

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting--July 9, 1974

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

Present

C. W. Hetherly, Chairman
O. P. "Bob" Bobbitt
Betty Himmelblau
Jean Mather
George Ramsey, III
Bennie Washington

Also Present

Richard Lillie, Director of Planning
Jack Alexander, Assistant Director of Planning
Don Bird, Assistant City Attorney
Leon Lurie, Executive Director, Urban
Renewal Agency
Pat Settle, Secretary I

Absent

Rizer Everett
Philip Juarez
Charles Nash

ZONING

The following zoning changes were considered by the Zoning Committee at the meetings of July 1 and 2, 1974.

Present

O. P. "Bob" Bobbitt, Chairman
Rizer Everett
Betty Himmelblau
Jean Mather
Bennie Washington

Also Present

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

*Present only on July 1, 1974.

**Present only on July 2, 1974.

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

STAFF REPORT:

This property is located at the northwest corner of the intersection of North Loop Boulevard and Joe Sayers Avenue. As the staff map indicates, there has been rezoning activity in the area over the last five years. The subject tract was rezoned "B" Residence in 1968 along with the vacant "LR" Local Retail to the west and "B" Residence, Second Height and Area to the north after extensive study and negotiation. The Second Height and Area to the north of the subject tract was granted solely because of the drainage draw there and subject to a restrictive covenant specifying a maximum number of housing units to be built there. The subject tract, on the other hand, has relatively level terrain.

The extension of the Second Height and Area district at this location cannot be justified. None of the unique features which were pointed to in the 1968 case as justification for Second Height and Area are present on this site. The property to the north is developed with apartments which do not exceed the height limitation of the First Height and Area District. The subject tract is also higher ground than the property to the north.

The western boundary of the subject tract resulted from the 1968 case. It was established there as an appropriate depth of the retail land use eastward from the intersection of Burnet Road and North Loop Boulevard. The staff feels that this boundary should be maintained, as conditions have not changed sufficiently to warrant extending the "LR" Local Retail zone eastward to Joe Sayers Avenue.

STAFF RECOMMENDATION:

That this case be denied, as the present zoning will allow appropriate development of this tract which is compatible with surrounding land use.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Edwin M. Goldman: 1300 San Antonio Street FOR

Mrs. Mary Blanche Ellis: P.O. Box 1714, Silsbee, Tex. FOR

PERSONS APPEARING

Wallace Nations (representing applicant)

C14-73-246 Gov. Allan Shivers, John Shivers and C. McAden--Contd.

COMMITTEE ACTION:

Members reviewed the information presented. Ms. Himmelblau expressed concern about the traffic in the area. Members were in agreement that they had no objection to the "LR" Local Retail but did object to the requested Second Height and Area. The Committee recommended that this request be denied but that "LR" Local Retail, First Height and Area be granted.

AYE: Messrs. Bobbitt, Everett and Washington.
 Mmes. Himmelblau and Mather

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

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 "LR" Local Retail, Second Height and Area, on property located at 5300-5306 Joe Sayers Avenue and 1500-1504 North Loop Boulevard be DENIED but that "LR" Local Retail, First Height and Area be GRANTED.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
 Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash.

C14-74-046 Billie L. Passmore: A, 1st to BB, 1st
 1114 Robert E. Lee Road

STAFF REPORT:

The staff reported that they had received a letter from the applicant within the 72-hour restriction requesting that this case be withdrawn.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

A. D. Stenger: 1118-A Robert E. Lee Road FOR
Mark & Jayne Gottschall: 1104 Robert E. Lee Road AGAINST

PERSONS APPEARING

Mr. and Mrs. Angus McDonald: 1113 Robert E. Lee Road AGAINST
Jenora Long: 1105 Robert E. Lee Road AGAINST
Mark Gottschall: 1104 Robert E. Lee Road AGAINST

COMMITTEE ACTION:

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

AYE: Messrs. Bobbitt, Everett and Washington.
 Mmes. Himmelblau and Mather

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To recommend that the request of Billie L. Passmore for a zoning change from "A" Residence, First Height and Area to "BB" Residence, First Height and Area on property located at 1114 Robert E. Lee Road be WITHDRAWN.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
 Mmes. Himmelblau and Mather
ABSENT: Messrs. Everett, Juarez and Nash

C14-74-083 Edward P. Giesecke: A, 1st to B, 2nd
 1815-1817 Waterston Avenue

STAFF REPORT:

The staff reported that the applicant has requested that this case be postponed 30 days.

CITIZEN COMMUNICATION (OLD WEST AUSTIN NEIGHBORHOOD ASSOCIATION)

WRITTEN COMMENT

Robert D. Jones: 805 Capital National Bank Bldg. FOR
Mrs. Gertrude Bolden: 4439 Lima Street FOR
Elizabeth K. Pelton: 1723 Palma Plaza AGAINST
J. Fielding Jones: Arlington, Virginia AGAINST
Steve Orr: 1721 Palma Plaza AGAINST

C14-74-083 Edward P. Giesecke--Contd.

PERSONS APPEARING

Henry Wetzel: 404 Honeycomb Ridge
Anne Teddlie: 1807 Palma Plaza
Don Teddlie: 1807 Palma Plaza
Don Chapman: 1725 Palma Plaza

FOR
AGAINST
AGAINST
AGAINST

COMMITTEE ACTION:

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

AYE: Messrs. Bobbitt, Everett and Washington.
 Mmes. Himmelblau and Mather

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To recommend that the request of Edward P. Giesecke for a zoning change from "A" Residence, First Height and Area to "B" Residence, Second Height and Area on property located at 1815-1817 Waterston Avenue be POSTPONED 30 DAYS.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
 Mmes. Himmelblau and Mather
ABSENT: Messrs. Everett, Juarez and Nash

C14-74-085 J. B. Ford, et al: Int. A, 1st to BB, 1st
 2304-2624 William Cannon Drive (Tract 1)
 2505-2625 William Cannon Drive (Tract 2)

The staff reported that they had received a letter this afternoon requesting withdrawal of this case. Mr. Bobbitt pointed out that the ordinance required that such a request must be received 72 hours prior to the hearing. He also stated that a petition in opposition was being submitted and that there were a number of people in the audience tonight who were in opposition. A majority of the members recommended to deny the request for withdrawal.

AYE: Messrs. Everett and Washington
 Mmes. Himmelblau and Mather
NAY: Mr. Bobbitt

C14-74-085 J. B. Ford, et al--Contd.

STAFF REPORT:

A postponement was granted last month to allow the applicant and the neighborhood time to reach an acceptable solution.

These undeveloped tracts are located on either side of the proposed William Cannon Drive, a boulevard arterial in southwest Austin. Single-family neighborhoods have developed to the north, east, and south of subject tracts. To the west is a proposed shopping center at the intersection of West Gate Boulevard, a major arterial. The "GR" General Retail zoning has been buffered with "BB" apartment and "O" Office zoning to the east.

The staff has consistently recommended "A" residential developments along William Cannon Drive except at the intersections of major arterial streets. William Cannon Drive is generally routed through new single-family neighborhoods. Both of the subject tracts can be developed with townhouses, duplexes or attached single-family units under the Planned Unit Development concept which would be much more compatible with the numerous existing and proposed single-family homes along their northern and southern boundaries. The tracts are not of sufficient depth to provide an adequate buffer to the new single-family homes in this area.

STAFF RECOMMENDATION:

That this case be denied as incompatible with the adjacent single-family neighborhoods and as inconsistent with Commission recommendations for William Cannon Drive.

CITIZEN COMMUNICATION (SOUTHWEST AUSTIN HOMEOWNERS ASSOCIATION)

WRITTEN COMMENT

Richard M. Collins: 6903 Whispering Oaks Drive	AGAINST
James P. Bozeman: 6905 Whispering Oaks Drive	AGAINST
Homer N. Lewis: 2413 Campden Drive	AGAINST
Bobby L. Zeagler: 7003 Twisted Oaks Drive	AGAINST
Jerome Bugni: 7100 Whispering Oaks Drive	AGAINST
Philip D. Howard: 6902 Whispering Oaks Drive	AGAINST
Richard J. Binder: 7207 Twisted Oaks Drive	AGAINST
Viola Neill: 6800-B Mini Circle	AGAINST
Helen & Roy Pfaefflin: 6906 Whispering Oaks Drive	AGAINST
H. Paul Shanahan: 2401 Campden Drive	AGAINST
Willis Watkins: 2333 Campden Drive	AGAINST
Frank M. Corum: 7002 Whispering Oaks Drive	AGAINST
Wilton T. Miles: 6900 Whispering Oaks Drive	AGAINST
Imogene Johnson: 6802-A Mini Circle	AGAINST
Petition bearing 82 names	AGAINST
Petition bearing 486 names	AGAINST

PERSONS APPEARING

John Pavlica: 2407 Campden Drive	AGAINST
John H. Shelton: 2513 Redleaf Lane	AGAINST
Mr. & Mrs. Richard Swell: 2311 Aldford Drive	AGAINST

C14-74-085 J. B. Ford, et al--Contd.

Mr. & Mrs. Michael Stewart: 6705 Krollton Drive	AGAINST
Mr. & Mrs. Vaughn Smith: 7304 Whispering Winds Drive	AGAINST
Mr. & Mrs. James Hartman: 6613 Boleynwood Drive	AGAINST
Clifford C. Brown: 2411 Campden Drive	AGAINST
Bill Wheelless: 2405 Campden Drive	AGAINST
Mr. & Mrs. Chester D. Geller: 2419 Campden Drive	AGAINST
Mr. & Mrs. Donald Veselka: 7012 Whispering Winds Dr.	AGAINST
Jerry & Carol Bugni: 7100 Whispering Winds Drive	AGAINST
Charles R. Gaskin: 6908 Whispering Oaks Drive	AGAINST
Barbara J. Lozenski: 7006 Whispering Oaks Drive	AGAINST
Mr. & Mrs. George C. Lucky: 7101 Whispering Oaks Dr.	AGAINST
Mr. & Mrs. Stephen O. Bradford: 7004 Whispering Oaks	AGAINST
John J. Lozenski: 7006 Whispering Oaks Drive	AGAINST
Mr. & Mrs. Joseph Schoolfield: 6503 Krollton Drive	AGAINST
William H. Schneider: 7302 Whispering Winds Drive	AGAINST
Mr. & Mrs. Preston W. Schultz: 7305 Southwind	AGAINST
Mr. & Mrs. Bobby L. Zeagler: 7003 Twisted Oaks Drive	AGAINST
Richard A. Griffiths: 7000 Whispering Oaks Drive	AGAINST
O. D. Sledge: 2505 Campden Drive	AGAINST
Mr. & Mrs. Robert A. Cole: 7005 Whispering Oaks Dr.	AGAINST
Mr. & Mrs. John A. Crawford: 7010 Whispering Oaks Dr.	AGAINST
Jacquelyn Pittman: 7003 Whispering Oaks Drive	AGAINST
Frank Corum: 7002 Whispering Oaks Drive	AGAINST
Barbara Hopson: 7003 Whispering Oaks Drive	AGAINST

COMMITTEE ACTION:

The members then reviewed the information presented and were in agreement with the staff's recommendation. Members recommended that this case be denied.

AYE: Messrs. Bobbitt, Everett and Washington
Mmes. Himmelblau and Mather

COMMISSION ACTION:

Members reviewed the information presented. Mr. Hetherly stated he felt it was unfair to deny the request for withdrawal. Other members agreed that since the request was not received within the 72-hour time period, the Rules and Regulations should be abided by. A majority of the members were in agreement that this request be denied.

C14-74-085 J. B. Ford, et al--Contd.

COMMISSION VOTE:

To recommend that the request of J. B. Ford, et al for a zoning change from Interim "A" Residence, Interim First Height and Area to "BB" Residence, First Height and Area on property located at 2304-2624 William Cannon Drive (Tract 1) and 2505-2625 William Cannon Drive (Tract 2) be DENIED.

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

C14-74-086 Walter Wukasch: C, 1st to C-2, 1st
600 West 19th Street
1900 Nueces Street

STAFF REPORT:

This property is located in the University area. The surrounding property is zoned "C" Commercial although the uses are those allowed in the more restrictive districts. The "C" Commercial district here is very old.

Nueces Street bordering this tract is a one-way-south major arterial planned for 70 feet of right-of-way. One-half the additional right-of-way, five feet, is needed from the subject tract.

STAFF RECOMMENDATION:

That this case be granted as consistent with the surrounding zoning. It has been recent Council and Commission policy not to require right-of-way dedication in "C-2" Commercial zoning cases where the subject tract is zoned "C" Commercial or less restrictive.

CITIZEN COMMUNICATION (SAVE UNIVERSITY NEIGHBORHOODS)

WRITTEN COMMENT

Walter Wukasch (applicant)
Arthur P. Watson, Jr.: 1806 Rio Grande
Larry Niemann: Texas Dorm.
Mike Mahone (SAVE UNIVERSITY NEIGHBORHOODS)
Shirley Birch: 1902 Nueces Street

FOR
FOR
AGAINST
AGAINST

PERSONS APPEARING

Ben Smylie (representing applicant)
Charles Harrison Childers: 1904 Nueces Street
Burt Lawrence: 1902 Nueces Street
Shirley Birch: 1902 Nueces Street
Mike Mahone (SAVE UNIVERSITY NEIGHBORHOODS)
Roger Nance

AGAINST
AGAINST
AGAINST
AGAINST
AGAINST

C14-74-086 Walter Wukasch--Contd.

COMMITTEE ACTION:

Members reviewed the information presented. Ms. Himmelblau inquired as to whether or not a privacy fence would protect the neighbors. It was pointed out that a privacy fence would create additional drainage problems on the property. Ms. Himmelblau stated that since "C" Commercial is already on the property, the "C-2" Commercial would not be detrimental to the area. Ms. Mather expressed concern about the possibility of the property changing hands and that other uses could be placed on the property which would be detrimental. Mr. Washington stated that he saw no problem with the request since the area is in transition and is already zoned "C" Commercial. He also pointed out that the subject property faces West 19th Street, a major arterial street. A majority of the members recommended that this request be granted.

AYE: Messrs. Bobbitt, Everett and Washington.
 Ms. Himmelblau
NAY: Ms. Mather

COMMISSION ACTION:

Members reviewed the information presented. Ms. Mather stated that she felt the "C" Commercial in the area was premature and felt that a lounge would change the character of the neighborhood. She stated that the neighbors next door do not intend to use the "C" Commercial zoning and are considering rolling it back. The majority of the members recommended that this request be granted.

COMMISSION VOTE:

To recommend that the request of Walter Wukasch for a zoning change from "C" Commercial, First Height and Area to "C-2" Commercial, First Height and Area on property located at 600 West 19th Street and 1900 Nueces Street be GRANTED.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
 Ms. Himmelblau
NAY: Ms. Mather
ABSENT: Messrs. Everett, Juarez and Nash

C14-74-087 Phil Mockford, Trustee: B, 1st to O, 1st
4629-4813 Manor Road

STAFF REPORT:

This tract is located east of the municipal airport with frontage on a major arterial street. Single-family and duplex neighborhoods are planned or exist to the north, east and south. Also, a single-family home on a large lot exists to the south. A drainage ravine forms the northern and eastern boundary of the subject tract and creates a natural buffer to the "A" residential development. Due to the proximity to the airport there may be height restrictions on structures. These restrictions will be determined by the Building Inspection Department.

Because of the airport noise, non-residential development would be appropriate for a portion of the tract. However, the staff is reluctant to recommend "O" Office zoning for the area requested because of the existing single-family development to the north and east. The most appropriate use of this tract would be that of mixed office and apartment development.

STAFF RECOMMENDATION:

That "O" Office be granted on the front 350 feet of the tract and "B" Residence zoning be maintained on the remainder of the tract. This recommendation will encourage an appropriate land use mix and compatibility with the adjoining neighborhoods.

CITIZEN COMMUNICATION (CONCERNED CITIZENS OF EAST AUSTIN)

WRITTEN COMMENT

D. W. Morris: 1303 Crestwood Road
Watt Schieffer: 1011 East 40th Street

FOR
FOR

PERSONS APPEARING

Phil Mockford (applicant)

COMMITTEE ACTION:

The applicant agreed to the staff's recommendation. Members reviewed the information presented. Ms. Mather stated she was concerned with the building backing up to the creek and would like to see a 50-foot setback from the creek with a 25-foot natural buffer. Mr. Bobbitt explained that this would be taken care of under the creek ordinance. Members recommended that this request be denied but that "O" Office, First Height and Area be granted on the front 350 feet of the tract and that "B" Residence, First Height and Area be maintained on the remainder of the tract.

AYE: Messrs. Bobbitt, Everett and Washington.
 Mmes. Himmelblau and Mather

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

C14-74-087 Phil Mockford, Trustee--Contd.

COMMISSION VOTE:

To recommend that the request of Phil Mockford, Trustee, for a zoning change from "B" Residence, First Height and Area to "O" Office, First Height and Area on property located at 4629-4818 Manor Road be DENIED but that "O" Office, First Height and Area be GRANTED on the front 350 feet of the tract.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.

Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

C14-74-088 Rocky Hernandez: A, 1st to C, 1st
5409 Wasson Road

STAFF REPORT:

This tract is located near the intersection of Stassney Lane and South Congress Avenue in south Austin. A welding shop exists on the subject tract. The land to the north and east is undeveloped and the land to the south is developed with residence. West of Wasson Road, the tracts are zoned "C" Commercial and the land uses are in transition. The staff and Commission have been recommending the "C" Commercial district for this South Congress area.

STAFF RECOMMENDATION:

That this case be granted as consistent with the established zoning and uses in this area.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Noeline S. Harris: 2803 West Fresco Drive

FOR

PERSONS APPEARING

None

COMMITTEE ACTION:

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

AYE: Messrs. Bobbitt, Everett and Washington.

Mmes. Himmelblau and Mather

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

C14-74-088 Rocky Hernandez--Contd.

COMMISSION VOTE:

To recommend that the request of Rocky Hernandez for a zoning change from "A" Residence, First Height and Area to "C" Commercial, First Height and Area on property located at 5409 Wasson Road be GRANTED.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

C14-74-089 James K. Eichelberger, Jr.: D, 1st to C-2, 1st
6801-6811 North Lamar Boulevard
704-724 Raymond Street

STAFF REPORT:

This tract is located in north central Austin in a commercial service and industrial area at the intersection of Lamar Boulevard and Airport Boulevard. The zoning surrounding this tract is "D" Industrial, "C" Commercial and "C-2" Commercial.

Street right-of-way is needed on both streets bounding this property. North Lamar Boulevard is planned for 120 feet, requiring 20 feet from the subject tract. One-half the additional right-of-way, five feet, is needed to increase Raymond Drive from 50 to 60 feet.

STAFF RECOMMENDATION:

That this case be granted as compatible with surrounding zoning and uses. It has been the Commission and Council policies not to require right-of-way when a more restrictive zoning district is requested.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Edgar S. Daugherty: 6221 N. Lamar Boulevard FOR

PERSONS APPEARING

Jim Eichelberger (applicant)

COMMITTEE ACTION:

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

AYE: Messrs. Bobbitt, Everett and Washington.
Mmes. Himmelblau and Mather

C14-74-089 James K. Eichelberger, Jr.--Contd.

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To recommend that the request of James K. Eichelberger, Jr. for a zoning change from "D" Industrial, First Height and Area to "C-2" Commercial, First Height and Area on property located at 6801-6811 North Lamar Boulevard and 704-724 Raymond Street be GRANTED.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

C14-74-090 James K. Eichelberger, Jr., Lee Blocker, Leon Howard
7115 Burnet Road and Charles Howard: GR, 1st and 6th
to C-2, 1st and 6th

STAFF REPORT:

This tract is located in north Austin on a major arterial street and is part of the Burnet Road strip commercial-retail development. Residential developments are to the east of the tract. Subject tract has been recently developed with a small retail-office complex. A small-to-medium-sized lounge or nightclub use located on the western portion of the tract would be compatible with the surrounding "C" Commercial zoning.

STAFF RECOMMENDATION:

That "C-2" Commercial be granted on a maximum area of 3,000 square feet and to be located within 360 feet of Burnet Road.

CITIZEN COMMUNICATION (ALLANDALE NEIGHBORHOOD ASSOCIATION)

WRITTEN COMMENT

Arthur Smith: 7001 Burnet Road

AGAINST

PERSONS APPEARING

Jim Eichelberger (applicant)

COMMITTEE ACTION:

The applicant indicated he was in agreement with the staff's recommendation. Members reviewed the information presented and recommended that this request be denied but that "C-2" Commercial, Sixth Height and Area be granted on a maximum area of 3,000 square feet to be located within 360 feet of Burnet Road.

AYE: Messrs. Bobbitt, Everett and Washington.
Mmes. Himmelblau and Mather

C14-74-090 James K. Eichelberger, Jr., Lee Blocker, Leon Howard and
Charles Howard--Contd.

COMMISSION ACTION:

Members reviewed the information as presented on the memorandum and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To recommend that the request of James K. Eichelberger, Jr., Lee Blocker, Leon Howard and Charles Howard for a zoning change from "GR" General Retail, First and Sixth Height and Area to "C-2" Commercial, First and Sixth Height and Area on property located at 7115 Burnet Road be DENIED but that "C-2" Commercial, Sixth Height and Area be GRANTED on a maximum area of 3,000 square feet to be located within 360 feet of Burnet Road.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
 Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

C14-74-091 Samuel E. Dunnam: 0, 2nd to GR, 2nd
 701-711 West 19th Street
 1808-1810 Rio Grande Street
 1809-1811 West Avenue

STAFF REPORT:

These properties are located west of the university area and at the intersection of two major arterial streets. They lie within a predominantly multi-family residential area with some office zoning and use. A very old "C" Commercial district exists to the east.

The extension of retail-commercial zoning in this area has been discouraged for a number of years by the Commission. In a case last year across West 19th Street, the staff recommended in favor of a request for office zoning as being compatible with the area. It is felt that the office district is the most compatible with the surrounding zoning and uses. Rio Grande Street should remain the western edge of the retail-commercial district.

Right-of-way is needed at the southwest corner of West 19th Street and Rio Grande Avenue to improve the intersection. It has been the Commission's policy not to require right-of-way on zoning cases fronting on 19th Street.

STAFF RECOMMENDATION:

That this case be denied as incompatible with adjacent, more restrictive zoning and use, and as inconsistent with previous Commission policy for this area.

C14-74-091 Samuel E. Dunnam--Contd.

CITIZEN COMMUNICATION (SAVE UNIVERSITY NEIGHBORHOODS)
WRITTEN COMMENT

Samuel Dunnam (applicant)	
Walter Wukasch: 2703 Moonlight Bend	FOR
Kingstip Communications: Littlefield Bldg.	FOR
Page & Southerland: P. O. Box 2004	FOR
Larry Neimann: American Bank Tower	FOR
Martin Brown: 605 West 18th Street	FOR
Arthur P. Watson, Jr.: 1806 Rio Grande	FOR
Mike Mahone (SAVE UNIVERSITY NEIGHBORHOODS)	AGAINST
Shirley Birch: 1902 Nueces Street	AGAINST

COMMITTEE ACTION:

Members reviewed the information presented and questioned the need for "LR" Local Retail and whether or not it would be needed on all three lots. The staff informed the Committee that a duplicating service would require "LR" Local Retail. The Committee suggested revising the ordinance to allow duplicating services in the "O" Office district as well as the "LR" Local Retail and "GR" General Retail districts. The Committee recommended to refer this case to the full Planning Commission to allow the members to further consider this request.

AYE: Messrs. Bobbitt, Everett and Washington.
Ms. Mather
ABSTAIN: Ms. Himmelblau

COMMISSION ACTION:

The staff reported that Building Inspections has advised that a duplicating service would require "GR" General Retail or a less restrictive district, and that the present use is an illegal use. Members reviewed the information and were in agreement that "O" Office is an appropriate district for this type use. Ms. Mather stated it would seem more appropriate to change the ordinance to allow duplicating services in the "O" Office district. Members then recommended to postpone this case to the August Planning Commission meeting for further consideration.

COMMISSION VOTE:

To POSTPONE to the August Planning Commission meeting the request of Samuel E. Dunnam for a zoning change from "O" Office Second Height and Area to "GR" General Retail, Second Height and Area on property located at 701-711 West 19th Street, 1808-1810 Rio Grande Street and 1809-1811 West Avenue.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather
ABSENT: Messrs. Everett, Juarez and Nash

C14-74-092 J. B. Mock: A, 1st to C, 1st
 608 Radam Lane

STAFF REPORT:

Subject tract is located on a substandard minor residential street in south Austin. "C" Commercial zoning developed with a heating and air conditioning business exists to the east. "GR" General Retail developed with retail uses exists to the north. The land to the south and west is zoned "A" Residence and developed with low-density residential uses.

STAFF RECOMMENDATION:

That this case be denied as an intrusion into a residential neighborhood and because street and pavement widths are only adequate to serve low-density uses.

If a change in zoning is recommended, one-half the additional right-of-way, 15 feet, is necessary to increase Radam Lane from 30 to 60 feet.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Mr. & Mrs. Cecil Braswell: 608 Clifford Drive
 Andrew Johnson: 610 Radam Lane
 Barbara Bevil: 618 Radam Lane
 Joe S. Loera: 611 Radam Lane
 Mrs. Wesley H. Wunnerfurger: 603 Radam Lane
 Petition bearing 19 names

FOR
 AGAINST
 AGAINST
 AGAINST
 AGAINST
 AGAINST

PERSONS APPEARING

Martin Boozer (representing applicant)
 Mrs. Andrew Johnson: 610 Radam Lane
 Mrs. Earl O. Durfey: 623 Radam Lane
 Earl Durfey: 623 Radam Lane

AGAINST
 AGAINST
 AGAINST

COMMITTEE ACTION:

Members reviewed the information presented and were in agreement that "C" Commercial is incompatible with this residential neighborhood. Members recommended that this request be denied.

AYE: Messrs. Bobbitt, Everett and Washington.
 Mmes. Himmelblau and Mather

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

C14-74-092 J. B. Mock--Contd.

COMMISSION VOTE:

To recommend that the request of J. B. Mock for a zoning change from "A" Residence, First Height and Area to "C" Commercial, First Height and Area on property located at 608 Radam Lane be DENIED.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

C14-74-093 Edmund A. Greber: A, 1st to B, 1st
708-800 South First Street

STAFF REPORT:

This property is located in south Austin on a major arterial street. The Texas School for the Deaf is located across South First Street from subject tract. Older single-family homes exist to the north, apartments are to the west, and an older residential structure on the "B"-zoned tract is to the south. The subject lots, as well as the four lots to the north, are surrounded by the "B" apartment district.

STAFF RECOMMENDATION:

That this case be granted as compatible with surrounding zoning and uses, and as consistent with previous recommendations for this location.

CITIZEN COMMUNICATION (SOUTH AUSTIN NEIGHBORHOOD)

WRITTEN COMMENT

None

PERSONS APPEARING

Martin Boozer (representing applicant)

COMMITTEE ACTION:

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

AYE: Messrs. Bobbitt, Everett and Washington.
Mmes. Himmelblau and Mather

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

C14-74-093 Edmund A. Greber--Contd.

COMMISSION VOTE:

To recommend that the request of Edmund A. Greber for a zoning change from "A" Residence, First Height and Area to "B" Residence, First Height and Area on property located at 708-800 South First Street be GRANTED.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
 Mmes. Himmelblau and Mather
ABSENT: Messrs. Everett, Juarez and Nash

C14-74-094 Bruno Milburn: A, 1st to O, 1st
 4312-4314 Marathon Boulevard
 1101-1103 West 44th Street

STAFF REPORT:

This property is located within a small neighborhood between the commercial developments along North Lamar to the east and Medical Parkway to the west. The previous case on this property in 1972 was withdrawn after receiving a recommendation to deny from the Planning Commission. For that case, an area study was conducted. Reasons cited for the preservation of the "A" Residential district for the area north of 42nd Street included the maintenance of the homes, the 55 per cent owner-occupancy, the number of churches in the area, and the narrow streets.

The "B" apartment district southwest of the subject tract was prematurely established, as all four lots are presently developed with single-family residences. The most recent case in the area, on Marathon Boulevard between 42nd and 43rd Streets, was recommended by the Commission on a split vote due to the presence of a large building behind the tract fronting North Lamar Boulevard.

STAFF RECOMMENDATION:

That this case be denied as an intrusion into a viable single-family neighborhood served by minor residential streets.

If a change in zoning is recommended, one-half the additional right-of-way, five feet, is required to increase both Marathon Boulevard and West 44th Street to 60 feet.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Mrs. R. T. Spaw: 5608 Jim Hogg Avenue	FOR
George Volz: 503 Mary Louise, San Antonio	FOR
Ernst Lauterbach: 4401 Marathon Boulevard	FOR
L. C. Hall, Jr.: 4304 Marathon Boulevard	FOR
Lola N. Zumwalt Lester: 8708 Dawnridge Circle	FOR
Mrs. J. T. Munson: 1704 Northridge Drive	FOR

C14-74-094

Bruno Milburn--Contd.

Gene G. Neff: 4311 Marathon Boulevard	FOR
Frank R. Rundell Co., Inc.: P.O. Box 455	FOR
B. M. Tippie, Sr.: 11507 Oakwood Drive	FOR
Julia Friedsam: 4411 Marathon Boulevard	FOR
Mrs. Irene G. Coy: 4308 Bellvue Avenue	FOR
Helmer C. Olson: 4302 Bellvue Avenue	AGAINST
Dr. & Mrs. John Belknap: 4400 Marathon Boulevard	AGAINST
John E. Hunt, Jr.: 4406 Marathon Boulevard	AGAINST
D. L. Evans: 4408 Marathon Boulevard	AGAINST
William F. Mercer: 4404 Bellvue Avenue	AGAINST
Mr. & Mrs. F. D. Boling: 1203 West 44th Street	AGAINST
Mr. & Mrs. C. Robert Sandstrom: 1205 West 44th St.	AGAINST
Pauline S. Jacobson: 2911 Harris Bldg.	AGAINST
Basey Archie: 4403 Marathon Boulevard	AGAINST
Mr. & Mrs. L. V. Scott: 4418 Marathon Boulevard	AGAINST
Mr. & Mrs. Hugo Friesenhahn: 4414 Marathon Blvd.	AGAINST
Mrs. H. C. Turner: 4204 Marathon Boulevard	AGAINST
Mrs. A. T. Rowland: 4103 Marathon Boulevard	AGAINST
Mr. & Mrs. Taft L. Kerr: 4419 Marathon Boulevard	AGAINST
Edward Grundman: 4315 Bellvue Avenue	AGAINST
F. Foe: 4214 Marathon Boulevard	AGAINST

PERSONS APPEARING

Bruno Milburn (applicant)	
Dale Hale (representing applicant)	
John Hunt: 4406 Marathon Boulevard	AGAINST
John Belknap: 4400 Marathon Boulevard	AGAINST

COMMITTEE ACTION:

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

AYE: Messrs. Bobbitt, Everett and Washington.
Mmes. Himmelblau and Mather

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To recommend that the request of Bruno Milburn for a zoning change from "A" Residence, First Height and Area to "O" Office, First Height and Area on property located at 4312-4314 Marathon Boulevard and 1101-1103 West 44th Street be DENIED.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

C14-74-095 Robert Pettus and Regina Ochoa: A, 1st to O, 1st
1606 West Avenue
801-805 West 17th Street

STAFF REPORT:

This property is located in central Austin on a major arterial street. The homes in this low-density neighborhood are one of the few remaining single-family enclaves of large spacious homes within close proximity to the downtown area, the Capitol complex and the University of Texas. Non-residential zoning has not been granted west of West Avenue.

Neighborhood opposition to requests for zoning changes in this neighborhood has been strong. Only one case out of seven in this block has been granted. Three previous requests have been made on the subject tract, all denied by the City Council.

STAFF RECOMMENDATIONS:

That this request be denied as an intrusion into a residential neighborhood and as inconsistent with past Council recommendations for this area.

CITIZEN COMMUNICATION (SAVE UNIVERSITY NEIGHBORHOODS)

WRITTEN COMMENT

P. A. Shaw, Jr.: 1608 West Avenue	FOR
James M. Dunnam: P. O. Box 5625	FOR
Petition bearing 12 names	FOR
Gerald Langford: 1711 Pearl Street	AGAINST
Raymond H. Dean: 1707 Pearl Street	AGAINST
Mike Mahone (SAVE UNIVERSITY NEIGHBORHOODS)	AGAINST

PERSONS APPEARING

Jack London (representing applicant)	
Robert M. Pettus (applicant)	
Regina Ochoa (applicant)	
Mrs. George Shelly	FOR
Phil Shaw: 1608 West Avenue	FOR
Martha Tiller	FOR
Bill Parrish: 1010 1/2 West 25th Street	AGAINST
William Lynch	AGAINST
W. St. John Garwood	AGAINST

COMMITTEE ACTION:

A petition in favor of the request was presented. The applicant offered to include a restrictive covenant to assure that the zoning would revert back to "A" Residence in the event the property is sold or if the use as an antique shop were changed. Members of the Committee questioned the effectiveness of restrictive covenants. The staff pointed out that restrictive covenants are not shown on the zoning maps, but the staff, in researching zoning cases, tries to point out any additional recommendations where restrictive covenants are involved. Ms. Himmelblau suggested that

C14-74-095 Robert Pettus and Regina Ochoa--Contd.

this case be postponed until the Landmark Commission could study it since it is in a Bi-Centennial area and is of historic concern. Ms. Mather pointed out that it would be six months before the Landmark Commission could hear the case and make a recommendation to the Planning Commission. Members agreed to refer this request to the full Planning Commission and instructed the staff to research and obtain an opinion from the Legal Department as to the effectiveness and enforcement of a restrictive covenant.

AYE: Messrs. Bobbitt, Everett and Washington.
Mmes. Himmelblau and Mather

COMMISSION ACTION:

The legal department staff pointed out to the Commission that restrictive covenants are placed on some cases but they are difficult to enforce in the event the property is sold. Members reviewed the information and recommended to refer this case to the Landmark Commission for consideration of an "H" Historic zoning classification.

COMMISSION VOTE:

To REFER TO THE HISTORIC LANDMARK COMMISSION the request of Robert Pettus and Regina Ochoa for a zoning change from "A" Residence, First Height and Area to "O" Office, First Height and Area on property located at 1606 West Avenue and 801-805 West 17th Street.

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

C14-74-096 H. C. Carter, Jr., Trustee: A, 1st, O, 1st and LR, 1st to LR, 1st
1200-1206 West 38th Street (as amended)
1201-1209 West 39th Street

STAFF REPORT:

The staff reported that the applicant would like to approach the full Commission on the possibility of accomplishing the same objectives with a special permit.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Jack Roche: 3829 Medical Parkway	FOR
Tocker & Gerhardt Bldg. & Equip. Co.: 3814 Medical Parkway	FOR
Lena L. Pickle: 3904 Bailey Lane	FOR

C14-74-096 H. C. Carter, Jr., Trustee--Contd.

John R. Crawford: 2006 Leberman Lane

FOR

Mary Frances Tullos: 3811 Bailey Lane

FOR

Rod Hines, Realtor: P. O. Box 5251

FOR

PERSONS APPEARING

Bill Scudder (representing applicant)

W. T. Flynn: 600 West 26th Street

NO OPINION

COMMITTEE ACTION:

Members reviewed the request and recommended to continue the hearing at the July Planning Commission meeting.

AYE: Messrs. Bobbitt, Everett and Washington.
Mmes. Himmelblau and Mather

COMMISSION ACTION:

The applicant indicated he would agree to a special permit but did not want to withdraw his zoning request until after the request for a special permit was heard. The staff reported they were agreeable to hearing the special permit and also recommended that the vacated alley be rezoned to conform to the present "LR" Local Retail and "O" Office boundaries. Members reviewed the information presented and were in agreement with the staff's recommendation.

COMMISSION VOTE:

To POSTPONE indefinitely the request of H. C. Carter, Jr., for a zoning change from "A" Residence, First Height and Area, "O" Office, First Height and Area and "LR" Local Retail, First Height and Area to "LR" Local Retail, First Height and Area on property located at 1200-1206 West 38th Street and 1201-1209 West 39th Street; and to GRANT "LR" Local Retail, First Height and Area and "O" Office, First Height and Area on the vacated alley to conform to the existing boundaries of "LR" Local Retail and "O" Office zoning.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

C14-74-097 Alvin J. Ricles: A, 1st to GR, 1st
6023-6205 South I. H. 35

STAFF REPORT:

This property is located in south Austin on the east side of I. H. 35.
It is surrounded by undeveloped land. Last month the Commission recommended "GR" General Retail and "LR" Local Retail on the tract west of I.H. 35.

STAFF RECOMMENDATION:

That this case be granted as compatible with this area.

CITIZEN COMMUNICATION (SOUTH AUSTIN NEIGHBORHOODS EAST)

WRITTEN COMMENT

Sylvion Kivlin: 705 Vanguard

FOR

PERSONS APPEARING

Alvin J. Ricles (applicant)

COMMITTEE ACTION:

Members reviewed the information presented. Ms. Mather inquired as to whether or not all property along I. H. 35 will be "GR" General Retail. The staff pointed out that so far "GR" had been granted. Mr. Washington expressed concern about a setback along the highway. The staff pointed out that all development would require a 25-foot setback the same as any other street. Members then recommended that this request be granted.

AYE: Messrs. Bobbitt, Everett and Washington.
 Mmes. Himmelblau and Mather

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To recommend that the request of Alvin J. Ricles for a zoning change from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area on property located at 6023-6205 South I. H. 35 be GRANTED.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
 Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

C14-74-098 The Most Rev. Vincent M. Harris: A, 1st to B, 1st
 3104-3108 Edgedale Drive
 5900-5908 Reicher Drive

STAFF REPORT:

This property is located in a northeast Austin residential neighborhood at the intersection of a minor collector street and a minor residential street. Parking for the church across the street is the stated purpose for this zoning request. A school and convent are also located on the church property. Pecan Springs Elementary School is located approximately 250 feet to the southeast. Two vacant tracts are adjacent to the subject tract; one to the north, the other to the south.

Churches and church parking are allowed uses in "A" Residence. A zoning change is required because the proposed parking is across the street and is non-required parking. A subdivision is needed prior to development.

STAFF RECOMMENDATION:

That this case be denied as an intrusion into the neighborhood.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Gerald D. Rotter: 603 Beard Ave., APO, S.F. Calif.	FOR
Cliff M. Collins: U.T. College of Eng.	AGAINST

PERSONS APPEARING

John Selman (representing applicant)	
Ed Hevelka	FOR
P. E. Casey	FOR

COMMITTEE ACTION:

The applicant indicated that he would place a restrictive covenant limiting the tract to church parking and playground and that if the property were ever sold or used for any other purpose it would revert back to "A" Residence. Mr. Washington stated that a parking lot would be advantageous to the neighborhood. Mr. Bobbitt stated that he was usually opposed to parking lots but was in favor of this one due to the factors involved. Members recommended that this request be denied but that "B" Residence, First Height and Area be granted except on 25 feet on the west boundary which is to remain "A" Residence, First Height and Area, subject to a restrictive covenant limiting the use to parking and playground for the church only; with a provision that zoning would be rolled back to "A" Residence, First Height and Area if the property is sold or used for any other purpose; and no curb cuts on Edgedale Drive.

AYE: Messrs. Bobbitt, Everett and Washington.
 Mmes. Himmelblau and Mather

C14-74-098 The Most Rev. Vincent M. Harris--Contd.

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To recommend that the request of The Most Rev. Vincent M. Harris for a zoning change from "A" Residence, First Height and Area to "B" Residence, First Height and Area on property located at 3104-3108 Edgedale Drive and 5900-5908 Reicher Drive be DENIED but that "B" Residence, First Height and Area be GRANTED except on the 25 feet on the west boundary which is to remain "A" Residence, First Height and Area, subject to a restrictive covenant limiting the use to parking and playground for the church only; with a provision that zoning would be rolled back to "A" Residence, First Height and Area if the property is sold or used for any other purpose; and subject to no curb cuts on Edgedale Drive.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.

 Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

C14-74-099 Winnie Brooks, et al: A, 1st to O, 1st
 3716-3818 Garden Villa Lane
 1000-1116 Banister Lane

STAFF REPORT:

This tract is located in south Austin. It borders a minor collector street, a minor residential street and a railroad track. A major arterial street is planned on the westernmost 70 feet of this tract. This arterial is proposed to link Outer Loop (William Cannon Drive) to Oltorf Street and will be designed to provide access to existing and proposed residential development in the area. Subject tract slopes down from Garden Villa Lane to the tracks and a drainage ditch on the western boundary. A residential neighborhood with substandard residential streets is located to the north and east of this tract. The land to the south is zoned "GR" General Retail with a temporary "C" Commercial designation to be used for the sale of mobile homes only. The land to the west is developing with apartments.

The staff recommends three zoning designations for this eight-acre tract. The "BB" apartment district is recommended for the interior portion fronting the proposed arterial, "O" Office along Banister Lane, and "A" Residence along Garden Villa Lane. This will restrict access to the future apartments from the low-density residential neighborhood with substandard streets.

C14-74-099 Winnie Brooks, et al--Contd.

The "BB" recommended is consistent with the zoning to the west, and the "O" zoning is an appropriate buffer between the "BB" and the retail-commercial use to the south.

STAFF RECOMMENDATION:

That "O" Office be granted on the southern 173.5 feet fronting Banister Lane, "A" Residence be granted on the eastern 130 feet fronting Garden Villa Lane down to the recommended "O" Office, and that "BB" Residence be granted on the remainder of the tract, subject to one-half the right-of-way, five feet, needed to increase Garden Villa Lane from 40 to 50 feet, 70 feet of right-of-way for the proposed arterial, and one-half the right-of-way, ten feet, needed to increase Banister Lane from 50 to 60 feet. If "BB" Residence zoning is granted along Garden Villa, an additional five feet of right-of-way will be needed.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Lattie Pearl Jennings: 3806 Garden Villa Lane	FOR
J. A. Jackson: 8230 Bolin Drive	FOR
Mrs. Winifred Callan: 3801 Garden Villa Lane	FOR
John T. Waugh: P. O. Box 2905	FOR

PERSONS APPEARING

U. F. Jackson (representing applicant)

COMMITTEE ACTION:

The applicant requested the Committee consider "BB" Residence on all of the property if he would provide access to Garden Villa Lane. The Committee felt that "A" Residence should be retained on Garden Villa Lane. Members reviewed the information presented and were in agreement with the staff's recommendation. The Committee recommended that this request be denied but that "O" Office, First Height and Area be granted on the southern 173.5 feet fronting Banister Lane; "A" Residence, First Height and Area on the eastern 130 feet front Garden Villa Lane down to the recommended "O" Office; and "BB" Residence, First Height and Area on the remainder of the tract, subject to one-half the right-of-way (five feet) to increase Garden Villa Lane from 40 to 50 feet; 70 feet of right-of-way for the proposed arterial; and the remainder of right-of-way (ten feet) to increase Banister Lane from 50 to 60 feet.

AYE: Messrs. Bobbitt, Everett and Washington.
Mmes. Himmelblau and Mather

C14-74-099 Winnie Brooks, et al--Contd.

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To recommend that the request of Winnie Brooks, et al, for a zoning change from "A" Residence, First Height and Area to "O" Office, First Height and Area on property located at 3716-3818 Garden Villa Lane and 1000-1116 Banister Lane be DENIED but that "O" Office, First Height and Area be GRANTED on the southern 173.5 feet fronting Banister Lane; "A" Residence, First Height and Area on the eastern 130 feet fronting Garden Villa Lane down to the recommended "O" Office, First Height and Area; and "BB" Residence, First Height and Area on the remainder of the tract, subject to one-half the right-of-way (five feet) to increase Garden Villa Lane from 40 to 50 feet; 70 feet of right-of-way for the proposed arterial; the remainder of right-of-way (ten feet) to increase Banister Lane from 50 to 60 feet.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

PLANNED UNIT DEVELOPMENT

C814-72-014 Clarke-Frates Corporation: Revision to a Portion of a
Mesa Drive and Myrick Drive previously approved PUD

STAFF REPORT:

This is an application for a revision to a Planned Unit Development approved on January 4, 1973. The PUD site is divided into two tracts by Mesa Drive (14.9 acres west of Mesa Drive and 8.7 acres east of Mesa Drive) with a density of 6.5 units per acre.

The applicant has received approval of two final subdivisions out of the southern portion of the 14.9-acre site west of Mesa Drive and wishes to amend the remaining portion of this site by eliminating the public street along the northern boundary and adding five dwelling units for a revised density of 6.4 units per acre.

In 1972, a preliminary subdivision was submitted on 41.6 acres which included this PUD site. At that time the staff recommended that the public street shown extending west from Mesa Drive be provided for access and circulation. In addition, the subdivision ordinance requires a maximum block length of 1,200 feet. The distance from Burney Drive to Spicewood Springs Road varies from 1,600 feet to about 1,900 feet. Therefore, this street was recommended by the staff to provide the proper block length.

C814-72-014 Clarke-Frates Corporation--Contd.

The Planning Commission approved the preliminary subdivision, deleting the recommended east-west street.

In 1973, the Austin Independent School District was negotiating with the owner of the tract of land to the west for a school site. In connection with the school site it was agreed between the School District and Clark-Frates that this east-west street would be provided for access.

At this time the school site is no longer being considered at this location and Clark-Frates Corp. is asking that the public street be deleted from the approved preliminary PUD subdivision.

STAFF RECOMMENDATION:

The staff feels the existing and proposed land use has not changed from the time of the preliminary subdivision application in 1972 and therefore, would still recommend that the east-west public street be provided.

If the Commission wishes to not require the public street, the staff would recommend the approval of the revised PUD plan, subject to departmental requirements and granting a variance to maximum block length requirements.

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

Dr. & Mrs. Terry M. Collier: 7707 Shadyrock Drive	AGAINST
Hubert A. Henry: 7603 Shadyrock Drive	AGAINST
Roy Thomas Clark, Jr.: 7711 Shadyrock Drive	AGAINST

PERSONS APPEARING

Ralph W. Harris (representing applicant)	
Newell Boughton (representing applicant)	
Woodrow Sledge (AISD)	FOR
Charles F. Stahl: 3637 Farwest Boulevard	FOR
William R. Byrd: 4104 Burnby Drive	AGAINST
Paul Hickie	AGAINST
Hymie Delgado	AGAINST
Norman R. Haertig: 7108 Sungate Drive	AGAINST

COMMITTEE ACTION:

Members reviewed the information presented. Ms. Himmelblau inquired about the staff's reasoning on requiring the street. The staff reported that their reason for requiring the street is because of the block length between Burney Drive and Spicewood Springs Road. Mr. Everett questioned proper fire protection if the street were deleted. Ms. Himmelblau questioned the advisability of requiring a cul-de-sac. Ms. Mather stated she saw no need of putting in the street before the adjoining owner's property is developed. She stated the revised plan looked more pleasing to her than the original plan. A majority of the members recommended to approve the revised site plan subject to departmental requirements.

AYE: Messrs. Bobbitt and Washington.
Mmes. Himmelblau and Mather
NAY: Mr. Everett

FOR

C14p-74-017 Mark Kothmann Enterprises, Inc.--Contd.

COMMITTEE ACTION:

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

AYE: Messrs. Bobbitt, Everett and Washington.
 Mmes. Himmelblau and Mather

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To POSTPONE the request of Mark Kothmann Enterprises, Inc. for a special permit for the addition of a second-story game room to an existing lounge with current provisions for 240 patron seats on property located at 1523-1525 Tinnin Ford Road.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
 Mmes. Himmelblau and Mather
ABSENT: Messrs. Everett, Juarez and Nash

C14p-74-020 Ben Barton Smylie: A Tavern for 24 Patron Seats
 600 West 19th Street
 1900 Nueces Street

STAFF REPORT:

This application has been filed as required under Section 45-24.1, 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 tavern for 24 patron seats to be located in the existing building at the northwest corner of 19th Street and Nueces Street. The applicant proposes to remodel only the interior of the structure for his purposes. The zoning on the site is "C" Commercial, First Height and Area with a current application for "C-2" Commercial zoning.

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 Board of Adjustment approval of a variance to ordinance parking requirements.

CITIZEN COMMUNICATION (SAVE UNIVERSITY NEIGHBORHOODS)

WRITTEN COMMENT

Walter Wukasch: 2703 Moonlight Bend
Larry Neimann
Mr. & Mrs. P. Albert Washer: 1912 Nueces Street

FOR
FOR
AGAINST

C14p-74-020 Ben Barton Smylie--Contd.

PERSONS APPEARING

Ben Smylie (applicant)	
Shirley Birch: 1902 Nueces Street	AGAINST
Burt Lawrence: 1902 Nueces Street	AGAINST
Charles Harrison Childers: 1904 Nueces Street	AGAINST
Mike Mahone (SAVE UNIVERSITY NEIGHBORHOODS)	AGAINST

COMMITTEE ACTION:

Members reviewed the information presented and a majority recommended that this request be approved, subject to compliance with departmental requirements and subject to the Board of Adjustment granting a variance to the ordinance parking requirements.

AYE: Messrs. Bobbitt, Everett and Washington.
Ms. Himmelblau
NAY: Ms. Mather

COMMISSION ACTION:

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

COMMISSION VOTE:

To APPROVE the request of Ben Barton Smylie for a special permit for a tavern for 24 patron seats on property located at 600 West 19th Street and 1900 Nueces Street, subject to departmental requirements as on file with the City of Austin Planning Department and subject to the Board of Adjustment granting a variance to the ordinance parking requirements, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Ms. Himmelblau
NAY: Ms. Mather
ABSENT: Messrs. Everett, Juarez and Nash

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-74-025 Mrs. Daniel Patrick Matthews: Day Care Center for 23 Children
615 Clifford Street

STAFF REPORT:

This application has been filed 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 applica-

C14p-74-025 Mrs. Daniel Patrick Matthews--Contd.

tion for a day care facility for 23 children in an "A" Residence-zoned property located at 615 Clifford Street which is a dead-end street approximately 550 feet long. Mrs. Daniel Patrick Matthews, the applicant, lives at 613 Clifford Street, next door to the proposed day care facility.

STAFF RECOMMENDATION:

Based on minimum ordinance requirements, the staff recommends approval of this application, subject to compliance with departmental requirements as on file with the City of Austin Planning Department. This proposed operation is not an accessory use as defined by ordinance because the operator of the facility does not reside at the location. The Commission may want to consider the appropriateness of this commercial-type operation in a primarily residential neighborhood.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Mr. & Mrs. Cecil L. Braswell: 608 Clifford Street AGAINST

PERSONS APPEARING

Mrs. D. P. Mathews (applicant)

Elizabeth Wagner (applicant)

COMMITTEE ACTION:

Members reviewed the information presented. Mr. Washington questioned the State Welfare Department's comment that the applicant had not applied for a license to operate a child care center. The staff pointed out that at the time this special permit application was submitted, the Welfare Department had not received an application. The Welfare Department has now received an application and they have notified the Planning Department that the applicant can meet their requirements. Ms. Himmelblau inquired about the number of bathrooms required. Ms. Mather stated that she felt the house and lot is too small for the proposed number of children and that the street is too narrow to carry the traffic that will be generated. Ms. Himmelblau was in agreement and also stated she would not like to see commercial-type day care usage in a residential area. A majority of the members recommended that this request be approved.

AYE: Messrs. Bobbitt, Everett and Washington.

NAY: Mmes. Himmelblau and Mather

COMMISSION ACTION:

Members reviewed the information presented. Ms. Mather stated opposition to this case because of the location on a dead-end street and also because the house was very small for this number of children. Ms. Himmelblau expressed opposition because the street does not end in a cul-de-sac. Mr. Hetherly stated he could vote for this request since there was very little neighborhood opposition.

• Cl4p-74-025 Mrs. Daniel Patrick Matthews--Contd.

COMMISSION VOTE:

To APPROVE the request of Mrs. Daniel Patrick Matthews for a special permit for a day care center for 23 children on property located at 615 Clifford 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. Hetherly, Bobbitt, Ramsey and Washington.

NAY: Mmes. Himmelblau and Mather

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

Cl4p-74-026 Jagger Associates, Inc.: 280-Unit Apartment Project Called
2901 Barton Skyway "The Woods"

STAFF REPORT:

This application has been filed as required under Section 45-18, Sub-Section (g), Paragraph (6) 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 an apartment dwelling group located on 12.95 acres of land located at the northwest corner of Barton Skyway and Spyglass Drive.

An application for "BB" Residence, First Height and Area is pending on this tract. The density proposed is 21.6 units per acre. The applicant proposes six three-story buildings and 19 two-story buildings with 87 one-bedroom, 75 one-bedroom-study, 101 two-bedroom, 11 one-bedroom-den, and six three-bedroom apartments. However, for ordinance purposes the one-bedroom-study and one-bedroom-den units must be considered as two-bedroom units. This would require an additional 32 parking spaces.

Amenities proposed include a recreation building and a swimming pool.

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

None

C14p-74-026 Jagger Associates, Inc.--Contd.

PERSONS APPEARING

Sid Jagger (applicant)
Joe Radell

AGAINST

COMMITTEE ACTION:

The applicant expressed opposition to the sidewalk requirement on Spyglass Drive, stating that the subdivision which has been approved has sidewalks required on the other side of the street. Mmes. Himmelblau and Mather expressed concern that there were no comments from Environmental Resource Management nor the Engineering Department concerning the creek ordinance. Mr. Everett expressed concern that building 1, 10, 11, 25, 26 and 34 were located within the draw and could be damaged during high water. Members agreed that ordinance requirements would have to be met before final approval is given and the Commission will have the final action. Members recommended that this request be approved, subject to departmental requirements and that the Engineering Department and Office of Environmental Resource Management give particular attention to the drainage on the entire site in relation to Barton Creek.

AYE: Messrs. Bobbitt, Everett and Washington.
Mmes. Himmelblau and Mather

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To APPROVE the request of Jagger Associates, Inc. for a special permit for the construction of a 280-unit apartment project called "The Woods" on property located at 2901 Barton Skyway, 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. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

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-74-027 Mary Alice Rivera: Day Care Center for 12 Children
 3308 Bengston Street

STAFF REPORT:

The applicant has requested that this case be withdrawn.

CITIZEN COMMUNICATION (CONCERNED CITIZENS OF EAST AUSTIN)

WRITTEN COMMENT

None

PERSONS APPEARING

None

COMMITTEE ACTION:

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

AYE: Messrs. Bobbitt, Everett and Washington.
 Mmes. Himmelblau and Mather

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To WITHDRAW the request of Mary Alice Rivera for a special permit for a day care center for 12 children on property located at 3308 Bengston Street.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington
 Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

STREET VACATIONS

C10v-74-007 Provident Company
 Portion of Dittmar Road and Lunar Drive

STAFF REPORT:

This is a request by Billy F. Priest for Provident Development Co., Inc. to vacate a portion of Dittmar Road and Lunar Drive. The applicant has indicated that a better street alignment can be obtained by moving the north line of Dittmar Road in a southerly direction and will also provide a better intersection with Peaceful Hill Lane which will be relocated by a proposed subdivision. Also, a 36" pecan tree exists in the present right-of-way. Vacation of the proposed section will allow this tree to remain.

C10v-74-007 Provident Company--Contd.

STAFF RECOMMENDATION:

That this request be approved, subject to retention of easements.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

None

COMMISSION ACTION:

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

COMMISSION VOTE:

To recommend that the request of Provident Development Company, Inc. for vacation of a portion of Dittmar Road and Lunar Drive be APPROVED, subject to retention of easements.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
 Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

MASTER PLAN AMENDMENTS.

C2a-74-2 Amendment to the Austin Development Plan
 Columbia Scientific Industries
 Request for change from Suburban Residential to
 Planned Development Area on property located
 at Old U. S. 183 bounded on the north by Oak
 Forest Estates Subdivision and on the west by
 an unnamed road, on the south by Q Ranch Road
 and on the east by Old U. S. Highway 183

STAFF REPORT:

This is an area of approximately 25.5 acres requested for Columbia Scientific Industries by R. T. Mayfield for a change in the land use designation from Suburban Residential to Planned Development Area. The request is located northwest of Austin on old U. S. Highway 183; it is bounded on the north by Oak Forest subdivision; on the west by an unnamed road; on the south by Q Ranch Road and on the east by the right-of-way line of old U. S. Highway 183.

C2a-74-2 Columbia Scientific Industries--Contd.

A site plan with accompanying building plans for the first phase has been submitted for review and comment. The Columbia Scientific Industries construction program of the company has a critical time factor; therefore, the processing schedule for amendments has been adjusted to expedite this review. The existing facility, located on Ed Bluestein Boulevard, has been acquired by Motorola Corporation, and Columbia Scientific Industries is seeking to relocate at this location. Inspection of the site is limited because of the heavy stand of trees; however, a large open area is located toward the south and eastern sector of the site near the existing residential structure, plus the area prepared for new building location.

The firm, Columbia Scientific Industries, will use the plant for research and development, engineering, and manufacturing of audio/audio-visual electronic instruments. It designs, develops and assembles electronic circuits to produce functional electronic instrumentation. Dr. Morgan indicated the maximum number of employees would be in the range of 100. However, at the present time the work force is considerably less than that number. He indicated there would be no outside storage and that the articles produced are small, thus only generating light truck traffic. It was indicated that approximately two trucks a day might use the dock facilities.

The surrounding area is developed in general as predominantly residential. This area, including Texas Instruments, was added to the Austin Development Plan in 1973 as Suburban Residential. (However, if proper wastewater treatment facilities were available, Low-Density Residential use densities could be used.) The area immediately adjacent to the site on three sides has developed, or is developing as low-density residential. The old U. S. Highway 183 side has a tavern and a predominantly vacant tract immediately across old U. S. Highway 183 from the site.

The streets and roadways in the area are constructed to county standards. The Oak Forest subdivision has streets paved, curbed and guttered as local residential streets to City standards. A memorandum relating to the easement on the southwest property line or extension of Woodcrest Drive is included in the report. The roadway, thirty feet of right-of-way, is dedicated along the southwest portion of the site. However, the major portion is not dedicated.

When this area was made part of the Austin Development Plan, Texas Instruments and Austin White Lime were the major industrial areas designated. The Planning Commission recommended and the City Council approved that all future sites proposed for industrial activities be approved by the Planning Commission and City Council.

C2a-74-2 Columbia Scientific Industries--Contd.

There were two requests for industrial development in 1969 and 1971. One fronting on new U. S. Highway 183 was granted and the request fronting on old U. S. Highway 183 was approved, subject to a time limit. There are several industrial operations along old U. S. 183 that are non-conforming in relation to the plan.

DEPARTMENTAL COMMENTS:

Public Works:

No objection

Electric Department:

No objection

Urban Transportation
Department:

Existing right-of-way on old U.S.
183 is sufficient.

Proposed alignment of Spicewood Springs
Road is near this area. This should
be checked and resolved before final
approval is granted.

Environmental Resource
Management:

1. Buffer zone on west side is good, but in contract we should bind them not to sell it, to leave it in its natural state, and not to build on it.
2. Perhaps a buffer of either natural foliage or landscaped vegetation should also be required on the southern property line. There is no development there, but the land is for sale. If it is developed as residential, a buffer would certainly help, especially since parking and service docks are located on this side. The buffer would not have to be too wide; maybe as little as 15-20 feet. A visual break would be nice, though.
3. What is planned for the rest of the property? The present plans refer only to the southwest corner, and I am sure they do not intend to expand to cover the whole thing. If additional electronics firms are planned, buffering, etc. should be extended to them.

C2a-74-2

Columbia Scientific Industries--Contd.

4. The loading docks are on the south side, but are not indicated on the site plan. Obviously, such docks and approaches will have to be paved, and should be indicated on the site plan.
5. Truck access - can we guarantee that they go on U. S. 183 and not on residential streets? Frequency of use/number of trucks?
6. Will the plant operate at night?

Water and Wastewater

Water and wastewater service at this time will be marginal to the proposed development.

It is anticipated, however, that adequate water service will be assured upon completion of the Jollyville Reservoir Feeder Main now under construction. It is anticipated this project will be completed by the summer of 1975.

Adequate wastewater service will require completion of the Bull Creek Wastewater Interceptor and Bull Creek Wastewater Interceptor (Lateral A). It is anticipated this work will be completed during the 1977-1978 fiscal year.

Austin-Travis County
Health Department:

We shall have no objection to the change of land use for the construction of this manufacturing plant with the following provisions:

1. Connection must be made to water and wastewater systems of the City of Austin.
2. Discharge of smoke, dust and fumes must meet Texas Air Control Board standards.
3. License must be secured for the use of isotopes which is under the supervision of the State Department of Health.

Building Inspection
Department:

1. The proposed facility is presently outside the city limits; therefore, zoning and building codes would not be applicable. However, all plumbing, electrical and heating and air-conditioning codes must be complied with.

C2a-74-2 Columbia Scientific Industries--Contd.

2. If located inside the city limits, the facility would require "DL" Light Industrial zoning and a minimum of at least one paved off-street parking space for each 1,000 square feet of gross floor area.

Engineering Department:

No apparent drainage problems.

Additional Staff Comments:

The northwest area on U. S. Highway 183 does have some water volume problems. The City is building a 10 million gallon reservoir in this area and will be able to serve both residential and non-residential uses by the summer of 1975. This proposed 25-acre tract could be developed with 75 residential dwelling units with a demand of over one million gallons of water per day. Columbia Scientific Industries uses approximately 60,000 to 70,000 gallons of water per day, primarily for restroom facilities and some irrigation of their lawn. Another consideration is the fact that the proposed structure will not be ready for occupancy until February and will occur during the four-month time period when water usage is not at a peak; therefore, we do not feel this development will create a serious problem.

STAFF RECOMMENDATION:

The Planning Commission has stated on several occasions that the land between the old and new U. S. Highway 183 be designated for General Retail and Commercial uses, and all industrial activities have been severely limited. The vacant site located across the entrance from Texas Instruments was considered to be a more desirable location for the proposed plant site but this site was not economically feasible for the industry. The staff, therefore, recommended the firm use the Planned Development Area with its contract and restrictions as their approach. There are certain conditions that must be met by the firm in order to locate within an area where such large-scale residential development commitments have been made.

Therefore, the staff recommends the approval of the Planned Development Area, subject to the following conditions:

1. The entry and exit for the plan be located on old U.S. 183 with no access to the county road.
2. That the parking and docking area be relocated between the proposed buildings or a berm or appropriate opaque screening be provided.
3. That the heavily wooded area on the western portion of the site be maintained as a buffer for the developing residential subdivision to the west.

C2a-74-2

Columbia Scientific Industries--Contd.

4. That the alleyway or county road along the south property line ultimately be closed, with the understanding that Woodcrest Drive will be relocated southerly toward Q Ranch Road.
5. That occupancy of the plant will be such that it will not overload the water system.
6. That the plant be connected to the existing wastewater system as outlined in the S. A. Garza Report.
7. That the site plan indicate to scale the location and design of the parking and docking area.
8. Where appropriate these conditions should be made a part of the Planned Development Area contract.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

Dr. Lon Morgan (representing applicant)

R. T. Mayfield (representing applicant)

Glenn Durham

Pat Mullen

Larry Gravelle

FOR

AGAINST

AGAINST

COMMISSION ACTION:

Members reviewed the information presented and were in agreement that the proposed use would not be detrimental to the surrounding neighborhoods. The Committee suggested that the applicant meet with the neighbors to work out any problems they may have. Ms. Mather expressed some concern about the building being visible to the neighbors, but it was pointed out that there was a 200-foot setback and that the area is heavily wooded. Members then recommended that this request be granted, subject to departmental requirements.

COMMISSION VOTE:

To recommend that the request of Columbia Scientific Industries for an amendment to the Austin Development Plan from Suburban Residential to Planned Development Area on property located at old U. S. Highway 183, bounded on the north by Oak Forest Estates subdivision and on the west by an unnamed road, on the south by Q Ranch Road and on the east by old U. S. Highway 183 be APPROVED, subject to compliance with departmental requirements as on file with the City of Austin Planning Department.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.

Ms. Mather

ABSTAIN: Ms. Himmelblau

ABSENT: Messrs. Everett, Juarez and Nash

PUBLIC HEARINGS

C14-74-084	Urban Renewal Agency of the City of Austin:	A, 1st to B, 1st
	2900-2910 Glen Oaks Drive (Conway Street)	(as amended)
	900-1006 Neal Street	(Original Request:
	3001-3005 Hargrave Street	A, 1st to O, 1st)
	1001-1011 Pleasant Valley Road	

STAFF REPORT:

Mr. Lillie reported that this zoning case, along with a request for an amendment to the Glen Oaks Urban Renewal Plan, was postponed from last month's meeting to allow the applicant to amend his request to "B" Residence, First Height and Area with a restrictive covenant limiting the use to a nursing home.

STAFF RECOMMENDATION:

That this case be granted, as amended, to include the restrictive covenant limiting the use to a nursing home.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

Paul Jones (representing applicant)

Leon Lurie (representing applicant)

Mrs. M. F. Robinson: 2903 Glen Rae Street

AGAINST

Oddies & Julia Revada: 3011 Glen Rae Street

AGAINST

John B & Viola Wilson: 3001 Glen Rae Street

AGAINST

Mrs. Olenka E. Davis Emery: E. Austin Sta. B6112

AGAINST

Mrs. Hazel Nixon: 3007 Kuhlman Avenue

AGAINST

COMMISSION ACTION:

Members reviewed the information presented. Ms. Mather inquired about why the neighbors had not been contacted. Mr. Lurie pointed out that an effort had been made to contact the neighbors and very little opposition was expressed. Mr. Washington stated he was under the impression that the property west of the subject property was to be used as an extension of Rosewood Park. Mr. Lurie stated that Urban Renewal has created the park on the area from new Niles Street to the creek and railroad tracks which has now been dedicated and is being maintained by the Parks and Recreation Department. Ms. Himmelblau inquired about the parking requirements, stating that one of the objections of the neighborhood was the off-street parking by students at the college. It was pointed out that parking requirements under the Urban Renewal Plan would be as restrictive, if not more so, than under City Ordinance. Mr. Bobbitt stated that the school had ample parking space but a charge of 25¢ per car is made by the school. The Commission directed the staff to draft a letter to the school board concerning the parking problem. Mr. Bobbitt stated it would make it easier for him to vote on this case if he had an answer from the school board concerning the parking situation. The applicant indicated he would be willing to postpone the request to allow time to hear from the school board.

C14-74-084 Urban Renewal Agency of the City of Austin--Contd.

COMMISSION VOTE:

To CONTINUE to the Planning Commission meeting of July 23, 1974 the request of the Urban Renewal Agency of the City of Austin for a zoning change from "A" Residence, First Height and Area to "B" Residence, First Height and Area, as amended, on property located at 2900-2910 Glen Oaks Drive (Conway Street), 900-1006 Neal Street, 3001-3005 Hargrave Street and 1001-1011 Pleasant Valley Road.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
 Mmes. Himmelblau and Mather
ABSENT: Messrs. Everett, Juarez and Nash

C5-66-6 Housing and Construction
 Amendment to Glen Oaks Urban Renewal Plan

The staff recommended that the public hearing of this request be continued to the Planning Commission meeting of July 23, 1974 to be heard in conjunction with zoning case #C14-74-084. The Commission then

VOTED: To CONTINUE the public hearing for an amendment to the Glen Oaks Urban Renewal Plan to the Planning Commission meeting of July 23, 1974.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
 Mmes. Himmelblau and Mather
ABSENT: Messrs. Everett, Juarez and Nash

C5-68-4 Housing and Construction
 Amendment to the Brackenridge Urban Renewal Plan

This is a request by the Urban Renewal Agency of the City of Austin for an amendment to the Brackenridge Urban Renewal Plan. Mr. Lillie reported that within the Urban Renewal Plan there is a "B-1" district which is similar to the City's "O" Office district. This "B-1" district requires a 25-foot front building setback line and a 10-foot side building setback line. The current zoning on the tract located on the southeast corner and the one-half block bounded by Sabine Street, Red River Street and 12th Street is "C" Commercial. Under the City Ordinance buildings in these areas can be placed on the property lines. Those areas zoned "LR" Local Retail require a 10-foot setback line. The staff is concerned that a 90-foot structure which could be allowed on the smaller tract and a 200-foot structure on the south portion of the block would tend to crowd the street, especially in the area approaching the Capitol complex and the creek area.

C5-68-4 Housing and Construction--Contd.

Mr. Lurie, of the Urban Renewal Agency, explained that the terrain of this property creates a problem, and in order to utilize the property, an architectural firm has attempted to design a building with the required parking area that would be economically feasible. However, they have been unable to do so with the present restrictions. Such a building could be designed if they are allowed to build on the property line on Red River Street and also if they could use the City's parking requirements of one parking space for each 300 square feet of floor area rather than the more restrictive Urban Renewal requirements of one parking space for each 200 square feet of floor space.

Members reviewed the information and agreed that it would be more appropriate to review each specific request rather than granting a blanket amendment to the setback requirements. The applicant agreed to submit the plans to the Commission for their consideration.

COMMISSION VOTE:

To POSTPONE to the Planning Commission meeting of July 23, 1974 the request of the Urban Renewal Agency of the City of Austin for an amendment to the Brackenridge Urban Renewal Plan for consideration of minimum setback requirements.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
 Mmes. Himmelblau and Mather
ABSENT: Messrs. Everett, Juarez and Nash

The Commission then

VOTED: To APPROVE the request of the Urban Renewal Agency of the City of Austin for an amendment to the Brackenridge Urban Renewal Plan on the off-street parking requirements as follows: one (1) off-street parking space for each three hundred (300) square feet of gross floor area in the building.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
 Mmes. Himmelblau and Mather
ABSENT: Messrs. Everett, Juarez and Nash

PUBLIC HEARINGS--Contd.

R800

Subdivision

Recommend postponement of hearing to August meeting on extension of urban standards to all areas within the five-mile extraterritorial jurisdiction and set a public hearing for August on regulations relating to application of Federal Flood Insurance requirements, Subdivision Ordinance, Chapter 41 of the City Code

Mr. Lillie suggested that the Commission set a public hearing at the August 13, 1974 Planning Commission meeting to consider amending the subdivision ordinance to extend urban standards to all areas within the five mile extraterritorial jurisdiction. He suggested that a work session be held in order to better prepare themselves on this matter.

COMMISSION ACTION:

Members reviewed the information and agreed that a work session would be necessary. A work session will be scheduled by the Chairman of the Planning Commission.

COMMISSION VOTE:

To SET A PUBLIC HEARING for August 13, 1974 to consider amending the subdivision ordinance to extend urban standards to all areas within the five mile extraterritorial jurisdiction.

AYE: Messrs. Hetherly, Bobbitt and Washington.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash. Mr. Ramsey (out of room)

C8-74-037

Sunrise Acres

Preliminary consideration, review and consideration of a variance on septic tank requirements

The staff reported that the applicant's engineer had requested that this hearing be postponed to the July 23, 1974 Planning Commission meeting.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

None

COMMISSION ACTION:

Members reviewed the request and were in agreement with the applicant's request.

C8-74-037 Sunrise Acres--Contd.

COMMISSION VOTE:

To POSTPONE to the July 23, 1974 Planning Commission the request of Sunrise Acres for consideration of a variance on septic tank requirements.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
 Mmes. Himmelblau and Mather
ABSENT: Messrs. Everett, Juarez and Nash.

OTHER BUSINESS

C14p-67-015 Lake Trace Apartments

Request by Mr. Robert J. Romines for consideration of a proposed revision to Lake Trace Apartments to allow a day care facility for 70 children

STAFF REPORT:

This is a request by Robert J. Romines for Lake Trace Apartments for a revision to this apartment complex. The applicant proposes to use four apartments in the southeast corner of building No. 9 for a day care facility for 70 children. The applicant also agrees to delete one parking space and landscape this space to provide a walkway for the children. The applicant stated he is willing to relocate within the complex any tenant who disagrees with the location of the day care center. The staff recommends approval of this request.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

Robert Romines (applicant)

COMMISSION ACTION:

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

COMMISSION VOTE:

To APPROVE the request of Lake Trace Apartments for an amendment to a previously approved special permit to include a day care facility for 70 children on property located between Elmont Drive and Lakeshore Drive, east of Tinnen Ford Road, subject to compliance with departmental requirements as on file with the City of Austin Planning Department.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
 Mmes. Himmelblau and Mather
ABSENT: Messrs. Everett, Juarez and Nash

C814-73-012 Timberline Townhouses: 121 Two-bedroom Units
Request by Baker Crow Company for consideration
of proposed revision to a portion of a previously
approved Planned Unit Development

STAFF REPORT:

This is a request for approval of a revision to a previously approved Planned Unit Development on 12.68 acres for construction of 55 townhouse units and 66 condominium units. The current property owner, Baker Crow Company, proposes the following changes:

1. reduce the number of condominium units from 66 to 64
2. use of two-story and three-story units instead of three-story units
3. increase building coverage on project due to use of predominantly two-story units
4. relocation and re-orientation of units and driveways
5. increase in recreation facilities

STAFF RECOMMENDATION:

That this request be approved, subject to departmental requirements as on file with the City of Austin Planning Department.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

Maury Hood (representing applicant)
Roy Smirl (representing applicant)
Joe Radell
Mike Domgen

AGAINST
AGAINST

COMMISSION ACTION:

Members reviewed the information presented. Ms. Mather stated she thought the revised plan was better than the original, but that it is still too dense for a development along Barton Creek. She stated she would like to see a deeper setback and also had rather see all three-story units along the bluff line rather than two- and three-story units. Ms. Himmelblau expressed concern about the run-off and stated she would recommend that the grease and debris traps be required as well as the 25-foot setback. Also, she stated that she would like to see the fence or guard rail be inside the 25-foot setback. Ms. Himmelblau stated that the new plan looked as if it would create more run-off than the original plan. Mr. Hetherly commented that the only major change is that the plan allows the eleven units to be moved closer to the bluff line. He stated that he felt the 25-foot setback from the bluff line should be maintained. He also stated that the revised plan called for less asphalt than the original plan. It was pointed out that a development permit would be required since this development is located on Barton Creek. Members then recommended that this request be approved.

C814-73-012 Timberline Townhouses--Contd.

COMMISSION VOTE:

To APPROVE the request of Baker Crow Company for a revision to Timberline Townhouses, a previously approved Planned Unit Development, subject to compliance with departmental requirements as on file with the City of Austin Planning Department except the Environmental Resource Management's requirements where modified as follows:

1. A non-development easement a minimum of 25 feet wide measured from the bluff line as delineated on the plans be reviewed. This would include not allowing any type of fencing.
2. Grease or debris traps should be installed in the parking lot to filter all storm water run-off flowing to Barton Creek.

AYE: Messrs. Bobbitt, Ramsey and Washington.

Mmes. Himmelblau and Mather

NAY: Mr. Hetherly

ABSENT: Messrs. Everett, Juarez and Nash

C2-74-8a Creeks Ordinance

Set a Public Hearing to amend the Creek Ordinance Chapters 29 and 41 of the City Code

Mr. Lille suggested that the Commission set a public hearing at the August 13, 1974 Planning Commission meeting to consider amendments to the Creek Ordinance, Chapters 29 and 41 of the City Code.

COMMISSION ACTION:

Members reviewed the information and agreed to hold a work session prior to the public hearing to better prepare themselves for this hearing. The work session will be scheduled by the Chairman of the Planning Commission.

COMMISSION VOTE:

To SET A PUBLIC HEARING for August 13, 1974 to consider amending the Creek Ordinance, Chapters 29 and 41 of the City Code.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.

Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

C2-74 Minutes

The members then

VOTED: To APPROVE the March 12, 1974 and March 26, 1974 Planning Commission minutes.

AYE: Messrs. Hetherly, Bobbitt and Washington.
 Mmes. Himmelblau and Mather

ABSTAIN: Mr. Ramsey

ABSENT: Messrs. Everett, Juarez and Nash

R105-74 Subdivision Memorandum
 Preliminary, Short Form and Final Subdivisions
 as listed on the Subdivision Memorandum.
 Action to be taken at meeting

FINAL SUBDIVISION PLATS--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 they be approved. The Commission then

VOTED: To APPROVE the following final subdivision plats under the Commission's amended Rules and Regulations:

<u>C8-74-21</u>	<u>Onion Creek, Section II</u>
	South I. H. 35
<u>C8-74-38</u>	<u>Crown Ridge Village, Section Two</u>
	Crown Ridge Path
<u>C8-73-139</u>	<u>Jollyville Estates</u>
	Anderson Mill Road & Villa Park Drive

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
 Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

The Commission then

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

<u>C8-73-62</u>	<u>River Oaks Shopping Center, Section I</u>
	Parmer Lane & Crossfield Place

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
 Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

Final Subdivisions--Contd.

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:

C8-74-34 Lambert Park Subdivision
Lambert Circle & Macmora Road

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following final subdivision plat, pending connection to City of Austin wastewater collection system and pending compliance with departmental requirements as on file with the City of Austin Planning Department:

C814-74-01 Houston Square
Cameron Road

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

The Commission then

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

C814-74-05 Cat Mountain Villas
Lookout Mountain Drive & F. M. 2222

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

The Commission then

Final Subdivisions--Contd.

VOTED: To grant the request to WITHDRAW the following preliminary and final subdivision plat:

C814-72-15 The Village Square
Nuckols Crossing Road & Pleasant Valley Road

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

SHORT FORM SUBDIVISIONS--FILED AND CONSIDERED

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

VOTED: To APPROVE the following short form subdivision plats:

C8s-74-21 NHP Lamar Addition
Lamar Blvd. & Thurmond Dr.
C8s-74-44 Central Freight Lines, Inc. Austin Terminal
St. John's Avenue & I. H. 35
C8s-74-45 1st Resub. Kingsberry Park, Sec. 2
Moses Lane
C8s-74-52 Motorola, Inc.
Ed Bluestein Blvd.
C8s-74-83 Resub. Lot 6, Austin Mall
Middle Fiskville Rd. & Huntland Drive
C8s-73-107 L & H Addition
Wonsley Drive & I. H. 35
C8s-74-113 The Trails Phase 1-A
Ridgeline Drive & Burney Road
C8s-74-114 Resub. Lot 177, Granada Hills
Highway 290 West
C8s-74-116 Coronado Village, Section 1
Coronado Hills Drive
C8s-74-120 Blue Bonnet Garden Annex
U. S. 183 & Burleson Road
C8s-74-124 Evelyn Johnson Addition
Sunshine Drive
C8s-74-128 Medical Park Subdivision #2
W. 38th Street & W. 39th Street
C8s-74-134 Ramsey-Reed Addition
Highway 71
C8s-74-135 Resub. Lot 5, Lanepoint
Purnell Drive & Anderson Lane
C8s-74-136 Resub. Lts. 12 & 13, Blk. C,
Village Oak West
Williamson Creek Drive

Short Form Subdivisions--Contd.

C8s-74-138 3rd Resub. Blk. "A" Windsor Park
Commercial Area
Cameron Road & Broadmoore Drive

AYE: Messrs. Hetherly, Bobbitt, Ramsey & Washington.
 Mmes. Himmelblau and Mather
ABSENT: Messrs. Everett, Juarez and Nash

The Commission then

VOTED: To ACCEPT FOR FILING AND APPROVE the following short form
 subdivision plat and granted a variance to exclude the balance
 of the tract:

C8s-74-25 Brockbent Subdivision Number 2
 East Ben White Boulevard

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
 Mmes. Himmelblau and Mather
ABSENT: Messrs. Everett, Juarez and Nash

The Commission then

VOTED: To APPROVE the request for vacation of the following recorded
 plat, subject to compliance with departmental requirements
 as on file with the City of Austin Planning Department:

C8s-58-72 Buckeye Knoll Subdivision
 Cameron Road

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
 Mmes. Himmelblau and Mather
ABSENT: Messrs. Everett, Juarez and Nash

The Commission then

VOTED: To grant the request to WITHDRAW the following short form
 subdivision plat:

C8s-71-124 Resub. Lots 23-25, Blk. "A" Wooten Park
 Mullin Drive & Wooten Park Drive

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
 Mmes. Himmelblau and Mather
ABSENT: Messrs. Everett, Juarez and Nash

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-74-141</u>	<u>Cedar Glen, 1st Resub. Treetops Neighborhood</u>
	Brook Hollow & Interpid
<u>C8s-74-146</u>	<u>I. H. 35 South Subdivision</u>
	Matagorda St. & Mariposa Drive
<u>C8s-74-147</u>	<u>Resub. Lots 43-50, Blk. A, Indian Hills, Sec. 3</u>
	Branchwood Drive & Lakehurst
<u>C8s-74-149</u>	<u>Pflugerville Land Investment Subdivision</u>
	Weise Lane & Pflugerville Road

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

The Commission then

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

<u>C8s-74-144</u>	<u>Schooner Cove (Lakeway)</u>
	Star Street

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form subdivision plat, pending compliance with departmental requirements as on file with the City of Austin Planning Department and granted a variance on the signature of the adjoining owner:

<u>C8s-74-148</u>	<u>Vaught Ranch</u>
	Vaught Ranch Road

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

Short Form Subdivisions--Contd.

The Commission then


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

<u>C8s-74-142</u>	<u>Resub. Lot #2, Rutland Square</u>
	Rutland Drive & Quail Valley Blvd.
<u>C8s-74-143</u>	<u>Balcones Manor</u>
	Brookwood Road
<u>C8s-74-145</u>	<u>Anken Addition</u>
	Manchaca Road

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

The meeting was adjourned at 11:00 p.m.


Richard Lillie
Executive Secretary