

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting -- August 27, 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
W. Sale Lewis
S.P. Kinser
Barton D. Riley
W.A. Wroe

Absent

Ben Hendrickson
Emil Spillmann

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 July 30, 1963, for approval

The following zoning change requests were considered by the Zoning Committee at a meeting of August 20, 1963:

ZONING

C14-63-103 Walter Wendlandt: A to BB
Winsted Lane, West 11th and Waterston Streets

STAFF REPORT: The site covers an area of 51,247 square feet and the additional area covers 11,718 square feet. The site is traversed by a creek and alley and is developed residentially with two single-family dwellings. The site is bounded by Waterson Avenue and West 11th Street, which are undeveloped, and Winsted Lane, which has 65 feet of right-of-way with 30 feet of paving. The I&G.N. Railroad, which is the location of Missouri-Pacific Blvd., adjoins the site and the additional area to the east. The additional area is developed with electrical and Civil Defence equipment. A request has been made to vacate the alley and recommendation has been postponed by the Planning Commission. The applicant proposes apartment construction. The requested zoning would permit a maximum of 25 regular units. In 1962, the Planning Commission denied a request for a change to "B" zoning west of the subject property as they felt Winsted Lane is not adequate to care for additional traffic created by an apartment house.

One written comment was received in favor of this application and one person appeared at the hearing in support of the application. Mr. Charles Wendlandt appeared at the hearing for applicant and stated they felt this requested change would be good zoning and would improve the property. The property is adjacent to "BB" zoning to the north and adjacent to the railroad and Missouri-

C14-63-103 Walten Wendlandt--contd.

Pacific Boulevard which limits use for residential property and is not suitable. There are a number of duplexes and multi-units in the area. There is a problem of utilizing the property in its present nature, and a creek prevents traffic from crossing as the streets are undeveloped, other than Winsted Lane. The use of these undeveloped streets would provide adequate off-street parking.

The Zoning Committee felt that Winsted Lane right of way was inadequate to provide for an increase in traffic resulting from a zoning change of this nature and recommended the change be denied.

Mr. Charles Wendlandt appeared at the Planning Commission Meeting and requested that he be allowed to present additional evidence in support of his application. The Commission granted this request and Mr. Wendlandt presented pictures, traffic, and land use information to outline his reasons for the granting of his application. With regard to the possibility of parking congestion and traffic density on Winsted Lane, Mr. Wendlandt proposed the Council put up no parking along Winsted Lane in front of the proposed apartments. He is providing 32 off street parking spaces for 12 apartments now under construction across Winsted Lane, which he feels would not create traffic congestion. There is "BB" zoning immediately to the north and he felt his application was an extension of this zoning and the proper zoning for the area. Mr. Wendlandt presented a sketch of the area showing the flow of traffic outlets and stated the increase of 30 percent proposed by his application and development of available land within the general neighborhood would not appreciably overload Winsted Lane where it would create a traffic problem. In conclusion, the applicant stated he felt his application would not be spot zoning as there is a railroad, future Missouri-Pacific Boulevard, City electric substation, air raid siren, Johnson Creek, buffered by duplexes and lack of street access, which were all factors in favor of apartment dwellings in the area.

The Commission reviewed the information presented and concluded that the area is becoming unsuitable for single family dwellings and that this change of zoning would be the best possible zoning for the area. It was therefore unanimously

VOTED: To recommend that the request of Walter Wendlandt for a change of zoning from "A" Residence to "BB" Residence for property located at Winsted Lane, West 11th and Waterton Streets be GRANTED.

DISQUALIFIED: Mr. Lewis (Property owner in the area)

C14-63-104 W.J. Pannell: GR to C
3117-3131 Manor Road

STAFF REPORT: The site is developed with a lumber yard and covers an area of 55,000 square feet. The area along Manor Road is developed commercially while the remaining area is developed residentially. Across Manor Road there are various general retail uses such as a drug store, grocery, T.V. shop, with "C-1" at the corner of Airport Blvd. and Manor Road, which is developed with a drive-in grocery. The applicant proposes an auto rental agency. In the Austin Development Plan, Manor Road is classified as a secondary thoroughfare with a proposed right of way of 90 feet. Presently Manor Road has 80 feet of right of way

C14-63-104--W.J. Pannell--contd.

with 40 feet of paving. Consideration should be given to the possibility of a special permit to cover this.

One written reply was received in favor of this request. Mr. T.E. Wiley appeared for applicant and presented the following information. The property is in the middle of "GR" and the corner is commercially zoned. We have a contract for the location of a car rental business which cannot be used under the present zoning. If this can be handled by a special permit or other type of zoning, this will be agreeable.

The Committee felt the possibility of a special permit to cover this use would be desirable in view of the existing residential area and the restrictive commercial area. They instructed the staff to give further study to the matter for presentation to the Commission.

The Director recommended certain changes to the present Zoning Ordinance, one of which would permit auto rental agencies in a General Retail district C2-53-4. The auto rental agencies being the type generally thought of as Hertz Rental Agency and Avis Rental Agency and does not intend to permit agencies of truck fleet rentals.

As the Commission had concurred with the Director of Planning and recommended that the Ordinance be amended to provide for auto rental agencies of the type described in the recommendation, and as the Commission felt that the application was contrary to the comprehensible zoning plan for this area, it therefore was unanimously

VOTED: To recommend that the request of W.J. Pannell for a change of zoning from "GR" General Retail to "C" Commercial for property located at 3117-3131 Manor Road be DENIED.

C14-63-105 Clarence McCullough and Ray Saunders: Int. A and Int. 1 to GR and 1
2708-3004 South Interregional Highway

STAFF REPORT: The site covers an area of 4 and one-half acres along the Interregional Highway and is undeveloped. The surrounding area is undeveloped with the exception of a cemetery to the south and St. Edwards University to the west. Across the Interregional Highway, there are large tracts of undeveloped property zoned "GR". The applicant proposes a motel and other commercial uses. The extension of St. Edwards Drive from South Congress to the Interregional Highway will be located through the subject property. The applicant has orally indicated he will provide this with the future subdivision of the property. In connection with this zoning, there should be some assurance of this street being provided.

There were no written comments or no one appearing at the hearing for the applicant.

The Commission recognized the need for the extension of St. Edwards Drive through the subject property and felt if the street were provided to care for the traffic

C14-63-105 Clarence McCullough and Ray Saunders--contd.

needs that "GR" General Retail should be established as the logical zoning for the property. It was therefore unanimously

VOTED: To recommend that the request of Clarence McCullough and Ray Saunders for a change of zoning from Interim "A" Residential and Interim 1 to "GR" General Retail for property located at 2708-3004 South Interregional Highway be DENIED.

C14-63-106 Clarence McCullough and Ray Saunders: Int. A and Int. 1 to C and 1 2331-2535 South Interregional Highway

STAFF REPORT: The site is a long narrow strip of land and covers an area of 19,800 square feet along the east side of the Interregional Highway. The surrounding area is undeveloped and is zoned "GR" across the Interregional Highway to the west and immediately to the south of the subject property. The area east of the Interregional Highway and south of East Live Oak Street is currently under study to determine the future need for streets which may extend through the subject property. As the applicant proposes future commercial development, consideration should be given to street locations and development of this property with adjoining property to encourage better building sites.

There were no written comments and no one appeared at the hearing for the applicant.

The Commission felt the odd shape of the land was not useable under the Zoning Ordinance and that adequate street needs in the area are not provided. It was therefore unanimously

VOTED: To recommend that the request of Clarence McCullough and Ray Saunders for a change of zoning from Interim "A" Residential and Interim 1 to "C" Commercial and 1 for property located at 2331-2535 South Interregional Highway be DENIED.

C14-63-107 V. Leon Austin: A to C 1523 Koenig Lane

STAFF REPORT: The site is developed with a single-family dwelling on a through lot containing 10,500 square feet. Koenig Lane has 70 feet of right of way with 30 feet of paving and is classified as a primary thoroughfare. Arroyo Seca is a minor residential street at the rear of this property. The surrounding area is developed residential with single-family dwellings except for some commercial development northwest along Koenig Lane. In the Austin Development Plan, Koenig Lane is classified as a primary thoroughfare with a proposed right of way of 120 feet. Local Retail zoning on the north side of Koenig Lane was zoned in 1962 and the "C" Commercial zoning at the corner of Arroyo Seca and Koenig Lane was established in 1947. The applicant proposes professional offices. Consideration should be given to the existing land use in this predominantly residential area.

Three written comments were received in opposition to the change.

C14-63-107 V. Leon Austin--contd.

Mr. J. F. Darrouzet represented the applicant, presenting the following information: A CPA wants to use the site as his office and there will be no changes to the structure of the house. There will be one or two people employed which will not present any parking problems. This use in the change of zoning will be extremely limited.

Five nearby property owners appeared at the hearing and stated they were against spot zoning in a residential neighborhood.

The Commission regarded the neighborhood and felt this change would not be in conformance with any existing comprehensive plan as evidenced by a visual inspection of the area. It was therefore unanimously

VOTED: To recommend that the request of V. Leon Austin for a change of zoning from "A" Residential to "C" Commercial for property located at 1523 Koenig Lane be DENIED.

C14-63-108 Carl C. Hardin, Jr.: BB to O
 809-811 West 34th Street
 3307-3311 Grandview Street

STAFF REPORT: The tract is developed with two single-family dwellings and contains an area of 21,240 square feet. The area to the south is developed residential with single-family dwellings. There is commercial development along Lamar Boulevard to the east. To the west along West 34th Street is "O" Office zoning with doctor's and dentist's office. Grandview Street has an inadequate right of way of 45 feet. For streets serving other than low-density residential development, the minimum recommended right of way is 60 feet. The applicant proposes professional office use. There is some question of the ownership of the 22 feet by 175 feet strip of this tract which adjoins Grandview Street.

Three nearby property owners appeared at the hearing along with the applicant in favor of this request.

The Committee felt the status of the ownership on the 22 feet by 175 feet strip of this property should be cleared and the need for street widening on Grandview should be determined.

The staff reported to the Commission that the status of this strip of the property had not been determined, and would need to be clarified prior to the City Council's action. The Commission felt this requested change of zoning was the proper zoning for the property provided clarification of the 22 feet x 175 feet strip determines that it can be used for street widening. It was also their recommendation that should the strip be determined to be privately owned, the application for this change of zoning should be denied. It was therefore

VOTED: To recommend that the request of Carl C. Hardin, Jr. for a change of zoning from "BB" Residential to "O" Office for property located at 809-811 West 34th Street and 3307-3311 Grandview Street be GRANTED provided the 22 feet x 175 feet strip needed for street widening is not privately owned and can be used for street widening on Granview Street.

C14-63-109 Mrs. Nollie Perry: B to LR
West 5th Street and Pressler Street

STAFF REPORT: The site is undeveloped and covers an area of 2,950 square feet. The surrounding area is developed predominantly residential with one and two-family dwellings. There is some commercial and industrial development along West 5th Street including a grocery store across the street at the corner of Pressler and West 5th. A bus company is diagonally across the street from the site. West 5th and 6th Streets are classified as a one-way pair primary thoroughfare in the Austin Development Plan. West 5th is now under construction with a paving width of 44 feet. Pressler Street does not have adequate right of way. The minimum recommended right of way for any street is 50 feet. The applicant proposes future commercial development. The size of the property is of some concern as it is a small portion of one lot.

Three replies to notice were received, one in favor and two having no opinion. The applicant was present at the hearing.

The Commission felt that "LR" zoning was not the proper zoning to tie between two existing "C" Commercial zonings but felt they would look with favor on a "C" Commercial application encompassing more area. It was therefore un-animously

VOTED: To recommend that the request of Mrs. Nollie Perry for a change of zoning from "B" Residence to "LR" Local Retail for property located at West 5th and Pressler Streets be DENIED.

AYE: Messrs. Barrow, Kinser, Jackson, Lewis, Riley and Wroe

NAY: Mr. Brunson

ABSENT: Messrs. Hendrickson and Spillman

C14-63-110 D. C. Bradford: GR to C-1
5207 Cameron Road

STAFF REPORT: The site is developed with a restaurant and covers an area of 8,910 square feet. The adjacent area along Cameron Road is developed commercial with such uses as service stations, cafes, T. V. repairs, and liquor stores. Cameron Road is a commercial collector street with 60 feet of right of way and 36 feet of paving. "C-1" Commercial zoning is a matter of Commission policy.

There was one written comment in favor of the requested change.

The Commission recognized this was a well developed commercial area and the policy of the Commission to grant "C-1" Commercial zoning where this exists. It was therefore unanimously

VOTED: To recommend that the request of D. C. Bradford for a change of zoning from "GR" General Retail to "C-1" Commercial for property located at 5207 Cameron Road be GRANTED.

C14-63-111 Miss Mary Dell Schmitz: A to C
Rear of 6403-6421 North Lamar Blvd.

STAFF REPORT: This application is for a tract of land containing 76,176 square feet and adjoins the existing "C" Commercial district along the East side of Lamar Blvd. and extends eastward for 360 feet to within 100 feet of the developed residential subdivision fronting on Irma and Wilmes Drive. The stated purpose for this change is a septic tank sales and service business on the property. The extension of "C" zoning this deep within 100 feet of adjoining residential property will create problems for the adjoining dwellings fronting Irma and Wilmes Drive and limit the future development of the subject property and the adjoining tracts to the north and south.

There were no written comments and one person appeared at the hearing in favor of the application. Arthur E. Philgren represented the applicant and stated the property is under contract to be sold and the purpose of the request is commercial zoning which is 150 feet off of Lamar Boulevard to the east. The plans are to build a building on this tract to house and park tanks and trucks and equipment. We do not need the entire depth of the lots, so we will not be close to the residential area.

The Committee regarded the commercial development to the west along Lamar Blvd. and the residential area east and south and concluded that the front portion of approximately 150 feet should be for commercial useage and the rear portion of the property should be zoned "B" residential to protect the adjacent residential area.

Mr. Philgren appeared before the Commission and stated that the use of the property to the depth of another 100 feet in addition to the Committee's recommendation is needed for storage of materials to be used in the septic tank business. They cannot be stored in "B" Residential property and by granting the additional 100 feet of the property at the rear, the distance will still be approximately 200 feet from the residential property.

The Chairman stated he was generally in favor of encouraging commercial zoning where there is a strip along a highway unless it does damage to additional property. Mr. Stevens noted that completion of the street pattern is part of the problem as well as some separation between the residential and commercial development. After discussion of street connections, the Commission then

VOTED: To recommend that the request of Miss Mary Dell Schmitz for a change of zoning from "A" Residential to "C" Commercial for property located at the rear of 6403-6421 North Lamar Boulevard be granted to a depth equivalent to extension of the west line of Burns Street through this property and to DENY the balance of the application.

C14-63-112 Woodland Hills Development Company: A to O
1701-1825 South Interregional Highway
1601-1627 Woodland Avenue

STAFF REPORT: The site covers an area of 3.44 acres and fronts approximately 600' along the Interregional Highway and is undeveloped. The surrounding area is residential, with undeveloped property to the east. The applicant proposes construction of an office building. Woodland Avenue has 80 feet of right of way with 36 feet of paving and is classified as a secondary thoroughfare.

There were no written comments in reply to notices sent.

Mr. Joe Gilbreth stated for the applicant that his client has a contract for building an office building with 150 foot frontage on the Interregional Highway. The entire tract will not be used except for this particular office building at the present time. There may be several buildings in the future on the remaining frontage.

The Commission felt that "O" Office zoning would conform to the comprehensive zoning plan for this area. It was therefore unanimously

VOTED: To recommend that the request of Woodland Hills Development for a change of zoning from "A" Residential to "O" Office for property located at Woodland Avenue and South Interregional Highway be GRANTED.

C14-63-113 Tom Bradfield, Owner and Nash Phillips-Copus, Lessee: C to C-1
2818 Hancock Drive

STAFF REPORT: The site is developed with a drive-in grocery and covers an area of 7,125 square feet. The surrounding area is predominantly residential with the exception of some commercial uses along Hancock Drive and at Bull Creek Road. There is a cemetery in unzoned property adjoining to the east. The applicant's proposed use is for the sale of beer for off-premise consumption in connection with the drive-in grocery.

One written comments was received in favor of this change.

Mr. Robert Sneed represented the applicant and stated that he had a petition signed by 280 people asking that this application be granted. All of the people are within the service area and will be using the store.

The Commission recognized the area as a well-defined commercial area and it was therefore unanimously

VOTED: To recommend that the request of Tom Bradfield, Owner, and Nash Phillips-Copus, Lessee, for a change of zoning from "C" Commercial to "C-1" Commercial for property located at 2818 Hancock Drive be GRANTED.

C14-63-114 Mrs. J. L. Joseph: A to LR

712-714 Blackson Avenue at North Interregional Highway

STAFF REPORT: The site is undeveloped and covers an area of 15,875 square feet. Because of the zoning pattern, we included the additional area of 11,175 feet. The area to the west is residential while the area across the Interregional Highway is undeveloped with commercial and industrial zoning. The area to the south of the additional area is pending Council action for "C" Commercial. The applicant proposes the erection of a service station. "LR" zoning would permit the use of a service station. We are concerned with the shape of the property in that it is unusual for a service station site. The height and area to the south has been established as fifth height and area which requires a 25 foot setback from the thoroughfare. Fifth Height and Area should be established for this property to provide the same setback as required for adjacent property to the south.

There were no written comments in reply to notices. Mrs. J. L. Joseph appeared at the hearing and Mr. Tom National represented her. Mr. Nation stated the following in support of this application: Currently the area is primarily commercial and industrial in the planning. My understanding is that the property now under consideration by the Council was zoned "GR" for retail uses consistent with zoning in the area that fronted along the Interregional Highway and the retail value of the property. With the proposed motel and restaurant, it will affect the value of any property in the area and commercial and general retail zoning would be compatible for the land use. The service station proposed would fit the overall development of this area and the narrow strip adjoining the site could be used as a runway for the service station, even with a setback requirement of 25 feet.

The Commission recognized that generally all of the property along the Interregional Highway is developing commercial. They felt that "LR" zoning was the proper zoning but that fifth height and area would be better suited for this property. It was therefore unanimously

VOTED: To recommend that the request of Mrs. J.L. Joseph for a change of zoning from "A" Residence to "LR" Local Retail, First Height and Area, for property located at 712-714 Blackson Avenue at North Interregional Highway, including the additional area at 711-715 Blackson at North Interregional Highway, be DENIED, but that "LR" Local Retail, Fifth Height and Area, be GRANTED.

C14-63-115 M. K. Hage, Jr.: A to O

814 East 31st Street

STAFF REPORT: The site is undeveloped and covers an area of 10,466 square feet. The adjacent area westward is predominantly residential with one and two-family dwellings. Offices, apartments and commercial uses exist along Red River Street adjacent to the east. The applicant proposes parking in connection with an office to build on the corner of East 31st Street and Red River. East 31st Street has 50 feet of right of way with 30 feet of paving and is a minor residential street which ends at Waller Creek from Red River. The "O" Office zoning adjoining the site was established in 1959.

C14-63-115 M. K. Hage--contd.

There was one written comment for and three written comments against this change.

M. K. Hage, Jr. represented the applicant and informed the Commission that the surrounding and adjoining property is developed with doctors' offices and they plan to furnish additional parking for a clinic to be built at the corner of Red River and East 31st Street. There are apartments south and north across the street and the City set the west side of Red River as a no parking zone. We are asking for the zoning change for parking as we feel it is an asset to the physicians in this complex to have enough parking space.

The Commission felt this zoning and use would fit into the manner in which this area is developing and would be proper use of this land. It was therefore unanimously

VOTED: To recommend that the request of M. K. Hage, Jr. for a change of zoning from "A" Residence to "O" Office for property located at 814 East 31st Street be GRANTED.

C14-63-116 Louis A. Joseph and Max W. Kretschman: A to C
1017-1021 East 50th Street

STAFF REPORT: The site is developed with two single-family dwellings which front on the south side of West 50th Street. There is commercial zoning along the Interregional Highway adjoining to the east and was so zoned in 1956 and 1962. The applicant's stated purpose is for general commercial development. The property along East 50th Street is residentially developed along the Highway. There is concern regarding the effect "C" zoning will have on the adjoining residential area.

No replies to notice were received. Mr. Robert Sneed presented the following information for the applicant. There is a plan to purchase subject property and the adjacent lot along the Interregional Highway subject to the change of zoning being granted. The property will then be developed by Dr. Mayo. The property will be of sufficient size and depth so that it can be properly developed with the extending zoning in keeping with the already established pattern. We feel this is the highest and best use of the land.

The Commission felt this change of zoning was a logical extension and in keeping with the pattern of commercial development existing. It was therefore unanimously

VOTED: To recommend that the request of Louis A. Joseph and Max W. Kretschman for a change of zoning from "A" Residential to "C" Commercial for property located at 1017-1021 East 50th Street be GRANTED.

6-1 C14-63-117 Martin Legett: O to C
3717 Interregional Highway

STAFF REPORT: The site is developed with a doctor's office and covers an area of 5,500 square feet. The adjacent area along the Interregional Highway is zoned "C" Commercial with the exception of the subject property. The proposed use is for erecting a service station and thereafter operating same. East 38½ Street has 60 feet of right of way with 30 feet of paving and is classified as a primary thoroughfare with a proposed right of way of 120 feet. The Capital Improvements Program lists a widening and paving program for 38½ Street in the fiscal year 1963-64.

There were no written comments received. Mr. Rogan B. Giles represented the applicant and stated the property is ideally suited for this type of development with the commercial area surrounding. We are asking for "C" Commercial zoning because of the standard type of sign which will be used for the service station. The adjoining four lots to the south of the site are zoned commercial and this request is for extension of the existing zoning. The first three lots from the corner are proposed to be used together as the station site.

The Commission felt this was a logical extension of "C" Commercial zoning and in keeping with the pattern of zoning. They realized 38th Street will have to be widened in the future but did not feel the burden should be placed on one property owner at the present time since there are no definite plans as to when or where the street might be widened. It was therefore unanimously

VOTED: To recommend that the request of Martin Legett for a change of zoning from "O" Office to "C" Commercial for property located at 3716 Interregional Highway at East 38th Street be GRANTED.

C14-63-118 Mrs. Lillian B. Hankey: BB to O
3300 West Avenue

STAFF REPORT: The site is developed with a single-family dwelling. The surrounding area is developed residentially with single-family dwellings and some doctor's offices. "O" Office zoning is established on West Avenue adjoining the site. West Avenue has 50 feet of right of way with 30 feet of paving and is classified as a minor residential street. The alley adjoining the subject property is open and has a maximum width of 12 feet with a gravel surface. The applicant proposes professional office use.

Four replies to notice were in favor of this change and one nearby property owner was present at the hearing in support of this application.

Mr. Cy Miller represented the applicant and informed the Committee the property is being titled into one sale on the whole block. The entire tract will be under one ownership. We expect to have all the property changed to office zoning.

C14-63-118 Mrs. Lillian B. Hankey--contd.

The Commission felt this change was a logical extension of "O" Office zoning and would fit the existing pattern of the zoning. It was therefore un-
amiously

VOTED: To recommend that the request of Mrs. Lillian B. Hankey for a change of zoning from "B" Residence to "O" Office for property located at 3300 West Avenue be GRANTED.

C14-63-119 Donald Dempsey: A and 1 to B and 2
408-410 Park Lane at Hillside Avenue

STAFF REPORT: The site is developed with a single-family dwelling and covers an area of 23,790 square feet. The additional area is developed with a duplex and a single family dwelling and contains an area of 66,240 square feet. There is "B" zoning within 115 feet of the site and this intervening property is included as additional area in order that it be given the same consideration as the applicant's property. The property along Hillside Avenue is zoned "A" Residential. The applicant proposes building an apartment house. The proposed zoning would allow a maximum of 28 regular units, 56 efficiency units or a 56 unit apartment hotel on the additional area. The proposed zoning on subject property would allow a maximum of 18 regular units, 36 efficiency units or a 36-unit apartment hotel. Newning Avenue and Park Lane have 60 feet of right of way with 30 feet of paving and are minor residential streets. Hillside Avenue has 50 feet of right of way with 30 feet of paving and is also classified as a minor residential street.

One written comment was received in favor of this change of zoning along with six comments in opposition. Five nearby property owners were at the hearing to express their oppositon, which is summarized as follows: We are interested in protecting our residential neighborhood. We bought our homes in the neighborhood because it was quiet and not congested. The area he proposes for building these apartments will be too crowded and we object to the additional nuisance value of having apartments in a single family residential neighborhood.

Mr. Donald Dempsey appeared at the hearing and replied that his plans were for an 8 unit apartment for elderly people. He felt this change of zoning was in order as there are duplexes on both sides of the property and a nursing home down the street.

The Zoning Committee recommended the application be denied as they felt this change would be contrary to the interest of the neighborhood and felt it should remain as a substantial single family neighborhood.

The staff reported to the Commission receipt of a letter from the applicant requesting that this application be withdrawn as the applicant intends to refile his application for a more complete presentation at the next hearing. The Commission concurred with the Zoning Committee's recommendation and it was therefore

C14-63-119 Donald Dempsey--contd.

VOTED: To recommend that the request of Donald Dempsey for a change of zoning from "A" Residential First Height and Area to "B" Residential Second Height and Area for property located at 408-410 Park Lane at Hillside Avenue be DENIED.

C14-63-120 Al Sachs: A and 1 to C and 2
121-129 Krebs Lane at Wadford Street

STAFF REPORT: The site is undeveloped and covers an area of 29,400 square feet. The surrounding area is sparsely developed with some residential development to the west and some commercial development to the east. The proposed use is for commercial and apartment projects. The proposed zoning on the subject tract would permit a maximum of 29 regular units, 58 efficiency units, or a 58 unit apartment hotel. If the site is used in conjunction with adjoining land to the east, containing approximately 44,100 square feet, the proposed zoning would permit a maximum of 54 regular units, or a 147 unit apartment hotel. Wadford Street and Krebs Lane are both inadequate in right of way, having 40 feet and 25 feet respectively. The minimum right of way recommended for any street is 50 feet. For streets serving commercial properties and apartment development, the minimum right of way recommended is 60 feet. Consideration should be given to the street widths and the encroachment of commercial into a residential area.

No written comments were received and one person was present at the hearing in opposition. Mr. Joe Gilbreth represented the applicant and presented the following information: The street access will be behind the proposed commercial building. The apartment house will have parking under it and there will be additional off-street parking off Krebs Lane. We would be agreeable to widening Krebs Lane. We feel this proposal will be a big improvement for this property.

Mr. M. P. Willis stated he was against this request as the streets are inadequate and the parking situation is already congested. We are opposed to anything of this nature in a residential neighborhood.

The Commission recognized that the streets were inadequate to support the burden which would be put on them with this development. It was therefore unanimously

VOTED: To recommend that the request of Al Sachs for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, Second Height and Area for property located at 121-129 Krebs Lane at Wadford Street be DENIED.

C14-63-121 Clarence E. Williams: B to C
705-707 East 53rd Street and 5210 Ellers Avenue

STAFF REPORT: The site is developed with a duplex and covers an area of 6,125 square feet. The additional area is developed with a single-family dwelling and covers an area of 6,685 square feet. The surrounding area is predominantly residential with one and two-family dwellings with the exception of some commercial development along Airport Boulevard. The applicant proposes operation of a new and used furniture store and novelty shop.

C14-63-121 Clarence E. Williams--contd.

East 53rd and Bruning are classified as secondary thoroughfares with 50 feet of right of way. Eilers Avenue is a minor residential street with 50 feet of right of way.

There were two written comments in favor of the application. Mr. E. L. Williams was present on behalf of this application. He stated that the property is not suitable for residential purposes any more as the traffic is too heavy. They are asking for this change to commercial zoning in order to turn into business property. Mr. Williams further stated many people in the area would like to have their property zoned commercial and a number of the people have signed a petition requesting commercial zoning for the area.

The Commission felt that "LR" Local Retail zoning would be a logical extension of the "LR" Local Retail zoning already established on East 53rd Street and that "C" Commercial would be contrary to the existing zoning pattern. It was therefore unanimously

VOTED: To recommend that the request of Clarence E. Williams for a change of zoning from "B" Residence to "C" Commercial for property located at East 53rd Street and Eilers Avenue, including the additional area at 706-710 Bruning Avenue be DENIED but that "LR" Local Retail be GRANTED.

C14-63-122 Christian Faith and Life, et al: B and 2 to B and 3
 2501-2517 Rio Grande, 2500-2516 Seton Street,
 615-621 West 26th and 608-614 West 25th Streets

STAFF REPORT: The site is developed with rooming houses and duplexes. The immediate surrounding area is developed with single-family dwellings, duplexes, rooming houses, apartments and sorority houses and fraternity houses. Seton infirmary is north across West 26th Street. The proposed use is for erecting a building to be used as an intercultural residential and orientation center for International and American students. The streets surrounding the site have approximately 60 feet of right of way with 30 feet of paving and are classified as minor collectors, with the exception of Rio Grande which is a commercial collector street. Consideration of the proposed zoning characteristics of this application should be given. The matter of flexibility and height for the building in what is otherwise a second height and area district is of concern. The proposed zoning will permit a maximum of 54 regular or 108 unit apartment hotel without changing the density of the area. The present height limitation is 45 feet. The proposed zoning would allow a maximum height of 90 feet.

There were two written comments in favor of the application. Mr. W. Jack Lewis represented the applicant, and presented the following information: This is a high density area because of proximity to the University. We feel this proposal will make a contribution to the University community and we hope to develop it as an international cultural residential center.

C14-63-122 Christian Faith and Life, et al--contd.

We are concerned with the beauty and landscaping and believe that the third height and area is desirable for architectural beauty. We believe this will be an asset to the neighborhood and hope to receive a profitable return from our investment.

The Commission recognized that in regard to density, the Second and Third Height and Area provisions of the Ordinance are the same and that the only additional privilege afforded by the Third Height and Area in the apartment districts is an increase in height. The Commission felt that this property is well within an integral part of what is recognized as the University area, and to accomplish and encourage better development, more flexibility in height will be necessary. The Commission further felt that the University area, as such, should be increased to a Third Height and Area District where it does not permit an increase in density. It was therefore unanimously

VOTED: To recommend that the request of Christian Faith and Life Community, et al for a change of zoning from "B" Residence, Second Height and Area to "B" Residence, Third Height and Area for property located at Rio Grande, Seton, West 25th and West 25th Streets be GRANTED.

R146 SUBDIVISION COMMITTEE

The Committee Chairman submitted the minutes of the Subdivision Committee meeting of August 19, 1963. The staff reported that no appeals have been filed for review but that the following subdivision was referred to the Commission without a recommendation: C8-62-1 Holiday Heights, Section 1. The Commission therefore

VOTED: To ACCEPT the attached report and to spread the action of the Subdivision Committee of August 19, 1963 on the minutes of this meeting.

SUBDIVISION PLATS - FILED

C8-62-31 University Hills, Auburn Circle
Northeast Drive and Auburn Circle

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

VOTED: To ACCEPT the plat of UNIVERSITY HILLS, AUBURN CIRCLE, for filing.

C8-63-33 Highland Hills, Section 5, Phase 2
Highland Hills Terrace

The Director presented a sketch and orientation of the preliminary plan of Highland Hills, Section 5, Phase 2, outlining problems in location and continuity of streets.

C8-63-33 Highland Hills, Section 5, Phase 2--contd.

Along Highland View Drive there is a question of access through Lots 16 and 17 to the adjoining property owned by W.G. Allen. Street access has the problem of terrain, which is very rough, dropping down through a dry creek. There is no particular agreement between property owners at this time but Mr. Bradfield has submitted the following proposal: It is expressly stipulated that the conveyance of Lot 16 shall provide that the developer shall retain the right to demand the reconveyance of the north 200 feet thereof for the purpose of re-subdivision in connection with the subdivision of land east of and abutting Dry Creek. Such right shall be exercised within a period of one year following the sale of Lot 16, and the resulting subdivision shall have the approval of the City Planning Commission and shall be subject to restrictions substantially the same as the recorded restrictions of Highland Hills, Section Five, Phase Two. Upon the demand of the City of Austin made within one year after date of sale, the then owner of Lot 16 shall convey to the owner of adjoining property east of and abutting Dry Creek for street purposes a strip of land 50 feet wide connecting the proposed street to the center of Dry Creek.

The Director noted that this would require a street dedication through Lot 16 to Mr. Allen's common property line, or a trade of land between the owners to permit the fronting of lots on Highland View Drive. This would give the then owner and subdivider the ability to front five lots on Highland View Drive. Questions posed by this situation were outlined by the Director as follows:

1. How far would the street go from the access to the abutting property? The adjoining property owner has not participated in development costs.
2. Consideration of the nuisance factor of a strip of land between the street and the Allen property.
3. With the 50 foot strip connecting the proposed street to the center of Dry Creek, a cul-de-sac would be created. This might be the solution but on the other hand would be very costly to develop five lots because of the necessary bridging.

The Chairman stated he questioned putting a restriction of one year as proposed by the subdivider. Mr. Bradfield replied that he felt one year was a reasonable length of time for the matter to be disposed. He stated he was willing to pay his share of the utility costs and in turn would have access to his property.

The Director noted that if the 50 foot strip were dedicated to the Allen property, it would permit one large lot only because of the lot width requirement. An alternative would be to create cul-de-sacs and creek crossings as mentioned.

The Commission felt that the offer Mr. Bradfield proposed was reasonable and the Commission's obligation to the abutting property owner ends when he has proper access to his property.

Mr. Stevens noted that Lots 17, 18 and 19 of this subdivision had been

C8-63-33 Highland Hills, Section 5, Phase 2--contd.

excluded from preliminary approval subject to Mr. Bradfield's agreement on a street pattern and since this has been agreed upon, these lots should now be included in the preliminary plan approval.

The Commission therefore

VOTED: To APPROVE the preliminary plan of HIGHLAND HILLS, SECTION 5, PHASE 2, as revised, including Lots 17, 18 and 19, and to ACCEPT the plat for filing.

SUBDIVISION PLATS - CONSIDERED

C8-63-9 Townlake Plaza,
Lakeside Blvd. and Wildwood

The staff reported that all reports have been cleared and with the exception of proper deed references on the plat, is ready for approval.

The Commission therefore

VOTED: To APPROVE the plat of TOWNLAKE PLAZA and authorized the staff to hold for proper deed references.

C8-63-26 University Hills, Section 2, Phase 5
Lehigh Drive and Roanoke Drive

The staff reported that all items have been cleared on this subdivision except for entering a correct plat reference.

The Commission therefore

VOTED: To APPROVE the plat of UNIVERSITY HILLS, SECTION 2, PHASE 5, and authorized the staff to hold from recording until the necessary reference has been entered on the plat.

C8-63-27 Western Trails, Section 8-Revised
Jones Road and Pack Saddle Pass

The staff recommended disapproval of this plat until the required fiscal arrangements and annexation are completed. The Commission therefore

VOTED: To DISAPPROVE the plat of WESTERN TRAILS, SECTION 8, Revised, and to authorize the staff to poll the Commission for final approval when the requirements have been met.

C8-63-29 Wm. Bell Subdivision, Resub.
Tannehill and Samuel Huston

The staff reported that a variance from the street width requirements has been requested by the engineer and is required to approve the plat. It was explained that Tannehill Street has an inadequate right-of-way width of 40' and that this plat proposes an additional dedication of 5' providing for a total width of 45' for Tannehill Street abutting this subdivision. The staff recommended the granting of the variance to continue the alignment hereto -

C8-63-29 Wm. Bell Subdivision, Resub.--contd.

fore established by the Public Works Department as they have established a base line for Tannehill Street from which existing street widening dedications have been made. The Commission recommended that the 5' dedication proposed by this plat met the proposed alignment of Tannehill Street and concluded that for this engineering reason, the variance should be granted. The Commission therefore

VOTED: To DISAPPROVE the plat of WM. BELL SUBDIVISION, granting a variance on the street width requirement for Tannehill Street.

C8-62-1 Holiday Heights, Section 1
Twin Crest Drive and St. John's

The staff reported that this plan lacks preliminary approval; fiscal arrangements, additional easements and departments reports are required. In addition, provision for extension of Duval Street, including water and sewer in the fiscal arrangements of this extension and building setback lines which will be affected, are factors which preclude final approval. The proposed extension of Duval Street in connection with this subdivision is under consideration by the City Council at the present time, but no decision has been made. In view of these circumstances, it is recommended that this plat be disapproved

Mr. W.H. Bullard, owner, appeared and requested postponement pending Council determination on the extension of Duval Street. The Commission therefore

VOTED: To POSTPONE the plat of HOLIDAY HEIGHTS, SECTION 1.

C8-60-7 South Ridge West
Clawson Road and Grayford Drive

This final plat was presented to the Commission by the engineer, Mr. Thomas Watts, requesting a variance from the signature requirements and permission to poll for final approval. This subdivision plat was considered last January, and disapproved because of completion of fiscal arrangements, departmental reports, engineering corrections and the required signature of the adjoining owner of Tract A. Mr. Watts informed the Commission that most requirements have been met but that the owners of Tract A have refused to join in the plat as they do not want an electric easement on the property and will not dedicate the additional 5 feet of right of way for widening of Clawson Road, because there home is there. There are still fiscal arrangements that need completion which will be cleared within a week or so. A variance is required on the signature requirements since the adjoining owner of Tract A will be participating in the subdivision.

The staff commented that it was difficult to recommend the granting of the variance as the Ordinance purposes are not met as to street widening and easement location.

The Chairman stated that where an engineer makes a satisfactory statement

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C8-60-7 South Ridge West contd.

that the plat cannot be signed, a variance may be granted.
The Commission therefore

VOTED: To DISAPPROVE the plat of SOUTH RIDGE WEST, granting a variance on signature requirements, and authorized the staff to poll the members upon completion of necessary reports.

SHORT FORM PLAT - FILED

C8s-63-115 Clarence Lee Felter Subdivision
Noble Drive and Harris Blvd.

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 CLARENCE LEE FELTER SUBDIVISION for filing.

C8s-63-116 Westover Hills Plaza
Balcones Drive

The staff explained that this subdivision is across the street from Westover Hills and 200 feet west of Balcones Drive. It proposes one lot out of a tract of land approximately 11 acres in size. The one lot is about 150' x 300'. To comply with the technicalities of the Ordinance, both tracts must be included in the subdivision. The owners are requesting a variance from signature requirements. The plat does not provide for thoroughfare street needs of Missouri-Pacific Boulevard. The plat has been cleared by all departments except for these two items.

The Director advised that the right of way for Missouri-Pacific Boulevard will have to be cleared with the Public Works Department and reviewed with the City Manager. The idea generally will be to parallel the railroad and this has been discussed with the developer, Mr. Mayfield. There is the question on what basis the property should be acquired and a right of way agreement will have to be reached. Although this subdivision does not provide for the boulevard, there should be no conflict as soon as the specific information concerning the right of way for this area can be determined.

The Chairman felt the City should not postpone handling this matter any longer than possible in order not to delay development of the subdivision. Mr. Jones of the Legal Department remarked that the City is hoping to purchase and acquire the right of way for Missouri-Pacific Boulevard soon but that this subdivision does not meet short form requirements of the Subdivision Ordinance or the Master Plan. He also noted that the City has the right of imminent domain to provide the right of way.

The Commission therefore

VOTED: To REJECT the plat of WESTOVER HILLS PLAZA for filing, but authorized the staff to give administrative approval when filed in proper form and cleared in all regards.

SHORT FORM PLATS - CONSIDERED

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

VOTED To APPROVE the following plats:

C8s-63-84 Holly & Naumann Subdivision

East 5th and Tillery

C8s-63-102 Gatliff Resub. of Tract 3 of Lindy Humber Subdivision

Old U.S. 183

C8s-63-114 University Hills, Section 2, Phase 2, Resub. Lots 27 and

30, Blk. 1

(The Commission authorized the staff to hold plat for correct plat reference)

C8s-63-105 Church Addition

Cameron Road

C8s-63-117 L.J. Thomas Subdivision

Reynolds Road

C8s-63-112 Woodrow Washington Subdivision

E. 6th and Clifford

The staff reported that this short form had been considered by the Subdivision Committee and postponed pending further considering of the widening of Clifford Street. The staff explained that Clifford Street has a present right-of-way width of 20' and that a variance has been requested from the street widening requirements to approve this plat. The staff further explained that the alignment and proposed widening of Clifford Street has been worked out with the department of Public Works and that the plat proposed widening to meet this alignment. The street will still have less than 50' of right-of-way and a variance is necessary, but as the subdivider is dedicating that part of the street that has been requested of him and as based on the proposed alignment of Clifford Street, the requested variance is recommended. The Commission concurred with the staff that because of the reason of alignment the variance should be granted.

The Commission therefore

VOTED: To APPROVE the plat of WOODROW WASHINGTON SUBDIVISION, granting a variance on the width requirements on Clifford Street.

C8s-63-99 M.H. Flournoy No. 2

East 12th Street

The staff recommended this plat be disapproved pending completion of fiscal arrangements required involving installation of pipe for drainage and as the plat is not in proper form regarding participation in the plat by the adjoining property owners. Public Works state that a 24" drainage pipe installation is necessary and the installation of the pipe would cost approximately \$1400. The staff reported that Mr. Flournoy is requesting a variance from the signature requirements of the Ordinance.

C8s-63-99 M.H. Flournoy No. 2.--contd.

Mr. Kinser stated he had looked at this property a number of times and that perhaps the drainage could be connected on the east and west of the subject tract. Since the adjoining property is under the ownership of more than one individual, he felt pipe connection could not be made without City participation. He was therefore in favor of giving a variance on the installation of pipe and using an open ditch. He concluded that an adequate drainage should be required along the back of these lots.

Mr. Stevens noted that the adjoining back lots are left in a very awkward shape and remarked that he felt the open ditch and awkward lot arrangement would make it extremely difficult to further develop the adjoining tracts. Should the other property owners ask for pipe drainage in the future, the City would be out the cost of installation.

Mr. Flournoy stated the drainage is satisfactory as it is, and that the pipe that comes out of the west side did not serve any purpose. The pipe coming out the east side has no way to connect with his property or across. There is no possibility of developing the lots next to his because of the angle to his property. He felt a variance to use the open ditch and to bring to an angle on each side to catch the water was satisfactory. He has been unable to get any signatures of adjoining property owners and therefore requests a variance from this requirement.

The Chairman noted that the Commission may grant a variance on pipe installation if the cost exceeds the enhancement of the value of the property. The Commission therefore

VOTED: To APPROVE the plat of M.H. FLOURNOY NO. 2 with the condition that an adequate drainage easement be provided, and to grant a variance on pipe requirements for drainage and a variance from the signature requirements of the Ordinance.

SUBDIVISION APPROVAL BY TELEPHONE POLL

The staff reported that a majority of the Commission had been polled by telephone on August 14, 1963 and that a majority of the Commission has

VOTED: To APPROVE the following final plats:

C8-62-65 Brinwood Section 4
 South 1st and Barton Skyway
C8-63-25 Highland Village, Section 4
 Placid Place and West Market

OTHER BUSINESS

R140 PLANNING COMMISSION

The Director announced a meeting of the Fourth Annual Institute of Planning and Zoning, sponsored by the Southwestern Legal Foundation, to be held in Dallas on September 26-28, 1963.

OTHER BUSINESS--contd.

C2-53-4 ZONING ORDINANCE: Interim Revisions
Streets and Thoroughfares

The Director recommended that the Zoning Ordinance be amended to cover the following items.

1. The definition for "Boulevard Street" is not presently adequate to take into account North Interregional Highway and should be either reworded and/or have Interregional Highway added to the present listing.
2. Electronics Wholesale Distributors when of a limited scope are in many respects similar to and compatible with general retail uses. By providing control of the floor area permitted and the type of merchandising handled it would be appropriate to amend the ordinance to allow these distributors to locate in the "GR" General Retail District.
3. An Auto Rental Agency has been the subject of a recent zoning change request from "C" to "GR". Upon reviewing the characteristics of this use and relating same to the uses permitted in the "GR" General Retail District it would appear desirable that the ordinance be amended to permit the auto rental agency in the "GR" District.

The Commission considered the suggested changes and expressed their general agreement with same. The Commission therefore

VOTED: To request the City Attorney to prepare amendments to the Zoning Ordinance to incorporate under use of electronic wholesale establishments (limited to 10,000 square feet floor area and selling predominantly household merchandise), and an auto rental agency; and to amend the definition of "Boulevard Street" to include both the main traffic lanes and service lanes or frontage roads and to have "Interregional Highway" added to the present listing.

R810 SUBDIVISION RULES AND PROCEDURES

The Director presented the following items regarding subdivision procedures for the Planning Commission's consideration:

1. Commission authorization for the Director of Planning, Chairman and Secretary of the Commission to clear final plats for recording.
2. Prior to staff approval of plats, the staff shall have an opportunity of meeting with the subdivision owner. Such a meeting could avoid confusion between the subdivider, his engineer or surveyor and recommendations of the staff. This might be a scheduled meeting prior to the formal Subdivision Committee meeting.
3. Extension of filing time on plats. There are a number of plats handled

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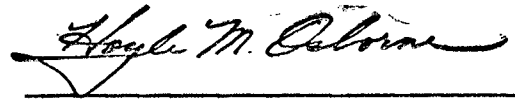
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with only about 10 days filing time. This has proven inadequate, especially in the case of a large preliminary plan. A minimum period of three weeks or possibly a flexible period whereby the larger or more complicated plats would be required to be filed at least three weeks prior to the sending of notices.

ADJOURNMENT: The meeting adjourned at 10:15 p.m.



Hoyle M. Osborne
Executive Secretary

APPROVED:


Chairman