

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting--May 13, 1975

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

Present

C. W. Hetherly, Chairman
O. P. "Bob" Bobbitt
Rizer Everett
Philip Juarez
Jean Mather
Charles Nash
George Ramsey, III *

* Arrived at 7:30 p.m.

Also Present

Richard Lillie, Director of Planning
Tom C. Knickerbocker, Assistant
Director of Planning
Lonnie Davis, Director of Building
Inspection
Tony Athens, Director of Environmental
Resource Management
Homer Reed, Deputy City Manager
Pat Settle, Administrative Secretary

Absent

Bennie Washington

ZONING

The following zoning changes were considered by the Zoning Committee at the meetings of Monday, May 5, and Tuesday, May 6, 1975.

Present

*O. P. "Bob" Bobbitt, Chairman
Rizer Everett
Jean Mather
Charles Nash, Acting Chairman
*Bennie Washington
**Philip Juarez
**George Ramsey, III

Also Present

Evelyn S. Butler, Supervising Planner
*Duncan Muir, Planner
**Brian Schuller, Planner
**John Sandlin, Environmental Resource
Management Office
**Don Bird, Assistant City Attorney
Pat Settle, Administrative Secretary

*Present only on May 5, 1975
**Present only on May 6, 1975

C14-75-005 Stuart M. Purcell, et al: "B" Residence, "1st" and "2nd" H & A,
Various properties within Fairview Park "BB" Residence, "1st" and
 located on: Academy Drive, Hillside "2nd" H & A, "B-H" Historic,
 Avenue, Newning Avenue, Park Lane, "2nd" H & A to "A" Residence,
 Bickler Road, Melissa Lane, LeGrande "1st" H & A and "A-H" Historic,
 Avenue, Bonnieview Road, Drake Avenue "1st" H & A
 Ravine Drive and The Circle

STAFF REPORT:

Subject application is requested by 53 separate owners of 62 residential properties within one of Austin's oldest neighborhoods located south of the downtown area. This neighborhood is the northern parts of Fairview Park and Woodlawn Addition, and is best defined as that part of those subdivisions which is presently zoned for apartment development, and that area adjacent to the apartment zoning. In general, the commercial activity oriented to East Riverside Drive and South Congress Avenue forms the north and west boundaries respectively. The single-family neighborhood comprised of the southern portions of Fairview Park and Woodlawn Addition, as well as the Swisher Addition and Travis Heights, blends into the southern and eastern fringes of the subject neighborhood.

The area of the subject properties totals 15.6 acres and is populated by 75 housing units which yields a density of 4.8 units per net acre. A summary of the type of residential structures within the subject properties is as follows:

<u>Housing Type</u>	<u>Structures</u>	<u>Housing Units</u>
single-family	56	57
duplex	5	10
3-4 unit structures	<u>2</u>	<u>8</u>
Total	63	75

Three properties were developed with more than one structure per lot prior to the original zoning ordinance in 1931, and are thus legal non-conforming uses. Offices as an accessory use have been established in two of the single-family structures. The owner of one of the homes with an office indicates that he will terminate the office activity; the owner of the other home and office (attorney) would like to continue the office activity as a legal non-conforming use. One of the owners of a home with 4 units indicates that he will reduce the number of units to two or one; the other owners of an older four-plex would like to continue as a legal non-conforming use. The staff does not feel that the interests of the owners who wish to incur a non-conforming status through the requested zoning change are inconsistent with interests of the other property owners in this neighborhood. In all instances these structures and established uses blend into the neighborhood character.

C14-75-005 Stuart M. Purcell, et al--Contd.

Most of the subject properties fall within an area which received blanket apartment zoning when Austin adopted its first zoning ordinance in 1931, based upon a master zoning plan developed by the consulting engineers of Koch and Fowler. Prior to that time and dating back to the 1880's, a number of spacious homes on large tracts had been established within this area. But much of the area within the original "B" district was yet undeveloped. As time passed, it developed consistent with "A" Residence. Recently the Purcell House, the tract bounded by Academy Drive, Hillside Avenue, Le Grande Avenue, and Melissa Lane, was designated by the City Council as a historic landmark.

The original "B" district was expanded periodically since 1931, with the largest expansion occurring during the decade between 1962 and 1971. During this period, Austin experienced its greatest increase in apartment zoning and development. The establishment of apartment zoning within the older neighborhoods was common, and in subject neighborhood the apartment zoning spread southward. The Travis Heights subdivision to the east was and is protected by deed restriction against apartment intrusion. No expansion of apartment zoning has taken place in the last four years.

A current survey of the land use within subject neighborhood surrounding the subject properties reveals that very little of the apartment zoning has been utilized. Only five newer apartment structures containing six or more units have been established. Parking which services the motor hotel at the western edge of the neighborhood has been established on "B"-zoned land. The remaining uses of the existing apartment zoning include five tracts developed with older structures containing four units each, and three newer structures containing three to five units each. The other land within the neighborhood surrounding subject properties is developed consistent with "A" Residence zoning.

The staff feels that the requested zoning is consistent with the low-density single-family character of this neighborhood. As indicated above, very little of the original or subsequent expansions of apartment zoning has been utilized. This is testimony to the quality of construction which exists in these homes. The desire of the homeowners in this area is to attempt to restore the pride in and dignity of this neighborhood which may have subsided in previous years.

Two zoning precedents have a direct bearing upon the subject request. Last year the Planning Commission and City Council unanimously endorsed a similar request by property owners in the neighborhood located west of the downtown area. That action has already stimulated revitalization of that neighborhood by homebuyers interested in restoring homes and properties which have had less than adequate maintenance. The second precedent was established later that year within subject neighborhood at 1501 Newning Avenue. Although abutted on all sides by existing "B"-zoning, the request for additional apart-

C14-75-005 Stuart M. Purcell, et al--Contd.

ment zoning was unanimously disapproved by both the Planning Commission and City Council. In doing so, they expressed the opinion that any additional apartment zoning within this long-standing low-density neighborhood would be an incompatible intrusion. Neighborhood opposition to that request was very evident.

STAFF RECOMMENDATION:

That this case be granted as being consistent with the single-family/duplex character of this neighborhood in spite of over forty years of dense apartment zoning, as being consistent with the construction and architectural quality within this neighborhood, as contributing to better neighborhood and structural maintenance, and as being consistent with the Planning Commission and City Council policy of preservation of neighborhood integrity.

CITIZEN COMMUNICATION (SOUTH RIVER CITY CITIZENS)**WRITTEN COMMENT**

Mrs. William Blake: 1211 Ravine Drive	FOR
Gaines & Jean Post: 803 Avondale Road	FOR
Emil E. Schrueder: 1210 Bickler Road	FOR
Robert Kieberg: 504 Academy Drive	FOR
Mrs. James Marcoux: 1312 The Circle	FOR
James H. Johnston: 220 Bonnieview Road	FOR
Mrs. C. W. Kirk: 1013 Melissa Lane	FOR
Tiller Estate, c/o F. S. Pearson: P.O.Box 1987	FOR
John R. Downes, Jr.: 708 Loma Linda Road	FOR
Trev Seymour: P. O. Box 701	FOR
Mrs. H. B. Schmidt: 305 Park Lane	FOR
Kristine Everett: 1311 Newning Avenue	FOR
Larry and Lisa Tate: 1212 Hillside Avenue	FOR
Mary B. Hutson: 212 Le Grande Avenue	FOR
Charles Rossmann: 803 East Riverside Drive	FOR
Mr. & Mrs. Stuart Harris: 1410 Newning Avenue	FOR
Miss Linda Allen: 210 Park Lane	FOR
Otto Shipley: 2607 Harris Boulevard	FOR
Mrs. Kelly H. Graham: 1309 Hillside Avenue	FOR
R. A. Short: 514 East Monroe Street	FOR
John Alfred Dunn: 1509 Drake Avenue	FOR
Mrs. David Wire: 301 Park Lane	FOR
Mabel Saderberg Harton: 502 Academy Drive	FOR
Clarence and Birddena Schroeder: 8800 Bluff Springs	FOR
Mrs. Jennie B. Bergstrom: 508 Academy Drive	FOR
Frederick Herrin: 119 Academy Drive	FOR
Beatrice Townsley: 500 Academy Drive	FOR
Mr. & Mrs. A. P. Smith: 307 Park Lane	FOR
Volna Lee Daum: 1505 Newning Avenue	FOR
Mrs. Helen P. Smith: 1507 Newning Avenue	FOR

C14-75-005 Stuart M. Purcell, et al--Contd.

Mrs. Velma West Keller: 1102 Claire Avenue	AGAINST
Marilyn Howeth: 6809 De Paul Cove	AGAINST
Bernice Henderson Polk: 2901 Bridle Path	AGAINST
Mr. & Mrs. J. D. Ray: 510 East Monroe Street	AGAINST
A. L. McNew: 1206 Hillside	AGAINST
Dan & Vera McCaskill: 804 Avondale Road	AGAINST
Paul A. Ketler: 206 Bonnieview Street	AGAINST
L. E. Ross: 204 Park Lane	AGAINST
Dr. R. D. Kirkland: 400 Academy Drive	AGAINST
Moe Terrell: 2221 Hancock Drive	AGAINST
Hub Bechtol: 2207 Hancock Drive	AGAINST
Petition bearing 36 names	AGAINST

PERSONS APPEARING

Wayne Gronquist (representing applicant)	
Mrs. John H. Mason: 312 Le Grande Avenue	FOR
Emil H. Spellman: 2110 Travis Heights Boulevard	FOR
Mike Paulson: 506 Terrace Drive	FOR
Kathryn Kittle Ericson: 2103 Glendale Place	FOR
W. T. Ley: 801 Avondale Road	FOR
Robert B. Dupree: 1221 Algarita #257	FOR
Elaine Dupree: 1221 Algarita #257	FOR
Trina Reue: 1720 South Lakeshore	FOR
Ron Reue: 1720 South Lakeshore	FOR
Beatrice Townsley: 500 Academy Drive	FOR
Debra and Curt Shaw: 511 East Mary	FOR
Jennie B. Bergstrom: 508 Academy Drive	FOR
Mabel Soderberg Harton: 502 Academy Drive	FOR
Austin Smith	FOR
Helen R. Hall: 1102 Claire Avenue	AGAINST
Roan Pewitt	AGAINST
John C. Carpenter: 603 East Riverside Drive	NO OPINION
Jean Carpenter: 603 East Riverside Drive	NO OPINION
Ray Henderson: 901 South Congress Avenue	NO OPINION
Leslie Gann	NO OPINION

COMMITTEE ACTION:

One of the applicants, Mr. Howard Lang, submitted a letter requesting that his property be withdrawn from the request. Mr. Bobbitt indicated he was not opposed to rolling back the zoning to "A" Residence for those people who wanted it but would be opposed to creating a non-conforming use. Ms. Mather recommended that since certain properties needed special consideration, they be excluded from the present discussion. The following properties were reserved for further discussion:

Mrs. James Johnston
220 Bonnieview Road
Lots 2 & 3, Block 2
Northwood Heights

C14-75-005 Stuart M. Purcell, et al--Contd.

Edith Roberts
1203 Newning Avenue
Lot 49, less the south 20 feet
Fairview Park

Mr. & Mrs. Roy Henderson
209 Academy Drive
Lot 3-A, Peters Addition

Mr. Howard Lang
514, 519, 521 Academy Drive
Lots 8, 18, 19, Woodlawn Addition

AYE: Messrs. Bobbitt, Everett, Nash and Washington. Ms. Mather

Mr. Everett recommended that the request for "A" Residence be granted, except those preceeding cases which were excluded.

AYE: Messrs. Bobbitt, Everett, Nash and Washington. Ms. Mather

Ms. Mather stated that the Planning Commission has had many problems with non-conforming uses but they have always been instances where the use was more intense. She was of the opinion that in this instance when the non-conforming uses cease, the property would revert to "A" Residence. Ms. Mather made a motion to grant "A" Residence on the three properties excluded from the original motion. The motion, seconded by Mr. Washington, failed 2-3.

Mr. Nash recommended that the request of Mr. Howard Lang to withdraw his properties as follows be granted;

512, 514 and 519 Academy

AYE: Messrs. Bobbitt, Everett, Nash and Washington. Ms. Mather

COMMISSION ACTION:

Members reviewed the information presented. Mr. Bobbitt restated his opposition to rezoning a tract and creating a non-conforming use. A majority recommended that the request be approved except those three properties which would become non-conforming.

C14-75-005 Stuart M. Purcell, et al--Contd.

COMMISSION VOTE:

To recommend that the request of Stuart M. Purcell, et al, for a zoning change from "B" Residence, "1st" H & A and "2nd" H & A, "BB" Residence, "1st" H & A and "2nd" H & A, "B-H" Historic, "2nd" H & A to "A" Residence, "1st" H & A and "A-H" Historic, "1st" H & A on property located on Academy Drive, Hillside Avenue, Newning Avenue, Park Lane, Bickler Road, Melissa Lane, LeGrande Avenue, Bonnieview Road, Drake Avenue, Ravine Drive and The Circle be DENIED but that "A" Residence, "1st" H & A and "A-H" Historic, "1st" H & A be GRANTED, excluding the following properties:

Mrs. James Johnston
220 Bonnieview Road
Lots 2 & 3, Block 2
Northwood Heights

Edith Roberts
1203 Newning Avenue
Lot 49, less the south 20 feet
Fairview Park

Mr. & Mrs. Roy Henderson
209 Academy Drive
Lot 3-A, Peters Addition

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

The Commission then voted to recommend that the request for a change in zoning on those preceeding properties be DENIED.

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

C14-75-017 Leona Ryan Graham: "A" Residence, "1st" H & A to
1908 Eva Street "B" Residence, "1st" H & A

This case appeared before the Commission in the past and was postponed to allow the applicant to appear before the Board of Adjustment to request a variance on the parking requirement. The applicant stated he did apply to the Board of Adjustment but because of a delay his case has not been heard. He stated he is now faced with a deadline to meet state licensing requirements.

CITIZEN COMMUNICATION
WRITTEN COMMENT
Juan Rangel

FOR

C14-75-017 Leona Ryan Graham--Contd.

Otto Eilers: 1903 Eva Street	FOR
Freda A. Veazey: 1901 Eva Street	FOR
Fernando B. Martinez: 304 W. Johanna Street	FOR
Annie Woodland: 1909 Eva Street	FOR
Walter M. Jones	FOR
L. M. and Ruby Leath: 113 West Johanna Street	FOR
S. W. Redd: 1711 Brackenridge Street	FOR

PERSONS APPEARING

Lee Abbott (representing applicant)

COMMISSION ACTION:

Members reviewed the information presented. Mr. Hetherly stated that the length of time required to finalize the zoning if it were granted would prevent the applicant from meeting his deadline. He agreed that the applicant did have a problem and that the Commission needed to act on the case and forward it to Council. Mr. Hetherly stated that he had received a number of calls from some of the neighbors who were not opposed. Mr. Juarez was of the opinion that rezoning would be an intrusion and that he would be less opposed if the property were one tract rather than two. Mr. Nash made a motion to grant "B" Residence with a restrictive covenant that the zoning would revert to "A" Residence if there is a use change. The motion died for lack of a second. Ms. Mather pointed out that even if the Commission denied the request the Council could grant some relief. Mr. Hetherly was of the opinion that the Commission's responsibility is to review the zoning and allow Council to grant relief if they see the necessity. Ms. Mather recommended that the case be denied.

COMMISSION VOTE:

To recommend that the request of Leona Ryan Graham for a zoning change from "A" Residence, "1st" H & A to "B" Residence, "1st" H & A on property located at 1908 Eva Street be DENIED.

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

Ms. Mather

ABSENT: Mr. Washington

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

STAFF REPORT:

Subject tracts, totaling 10.78 acres, are located in southwest Austin to 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.

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

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" Residence 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 sixth-grade center.

STAFF RECOMMENDATION:

The "C" Commercial be granted on Tract 3, and "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**

Ina E. Browne: 2107-A Wordsworth Drive	FOR
Asuncion Galarza: 709 West Monroe Street	FOR
Marvin M. Henry: 4210 Gnarl Drive	FOR
Don Lyda: 850 American Bank Tower	FOR
Mr. Melitz	FOR
Chester Bernard Snyder	FOR
Charles Bales: 2105 Fortview Road	AGAINST
J. B. Ford: 3405 Bowman Avenue	AGAINST
Rod Roberts: 2103 Fortview Road	AGAINST
Barry G. Ottley: 2109 Fortview Road	AGAINST
Michael S. Gideon: 2106 Ivy Trail	AGAINST
Mr. & Mrs. Alfred Feuge: 2102 Ivy Trail	AGAINST
Gordon W. Neeley	AGAINST
John G. Hancock: 2104 Ivy Trail	AGAINST

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

PERSONS APPEARING

Howard Brunson (representing applicant)
Woodrow Sledge (AISD)
Alfred Feuge

AGAINST
AGAINST

COMMITTEE ACTION:

The applicant requested that this case be postponed so that he could refile his application in order to amend it. Area residents in attendance were in agreement to the postponement. Members reviewed the information and recommended to grant the postponement but agreed that the applicant should abide by the seven-day postponement notice that is required. The Committee recommended that this request be postponed 30 days.

AYE: Messrs. Bobbitt, Everett, Nash and Washington. Ms. Mather

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

STAFF RECOMMENDATION:

Subject tract, with an area of 2,567 feet, is the rear half of a small lot fronting a residential street in an older neighborhood west of downtown Austin. Zoning and uses along this street have been transitioning to office use of the residential structures. Surrounding uses consist of parking to the east, boutique to the north, single-family to the west, and a grooming service to the south.

Office and residential use of the structure on the subject property presently exists. The unique structure which exists on this tract does not comply with building, electrical, or zoning ordinances. The Building Inspection Department has initiated court action in an effort to obtain compliance of the building and electric codes. Since the building is in violation, it is likely that the roof will have to be removed. The present walls will then become a fence. One reason for this zoning request is to allow the height of the existing walls beyond the six-foot height limitation in its present "O" Office district. The second reason is to allow the sign located on the east wall oriented toward Lamar Boulevard to remain.

The orientation of the subject tract is toward Parkway and Lamar Boulevard, even though it has no direct access to either street. "C" Commercial zoning exists to the north, and Local Retail zoning is to the south. The impact of this rezoning would be slight, and should not unduly stimulate intensification along Baylor Street, which should not transition to a more intensive zoning than "O" Office due to the low-density residential along it and the hazardous intersections to the north and south. A zoning violation currently exists on the tract to the south labeled car storage on the staff map.

C14-75-037 Joseph F. Burke--Contd.

STAFF RECOMMENDATION:

That this case be granted as compatible with the orientation of the tract to Parkway and Lamar Boulevard, where more intensive zoning and use has been established.

CITIZEN COMMUNICATION

WRITTEN COMMENT

Gil Kuykendall

Philip Juarez: 1209 Parkway

Dr. Paul Jungerman: 1220 Parkway

Mrs. L. J. Rode, Jr.: 3308 Big Bend

FOR

FOR

AGAINST

AGAINST

PERSONS APPEARING

Martin Boozer, Jr. (representing applicant)

COMMITTEE ACTION:

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

AYE: Messrs. Bobbitt, Everett, Nash and Washington. Ms. Mather

COMMISSION ACTION:

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

COMMISSION VOTE:

To recommend that the request of Joseph F. Burke for a zoning change from "O" Office, "2nd" H & A to "LR" Local Retail, "2nd" H & A on property located at 1209 Baylor Street be GRANTED.

AYE: Messrs. Hetherly, Bobbitt, Everett, and Nash.
Ms. Mather

ABSENT: Messrs. Juarez, Ramsey and Washington

C14-75-045 Odie E. Ainsworth: "A" Residence, "1st" H & A to
908 Holly Street, also bounded "GR" General Retail, "1st" H & A
by San Marcos Street and
Interstate Highway 35

STAFF REPORT:

Subject tract, developed with a residential structure, is located in east Austin and is bounded by an expressway, a major residential arterial street planned for future r.o.w. expansion, a minor residential street and by an alley. Excluding the expressway the property is surrounded by "A" Residence zoning and uses.

C14-75-045 Odie E. Ainsworth--Contd.

The future George I. Sanchez Elementary School (Palm School replacement) will be located across San Marcos Street to the east. Opening of this school is scheduled for the fall of 1976; and construction will begin shortly.

Although the requested "GR" district is not very compatible with established and planned land uses to the north, east and south, the staff reluctantly recommends this zoning because the tract is completely surrounded by street and alley r.o.w., and because it is bounded on two sides by an expressway and a major arterial. However, the staff recommends prohibited access to San Marcos Street to reduce hazards created by commercial driveways on school streets. San Marcos Street needs to be expanded to 60 feet to take care of additional traffic which will be generated by the school and more intense uses along I. H. 35 such as proposed for the subject tract.

STAFF RECOMMENDATION:

That this case be granted as appropriate zoning at the intersection of a major arterial and an expressway, subject to an access prohibition on San Marcos Street and one-half the r.o.w. (five feet) to increase Holly Street from 60 to 70 feet, and one-half the r.o.w. (five feet) to increase San Marcos Street from 50 to 60 feet.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Toro Construction Co.: 3711 North Lamar Boulevard FOR
Mr. & Mrs. Fred P. Savage: P. O. Box 404 FOR

PERSONS APPEARING

C. C. Cook (representing applicant)
Paul C. Walter: 1702 South Lamar Boulevard FOR
C. M. Lamar: 602 Jessie Street FOR
Woodrow Sledge (AISD) AGAINST

COMMITTEE ACTION:

The applicant indicated he would be agreeable to the staff's conditions except the five feet of r.o.w. on San Marcos Street. Mr. Everett was of the opinion that this case was difficult because of its location to I. H. 35 and also its location in the residential area and close proximity to the proposed elementary school. Ms. Mather stated that Holly Street is listed as a major arterial, however it is not constructed as such. She stated she would be opposed to commercial-type uses until such time as the street could carry the additional traffic that would be generated. Mr. Nash stated he would be in favor of the "GR", deleting the five feet of r.o.w. on San Marcos which would make the lot substandard for residential use. He made a motion to grant the request, subject to departmental requirements but deleting the five feet of r.o.w. on San Marcos Street. The motion failed 2-3. Ms. Mather then recommended that the request be denied.

AYE: Messrs. Bobbitt and Everett. Ms. Mather
NAY: Messrs. Nash and Washington

C14-75-045 Odie E. Ainsworth--Contd.

COMMISSION ACTION:

The staff pointed out that the City has condemned the house which exists on the tract and if the owner does not repair the structure, it will be demolished. Ms. Mather was of the opinion that if the zoning were granted, the house will not be repaired, the structure will be demolished and another use will be placed on the tract. She stated that while on the map the structure appears to be close to I.H. 35, it actually is not but is located in a residential area. The Committee's recommendation to deny the request failed in a tie vote. The members then recommended that this case be referred to the Zoning Committee.

COMMISSION VOTE:

To REFER to the Zoning Committee the request of Odie E. Ainsworth for a zoning change from "A" Residence, "1st" H & A to "GR" General Retail, "1st" H & A on property located at 908 Holly Street, also bounded by San Marcos Street and I. H. 35.

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

Ms. Mather

ABSENT: Messrs. Ramsey and Washington

C14-75-046 City National Bank, Trustee: "B" Residence, "1st" H & A to
8312-8324 Jamestown Drive "C" Commercial, "1st" H & A

STAFF REPORT:

Subject tract fronts a neighborhood collector street and is located between the commercial development oriented to Research Boulevard and a single-family neighborhood in north Austin. This tract and all adjacent tracts are undeveloped.

In 1969 the zoning on subject tract and the tracts to the north and south was established, subject to privacy fencing and a 25-foot building setback adjacent to the single-family development to the north and east. The apartment zoning was considered appropriate intermediate zoning between the commercial use and the neighborhood.

A "C" Commercial request on the abutting tract to the west was considered recently. Due to its proximity to Research Boulevard, and the fact that an adequate area of apartment zoning had been established to the east, the request was recommended and granted. A privacy fence and a 25-foot building setback was established along the north and the east boundary which is the west boundary of subject tract. This shielding helps to protect the apartment zoning and future use of subject tract.

STAFF RECOMMENDATION:

That this case be denied. This apartment zoning should be maintained to create a use buffer. The present "B" zoning will permit parking for adjacent commercial or retail uses.

C14-75-046 City National Bank, Trustee--Contd.

CITIZEN COMMUNICATION (NORTH AUSTIN CIVIC ASSOCIATION)

WRITTEN COMMENT

Lon E. Hall: 8413 Maine Drive	AGAINST
Sim Oeringer: 8416 Maine Drive	AGAINST
Mrs. James E. Watts: 8413 Jamestown Drive	AGAINST
Stanley R. Rosenquest: 1301 Clearfield Drive	AGAINST
Petition bearing 42 names	AGAINST

PERSONS APPEARING

Mrs. Marvin Wheeler	FOR
Sim Oeringer	AGAINST
Jim McShane	AGAINST

COMMITTEE ACTION:

Members reviewed the information presented. In answer to testimony in opposition to additional apartments, Ms. Mather pointed out that one advantage of "B" on subject tract and "BB" on the adjoining tract is that when apartments do come in they usually come in under a special permit which allows for some control over the plan. She also pointed out that if there is really a need for additional commercial use in the area the applicant could submit a P.U.D. She was of the opinion that the uses under "C" would be more undesirable than those uses under "B". She recommended that the request be denied.

AYE: Messrs. Bobbitt, Everett, Nash and Washington. Ms. Mather

COMMISSION ACTION:

The applicant submitted a letter requesting that this case be withdrawn. Members were in agreement that the 72-hour notice of withdrawal should be followed. Mr. Hetherly pointed out that the case can be withdrawn before it reaches Council, and he was opposed to inconveniencing the citizens by the necessity of having to reappear at the hearings. However, he was of the opinion that the rules should be followed until such time as the policy is changed. A majority of the members were in agreement to deny the request for withdrawal and to deny the request for a zoning change.

COMMISSION VOTE:

To recommend that the request of City National Bank, Trustee for a zoning change from "B" Residence, "1st" H & A to "C" Commercial, "1st" H & A on property located at 8312-8324 Jamestown Drive be DENIED.

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

C14-75-047 C. M. Lanier and Evelyn M. Lanier: "A" Residence, "1st" H & A to
1304-1306 Treadwell Street "O" Office, "1st" H & A
915 Josephine Street

STAFF REPORT:

Subject property is located in south Austin at the intersection of two residential streets, and is part of a single-family neighborhood. Single-family homes are adjacent to the north and west. A structure and outside storage presently exist on subject property. Commercial zoning and development fronting South Lamar Boulevard is located to the rear of subject tract. The "GR"-zoned tract directly south of subject tract is developed with a shopping center.

There was a previous zoning request for "O" Office on this property in 1972. The Planning Commission and the City Council denied the request as being an intrusion into the single-family neighborhood. Treadwell Street was considered as a natural and effective buffer between the single-family neighborhood and the retail development to the south. In addition, there would have been no logical point to terminate less restrictive zoning if established on Josephine Street.

STAFF RECOMMENDATION:

That this case be denied as an intrusion into a single-family neighborhood. There has been no change in conditions since the previous case to warrant this zoning change. If a change in zoning is granted, one-half the r.o.w. (5 feet) is necessary to increase Josephine Street to 60 feet.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Gant A. Johnson: 904 Josephine Street	FOR
Frank W. McBee: 705 San Antonio Street	FOR
Otis V. Foster: 900 Josephine Street	AGAINST
T. L. Roselle: Box 617	AGAINST
W. K. Canthern: 911 Josephine Street	AGAINST
Randy W. Grissom: 905 Josephine Street	AGAINST
Mr. & Mrs. Ben N. Garza: 908 Josephine Street	AGAINST
Mildred A. Brooks: 906 Josephine Street	AGAINST
Mrs. Bertha L. Leach: 907 Josephine Street	AGAINST
Donald Joe Malone: 902 Josephine Street	AGAINST

PERSONS APPEARING

C. M. Lanier (applicant)	FOR
Paul Walters	AGAINST
Randy Dresserman	

C14-75-047 C. M. Lanier and Evelyn M. Lanier--Contd.

COMMITTEE ACTION:

The applicant pointed out that a 20-foot easement exists from Lamar Boulevard west to Josephine Street. The existing house is located on this easement and the fence is located within the r.o.w. Improvements cannot be made to the structure because of this fact. The lot is not large enough to construct a house to be profitable. The applicant questioned the need for this 20-foot easement if the street is not going to be widened. Members reviewed the information presented and were in agreement to continue the hearing to the full Commission so that the staff could obtain additional information on the easement.

AYE: Messrs. Bobbitt, Everett, Nash and Washington. Ms. Mather

COMMISSION ACTION:

The staff reported that a number of years ago there was a dedication of 20 feet of r.o.w. on the north side of Treadwell Street from Lamar Boulevard to Josephine Street. This was not an easement but r.o.w. dedication. Later, the intent was to provide 60 feet of r.o.w. on Treadwell Street. An offset of about 20 feet exists on the northern half of Treadwell and in order to line up the street, all r.o.w. was taken off the north side. Zoning then came in and the owner dedicated 20 feet off the southern half. The existing fence is within the r.o.w. Since the City has no plans to widen Treadwell, the property owner can make application for vacation of 10 feet between Josephine and Lamar and purchase this additional property. Members reviewed the information and were in agreement that the applicant could resolve his problem by vacating the 10 feet and recommended that this case be denied.

COMMISSION VOTE:

To recommend that the request of C. M. Lanier and Evelyn M. Lanier for a zoning change from "A" Residence, "1st" H & A to "O" Office, "1st" H & A on property located at 1304-1306 Treadwell Street and 915 Josephine Street be DENIED.

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

ABSENT: Mr. Washington

C14-75-048 Alexander Maynard: "A" Residence, "1st" H & A to
 700 West St. Johns Avenue "GR" General Retail, "1st" H & A

STAFF REPORT:

This residential lot fronts St. Johns Avenue, a designated major arterial which traverses a neighborhood located in north Austin between Lamar Boulevard and I.H. 35. Single-family homes exist on either side of subject lot; commercial development has been established across the street.

C14-75-048 Alexander Maynard--Contd.

"A" Residence zoning borders this tract to the west, north, and east. Facing zoning is "D" Industrial which is developed with an antique shop. To the east of the antique shop is Local Retail zoning developed with offices, apartments, and a single-family home.

There exists an obvious contrast in zoning and land use between the north and south sides of this street. "D" Industrial and "LR" Local Retail zoning districts were established many years ago, but have been developed more restrictively. The north side was developed in single-family lots. The staff recommends more restrictive zoning on the north side of this street similar to what has been established on Koenig Lane between Lamar Boulevard and Burnet Road. Local Retail zoning was established on many of the residential lots, but due to the small size of the lots and the incompatibility with the abutting single-family use, the "O" Office district was later and is now considered the most appropriate transition zoning.

Because the subject lot is across the street from very intensive zoning the staff recommends the Local Retail district. To the east and opposite the Local Retail zoning the staff will recommend "O" Office. The recommended "LR" Local Retail zoning on subject lot will permit "GR" General Retail uses by special permit.

STAFF RECOMMENDATION:

That "GR" General Retail be denied as too intensive for abutting residential use, but that "LR" Local Retail be granted, subject to 15 feet of r.o.w., 45 feet from the centerline, to contribute to the planned 90 feet. This recommendation acknowledges the less restrictive zoning to the south and is intended to buffer the adjacent single-family use and adjoining neighborhood.

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

Floyd W. Schkade: 208 East Lisa

FOR

Mr. & Mrs. Dwight Stapp: 622 W. O'Dell Street

AGAINST

PERSONS APPEARING

Alexander Maynard (applicant)

COMMITTEE ACTION:

Members reviewed the information presented and were of the opinion that the applicant could use his property for selected "GR" uses if he had "LR" Local Retail zoning and applied for a special permit. Members recommended that the request for "GR" General Retail be denied but that "LR" Local Retail be granted, subject to 15 feet of r.o.w. (45 feet from the centerline) necessary to increase St. Johns Avenue to 90 feet.

AYE: Messrs. Bobbitt, Everett, Nash and Washington. Ms. Mather

C14-75-048 Alexander Maynard--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 Alexander Maynard for a zoning change from "A" Residence, "1st" H & A to "GR" General Retail, "1st" H & A on property located at 700 West St. Johns Avenue be DENIED but that "LR" Local Retail, "1st" H & A be GRANTED, subject to 15 feet of r.o.w. (45 feet from the centerline) necessary to increase St. Johns Avenue to 90 feet.

AYE: Messrs. Hetherly, Bobbitt, Everett, and Nash.
Ms. Mather

ABSENT: Messrs. Juarez, Ramsey and Washington

C14-75-049 Incorporated Investors, Inc.: "A" Residence, "1st" H & A to
4015 Manchaca Road "O" Office, "1st" H & A

STAFF REPORT:

Subject tract, located in south Austin along a major arterial street, is presently developed with two single-family residences. Office zoning abuts this property to the north and south and single-family zoning and development are adjacent to the east and west sides. Since 1965, the Planning Commission has been consistently recommending for "O" Office zoning for this area where properties are oriented toward Manchaca Road. The Commission felt that office zoning was proper for the large tracts in this area which have adequate buffering to the east.

STAFF RECOMMENDATION:

That this case be granted as consistent with established zoning to the north and south.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Incorporated Investors (applicant)

James E. Reeves: 2006 Jones Road

Mr. & Mrs. R. S. Hoffman: 4100 Manchaca Road

Delilah Haynes: 4025 Manchaca Road

Richard Brooks: 2004-A Gathright Cove

A. A. Williams: 2005 Prather Lane

Joel N. Sidnik: 4102 Valley View Road

Thomas B. Pool: 4012 Valley View Road

FOR

AGAINST

AGAINST

AGAINST

AGAINST

AGAINST

AGAINST

PERSONS APPEARING

Chet E. Altis (representing applicant)

C14-75-049 Incorporated Investors, Inc.--Contd.

COMMITTEE ACTION:

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

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

COMMISSION ACTION:

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

COMMISSION VOTE:

To recommend that the request of Incorporated Investors, Inc. for a zoning change from "A" Residence, "1st" H & A to "O" Office, "1st" H & A on property located at 4015 Manchaca Road be GRANTED.

AYE: Messrs. Hetherly, Bobbitt, Everett, and Nash
 Ms. Mather

ABSENT: Messrs. Juarez, Ramsey and Washington

C14-75-050 Gulf Oil Corporation: "C" Commercial, "1st" H & A to
 1801 East Riverside Drive "C-2" Commercial, "1st" H & A
 1301-1309 Parker Lane

STAFF REPORT:

Subject tract, developed with an automobile service station, is located at the intersection of a neighborhood collector street, Parker Lane, and a major arterial, East Riverside Drive. Surrounding land use is retail-commercial which services the single- and multi-family residential development in this area. Nightclub use has been established within the shopping center to the south. The shopping center is oriented to Riverside Drive.

Subject tract is at a similar elevation, as the small neighborhood center across Parker Lane; the shopping center to the rear of subject tract is at a higher elevation. The greatest impact of rezoning this tract would occur on the "LR"-zoned neighborhood center to the west. "C-2" Commercial zoning has been denied on that tract, and increase to "GR" General Retail was not recommended by the Commission recently. Protests from the adjacent neighborhood have been strong.

A proposal by an adjacent property owner for realigning Parker Lane and Arena Drive has been submitted to the city and has received the approval of the Urban Transportation Department (see staff map). The proposal will cut into subject tract.

C14-75-050 Gulf Oil Corporation--Contd.

STAFF RECOMMENDATION:

That this case be denied, as it will stimulate further zoning requests in the neighborhood center to the west where the Planning Commission and City Council have consistently denied intensification. This tract is not oriented toward the interior of a shopping center.

CITIZEN COMMUNICATION (SOUTH AUSTIN NEIGHBORHOODS EAST)

WRITTEN COMMENT

Austin Savings & Loan: 1008 Lavaca Street	FOR
C. B. Carpenter: 510 South Congress Avenue	FOR
Hixon Development Company: 341 Milam Bldg. San Antonio, Texas	FOR
C. J. Zern: 1201 Loma Drive	AGAINST

PERSONS APPEARING

None

COMMITTEE ACTION:

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

AYE: Messrs. Bobbitt, Everett, Nash and Washington. Ms. Mather

C14-75-051 Tom F. Marsh: "GR" General Retail, "1st" H & A to
2538 Elmont Drive, also "C-2" Commercial, "1st" H & A
bounded by Pleasant Valley Road

STAFF REPORT:

Subject tract is located in southeast Austin at the intersection of a neighborhood collector street and a major arterial street. It is developed with a retail structure half of which is occupied with a convenience store. The property and existing structure are oriented to Elmont Drive, the collector street. "GR" General Retail zoning exists on three sides although apartments have been established to the west and north within this "GR" zoning. Across Pleasant Valley Road to the east is a part of "The Crossing" planned development that is awaiting subdivision before final Council approval of apartment zoning limited to 22 units per acre. A movie theater exists to the south, and general retail zoning for a community business center has been approved in "The Crossing" to the southeast.

Currently, there is no "C-2" Commercial zoning or use along Pleasant Valley Road. Numerous "C-2" Commercial uses have developed in this general area along East Riverside Drive oriented toward the interior of the shopping centers to protect the residential areas from parking, traffic, and late-hour problems often generated by "C-2" Commercial uses.

C14-75-051 Tom F. Marsh--Contd.

STAFF RECOMMENDATION:

That this request be denied as incompatible with adjacent approved apartment zoning and use, as it may stimulate similar requests, and as incompatible with staff and Planning Commission policy of recommending "C-2" Commercial in new areas only when oriented toward the interior of a shopping center.

Note to applicant: A special permit will be required for "C-2" Commercial use.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Wesley Schreiber & Jerry Holley: P.O.Box 5028

Waco, Texas

FOR

Earl Podolnick: 2211 Hancock Drive

AGAINST

PERSONS APPEARING

None

COMMITTEE ACTION:

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

AYE: Messrs. Bobbitt, Everett, Nash and Washington. Ms. Mather

COMMISSION ACTION:

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

COMMISSION VOTE:

To recommend that the request of Tom F. Marsh for a zoning change from "GR" General Retail, "1st" H & A to C-2" Commercial, "1st" H & A on property located at 2538 Elmont Drive, also bounded by Pleasant Valley Road, be DENIED.

AYE: Messrs. Hetherly, Bobbitt, Everett, and Nash
Ms. Mather

ABSENT: Messrs. Juarez, Ramsey and Washington

C14-75-052 Mrs. Jimmie Lea Hazelwood Chris: "A" Residence, "1st" H & A to
2201 Lake Austin Boulevard, also "GR" General Retail, "1st" H & A
bounded by MoPac Boulevard and
Foster Avenue

STAFF REPORT:

This property is located in west Austin at the intersection of a major arterial street and an expressway. Local and general retail zoning and development exist on many lots north and west of subject tract. The American Legion Hall, zoned commercial, is located south of subject property. Single-family homes exist along both sides of Lake Austin Boulevard in this area.

C14-75-052 Mrs. Jimmie Lea Hazelwood Chris--Contd.

In two previous zoning cases, "GR" General Retail zoning was granted on two lots to the north. It was felt that the transition of this small segment along Lake Austin Boulevard between MoPac Boulevard and the business area to the west to a higher intensity of use was appropriate.

The City Council has recently passed an ordinance which restricts signs and billboards within 660 feet of MoPac Boulevard r.o.w. The applicant should consult with the Building Inspection Department for details.

STAFF RECOMMENDATION:

That this case be granted as an appropriate extension of established zoning.

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

WRITTEN COMMENT

Jennie Mary Lewis: P. O. Box 12214

FOR

John R. Downes, Jr.: 708 Loma Linda Road

FOR

PERSONS APPEARING

Terry Sasser (representing applicant)

Mr. Dacy

NO OPINION

COMMITTEE ACTION:

Members reviewed the information presented. In response to citizen testimony regarding negotiations by the Parks and Recreation Department for property near subject tract, the staff indicated they did not have any information but would verify this if the members so desired. Mr. Juarez stated that since the applicant was not present, he saw no need to delay the case. Ms. Mather was of the opinion that the greenbelt was not the issue and should not be considered at this time. She stated opposition to establishing strip zoning along MoPac Boulevard. Mr. Nash stated that a recent rezoning of the tract across the street should be considered rather than the issue of the greenbelt. A majority recommended that the request be denied.

AYE: Messrs. Everett and Juarez. Ms. Mather

NAY: Mr. Nash

ABSTAIN: Mr. Ramsey

COMMISSION ACTION:

The staff reported that the Parks and Recreation Department is acquiring property adjacent to the park but there are no plans to acquire property along Lake Austin Boulevard adjacent to this tract. It was also pointed out that Foster Avenue is an alley and may be vacated. Ms. Mather stated that when plans for MoPac were being considered, it was pointed out that there would be no strip zoning along MoPac. Mr. Nash stated that the Commission voted for "O" Office across the street which was denied by Council. He was of the opinion that this tract is adjacent to the service road and has no connection with MoPac. Mr. Hetherly was of the opinion that the tract

C14-75-052 Mrs. Jimmie Lea Hazelwood Chris--Contd.

is oriented to Lake Austin Boulevard. Ms. Mather called attention to the residential area located to the north of subject tract. The Committee's recommendation to deny the request failed in a tie vote with one member abstaining.

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

It was then pointed out that the applicant was not present at the Committee public hearing and that it would be appropriate to reconsider this case at another hearing. The Commission then recommended that the case be referred to the Zoning Committee for consideration.

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

C14-75-053 Alvin J. and Ada S. Mynar: "A" Residence, "1st" H & A
9001-9003 North Lamar Blvd. "LR" Local Retail, "1st" H & A
9000 Shepard Drive

STAFF REPORT:

This tract is a residential lot within a single-family neighborhood. The lot fronts a minor residential street and backs to North Lamar Boulevard (U.S. Hwy. 81). There exists a solid-board privacy fence along the back of all the residential lots which front Shepard Drive. The Texas Highway Department does not recommend any rear access to these residential lots from North Lamar Boulevard.

The "GR" zoning on the tract to the south was established in 1966, before most of the homes were built on this block. The existing use was established after most of the homes were built.

STAFF RECOMMENDATION:

That this case be denied as an obvious intrusion into a single-family neighborhood.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Tim Harper: 504 Grissom Court
Mrs. Florian Munger: 9005 Sheppard Drive
James Williams: 9004 Shepard Drive
Harry Cannon: 505 Grissom Court
Billie L. Hargrove: 9009 Shepard Drive

FOR
FOR
AGAINST
AGAINST
AGAINST

C14-75-053 Alvin J. and Ada S. Mynar--Contd.

Bruce Walker: 9010 Glenn Lane	AGAINST
Jackson T. Bayless, Jr.: 1701 Upland Drive #340	AGAINST
Paul Joseph Shelton: 9011 Shepard Drive	AGAINST
David A. Adams: 9006 Shepard Drive	AGAINST
Allan D. King: 9000 Glenn Lane	AGAINST
Petition bearing 54 names	AGAINST
PERSONS APPEARING	
Alvin J. Mynar (applicant)	
Vernille Snitko	AGAINST
Ruth Horacek	AGAINST
John Fleming	AGAINST
Stan Bell	AGAINST
Allan King	AGAINST

COMMITTEE ACTION:

Members reviewed the information presented and were in agreement that rezoning would have an adverse effect on the neighborhood. Also that the access to Lamar Boulevard would be undesirable. The Committee recommended that the request be denied as incompatible with the residential neighborhood.

AYE: Messrs. Bobbitt, Everett, Nash and Washington. Ms. Mather

COMMISSION ACTION:

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

COMMISSION VOTE:

To recommend that the request of Alvin J. and Ada S. Mynar for a zoning change from "A" Residence, "1st" H & A to "LR" Local Retail, "1st" H & A on property located at 9001-9003 North Lamar Boulevard and 9000 Shepard Drive be DENIED.

AYE: Messrs. Hetherly, Bobbitt, Everett, and Nash
Ms. Mather

ABSENT: Messrs. Juarez, Ramsey and Washington

C14-75-054 F. N. Bolding, Jr., et al--Contd.

COMMITTEE ACTION:

The applicant amended his request to "C" Commercial, "1st" H & A. Ms. Mather was of the opinion that there needed to be a 75-foot buffer strip of "A" Residence along the creek to protect the residential area. The applicant indicated he would accept that condition but did not feel it necessary to place that restriction on the request since the area is in the flood plain and permits are required prior to development. In answer to Mr. Nash's question regarding the area to be used for the hike and bike trail, the staff indicated that the eastern portion of the property will probably be purchased for this purpose. Ms. Mather recommended to deny the request, as amended, but to grant "C" Commercial, "1st" H & A with 75 feet of "A" Residence, "1st" H & A from the centerline of Williamson Creek along the eastern edge of the tract.

AYE: Messrs. Bobbitt, Everett, Nash and Washington. Ms. Mather

COMMISSION ACTION:

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

COMMISSION VOTE:

To recommend that the request of F. N. Bolding, Jr., et al, for a zoning change from Interim "A" Residence, Interim "1st" H & A and "C" Commercial, "1st" H & A to "C" Commercial, "1st" H & A, as amended, on property located at 5213-5227 Wasson Road be DENIED but that "C" Commercial, "1st" H & A and "A" Residence, "1st" H & A for 75 feet from the centerline of Williamson Creek along the eastern edge of the tract be GRANTED.

AYE: Messrs. Hetherly, Bobbitt, Everett and Nash. Ms. Mather

ABSENT: Messrs. Juarez, Ramsey and Washington

C14-75-055 C. B. Carpenter, et al: "LR" Local Retail, "1st" H & A to
1911-A East Riverside Drive "GR" General Retail, "1st" H & A

STAFF REPORT:

Subject tract is located within a shopping center at the intersection of two major arterials in southeast Austin. Predominant zoning of the center is Local Retail, and three tracts of "C-2" Commercial zoning exist within this center on either side of subject tract.

STAFF RECOMMENDATION:

That this case be granted as appropriate zoning for this shopping center.

C14-75-055 C. B. Carpenter, et al--Contd.

CITIZEN COMMUNICATION (SOUTH AUSTIN NEIGHBORHOODS EAST)

WRITTEN COMMENT

C. B. Carpenter: 510 South Congress Avenue
Joann and Joe Ray: 1621 Sunnyvale Street
PERSONS APPEARING
None

FOR
AGAINST

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 and Washington. Ms. Mather

COMMISSION ACTION:

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

COMMISSION VOTE:

To recommend that the request of C. B. Carpenter, et al, for a zoning change from "LR" Local Retail, "1st" H & A to "GR" General Retail, "1st" H & A on property located at 1911-A East Riverside Drive be GRANTED.

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

C14-75-056 Jacqueline Williams, et vir, Charles E. Williams: "A" Residence,
2803 Martin Luther King, Jr. Blvd. "1st" H & A to "LR" Local
also bounded by Ulit Avenue Retail, "1st" H & A

STAFF REPORT:

Subject tract, consisting of two vacant residential lots, is located in East Austin at the intersection of a major arterial street planned for future expansion and a minor residential street with 45 feet of r.o.w. The property is oriented to the residential street and is abutted by "A" Residence zoning and uses on the west, south and east sides. A hospital and a funeral home are located across Martin Luther King, Jr. Boulevard (formerly East 19th Street) to the north.

The least restrictive zoning encroachment in this residential area dates back to 1956, when "LR" Local Retail was granted one block west of subject tract. Later in the mid-1960's, office zoning was established further to the west. The last two requests on this street west of subject tract, one for "LR" Local Retail and the other for "O" Office, were both denied by the City Council as intrusions into the neighborhood and as contributing to a strip commercial district along this street.

C14-75-056 Jacqueline Williams, et vir, Charles E. Williams--Contd.

STAFF RECOMMENDATION:

That this case be denied as an intrusion into a single-family neighborhood designed for residential uses which affords a logical point of termination and as consistent with recent City Council action in this area. Adequate retail commercial developments and zoning to serve this neighborhood exist within this area.

If a change in zoning is recommended, dedication of 20-30 feet of r.o.w. is required on Martin Luther King, Jr. Boulevard to increase it to 90 feet, and one-half the r.o.w. (7.5 feet) necessary to increase Ulit Avenue from 45 to 60 feet.

CITIZEN COMMUNICATION (CONCERNED CITIZENS OF EAST AUSTIN)

WRITTEN COMMENT

Forest Pearson: P.O. Box 1987

Mr. & Mrs. Charles E. Williams; 1139 Hilford Ct.
San Jose, California

Maggie B. White: 1808 Ulit Avenue

Fuller Sheffield Funeral Service: P.O. Box 6307

Mrs. Elnora M. Ake: 1706 Poquito Street

Ella Hansborough: 1802 Ulit Avenue

Petition bearing 45 names

FOR

AGAINST

AGAINST

AGAINST

AGAINST

AGAINST

AGAINST

PERSONS APPEARING

None

COMMITTEE ACTION:

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

AYE: Messrs. Bobbitt, Everett, Nash and Washington. Ms. Mather

C14-75-057 Jack W. Ledbetter: "C" Commercial, "3rd" H & A
300-306 West 15th Street to "C-2" Commercial, "3rd" H & A
1500-1508 Lavaca Street

STAFF REPORT:

Subject tract is located at the intersection of two major arterial streets in central Austin. The surrounding area is zoned "C" or "C-2" Commercial and is developed accordingly. A special permit is being processed in conjunction with this zoning request.

STAFF RECOMMENDATION:

That this case be granted as consistent with surrounding zoning.

C14-75-057 Jack W. Ledbetter--Contd.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Gully & Bohls: 201 First Federal Savings Bldg. FOR
Dr. D. A. Baggett: 406 West 15th Street AGAINST

PERSONS APPEARING

Charles E. Bates (representing applicant)
Linda S. Bates: 2306 Townes Lane FOR
George Sandlin: 308 West 15th Street FOR
Robert Mann: 4707 Shoalwood Avenue FOR
Cynthia Lowe: 4707 Shoalwood Avenue FOR

COMMITTEE ACTION:

Members reviewed the information presented in conjunction with the request for a special permit and recommended that the zoning be granted.

AYE: Messrs. Nash, Everett and Juarez. Ms. Mather
ABSTAIN: Mr. Ramsey

COMMISSION ACTION:

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

COMMISSION VOTE:

To recommend that the request of Jack W. Ledbetter for a zoning change from "C" Commercial, "3rd" H & A to "C-2" Commercial, "3rd" H & A on property located at 300-306 West 15th Street and 1500-1508 Lavaca Street be GRANTED.

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

C14-75-058 Balcor Realty Investors: "GR" General Retail, "1st" H & A to
5742 Manchaca Road, also "C" Commercial, "1st" H & A
bounded by Stassney Lane

STAFF REPORT:

This 2,800 square-foot tract is part of a neighborhood shopping center located at the intersection of two major arterial streets in south Austin. All corners of this intersection are zoned "GR" except for Crockett High School across Manchaca Road. The back property lines of single-family homes in the Cherry Creek neighborhood form the west and south boundary lines of this shopping center.

Subject tract is located in the northwest corner of the L-shaped shopping structure. The orientation is external to the shopping center, and is as close to the adjacent residential use as possible within the shopping center.

C14-75-058 Balcor Realty Investors--Contd.

A request for "C" Commercial was processed on a small tract at the south corner of this shopping center. That case was granted for a smaller area than requested and with a reversionary clause which said that the zoning would revert to its previous classification if not used for a veterinary clinic. Since that time the zoning ordinance has been revised to allow this use in the "LR" district because it was considered to be a more restrictive use.

The staff and Planning Commission have generally recommended limited areas of "C", "C-1", and "C-2" Commercial within shopping centers when the orientation was internal. This policy insures use buffering between the intensive commercial activity and the less intensive uses which surround the center.

STAFF RECOMMENDATION:

That this case be denied as incompatible with the adjacent zoning and land use.

CITIZEN COMMUNICATION (SOUTHWEST AUSTIN HOMEOWNERS ASSOCIATION)

WRITTEN COMMENT

Dennis C. Kestner: 2105 Lewood Circle	AGAINST
L. Slack: 2100 Harwick Drive	AGAINST
Octavio Garza: 5909 Buffalo Pass	AGAINST
Mr. & Mrs. James L. Ward: 5704 Cherry Creek Drive	AGAINST
Jimmy A. Meserde: 2108 Lewood Circle	AGAINST
Walter J. Arellano: 5702 Cherry Creek Drive	AGAINST
Willis R. Weld	AGAINST
Mrs. Larry Lee: 5702 Lewood Circle	AGAINST
Mr. & Mrs. William R. Canady: 2107 Lewood Circle	AGAINST
Milton H. Werner: 2109 Lewood Circle	AGAINST
Mrs. Jim McCoy: 2111 Lewood Circle	AGAINST
T. L. Cardwell: 2304 Standish Drive	AGAINST
Mr. & Mrs. George Valadijia: 2504 Coatbridge Drive	AGAINST
V. R. Hughes: 2205 Brookhill Drive	AGAINST
Clifford Thompson: 2204 Brookhill Drive	AGAINST
Wesley G. Pair: 2104 Lewood Circle	AGAINST
Donald R. Holzer: 2515 Coatbridge Drive	AGAINST
Edgar Bufhart: 5707 Buffalo Pass	AGAINST
Dennis E. Cost: 2103 Harwick Drive	AGAINST
Kenneth D. Chance: 2100 Lewood Circle	AGAINST
Thomas Bowen: 5730 Manchaca Road	AGAINST
Mr. Ross R. Whitney: 5805 Buffalo Pass	AGAINST
Mrs. Mary Geotcheus: 5703 Lewood Drive	AGAINST
Charlene E. Darr: 2206 Whitestone Drive	AGAINST
Richard W. Horn: 2000 Whitestone Drive	AGAINST
Mr. & Mrs. Anton Kroschewsky: 5601 Lewood Drive	AGAINST
Gary Vandersloot: 2100 Brookhill Drive	AGAINST
Mr. & Mrs. J. Frank Burkett: 2106 Whitestone Drive	AGAINST
Merle D. Yeager: 5803 Lewood Drive	AGAINST

C14-75-058 Balcor Realty Investors--Contd.

Lynn Gardner: 2102 Lewood Circle	AGAINST
M. G. Gardner: 2102 Lewood Circle	AGAINST
Thomas Barcelona: 2000 Brookhill Drive	AGAINST
Petition bearing 255 names	AGAINST
PERSONS APPEARING	
Woodrow Sledge (AISD)	AGAINST
Walter Arellano: 5702 Cherry Creek Drive	AGAINST
Peggy Aldridge: 5900 Cherry Creek Drive	AGAINST
A. Kroschewsky: 5601 Lewood Drive	AGAINST
Betty Kroschewsky: 5601 Lewood Drive	AGAINST
Merle D. Yeager: 5803 Lewood Drive	AGAINST
Mrs. Mary Geotscheus: 5703 Lewood Drive	AGAINST
Mrs. L. Stack: 2100 Harwick Drive	AGAINST
Mrs. James L. Ward: 5704 Cherry Creek Drive	AGAINST
Gloria Arellano: 5702 Cherry Creek Drive	AGAINST
Patricia Hruby: 5804 Cherry Creek Drive	AGAINST
Leslie Slack: 2100 Harwick Drive	AGAINST
Dennis E. Cost: 2103 Harwick Drive	AGAINST

COMMITTEE ACTION:

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

AYE: Messrs. Bobbitt, Everett, Nash and Washington. Ms. Mather

COMMISSION ACTION:

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

COMMISSION VOTE:

To recommend that the request of Balcor Realty Investors for a zoning change from "GR" General Retail, "1st" H & A to "C" Commercial, "1st" H & A on property located at 5742 Manchaca Road, also bounded by Stassney Lane, be DENIED.

AYE: Messrs. Hetherly, Bobbitt, Everett and Nash. Ms. Mather

ABSENT: Messrs. Juarez, Ramsey and Washington.

C14-75-059 J. E. Youngquist: Int. "A" Residence, "1st" H & A to
2505 Buell Road "C" Commercial, "1st" H & A

STAFF REPORT:

Subject tract developed with a warehouse built prior to annexation is located in north Austin on a commercial collector street. Commercial zoning and uses exist on both sides of Buell Avenue west of subject tract while Interim "A" Residence abuts subject tract on the north and apartment zoning abuts this property on the south. The general retail zoning which abuts this property on the east is oriented to Burnet Road.

C14-75-059 J. E. Youngquist--Contd.

STAFF RECOMMENDATION:

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

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

William F. Allen: 8115 Parkdale Drive

AGAINST

PERSONS APPEARING

Ted Hendricks (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, Juarez and Ramsey. Ms. Mather

COMMISSION ACTION:

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

COMMISSION VOTE:

To recommend that the request of J. E. Youngquist for a zoning change from Interim "A" Residence, Interim "1st" H & A to "C" Commercial, "1st" H & A on property located at 2505 Buell Road be GRANTED.

AYE: Messrs. Hetherly, Bobbitt, Everett and Nash. Ms. Mather

ABSENT: Messrs. Juarez, Ramsey and Washington

PLANNED UNIT DEVELOPMENT

C814-75-001 Raymond E. Thomas: 51 Single-family Dwelling Units and 30 Townhouse
2600 Block of Scenic Drive, also units with common open space
bounded by River Road

STAFF REPORT:

This is an application for approval of a Planned Unit Development on 24.9 acres out of a 32.98-acre tract located along Taylor Slough in the 2600 Block of Scenic Drive. The tract has access to Scenic Drive and Tanglewood Drive through a 50-foot strip reserved for street purposes.

"A" Residence zoning exists on the tract. The applicant proposes 51 single-family detached units and 30 attached townhouse units for a gross density of 3.25 units per acre.

Prior to the passage of Austin's P.U.D. Ordinance, residential development occurred either as single-family detached houses with various lot sizes, side yards and street frontage or high-density apartment towers or apartments around common open space.

C814-75-001 Raymond E. Thomas--Contd.

As a development technique, the P.U.D. Ordinance is intended to permit a mixture of land uses on the same tract, creativity in design, in clustering and mixing dwelling types and the provision of open space to be used and maintained by the residents of the proposed development. Depending on the size and natural characteristics of the site, a P.U.D. could be developed which would combine standard, detached houses in a cluster open-space plan.

The lots could be set in loops and cul-de-sacs with each grouping given access to open space. The linkage would be such that virtually every lot, whether townhouse type or detached single-family, is connected to continuous open space within or adjacent open space such as parks or schools.

The P.U.D. plan presented does not comply with the intent of the ordinance in that the east portion of the site is comprised of single-family, detached residential lots ranging in size from approximately 8,200 square feet to approximately 32,000 square feet. This area is designed as a standard single-family residential subdivision with standard setbacks served by private drives rather than public streets. Connections to open space along the creek are provided through narrow walkways.

STAFF RECOMMENDATION:

The staff does not recommend approval of the plan as a P.U.D. but would support its development as a regular subdivision or as a P.U.D. with the area along the east and south property lines restricted to single-family use for compatibility with the neighborhood and the balance using the cluster concept proposed.

The dedication and improvement of Matthews Drive and Scenic Drive should be accomplished in conjunction with this project since it is a major element in the development of the land.

Streets in the regular subdivision should be dedicated with 50 feet of r.o.w. and 30 feet of paving. The street connecting Tanglewood with Matthews Drive should be dedicated and paved to City standards. If the developers followed the intent of the ordinance, it would be possible the streets could have remained private.

Pedestrian access along the creek from the park to Lake Austin should be considered for acquisition prior to approval of the plan for recording.

CITIZEN COMMUNICATION (WEST CENTRAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Mrs. C. A. Ranney: 2603 Tanglewood Trail	AGAINST
Mrs. Joe Thorne Gilbert: 1513 Forest Trail	AGAINST
Dr. & Mrs. Irwin Spear: 2615 Pecos Street	AGAINST
Charles E. Lankford: 3503 River Road	AGAINST
John T. Jansen: 2522 Tanglewood Trail	AGAINST
Austin Paper Company: 1501 West Fifth Street	AGAINST

C814-75-001 Raymond E. Thomas--Contd.

Veree H. Osborn: 2705 Scenic Drive	AGAINST
William D. Gaston: 2508 Pecos Street	AGAINST
Mary Ellen Radtke: 3304 River Road	AGAINST
Capital Medical Clinic/Medical Park Tower	AGAINST
J. R. Brock: 2518 Tanglewood Trail	AGAINST
Wallace Mendelson: 2605 Pecos Street	AGAINST
Ralph W. Vertress: Suite 400, First Federal Savings	AGAINST
Linda Craig: 3711 Gilbert Street	AGAINST
Roberta Dickson: 4711 East Riverside Drive	AGAINST
Philip B. Gough: 2301 Townes Lane	AGAINST
Mrs. Suzie Garrett: 2602 Plumcreek Circle	AGAINST
Mr. & Mrs. William Glade: 3308 River Road	AGAINST
Mr. & Mrs. Robert Bowman: 2600 Tanglewood	AGAINST
Mrs. Arthur E. Pihlgren: 3405 River Road	AGAINST
W. M. Peacock: 2701 Scenic Drive	AGAINST
Jerry Perlitz: 2400 Sweetbrush	AGAINST
Mrs. Z. T. Scott: 2408 Sweetbrush Drive	AGAINST
Ruth Reed Hall: 2412 Mathews Drive	AGAINST
Henry M. Steiver: 2522 Mathews Drive	AGAINST
West Austin Neighborhood Group: 2107 Scenic Drive	AGAINST
Mrs. Ronald W. Bynam	AGAINST
Mr. & Mrs. Brock: 2518 Tanglewood Trail	AGAINST
Mr. & Mrs. George M. Page: 2508 Schulle Avenue	AGAINST
Dr. & Mrs. J. W. Gossett: 3401 River Road	AGAINST
Charles M. Christenson: 2507 Schulle Avenue	AGAINST
Mr. & Mrs. William Milstead: 2516 Tanglewood Trail	AGAINST
Fred G. Dupuy, M.D.: 3006 Red River Street	AGAINST
Mr. & Mrs. Bob W. Shipman: 2705 Moonlight Bend	AGAINST
Glenn V. Ramsey: 3301 Greenlee Drive	AGAINST
James R. Boyd: P. O. Box 488	AGAINST
Raymond E. Thomas: 8900 Balcones Drive	AGAINST
PERSONS APPEARING	
Alfred G. Ranney: 2603 Tanglewood Trail	AGAINST
William P. Glade, Jr.: 3308 River Road	AGAINST
Ralph W. Vertres: 2525 Harris Boulevard	AGAINST
Mrs. Ralph W. Vertrees: 2525 Harris Boulevard	AGAINST

COMMITTEE ACTION:

The applicant submitted a letter requesting that this case be withdrawn. Members heard testimony from Mr. Allen McCree, representing the West Austin Neighborhood Group opposing the request, who stated the neighborhood groups and the City staff had spent a great deal of time reviewing the P.U.D. application and a withdrawal at this late time was extremely inconvenient. Mr. McCree indicated the neighborhood groups have specific concerns rela-

C814-75-001 Raymond E. Thomas--Contd.

tive to the development of the Taylor Slough area. It was pointed out to citizens present that if the case were withdrawn a new zoning application could not be filed on this tract for six months. Members reviewed the information presented and recommended to grant the applicant's request to withdraw the application.

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

SPECIAL PERMITS

C14p-75-017 Mary A. Neal: Day Care Center for 38 Children
1110 Tillery 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 to allow a day care facility for 38 children on property zoned "A" Residence, "1st" H & A located at the southwest corner of Govalle Avenue and Tillery Street.

Subject tract contains 21,525 square feet and by ordinance would allow a maximum of 64 children. A one-story frame single-family house exists on the tract which will be used in conjunction with the proposed facility.

A gravel driveway exists providing access to Govalle Avenue. The applicant proposes to provide six on-site parking spaces for staff 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 (CONCERNED CITIZENS OF EAST AUSTIN)

WRITTEN COMMENT

Miss Bertha E. Frenzel: 1106-1/2 Tillery Street

T. C. Ramirez: 3301 Govalle Avenue

Adolph F. Bach: 3200 Govalle Avenue

FOR

FOR

AGAINST

PERSONS APPEARING

None

COMMITTEE ACTION:

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

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

C14p-75-017 Mary A. Neal--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 APPROVE the request of Mary A. Neal for a special permit for a day care center for 38 children called "Govalle Day Care Center" on property located at 1110 Tillery Street, subject to departmental requirements as on file with the City of Austin Planning Department, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Hetherly, Bobbitt, Everett and Nash. Ms. Mather
ABSENT: Messrs. Juarez, Ramsey 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-75-018 Jean S. Buster: Day Care Center for 25 Children
8202 Parkdale Cove

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 special permit to allow a day care facility for 25 children on a 16,232 square-foot tract zoned "A" Residence located at 8202 Parkdale Cove, a small cul-de-sac street located on the north side of Steck Avenue approximately 750 feet west of Burnet Road.

According to Zoning Ordinance requirements, the maximum number of children allowable on this lot would be 46.

STAFF RECOMMENDATION:

The staff has concern relative to traffic congestion on this cul-de-sac and recommends approval of a maximum of 20 children, subject to compliance with departmental requirements as on file with the City of Austin Planning Department.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

William F. Allen: 8115 Parkdale Drive	AGAINST
Libby Sutherland: 8200 Parkdale Cove	AGAINST
Tony & Louise Glass: 8102 Parkdale	AGAINST
Mr. & Mrs. Charles H. Jones: 2604 Clarkdale Lane	AGAINST
Mr. & Mrs. Thomas Daywood: 8009 Parkdale Drive	AGAINST

C14p-75-018 Jean S. Buster--Contd.

B. J. Wilson: 2602 Clarkdale Lane	AGAINST
Joan Meyer: 8006 Parkdale	AGAINST
Eugene Blum: 8202 Valleydale Cove	AGAINST
Jack C. King: 8204 Parkdale Cove	AGAINST
H. W. Bryant: 8106 Parkdale	AGAINST
Raymond & Martha Almgren: 8103 Parkdale Drive	AGAINST
Herbert C. Weise: 8203 Valleydale Cove	AGAINST
Roy L. Lessmann: 8101 Parkdale	AGAINST
Petition bearing 56 names	AGAINST
PERSONS APPEARING	
Jean S. Buster (applicant)	
Libby Sutherland: 8200 Parkdale Cove	AGAINST
Eugene Blum: 8202 Valleydale Cove	AGAINST

COMMITTEE ACTION:

Members reviewed the information presented. Mr. Ramsey was of the opinion that the cul-de-sac would be inadequate to handle the traffic generated by the center. Members were in agreement that a day care center in this location would be inappropriate and recommended that the request be denied.

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

COMMISSION ACTION:

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

COMMISSION VOTE:

To DENY the request of Jean S. Buster for a special permit for a day care center for 25 children on property located at 8202 Parkdale Cove.

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

ABSENT: Mr. Washington

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

C14p-75-019 Jack W. Ledbetter: A Mixed Drink Establishment for 100
306 West 15th Street, also patron seats
bounded by Lavaca 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

C14p-75-019 Jack W. Ledbetter--Contd.

of the Zoning Ordinance of the City of Austin. This is an application for a special permit to allow a lounge for 100 patron seats to be located at 306 West 15th Street. This site is within the existing structure located at the northwest corner of 15th Street and Lavaca Street.

The area on both sides of Lavaca Street is zoned "C" Commercial with "C-2" zoning existing immediately to the west and diagonally across the street at the southeast corner of 15th Street and Lavaca Street. A current application for "C-2" zoning is being processed on this tract.

Parking for this proposed use and other existing uses in the immediate area is provided on the north half of the block to the south across West 15th Street.

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**

Gully & Bohls: 201 First Federal Savings Bldg.

FOR

Dr. D. A. Baggett: 406 West 15th Street

AGAINST

PERSONS APPEARING

Charles E. Bates (representing applicant)

Linda S. Bates: 2306 Townes Lane

FOR

George Sandlin: 308 West 15th Street

FOR

Robert Mann: 4707 Shoalwood Avenue

FOR

Cynthia Lowe: 4707 Shoalwood Avenue

FOR

COMMITTEE ACTION:

Members reviewed the information presented in conjunction with the request for a zoning change and were in agreement with the staff's recommendation to approve the special permit, subject to compliance with departmental requirements.

AYE: Messrs. Nash, Everett and Juarez. Ms. Mather

ABSTAIN: Mr. Ramsey

COMMISSION ACTION:

Members reviewed the information presented and a majority was in agreement with the Committee's recommendation.

C14p-75-019 Jack W. Ledbetter--Contd.

COMMISSION VOTE:

To APPROVE the request of Jack W. Ledbetter for a special permit for a mixed drink establishment for 100 patron seats on property located at 306 West 15th Street, also bounded by Lavaca Street, subject to departmental requirements as on file with the City of Austin Planning Department, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez and Nash. Ms. Mather

ABSTAIN: Mr. Ramsey

ABSENT: Mr. Washington

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

C14p-75-020 W. Scott Thompson and Tony R. Davis: A Self-operated Car Wash
1609 East Riverside Drive, also called "Kwik Kar Wash"
bounded by Old Riverside 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 a self-operated car wash at 1609 East Riverside Drive and Riverside Drive. Access to the facility will be from East Riverside Drive. A retaining wall exists on the east side of the property and is proposed on the south and west.

Local Retail zoning exists on the tract. The applicant proposes this "GR" use by special permit since "GR" zoning exists on the tract abutting to the west.

STAFF RECOMMENDATION:

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

CITIZEN COMMUNICATION (SOUTH RIVER CITY CITIZENS)

WRITTEN COMMENT

Hixon Development: 341 Milam Bldg., San Antonio

FOR

C. J. Zern: 1201 Loma Drive

FOR

Claudia L. Holley: 1105 Summit Street

FOR

Herbert E. Rossy: P. O. Box 15614

FOR

Vanita Von Geyso: 1208 Loma Drive

AGAINST

C14p-75-020 W. Scott Thompson and Tony R. Davis--Contd.

COMMITTEE ACTION:

Members reviewed the information presented. Ms. Mather was of the opinion that the applicant could not comply with the Environmental Resource Management's requirements with the proposed site plan. The applicant indicated that he planned to leave the trees on the westernmost boundary, and would retain as many trees as possible on the eastern boundary. Ms. Mather was of the opinion that the 15-foot buffer along Old Riverside should be the minimum and should be retained. The applicant indicated he would need to reduce the buffer to 10 feet in order to accomplish the use. Ms. Mather was opposed to the request, stating that the original zoning was for one use only and now the applicant is subdividing and requesting that the buffer be reduced. Messrs. Juarez and Nash were of the opinion that the Environmental Resource Management requirement was not specific enough and should be modified to allow the proposed plan. Mr. Juarez recommended that the request be approved, subject to compliance with departmental requirements and allowing a 10-foot maximum buffer zone along Old Riverside as shown on the site plan on file with the Planning Department.

AYE: Messrs. Nash, Everett, Juarez and Ramsey.
NAY: Ms. Mather

COMMISSION ACTION:

Mr. Bobbitt read the Committee's recommendation to approve the request, subject to departmental requirements and allowing a 10-foot maximum buffer zone along Old Riverside Drive as shown on the site plan. Ms. Mather pointed out that the original zoning granted on this tract required a 25-foot building setback along Old Riverside Drive and Environmental Resource Management Office had suggested a 15-foot buffer. Ms. Mather made a substitute motion to postpone action on this case for two weeks to allow the staff time to verify the 25-foot setback. A majority was in agreement.

COMMISSION VOTE:

To POSTPONE to the May 27, 1975 Planning Commission meeting the request of W. Scott Thompson and Tony R. Davis for a special permit for a self-operated car wash called "Kwik Kar Wash" on property located at 1609 East Riverside Drive, also bounded by Old Riverside Drive.

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

C14p-75-021 Brentwood Church of Christ: Day Care Center for 20 Children
1504-1506 Ruth Avenue called "Brentwood Day Care"

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 day care facility for 20 children to be located at 1504-1506 Ruth Avenue on property owned by the Brentwood Church of Christ.

The church is located on the northeast corner of Ruth Avenue and Arroyo Seca and owns the six adjoining houses shown on the site plan. Parking is to be provided on the existing parking lot to the north of the church.

Only that area outlined with a heavy line is to be included in the special permit. Day care and related activity will be carried on in the two houses and the garage shaded on the site plan.

STAFF RECOMMENDATION:

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

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Richard M. Murph: 1412 Choquette Drive	FOR
First Cumberland Presbyterian Church: 6800 Woodrow Avenue	FOR
H. A. Albert: 1416 Choquette Drive	AGAINST
Mr. & Mrs. Clinton L. Cole: 1511 Ruth Avenue	AGAINST
Mrs. James Love: 1502 Ruth Avenue	AGAINST

COMMITTEE ACTION:

Members reviewed the information presented. In answer to questions regarding the adjoining property, the applicant indicated that the church owns the two properties located to the north of the church and also the lot between the church and subject tracts. Future plans call for expansion of the church facilities. In answer to Ms. Mather's question regarding the loading and unloading of the children, the applicant indicated that loading and unloading for the present kindergarten and first grade occurs on Ruth Street and this can be used for the day care center. The applicant indicated he would be in agreement with providing a privacy fence on the north and east boundaries. Mr. Everett recommended that the request be approved, subject to compliance with departmental requirements and a six-foot privacy fence on the north and east boundaries.

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

C14p-75-021 Brentwood Church of Christ--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 APPROVE the request of Brentwood Church of Christ for a special permit for a day care center for 20 children called, "Brentwood Day Care" on property located at 1504-1506 Ruth Avenue, subject to departmental requirements as on file with the City of Austin Planning Department and a six-foot privacy fence on the north and east boundaries, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Hetherly, Bobbitt, Everett and Nash. Ms. Mather

ABSENT: Messrs. Juarez, Ramsey 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-75-008 Vacate Portions of Cul-De-Sacs on Onion Crossing
Drive and Wild Onion Drive

This is a request by Creekside Properties, Inc. to vacate portions of cul-de-sacs on Onion Crossing Drive and Wild Onion Drive for the purpose of extension of these two streets. The staff is recommending approval of this request, subject to compliance with departmental requirements.

COMMISSION ACTION:

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

COMMISSION VOTE:

To APPROVE the request of Creekside Properties, Inc. to vacate portions of cul-de-sacs on Onion Crossing Drive and Wild Onion Drive, subject to compliance with departmental requirements as on file with the City of Austin Planning Department.

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

Ms. Mather

ABSENT: Mr. Washington

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

C10v-75-011 Vacate Alleys in Blocks 165, 166, and 166-1/2 of the
Brackenridge Hospital area; also 14th Street between
I. H. 35 service road and Sabine Street; 13th Street
between Sabine and Red River Streets; and Sabine
Street from 14th Street to the alley south of 13th Street

This is a request by the City of Austin to vacate alleys in Blocks 165, 166 and 166-1/2 of the Brackenridge Hospital area; also 14th Street between I. H. 35 service road and Sabine Street; 13th Street between Sabine Street and Red River Streets; and Sabine Street from 14th Street to the alley south of 13th Street. A cul-de-sac will be placed at Sabine and 13th Streets to provide access to that one-block area to the south. This request conforms with the Brackenridge Urban Renewal Plan and also with the ancillary facilities addition at the hospital. The staff recommends that this request be approved, subject to compliance with departmental requirements and subject to retention of easements.

COMMISSION ACTION:

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

COMMISSION VOTE:

To APPROVE the request of the City of Austin to vacate alleys in Blocks 165, 166, and 166-1/2 of the Brackenridge Hospital area; also 14th Street between I. H. 35 service road and Sabine Street; 13th Street between Sabine and Red River Streets; and Sabine Street from 14th Street to the alley south of 13th Street, subject to departmental requirements and subject to retention of easements.

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

ABSENT: Mr. Washington

PUBLIC HEARINGS

C2o-75-003 Ordinance
Amendment to Article III Standards & Requirements
Section 45-30 (a) of the Zoning Ordinance regarding
Off-Street Parking Area Excepted

STAFF REPORT:

This case appeared before the Commission last month at the request of the Planning Department and Building Inspection Department to consider an amendment to Section 45-30 (a) of the Zoning Ordinance regarding off-street parking in the exempted downtown area. This amendment would expand the existing area to 19th Street on the north and from one-half block on Guadalupe to I. H. 35 on the east. This amendment would reduce the workload of the Board of Adjustment and the department in preparing applications and administration of variances. This case was postponed last month, pending receipt of correspondence from the Chairman of the Board of Adjustment with respect to his support of the amendment and also a response from Mr. Joe Ternus, Director of Urban Transportation.

C2o-75-003 Ordinance--Contd.

Mr. Lonnie Davis, Director of Building Inspection pointed out that this amendment would relieve the workload of the Board of Adjustment. He stated that 16 cases have come before the Board since 1972. He stated that while this number does not reflect a large degree of work, it would eliminate the necessity for a 30-45 day's wait for the applicant to begin his construction. The department has taken a rather liberal attitude toward remodeling and repairing those structures that have at one time or another been occupied by a business establishment. The zoning ordinance presently permits a use to be converted as long as the parking requirements are not greater than the previous use. In the proposed area there is basically curb-to-curb parking throughout the day making it impossible to protect a property owner from vehicles parking in front of his property all day. Mr. Davis pointed out that nearly all the area from 11th through 19th Streets and from Lavaca to I. H. 35 belongs to the State or the University which is exempt from City control.

Mr. Davis was of the opinion that this proposal would permit a more orderly development. He stated that the present ordinance requires that four to six parking spaces be placed on each parcel of ground, resulting in some instances the necessity of actually removing a building or redevelopment of a project. If the proposed area were exempted, as the parking needs arise, possibly one building will be torn down to furnish parking for several businesses in the immediate area, thus eliminating the piecemeal requirement of the four to six parking spaces on each parcel. Mr. Davis pointed out that in the 16 cases an exception or variance had been granted. However, this involved an application fee of \$100 and a 30-45 day delay. Mr. Davis explained the review process, stating that his department presently makes a review of each permit application to determine where and what type parking is proposed and whether it is on- or off-site. This is done primarily in preparation for review by the Board of Adjustment. He pointed out that in the last two or three years most businesses have been reluctant to go into business unless they are satisfied that their clients will have adequate parking facilities.

Mr. Homer Reed, Deputy City Manager, pointed out that two City departments are in favor of the proposal while one department, Urban Transportation, has some reservation about it. Mr. Reed stated that while the proposed area on the map looks like a large area to be expanded, a large portion is the State complex, the Brackenridge Hospital complex and the Brackenridge Urban Renewal tract, all of which are controlled by Urban Renewal or not subject to control by the City. As a result this leaves a relatively modest expansion encompassing the historic district to the east along 5th and 6th Streets and essentially the two streets of Lavaca and Guadalupe, extending to 19th Street and the Drag. This would tie together what is considered to be the downtown business complex, including the Drag. He was of the opinion that the proposed amendment would preserve some of the older buildings that give character to the downtown area. Under the present ordinance the requirement is that parking must be in the immediate vicinity, either

C2o-75-003 Ordinance--Contd.

as part of the property owned, or by Board of Adjustment variance, can be immediately adjacent. Mr. Reed pointed out that since every request for a variance has been granted since 1941, the present ordinance is inadequate. Another reason for favoring the proposal is the need for some sort of public transit facility. It is somewhat inconsistent to encourage the use of mass transportation and at the same time require every building to provide space for the number of automobiles it will generate. Mr. Reed was of the opinion that intensity of development should be encouraged in the downtown core area, therefore regulating automobiles to the periphery of the core area which may at some future time require public parking garages. He stated that because of these factors the staffs are recommending the proposed amendment. Mr. Reed pointed out that while Urban Transportation has some concern with some aspects of the proposal, they are concerned with mass transportation ramifications. Mr. Reed made some alternate suggestions, one being that the requirement be dropped to one-half. However, he was of the opinion that this would reduce the amount of parking simply because the City tends to get more than one-half the requirement even in the core area where there are no requirements at the present. Another suggested alternate was consideration of a use formula, requiring different parking requirements for different uses. Also suggested was the possibility of prohibiting parking lots unless they are zoned the same as the area they serve.

Mr. Lillie was of the opinion that the present off-street parking requirements would tend to encourage the demolition of buildings for surface parking. He felt that the proposed amendment would be a step in the direction toward the retention of buildings and that it would be a move away from the underutilization of land by surface parking.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

Larry Bales

Ted Sift (Old Austin Neighborhood)

FOR

AGAINST

Citizen Testimony

Mr. Ted Sift, representing the Old Austin Neighborhood, which is located immediately to the west of the area directly affected by the proposed ordinance, spoke in opposition to the amendment. He was of the opinion that approval of the proposed ordinance would be a recommendation to the City Council that they give up their power of discretion on traffic and transportation control through its regulatory boards, agencies and commissions. Mr. Sift questioned the heavy workload generated by variances requested of the Board of Adjustment, stating that over the past 20 years there have been only 13 cases referred to the Board and that only one variance for this area has been requested in the past twelve months. He felt that if there is

C2o-75-003 Ordinance--Contd.

an esoteric need to stimulate downtown business development, eliminating discretion would not accomplish that purpose. Eliminating discretion would absent the City regulatory boards and the City Council from any power of controlling the amount of parking spaces required. More important than just parking, it would absent the regulatory boards and commissions from the whole planning process in the downtown area since parking and transportation control is an integral part of the whole planning process. Mr. Sift was of the opinion that the lines described by the perimeter as shown on the map do not tie together the basic central business district but rather separate the core area from the State lands and from the planning process. He stated that all the variance permits that have been granted in this area are proof that the regulatory process is meeting the need. As an owner of property in this area, Mr. Sift stated that he had applied for a variance from the Board and that discretion was exercised judiciously and effectively and that he did not find the process a hardship. Mr. Sift expressed concern about the development of the area immediately to the west of the downtown business core, stating that if parking is completely exempted from the planning process and not provided by the major new structures, people will park in areas such as Nueces, Rio Grande, San Antonio and West Avenue and other streets in the area which are inadequate at the present time. He felt that intense pressure would be placed on the homes and offices in the area to make them into valuable parking lots. He was of the opinion that recommendation of the proposed amendment would be a disservice to the Old Austin Neighborhood and would result in the razing of that area. Mr. Sift also expressed concern at the lack of public notice of this ordinance hearing.

COMMISSION ACTION:

Members reviewed the information presented. Ms. Mather was of the opinion that the workload was not a serious problem for the Board of Adjustment. She expressed a desire to see the City maintain the power of review by having the Building Inspection Department or Council rule on whether or not a particular case should be exempted rather than just granting a blanket exemption. She expressed fear that such an amendment would put a premium on parking lots and would encourage the tearing down of smaller buildings to get a greater return as a parking lot. Mr. Hetherly was of the opinion that the proposed amendment would do just the opposite. Mr. Juarez stated he was under the impression that the last time the Commission considered this request the primary reason for the amendment was the fact that it put a heavy workload on the Board of Adjustment, but after hearing the small number of cases that have been requested, this is no longer the reason for the amendment. Mr. Hetherly was of the opinion that the amendment would benefit the smaller businesses since the majority of the parking comes from the new development which is providing high-rise parking garages rather than surface parking. He stated he did not think the larger businesses would have any problem. Mr. Juarez stated that a large exempt area already exists and that the proposed ordinance would only enlarge it. He was of the opinion that the proposed amendment is unnecessary and has not heard

C2o-75-003 Ordinance--Contd.

any testimony tonight to convince him otherwise. Ms. Mather recommended that the case be postponed until a master plan for the core area is available. The motion, seconded by Mr. Everett, failed 3-4. Mr. Nash then recommended that the amendment be approved. Mr. Bobbitt stated that he would support the motion since approximately 90 per cent of the area is absorbed with State, Brackenridge Renewal and other exempt areas and he did not think the amendment would adversely affect the periphery.

COMMISSION VOTE:

To recommend APPROVAL of the Amendment to Article III Standards & Requirements Section 45-30 (a) of the Zoning Ordinance regarding Off-street Parking Area Excepted in accordance with field notes describing the area as on file with the City of Austin Planning Department.

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

C14h-74-021 Lime Kiln: A, 1st to A-H, 1st
(City of Austin, owner)
Reed Park

This case has appeared before the Landmark Commission in the past and they are recommending that this request be approved. This property, owned by the City, is located in Reed Park. The Parks and Recreation Department is also recommending that the request be approved.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

None

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the recommendation to approve the historic zoning. In answer to Mr. Juarez's question regarding the danger in not granting the request, it was pointed out that there was no danger, but by the City's initiating such zoning, it is hoped that individuals would follow the same practice.

C14h-74-021 Lime Kiln--Contd.

COMMISSION VOTE:

To recommend that the request of the Landmark Commission for a zoning change from "A" Residence, "1st" H & A to "A-H" Historic, "1st" H & A on property located in Reed Park (Lime Kiln) be GRANTED.

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez and Nash.
 Ms. Mather

ABSENT: Messrs. Washington and Ramsey

C3-75-001 Environment

Appeal of Waterway Development Permit #75-03-3132
Teague-Buda Tract, north of Reagan Terrace

Mr. Charles Graves, Director of Engineering, read a portion of the recommendation by the Citizen's Board of Natural Resources. He pointed out that the Board did not actually approve the plan, but a meeting was held with the Board to make them aware of the proposal. The proposed plan calls for a new channel approximately 250 feet long which would remove a large meander on the property, thus creating an ultimate development site. Mr. Graves pointed out that the spoil from the newly cut channel would go into the area which is not covered by trees and the fill line would go up to the tree line. Because of the concern of a number of citizens and the Environmental Board, the applicant has been requested to provide a pipe from the new location of the creek up to the trees so that they might be watered at the time the creek is carrying water. In addition to the new channel, the Ramble, a tributary coming in from the west, is to be enclosed in a 6' x 6' concrete box and would be covered by approximately six feet of fill. Mr. Graves was of the opinion that all requirements to preserve the natural and traditional character of the creek have been placed on the application and have been met by the applicant. He stated that the original plan called for a concrete lining of the creek but plans now call for hand-laid stones in the bottom and up a short distance on the backslope; the backslope is to be gentle and with plantings; and the fill area to be seeded. Mr. Graves was of the opinion that the applicant had responded to all requests, and it was on this basis that the permit was granted.

COMMISSION ACTION:

Members heard testimony from the appellants, Harriet E. Buxkemper and Jerrald Riddle and also Clifford Smith and David Black who supported the appeal. The appellants were of the opinion that the proposed plan would not preserve the natural and traditional character of the creek and that a permit should not be issued until an actual building plan for the site is presented.

Mr. Juarez stated that it was not his intent in writing the creek ordinance that it be a substitute tree ordinance but rather whether or not the flow of water through the creek is impaired in any way. Mr. Everett was of the opinion that this is a difficult case. He questioned whether developing a piece of property in order to make it saleable would be sufficient reason

C3-75-001 Environment

for making such changes to a creek. He stated that he was not opposed to manmade changes in a creek if it were for the protection of an area. However, since there were no definite plans for some compatible use, he felt a decision would be difficult. Mr. Hetherly was of the opinion that most of the objections related to zoning matters and were not sufficient reasons for denying the permit. However, he stated that while he did not disagree with the permit from an engineering standpoint, he was opposed to granting a permit in this particular case because there are no definite plans. He felt this could affect the creek later when development does occur on the property. He stated that if a special permit were submitted on the property which would allow an opportunity to review the plan before development, he could agree. Mr. Bobbitt was of the opinion that since the Engineering Department had reviewed the permit and granted it, he would support their recommendation. Mr. Everett made a motion to uphold the appeal and deny the permit. The motion died for lack of a second. Mr. Nash then made a motion to deny the appeal. The motion failed 3-3 with one abstention. Mr. Don Bird, Assistant City Attorney, pointed out that the motion carries no action and the permit stands. Mr. Hetherly announced that an appeal could be filed within ten days to the City Council.

COMMISSION VOTE:

To DENY the request of Harriet E. Buxkemper to appeal Water Development Permit #75-03-3132 issued to Teague-Buda to enclose a portion of the "Ramble" on property located north of Reagan Terrace.

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

OTHER BUSINESS

C2o-75-002 Ordinance

Set a public hearing to consider an amendment to
Section 41-42 of the Austin City Code on Sidewalks
and Public Crosswalks

Members were in agreement to set a public hearing for June 10, 1975 to consider an amendment to Section 41-42 of the Austin City Code on Sidewalks and Public Crosswalks.

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

C20-75-004 Ordinance

Set a public hearing to consider amendment to
Zoning or Subdivision Ordinances regarding
setback requirements on corner lots

Members were in agreement to set a public hearing for June 10, 1975 to consider an amendment to the Zoning or Subdivision Ordinances regarding setback requirements on corner lots.

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

C14-75-010 Central Texas Service Corporation

Consideration of driveway plans for the
Woodstone Village Commercial Tract on
Brodie Lane

STAFF REPORT:

Mr. Lillie reported that the Planning Commission and City Council earlier this year acted on two zoning cases on Brodie Lane in southwest Austin. Part of that application required the applicant to submit plans for driveway locations on the large tract of land in the Woodstone Subdivision. The driveway proposals were submitted to Urban Transportation through the Planning Department. Urban Transportation proposes one driveway location on the north property line, three driveway locations on Brodie Lane to align with those streets entering onto Brodie from the Kincheonville Subdivision, and one driveway entrance on Eskew Drive which borders the subject tract.

CITIZEN COMMUNICATION (BRODIE LANE HOMEOWNERS ASSN.)

PERSONS APPEARING

Woodrow Sledge (AISD)	AGAINST
Lodis Rhodes (Brodie Lane Homeowners Assn.)	AGAINST
Nora Dade	AGAINST

COMMISSION ACTION:

The applicant was opposed to the limited driveways recommended by the Urban Transportation Department stating that this is an unsubdivided piece of property which was zoned prior to the sale of any single-family tract or any property within the Woodstone Subdivision with the exception of the school site. He was of the opinion that the appropriate time for discussion of driveways would be at a time when subdivision is a question. He requested that in order to give more flexibility, consideration be given to an additional driveway on Woodstone Drive, Eskew Drive and also an additional one on Brodie Lane. He pointed out that this is the only tract of the five zoned that has any driveway control. In answer to Mr. Bobbitt's question regarding the reason, the staff stated that the tract on the north was denied by Council and the smaller tracts have very limited frontage on the streets.

C14-75-010 Central Texas Service Corporation--Contd.

Mr. Lodis Rhodes, representing the Brodie Lane Homeowners Association and the Kincheonville area residents, read a brief statement from the association requesting that the special permit sought by Central Texas Service Corporation on its driveway access plan on Tracts 2A, 2B, 3A and 3B be denied for the following reasons:

1. The original zoning change was not and is not now justified from the standpoint of present and future local neighborhood needs, and amounts to strip zoning. The original action has provided impetus for other commercial zoning requests along Brodie Lane.
2. Association members residing in Kincheonville were not notified nor informed of the original public hearing on these tracts which was held on February 11, 1975.
3. The developer has not submitted plans to the Planning Department staff for developer-initiated restrictions on the type of construction, the facilities, exterior design, lighting and landscaping proposed for the area which would be in keeping with the existing and future residential character of the area. Mr. Rhodes stated that while he recognized that this is not required, he was of the opinion that the least that one could expect for a new and rapidly developing area would be for all concerned to get together to review and produce an as aesthetically pleasing environment as possible.
4. That Central Texas Service Corporation has made no effort to inform residents of the affected area of the specific plans of developing the tracts or to solicit input as to what may be needed in the way of local services for the immediate surrounding neighborhood. If we endorse the concept of local neighborhood service as suggested by the Planning Department, there needs to be some assessment in terms of needs and particular services that can best be utilized by the area residents. He stated that as residents and property owners in the area, they are concerned with the future development of the area and would hope that the developers, in the process of trying to realize a return on their dollars invested, will also realize and appreciate the fact that people do live out there, and they do not particularly care to be bombarded by visual pollution which is already so evident in the City.

Mr. Rhodes pointed out that this is the first opportunity the area residents have had to go on record as addressing the issue because of, in his opinion, the inadequate notification on the original zoning request.

C14-75-010 Central Texas Service Corporation--Contd.

Mr. Hetherly pointed out that the City goes beyond the required notification of 200 feet and notifies those residents who are within 300 feet if their names appear on the tax roll. Mr. Juarez pointed out that the department operates under certain ordinances dealing with notification of zoning cases, however, the issue at this time is not zoning. In regard to the notification procedure, Ms. Mather stated that she would like to see some system established whereby those people whose names are not on the tax roll could be notified. In answer to Ms. Mather's question regarding postponement of driveway approval until a proposed use is put on the site, Mr. Lillie stated that this has been done on occasion but serious traffic problems were caused. He cited the case of piecemeal driveway planning which resulted in odd angles and off-sets of many driveways located on Anderson Lane off Burnet Road. He pointed out that Urban Transportation is saying that this tract should have a maximum number five of driveway entrances in order to assure that incompatible driveway locations on adjacent tracts will not occur. Mr. Hetherly was of the opinion that since the tract is undeveloped, he would support the plan suggested by Urban Transportation and that the developer could resubmit his plan at such time he felt the need for additional driveways.

COMMISSION VOTE:

To APPROVE the driveway site plan as recommended by the Urban Transportation Department, as on file with the City of Austin Planning Department, for Central Texas Service Corporation in the Woodstone Village Commercial Subdivision located at Brodie Lane, also bounded by Woodstone Drive and Eskew Drive to include one driveway on Eskew Drive, one driveway on Woodstone Drive and three driveways on Brodie Lane to align with Dalton Lane, Elija Street and Blumie Street.

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

C2-75-9(d) Planning Commission
Improve notification procedures on all
zoning, subdivision and master plan
applications before the Planning Commission

Mr. Lillie reported that Mr. Everett has requested that the Planning Commission take a look at the Rules & Regulations dealing with the provision of notification on postponement and withdrawals of zoning, subdivision, and master plan applications. This has resulted from a withdrawal request on a Planned Unit Development located on Taylor's Slough and the resulting inconvenience caused the neighborhood and adjoining owners.

C2-75-9(d) Planning Commission--Contd.

After lengthy discussion concerning changing the present policy, members took no action but agreed to leave the policy as is regarding notice of postponement and withdrawal of applications. (Verbatim transcript on file.)

C1-75 Minutes

The Commission then

VOTED: To APPROVE the January 14, 1975 Planning Commission minutes.

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

ABSENT: Mr. Washington

SUBDIVISIONS

R105-75 Subdivision Memorandum
Preliminary, Short Form and Final Subdivisions as listed on the Subdivision Memorandum. Action to be taken at meeting.

FINAL SUBDIVISION PLATS--FILED AND CONSIDERED

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

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

<u>C8-74-58</u>	<u>Lakeway, Section 30</u>
	Malabar and Cutlass
<u>C8-74-59</u>	<u>Lakeway, Section 31</u>
	Malabar and Flamingo
<u>C8-74-63</u>	<u>Lakeway, Section 32</u>
	Hurst Creek Road and Explorer
<u>C8-75-08</u>	<u>Bee Caves, Section 2</u>
	Loop 360 & Walsh Tarlton Lane

AYE: Messrs. Hetherly, Bobbitt, Everett and Nash. Ms. Mather

ABSENT: Messrs. Juarez, Ramsey and Washington

The Commission then

Final Subdivisions--Contd.

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following final subdivision, subject to compliance with departmental requirements as on file with the City of Austin Planning Department; fiscal arrangements required; development permit required; and to require a note on the final plat that no sidewalks are to be required:

C8-74-62 Camelot West
F. M. 2244 and Bedwyr Road

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

SHORT FORM SUBDIVISIONS--FILED AND CONSIDERED

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

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

C8s-74-24 Wild Basin Ledge
Wild Basin Ledge & Scenic View Drive
C8s-75-66 Brake Check Addition
Lamar Blvd. & West 37th Street

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

The Commission then

VOTED: To ACCEPT FOR FILING AND APPROVE the following short form subdivision:

C8s-75-70 Lots 11 & 12, Blk. "R", Village Two at
Anderson Mill
Split Rail Cove & Split Rail Parkway

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

The Commission then

Short Form Subdivisions--Contd.

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

<u>C8s-75-75</u>	<u>Southwest Mediplex</u>
	Wm. Cannon Drive & Cooper Lane
<u>C8s-75-77</u>	<u>Resub. Lot 3, Crockett Comm. Area, Sec. 2</u>
	Manchaca Road & Stassney Lane
<u>C8s-75-78</u>	<u>Prince of Peace-Greenbriar Addition</u>
	E. Live Oak & Greenfield Parkway
<u>C8s-75-79</u>	<u>Resub. Lot 1, Onion Creek Forest, Sec. 3</u>
	Nuckols Crossing Road & Pleasant Valley
<u>C8s-75-80</u>	<u>McCarty Triangle Resub. of Lot 1</u>
	Parkcrest Drive & Balcones Drive

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

The Commission then

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

<u>C8s-75-76</u>	<u>Austin Billiards Supply Addition</u>
	Anderson Lane & Gault Street

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

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form subdivision, pending compliance with departmental requirements as on file with the City of Austin Planning Department and pending receipt of letter of acceptance from Water District #17:

<u>C8s-75-71</u>	<u>Resub. of Lot 50, La Hacienda Estates</u>
	Eck Lane

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

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 pending sidewalks required:

C8s-75-73 Matthews and Moore Addition
E. 7th Street & Shady Lane

AYE: Messrs. Hetherly, Bobbitt, Everett and Nash. Ms. Mather

ABSENT: Messrs. Juarez, Ramsey and Washington

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; pending easements required and granted a variance on the signature of the adjoining owner:

C8s-75-72 Weinheimer Subdivision
Chisholm Lane
C8s-75-74 Resub. Lots 3-7, Blk. 89, Lots 1-8, Blk. 90,
Vacated Sabine Street and E. 7th Street
Alley, Orig. City of Austin
East 7, East 8th and East Avenue

AYE: Messrs. Hetherly, Bobbitt, Everett and Nash. Ms. Mather

ABSENT: Messrs. Juarez, Ramsey and Washington

The Commission then

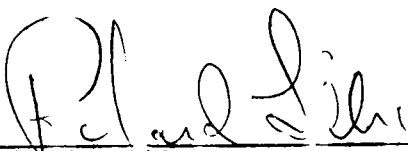
VOTED: To ACCEPTED FOR FILING AND DISAPPROVE the following short form subdivision, pending compliance with departmental requirements as on file with the City of Austin Planning Department; pending fiscal arrangements required; easements required; Engineering Study required; and granted a variance on the sidewalk fiscal arrangements with placement of note on plat contained in letter submitted by owner:

C8s-75-39 Bluff Springs Center
North Bluff & I. H. 35

AYE: Messrs. Hetherly, Bobbitt, Everett and Nash. Ms. Mather

ABSENT: Messrs. Juarez, Ramsey and Washington

The meeting adjourned at 11:15 p.m.



Richard Lillie
Executive Secretary

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