

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting -- July 2, 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
Ben Henrickson
Edgar E. Jackson
S. P. Kinser
W. Sale Lewis
Barton D. Riley
Emil Spillman

Absent

Howard E. Brunson
W. A. Wroe

Also Present

Hoyle M. Osborne, Director of Planning
Alfred R. Davey, Assistant Director of Planning
E. N. Stevens, Chief, Plan Administration
Paul Jones, Assistant City Attorney

MINUTES

Minutes of the meeting of June 4, 1963, for approval.

The following zoning changes and special permit requests were considered by the Zoning Committee at a meeting of June 25, 1963:

ZONING

CL4-63-68 L. T. Stewart: C to C-1
4209 Alice Avenue

STAFF REPORT: The site is level and covers an area of 5,000 square feet which is developed with a drive-in grocery. The surrounding area is developed residential with one and two-family dwellings with commercial development along Alice Avenue. The applicant provides approximately four off-street parking spaces. The applicant proposes the sale of beer in connection with a drive-in grocery. Alice Avenue has sixty feet of right-of-way and is classified as a commercial collector street. The property across Alice Avenue to the west of the site was changed from residential to "C" Commercial in 1958 and prior thereto. The area south of West 42nd Street from the subject property was changed to "LR" Local Retail from residential in 1962. This request is a policy question and requires your determination of its compliance with your policy.

Five written comments were received in favor of this request. Mr. L. T. Stewart appeared in behalf of his request and stated that this request is for the sale of beer to go in connection with a drive-in grocery.

C14-63-68 L. T. Stewart--contd.

The Commission reviewed the information presented and concluded that the site was in a well developed commercial area. It was therefore unanimously

VOTED: To recommend that the request of L. T. Stewart for a change of zoning from "C" Commercial, First Height and Area to "C-1" Commercial, First Height and Area for property located at 4209 Alice Avenue be GRANTED.

C14-63-69 Kelly S. DeBusk, Jr.: Int. A and Int. 1 to GR and 5
2210-2414 Ben White Boulevard
3602-3632 and 3605-3635 (proposed) Catalina Drive

STAFF REPORT: The site is undeveloped and contains two tracts of land comprising 11.39 acres. The surrounding area is undeveloped, with the area to the north being constructed as a residential subdivision (Santa Monica Park). The two tracts of the subject property are included in Santa Monica Park, Section 3, which was annexed on June 7, 1963. The proposed use is for construction of a 176 unit motel, service station, cafe and other compatible sales and service facilities to serve the residential subdivision. Tract 1 contains 5.11 acres and the proposed zoning would permit a maximum of 148 units, 397 efficiency units or a 397 unit apartment hotel. Tract 2 contains 6.28 acres and the proposed zoning would permit a maximum of 182 regular units, 364 efficiency units or a 364 unit apartment hotel. The developer is asking to establish the permanent zoning of this property to "GR" General Retail, Fifth Height and Area. Density is a consideration in this area as the zoning of this property will set the pattern along Ben White Boulevard.

One written reply was received in favor of this request.

Mr. Gerald Hart of Marvin Turner Engineers appeared at the Commission meeting on behalf of this request. He requested consideration of the Committee's recommendation for sixth height and area on this property instead of the fifth height and area, especially for Tract 1. Since a service station is proposed on the corner of Ben White Boulevard and Catalina on Tract 1, this would only leave 3.43 acres or approximately 15,000 square feet to build 160 units on this tract. He stated that the development is limited to a certain extent by the terrain and the further restriction of the recommended height and area which would provide 1500 square feet per unit would limit the development of motel or apartment units on these tracts.

The Commission reviewed the staff report and the information presented. They regarded the change of zoning to general retail use as good planning in conjunction with the adjacent residential subdivision. They were, however, concerned with the density for the height and area proposed. It was concluded that sixth height and area would be more appropriate zoning, and it was therefore unanimously

C14-63-69 Kelly S. DeBusk, Jr.--contd.

VOTED: To recommend that the request of Kelly S. DeBusk, Jr. for a change of zoning from Interim "A" Residential, Interim First Height and Area to "GR" General Retail for property located at 2210-2414 Ben White Boulevard and 3602-3632 and 3605-3645 (Proposed) Catalina Drive be GRANTED but to DENY Fifth Height and Area and recommend that Sixth Height and Area be GRANTED.

DISQUALIFIED: Mr. Barrow (adjoining property owner)

C14-63-70 R. G. Mueller, Jr.: A to C-1
3512 Jefferson Street

STAFF REPORT: The subject tract covers an area of 13,300 square feet and is between two commercial sites. The area along Jefferson and West 35th Street is developed commercial while the outlying area is developed residential. The proposed use is for an extension of "C-1" Commercial zoning from the north. The applicant has filed a letter stating that the requested change is to bring all of the frontage on the west side of Jefferson Street in which Mr. Mueller and others have an interest under the same zoning classification. This would cover property between Bull Creek Road and West 35th Street. They feel that the subject tract left as "A" Residential would constitute spot zoning in a commercial developed area. The staff notes that the field notes are incorrect and requests that these be changed to reflect the correct description of the property lines.

No one appeared at the hearing in behalf of this request.

The Commission regarded the request as a logical extension of "C-1" Commercial zoning. They requested that the applicant correct the field notes for the benefit of the Ordinance. It was therefore unanimously

VOTED: To recommend that the request of R. G. Mueller, Jr. for a change of zoning from "A" Residential, First Height and Area to "C" Commercial, First Height and Area for property located at 3512 Jefferson Street be GRANTED.

C14-63-71 Emma Wendlandt Savage: A and 1 and C and 2 to C-2 and 2
5430-5436 Burnet Road

STAFF REPORT: The site is developed with a vacant commercial building. The area to the west is developed residential, while the area along Burnet Road is developed commercial. The applicant proposes operation of a lounge for the on-premise sale of beer. Burnet Road is classified as a primary thoroughfare in the Austin Development Plan. The recommended right-of-way is 120 feet. There are several off-street parking spaces available on the subject property. An unusual aspect is that subject property extends thirty feet into Lot 10 which is part of the residential area to the west. The existing building for the proposed operation is identified as Lot 5 and faces Burnet Road. "C-2" Commercial permits the sale of beer and is a matter of Commission policy.

C14-63-71 Emma Wendlandt Savage--contd.

Two replies to notice were in favor of the request and one against.

Mr. Walter Wendlandt appeared in behalf of the applicant and stated that the owner intends to lease the property for an operation selling food and beer. The property is zoned "C" Commercial and he desires the change of zoning to permit the sale of beer. He did not intend to include the "A" Residence property in this application.

The Commission regarded the requested change of zoning to "C-2" Commercial as a matter of Commission policy in a commercially developed area along Burnet Road. However, they felt the thirty foot strip of the property to the west was an intrusion into an established residential area. It was therefore unanimously

VOTED: To recommend that the request of Emma Wendland Savage for a change of zoning from "C" Commercial, Second Height and Area to "C-2" Commercial, Second Height and Area for property located at 5430-5436 Burnet Road be GRANTED, but to DENY the request for a change in zoning from "A" Residence, First Height and Area to "C-2" Commercial, Second Height and Area.

C14-63-72 Mrs. R. G. West Estate: 0 and 2 and C and 4 to C and 2
 501-515 West 7th Street
 610-618 San Antonio and 609-611 Nueces Street

STAFF REPORT: The site has 33,988 square feet and is developed with two single-family dwellings. The additional area is 7,480 square feet and is developed with two duplexes and one single-family dwelling. The surrounding area is developed residentially with commercial development to the south along West 6th Street. The proposed use is for commercial and apartment development. This change of zoning would permit a maximum of 33 regular units, 67 efficiency units or a 67 unit apartment hotel. The proposed zoning on the additional area would permit a maximum of eight regular units, 17 efficiency units or 17 unit apartment hotel. West 7th Street has 80 feet of right-of-way, with 30 feet of paving, and is classified as a commercial collector street. Subject property is in the one-half parking restriction area. This area was established as an "O" Office District in 1955 on Planning Commission initiation.

Seven written replies were received in favor of this request.

Frank Erwin appeared in behalf of the applicant and stated that the purpose of this request is that the owner has an opportunity to sell the land and the purchaser intends to construct 10,000 feet of office space and perhaps apartments. By a minimum of excavation, off-street parking can be provided under the proposed building. Access will be off Nueces and San Antonio Streets. There have been no objections from the neighbors and we feel the property is suitable for the purpose intended.

Cl4-63-72 Mrs. R. G. West Estate--contd.

The Commission regarded this property as part of the expanding commercial area of the main center business district and a logical extension of commercial development. It was therefore unanimously

VOTED: To recommend that the request of Mrs. R. G. West Estate for a change of zoning from "O" Office, Second Height and Area and "C" Commercial, Fourth Height and Area to "C" Commercial, Second Height and Area for property located at 501-515 West 7th Street, 610-618 San Antonio and 609-611 Nueces Street be GRANTED, including the additional area located at 517-521 West 7th Street and 613-619 Nueces Street.

DISQUALIFIED: Mr. Jackson

Cl4-63-73 M. W. Laird: A to O
 705-707 West 15th Street
 1407-1411 West Avenue

STAFF REPORT: The site consists of 17,280 square feet and is developed with a single-family dwelling. The surrounding area is developed residential with one and two-family dwellings. The area east of subject property was zoned "O" Office in 1961 with the balance of the property on the east side of the street. This was denied by the Council.

Three favorable replies to this proposed change were received and two replies were in opposition.

Two property owners in the area were present at the hearing. Mr. Pat Cain appeared in behalf of the applicant and stated that the neighborhood has been changing toward office type structures. The columns will be removed and the entrance will be on West 15th Street which will be an extension of the East 15th business section. We believe that since the Planning Commission voted to change the area to the east to an "O" Office District that this zoning request should be granted. The property has been owned by Mr. Laird for seven years and not much can be done with it under the present zoning. Off-street parking will be provided to take care of the parking situation.

One of the property owners in the area was opposed and stated the following: I am particularly interested in the parking situation. Austin High School is located nearby and the parking is solid. I have trouble getting in and out of my drive way.

The Commission felt this change of zoning would be compatible with the changing pattern of the area and the recommended study of the area by the Planning Commission. It was therefore unanimously

VOTED: To recommend that the request of M. W. Laird for a change of zoning from "A" Residential, First Height and Area to "O" Office First Height and Area for property located at 705-707 West 15th Street and 1407-1411 West Avenue be GRANTED.

C14-63-74 Virgil L. Southworth: C-1 to C-2
1918 (1910) East First Street

STAFF REPORT: The subject property is developed with a small vacant commercial building and covers an area of 1621 square feet. The adjacent property to the east is developed with a store selling beer to go. The area along East 1st Street is developed commercially and residentially. The surrounding area is developed residentially. The applicant proposes the operation of a small package store. Off-street parking is available on the adjoining property to the east. In the Austin Development Plan, East 1st Street and East 2nd Street are classified as secondary thoroughfares. They are planned to serve as a one-way pair; East 1st Street will be one-way east and East 2nd Street one-way west. "C-2" Commercial zoning permits a package store in addition to the sale of beer.

Four replies to notice were received in favor of this request and one in opposition. Mr. Trueman O'Quinn appeared at the hearing in behalf of the applicant.

The Commission reviewed the information presented and concluded that the subject property was in an immediate well developed commercial area and that the trend is to commercial use. It was therefore unanimously

VOTED: To recommend that the request of Virgil L. Southworth for a change of zoning from "C-1" Commercial, Second Height and Area to "C-2" Commercial, Second Height and Area for property located at 1918 (1910) East 1st Street be GRANTED.

C14-63-75 Joe Allen Horton: A to LR
4709 Delores Avenue

STAFF REPORT: The site is developed with a single-family dwelling and covers an area of 6864 square feet. The surrounding area is predominantly residential with scattered commercial development, mostly at the corner of Webberville Road and Enfield Lane. The applicant proposes to convert the residential building for operation of a small grocery store. Delores Street is classified as a minor residential street with 50 feet of right-of-way. There was a change last year immediately east of the property at the corner of Delores and Mansell Avenue to "GR" General Retail.

One written comment was received in opposition to this request.

Mr. Joe Allen Horton, applicant, appeared in the behalf of his request and stated that this is his home and he planned to convert it into an operation of a grocery store.

The Commission felt that this is a well developed residential street and this change would be an intrusion into the neighborhood. It was therefore unanimously

VOTED: To recommend that the request of Joe Allen Horton for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 4709 Delores Avenue be DENIED.

C14-63-76 Tom A. Fairey: GR to C-1
2801 Rogge Lane

STAFF REPORT: The site is undeveloped and covers an area of 10,080 square feet. The site fronts 75 feet on Rogge Lane, approximately 150 feet west of Manor Road. There is a service station on the adjoining property to the east. The surrounding area is developed with single-family residences. The proposed use is for a drive-in grocery with privilege of package beer sales. The property north across Rogge Lane from the site has recently been established for "O" Office with part of this property granted "C-1" this year. Rogge Lane has 60 feet of right-of-way with 40 feet of paving and is classified as a minor collector street.

Five written replies to notice were received against this change of zoning. Three people appeared at the hearing in opposition and one person was in favor of the request. Mr. Tom A. Fairey appeared in behalf of his request and informed the Commission that the purchaser planned to develop a small type business for a drive-in store which will require the sale of beer for package business. In the future, he plans to develop this area on the order of Delwood as a large community center. General Retail zoning was established in the area prior to the newer residential subdivision.

Opposition from residential property owners in the area was presented as follows: This proposed plan for a drive-in next to a filling station facing Manor Road will destroy the value of the property in the immediate area along Rogge Lane. The area should be converted back to a residential area. The homes are too valuable and the property owners object to this zoning and should have protection from this type of encroachment. A petition is submitted from the owners in the neighborhood against this change of zoning.

At the Commission meeting, the Director reviewed the development of the General Retail zoning in the area.

The Commission discussed the "C-1" Commercial site within this Commercial area and the affect on adjacent homes. The majority of the commission felt this change of zoning would be an intrusion into a residential area. It was therefore

VOTED: To recommend that the request of Tom A. Fairey for a change of zoning from "GR" General Retail, First Height and Area to "C-1" Commercial, First Height and Area for property located at 2801 Rogge Lane be DENIED.

AYE: Messrs. Barrow, Hendrickson, Kinser, Lewis, Riley and Spillman
 NAY: Messrs. Jackson and Spillman
 ABSENT: Messrs. Brunson and Wroe

C14-63-77 Francis E. Benoit: B to O
1504 West 6th Street

STAFF REPORT: The site covers an area of 10,000 square feet and is developed with an apartment. The surrounding area is developed residentially with one, two and multi-family dwellings. The applicant proposes the operation of a beauty shop. The Planning Commission recommended against

CL4-63-77 Francis E. Benoit--contd.

a change of zoning to "O" Office at West 6th and Campbell Streets in 1961 as they felt it was an encroachment into a residential area. In the Austin Development Plan, West 5th and West 6th Streets are classified as primary thoroughfares and are planned to serve as a one-way pair. East 6th Street will be one-way west and East 5th one-way east. West Lynn - between West 5th and West 6th Streets, will ultimately be widened to 60 feet. At the present time, West 6th Street has 69 feet of right-of-way with 40 feet of paving and is classified as a primary thoroughfare.

Four written replies were received in favor of this change and one written comment was in opposition to the request.

Mr. Jay B. Wilkins, Jr. appeared in behalf of the applicant and stated that there is a basement in this house which will be used for the beauty shop and the residential appearance will not be changed. A side entrance will be provided from the alley and there will be no parking problem on West 6th Street. We do not consider this a commercial development but a service in a high density development area. It is in keeping with the residential area to provide the facility of a beauty shop. It will in no way jeopardize or interfere with the property owners in the neighborhood and is a part of the trend toward zoning in the area.

The Commission considered this change of zoning would be spot zoning in a well defined residential area. They regarded the area as in a changing condition but concluded there have been no other changes to warrant the granting of a single spot zoning in this immediate area. It was therefore unanimously

VOTED: To recommend that the request of Francis E. Benoit for a change of zoning from "B" Residential, Second Height and Area to "O" Office, Second Height and Area for property located at 1504 West 6th Street be DENIED.

CL4-63-78 J. D. Luke: B and 1 to B and 2
Enfield Road and Windsor Road

STAFF REPORT: The site covers an area of 8,714 square feet and is developed with two single-family dwellings. Enfield Road has a right-of-way of 105 feet with 40 feet of paving and is classified as a primary thoroughfare. Windsor Road has 50 feet of right-of-way with 30 feet of paving and is classified as a minor residential street. The proposed zoning would permit a maximum of five regular units or eleven efficiency units. Access is limited because of terrain features. The applicant proposes erection of a multi-unit apartment building.

One written comment was received in opposition to the change. Three nearby property owners appeared at the hearing against the request.

C14-63-78 J. D. Luke--contd.

Mr. J. D. Luke, applicant, appeared on behalf of his request and stated that the trend in this area is toward apartment development. The building site needs renovating and is not being used. We intend to build apartments and feel this is the proper use of the land. Parking will be provided.

Opposition from nearby property owners was presented as follows. No off-street parking is provided. This would create additional traffic hazards with the apartment situation existing. The corner of Windsor and Enfield Roads is a blind spot where south bound traffic meets the north bound traffic and is considered a great hazard. We do not feel the narrow width of these streets justify this traffic and the parking problems created by further apartment development.

The Commission considered this request as spot zoning and regarded the traffic situation which would be created as adding to an already congested area. It was therefore unanimously

VOTED: To recommend that the request of J. D. Luke for a change of zoning from "B" Residential, First Height and Area to "B" Residential, Second Height and Area for property located at 1117 Enfield Road be DENIED.

DISQUALIFIED: Mr. Lewis

C14-63-79 First Presbyterian Church, Ed Wiginton, Trustee: A and 1 to B and 2
4100 Jackson Avenue

STAFF REPORT: The site is undeveloped and covers an area of three acres. The surrounding area is developed with single-family dwellings. The proposed zoning will permit a maximum of 87 regular units or 174 efficiency units or 174 units in an apartment hotel. A right-of-way of 50 feet for Missouri-Pacific Boulevard must come from the west side of the subject tract. Although Jackson Avenue has only 50 feet of right-of-way, it serves as a neighborhood collector street. The minimum recommended right-of-way for a collector street is 60 feet. The applicant proposes a four or five story building containing apartments and a nursing home for retired people. Consideration of increased density in this area should be given. The Board of Adjustment has postponed a request to erect a retirement home with a front setback of 10 feet and setbacks of 10 feet and 56 feet from the south and west property lines respectively instead of the required setback of 100 feet from all property lines. They felt the zoning request should be considered prior to their consideration of variance on setback requirements. Consideration should be given to Missouri-Pacific Boulevard and the adjacent State uses bordering a single-family residential neighborhood, as related to this application.

Two replies in favor of this request were from notices.

C14-63-79 First Presbyterian Church--contd.

Messers Pat Cain and Eugene Wukasch appeared in behalf of this request. This will be a 145 bed clinic for retired people and is part of the overall plan for the First Presbyterian Church. They moved to this area where they felt they could have adequate space for this and other proposed buildings. They have anticipated the loss of the 50 feet of right-of-way for Missouri-Pacific Boulevard and have been working with the City on this aspect.

At the Commission meeting, the Director reviewed the zoning in the area and the right-of-way for Missouri-Pacific Boulevard. In addition, Mr. Osborne stated that there is a proposed access street from Jackson Avenue to the Missouri-Pacific Boulevard, although no firm conclusions have been reached.

The Director described the Church's proposed overall plans and the unique use of the property for various church facilities along with the proposed combination convalescent home and apartment hotel for elderly people. He stated the character and intensity of this development should be considered in the Commission's viewpoint of a permissive form of zoning, as well as consideration of traffic and street thoroughfares through the area.

The Commission discussed the aspects of the zoning in the area and considered the unique circumstances as to the use of the land. They concluded that with the mixed development in the area, this proposed change of zoning would be the highest and best use of the land. It was therefore unanimously

VOTED: To recommend that the request of the First Presbyterian Church for a change of zoning from "A" Residential, First Height and Area to "B" Residential, Second Height and Area for property located at 4100-4112 Jackson Avenue be GRANTED, excluding the 50 feet of right-of-way involved in Missouri Pacific Boulevard development.

C14-63-80 Capitol City Oil Company: LR to C-1
521 Sacramento Drive

STAFF REPORT: The site is undeveloped and contains an area of 4500 square feet. There are service stations on adjoining property to the southwest and across Sacramento Drive to the north. The surrounding area is developed primarily with single-family dwellings with commercial development along South 1st Street. The proposed use is for a drive-in grocery. Sacramento Street has 50 feet of right-of-way and is classified as a minor residential street. South 1st Street has 80 feet of right-of-way and is a commercial collector street. Consideration should be given to the relation of this site to the Mollie Dawson Elementary School south of the site. This is a matter of policy under Commission's rules.

Two written comments were received against this change and two persons appeared at the hearing in opposition.

CL4-63-80 Capitol City Oil Company--contd.

Mr. James E. Olson appeared in behalf of this request and stated that there are no other plans other than a grocery store on this site. The lot next to it is a service station. The store and parking will cover a whole lot and will face on South 1st Street. Parking space will be provided.

The Commission discussed the conditions of this change of zoning with mixed viewpoints as to the location of this "C-1" Commercial site within a surrounding residential area and the elementary school south of the site versus the further development of established local retail zoning in the area. A motion to recommend granting of this request failed to carry by the follow vote:

AYE: Messrs. Jackson and Spillman

NAY: Messrs. Barrow, Hendrickson, Kinser, Lewis, and Riley

ABSENT: Messrs. Brunson and Wroe

A motion to DENY this request was made and carried by the following vote.

AYE: Messrs. Barrow, Hendrickson, Kinser, Lewis, and Riley

NAY: Messrs. Jackson and Spillman

ABSENT: Messrs. Brunson and Wroe

CL4-63-81 Ella and Clint Williams: A to O
Cedar Avenue and East 19th Street

STAFF REPORT: The site is developed with a single-family dwelling and covers an area of 5557.5 square feet. The surrounding area is developed predominantly residential. A rest home is across Cedar Avenue on the west, and a hospital is across East 19th Street on the north. The applicant proposes a doctor's office. East 19th Street is classified as a primary thoroughfare and the recommended right-of-way is 120 feet. As the site is very small, development problems may result in its commercial development, particularly if more than one doctor is officed in the building. The lot size is also conducive to head-in parking on East 19th Street, which would be hazardous.

Mr. T. W. Kincheon appeared for the applicant and stated the property has been sold on the basis of "O" Office zoning for a doctor's office.

The Commission felt this area is in a transitional period of change and that this change of zoning would be appropriate for the area as it is developing. It was therefore unanimously

VOTED: To recommend that the request of Ella and Clint Williams for a change of zoning from "A" Residential, First Height and Area to "O" Office, First Height and Area for property located at Cedar Avenue and East 19th Street be GRANTED.

C14-63-82 Ben F. Blumberg and W. M. Murchison: A to O
907 and 909 East 41st Street

STAFF REPORT: The site is developed with two single-family dwellings. The area to the south is developed residential while the area to the north is being developed with the Sears Center. The Saint Mary's Academy and Hancock Recreation Center are to the west. East 41st Street has an eighty foot right-of-way with thirty-six feet of paving and is classified as a commercial collector street. The area along 41st Street was considered by the Planning Commission in 1960 and recommended for "O" Office as a buffer zone between the "GR" General Retail zoning and the residential area to the south. The applicant proposes erection of a mercantile establishment on this site. A special permit for a service station was granted in 1961 at Red River Street to the west of subject property.

Three persons were present at the hearing favorable to this change and one person appeared in opposition.

Mr. Robert C. Sneed appeared for applicant and presented the following information: The applicants proposed operation of a Goodyear type store. There is 7000 square feet provided for the building and 14000 square feet of off-street parking connections with the building. There is an established trend in the area with the Sears tract and the general retail running along 45th Street in a westerly direction and an ultimate zoning change running from the Expressway over to 41st Street. This type of store-selling of automobile tires, appliances, hardware and so forth, would be a normal type of development for the area and compatible with good zoning.

The Chairman stated since the Council had established the surrounding General Retail zoning across the street from the site, he was in favor of this change, otherwise he would not be.

The Commission felt that general retail zoning would be compatible with the development of the area and it was therefore unanimously

VOTED: To recommend that the request of Ben F. Blumberg and W. M. Murchison for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 907 and 909 East 41st Street be GRANTED.

C14-63-83 J. E. Patterson and Conway Taylor: A to BB
1803-1805 West 35th Street

STAFF REPORT: The site includes two tracts of land and covers an area of 23,700 square feet totally. Tract 1 is developed with a single-family dwelling and Tract 2 is developed with a real estate office. The surrounding area is predominantly residential with single, two and multi-family dwellings, with commercial development to the east along Jefferson and West 35th Street. The proposed zoning for Tract 1, containing 12,900 square feet, would permit a maximum of six units. The proposed zoning for Tract 2 containing 10,000 square feet, would permit a maximum of five units. The applicant's plans are for construction of an apartment house. There have been seven changes of zoning in the immediate area between 1957 and 1961,

Cl4-63-83 J. E. Patterson and Conway Taylor--contd.

most of which have been changed from "A" Residential to "B" Residential or to "LR" Local Retail. The area to the east of the site along West 35th Street is zoned "BB" Residential and the area east thereof along Jefferson Street has "C-1" Commercial zoning.

Of the three replies to notice received, two were in favor and one was opposed.

Mr. Conway Taylor appeared on behalf of his request and stated that this change of zoning is appropriate for our purpose to develop apartment units and in keeping with the trend of zoning change in the area.

The Commission regarded this change of zoning in line with other zoning changes that have been in the immediate area. It was therefore unanimously

VOTED: To recommend that the request of J. E. Patterson and Conway Taylor for a change of zoning from "A" Residence, First Height and Area to "BB" Residence, First Height and Area for property located at 1803-1805 West 35th Street be GRANTED.

Cl4-63-52 Mrs. Eva Seiders Estate: A to O (as amended)

Part 1: 1200-1208 West 38th Street

Part 2: 1201-1209 West 39th Street

STAFF REPORT: The site is undeveloped with the surrounding area developed residential with one and two-family dwellings. There is some commercial development to the east along Lamar Boulevard. The proposed use is a drug store for Part 1 and an office building for Part 2, which covers an area of approximately 102,800 square feet. Across Lamar Boulevard to the east of the property is the state hospital. West 38th Street is classified as a primary thoroughfare in the Austin Development Plan. The recommended right-of-way is 120 feet. The subject property is located in an area designated for low density residential development - three dwelling units per acre. There are residences on each side of the subject tracts.

The staff reported that this application has been amended to request a change from "A" Residential to "O" Office for both Tracts 1 and 2. The applicant has filed an application on additional area for a change of zoning to "C" Commercial. This area will include adjoining property on Alice Avenue for the proposed development of a medical center.

The Director reiterated the need for widening off the 38th Street side of Tract 1. Mr. Rhea Merritt stated that they were aware of this need for widening and that they would comply with this request.

The Commission reviewed this application as amended and concluded that because of the commercial development in the area, this change of zoning would be a logical extension of an established pattern and proper zoning for the area. It was therefore unanimously

CL4-63-52 Mrs. Eva Seiders Estate--contd.

VOTED: To recommend that the request of Mrs. Eva Seiders Estate for a change of zoning from "A" Residential to "O" Office (as amended) for property located at 1200-1208 West 38th Street and 1201-1209 West 39th Street be GRANTED.

DISQUALIFIED: Mr. Riley

CL4-63-53 A. S. Brient: A to C
8-14 Chicon Street

STAFF REPORT: The site contains approximately 57,400 square feet and is undeveloped. The surrounding area is developed predominantly residential. Applicant proposes to build multiple unit apartments. An application for this change of zoning was withdrawn in 1961 at the request of the Planning Commission pending further study of the proper zoning and development of the lake front. The proposed site is the remaining portion of a subdivision at the end of Salina Street. This proposed zoning would permit a maximum of thirty-two regular units or 114 units in an apartment hotel. The alignment of North Riverfront Parkway is generally proposed south of the applicant's property. The Town Lake Committee considered this application at the time the City property east of Chicon Street was considered and voted to take no action in this site as no development were submitted.

The Director reported that the City is planning to acquire this tract of land and it was therefore unanimously

VOTED: To DEFER the request of A. S. Brient for a change of zoning from "A" Residential to "C" Commercial for property located at 8-14 Chicon Street pending negotiations with the property owner and the City.

RL46 SUBDIVISION COMMITTEE

The Committee Chairman submitted the minutes of the Subdivision Committee meeting of June 24, 1963. The staff reported that no appeals had been filed for review of the Committee's action. The Commission therefore

VOTED: To accept the attached report and to spread the action of the Subdivision Committee of June 24, 1963, on the minutes of this meeting.

PRELIMINARY PLAN

C8-63-24 Southern Oaks, Section 6
Buffalo Pass

The staff explained that Southern Oaks subdivision was given general preliminary approval in 1959 and that following such approval one section of Southern Oaks was finalized and approved. In processing the second final plat, it was brought out that KTBC held a lease on the property which raised a serious question on the City's ability to accept and maintain public streets within the subdivision. Following this, the Planning Commission instructed the staff that a preliminary plan be brought in for each section of the balance of property for clearance by the Legal Department. The final plat of Southern Oaks, Section 6, was filed with the Commission last month without Legal Department clearance and as a final action is necessary on the plat at this meeting, an action is required on the preliminary plan of Southern Oaks, Section 6, prior to the required action of the final plat. The preliminary plan as submitted to you provides a cul-de-sac at the end of Buffalo Pass as requested by the staff; and approval is recommended providing the Legal Department clears the subdivision plan in regard to street dedications. Mr. Paul Jones, of the Legal Department, advised that the subdivider has provided the City with a title policy sufficient for him to clear the question of street dedication. The Commission therefore

VOTED: To APPROVE the preliminary plan of SOUTHERN OAKS, SECTION 6.

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:

- C8-63-11 Martinshaw Sub. Resub. of Part of Lot 1
Shaw Lane south of Burleson
- C8-63-13 Barton Oaks
Manchaca South of Lightsey
- C8-63-26 University Hills Sections 2 and 5
Lehigh Drive and Roanoke Drive
- C8-63-27 Western Trails Section 8
Jones Road and Pack Saddle Pass
- C8-63-28 Lanier Terrace, Section 4
Lanier Drive and Shadowood Drive
- C8-63-25 Highland Village, Section 4
Placid Place and West Market
- C8-63-30 Northtown West, Section 3
Stillwood Lane and Steck

SUBDIVISION PLATS - CONSIDERED

C8-63-3 Balcones West
Starline Drive and Balcones

The staff recommended acceptance for filing as all reports have not been cleared. Mr. Holmes, the engineer for the subdivider, reported that a report was lacking on water from the Sanitary Sewer Department, and that this department has assured him this report would be in the Planning Department today. He therefore requested that this plat be given disapproval subject to the report being made in order to complete fiscal arrangements and that permission be given to poll the Commission for approval. The Director questioned Mr. Holmes on the availability of sewer for this subdivision outside of the City limit. Mr. Holmes advised that special arrangements with the City Manager as to the policy of serving outside the City were being made. The Commission therefore

VOTED: To DISAPPROVE the plat of BALCONES WEST pending completion of fiscal arrangements receipt of Department reports and to authorize the staff to poll the Commission when necessary reports have been received.

C8-63-24 Southern Oaks, Section 6
Buffalo Pass

The staff recommended approval of this final plat since preliminary approval has been granted and reported that a cul-de-sac at the end of Buffalo Pass has been provided as requested. The Commission therefore

VOTED: To APPROVE the final plat of SOUTHERN OAKS, SECTION 6.

C8-62-20 Manor Hills, Section 8 Resub. of Lot 62
East 51st and Manor Road

The staff reported that this plat satisfied all the standards of the Ordinance and recommended approval. The Commission therefore

VOTED: To APPROVE the final plat of MANOR HILLS, SECTION 8.

C8-62-80 Oasis Village, Section 3
Eureka Drive and Sahara Avenue

The staff recommended approval of this plat and requested authorization to hold the plat from recording until the final letter is received. The letter has been mailed and should be received tomorrow. The Commission therefore

VOTED: To APPROVE the plat of OASIS VILLAGE, SECTION 3 and authorized the staff to withhold recording pending receipt of fiscal letter.

SHORT FORM PLAT - FILED

C8s-63-85 C. E. Brown Subdivision
Cullen Lane

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

VOTED: To ACCEPT the plat of C. E. BROWN SUBDIVISION for filing.

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 Commission therefore

VOTED: To APPROVE the following plats:

C8s-63-71 The Highlands Addition a Part of Block 1
Avenue H and 48th Street

C8s-63-73 Hood's Eastside Lots, Resub. Tracts A and 2
Cherico Street

C8s-63-61 John Tabor's Sub. of Portion of Theodore Bissell League
Manachaca Road

C8s-63-53 James Burnhams Sub. of Part of Henry Warnell League
Rieburg Lane and Mario

C8s-63-67 Henry Hall Subdivision No. 3
Victor Street

The staff recommended approval of this short form plat noting the necessity of power pole and transformer relocation and that relocation of power pole and transformer would be at subdividers expense. The Commission therefore

VOTED: To APPROVE the plat of HENRY HALL SUBDIVISION NO. 3 noting that the relocation of the power pole and transformer would be at subdividers expense, if relocation is deemed necessary.

C8s-63-74 Culp Subdivision Resub. Lot 2
Montropolis and Fairway

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

VOTED: To DISAPPROVE the plat of CULP SUBDIVISION RESUB. LOT 2 pending the required fiscal arrangements.

C8s-63-86 Gypsy Grove Section B
West 32nd and King Street

The staff reported receipt of a letter requesting a variance to waive the sixty foot minimum width requirement to approve the resubdivision of Lots 1 thru 4, Block 10, of this addition. The present width of Lot 1 is forty-six feet and the proposed resubdivision would increase the width to fifty-

C8s-63-86 Gypsy Grove Section B--contd.

six feet. The width of Lot 1 cannot be further increased without causing the east boundary line to pass within five feet of the present existing building on Lot 2. The rear portion of Lot 2, facing on King Street, does not meet the technical width requirements. This lot has been in its present state for many years. This plat proposes to reshift the existing alley to adjoin Lot 2. The existing alley dedication has been closed and on ground since 1929 and the owner has erected a carport over it. The Council has never passed an Ordinance to legally vacate the alley and it will be necessary to open the new alley with the vacation of the existing alley. The dedication of the new alley will compensate somewhat for the narrow width of Lot 2. All reports are in and cleared and we recommend approval with the requested variances. The Commission therefore

VOTED: To APPROVE the plat of GYPSY GROVE, SECTION B and to GRANT the requested variance and authorized the staff to hold for recording pending vacation of the alley.

SUBDIVISION APPROVAL BY TELEPHONE POLL

The staff reported that a majority of the Commission had been polled by telephone on the dates indicated and that a majority of the Commission had

VOTED: To APPROVE the following final plats:

C8-63-12 Insurance Addition
 South Interregional Highway and Mariposa
 Approved 6-5-63
C8-63-21 Santa Monica Park, Section 3
 Ben White West of Burleson
 Approved 6-12-63

OTHER BUSINESS

R140 PLANNING COMMISSION: Organization

Since the City Council had re-appointed all of the members whose terms expire on June 1, 1963, the annual election of officers was held. The Commission then elected the following officers for the following year:

Chairman:	Mr. Barrow	Secretary:	Mr. Lewis
Vice-Chairman:	Mr. Kinser	Assistant Secretary:	Mr. Jackson

C2-63-1(c) AUSTIN DEVELOPMENT PLAN AMENDMENTS

The staff reported a request in the form of a petition from property owners on Nixon Lane for a land use change from industrial to residential on the lands located south of East 19th Street between T&NO Railroad and the State Farm Colony. The Assistant Planning Director presented a map illustrating the area, noting there are thirty-one homes now located on Nixon Lane and but one semi-industrial use. Land use to the east (State Farm Colony) is considered compatible with residential development. The railroad will serve as a visual and physical barrier between the residential

C2-63-1(c) AUSTIN DEVELOPMENT PLAN AMENDMENTS--contd.

development and the proposed Sewage Treatment Lagoons as it is slightly higher than the normal elevation of the surrounding area. Consolidation of tracts may be difficult as there are numerous ownerships in the area. The retention of the industrial designation would be reasonable since the land is level, rail facilities are available and the relationship to the Sewage Treatment facilities may prove advantageous. The Assistant Director noted the limited demand for industrial locations except for the recent change in land use designation from residential to industrial for the property west of the Sewage Treatment Site.

The Commission reviewed the information presented and discussed existing and likely future development of the area. They were inclined to view the conditions for industrial development as favorable, stating they did not feel the area would develop in a satisfactory, urban residential pattern. Messrs. Lewis and Hendrickson stated they could not vote in favor of a change unless all property owners in the area had been notified of the request for land use designation change. It was therefore

VOTED: To recommend that the request from property owners on Nixon Lane to change the land use designation from industrial to residential be DENIED.

AYE: Messrs. Barrow, Jackson, Kinser, Riley and Spillmann

NAY: Messrs. Lewis and Hendrickson

ABSENT: Messrs. Brunson and Wroe

C10-63-1(f) STREET VACATION REQUEST
Portion of Old West 38th Street

The Director reported that the City Manager has requested further study of this street vacation proposal and recommended the request be postponed. It was therefore

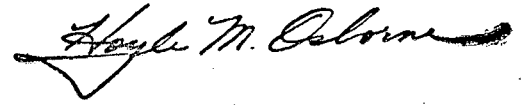
AGREED: To POSTPONE pending further study.

C10-63-1(k) ALLEY VACATION REQUEST
North of West 11th Street between Lavaca and Colorado Streets

The staff reported a request from the owners and presented a site plan of the location for the Commission's review. The property adjacent to the alley has been sold for a proposed apartment building and possibly the alley may be of some use for service access. The staff recommended the vacation of the alley and it was therefore

VOTED: To recommend that request for vacation of the alley north of West 11th Street between Lavaca and Colorado Streets be GRANTED.

ADJOURNMENT: The meeting adjourned at 9:50 p.m.



Hoyle M. Osborne
Executive Secretary

APPROVED:


Chairman