

CITY PLANNING COMMISSION  
Austin, Texas

Regular Meeting--October 8, 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

\*Arrived at 7:20 p.m.

Absent

Rizer Everett  
Philip Juarez  
Charles Nash

Also Present

Richard Lillie, Director of Planning  
Jack Alexander, Assistant Director of Planning  
Charles Graves, Director of Engineering  
Geri Farman, Historic Zoning Administrator  
Don Bird, Assistant City Attorney  
John German, Assistant Director of  
Public Works  
Jim Miller, Community Development Administrator  
Pat Settle, Secretary I

ZONING

The following zoning changes were considered by the Zoning Committee at the meetings of September 30 and October 1, 1974.

Present

\*\*O. P. "Bob" Bobbitt, Chairman  
Betty Himmelblau, Acting Chairman  
\*Rizer Everett  
\*\*Jean Mather  
Charles Nash  
Bennie Washington

Also Present

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

\*Present only on September 30, 1974.

\*\*Present only on October 1, 1974.

C14-74-116 William G. Kemp, et al: Int. A, 1st to DL, 1st  
6110-6310 Johnny Morris Road

STAFF REPORT:

The applicant has requested that this case be postponed.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

None

PERSONS APPEARING

Woodrow Sledge (AISD)

AGAINST

Don Sullivan: 5101 Johnny Morris Road

AGAINST

COMMITTEE ACTION:

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

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

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 William G. Kemp, et al, for a zoning change from Interim "A" Residence, Interim First Height and Area to "DL" Light Industrial, First Height and area on property located at 6110-6310 Johnny Morris Road be POSTPONED 30 DAYS.

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

ABSENT: Messrs. Everett, Juarez, Nash and Ramsey

C14-74-120 John V. Felter: Int. A, 1st to C, 2nd  
5900-6108 Johnny Morris Road

STAFF REPORT:

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

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

None

PERSONS APPEARING

Woodrow Sledge (AISD)

AGAINST

Don Sullivan: 5101 Johnny Morris Road

AGAINST

C14-74-120      John V. Felter--Contd.

COMMITTEE ACTION:

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

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

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 John V. Felter for a zoning change from Interim "A" Residence, Interim First Height and Area to "C" Commercial, Second Height and Area on property located at 5900-6108 Johnny Morris Road be POSTPONED 30 DAYS.

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

C14-74-132      Elmo, Inc.: GR, 1st to C, 1st  
                    200 West Ben White Boulevard

STAFF REPORT:

This tract is located at the intersection of a minor residential street and a one-way-west frontage road in south Austin. Uses and zoning to the west of Wadford Street are residential except for subject tract. The staff feels that the "C" Commercial District should be terminated at Wadford Street due to the influence of the more restrictive zoning and uses to the west.

For many years this area has been designated in the Master Plan for commercial service and semi-industrial uses. However, the area west of Wadford Street has not developed according to the plan. Residential use and poor access have not changed. The area may need to be re-evaluated in the development of a new master plan.

With "C" Commercial zoning to the east, uses permitted by the "C" Commercial District may be developed by means of a special permit. The staff recommends this as an alternative to the zoning because of the site plan review.

STAFF RECOMMENDATION:

That this case be denied as incompatible with the more restrictive zoning and uses west of Wadford Street.

C14-74-132 Elmo, Inc.--Contd.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Camilo & Juanita Cantu: 206 Ben White Boulevard FOR  
Camilo & Gertrude Cantu: 4002 Wadford Street FOR

PERSONS APPEARING

Bailey Elliott (applicant)  
Guy Morgan (applicant)

COMMITTEE ACTION:

Members reviewed the information presented. Ms. Himmelblau stated that she preferred to see a Special Permit requested for this use rather than grant "C" Commercial zoning on the tract. The members recommended that this request be denied.

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

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 Elmo, Inc. for a zoning change from "GR" General Retail, First Height and Area to "C" Commercial, First Height and Area on property located at 200 West Ben White Boulevard be DENIED.

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

ABSENT: Messrs. Everett, Juarez, Nash and Ramsey

C14-74-133 H. N. Sims and Sevie Sims: Int. A, 1st to LR, 1st (as amended)  
602-606 Middle Lane (Original Request: Int. A, 1st to GR, 1st)

STAFF REPORT:

This application is comprised of three residentially-platted lots fronting on a minor residential street in north Austin just west of I. H. 35. A single-family neighborhood lies to the west; commercial zoning and use exist to the north, east and south.

Retail zoning to the east was granted, subject to a privacy fence on the west boundary. Retail zoning was also granted to the south at the intersection of Middle Lane and Capital Drive, subject to no access to Capital Drive and only one curb cut on Middle Lane. That tract is to be combined with the tract fronting I. H. 35 and is to be developed with a motel.

C14-74-133      H. N. Sims and Sevie Sims--Contd.

The conditional retail zoning on Capital Drive is an intrusion into the neighborhood. In order not to stimulate further intrusion, a more restrictive zoning designation should be placed on the subject tracts which have access only to the residential street. The staff will not be able to support zoning changes west of Capital Drive.

STAFF RECOMMENDATION:

That "GR" General Retail be denied as too intense at this location, but that "LR" Local Retail be granted, subject to a six-foot privacy fence on the west boundary and one-half the right-of-way (five feet) to increase Middle Lane to 60 feet.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Truman H. Montandon: 1707 Robinhood Trail

FOR

PERSONS APPEARING

H. N. Simms (applicant)

Mrs. H. N. Simms (applicant)

COMMITTEE ACTION:

The applicant amended his request from Interim "A" Residence, Interim First Height and Area to "LR" Local Retail, First Height and Area. Members reviewed the information presented and recommended that this request be granted, as amended, subject to a six-foot privacy fence on the west boundary and one-half the right-of-way (five feet) to increase Middle Lane to 60 feet.

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

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 H. N. Sims and Sevie Sims for a zoning change from Interim "A" Residence, Interim First Height and Area to "LR" Local Retail, First Height and Area, as amended, on property located at 602-606 Middle Lane be GRANTED, as amended, subject to a six-foot privacy fence on the west boundary and one-half the right-of-way (five feet) to increase Middle Lane to 60 feet.

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

C14-74-134      Pete G. Sosa: A, 1st to B, 1st  
                    312-400 West Mary Street

STAFF REPORT:

Subject tract lies within the interior of a modest single-family neighborhood on a neighborhood collector street. Apartment zoning was granted to the northeast at the intersection of West Annie and Newton Streets five years ago. The two most recent zoning requests within this neighborhood, one at Eva and West Annie Streets, and the other at Eva and Monroe Streets to the north were recommended to be denied by the Planning Commission.

STAFF RECOMMENDATION:

That this case be denied as an intrusion into a well-defined "A" residential neighborhood.

CITIZEN COMMUNICATION (SOUTH AUSTIN NEIGHBORHOOD)

WRITTEN COMMENT

Standard Mfg. Co., Inc.: P. O. Box 1987  
Mrs. Frank Shaw: 411 West Mary Street

FOR  
AGAINST

PERSONS APPEARING

L. C. Currie (representing applicant)  
Pete Sosa (applicant)  
Joseph Bialaszski: 308 West Johanna Street  
Mrs. Lu Anna Clark: 7206 Bethune Avenue  
Melecio Salazar: 2607 Euclid Avenue  
Alex McKinnon: 2008 Rogge Lane  
J. S. Jones: 313 West Mary Street  
Eugene M. Shaw: 411 West Mary Street

FOR  
FOR  
FOR  
FOR  
FOR  
AGAINST

COMMITTEE ACTION:

Members reviewed the information presented and were in agreement that granting "B" Residence zoning would set a precedent for further apartment zoning in this neighborhood. The members recommended that "B" Residence, First Height and Area be denied but that "BB" Residence, First Height and Area be granted.

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

COMMISSION ACTION:

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

C14-74-134      Pete G. Sosa--Contd.

COMMISSION VOTE:

To recommend that the request of Pete G. Sosa for a zoning change from "A" Residence, First Height and Area to "B" Residence, First Height and Area on property located at 312-400 West Mary Street be DENIED, but that "BB" Residence, First Height and Area be GRANTED.

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

ABSENT:       Messrs. Everett, Juarez, Nash and Ramsey

C14-74-135      Mr. & Mrs. Harold E. Russell: A, 1st to C, 1st  
                    603 Driskill Street

STAFF REPORT:

This substandard lot contains 2,375 square feet in area and is located east of the downtown area near I. H. 35. Driskill Street is a residential street that is also used for commercial traffic. Commercial zoning and uses exist to the west and north. This lot is part of what remains a small single-family neighborhood along Rainey Street.

The staff expects this neighborhood to transition because of the influence of I. H. 35 and the expansion of the central business district.

Due to its small size, no residential unit may be placed on this tract without a variance or unless the tract is combined with the tract to the east.

STAFF RECOMMENDATION:

That this case be granted as consistent with adjacent zoning, subject to a six-foot privacy fence on the east and south property lines to protect the remaining residential area.

Note: A subdivision may be needed before the issuance of a building permit.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

William E. Nickels: 1503 Bellaire

FOR

PERSONS APPEARING

Mitty Bollman (representing applicant)

Luis and Lupe Guerra: 96 Rainey Street

AGAINST

C14-74-135 Mr. & Mrs. Harold E. Russell--Contd.

COMMITTEE ACTION:

Members reviewed the information presented. Mr. Nash stated he felt the tract was too small to allow a building and adequate off-street parking. Ms. Himmelblau was of the opinion that the neighborhood was substantially a residential area. Members were in agreement that this request be denied.

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

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 Mr. and Mrs. Harold E. Russell for a zoning change from "A" Residence, First Height and Area to "C" Commercial, First Height and Area on property located at 603 Driskill Street be DENIED.

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

ABSENT: Messrs. Everett, Juarez, Nash and Ramsey

C14-74-136 University Presbyterian Church: C, 6th to C, 2nd  
413 West 23rd Street

STAFF REPORT:

Subject tract is located at the intersection of a one-way-north major arterial street and a one-way-west minor collector street within the west University area. This tract is surrounded by less restrictive height and area districts: Fourth Height and Area exists to the north, Third Height and Area exists to the east and west, and Second Height and Area exists to the south.

STAFF RECOMMENDATION:

That this case be granted as consistent with surrounding zoning.

CITIZEN COMMUNICATION (SAVE UNIVERSITY NEIGHBORHOODS)

WRITTEN COMMENT

Robert G. Hall: 4615 W. S. Frwy., Houston, Texas	FOR
University Co-Op Society, Inc.: 2246 Guadalupe	FOR

PERSONS APPEARING

Richard Barrett (representing applicant)	
Mike McHone: 2104 Pearl Street	FOR
W. A. McCormack: 413 West 23rd Street	FOR
Scott M. Spence: 920 East 37th Street	AGAINST
Lynn Osborne: 602 Pecan Grove	NO OPINION



C14-74-136      University Presbyterian Church--Contd.

COMMITTEE ACTION:

Members reviewed the information presented and were in agreement with the staff's recommendation to grant this request.

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

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 University Presbyterian Church for a zoning change from "C" Commercial, Sixth Height and Area to "C" Commercial, Second Height and Area on property located at 413 West 23rd Street be GRANTED.

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

C14-74-137      H. I. North: A, 1st to C, 1st  
                  8103 Research Boulevard (U.S. Hwy. 183)  
                  also bounded by Beech Drive

STAFF REPORT:

This tract is located between a boulevard arterial street, Research Boulevard, and a minor residential street, Beech Drive, in north Austin. Commercial use has been established along Research Boulevard, apartments exist along the west side of Beech Drive and a single-family neighborhood exists east of Beech Drive.

Zoning boundaries have been firmly established to permit the above mentioned uses.

Research Boulevard right-of-way (U. S. Hwy. 183) is planned to be expanded, and substantial right-of-way may be required from subject tract at a later date.

STAFF RECOMMENDATION:

That "C" Commercial be denied for the whole tract, but that "C" Commercial be granted on Tract 1 (west 175 feet) and "B" Residence be granted on Tract 2 (east 120 feet), subject to a prohibition against non-residential uses on Tract 2.

C14-74-137      H. I. North--Contd.

The neighborhood along Beech Drive should be protected from the commercial activity fronting Research Boulevard. The staff recommends a six-foot privacy fence between Tracts 1 and 2 to prevent use of Tract 2 as parking for commercial activity fronting Research Boulevard.

Note: A subdivision will be required to separate the two tracts.

CITIZEN COMMUNICATION (NORTH AUSTIN CIVIC ASSOCIATION)

WRITTEN COMMENT

Charles Maund: Box 1608

FOR

Wayne Dayton: 8501 Research Boulevard

FOR

Mrs. Frances F. W. Chambliss: 8006 Burrell Drive

FOR

Mr. & Mrs. Marc Chevalier: 1310 Clearfield Drive

AGAINST

PERSONS APPEARING

Hardy Hollers (representing applicant)

COMMITTEE ACTION:

Members reviewed the information presented and expressed opposition to commercial traffic on Beech Drive. The Committee recommended that this request be denied, but that "C" Commercial, First Height and Area be granted on Tract 1 and that "B" Residence, First Height and Area be granted on Tract 2, subject to Tract 2 being restricted to parking only with no curb cuts onto Beech Drive and a privacy fence along Beech Drive.

AYE:            Messrs. Bobbitt, Nash 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 H. I. North for a zoning change from "A" Residence, First Height and Area to "C" Commercial, First Height and Area on property located at 8103 Research Boulevard (U. S. Hwy. 183), also bounded by Beech Drive, be DENIED, but that "C" Commercial, First Height and Area be GRANTED on Tract 1 and that "B" Residence, First Height and Area be GRANTED on Tract 2, subject to Tract 2 being restricted to parking only, with no curb cuts onto Beech Drive and a privacy fence along Beech Drive.

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

ABSENT:        Messrs. Everett, Juarez, Nash and Ramsey

C14-74-138      Virgil Polk, et ux: A, 1st to GR, 1st  
6401 South First Street  
also bounded by Eberhart Lane

STAFF REPORT:

This tract is located at the intersection of a major arterial, South First Street, and a neighborhood collector street, Eberhardt Lane, in south Austin. Surrounding land is vacant except for a grocery store to the west.

Retail zoning has been granted on all surrounding tracts except for the apartment zoning to the east. "LR" Local Retail to the northwest was allowed by the owner to be dismissed after "GR" was granted to the east. Another application for "GR" General Retail on that corner is anticipated by the staff.

STAFF RECOMMENDATION:

That this case be granted as consistent with surrounding zoning.

CITIZEN COMMUNICATION (SOUTH MEADOWS NEIGHBORHOOD)

WRITTEN COMMENT

None

PERSONS APPEARING

Jack N. Moore (representing applicant)

COMMITTEE ACTION:

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

AYE:            Messrs. Bobbitt, Nash 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 Virgil Polk, et ux, for a zoning change from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area on property located at 6401 South First Street, also bounded by Eberhart Lane, be GRANTED.

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

ABSENT:        Messrs. Everett, Juarez, Nash and Ramsey

Cl4-74-139	R. T. Marshall, Trustee:	<u>Int. A, 1st to GR, 1st (Tract 1-A)</u>
	4805-5113 Weidmar Lane	<u>Int. A, 1st to GR, 1st &amp; A, 1st (Tract 1-B)</u>
	4806-5112 South I.H.35	<u>Int. A, 1st to DL, 1st (Tract 2-A)</u>
		<u>Int. A, 1st to DL, 2nd (Tract 2-B)</u>
		<u>Int. A 1st to GR, 2nd (Tract 2-C)</u>
		<u>(as amended)</u>

## STAFF REPORT:

These four tracts, totalling 32 acres, are located in south Austin between I. H. 35 and Weidmar Lane. Tracts 2-A and 2-B have been designated in the Master Plan for industrial uses as part of the St. Elmo Industrial District. The placement of Colonial Park Boulevard is being reviewed for possible movement northward to protect the new Colonial Park single-family neighborhood.

"GR" General Retail, First Height and Area has been granted south of Tract 1-B to a greater depth than the subject request on Tract 1-B. First Height and Area has also been established with the "B" Residence to the west. The requested First Height and Area on the land to a depth of 100 feet from I. H. 35 is consistent with recent recommendations along this southern entry into Austin.

The staff recommends zoning on Tract 1-B which is consistent with adjacent zoning to the west and south, and which will protect the narrow strip of apartment zoning which separates the neighborhood to the west and subject tract to the east.

Weidmar Lane needs to be increased to 80 feet north of Colonial Park Boulevard. Colonial Park Boulevard is planned for 80 feet, and Weidmar Lane south of the proposed Colonial Park Boulevard is scheduled for 60 feet, requiring ten feet from subject tract. This right-of-way can be provided by subdivision which will be required prior to construction permits.

## STAFF RECOMMENDATION:

That "DL" Light Industrial, Third Height and Area be denied, but that "DL" Light Industrial, Second Height and Area be granted on Tract 2-B; "DL" Light Industrial, First Height and Area be granted on Tract 2-A; "GR" General Retail, First Height and Area be granted on Tract 1-A; that "GR" General Retail, Third Height and Area be denied but that "GR" General Retail, First Height and Area be granted on Tract 1-B, excluding the westernmost 25 feet and that "A" Residence, First Height and Area be granted on the westernmost 25 feet.

This recommendation is consistent with area plans and zoning and seeks especially to protect the established "B" Residence apartment zoning, separating the requested retail zoning to the east and the neighborhood to the west. Building heights may be increased above the limit set by Second Height and Area by increasing the setback from property lines.

C14-74-139      R. T. Marshall, Trustee--Contd.

## CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

## WRITTEN COMMENT

Mr. & Mrs. David Peevey: 831 Sussex Drive	AGAINST
Jack N. Moore: 833 Sussex Drive	AGAINST
Ernest C. Dailey: 826 Sussex Drive	AGAINST
Mrs. Thelma Walker: 707 New Castle Drive	AGAINST
Ernest McIntyre: 825 Sussex Drive	AGAINST
Mrs. Cleo R. Trudo: 803 Sussex Drive	AGAINST

## PERSONS APPEARING

Vernon Henry (representing applicant)	
Sherman R. Nelson: 821 Sussex Drive	AGAINST
Ernest C. Dailey: 826 Sussex Drive	AGAINST
David A. Peevey: 831 Sussex Drive	AGAINST
Jack N. Moore: 833 Sussex Drive	AGAINST
Naomi J. Moore: 833 Sussex Drive	AGAINST
Madelyn Boggs: 828 Sussex Drive	AGAINST
Lois Garner: 809 Sussex Drive	AGAINST
Mrs. Thelma Walker: 707 New Castle Drive	AGAINST
Rowland C. Craig: 804 New Castle Drive	NO OPINION

## COMMITTEE ACTION:

The applicant amended his application to "GR" General Retail, First Height and Area and "A" Residence, First Height and Area, with the western five feet to remain "A" Residence (Tract 1-B); to "DL" Light Industrial, First Height and Area (Tract 2-A) and "GR" General Retail, First Height and Area (Tract 1-A); to "DL" Light Industrial, Second Height and Area (Tract 2-B) and "GR" General Retail, Second Height and Area (Tract 2-C); and no access to Weidmar Lane. Members reviewed the information presented. Ms. Mather stated that she would prefer to see a 25-foot buffer. Ms. Himmelblau stated that the applicant had been very cooperative in working with the neighborhood group, and she would vote for this request. Members recommended that this request be granted, as amended on the site plan.

AYE:        Messrs. Everett, Nash and Washington.

            Ms. Himmelblau

NAY:        Ms. Mather

## COMMISSION ACTION:

Members reviewed the information presented. Ms. Mather restated that the five-foot buffer of "A" was inadequate and that residents in north Austin would have requested a much larger buffer. A majority of the members recommended that this request be granted, as amended.

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

C14-74-140 Central Assembly of God Church--Contd.

COMMISSION VOTE:

To recommend that the request of Central Assembly of God Church for a zoning change from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area on property located at 7650 Ed Bluestein Boulevard be POSTPONED 30 DAYS.

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

ABSENT: Messrs. Everett, Juárez, Nash and Ramsey

C14-74-141 Joe Carmona: A, 1st to C, 1st  
604 Montopolis Drive  
also bounded by Walker Lane

STAFF REPORT:

This small residential lot fronts on a substandard minor residential street, Walker Lane, and sides on a neighborhood collector street in the Montopolis area. Low-density residential development is adjacent to the subject tract, and a limited area of apartment use has been established to the northeast. A restaurant has been established on the "LR" Local Retail-zoned land across the street. Montopolis Drive was recently expanded and sidewalks were installed.

Spot-commercial zoning and uses exist along Montopolis, sufficient to service the needs of the surrounding neighborhood. Establishing non-residential zoning at the subject location would detrimentally affect adjacent residential properties and would encourage a strip-commercial district along this neighborhood collector street.

STAFF RECOMMENDATION:

That this case be denied as an intrusion into a single-family neighborhood and as leading to the stripping of Montopolis Drive with non-residential uses.

If granted, one-half the additional right-of-way, 15 feet, is needed to increase Walker Lane to 60 feet.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

None

PERSONS APPEARING

B. P. Traynor (representing applicant)  
Joe Carmona, Sr. (applicant)  
Jessie Mae Kelly: 600 Kemp Street  
Jose Mendieta: 6305 Monsanto Drive  
Diana Rodriguez: 6306 Monsanto Drive

FOR  
NO OPINION  
NO OPINION

C14-74-141      Joe Carmona--Contd.

## COMMITTEE ACTION:

Members reviewed the information presented. Ms. Mather stated she was opposed to additional commercial zoning on Montopolis Drive. She stated that commercial-type traffic has caused this street to be unsuitable for residential use. Mr. Washington stated that Montopolis is a major arterial street and something needed to be done to relieve the problems in regard to the residences along this street. Members expressed strong opposition to requiring right-of-way in this area and leaving property owners with small lots. Members directed the staff to draft a letter to the Property Management Department requesting compensation to the applicant for damages resulting from right-of-way acquisition. Members were in agreement that the size of subject tract after right-of-way is given would not be sufficient to accommodate a business. They were also of the opinion that granting "C" Commercial would create additional zoning requests in the area. A majority of the members recommended that this request be denied.

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

## COMMISSION ACTION:

The staff reported that in purchasing right-of-way, the City does not purchase the entire property unless the owner states the property is useless. Subject property contains approximately 5,000 square feet which is adequate enough to allow the applicant to request a variance to obtain a building permit. Ms. Mather stated that a fence placed along Montopolis would allow a yard and residence to be designed that would be quite liveable. She stated that when a street is widened and property is no longer suitable for residential use, she felt the City should purchase the property. However, she was of the opinion this tract could be developed for residential use. The alternative would be commercial zoning surrounding a residential area. Ms. Himmelblau was of the opinion that property facing Montopolis is not really conducive to residential use.

## COMMISSION VOTE:

To recommend that the request of Joe Carmona for a zoning change from "A" Residence, First Height and Area to "C" Commercial, First Height and Area on property located at 604 Montopolis Drive, also bounded by Walker Lane be DENIED.

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



C14-74-142 Kathryn L. Mandrell: A, 1st to O, 1st (as amended)  
136 1/2-200 Stassney Lane (Original Request: A, 1st to LR, 1st)

STAFF REPORT:

This tract is located on a major arterial street, Stassney Lane, in south Austin. Mini-warehouses exist to the east, vacant "GR" General Retail-zoned land is to the south, and low-density residential is to the west and north.

Although adjacent to "C" Commercial and facing "GR" General Retail zoning, the staff suggests step-down zoning at this location so as not to unduly stimulate the decline of adjacent housing to the west or a strip-commercial district. In the case to the west of this tract, the staff recommended "BB" Residence.

STAFF RECOMMENDATION:

That "LR" Local Retail be denied but that "O" Office be granted as a step-down zoning category for this location.

CITIZEN COMMUNICATION (SOUTH MEADOWS NEIGHBORHOOD)

WRITTEN COMMENT

Mary G. Hanks: 707 West Johanna  
Neal & Bennett Spence: P. O. Box 1905  
Carl W. Cole: 120 Stassney Lane

FOR  
FOR  
FOR

PERSONS APPEARING

Bill Wallace (representing applicant)

COMMITTEE ACTION:

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

AYE: Messrs. Bobbitt, Nash 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 action.

COMMISSION VOTE:

To recommend that the request of Kathryn L. Mandrell for a zoning change from "A" Residence, First Height and Area to "O" Office, First Height and Area, as amended, on property located at 136 1/2-200 Stassney Lane be GRANTED, as amended.

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

ABSENT: Messrs. Everett, Juarez, Nash and Ramsey

C14-74-143      Barton-West Associates, Ltd.: C, 2nd to C-2, 2nd  
4025-4027 South Lamar Boulevard

STAFF REPORT:

This tract is located at the two-level intersection of South Lamar Boulevard and Ben White Boulevard, two major arterial streets in south Austin. To the west of Lamar Boulevard is predominantly vacant land. A large department store is to the north and vacant land is to the east and south. The only access is a one-way frontage road. "C" Commercial zoning bounds this tract.

STAFF RECOMMENDATION:

That this case be granted as consistent with adjacent zoning and development.

Note:      A subdivision must be approved on this tract prior to construction, and a special permit must be approved prior to use of the "C-2" Commercial district.

CITIZEN COMMUNICATION (BARTON VIEW CIVIC ASSOCIATION)

WRITTEN COMMENT

None

PERSONS APPEARING

Howard Brunson (representing applicant)

COMMITTEE ACTION:

Members reviewed the information presented and were in agreement with the staff's recommendation that this request be granted.

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

COMMISSION ACTION:

The 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 Barton-West Associates, Ltd. for a zoning change from "C" Commercial, Second Height and Area to "C-2" Commercial, Second Height and Area on property located at 4025-4027 South Lamar Boulevard be GRANTED.

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

C14-74-144	<u>First Banister Place, Inc. and Texas General Corp.:</u>	
	600-730 Banister Lane	<u>GR, 1st to C, 3rd (Tracts 1 &amp; 2)</u>
	3812-3824 South First Street	<u>GR, 1st to C, 2nd (Tract 3)</u>
	3803-3823 South Second Street	<u>GR, 1st to C, 2nd (Tract 4)</u>

## STAFF REPORT:

This 8.22-acre tract is located in south Austin with access to a major arterial street and a commercial collector street, Banister Lane. Ben White Boulevard is located approximately 150 feet to the south. To the north is low-density residential development along South First Street and pastureland to the west. Recently the staff processed a zoning application on the five-acre tract at the northwest corner of this block to allow the construction of a telephone company office building and exchange. That case was withdrawn when it was discovered that the telephone company was exempted from City zoning ordinances. Subsequently a special permit was processed on that same tract to permit the construction of the eight-story telephone company building.

Land to the west is in a state of transition to apartment and retail land use. To the south is commercial development oriented to Ben White Boulevard, and to the east is a shopping center and apartment complex. Part of subject tract is developed with office buildings along South First Street.

The applicant has submitted to the staff a site plan for the development of a multi-story office building. This necessitates a zoning change to permit the 180-foot height of the proposed office towers. The plan includes a multi-level parking garage to handle the parking. The staff recommends zoning to allow the proposed structures for the following reasons:

1. a multi-story office building of 180 feet at this location would not detrimentally affect adjacent properties. The twin towers are set back from South First Street to the east and South Second Street to the west. They are set back from Ben White Boulevard to the south, so the buildings will not contribute to a "canyon" effect along major streets. Property to the north and south of the City of Austin water distribution and service yard facility is transitioning to non-residential and apartment use along South First Street. An 80-foot office building is planned at the northwest corner of this block.

2. Access is good. Whereas this development is oriented to the intersection of two major arterials, non-arterial ingress-egress from Banister Lane will not inhibit traffic flow. The applicant has indicated that the "LR" Local Retail-zoned tract to the south can be used to provide additional ingress-egress to the proposed office building.

Cl4-74-144 First Banister Place, Inc. and Texas General Corp.--Contd.

3. Third Height and Area has been established on Ben White Boulevard to the east and west of this location, and on South Congress 2,000 feet to the northeast.

The subject request has been reviewed by the staff, and the requested zoning will allow the proposed building. With "C" Commercial, Second and Third Height and Area zoning, the height of structures may be increased three feet for each additional one-foot setback from the building line. The staff recommends establishing only two small areas of Third Height and Area for the twin office buildings (Tracts 1 and 2), "C" Commercial, Second Height and Area for Tract 3 and no change in zoning for Tract 4.

STAFF RECOMMENDATION:

That "C" Commercial, Third Height and Area be granted on Tracts 1 and 2; that "C" Commercial, Second Height and Area be granted on Tract 3; and that "C" Commercial, Second Height and Area be denied on Tract 4.

This recommendation recognizes the merits of the proposed development and is made considering its consistency and compatibility with area plans, zoning, developments, and access.

Note: A subdivision may be required prior to the issuance of building permits.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Rogers Wilson: 7333 Hwy. 290 East

FOR

L. C. Reese: 1824 South Interregional

FOR

PERSONS APPEARING

Robert Diaz de Leon (representing applicant)

Jose Aguilar (representing applicant)

Arturo Casillas (representing applicant)

Jack Stehling (representing applicant)

COMMITTEE ACTION:

The applicant stated he was agreeable to the staff's recommendation. Members reviewed the information presented and recommended to grant "C" Commercial, Third Height and Area on Tracts 1 and 2; to grant "C" Commercial, Second Height and Area on Tract 3; to deny "C" Commercial, Second Height and Area on Tract 4.

AYE: Mmes. Himmelblau and Mather.

Messrs. Everett and Washington

ABSTAIN: Mr. Nash

C14-74-144      First Banister Place, Inc. and Texas General Corp.--Contd.

## COMMISSION ACTION:

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

## COMMISSION VOTE:

To recommend that the request of First Banister Place, Inc. and Texas General Corp. for a zoning change from "GR" General Retail, First Height and Area to "C" Commercial, Third Height and Area (Tracts 1 and 2) be GRANTED; from "GR" General Retail, First Height and Area to "C" Commercial, Second Height and Area (Tract 3) be GRANTED; and from "GR" General Retail, First Height and Area to "C" Commercial, Second Height and Area (Tract 4) be DENIED, on property located at 600-730 Banister Lane, 3812-3824 South First Street and 3803-3823 Second Street.

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

C14-74-145      Forest Pearson, Trustee: C-2, 2nd to C-2, 2nd (Tract 1)  
801-807 Barton Springs Road    A, 1st to C, 2nd (Tract 2)  
   A, 1st & B, 1st to B, 1st (Tract 3)  
   excluding southern 10' to remain A, 1st  
   (as amended) (Original Request:  
   C-2, 2nd to C-2, 3rd (Tract 1),  
   A, 1st to C, 3rd (Tract 2); A, 1st &  
   B, 1st to B, 1st (Tract 3)

## STAFF REPORT:

This tract and the tract to the east are both being processed for zoning changes this cycle. Subject tract fronts a major arterial street, Barton Springs Road, and is across the street from the Municipal Auditorium. Strip commercial development exists along this arterial street for a depth of approximately 150 feet. Tract 3 is presently vacant and heavily wooded. East Bouldin Creek traverses the east boundary of Tract 3 and part of the south boundary of Tract 2. The elevation of Tract 3 is higher than tracts 1 and 2.

A quiet single-family neighborhood adjoins Tract 3 to the south and west, and apartments have been developed across the creek to the east. The single-family neighborhood to the south and west would be detrimentally affected by any change in zoning on Tract 3.

Third Height and Area has not been established in this area. Building heights allowed by this district would create a visual intrusion into the neighborhood, if established at this location.

C14-74-145 Forest Pearson, Trustee--Contd.

STAFF RECOMMENDATION:

That "C-2" Commercial, Third Height and Area be denied on Tract 1; "C" Commercial, Third Height and Area be denied but that "C" Commercial, Second Height and Area be granted on Tract 2 down to the drainage easement; and that "B" Residence be denied on Tract 3. This recommendation is consistent with established zoning and uses surrounding this tract.

Note: A subdivision may be needed and a creek permit will be required prior to issuance of future building permits.

CITIZEN COMMUNICATION (SOUTH AUSTIN NEIGHBORHOOD)

WRITTEN COMMENT

Roy Parker: 807 West Gibson Street	AGAINST
Henry H. Helf: 719 Post Oak Street	AGAINST
Mrs. Noble Long: 604 South 3rd Street	AGAINST
Ruby B. Turner: 602 South 3rd Street	AGAINST
Mary Reeves Nelson: 605 South 3rd Street	AGAINST
Mrs. Rudie B. Williams: 603 Boulding Avenue	AGAINST
George L. Sanders: 718 Post Oak	AGAINST

PERSONS APPEARING

Tom Curtis (representing applicant)	
Forest S. Pearson (applicant)	
Tom Lasseter: 510 West Riverside Drive	FOR
M. O. Metcalfe, Jr.: 3002 Ray Wood Drive	AGAINST
George Sanders: 718 Post Oak	AGAINST
Mrs. Rogers	AGAINST

COMMITTEE ACTION:

The applicant amended his request to "C-2" Commercial, Second Height and Area on Tracts 1 and 2 and agreed to a ten-foot strip of "A" Residence, First Height and Area on the southern boundary of Tract 3. He also agreed to restrict Tract 3 to parking only unless pursuant to an approved special permit; no access to South Third Street and a six-foot privacy fence on the north side of the ten-foot strip of "A" Residence zoning, with restrictions to be included in the ordinance for zoning change. Members reviewed the information presented and recommended that this request be granted, as amended.

AYE: Messrs. Bobbitt, Nash 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 action.

C14-74-145 Forest Pearson, Trustee--Contd.

## COMMISSION VOTE:

To recommend that the request of Forest Pearson, Trustee for a zoning change from "C-2" Commercial, Second Height and Area to "C-2" Commercial, Second Height and Area (Tract 1); "A" Residence, First Height and Area to "C" Commercial, Second Height and Area (Tract 2); and "A" Residence, First Height and Area and "B" Residence, First Height and Area to "B" Residence, First Height and Area, excluding the southern ten feet to remain "A" Residence, First Height and Area (Tract 3), as amended, be GRANTED, as amended, subject to Tract 3 being restricted to parking only unless pursuant to an approved special permit; no access to South 3rd Street; and subject to a six-foot privacy fence on the north side of the ten-foot strip of "A" Residence zoning, with the restrictions to be included in the ordinance for zoning change.

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

C14-74-146 East Industrial District (Area Study): Int. A, 1st to D, 1st  
6211-6409 Bolm Road  
900 Block of Howard Road  
600-900 Ed Bluestein Boulevard

## STAFF REPORT:

Subject tracts are located in east Austin on either side of Ed Bluestein Boulevard and are part of the East Industrial District setup in the Master Plan prior to annexation. This district is located generally south of Bolm Road and south and east of Ed Bluestein Boulevard. This application for rezoning by the City of Austin is in conformance with the policy to zone areas upon annexation which have been designated in the Master Plan.

Street right-of-way in industrial areas is 80 feet and can be provided during the subdivision process. For tracts not needing a subdivision but from which right-of-way is required, right-of-way will need to be dedicated prior to passage of the ordinance zoning the tract.

## STAFF RECOMMENDATION:

That this case be granted, subject to provisions of right-of-way.

## CITIZEN COMMUNICATION (CONCERNED CITIZENS OF EAST AUSTIN)

## WRITTEN COMMENT

None

## PERSONS APPEARING

None

C14-74-146 East Industrial District (Area Study)--Contd.

COMMITTEE ACTION:

Members reviewed the information presented and recommended that this request be granted, subject to provisions of right-of-way.

AYE: Messrs. Bobbitt, Nash 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 action.

COMMISSION VOTE:

To recommend that the request of East Industrial District (Area Study) for a zoning change from Interim "A" Residence, Interim First Height and Area to "D" Industrial, First Height and Area on property located at 6211-6409 Bolm Road, 900 block of Howard Road and 600-900 Ed Bluestein Boulevard be GRANTED, subject to provisions of right-of-way.

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

ABSENT: Messrs. Everett, Juarez, Nash and Ramsey

C14-74-147 City of Austin: Int. A, 1st to D, 1st  
2416 Kramer Lane  
also bounded by Missouri-Pacific Railroad

STAFF REPORT:

This tract is part of the industrial area in north Austin. It is owned by the City of Austin and is planned for a service facility. It is surrounded by land which has been designated in the Master Plan for industrial purposes by the City Council.

STAFF RECOMMENDATION:

That this case be granted as consistent with the Master Plan for this area.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Watt Schieffer: 1011 East 40th Street

FOR

PERSONS APPEARING

None



C14-74-147 City of Austin--Contd.

COMMITTEE ACTION:

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

AYE: Messrs. Bobbitt, Nash 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 the City of Austin for a zoning change from Interim "A" Residence, Interim First Height and Area to "D" Industrial, First Height and Area on property located at 2416 Kramer Lane, also bounded by the Missouri-Pacific Railroad be GRANTED.

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

ABSENT: Messrs. Everett, Juarez, Nash and Ramsey

C14-74-148 The Roy Estate, The Capital National Bank, Trustee:

703-727 Barton Springs Road C-2, 2nd to C-2, 2nd (Tract 1)  
A, 1st to C, 2nd (Tract 2) (as amended)  
(Original Request: C-2, 2nd to C-2,  
3rd - Tract 1 and A, 1st to C, 3rd -  
Tract 2)

STAFF REPORT:

This tract and the tract to the west are both being processed for zoning changes this cycle. Subject tract fronts a major arterial street, Barton Springs Road, and is across the street from the Municipal Auditorium. Strip commercial development exists along this arterial for a depth of approximately 150 feet.

Tract 2 is bounded by an apartment development to the east and south across the creek. To the west of Tract 2 is land partially developed with uses fronting Barton Springs Road. That land is part of another zoning case being heard this month.

The Third Height and Area district has not been established in this area. Building heights allowed by this district would create a visual intrusion into the neighborhoods to the east and south if established at this location.

C14-74-148      The Roy Estate, The Capital National Bank, Trustee--Contd.

STAFF RECOMMENDATION:

That "C-2" Commercial, Third Height and Area be denied on Tract 1; that "C" Commercial, Third Height and Area be denied but that "C" Commercial, Second Height and Area be granted on Tract 2 down to the drainage easement. This recommendation is compatible with adjacent zoning and development.

Note:      A subdivision may be needed and a creek permit will be required prior to the issuance of future building permits.

CITIZEN COMMUNICATION (SOUTH AUSTIN NEIGHBORHOOD)

WRITTEN COMMENT

Mrs. Noble Long: 604 South 3rd Street	AGAINST
Ruby B. Turner: 602 South 3rd Street	AGAINST
Mary Reeves Nelson: 605 South 3rd Street	AGAINST
Mrs. Rubie B. Williams: 603 Bouldin Avenue	AGAINST
George L. Sanders: 718 Post Oak	AGAINST

PERSONS APPEARING

Tom Curtis (representing applicant)	FOR
Howard Brunson: 1504 West Lynn Street	AGAINST
M. O. Metcalfe, Jr.: 3002 Ray Wood Drive	AGAINST
George Sanders: 718 Post Oak	AGAINST

COMMITTEE ACTION:

The applicant amended his request to "C" Commercial, Second Height and Area and was agreeable to the staff's recommendation. Members reviewed the information presented. Ms. Mather stated she would like to see a buffer between the "B" Residence and "C" Commercial and would prefer "B" Residence on the lower portion of the tract. Mr. Nash stated he had no objection to "C" Commercial in the area and that a buffer of trees existed along the creek. Members recommended that this request be granted, as amended.

AYE:      Messrs. Bobbitt, Nash 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 action.

C14-74-148      The Roy Estate, The Capital National Bank, Trustee--Contd.

COMMISSION VOTE:

To recommend that the request of The Roy Estate, The Capital National Bank, Trustee, for a zoning change from "C-2" Commercial, Second Height and Area to "C-2" Commercial, Second Height and Area (Tract 1) and "A" Residence, First Height and Area to "C" Commercial, Second Height and Area (Tract 2), as amended, on property located at 703-727 Barton Springs Road be GRANTED, as amended.

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

C14-74-149      Gordon M. Griffin, Jr.: C, 2nd to C-2, 2nd (for area of the  
                    2510-2512 San Antonio Street                    building only - as amended)  
                    also bounded by Nueces Street                    (Original Request: Entire lot)

STAFF REPORT:

The applicant has amended this application to the area of the building only, as shown on the staff map.

Subject tract is located in the west University area between two one-way arterial streets. Implementation of arterial revisions within the area have been halted until re-analysis under the master plan revision has been completed. Commercial development oriented to Guadalupe Street exists on the east side of San Antonio Street; the medium-density student neighborhood is to the west.

Zoning surrounding this tract is "C" Commercial. Restaurant facilities have been established on the subject tract and on a tract to the south. The staff cannot, however, support an intensification of use permitted by the "C-2" Commercial district because of the impact which it would have on this interior area. Much of the land to the west, although zoned "C" Commercial is used for low-density housing. This indicates that the granting of zoning, especially the "C" Commercial District, was premature. The staff has recommended limiting "C-2" uses to the major street in this area, Guadalupe Street.

STAFF RECOMMENDATION:

That this case be denied as incompatible with the student residential neighborhood west of Guadalupe Street.

CITIZEN COMMUNICATION (SAVE UNIVERSITY NEIGHBORHOODS)  
WRITTEN COMMENT

None

PERSONS APPEARING

C14-74-149      Gordon M. Griffin, Jr.--Contd.

Joe Garrison (representing applicant)  
Gordon Griffin (applicant)  
Ronnie Roark: 2307 Lake Austin Boulevard  
Thomas A. Pihlgren: 109 West 5th Street  
Arthur Pihlgren: 109 West 5th Street  
Mike McHone: 2104 Pearl Street

FOR  
FOR  
FOR  
AGAINST

COMMITTEE ACTION:

Ms. Mather expressed opposition to "C" Commercial zoning in the neighborhood. A majority of the members felt the request was not inappropriate since the area is currently zoned "C" Commercial and has sufficient buffering and adequate parking facilities. A majority of the members recommended that this request be granted, as amended.

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

COMMISSION ACTION:

Members reviewed the information presented. Ms. Mather was of the opinion that a fast-food operation created an excessive amount of traffic and would only compound the traffic situation in this area. Ms. Himmelblau stated she had rather see this type business where adequate parking exists as it does in this area. Mr. Washington pointed out that since there would be curb cuts on San Antonio Street and Nueces Street, there should be no traffic problem. A majority of the members recommended that this request be granted, as amended.

COMMISSION VOTE:

To recommend that the request of Gordon M. Griffin, Jr. for a zoning change from "C" Commercial, Second Height and Area to "C-2" Commercial, Second Height and Area for the area of the building only, as amended, on property located at 2510-2512 San Antonio Street, also bounded by Nueces Street, be GRANTED, as amended.

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

C14-74-150      Estate of Argus M. Fox, Dcsd.: Int. A, 1st to C, 1st  
Rose Fox, Administratrix  
8834-8898 Research Boulevard (U.S.Hwy. 183)

STAFF REPORT:

Subject tract fronting on Research Boulevard is located south of the north Austin Industrial District and is within an area designated under the Master Plan for commercial service and semi-industrial uses. "C" Commercial zoning has been established to the west, "BB" Residence district and a church to the south, and "GR" General Retail to the east.

U. S. Highway 183 right-of-way is planned to be widened and right-of-way may be required from subject tract at a future date.

STAFF RECOMMENDATION:

That this case be granted as consistent with the Master Plan designation for this tract and with the established zoning on Research Boulevard in this area.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

None

PERSONS APPEARING

Ras Redwine (representing applicant)

COMMITTEE ACTION:

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

AYE:            Messrs. Bobbitt, Nash 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 action.

COMMISSION VOTE:

To recommend that the request of the Estate of Argus M. Fox, Dcsd. and Rose Fox, Administratrix, for a zoning change from Interim "A" Residence, Interim First Height and Area to "C" Commercial, First Height and Area on property located at 8834-8898 Research Boulevard (U. S. Highway 183) be GRANTED.

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

SPECIAL PERMITS

C14p-74-021      Robert L. Ogden: Revision to a Previously Approved Special  
                          1600-1602 West 5th Street      permit for a lounge to increase  
                          502-504 West Lynn Street      seating from 80 seats to 160 seats

STAFF REPORT:

This application has been filed as required under Section 45-24.1, Sub-Section (2), and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This is an application to allow a revision to a previously approved Special Permit for a tavern for 80 seats called "The Depot" located at 1600-1602 West Lynn Street.

On July 11, 1974 the applicant was granted a variance by the Board of Adjustment to allow off-site parking for this lounge on Lot 14 and Lot 9 and 10 as shown on the Special Permit site plan. The applicant is requesting approval of an increase in seating from 80 to 160.

STAFF RECOMMENDATION:

The applicant can provide the 80 parking spaces required for the requested 160 seats. The staff recommends approval of this application, subject to compliance with departmental requirements as on file with the City of Austin Planning Department.

CITIZEN COMMUNICATION (CONCERNED CITIZENS FOR DEV. OF WEST AUSTIN)

WRITTEN COMMENT

None

PERSONS APPEARING

Mrs. Randall Jenkins

AGAINST

COMMITTEE ACTION:

Members reviewed the information presented. Ms. Mather expressed concern for the single-family residences located along the parking area. It was pointed out that parking requirements on the previously approved permit had not been met. Members agreed to refer this case to the full Commission to allow the staff time to verify the parking requirements and also to verify if the zoning is sufficient to cover the proposed expansion.

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

COMMISSION ACTION:

The staff reported that all of lot 11, as shown on the site plan, was zoned "C-2". The additional railroad car that was moved on the property is to be sold and moved off the lot. All parking areas will be paved to meet City standards when final approval is given. The staff pointed

C14p-74-021 Robert L. Ogden--Contd.

out that the applicant has the facilities for the requested number of seats but needs approval of the additional parking in order to allow their use. The parking across the alley has been approved by the Board of Adjustment in conjunction with the original special permit approval.

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

COMMISSION VOTE:

To APPROVE the request of Robert L. Ogden for a revision to a previously approved special permit for a lounge to increase the seating from 80 seats to 160 seats on property located at 1600-1602 West 5th Street and 502-504 West Lynn 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.  
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-74-034 First Baptist Church: Boys' Clubs of Austin & Travis County, Inc.  
208 Bonnett Street (Montopolis Unit - Revision to  
also bounded by Del Monte Road special permit #CP14-73-021)

STAFF REPORT:

This application has been filed as required under Section 45-17, Sub-Section (h), Paragraph (7), 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 an eleemosynary institution (Boys' Clubs of Austin and Travis County, Inc.) at 208 Bonnett Street. The applicant proposes to use the existing facilities owned by the First Baptist Church. Activities proposed include outdoor games such as football, basketball, baseball, indoor games, arts and crafts, a woodworking shop, counseling, camping, etc. All activities will include adult supervision.

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.

C14p-74-034      First Baptist Church--Contd.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

None

PERSONS APPEARING

Wayne Walden (representing applicant)

COMMITTEE ACTION:

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

AYE:            Messrs. Bobbitt, Nash 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 First Baptist Church for a special permit to allow a Boys' Clubs of Austin & Travis County, Inc. - Montopolis Unit (revision to special permit #CP14-73-021) on property located at 208 Bonnett Street, also bounded by Del Monte Road, subject to departmental requirements as on file with the City of Austin Planning Department, and authorized the Chairman to sign the necessary resolution upon completion.

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

ABSENT:        Messrs. Everett, Juarez, Nash and Ramsey

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-74-035      Manuel C. Garcia: Day Care Center for 13 Children

5101 Avenue H

also bounded by East 51st Street

STAFF REPORT:

This application has been filed as required under Section 45-17, Sub-Section (h), Paragraph (2), and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This is an application for a day care facility for 13 children located at 5101 Avenue H (the northeast corner of Avenue H and 51st Street.) The applicant proposes to use the existing "A" residential facility for the day care center.



C14p-74-035     Manuel C. Garcia--Contd.

STAFF RECOMMENDATION:

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

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

None

PERSONS APPEARING

Manuel Garcia (applicant)

COMMITTEE ACTION:

Members reviewed the information presented and were in agreement that a day care center would be incompatible with the residential area. Members also expressed concern about the traffic that would be created on the narrow residential street, the high volume of traffic on 51st Street, and inadequate parking. The Committee recommended that this request be denied.

AYE:            Messrs. Bobbitt, Nash 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 DENY the request of Manuel C. Garcia for a special permit for a day care center for 13 children located at 5101 Avenue H, also bounded by East 51st Street.

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.

Cl4p-74-036     Rev. Billy S. Spivey, Sr.: Community Church of Our Lord Day  
                  1317 Fort Branch Boulevard                    Care Center for 17 Children

STAFF REPORT:

This application has been filed as required under Section 45-17, Sub-Section (h), Paragraph (2), and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This is an application for a day care facility for 17 children to be located in an existing structure at 1317 Fort Branch Boulevard. Four off-street parking spaces and an off-street loading-unloading area is to be provided by the applicant.

STAFF RECOMMENDATION:

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

CITIZEN COMMUNICATION (CONCERNED CITIZENS OF EAST AUSTIN)

WRITTEN COMMENT

None

PERSONS APPEARING

Billy S. Spivey (applicant)

Hettie Worley (representing applicant)

COMMITTEE ACTION:

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

AYE:            Messrs. Bobbitt, Nash 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 action.

COMMISSION VOTE:

To APPROVE the request of Rev. Billy S. Spivey, Sr., for a special permit for a day care center for 17 children, known as Community Church of Our Lord Day Care Center, on property located at 1317 Fort Branch Boulevard, subject to compliance with 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 and Washington.  
                  Mmes. Himmelblau and Mather

ABSENT:        Messrs. Everett, Juarez, Nash and Ramsey

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-74-037      Charles C. Allison, D. V. M.: Anderson Lane Veterinary Clinic  
2915 Anderson Lane  
also bounded by Shoal Creek Boulevard

STAFF REPORT:

This application has been filed as required under Section 45-21, Sub-Section (v), Paragraph (3), and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This is an application for a Special Permit to allow a veterinary clinic in the existing convenience shopping center located at the southeast corner of Shoal Creek Boulevard and Anderson Lane. The proposed clinic will occupy 2,200 square feet within the center and will have no outside runs or kennels.

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 (ALLANDALE NEIGHBORHOOD ASSOCIATION)

WRITTEN COMMENT

None

PERSONS APPEARING

Charles Allison, D. V. M. (applicant)  
J. R. Sims (representing applicant)

COMMITTEE ACTION:

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

AYE:            Messrs. Bobbitt, Nash 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 Charles C. Allison, D. V. M. for a special permit for a veterinary clinic, known as Anderson Lane Veterinary Clinic, located on property at 2915 Anderson Lane, also bounded by Shoal Creek Boulevard, subject to compliance with 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 and Washington.  
                Mmes. Himmelblau and Mather  
ABSENT:        Messrs. Everett, Juarez, Nash and Ramsey

C14p-74-037 Charles C. Allison, D. V. M.--Contd.

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

C14p-74-038 City of Austin Street & Bridge Div.: 250-foot Two-way Radio  
2412 Kramer Lane antenna installation at Service Yard site

STAFF REPORT:

This application has been filed as required under Section 45-28, Sub-Section (e), and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This is a special permit application to request approval of an existing City of Austin two-way radio antenna in far north Austin on Kramer Lane east of F.M. 1325.

Through an oversight, the company erecting the tower approximately two years ago failed to obtain a special permit. This error was discovered in September of this year in connection with discussions concerning the proposed City of Austin service yard on the surrounding 34.21-acre site.

The special permit application is for the area of the antenna only within the 34.21-acre tract.

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

PERSONS APPEARING

None

COMMITTEE ACTION:

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

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

COMMISSION ACTION:

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

C14p-74-038 City of Austin Street & Bridge Div.--Contd.

COMMISSION VOTE:

To APPROVE the request of the City of Austin Street and Bridge Division for a special permit for a 250-foot two-way radio antenna installation at the service yard site located at 2412 Kramer Lane, subject to compliance with 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 and Washington.  
Mmes. Himmelblau and Mather  
ABSENT: Messrs. Everett, Juarez, Nash and Ramsey

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-74-039 Capital Cable Company: Offices and Storage Facilities  
1116-1124 East 51st Street  
also bounded by East 52nd Street

STAFF REPORT:

This application has been filed as required under Section 45-22, Sub-Section (39), Paragraph (a), 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 "C" Commercial use in a "GR" General Retail district. The property is located between East 51st Street and East 52nd Street east of the intersection of I. H. 35 and Cameron Road.

The tract is zoned "A" Residence with a current zoning application to "GR" General Retail recommended by the Planning Commission at the September 1974 meeting.

Capital Cable Company, the applicant, proposes to use this area for offices and storage area for the Community Antenna Television Service.

The applicant is providing 61 off-street parking spaces for employees and customers.

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.

C14p-74-039 Capital Cable Company--Contd.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)  
WRITTEN COMMENT

None

PERSONS APPEARING

Tom Curtis (representing applicant)

COMMITTEE ACTION:

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

AYE: Messrs. Nash and Washington.

Mmes. Himmelblau and Mather

ABSTAIN: Mr. Bobbitt

COMMISSION ACTION:

Members reviewed the information presented and recommended that this request be approved, subject to the zoning being approved by City Council and subject to departmental requirements.

COMMISSION VOTE:

To APPROVE the request of Capital Cable Company for a special permit for offices and storage facilities on property located at 1116-1124 East 51st Street, also bounded by East 52nd Street, subject to departmental requirements as on file with the City of Austin Planning Department and subject to zoning being approved by City Council, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Hetherly and Washington.

Mmes. Himmelblau and Mather

NAY: Mr. Ramsey

ABSTAIN: Mr. Bobbitt

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-74-040 James K. Eichelberger, Jr.: Lounge with 40 Patron Seats  
7115 Burnet Road

STAFF REPORT:

This application has been filed as required under Section 45-24.1, Sub-Section (2), and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This is an application for a lounge for 40 seats within the existing "La Promenade" shopping and office complex at 7115 Burnet Road. The area of the lounge is zoned "C-2" Commercial, Sixth Height and Area.

C14p-74-040 James K. Eichelberger, Jr.--Contd.

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 (ALLANDALE NEIGHBORHOOD ASSOCIATION)

WRITTEN COMMENT

None

PERSONS APPEARING

None

COMMITTEE ACTION:

Members reviewed the information presented. Ms. Himmelblau expressed concern regarding the drainage problem created by the retaining wall on the property. The staff pointed out that the Storm Sewer Department has required that the applicant provide a solution to this flooding problem before approval of this application. The Committee recommended that this request be approved, subject to departmental requirements.

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

COMMISSION ACTION:

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

COMMISSION VOTE:

To APPROVE the request of James K. Eichelberger, Jr., for a special permit for a lounge with 40 patron seats to be located within the existing "La Promenade" shopping center on property located at 7115 Burnet Road, subject to compliance with 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 and Washington.  
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez, Nash and Ramsey

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

STREET VACATIONS

C10v-74-011      Trev Seymour and Laird Palmer

East 29 feet of Baylor Street 60-foot right-of-way  
from north line of West 9th Street in a northerly  
direction of 170 feet

This is a request by Trev Seymour and Laird Palmer for vacation of the east 29 feet of Baylor Street with a 60-foot right-of-way, from the north line of West 9th Street in a northerly direction a distance of 170 feet. The building is constructed in the right-of-way. Baylor Street, 10th Street and 11th Street are not complete streets. The staff is requesting that this case be postponed one month in order to allow time to consider the possibility of vacating the total right-of-way. The applicant has been contacted and is agreeable to the postponement.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

None

COMMISSION ACTION:

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

COMMISSION VOTE:

To POSTPONE 30 DAYS the request by Trev Seymour and Laird Palmer for vacation of the east 29 feet of Baylor Street with a 60-foot right-of-way, from the north line of West 9th Street in a northerly direction a distance of 170 feet.

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

ABSENT:        Messrs. Everett, Juarez and Nash

C10v-74-012      Bert Pence

Portion of right-of-way of East Riverside Drive in  
front of Lot D and 2-C, Sunny-day Addition near  
Tinnin Ford Road

This is a request by Bert Pence, owner of Lot D and by "2100 East Riverside Drive Property", a General Partnership, owner of Lot 2-C, for the vacation of a portion of right-of-way of East Riverside Drive in front of Lot D and 2-C. This right-of-way was a prior requirement by the City of Austin in the proposed widening of Riverside Drive. Plans are being considered by Public Works and Urban Transportation on the construction plans for that street. Urban Transportation recommends that the right-of-way be retained until Riverside Drive Consultant determines the actual need for this street. The staff recommends that the vacation be approved, subject to approval of Public Works Director and Urban Transportation Department determination and requirement of right-of-way and construction needs for East Riverside Drive and subject to departmental requirements.



C10v-74-012 Bert Pence---Contd.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

Will Garwood (representing applicant)

COMMISSION ACTION:

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

COMMISSION VOTE:

To APPROVE the request of Bert Pence and "2100 East Riverside Drive Property", a General Partnership, for the vacation of a portion of right-of-way of East Riverside Drive in front of Lot D and 2-C, Sunny-Day Addition near Tinnin Ford Road, subject to approval of Public Works Director and Urban Transportation Department determination and requirement of right-of-way and construction needs for East Riverside Drive and subject to departmental requirements.

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

Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

C10v-74-013 Travis County

West 10th Street Alley in Blk. 128 of the original  
City of Austin from Nueces Street to San Antonio Street

This is a request by Travis County, Texas to vacate West 10th Street Alley from Nueces Street to San Antonio Street. Travis County owns the entire Block 128, and the alley is surrounded by county buildings and parking lots. The staff recommends that this request be approved, subject to retention of easements.

COMMISSION ACTION:

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

COMMISSION VOTE:

To APPROVE the request of Travis County for the vacation of West 10th Street Alley in Block 128 of the original City of Austin from Nueces Street to San Antonio Street, subject to retention of easements.

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

Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

PUBLIC HEARINGS

C2o-74-002      Ordinances

Amendment to Chapter 41 of the City Code to not require submission of a drainage plan prior to recording a plat

Mr. Lillie reported that this proposed amendment has appeared before the Commission in the past, and that several work sessions have been held. The purpose of the proposed amendment is to require a developer to submit preliminary engineering plans rather than final plans prior to the recording of a subdivision plat. It was pointed out that some problems still exist with the specific language of the proposed amendment. Mr. Charles Graves, Director of Engineering, stated that consideration should be given to wording which would give more control over subdivisions in the extraterritorial jurisdiction.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

Joe Riddell

AGAINST

COMMISSION ACTION:

Members reviewed the information presented and recommended that action on this amendment be postponed 30 days to allow the staff and the legal department time to revise the wording and to provide some basis of control on subdivisions in the extraterritorial jurisdiction.

COMMISSION VOTE:

To POSTPONE 30 DAYS the amendment to Chapter 41 of the City Code to not require submission of a drainage plan prior to recording a plat.

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

ABSENT:       Messrs. Everett, Juarez and Nash

C2o-74-005      Ordinances

Amendment to Chapter 41 of the City Code for inclusion of the Federal Flood Insurance requirements into the City's ordinance

Mr. Lillie reported that the staff has held three work sessions for the purpose of informing developers, engineers, surveyors and home builders of the federal legislation for Federal Flood Insurance requirements. It requires that a city must become certified by July 1, 1975 in order to be eligible for any federal assistance and that property owners are eligible to apply for flood insurance.

C2o-74-005      Ordinances--Contd.

Mr. Jim Miller, Community Development Administrator, briefly outlined some of the requirements to which a city must comply in terms of building standards, drainage improvements, subdivision development standards and zoning. The proposed amendment is to the subdivision ordinance.

Mr. Charles Graves, Director of Engineering, distributed the official HUD maps to the Commission members for their review prior to discussion of the proposed amendment. Mr. Graves stated these maps were prepared for insurance purposes for identifying areas that are flood prone. He pointed out that the maps were not based on the 100-year flood plain but were prepared with existing studies that are currently available. This identifies the property for which flood insurance must be purchased in order to qualify for a loan from any federally regulated institution. He pointed out that maps are being prepared which will give the basis for regulations. The regulation that must be adopted is a pre-requisite for insurance in these areas. Mr. Graves pointed out that homes presently located in the 100-year flood plain cannot qualify for refinancing for additions to the homes. If the city has not qualified for the flood insurance by July 1, 1975 and a home located in a flood-prone area is to be refinanced, it cannot be. If the city has qualified and it is simply a matter of a sale, the home can be refinanced as being existing. If the home is washed away in a flood, it cannot be rebuilt in that area. Once a city has been qualified, all property owners can purchase flood insurance. Mr. Graves pointed out that the ordinance amendment presented tonight has been before the Commission in the past. He called attention to two minor changes: Section 41-44: add: No building or utility construction...Section 41-44.1 (a) changed the word "will" to "may".

Mr. Graves pointed out that any commercial-type buildings can be built within the flood plain and some residential buildings could be built with regulated conditions. He stated that the City has a very comprehensive watershed management program and that this case tonight is just the amendment to the subdivision ordinance. He stated that other documents address themselves to other areas of flood management such as the Building Code.

Mr. Graves reported that the City consultants are now working to ascertain the 100-year flood plain. This is proceeding watershed by watershed. Shoal Creek will be reported out sometime in October and Walnut Creek will come within a month or two. Other creeks will come successively. These determinations will be the basis of the regulation of this ordinance. For those watersheds not studied, there will be a Criteria Manual that will give an acceptable figure by which a determination could be made by a consultant. Our consultants are expanding those studies made by the Corp. of Engineers. A flood plain information study on Town Lake and Country Club Creek will be made available by the Corp. of Engineers about March 1975. The Criteria Manual backs up this ordinance amendment with very specific details on all calculations. This manual is proposed to be in its final form by December 2, 1974 to present to the Council for final action.

C20-74-005      Ordinances--Contd.

Mr. Graves pointed out that as rapidly as our watershed planning can be developed, lines of maximum encroachment will be established on either side of any waterway beyond which there will be no filling of any kind and no construction of any flood-flow-restricting structures. He pointed out, however, that this would not include the entire 100-year flood plain. He stated that no type construction would be allowed to interfere with the flood between those lines. Regulated alteration of the terrain by filling or excavating can be done from these established lines back to the 100-year flood. Additional flood flows will also be regulated. He pointed out that there are three things that can be done to alleviate flooding: 1) keep people out of the flood plain or regulate their presence in that area 2) correction of restrictions in creeks 3) storage of water.

Mr. Graves stated that the Commission will have an opportunity to review each watershed study as they come from the consultants.

## CITIZEN COMMUNICATION

## WRITTEN COMMENT

None

## PERSONS APPEARING

Bill Coleman

AGAINST

Mrs. Ollie Ebby

AGAINST

Joe Riddell

AGAINST

Wesley Pearson

AGAINST

Bill Rogers

AGAINST

## COMMISSION ACTION:

Members reviewed the information presented. Mr. Hetherly stated that the City is compeled to qualify by July 1, 1975 or there will be no development. He was of the opinion that the intent of the ordinance was not to prevent development of areas along waterways. He felt that commercial development was less restricted than residential development in these flood-prone areas. He pointed out that a lot of work is needed to develop the ordinances which will affect the entire city. He felt most of the problems brought out could be solved. Mr. Hetherly stated that the city does not have a choice as to whether or not it will have an ordinance, but they do have the choice of writing the best possible ordinance. He stated he had reservations about certain section of the proposed amendments but that he did not have any better suggestions. He was of the opinion that the ordinance was the best possible one with the information that is available. He stated he did not like to vote for an ordinance he did not understand, but that he would vote for this one and that as changes need to be made, amendments to the ordinance could be made. The members recommended that this proposed ordinance amendment be approved.

C2o-74-005 Ordinances--Contd.

COMMISSION VOTE:

To APPROVE the amendment to Chapter 41 of the City Code for inclusion of the Federal Flood Insurance requirements into the City's ordinance.

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

C2-73-5c Historic Zoning Ordinance

Amendment to the Historic Zoning Ordinance to add Section 45-51.1 concerning procedures for obtaining permits, alteration of structures' exterior during pendency of consideration for historic zoning

Amendment to Section 45-55 of the Austin City Code of 1967 concerning notification to property owners of public hearing

Mr. Lillie reported that since the passage of the Historic Zoning Ordinance, several problems have arisen regarding demolition permits. He stated that an application for "H" designation requires a time period of eight to ten weeks to process. Under the present ordinance, during this time lag, a demolition permit can be applied for, issued, and the structure destroyed before the zoning application comes before the Commission. Also, following the 1973 legislation, the Texas State Historical Commission did not designate structures, thus the 60-day notice for demolition was not required. Mr. Lillie pointed out that the Attorney General is working in an effort to utilize the 1973 legislation. Mr. Lillie stated that designations and plaques are simply not sufficient to prevent destruction of historical sites and that the proposed amendment will prohibit issuance of demolition permits until some action can be taken in an effort to preserve a structure.

Mr. Lillie stated that the proposed amendment has been through the legal department and has the necessary language in ordinance form. The staff is recommending that the proposed amendment be approved.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

Don Goldston (Historic Landmark Commission)  
Dr. Emma Lou Linn

FOR  
FOR

C2-73-5c Historic Zoning Ordinance--Contd.

COMMISSION ACTION:

Members reviewed the information presented from the staff and heard testimony from members of the Historic Landmark Commission. Mr. Hetherly stated that in order for this ordinance to be effective, it is going to be necessary for the City to have funds available for acquiring those structures when no other alternative is available. He expressed opposition to placing designations on entire districts, stating this was a concern of the Commission from the beginning. He was of the opinion that neither the Landmark Commission nor the City should have the right to tie up property in this manner. Members were in agreement that wording in Sec. 45-51.1 (a) be changed to delete the words, "district, area or land".

Members were in agreement to retain "by certified or registered mail" in Part 2, Sec. 45-55, in notifying the property owner.

COMMISSION VOTE:

To APPROVE the amendment to the Historic Zoning Ordinance to add Section 45-51.1 concerning procedures for obtaining permits, alterations of structures' exterior during pendency of consideration for historic zoning with the following changes:

Sec. 45-51.1 (a): delete the words, "district, area or land" and inserting "or" between the words, "structure" and "site".

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

ABSENT: Messrs. Everett, Juarez and Nash

The Commission then

VOTED: To APPROVE the amendment to Section 45-55 of the Austin City Code of 1967 concerning notification to property owners of public hearings, such amendment to include, "by certified or registered mail" to the property owner of tract being considered for "H" designation.

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

ABSENT: Messrs. Everett, Juarez and Nash

PUBLIC HEARINGS--Contd.

C14h-74-006 Paggi House: C, 1st to C-H, 1st  
200 Lee Barton Drive  
(Owners: Victor H. Powell, Joseph G.  
Powell and Mrs. Ida R. Powell)

The staff reported that this request has appeared before the Landmark Commission and is recommending that their recommendation be approved.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

Jim Pflueger (representing applicant)

Mrs. Ollie Ebby

FOR

COMMISSION ACTION:

Members reviewed the information presented and were in agreement that this request be granted.

COMMISSION VOTE:

To recommend that the request of the Landmark Commission for a zoning change from "C" Commercial, First Height and Area to "C-H" Commercial-Historic, First Height and Area on property located at 200 Lee Barton Drive be GRANTED.

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

ABSENT: Messrs. Everett, Juarez and Nash

C14h-74-009 Red-Purcell House: B, 2nd to B-H, 2nd  
210 Academy Drive  
(Owners: Mr. & Mrs. S. M. Purcell)

The staff reported that this request has appeared before the Landmark Commission and is recommending that their recommendation be approved.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

None

COMMISSION ACTION:

Members reviewed the information presented and were in agreement that this request be granted.

C14h-74-009 Red-Purcell House--Contd.

COMMISSION VOTE:

To recommend that the request of the Landmark Commission for a zoning change from "B" Residence, Second Height and Area to "B-H" Residence-Historic, Second Height and Area on property located at 210 Academy Drive be GRANTED.

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

OTHER BUSINESS

C8c-73-001 Wilding Conceptual Plan

Consider request for modification of access requirements

Mr. Lillie reported that this is a request by the developers of Wilding for a modification to the conceptual plan. The original plan called for three entrances, one on R. R. 620, one on R. R. 2222 and one on City Park Road. Because the first subdivision plats will be lower in density than originally planned and the access road to R. R. 2222 is a divided median, the Urban Transportation department can approve a maximum of 200 units served by one access road. The staff is requesting that the Commission modify the requirements for the second access road at this point and permit subdivision plats up to a maximum of 200 units from one access road (R-5) onto R. R. 2222.

COMMISSION ACTION:

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

COMMISSION VOTE:

To APPROVE the request to modify the Wilding Conceptual Plan to delete one of the required access roads and to permit one dedicated access road onto R. R. 2222 with two (2) 24-foot lanes (R-5) to serve a maximum of 200 single-family lots or units.

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

C1-74 Minutes

The Commission then

VOTED: To APPROVE the July 23, 1974 Planning Commission minutes.

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



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

FINAL SUBDIVISION PLATS--FILED AND CONSIDERED

The following final subdivision has appeared before the Commission in  
the past and has now met all departmental requirements. The staff recommends  
that this be approved. The Commission then

VOTED:      To APPROVE the following final subdivision:

C8-74-37      Sunrise Acres  
Von Quintas Road & Sunflower

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

ABSENT:      Messrs. Everett, Juarez, Nash and Ramsey

The Commission then

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

C814-74-11      The Trails, Phase 1B  
Briargate and Mesa Drive

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

ABSENT:      Messrs. Everett, Juarez, Nash and Ramsey

The Commission then

VOTED:      To ACCEPT FOR FILING AND DISAPPROVE the following final sub-  
division, pending compliance with departmental requirements  
as on file with the City of Austin Planning Department;  
pending fiscal arrangements required, letter to follow;  
sidewalks required; pending revision of note concerning  
common area; pending name change of Ripple Creek Trail; and  
pending current tax certificates:

C814-74-10      The Village at Pleasant Valley, Sec. 2  
Nuckols Crossing Road & Pleasant Valley Road

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

ABSENT:      Messrs. Everett, Juarez, Nash and Ramsey

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:

<u>C8s-74-139</u>	<u>McNeeley Addition</u>
	Popham Lane & State Highway 71
<u>C8s-74-172</u>	<u>Cumberland Center</u>
	Cumberland Road & South 5th Street

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

ABSENT: Messrs. Everett, Juarez, Nash and Ramsey

The Commission then

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

<u>C8s-74-204</u>	<u>Crescent Addition</u>
	Golden Quail Drive & Button Quail Drive
<u>C8s-74-206</u>	<u>Resub. Lot 1, Buell Park</u>
	Boardwalk Drive & U. S. 183
<u>C8s-74-208</u>	<u>Resub. Lots 29 &amp; 30, Blk. D, Shoalmont, Sec. 4</u>
	Shoal Creek Boulevard & Shoaledge Court
<u>C8s-74-210</u>	<u>Resub. #1 Lots 4 &amp; 5, Blk. "F", Rolling Hills West, Section Four (4)</u>
	Silver Hill Drive & Pinnacle Road

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

ABSENT: Messrs. Everett, Juarez, Nash and Ramsey

The Commission then

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

<u>C8s-74-205</u>	<u>Resub. Lot B, D. Q. Addition</u>
	Tinnen Ford Drive

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

ABSENT: Messrs. Everett, Juarez, Nash and Ramsey

Short Form Subdivisions--Contd.

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form subdivision, pending fiscal arrangements:

C8s-74-209 Ben Hur Subdivision  
U. S. 183 & North Lamar Boulevard

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

ABSENT: Messrs. Everett, Juarez, Nash and Ramsey

The Commission then

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

C8s-74-207 Resub. Lots 17 & 18, Blk. A & Lots 1 & 2,  
Blk. "C", Northwood, Sec. 1  
Oak Bend Drive

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

ABSENT: Messrs. Everett, Juarez, Nash and Ramsey

The Commission then


VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form subdivision, pending receipt of letter from Water District #11; and granted a variance on the signature of the adjoining owner:

C8s-74-191 Hamrick Industrial Park  
F. M. 1325

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

ABSENT: Messrs. Everett, Juarez, Nash and Ramsey

The meeting was adjourned at 10:30 p.m.

  
Richard Lillie  
Executive Secretary