

CITY PLANNING COMMISSION  
Austin, Texas

Regular Meeting -- September 24, 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  
Barton D. Riley  
Emil Spillmann  
W. A. Wroe  
Ben Hendrickson

Absent

S. P. Kinser

Also Present

Hoyle M. Osborne, Director of Planning  
E. N. Stevens, Chief, Plan Administration  
Walter Foxworth, Planning Department  
Paul Jones, Assistant City Attorney  
Dudley Fowler, Assistant City Attorney

MINUTES

Minutes of the meeting of August 27, 1963, for approval.

The following zoning change requests were considered by the Zoning Committee at a meeting of September 17, 1963.

ZONING

C14-63-124 Conway Taylor: BB to O  
1805 West 35th Street

STAFF REPORT: The Committee is somewhat familiar with this property, having considered a change to "BB", First Height and Area, on the property this year. The site is developed with an office and apartment. The proposed use is the operation of a real estate office in the building, which the requested change would permit to continue. There have been approximately eight changes since 1949 on the subject property and the adjacent property, with "C" Commercial to the east, "B" across the street, "LR" at the corner of West 35th and Lawton Avenue and "C-1" established for drive-in groceries along Jefferson to Lawton Avenue and "C-1" established for drive-in groceries along Jefferson Street to the east. The area of this site covers approximately 3,000 square feet, however, only the northeast corner of the property is for occupancy of the real estate office. The surrounding area is developed residentially with one, two and multi-family dwellings with the exception of the mixed commercial development at the corner of West 35th and Jefferson. There is concern for traffic on West 35th Street, since the street is classified as a primary thoroughfare, but has only 60 feet of right-of-way. Questions regarding the mixed pattern of "B", "LR", "BB" and now "O" zoning are raised in considering this application.

C14-63-124 Conway Taylor--contd.

Two replies to notice were received against this change and one reply was in favor.

No one appeared at the Zoning Hearing in support or opposition to the application.

The Committee recommended this request be granted as they felt this change would be compatible with the existing zoning.

The Director called the Commission's attention to the inadequate right-of-way on West 35th Street and reviewed the traffic situation and land use problems in the area.

The Commission discussed the mixed pattern of zoning in the area and considered the future development in relation to the traffic and thoroughfare plans. A motion to grant this request failed to carry by the following vote:

AYE: Messrs. Lewis, Henderson and Riley  
 NAY: Messrs. Barrow, Brunson, Jackson, Spillmann, and Wroe  
 ABSENT: Mr. Kinser

It was therefore

VOTED: To recommend that the request of Conway Taylor for a change of zoning from "BB" Residential to "O" Office for property located at 1805 West 35th Street be DENIED.

AYE: Messrs. Barrow, Brunson, Jackson, Spillmann and Wroe  
 NAY: Messrs. Lewis, Henderson and Riley  
 ABSENT: Mr. Kinser

C14-63-125 Edgar S. Daugherty: C to C-1  
 Anita and Blue Bonnet Drive

STAFF REPORT: The site is undeveloped and covers an area of 5,945 square feet. The application is for "C-1" zoning with the proposed use of off-premise consumption of beer. The site is part of a "C" Commercial area extending east, which was zoned "C" Commercial in 1949. This is undeveloped with apartments except for the subject property. The Optimist Club Building adjoins the subject property to the south. The surrounding area is developed residentially. The granting of "C-1" zoning is a matter of Commission policy to permit the sale of beer in a well defined and established commercial area.

Three written comments were received against this change and one person wrote in favor.

Nine people appeared at the hearing in opposition.

Mr. Richard Baker represented the applicant and presented the following in support. The applicant wishes to erect drive-in grocery and permit sale of

C14-63-125--Edgar S. Daugherty--contd.

beer. This area was zoned "C" in 1949 for the balance of the area which is an apartment type complex. The exact size of the proposed structure is unknown, but we will be glad to limit "C-1" to the size of the building, as opposed to granting of the whole lot.

Arguments presented against this change by nearby property were as follows: We are opposed to this change because of the residential nature of the area. There are a number of children in the neighborhood, with an elementary school nearby. The traffic generated by a drive-in grocery selling beer would be dangerous and unhealthy. This would be situated next to the Optimist Club, which at one time was a grocery store that failed. If this zoning is established, we run the possibility of something even more undesirable encroaching later, such as a "honkey-tonk".

The Commission concluded that this area was not a well defined commercial area and that this permit would not fit the policy of the Commission. It was therefore unanimously

VOTED: To recommend that the request of Edgar S. Daugherty for a change of zoning from "C" Commercial to "C-1" Commercial for property located at 1913 Anita Drive and 1701-1707 Bluebonnet Drive be DENIED.

C14-63-126 Thalbert R. Thomas: BB to LR

2910 (2906) Rio Grande and 2911 Salado Street

Additional Area: 2908 Rio Grande and 2909 Salado

STAFF REPORT: The site covers an area of 5,150 square feet and the additional area contains 5,150 square feet. The applicant proposed a change from "BB" Residence to "LR" Local Retail. He proposes to have an upholstery workroom for interior decorating. This area was studied by the Commission in 1961 and recently established as a low density apartment district. The area north is developed residentially while the area to the east and south along Guadalupe and 29th is developed commercially. Salado and Rio Grande Streets in this area have an inadequate right-of-way. If the streets are used commercially they should have a minimum of 60 feet of right-of-way.

Four written comments were received in favor and one in opposition.

The applicant was present at the hearing and stated he desired to leave the building to a prospective tenant for use as an upholstery workroom for interior decorating.

The Commission felt that this area extends into the "BB" Residential area and is not an actual continuation of retail or commercial development. They regarded Salado and Rio Grande Streets as inadequate for any additional traffic. It was therefore unanimously

VOTED: To recommend that the request of Thalbert R. Thomas for a change of zoning from "BB" Residence to "LR" for property at 2910 (2906) Rio Grande and 2911 Salado, including the additional area at 2908 Rio Grande and 2909 Salado, be DENIED.

C14-63-127 W.N. Alexander: C to C-1  
2149 South Lamar

STAFF REPORT: The site is developed with a hamburger stand and covers an area of 8,625 square feet. The applicant proposes the sale and consumption of beer in connection with the hamburger stand. The property along Lamar Boulevard is zoned commercially on both sides, and is generally developed commercially, with mixed residential on either side. "C-1" zoning is a matter of Commission policy in an established commercial area.

No replies to notice were received and no one appeared at the hearing in support of the request.

The Commission recognized that this was a well established commercial area with "C-1" zoning existing and it was therefore unanimously

VOTED: To recommend that the request of W.N. Alexander for a change of zoning from "C" Commercial to "C-1" Commercial for property located at 2149 South Lamar Boulevard be GRANTED.

C14-63-128 Mrs. Junie C. Knape: B to O  
West 8th Street at Nueces

STAFF REPORT: The site covers an area of 17,664 square feet. The site slopes slightly and has a 10 foot retaining wall in front. The dwelling is 12 to 15 feet above Nueces Street level. The applicant proposes to use this tract of land for establishing a day nursery. Most of the property in the area has been changed from "B" Residence to "O" Office or "C" Commercial. Immediately to the south "O" Office zoning has already been established. The surrounding area is developed with one, two, and multi-family dwellings. The Austin Women's Organization is to the east.

Three replies to notices were received in favor of this request. Mr. W.W. Knape appeared at the hearing in support of the application.

The Commission felt that this was a logical extension of "O" Office zoning and fit the general zoning pattern in this area. It was therefore unanimously

VOTED: To recommend that the request of Mrs. Junie C. Knape for a change of zoning from "B" Residence to "O" Office for property at 601-603 West 8th Street and 704-706 Nueces Street be GRANTED.

C14-63-129 William L. Young: A to C-1  
1414-1416 Justin Lane at Arroya Seca

STAFF REPORT: The site is undeveloped and covers an area of approximately 12,000 square feet. The applicant proposes a drive-in grocery to include the sale of beer for off-premise consumption only. The surrounding area is

C14-63-129 William L. Young--contd.

developed residentially with one and two-family dwellings. The area to the north is developed with a shopping center and was zoned prior to 1954. The question of "C-1" zoning into a residential area should be considered as to whether this type of use will fit the established uses and in terms of the Commission's policy concerning "C-1" requests.

Nine written objections were received along with one reply in favor of this application.

Mr. Hub Bechtol represented the applicant and stated that Justin Lane and Arroya Seca are changing just as other streets change. The area is not properly used as "A" Residential. We would like to put in a drive-in grocery.

Ten nearby property owners were present and gave the following reasons in opposition. We are opposed to commercial enterprises in residential area, and have all the grocery stores we need in the area. There are many children in the vicinity walking to school and the children should be protected. As there are no sidewalks, the children must walk in the streets. There should be no place for this type of operation in a residential neighborhood.

The Commission recognized the area as developed highly residentially and agreed that "C-1" zoning should not be granted unless the area is developed commercially. It was therefore unanimously

VOTED: To recommend that the request of William L. Young for a change of zoning from "A" Residential to "C-1" Commercial for property located at 1414-1416 Justin Lane and 6901-6905 Arroyo Seca be DENIED.

C14-63-130 H. Warren Smith: LR to GR  
3502 Mills Avenue

STAFF REPORT: The site covers an area of 6,250 square feet and is to be developed with the adjoining corner lot. The applicant proposes a T.V. repair shop on these lots. The surrounding area is predominantly residential with single-family dwellings with the exception of a beauty shop, nursery, and office to the west and south of the site. In 1962, the Planning Commission made a study on West 35th and Jefferson Streets to determine proper use of the land in connection with the extensions of West 38th and West 35th Streets. They felt the area should be developed for apartment purposes. On an application for change of the corner property, the Commission recommended against a change to "GR" and the Council granted it. The applicant is now requesting a change to "GR" on the interior lot and proposes to use both lots on the one site for T.V. repairs. "LR" zoning does not permit this use except by special permit, and Mr. Smith is asking for this change for the purpose stated. Since consideration of the previous zoning change on the corner, West 35th and West 38th streets have been extended.

No written comment was received.

C14-63-130 H. Warren Smith--contd.

Warren Smith presented the following information. When I previously applied for the corner property change to "GR" and this was granted, I was under the impression this included the subject property. A 5,000 square foot building is proposed which would be an asset to the neighborhood. A 13 foot driveway is planned with parking space. The rear north of the building will be a TV shop with appliances in the front. The City Council okayed this and intended for me to build the TV shop and I thought it was all settled. I find that through a technicality it is not settled, and the zoning for the interior lot was not established. Mills Street dead-ends on either side of this property and there should be no traffic problem. There have been no complaints or objections from anyone in the neighborhood for the TV repair shop proposed.

The Commission felt this change was a logical extension of the established general retail zoning. It was therefore unanimously

VOTED: To recommend that the request of H. Warren Smith for a change of zoning from "LR" Local Retail to "GR" General Retail for property located at 3502 Mills Avenue be GRANTED.

C14-63-131 Lynn W. Storm: Int. A and A to GR  
910-1206 East Oltorf at East Live Oak Street

STAFF REPORT: This application consists of approximately 14 acres of undeveloped land between East Oltorf Street and East Live Oak Street. A shopping center is proposed. Travis Heights development is located to the north, another residential subdivision to the west and commercial property beyond this on South Congress Avenue. On the south side of East Oltorf Street is Travis High School. The adjoining tract west of the school across Oltorf from the subject property is a forty acre tract of land owned by Mr. Lynn W. Storm, which is outside the City. To the east of the subject tract is a church and adjacent to the church property is a service station in an "LR" zone. There is residential property between the church and the subject property. The staff wishes to raise the following question for consideration: The need for Oltorf Street widening of 10 feet, except for the east approximately 300 feet, which would be 20 feet to meet the needs of a planned thoroughfare street. Travis Heights Boulevard at present dead-ends on Live Oak Street opposite the subject property. Consideration should be given by the Planning Commission to extending Travis Heights Boulevard through the subject property to East Oltorf Street with 70 feet of right-of-way.

Eighteen written comments were received in opposition and seven replies to notices were in favor of this change.

Ten persons appeared in support of this application.

Mr. Gibson Randle and Mr. T.S. Christopher were on hand to present drawings and give supporting information.

C14-63-131 Lynn W. Storm--contd.

1. There is a need in South Austin for the type of community shopping center proposed. We plan a considerable investment on an architecturally designed building, which will contain a grocery store, drug store and department store. Covered malls will be provided between each section for refuge, and attractive landscaping is planned.
2. Ample parking space will be provided, as well as a sidewalk along the north side of Oltorf Street as a safety feature for school children. Suitable drainage will be provided.
3. The proposed shopping center should cause no conflict in school traffic and shopping center traffic according to a study made by the City Traffic Engineer. Traffic counts on Oltorf and Live Oak Streets indicate no problems would be created by additional traffic and there would be virtually no increase in traffic on Alta Vista Street.
4. The value of the residential property will be enhanced by this shopping center as substantiated by studies of other shopping centers and related residential areas in the City.
5. This is the most logical use of the land. The present zoning, Interim A, is a temporary zoning. The large tracts of land that are zoned Interim A in this area are not suitable for residential development. A review of the area with the mixed zoning will show Travis Heights School with "GR" zoning, "LR" zoning to the east with a service station and church, and "GR" zoning to the north. This fine community center would act as a buffer zone between this surrounding zoning and the residential area.

Seventeen nearby property owners, opposed to this change of zoning, voiced their opinion in disagreement.

1. The value of the surrounding property would be lowered. The noise and debris will not enhance the value of residential property. We have the choice of either moving or suffering financial loss and mental anguish.
2. The property in the area is adequately served by two other shopping centers nearby. We are three-tenths of a mile from Twin Oaks Shopping Center. There are other shopping centers in the area, and there are plenty of spaces available on South Congress for development of a shopping center.
3. We understood when we bought our homes that this area would be strictly residential. The interests of this area and all of southeast Austin would best be served by denying this intrusion into our residential area.
4. The increased traffic generated by a shopping center operation would be a hazard to children attending Travis High School and to the small children in the area walking to elementary school. The proposed sidewalk

C14-63-131 Lynn W. Storm--contd.

would be only on the shopping center tract. Children would still have to walk at least part of the way in the street as they do now. The present traffic situation is dangerous without the additional traffic which would result from a shopping center. East Oltorf and Live Oak are inadequate to handle the present traffic.

5. A drainage problem would be created. There are many retired people in this area who moved to Austin because they thought it would be a good place to live. They should be protected from the problems which would be created in drainage as well as traffic and nuisances.

This request was referred to the Commission without a recommendation because a quorum was not present at the hearing to make an affirmative recommendation. (Messrs. Spillman and Brunson were disqualified as property owners in the area.)

The Commission considered that a shopping center in this area adjacent to the school and the inadequate right-of-way on Live Oak would create a traffic hazard. The Chairman commented that it was his view this was not the proper location for commercial use at this time with the street situation, but it could be made so in the future with street improvements. It was then

VOTED: To recommend the request of Lynn W. Storm for a change of zoning from Interim "A" and "A" Residential to "GR" General Retail for property located at 910-1206 East Oltorf Street and 915-1115 East Live Oak Street be DENIED.

AYE: Messrs. Barrow, Hendrickson, Jackson and Wroe

NAY: Mr. Riley

ABSENT: Mr. Kinser

(Disqualified as property owners in the area: Messrs. Brunson, Lewis and Spillman)

C14-63-132 E.T. McGregor: A and 1 to B and 2  
Red River at East 38 $\frac{1}{2}$  Street

STAFF REPORT: The site covers an area of 15,907 square feet and is developed with a single family dwelling. The surrounding area is predominately residential with the exception of Hancock Recreation Center to the northwest. The applicant proposes to build apartments on the site. In 1961 the Planning Commission considered this property for a change of "O" Office zoning and felt that it would be hazardous to the safety and welfare of the public because of the heavy traffic in this well developed residential area. Therefore, they recommended the request be denied.

Four replies were received in opposition to the request.



Cl4-63-132 E.T. McGregor--contd.

Mr. Richard Baker appeared for applicant. He stated that he would like to withdraw the application because he understood the land had been bought from the applicant. The applicant was out of town and was not available for confirmation of the sale.

In view of the circumstances presented and unavailability of the applicant, the Commission unanimously

VOTED: To recommend that the request of E.T. McGregor for a change in zoning from "A" Residence for property located at 3805-3807 Red River and 901-905 East 38th Street be ACCEPTED for withdrawal.

Cl4-63-133 Nelson Puett: A to GR (Tract 1) and C-1 (Tract 2)

Tract 1: 5300-5332 Manchaca Road

Tract 2: 5212-5224 Manchaca Road

STAFF REPORT: The site is undeveloped with Tract 1 containing approximately 117,847 square feet and Tract 2 containing 16,500 square feet. These tracts are part of the preliminary plan of Southern Oaks, which did not propose commercial development as a part of the plan. In view of this application, the layout design for the preliminary plan will need to be considered. This request does not take into consideration the street need of the subdivision or the widening of Manchaca Road. The Deer Park Subdivision across Manchaca Road to the east was designed as a residential subdivision, as it related to the residential layout in Southern Oaks. Commercial property is planned in the Deer Park Subdivision at the intersection of Stassney with Manchaca Road.

Mr. Puett informed the Committee that this property was bought seven years ago when the preliminary plat was filed. The preliminary plan can be changed. We did not intend to change the street, but we have no objection. When we put in the first final, this land was not in the City. When this land was developed, it was outside the City and we were not aware until recently that this tract was in the City. There are approximately 400 people in the development and there is need for stores, as it is quite a distance to any commercial development. Manchaca Road is quite a traveled street and we will do whatever is necessary to widen the street and meet the set-back requirement. We have a lessee for Tract 2 with C-1 zoning and are therefore asking that the tract 75 feet x 125 feet only be zoned for this to permit a drive-in grocery.

Eighteen property owners in the area appeared at the hearing to state their objections, which are summarized as follows:

1. Submitted herewith is a petition from 80 home owners stating that Mr. Puett had promised he would build more homes in Southern Oaks Addition. We understood this was to be a Class A residential subdivision. We cannot understand how a place selling beer can be of any value to us in Southern Oaks. There is a new high school, elementary school and City

C14-63-133 Nelson Puett--contd.

Park proposed. People who live on Manchaca Road or Western Trails have only one outlet for traffic.

2. We understood these tracts would be homesites and this would be strictly a residential area. We cannot afford to lose the trees or devalue our property.
3. Southern Oaks is only 10 blocks from Ben White Boulevard where there are commercial facilities. This application proposes the sale of beer next to a library, and we should not have a second rate store there or at our back door.

The Committee emphasized it is not the policy of the Commission to grant "C-1" zoning in other than a well defined and developed commercial area. They stated the use proposed for general retail would be acceptable zoning provided the subdivision plan was designed to accommodate commercial facilities. It was therefore recommended this request be denied.

The Commission reviewed the Committee's action and concluded they would be more agreeable to the commercial and general retail proposed if a more comprehensive plan were submitted showing a street layout to provide for the proper commercial use. It was therefore unanimously

AGREED: To POSTPONE the request of Nelson Puett for a change of zoning from "A" Residential to "GR" General Retail for Tract 1 and "C-1" Commercial for Tract 2 for property located at (Tract 1) 5212-5214 and 5222-5332 Manchaca Road and (Tract 2) 5216-5220 Manchaca Road until a comprehensive development plan is submitted for consideration.

C14-63-134 Nash Phillips, et al: A and 1 to GR and 6  
2111-2139 & 2126-2208 Wheless Lane

STAFF REPORT: This application covers two separate tracts of land containing 5.26 acres on the east and west side of Wheless Lane south of North Hampton Drive. The subject property is included in the commercial preliminary plan of Royal Oak Estates, Section 8, which was considered by the Subdivision Committee on September 16, 1963, and referred to the Planning Commission for action. The applicant proposes operating retail sales and service establishments for this property. East of the subject property is Royal Oak Estates, Section 7, pending final approval. Also owned by the applicant, to be developed commercially, is the land adjoining Royal Oaks Estates, Section 7, about 350 feet west of the subject property. The staff is concerned with the intersection question being resolved prior to any development of this site and feel that this zoning proposal should be considered in terms of an approved subdivision layout.

No written comment was received in reply to notices sent.

C14-63-134 Nash Phillips, et al--contd.

Nash Phillips appeared at the hearing and stated: We are endeavoring to put in a through boulevard that will go to the school, and are acquiring property that will give us a swing to the school. In the revision of the intersection Wheless Lane will be widened. We are working now at Wheless Lane which will be developed when tracts are needed for the commercial development.

The Commission felt this was the proper zoning for the property, but they agreed that it must be tied to a comprehensive street pattern as finally established by the subdivision proposing commercial sites at this location.

The Director of Planning presented an acceptable layout of the proposed street alignment in connection with the subdivision of Royal Oaks Estates Section 8. Since a satisfactory agreement on the pattern for Wheless Lane and the intersection at Northhampton Drive has been established for the subdivision, it was therefore unanimously

VOTED: To recommend that the request of Nash Phillips, et al, for a change of zoning from "A" Residential, First Height and Area, to "GR" General Retail, Sixth Height and Area, for property located at 2111-2139 and 2126-2208 Wheless Lane be GRANTED.

C14-63-135 R.G. Kuykendall, et al: A and 1 to B and 2  
1100-1102, 1106-1108 West 22nd Street  
Additional Area: 1104 West 22nd Street

STAFF REPORT: The site is developed with five single-family dwellings and a rooming house. The additional area is developed with a single-family dwelling, and the surrounding area is also developed residentially. The subject properties contain a total of 30,553 square feet and the additional area 7,638 square feet. The applicant plans to construct apartments. In 1960 two lots on the west side (identified as Codes A and B on the plot plan) were considered by the City Council, who requested the Planning Department to make a complete study of the University area with particular consideration of off-street parking. The Commission felt no action should be taken in view of this study and recommended this application be denied and instructed the staff to notify the applicants that they could withdraw their application. The most westerly lot was considered by the Zoning Committee in 1962. The Committee felt this was spot zoning and should be denied unless a larger area was zoned. The Commission agreed to the withdrawal of this application because the Zoning Ordinance was in the process of being prepared and they felt it would have bearing on the case. The lot areas and maximum use permits on all five lots are identical. Each of said lots contains 7,368 square feet and the proposed zoning on each lot would permit a maximum of 5 regular units, or 10 efficiency units.

Thirteen written replies were received against this change and one in favor. Four persons appeared at the hearing in support of this request and

Cl4-63-135 R.G. Kuykendall, et al--contd.

Mr. Richard Baker represented the applicant. Mr. Baker's presentation outlined the following features of the property: This is an unusual area which is next to the University area. It covers 5/8 of the block between Leon and Longview Street. Across Leon Street to the east the property is zoned "B" Second Height and Area, and across Longview to the west there is a five unit apartment. Immediately adjoining the property at 208 West 22nd there are five non-type cottages of three or more apartments in this block. Many of the uses in "A" Residence do not come within the zoning section of "A" Residence. This proposed construction is the highest and best use for this property. The Planning Commission thru an area study have a merger of the area running from 29th Street for a larger density than provided in "A" residential. This will be a continuation of the present zoning policy.

Three nearby property owners expressed the opposition: The streets are not adequate for further commercial and apartment type development. The streets of 22nd and 22½ dead-end. Longview and Leon Streets are not thru streets. It is becoming impossible for two cars to pass on these streets. There is no parking along 24th Street. The traffic situation and parking facilities are deplorable. People connected with the University settled in Austin and bought homes in what they were assured would remain a residential area. They deserve some consideration. The University will not expand any longer because it cannot expand and maintain quality. There are many vacancies of apartments in this area even now in the middle of University registration, and there is very little merit in putting in multi-unit dwellings in this residential area which are not needed or desired. We contend this would be spot zoning and would create additional traffic problems.

The Commission felt that "B" Residence zoning was the proper classification for the area but that 2nd height and area should be denied. They concluded that "B" Residence 1st Height and Area zoning as an extension of the "B" Residence 2nd Height and Area zoning would be a lesser density and better zoning for the area. It was therefore unanimously

**VOTED:** To recommend that the request of R.G. Kuykendall, et al for a change of zoning from "A" Residential First Height and Area to "B" Residential Second Height and Area for property located at 1100-1102, 1106-1108 West 22nd Street, including the additional area located at 1104 West 22nd Street be DENIED but to GRANT "B" Residence, First Height and Area.

**SPECIAL PERMIT**

CP14-63-4 Walter N. Barnes: Erection of a sign  
700 West 34th Street

**STAFF REPORT:** The applicant proposes to erect a sign in connection with the photographic studio on the lot. The lot is situated with a single-family dwelling in the rear and a one-story commercial building in the front to be used as a photographic studio. The proposed sign is 3 feet x 8 feet and is of the electric neon variety. The sign will be placed 13 feet back of the front property line perpendicular to West 34th Street.

CP14-63-4 Walter N. Barnes--contd.

The following comments were made by City departments in regard to this request. Public Works: Proposed plan meets our approval. Require request for driveways to this department. Building permit not sufficient for driveways. Building Inspector: Location of sign with Special Permit is alright. However, plot plan shows relocated residence within 3 feet of west property line. This was denied by the Board of Adjustment and the structure is believed to be 5 feet from the line. Advanced Planning: King Street has only 27 feet of right-of-way, which is inadequate. The minimum street right-of-way required by the Austin Subdivision Ordinance is 50 feet. This application has been filed as required under Section 5-A Sub-Section A, Paragraph 17 and Sub-Paragraph f of the Zoning Ordinance of the City of Austin.

No written comment was received. Mr. Walter N. Barnes stated he would comply with requirements and the house location would be shown correctly 5 feet from the property line and that the sign would comply with the sign ordinance regarding the required height from grade.

The Committee recommended approval subject to compliance with departmental requirements.

The Commission reviewed the staff report and the revised site plan and found that the plan complies with all pertinent sections of the Zoning Ordinance.

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

CP14-63-5 W.J. Pannell: Rent-a-Car Business  
3117 Manor Road

STAFF REPORT: This application for a special permit has been filed in the office of the City Planning Department with accompanying site plan showing intended use and development of all property involved as provided in Section 10-B of the Zoning Ordinance. The applicant proposes to use the site as a Rent-a-Car business. The site is developed with three buildings. These buildings are on the front portion of the site with off-street parking in the rear. The pending request to rezone subject property and the adjoining 100 feet to the east from "GR" General Retail, First Height and Area to "C" Commercial, First Height and Area has been withdrawn. The Planning Commission has recommended that the Ordinance be amended to provide for auto rental agencies of the type described in this application. The following comments were made by City departments in regard to this request. Advanced Planning: Manor Road is classified as a secondary thoroughfare in the Austin Development Plan. The recommended right-of-way is 90 feet. The plot plan should include the proposed location of parking area and driveways as well as the parking layout. If any use is proposed for the

CP14-63-5 W.J. Pannell--contd.

site other than that indicated by this application, it should be so noted on the plot plan. Building Inspector: Would like for the Commission to determine the amount of off-street parking as there is no requirement for an auto rental business in the Ordinance. Any required off-street parking will be asphalted. Will there be any automotive repair in conjunction with this business? If so, will it be inside a building? Traffic Department: Do not see need for a 41 foot driveway directly in front of 14 foot by 30 foot frame office building. A 45 foot drive to the west should be ample for ingress and egress. Office Engineer: Request to be made to this department for driveways. Recommend that building be set back at least 25 feet instead of 20.5 feet. Parked vehicles must be left well inside of the property line. Electric, Storm Sewer and Health Departments reporting O.K. and no comment from the Fire Protection Department.

Mr. T.E. Wiley represented the applicant and stated the departmental recommendations would be complied with. He commented that the pipe rack shown on the plot plan had no use on the property and would be removed.

The Committee reviewed the staff report and the site plan and found that the plan generally complies with all pertinent sections of the Zoning Ordinance with the exception of Section 10-B, Paragraph 3(e), which requires designation of areas reserved for off-street parking and the ratio of parking space to floor space. They recommended the site plan be approved conditional to the applicant satisfying the various departmental requirements stated above.

The Commission reviewed the revised site plan and found that the plan complies with all pertinent sections of the Zoning Ordinance. It was then unanimously

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

## PRELIMINARY PLANS

C8-63-36 Royal Oak Estates, Section 8  
Wheless Lane and Northhampton Drive

The staff reported this had been considered by the Subdivision Committee at their last meeting and was referred to the Commission for further consideration. The plan as submitted still has the same basic problem of the proposed intersection of Gaston Place Drive at Northhampton Drive. They propose Gaston Place Drive to the east as a collector street to tie-in with Northhampton Drive to route traffic to the junior high school. The department recommends the continuation of Gaston Place into Wheless Lane to provide a collector street between Berkman Road and Manor Road. We also recommend the revision of the

C8-63-36 Royal Oak Estates--contd.

intersection to make a T-intersection at Wheless Lane. The Traffic Engineer recommends a center line to Wheless Lane to provide for a continuous street and eliminate the curve. The Planning Department recommendation is also to follow this center line. We recommend that the intersection be changed to allow for street alignment incorporating these features, which is a modified plan from the one submitted at the Subdivision Committee Meeting.

Mr. Nash Phillips presented a sketch of the intersection and layout of the northeast section showing the general plan of the street pattern proposed. He stated they have endeavored to come up with a plan that will alleviate any bottleneck by working out an intersection flowing up to the school from west of Berkman Drive. In their opinion the traffic to the school will not be increased by this proposal but rather development of this street will provide a flow for traffic to the school. He pointed out that their proposal would de-emphasize Wheless Lane in being a cross-town street. The cross-town street should be Briarcliff Boulevard to Wellington Drive and on to Rogge Lane. This would be the easier street to the northeast loop from their studies of the area. They do not feel Wheless will work as a cross-town street and they have received no objection to their plan from the Traffic Department.

Mr. Barrow commented that he was under the impression that the subdivider and the Planning Department were going to have these problems worked out before submission to the Commission.

Mr. Phillips commented that they felt when any objections were worked out with the Traffic Department that the Planning Department would be in agreement.

The Director stated that Mr. Klapproth had suggested this on Mr. Phillip's request and the Traffic Department had proposed what they thought would be feasible. With slight modifications, especially in alignment and right-of-way, the plan meets with the Planning Department approval, as it allows for a choice either way.

Mr. Barrow felt the plan proposed was not practical since it did not provide for a continuous artery east-west on Wheless Lane.

The Director stated that Wheless Lane is a prime street, with Berkman and Wheless Lane serving University Hills, the school and Capital Plaza. In considering Wheless Lane we are ultimately dealing with control streets feeding into the larger streets of Cameron Road and the Expressway. We are concerned with Wheless Lane because it ties into Manor Road, and the ultimate amount of traffic is unpredictable.

Mr. Lewis inquired of the sharp turn from Wheless Lane into North Hampton and Manor Road.

The Director advised the objection to Gaston Place Drive is that he would like to see a reasonable connection made with Wheless Lane into Old Manor Road for all the developing area. In connection with Briarcliff continuing across to Gaston Place to Wellington and Rogge Lane, there is only 60 feet of right-of-way with 40 feet of paving. Gaston Place is satisfactory as a collector

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street but not a thoroughfare. Under the plan proposed by Mr. Phillips, Wheless Lane becomes a secondary street, and would not serve the purpose intended. Mr. Phillips commented that the above plan, as opposed to his, would interfere with use of the land and would limit land use. The subdivision would be restricted by size and a drainage ditch on Lot 2 at the corner of Gaston Place and Northhampton Drive.

There is also a power line easement coming over this property at Wheless Lane. The relocation of a gas line is presently being made by the gas company which will determine the right-of-way. The Director outlined a revision for a more feasible alignment into Wheless Lane for the consideration of the subdivider and the Commission. He sketched a proposed shift to maintain the alignment on Gaston Place and would reduce the size of Lot 2 but would also reduce the curve from Gaston Place Drive into Wheless Lane at Northhampton Drive. Lot 2 would be 90 feet at the corner of Northhampton Drive and Gaston Place Drive and 100 foot at a point 50 foot west, which would reduce the island or triangle at this corner and allow traffic to go in either direction.

Mr. Phillips stated that this would be agreeable, and the Commission therefore

VOTED: To APPROVE the plan of ROYAL OAK ESTATES on the condition that Lot 2 would be reduced at the corner of Gaston Place Drive south of Northhampton Drive, as outlined, to make a better alignment into Wheless Lane, subject to departmental requirements.

C8-63-38 Cherrylawn Section 5  
Springdale Road and Manor Road

The staff reported this preliminary plan was referred to the Commission from the Subdivision Committee without a recommendation. The Committee objected to the commercial area of this plan in relation to grade of streets and residential lots around it. The plan has been revised but we feel some problems on drainage may be created. The staff presented a suggestion for a possible solution which the subdivider's engineer will have to review. There is the problem of 15% grade on a cul-de-sac to a right hand turn on 15% grade also. This alternate plan would virtually eliminate the grade. The Subdivision Ordinance requires a contour of 5 feet, and the subdivider has 10 foot contours. We feel this alternate scheme presented can be approved and would eliminate the drainage cost and the steep grade provided the engineer determines that this layout will drain properly. In addition, completion of departmental reports is required. The Committee therefore

VOTED: To APPROVE the preliminary plan of CHERRYLAWN SECTION 5, provided the drainage problem can be worked out satisfactorily and upon completion of departmental reports.



## 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 Committee therefore

VOTED: To ACCEPT the following plats for filing:

- C8-63-37 University Hills West  
Creighton Lane
- C8-63-6 Windsor Park Hills, Section 4  
Claymoor and Cordell Lane
- C8-63-40 Windsor Park Hills, Section 5  
Claymoor and Cordell Lane
- C8-63-41 Street Dedication Plat  
Berkman, St. Johns and Athletic  
(subject to clearance of the  
county and tax procedure)

## SUBDIVISION PLATS - CONSIDERED

- C8-63-31 University Hills, Auburn Circle  
Northeast Drive and Auburn Circle

The staff reported that all reports have been cleared with the exception of the fiscal letter regarding sewer and an engineering check of this subdivision. It is recommended this plat be disapproved pending these reports and the question of one name for North Auburn Circle and South Auburn Circle. This needs to be cleared with Public Works, as well as the Post Office and Fire Department, in compliance with the numbering system. In addition, a letter from the subdivision engineer explaining to the Commission the reason for leaving unplatted an area of land fronting on Willamette Drive abutting on the west by University Hills, Section 2, Phase 2, and on the south by the proposed University Hills Auburn Circle and connected to remaining unplatted property by a 40 foot strip, has been received and is quoted: "This piece of land occupies a severely eroded gully which does not contain a building site at this time. It is the intention of the owner to accumulate fill material as other development occurs in vicinity and after filling the lot enough to provide a suitable building site, allow the material to settle for a period of two or more years. After the parcel of land becomes usable as a lot, it will be platted as a part of a subdivision. It is the owner's purpose to keep the lot in acreage until such time as it becomes usable as a lot."

The Commission was agreeable to excluding this tract from the subdivision with the condition that it be developed with remaining tract and it was therefore

VOTED: To DISAPPROVE the plat of UNIVERSITY HILLS, AUBURN CIRCLE, pending completion of fiscal arrangements, engineering report, additional easements, and street names, and authorized permission of the staff to poll the members when completed.

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

The staff recommended disapproval of this plat pending fiscal arrangements, additional easements and completion of departmental reports. The Commission therefore

VOTED: To DISAPPROVE the plat of HIGHLAND HILLS, SECTION 5, PHASE 2, pending completion of the required fiscal arrangements, additional easements and departmental reports.

SHORT FORMS - CONSIDERED

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

The Staff recommended disapproval of this plat pending fiscal arrangements for water and departmental reports. The Commission therefore

VOTED: To DISAPPROVE the plat of CLARENCE LEE FELTER SUBDIVISION pending fiscal arrangements and departmental reports

C8s-63-116 Westover Hills Plaza  
Balcones Drive

Mr. Dudley Fowler, Assistant City Attorney, reported that this short form subdivision is not in conformity with the Master Plan. At the present time, the staff and legal department are working with the subdivider to work out problems in order that the plan will conform. Provision in the State Statutes and Subdivision Ordinance provides that if a subdivision is not approved or disapproved within 30 days, it will automatically be approved and recorded. In order to avoid this plan from being inadvertently recorded, we recommend that it be disapproved as it is in conflict with the Master Plan. The Commission therefore

VOTED: To DISAPPROVE the plat of WESTOVER HILLS PLAZA.

C8s-63-51 Northgate Half Acres, Resub. Lots 30, 31  
Watson and Taulbee

The staff reported this plat complied with all provisions of Section 4 of the Subdivision Ordinance, and recommended approval. The Commission therefore

VOTED: To APPROVE the plat of NORTHGATE HALF ACRES, RESUB. LOTS 30 and 31, PART of 32, 39, 40 and 41.

SHORT FORMS - FILED

C8s-63-125 Danish Village  
Lola Drive and Georgian Drive

The staff reported that all departmental reports have not been received and the plat is out of the department and has not been returned. It was recommended that this short form plat be rejected at this time pending return of the plat.

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C8s-63-125 Danish Village--contd.

The Commission therefore

VOTED: To REJECT the plat of DANISH VILLAGE for filing.

ADMINISTRATIVE APPROVAL

The staff reported that three plats had received administrative approval under the Commission's rules. The Commission therefore

VOTED: To ACCEPT the staff report and to record in the minutes of this meeting the administrative approval of the following subdivisions.

C8s-63-118 Hughes and Zidell Subdivision  
Manor Road and Stafford

C8s-63-124 Delwood Commercial Area, Resub. Lot 2, Block E  
Gaston Place Drive and Westminister

✓ C8s-63-123 Isaac Woods Subdivision  
Blue Bonnet Lane and Ford

SUBDIVISION APPROVAL BY TELEPHONE POLL:

C8-63-27 Western Trails No. 8  
Jones Road and Pack Saddle Pass

The staff reported that a majority of the Commission had been polled by telephone on September 9, 1963, and that a majority of the Commission had

VOTED: To APPROVE the final plat of WESTERN TRAILS NO. 8.

OTHER BUSINESS

C10-63-1(o) ALLEY VACATION  
Brushy Street between East Second and Third Streets

The staff presented a location sketch and reported this request was received from the Emmanuel Latin American Methodist Church located at 200 Brushy Street, Austin. The Church plans to construct additional facilities and the proposed plans required the alley be closed. The Church owns the tracts of land on both sides of the alley. The alley is dedicated but no improvements have been made. It is recommended this request be granted. The Commission therefore

VOTED: To recommend that the alley located at 200 Brushy Street between East Second and Third Streets be VACATED.

C10-63-1(p) STREET VACATION  
Portion of East 18th Street east of Miriam Avenue to the railroad right-of-way near Alexander Avenue

The staff presented a location sketch and reported a letter from the Texcon

C10-63-1(p) STREET VACATION--contd.

Corporation requesting abandonment of a section of East 18th Street east of Miriam Avenue to the Southern Pacific right-of-way near the projected line of Alexander Avenue and is marked and identified on the plat attached hereto. The segment has been dedicated for street purposes but has never at any time been used as a street. Since there are no east-west streets from East 19th south to East 12th in this area and the land use generally indicates there is no real need for this street at this time, it is recommended this portion of East 18th Street be vacated, subject to the City retaining the necessary easements. The Commission therefore

VOTED: To recommend that the portion of East 18th Street east of Miriam Avenue to the railroad right-of-way near Alexander Avenue be VACATED, subject to the City retaining the necessary easements.

C10-63-1(q) STREET VACATION

Portion of North Congress Avenue south of 14th Street

The staff presented a location sketch and reported a request from the State requesting vacation of North Congress Avenue south of 14th Street to the Capitol grounds in connection with the Capitol area expansion program. The Commission therefore

VOTED: To recommend that North Congress Avenue south of 14th Street be VACATED subject to the City retaining the water easement.

## REPORTS

C10-62-2 SPRINGDALE ROAD AND EAST 51st STREET

East 51st Street thoroughfare location

The Director presented a sketch showing the East 51st Street thoroughfare location and advised that in connection with approval of the Windsor Park Hills Subdivision preliminary plan, the Commission had not resolved the 90 feet of East 51st Street as a thoroughfare. A request for annexation of the property to the south has been made. This affect of the thoroughfare location on the subdivision along with thoroughfare location needs to be resolved.

The Director outlined East 51st Street which starts at the Interregional Highway, continuing to Berkman Drive to Old Manor Road and Pecan Springs Road through the property involved, with the alignment into Springdale Road.

There is a house located at the intersection of Pecan Springs Road and East 51st Street along the proposed right-of-way. Also, the nature of land use to the north and south need consideration. Commercial and apartment development is proposed to the south with residential to the north. A portion of land to the south is flood land, and we are faced with crossing a creek and maintaining curve of the road along the right-of-way.

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C10-62-2 SPRINGDALE ROAD AND EAST 51st STREET--contd.

The Windsor Park Hills subdivision proposed the location of the right-of-way through the subdivision going to the north of the house on the adjoining property and swinging down to split the south property line at the creek. Gregg Scott, the property owner to the south, had made an explanatory note that on commercial development of this land, he is willing to dedicate 45 feet of right-of-way on that portion of the street running through his property. This would be 720 feet from Springdale Road which Mr. Scott is prepared to dedicate. This is a problem with respect to development of land and the proposed use. The tract proposed for the commercial development is high and tends to fall off rapidly.

With respect to the layout of Windsor Park Hills, this subdivision is completely shifted over 45 feet with possible loss of two lots. There is a telephone cable installed, so we have to work in terms of this. We would keep virtually the identical layout except for moving to the north to accommodate the thoroughfare.

The problem to be considered is the appropriate location of East 51st thoroughfare and in turn the annexation that is now occurring. What additional development costs would be incurred by either party by the dedication of the right-of-way? The relief of utility or drainage costs in terms of dedication is an example.

The Chairman inquired if the location of this street should go straight into Springdale Road, or whether some alternate plan could be suggested. The Director advised this would be a matter for the Commission to determine.

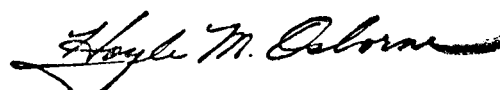
Mr. Schaffer, representing Mr. Scott, outlined the section owned by Mr. Scott, and stated that a conditional offer had been made to dedicate right-of-way, providing it is no more than 45 feet. He is not willing to dedicate 90 feet as this would not be practical.

Mr. Stevens comments that Mr. L.B. Randerson had already provided a setback of 100 feet on his property.


The Chairman stated he felt the Commission should look at the proposed location and the house site on the right-of-way. It was therefore

VOTED: To POSTPONE action on the thoroughfare location of SPRINGDALE ROAD AND EAST 51st STREET until an inspection of the site had been made by the members of the Planning Commission.

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

  
Hoyle M. Osborne  
Executive Secretary

APPROVED:

  
Chairman