

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting -- May 7, 1963

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

Present

D. B. Barrow, Chairman
Howard E. Brunson
Edgar E. Jackson
S. P. Kinser
W. Sale Lewis
Barton D. Riley
Emil Spillmann

Absent

Pericles Chriss
W. A. Wroe

Also Present

E. N. Stevens, Chief, Plan Administration
Paul Jones, Assistant City Attorney

MINUTES

Minutes of the meeting of April 9, 1963 for approval.

The following zoning changes and special permit requests were considered by the Zoning Committee at a meeting of April 30, 1963.

ZONING

C14-63-36 Robert Karotkin and Garland L. Francis: O and C-1 and 1 to
Guadalupe and West 30th St. O and C-1 and 2

STAFF REPORT: The site is developed with 19 single-family dwellings. The surrounding area to the north, west and south is developed with single and two family dwellings while the area to the east along Guadalupe is developed commercial. Applicant proposes construction of an apartment hotel of 76 units. The proposed zoning would permit a maximum of 49 regular units or 98 unit apartment hotel on the site. However, the site is to be used in conjunction with adjoining commercial "C" property and would permit a total of 60 regular units or a 120 unit apartment hotel. The area north, west and south of subject property was zoned "BB" Residence, 1st Height and Area as the result of a Planning Commission Area Study. Subject property was zoned "O" Office, First Height and Area as a result of this same area study. First Height and Area was commended and subsequently established by Ordinance to enable only low density apartment development. This application is the first proposal in the area to increase the density and may encourage other requests.

One written reply was received opposing this change and one reply was received in favor.

C14-63-36 Robert Karotkin and Garland L. Francis--contd.

The applicants were present at the hearing and presented the following in support of their request.

At the present time there are 19 rent houses on the site which have been there since 1937 and are not too attractive. We propose to construct four separate buildings of two-story height of approximately 76 units in a moderate priced one-bedroom apartment, which is needed in this area. Ample parking space will be provided for approximately 92 cars.

A statement of opposition from adjoining property owners opposing this zoning change was presented at the hearing by Mr. Herbert L. Cunningham as follows:

The property owners in this area were opposed when this was zoned "BB" and submitted a petition in opposition, but this request was denied by the Council. We still feel this should be kept as a residential area and object to the further encroachment of an apartment building. The problems of parking and traffic along West 31st and West 30th Streets will increase.

The Commission discussed the zoning changes which have occurred in the area and the relation of "O" Office zoning between a "BB" Residential area to the west and a "C and C-1" Commercial zoning to the north, west and south. They concluded that "O" Office and Second Height and Area would provide a buffer between "BB", First Height and Area zoning and the commercial Second Height and Area. It was therefore unanimously

VOTED: To recommend the request of Robert Karotkin and Garland L. Francis for a change of zoning from "O" Office, First Height and Area to "O" Office, Second Height and Area to "C-1" Commercial, Second Height and Area for property located at 618-622 West 30th Street to be GRANTED.

C14-63-37 Mr. and Mrs. J. B. Taylor: A and 1 and C and 2 to C and 2
1509 North Street

STAFF REPORT: The site is developed with a single-family dwelling and the area east is developed residential while the area west along Burnet Road is developed commercially. The lot fronts on a residential street which does not have frontage on Burnet Road and the primary entrance is off North Street, a residential street. All but a small triangular portion of the lot is zoned commercial, resulting from the strip zoning of Burnet Road. Applicant proposes future commercial development.

No written comment was received in reply to notice. The applicants appeared at the hearing and stated they planned to open an automobile engine and tune-up shop with no changes to existing building and their neighbor had no opposition to this proposed plan.

C14-63-37 Mr. and Mrs. J. B. Taylor--contd.

The Commission felt this change of zoning was a logical extension of already existing zoning in the area. It was therefore unanimously

VOTED: To recommend that the request of Mr. and Mrs. J. B. Taylor 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 1509 North Street be GRANTED.

C14-63-38 Tom Moses Attal: A to C
Airport Blvd. and Pampa Drive

STAFF REPORT: The site is undeveloped and contains 4.03 acres composed of a number of residential lots and parts of lots plus the vacated Pickford Drive; all of which have been consolidated into 3 large lots by the proposed subdivision of Silverton Center. The site has frontage on Airport Boulevard, a primary thoroughfare on Pampa Drive, a minor residential street. The applicant has no specific proposal and states in his application for the proposed use of the property, Commercial Development. As the site enters an adjoining residential area, we feel that some thought should be given to a less intensive type zoning such as General Retail.

Three replies to notice in favor of this change were received. The applicant was present at the hearing and offered the following in support of his request: "GR" zoning would not serve my purpose. For the first 200 feet along Airport Boulevard from intersection to Airport and Pampa Drive, a service station center is proposed. The people desiring to lease this property will not commit themselves until the zoning is changed. "C" zoning is necessary to accomplish development of the site. A four to one ratio is planned for parking.

The Commission discussed the zoning in this area generally and considered the access to the property. The relation of Airport Boulevard and the close proximity to other commercial property was considered. The members felt that commercial zoning was a logical extension and fit the existing pattern of zoning along Airport Boulevard. It was therefore unanimously

VOTED: To recommend that the request of Tom Moses Attal for a change of zoning from "A" Residential to "C" Commercial for property located at Airport Boulevard and Pampa Drive be GRANTED.

C14-63-39 Austin National Bank, Trustee: C and 2 to C-1 and 2
West 24th Street and Rio Grande

STAFF REPORT: The site is developed with a vacant commercial building. The surrounding area is developed with single-family dwellings, rooming houses and apartments. Commercial developments are along Rio Grande and West 24th Streets. The applicant proposes the sale of beer for off-premise consumption in connection with a drive-in grocery. We feel this is a matter of Commission policy.

C14-63-39 Austin National Bank, Trustee--contd.

No written comment was received. Mr. Chester D. Brooks appeared at the hearing and stated: It is necessary to lease by whole building. I have tried to sub-lease part of the building but have been unable to do so. This application covering the sale of beer to go is for a drive-in grocery in order that the building may be leased to an interested party. A half block away, this type of zoning has been there since 1931. We are more than 300 feet from a school.

The Commission discussed the area and concluded that the property is in a well defined and developed commercial area. It was therefore unanimously

VOTED: To recommend that the request of Austin National Bank, Trustee, for a change of zoning from "C" Commercial, Second Height and Area to "C-1" Commercial, Second Height and Area for property located at West 24th and Rio Grande Streets to be GRANTED.

DISQUALIFIED: Mr. Barrow

C14-63-41 R. Graham Wilson: A and 1 and BB and 2 to B and 2 Salado and Rio Grande Streets

STAFF REPORT: The site is developed with a vacant rooming house and duplex. The surrounding area is developed residential with one, two and multi-family dwellings and rooming houses. Rio Grande Street has 60 feet of right-of-way and is commercial collector street. Salado Street has only 40 feet of right-of-way, classified as a minor residential street, which is considered an inadequate right-of-way. Applicant proposes student housing. This same site was considered in 1962 for this same change but was withdrawn. This proposed zoning will permit a maximum of 13 regular units or 26 efficiency units in an apartment hotel. The east 137.5 feet of subject property is now zoned to permit 9 regular units. This year the Council granted a zoning change to "B" on property across Salado Street for an apartment building. There is a pending law suit at the present time brought by surrounding property owners against the zoning.

Two replies were received in favor of this request and six replies in opposition.

Mr. and Mrs. W. S. Buford and Mr. Harry L. Phillips appeared at the hearing to present their opposition to the change of zoning in their neighborhood.

The property owners on San Pedro and Salado Street are definitely opposed to any change on zoning on Salado Street. We are opposed for the same reasons we were opposed to previously. Property owners on Salado and San Pedro Streets do not want their property damaged. The traffic situation is impossible. When the zoning change was given, 10 feet of right-of-way was dedicated, but this will not alleviate the situation for property on Salado. We would remind the Committee of the pending suit and feel it would not be good to have any change of zoning until this suit has been decided.

C14-63-41 R. Graham Wilson--contd.

Mr. Paul Jones advised the Commission that they may disregard the pending suit as far as this request is concerned. The Commission should not let the suit influence it one way or another as the request should be considered in the light of good zoning and not in the light of a pending suit.

The Commission discussed the various aspects of the zoning in this area and concluded that since property is already zoned "BB" Second Height and Area that the proposed zoning would serve as a connecting link between two "B" Second Height and Areas to the east and west. It was therefore unanimously

VOTED: To recommend the request of R. Graham Wilson for a change of zoning from "A" Residence, First Height and Area and "B" Residence, Second Height and Area to "B" Residence, Second Height and Area for property located at Salado and Rio Grande Streets be GRANTED.

C14-63-42 Elsie Jane Winters: C and 3 to C-1 and 3
1010-1012 West 6th Street

STAFF REPORT: The site is developed with a cafe and vacant stores. The surrounding area is developed residential except for the commercial establishments along Lamar Boulevard and West 6th Street. A change of zoning was granted in 1959 for a drive-in grocery on the corner of Lamar Boulevard and West 6th Street. West 6th Street has 80 feet of right-of-way and is a primary thoroughfare. Applicant proposes the sale of beer and this is considered a matter of Commission policy.

Mr. and Mrs. C. P. Winters appeared at the hearing and stated this change would allow them to rent their property.

The Commission reviewed the staff report and location, and concluded that this was a well defined and developed commercial area. It was therefore unanimously

VOTED: To recommend that the request of Elsie Jane Winters for a change of zoning from "C" Commercial, Third Height and Area to "C-1" Commercial, Third Height and Area for property located at 1010-1012 West 6th Street be GRANTED.

C14-63-43 Ida Louise Lacey: A to LR:
Red River and Keasby Street

STAFF REPORT: The site is developed with a single-family dwelling and a garage apartment. The surrounding area is developed with single-family dwellings, except for a church and nursing home on Red River Street across from subject tract. The lot to the south on East 44th and Red River Street was changed to "O" district in 1961 and is now developed with a doctors office. Red River Street is classified as a secondary thoroughfare with

C14-63-43 Ida Louise Lacey--contd.

recommended right-of-way of 90 feet. Keasbey Street with 40 feet of right-of-way is not adequate. The minimum acceptable under the Ordinance is 50 feet. Applicant proposes construction of a use permitted under Local Retail zoning. The Hancock Center and Sears Tract are about $2\frac{1}{2}$ to 3 blocks to the south.

One reply was received in favor of this change and four against. Three persons appeared at the hearing in favor of this change and applicant presented the following in support: The property is badly in need of repair. The prospective buyer is interested in the property for operation of two small business establishments, perhaps a drive-in grocery store. Red River Street is being widened and the traffic in this area will make it desirable for small business. The property should be used, and this zoning change would permit us to rent it.

Four people appeared at the hearing in opposition and their statements are summarized as follows: This property is across from a nursing home and a church with surrounding residential property. Rezoning at this time would create more noise and confusion than we desire for a church and residential area. The neighbors feel that the proposed shopping center will serve the community's need without further encroachment.

The Commission reviewed the information presented and considered the established residential area. They concluded this change of zoning would constitute spot zoning in a well defined residential area. It was therefore unanimously

VOTED: To recommend that the request of Ida Louise Lacey for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at Red River and Keasbey Street be DENIED.

C14-63-44 Walter R. Carrington: Interim A and Interim 1 to GR and 1
2709-2945 Loyola Lane

STAFF REPORT: This property is an integral part of the subdivision of University Hills. To the north across Loyola Lane is the proposed plan for University Hills, Section 3, Phase 3. The proposed shopping center is in the center of this subdivision and runs to Little Walnut Creek. No request has been made for annexation of the subject tract. The entire area of University Hills involves approximately 450 acres of land with approximately 1250 building sites for houses and approximately 30 acres proposed for commercial development in three (3) general areas of the Subdivision. We request that this application be withdrawn pending annexation (first reading) of the property. In addition to annexation, we feel further consideration of the residential layout should be given as related to this change in use.

C14-63-44 Walter R. Carrington--contd.

No written comment was received.

Richard Baker (for applicant) presented the following in support of this request at the hearing: We are requesting the hearing of this zoning change pending annexation of the subdivision. This proposed shopping center will serve the University Hills area when developed. This will be a definite sales asset for the builders as the people buying lots in this subdivision will see that a shopping center is being provided. The nearest shopping center in this area is Windsor Village. We will consider the problems of street lay-out and flooding in the area and request annexation prior to the next Planning Commission Meeting. In the meantime, we will appreciate your consideration of the zoning change to accommodate the proposed shopping center to serve this subdivision.

At the Commission meeting, Mr. Stevens pointed out that the proposed use in the plan for this specific area was for a community center for the neighborhood, and was not identified as a commercial area. Commercial use would change and effect the lots across the street and consideration should be given to redesign this area across the street if commercial use is intended.

The Chairman advised that until this subdivision is annexed to the city, zoning on this case would have to be postponed. The Commission therefore unanimously

VOTED: To POSTPONE the request of Walter R. Carrington 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 2709-2945 Loyola Lane pending annexation of the subdivision.

C14-63-45 City of Austin and Perkins and Beaman: A to C
Canadian, Chicon, Lynn Streets and Bogle Avenue

STAFF REPORT: The site is undeveloped and comprises approximately 13 acres of land with the larger part being covered with water backed up by Town Lake. The area north is developed residential and the area south is developed with Town Lake. The surrounding area is zoned "A" and developed residentially both north and east. The applicants are leasing this property for the purpose of operating an aquatic garden. This application will be submitted to the Town Lake Committee. Last year an application for "C" Commercial was requested across Chicon Street to the west, and the Planning Commission requested it be withdrawn until the area had been studied by the City in advance of zoning and development.

One written comment was received in favor and Mr. J. G. Stalmuch appeared at the hearing and stated he was in favor of this change.

Mr. Richard Baker appeared on behalf of applicant and stated: We wish to convert this tract for an aquatic garden which will be tourist attraction

C14-63-45 City of Austin and Perkins and Beaman--contd.

for Austin, comparable to Cypress Gardens. Under the Zoning Ordinance, "C" is the only zoning which would be sufficient for recreation type shows. The arena stand would be established on the south side and would also have a restaurant type of operation. A small retail establishment is proposed to sell tourist interest items such as film and cards. We will be happy to restrict the activities to be specified in a lease in any manner under "C" zoning. It will be the obligation of the City to provide sufficient parking space for this activity - parking can be to the west of Chicon Street.

The chairman reported that this request was reviewed by the Town Lake Committee as requested by the Zoning Committee and that the use was compatible with their original recommendation to the Council for this area.

The Commission reviewed the information presented and concluded that this zoning change proposed the best use of the land. It was therefore unanimously

VOTED: To recommend the request of the City of Austin and Perkins and Beaman for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area, for property located at Canadian, Chicon, Lynn Streets and Bogle Avenue be GRANTED.

C14-63-46 Ira Mason, Sr.: O to C-1
Manor Road and Rogge Lane

STAFF REPORT: The site is developed with a single-family dwelling. The surrounding area is developed residential with single-family dwellings with exception of a service station at the southwest corner of Manor Road and Rogge Lane. This service station was developed prior to its annexation into the City. Applicant proposes a drive-in grocery including the sale of beer. Manor Road has 80 feet of right-of-way and is classified as a secondary thoroughfare. Rogge Lane has 50 feet of right-of-way and is considered a minor collector street. A previous hearing this year granted a change from "A" to "O" for half of this block of property. The "O" classification provides more protection to the abutting (adjacent) residential development.

Two replies in opposition were received and one person appeared at the hearing against the change.

Mr. Raymond Campi appeared for applicant and presented the following: We have a prospective tenant for a drive-in grocery who will not lease without the sale of beer. We would like to have 125 feet on the east side of Manor Road going west zoned "C-1" so we can accommodate this lease. Rogge Lane and Manor Road are fast becoming thoroughfares in both directions and it seems a logical use of the property for this zoning change.

C14-63-46 Ira Mason, Sr.--contd.

A summary of opposition is as follows: If this property is changed to commercial zoning, it would ruin the neighborhood. We have Windsor Village and Cameron Village near us, and there is no need for further retail or commercial zoning in this area.

The Commission discussed the proposed request for change and considered the immediate and surrounding area from the information and staff report presented. A majority of the Commission felt that commercial zoning would be too intense a change for the present development of the area and would not be compatible with the surrounding residential area. It was therefore unanimously

VOTED: To recommend that the request of Ira Mason, Sr. for a change of zoning from "O" Office, First Height and Area to "C-1" Commercial, First Height and Area for property located at Manor Road and Rogge Lane be DENIED.

AYE: Messrs. Brunson, Kinser, Lewis and Spillman

NAY: Messrs. Barrow, Jackson and Riley

ABSENT: Messrs. Chriss and Wroe

C14-63-47 R. L. Struhall, Jr. A to B
Fairlawn Lane and Mariposa Drive

STAFF REPORT: The site is undeveloped and slopes about 3% to the north. The area west and north is developed residential with 14 duplexes in the immediate area. The area east is developed with apartments and the area south is undeveloped commercial property. There are scattered commercial uses along the Interregional Highway to the east with a high school to the south and a good deal of undeveloped property to the north. The applicant proposes a 4 unit apartment for each of the two lots. The lot on the northwest corner of Fairlawn and Mariposa contains 8,118 square feet. The proposed zoning on this lot would provide a maximum of 4 regular units. The lot on the northeast corner contains approximately 8,970 square feet. The proposed zoning would permit a maximum of 4 regular units. Subject property is included in the subdivision of Mariposa Terrace recorded in 1961, which has mostly been developed with duplexes.

One reply to notice was received in favor.

Phil Mockford (for applicant) appeared at the hearing on behalf of this request. The applicant proposes a 4 unit one story apartment building which will be consistent and compatible to the area. The entire area is developed with apartments and duplexes. Both lots have drainage ditches and the structure will be for two family dwellings on each lot.

The Commission reviewed the information presented and concluded that this zoning change would be an extension of a well defined apartment area at the present time. As there are apartments of multi-units across the street from this subdivision, they felt this request presented the highest and best use of the land. It was therefore unanimously

C14-63-47 R. L. Struhall, Jr.

VOTED: To recommend that the request of R. L. Struhall, Jr. for a change of zoning from "A" Residential to "B" Residential for property located at Fairlawn Lane and Mariposa Drive be GRANTED.

DISQUALIFIED: Mr. Barrow

C14-63-48 Nash Phillips: A to GR
Westmoor and Broadmoor Drive

STAFF REPORT: The site is undeveloped. The area to the east is developed with single-family dwellings while the area to the west to Cameron Road is zoned commercial. "GR" General Retail zoning to the west of subject property was zoned in 1956. The records reflect this lot was to be a part of the residential development as set by the Subdivision Committee in their approval of the subdivision, however, Broadmoor Drive was constructed prior to the subdivision of the commercial property and the alignment shifted. We feel this changed the original shape of the site, making it less of a residential site.

One reply to notice against this change was received.

Nash Phillips, applicant, appeared at hearing and stated: We were under the impression that this piece of property was zoned "GR" and would like to include it with the adjoining tract which is zoned "GR".

The Commission felt that this request should be granted as it conforms to the boundary line of the General Retail area and is a part of the established General Retail area. It was therefore unanimously

VOTED: To recommend that the request of Nash Phillips for a change of zoning from "A" Residence to "GR" General Retail for property located at Westmoor and Broadmoor Drive be GRANTED.

C14-63-49 Southwest Industrial Properties, Inc.: C-2 and Int. A, 1 to
C (Tract 1) and B (Tract 2)
Tract 1: 1744-2000 Riverside Drive
Tract 2: 2002-2038 Riverside and 1200-1600 Tinnin Lane

STAFF REPORT: The site is undeveloped with large tracts of undeveloped land surrounding. Tract 1 (6.3 acres) fronts on the south side of Riverside Drive and is proposed for "C" Commercial zoning for proposed commercial development. Tract 2 is in the remaining 38.5 acres and is proposed "B" Residence zoning for the proposed apartment development. This property is the approved preliminary plan of Townlake Plaza which proposes Tract 2 to have 16 residential lots to be used for apartment sites. These lots vary in size from 48,000 square feet to approximately 102,000 square feet. The proposed zoning would permit a maximum of 24 to 51 regular units or a 32 to 68 unit apartment hotel for each of the 16 lots, depending on its size, permitting 500 to 1100 units

C14-63-49 Southwest Industrial Properties, Inc.--contd.

total. There is a question of land use to be considered in the proposed zoning. The Town Lake Committee is studying the compatible development of the entire Lake, and this proposal is to be reviewed by them. We feel "C" zoning may be too intensive for this area.

No written comment was received.

Mr. Isom Fale appeared with the applicants and presented the following in support of approval: Commercial zoning proposed is basically to serve this area. There will be rigid deed restrictions imposed in the overall plan for the six or seven builders involved in the building of these approximately 700 to 800 units. We would not be interested in having a warehouse or any type of undesirable commercial development, but a type of zoning that would allow us to serve the apartment hotel area. We have provided adequate parking space for the area - 25% of the total area, and there will be a parking space for every apartment unit developed. Perhaps an LR or GR type zoning would serve our purpose.

At the Commission meeting, Mr. Stevens read a letter from the applicants requesting a revision to this zoning for Tract 1 to be changed to "LR" Local Retail instead of "C" Commercial as previously proposed at the hearing. The Zoning Committee referred this application to the Town Lake Committee for their consideration with no recommendation. Mr. Barrow, as Chairman of the Town Lake Committee, reported to the Commission that the Town Lake Committee reviewed this zoning request since this area affected the development of Town Lake. The Committee felt it would not be proper for them at the present time to make any recommendations for zoning on Tract 1 as Tract 1 is not closely related to the lake development and as no specific use is proposed. On the area south of Lake Shore Boulevard, Mr. Barrow stated the Committee had no objection to the proposed zoning but would like to know the type of building on it and were interested in seeing the plans before construction. The Committee raised no objection to the area north of Lake Shore Boulevard but reported that the City is interested in acquiring this property designated as Lot 1. He recommended that the applicant postpone zoning on Lot 2 until the use is better established.

In conclusion, Mr. Barrow reiterated the recommendation of the Town Lake Committee to postpone zoning all of the area north of South Lake Shore Boulevard. They would prefer that the area designated as "B" zoning on Lot 2 of Tract 2 be established with the rest of the project and that Lot 1 be left out for consideration by the City.

Mr. Isom Hale stated that a private club is planned for Lot 2. In regard to Lot 1, Mr. Hale stated they would have no objection to withdrawing this from their request if the City is interested in acquiring the property. The Commission therefore unanimously

CL4-63-49 Southwest Industrial Properties, Inc.--contd.

VOTED: To recommend that the request of Southwest Industrial Properties, Inc. for a change of zoning from Interim "A" Residence, Interim First Height and Area and "LR" (as amended), Second Height and Area to be as follows: Tract 1 - "LR" Local Retail, First Height and Area, Tract 2 - "B" Residential, First Height and Area, with the exception of Lot 1 (to be withdrawn) for property located at Riverside Drive and Tinnin Lane be GRANTED.

SPECIAL PERMIT

CP14-63-2 Robert L. Miller: Operation of radio transmitting station and tower
807 West 37th Street

STAFF REPORT: This application has been filed as required under Section 10-A, Paragraph 5, and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. Applicant proposes operation of a radio transmitting station with 100 foot antenna tower in addition to existing residential use. The site is presently developed with a single-family dwelling, which is to remain. The surrounding area is developed predominantly residential with single-family dwellings with the exception of commercial along Lamar Boulevard and the Texas State Hospital to the north. In addition, the applicant proposes construction of a 6 foot by 6 foot building for housing transmitter. This building as proposed is only 6 feet from the existing residence and would be contrary to the regulation of the Ordinance for setback requirements. It is, therefore, in order to refer this to the Board of Adjustment for consideration. Applicant could overcome this requirement by attaching this 6 foot by 6 foot building to the existing residence on the lot.

No written comment was received. Mr. Robert L. Miller, applicant, was present at the hearing, and stated that he has amended the site plan to conform to the Zoning Ordinance.

It would be possible to build the small 6 x 6 foot structure to adjoin the existing house on the property. This radio transmitting station is used for service in connection with pick-up service of Miller Blue Print Company.

The Commission reviewed the staff report and the site plan as revised and found that the plan complies with all Sections of the Zoning Ordinance. It was therefore unanimously

VOTED: To APPROVE the site plan as presented with no extra conditions and to authorize the Chairman to sign the necessary resolution issuing the Special Permit.

R146 SUBDIVISION COMMITTEE

The Committee Chairman reported that no meeting of the Subdivision Committee was held on April 29, 1963, as previously scheduled, since no preliminary plans had been presented for consideration.

PRELIMINARY PLANS

C8-63-3 Balcones West

Starline and Balcones

The staff reviewed the action on this preliminary subdivision stating that it was first considered by the Subdivision Committee in February of this year, at which meeting Colonel and Mrs. Schenck appeared as adjoining property owners and explained their concern to the plan. The Committee at that time because of the location of the property as related to the Missouri-Pacific Boulevard and Anderson Lane crossing, deferred the subdivision for further study. With the working out of the details of the boulevard and the interchange, the plan was considered by the Planning Commission at their regular meeting of April 9, 1963, and at that meeting approved the preliminary plan subject to completion of reports, agreement on street access to Spicewood Springs Road and proper designation of the "reserve area". The staff further explained that the engineer has met the conditions of approval and in addition had relocated the entrance to the subdivision from Balcones Trail (Missouri-Pacific), shifting it to the north to provide better access to the lots on the dead-end street (North Forrest Drive) also providing better access for service vehicles, more particularly fire-fighting equipment. Also the shifting of the entrance off set the need for the dead-end street to end in a cul-de-sac. The staff further explained that in considering the dead-end street, North Forrest, that Mrs. Schenck had been contacted to determine whether or not they had development plans for their property in the near future, at which time the Schencks were advised that this subdivision had been given conditioned preliminary approval. Following the contact with Mrs. Schenck, Colonel Schenck reviewed the plans and was disturbed by them and felt that he did not have adequate opportunity to voice his objection to the approval; further, that the plans were detrimental to his interest and stated that he wished to review the action of the Commission. The staff, therefore, is presenting the plan to the Commission noting that Mr. Holmes, the engineer, and Mr. Pringle, the developer, have both been informed that the preliminary has been approved and that they are now operating under the approval. In summation, Mr. Stevens displayed a number of sketches showing different ways Colonel Schenck and Doctor Wupperman could develop their properties as related to the approved plans and as amending the approved

C8-63-3 Balcones West--contd.

plan to provide additional streets between the two properties, that all the parties involved had been shown these sketches prior to the meeting and that all parties were informed that the Planning Department was not recommending as a subdivision layout any one of the sketches and that these were to only show alternative methods to develop the property.

Colonel Schenck was present at the Commission meeting along with Doctor Wupperman. Colonel Schenck stated that he had lived on this property for approximately eight years, and he was interested in protection of his property. The developer's proposal for a plan to place two houses backing to the front of his home is objectionable and at no time during this proposal has the developer made any attempt to contact him. He felt this plan would devalue his property to quite an extent. The plan to extend the streets through his property would cost him approximately \$5,000 and he does not feel he should be forced into such a contract. The plan for an alternate street to go through his property is not wholly objectionable, however, Colonel Schenck requests the Commission to postpone action until the developer and the land owners could get together and discuss the situation. Doctor E. W. Wupperman stated he would like to reiterate Colonel Schenck's statement as true. As his property is involved, he is interested in any proposed plans for street continuing through the property. He felt it would be more desirable to have a street running through the property than have a cul-de-sac or u-shaped turn to serve the traffic in the area. As far as the lot arrangements, they would leave much the same problem on his property as the houses at the rear which Colonel Schenck objects to.

Mr. Oscar Holmes, representing the subdivider, stated that the only valid objection he saw was that the adjoining property owner's house would face the back of the lots. He stated that the subdivision has been delayed approximately three months for the widening and straightening of Missouri-Pacific Boulevard and recommended that no further delay be forthcoming as the subdivision is approximately 40 percent in final form and the cost of delay should be considered.

The Chairman advised that it is not the duty of the Planning Commission to decide between individual pieces of property and the matter of agreement as to where houses face is primarily between the adjoining property owners and the subdivider. The Commission therefore

VOTED: To APPROVE the preliminary plan of BALCONES WEST as presented with the following condition: Further consideration of the lot and street layout by the subdivider and the adjoining property owners prior to presentation of the final plat.

SUBDIVISION PLATS - FILED

The staff reported that reports have not been received from several departments and that no action on the following final plats is recommended at this meeting. The Commission therefore

VOTED: To ACCEPT the following final plats for filing:

C8-63-20 Markhills

Pleasant Valley Road

C8-63-21 Santa Monica Park, Section 3

Ben White West of Burleson

C8-62-47 Northmoore Park

Dry Creek Drive West of Bull Creek Road

Mr. Gerald Hart, engineer, explained to the Commission that Northmoore Park has been pending final approval subject to working out of certain items and as completion of these items is near, asked that the staff be authorized to poll the Commission when the staff is satisfied that the problems have been resolved. The Commission therefore

VOTED: To authorize the staff to poll the members of the Commission when all of the pending problems have been resolved to the satisfaction of the staff.

SUBDIVISION PLATS - CONSIDERED

C8-62-49 Deer Park, Section 2-Revised

Manchaca Road and Saint Alban's

The staff reported that additional fiscal arrangements are required on this plat and it was recommended it be disapproved pending completion of these arrangements. The Commission therefore

VOTED: To DISAPPROVE the plat of DEER PARK, SECTION 2, Revised, pending completion of fiscal arrangements.

C8-62-64 Blue Meadow, Section 1

South Loop and Blue Quail Drive

The staff recommended disapproval of this plat for the following reasons: Reports from the gas company, pending fiscal arrangements and annexation to Water District Number 6. Further consideration needs to be given on

C8-62-64 Blue Meadow, Section 1--contd.

the use of the LCRA easement along the thoroughfare street in this subdivision. LCRA has a 100 foot easement existing for present structures. Future tower structures for expansion of LCRA facilities as planned by LCRA will occupy a minimum of 50 feet of the present 100 foot easement proposing the tower structures to be located along the present center line of the present easement. This subdivision proposes utilization of one half of the easement for the thoroughfare street shown on the plan, causing future tower structures to be partly located within the right-of-way of the thoroughfare street. To provide for future expansion of the LCRA easement the south loop thoroughfare as shown on the plat would have to be shifted 25 feet to the north, necessitating a revision to the abutting lots. Also, approval from LCRA on the use of the easements needs to be clarified. One street name for both O. C. Crow Drive and Blue Quail Drive is recommended, as actually they are one street.

Mr. Richard Baker, representing the developer, stated that annexation to the Water District has been resolved and accepted by the Board. There will be a further study on the LCRA easement and its use, and they will work out subject to the satisfaction of LCRA. The subdivider felt that the street might need to be moved 25 feet north to the center line of 50 feet, and that an agreement would be resolved with LCRA. The Commission therefore

VOTED: To DISAPPROVE the plat of BLUE MEADOW, SECTION 1, pending completion of fiscal arrangements and departmental reports in addition to report from LCRA on the use of easements and evidence of annexation to the Water District, and authorized the staff to poll the members when completed.

SUBDIVISION PLATS - CONSIDERED

The following plats were reported by the staff as having satisfied all the standards of the Subdivision Ordinance and were recommended for final approval. The Commission therefore

VOTED: To APPROVE the following plats:

- C8-62-74 North Lamar Park, Section 2
Slayton Drive and Carpenter
- C8-63-15 Northwest Hills, Section 5, Phase 2
Mesa Drive
- C8-62-71 Angus Valley
Duval Road and U. S. 183

SUBDIVISION PLATS - CONSIDERED--contd.

The following plats were reported by the staff as having satisfied all the standards of the Subdivision Ordinance except as noted and were recommended for final approval. The Commission therefore

VOTED: To APPROVE the following plats pending completion of necessary considerations:

C8-62-81 University Hills, Section 3, Phase 3

Loyola Drive and Parkwood Drive

(Redesign of subdivision as related to current zoning plan.)

C8-63-8 Deer Park Annex, Section 1

Manchaca Road and Kings Highway

(Annexation is required and authorized to hold for first reading.)

C8-63-14 Cherrylawn, Section 3

Walnut Hills and Manor Road

(Round corner of Lot 3 at street intersection.)

C8-62-75 University Hills, Section 2, Phase 3

Loyola Drive

The staff explained that all the departmental reports are in and clear on this subdivision and that fiscal arrangements have been made by the developer to comply with construction requirements of the Ordinance and the staff recommends approval of the subdivision based on this.

Mr. Stevens outlined the area on the site plan and read a letter from Mr. Jeryl D. Hart of Martin Turner Engineers on behalf of their client requesting that the Commission consider a variance from the Ordinance.

"On behalf of our client, Carrington's University Hills, we hereby request that the Planning Commission give a variance on requirements for installing a storm sewer on the natural channel abutting between Section 2, Phase 3 and Section 2, Phase 4.

According to the Public Works Department, a 21 inch pipe would be required to carry the water; however, a 30 inch pipe is in place under Northeast Drive at the upper end of the Drainage Channel. Drainage easements have been provided on the plat to include the natural channel up to the high banks."

C8-62-75 University Hills, Section 2, Phase 3--contd.

Mr. Stevens reported receipt of a letter to the Commission from Mr. Reuben Rountree, Jr., Director of Public Works, regarding the letter quoted above from The Marvin Turner Engineers, Incorporated, which he read to the Commission, as follows:

"We recommend that the City subdivision regulations be followed in requiring the storm sewer pipe to be installed in connection with the development of these two subdivisions.

Only in a very few cases where pipe requirements were 36 inch or less have we agreed to open channel and in those cases we usually had a rock bottom and banks that were not susceptible to erosion. The clay soil in this area is such that it erodes easily and, if an open ditch is constructed or left along the rear property line, the development of the property with homes, driveways and loss of previous vegetation with consequent increase in storm water runoff will cause such a channel to become a future constant source of complaints and maintenance cost to the City. The maintenance of existing ditches already takes a considerable amount each year from the City budget.

Also, individual property owners wanting the ditch to be eliminated in the future for the better development of their property will make requests for the installation of the pipe under the City policy of the property owner's furnishing the pipe and City forces doing the work of installation.

Many lot owners also desire to fence in their lots and an open ditch along the rear line makes it impractical to erect and maintain a fence on the property line.

A pipe installed underground to carry off the storm water and debris from the streets would not change or detract from the natural beauty of the area and would enhance the value of the individual properties.

In view of the reasons stated above, we cannot recommend approval of the refund contract on the above subdivision unless the recommendations of our drainage engineers are followed."

C8-62-75 University Hills, Section 2, Phase 3--contd.

Mr. Stevens presented a map showing the natural drainage channels, explaining that the drainage problem in question is at North East Drive eastward to Little Walnut Creek. Mr. Barrow inquired if there was a request for a variation on the opposite area from this (second channel located to the north). Mr. Stevens replied that there was no pipe requirement for channel, as it would take a pipe size in excess of 36 inch, thus permitting an open channel.

Mr. Barrow read the following regulation on drainage from Section 23.47 of the Subdivision Ordinance:

"When the Commission, on the basis of competent evidence submitted to it, finds that the cost of the subdivider of installing storm sewers, as set out in the preceding section, exceeds the enhancement in value of his property due to such improvements, suitable drainage ditches may be installed. Such drainage ditches shall be lined with concrete unless the Commission find that the cost of lining exceeds the enhancement in value of the subdivider's property due to such lining. Under policies to be determined by the City Council, the City may participate in the cost of such improvements."

Mr. Barrow asked if the cost of what he would be required to do would increase the value of the property. Mr. Hart stated the cost would be about \$200 a lot. There would be a considerable amount of dirt needed to be brought in and filled and the trees would be destroyed by too much fill. The lots on the other side of the cul-de-sac would be abutting an open ditch. The same kind of atmospheric conditions would be at this location as the other lots abutting the ditch. Also, there would be a certain amount of water off the back of Lot 1 which would require additional cost. In conclusion, Mr. Hart was of the opinion the enhancement would not equal the cost.

Mr. Kinser inquired how much slope was involved and Mr. Hart replied there was a 3 to 1 slope. The distance between high banks is around 50 feet and approximately 60 feet with easement going through. The bottom flat area is 10 or 15 feet wide and the depth runs about 6 to 8 feet below the high banks of the adjoining property. Mr. Kinser inquired what the cost would be to fill and cover at the upper level and Mr. Hart replied that about 5,000 yards of dirt at 30 cents a yard would be something around \$1,500 in addition to the \$3,000.

C8-62-75 University Hills, Section 2, Phase 3--contd.

Further, Mr. Hart stated that generally speaking, \$50 a lot for drainage is average for a subdivision with 30 inch pipe, and that fill for the pipe would put so much fill around the trees that they would be destroyed.

Mr. Baker presented a map of the area showing the trees in relation to the creek.

Mr. Stevens reiterated the objection from the Public Works Department and stated it was common for people to fence in their back yards around the easements in their yard. Mr. Baker answered that restrictions have not been recorded and this could be covered in the restrictions. Mr. Kinser inquired if the subdivider could restrict individual persons on lots to put in their own pipes and the ditch could remain open with restrictions against any more pipe added. Mr. Baker stated he thought this could be done. Mr. Stevens pointed out that the property owners in the future may want the ditch to be eliminated and that under the existing policy, the cost would be borne by the City. Mr. Stevens emphasized the concluding paragraph of Mr. Rountrees' letter to the Commission.

Mr. Kinser suggested giving a variance on the ditch with the following restrictions: That any individual cannot put in pipe with all of the adjoining property owners joining, and state that the City would assume no responsibility in the future for the individual owner.

Mr. Paul Jones pointed out that this would not be a binding agreement and that the City policy should not be changed in this matter. He stated that whatever restrictions the subdivider comes up with, the City would have to control and if the land owner cannot do so under the restriction, the City would have no bases to pursue this policy.

Mr. Barrow was of the opinion that it would be a poor policy to violate the restrictions of the City. The Commission was of the opinion that the cost is greater than enhancement of the lots. It was therefore

VOTED: To APPROVE the plat of UNIVERSITY HILLS, SECTION 2, PHASE 3, granting a variance from the drainage construction requirements of the Subdivision Ordinance.

C8-63-12 Insurance Addition
Algarita Avenue

The staff reported that this plat required additional fiscal arrangements, additional easements, and completion of department reports and recommended disapproval pending the reported items. The Commission therefore

VOTED: To DISAPPROVE the plat of INSURANCE ADDITION pending completion of fiscal arrangements, completion of department reports and additional easements and authorized the staff to poll the members when this has been completed.

DISQUALIFIED: Mr. Barrow (property owner in the area)

C8-63-17 Royal Oak Estates, Section 6
Rogge Lane and Wight Circle

The staff recommended disapproval of this plat pending completion of fiscal arrangements. The Commission therefore

VOTED: To DISAPPROVE the plat of ROYAL OAKS ESTATES, SECTION 6, pending completion of fiscal arrangements and authorized the staff to poll the members upon completion.

C8-63-18 Royal Oak Estates, Section 7
Thames Drive south of Wheless

The staff recommended disapproval of this plat pending fiscal arrangements, additional easements required, completion of departmental reports, telephone company clearance of easement through Block A and approval of intersection by Director of Planning. The Commission therefore

VOTED: To DISAPPROVE the plat of ROYAL OAK ESTATES, SECTION 7, pending completion of fiscal arrangements, additional easement, necessary departmental reports, easement clearance through Block A and approval of intersection by Director of Planning, and authorized the staff to poll the members upon completion.

C8-63-19 Santa Monica Park, Section 2
Santa Monica and Madonna

The staff recommended disapproval of this plat pending additional easements required, completion of departmental reports and an additional requirement for United Gas Pipeline Company to join in the plat. The Commission therefore

C8-63-19 Santa Monica Park, Section 2--contd.

VOTED: To DISAPPROVE the plat of SANTA MONICA PARK, SECTION 2, pending completion of additional easements, departmental reports and requirement for United Gas Pipeline Company to join in the plat, and authorized the staff to poll the members upon completion.

SHORT FORM PLATS - FILED

The staff reported that reports have not been received from several departments and that no action on the following short form plats is recommended at this meeting. The Commission therefore

VOTED: To ACCEPT the following plats for filing:

- C8s-63-53 James D. Burnham's Subdivision of portion of Henry Warnell League
Kleburg Lane and Mario Drive
- C8s-63-57 Bell And Lehtonen Subdivision
West Annie And South 4th Street
- C8s-63-60 Swanson's Ranchettes Number 2
Slaughter Lane

SHORT FORM PLATS - CONSIDERED

The following plats were presented under Short Form Procedures and were reported by the staff to comply with all the provisions of Section 4 of the Subdivision Ordinance. The Committee therefore

VOTED: To APPROVE the following plats:

- C8s-63-54 San Antonio Rd. Addition Resub. Lots 5-11, Block E and Lots 17, Block F
New Port Road west of Old Post Road
- C8s-61-94 Rockway Subdivision
Rockmoor And Meredith
- C8s-53-59 Allandale West, Section 3, Resub. of Lots 40 And 41
Bullard Drive
- C8s-63-45 Northtown West, Section 3 - A
U. S. 183
- C8s-63-41 Silverton Center
Airport Boulevard And Pampa

C8s-63-49 Cherrylawn, Section 4
Walnut Hills And Edgedale

The staff recommended disapproval of plat pending consideration of utility (construction) variance on Lot 9 which is owned by a church. Drainage easement and pipe is required to go through this property, and water and sewer extensions are required to serve it.

Mr. John B. Selman, subdivider, stated that he felt this subdivision should be granted and submitted letters, from The Cherrylawn Corporation and from Sacred Heart Church, requesting and supporting the variance based on the church use of Lot 9 as a playground and parking area for church use only.

Mr. Stevens stated that the City is opposed to such a variance. He pointed out that should the church sell the property, the City at some future time would be obligated to put in drainage facilities and extend the necessary utilities to serve Lot 9.

Mr. Selman stated that there is a note on the tracing that Lot 9 is not serviced by utility. In event it is, the owner will have to make the necessary arrangement. Therefore, the City will not be out any cost should the property be sold later. The Commission therefore

VOTED: To APPROVE the plat of CHERRYLAWN, SECTION 4, granting a variance from the construction requirements of the Subdivision Ordinance.

C8s-63-50 Three Oaks
Old Manchaca Road

The staff reported receipt of all cleared departmental reports and recommended against approval of this subdivision pending widening of Old Manchaca Road to provide for a 90 foot thoroughfare right-of-way, explaining that this thoroughfare proposal is outside the area of the Austin Development Plan, but is at one of the few locations through this area that a thoroughfare can be provided along an existing right-of-way for future development. This would require a dedication of $17\frac{1}{2}$ feet from the subject property. The Commission therefore

VOTED: To DISAPPROVE the plat of THREE OAKS pending widening of Old Manchaca Road.

C8s-63-32 Ridge Oak Park Resub. Lots 1 And 2

The staff recommended approval of this plat pending a check of annexation. One lot is outside of the City limits and a determination of the east 45 feet of right-of-way should be made, and the staff would like to check before recording. The Commission therefore

VOTED: To APPROVE the plat of RIDGE OAK PARK RESUBDIVISION OF LOTS 1 AND 2, pending checking of annexation.

C8s-63-38 Fritts Addition

Casey Street And Gillis Avenue

The staff recommended disapproval of this subdivision pending completion of departmental reports. The Commission therefore

VOTED: To DISAPPROVE the plat of FRITTS ADDITION, pending completion of departmental reports.

C8s-63-39 Neelley And McAden Subdivison
North Loop And Lamar

The staff reported that all departmental reports are in and clear and recommended approval of the subdivision pending consideration of the thoroughfare problem by the Commission. The staff explained that both North Loop and Lamar Boulevard are thoroughfare streets in the Development Plan and both have inadequate right-of-way under the Plan, but it is felt by the staff that the building locations on both streets are such as to prevent dedication of right-of-way for widening. The Commission therefore

VOTED: To APPROVE the plat of NEELLEY AND McADEN SUBDIVISON.

C8s-63-51 Northgate Half-Acres, Resub. Lots 30, 31, pt. of 32, 39, 40 And 41
Watson And Taulbee Street

The staff recommended disapproval of this plat pending fiscal arrangements and requested authorization for administrative approval. The Commission therefore

VOTED: To DISAPPROVE the plat of NORTHGATE HALF ACRES RESUB. Lots 30, 31, part of 32, 39, 40 and 41, pending completion of fiscal arrangement and authorized the staff give administrative approval upon completion.

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C8s-63-55 Fairview Park Resub. of Part of Lot 37C
Newning Avenue

The staff reported that additional easements are required and completion of departmental reports as well as owners signatures on the plat. The developer is requesting, by letter, a variance from the filing requirement of the Ordinance as he has been unable to contact one of the adjoining property owners. The Commission therefore

VOTED: To APPROVE the plat of FAIRVIEW PARK RESUB. of Part of Lot 37C.

C8s-63-52 Touchstone Subdivision
Springdale Road and Touchstone

The staff recommended not to accept the plat in its present form as changes are necessary. The Commission therefore

VOTED: Not to accept the plat but authorized the staff to give Administrative Approval when changes have been made.

C8s-63-58 Ridgetop Annex, Resub. of Block 20
East 45th And Bennett Avenue

The staff recommended disapproval pending determination of the east 45 feet of right-of-way and requested authorization for Administrative Approval when this has been accomplished. The Commission therefore

VOTED: To DISAPPROVE the plat of RIDGETOP ANNEX, RESUB. of Block 20, pending determination of the east 45 feet of right-of-way and authorized the staff to give administrative approval when this has been completed.

ADMINISTRATIVE APPROVAL

The staff reported that two plats had received Administration Approval under the Commission's rules. The Commission therefore

VOTED: To ACCEPT the staff report and to record in the minutes of this meeting the Administrative Approval of the following subdivisions:

C8s-63-37 Ted Swanson, Jr. Addition
Christholm Lane

C8s-63-56 University Hills, Section 2, Phase 2, Resub. Lots 27 And 28
Bradley Drive north of Willimette

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SUBDIVISION APPROVAL BY TELEPHONE POLL

FINAL PLATS

The staff reported that a majority of the Commission had been polled by telephone on April 15, 1963, and that a majority of the Commission had

VOTED: To APPROVE the following plats:

C8-62-25 Richland Estates

Dalton Lane

C8-62-66 Richland Estates, Section 2, Phase 1

Brandt Drive And Pringle Circle

C8-63-2 Northmeade, Section 1

Middle Fiskville Road And Grady Drive

OTHER BUSINESS

C10-63-1(g) STREET AND EASEMENT VACATION

Brinwood, Section 4

The staff reported a request from the owners and developers of Brinwood, Section 4, for vacation of Jones Avenue as it is shown on a plat of Brackenridge Heights recorded in Book 3, page 133, of the Plat Records of Travis County, Texas. Also, the engineers for the developers are requesting vacation of a drainage easement along West Bouldin Creek north-erly from the south property line of this subdivision and the Texas Power and Light Easement for overhead electric lines. The plat dedicates new easements for these two uses. The sanitary sewer easements for lines designated as A-1629 and A-955 of the City of Austin sewer records should be vacated also where they pass through Lot 7, Block 2, Brackenridge Heights, since these lines have been abandoned. The staff recommended that these requests be granted. The Commission therefore

VOTED: To accept the staff report and to recommend that Jones Avenue be VACATED in accordance with the approved preliminary plan and that the drainage easement and the electric easement along West Bouldin Creek be VACATED, along with the sewer easements for Lines A-1629 and A-955 passing through Lot 7, Block 2, Brackenridge Heights, since these lines have been abandoned.

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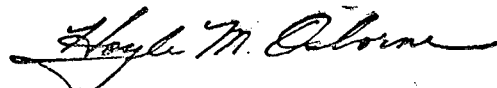
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R170 JOINT AIRPORT ZONING BOARD

Mr. Paul Jones advised the members that the Planning Commission, which is appointed as the Zoning Airport Commission, will hold a hearing on May 31, 1963. He presented a preliminary draft on the Orders of the Joint Airport Zoning Board of Austin and Travis County, Texas, adopting airport zoning regulations. Mr. Jones stated that the final draft needed to be ready by June 15, 1963. Mr. Barrow stated he would like to have the Commission members look over the draft before the public hearing set for May 31, 1963. It was therefore

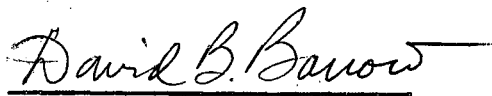
AGREED: To hold a preliminary meeting to study the draft of the Joining Airport Zoning Board Rules and Regulations on May 14, 1963, at 7:00 p.m. in the Council Room.

ADJOURNMENT: The meeting adjourned at 10:05 p.m.



Hoyle M. Osborne
Executive Secretary

APPROVED:



Chairman