Drive	AGAINST
Jack & Margaret Moncrief: 3633 Westlake Drive	AGAINST
Mrs. Charles H. Dent: 3505 Mt. Barker Drive	AGAINST
Mrs. David M. Young, Jr.: 3406 Monte Vista Drive	AGAINST
Tom Cowden: 3418 Mt. Barker Drive	AGAINST
A. A. Hill: 3403 Mt. Bonnell Drive	AGAINST
Mrs. A. A. Hill: 3403 Mt. Bonnell Drive	AGAINST
Hilda M. Griffith: 3101 Westlake Drive	AGAINST
Daniel L. Roth: Rt. 7, Box 992	AGAINST
L. B. Griffith: 3101 Westlake Drive	AGAINST
Frank H. Carpenter: 3401 Mt. Bonnell Drive	AGAINST
Mrs. W. J. Perlitz: 2964 Westlake Drive	AGAINST
Stacy L. Suits: 2502 Nueces, #206	AGAINST
W. L. Butte: 3417 Monte Vista Drive	AGAINST
F. E. Ingerson: 3402 Mt. Bonnell Drive	AGAINST
Mrs. W. L. Butte: 3417 Monte Vista Drive	AGAINST
Joseph Latting: 200 Westover Road	AGAINST
Mrs. Will Wilson: 3509 Mt. Barker Drive	AGAINST
Will Wilson: 3509 Mt. Barker Drive	AGAINST
Mrs. S. E. Bartlett: 5014 Westslope Drive	AGAINST
S. E. Bartlett: 5014 Westslope Drive	AGAINST
Ethel W. Clingman: 5820 Westslope Drive	AGAINST
Spence J. Scott: 2301 Woodlawn Boulevard	AGAINST
Evelyn Johnson: 3425 Monte Vista Drive	AGAINST
Mrs. D. R. Womack: 3415 Spanish Oak Drive	AGAINST
Walter E. Orr: 3410 Mt. Bonnell Drive	AGAINST

PERSONS APPEARING

Walter T. Fowler	AGAINST
Woodrow W. Patterson: 3419 Monte Vista Drive	AGAINST
Charles Cleland: 3427 Monte Vista Drive	AGAINST
Corwin W. Johnson: 3425 Monte Vista Drive	AGAINST

C814-74-002 Fred Eby, Jr.--Contd.

Michael S. Ellis: 612 West 22nd Street	AGAINST
Margaret Snell, 3409 Mountain Top Circle	AGAINST
Pearle Ragsdale: 3408 Mountain Top Circle	AGAINST
Mrs. Doris Smith: 3429 Monte Vista Drive	AGAINST
C. D. Smith: 3429 Monte Vista Drive	AGAINST
E. W. Jackson: 3407 Mountain Top Circle	AGAINST
Mrs. E. W. Jackson: 3407 Mountain Top Circle	AGAINST
Tina C. Peck: 3304 Glen Rose Drive	AGAINST
Mrs. C. E. Kraus: 3602 Mt. Bonnell Drive	AGAINST
Charles E. Kraus: 3602 Mt. Bonnell Drive	AGAINST
Jan Wrotenbury: 3411 Monte Vista Drive	AGAINST
Clark S. Johnson: 5616 Jeff Davis Avenue	AGAINST
Mrs. Bettie Copeland: 2111 Scenic Drive	AGAINST
E. L. Copeland: 2111 Scenic Drive	AGAINST
Ray H. Austin: 3207 Breeze Terrace	AGAINST
Dorothy A. Fruchter: 2704 Valley Springs Road	AGAINST
Jackson B. Reid: 3619 Westlake Drive	AGAINST
Avis B. Reid: 3619 Westlake Drive	AGAINST

COMMITTEE ACTION:

Members reviewed the information and recommended that this request be postponed 30 days.

AYE: Hetherly, Betts, Bobbitt and Washington. Ms. Himmelblau

COMMISSION ACTION:

To POSTPONE FOR 30 DAYS the request of Fred Eby, Jr. for 199 attached single-family dwelling units with marina, tennis courts and boat dock facilities, called "Williamsport" on property located at 4000 Mt. Bonnell Drive.

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Betts and Washington

C814-74-003 Austex Development Co., Ltd.: 25 Attached Single-family Dwelling
5600 Block of West Gate Blvd. units with common open space and
recreation facilities called
"Old Town West"

STAFF REPORT:

This is an application for a Planned Unit Development on 3.38 acres located at the southwest corner of Cherry Creek Drive and West Gate Boulevard. The owner, Austex Development Co., Ltd., also owns a 3.77-acre tract of land directly across West Gate Boulevard and has submitted a Planned Unit Development on that site for approval.

C814-74-003 Austex Development Co., Ltd.--Contd.

It is the intent of the developer that these two tracts be considered as one Planned Unit Development, as they will be under common restrictions and will be governed by one homeowner's association and one Planned Unit Development ordinance. Due to West Gate Boulevard, an 80-foot street dividing the Planned Unit Development into two sections, the owner submitted two separate applications for review purposes only.

The density is 7.39 units per acre on this "A" Residence area. Williamson Creek tributary runs along the northwest side of the tract in a 45-foot drainage easement with single-family houses beyond the creek.

Access to the site is from three private drives off West Gate Boulevard. One swimming pool is being provided on this site and a swimming pool and recreation building is planned in the area across West Gate Boulevard which will be available to residents of the Planned Unit Development.

STAFF RECOMMENDATION:

The staff recommends approval of this Planned Unit Development, subject to approval of Planned Unit Development C814-74-004 (across West Gate Boulevard) and subject to compliance with departmental requirements.

CITIZEN COMMUNICATION (SOUTH WEST AUSTIN HOMEOWNERS ASSOCIATION)**WRITTEN COMMENT**

Mr. & Mrs. V. D. Avera: 5901 Burrough Drive	FOR
Mr. & Mrs. Walter J. Arellano: 5702 Cherry Creek Dr.	AGAINST
Mr. & Mrs. James L. Ward: 5704 Cherry Creek Drive	AGAINST
Mr. & Mrs. Joel Gage: 2701 Coatbridge Drive	AGAINST
Mrs. Jerry Glen Walker: 2702 Coatbridge Drive	

PERSONS APPEARING

Phil Mockford (representing applicant)	
Philip F. Adams: 2700 Coatbridge Drive	AGAINST
Mr. & Mrs. Jerald T. Pyle: 5805 Burrough Drive	AGAINST
Sam Jones	AGAINST
Robert Wall	AGAINST
Carlton Hanson	

COMMITTEE ACTION:

Mr. Hetherly commented that this request was located at the intersection of two major arterials. He stated that he did not object to requiring the six-foot privacy fence, but he did not think it would solve the problem of the lights or act as a shield for the two-story units since a topographical problem existed. He suggested that the applicant work with the Planning Department to work out an agreement on the sidewalk requirements. Also, he suggested that the requirement for closing the drive nearest the West Gate/Stassney intersection be waived. Mr. Betts stated that a conventional single-family subdivision would allow two-story homes. He stated that the way the plan was laid out, only five units on the north side would be

C814-74-003 Austex Development Co., Ltd.--Contd.

looking across the creek into single-family homes. Members reviewed the information presented and recommended to approve the preliminary subdivision and the site plan, subject to compliance with departmental requirements, deleting Traffic Engineer's requirement to extend Donna Drive to Cherry Creek Drive; and that the applicant work with the Planning staff on the sidewalk requirements.

AYE: Messrs. Hetherly, Betts, Bobbitt and Washington. Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee action.

COMMISSION VOTE:

To APPROVE the preliminary subdivision and site plan of Austex Development Co., Ltd. for 25 attached single-family dwelling units with common open space and recreation facilities called "Old Town West", on property located at the 5600 block of West Gate Boulevard, subject to compliance with departmental requirements as on file with the City of Austin Planning Department, deleting Traffic Engineer's requirement to extend Donna Drive to Cherry Creek Drive; and applicant to work with Planning staff on sidewalk requirements.

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Betts and Washington

<u>C814-74-004</u>	<u>Austex Development Co., Ltd.:</u>	<u>27 Attached Single-family Dwelling</u>
	<u>5600 Block of West Gate Blvd.</u>	<u>Units with common open space and</u>
	<u>also bounded by Stassney Lane</u>	<u>recreation facilities called</u>
		<u>"Old Town East"</u>

STAFF REPORT:

This is an application for a Planned Unit Development on 3.27 acres located at the southeast corner of West Gate Boulevard and Stassney Lane. Austex Development Co., Ltd., also owns the tract of land directly across West Gate Boulevard which is being considered at this time as a Planned Unit Development to be developed in conjunction with this site. (See file C814-74-03).

This tract is bounded on the north and west by Stassney Lane and West Gate Boulevard and on the east and south by single-family residences.

The proposed density is 8.25 units per acre.

Access to the site is from three private drives to West Gate Boulevard. The amenities include a swimming pool and recreation buildings to be used by residents of both sections of the Planned Unit Development (C814-74-003 and C814-74-004).

C814-74-005 Cat Mountain Properties--Contd.

Mrs. Connley Bartlett
T. L. Simpson: 5811 Look Out Mountain Drive
C. R. Walters: 4513 Small Drive
Mrs. G. B. Guild: 5817 Westslope Drive
Maury Hughes, Jr.: 1507 High Road
C. R. Waldrup
Danny Roth

AGAINST
NO OPINION
NO OPINION
NO OPINION

COMMITTEE ACTION:

Members reviewed the information presented and recommended to approve the preliminary subdivision and site plan, subject to departmental requirements; granting a variance allowing 200' centerline radius on Mt. Bonnell Drive and Mountain Villa Drive; granting a variance to increase the block length in excess of 1,200 feet; granting a variance to reduce off-set intersection of private streets to a minimum of 100 feet; and request that the applicant work with the departments on reducing private street entrances to public street widths from 30 feet to 24 feet; the applicant to obtain approval by City departments relating to their request to approve public dedicated streets within a Planned Unit Development with less than 50 feet right-of-way and less than 30 feet of paving.

AYE: Messrs. Hetherly, Betts, Bobbitt and Washington. Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee action.

COMMISSION VOTE:

To APPROVE the preliminary subdivision and site plan of Cat Mountain Properties for 372 attached and detached single-family dwelling units with common open space and amenities, called "Cat Mountain Villas" on property located at Lookout Mountain Drive and F. M. 2222, subject to compliance with departmental requirements as on file with the City of Austin Planning Department; granting a variance allowing 200-foot centerline radius on Mt. Bonnell Drive and Mountain Villa Drive; granting a variance to increase the block length in excess of 1,200 feet; granting a variance to reduce off-set intersection of private streets to a minimum of 100 feet; request that the applicant work with the departments on reducing private street entrances to public street widths from 30 feet to 24 feet; and applicant to obtain approval by City departments relating to their request to approve public dedicated streets within a Planned Unit Development with less than 50 feet right-of-way and less than 30 feet of paving.

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.
 Mmes. Himmelblau and Mather

ABSENT: Messrs. Betts and Washington

SPECIAL PERMITS

CL4p-74-005 Austex Development Co., Ltd.: 100 two- and three-bedroom townhouse
 Bounded by Jacaranda Drive, units called, "Wagon Crossing"
 proposed East Stassney Lane
 and Williamson Creek

STAFF REPORT:

This application has been filed as required under Section 45, Sub-Section (17), Paragraph (11), and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This is an application for a special permit to allow the construction of 110 two- and three-bedroom townhouse units at East Stassney Lane and Williamson Creek.

The applicant has designed the units in groups of from three to six units which will front on a public street. The vehicular access to each unit is from a private driveway at the rear of each lot.

The size of the units ranges from 912 square feet to 1,140 square feet, with one covered and one open parking space provided on each lot.

The property is zoned "A" Residence which allows townhouses, subject to special permit approval.

STAFF RECOMMENDATION:

The staff recommends approval of this application, subject to compliance with departmental requirements as on file with the City of Austin Planning Department.

CITIZEN COMMUNICATION (SOUTH AUSTIN NEIGHBORHOODS EAST)

WRITTEN COMMENT

Richard L. Rayborn: 5613 Jacaranda Drive

AGAINST

PERSONS APPEARING

Phil Mockford (representing applicant)

Ray Bechtol: 2103 Tower Drive

FOR

Ruby J. Hawkins: 5605 Jacaranda Drive

AGAINST

Richard L. Rayborn: 5613 Jacaranda Drive

AGAINST

Julia A. Rayborn: 5613 Jacaranda Drive

AGAINST

John W. Jackson: 5607 Jacaranda Drive

AGAINST

Haruko Jackson: 5607 Jacaranda Drive

AGAINST

Kathleen Stoddard: 5611 Jacaranda Drive

AGAINST

Jim Stoddard: 5611 Jacaranda Drive

AGAINST

Herbert R. Hawkins: 5605 Jacaranda Drive

AGAINST

Pat Brown: 1713 Rockbridge Terrace

AGAINST

COMMITTEE ACTION:

Members reviewed the information presented and expressed concern regarding the access to this tract. The staff pointed out that a pre-application for a subdivision located to the north of Ponciana Drive and Deadwood Drive had been received. Mr. Hetherly felt there would be no problem

C14p-74-005 Austex Development Co., Ltd.--Contd.

with this request if Stassney Lane were opened. Mr. Hetherly stated he would have to vote against any motion for approval until he had additional information as to how long it would be until the new subdivision came in and Ponciana Drive would be extended. A majority of the members felt this request should be granted, subject to departmental requirements; and subject to a six-foot privacy fence where adjoining single-family lots.

AYE: Messrs. Betts and Bobbitt. Ms. Himmelblau
NAY: Messrs. Hetherly and Washington

COMMISSION ACTION:

The staff pointed out that the pre-application for the subdivision located to the north of Ponciana Drive and Deadwood Drive had been filed and plans were for the extension of streets through the area. Members reviewed the information presented. Ms. Mather expressed some concern about the density of the area. Members were in agreement that this request be approved.

COMMISSION VOTE:

To APPROVE the request of Austex Development Co., Ltd. for a special permit for the construction of 110 two- and three-bedroom units called "Wagon Crossing" on property located at Jacaranda Drive, Williamson Creek and Proposed Stassney Lane (East), subject to departmental requirements as on file with the City of Austin Planning Department, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Milstead, Betts, Bobbitt, Hetherly, Juarez and Nash.
 Mmes. Himmelblau and Mather
ABSENT: Mr. Washington

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.

C14p-74-006 Fred W. Adams: Billiard Parlor with 12 billiard tables
 1502 Fort View Road

STAFF REPORT:

This is an application for a special permit to allow a billiard parlor as authorized in Section 45-22, Sub-Section 39, Paragraph (a) of the zoning ordinance, and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin.

The location of the site is on the north side of Fort View Road 1/2 block west of its intersection with Ben White Boulevard.

C14p-74-006 Fred W. Adams--Contd.

The applicant proposes 12 billiard tables in this establishment and will provide required parking to the rear of the proposed building.

The property is zoned "GR" Genral Retail which allows this proposed use subject to special permit approval.

STAFF RECOMMENDATION:

The staff recommends approval of this application, subject to compliance with departmental requirements as on file with the City of Austin Planning Department.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Fred W. Adams (applicant)	
Edward Witkowski: 2304 Monarch Drive	FOR
Robert Jones: 1900 Winsted Lane	FOR
Velma West Keller: 1506 Betty Jo Drive	FOR
William Joe Gage: 1502 Fortview Road	AGAINST
H. M. McWright: 1601 Morgan Lane	AGAINST

PERSONS APPEARING

Fred Adams (applicant)

COMMITTEE ACTION:

Members reviewed the information presented and recommended that this request be approved, subject to departmental requirements.

AYE: Messrs. Hetherly, Betts, Bobbitt and Washington. Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee action.

COMMISSION VOTE:

To APPROVE the request of Fred W. Adams for a special permit for a billiard parlor with 12 billiard tables on property located at 1502 Fort View Road, subject to departmental requirements as on file with the City of Austin Planning Department, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Betts and Washington

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 dedision of the Planning Commission.

AYE: Messrs. Betts, Bobbitt, Hetherly and Juarez. Ms. Himmelblau
 NAY: Mr. Nash. Ms. Mather
 ABSTAIN: Mr. Milstead
 ABSENT: Mr. Washington

C14p-74-007 Norene Lance--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.

C14p-74-008 City of Austin: Resource Center for a Library (C.I.P. Project
1105-1111 East 1st Street No. 8504)
(locally known as 1103-1105)

STAFF REPORT:

This application has been filed as required under Section 45-28, Sub-Section (b), and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This is an application to allow the construction of a library/educational resource center to house books, slide projectors, tapes, tape recorders and special texts to be used in connection with adult education programs. (C.I.P. Project No. 8504). The building will be oriented toward East 1st Street and will provide for eleven (11) parking spaces at the rear with access from Willow Street Alley.

STAFF RECOMMENDATION:

The staff recommends approval, subject to compliance with departmental requirements as on file with the City of Austin Planning Department.

CITIZEN COMMUNICATION (CONCERNED CITIZENS OF EAST AUSTIN)

WRITTEN COMMENT

Lorenzo Delgado: 1103 East 2nd Street	FOR
Mrs. Otto Buass: 1800 Watchill Road	FOR
William E. Nickels: 1503 Bellaire Drive	FOR
Clarice Glaze: 1009 East 1st Street	FOR

PERSONS APPEARING

David Earl Holt (representing applicant)

COMMITTEE ACTION:

Members reviewed the information and recommended that this request be approved, subject to departmental requirements.

AYE: Messrs. Hetherly, Betts, Bobbitt and Washington. Ms. Himmelblau

COMMISSION ACTION:

To APPROVE the request of the City of Austin for a special permit for the construction of a resource center for a library (C.I.P. Project No. 8504) on property located at 1105-1111 East 1st Street (locally known as 1103-1105), subject to departmental requirements as on file with the City of Austin Planning Department, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.
 Mmes. Himmelblau and Mather

ABSENT: Messrs. Betts and Washington

C14p-74-008 City of Austin--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.

C14p-74-009 City of Austin: Neighborhood Facilities Center and Medical Clinic
Northwest corner of Webberville Road called, "Rosewood-Zaragosa
and Pleasant Valley Road Community Center" (C.I.P.
Project Nos. 9101-0 & 9111-1)

STAFF REPORT:

This application has been filed as required under Section 45, Sub-Section 19, and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This is an application for approval of a special permit for the Rosewood-Zaragosa Community Center which will include a medical clinic in the smaller building and a child development facility, library, Parks and Recreation Department branch office and a Mental Health/Mental Retardation office in the larger building. This facility is included in C. I. P. project No. 9101-0 and 9111-1 and is zoned "B" Residence, First Height and Area. The tract is a portion of the Glen Oaks Urban Renewal Project. Access to the facility is proposed from Pleasant Valley Road and from Webberville Road. The City of Austin Water/ Wastewater Service Center joins the property on the west, and residential lots abut the property to the north.

STAFF RECOMMENDATION:

The staff recommends approval of this application, subject to compliance with departmental requirements as on file with the City of Austin Planning Department.

CITIZEN COMMUNICATION (CONCERNED CITIZENS OF EAST AUSTIN)

WRITTEN COMMENT

Standard Mortgage Co., Inc.: P. O. Box 1987

FOR

PERSONS APPEARING

J. D. Murchison (representing applicant)

COMMITTEE ACTION:

Members reviewed the information presented and recommended that this request be approved, subject to departmental requirements.

AYE: Messrs. Hetherly, Betts, Bobbitt and Washington. Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee action.

C14p-74-009 City of Austin--Contd.

COMMISSION VOTE:

To APPROVE the request of the City of Austin for a special permit for the construction of a neighborhood facilities center and medical clinic called, "Rosewood-Zaragosa Community Center" (C.I.P. Project Nos. 9101-0 and 9111-1) on property located at the northwest corner of Webberville Road and Pleasant Valley Road, subject to departmental requirements as on file with the City of Austin Planning Department, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.

Mmes. Himmelblau and Mather

ABSENT: Messrs. Betts and Washington

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.

C14p-74-010 Heights Assembly of God Church: Day Care Center for 80 Children
3314 Burleson Road

STAFF REPORT:

This application has been filed as required under Section 45-17, Sub-Section (h), Paragraph (2), and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This is an application for a special permit to allow a day care facility for 80 children to be located in an existing building at 3314 Burleson Road. The applicant can provide for adequate off-street loading and unloading of children, as well as fenced play areas as shown on the site plan.

STAFF RECOMMENDATION:

The staff recommends approval of this application, subject to compliance with departmental requirements as on file with the City of Austin Planning Department and with State Welfare Department requirements.

CITIZEN COMMUNICATION (SOUTH AUSTIN NEIGHBORHOODS EAST)

WRITTEN COMMENT

Randolph A. Haynes, Jr.: 1300 Newning Avenue	FOR
Robert Wallace: 4404 Terrilance Drive	FOR
William L. Lett: 4401 Terrilance Drive	FOR
Floyd T. Hopkins: 1108 Mariposa Drive	FOR
Mrs. Mable Lee Pauly: 3309 Burleson Road	FOR
Bill Wusterhausen: 3313 Burleson Road	FOR
Harrold H. Spurgeon: 3302 Santa Monica Drive	FOR

C14p-74-010 Heights Assembly of God Church--Contd.

PERSONS APPEARING

Mrs. Verlie Irwin (representing applicant)
Paul Joiner
Pat Brown: 1713 Rockbridge Terrace

FOR
AGAINST

COMMITTEE ACTION:

Members reviewed the information presented. Ms. Himmelblau stated that she normally voted for day care centers located in a church, but she could not vote for this request since she did not know what type addition would be attached to the present building. A majority of the members voted to approve this request, subject to departmental requirements and subject to State Health Department requirements.

AYE: Messrs. Hetherly, Betts, Bobbitt and Washington
NAY: Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information presented and a majority of the members recommended that this request be approved.

COMMISSION ACTION:

To APPROVE the request of Heights Assembly of God Church for a special permit for a day care center for 80 children on property located at 3314 Burleson Road, subject to departmental requirements as on file with the City of Austin Planning Department and subject to compliance with State Welfare Department requirements.

AYE: Messrs. Milstead, Betts, Bobbitt, Hetherly and Juarez.
NAY: Mr. Nash. Mmes. Himmelblau and Mather
ABSENT: Mr. Washington

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.

C14p-74-011 Guy E. Morgan: 150-Unit Apartment Project (One and two-bedroom)
East End of Westhill Drive and
North end of Dickson Drive

STAFF REPORT:

This application has been filed as required under Section 45-19, Sub-Section (i), Paragraph (5), and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This is an application for a special permit to allow the construction of 150 apartment units to be located at Dickson Drive and Westhill Drive. This 5.7-acre tract is located approximately one block west of South Lamar Boulevard and one block north of Barton Skyway.

C14p-74-011 Guy E. Morgan--Contd.

The tract is zoned "B" Residence, First Height and Area and will be developed at approximately 26 units per acre.

Access to the tract will be from Dickson Drive and Westhill Drive.

As shown on the site plan, the tract is covered with many large trees, and the architect has designed the units to take advantage of the natural amenities.

STAFF RECOMMENDATION:

The staff recommends approval of this application, subject to compliance with departmental requirements as on file with the City of Austin Planning Department.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Edwin L. Kirkpatrick: 1223 Chamber of Commerce Bldg.
Houston, Texas

FOR

Kenneth D. Carr

FOR

J. P. Seeger: 3001 Oak Park

FOR

Robert Fowler: 1612 Rio Grande

AGAINST

James Herzik: 2705 Rae Dell Avenue

AGAINST

E. J. Bomer: P. O. Box 1668

AGAINST

A. Exline: 709 West 34th Street

AGAINST

Mr. & Mrs. Roger Drake: 2605 Rae Dell Avenue

AGAINST

PERSONS APPEARING

Ray McClure (representing applicant)

AGAINST

T. J. Gibson

AGAINST

Mrs. Roger Drake: 2605 Rae Dell Avenue

AGAINST

Roy Walker

AGAINST

Mrs. Frank Wortham

AGAINST

Mrs. Charles Horner

AGAINST

G. D. Cole

AGAINST

James Herzik: 2705 Rae Dell Avenue

AGAINST

Dr. Walter Meyer

COMMITTEE ACTION:

Members reviewed the information and recommended that this request be approved, subject to departmental requirements; subject to a six-foot privacy fence on the north and west boundary where adjoining single-family residential lots; and directed the staff to submit a memo to the Storm Sewer Department requesting they review the drainage problem in this area.

AYE: Messrs. Hetherly, Betts, Bobbitt and Washington. Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee action.

C14p-74-011 Guy E. Morgan--Contd.

COMMISSION VOTE:

To APPROVE the request of Guy E. Morgan for a special permit for the construction of 150 one- and two-bedroom apartment project on property located at the east end of Westhill Drive and the north end of Dickson Drive, subject to compliance with departmental requirements as on file with the City of Austin Planning Department; subject to a six-foot privacy fence on the north and west boundary where adjoining single-family residential lots; and directed the staff to submit a memo to the Storm Sewer Department requesting they review the drainage problem in this area.

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.

 Mmes. Himmelblau and Mather

ABSENT: Messrs. Betts and Washington

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

C14p-74-012 Continental Assurance Co.: An Arcade and Lounge with 40 Patron Seats
 2021 Guadalupe Street
 2014-2018 Whitis Avenue
 301-305 West 21st Street

STAFF REPORT:

This application has been filed as required under Section 45, Sub-Section (24), Paragraph (a) (b), and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This is an application for a special permit to allow a bar or lounge for 40 seats in Dobie Mall. The proposed area is on the first floor at the northeast corner of the building. The current zoning on the tract is "C" Commercial with "C-2" Commercial proposed in connection with this use.

STAFF RECOMMENDATION:

The staff recommends approval of this application, subject to compliance with departmental requirements as on file with the City of Austin Planning Department.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Horace C. Barnhart: 707 Rio Grande

V. F. Wilkening: 1206 Joanna Avenue, De Soto, Tex.

FOR

FOR

PERSONS APPEARING

Joe Milner (representing applicant)

C14p-74-012 Continental Assurance Co.--Contd.

COMMITTEE ACTION:

Members reviewed the information presented. The applicant requested a variance on the Fire Prevention requirement to provide an alternate exit from the area. Members agreed to refer this case to the full Commission to allow the staff time to verify their authority to grant such a variance.

AYE: Messrs. Hetherly, Betts, Bobbitt and Washington. Ms. Himmelblau

COMMISSION ACTION:

The staff reported that there were no code requirements for buildings or establishments having less than 50 patron seats. Members reviewed the information. Mr. Juarez pointed out that this application was for 40 patron seats, therefore, this requirement could be waived.

COMMISSION VOTE:

To APPROVE the request of Continental Assurance Co. for a special permit for an arcade and lounge with 40 patron seats on property located at 2021 Guadalupe Street, 2014-2018 Whitis Avenue and 301-305 West 21st Street, subject to departmental requirements as on file with the City of Austin Planning Department, and waiving the Fire Prevention requirement for an alternate exit, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Milstead, Betts, Bobbitt, Hetherly, Juarez and Nash.
Mmes. Himmelblau and Mather

ABSENT: Mr. Washington

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.

C14p-74-013 Cannon Development Corp.: 203 Efficiency, One and Two-Bedroom
4625-4649 Sunset Trail apartment units called, "Canlen
also bounded by West Gate Blvd. House Apartments", West Gate Square
and South Lamar Blvd. (U.S. 290)

STAFF REPORT:

This application has been filed as required under Section 45-23, Sub-Section (73), Paragraph (3), and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This is an application for a special permit to allow the construction of 204 apartment units on 5.98 acres of land out of a total of 10.53 acres located at the southwest corner of U. S. Highway 290 and West Gate Boulevard.

C14p-74-013 Cannon Development Corp.--Contd.

The tract is zoned "C" Commercial and will be developed with a density of 34 units per acre. The applicant is requesting special permit approval on the 5.98 acres covered by the development plan; the remaining 4.55 acres shown blank on the site plan will be developed at a later date.

The site plan provides for 104 efficiency units, 57 one-bedroom units, 42 two-bedroom units and one manager's apartment for a total of 203 rental units. Proposed amenities included are a swimming pool, a recreation hall and a billiard room.

STAFF RECOMMENDATION:

The staff recommends approval of this application, subject to compliance with departmental requirements as on file with the City of Austin Planning Department.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)**WRITTEN COMMENT**

R. C. Hall (H.E.B. Grocery Company)

FOR

Frank R. Booth: 907 Capital National Bank Bldg.

FOR

PERSONS APPEARING

James Meek (representing applicant)

COMMITTEE ACTION:

Members reviewed the information presented and recommended that this case be approved, subject to departmental requirements.

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee action.

COMMISSION VOTE:

To APPROVE the request of Cannon Development Corp. for a special permit for the construction of 203 efficiency and one- and two-bedroom apartment units called, "Canlen House Apartments", West Gate Square on property located at 4625-4649 Sunset Trail, also bounded by West Gate Boulevard, subject to departmental requirements as on file with the City of Austin Planning Department, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Betts and Washington

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.

C14p-74-014 Namie Jacob: Lounge Within a Theater (50 Patron Seats)
705 East 6th Street

STAFF REPORT:

This application has been filed as required under Section 45-24.1, Sub-Section (2), and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This property is located at 705 East Sixth Street between Sabine Street and I. H. 35. Waller Creek is adjacent to this property on the west. The applicant plans to establish a theater with 50 seats in the existing building with provision for serving beer and wine to the patrons. The zoning on the site is "C-2" Commercial, which allows the sale of alcoholic beverages for on-site consumption, subject to special permit approval.

STAFF RECOMMENDATION:

The staff recommends approval of this request, subject to compliance with departmental requirements as on file with the City of Austin Planning Department.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Linalice Carey (representing applicant)

C. B. Hodges: 1318 Travis Heights Boulevard

FOR

F. S. Pearson: P. O. Box 1987

FOR

Pedro Sanchez

FOR

PERSONS APPEARING

None

COMMITTEE ACTION:

Members reviewed the information presented and recommended that this request be approved, subject to departmental requirements.

AYE: Messrs. Hetherly, Betts, Bobbitt and Washington. Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee action.

COMMISSION VOTE:

To APPROVE the request of Namie Jacob for a special permit for a lounge within a theater with 50 patron seats on property located at 705 East 6th Street, subject to departmental requirements as on file with the City of Austin Planning Department, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.
 Mmes. Himmelblau and Mather

ABSENT: Messrs. Betts and Washington

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.

STREET VACATIONS

C10-73-119 Urban Renewal Agency
Webberville Road Railroad Crossing and Gomez Street

STAFF REPORT:

Mr. Lillie reported that this was a request by the Department of Urban Transportation to vacate Webberville Road from Pedernales Street to the H. & T. C. Railroad and Gomez Street from Webberville Road to Pedernales Street. The improvements to the existing street layout would include the elimination of the at-grade railroad crossing, the realignment of Pedernales Street with respect to Webberville Road and the subsequent change in traffic characteristics in this area and at the intersection of Webberville Road, Prospect Avenue and East 7th Street.

STAFF RECOMMENDATION:

To approve the request of the Department of Urban Transportation for the vacation of Webberville Road from Pedernales Street to the H. & T. C. Railroad and Gomez Street from Webberville Road to Pedernales Street, subject to retention of easements; subject to providing a pedestrian crossing between Northwestern Avenue and Pedernales Street; subject to the purchase of the Trinidad Lopez lot by the City of Austin; and subject to providing visual screening between Lot 1 (Trinidad Lopez) and Lot 2.

CITIZEN COMMUNICATION

WRITTEN COMMENT

Mrs. Esther Lopez

FOR

PERSONS APPEARING

None

COMMISSION ACTION:

Members reviewed the information presented and a majority were in agreement with the staff recommendation.

COMMISSION VOTE:

To APPROVE the request of the Urban Transportation Department for the vacation of Webberville Road from Pedernales Street to the H. & T. C. Railroad and Gomez Street from Webberville Road to Pedernales Street, subject to retention of easements; subject to providing a pedestrian crossing between Northwestern Avenue and Pedernales Street; subject to the purchase of the Trinidad Lopez lot by the City of Austin; and subject to providing visual screening between Lot 1 (Trinidad Lopez) and Lot 2.

AYE: Messrs. Milstead, Betts, Bobbitt, Hetherly and Nash.

 Mmes. Himmelblau and Mather

ABSTAIN: Mr. Juarez

ABSENT: Mr. Washington

PUBLIC HEARINGS

C814-73-002 Chimneyhill (PUD)
U. S. Highway 290, MKT Railroad

STAFF REPORT:

The staff reported that this item is being heard tonight for the purpose of considering a revised tree plan and to consider the existing work.

Mr. Charles Graves, City Engineer, informed the Commission of the basic problem in this area, that being insufficient channels for proper drainage. He stated that this problem is caused by a number of existing trees in the area which will have to be destroyed if the channels are enlarged. Mr. Graves stated that the developer has already built a dike which will make the area susceptible to flooding.

STAFF RECOMMENDATION:

Mr. Lillie recommended that the Commission not take any action on any plan in this Planned Unit Development until such time as the drainage problem is solved. Mr. Lillie reported that another Final Subdivision plat in this Planned Unit Development has been submitted but that the department is holding approval until this drainage problem is resolved. He also recommended that the Commission not accept the tree plan as submitted until it has been worked out with the Office of Environmental Resource Management, the Engineering Department and the Planning Department with respect to the drainage plan. Mr. Lillie suggested that this be left pending until it is ready to be brought back for hearing.

CITIZEN COMMUNICATION (WALNUT PLACE NEIGHBORHOOD)

WRITTEN COMMENT

None

PERSONS APPEARING

Martin Boozer (representing applicant)	
Joe Harris (representing applicant)	
Floyd Niedeckie (representing applicant)	
Dr. Bob Schutz (Walnut Place Neighborhood Assn.)	AGAINST
Jim Huey (Commissioner Samuelson's Office)	AGAINST
Joe Radalle	AGAINST
Eugene Jeffus	AGAINST
Gerald Abel	AGAINST

COMMISSION ACTION:

Members reviewed the information presented. Mr. Hetherly asked Mr. Lillie if the purpose of this plan was to allow him and his department to work with Mr. Graves and Mr. Henry on this matter, thus allowing time to see what action the State takes at their meeting next week. Mr. Milstead pointed out that the levees have been built and that the area will be vulnerable to heavy rains. He asked if it would be possible to put a time limit on this in order to protect the area as much as possible.

C814-73-002 Chimneyhill--Contd.

Ms. Mather suggested that they move the levees. Mr. Milstead stated that the Commission has a commitment to the neighborhood to protect them from any additional flood hazard. Mr. Milstead asked for a report at the Planning Commission meeting on March 26, 1974 to see what the staff and the developer could agree upon.

COMMISSION VOTE:

That no action be taken on any plan in the Chimneyhills Planned Unit Development, subject to the solution of the drainage problem; that no action be taken on the tree plan until it has been worked out with the Office of Environmental Resource Management, the Engineering Department and the Planning Department.

AYE: Messrs. Milstead, Betts, Bobbitt, Hetherly, Juarez and Nash.
Mmes. Himmelblau and Mather
ABSENT: Mr. Washington

C14-69-233a Ginther-Davis Interests
Rutland Drive, Bounded by Quail
Creek and The Park at Quail Creek

STAFF REPORT:

In 1969, the City of Austin processed a zoning request on approximately 440 acres north of the community, north of Peyton Gin Road, and west of Lamar Boulevard. The property at that time was owned by Mr. Jerry Wallace. The application was for "BB" Residence, "GR" General Retail, and "A" Residence zoning, and the staff prepared a very lengthy report for the Commission. This particular application at that time fell in the middle of what was developing as a single-family neighborhood and if the zoning were approved in that particular neighborhood would have an effect on the continued development of that neighborhood for single-family residential purposes. The staff's position was that the zoning be denied and that the area be permitted to continue to develop for single-family purposes. Primarily again because it is off an arterial and in the middle of an area with very limited access at that point in time, the only true access being Rutland Drive. The application was approved, was recommended by the Planning Commission and adopted by the City Council.

There was a covenant involved in that zoning and this request is to waive a portion of the covenant that was agreed upon by the applicant, the Commission and the Council in 1969. The covenant in effect said that "BB" Residence zoning be limited to 20 units per acre. Under "BB" Residence zoning without any kind of limit, 23-24 units per acre, depending on the size of the units, can be placed on the area. During that time,

C14-69-233a Ginther-Davis Interests--Contd.

The Park at Quail Creek was developed at 10 units per acre, Runnymede Apartments at about 17 units per acre, another apartment complex developed with under 20 units per acre and there are about 27 lots on the west that are used for single-family or duplex at low-density purposes.

The letter that has been submitted by Mr. Will Garwood in requesting the waiver of the covenant suggested that the applicant at the time the covenant was agreed upon, first of all, felt the maximum for the 135-plus acres was to not exceed 2,711 apartment units. In fact, when you multiply 135.578 acres times 20 units per acre, you get 2,711 units and that is the main reason that this total number of units got in the covenant. At no time was there any discussion to relieve or transfer density from the 20 units per acre covenant, i.e., if you only develop part of it at 10 units per acre, that you could slide that 10 units per acre over to another tract. The intent of the covenant from the beginning was that the total tract be limited to 20 units per acre. This request, at least as it was submitted, requests that 47.55 acres be relieved of the 20 units per acre covenant and be allowed to float to around 23-plus units per acre because of less than 20 units per acre density on developed tracts. In effect, on the 47.55 acres would mean about 180 more units that could be built on that acreage than is now limited by the 20-units-per-acre covenant.

All during the time of the public hearings and all subsequent development that has occurred, the covenant has remained in force and in fact, the staff at that time or subsequently, does not recommend that the covenant be amended to increase the density on any tract or acreage more than 20 units per acre.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

Will Garwood (representing applicant)

Arthur Philgren

Robert Henry: 9800 Parkfield Drive

Mr. & Mrs. Clarence Balch: 9603 Bluecreek Lane

Joe Thiel (North Austin Civic Association)

Karen Owen: 915 Silver Quail Lane

Roger Fortana: 9711 Parkfield Drive

Mrs. Theo Eichler: 9501 Bluecreek Lane

Joe Mecseji: 9801 Parkfield Drive

FOR

AGAINST

AGAINST

AGAINST

AGAINST

AGAINST

AGAINST

AGAINST

COMMISSION ACTION:

Members reviewed the information presented and were in agreement that the density of this area should not be increased, but should remain as granted in the original request.

C14-69-233a Ginther-Davis Interests--Contd.

COMMISSION VOTE:

To DENY the request of Ginther-Davis Interest to amend the restrictive covenant and to retain a density to 20 units per acre on property located at Rutland Drive, bounded by Quail Creek and the Park at Quail Creek.

AYE: Messrs. Milstead, Betts, Bobbitt, Hetherly and Juarez.
 Mmes. Himmelblau and Mather
ABSTAIN: Mr. Nash
ABSENT: Mr. Washington

C5-66-6 Housing and Construction
 Amendment to Glen Oaks Urban Renewal Plan
 (Webberville Road Street Vacation)

STAFF REPORT:

Mr. Lillie reported that this was a request to amend the Glen Oaks Urban Renewal Plan No. Tex. R-70. This amendment is a result of the Department of Urban Transportation's plan to vacate Webberville Road from Pedernales Street to the T. & N. O. Railroad and Gomez Street from Webberville Road to Pedernales Street.

STAFF RECOMMENDATION:

That the request of the Department of Urban Transportation for an amendment to the Glen Oaks Urban Renewal Plan for the purpose of closing Webberville Road at the 7th Street railroad crossing be approved.

CITIZEN COMMUNICATION

WRITTEN COMMENT

Mrs. Esther Lopez

FOR

PERSONS APPEARING

None

COMMISSION ACTION:

Members reviewed the information presented and a majority were in agreement with the staff recommendation.

COMMISSION VOTE:

To APPROVE the request of the Department of Urban Transportation for an amendment to the Glen Oaks Urban Renewal Plan for the purpose of closing Webberville Road at the 7th Street railroad crossing.

AYE: Messrs. Milstead, Betts, Bobbitt, Hetherly and Nash.
 Mmes. Himmelblau and Mather
ABSTAIN: Mr. Juarez
ABSENT: Mr. Washington

OTHER BUSINESS

C8c-73-001 Wilding Conceptual Plan
Consider reduction in density

STAFF REPORT:

Mr. Lillie reported that last year the subdivision of Wilding (formerly East Ranch), a tract of approximately 35,000 acres located upstream from City Park on Lake Austin, was submitted and approved with the intent to be developed at 4.27 units per acre for a maximum of 15,000 units. Original plans called for the water system to use Lake Austin as a water source and use a package Wastewater treatment plant. They are presently trying to create a water district to finance the utilities planned for their initial development. Long-range plans are to extend the West Bull Creek interceptor line which will connect to the crosstown tunnel. The developer now feels that 4.27 units per acre is too great and is requesting that the density be lowered to 3.27 units per acre for a maximum of 11,500 units. Plans for utilities, streets, etc. have been altered to the density of 3.27 units per acre.

STAFF RECOMMENDATION:

That the request of Wilding for a decrease in density to 3.27 units per acre for a maximum of 11,500 units be approved.

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the staff recommendation.

COMMISSION VOTE:

To APPROVE the request of Wilding for a decrease in density to 3.27 units per acre for a maximum of 11,500 units on property located west of City Park and north of City Park.

AYE: Messrs. Milstead, Betts, Bobbitt, Hetherly, and Nash.
 Mmes. Himmelblau and Mather

ABSENT: Mr. Washington, Mr. Juarez (out of the room)

C6-74-001 Public Finance & Improvement Programs
1974-79 Capital Improvements Program
Discuss upcoming CIP Committee meetings

Mr. Milstead reported that the Capital Improvements Committee will being its meetings on March 13, 1974. Meetings are scheduled to begin at 3:00 p.m. each Wednesday in the first floor conference room. Members of the Commission who are on the C. I. P. Committee are: Mr. Milstead, Chairman, C. W. Hetherly, Betty Himmelblau, Jean Mather and Charles Nash. Mr. Milstead pointed out that it was the responsibility of this Committee to review the various departmental proposals and make a recommendation to the Planning Commission. Materials were distributed and Mr. Milstead reviewed the procedure that will be followed at the weekly meetings.

C814-73-10 Cinnamon Hollow (PUD)

Consider proposed revision to street alignment

STAFF REPORT:

This is a request from Austex Development Co., Ltd. for approval of a revised driveway layout. The revised plan provides for cul-de-sacs instead of a looped drive, thus reducing the amount of paved area and increasing the size of green areas. Pedestrian circulation is improved since the green areas are contiguous and not separated by paved drives. The density remains the same as the original approved plan.

STAFF RECOMMENDATION:

The staff recommends approval of this revised plan.

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the staff recommendation.

COMMISSION VOTE:

To APPROVE the request of Austex Development Co., Ltd. of the revised driveway layout providing for cul-de-sacs instead of a looped driveway.

AYE: Messrs. Milstead, Betts, Bobbitt, Hetherly, Juarez and Nash.
 Mmes. Himmelblau and Mather

ABSENT: Mr. Washington

C1-73-3 Minutes

C1-74-002

The Commission then voted to approve the November 13, 1973 Planning Commission minutes and the January 22, 1974 Planning Commission minutes.

AYE: Messrs. Milstead, Betts, Bobbitt, Hetherly, Juarez and Nash.
 Mmes. Himmelblau and Mather

ABSENT: Mr. Washington

R105-74 Subdivision Memorandum

Preliminary, Short Form and Final Subdivisions as listed on the Subdivision Memorandum. Action to be taken at meeting.

FINAL SUBDIVISIONS--FILED AND CONSIDERED

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

Final Subdivisions--Contd.

VOTED: To APPROVE the following final subdivision plats:

<u>C8-72-82</u>	<u>Village South, Phase 2</u>
<u>C8-72-138</u>	<u>Pleasant Valley Road & Stassney Lane</u>
	<u>Cooper Oaks, Section 1</u>
	<u>Emerald Forest Drive & Pearson Lane</u>

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.
Mmes Himmelblau and Mather

ABSENT: Messrs. Betts and Washington

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following final subdivision plat, pending fiscal arrangements required, and pending compliance with departmental requirements as on file with the City of Austin Planning Department:

<u>C8-74-04</u>	<u>Wagon Crossing, Section 3</u>
	<u>East Stassney Lane & Jacaranda Drive</u>

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Betts and Washington

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following final subdivision plat, pending fiscal arrangements required; pending right-of-way required; and pending compliance with departmental requirements as on file with the City of Austin Planning Department:

<u>C8-74-11</u>	<u>Timber Creek, Section 7</u>
	<u>Highway 973 & Pearce Lane</u>

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Betts and Washington

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following final subdivision plat, pending fiscal arrangements required; pending current tax certificates; and pending compliance with departmental requirements as on file with the City of Austin Planning Department:

Final Subdivisions--Contd.

C8-74-08 Colony Park Hills, Phase 3
Wentworth Drive, Colony Loop Drive
and Decker Lake Road

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.
 Mmes. Himmelblau and Mather
ABSENT: Messrs. Betts and Washington

SHORT FORM SUBDIVISIONS--FILED AND CONSIDERED

The staff reported that the following short form plats have complied with all departmental requirements and recommend that they be approved. The Commission then

VOTED: To APPROVE the following short form subdivisions:

C8s-72-306	<u>Resub. Lt. 12, Blk. H, Spring Hill Village</u> Delahunty Lane & Vincent Place
C8s-73-157	<u>Onion Creek Forest, Section 3, Resub.</u> Nuckles Crossing Road & Pleasant Valley Road
C8s-73-217	<u>Tannehill Two</u> Tannehill Street & Ed Bluestein Blvd.
C8s-73-302	<u>Fairview Village</u> Nancy Drive & Stassney Lane
C8s-74-01	<u>Jim Dobson Addition</u> State Highway #71
C8s-74-08	<u>Orleans Harbour</u> West Lake Drive
C8s-74-09	<u>Resub. Lots 1402, 1403, Lakeway, Sec. 16</u> Vanguard Drive
C8s-74-13	<u>Byron Addition #2</u> Chapman Lane
C8s-74-19	<u>Resub. of Tract #1, Gramercy Park</u> Burnet Road & Rockwood Lane
C8s-74-23	<u>Resub. Lt. 2, Blk. 4, Shoalmont Addn. Resub.</u> Montview Street & Shoalmont
C8s-74-30	<u>Glynn Addition</u> Duval Street & West 53rd Street
C8s-74-42	<u>Floyd T. Warren Subdivision</u> Clinger Road & Moore Road
C8s-74-43	<u>North Austin Area Swimming Pool Lot</u> Peyton Gin Road
C8s-74-53	<u>Resub. of Lots 1, 2 & 3, Blk. D., N. View Hills</u> Yucca Drive

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.
 Mmes. Himmelblau and Mather
ABSENT: Messrs. Betts and Washington

Short Form Subdivisions--Contd.

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form subdivision plats, pending compliance with departmental requirements as on file with the City of Austin Planning Department:

<u>C8s-74-49</u>	<u>Resub. Lt. 2, Northgate Terrace, Sec. 1</u> <u>Northgate Blvd. & Colony Creek Drive</u>
<u>C8s-74-50</u>	<u>Resub. Lts. 2 & 3, Blk. B, Indian Hills, Sec.4</u> <u>Ripple Run</u>
<u>C8s-74-52</u>	<u>Motorola Inc.</u> <u>Ed Bluestein Blvd.</u>
<u>C8s-74-55</u>	<u>Colorado East-Amended</u> <u>Gardner Road & Tracy Lynn Lane</u>
<u>C8s-74-57</u>	<u>2nd Resub. H. R. S. Subdivision #2</u> <u>Mesa Drive, Spicewood Springs Rd. & Steck Avenue</u>
<u>C8s-74-58</u>	<u>Resub. Lts. 1 & 2, Blk. D, Beverly Hills, 2</u> <u>Lucas Drive & Beverly Hills Drive</u>

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Betts and Washington

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form subdivision plats, pending compliance with departmental requirements as on file with the City of Austin Planning Department and granting a variance to exclude the balance of the tract:

<u>C8s-74-05</u>	<u>Manzanita</u> <u>Trail of the Madrones</u>
<u>C8s-74-06</u>	<u>Fortune's Valley</u> <u>Crystal Creek Circle</u>
<u>C8s-74-46</u>	<u>Vernon's Addition</u> <u>Barton Springs Road</u>
<u>C8s-74-47</u>	<u>Jesse Addition</u> <u>East Riverside Drive</u>
<u>C8s-74-48</u>	<u>E. L. K. Addition</u> <u>Weidemar Road</u>

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Betts and Washington

The Commission then

Short Form Subdivisions--Contd.

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form subdivision plats, pending compliance with departmental requirements as on file with the City of Austin Planning Department and granting a variance on the lot width:

C8s-74-54	⁷³⁻⁵¹ Resub. Lot 4, Whitehead
	U. S. 183 & County Line
<u>C8s-74-56</u>	<u>Speedway Park</u>
	East 45th Street & Speedway

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Betts and Washington

The Commission then

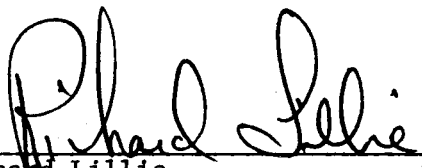
VOTED: To POSTPONE the following short form subdivision plats, pending receipt of a variance letter:

C8s-74-51	⁵⁴ Trigg Addition
	Cameron Road
<u>C8s-74-59</u>	<u>George Tigert Addition</u>
	U. S. 183 & Jett Lane
<u>C8s-74-60</u>	<u>Albert Keene Addition</u>
	Weir Road
<u>C8s-74-61</u>	<u>The Thomison Subdivision</u>
	Gregg Lane

AYE: Messrs. Milstead, Bobbitt, Hetherly, Juarez and Nash.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Betts and Washington

The meeting was adjourned at 11:50 p.m.


Richard Lillie
Executive Secretary