

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting -- December 17, 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 F. Brunson
Ben Hendrickson
Edgar E. Jackson
S.P. Kinser
Barton D. Riley
W.A. Wroe

Absent

W. Sale Lewis
Emil Spillman

Also Present

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

MINUTES

Minutes of the meeting of November 19, 1963, for approval.

The following zoning changes and special permit requests were considered by the Zoning Committee at a meeting of December 10, 1963:

ZONING

Cl4-63-105 Clarence Mc Cullough and Ray Saunders: Int A and Int. 1 to GR and 1
2708-3004 South Interregional Highway

STAFF REPORT: This application was originally presented last August, and the Commission recommended it be denied until provision is made for the extension of St. Edwards Drive through the property. The applicants requested postponement of Council action until determination of this street layout could be made. The request is being resubmitted for the property included in the original application and an adjoining tract averaging 133 feet in depth and 535 feet in length. The applicant proposes a motel and other commercial uses. The extension of St. Edwards Drive from South Congress Avenue to the Interregional Highway is being provided by subdivision of the property. The preliminary plan of Oltorf Village, Section 2, adjacent to the site on the west is pending final arrangements, and the request for annexation has passed through the first reading by the Council. Oltorf Village, Section 3, is in preliminary form.

C14-63-105 Clarence Mc Cullough and Ray Saunders--contd.

No written comment was received and one person appeared at the hearing in favor of the zoning change. Mr. Ray Saunders was present at the hearing and stated he plans commercial development west of Interregional Highway to an approximate depth of 300 feet on the tract south of the proposed St. Edwards Drive, and to an approximate depth of 200 feet on the tract north of the Drive.

The Commission felt this zoning change fits the overall pattern of zoning in the area. Since the subdivision street layout satisfies the requirements previously specified, it was therefore unanimously

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

C14-63-161 Nelda Pulkrabek: C to C-1
6305-6315 Burnet Road

STAFF REPORT: The site covers an area of 28,382 square feet and is developed with a drive-in cafe. The area along the east side of Burnet Road is developed commercially while the area to the west is developed with Lamar Junior High School. "C-1" zoning adjoins the site to the north. The area to the east is developed with single family dwellings. The applicant proposes the sale of beer for consumption on premise with food.

Eight replies were received in opposition and ten persons appeared at the hearing in opposition. The applicant was present at the hearing and was represented by Mr. Richard Baker. Mr. Baker stated beer would be served only inside the restaurant. The restaurant is in a well defined and well developed commercial area. The applicant would comply with the Texas Liquor Law by not serving any person under 21 years of age. The front of the school is 1,000 feet from the location and the school has a 6 foot high fence. The primary purpose of this restaurant is for food service and it is not a "beer joint". The applicant wishes to avoid any trouble with teen-agers, and to that end has built a rock wall two feet in height to eliminate parking at the rear of the lot and have discontinued curb service. The tract adjoining the subject property to the north could be used for the on-premise consumption of beer with food at any time the property owners want to develop it.

Opposing statements are summarized as follows: As parents of teenagers attending Lamar Junior High School, we object to this rezoning request, and ask that you disapprove it. There appears to be no reason for this rezoning except for profit by the operator of the business establishment. The atmosphere created by a beer tavern directly across the street from the school would certainly influence these teenage boys and girls. We consider this an alarming situation. In addition we would like to note the traffic hazard presented by this proposal at a busy intersection across from the school. In the past the Jack and Jill has been nothing but a source of trouble for the parents of the teenagers and property owners in the neighborhood.

C14-63-161 Nelda Pulkrabek--contd.

Some of the members of the Zoning Committee favored granting the "C-1" zoning as meeting an established policy in a well defined commercial area. Others objected to "C-1" zoning because they felt it would not be in the public interest because of the relationship of the site to the school area, and it was recommended the request be denied.

A letter to the Commission from Mr. Richard Baker requested reconsideration of the application. The applicant proposes to confine "C-1" zoning to the building site instead of the entire lot as originally requested.

The majority of the members of the Commission felt this is a well established commercial area. They concluded that if the applicant restricted the "C-1" zoning to the building portion of the lot to serve beer in conjunction with food in the restaurant, they had no objection. It was therefore

VOTED: To recommend that the request of Nelda Pulkrabek for a change of zoning from "C" Commercial to "C-1" Commercial for property located at 6305-6315 Burnet Road be GRANTED.

AYE: Messrs. Hendrickson, Kinser, Jackson, Riley and Wroe

NAY: Messrs. Barrow and Brunson

ABSENT: Messrs. Lewis and Spillmann

C14-63-162 T.C. Barnes: A to O (Amended to "C")

Rear of 5516-5522 Burnet Road, Rear of 5509-5511 Montview

STAFF REPORT: The site covers 9,000 square feet and the west 60 feet is developed with a paved parking area. The area east along Burnet Road is developed commercially while the area west is developed residentially. The applicant proposes constructing an office building and storage area. An "LR" zoning was established in 1959 north of the subject property for a service station. A block south of the subject tract, "C-2" zoning was granted earlier this year on a lot fronting on Burnet Road. However, the Planning Commission recommended that the west 30 feet of the portion be denied as it was considered an encroachment into a well developed residential area. The application was therefore amended to exclude this portion of the property and the Council granted "C-2" on the remainder of the lot. The staff noted that if storage is to be used for commercial purposes on the site, "C" Commercial zoning would be required. Another point of consideration is the applicant has made no proposal for access to the site.

One reply to notice was in favor of this change. Mr. A.W. Beddow, one of the owners, was present at the hearing. Mr. Charles S. Farrow represented the owners and stated the applicant plans to build a fireproof storage building for equipment and signs. He feels this will enhance the property. Subject property is used as a parking area in conjunction with the commercial area at the front part of the lot, and will have access from Burnet Road. The area in which the proposed building will be located and in which the present parking lot is located is zoned "A" Residential. To avoid having "C" Commercial, "A" Residential and "O" Office on the same property, he is requesting this change from "A" to "O" for the site. Mr. Beddow does not

C14-63-162 T.C. Barnes-- contd.

own the west 30 feet at the rear, but has it under contract to purchase subject to the zoning change.

The Committee considered this change of zoning would be an encroachment into an established residential area and recommended the request be denied.

The staff reported a letter from Mr. Farrow to the Commission requesting the application be amended for a zoning change from "A" to "C", and the request be referred back to the Zoning Committee. Mr. Farrow advised he had consulted with the Building Inspector, who has confirmed that the requested change to "C" Commercial zoning will conform to the Zoning Ordinance requirements in the anticipated use of the property for a fireproof masonry storage building. Mr. Stevens noted this change would result in re-advertising the request for the proposed "C" zoning.

Mr. Stevens advised that replatting the property has resulted in the east 60 feet of the site becoming part of the commercial lot.

The Commission was favorably inclined to referring the amended application to the Zoning Committee for consideration of the proposed change to "C" zoning.

AGREED: To REFER the amended request to the Zoning Committee for further consideration.

C14-63-163 Aus Town Development Corp. Int. A Int 1st Height and Area to
GR, 1st Height and Area (amended to "GR" and "B")
 4800-5016 Springdale Road

STAFF REPORT: The site covers 10.4 acres and is undeveloped. The surrounding area is largely undeveloped with proposed residential subdivisions to the north. The preliminary plan of Windsor Park Hills proposes commercial development of the southwest corner of Springdale Road and Rogge Lane. In the Austin Development Plan Springdale Road is classified as a primary thoroughfare. The right-of-way of 90 feet has been established in this area and the alignment will require 10 feet from the subject property as indicated on the map. The applicant proposes construction of a shopping center. Consideration should be given to the use proposed on this property as to how it affects the adjoining uses.

One written comment in favor was received and three persons appeared in opposition at the hearing. Mr. Marion Shafer, representing the applicant, Mr. Gregg G. Scott, presented the following information: The applicant desires to develop a shopping center on the 10.4 acre tract fronting on Springdale Road and to use the adjacent Shreier property for apartment buildings and for parking space. Zoning has to be established before firm commitments will be made by any prospective tenants. The creek running through the property is a natural barrier for the undeveloped property to the east and south. A letter has been filed with the City for the extension of East 51st Street across the tract. There is a need for a shopping center in this developing area. An architectural sketch is presented to show the proposed layout and the considerable expense involved in the planning of this high quality center. At this time we

C14-63-163 Aus Town Development Corp.--contd.

are asking for "GR" General Retail zoning for the shopping center. Later a "B" zoning will be requested for the parking and apartments proposed for the area south of the creek. Since the nearest developed property is more than 300 feet away we can see no reason for opposition from property owners in the area.

Opposition from Mr. Otto Mittag and two other property owners in the area is summarized as follows: We feel the proposed commercial development is premature and would prefer the area remain residential. The property east and north is still undeveloped. No access roads are available. This might enhance the applicant's property but could devalue ours. If an apartment project were built first, the applicant would have a large investment and the proposed shopping center would be more feasible.

The Committee considered the zoning request to be premature. Since the surrounding area, particularly to the west, is undeveloped, it was felt this change of zoning could tend to adversely affect the undeveloped area, especially since the proper use of and access to the property has not been established.

At the Commission meeting a letter from Mr. Shafer to the Council and Commission was read, which proposed an amendment to the request for a zoning change. Since objections were raised to zoning the entire tract "GR", they proposed to request that only part of the tract be zoned "GR" and the remainder be zoned "B". An excerpt from this letter describes the proposed amendment:

"We request "GR" zoning for all of the described tract north of a line starting in the west line of Springdale Road, three hundred feet north of the point where the common boundary between the Cal Marshall property and this property intersects Springdale Road; then parallel with the south boundary of this property and the north boundary of the Cal Marshall property for 215 feet to a point; thence, 245 feet NNW to the intersection of the north boundary of the Otto Mittag property with the west boundary of this property, as outlined in red on the attached map and plot plan; and zone the remainder of this property south of said line, as shown in blue on the attached map and plot plan, "B".

This would propose "GR" for approximately the northern two-thirds of the tract and "B" for the remainder.

The Commission agreed to consider the request as amended to include "B" zoning. A letter was reported from Mr. Otto Mittag which stated that he had no opposition to the application as amended and withdrew his original objection.

Mr. Kinser stated he felt the proposed "B" amendment would be far removed from any buildings and would not affect any adjoining property.

The Chairman stated he felt this amendment did not remove the original objections and that it was still premature to plan for development, though at some time in the future it would be the proper zoning. He noted that there was no access to the interior of the area.

C14-63-163 Aus Town Development Corp.--contd.

Mr. Stevens called the Commission's attention to the need for widening of Springdale Road and to the applicant's letter of October 28, 1963 offering up to 45 feet for street right-of-way off the north end of said property for the proposed extension of East 51st Street. The applicant proposes to pay for one-half of the cost of paving, guttering and utilities for that part of East 51st Street abutting said property, provided not more than half of the right-of-way for East 51st Street is placed on this 10.4 acre tract. It was also indicated that a similar offer would be made within five years to dedicate a 45 foot strip off the adjoining Schrier property when it is acquired and the applicant applies for annexation and rezoning of this property

The Commission was of the opinion that the application, as amended, should be denied because of the inadequacy of the streets in the area. It was therefore

VOTED: To recommend that the request of Aus-Town Development Corporation for a change of zoning from Interim "A", Interim First Height and Area to "GR" General Retail, First Height and Area and "B" Residential, First Height and Area, (as amended) for property located at 4800-5016 Springdale Road be DENIED.

AYE: Messrs. Barrow, Brunson, Jackson and Wroe

NAY: Messrs. Kinser, Hendrickson and Riley

ABSENT: Messrs. Lewis and Spillmann

C14-63-164 Conway Taylor: BB to O
 1803-1805 West 35th Street
 Additional Area: 1801, 1717-1721 West 35th Street

STAFF REPORT: The site covers approximately 23,100 square feet and the additional area covers approximately 48,510 square feet. The site is developed with an office and apartment. The surrounding area is predominately residential with one, two, and multi-family dwellings, with commercial development along Jefferson Street and the north side of West 35th. The applicant proposes to operate real estate and doctors offices. West 35th Street has 60 feet right-of-way with a paved surface of 40 feet, and is classified as a primary thoroughfare.

No written comment was received in reply to notices sent.

Mr. Conway Taylor stated he had appeared before the Commission earlier this year. He has developed the rear of the property with apartments, and proposes to add 6 more apartments and a doctor's office. He stated he had ample off-street parking. Two property owners in the additional area, Mr. Jefferson and Mr. Mayberry, have no objection to rezoning the entire area under consideration.

The Commission considered the proposed use to be proper and "O" Office zoning to be a logical extension of the commercial zoning to the north and east. They also felt that the area is one of changing uses. It was therefore unanimously

Cl4-63-164 Conway Taylor--contd.

VOTED: To recommend that the request of Conway Taylor for a change of zoning from "BB" Residential to "O" Office for property located at 1803-1805 West 35th Street and the additional area at 1801, 1717-1721 West 35th Street be GRANTED.

Cl4-63-165 William D. Patton: A to C-1
6908-7024 Mira Loma Lane at U.S. Hwy 290

STAFF REPORT: The site is undeveloped and covers an area of 33,150 square feet. "O" Office and "LR" Local Retail zoning was established in 1961 across Mira Loma Lane from the site. "GR" General Retail zoning along Highway 290 northwest of subject property was established earlier this year. There is residential development to the south and the I.I. Nelson High School stadium is to the north. Highway 290 right-of-way will be widened to 200 feet, but the final location has not been determined. The Director of Public Works feels there should be a redesign of the intersection of Mira Loma Lane and Highway 290. The applicant proposes erecting a drive-in grocery, and consideration should be given as to whether or not this area can be defined as a developing commercial area.

Four written comments were received in favor and none in opposition to the change. Mr. E.H. Smartt appeared for the applicant and stated that the property is a fairly large, one owner tract located at the intersection. The information they have concerning the widening of U.S. 290 is that 40 feet is the maximum that would be taken off the south side. They are prepared to give up to 40 feet, and in this event will still have adequate property left for development. They plan the establishment of a drive-in grocery. The "C-1" zoning is requested to permit the sale of beer for off-premise consumption. All of the adjoining property owners favor this application. Across U.S. 290 is a motel with "C-1" zoning.

The Committee was concerned with the problem of the intersection of Mira Loma Lane and U.S. Highway 290. They felt this corner should be rounded-off and that the future Highway 290 right-of-way should be determined before establishment of a business. They recommended denial of the request.

The staff reported to the Commission that the Highway Department had definite plans to widen U.S. 290 to facilitate traffic in connection with the East Loop. A revised street layout will leave 92.4 feet on the west side of the property and 226.58 feet on Mira Loma Lane. The attorney for the applicant has stated they are willing to dedicate the required amount to round the corner as requested.

Mr. Smartt informed the Commission he is prepared to give a letter from the owner and prospective purchaser to the effect that they will be glad to cooperate with the rounding off of this corner. He stated the Highway Department has established where the right-of-way line will be.

The Commission was agreeable to rezoning that part of the tract not included in the widening of Highway 290, provided that the sharp corner at the intersection is rounded. If the applicant dedicated this part of the property for this purpose before the Council considers the case, then the Commission would be in favor of the change to "C-1" zoning. Since no provision for this had been made at the hearing, it was therefore unanimously

C14-63-165 William D. Patton--contd.

VOTED: To recommend that the request of William D. Patton for a change of zoning from "A" Residential to "C-1" Commercial for property located at 6908-7024 Mira Loma Lane at U.S. Highway 290 be DENIED.

C14-63-166 R.R. Talley: A to O
1037 East 44th Street and 4304-4308 Clarkson Avenue

STAFF REPORT: The site is undeveloped and covers an area of 12,841 square feet. There is residential development on three sides with two tiers of lots separating the site from Hancock Shopping Center to the south. The applicant proposes a doctor's clinic. The problem of having this one lot zoned "O" Office in a residential area should be considered. East 44th Street and Clarkson Avenue have 50 feet of right-of-way with 30 feet of paving, and are minor residential streets. A railroad track runs parallel to Clarkson with the Inter-regional Highway to the east.

Eight comments opposing the change and one in favor were received. Thirteen persons appeared at the hearing in opposition with three property owners in favor. The applicant stated that since Sears has created their shopping center, traffic has increased. Other property owners along Clarkson Avenue are interested in this change to "O" Office zoning. Property which adjoins a railroad track does not make good residential area.

Opposition from property owners in the area is summarized as follows: This is the only vacant lot in the whole neighborhood and it should be kept residential. We understood when Sears was established we would not have any further commercial development. There are children in the neighborhood and the traffic situation could be dangerous. We do not want "spot zoning" in a residential neighborhood.

The Commission concurred with the Committee's recommendation and felt the change of zoning proposed did not fit the zoning pattern in the neighborhood and would be an intrusion into a residential area. It was therefore unanimously

VOTED: To recommend that the request of R.R. Talley for a change of zoning from "A" Residence to "O" Office for property located at 1037 East 44th Street and 4304-4308 Clarkson Avenue be DENIED.

C14-63-167 W.L. Driggs: A to GR
2254-2264 Redwood Avenue

STAFF REPORT: The site covers an area of 11,371 square feet, with approximately 79 feet frontage on Manor Road and 163 feet frontage on Redwood Avenue. The Applicant proposed to erect a billboard. General Retail and "DL" Industrial zoning is established east of Redwood Avenue. The Austin Municipal Airport is to the north with vacant land and residential development to the south and west. The location of the proposed Pershing Drive into the airport may need additional right-of-way from the site to intersect Manor Road at the Airport entrance. Pershing Drive will coincide with Redwood Avenue at subject property. Additional right-of-way needed will be approximately

C14-63-167 W.D. Driggs--contd.

20 feet. Consideration should also be given to the effect of this zoning upon the Airport development. The existing zoning and any proposed zoning should be considered in the light of future use and development in relation to the safe-guarding of the large public investment in the airport. A Special Permit is pending across Redwood Avenue to the east for an office building and testing and analysis laboratory.

One favorable comment in reply to notice was received and one person appeared at the hearing in favor of the change. Mr J.T. Baumgardner represented the applicant and stated he has a considerable investment in this property and feel he should have some return on his investment.

The Director of Planning reviewed the history of the area to the Commission, outlining the "GR" and "DL" zoning to the east. He noted that the proposed Pershing Drive will affect this property and emphasized the type of development adjacent to the airport entrance is of major concern.

The Assistant City Attorney advised that aesthetic value is a consideration in zoning property near the airport, and that special treatment of the land use involved is necessary because of the need to protect the people who travel and the public in general.

The Commission discussed aspects of this zoning change and whether a special permit should be required. They were concerned with reasonable control in the airport area for the type of use to be anticipated in future development. It was therefore unanimously

VOTED: To POSTPONE action on this request pending further study by the Planning Department and the Legal Department.

C14-63-168 Jack Andrewartha: GR to Part 1: A, Part 2: B

Part 1: 2232 Barton Skyway, Part 2: Rear of 2236-2338 Barton Skyway

STAFF REPORT: Part 1 of the site is a 1.47 acre tract and Part 2 a 4.44 acre tract. The site is undeveloped. The area to the northwest and southwest is developed residentially. The area along South Lamar Boulevard is developed commercially. In Part 1 is proposed the construction of two-family dwellings, and in Part 2 construction of apartments. The proposed zoning on Part 2 would permit a maximum of 96 regular units or a 128 unit apartment hotel. This is an average of 6.8 regular units or a 9.1 unit apartment hotel for each proposed lot. Barton Skyway has an 80 foot right-of-way with a paved surface of 44 feet, and is classified as a secondary thoroughfare. This zoning request is in conformance with a subdivision plan which has preliminary approval.

One written comment in favor and one in opposition was received. Mr. Oscar W. Holmes represented the applicant and stated that all the land is now zoned "GR". If General Retail was left for the entire tract of land and the tract was developed into apartments and two family dwellings, there is the possibility of commercial development in the middle of the apartments. The Planning Department recommended the change of zoning upon approval of the subdivision that is pending. He stated that Westhill Drive will be put in.

C14-63-168 Jack Andrewartha--contd.

The Commission felt that this would be a proper change in zoning and good use of the land and noted that it conforms to a subdivision plan of the property which has preliminary approval, It was therefore unanimously

VOTED: To recommend that the request of Jack Andrewartha, for a change of zoning from "GR" General Retail to Part 1, A and Part 2, B for property located at 2232-2338 Barton Skyway, and the rear of 2236-2338 Barton Skyway be GRANTED.

C14-63-169 Paul C. Walter: Tract 1: O to C
6830-6836 Burnet Road
Tract 2: A to C
6800-6828 Burnet Road
Tract 3: GR to C
6724-6728 Burnet Road

STAFF REPORT: This application is for three tracts of land fronting on the west side of Burnet Road. Tract 1 has 18,240 square feet, Tract 2 has 56,420 square feet and Tract 3 has 10,833 square feet. There is mixed commercial development along Burnet Road. The surrounding area is residential. The proposed use for the property is for selling, renting or leasing. Tract 1, the most northerly tract, was zoned "O" Office in 1962, Tract 2 is zoned "A" Residential, and Tract 3 was zoned "GR" General Retail in 1956. The application asks for "C" Zoning on all tracts. Tracts 1 and 2 are 1st Height and Area, Tract 3 is 6th Height and Area.

One written comment opposing the change was received. Mr. Paul C. Walter, the applicant stated, "We have clients who want to use this land. We feel when it is zoned for certain uses, we can lease the land for the uses proposed."

The Commission considered this change of zoning to be a logical extension of the existing zoning on either side of the property. It was therefore

VOTED: To recommend that the request of Paul C. Walter for a change of zoning from "O" Office, to "C" Commercial, for Tract 1; "A" Residential, to "C" Commercial, for Tract 2: and "GR" General Retail to "C" Commercial for Tract 3, be GRANTED.

C14-63-170 The Cherrylawn Corp: Tract 1: A to LR, Tract 2: A to C-1
6201-6205 Manor Road and 6117-6125 Walnut Hills Drive

STAFF REPORT: The application is for "LR" Local Retail zoning for a 0.33 acre tract, and "C-1" Commercial zoning on a 2400 square foot interior portion of this tract. A 7-Eleven Store is proposed to include the sale of beer for off-premise consumption. The applicant is the developer of the surrounding Cherrylawn Subdivision, of which Sections 2 and 4 are presently being developed. Across Manor Road from the subject property a large tract was zoned "C" Commercial following annexation in 1953 and is undeveloped except for one single-family dwelling. The Director of Planning recommended that the Commission consider rezoning this tract to "A" Residential since "C" Commercial zoning of a tract of this size is not compatible with the current development of the area.

C14-63-170 The Cherrylawn Corp.--contd.

Subject property was originally part of Cherrylawn Subdivision but was not subdivided because of the drainage cost involved.

There was one written comment received against the change of zoning. Mr. John B. Selman represented the applicant and stated that this 7-Eleven Store would be an asset to the neighborhood. "We have planned an attractive subdivision and we do not want anything that would detract from our residential area. We want to be able to control and supervise the building and use, and for this reason we will build and lease the store rather than sell the property. The building exterior will harmonize with the houses in the neighborhood. We feel that establishment of "C-1" zoning on Rogge Lane five blocks from our location has set a precedent for this type of zoning in this area."

The Commission considered the location and noted the "C" zoning across the street. They concluded that Manor Road is in a transition period with regard to land use and agreed this change is logical use of the land and is proper zoning. It was therefore unanimously

VOTED: To recommend that the request of the Cherrylawn Corporation for a change of zoning from "A" Residence to "LR" Local Retail for Tract 1 and "C-1" Commercial for Tract 2 for property located at 6201-6205 Manor Road and 6117-6125 Walnut Hills Drive be GRANTED.

C14-63-171 O.C. Hardin: A to BB (as amended)

1220 E. 52nd Street and 5200-5204 Lancaster Court
 Additional Area: Tract 1: 1212-1218 East 52nd Street
 Tract 2: 5108-5114 Lancaster Court
 Tract 3: 5109-5111 Lancaster Court

STAFF REPORT: The site is developed with two single-family dwellings and covers a 13,750 square foot area. The additional area is included in order that these adjoining and adjacent tracts will be consistent with the zoning pattern. Tract 1 is 34,000 square feet, Tract 2 is 27,462 square feet and Tract 3 is 13,800 square feet. The surrounding area is of mixed residential development with "BB" and "A" Residential zoning. The Austin Municipal Airport is to the south of the site. Due to the relation of the site to the Airport area, the staff feels consideration should be given to the more restrictive height and area of "BB" zoning. Under "BB" zoning, no apartment hotel would be allowed. The proposed "B" zoning would allow a maximum of 6 regular units.

Six favorable comments were received in reply to notices sent. Mr. Robert Sneed represented the applicant and informed the Committee the applicant desires to develop the property with apartments. "We will change our request from "B" to "BB" if the Committee feels it would be best."

Two property owners in the area voiced their opposition at the hearing: As property owners in the area we object to this change of zoning including the additional area. We feel this will tend to devalue our property.

C14-63-171 O.C. Hardin--contd.

The Committee agreed to accept the amended application from "B" to "BB" zoning for this property, and recommended the request be granted, including Tract 1 of the additional area.

The Commission regarded this change of zoning as an extension of "BB" zoning already existing and felt it was the proper use of the land.
It was therefore unanimously

VOTED: To recommend that the request of O.C. Hardin for a change of zoning from "A" Residential to "BB" Residential (as amended) for property located at 1220 E. 52nd Street and 5200-5204 Lancaster Court, including Tract 1 of the additional area located at 1212-1218 East 52nd Street be GRANTED but DENIED Tract 2 located at 5108-5114 Lancaster Court and Tract 3 located at 5109-5111 Lancaster Court.

C14-63-172 G.H. Brush: A to O (amended to B)
3400-3414 Woodleigh, 201-203 Braeswood and 125-129 Woodward

STAFF REPORT: The site is undeveloped and covers a 121,600 square foot area. The subject property is located within an area designated for industrial use in the Austin Development Plan and adjoins industrial zoning on the west and south. St. Edward's University is to the north and a residential subdivision is to the east. The applicant proposes a parking area in connection with industrial development to the west. Woodward Street, on which 130 feet of the property fronts, is designated as a secondary thoroughfare in the Austin Development Plan. Eventual right-of-way of 90 feet has been established for this thoroughfare. The current right-of-way is 60 feet. Establishment of 15 additional feet of right-of-way for this portion of the south side of Woodward Street will be necessary to bring it to the width established for a planned thoroughfare street.

One person was present at the hearing in favor of this request and one in opposition. Mr. Robert Sneed appeared in behalf of the applicant and stated the applicant plans to provide additional parking area for the development of lots on South Congress Avenue. No other improvements are contemplated. If there is some concern from property owners in the area about further commercial development, we will be glad to amend our application to "B" Residential instead of "O" Office zoning. If additional right-of-way is needed, the applicant will be contacted and a written statement of his intention will be filed with the Planning Commission before their next meeting.

The Committee agreed to accept the amendment of the application for "B" zoning and recommended the request be granted.

The Commission accepted the requested change of zoning as amended to "B". They considered the residentially developed area on the east and felt this change of zoning would act as a buffer zone between the "A" Residential and industrial zoning. It was therefore unanimously

VOTED: To recommend that the request of G.H. Brush for a change of zoning from "A" Residential to "B" Residential, as amended, for property located at 3400-3414 Woodleigh, 201-203 Braeswood and 125-129 Woodward be GRANTED.

C14-63-174 The Reliable Life Insurance Co: O to GR
4808-4810 Interregional Highway
 Additional Area: 4812-4820 Interregional Highway

STAFF REPORT: The site covers an area of 13,300 square feet and the additional area covers 37,500 square feet. The site is developed with an office building and the additional area is developed with two-single family dwellings. The area north, west and south is developed predominantly residential with the exception of commercial development along Interregional Highway. Municipal Airport is to the east. The applicant proposes to erect a pole sign to be used in conjunction with an office building. In an "O" Office zone a sign must be erected flat against the building. The applicants have appeared before the Board of Adjustment for permission to erect the sign. The Board denied the variance on the grounds that the request was not properly in its jurisdiction and recommended a change of zoning be requested. It is suggested that a change to Fifth Height and Area be considered in order to conform to the pattern established along the Interregional Highway.

No written comment was received in reply to notices sent. Mr. G. C. Perryman represented the applicant and stated they were requesting permission to erect a pole sign in front of their building. They feel this will not only be an asset to their building, but that it is necessary in recognizing the office location. There are pole signs in the area both north and south of their location.

The Commission felt a change to "GR" Fifth Height and Area would complete the zoning pattern in the area. It was therefore unanimously

VOTED: To recommend that the request of the Reliable Life Insurance Company, for a change in zoning from "O" Office to "GR" General Retail for property located at 4804-4810 (4806) Interregional Highway and the additional area at 4812-4820 Interregional Highway be DENIED but to GRANT "GR" General Retail, 5th Height and Area.

SPECIAL PERMIT

CPI4-63-7 K&W Development, Clifton Knezek: Office building and laboratory

STAFF REPORT: The site contains 3.59 acres and is opposite the entrance to Municipal Airport on the south side of Manor Road. The use proposed is allowed in a "C" Commercial zone. The fact that this property is zoned "GR" General Retail and is adjacent to property zoned "DL" Industrial allows the owner to secure a special permit under the terms of the Zoning Ordinance. The applicant proposes a building containing offices and a testing and analysis laboratory. The building will be approximately 100 feet by 120 feet and twelve feet high. It will be located in the northwest corner of the site with parking on the south part of the tract. The Public Works Department recommends that the building be designed and constructed so that it will not detract from the Airport Terminal Building. Although a majority of the departmental comments have been received with approval of the plan, a report is lacking from the Water and Sewer Department. The applicant proposes access to the building and parking area from Manor Road and Redwood Avenue. Additional right-of-way may be acquired for the creating of Pershing Drive which is proposed to intersect Manor Road at the Airport entrance. It is recommended that action be postponed until all departmental reports have been received and a copy of the elevation plan is presented.

CP14-63-7 K&W Development, Clifton Krezek--contd.

Mr. Truman O'Quinn presented an architectural design for review. Their property adjoins a "DL" Industrial zone which is developed with an office and storage yard. It is believed certain types of commercial and industrial zoning are suitable for this area because of the proximity of the airport. The proposed building is to be used as combined state headquarters for Trinity Testing Laboratories of Austin, Inc. and Trinity Testing Laboratories, Incorporated, with facilities in the east part of the building for laboratory testing and analysis. The State charter for the latter corporation shows its purpose to be: "The purpose for which the corporation is formed is to establish and maintain laboratories for scientific, chemical, and physical testing, research, development, and consultation, as authorized by subdivision 3 of Article 1302 of the Revised Civil Statutes of 1925." All of the testing will be within a wholly enclosed portion of the structure, and will be confined to the physical field of strength testing. Chemical analysis will not be done.

The Committee referred the application for a special permit to the Planning Commission pending completion of all departmental reports and corrected site plan.

The staff reported to the Commission that all departmental reports have been cleared. The Director of Aviation has given his approval of the site plan and has no objection to the project if its appearance does not detract from the Terminal Building. The staff recommends the special permit be granted subject to the following conditions: (1) The elevation as proposed for the building should be made a condition of the granting of the permit. (2) The chartered purpose of the organization, as given by Mr. O'Quinn, should be stated in the permit, except for the deletion of the word "chemical". (3) The contour lines on the site plan should be correctly identified.

The Commission reviewed the staff report and the site plan. They found that the plan complies with all pertinent sections of the Zoning Ordinance with the exceptions noted by the staff. It was therefore

VOTED: To APPROVE the site plan, subject to the following conditions: (1) The elevation as proposed is made a condition of the granting of the permit; (2) The chartered purpose of Trinity Testing Laboratories, Incorporated, as stated in the charter received from the State of Texas November 14, 1945, be included in the permit, with the specific exception of the word "chemical"; (3) The contour lines on the site plan be correctly identified. The Commission authorized the chairman to sign the necessary resolution issuing the Special Permit upon fulfillment of the conditions.

PRELIMINARY PLANS

C8-63-60 Lanier Terrace, Section 3
Ohlen Road and Burrell Drive

The staff reviewed this plan which was referred by the Subdivision Committee to the Commission to resolve layout problems. Mr. Carl Wagner, the adjoining property owner, intends to develop his property either industrially or commercially. Part of this 18 acres for a proposed residential subdivision is included in the Wagner tract to balance right-of-way on U.S. Highway 183. Because of the relationship to the proposed commercial development, the staff recommends against the layout as proposed, and considers the proposal contrary to good planning principal to front residential development to non-residential tracts.

The Planning Department also questions Burrell Drive being extended to the north of Ohlen Road. Burrell Drive begins at Anderson Lane and extends through Wotten Park Subdivision to Ohlen Road. This proposal to extend would double the length of Burrell Drive, which is a neighborhood collector street.

It is also recommended the S-curve along Ohlen Road within the subdivision be of a longer radius for a safer curve to carry a sufficient amount of traffic. As an example, the curve is half the radius of Koenig Lane and is inadequate for a collector street.

The Director noted that the adjoining property which is presently under the name of Mr. Reese is proposed to be purchased by Mr. Atal. Before the final plan is submitted, acquisition should be made by Mr. Atal. He advised that the street system which is affected is best worked out under one owner and this street compliance should be part of the final plat.

The Chairman inquired as to the proposal for the area being served without extension of Burrell Drive. The Director stated the general indication is that Burrell Drive would be extended considerably further up to Peyton Gin Road or Highway 183. The key consideration is one of land use and the basic problem in the area is the subdivision of land in regard to U.S. Highway 183. The existing area to the south along U.S. 183 has irregular shaped property which is part commercial or industrial and not in the City at the present time. As a result there is no land use or zoning control, which could present a possibility for blight conditions with commercial, industrial and residential mixed together. With strip commercial and industrial on the side of residential, it would subject the residential property to devaluation. He noted that Ohlen Road is an important street, however, he called the Commission's attention to the situation of residential property facing into Highway 183. The Director also advised that it is important that the tier of land along U.S. 183 should be brought into the City and proper zoning established to act as a buffer zone between the commercial zoned area and the residential subdivision. Immediately to the east there are existing homes on the south side of Ohlen Road. These homes warrant some degree of protection as well as the proposed residential to the southwest. It is therefore necessary to annex the subject property and establish proper zoning for this subdivision and the adjoining property.

C8-63-60 Lanier Terrace--contd.

Mr. Gerald Hart, the engineer for the subdivider, stated the problem that exists is that Mr. Wagner has irregular shaped land and he desires to have the best shaped area for the proposed commercial and industrial area. It was his opinion that zoning would not change the situation and that Mr. Wagner could utilize this land without benefit of annexation. Mr. Wagner feels the proposed street pattern is necessary for the property exchange and it would be impractical to divide this property from either the developer's standpoint or the City's standpoint.

The Chairman suggested that Mr. Atal and Mr. Wagner work out a mutual agreement that would be satisfactory to them and meet the standards of good planning for the proposed subdivision. It was therefore

VOTED: To POSTPONE action for 30 days pending further study by the developer and the staff.

SUBDIVISION PLATS - FILED

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

VOTED: To ACCEPT the following final plats for filing:

- C8-63-30 Northtown West Section 3, Revised
Burnet Road north of Anderson Lane
- C8-63-65 Northtown West Section 4, Phase 1
Ashdale Drive and Parkdale Drive
- C8-63-66 Northtown West, Section 5
Shoal Creek and Steck Ave.
- C8-63-47 Cameron Park, Section 1
Cameron Road and St. Johns Ave.
- C8-63-68 Country Air, Section 2
Peyton Gin Road and Country Air Drive
- C8-63-69 Preswyck Hills, Section 2
Rexford Drive and Woodbriar Lane south of Rogge Lane
- C8-63-46 Flournoy Heights, Section 1
Springdale Road south of Leslie

SUBDIVISION PLATS - CONSIDERED

- C8-60-7 Southridge West
Gayford Drive and Clawson Road

The staff reported that all reports have been cleared except for the fiscal letter. Utilities are in and a letter of acceptance has not been received. Disapproval is recommended pending completion of fiscal arrangements. The Commission therefore

VOTED: To DISAPPROVE the plat of Southridge West pending completion of fiscal arrangements.

C8-62-1 Holiday Heights, Section 1
Twin Crest Drive and St. Johns

The staff reported all departmental reports have been received and the plat complied with all requirements of the Ordinance. The Commission therefore

VOTED: To APPROVE the plat of Holiday Heights, Section 1.

C8-62-67 Summit Oaks, Section 2
Bell Avenue and Old Burnet Road

All departmental reports have not been received. A report is still lacking from the Health Department on septic tank requirements. The Commission therefore

VOTED: To DISAPPROVE the plat of Summit Oaks pending the required departmental reports.

C8-63-52 Community of Fairview
South 1st Street and Williamson Circle

The staff reported all reports have not been received; additional fiscal arrangements and easements are required as well as a sanitary sewer approach main outside of the subdivision. Annexation is also required, and it is recommended the plat be disapproved until all requirements have been met. The Commission therefore

VOTED: To DISAPPROVE the plat of the Community of Fairview until the required fiscal arrangements, easements, departmental reports and annexation have been completed.

C8-63-53 Jamestown, Section 4
Fairfield Drive and North Lamar

The staff reported all requirements of the Subdivision Ordinance have been complied with and recommended approval on condition that the staff be authorized to hold the plat until the passage of the amendment to the Zoning Ordinance which proposes a total commercial development. It was explained that the zoning has been passed by the Council but the amendment to the Ordinance has not been passed because of a discrepancy in the field notes. The corrected field notes have been submitted and this subdivision will come before the Council this Thursday. The Commission therefore

VOTED: To APPROVE the plat of Jamestown, Section 4, and authorized the staff to hold the plat until the Council approved the amendment to the Zoning Ordinance on the commercial development.

C8-63-58 Hill and Dale Addition
Heflin Lane and Scottsdale Road

The staff reported fiscal arrangements and additional easements are required in addition to completion of all departmental reports. The Commission therefore

VOTED: To DISAPPROVE the plat of Hill and Dale Addition pending completion of fiscal arrangements, additional easements and departmental reports, annexation, and agreement from Water District on service to the subdivision.

C8-63-44 Barton Village, Section 1
Barton Skyway and South Lamar

The staff reported all departmental reports have been received and recommended disapproval pending fiscal arrangements. The Commission therefore

VOTED: TO DISAPPROVE the plat of Barton Village, Section 1, pending completion of fiscal arrangements.

SHORT FORM PLATS - CONSIDERED

C8s-63-148 Manor Apts. Subdivision
Manor Road.

The staff reported this plat was ready for approval except for a pending volume and page being shown on the plat and in dedication. It was therefore

VOTED: To APPROVE the plat of Manor Apartments Subdivision and authorized the staff to hold plat for deed reference.

C8s-63-154 Resub. of Part of Barton Oaks
Edgewater Drive and Manchaca Road

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

VOTED: To DISAPPROVE the plat of the Resubdivision of part of Barton Oaks pending completion of departmental reports, and authorized the staff to give administrative approval where all requirements had been met.

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 short form subdivisions:

- C8s-63-152 Westover Hills, Section 1, Resub. Lots 7 and 8, Block C
Azalea Trail
- C8s-63-153 Sudduth Addition
Wheless Lane and Berkman Drive
- C8s-63-155 Deer Park, Section 1, Resub. Lots 7-9, Block D
Fair Oaks Drive

SUBDIVISION APPROVAL BY TELEPHONE POLL:

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

VOTED: To APPROVE the following final plats:

- C8-62-29 Heritage Hills, Section 1
U.S. Highway and Rutherford
(Approved 11-22-63)
- C8-63-36 Royal Oak Estates, Section 8
Wheless Lane East of Berkman Drive
(Approved 11-7-63)

OTHER BUSINESS

C10-63-1 (x) ALLEY VACATION

2617 Speedway south of the Presbyterian Seminary

The staff reported a request from the owner of the property to have that portion of the alleyway lying immediately north of Lots 1 and 2, OL 10, Division 10, Moore Addition, located at 2617 Speedway, be vacated in favor of the adjoining owners abutting this portion of the alley. The owners of the properties abutting the rest of the alley to its opening on the east are the Austin Presbyterian Theological Seminary on the north and Mr. Hugh Blocker on the south. Mr. Blocker has stated that he regrets that he is not in a position to join in a request for vacation at this time as it provides present access to his garage apartments in adjoining Lot 3.

The Commission reviewed the area map of the site and concluded they would like to make an inspection on the ground. It was therefore

VOTED: To POSTPONE for 30 days the request for alley vacation at 2617 Speedway.

C10-63-1 (y) ALLEY VACATION

Portion of alley between East 16th and East 17th Streets

The staff reported a letter from the adjoining owners, requesting abandonment for the west end of the alley which lies under a bluff which terminates the useable portion accessible from Red River. The west portion of the alley, accessible only from Neches Street is unattended and a detriment to adjoining property.

The Commission reviewed the area map of the site and concluded they would like to make an inspection of the property on the ground. It was therefore

VOTED: To POSTPONE the request pending inspection by the Commission.

C7-63-8 SALE OF CITY PROPERTY(a) Ben White Boulevard

The Director presented a map outlining the city owned property at the intersection of Fort View Road and Ben White Boulevard, more particularly described as Lots 1, 2 and 3 of the Charles Wendlandt Subdivision plus the adjoining land east of said Lot 1. The City desires to sell this property, retaining a portion for the widening of Fort View Road. The only departmental needs are expressed by the Electric, Public Works and Planning Departments. The Electric Department requests a 5'x50' permanent guy-wire easement be relocated as it would limit the development of this tract of land as a building site. Planning and Public Works Departments note the widening of Fort View Road as a use for part of the property. If these concerns for use of the property can be overcome, it was reported by the staff that there appear to be no problems of departmental requirements resulting in disposing of this property.

The Commission reviewed the information presented and it was therefore

VOTED: To recommend the sale of City owned property on Ben White Boulevard, subject to compliance of departmental reports.

C7-63-8 SALE OF CITY PROPERTY--contd.(b) Airport Boulevard

The staff presented a map outlining city owned property located between Airport Boulevard and the Houston and Texas Central Railroad, south of vacated East 53rd Street. Said property is more particularly described as the remaining portion of Lots 1 and 2, Block B, Ridgetop Addition, plus the vacating portions of Broadmore Street and East 53rd Street, west of Airport Boulevard.

Resulting from an inquiry from one of the adjoining property owners, the City desires to sell the above described property. Comments by departments recommend this property be sold and the following items were noted:

- (1) The Electric Department has one pole in the center of old 53rd Street that can be removed. Southwestern Bell Telephone Company has one pole on the south line of 53rd Street. The Telephone Company has stated that pole can be removed and rerouted.
- (2) Public Works noted there will be a 25-foot setback from Airport Boulevard required for any structure built thereon and also a five-foot setback from the rear property line.
- (3) Planning notes a deed restriction should be placed on the property permitting use of the tract only in conjunction with the adjoining property

The Director recommended the sale of this property upon compliance with the departmental reports as the City has no need for it.

The Commission reviewed the information presented and it was therefore

VOTED: To recommend the sale of City owned property on Airport Boulevard, subject to compliance of departmental reports.

(c) Bannister Lane

The Director explained that when this property was subdivided there was a house located on the 75x100' corner lot, which was given to the City by Mr. Puett. The City is building a bridge over the railroad from St. Elmo Road on the east side of the railroad to connect into property on the west to permit a better flow of traffic. The house was moved from the bridge location to the Bannister Lane property. The City has no use for this property and therefore desires to sell the lot and house. The Commission reviewed the information presented and it was therefore

VOTED: To recommend the sale of City owned property at Bannister Lane.

REPORTS

C2-63-1 (e) AUSTIN DEVELOPMENT PLAN AMENDMENTS
Gonzales Avenue and Springdale Road

The Planning Commission reviewed an Austin Development Plan study of the industrial area bounded by Pleasant Valley Road, M.K. & T. and H. & T.C. Railroads, Airport Boulevard and the Colorado River. This study resulted from a request for a short-form residential subdivision for a parcel of land located at the

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

northwest corner of Gonzales Avenue and Springdale Road, which was postponed at the Planning Commission Meeting of October 22, 1963 to permit the Planning Department to make a comprehensive study of the subject area and to report their findings within sixty days.

The Assistant Director of Planning presented a generalized existing land use map of the subject property, indicating that under the plan, land designated industrial is not permitted to be subdivided for residential purposes. Statistics on land use residential occupancy and structural conditions were explained. Land use disposition and boundaries were discussed in relation to the planning and zoning in the area.

The Assistant Director noted that the streets throughout the area are in most cases of the minimum 50 feet width while the recommended right-of-way for an industrial collector street is 80 feet. Neither water nor sewer facilities are of sufficient capacity to satisfy the potential industrial development of an extensive portion of the area and may require major enlargement to serve any high density residential use.

The area north of the street is susceptible to flooding on a 25 year storm interval because of the existence of Boggy Creek traversing the area in an east-westerly direction, the inadequacy of the storm sewers, and the low-lying, level topography. This condition may be corrected if the channelization recommended in connection with the Glen Oaks Renewal Project is carried out.

The Commission discussed the flooding and drainage problem in the area and the Director advised that under the Urban Renewal Plan this could be corrected in the future. If the area was included under a General Neighborhood Renewal Plan it would be possibly two years before any actual improvements would be undertaken. In summary, the Planning Department considered that the major portion of the total area under consideration should be designated residential in the Austin Development Plan as opposed to the present industrial designation. It was recommended that the following criteria govern any boundary or land use change:

Boundary Determinants

- (1) Railroad - sound boundary
- (2) Major drainage ways satisfactory boundary
- (3) Rear property lines are considered preferable boundary to street frontage.
- (4) Streets - neither major nor minor considered desirable boundaries.
(exception would be riverfront lots)
- (5) Provision for industrial or residential expansion which would not further aggravate the intermixing of incongruous areas.
- (6) Provide as large, cohesive and homogeneous residential parcels as possible.

C8-63-1 (e) AUSTIN DEVELOPMENT PLAN AMENDMENTS--contd.

- (7) Creation of common continuous boundary as opposed to protusion of one use into another use area ("tooththing").
- (8) Avoidance of creating single-use pockets particularly residential pockets within a predominantly industrial area.
- (9) Public parks serve as buffer between incompatible uses or greenways as integrators for pedestrian access.

A suggested land use plan was shown the Commission. The Director suggested that possibly only the area north of the street should be changed at this time.

The Commission concurred with the Planning Department's recommendation and were of the opinion that a change from industrial to residential would be more suitable for a major portion of the subject area and it was therefore

VOTED: To notify Council that the Planning Commission had after study determined that an Austin Development Plan Land Use amendment was recommended for the area generally bounded by Pleasant Valley Road, 2nd Street, Airport Boulevard and the M.K. & T. and H. & T.C. Railroads as shown on the plan prepared by the Planning Department from Industrial to Residential; and further that the Planning Department be instructed to initiate the appropriate Zoning and Development Plan procedures to accomplish this change.

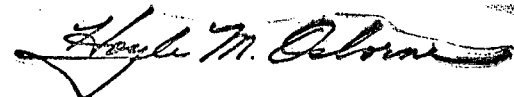
C8-63-59 BERKMAN TRACT SUBDIVISION

Berkman Drive and Burrell Drive

The staff reported that the Subdivision Committee had approved the suggested subdivision plan of the Berkman tract subject to the required departmental reports. The City of Austin will conduct an auction sale of this tract along with the property on Ben White Boulevard and Bannister Lane on January 9, 1964. The Commission recalled their original review and recommendation for the sale of the Berkman Tract at their September 12, 1961 meeting.

ADJOURNMENT: The meeting adjourned at 10:45 p.m.

APPROVED:



Hoyle M. Osborne
Executive Secretary



Chairman