

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting--April 16, 1975

The meeting of the Commission was called to order at 7:00 p.m. in the Council Chambers

Present

C. W. Hetherly, Chairman
Rizer Everett
Betty Himmelblau
Philip Juarez
Jean Mather
Charles Nash
George Ramsey, III

Also Present

Richard Lillie, Director of Planning
David Earl Holt, Director of Libraries
Leon Lurie, Director of Urban Renewal
H. L. Peterson, Assistant Director of
Electric Utility
Pat Settle, Administrative Secretary

Absent

O. P. "Bob" Bobbitt
Bennie Washington

ZONING

The following zoning changes were considered by the Zoning Committee at the meetings of March 31, and April 1, 1975.

Present

*O. P. "Bob" Bobbitt, Chairman
Rizer Everett
**C. W. Hetherly
Charles Nash, Acting Chairman
George E. Ramsey, III

Also Present

Evelyn S. Butler, Supervising Planner
*Duncan Muir, Planner
**Brian Schuller, Planner
Pat Settle, Administrative Secretary

*Present only on March 31, 1975

**Present only on April 1, 1975

C14-75-026 Stanley W. Casner, Jr.: Int. "A" Residence, "1st" H & A to
4019 Spicewood Springs Road "O" Office, "1st" H & A

STAFF REPORT:

Subject tract fronts a major arterial in northwest Austin. Existing r.o.w. of 65-80 feet is planned to be increased to 90 feet, requiring the remaining 10-15 feet from subject tract. A clinic with the appearance of a residential structure established prior to annexation presently exists on the tract. A single-family subdivision has been established across the street to the north. All other surrounding land is undeveloped.

Retail and office zoning has been established to the east and west at the intersections of major arterials. The Commission and City Council have expressed concern about the potential stripping of this arterial with non-residential uses in three previous zoning cases. The "O" Office which was established to the east can be used for the office of the American Cancer Society only. Across the street to the south where non-conforming uses exist, the Zoning Committee voted to deny Local Retail zoning. The Commission permitted that case to be withdrawn. The Commission recommended denial of Local Retail zoning on a tract to the northwest and the case was withdrawn.

As a non-conforming use established prior to annexation, the clinic use of the subject tract may continue in its present condition. Its appearance is not unlike residential and does not decrease the residential amenity of surrounding property. The staff feels that the residential neighborhood to the north should be protected from zoning encroachments.

STAFF RECOMMENDATION:

That this case be denied:

1. as protection for the neighborhood to the north
2. because Office zoning would set an undesirable non-residential zoning precedent for other tracts along this arterial and
3. as consistent with previous Commission and Council action and plans for this area.

If zoning is granted, 10-15 feet is required to increase the r.o.w. of Spicewood Springs Road to 90 feet.

Notice: A subdivision is required prior to the issuance of building permits.

CITIZEN COMMUNICATION (NORTHWEST AUSTIN CIVIC ASSOCIATION
AND BALCONES CIVIC ASSOCIATION)

WRITTEN COMMENT

None

PERSONS APPEARING

Stanley Casner (applicant)

William C. Cockerill: 8000 Greenslope Drive

AGAINST

C14-75-026 Stanley W. Casner, Jr.--Contd.

Carol Emmer: 8008 Greenslope Drive	AGAINST
Walter Newcomb: 8005 Hillrise Drive	AGAINST
Gene Chiles: 8107 Hillrise Drive	AGAINST
Rosalie Chiles: 8107 Hillrise Drive	AGAINST
David E. Daniel: 8003 Hillrise Drive	AGAINST
Richard H. Sterling: 3804 Greenview Drive	AGAINST
Marvin L. Hackert: 8014 Hillrise Drive	AGAINST
James M. Perdue, Jr.: (Northwest Austin Civic Assn.)	AGAINST
Don Herzog: 8002 Hillrise Drive	AGAINST

COMMITTEE ACTION:

The applicant requested that this case be postponed 60 days. Citizens present were in agreement to a postponement. Members reviewed the information presented and recommended to postpone the request for 60 days.

AYE: Messrs. Everett, Nash, Ramsey and Washington.
NAY: Mr. Bobbitt

COMMISSION ACTION:

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

COMMISSION VOTE:

To POSTPONE 60 DAYS the request of Stanley W. Casner, Jr. for a zoning change from Interim "A" Residence, Interim "1st" H & A to "O" Office, "1st" H & A on property located at 4019 Spicewood Springs Road.

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

C14-75-027 M. H. Flournoy: Int. "A" Residence, "1st" H & A to
5605 South Congress Avenue "C" Commercial, "1st" H & A

STAFF REPORT:

Subject tract, developed with a lumber yard built prior to annexation, is located in south Austin along a major arterial street bounded by commercial zoning to the north and east, interim-residential zoning to the south, and local retail zoning across the street west of subject tract. Most of the land along this area of South Congress is developed with non-conforming uses of intensive commercial character, as evidenced by the auto repair facility to the south and the development on subject tract. Stassney Lane is planned to be extended from South Congress Avenue to I.H. 35 along the adjacent property north of the subject tract.

C14-75-027 M. H. Flournoy--Contd.

There were two previous zoning requests on property adjacent to the subject tract on the north and east. The first request in 1971 covered the area fronting South Congress Avenue and was granted commercial zoning, subject to two building setbacks, one 45 feet from north of the property line and the other 25 feet from Wasson Road. The second request in 1972 granted commercial zoning to the rear of the 1971 case.

STAFF RECOMMENDATION:

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

**CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)
WRITTEN COMMENT****COMMITTEE ACTION:**

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

AYE: Messrs. Bobbitt, Everett, Nash, Ramsey 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 M. H. Flournoy for a zoning change from Interim "A" Residence, Interim "1st" H & A to "C" Commercial, "1st" H & A on property located at 5605 South Congress Avenue be GRANTED.

AYE: Messrs. Hetherly, Everett, Juarez, Nash and Ramsey.
Ms. Himmelblau

ABSENT: Messrs. Bobbitt and Washington. Ms. Mather

C14-75-028 Victor F. Wilkening, Executor of the Estate of Frieda H. Wilkening:
1910 Whitis Street, also "B" Residence, "2nd" H & A to
bounded by West 20th Street "GR" General Retail, "3rd" H & A

STAFF REPORT:

Subject tract is located south of the University campus at the intersection of two collector streets. This property, developed with a single-family housing unit, is the only lot on this street not zoned for commercial activity; however, it is surrounded by intensive commercial zoning to the north, south and west and apartment zoning to the east.

C14-75-028 Victor F. Wilkening--Contd.

In 1967 the property south of subject tract was changed to commercial zoning by action of the City Council. The Planning Commission had recommended to deny this case as being an intrusion into a residential area. Since that time University expansion, intensified commercial activity and increased traffic flow have decreased the residential quality of this area.

STAFF RECOMMENDATION:

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

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

None

PERSONS APPEARING

Phil Thompson (representing applicant)

COMMITTEE ACTION:

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

AYE: Messrs. Nash, Everett, Hetherly and Ramsey

COMMISSION ACTION:

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

COMMISSION VOTE:

To recommend that the request of Victor F. Wilkening, Executor of the Estate of Frieda H. Wilkening for a zoning change from "B" Residence, "2nd" H & A to "GR" General Retail, "3rd" H & A on property located at 1910 Whitis Street, also bounded by West 20th Street be GRANTED.

AYE: Messrs. Hetherly, Everett, Juarez, Nash and Ramsey.
Ms. Himmelblau

ABSENT: Messrs. Bobbitt and Washington. Ms. Mather

C14-75-029	Barton-West Association, Ltd.: "A" Residence, "1st" H & A to 2142-2150 West Ben White Blvd. 2201-2327 Prather Lane 4000-4312 Victory Drive	"GR" General Retail, "1st" H & A (Tract 1), "B" Residence, "1st" H & A (Tract 2), and "C" Commercial, "1st" H & A (Tract 3)
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STAFF REPORT:

Subject tracts, totaling 10.78 acres, are located in southwest Austin in close proximity to the intersection of South Lamar and Ben White Boulevards, two major traffic carriers. The tracts lie between 35 acres of commercial zoning to the west and "A" residential neighborhoods to the east. Porter Junior High, which is tentatively scheduled to be changed into a sixth-grade center, exists to the north.

Primary access to the tracts will be provided by the proposed Victory Drive. The portion of Victory Drive r.o.w. south of Tracts 2 and 3 has been dedicated; the portion between Tracts 2 and 3 is planned. Prather Lane, a residential collector street also provides access to Tract 2. The access drive for the school is across Prather Lane to the north. Two minor residential streets deadend at the east line of Tract 1.

Tract 3, being west of the planned Victory Drive, should logically assume the zoning which abuts it to the west. Tracts 1 and 2 located between intensive commercial zoning and "A" residential zoning and use should be buffer-zoned to permit uses which will protect established uses. The staff recommends medium-density apartment zoning with fencing and building setbacks as protective measures. Because the access drive to the school is opposite Tract 2, the staff recommends that access to Tract 2 be permitted only from the planned Victory Drive. This would reduce the traffic congestion and hazard to children going to and from the planned sixth-grade center.

STAFF RECOMMENDATION:

That "C" Commercial be granted on Tract 3, and that "GR" General Retail and "B" Residence be denied but that "BB" Residence be granted on Tracts 1 and 2, subject to privacy fencing and a 25-foot building setback along the east lines of Tracts 1 and 2, and prohibited driveway access to Prather Lane, Ivy Trail, and Fort View Road.

A tree-line exists along the east line of Tracts 1 and 2 which should be retained to help provide buffering.

Notice to applicant: A subdivision is required prior to the issuance of a building permit.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Michael S. Gideon: 2106 Ivy Trail
Mr. & Mrs. Alfred Feuge: 2102 Ivy Trail
Petition bearing 33 names

AGAINST
AGAINST
AGAINST

C14-75-029 Barton-West Association, Ltd.--Contd.

PERSONS APPEARING

Irvin Melitz: 4007 North Hills	FOR
Woodrow Sledge: (AISD)	AGAINST
Donna J. Feuge: 2102 Ivy Trail	AGAINST
Bonnie K. Feuge: 2102 Ivy Trail	AGAINST
Mrs. Pearl Hancock: 2104 Ivy Trail	AGAINST
John G. Hancock: 2104 Ivy Trail	AGAINST
Alfred A. Feuge: 2102 Ivy Trail	AGAINST
Mrs. Alfred Feuge: 2102 Ivy Trail	AGAINST

COMMITTEE ACTION:

The applicant submitted a letter requesting postponement of this case. Mr. Bobbitt pointed out the 72-hour requirement for a request for postponement and the inconvenience to area residents present at the hearing. Members unanimously recommended to hear the case. The applicant indicated that his plans for the property had changed and would like the opportunity to review the new plans with the neighborhood group. Area residents present were in agreement to a postponement. The Committee then recommended that the request be postponed 30 days.

AYE: Messrs. Bobbitt, Everett, Nash, Ramsey 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 POSTPONE 30 DAYS the request of Barton-West Association, Ltd. for a zoning change from "A" Residence, "1st" H & A to "GR" General Retail, "1st" H & A (Tract 1), "B" Residence, "1st" H & A (Tract 2) and "C" Commercial, "1st" H & A (Tract 3) on property located at 2142-2150 West Ben White Boulevard, 2201-2327 Prather Lane and 4000-4312 Victory Drive.

AYE: Messrs. Hetherly, Everett, Juarez, Nash and Ramsey.

Ms. Himmelblau

ABSENT: Messrs. Bobbitt and Washington. Ms. Mather

C14-75-030 Joe C. Saldana: "GR" General Retail, "1st" H & A to
501 West Oltorf Street, also "C-2" Commercial, "1st" H & A
bounded by Durwood Street

STAFF REPORT:

A special permit is also being processed in conjunction with this zoning request. Subject tract is located in south Austin at an intersection of a minor residential street and a major arterial, West Oltorf Street, proposed for future expansion. This property, presently zoned general retail and developed with a restaurant, abuts office zoning to the west, office and single-family zoning to the north and single-family zoning to the east and south. A neighborhood park adjoins subject property to the south.

C14-75-030 Joe C. Saldana--Contd.

In 1972 a zoning case changed the subject tract's zoning to general retail. The staff recommended an alternate of office zoning as the most appropriate zoning at the fringe of the commercial zoning and use oriented to the intersection of South First Street and West Oltorf Street, and that Durwood Street should be the point of termination for rezoning. However, the Planning Commission and the City Council granted the general retail request.

Later in 1972 a case was processed for "GR" zoning on the tract across Oltorf Street to the northeast. The Planning Commission recommended "O" Office, but the City Council denied any change in zoning as an intrusion into the residential neighborhood.

STAFF RECOMMENDATION:

That this case be denied as incompatible with adjacent residential zoning and uses. The staff prefers recommending "C-2" zoning within shopping centers or areas surrounded by commercial zoning. This case, if granted, will stimulate the decline of adjacent residential properties and encourage strip-zoning along Oltorf Street.

CITIZEN COMMUNICATION (SOUTH AUSTIN NEIGHBORHOOD)**WRITTEN COMMENT**

None

PERSONS APPEARING

Joe Reyna (representing applicant)
William Smith

AGAINST

COMMITTEE ACTION:

Members reviewed the zoning request in conjunction with a special permit request. Mr. Ramsey stated that subject tract is located at the end of the block with strip zoning surrounding it to the west. Mr. Everett pointed out that "C-2" could be an intensification and should not be granted. Mr. Nash pointed out that the applicant has "GR" and that "C-2" would be inappropriate in this area. Mr. Hetherly agreed that "C-2" would be inappropriate. The Committee recommended that the request be denied.

AYE: Messrs. Nash, Everett, Hetherly and Ramsey

COMMISSION ACTION:

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

COMMISSION VOTE:

To recommend that the request of Joe C. Saldana for a zoning change from "GR" General Retail, "1st" H & A to "C-2" Commercial, "1st" H & A on property located at 501 West Oltorf Street, also bounded by Durwood Street be DENIED.

AYE: Messrs. Hetherly, Everett, Juarez, Nash and Ramsey
 Ms. Himmelblau

ABSENT: Messrs. Bobbitt and Washington. Ms. Mather

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)
WRITTEN COMMENT

C14-75-031 Philip Bashara, Sr., et al--Contd.

COMMITTEE ACTION:

Members reviewed the information presented and were in agreement with the staff's recommendation to grant this request, subject to a restriction prohibiting residential units of any kind.

AYE: Messrs. Bobbitt, Everett, Nash, Ramsey 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 Philip Bashara, Sr., et al for a zoning change from "BB" Residence, "1st" H & A to "LR" Local Retail, "1st" H & A on property located at 1600-1612 East 51st Street and 5114-5118 Berkman Drive be GRANTED, subject to a restriction prohibiting residential units of any kind.

AYE: Messrs. Hetherly, Everett, Juarez, Nash and Ramsey.
Ms. Himmelblau

ABSENT: Messrs. Bobbitt and Washington. Ms. Mather

C14-75-032 Crow and Associates, Inc.: "GR" General Retail, "1st" H & A to
2001 Wheelless Lane "C-1" Commercial, "1st" H & A

STAFF REPORT:

This property is located within a shopping center in northeast Austin. The general retail zoning and uses in this area serve the surrounding single-family neighborhoods.

STAFF RECOMMENDATION:

That this case be granted as a compatible use in the shopping center.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

None

PERSONS APPEARING

None

COMMITTEE ACTION:

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

AYE: Messrs. Nash, Everett, Hetherly and Ramsey

C14-75-032 Crow and Associates, Inc.--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 Crow and Associates, Inc. for a zoning change from "GR" General Retail, "1st" H & A to "C-1" Commercial, "1st" H & A on property located at 2001 Wheelless Lane be GRANTED.

AYE: Messrs. Hetherly, Everett, Juarez, Nash and Ramsey.
Ms. Himmelblau

ABSENT: Messrs. Bobbitt and Washington. Ms. Mather

C14-75-033 Crow-Handy Andy Quail Creek Venture: "GR" General Retail, "1st" H & A
1303 Rutland Drive to "C-1" Commercial, "1st" H & A

STAFF REPORT:

This small 1,200-square-foot tract is located within a neighborhood shopping center in north Austin. The tract is part of property restrictively zoned for retail use in 1971. The shopping center is bounded by single-family homes to the south, west and north, and partially developed apartment-zoned land to the east.

The zoning of the shopping center was established in 1971 after careful consideration was given to protection of the surrounding single-family neighborhood, conditions of the zoning include building setbacks, privacy fencing, and landscaping. A revision to the zoning reduced a buffer zone but prohibited cuts on Rutland Drive.

STAFF RECOMMENDATION:

That this case be granted, as it is an appropriate use within a shopping center.

CITIZEN COMMUNICATION (NORTH AUSTIN CIVIC ASSOCIATION)

WRITTEN COMMENT

None

PERSONS APPEARING

Wayne Curtis (representing applicant)	
Jack Frucella (North Austin Civic Assn.)	AGAINST
Randy Ferguson: 9502 Gambels Quail Drive	AGAINST
Mr. & Mrs. William C. Love: 10103 Parkfield Drive	AGAINST
Joe Thiel: 8930 Collinfield Drive	AGAINST
Beverly Montgomery	AGAINST

C14-75-033 Crow-Handy Andy Quail Creek Venture--Contd.

COMMITTEE ACTION:

Mr. Hetherly stated opposition to this request because of the intent of the Commission in granting the "GR" zoning in 1971. He stated that in most instances he would vote for the "C-1" use within a shopping center, but because of its location within the center of a residential neighborhood he would have to vote against the request. A motion was made to deny the request.

AYE: Messrs. Nash, Everett and Hetherly
NAY: Mr. Ramsey

COMMISSION ACTION:

The applicant submitted a letter requesting that this case be withdrawn. Mr. Nash read the Committee's recommendation to deny the request. Ms. Himmelblau offered a substitute motion to permit the applicant to withdraw the request. A majority of the Committee was in agreement.

COMMISSION VOTE:

To GRANT the request to withdraw the application of Crow-Handy Andy Quail Creek Venture for a zoning change from "GR" General Retail, "1st" H & A to "C-1" Commercial, "1st" H & A on property located at 1303 Rutland Drive.

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

C14-75-034 Howard Hand: "A" Residence, "1st" H & A to "O" Office, "1st" H & A
1806-1808 West 6th Street
601 Theresa Street

STAFF REPORT:

Subject tract is located in an older neighborhood west of downtown Austin. Two single-family homes exist on the tract. Residences abut this tract to the north and east. To the west is the massive intersection of MoPac Boulevard with Lake Austin Boulevard, 5th, 6th and 1st Streets. This new multi-level intersection presents a visual intrusion into subject tract. Front access to this tract has been changed from a two-way street to a one-entry for northbound traffic. Access is also provided by a rear alley.

This case is significant because it has been generated by the construction of this interchange, a change in conditions which detrimentally affects the residential amenity of some properties. Most properties which abut MoPac Boulevard are not affected by it as the subject tract is. Careful consideration must be given to how far north of this tract zoning changes should occur. Theresa Street inclines steeply north of subject tract and

C14-75-034 Howard Hand--Contd.

the visual intrusion disappears. Secondly, Theresa Street, a minor residential street, has been changed to one-way, forcing traffic to exit via residential streets. Vehicles exiting from subject tract may be accomplished by way of the rear alley, with only a short distance back to West 6th Street. It may be difficult for the staff to support further zoning requests to the north.

STAFF RECOMMENDATION:

That this case be granted as an appropriate use consistent with a significant change in conditions, subject to a privacy fence on the north boundary.

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

WRITTEN COMMENT

Petition bearing 25 names	AGAINST
PERSONS APPEARING	
John Powers (representing applicant)	
David Goodwin: 707 Patterson Avenue	AGAINST
Mrs. Nat Franzetti: 1815 West Avenue	AGAINST
Mr. & Mrs. Alan G. Orr: 718 Patterson Avenue	AGAINST
Edna Teich: 1702 Francis Avenue	AGAINST
Julie Howell: 707 Theresa Street	AGAINST
Mr. & Mrs. Michael Keene: 720 Patterson Avenue	AGAINST
Douglas Packard: 609 Theresa Street	AGAINST
Mrs. Douglas Packard: 609 Theresa Street	AGAINST
Mrs. N. S. Johns: 613 Theresa Street	AGAINST
E. H. Holder: 601 Theresa Street	AGAINST
Steve N. S. Johns: 613 Theresa Street	AGAINST
Ella Marburger: 1711 Francis Avenue	NO OPINION

COMMITTEE ACTION:

In answer to Mr. Everett's question concerning a restrictive covenant stating that the property would revert back to "A" Residence in the event the property were ever sold, the applicant's representative stated he had not discussed this possibility with his client and could not give an answer at this time. Mr. Everett stated that this case is difficult in that the staff's description is accurate; however, the neighborhood is very nice. He also stated that it is a visual obstruction to those on 6th Street. While a change in zoning would be an intrusion into the neighborhood, he felt the staff had given careful consideration to this particular case. Messrs. Nash and Bobbitt expressed concern with the traffic and parking. The staff indicated that off-street parking would be required. Mr. Everett recommended that the request be granted, subject to a privacy fence on the north boundary.

AYE: Messrs. Bobbitt, Everett, Nash, Ramsey and Washington

C14-75-034 Howard Hand--Contd.

COMMISSION ACTION:

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

COMMISSION VOTE:

To recommend that the request of Howard Hand for a zoning change from "A" Residence, "1st" H & H to "O" Office, "1st" H & A on property located at 1806-1808 West 6th Street and 601 Theresa Street be GRANTED, subject to a privacy fence on the north boundary.

AYE: Messrs. Hetherly, Everett, Juarez, Nash and Ramsey.
 Ms. Himmelblau

ABSENT: Messrs. Bobbitt and Washington. Ms. Mather

C14-75-035 William A. Crenshaw and Charles Croslin: Int. "A" Residence,
 2303-2413 Kramer Lane "1st" H & A to "D" Industrial, "1st" H & A

STAFF REPORT:

Subject property is located in far north Austin on an industrial collector street, Kramer Lane, proposed for future expansion. The area around this property, presently zoned Interim "A" Residence, has been designated for industrial development by the City's master plan.

This property was previously a part of a 1973 zoning case that granted industrial zoning for Kramer Lane Industrial Park located to the south. The Planning Commission recommended to grant the zoning for the entire requested area subject to a subdivision providing for the widening of Kramer Lane and the r.o.w. on Braker Lane as it affected this tract. The Commission felt firmer information was needed on the location and timetable for the construction of Braker Lane (Loop 360) and concluded to refer the r.o.w. requirements to the City Council. At that time the applicant stated that he did not wish to set aside any land for r.o.w. on Braker Lane. The subject tract was included in the area which was subsequently withdrawn from consideration in that zoning case.

A preliminary subdivision plan, Kramer Lane Industrial Village, covering the subject tract and a final plat covering the northern sector of the property have been filed. The preliminary plan shows the location of the proposed Braker Lane. The final plat will be approved when fiscal arrangements are met and the r.o.w. issue solved.

C14-75-035 William A. Crenshaw and Charles Croslin--Contd.

STAFF RECOMMENDATION:

That this case be granted as compatible with the master plan for this area, subject to a subdivision providing r.o.w. on Kramer Lane, 40 feet from the centerline, and for the proposed Braker Lane as shown in the preliminary subdivision of this tract.

CITIZEN COMMUNICATION (NORTH AUSTIN CIVIC ASSOCIATION)

WRITTEN COMMENT

None

PERSONS APPEARING

Tom Curtis (representing applicant)

COMMITTEE ACTION:

The applicant indicated he was in agreement with the staff's recommendation. The staff pointed out that the problem with r.o.w. on Braker Lane is being resolved. Members reviewed the information presented and recommended that the request be granted, subject to a subdivision providing r.o.w. on Kramer Lane, 40 feet from the centerline, and for the proposed Braker Lane as shown in the preliminary subdivision of this tract.

AYE: Messrs. Bobbitt, Everett, Nash, Ramsey 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 A. Crenshaw and Charles Croslin for a zoning change from Interim "A" Residence, Interim "1st" H & A to "D" Industrial, "1st" H & A on property located at 2303-2413 Kramer Lane be GRANTED, subject to a subdivision providing r.o.w. on Kramer Lane, 40 feet from the centerline, and for the proposed Braker Lane as shown in the preliminary subdivision of this tract.

AYE: Messrs. Hetherly, Everett, Juarez, Nash and Ramsey.
Ms. Himmelblau

ABSENT: Messrs. Bobbitt and Washington. Ms. Mather

C14-75-036 Independent Architects: "B" Residence, "1st" H & A to
1100 East 8th Street "O-H" Office-Historic, "1st" H & A
801-805 Waller Street

STAFF REPORT:

Subject tract is located at the intersection of two residential collector streets in an older neighborhood of predominantly single-family residences. Some older apartments also coexist to the north at the intersection of East 9th and Waller Streets. An alley abuts subject tract on the north.

C14-75-036 Independent Architects--Contd.

A zoning request for "O" Office was heard in 1973 for the subject applicant. The staff, Planning Commission, and Council did not support the change as it was considered an intrusion into the neighborhood. Neighborhood opposition was expressed. In 1969 the Commission recommended denial of two apartment zoning requests within this neighborhood. Neighborhood opposition to apartments was strong and the cases were withdrawn.

Last Monday night the Landmark Commission heard and recommended to the Planning Commission that "O" Office, "H" Historic zoning be recommended to the City Council. The restoration and maintenance of the historic structure built in 1887 was considered a hardship sufficient to warrant a land use change.

Although a policy has not been fully developed by the Planning Department relating to use district changes for historic structures, the staff feels at this time that the proposed use of professional offices in the existing residential structure is perhaps a non-residential use most compatible with the neighborhood. The "H" Historic designation will assure the continued use of the existing structure. No free-standing signs are allowed in "O" Office and parking is off the rear alley. Outward appearance will continue to be residential.

The problem which the staff has with many zoning cases is that a grant of zoning will set a precedent. In this instance, the precedential effect is minimized, because relatively few structures qualify as historic. Better maintenance of the residential structure is assured, and this is a contribution to the neighborhood.

STAFF RECOMMENDATION:

That "O" Office, "H" Historic be granted, subject to a restriction of the use of "O" Office to professional and semi-professional office use only, as a contribution to preservation of Austin's architectural and cultural heritage and as a use which will not detract from the integrity of the surrounding neighborhood.

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

None

PERSONS APPEARING

George Villalva (applicant)

C14-75-036 Independent Architects--Contd.

COMMITTEE ACTION:

Members reviewed the information presented and were in agreement with the staff's recommendation to grant the request, subject to a restriction of the use of "O" Office to professional and semi-professional office use only.

AYE: Messrs. Bobbitt, Everett, Nash, Ramsey and Washington

COMMISSION ACTION:

Members reviewed the information in conjunction with the request for historic zoning designation and were in agreement with the Committee's recommendation to grant the request subject to conditions.

COMMISSION VOTE:

To recommend that the request of Independent Architects for a zoning change from "B" Residence, "1st" H & A to "O-H" Historic, "1st" H & A on property located at 1100 East 8th Street and 801-805 Waller Street be GRANTED, subject to a restriction of the use of "O" Office to professional and semi-professional office use only.

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

ABSENT: Messrs. Bobbitt and Washington

C14-75-037 Joseph F. Burke: "O" Office, "2nd" H & A to
1209 Baylor Street "LR" Local Retail, "2nd" H & A

STAFF REPORT:

The Planning Department has sent letters of postponement to all property owners surrounding this request due to non-completion of zoning application requirements.

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

WRITTEN COMMENT

None

PERSONS APPEARING

None

COMMITTEE ACTION:

Members reviewed the request and recommended that this request be postponed.

AYE: Messrs. Bobbitt, Everett, Nash, Ramsey and Washington

COMMISSION ACTION:

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

If granted, 10 feet of r.o.w. is necessary to contribute to expansion of Clay Avenue to 60 feet.

C14-75-038 William Champion--Contd.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

None

PERSONS APPEARING

Martin Boozer (representing applicant)

J. P. Stallworth (representing applicant)

COMMITTEE ACTION:

In answer to Mr. Ramsey's question regarding apartments planned, the applicant indicated there would be a maximum of 28 two-story units. Mr. Washington was of the opinion that a zoning change would generate additional zoning changes because of the number of absentee landlords in this neighborhood. The Committee recommended that this request be denied.

AYE: Messrs. Bobbitt, Everett, Nash, Ramsey 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 Champion for a zoning change from "A" Residence, "1st" H & A to "B" Residence, "1st" H & A on property located at 5701-5703 Clay Avenue be DENIED.

AYE: Messrs. Hetherly, Everett, Juarez, Nash and Ramsey.
 Ms. Himmelblau

ABSENT: Messrs. Bobbitt and Washington. Ms. Mather

C14-75-039 Emil Roos: "A" Residence, "1st" H & A to
 1506-1508 Garden Street, also "LR" Local Retail, "1st" H & A
 bounded by Comal Street

STAFF REPORT:

Subject lots are located within a single-family neighborhood in east Austin. They front a minor residential street and side to a neighborhood collector street. The surrounding neighborhood is part of the Community Development District 12 which was the old Model Cities Area. Under the Model Cities program, federal and local funds were expended through the Concentrated Code Enforcement program to rehabilitate some of the residences and increase the level of City services to the area.

Commercial zoning to service the everyday needs of the adjacent neighborhood is located one block to the south. Subject request was processed in late 1973, and was denied by both the Planning Commission and City Council as an intrusion into a single-family neighborhood worthy of protection. The staff feels that this request, if granted, would contribute to a strip zone between Holly Street and 1st Street to the north.

C14-75-039 Emil Roos--Contd.

STAFF RECOMMENDATION:

That this case be denied as an obvious intrusion into a single-family neighborhood, as inconsistent with the progress made in upgrading the area under the Model Cities Program, and as inconsistent with the previous denial less than two years ago.

If a change in zoning is granted, one-half the r.o.w. (five feet) is required to increase Garden Street from 50 to 60 feet.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Eugene Vega: 1601 Canterbury	FOR
Lupe Morvida: 1403 Garden Street	FOR
Joe B. Torres: 1606 Willow Street	FOR
Juan R. Castro: 1504 Garden Street	FOR
Mr. & Mrs. Lonnie Pannell	FOR
Manuel Clark: 1503 Garden Street	FOR
Isaac Perez: 1405 Garden Street	FOR
Tillie Silverman: 4310 Shady Hill Drive	FOR
Joe Daywood: 2301 Sunnyslope	FOR
Peter P. Zarembo: 1010 Lavaca, Suite 216	FOR
Augustina Haskill: 1406 Garden Street	AGAINST
Louis M. Weynandt: 1804 Ann Arbor Avenue	AGAINST
Anita B. Barba: 1502 Garden Street	AGAINST
Donaciano L. Perez: 1505 Garden Street	AGAINST
Tony Robledo: 85 Comal Street	AGAINST
Mrs. Carlos Rodriguez: 1410 Garden Street	AGAINST

PERSONS APPEARING

Emil Roos (applicant)	
Isaac Perez: 1805 Garden Street	FOR
Frank R. Casarez: 1611 Canterbury	AGAINST
Jo Spradling: 1509 Garden Street	AGAINST
Mr. & Mrs. Frank A. Estrada: 1606 Garden Street	AGAINST
Mrs. Susie M. Estrada: 1614 Canterbury	AGAINST
Gilbert D. Estrada: 1614 Canterbury	AGAINST

COMMITTEE ACTION:

The applicant indicated he would be willing to place a restriction on the zoning that the tract be used for a coin-operated washateria only, to front onto Comal Street and to maintain the existing trees on the two lots. Members reviewed the information presented and recommended that the request be denied as an intrusion into a residential neighborhood.

AYE: Messrs. Bobbitt, Everett, Nash, Ramsey and Washington

C14-75-039 Emil Roos--Contd.

COMMISSION ACTION:

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

COMMISSION VOTE:

To recommend that the request of Emil Roos for a zoning change from "A" Residence, "1st" H & A to "LR" Local Retail, "1st" H & A on property located at 1506-1508 Garden Street, also bounded by Comal Street be DENIED.

AYE: Messrs. Hetherly, Everett, Juarez, Nash and Ramsey.
 Ms. Himmelblau

ABSENT: Messrs. Bobbitt and Washington. Ms. Mather

C14-75-040 M. H. Flournoy: Int. "A" Residence, "1st" H & A to
140-146 and 200-202 Eberhart Lane "B" Residence, "1st" H & A

STAFF REPORT:

This 8.5-acre tract is located in south Austin abutting a neighborhood collector street and a proposed minor residential street to the west. Developing single-family neighborhoods exist to the north and south. A community club is adjacent to the east, and undeveloped land exists to the west.

Action on previous zoning cases is significant for this apartment zoning request. A case was processed on subject tract and the tracts to the west. While approving twelve acres of General Retail zoning at the intersection of Eberhardt Lane and South 1st Street, the Planning Commission disapproved apartment zoning on subject tract and a zoning change on the land to the west. The Commission expressed the opinion that subject tract and the land to the west should be developed consistent with the surrounding neighborhoods. The General Retail that was granted is restricted against apartments as incompatible with the single-family character of this area. Two other tracts to the west which were zoned retail cannot be developed with apartments.

A limited amount of "BB" apartment zoning exists on the south side of Eberhardt Lane to the west. The zoning at the intersection of South Meadows Boulevard and Eberhardt Lane granted six years ago has been developed with single-family homes. The apartment zoning to the west granted four years ago is undeveloped.

The zoning precedents which bear upon this request are strong. Apartment zoning on subject tract was not recommended by the Commission in 1973, and the granting of retail zoning was restricted against apartment development on three separate occasions. The recommendation on subject tract must also consider the proper use and zoning of the tract to the west. The staff

feels that the neighborhood bounded by the major arterials of Stassney Lane, South Congress Avenue, William Cannon Drive, and South 1st Street should be protected from zoning intrusions and that development of subject tract should be a density which is allowed by "A" residential zoning.

That this case be denied as an intrusion into the interior of a residential neighborhood, as consistent with the previous Commission recommendation for this tract and the tract to the west, and as consistent with Council action in this area.

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C14-75-040 M. H. Flourney--Contd.

COMMITTEE ACTION:

Members reviewed the information presented. In answer to Mr. Everett's question regarding the number and type of apartments to be built, the applicant stated he had no definite plans but preliminary plans are for a cluster of about twelve apartments to be duplicated across the tract with probably a minimum of 100 two-story units. Mr. Nash expressed concern about the depth of the tract and felt a 25-foot buffer strip of "A" Residence along the northern and eastern boundary of the tract as well as a privacy fence would protect the privacy of the adjoining residential neighborhood. The applicant was in agreement with the buffer strip and privacy fence. Mr. Ramsey was of the opinion that granting the request would be an invasion into a residential neighborhood. He stated that the applicant had no definite plans and he would be opposed to putting apartments in that location. Mr. Everett was in agreement. Mr. Bobbitt pointed out that zoning does not require a site plan. Mr. Ramsey recommended that the request be denied. The motion failed 2-3. Mr. Nash stated that the land needs to be put to some use, but he felt a need for a buffer regardless of what is placed on the tract. Mr. Bobbitt was of the opinion that the tract was more oriented to South Congress and that at least a portion of the tract would be suitable for "B" Residence zoning. Mr. Nash recommended that the request be granted, subject to a 25-foot buffer strip of "A" Residence on the northern and eastern boundary and a privacy fence along the northern and eastern boundary.

AYE: Messrs. Bobbitt, Nash and Washington
NAY: Messrs. Everett and Ramsey

COMMISSION ACTION:

Mr. Nash read the Committee's recommendation but the motion died for lack of a second. Mr. Juarez then recommended that the request be denied. Mr. Nash stated that after having reviewed the request he was of the opinion that the density of the project was too great. In answer to his question regarding "BB" zoning rather than "B" the applicant indicated he could accept "BB" Residence. The vote was then taken on the motion to deny and carried 4-1 with one abstention.

COMMISSION VOTE:

To recommend that the request of M. H. Flourney for a zoning change from Interim "A" Residence, Interim "1st" H & A to "B" Residence, "1st" H & A on property located at 140-146 and 200-202 Eberhart Lane be DENIED.

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

C14-75-041 Ronald H. Chitsey: "A" Residence, "1st" H & A to
5107 Leralynn Street "BB" Residence, "1st" H & A

STAFF REPORT:

Subject tract which fronts a minor residential street is a large three-quarter acre lot located within an older but stable single-family neighborhood. Single-family residences surround this tract on three sides; a cemetery is to the east.

A number of residential units have been moved onto this lot and tied to a single-family home perhaps in anticipation of a zoning change, although a building permit for only a duplex has been issued. The size of this tract would allow a resubdivision into two lots and development of two duplexes. Rather than introduce the first zoning intrusion into this neighborhood, the staff feels that the alternative expressed above is a better one.

STAFF RECOMMENDATION:

That this case be denied as an intrusion into a single-family neighborhood which presently does not have any encroachments. Increased density allowed by the requested zoning would lead to premature deterioration of this single-family neighborhood.

If granted, one-half the additional r.o.w. to increase Leralynn Street from 50 to 60 feet is required.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Petition bearing 25 names	AGAINST
PERSONS APPEARING	
Ronald Chitsey (applicant)	
Thomas H. Porter: 4518 Depew Street	AGAINST
W. C. England	AGAINST
Charles Reinart	AGAINST
Art Kinser	AGAINST
Al Knopf	AGAINST
Lorenzo Castro	AGAINST

COMMITTEE ACTION:

Members reviewed the information presented and recommended that this request be denied as incompatible with the surrounding single-family neighborhood.

AYE: Messrs. Bobbitt, Everett, Nash, Ramsey and Washington

COMMISSION ACTION:

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

COMMISSION VOTE:

ABSENT: Messrs. Bobbitt and Washington. Ms. Mather

C14-75-042	62.101 LTD.: Int. "A" Residence, "1st" H & A to 6501-7009 Ed Bluestein Boulevard 5500-5604 Decker Lake Road	<u>"GR" General Retail, "1st" H & A (Tract 1A); "O" Office, "1st" H & A (Tract 2A); and "A" Residence, "1st" H & A (Tract 3A) (as amended) (Orig. Req.: "GR" General Retail, "1st" H & A (Tract 1A); "LR" Local Retail, "1st" H & A (Tract IIA); "O" Office, "1st" H & A (Tract IIIA); and "A" Residence, "1st" H & A (Tract IV A)</u>
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REPORT.

Subject application covers 62 acres located in east Austin at the intersection of two major arterials. Although primary frontage is to the divided Ed Bluestein Boulevard, the tract has only limited access to it due to a steep bank and limited crossover points. The tract itself is relatively flat and is bisected by a small tributary which feeds Walnut Creek to the south. A small area along this tributary is presently within the Walnut Creek 100-year flood plain. Work is being conducted on Walnut Creek which will remove the flooding hazard to the existing and planned development in Crystalbrook Subdivision to the east. The present use of subject tract is agricultural and a tree line exists on the north and east boundaries. Retail and apartment zoning exists to the southeast oriented to Decker Lake Road. A single-family neighborhood is developing to the interior. General retail, apartment, and single-family zoning have been approved on the tract to the north. The new L.B.J. High School exists further to the north. A junior high school site exists to the southwest, and a shopping center is planned on the retail-zoned tract to the west.

The subject request is for retail and office use oriented to internal streets with a narrow 25-foot strip of "A" Residence buffer zoning to protect the adjacent single-family subdivision plans. In general the use is appropriate for this location but the staff feels that the use of this tract should more closely conform to the previous zoning actions of the Planning Commission and Council. The staff recommends that "A" Residence development where adjacent to "A" is superior to a narrow buffer strip, and that the "BB" apartment zoning established on adjacent tracts should be continued on subject tract.

C14-75-042 62.101 LTD--Contd.

STAFF RECOMMENDATION:

That "GR" General Retail be denied on entire Tract 1, but that "GR" General Retail and "BB" Residence be granted, and that "LR" Local Retail and "O" Office be denied on Tracts 2 and 3, but that "A" Residence be granted on Tracts 2, 3, and 4, subject to sign notification. This recommendation recognizes the priority of plans and developments on the land to the north and east which have been considered by the Planning Commission and City Council.

The applicant has discussed the possibilities of a wider buffer of "A" zoning which would be landscaped instead of an "A" residential development recommended by the staff. It is possible that this buffer could work if developed properly, but the enforcement of landscaped plans is very difficult. Unless the "A" zoning which is recommended on subject tract is meaningful, it is probable that a rezoning application may be forthcoming on the property to the north which is presently undeveloped.

Note to applicant: A subdivision is required before building permits can be issued.

CITIZEN COMMUNICATION (L.B.J. NEIGHBORHOOD ASSOCIATION)

WRITTEN COMMENT

John E. Miller	FOR
Richard D. Seiders	FOR
R. J. Del Guidice	FOR
Central Texas Roofing Co.	FOR
Mrs. Joyce Turner Miller	FOR
Hunter Schieffer	FOR

PERSONS APPEARING

Will Garwood (representing applicant)	
Vernon Henry (representing applicant)	
Tom Northrupp (representing applicant)	
Don Sullivan (L.B.J. Neighborhood Assn.)	AGAINST

COMMITTEE ACTION:

The applicant amended his request to "GR" General Retail, "1st" H & A (Tract 1A); "O" Office, "1st" H & A (Tract IIA); and "A" Residence, "1st" H & A (Tract IIIA), along with restrictions as briefed below (complete copy on file with the City of Austin Planning Department):

1. A landscape plan for the "A"-buffer must be approved by the Director of Planning prior to issuance of a building permit, subject to appeal to the Planning Commission. The landscape plan must be implemented prior to the issuance of an occupancy permit. The buffer landscape plan will generally preserve the natural condition and will generally conform to the schematic plan which was shown to the Zoning Committee.

C14-75-042 62.101 LTD--Contd.

2. The height of buildings in the "O" Office tract will be limited to 25'.

3. The permitted density of apartment units in the "O" Office tract is limited to that permitted in "BB" Residence.

The staff was of the opinion that the amended request would offer adequate protection of adjacent residential zoning. The Committee agreed with the staff's recommendation and recommended that the request be granted, as amended.

AYE: Messrs. Bobbitt, Everett, Nash and Washington
ABSTAIN: Mr. Ramsey

COMMISSION ACTION:

Mr. Nash read the Committee's recommendation to grant the request, as amended, subject to the restrictive covenant. A revised covenant was submitted and Mr. Juarez recommended that the request be granted, subject to the amended covenant submitted.

COMMISSION VOTE:

To recommend that the request of 62.101 LTD. for a zoning change from Interim "A" Residence, Interim "1st" H & A to "GR" General Retail, "1st" H & A (Tract 1A); "O" Office, "1st" H & A; (Tract 2A) and "A" Residence, "1st" H & A (Tract 3A), as amended, on property located at 6501-7009 Ed Bluestein Boulevard and 5500-5604 Decker Lake Road, be GRANTED, as amended, subject to the amended restrictive covenant as follows:

"Final passage of the zoning ordinance will be conditioned on deed restriction as follows:

A. The "O" tract will be restricted as follows:

- (i) No building higher than 25 feet;
- (ii) If ever developed with apartments, permitted density shall not be greater than "BB" "1st" H & A allows; in determining the density for such purposes, the area in the part of the "A" buffer strip adjoining any lot carved out of the "O" tract will be included;
- (iii) Prior to the issuance of a building permit (for any building which could not be built under "A" zoning) the Director of Planning of the City of Austin shall have approved an appropriate landscape plan (to call for natural condition substantially as at present and to be generally as outlined in applicant's schematic drawing; the strip may have utilities) for that part of the "A" buffer strip which adjoins the "O" tract; such approval not to be unreasonably withheld and such approval to be conclusively deemed given if said Director of Planning states in writing that he has approved such a plan; owner of the "O" tract may appeal any denial of such approval to the Planning Commission of the City of Austin;

C14-75-042 62.101 LTD--Contd.

(iv) On any given lot which may be carved out of such "O" tract, if such lot adjoins any of said "A" strip no occupancy permit (for any building which could not be built under "A" zoning) can be issued for such lot unless by that time the said landscape plan has been implemented on the particular segment (of said "A" strip) which adjoins the said given lot in question; such implementation shall be conclusively presumed to have occurred if the Director of Planning of the City of Austin signifies in writing that he finds such implementation to have occurred on such segment of said "A" strip, and the Director of Planning will not unreasonably withhold such approval; owner of the lot in question may appeal any denial of such approval to the Planning Commission of the City of Austin; if the "O" tract is not hereafter divided into separate lots, then this item (iv) will apply to it as if it were all one lot (until it is divided into separate lots); (v) The restrictive covenant can be enforced by, and only by, the City of Austin, and can be amended by the City Council and the then owner of the "O" tract, or, with respect to (iv) above, by the Council and the then owner of the particular lot in question out of the "O" tract.

B. The "GR" tract will be restricted as follows:

- (1) Prior to the issuance of a building permit (for any building which could not be built under "A" zoning) on any lot carved out of the "GR" tract which adjoins the "A" buffer strip, the Director of Planning of the City of Austin shall have approved an appropriate landscape plan (under the same standards as provided in A.(iii) above) for that part of the "A" buffer strip that adjoins the "GR" tract, which approval will not be unreasonably withheld; such approval shall be conclusively deemed given if the Director of Planning states in writing that he has approved such a plan; owner of the lot in question may appeal any denial of such approval to the Planning Commission of the City of Austin;
- (2) On any given lot which may be carved out of such "GR" tract, if such lot adjoins any of said "A" strip no occupancy permit (for any building which could not be built under "A" zoning) can be issued for such lot unless by that time the said landscape plan has been implemented on the particular segment (of said "A" strip) which adjoins the said given lot in question; such implementation shall be conclusively presumed to have occurred if the Director of Planning of the City of Austin signifies in writing that he finds such implementation to have occurred on such segment of said "A" strip, and the Director of Planning will not unreasonably withhold such approval; owner of the lot in question may appeal any denial of such approval to the Planning Commission of the City of Austin;

C14-75-042 62.101 LTD--Contd.

(3) If the "GR" tract is not hereafter divided into separate lots, then items (2) and (3) will apply to it as if it were all one lot (until it is divided into separate lots);

(4) The restrictive covenant can be enforced by, and only by, the City of Austin, and can be amended by the City Council and the then owner of the particular lot in question out of the "GR" tract.

C. Any suit brought to interpret or enforce the restrictive covenant provided for under A or B above, or to determine the validity, as reasonable or otherwise, of any failure or refusal to approve the landscape plan or to find same has been implemented as above provided, shall be brought in a District Court in Travis County, Texas."

AYE: Messrs. Hetherly, Everett, Juarez and Nash.

Ms. Himmelblau

ABSTAIN: Mr. Ramsey

ABSENT: Messrs. Bobbitt and Washington. Ms. Mather

<u>C14-75-043</u>	Alco Investment Corporation: 4811 Burnet Road, also bounded by Oran Street	<u>"A" Residence, "1st" H & A and "C" Commercial, "2nd" H & A to "C" Commercial, "1st" H & A (as amended) (Orig. Req.: "A" Residence, "1st" H & A and "C" Commercial, "2nd" H & A to "C" Commercial "2nd" H & A)</u>
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STAFF REPORT:

Subject tract is located at the intersection of a minor collector street with a major arterial in north Austin. The request covers the whole tract but the west 150 feet is already zoned as requested. On that part of the tract exists a restaurant. The eastern portion, the subject of this case, is vacant.

Single-family homes are adjacent to the north and east, and commercial development oriented to Burnet Road is to the south.

For a zoning request for "O" Office processed on a lot to the east the Planning Commission recommended approval. The City Council denied the change as an intrusion into the neighborhood. The street is narrow and it is impractical to obtain r.o.w. from the north side of the street where lots side to Oran Street or are very shallow in depth.

STAFF RECOMMENDATION:

That this case be denied as incompatible with adjacent single-family homes.

If a zoning change is recommended, the staff suggests a less intense zoning than that requested. Additional r.o.w. to widen the street to 60 feet would be necessary, and privacy fencing would be desirable.

C14-75-043 Alco Investment Corporation--Contd.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

None

PERSONS APPEARING

John Coffee (representing applicant)

COMMITTEE ACTION:

The applicant amended his request to "1st" H & A. In answer to Mr. Ramsey's question regarding entrance to the tract, the applicant indicated an alley would be cut from Oran Street since Burnet Road could not be used because of the existing restaurant. In answer to Mr. Bobbitt's question regarding the number of warehouse units planned, the applicant stated that there would probably be 35. Mr. Everett recommended that the request be granted, subject to r.o.w. necessary to increase Oran Street to 60 feet and subject to a privacy fence along the eastern boundary where adjacent to "A" Residence.

AYE: Messrs. Bobbitt, Everett, Ramsey and Washington

ABSTAIN: Mr. Nash

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee's recommendation to grant the request, as amended, subject to conditions.

COMMISSION VOTE:

To recommend that the request of Alco Investment Corporation for a zoning change from "A" Residence, "1st" H & A and "C" Commercial, "2nd" H & A to "C" Commercial, "1st" H & A, as amended, be GRANTED, as amended, subject to r.o.w. necessary to increase Oran Street to 60 feet and subject to a privacy fence along the eastern boundary where adjacent to "A" Residence zoning.

AYE: Messrs. Hetherly, Everett, Juarez and Ramsey.
 Ms. Himmelblau

ABSTAIN: Mr. Nash

ABSENT: Messrs. Bobbitt and Washington. Ms. Mather

C14-75-044 C. Ben Hibbetts Realty, Inc.: "LR" Local Retail, "1st" H & A
 1700 Parker Lane, also to "GR" General Retail, "1st" H & A
 bounded by Riverside Drive
 and Lupine Lane

STAFF REPORT:

Subject tract is a two-acre tract zoned for retail development and located in southeast Austin at the intersection of a major arterial and a neighborhood collector street. The tract is partially developed with a gas station and a small strip center which also has driveway access to Lupine Lane.

C14-75-044 C. Ben Hibbetts Realty, Inc.--Contd.

A single-family neighborhood exists to the west and south. The homes exist on higher ground than the elevation of subject tract providing to a limited extent a natural buffer. Land to the north and east is or is in the process of being intensively used for commercial purposes.

"C-2" Commercial zoning has been denied on a limited area within this tract by both the Planning Commission and City Council as too intensive next to single-family homes. A zoning change to "GR" may facilitate a later request for night club or lounge zoning. The staff feels that General Retail zoning could be compatible with adjoining property, if the driveway access to the minor residential street is closed.

STAFF RECOMMENDATION:

That this case be granted as consistent with the orientation of this tract, subject to prohibited access to Lupine Lane.

CITIZEN COMMUNICATION (SOUTH AUSTIN NEIGHBORHOODS EAST)

WRITTEN COMMENT

C. J. Zern: 1201 Loma Drive	AGAINST
Mrs. Julia Frances Kennedy Boyce: 1203 Loma Drive	AGAINST
Petition bearing 47 names	AGAINST

PERSONS APPEARING

C. Ben Hibbitts (applicant)	
Hollis Jeffries (representing applicant)	
Mr. & Mrs. C. J. Zern: 1201 Loma Drive	AGAINST
Mrs. Frances Boyce: 1203 Loma Drive	AGAINST
Charles T. Boyce, Jr.: 1203 Loma Drive	AGAINST
William E. Heck: 1304 Loma Drive	AGAINST
Joe L. Ray: 1621 Sunnyvale Street	AGAINST
Mrs. Jo Ann Ray: 1621 Sunnyvale Street	AGAINST
Mrs. Wade Clem	AGAINST

COMMITTEE ACTION:

The applicant stated he was opposed to prohibiting access to Lupine Lane. Members reviewed the information presented. Mr. Everett pointed out that access on Lupine Lane is very steep and dangerous. Mr. Hetherly felt that "GR" would be an intrusion into the residential neighborhood. He was of the opinion that the property could be used adequately with its present "LR" zoning. Mr. Hetherly recommended that the request be denied.

AYE: Messrs. Nash, Everett, Hetherly and Ramsey

COMMISSION ACTION:

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

C14-75-044 C. Ben Hibbetts Realty, Inc.--Contd.

COMMISSION VOTE:

To recommend that the request of C. Ben Hibbetts Realty, Inc. for a zoning change from "LR" Local Retail, "1st" H & A to "GR" General Retail, "1st" H & A on property located at 1700 Parker Lane, also bounded by Riverside Drive and Lupine Lane be DENIED.

AYE: Messrs. Hetherly, Everett, Juarez, Nash and Ramsey.
 Ms. Himmelblau

ABSENT: Messrs. Bobbitt and Washington. Ms. Mather

PLANNED UNIT DEVELOPMENT

C814-74-012 N.P.C. Associates: A Request for Revision of Old Town, Phase III
 Coronado Hills Drive from 51 to 62 attached single-family
 and Barcelona Drive dwelling units, a planned unit development

STAFF REPORT:

This is an application for approval of a revision to a previously approved P.U.D. called Old Town, Phase III located on Coronado Hills Drive at Barcelona Drive. The applicant proposes to add the two four-plexes and one tri-plex fronting on Coronado Hills Drive. These units are under construction on lots created by a standard short form subdivision. The applicant proposes to re-plat these lots and include them with the previously approved P.U.D. abutting to the south. The zoning on the additional property is "BB" Residence, "1st" H & A.

Density on the entire P.U.D. area will increase from 8.9 units per acre to 9.4 units per acre, however the majority of the site is zoned "B" Residence with a small percentage zoned "BB" and "A".

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

Tom Watts (representing applicant)

COMMITTEE ACTION:

Members reviewed the information presented and were in agreement with the staff's recommendation to approve the special permit and the preliminary subdivision, subject to departmental requirements.

AYE: Messrs. Nash, Everett, Hetherly and Ramsey

C814-74-012 N. P. C. Associates--Contd.

COMMISSION ACTION:

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

COMMISSION VOTE:

To APPROVE the special permit and preliminary subdivision of N.P.C. Associates for the revision of Old Town, Phase III from 51 to 62 attached single-family dwelling units on property located at Coronado Hills Drive and Barcelona Drive, subject to departmental requirements as on file with the City of Austin Planning Department.

AYE: Messrs. Hetherly, Everett, Juarez, Nash and Ramsey.

Mmes. Himmelblau and Mather

ABSENT: Messrs. Bobbitt and Washington.

SPECIAL PERMITS

C14p-75-009 Linear Systems, Inc.: 190-foot Transmission Tower
3519-3525 South Congress Avenue

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 45-29 of the Zoning Ordinance of the City of Austin. This is an application for a radio communications tower to be located at 3519-3525 South Congress Avenue on property zoned "D" Industrial. The 190-foot high tower is to be located at the northeast corner of the 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

Larry Bird (representing applicant)

COMMITTEE ACTION:

Members reviewed the information presented and were in agreement with the staff's recommendation to approve the request, subject to departmental requirements.

AYE: Messrs. Nash, Everett, Hetherly and Ramsey

C14p-75-009 Linear Systems, Inc.--Contd.

COMMISSION ACTION:

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

COMMISSION VOTE:

To APPROVE the request of Linear Systems, Inc. for a special permit for a 190-foot transmission tower on property located at 3519-3525 South Congress Avenue, 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, Everett, Juarez, Nash and Ramsey.
 Mmes. Himmelblau and Mather
ABSENT: Messrs. Bobbitt and Washington

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

C14p-75-010 Joe C. Saldana: Lounge for 20 Patrons
 501 West Oltorf Street, also
 bounded by Durwood Street

STAFF REPORT:

This application has been filed as required under Section 45-24.1, Sub-Section (2), and according to the procedures as specified in Section 45-29 of the Zoning Ordinance of the City of Austin. This is an application for a special permit to allow a lounge for 20 seats at 501 West Oltorf Street. The facility is existing as a restaurant with vehicular access to the site from Durwood Street, a 50-foot residential street.

The property to the west is zoned "O" Office and "GR" General Retail, the area to the north across Oltorf Street is zoned "O" Office, "GR" General Retail and "B" Residence. Gillis Park is to the south of subject tract. The balance of the area to the south and east is "A" Residence.

STAFF RECOMMENDATION:

The staff feels that there should be no additional intensification of zoning on the fringes of this residential neighborhood, therefore recommends denial of this application.

CITIZEN COMMUNICATION (SOUTH AUSTIN NEIGHBORHOOD)

WRITTEN COMMENT

None

C14p-75-010 Joe C. Saldana--Contd.

PERSONS APPEARING

Joe Reyna (representing applicant)
William Smith

AGAINST

COMMITTEE ACTION:

Members reviewed the request for a special permit in conjunction with the zoning request. Members recommended that the request be denied.

AYE: Messrs. Nash, Everett, Hetherly and Ramsey

COMMISSION ACTION:

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

COMMISSION VOTE:

To DENY the request of Joe C. Saldana for a special permit for a lounge for 20 patrons on property located at 501 West Oltorf Street, also bounded by Durwood Street.

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

ABSENT: Messrs. Bobbitt and Washington

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

C14p-75-011 Oliver Leroy and Betty Jo Peterson: Day Care Center for
 4110-4112 Avenue D, also 44 children
 bounded by West 42nd 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 45-29 of the Zoning Ordinance of the City of Austin. This is an application for a revision to a previously approved special permit for a day care facility. In 1971 a special permit was approved for 35 children on this site. At that time only the building labeled "nursery" was to be used for the day care.

At this time the applicant is requesting approval of a revision to allow the maximum allowable which is 44 children and proposes to expand the operation into the building labeled "Two-Story House".

C14p-75-011 Oliver Leroy and Betty Jo Peterson--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 (HYDE PARK NEIGHBORHOOD ASSOCIATION)

WRITTEN COMMENT

D. H. Truhitte: 4300 Avenue B	FOR
George Willms: 4206 Speedway	FOR
Mrs. J. A. Warren: 4100 Speedway	FOR
A. E. Martin: 4107 Avenue C	FOR
Mrs. Pinkney Pruett: 4205 Avenue D	FOR
Mattie Lee Seymour: 4211 Avenue C	FOR
Aubrey G. Page: 4206 Avenue D	AGAINST
Vivian M. Green: 4206 Avenue C	AGAINST
James W. Fletcher, Jr.: 4204 Avenue D	AGAINST
C. D. Hare: 4212 Avenue D	AGAINST
Elsie Falk: 4213 Avenue D	AGAINST
Mildred L. Cooke, M.D.: 4210 Avenue C	AGAINST

PERSONS APPEARING

Mrs. Leroy Peterson (applicant)	
Neill Hayes (Hyde Park Neighborhood Association)	AGAINST
Virginia Krampy	AGAINST
Mrs. Aubrey Page: 4206 Avenue D	AGAINST

COMMITTEE ACTION:

Members reviewed the information presented. A number of citizens present spoke in opposition primarily to any increase in traffic in the residential area. Mr. Everett commended the applicant on the day care center, stating that the facility was one of the nicest he had seen. Members recommended to approve the request, subject to departmental requirements.

AYE: Messrs. Nash, Everett, Hetherly and Ramsey

COMMISSION ACTION:

Members reviewed the information presented. Ms. Mather was of the opinion that while the school was very beautiful, she was concerned about the noise factor, and that the increase in the number of children would contribute to additional noise in the neighborhood. Mr. Hetherly stated that he thought the school was very nice and he did not think the addition of nine children would make that much difference. A majority of the Committee recommended that the request be approved.

C14p-75-011 Oliver Leroy and Betty Jo Peterson--Contd.

COMMISSION VOTE:

To APPROVE the request of Oliver Leroy and Betty Jo Peterson for a revision to a special permit for a day care center for 44 children on property located at 4110-4112 Avenue D, also bounded by West 42nd 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, Everett, Juarez, Nash and Ramsey.
Ms. Himmelblau
NAY: Ms. Mather
ABSENT: Messrs. Bobbitt and Washington

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

C14p-75-012 Athena Montessori School, Inc.: Montessori School for
2412-2414 Exposition Boulevard 48 children ages 3-6
also bounded by Bowman Avenue

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 45-29 of the Zoning Ordinance of the City of Austin. This is an application for a Montessori School for 48 children to be located at 2412-2414 Exposition Boulevard. The area under consideration is located at the southwest corner of the intersection of Exposition Boulevard and Bowman Avenue. The tract contains 16,591.8 square feet which would allow a maximum of 48 children. An existing parking lot adjoining the site to the south will be used for staff and parent parking.

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 (WEST CENTRAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

None

PERSONS APPEARING

Jeffrey Torrence (representing applicant)

C14p-75-012 Athena Montessori School, Inc.--Contd.

COMMITTEE ACTION:

Members reviewed the information presented and were in agreement with the staff's recommendation to approve the request, subject to departmental requirements.

AYE: Messrs. Nash, Everett, Hetherly and Ramsey

COMMISSION ACTION:

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

COMMISSION VOTE:

To APPROVE the request of Athena Montessori School, Inc. for a special permit for a Montessori School for 48 children, ages 3-6 on property located at 2412-2414 Exposition Boulevard, also bounded by Bowman Avenue, 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, Everett, Juarez, Nash and Ramsey.

 Mmes. Himmelblau and Mather

ABSENT: Messrs. Bobbitt and Everett.

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-75-013 P & H Enterprises and Edward R. Rathgeber, Jr.: Nursing and
6800 Cooper Lane, also convalescent home with 270 beds
bounded by Wm. Cannon Dr. and 68 employees

STAFF REPORT:

This application has been filed as required under Section 45-17, Sub-Section (h), Paragraph (9), and according to the procedures as specified in Section 45-29 of the Zoning Ordinance of the City of Austin. This is an application for a special permit to allow a nursing home on 9.72 acres located west of Cooper Lane and south of the proposed William Cannon Drive. A single-family residential subdivision exists to the south.

Temporary access is proposed from Cooper Lane with one additional driveway proposed to William Cannon Drive.

This facility will contain a total of 270 patient beds and will have 68 employees. No permanent staff doctors are proposed.

CL4p-75-013 P & H Enterprises and Edward R. Rathgeber, Jr.--Cont.

STAFF RECOMMENDATION:

The staff recommends approval of this application, subject to compliance with departmental requirements.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Mr. & Mrs. Jack M. Stricklin: 1113 Echo Lane

AGAINST

PERSONS APPEARING

Edward R. Rathgeber (applicant)

Mrs. Jack Stricklin: 1113 Echo Lane

AGAINST

COMMITTEE ACTION:

Members reviewed the information presented. In answer to Mr. Everett's question regarding the statement from Environmental Protection and Advance Planning regarding the size of the tract, the staff pointed out that Environmental Protection was not aware of the minimum size requirements and that the applicant will have to secure Board of Adjustment approval on the setback requirement. Mr. Everett recommended that the request be approved, subject to departmental requirements.

AYE: Messrs. Nash, Everett, Hetherly and Ramsey

COMMISSION ACTION:

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

COMMISSION VOTE:

To APPROVE the request of P & H Enterprises and Edward R. Rathgeber, Jr. for a special permit for the construction of a nursing and convalescent home with 270 beds and 68 employees on property located at 6800 Cooper Lane, also bounded by William Cannon Drive, 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, Everett, Juarez, Nash and Ramsey.
 Mmes. Himmelblau and Mather

ABSENT: Messrs. Bobbitt and Washington

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

C14p-75-014 Growth Corporation and Laura Burns: A Shopping Center Complex
3401-3443 Greystone Drive, also called "Greystone Mall"
bounded by Balcones Drive

STAFF REPORT:

This application has been filed as required under Section 45-21, Sub-Section (V), Paragraph (2), and according to the procedures as specified in Section 45-29 of the Zoning Ordinance of the City of Austin. This is an application for a special permit to allow specific "GR" General Retail uses in a "LR" Local Retail area where the site is across the street from "C-2" Commercial.

The 3.056-acre subject tract is south of Greystone Drive and west of the MoPac frontage road. Primary access to the site is from Greystone Drive with one entrance to MoPac proposed.

Apartments abut the tract to the west; apartments and undeveloped "O" Office property abut the tract to the south.

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 (NORTHWEST AUSTIN CIVIC ASSOCIATION)

WRITTEN COMMENT

William P. Tryon (Northwest Austin Civic Assn.)	FOR
Jo Anne Midwikis: 3465 Greystone Drive	AGAINST
Jacquelyn Worden: 3505 Greystone Drive	AGAINST
David W. Pace: 3447 Greystone Drive	AGAINST
Mary M. Votaw: 3511 Greystone Drive	AGAINST
Petition bearing 18 names	AGAINST

PERSONS APPEARING

John Burns (applicant)	
Mrs. Laura Burns (applicant)	
William B. Tryon (Northwest Austin Civic Assn.)	FOR
James M. Perdue (Northwest Austin Civic Assn.)	FOR
Jo Anne Midwikis: 3465 Greystone Drive	AGAINST

COMMITTEE ACTION:

Members reviewed the information presented. Mr. Hetherly stated that this was a very good plan and recommended the request for a special permit be approved, subject to departmental requirements.

AYE: Messrs. Nash, Everett, Hetherly and Ramsey

C14p-75-014 Growth Corporation and Laura Burns--Contd.

COMMISSION ACTION:

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

COMMISSION VOTE:

To APPROVE the request of Growth Corporation and Laura Burns for a special permit for the construction of a shopping center complex called "Greystone Mall" on property located at 3401-3443 Greystone Drive, also bounded by Balcones Drive, 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, Everett, Juarez, Nash and Ramsey.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Bobbitt and Washington

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

C14p-75-015 W. O. White, M.D.: One-story Office Building for Use as a
5816 Berkman Drive veterinarian's office

STAFF REPORT:

This application has been filed as required under Section 45-20, Sub-Section (16), Paragraph (d), and according to the procedures as specified in Section 45-29 of the Zoning Ordinance of the City of Austin. This is an application for a special permit to allow a veterinary clinic on a 24,662-square foot tract of land zoned "O" Office located at 5816 Berkman Drive. The site is bounded by property zoned "O" Office to the north and south of this site. A 50-foot drainage easement runs through the west end of the tract. A physician's office exists on the south side of the tract. The applicant proposes a small animal veterinary clinic with no outside runs or kennels to be located on the north side.

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

Gary Wagner (representing applicant)
Danze & Davis Architects

FOR

PERSONS APPEARING

Gary Wagner (representing applicant)

C14p-75-015 W. O. White, M.D.--Contd.

COMMITTEE ACTION:

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

AYE: Messrs. Nash, Everett, Hetherly and Ramsey

COMMISSION ACTION:

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

COMMISSION VOTE:

To APPROVE the request of W. O. White, M.D., for a special permit for a one-story office building for use as a veterinarian's office on property located at 5816 Berkman Drive, 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, Everett, Juarez, Nash and Ramsey.
 Mmes. Himmelblau and Mather

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

C14p-75-016 Roy Brenton Smith: Veterinarian Hospital for Small Animals
5608 Burnet Road

STAFF REPORT:

This application has been filed as required under Section 45-23, Sub-Section (73), Paragraph (b), and according to the procedures as specified in Section 45-29 of the Zoning Ordinance of the City of Austin. This is an application for a special permit to allow a veterinary clinic at 5608 Burnet Road on property zoned "C" Commercial. Subject tract is on the west side of Burnet Road approximately 200 feet south of Nortland Drive. The applicant proposes to use the three existing structures for a small animal clinic with 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

Dr. R. B. Smith (applicant)

C14p-75-016 Roy Brenton Smith--Contd.

COMMITTEE ACTION:

Members reviewed the information presented and were in agreement with the staff's recommendation to approve the request, subject to departmental requirements.

AYE: Messrs. Nash, Everett, Hetherly and Ramsey

COMMISSION ACTION:

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

COMMISSION VOTE:

To APPROVE the request of Roy Brenton Smith for a special permit for a veterinarian hospital for small animals on property located at 5608 Burnet 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, Everett, Juarez, Nash and Ramsey.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Bobbitt and Washington

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

STREET VACATIONS

C10v-75-004 Doris Warlick, Edward R. Rathgeber and Donald L. West
Vacate a portion of Bill Hughes Road and
all of Wilma Drive

Mr. Lillie briefly outlined the history of this case. In 1973 zoning case #C14-73-172 appeared before the Commission and was recommended, subject to the termination of Bill Hughes Road in two cul-de-sacs and subject to a subdivision to identify the property. Another condition of the zoning was that the 100-foot easement be given to the adjoining property owners to serve as a buffer. The City Council concurred and unanimously approved the Commission's recommendation. At the time of the zoning case, there was a collector street to the east of Bill Hughes Road that would extend north to Eberhardt Lane and south to William Cannon Drive providing access to the junior high school site. All work that has been done by the developer since 1973 has conformed to Planning Commission and City Council action.

C10v-75-004 Doris Warlick, Edward R. Rathgeber and Donald L. West--Contd.

All concerned departments agree with the vacation of these streets with the exception of Urban Transportation. The Urban Transportation staff disagrees, stating that Bill Hughes Road serves as the principal access to the junior high school site as well as access from Eberhardt Lane to south of William Cannon Drive.

The staff is recommending approval of the vacation, subject to retention of easements.

CITIZEN COMMUNICATION
WRITTEN COMMENT

None

PERSONS APPEARING

Tom Curtis (representing applicant)

Fred Brunnell (South Meadows Neighborhood Association)

FOR

COMMISSION ACTION:

In answer to Mr. Jurarz's question regarding Urban Transportation's position with regard to the zoning, the staff pointed out that Urban Transportation is not usually involved in zoning matters, although memorandum case lists and Planning Commission and City Council minutes are available, thus the reason for that department's lack of knowledge regarding this particular action by the City Council. Ms. Mather stated that there seemed to be adequate circulation in the neighborhood and that closing Bill Hughes Road would prevent undue traffic in the residential area. Mr. Everett recommended that the request be approved, subject to retention of easements.

COMMISSION VOTE:

To APPROVE the request of Doris Warlick, Edward R. Rathgeber and Donald L. West to vacate a portion of Bill Hughes Road and all of Wilma Drive, subject to retention of easements.

AYE: Messrs. Everett, Juarez, Nash and Ramsey.
Mmes. Himmelblau and Mather

ABSTAIN: Mr. Hetherly

ABSENT: Messrs. Bobbitt and Washington

C10v-75-005 City of Austin, Construction Management Department
Vacate the West 8th Street alley between
San Antonio Street and Guadalupe Street

This is a request by the City of Austin to vacate the West 8th Street alley between San Antonio Street and Guadalupe Street on the new central library site. The staff is recommending that this alley be vacated, subject to retention of easements.

C10v-75-005 City of Austin, Construction Management Department--Contd.

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the staff's recommendation to approve the request, subject to retention of easements.

COMMISSION VOTE:

To APPROVE the request of the City of Austin, Construction Management Department, to vacate West 8th Street alley between San Antonio Street and Guadalupe Street, subject to retention of easements.

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

ABSENT: Messrs. Bobbitt and Washington

C10v-75-006 Bryant-Curington, Inc.
Vacate portion of Balcones Way

This is a request by Bryant-Curington, Inc., engineers for the owners, Donald R. Baker and Richard J. Musci, to vacate a cul-de-sac in the Balcones Village subdivision. The staff is recommending approval of this request, subject to departmental requirements which include resubdivision of the two lots and resolving the drainage easement problem.

COMMISSION ACTION:

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

COMMISSION VOTE:

To APPROVE the request of Bryant-Curington, Inc. for Donald R. Baker and Richard J. Musci, owners, to vacate a portion of the cul-de-sac on Balcones Way in Balcones Village, Section Seven, subject to departmental requirements as on file with the City of Austin Planning Department.

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

ABSENT: Messrs. Bobbitt and Washington

C2a-74-4Buford Stewart

Brodie Lane and William Cannon Drive.
Amendment to the Austin Development Plan from
Low-Density Residential to Planned Development
Area for Industry. Motorola Corp. 65 Acres.

This is a request by Buford Stewart for an amendment to the Austin Development Plan from Low-Density Residential to Planned Development Area for Industry on 65 acres located at Brodie Lane and William Cannon Drive. The proposed use is for production of electronic components by Motorola Corporation. A complete staff report is on file with the City of Austin Planning Department. The staff recommends approval of this request, subject to:

1. the performance standards included in the P.D.A. contract;
2. the site plan on file in the Planning Department;
3. the timing of anticipated development as indicated for the period 1977-79 on page 3 of the preliminary planning report by Snowden & Meyer, Inc.
4. departmental reports, including modification of the Bannockburn Preliminary Plan to reflect this project if approved and development of uses permitted in "A" Residence zoning between Wm. Cannon Drive and that portion of Bannockburn presently approved and under development;
5. Reevaluation of the timing of William Cannon Drive in the City's C.I.P.;
6. Amendment of the 1969 Expressway and Major Arterial Plan for the location of William Cannon Drive from Manchaca Road westerly through the Bannockburn subdivision.

CITIZEN COMMUNICATION

WRITTEN COMMENT

James W. Abington: 7000 Greenock Street	FOR
Battle Bend Springs Homeowners Assn.	FOR
E. H. Adams	FOR
Will P. Martin	FOR
Perry Phillips	FOR
Chuck Simpson	FOR
Barry Trask	FOR
Clifford Naleski	FOR
Petition bearing 130 signatures	AGAINST

PERSONS APPEARING

Buford Stewart (applicant)
Chartier Newton (representing applicant)
Robert Sneed (representing applicant)
Norm Kazak (representing applicant)

C2a-74-4

Buford Stewart--Contd.

Charles Dye (representing applicant)	
Richard Baker (representing applicant)	
Dan H. Chambers: 2606 Oakhaven Drive	FOR
J. W. Eskew: 8100 Brodie Lane #5	FOR
Woodrow Sledge (AISD)	FOR
Gale Price: 7210 Brodie Lane	FOR
Will P. Martin: (Battle Bend Homeowners Assn.)	FOR
Harry Bengston: (Chamber of Commerce)	FOR
Joe McDaniel: 7415 Brodie Lane	FOR
(requested removal of his name from petition in opposition)	
Alice Eskey: 8100 Brodie Lane #5	FOR
Michael J. Haney: 300 E. Huntland, Suite 201	FOR
Frank Kuhne: 11009 Shady Hollow Drive	FOR
Rodger A. Johnson: 4418 Stearns Lane	FOR
Ted Muse: 406 Jessie Street	FOR
Roy B. Stewart: 1210 Windsor Road #214	FOR
Gladys L. Stewart: 1210 Windsor Road #214	FOR
J. O. Colley: 5513-A Buffalo Pass	FOR
William W. Stewart: 2300-B Chasewyck Drive	FOR
Jan Colley: 5513-A Buffalo Pass	FOR
Daphren T. Stewart: 2300-B Chasewyck Drive	FOR
Robert A. Johnson: 1209 Silver Hill Drive	FOR
Virgil Waggoner: 3503 Saddlestring Trail	FOR
Mony Archalis: 2800 Rae Dell Avenue	FOR
Dick Archalis: 2800 Rae Dell Avenue	FOR
Terry Moore: 7201 Greenock Street	FOR
Triggs Forister: 2717 Loop 360, South	FOR
James L. Sherrard: 3004 Rae Dell Avenue	FOR
Jessie Grumbles: 5807 Old Hwy. 290 Loop	FOR
Roy C. Grumbles: 5807 Old Hwy. 290 Loop	FOR
Bob Wiggins: (South Austin Service Club)	FOR
Dick Rathgeber: 3404 River Road	FOR
Don West: 707 Slaughter Lane	FOR
Vann Wilkerson: Rt. 6, Box 500	FOR
Dorothy Helms: 3502 Hollywood	FOR
Louise Friedrich: 4509 Merle Drive	FOR
Dean Guerin: 300 N. Huntland	FOR
David R. Jones: 300 Huntland	FOR
Jerome M. Smith: 1819 Margaret Street	FOR
Ken Harris: 5513 Hwy. 290 West	FOR
Nep Smith: 1819 Margaret Street	FOR
Olla Bell Dahlstrom: 6903 Western Oaks	FOR
Derel M. Conley: 6903 Loch Lommond	FOR
Kirby T. Meyer: 4807 Buckskin Pass	FOR
J. W. Smith: 4806 Woodside Drive	FOR
Janice Stewart: 1636-M West Sixth	FOR
Elizabeth Stewart: 4806 Roundup Trail	FOR

C2a-74-4 Buford Stewart--Contd.

James Stewart: 1636-M West 6th Street	FOR
Ray Brown: 7330 Latta Drive	FOR
Mrs. Leslie S. Moore: 2123 Barton Hills Drive	FOR
Col. Leslie S. Moore: 2123 Barton Hills Drive	FOR
T. W. Kincheon, Jr.: 2929 East 12th Street	FOR
Everett Bryant: 3006 Cedarview Drive	FOR
Don M. Lyda: 3204 Old Duval Road	FOR
Mrs. Don M. Lyda: 3204 Old Duval Road	FOR
Nancy Boyd: 8408 Antero Drive	FOR
Nolan Sims: 2 Sunset Trail	FOR
Jane Y. Durr: 3901 Glasgow Drive	FOR
Mrs. Nolan Sims: #2 Sunset Trail	FOR
Mrs. Joe W. McDaniel: 7415 Brodie Lane	FOR
Mrs. Howard Granberg: 7718 Manchaca Road	FOR
Dr. Barbara J. Chance: 7005 Greenock Street	AGAINST
Steven J. Tackett: 7006 Greenock Street	AGAINST
Don Bowen: 7009 Greenock Street	AGAINST
Bill Bolger: 767 Oakdale	AGAINST
Katy Bolger: 767 Oakdale	AGAINST
Bill Rider: 802 Oakdale Drive	AGAINST
Mrs. Howard Ramey: 3416 Davis Lane #2	AGAINST
Dr. Robert F. Morrison: 3416 Davis Lane	AGAINST
Mrs. Robert F. Morrison: 3416 Davis Lane	AGAINST
Jackie Gannaway: 10300 Brodie Lane	AGAINST
M. J. Humenick: 3504 McCarty Lane	AGAINST
Deenan Houghton: 3908 Glasgow Drive	AGAINST
Ronnie Houghton: 3908 Glasgow Drive	AGAINST
Gerry Atherton: 782 Oakdale	AGAINST
Avis Rider: 802 Oakdale Drive	AGAINST
Pamela Tackett: 7006 Greenock Street	AGAINST
Mickey Elsner: 7100 Loch Lommond	AGAINST
Sharron Humenick: 3504 McCarty Lane	AGAINST
Jerrye Rolater: 3906 Glasgow Drive	AGAINST
Dale Elsner, Jr.: 7100 Loch Lommond	AGAINST
Betty Dunn	AGAINST

COMMISSION ACTION:

Members heard a presentation by Mr. Robert Sneed, representing the applicant, and by Dr. Barbara Chance and Steve Tackett, representing the Brodie Lane Homeowners Association, opposing the request. A complete verbatim transcript is on file with the City of Austin Planning Department.

Mr. Everett expressed concern about the burden that would be placed on the electric power need of the community by such a development. Ms. Mather was of the opinion that the plan was very good but was opposed to putting an industrial facility into an area that was already developed with residential uses. She also expressed concern about the traffic problems that would be created. The staff pointed out that the timing of William Cannon Drive

C2a-74-4

Buford Stewart--Contd.

in the C.I.P. is a major concern. It was also pointed out that the City is currently working with developers to secure right-of-way on Brodie Lane. When all r.o.w. is secured and funds are available Brodie Lane can be constructed. It may also be possible to move the timing of William Cannon Drive in the C.I.P. Mr. Juarez stated that the plan is a very good one, and he felt that the residents of Bannockburn are well protected. However, he was concerned with the inadequate traffic arterials in the area. Mr. Hetherly stated that the street situation has to be resolved no matter what is developed. He was of the opinion that the plan is a good one and that land uses can be mixed successfully. Ms. Mather stated she would like to see some type plan for the entire area. Ms. Himmelblau stated that she was skeptical about mixing land uses until she viewed the Columbia Scientific Industries Planned Development Area which she felt was very successful. With regard to the traffic problems, Ms. Himmelblau stated that she would like to see the Commission and Council move William Cannon Drive up in the C.I.P. to alleviate the problem. Mr. Ramsey was of the opinion that the plan was very good and that putting this development in the area would increase interest, as residents would be working and living in the same area. He was of the opinion that such an installation would set very high standards for future industries desiring to move to Austin. Ms. Mather was concerned about future strip zoning along Brodie Lane, and since so much of the area is undeveloped she felt it would set a precedent. Mr. Hetherly was of the opinion that this type development would be better than apartments or a shopping center. He pointed out that future zoning would develop at the intersection of William Cannon Drive and Brodie Lane. A motion was made to approve the request, subject to conditions as identified by the staff. The motion also included the encouragement of the development of a plan for the general area with participation by property owners and City departments.

COMMISSION VOTE:

To APPROVE the request of Buford Stewart for an amendment to the Austin Development Plan from Low-Density Residential to Planned Development Area for Industry for the Motorola Corporation on 65 acres located at Brodie Lane and William Cannon Drive, subject to the following conditions:

1. the performance standards included in the P.D.A. contract;
2. the site plan on file in the Department of Planning;
3. the timing of anticipated development as indicated for the period 1977-79 on page 3 of the preliminary planning report by Snowden & Meyer, Inc.
4. departmental reports, including modification of the Bannockburn Preliminary Plan to reflect this project if approved and development of uses permitted in "A" Residence zoning between William Cannon Drive and that portion of Bannockburn presently approved and under development.

C2a-74-4 Buford Stewart--Contd.

5. reevaluation of the timing of William Cannon Drive in the City's C.I.P.;
6. amendment of the 1969 Expressway and Major Arterial Plan for the location of William Cannon Drive from Manchaca Road westerly through the Bannockburn subdivision

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

C2o-75-002 Ordinance

Amendment to Section 41-42 of the Austin City
 Code on Sidewalks and Public Crosswalks

This item was deleted from the agenda until such time as support data is available. No discussion or action was taken.

C2o-75-003 Ordinance

Amendment to Article III Standards & Requirements
 Section 45-30 (a) of the Zoning Ordinance regarding
 Off-Street Parking Area Excepted

Mr. Lillie read a portion of a memorandum from the Building Inspection Department, "Since the adoption of parking regulations in December 1954, some recognition of the parking conditions in the downtown and university areas have been given, either through Council policy or ordinance provisions, with the present exempt area having been established in 1971 and being the most restrictive..."

Mr. Lillie stated that the current area which exempts property owners from the parking requirements under the ordinance is bounded by 1st, 11th, Lavaca and San Jacinto Streets. This proposal is to expand that exempted area one block to the west of Guadalupe, one or two blocks to the east to Red River, including a core along East and West 5th Street between I. H. 35 and West Avenue; and also extending to 19th Street on the north and along the "Drag" to 27th Street for those commercial uses fronting on Guadalupe Street. The problem has been that with the very limited area downtown, the Board of Adjustment has been requested to grant variances and special exceptions to provide relief for parking in this area. There are not many lots in this area that are undeveloped. Mr. Lillie pointed out that is often impossible to provide required parking on a tract where an existing building is converted to a different use unless the building is razed. As a result, the Board of Adjustment has had many requests to grant variances to provide no parking or provide something less than what the ordinance requires. The Departments of Building Inspection and Planning recommend that this area be expanded.

C20-75-003 Ordinance--Contd.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

None

COMMISSION ACTION:

In answer to Mr. Everett's question regarding the number of spaces provided by the new American Bank compared to the square footage in that building, Mr. Lillie stated he did not have that information; however, that building is located in the exempt area. Mr. Everett stated that he looked with disfavor on the idea of expanding the downtown exempt area because it encourages the ugly gashes of vacant lots used as parking areas in the downtown areas. He was of the opinion that anything which encourages improper use of the space is wrong. He commended the bank in their efforts to consider the needs of the people using the area by providing arrangements for parking. Mr. Everett expressed concern about the dual taxation system on improved and unimproved land and was of the opinion that this system should be abolished. He stated that if the property has a higher and better use, it should be taxed accordingly. The encouragement of the decay of the downtown area by this system is part of the problem. He was of the opinion that the Board of Adjustment is the proper place to request exceptions. In answer to Ms. Mather's question regarding any problems with continuing on a case-by-case basis, Mr. Lillie pointed out that there is no problem except that the Board of Adjustment is having to review so many requests. He stated that when requests consistently reoccur, that that portion of the ordinance is viewed as being weak and needs to be strengthened or amended to take care of these requests for variances or exceptions. Mr. Lillie pointed out that since so many requests were being reviewed by the Board of Adjustment, it is the staff's opinion that the ordinance be amended. Mr. Hetherly was of the opinion that there is a basis for the request and that the proposed amendment would improve the situation. Mr. Juarez stated that as he viewed the request, he would be opposed. He stated that he is opposed to passing ordinances anytime there seems to be a problem, either real or imagined. He recommended that the request be denied. Mr. Everett seconded the motion which failed 3-3, with Messrs. Hetherly, Nash and Ramsey opposing and Ms. Mather abstaining. Mr. Nash then recommended that the request be postponed 30 days.

COMMISSION VOTE:

To POSTPONE the amendment to Article III Standards & Requirements Section 45-30 (a) of the Zoning Ordinance regarding Off-street Parking Area Excepted.

AYE: Messrs. Hetherly, Everett, Juarez, Nash and Ramsey.

Mmes. Himmelblau and Mather

ABSENT: Messrs. Bobbitt and Washington

C2a-74-5 City of Austin, Department of Public Works
Decker Lane at Decker Lake Road at the southwest
corner of Walter E. Long Park. Amendment to the
Austin Development Plan from Low-Density Residential
to a Planned Development Area for a Sanitary Land Fill.
To be Postponed.

This item was deleted from the agenda and no discussion or action was taken.

C5-69-4 Blackshear Urban Renewal
Amendment to the Blackshear Urban Renewal Plan

This is a request by the Urban Renewal Agency for an amendment to the Blackshear Urban Renewal Plan as follows:

1. That Concho Street between Gregory Street and East 11th Street remain open and be widened to a right-of-way of 50 feet for standard street construction.
2. That Chalmers Street between East 10th Street and East 8th Street remain open and be widened to a right-of-way of 50 feet for standard street construction.

Mr. Leon Lurie of the Urban Renewal Agency stated that in the original plan Chalmers Street was to be closed between East 8th and 10th Streets and that Concho Street between Gregory Street and East 11th Street was to be closed and made a public walkway to serve the Blackshear elementary school. Current plans will allow for expansion of Huston-Tillotson College between Chalmers Street and Comal Street. Also, Concho Street is recommended to be left open by the Department of Urban Transportation as well as the area residents. The original recommendation for amendment came from the Community Development Department. All concerned departments, as well as citizens, have reviewed the recommended changes. Mr. Lurie recommended that this request be approved.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

None

COMMISSION ACTION:

Members reviewed the information presented. Ms. Mather was of the opinion that the original plan looked better than the proposed plan. Mr. Lurie pointed out that Huston-Tillotson's future expansion would be better served by leaving the street open. Mr. Everett indicated that better ingress and egress was apparently needed by the school. Mr. Lurie pointed out that since single-family construction is going in along Concho Street there was a need for this street to be left open to service the neighborhood. The Committee recommended that the request be approved.

C5-69-4 Blackshear Urban Renewal--Contd.

COMMISSION VOTE:

To APPROVE the request of the Urban Renewal Agency for an amendment to the Blackshear Urban Renewal Plan as follows:

1. That Concho Street between Gregory Street and East 11th Street remain open and be widened to a right-of-way of 50 feet for standard street construction.
2. That Chalmers Street between East 10th Street and East 8th Street remain open and be widened to a right-of-way of 50 feet for standard street construction.

AYE: Messrs. Hetherly, Everett, Juarez, Nash and Ramsey.
 Ms. Himmelblau

NAY: Ms. Mather

ABSENT: Messrs. Bobbitt and Washington

C9-75-001 Library Plan

Consideration of the Austin Public Library
Development Plan

Mr. Lillie reported that about four years ago the staffs of the Planning Department and Libraries developed a ten-year functional plan for the Libraries System. It was subsequently recommended by the Commission and adopted by the City Council. Mr. Lillie introduced Mr. David Earl Holt, Director of Libraries, to review the updated Plan. Mr. Lillie recommended that the Plan be adopted. He pointed out that this Plan will be reviewed next week at the C. I. P. meeting.

Mr. Holt pointed out that the Library Plan is more comprehensive than the C. I. P. in that it includes space in leased shopping centers. Mr. Holt briefly reviewed the report with Commission members. He stated that the plan which was prepared by the Planning Department with recommendations by the Library Administration, has been reviewed and approved by the Library Commission as well as City Administration, namely the City Manager's Office and Management and Budget Department.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

None

Members reviewed the information presented in conjunction with the zoning request and were in agreement with the recommendation to grant the request subject to conditions.

C14h-75-003 Lindemann House--Contd.

COMMISSION VOTE:

To recommend that the request of Independent Architects for a zoning change from "B" Residence, "1st" H & A to "O-H" Historic, "1st" H & A on property located at 1100 East 8th Street and 801-805 Waller Street (Lindemann House) be GRANTED, subject to a restriction of the use of "O" Office to professional and semi-professional office use only.

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

OTHER BUSINESS

C7p-75-001 Sale of City Property #S-33
1508 West 37th Street

This property, located at 1508 West 37th Street, was acquired for the purpose of widening West 35th Street, west of Shoal Creek. Under the Charter, the Planning Commission is required to make a recommendation to the City Council on all sales of surplus property for their action. A 25-foot building setback from the street is required for new construction. Zoning is presently "O" Office and there is an existing residence which is non-conforming due to setback and a substandard lot area. Size and shape of the lot will limit new construction. Sale to the adjoining owner could result in a more desirable use of the property. The various departments have reviewed this request and it is their recommendation that this be declared surplus property and sold.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

None

COMMISSION ACTION:

In answer to Mr. Everett's question regarding disposal of surplus property, Mr. Lillie stated that closed bids are taken and property is sold to the highest bidder after the property has been appraised. Ms. Mather was of the opinion that City property should not be sold but leased. Mr. Lillie pointed out that the City does lease property. Mr. Juarez inquired about the possibility of selling the property to the adjoining owner. Mr. Lillie stated that there is an amendment to the state statutes that deals with sales to adjoining property owners but he did not know the exact language of the amendment. Ms. Mather was of the opinion that there should be no access on 35th Street. Mr. Lillie stated that if the property were sold separately, the access would be only from the alley adjacent. However, all property along 35th Street has access except the Safeway store across the street. Mr. Nash recommended that the property be declared surplus and be sold, subject to departmental requirements.

C7p-75-001 Sale of City Property--Contd.

COMMISSION VOTE:

To DECLARE the tract of City-owned property #S-33, known as 1508 West 37th Street, SURPLUS PROPERTY, subject to a 25-foot building setback.

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

ABSENT: Messrs. Bobbitt and Washington

C6-75-001 Capital Improvements Program
 Capital Improvements Program Schedule

Mr. Hetherly stated that he would name a Capital Improvements Program Committee but would like for all members of the Commission to serve because of the importance of the program. The C.I.P. Committee will meet next Wednesday, April 23rd at 3:00 p. m. for the first of eight to ten weekly meetings. Mr. Hetherly instructed the secretary to remind the entire Commission each week and to call the members to assure that at least five members are present at each meeting.

C2o-74-009 Ordinance
 Discussion on schedule for consideration
 of the Tree Ordinance

Mr. Hetherly stated he would be working closely with the new Director of Environmental Resource Management in this area. He stated that as far as scheduling meetings to consider the ordinance, he would not schedule any until after the C. I. P. program is completed. Following the C. I. P. meetings, he would appoint a subcommittee to consider the ordinance.

C1-75 Minutes

The Commission then

VOTED: To APPROVE the November 26, 1974 Planning Commission Minutes.

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

ABSENT: Messrs. Bobbitt and Washington

SUBDIVISIONS

FINAL SUBDIVISION PLATS--FILED AND CONSIDERED

The following final subdivisions have appeared before the Commission in the past. The Commission then

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

<u>C8-75-02</u>	<u>Resub. Lot 2A, Southridge, Section 3 & 5</u>
	<u>Southridge Drive & Southport Drive</u>
<u>C8-74-07</u>	<u>Knollwood, Section 2, Resub. Lots 1, 2 & 7</u>
	<u>Bee Caves Road & Knollwood Drive</u>
<u>C8-74-14</u>	<u>Woodland Village at Anderson Mill, Sec. 1</u>
	<u>U. S. 183</u>
<u>C8-74-32</u>	<u>Anderson Lane Office Park</u>
	<u>Anderson Lane & Shoal Creek Boulevard</u>

AYE: Messrs. Hetherly, Everett, Juarez, Nash and Ramsey.
Ms. Himmelblau

ABSENT: Messrs. Bobbitt and Washington. Ms. Mather

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following final subdivision:

<u>C8-75-03</u>	<u>Knollpark Drive Street Dedication</u>
	<u>Knollpark Drive</u>

AYE: Messrs. Hetherly, Everett, Juarez, Nash and Ramsey.
Ms. Himmelblau

ABSENT: Messrs. Bobbitt and Washington. Ms. Mather

SHORT FORM SUBDIVISIONS--FILED AND CONSIDERED

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

VOTED: To APPROVE the following short form plats under the amended Rules and Regulations:

<u>C8s-75-15</u>	<u>Resub. of Riverside Divide</u>
	<u>E. Riverside Drive & S. Lakeshore Blvd.</u>
<u>C8s-75-30</u>	<u>Resub. Lots 6-9, North Lamar Park Annex</u>
	<u>North Lamar & Cooper Drive</u>
<u>C8s-75-32</u>	<u>C. Ben Hibbetts Realty, Inc. Subd., Lot 1</u>
	<u>Airport Blvd. & East 38-1/2 Street</u>

Short Form Subdivisions--Contd.

C8s-75-34 Lots 6 & 7, Blk. "B", Spicewood at Balcones
Village, Section 1
Spicewood Parkway & Barthollow
C8s-75-41 Bergstrom Village #1
Popham Drive & State Hwy. 71

AYE: Messrs. Hetherly, Everett, Juarez, Nash and Ramsey
 Ms. Himmelblau

ABSENT: Messrs. Bobbitt and Washington. Ms. Mather

The Commission then

VOTED: To ACCEPT FOR FILING AND APPROVE the following short form
 subdivision and granted a variance on the signature of the
 adjoining owner:

C8s-75-35 Esco Subdivision
 E. St. Elmo Road

AYE: Messrs. Hetherly, Everett, Juarez, Nash and Ramsey.
 Ms. Himmelblau

ABSENT: Messrs. Bobbitt and Washington. Ms. Mather

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:

C8s-75-60 The Juby Subdivision
 Crestland Drive & Lamar Boulevard
C8s-75-61 Lamar Park Annex
 N. Lamar Blvd. & Rundberg Lane
C8s-75-62 West Substation
 Winstead Lane
C8s-75-63 Resub. Lots 16-18, Blk. 4, Alta Vista Addn.
 N. Lamar Blvd. south of W. 45th Street
C8s-75-65 Griffith & Rose Subdivision
 Fairfield Drive

AYE: Messrs. Hetherly, Everett, Juarez, Nash and Ramsey.
 Ms. Himmelblau

ABSENT: Messrs. Bobbitt and Washington. Ms. Mather

The Commission then

Short Form Subdivisions--Contd.

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:

C8s-75-64 Buckingham Ridge, Sec. 2, Resub. Lot 28, Blk. "E"
 Skycrest Drive

AYE: Messrs. Everett, Juarez, Nash and Ramsey.

 Ms. Himmelblau

ABSTAIN: Mr. Hetherly

ABSENT: Messrs. Bobbitt and Washington. Ms. Mather

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; pending fiscal arrangements required; drainage permit required and restriction required on plat:

C8s-75-51 Davis Lawn's, Section 2
 Heflin Lane & Webberville Road

AYE: Messrs. Hetherly, Everett, Juarez, Nash and Ramsey.

 Ms. Himmelblau

ABSENT: Messrs. Bobbitt and Washington. Ms. Mather

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 and pending fiscal arrangements required:

C8s-75-52 Resub. Lots 14-16, Blk. 15, Ridgetop Annex
 E. 46th Street & Depew Avenue

C8s-75-53 Resub. Lot "H", Chevy Chase Center/Austin
 I. H. 35 and Anderson Lane

C8s-75-57 Resub. Lots 7 & 18, Blk. "BC", Spicewood at
 Balcones Village, Section 4
 Fox Chase Circle & Fountainbleu Circle

AYE: Messrs. Hetherly, Everett, Juarez, Nash and Ramsey.

 Ms. Himmelblau

ABSENT: Messrs. Bobbitt and Washington. Ms. Mather

Short Form Subdivisions--Contd.

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; pending fiscal arrangements required; easements required; and r.o.w. required:

C8s-75-54 Daywood Addition
I. H. 35, Rundberg Lane &
Middle Fiskville Road

AYE: Messrs. Hetherly, Everett, Juarez, Nash and Ramsey.
Ms. Himmelblau

ABSENT: Messrs. Bobbitt and Washington. Ms. Mather

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; restriction on plat; and sidewalks required:

C8s-75-55 The Lupe Addition
Weidemar Lane

AYE: Messrs. Hetherly, Everett, Juarez, Nash and Ramsey.
Ms. Himmelblau

ABSENT: Messrs. Bobbitt and Washington. Ms. Mather

The Commission then

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

C8s-75-56 The Schnitzer Addition
N. Loop Blvd. & Avenue F

AYE: Messrs. Hetherly, Everett, Juarez, Nash and Ramsey.
Ms. Himmelblau

ABSENT: Messrs. Bobbitt and Washington. Ms. Mather

The Commission then

Short Form Subdivisions--Contd.

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 granted a variance to exclude the balance of the tract:

C8s-75-58 Briarton Subdivision
Ben White Blvd.

AYE: Messrs. Hetherly, Everett, Juarez, Nash and Ramsey.
Ms. Himmelblau

ABSENT: Messrs. Bobbitt and Washington. Ms. Mather

The Commission then

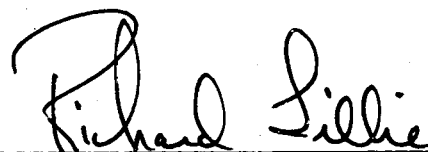
VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form subdivision, pending compliance with departmental requirements as on file with the City of Austin Planning Department; fiscal arrangements required; drainage permit required; and granted a variance to exclude the balance of the tract:

C8s-75-59 Rutland Lemmon Ltd. Addition
Rutland Drive & Lamar Blvd.

AYE: Messrs. Hetherly, Everett, Juarez, Nash and Ramsey.
Ms. Himmelblau

ABSENT: Messrs. Bobbitt and Washington. Ms. Mather

The meeting was adjourned at 12:00 p.m.



Richard Lillie
Executive Secretary