

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting -- June 9, 1970

The meeting of the Commission was called to order at 7:00 p.m. in the Council Room, Municipal Building.

Present

S. P. Kinser, Chairman
C. L. Reeves
M. J. Anderson
Jack Crier
Bill Milstead
Fritz Becker
Jack Goodman
Alan Taniguchi

Also Present

Hoyle M. Osborne, Director of Planning
Richard Lillie, Assistant Director of Planning
Walter Foxworth, Supervising Planner
Jim Bickley, Associate Planner
Mike Wise, Associate Planner
Pat Ponkoney, Administrative Secretary

ZONING

The following zoning changes were considered by the Zoning Committee at the meetings of June 1 and 2, 1970.

Present

Alan Taniguchi, Chairman
Jack Goodman
Jack Crier
Fritz Becker
C. L. Reeves

Also Present

Richard Lillie, Asst. Director of Planning
Mike Wise, Associate Planner
Shirley Ralston, Administrative Secretary

PUBLIC HEARINGS

C14-70-091 L. G. Dement: A, 1st to C, 5th
Rear of 4626-4706 I. H. 35

STAFF REPORT: This is a request for "C" Commercial, Fifth Height and Area zoning on a lot containing 19,372 square feet located at the rear of 4626-4706 I. H. 35 North. The stated purpose of the request is for commercial development. "C" Commercial zoning exists in all directions. "A" Residence zoning abuts the site to the west and south with "O" Office established on one lot adjoining to the west fronting onto Harmon Avenue. Land use to the east along the Interregional Highway to the north of the site and to the

C14-70-091 L. G. Dement--contd.

west of Harmon Avenue is mixed commercial. Immediately to the south of the site is single-family development. The subject site is located on a 400 foot dead-end street with only 50 feet of right-of-way. Under these conditions, the staff feels the request is too intensive and recommends that it be denied.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

Floyd Raymond (representing applicant)

SUMMARY OF TESTIMONY

Mr. Floyd Raymond, representing the applicant, explained that the subject property belongs to the same family who owns the lot immediately adjoining to the west having 150 feet of frontage onto the Interregional Highway. "C" Commercial, Fifth Height and Area zoning is established on the lot adjoining to the west and the request is made on the subject site so that the zoning will conform. There is "C" Commercial, Fifth Height and Area zoning established to the north, south, east and west so the request on the site will conform to the area. There will be an entrance onto Connelly Street which will feed into East 46th Street and then Airport Boulevard and the Interregional Highway. All of the property belonging to the applicant is being prepared for development and a uniform zoning of "C" Commercial, Fifth Height and Area is requested so that the applicant, or whoever buys the property can put a higher building on the entire area.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information presented and was cognizant of the fact that the owner of the site also owns the property adjoining to the east and fronts onto the Interregional Highway. They were aware of the limited access to the site from Connelly Street and felt that the subject site should be developed with the property adjoining to the east as one site and recommended that the request be granted, subject to a short form subdivision joining the two pieces of property.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of L. G. Dement for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, Fifth Height and Area for property located at the rear of 4626-4706 I. H. 35 be GRANTED, subject to a short form subdivision joining the two pieces of property.

C14-70-093 Bill Dismukes: A to C
8401-8411 Highway 183
1412-1422 Clearfield Drive

STAFF REPORT: This is an application for "C" Commercial, First Height and Area zoning on a 20,500 square foot lot located at the northeast intersection of U. S. Highway 183 and Clearfield Drive. The stated purpose of the request is for a hardware and retail outlet. "C" Commercial zoning is established on property adjoining to the north and to the south across Clearfield Drive. "C" Commercial zoning is stripped along U. S. Highway 183 and there is a pending request for this same zoning to the east. "B" Residence, developed with apartments, adjoins the subject site to the west and to the south of Clearfield Drive is "B" and "BB" Residence zoning. The staff feels that the request for commercial zoning on the site is a logical extension of existing zoning and recommends the request be granted, subject to five feet of right-of-way on Clearfield Drive and a short form subdivision on the site in that it is not a legal lot.

TESTIMONY

WRITTEN COMMENT

Teddy M. Sousares: 7205 Shoal Creek Boulevard
Nelson Puett

FOR
FOR

PERSONS APPEARING AT HEARING

Bill Dismukes (applicant)
Horace Glass (representing applicant)

SUMMARY OF TESTIMONY

Mr. Bill Dismukes appeared at the hearing and had nothing to add to the report by the staff.

Mr. Horace Glass, representing the applicant, explained that the proposal is to build a 10,000 square foot retail store on the site.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as a logical extension of existing zoning, subject to five feet of right-of-way on Clearfield Drive and a short form subdivision as the lot has not been previously subdivided.

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C14-70-093 Bill Dismukes--contd.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of Bill Dismukes for a change of zoning from "A" Residence, First Height and Area to "C" Commercial First Height and Area for property located at 8401-8411 Highway 183 and 1412-1422 Clearfield Drive be GRANTED, subject to five feet of right-of-way on Clearfield Drive and a short form subdivision as the lot has not been previously subdivided.

C14-70-094 John Reynolds and C. N. Alexander: Int. A, Int. 1st to GR, 1st
8657-8717 U. S. Highway 183
1613-1717 Peyton Gin Road

STAFF REPORT: This application covers four tracts of undeveloped land totaling 5.65 acres. The stated purpose of the request is to bring zoning on this property into conformance with the existing zoning in the surrounding area. "GR" General Retail zoning is established to the east across U. S. Highway 183 and to the north across Peyton Gin Road. There are several pending requests for "GR" General Retail zoning on property to the north and to the south. To the northwest across Peyton Gin Road is an "A" Residential zoned and developed neighborhood. The staff feels that "GR" General Retail zoning on the site is a logical extension of existing and pending zoning and that the triangle between Peyton Gin Road and U. S. Highway 183 lends itself to commercial development. It is recommended that the request be granted, subject to provision of the necessary right-of-way for the widening of Peyton Gin Road, and subdivision of the property.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

John Selman (representing applicant)

SUMMARY OF TESTIMONY

Mr. John Selman, attorney for the applicants, agreed to whatever right-of-way is necessary on Peyton Gin Road. He explained that there is "GR" General Retail zoning on practically all sides of the property with the exception of the area in Quail Creek. A buffer for the residential lots across Peyton Gin Road could be considered but the lots have fencing along the street.

No one appeared in opposition to the request.

C14-70-094 John Reynolds and C. N. Alexander--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, subject to approval of subdivision and right-of-way for widening of Peyton Gin Road as a logical extension of existing zoning.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of John Reynolds and C. N. Alexander for a change of zoning from Interim "A" Residence, Interim First Height and Area to "GR" General Retail, First Height and Area for property located at 8657-8717 U. S. Highway 183 and 1613-1717 Peyton Gin Road be GRANTED, subject to approval of subdivision and right-of-way for widening of Peyton Gin Road.

C14-70-095 B. H. Belk: A, 1st and C, 2nd to C, 2nd
1505-1507 North Street

STAFF REPORT: The subject property contains 18,450 square feet of land and the stated purpose of the request is for re-sale of the site. "A" Residence zoning, predominantly developed with single-family homes is established to the north, east and south. To the west of the site along Burnet Road there is strip "C" Commercial, Second Height and Area zoning. A small corner portion of the subject site is also zoned "C" Commercial, Second Height and Area. Burnet Road is developed with mixed commercial uses. North Street is a minor residential street developed with single-family residences and the staff feels that more intensive zoning should not be encouraged and recommends that the request be denied as an intrusion and encroachment into a single-family residential neighborhood.

TESTIMONY

WRITTEN COMMENT

Don J. Jackson: 3810 Medical Parkway	FOR
Abigail C. Holbrook: P. O. Box 1381	AGAINST
Sidney S. Smith: P. O. Box 9116	FOR
Maratha L. Harrell: 1501 North Street	FOR

PERSONS APPEARING AT HEARING

Mr. & Mrs. B. H. Belk (applicant)	
Mr. & Mrs. John W. Lyle: 1503 North Street	AGAINST
Mr. & Mrs. Aubry Redding: 1502 North Street	AGAINST

C14-70-095 B. H. Belk--contd.

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mrs. B. H. Belk appeared at the hearing and advised the Committee that she is requesting "C" Commercial, Second Height and Area zoning as the subject property adjoins this commercial district on the east and a corner portion of the subject property is also zoned in that manner. To the west of the site is a warehouse, boat yard and boat shop and there is so much traffic that the driveways are blocked.

Mr. Reeves asked the applicant if she anticipates selling the property for an apartment use. He explained that an apartment use would require a less dense zoning than "C" Commercial, which might be a better buffer between the commercial and the "A" Residential area.

Mrs. Belk indicated that she is considering the possibility of selling the property for an apartment use. She further stated that in her opinion if the site is rezoned it will be more valuable and she will be able to get more out of it.

Arguments Presented AGAINST:

Several nearby property owners appeared at the hearing and stated that they are opposed to a change in zoning on the site as the proposed zoning would permit warehouses or similar type development that is already existing on Burnet Road. Another objection to commercial zoning is the fact that development can be built on the property line. There would not be as much objection to apartment zoning if the development is small.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that the zoning as requested should be denied, as an intrusion into a residential area; however, they recommended that "B" Residence, First Height and Area zoning be granted, subject to five feet of right-of-way for North Street, as a buffer between the commercial area to the west along Burnet Road and the "A" Residential area to the east of the site along North Street.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of B. H. Belk for a change of zoning from "A" Residence, First Height and Area and "C" Commercial, Second Height and Area to "C" Commercial, Second Height and Area for property located at 1505-1507 North Street be DENIED, but that "B" Residence, First Height and Area zoning be GRANTED, subject to five feet of right-of-way for North Street.

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C14-70-096 W. E. Barron: A to O
5513 Woodrow Avenue

STAFF REPORT: The subject property contains an area of 8,874 square feet of land fronting onto Woodrow Avenue. The stated purpose of the request is to permit the continuation of an existing antique shop. The request for "B" Residence zoning was before the Commission last month on the site which was recommended as appropriate zoning; however, the applicant was misinformed as to the zoning necessary for the use and is now requesting "O" Office zoning which will permit the antique shop. The eight lots immediately to the north are zoned "B" Residence. "A" Residence zoning and development is established to the west, east and south. "C" Commercial zoning exists to the southeast on property developed with apartments. The staff recommends that that the request be denied as an intrusion into a residential neighborhood.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

None

SUMMARY OF TESTIMONY

No one appeared in favor of or in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and were cognizant of the fact that "B" Residence, First Height and Area zoning was recommended for the site last month by the Planning Commission. They were of the opinion the use on the site is appropriate and recommended the request be granted, with the provision that if the property is ever used for any other purpose, it would revert to "A" Residence zoning.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of W. E. Barron for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 5513 Woodrow Avenue be GRANTED, with the provision that if the property is ever used for any other purpose, it would revert to "A" Residence zoning.

C14-70-097 John D. Murray et ux Hazel Murray: A to GR
 410-416 Clarke Street
 421-433 Ben White Boulevard

STAFF REPORT: The property under consideration contains an area of 12,750 square feet fronting onto Clarke Street and Ben White Boulevard. The stated purpose of the request is for future development fronting onto Ben White Boulevard. To the north of Ben White Boulevard there is mixed zoning consisting of "C" Commercial, "GR" General Retail and "LR" Local Retail. To the south of Clarke Street is "A" Residence zoning developed with single-family homes. All of the north side of Clarke Street, with the exception of the subject site is zoned "GR" General Retail. The staff recommends that the request be granted as a logical extension of existing zoning fronting onto the Expressway.

TESTIMONY

WRITTEN COMMENT

C. B. Maynard: Route 1, Box 135 Elgin, Texas
 G. L. Anderson: 3004 Cedarview

AGAINST
 FOR

PERSONS APPEARING AT HEARING

Paul Jones (representing applicant)

SUMMARY OF TESTIMONY

Mr. Paul Jones, attorney for the applicants, explained that the entire triangle between Clarke Street and Ben White Boulevard with the exception of the subject property is zoned "GR" General Retail. To the east of the site is a large church and there are very nice homes south of Clarke Street. The subject property orients toward Ben White Boulevard. It is only 67 feet deep on the east side and 78 feet deep on the west side and part of the area was left by the acquisition of right-of-way for Ben White Boulevard. Development for single-family purposes would be almost impossible under the circumstances and it is a logical extension of "GR" General Retail zoning.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as the logical extension of existing zoning along the north side of Clarke Street.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of John D. Murray et ux Hazel Murray for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 410-416 Clarke Street and 421-433 Ben White Boulevard be GRANTED.

C14-70-098 Phil Miller: A to C
1306-1308 Edgecliff Street

STAFF REPORT: The subject property covers an area of 24,360 square feet of land. The stated purpose of the application is for uses permitted under the requested zoning. To the west of the site is "O" Office zoning, developed with a motel, with "C-2" Commercial zoning established on a small area within the motel site. To the east and south is "A" Residence zoning developed with several single-family homes. The staff feels that "C" Commercial zoning is too intensive and would be an intrusion into a single-family and multi-family residential area with inadequate streets. It is recommended that the request be denied and that "O" Office or "B" Residence zoning be considered, subject to 10 feet of right-of-way on Edgecliff Street, as a compatible zoning and development in the area.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

John Foshee (representing applicant)

SUMMARY OF TESTIMONY

Mr. John Foshee advised the Committee that his client proposes to lease his subject property to people who want to operate a day nursery and kindergarten. The staff has advised that the use would be permitted under the "B" Residence district and if so, there is no objection to amending the application to request "B" Residence zoning.

Mr. Lillie pointed out that a day care center is permitted in the "A" Residence district with a special permit as well as in the "O" Office and "B" Residence districts recommended by the staff.

Mr. Foshee requested that the application be amended to "B" Residence, First Height and Area.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied as it is too intensive for the site; however, they recommended that "B" Residence, First Height and Area zoning be granted, subject to 10 feet of right-of-way on Edgecliff Street.

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C14-70-098 Phil Miller--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of Phil Miller for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 1306-1308 Edgecliff Street be DENIED, but that "B" Residence, First Height and Area be GRANTED, subject to 10 feet of right-of-way on Edgecliff Street.

C14-70-099 David Pollard: GR to C
1412-1518 Bastrop Highway

STAFF REPORT: This application covers a large undeveloped tract of land containing 4.86 acres near the Bergstrom interchange southeast of the city. The stated purpose of the request is for mobile home sales. Commercial and residential zoning exists on both sides of Bastrop Highway. The staff feels that this is a reasonable location for this activity as well as "C" Commercial zoning in that the highway abuts the site to the north and Bergstrom Air Force Base is located to the east. It is recommended that the request be granted.

TESTIMONY

WRITTEN COMMENT

Mary Belle Hill: 1907 Cliff Street

FOR

PERSONS APPEARING AT HEARING

David Pollard (applicant)

SUMMARY OF TESTIMONY

Mr. David Pollard was present on behalf of this request and explained that the plans are for a mobile home sales with possibly some rental spaces along the western portion of the site. The total ultimate plans for the site are not known at this time. There should not be any problem with the type of development proposed as property in close proximity was recently rezoned and is developed with a mobile home park. Several nearby property owners have indicated they do not object to the development.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information recognizing that the subject site is located between a major arterial street and Bergstrom Air Force Base and concluded that the request is appropriate and should be granted as the logical use of the site.

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C14-70-099 David Pollard--contd.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of David Pollard for a change of zoning from "GR" General Retail, First Height and Area to "C" Commercial, First Height and Area for property located at 1412-1518 Bastrop Highway be GRANTED.

C14-70-100 Victor Freidrichs et ux; Glen M. Tooke, Jr. et ux; John H. Kavanaugh
1027-1111 E. Riverside et ux; & Mrs. Mazelle McDonald: A, 1st to O, 2nd

STAFF REPORT: This application covers five lots with a total area of 1.1 acres. The stated purpose of the request is for office space and small apartments. "O" Office zoning exists on all four corners of Riverside Drive. "LR" Local Retail is established on the Parkinson Estate to the east along I. H. 35. "A" Residence zoning, developed with single-family, is established to the south. Single-family homes are also established on the subject property and along Riverside Drive. To the east across I. H. 35 is the Ramada-Gondolier Hotel. Riverside Drive is a major arterial street with right-of-way to be increased to 90 feet. A new interchange is planned for this location on I. H. 35 which will require the acquisition of the five lots under consideration. The staff recognizes the logic in the request and recommends that it be granted. It is also recommended that the City Council consider the acquisition of the property for the future Riverside Drive Expressway. Accessibility to the lots is a problem in that land lies above Riverside Drive.

Mr. Lillie explained that across Riverside Drive on the north is the O. O. Norwood property which was applied for "GR" General Retail zoning in 1957, and later withdrawn. The property was applied for again in 1958, for "O" Office zoning. The Planning Commission recommended "O" Office district on a split vote and the City Council granted it in April, 1958. There are deed restrictions in Travis Heights Subdivision of which these five lots are a part and a suit was filed on the Norwood property in September, 1957, because of the restrictions. The Court held the deed restrictions were valid.

TESTIMONY

WRITTEN COMMENT

Curtis Rowland: 1305 Bonham Terrace	FOR
Mrs. Josephine R. Frazee: 1013 Riverside Drive	FOR
Stanley S. Smith: P. O. Box 1376	FOR

PERSONS APPEARING AT HEARING

Mr. & Mrs. John H. Kavanaugh (applicants)	
Mazelle McDonald (applicant)	
Mr. & Mrs. Victor Freidrichs (applicants)	
Mrs. Trochta (representing applicants)	
Mrs. Clinton H. Rhodes: 1301 Bonham Terrace	AGAINST
R. P. Noack: 1301 Kenwood	AGAINST
W. H. Billingsley: 1303 Bonham Terrace	?

C14-70-100 Victor Freidrichs et ux; etc.--contd.

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mrs. Trochta appeared at the hearing and advised the Committee that she represents the four property owners involved in this application. She stated that they are surprised to find the subject lots will be appropriated for street widening of Riverside Drive. Mr. Lillie explained that the State Highway Department has completed some schematic design plans for the street widening of I. H. 35 in relation to the Riverside Drive expressway. These are only tentative and schematic and are subject to change; however, as it now stands, it would require the five lots and all of the property along the south side of Riverside Drive. There has been no timing set for the construction of the Riverside Drive Expressway for the construction of the interchange. Regardless of the right-of-way for the potential expressway there is still a need for 15 feet of right-of-way for widening of Riverside Drive which is proposed to be widened to 90 feet. This is an interim situation until the expressway is needed.

Mrs. Trochta stated that in view of the fact that Riverside Drive might be an expressway, they would like to continue with the zoning change requested to "O" Office, Second Height and Area. There are no plans in the near future of the property owners to build any substantial building structures but they would like to put the property on the market and feel that the value would increase if zoned "O" Office. If and when the City does appropriate the land for the expressway, the property owners feel that it would be to their advantage if the property were rezoned.

Mr. John Kavanaugh, one of the applicants, stated that he is a property owner in Travis Heights. He said that he was opposed to the rezoning in 1958 of the Norwood property because of the deed restrictions. Since that time the entire area along Riverside Drive has changed. There is a service station on property adjoining to the east and other commercial development in close proximity not under the deed restrictions. The subject lots are on the edge of the Travis Heights Subdivision and a change to "O" Office zoning would be beneficial and would not have a negative effect on adjacent property. He indicated that he does not understand the relationship between the deed restrictions and the zoning.

Mr. Goodman asked why the application was filed for "O" Office, Second Height and Area rather than First Height and Area. It is realized that there is a mixture of height requirements in the area but in his opinion, the height requirement should be as low as possible on this particular corner because of the vision and the aesthetic values and qualities.

Mr. Lillie pointed out that the corner lot is about 15 feet above Riverside Drive and then starts falling off and by the time it reaches Kenwood Street it is back down to grade.

C14-70-100 Victor Freidrichs et ux; etc.--contd.

Arguments Presented AGAINST:

Several nearby property owners appeared in opposition to the request and stated that their primary objection is because of the hazardous traffic problem existing in the area which would only be increased by development permitted on the site under the requested zoning. When zoning was requested on the Norwood property and the suit was filed, it was because the area is deed restricted. It is realized that the area has changed to a great extent since that time and that there is a large motel planned in the near vicinity and Riverside Drive is proposed in the Master Plan as an expressway. If right-of-way from the expressway is required from the subject tract, there will not be very much area left to build on.

Arguments Presented IN REBUTTAL:

Mrs. Trochta advised the Committee that the applicants would not object to First Height and Area and would like to leave it to the discretion of the Committee. There are no plans in the immediate future for any type of development that would cause a traffic tie up. The zoning change is requested strictly for resale value.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and recommended "O" Office, Second Height and Area zoning be denied; however, they recommended that "O" Office, First Height and Area zoning be granted, as the appropriate zoning for the site, subject to 15 feet of right-of-way for Riverside Drive.

The Committee was also aware of the fact that Riverside Drive is proposed as a future expressway and recommended to the Council that consideration be given to the purchase of the necessary right-of-way at this time.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of Victor Freidrichs et ux; Glen M. Tooke, Jr. et ux; John H. Kavanaugh et ux; and Mrs. Mazelle McDonald for a change of zoning from "A" Residence, First Height and Area to "O" Office, Second Height and Area for property located at 1027-1111 East Riverside Drive be DENIED, but GRANT "O" Office, First Height and Area, subject to 15 feet of right-of-way for Riverside Drive and also recommend to the City Council that consideration be given to the purchase of the necessary right-of-way for Riverside Drive at this time.

C14-70-102 B. J. Williams: B to O
609 Academy Drive
701-703 Riverside Drive

STAFF REPORT: This application covers an irregular shaped tract of land containing 15,061 square feet. The stated purpose of the request is for an office. "A" Residence zoning exists to the north across Riverside Drive and to the east

C14-70-102 B. J. Williams--contd.

across Alameda Drive. "B" Residence zoning is established to the west and north of Academy Drive. "O" Office zoning is pending right-of-way on one lot, and existing on another lot north of Academy Drive and Riverside Drive. Industrial zoning is established to the north of Riverside Drive. The land west of Blun Creek to South Congress Avenue is already zoned and developed for apartments and commercial use. This immediate area is developed with single-family residences; however, the staff recommends the request for "O" Office zoning be granted, as in past applications along Riverside Drive. Riverside Drive is a major arterial street and a logical point for office location. It is further recommended that the granting of the request be subject to 15 feet of right-of-way for Riverside Drive.

TESTIMONY

WRITTEN COMMENT

Mrs. E. Davis: 1109 Alameda
Don Hendrix: P. O. Box 294

FOR
FOR

PERSONS APPEARING AT HEARING

B. J. Williams (applicant)

SUMMARY OF TESTIMONY

Mr. B. J. Williams appeared on behalf of this request and asked the staff if he would be required to donate the 15 feet of right-of-way for Riverside Drive if the zoning is granted or would he be reimbursed for the right-of-way.

Mr. Lillie explained that the City Manager will be forwarding to the City Council a recommendation on the City's right-of-way policy with respect to subdivisions and zoning. The staff cannot answer at this time whether or not the right-of-way would be dedicated or whether there would be reimbursement for right-of-way over 70 feet. This will be determined when the City Council considers the policy.

Mr. Williams asked if he would have the privilege of withdrawing the application at a later date if it is found that the dedication of right-of-way will be required. Mr. Lillie explained that withdrawal may be requested within 10 days following the Planning Commission. The request must be made in writing to the City Council.

Mr. Williams advised the Committee that the reason he asked about the right-of-way and withdrawal is because of the traffic problem. The subject lot is a split level lot. The high side of it which is about 15 feet above Academy Drive is the only frontage that would be left on Academy Drive if the right-of-way is acquired. There is no ingress or egress to Riverside Drive. If the right-of-way is required it will leave the lot completely useless even for residential development because of the expense that would be necessary in order to provide the required off-street parking. He pointed out the location of

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C14-70-102 B. J. Williams--contd.

the driveway and parking area and explained that if 15 feet is taken off the lot at the angle at which Academy goes into Riverside Drive it will destroy the required off-street parking.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that the requested zoning is appropriate and should be granted, subject to 15 feet of right-of-way for Riverside Drive, because of the traffic conditions along Riverside Drive and the changing character of the area.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of B. J. Williams for a change of zoning from "B" Residence, Second Height and Area to "O" Office, Second Height and Area for property located at 609 Academy Drive and 701-703 Riverside Drive be GRANTED, subject to 15 feet of right-of-way on Riverside Drive.

C14-70-103 Joe Del Rio, Jr.: A to GR
2806 Manor Road

STAFF REPORT: The property under consideration contains an area of 7,380 square feet fronting onto the north side of Manor Road. The stated purpose of the request is for an auto accessory store. "A" Residence zoning developed with single-family residences is established to the north and on one lot adjoining to the east. "B" Residence zoning exists further to the east and adjoining the site to the west which is developed with apartments and a beauty shop. "A" Residence, "LR" Local Retail and "C" Commercial zoning are located along the south side of Manor Road and developed with single-family homes, duplexes and a wholesale drug store. The staff feels that the granting of commercial zoning north of Manor Road in the several blocks from Larry Road to Randolph Road would be an intrusion into a residentially zoned and developed area and recommends that the request be denied; however, it is recommended that "B" Residence, First Height and Area zoning be granted, subject to 10 feet of right-of-way for the widening of Manor Road, as a logical extension of existing zoning and development.

TESTIMONY

WRITTEN COMMENT

Thomas C. Wommack: 702 Scarbrough Building

FOR

PERSONS APPEARING AT HEARING

None

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C14-70-103 Joe Del Rio, Jr.--contd.

SUMMARY OF TESTIMONY

No one appeared in favor of or in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, subject to 10 feet of right-of-way for Manor Road, as the appropriate zoning for the site.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of Joe Del Rio, Jr. for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 2806 Manor Road be GRANTED, subject to 10 feet of right-of-way for Manor Road.

C14-70-104 M. S. Brougher: A to B
2718-2800 Sweeney Lane

STAFF REPORT: The subject property contains an area of 11,008 square feet of land and is developed with a duplex. The stated purpose of the request is for apartments. "LR" Local Retail zoning adjoins the site to the east having frontage onto Sweeney Lane and Manor Road. "C" Commercial zoning is established across Sweeney Lane to the south of the intersection of Manor Road. "A" Residence zoning developed with single-family residences, exists along both sides of Sweeney Lane. A grocery store and restaurant are located on the southwest corner of Sweeney Lane and Manor Road. The staff feels that more intensive zoning even of a residential nature would be an intrusion into this neighborhood. The single-family area including the existing duplex on the subject lot deserves protection. If the request is granted, it will be on the first lot without Manor Road frontage and would encourage further zoning requests on this street. It is felt that there is no logical termination point for the intensive zoning once this case is granted. The staff recommends that the request be denied.

TESTIMONY

WRITTEN COMMENT

Franklin J. Behrendt: 5715 Sandhurst Circle	FOR
H. D. Motsenbocker: 2159 South Lamar	FOR
Togie Baylor: 5908 Manor Road	FOR

PERSONS APPEARING AT HEARING

John Selman (representing applicant)

C14-70-104 M. S. Brougher--contd.

SUMMARY OF TESTIMONY

Mr. John Selman, attorney for the applicant, explained that there is a duplex existing on the site at the present time. The staff has indicated that the requested zoning on the subject property would be the first case granted on property that does not have Manor Road frontage. It should be pointed out that to the east of Manor Road there is a large area of "B" Residence zoning developed as an apartment subdivision presently being developed with eight fourplex structures on a cul-de-sac street that is no different from the property now under consideration. The staff says that there is no logical termination in the zoning if the "B" Residence is granted on the site. Mr. Selman stated that when the large tract to the rear of the site having several hundred feet of frontage onto Manor Road is requested for rezoning, it is only logical that the existing "LR" Local Retail established at the corner be extended back and on a gradation theory of that much property it is a logical request for "B" Residence zoning to the rear of the property. He said that in his opinion the logical cut off for the zoning is not behind the Local Retail District but is on the property located at the curve of the street. Nash Phillips-Copus has a subdivision further out which is buffered by a privacy fence.

This is an older area developed with low cost homes which is changing. Because of the mixed zoning and the traffic, the entire area is going to change in the near future. In the area across from the site there is a man who runs a pest control business out of his house so the development proposed is not something that would be an intrusion into a well-defined residential area.

Under a gradation theory "B" Residence zoning would be logical for the site as it adjoins existing "LR" Local Retail fronting onto Manor Road on one side and is adjacent to single-family and duplex development on the other. The requested zoning is the highest and best use of the property. With regard to the right-of-way, the applicant will tender five feet of right-of-way for the future widening of Sweeney Lane.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as a logical zoning for the site and a buffer between the "LR" Local Retail zoning adjoining to the east and the "A" Residence area to the west.

The Committee recognized that the lots along Sweeney Lane are very deep and large and requested the staff to prepare a study of the area to determine if more dense zoning is appropriate.

C14-70-104 M. S. Brougher--contd.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of M. S. Brougher for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 2718-2800 Sweeney Lane be GRANTED.

C14-70-105 Parker Heights, Inc.: Int. A, Int. 1st to GR, 1st (Tr. 1) & O, 1st
 Tract 1: 2033-2223 East Riverside Drive (Tr. 2)
 Tract 2: Rear of 2033-2223 East Riverside Drive

STAFF REPORT: This application covers two tracts of undeveloped land located to the south of Riverside Drive. "GR" General Retail, First Height and Area zoning is requested on Tract 1, containing 7.7 acres fronting onto Riverside Drive and "O" Office, First Height and Area is requested on Tract 2 containing 7.2 acres adjoining Tract 1 to the south. The stated purpose of the application is for uses consistent with the requested zoning. "GR" General Retail zoning was established to the north across Riverside Drive. "LR" Local Retail, "BB" Residence zoning as well as "B" Residence exists north of Woodland Avenue to the west of the site. "BB" Residence zoning, established on property to the southeast on both sides of Willow Creek, is developed with apartments. A grocery store has been built directly to the north across Riverside Drive. There are large apartment complexes developed in the areas to the north, south, east and west. Land immediately adjacent to the site is at the present time undeveloped. Colorado Hills Estate subdivision for single and two-family use is southwest of the subject property. A zoning application for "B" Residence, First Height and Area is now pending on the subject tracts.

The staff recommends that "LR" Local Retail zoning or "GR" General Retail, First Height and Area zoning be granted on Tract 1 because of the existing zoning to the north of Riverside Drive and the recently granted "LR" Local Retail adjoining to the west of the tract; however, it is recommended that the requested "O" Office, First Height and Area zoning on Tract 2 be denied and that "B" Residence zoning be granted as a logical extension of existing "B" Residence zoning to the west and south. This should be subject to approval of subdivision for the development of Burton Drive and Woodland Avenue, and right-of-way for Riverside Drive.

TESTIMONY

WRITTEN COMMENT

Willow Creek Hills: P. O. Box 3566

FOR

PERSONS APPEARING AT HEARING

Richard Baker (representing applicants)

C14-70-105 Parker Heights, Inc.--contd.

SUMMARY OF TESTIMONY

Mr. Richard Baker, attorney for the applicants, presented the plat showing the extension of Burton Drive through the area. He explained that Burton Drive is the proposed street with 70 feet of right-of-way which has been approved as a preliminary plan. It has taken sometime to locate Burton Drive. The applicants have been working on it for about six months trying to get the exchanges of land completed. This work was consummated last week. Burton Drive will be an extension of Tinnin Ford Road which goes to the north of Riverside Drive to the Lake. It will extend southerly from Riverside Drive to Woodland Avenue, a street with 80 feet of right-of-way, through the land owned by the applicant which will be developed as the Burton Terrace subdivision. This plat has been filed and approved by the Subdivision Committee. At Woodland Avenue, Burton Drive goes into land owned by Colorado Estates Inc. shown on the preliminary plan as Section 6 which has also been approved for subdivision. At this point the street extends into land owned by the C.L.R. Development Corporation, classified as Parker Heights, Inc. with preliminary approval and will then extend down and connect with East Oltorf with 80 feet of right-of-way. This has also been approved as the Parker Heights preliminary. The contracts are in the process of being let for the construction of Burton Drive and Woodland Avenue along with some other sundry streets.

There is now an application pending for "B" Residence zoning which was filed by the previous owners of the tract from Riverside Drive to Woodland Avenue. The staff has advised that it has been approved by the City Council and is pending a final passage for the location and dedication of Burton Drive which will be accomplished when the final plat is of record.

The reason "GR" General Retail zoning is requested on Tract 1 as opposed to "LR" Local Retail is because more uses can be placed on the property. It has been found that uses such as auto parts and accessory stores require a "GR" General Retail classification. To avoid the necessity of burdening the Commission with additional zoning applications it is felt that "GR" General Retail is logical particularly in view of the existing general retail zoning north of Riverside Drive. The request is consistent with the overall pattern of the area. There is some "C" Commercial zoning on Riverside Drive as well as "GR" General Retail zoning.

Mr. Baker stated that he has discussed the requested "O" Office zoning on Tract 2 with the staff. He pointed out that Tract 2 will be developed in conjunction with Tract 1. The three owners involved have worked out development patterns for the area and Burton Drive will be one of the main streets running in a north-south direction from Riverside Drive to Oltorf Street. Both of these streets will be heavily traveled. Burton Drive will be intersected by Woodland Avenue with 80 feet of right-of-way. There is a great deal of "B" Residence zoning in the area and it is the feeling of the owners and developers that this area will be densely developed. There are a lot of professional people as well as companies looking for office space in areas located close to the City, on main streets which provide adequate traffic circulation where the land cost is somewhat less than land fronting onto a

C14-70-105 Parker Heights, Inc.---contd.

major street. Office development is permissible on I. H. 35 and there will be a large demand for office space in the immediate area. The office classification will be compatible with the "B" Residence for development in that it would not generate any more traffic and would probably generate less if it would be used during different hours. It is requested that "O" Office zoning on Tract 2 be granted as it would not be detrimental to the area.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied; however, they recommended "GR" General Retail, First Height and Area be granted on Tract 1, "O" Office, First Height and Area be granted on Tract 2 with the exception of the south 150 feet which is recommended for "B" Residence, First Height and Area; subject to approval of a subdivision providing for the extension and development of Riverside Drive, Woodland Avenue and Burton Drive as they effect the subject tracts.

The Commission concurred with the Committee recommendation and then

VOTED: To recommend that the request of Parker Heights, Inc. for a change of zoning from Interim "A" Residence, Interim First Height and Area to "GR" General Retail, First Height and Area (Tr. 1) and "O" Office, First Height and Area (Tr. 2) for property located at (Tr. 1) 2033-2223 East Riverside Drive and (Tr. 2) rear of 2033-2223 East Riverside Drive be DENIED, but GRANT "GR" General Retail, First Height and Area on Tract 1, "O" Office, First Height and Area (Tr. 2) with the exception of the south 150 feet which is recommended for "B" Residence, First Height and Area; subject to approval of a subdivision providing for the extension and development of Riverside Drive, Woodland Avenue and Burton Drive as they effect the subject tracts.

ABSTAINED: Mr. Reeves

C14-70-106 Ray Shaw: A to LR
2110-2202 Thrasher Lane

STAFF REPORT: This is a request for "LR" Local Retail, First Height and Area zoning on a 2.56 acre tract of land for the stated purpose of a mobile home park. The entire area is zoned "A" Residence and developed with single-family residences on lots 300 to 500 feet in depth. Although it would be preferable to see this type of development on collector or major arterial streets rather than in the center of a residential neighborhood, the necessity to more fully utilize the extreme deep lots found in this area is realized. The staff therefore recommends that the request be granted subject to a special permit for a mobile home park development and five feet of right-of-way for Thrasher Lane.

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C14-70-106 Ray Shaw--contd.

TESTIMONY

WRITTEN COMMENT

Ocie Dotson: 2109 Thrasher

AGAINST

PERSONS APPEARING AT HEARING

None

SUMMARY OF TESTIMONY

No one appeared in favor of or in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and were cognizant of the fact that a mobile home park is proposed on the site. They were of the opinion the requested zoning is appropriate and should be granted, subject to five feet of right-of-way for Thrasher Lane, submission of a special permit for the proposed mobile home park, and subject to a short form subdivision.

The Commission concurred with the Committee recommendation and then

VOTED: To recommend that the request of Ray Shaw for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 2110-2202 Thrasher Lane be GRANTED, subject to five feet of right-of-way for Thrasher Lane; submission of a special permit for the proposed mobile home park, and subject to a short form subdivision.

ABSTAINED: Mr. Kinser

C14-70-107 Joe R. Long: A, 1st to B, 2nd
4104 Avenue C

STAFF REPORT: The subject property covers an area of 4,800 square feet of land. The stated purpose of the request is for the construction of a multi-family dwelling unit. "A" Residence zoning developed with single-family homes surrounds the site on three sides. "B" Residence, Second Height and Area zoning adjoins to the south for a distance of three lots between the subject property and 41st Street. The subject property falls within an area study approved by the staff, Planning Commission and City Council in 1967 recommending "B" Residence as a maximum zoning for the area. Avenue C is classified as a minor residential street with 60 feet of right-of-way. The staff recommends that the request be granted as a logical extension of existing zoning.

C14-70-107 Joe R. Long--contd.

TESTIMONY

WRITTEN COMMENT

Mrs. Joe Bowmer: 4012 Avenue C

FOR

PERSONS APPEARING AT HEARING

Joe R. Long (applicant)

SUMMARY OF TESTIMONY

Mr. Joe Long appeared on behalf of his request and explained that he owns the subject property as well as the property to the south extending to 41st Street and plans to develop the property together.

Mr. Lillie pointed out that if structures do not cross the lot lines the property will have to be tied together by a short form.

Mr. Long stated that at the present time there are four houses on the four tracts and if they are put together in one tract the connection of utilities would be a problem. The plans are to have approximately 20 one-bedroom efficiency type units with the required off street parking.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, as a logical extension of existing zoning.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of Joe R. Long for a change of zoning from "A" Residence, First Height and Area to "B" Residence, Second Height and Area for property located at 4104 Avenue C be GRANTED.

C14-70-108 Joe R. Long: A, 1st to B, 2nd
503 West 39th Street

STAFF REPORT: This is a request for "B" Residence, Second Height and Area zoning on a 9,500 square foot lot located on West 39th Street. The stated purpose of the request is for the construction of a multi-family dwelling unit. The subject property adjoins "C" Commercial zoning to the east which is established along Guadalupe Street. On the south across West 38½ Street, the "C" Commercial zoning extends some 75 feet further to the east than does the subject property. Commercial uses are developed along Guadalupe Street, a childrens home is located on West 38th Street; and single-family and duplex residences exist on the west and east with Baker Junior High School on the north.

C14-70-108 Joe R. Long--contd.

"A" Residence zoning is on the east and "B" Residence zoning is established six blocks to the east. The subject property falls in an area study recommending "B" Residence zoning for the area and the staff recommends that the request be granted as a logical extension of existing zoning.

TESTIMONY

WRITTEN COMMENT

Rooster Andrews: P. O. Box 1604

FOR

PERSONS APPEARING AT HEARING

Joe R. Long (applicant)

SUMMARY OF TESTIMONY

The applicant was present and had nothing to add to the report by the staff.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as the logical extension of existing zoning and development.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of Joe R. Long for a change of zoning from "A" Residence, First Height and Area to "B" Residence, Second Height and Area for property located at 503 West 39th Street be GRANTED.

C14-70-109 Irma Robertson and Lydia R. McCullough: A, 1st to C, 6th
1143 Airport Boulevard

STAFF REPORT: The property under consideration covers .6 acres of land located along the east side of Airport Boulevard south of Oak Springs Drive. The stated purpose of the request is for future commercial development. "C" Commercial zoning is established along Airport Boulevard and on property adjacent to the subject site. "C" Commercial zoning was recently granted on the large tract of land to the north and immediately to the south. "A" Residence zoning exists to the east and south. Commercial uses are established along Airport Boulevard with single-family and duplex residences in the neighborhood to the east. The staff recommends the request be granted as a logical extension of existing zoning which conforms to recently granted zoning in the area subject to a short form subdivision dividing the subject tract from that portion fronting onto Gunter Street.

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C14-70-109 Irma Robertson and Lydia R. McCullough--contd.

TESTIMONY

WRITTEN COMMENT

Irma Robertson (applicant)

PERSONS APPEARING AT HEARING

Joe L. Douglas (representing applicant)

Mrs. Leanora Dyer: 2108 Shoalmont

FOR

SUMMARY OF TESTIMONY

Mr. Joe Douglas appeared on behalf of this request and advised the Committee that there is no planned development for the site at the present time. The property is for sale for future development.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted as a logical extension of existing zoning and development along a major arterial street, subject to a short form subdivision.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of Irma Robertson and Lydia R. McCullough for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, Sixth Height and Area for property located at 1143 Airport Boulevard be GRANTED, subject to a short form subdivision.

C14-70-101 Gordon W. Griffin, et ux: A to GR
4622 Manchaca Road

STAFF REPORT: This application covers 11,200 square feet of land fronting onto the west side of Manchaca Road south of Cimmarron Trail. The stated purpose of the request is for a retail store. "A" Residence zoning surrounds the subject property and is developed as a well-maintained single-family neighborhood. Any zoning change in the area would be an intrusion and encroachment. The staff has been advised that there are deed restrictions. It is recommended that the application be denied.

TESTIMONY

WRITTEN COMMENT

Harry W. Yant: 4618 Manchaca Road

John Kamps: 4717 Frontier Terrace

Mrs. Walter Eckert, Jr.: 1906 Forestglade Drive

AGAINST

AGAINST

AGAINST

C14-70-101 Gordon W. Griffin--contd.

N. C. Schrader, Jr.: 4701 Lasso Path	AGAINST
Mr. & Mrs. E. A. Evans: 4702 Lasso Path	AGAINST
Harold D. Hicks: 1905 Forestglade	AGAINST
Mr. & Mrs. R. H. Wingard: 4020 Manchaca	AGAINST
Walter J. Blaylock: 1904 Forestglade	AGAINST
Sam O. Shaw: 1909 Foresthill Drive	AGAINST
Mrs. Wade R. Marcaum: 1910 Forest Hill Drive	AGAINST
Harold K. & Frances R. Dudley: 4600 Lasso Path	AGAINST

PERSONS APPEARING AT HEARING

Mr. & Mrs. Gordon W. Griffin (applicants)

SUMMARY OF TESTIMONY

The applicant was present on behalf of this request and advised the Committee that he purchased his home on Manchaca Road in 1958, at which time cars could get in and out of the driveways onto the street. He explained that he moved from the house in 1958 and has recently moved back into the house on the site. Since the property was originally purchased the traffic has increased on Manchaca Road to the point that it is extremely difficult for cars to get onto the street. In 1969, the traffic count on Manchaca Road for a 24 hour period was 10,000. Manchaca Road is an extension inward of the F.M. Road.

Mr. Griffin further stated that when he moved back to the site in January of this year he intended for the property to be used for his home; however, it has been found that it is almost impossible with the traffic situation for children to play in a front yard in any of the residences. He explained that he talked to the Traffic and Transportation Department in February and was informed that paving for Manchaca Road was to be widened from Ben White Boulevard to the bridge and in some instances there was not sufficient footage for the widening of the street. Eighty feet of right-of-way is necessary in this area. It is realized that the interior area is a well-developed single-family neighborhood; however, the traffic situation has caused a transition of the property along Manchaca Road and several of the homes are being sold. He said that because of the traffic he feels the property should not be used for residential purposes but should in fact be rezoned to allow a development of a saddle shop on the site. The front area would be paved for parking inasmuch as on-street parking is restricted during certain hours on Manchaca Road. Even though it appears that the entire area is zoned and developed residentially, and the request would be a case of piece-meal zoning, it should be pointed out that there are other uses existing whether zoned properly or not and a change must take place at some point as the area is in transition.

Mr. Lillie pointed out that Manchaca Road is a major arterial street which is to be developed with 80 feet of right-of-way. At this particular location there is an existing 80 feet of right-of-way and no additional right-of-way will be required. There may be some widening of pavement within the existing right-of-way.

No one appeared in opposition to the request.

CP14-70-101 Gordon W. Griffin, et ux--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information recognizing the existing residential character of the area and the traffic problems along Manchaca Road. In view of the traffic conditions, the Committee felt a change in zoning may be appropriate but felt that any consideration of a change should be on the total area rather than the one isolated lot. They recommended that this application be postponed for 30 days and requested the Planning Department staff to study the feasibility of rezoning all of the property abutting Manchaca Road from Ben White Boulevard to Stassney Lane.

At the Commission meeting, there was discussion as to the postponement of this application. Mr. Osborne indicated that the Commission can postpone the application if this meets with the approval of the applicant and the neighborhood. He added that in the future there would be no recommendation for rezoning where restrictions are involved.

Mr. Becker asked what the feeling of the staff was regarding the fronting of lots on thoroughfares. Mr. Osborne stated that this is undesirable and should not be done.

Mr. Reeves asked if Mr. Osborne said that the staff would not recommend any zoning along this area. Mr. Osborne explained that from the elementary school south the staff would not recommend a zoning change.

Mr. Kinser agreed that there is too much spot or strip zoning going on and recommended that a study of the area be made by the staff.

The Commission then unanimously

VOTED: To recommend that the request of Gordon W. Griffin, et ux for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 4622 Manchaca Road be POSTPONED for 30 days and requested the Planning staff to make a study of the area.

CP14-70-015 Colonial North Apartments, Inc.: 240 Unit Apartment Dwelling Group
1620-1722 Rutland Drive

STAFF REPORT: This request has been filed under Section 4-A, Sub-Section A, Paragraph 6 of the Zoning Ordinance of the City of Austin, Texas as required. Proposed on the site is a 240 unit apartment dwelling group. The existing zoning on the site is "BB" Residence, First Height and Area. Subdivision is to the east and predominantly undeveloped. "BB" and "B" Residence zoning has been granted on large undeveloped tracts to the south of Rutland Drive. The City limit line is located along the north and west property lines of this tract.

CP14-70-015 Colonial North Apartments, Inc.--contd.

The site plan has been circulated to the various City departments and the comments are as follows:

1. Electric
 2. Fire Prevention
 3. Storm Sewer
 4. Water and Sewer
- Easements required at a later date.
- Install required fire extinguishers as buildings are completed.
- Plat complies.
- Sanitary sewer service is available from the existing main running to the northeast portion of the property and the proposed main in Rutland Drive to the southeast of the property.
- Water service is available from the proposed main in Rutland Drive. Two additional fire hydrants will be required. One will be on the curb return southeast of Bldg. 405. The second will be on the curb return southeast of Bldg. 409. It will be required to run a six (6) inch main from the proposed stub southwest of Bldg. 404 through the sidewalk area north of Bldgs. 402 and 403, turning northerly through the sidewalk area west of Bldgs. 405 and 409, and then turning westerly through the sidewalk area north of Bldgs. 406 and 407 to tie into the proposed stub southwesterly of Bldg. 408. Fire demand meters will be required if a combined fire and domestic system is used.
5. Fire Protection
- The recommended fire hydrants and water mains are indicated in red. We recommend that these fire hydrants be placed with the 4" opening facing the drive and that it be 18" from the center of the 4" opening to the finished grade. We also recommend that these fire hydrants be in service before construction is started (if possible) so that we may furnish better fire protection.

CP14-70-015 Colonial North Apartments, Inc.--contd.

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|-----------------------|---|
| 6. Traffic Engineer | -- O.K. |
| 7. Building Inspector | -- (1) If building #11 and #21 are accessory buildings, 90 foot setbacks are required from south property line on Rutland Road. (2) Four foot high solid fence is required where any parking area is adjacent to property developed for a residential use.
(3) Does not include Building Code approval.
(4) A restrictive covenant was attached to the Zoning change to "BB" which states no more than 240 units may be constructed on the property. (as requested) |
| 8. Public Works | -- No objections. |
| 9. Health | -- Approved: subject to waste water system being available. |
| 10. Advanced Planning | -- No objections. |
| 11. Tax Assessor | -- 2-4412-0438 Taxes are paid through 1969. |

The staff recommends in favor of this request.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

None

SUMMARY OF TESTIMONY

No one appeared in favor of or in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, subject to compliance with departmental reports.

The Commission discussed the screening requirement made by the Building Inspector's office, but agreed that the applicant is responsible for compliance with any of the departmental reports.

CP14-70-015 Colonial North Apartments, Inc.--contd.

They then unanimously

VOTED: To APPROVE the request of Colonial North Apartments, Inc. for a 240 unit apartment dwelling group for property located at 1620-1722 Rutland Drive subject to compliance with departmental reports and authorized the Chairman to sign the necessary resolution upon completion.

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 10 days following the decision of the Planning Commission.

CP14-70-016 Francis Cox: Kindergarten
4808 Westfield

STAFF REPORT: This is a request for a kindergarten on a lot containing 8,625 feet located at 4808 Westfield Drive. This entire area is zoned "A" Residence and developed with single-family homes. Mo-Pac Railroad borders this site to the rear. Ten feet of land along the applicant's rear property line has been deeded to the City for Mo-Pac right-of-way. Access is limited to this location on Westfield Drive due to the termination of Westfield by Mo-Pac crossing at Hancock Drive to the north. This presents some ingress, egress problems to the property. This request was filed under Section 4, Sub-Section 8, Paragraph B of the Zoning Ordinance of the City of Austin, Texas.

The site plan has been circulated to the various City departments and the comments are as follows:

- | | |
|------------------------|---|
| 1. Electric | -- No easements required. |
| 2. Fire Prevention | -- No recommendations. |
| 3. Storm Sewer | -- Plat complies. |
| 4. Water and Sewer | -- Water and Sanitary Sewer service are available from the existing mains in the adjacent street. No additional fire protection will be required. |
| 5. Fire Protection | -- Existing fire protection facilities are believed to be adequate. |
| 6. Traffic Engineer | -- O.K. |
| 7. Public Works | -- No objection. |
| 8. Building Inspection | -- (1) It appears that loading and unloading of children would have to be from the street. |
| | (2) The facility and site shall be approved by the Texas State Department of Public Welfare. |
| | (3) Does not include Building Code approval. |
| | (4) The Zoning Ordinance does not include the proposed use in the parking schedule. If parking is determined necessary, this office requests the Planning Commission to establish number of spaces. |

CPI4-70-016 Francis Cox--contd.

- | | |
|-----------------------|---|
| 9. Health | -- No Objections. Waste water system to be available. |
| 10. Advanced Planning | -- (1) 10 feet ROW is needed along the west property line for Mo-Pac Blvd.
(2) Revised site area will permit 12 children.
(3) Privacy screening desirable along north and south property lines where they are adjacent to the play area.
(4) Children's play area must be designated on the site plan. |
| 11. Tax Assessor | -- 1-2800-0115 Taxes are paid through 1969. |

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

Mrs. Stanley Leishner: 4904 Westfield Drive	AGAINST
Mrs. Don L. Pavlik: 4812 Westfield Drive	AGAINST
Mrs. Rita Whaiti	AGAINST
Bonnie Burns: 4804 Westfield Drive	AGAINST
Mrs. Richard P. Kissinger: 4802 Westfield	AGAINST
Tommie Howell: 3003 Village Drive	AGAINST
James A. Thurman: 4800 West Francis Place	AGAINST
Ralph Whaite: 4810 Westfield Drive	AGAINST

SUMMARY OF TESTIMONY

No one appeared in favor of the request.

Mr. James H. Thurman, 3800 West Francis Place, appeared at the hearing and stated that he has lived in the area for 18 years and is strongly opposed to any commercial use of any part of this neighborhood. This neighborhood was developed as a single-family neighborhood and any such proposal as this would only endanger the neighborhood children who are already in this area. The streets are narrow. The protection from the increased traffic, parking, loading and unloading would certainly be a real problem. Ingress and egress is limited due to the blocking of Westfield Drive at Hancock. This is a residential neighborhood, developed as such and not as a commercial neighborhood. The negative effect on the values of the near and adjacent property speaks for itself and Mr. Thurman objects to it.

CP14-70-016 Francis Cox--contd.

Mr. Tommy Howell appeared and stated that he reiterates what Dr. Thurman said about safety for the children and the narrowness of the streets. There is considerable on-street parking and the area immediately below the area in question in all adjacent six houses, there are numerous small children already in the neighborhood and this would jeopardize the safety of the children in the neighborhood by the increased traffic. There is considerable traffic on Hancock Drive and will be more when the new overpass is completed, and any additional commercialization in this area would seriously impair the safety of this area.

Mrs. Lucy Kissinger, 4802 Westfield, appeared at the hearing and stated that there are 22 children under the age of 10 all along Village Street and five homes up beyond the applicants home and across the street. This is a very dangerous corner. The main concern is safety. The Mo-Pac going through the back of the property will devalue it. A nursery school put in now will be very hard on the people of the area and some consideration should be given to the devaluation of the property by these two things.

Mr. Ralph Whaite of 4810 Westfield stated that it is going to be a safety factor for the children to not have this public nursery. There are 22 children within the block that are in the second grade or under. During the rush hour traffic parents will be picking up their children when the children in the neighborhood are out playing. There is a devaluation of property. Once a commercial enterprise moves into the neighborhood it would open the door for more.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied because of inadequate parking on the site, limited access to the area, and increased safety hazard from traffic in the neighborhood.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To DENY the request of Francis Cox for a kindergarten for property located at 4808 Westfield.

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 10 days following the decision of the Planning Commission.

CP14-70-017 Dr. Greg B. Millett: Day Care Center and Kindergarten
4702 Valley Oak Drive

STAFF REPORT: This is a request for a day care center within an "A" Residence district developed with single-family homes. The site is an area with 15,566 square feet of land. This same applicant was denied a special permit for the same use five lots north last month. The staff was informed of existing deed restrictions on the property. The applicant has requested that this application

CP14-70-017 Dr. Greg B. Millett--contd.

be withdrawn due to a court injunction ordering the termination of a day care center activity. This was a verbal statement and the Department has requested a written statement to this effect.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

Al Davis: 4704 Valley Oak
Nearby property owner

AGAINST
AGAINST

SUMMARY OF TESTIMONY

No one appeared in favor of the request.

Mr. Al Davis, 4704 Valley Oak, appeared at the hearing and stated that he lives next door to the proposed kindergarten. He opposes this mainly because of the deed restrictions and within the block is the Highland Park Elementary School which has about 800 students. Traffic in the area is already too bad.

One nearby property owner stated that the congestion around the school and neighborhood is terrific. There are deed restrictions on the property. The neighborhood as a whole objects. It would overburden the traffic. It would do everything that the Planning Commission set out to prevent.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be denied on the basis of an inadequate site plan, inadequate parking provision and the creation of a detriment to the integrity of the neighborhood.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To DENY the request of Dr. Greg B. Millett for a day care center and kindergarten for property located at 4702 Valley Oak Drive.

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 10 days following the decision of the Planning Commission.

CPI4-70-018 Ray Shaw: Mobile Home Park
2110-2202 Thrasher Lane

STAFF REPORT: This request has been filed under Section 5-B, Sub-Section A of the Zoning Ordinance of the City of Austin, Texas, and is for a mobile home park on 2.56 acres of land located at 2110-2202 Thrasher Lane. This area is "A" Residence and developed with single-family homes on lots 300 to 500 feet in depth. The site plan has been circulated to the various City Departments and the comments are as follows:

- | | |
|-----------------------------|---|
| 1. Fire Prevention | -- Provide fire protection as required by the Fire Code. |
| 2. Storm Sewer | -- Plat complies. |
| 3. Water and Sewer | -- Sanitary Sewer service is available from the existing main in Thrasher Lane. Water service and additional fire protection will require that a six (6) inch main with valves be run from the existing six inch main in Riverside Drive to the southern property line of said tract. A fire hydrant will be required on the northern corner of the intersection of the proposed street and Thrasher Lane. |
| 4. Fire Protection | -- The recommended water main and fire hydrant is indicated in red. |
| 5. Electric | -- Easements required as indicated. |
| 6. Traffic Engineer | -- See site plan. |
| 7. Building Inspector | -- 1) Four foot high solid fence required where any parking area is adjacent to property developed for a residential use. (2) One paved off-street parking space is required for each trailer with paved access to such parking spaces. (3) Office and club house require building permits. Present zoning is "A" Residence. (4) Unless proposed "LR" zoning is acquired recommend disapproval. (5) Does not include Building Code approval. (6) Short form subdivision required. |
| 8. Director of Public Works | -- No objections. |
| 9. Health | -- No objections. Waste water system to be available. |
| 10. Advanced Planning | -- 1) Short form subdivision and dedication of 5 feet of ROW along Thrasher Lane required before permit can be issued.
2) "Proposed Streets" should be labeled "Private Driveways" since they are not to be dedicated. |

CP14-70-018 Ray Shaw--contd.

10. Advanced Planning--contd.

-- 3) Privacy screening needed along north, west and south property lines with a 4 foot solid fence required where driveways abut the north and south property lines.

4) "LR" Local Retail zoning should be restricted to mobile home residential use.

11. Tax Assessor

-- 3-1014-0158 & 0168 Taxes are paid through 1969.

The staff recommends this special permit.

TESTIMONY

WRITTEN COMMENT

None

PERSONS APPEARING AT HEARING

None

SUMMARY OF TESTIMONY

No one appeared in favor of or in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that this request should be granted, subject to compliance with departmental reports and subject to granting of the zoning by the City Council.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To APPROVE the request of Ray Shaw for a mobile home park for property located at 2110-2202 Thrasher Lane and authorized the Chairman to sign the necessary resolution upon completion.

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 10 days following the decision of the Planning Commission.

CP14-70-019 Sid Jagger: Townhouse
6401-6409 Northeast Cove
6400-6406 Northeast Cove
2701-2703 Northeast Drive

STAFF REPORT: The subject tract has an area of 3.5 acres and is being proposed for townhouse development. The land use in the neighborhood is predominantly

CP14-70-019 Sid Jagger--contd.

single-family. To the west on Northeast Drive is Pierce Junior High School. Immediately across the street from the school is a church. The adjacent land to the west on Auburn Drive is being developed for duplexes. To the north of Northeast Drive are single-family dwellings on Auburnhill and Auburndale, and to the east along Northeast Drive is single-family development. All of these streets, with the exception of Northeast Drive are minor residential streets. Northeast Drive is a neighborhood collector street with 80 feet of right-of-way. Topography in the area varies considerably. Land along Auburn Drive at the rear property line is approximately 20 to 30 feet above land in the subject tract. Immediately to the south along Northeast Cove topography again drops to a creek at the south property line of the subject tract, and again this drop is about 20 to 30 feet in elevation. Zoning in the area is "A" Residence which does permit townhouse development, as well as single-family development. Townhouses are permitted on the subject tract with a special permit and with subdivision. The Townhouse Ordinance was adopted in 1967 by the Council. It was written to permit what we might call compressed single-family subdivisions; that is, single-family units on small lots. The minimum lot size in "A" Residential tracts for townhouses is 3500 square feet per unit, and is the same density as duplex development. With this intent of the Ordinance, it was necessary to review this proposal as it relates to the City's Ordinance for single-family development. The staff can support townhouse development in this area and on this tract for several reasons. The site is located on a major collector street with 80 feet of right-of-way. There is duplex development immediately adjacent to the west. The topography restricts effective use of the land by normal subdivision because of its topographical change. There is separation between subject tract and the surrounding land; the lots to the south front on Bristol and back up to a very deep creek; the lots which front on Auburn are 20 to 30 feet in elevation above the subject tract and the development across the street to the north of Northeast Drive has the separation of a neighborhood collector street. There is abundant tree coverage along the creek and on the tract itself there is a small ridge which extends in a north-easterly direction with the cul-de-sac circling around behind it. The plan as submitted, which you have before you, is not recommended by the Department. There are several conflicts between the development as proposed and the requirements of the Zoning Ordinance. Several of the townhouses at the end of Northeast Cove do not have frontage on a dedicated and developed public street, which is the intent of the Ordinance. They do front on a right-of-way, but it is unusual in shape and does not include in the improvement. The units along Northeast Drive north of the cul-de-sac have 50 per cent or more of the yard space in parking or driveways and is in conflict with the Ordinance. The group of four units on the south of the cul-de-sac have the same problem. The easternmost driveway does not meet the Ordinance requirements. There are 16 head-in parking spaces on the cul-de-sac that fall within the right-of-way; this is not permitted under the Ordinance. The one driveway which serves the units backing to Northeast Drive and the six units adjacent and to the south is limited and would likely require backing out into the drive the full distance. Building No. 105 has no parking assigned to the lot. There are a number of lots within the development which will require a perpetual easement of some type to enable other property owners to cross in order to get from the street back to the unit. The staff has met with the architects and the developer and they

CP14-70-019 Sid Jagger--contd.

have submitted a revised site plan. The long strip of units at the end of the cul-de-sac, have been broken so that there is frontage with six units at the end of the cul-de-sac and the remainder are along the north side of the cul-de-sac. The staff feels that this meets the requirements of the Ordinance, but there are problems with respect to the right-of-way frontage on certain lots; however, these can be worked out. The units referred to in the second comment have been reversed so that the parking now falls within the tract as opposed to along Northeast Drive and the units will front on Northeast Drive. The group of four townhouses along the south right-of-way on Northeast Cove still have the problem of 50 per cent or more of the lot in driveway or parking and would be subject to the Board of Adjustment review. Because of the topographical situation the staff could support that situation. The driveway at the east end has been increased to the minimum required under the Ordinance, which is 18 feet. Sixteen parking places which were parking spaces not required have been removed in the revision, at least on the cul-de-sac. They may have been added at the back; however, the applicant will speak to that. The access to these units has been improved. There is the driveway along the north property line but a very small turnaround within the driveway itself, which provides for the internal circulation. In the revision of the plat a walkway has been provided through the development into the common recreation area which is the area along the creek. This answers the various problems with the six units on that corner. The project has been reduced from 38 units to 36 units. With respect to the particular problem of meeting the frontage requirements on the cul-de-sac, which may result in a reduction of one unit. The staff can recommend the revised plan as submitted.

Mr. Hoyle M. Osborne, Director of Planning for the City, discussed briefly the history of townhouse development in the City and the neighborhood involved. He explained the arrangement of a townhouse and the use of the common recreation area, stating that an important factor in issuing a special permit is the health, welfare and safety of the neighborhood. He explained the general layout of this proposed development, and stated that it was reasonable and was recommended by the Planning Commission.

The site plan has been circulated to the various City Departments and the comments are as follows:

1. Electric -- Easements required at a later date.
2. Fire Prevention -- Install required fire extinguishers as buildings are completed.
3. Water and Sewer -- Sanitary sewer service is available from the existing main in Northeast Drive and the existing main running through an easement in the southwestern portion of the property to Northeast Cove.
Water service is available from the existing mains in Northeast Cove and Northeast Drive.
Two additional fire hydrants will be required.

CPI4-70-019 Sid Jagger--contd.

Water and Sewer --contd.

-- One will be on the sidewalk area north-westerly of Bldg. 125 and the second will be easterly of Building 124. A six (6) inch main with valves will be required to be run from Northeast Drive through the proposed parking area on the west side of the property, turning easterly between Bldgs. 124 and 125 and then northeasterly to tie to the existing four inch main in Northeast Cove. Fire demand meters will be required if a combined fire and domestic system is used.

4. Fire Protection

-- The recommended water main and fire hydrants are indicated in red. It is our belief that this property was zoned residential and the 4" stub was placed in Northeast Cove with this in mind. We believe that by placing the two fire hydrants on the 6" main and using the 4" stub to complete the loop we will have satisfactory water flow.

5. Traffic Engineer

-- There are many problems associated with this development, the most serious is the matter of access to each individual townhouse.

6. Health

- No objections. Waste water system to be available.

7. Building Inspector

-- (1) Short form subdivision required. Platting individual lots to size and square footage requirements specified by the town house requirements of the Zoning Ordinance.
(2) A wall or solid fence, not less than 5 feet in height shall be required on side lot lines where the required private yard adjoins said lot lines.
(3) Some buildings appear to be closer than 25 feet to the front street line, however, the Ordinance states the Commission may approve a setback of 10 feet when said buildings are located on a minor street not classified as a collector, arterial,

CP14-70-019 Sid Jagger--contd.

7. Building Inspector--contd. -- or expressway and when the reduced setback will not in their opinion detrimentally affect existing or proposed development adjacent to and across the street and within 200 feet on each side of the area of proposed reduction of setback within the project.
 (4) The Ordinance requires one covered space for each townhouse. Such space must be located on the individual townhouse lot. Building No. 105 does not meet this requirement, and Building No. 102 has its carport or covered space almost entirely on another lot.
 (5) No parking shall be provided in the front 15' of a townhouse lot.
 (6) No driveway located in the front yard of a townhouse lot shall exceed 50 per cent of the lot width.
 (7) Does not include Building Code approval.
 (8) More information will be needed concerning location of covered parking spaces; also maneuvering room and accessibility for such spaces (it appears that property lines would have to be crossed to get to individual parking spaces).
8. Storm Sewer -- Architect to regrade existing ditch to four foot bottom and 3 foot depth. Plat complies otherwise.
9. Tax Assessor -- 2-2221-0505 thru 0512 Taxes are paid through 1969.
 2-2422-9903, 0904, 0905 Taxes are paid through 1969.
10. Director of Public Works -- Would recommend a driveway easement from Northeast Drive southerly along the north and west property lines of tract to serve units 116-128. Need a covenant, satisfactory to the City, providing for the perpetual care and maintenance of the unpaved portion of Northeast Cove. I have no objection to the head-in parking on Northeast Cove since it is a "dead-end" street.

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CP14-70-019 Sid Jagger--contd.

11. Advanced Planning

- (1) Resubdivision of subject tract required.
(2) Townhouses 116-118 and 125-128 do not have full frontage on an acceptable 50 foot dedicated and developed public street.
(3) Townhouses 106-115 have more than the maximum 50 per cent of the width of the front yard paved for driveways and parking (Sec 5/C).
(4) Townhouses 129-132 have more than the maximum 50 per cent of the width of the front yard paved for driveways and parking (Sec 5/C).
(5) Easternmost driveway exit onto Northeast Drive is not the minimum 18 feet wide.
(6) The 16 head-in parking places on the cul-de-sac lie within the right-of-way and are not recommended.
(7) Driveway terminating at Unit #105 provides inadequate vehicular circulation.
(8) Unit #105 does not have the required (one) on-site covered parking space.
(9) Provisions needed for all driveways that lie within the townhouse lots as perpetual access easements.

TESTIMONY

WRITTEN COMMENT

Petition with 89 signatures
Henry L. Douglas: 6400 Walnut Hills Drive

AGAINST
AGAINST

PERSONS APPEARING AT HEARING

Richard Baker: 900 Brown Bldg.
Mr. & Mrs. Aurelis G. Gutierrez: 6502 Auburndale
Norman Brockmeier: 6500 Auburndale
Mrs. L. L. Beeson: 6508 Auburndale
Eugene C. Volcik: 6311 Walnut Hills
Margaret Moncrief: 2802 Northeast Drive
Martha Hamner Haar: 6601 Auburndale

FOR
AGAINST
AGAINST
AGAINST
AGAINST
AGAINST
AGAINST

CP14-70-019 Sid Jagger--contd.

Mr. & Mrs. Rudolph M. Eichorn: 6607 Auburndale	AGAINST
Mrs. Vincent Swenson: 6605 Auburndale	AGAINST
Mr. & Mrs. Richard F. Griggs: 6101 Friendswood Drive	AGAINST
Mrs. Margie May: 6500 Auburnhill	AGAINST
Mr. & Mrs. V. P. Lehman: 6207 Breeze Way	AGAINST
Mrs. J. Leo (Thelma) Curlee: 6100 Friendswood Drive	AGAINST
Mr. & Mrs. Harvey S. Herring: 6501 Friendswood Drive	AGAINST
Mr. & Mrs. Lee J. Hesler: 2811 Vernon	AGAINST
Mrs. Lottie Bohls & Carol Bohls: 2807 Vernon Avenue	AGAINST
C. M. Dowd: 6601 Auburnhill	AGAINST
Mr. & Mrs. L. H. Prodgehl: 6600 Auburndale	AGAINST
Gordon Fleisch: 6503 Auburnhill	AGAINST
George M. Kelley: 6508 Auburndale	AGAINST
Mrs. Don Becker: 6505 Auburnhill	AGAINST
Jean F. Fleisch: 6503 Auburnhill	AGAINST
Mr. & Mrs. Jerome Young: 3011 Northcrest Drive	AGAINST
Mr. & Mrs. Doyle T. Wheeler: 3008 Northeast Drive	AGAINST
Mr. & Mrs. Marcel Rocha: 6204 Arnold Drive	AGAINST
Dan Watson: 6502 Auburnhill	AGAINST
Mr. & Mrs. Jack W. Stearman: 6603 Auburndale	AGAINST
Kenneth S. Meyer: 6607 Auburndale	AGAINST
Janice A. Flook: 6613 Auburndale	AGAINST
Mrs. Robert A. Reynolds: 6602 Auburnhill	AGAINST
Mrs. G. R. Gustafson: 6510 Auburnhill	AGAINST
Mr. & Mrs. Bill B. Briggs: 6313 Walnut Hills Drive	AGAINST
Mrs. Joy Davenport: 6507 Auburnhill	AGAINST
Estelle Scherr: 6609 Auburndale	AGAINST
Mr. & Mrs. F. B. May: 6504 Auburnhill Drive	AGAINST
Mr. & Mrs. Edward Neal: 6501 Auburnhill Drive	AGAINST
Donna Erwin: 6507 Auburnhill	AGAINST
Mr. & Mrs. F. W. Savage: 6600 Auburnhill Drive	AGAINST
Paul Smith (attorney for residents opposing)	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Richard Baker represented the applicant, Mr. Jagger. He discussed the topography of the proposed site and pointed out the close proximity of duplex development. It is the intent of the developer that these units be strictly for family use. There will be twenty-six 3-bedroom, six 2-bedroom and four 4-bedroom units. Dwelling units will have up to 4,000 square feet of space with three parking spaces for each unit. The topography of the site was discussed. The creek bed will be cut and filled to be used for the common area and will consist of playground, swimming pool, etc. The contract states that this area must be taken care of by the tenants so that it will be maintained. The proposed development is a secluded and self-contained area.

Mr. Bill Scutter, architect, discussed the type of architecture to be used. The layout of the individual apartments stresses family occupancy. Several of

CPI4-70-019 Sid Jagger--contd.

the units have both front and rear fenced yards. The value of the individual townhouses will be approximately the same as the single-family residences in that area. The feasibility of selling the townhouses was discussed.

Arguments Presented AGAINST:

Mrs. Paula Smith presented a petition with signatures of 100 property owners in the area of Walnut Hills and Auburn Circle. She stated that Walnut Hills had been in existence for 18 years, with the average value of the homes at \$20,000. Auburn Circle development began in 1963. The homes there are valued from \$26,000 to \$36,000. The petitioners feel that they live in an unusually attractive and convenient area of the City and that the traffic and noise generated by a multi-family dwelling would be highly detrimental to the area. This type of development is not in harmony with the neighborhood. Traffic conditions would seriously affect the safety of children walking to school. Two children have been hit by cars in the past in this area. These occupants would have to use the northern driveway which is on a blind curve, directly below the top of the hill. If these are to be family housing, the additional children will be in danger from the traffic. She stated that the area designated for play area is very marshy and boggy, that flooding is common and that this would not be a safe location for a play area.

A resident of the area discussed the danger involved in picking up children from the schools and that traffic patterns are very bad. The obtaining of signatures for petition to the City for remedy of this situation was discussed, also it was stated that the area residents do not like the appearance of the duplex development.

Dan Watson stated his concern for the children going to school, as Northeast Drive is busy and there are no sidewalks.

Janice Locke, 6613 Auburndale, stated that the development would create an attraction for children to cross the street at two very dangerous spots.

Bill Briggs, 6313 Walnut Hills Drive, stated that the development would create a slum and devalue the property in that area.

Janice May, 6405 Auburn Hill Drive, introduced photographs showing two homes in the area, stating that one of the City's plus factors is the availability of land. The increased traffic would be very hazardous. It is requested that the area be rezoned to "AA" Residence.

Norman Brockmier, 6500 Auburndale, stated a child had been hit by an automobile in front of his home. He also pointed out that there are 140 children in that area using the schools and opposes the development due to traffic hazard.

Marcel Roach, 6204 Arnold Drive, commented on the problem of the traffic, particularly trucks, with children walking in the area.

CP14-70-019 Sid Jagger--contd.

Bob Reynolds, former principal of Pierce Junior High School, stated that the creek bed designated for play area receives drainage from the school, making it unsafe for a play area.

Dr. Jack Moncrief stated that the creek floods to a width of 15 feet and would engulf the designated play area.

Aubrey Smelser, 6506 Auburndale, stated that the only reason he bought a home in the area was that the zoning permitted single-family residences only.

Edward Neal, 6501 Auburnhill explained that he lives across the street from the duplex development and that he was assured when he bought his property that it would be developed into single-family residences only and that the surrounding owners did not know about the duplex development until it went up. He also stated that Pierce Junior High School has 1200 students and Andrews Elementary has 600 students.

James Shy, 6505 Auburndale, a student at Pierce Junior High School, appeared to voice his concern about the traffic hazard to students walking to school in the area.

George Kelly, property owner, stated that he had spent months selecting this section of Austin in which to purchase land, and strongly objects to this development.

Nick Rodel, 6600 Auburndale, recounted the difficulty of obtaining a permit to build a carport because of his handicapped son, stating that he had been assured that this area would be nothing other than single-family units and that he felt the development would harm the neighborhood, the property and the people.

Arguments Presented IN REBUTTAL:

Mr. Richard Baker affirmed the fact that the development would increase traffic, stating that this street is an arterial with 80 feet of right-of-way and that many comparable streets in the City have more units than what is being proposed. He stated that the former developer was not contacted regarding the use of the land; Mr. Jagger bought it for townhouse development and he would develop it in accordance with the Zoning Ordinance and the requirements of the City Planning Commission. He stated that the tract is separated from adjoining property owners and that effort has been made to keep the residents from backing out on Northeast Drive. He further stated that engineers have been over the creek area and feel that it can be used in this way.

There was discussion on the need for sidewalks in the area.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded that the decision on this application should be referred to the full Commission in order to give the Planning Commission members an opportunity to visit the site and examine

CP14-70-019 Sid Jagger--contd.

the topography of the ground. They further recommended that a study of the problems be made by the Traffic and Transportation Department and the Department of Drainage and a report submitted to the Commission so that all of the facts will be ascertained before a recommendation is made.

A motion was made to recommend to the Planning Commission that this request be postponed for 30 days.

Mr. Richard Baker appeared at the hearing and stated that an agreement can not be reached between the applicant and the nearby property owners and thus the applicant is asking for a postponement for 30 days in order to develop an alternate plan for the site.

At the time of the Zoning Committee hearing the public hearing was closed. The Commission will at the July 14, 1970, Planning Commission hearing make a decision only and not have a public hearing.

The Commission then unanimously

VOTED: To POSTPONE for 30 days the request of Sid Jagger, for a 38 unit townhouse development for property located at 6401-6409 Northeast Cove, 6400-6406 Northeast Cove and 2701-2703 Northeast Drive.

SUBDIVISIONS

R146 SUBDIVISION COMMITTEE

The Committee Chairman reported action taken on the subdivisions at the meeting of May 25, 1970, and requested that this action be spread on the minutes of this meeting of the Planning Commission. The staff reported that no appeals have been filed from the decision of the Subdivision Committee and that no subdivisions were referred to the Commission.

PRELIMINARY PLANS

C8-69-99 Imperial Valley, Section 2
FM Road 969 - Imperial Drive North

The staff reported that the preliminary plan has been requested for re-approval and the staff recommends that the request be granted. The Commission then unanimously

VOTED: To RE-APPROVE the preliminary plat of IMPERIAL VALLEY, SECTION 2.

C8-69-100 Brookwood
Alf Avenue and Brookwood

The staff reported that this is a request for the re-approval of the preliminary plan of Brookwood and this is also a request for a variance on the drainage requirements.

C8-69-100 Brookswood-contd.

Mr. Foxworth read the following letter from Mr. Cal Marshall:

"In accordance with Section 23.47 of Code of the City of Austin, 1954, I request that the requirements of the Department of Public Works for certain Storm Sewers and lined channels in the proposed Brookswood subdivision.

The Department of Public Works new policy requires approximately 370 feet of 42" Concrete Storm sewer along all avenues through the subdivision and 425 feet of concrete lined channel along the north boundary of the subdivision parallel to Sara Drive. Neither of these facilities are necessary to convey storm water off of the proposed subdivision; each is hauling water from the west through the subdivision. The drainage system the 42" Storm sewer is to serve is non-existent, it is all on the surface and the City does not have any plans to construct any in the foreseeable future. The Channel is not only not lined on either side of the subdivision, but is too small to carry the storm water. The City owns the property to the east, and while it plans to enlarge the Channel sometime in the future, it does not plan to line the Channel due to a lack of funds.

It is estimated that the cost of these improvements will be:

370 lf. 42" Reinforced Concrete Pipe	at \$17.00	= \$6,290
565 sy. 4" Concrete Lining	at \$10.00	= \$5,650
		<u>\$11,940</u>

Brookswood is being developed for low cost homes on fifty foot lots and the cost of these drainage improvements will not add \$200.00 to the value of the lots.

We would propose to provide an unlined, open Channel of adequate hydraulic section in lieu of the 42 inch storm sewer along Alf Avenue and the lined Channel along Sara Drive."

Mr. Reeves asked if the City Engineer has seen and approved this request.

Mr. Tom Watts appeared on behalf of this request and stated that this subdivision is not final. Mr. Cal Marshall has not yet undertaken the engineering but has talked with Mr. Graves of the Public Works Department and made several proposals which Mr. Graves agreed to.

Mr. Foxworth read the section of the Subdivision Ordinance concerning the waiving of drainage requirements. He then read three letters from realtors which were received by the department, concerning enhancement in value due to such drainage improvements.

C8-69-100 Brookswood--contd.

"It is our opinion that the lots as proposed in Brookswood, a proposed subdivision on Alf Avenue east of Berger Street would not be enhanced in value with the installation of Storm Sewers along Alf Avenue and a lined channel along Sara Drive. The estimated cost of \$11,940 for these improvements can not be absorbed into the cost of a development of this nature."

Mr. Taniguchi asked what price range homes this area would include.

Mr. Cal Marshall indicated that the homes would range in price from \$10,000 to \$12,000.

The staff recommends that the request for re-approval be granted. The Commission then unanimously

VOTED: To RE-APPROVE the preliminary plan of BROOKSWOOD and grant a variance on the drainage requirements, not requiring storm sewer pipe and not requiring concrete lined ditches.

C8-69-45 Westover Hills, Section 7
Steck & Balcones

The staff reported that this is a request for the re-approval of this preliminary plan, and the staff recommends that the request be granted. The Commission then

VOTED: To RE-APPROVE the preliminary plan of WESTOVER HILLS, Section 7.

SUBDIVISION PLATS - FILED AND CONSIDERED

The staff reported that the following final plats have previously been before the Commission and were accepted for filing and disapproved pending technical items which are requirements of the Ordinance, and have been given approval by the staff in accordance with the Commission's amended rules and regulations. The Commission then unanimously

VOTED: To ACCEPT the staff report and to record in the minutes of this meeting the APPROVAL of the following final plats:

- C8-69-72 Northcape, Section 3
Northcape Boulevard and Hansford
- C8-69-106 Country Club Gardens, Section 6
Carnation Terrace and Begonia Terrace
- C8-68-74 South Creek, Section 1
Bluff Springs Road and Bitter Creek Drive
- C8-69-115 Cardinal Hills Estates, Unit 11
FM Road 620

SUBDIVISION PLATS - FILED AND CONSIDERED--contd.

C8-69-51 Westwood, Section 5
 Blue Ridge and Grey Fox
C8-69-107 Vista West Section 1
 Greystone Drive and Deepwood Drive

The staff reported that this is the first appearance of the following final plats before the Commission and recommended that they be accepted for filing and disapproved pending compliance with departmental requirements. The Commission then unanimously

VOTED: To ACCEPT for filing and DISAPPROVE the following final plats pending the requirements as indicated:

C8-69-99 Imperial Valley, Section 2
 FM Road 969 -- Imperial Drive North
C8-69-34 Green Oaks, Section 1
 Brodie Lane and Riddle Road
C8-68-39 Manor Estates - Revised
 Manor Road and Sweeney Lane
C8-70-39 Hillside Springs
 Yellow Sage and Green Meadows
C8-70-34 Cardinal Hills, Unit 15
 R. R. 620 and Lariat Drive

C8-70-37 South Towne Plaza, Section 1
 I. H. 35 and Royal Hill Drive

The staff reported that this is the first appearance of this final plat before the Commission and recommended that it be accepted for filing and disapproved pending compliance with departmental reports and a fiscal letter for sidewalks. The Commission then unanimously

VOTED: To ACCEPT for filing and DISAPPROVE the final plat of SOUTH TOWNE PLAZA, Section 1 pending the requirements as indicated.

C8-70-38 Southtree Creek Estates, Section 1
 Brodie Lane and Eskew Parkway

The staff reported that this is the first appearance of this final plat before the Commission and recommended that it be accepted for filing and disapproved pending compliance with departmental reports, a fiscal letter on sidewalks, annexation and availability of sanitary sewer. The Commission then unanimously

VOTED: To ACCEPT for filing and DISAPPROVE the final plat of SOUTHTREE CREEK ESTATES, Section 1 pending the requirements as indicated.

C8-70-57 Johnston Terrace, Section 5
Lott Avenue

The staff reported that this is the first appearance of this final plat before the Commission and that all departmental reports are lacking.

Mr. Foxworth read the following letter from Mr. Tom Watts:

"As Engineers for Mr. Cal Marshall, owner of Johnston Terrace Section Five, we hereby request a variance from the subdivision ordinance, if required, to permit us to eliminate the tract shown on the Plat at the end of Lott Avenue from the Final Plat. This tract would then simply remain as unsubdivided land."

Mr. Foxworth indicated that this is a final plat based on the preliminary approval.

The problem is in relation to the drainage easement and drainage structure requested across the creek so that it can tie in with Sara Drive. Mr. Cal Marshall has been discussing this with the staff and Public Works and there are two alternatives:

1. This area can be deeded to the City. However, Mr. R. Rountree did not wish to accept a deed.
2. It can be requested that the balance of the tract be left out of this section of the subdivision.

Mr. Kinser asked if the street can be extended through the cul-de-sac.

Mr. Foxworth indicated that it could be extended.

The Commission discussed the request and after further consideration

VOTED: To ACCEPT for filing and DISAPPROVE the final plat of JOHNSTON TERRACE, Section 5, pending compliance with departmental reports, granting a variance to exclude the balance of the tract next to the creek.

C8-68-27 Palamino Park, Section 5
Brodie Lane

The staff reported that this is a request to vacate the plat. Previously all requirements were not in but now the requirements are all in and have been met. The staff recommends that this plat be vacated. The Commission then unanimously

VOTED: To VACATE the final plat of PALAMINO PARK, Section 5.

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SHORT FORM PLATS - FILED AND CONSIDERED

C8s-70-39 Ostrov Addition Resub.
Island Way

The staff reported that this short form plat has complied with all departmental requirements, has met all requirements of the Ordinance and is recommended for approval. The Commission then unanimously

VOTED: To APPROVE the short form plat of OSTROV ADDITION RESUB.

C8s-70-97 A. B. Dittmar Sub. #2
W. Dittmar Road

The staff reported that this is the first appearance of this short form plat and all departmental requirements are lacking. There is a request to exclude the balance of the tract and the staff recommends in favor of the variance. The Commission then unanimously

VOTED: To ACCEPT for filing and DISAPPROVE the short form plat of A. B. DITTMAR Subdivision #2 pending compliance with departmental requirements, granting a variance to exclude the balance of the tract.

C8s-70-98 Edmondson Addition
Scenic Loop

The staff reported that this is the first appearance of this short form plat before the Commission and requested that it be accepted for filing and approved, recommending the granting of a variance on the signature requirements of the adjoining property owners and a no-occupancy restriction on the plat. The Commission then unanimously

VOTED: To ACCEPT for filing and DISAPPROVE the short form plat of EDMONDSON ADDITION subject to a no-occupancy restriction being placed on the plat, and granting a variance on the signature requirements of the adjoining property owners.

The staff reported that this is the first appearance of the following short form plats and recommended that they be approved, as all requirements have been complied with. The Commission then unanimously

VOTED: To ACCEPT for filing and APPROVE the following short form plats:

C8s-70-94 Robertson-McCullough Addition
Airport Boulevard and Gunter
C8s-70-99 Jackson-Davis Addition
Brown Lane
C8s-70-101 De Berry Subdivision, Sec. 2
Bolm Road

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SHORT FORM PLATS - FILED AND CONSIDERED

The staff reported that this is the first appearance of the following short form plats and all requirements have not been complied with, and recommended that they be accepted for filing and disapproved pending compliance with departmental reports. The Commission then unanimously

VOTED: To ACCEPT for filing and DISAPPROVE the following short form plats pending compliance with departmental reports.

C8s-70-92 Austin Mall Res. Lot 5
Huntland Drive and Jonathan Drive
C8s-70-95 5th Resub. Lot 2, Frontier Village
Ben White Boulevard and Frontier Tr.
C8s-70-96 Capitol View Estates Resub.
Capitol View and Colonade View

C8s-70-100 Enfield "B" Resub. Lots 44 and 52
Enfield Road and Palma Plaza

The staff reported that this is the first appearance of this short form plat and recommends that it be accepted for filing and disapproved pending compliance with departmental requirements, and the required tax certificates. The Commission then unanimously

VOTED: To ACCEPT for filing and DISAPPROVE the short form plat of ENFIELD "B" RESUB. Lots 44 and 52, pending the requirements as indicated.

ADMINISTRATIVE APPROVAL

The staff reported that ten short form plats have received administrative approval under the Commission's rules. The Commission then

VOTED: To ACCEPT the staff report and record in the minutes of this meeting the administrative approval of the following short form plats:

✓ C8s-70-27 Summit Oaks Resub.
Bell Avenue
✓ C8s-70-28 Summit Oaks Resub.
Arabian Tr. and Hamrich Ct.
C8s-70-91 T. J. & K. Subdivision # 1
Newton Avenue and West Annie Street
C8s-70-54 Anderson Square, Section 2
Anderson Lane and 183
✓ C8s-70-44 Parkwood in University Hills, Section 4
Loyola Lane
✓ C8s-70-83 "K" Subdivision
U. S. 183 and Peyton Gin Road
✓ C8s-70-66 Eli Subdivision
Boston Lane
C8s-70-52 Capitol Court Addition
Capitol Court
C8s-70-93 Five Point Nine-Two Ltd. Sub.
Martin Avenue and Huntland Drive
✓ C8s-70-56 University Hills, Sec. 4, Ph. 2
Middlebury Cove

C2-70-1(c) AUSTIN DEVELOPMENT PLAN AMENDMENT

Approximately five acres located in North Austin (locally known as Lot 1, Block Y of Allandale Estates, Section 3) at U. S. Highway 183 and Shoal Creek Boulevard

This application is made by the Austin-Northwest Development Corporation for amendment to the Austin Development Plan from Medium Density Residential to Manufacturing and Related Uses for an area of approximately one-half acre of land located in North Austin on U. S. Highway 183 at Shoal Creek Boulevard.

The area bounded by Shoal Creek Boulevard, Anderson Lane, Balcones Drive and U.S. Highway 183 was originally designated for industrial use in the Austin Development Plan as adopted in 1961. Since that time the northern end of this area, including the subject tract, has been changed several times between residential and industrial use. The tract has the following characteristics: it is reasonably level for industrial development; it is about twenty feet below U. S. 183; it is bordered by Shoal Creek Boulevard, a major arterial street, on the east; Shoal Creek on the west and the east bound frontage road of U. S. 183 on the north; and utilities are available.

Development in the area includes a new warehouse facility to the west across Shoal Creek. No other adjacent development has been initiated. "BB" Residence and "C" Commercial zoning join the subject tract across Shoal Creek Boulevard. Low-density residential development is underway south of Mossrock Drive.

The requested amendment is appropriate for the subject tract and is recommended. Adjoining major streets and highways provide good access to the site. Because of the proposed residential character of land across Shoal Creek Boulevard it is requested that the Planning Commission consider some type of screening along that street frontage.

Mr. Dick Baker represented the applicant and commented on the appropriateness of the tract for industrial development, the history of the subdivision and the willingness to work with the Planning Commission if they felt some type of screening was desirable.

No one appeared in objection to this request to amend the Austin Development Plan.

The Commission members discussed the application in relation to circulation and land use. They were of the opinion that the request should be recommended without requirement for screening along Shoal Creek Boulevard.

It was then unanimously

VOTED: To recommend that the land use designation for approximately one-half acre of land on U. S. 183 at Shoal Creek Boulevard (southwest corner) be changed from Medium Density Residential to Manufacturing and Related Uses.

C2-70-1(d) AUSTIN DEVELOPMENT PLAN AMENDMENT

Approximately eight acres located in South Austin between I. H. 35 and Bluff Springs Road

This application is made by Mr. O. O. Shurtleff for amendment to the Austin Development plan from Undesignated to Manufacturing and Related Uses for an area of eight acres located approximately 1,600 feet south of Chunn Lane on Bluff Springs Road.

This request falls south of the City of Austin just east of I.H. 35. The immediate area is characterized by two residential subdivisions under development, an LCRA electric sub-station, a K.O.A. campground, and several small clusters of single-family homes. Adjacent to the subject tract and fronting on I. H. 35 is the Jenkins Publishing Company, a new firm which has recently begun operations. West of I. H. 35 is the John Roberts Corporation tract, several isolated semi-industrial and industrial uses and residential development. The terrain in the area is relatively level except for a deep draw between and parallel to I. H. 35 and Bluff Springs Road. This draw effectively separates more intensive development likely to occur along the expressway and residential-related uses along Bluff Springs Road. Both Chunn Lane and Bluff Springs Road are proposed major arterial streets with 120 feet and 90 feet of right-of-way respectively.

Estimated future land use east of the draw in the Bluff Springs Road area includes predominant low-density residential development with compatible areas for medium-density residential and commercial development likely to occur at the intersection of the major arterial streets. It would be desirable to hold future high intensity of land use to the approximate 30 acre area bounded by I.H. 35, Chunn Lane, Bluff Springs Road and the K.O.A. campground.

Development has been initiated on the subject tract. The slab has been poured and the vertical steel framing is being raised. A short form subdivision has been submitted for the tract which will provide the necessary right-of-way for the future development of Bluff Springs Road. Because of the status of development it is felt that to deny this request would be to create a hardship situation. Therefore, the staff recommends the request and also that the future applications for high intensity of land development of an industrial nature to the south of this request be discouraged.

Mr. Les Proctor represented the applicant and commented on the status of the proposed use and the character of the area with respect to development.

No one appeared in objection to the request to amend the Austin Development Plan.

The Commission members discussed the application in relation to existing and proposed major streets and land use. They were of the opinion the request should be recommended. They also instructed the staff to undertake a study of this general area for the purpose of establishing land use designation in the Austin Development Plan.

C2-70-1(d) AUSTIN DEVELOPMENT PLAN AMENDMENT--contd.

It was then unanimously

VOTED: To recommend that the land use designation for 8 acres of land approximately 1,600 feet south of Chunn Lane on Bluff Springs Road be changed from Undesignated to Manufacturing and Related Uses.

C2-70-1(e) AUSTIN DEVELOPMENT PLAN AMENDMENT

Approximately 22 acres located on U. S. Highway 290 east of Oak Hill. Approximately 875' west of Brodie Lane in southwest Austin.

This application is made by Mr. Harold W. Larson for amendment to the Austin Development Plan from Low Density Residential to Commercial and Semi-Industrial Use for an area of twenty-two acres located approximately 875 feet west of Brodie Lane south of U. S. Highway 290.

This request falls southwest of the City of Austin toward Oak Hill. The area is presently rural with only a few small clusters of residential homes and a mobile home park. This twenty-two acres is part of a sixty-acre tract and includes the entire frontage to a depth of about 650 feet. Topography is relatively level sloping to a branch of Barton Creek to the north of U. S. 290. Sunset Valley community lies to the east of Brodie Lane. Two proposed major streets effect the subject tract and the staff recommendation on this request. Without these street proposals and their anticipated development the staff could not make an affirmative recommendation. Mo-Pac will interchange with U. S. 290 across from the subject tract and a proposed Outer Loop major arterial street is proposed near Hill Country Lane to the west. The development of these major streets at this location will create demand for the land to be used to greater intensity than low-density residential. It is at the intersections of major arterial streets rather than in the form of strip development that intensive land use should be encouraged. The staff recommends the amendment.

Mr. Alvis Vandygriff represented the applicant and commented on the characteristics of the area and the uses proposed on the tract. Two building contractors are planning to develop separate facilities on five acre tracts.

No one appeared in objection to the request to amend the Austin Development Plan.

The Commission members discussed the application in relation to existing and proposed major street pattern and effect on adjoining land. They were of the opinion the request should be recommended.

It was unanimously

VOTED: To recommend that the land use designation for 22 acres of land approximately 875 feet west of Brodie Lane along the south right-of-way line of U. S. Highway 290 be changed from Low Density Residential to Commercial Service and Semi-Industrial Use.

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C3-70-1(a) CAPITAL IMPROVEMENTS PROGRAM

The Planning Commission has held a public hearing and reviewed the proposed 1970 Capital Improvements Program (at its regular meeting of June 9, 1970) and unanimously:

RECOMMENDS THE 1970 CAPITAL IMPROVEMENT PROGRAM TO THE CITY COUNCIL SUBJECT TO THE FOLLOWING COMMENTS AND CONDITIONS:

1. Comments

- a. The Commission had limited time to review and analyze the Program because of other business of the Commission and the necessity of some individual Commission members to be out of town or unavailable during the coming few weeks.
- b. The change in format, project information and cost information appears to be very desirable but the Commission had some difficulty in comparing the present Program's individual projects and those previously considered in 1969 and early 1970.

2. Recommendations

- a. The City Council is urged to include provision for the initiation of planning and design funds for the expansion of the Police and Courts Building so that it would be possible for contracts to be let during 1971 and the addition completed during 1972.
- b. The Planning Commission reviewed and adopted the Fire Protection Plan and recommends the site acquisition and construction projects generally identified in the 1970 C.I.P.
- c. The Commission recommends the following amendments to the Park proposals:
 - (1) That specific plans be prepared and additional funds be allocated to improvements to Pan American Recreation Center over and above the \$15,000 for additional rest room facilities.
 - (2) That acquisition of the land adjacent to Fiesta Gardens be deferred and that such funds made available from this deferral be used for initiating acquisition of a district park in the northwest area of the City (north of Bull Creek Road and west of Balcones Drive). It is the opinion of the Commission that the cost of this outlying land will increase much more rapidly in value than the cost of land adjacent to Fiesta Gardens.

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C3-70-1(a) CAPITAL IMPROVEMENTS PROGRAM--contd.

It should be noted that it was the consensus of the Commission that the City should acquire the land adjacent to Fiesta Gardens in 1971.

- d. The Commission recommends the funds for the Wastewater Collection and Wastewater Treatment projects listed below be held until such time as the City Council has sufficient information to determine specific projects and fund requirements based on a comprehensive study of the Wastewater Collection and Wastewater Treatment planning.

- (1) SC-43 (Crosstown Interceptor) \$460,000
- (2) SC-32 (Lower East Shoal Creek Sewer) \$621,000
- (3) SC-34 (Shoal Creek Interceptor) \$750,000
- (4) _____ (Walnut Creek Treatment Plant engineering) \$370,000

C3-70-1(b) FIRE PROTECTION PLAN FOR THE CITY OF AUSTIN

The fire station plan was presented showing the relocation and combining of two stations into one new station, the closing of one station, and the acquisition and development of four outlying sites by 1975 plus the acquisition and development of three additional sites by 1980. Questions by the Planning Commission as to the relocation or closing of the three stations were answered by the staff and it was noted that these actions are recommended by the Fire Chief, Planning staff, and the City Manager.

The Planning Commission then unanimously

VOTED: To recommend to the City Council the adoption of the plan.

C10-70-1(j) STREET VACATION

Right-of-way in excess of 60 feet for Marathon Boulevard from West 41st Street to West 42nd Street

The staff reported that this is a request to vacate street right-of-way in excess of 60 feet for Marathon Boulevard from West 41st Street to West 42nd Street. The various City departments recommend in favor of this vacation and the staff recommendation is for the vacation. The Commission then unanimously

VOTED: To VACATE the right-of-way in excess of 60 feet for Marathon Boulevard from West 41st Street to West 42nd Street.

ADJOURNMENT: The meeting was adjourned at 12:30 a.m.

Hoyle M. Osborne
Executive Secretary