

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting -- February 11, 1964

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 Brunson
Ben Hendrickson
Edgar E. Jackson
S. P. Kinser
Barton D. Riley
Emil Spillmann
W. A. Wroe

Absent

W. Sale Lewis

Also Present

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

MINUTES

Minutes of the meeting of January 14, 1964 were approved as submitted.

ZONING

The following zoning changes and special permit requests were considered by the Zoning Committee at a meeting of February 4, 1964:

C14-64-1 David B. Barrow, et al: Interim A to GR
3825-3835 South Interregional Highway

STAFF REPORT: The site covers an area of 18,750 square feet and is undeveloped. The surrounding area is undeveloped with the exception of the Internal Revenue Service Building to the north. The applicant proposes erecting and operating a gasoline filling station. The subject tract, which fronts 150 feet on the east side of the Interregional Highway, is part of a comprehensive development plan for the St. Edwards Heights subdivision.

There was no written comment received.

Mr. David Barrow, Jr. represented the applicant and stated this change would be compatible with the commercial development along the Interregional Highway. The Internal Revenue Building is adjacent to the property to be developed.

The Commission recognized that the proposed service station is part of a comprehensive development plan for this area. In this regard, they considered the proposed zoning to be logical and desirable.

C14-64-1 David B. Barrow, et al -- contd.

It was therefore unanimously

VOTED: To recommend that the request of David B. Barrow, et al for a change of zoning from Interim "A" Residential, First Height and Area, to "GR" General Retail, First Height and Area, for property located at 3825-3835 South Interregional Highway be GRANTED.

DISQUALIFIED: Mr. Barrow

C14-64-2 Joe Gilbreth: Interim A to GR
2321-2521 South Interregional Highway

STAFF REPORT: The site is undeveloped and covers 6 acres. To complete the zoning pattern along the Interregional Highway in this area, we are recommending consideration of an additional 1.38 acre tract for rezoning. The surrounding area is largely undeveloped, with the Prince of Peace Lutheran Church to the northeast. The applicant proposes future commercial development. Half of the subject property is in the City limits. A request for annexation should be made on the remainder. The proposed Greenbriary Subdivision adjoins the property on the east.

One written comment in favor of the change was received. Mr. Joe Gilbreth, applicant, was present at the hearing.

The Commission favored completing the area zoning pattern. However, they felt all of the property should be annexed to the City. It was therefore unanimously

VOTED: To recommend that the request of Joe Gilbreth for a change of zoning from Interim "A" Residential, Interim First Height and Area, to "GR" General Retail, First Height and Area, for property located at 2321-2521 South Interregional Highway, including the additional area located at 2523-2535 South Interregional Highway, be GRANTED subject to annexation to the City of all the property involved.

C14-64-3 C. C. Suggs: A to B
6503-6505 Berkman Drive

STAFF REPORT: This application is for two lots, containing 23,116 square feet, on the east side of Berkman Drive. The surrounding area is developed with single-family dwellings. The applicant proposes construction of apartments. The requested zoning would permit a total of 11 regular units or 15 units in an apartment hotel. Berkman Drive is a secondary thoroughfare with 70 feet of right of way and 40 feet of paving.

No written comment was received. No one appeared at the hearing in the interest of this application.

The Commission regarded the proposed change of zoning as an intrusion into a well defined and developed single-family residential area.

C14-64-3 C. C. Suggs -- contd.

It was therefore unanimously

VOTED: To recommend that the request of C. C. Suggs for a change of zoning from "A" Residential, First Height and Area, to "B" Residential, First Height and Area, for property located at 6503-6505 Berkman Drive be DENIED.

C14-64-4 Mrs. L. O. Anderson: A and 1 to B and 2
2809 Rio Grande

STAFF REPORT: The site is developed with a two-family dwelling and a single-family dwelling. The surrounding area is developed residentially with one, two and multi-family dwellings. There is commercial development along West 29th Street and Guadalupe Street to the east. The applicant proposes converting a dwelling into a 4-unit apartment house. The proposed zoning will permit 6 regular apartment units or 13 efficiency units.

Two written comments were received favoring the change.

Mr. L. O. Anderson appeared for the applicant and stated no changes will be made to the exterior of the building. It is presently being used for a student rooming house. With the conversion to a 4-unit apartment, there will not be as many people housed in the building as there are now. The changes will be a matter of moving plumbing and re-arranging the interior of the building.

The Commission members were of the opinion all of the block now zoned "A" should be rezoned rather than just one lot. The staff explained that time limitation precluded notification of other property owners which the expanded area would have required. The Commission regarded this change of zoning as consistent with that of the area, which is in a state of change. It was therefore unanimously

VOTED: To recommend that the request of Mrs. L. O. Anderson for a change of zoning from "A" Residential, First Height and Area, to "B" Residential, Second Height and Area, for property located at 2809 Rio Grande, be GRANTED.

C14-64-5 Lawson Ridgeway: Tract 1: A to B
2414-2502 Steck Avenue
Tract 2: A to B
2415-2503 Steck Avenue
Tract 3: A to C and 6
8224-8242 Burnet Road
Tract 4: A to C and 6
8206-8216 Burnet Road
Tract 5: A to C
8200-8204 Burnet Road

STAFF REPORT: The site consists of five large undeveloped tracts of land along the Burnet Road and Steck Avenue. Tracts 1 and 3 front on the north side of

C14-64-5 Lawson Ridgeway -- contd.

Steck Avenue. Tracts 2 and 4 front on the south side of Steck Avenue, with Tract 5 at the rear. The area to the west is developed residentially, and the area along the Burnet Road has scattered commercial development. The proposed use is for enlarging the Texas Electric Cooperative area and to develop an apartment area and two small commercial sites. The requested zoning on Tract 1 (area 94,748 square feet) would permit a total of 46 units or 11 units per lot. On Tract 2, containing 66,375 square feet, the requested zoning would permit a total of 33 regular units, or 13 units per lot.

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

Mr. J. G. Threadgill appeared for the applicant. He stated that Tracts 2, 4 and 5, which adjoin Texas Electric Coop, will become an integral part of the Coop development. The use of other tracts will be compatible with the overall development of and the commercial uses along the Burnet Road.

The Commission concluded that all five tracts of this request were part of a comprehensive plan for development for this area. It was therefore

VOTED: To recommend that the request of Lawson Ridgeway for a change of zoning from "A" Residential, First Height and Area, to "B" Residential, First Height and Area, for property located at 2414-2502 Steck Avenue for Tract 1 and 2415-2503 Steck Avenue for Tract 2; from "A" Residential, First Height and Area, to "C" Commercial, Sixth Height and Area, for property located at 8224-8242 Burnet Road for Tract 3 and 8206-8216 Burnet Road for Tract 4; from "A" Residential, First Height and Area to "C" Commercial, First Height and Area, for property located at 8200-8204 Burnet Road for Tract 5, be GRANTED.

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

NAY: Mr. Barrow

ABSENT: Mr. Lewis

C14-64-6 Lillian C. Brown: A to C, 2 to 2
1607 East 7th Street

STAFF REPORT: The site is developed with a two-family dwelling and contains 6,400 square feet. The staff has included an additional area for consideration which is developed with a single-family dwelling and contains 6,400 square feet. The area is developed predominantly residential. Huston Tillotson College is located to the northeast and the State Cemetery is to the northwest. A triplex is proposed for the site. The proposed zoning will permit 12 efficiency units or apartment hotel units or 6 regular units on each lot. This is the only remaining block on the south side of East 7th Street not zoned commercial.

Three favorable written comments and seven in opposition were received.

Mr. Joe Peronne represented the applicant and informed the Committee there is very little use of single-family dwellings in this area. With the exception of a few well kept homes, the majority have become delapidated. No new homes are being constructed on this street, and there are other non-conforming uses in the area. We think the proposal is the best use of the land.

C14-64-6 Lillian C. Brown -- contd.

Four nearby property owners appeared in opposition to this change. Their opinion was that this application is against the interest of property owners in the area. Changing the zoning will create higher taxes, which we are not able to afford. Commercial zoning creates undesirable living conditions such as noise and nuisance in the neighborhood. "C" Commercial zoning is not compatible with a residential area and creates a slum area.

The Commission discussed the zoning pattern of the area. The majority of the members were of the opinion the requested change to "C" Commercial fit the zoning pattern of the neighborhood. It was therefore

VOTED: To recommend that the request of Lillian C. Brown for a change of zoning from "A" Residential, Second Height and Area, to "C" Commercial, Second Height and Area, for property located at 1607 East 7th Street, including the additional area located at 1609 East 7th Street, be GRANTED.

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

C14-64-7 H. M. Reese: C to C-1, 6 to 6
 Rear of 1121-D1123D Springdale Road
 1120D-1122D Map Street

STAFF REPORT: The site is undeveloped and covers an area of 8,625 square feet. The surrounding area is residential. There is a church approximately 400 feet to the north. The applicant proposes erecting a drive-in grocery, including the sale of beer to go. The entire block in which subject property is located was zoned "C" in 1954. The layout of the subdivision which the subject tract is located is oriented toward residential development. Springdale Road is classified as a primary thoroughfare with 65 feet of right of way. The subdivider of property fronting on the west side of Springdale Road opposite subject property has agreed to dedicate 15 feet of right of way to widen Springdale Road to 80 feet.

There was no written comment received.

Mr. L. C. Reese and Mr. H. M. Reese appeared in support of this request and stated they had no additional remarks to add to the staff report.

Some of the Commission members were opposed to granting this request on the grounds that the commercially zoned area of which subject property is a part is not developed, and it is Commission policy to grant "C-1" zoning in a well-developed commercial area. However, the majority felt that since the area has been well defined as a commercial area since 1954, it is logical to further the commercial development of it by granting this request.

C14-64-7 H. M. Reese -- contd.

It was therefore

VOTED: To recommend that the request of H. M. Reese for a change of zoning from "C" Commercial, Sixth Height and Area, to "C-1" Commercial, Sixth Height and Area, for property located at the rear of 1121D-1123D Springdale Road (1120D-1122D Map Street) be GRANTED.

AYE: Messrs. Barrow, Brunson, Hendrickson, Kinser, Riley, Spillmann and Wroe

NAY: Mr. Jackson

ABSENT: Mr. Lewis

C14-64-8 Leonard Dearing: C to C-1, 6 to 6
1184-1190 Airport Boulevard

STAFF REPORT: The site is developed with a lumber company and contains an area of 0.45 acre. The area along Airport Boulevard is developed commercially. There is a package liquor sales store across Airport Boulevard. The area to the northwest along East 12th Street is developed both residentially and commercially. The proposed use is for operating a drive-in restaurant with food service in cars.

The applicant, Mr. Leonard Dearing, stated at the hearing there is a need for this type of business to service the public along Airport Boulevard at this location. A drive-in with curb service is proposed.

The Commission noted the subject property is in a well defined and developed commercial area, and following its established policy, it was therefore unanimously

VOTED: To recommend that the request of Leonard Dearing for a change of zoning from "C" Commercial, Sixth Height and Area to "C-1" Commercial, Sixth Height and Area, for property located at 1184-1190 Airport Boulevard, be GRANTED.

C14-64-9 The Southland Corporation: A to C-1
1604 Riverside Drive

STAFF REPORT: The site is undeveloped and there is a drainage ditch running across a portion of the site. The proposed use is a drive-in grocery including the sale of beer for off-premise consumption. The surrounding area is developed residentially with single-family dwellings. The Town Lake Apartments are under construction across Riverside Drive to the north. The site fronts on Riverside Drive, which is a primary thoroughfare with 80 feet of right-of-way. The proposed right-of-way for Riverside Drive is 120 feet.

No written comment was received.

One person appeared at the hearing in favor of the change.

C14-64-9 The Southland Corporation: A to C-1--contd.

Mr. Fred B. Berkenthin appeared for the applicant and stated the residential land is up on a bluff. The property in question is physically separated from the residential area, and is not suitable for single family dwellings. There are no local retail facilities in the vicinity and there is a need for a Seven Eleven Store in the area.

The Committee did not consider this area to be a well defined commercial area, and felt a change of zoning would create an intrusion into the residential area. They recommended denial.

Mr. Charles Herring representing the applicant, appeared at the Commission Meeting to request a postponement of this case for 30 days. He learned of the Committee's recommendation a few hours prior to the Commission hearing. He would like time to consult with the applicant, who was out of town, concerning the Committee's objections.

The Commission felt this request for postponement was reasonable and it was therefore unanimously

VOTED: To POSTPONE action for 30 days on the request for a change of zoning from "A" Residential, First Height and Area, to "C-1" Commercial, First Height and Area, for property located at 1604 Riverside Drive.

C14-64-10 Pearl Anderson Lee: GR to C-1
1305 Chicon

STAFF REPORT: The site is developed with two two-family dwellings and covers a 7801 square foot area. The surrounding area is developed predominantly residential with some commercial development along Chicon. "C-1" and "C-2" Commercial zoning has been established to the south of the subject property. "LR" Local Retail zoning was established in 1960 on the lot adjacent on the south. There is a beauty shop on this lot.

Nine written comments were received against the change of zoning and one in favor of it. Three persons appeared at the hearing in favor of the change. Mr. Bourland represented the applicant and stated the applicant was of the opinion this will be a good use for the property. A petition from 14 property owners opposing this request was submitted at the hearing. Four property owners orally stated they were opposed to a drive-in selling beer in their residential neighborhood. The noise would be disturbing and they feel they cannot enjoy the neighborhood with the nuisance this would create. There is a church next door, and for the benefit of the whole area they are not in favor of this change.

The Commission considered subject property to be in a well defined commercial area and noted that the building sometimes used as a church had been vacant for some time. It was therefore unanimously

VOTED: To recommend that the request of Pearl Anderson Lee for a change of zoning from "GR" General Retail, First Height and Area to "C-1" Commercial, First Height and Area, for property located at 1305 Chicon be GRANTED.

C14-64-11 James and Lucille Dye: A to C, 2 to 2

Tract 1: Rear of 4719-4723 Burnet Road

Tract 2: Rear of 4709-4717 Burnet Road

Additional Area: Rear of 4725-4729 Burnet Road

STAFF REPORT: The site is the rear part of two lots, and comprises 16,420 square feet. The front parts of the lots are developed with two cafes and a repair shop. Subject property is undeveloped, and will be used as parking area for the present commercial development. The staff has included for consideration an additional area of 11,200 square feet. Immediately to the east is a doctor's office with "O" zoning established in 1955. To the south is a church and the Texas State School for the Blind. The area along Burnet Road is developed commercially.

One written comment in favor of the change was received. No one appeared to represent the applicant.

The Commission regarded this change as compatible with the developing commercial area and it was therefore unanimously

VOTED: To recommend that the request of James and Lucille Dye for a change of zoning from "A" Residential, Second Height and Area to "C" Commercial, Second Height and Area, for property located at (Tract 1) Rear of 4719-4723 Burnet Road, (Tract 2) Rear of 4709-4717 Burnet Road, including the additional area at the rear of 4725-4729 Burnet Road be GRANTED.

C14-64-12 T.A. Mayes: A to B, 2 to 2

1160-1168 Navasota Street

STAFF REPORT: The site is developed with two single-family dwellings and a tourist house, and covers an area of 22,473 square feet. The applicant proposes constructing apartments. The surrounding area is predominantly residential, with commercial development along East 11th Street. The proposed zoning will permit a maximum of 15 regular units or 31 efficiency units. Navasota, Juniper and Myrtle Streets are minor residential streets with inadequate right-of-way for commercial useage. The applicant has informed the staff he is considering withdrawing this application, but wishes the committee to consider it as this meeting.

There was one written comment in opposition received. No one appeared to represent the applicant.

The Commission considered the area streets to be inadequate for more intensive use and it was therefore unanimously

VOTED: To recommend that the request of T.A. Mayes for a change of zoning from "A" Residential, Second Height and Area to "B" Residential, Second Height and Area, for property located at 1160-1168 Navasota Street, 1110-1114 Juniper Street and 1111 Myrtle Street be DENIED.

Disqualified: Mr. Kinser

C14-64-13 Jack Andrewartha: Tract 1: Int. A to LR
1210-1326 Barton Hills Drive
Tract 2: Int. A to B
1004-1208 Barton Hills Drive

STAFF REPORT: The site consists of two tracts of undeveloped property which are part of the preliminary plan of Terrace Village Subdivision. Tract 1 is 1.8 acres and Tract 2 is 3.9 acres, both tracts fronting on the proposed Barton Hills Drive. Local retail stores are proposed for Tract 1 and apartments for Tract 2. These uses are as proposed in the subdivision plan. This zoning will permit a maximum of 39 regular units on Tract 1; a maximum of 84 regular units or a 113 unit apartment hotel on Tract 2. The surrounding area is undeveloped with the exception of single-family dwellings along Spring Creek Drive. Zilker Park is to the north.

No written comment was received.

The applicant and his representative, Mr. Oscar Holmes were present at the hearing. It was explained that the subject property, which is part of the preliminary plan of Terrace Village, is an extension of the development of Barton Hills Subdivision to the south. This area is in need of the local retail services proposed on Tract 1 to serve the community. The applicant feels Tract 2 is an ideal location for apartments. Barton Hills Drive will have approximately 44 feet of paving through the subject property and will connect with Robert E. Lee Drive.

The Committee was concerned with the intersection of Barton Hills Drive as proposed and a proposed primary thoroughfare which may require a portion of subject property.

The staff reported to the Commission the applicant had requested postponement of this request until the location of the thoroughfare was determined. The Commission therefore unanimously

VOTED: To POSTPONE the request of Jack Andrewartha for a change of zoning from Interim "A" Residential, Interim First Height and Area, to "LR" Local Retail, First Height and Area for property located at 1210-1326 Barton Hills Drive (Tract 1) and from Interim "A" Residential, Interim First Height and Area to "B" Residential, First Height and Area, for property located at 1004-1208 Barton Hills Drive (Tract 2).

C14-64-14 Robert C. Ammann, Jr. Interim A to C (amended to LR)
912-1012 Peyton Gin Road

STAFF REPORT: This application is for 1.42 acres on the north side of Peyton Gin Road which is part of the Country Air Subdivision. This subdivision is pending approval. In consideration of the subdivision, the staff questions the establishment of commercial property on Peyton Gin Road across from the school site. The Subdivision Committee felt designation of a commercial area is premature at this time. The applicant is asking for commercial zoning to

CL4-64-14 Robert C. Ammann, Jr. Interim A to C (amended to LR)--contd.

allow commercial services in connection with subdivision activities. The surrounding property is undeveloped. There is a new subdivision, Jamestown, proposed to the south of Peyton Gin Road. Peyton Gin Road is a neighborhood collector street with 85 feet of right-of-way and 26 feet of paving. The request for annexation of this property has been made.

There was no written comment received.

The applicant was represented by Mr. Robert Sneed. Mr. Sneed informed the Committee they would like to change the application to "LR" Local Retail zoning instead of "C" Commercial zoning. The proposed use is a service center in connection with the proposed subdivision of Country Air Addition, which is residential in nature. They feel it is better to have the zoning established in advance so that people buying into the subdivision will be aware of the service area and no misunderstanding will be created. This will be a contained shopping area which will be of benefit to the residents in the area.

The Committee viewed the request as amended to "LR" Local Retail as a service to the proposed subdivision and felt it was good planning.

The Director of Planning called the Commission's attention to the proposed location across from a high school and a residential subdivision. He questioned the desirability of commercial facilities in this residential and school area.

The Commission discussed various aspects of this change of zoning with mixed viewpoints. A motion to recommend granting this request failed to carry by the following vote:

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

It was therefore

VOTED: To recommend that the request of Robert C. Ammann, Jr. for a change of zoning from Interim "A" Residential Interim First Height and Area to "LR" Local Retail First Height and Area, for property located at 912-1012 Peyton Gin Road be DENIED.

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

CL4-64-15 Jerald Senter, M.D. A to O
 4909-4913 Harmon Ave. and 1009-1013 E. 50th Street
 Additional Area: 1015 East 50th Street

STAFF REPORT: The site is developed with four single-family dwellings, and covers an area of 63,573 square feet. The additional area included is 10,935 square feet. The proposed use of the property is a medical center. There

C14-64-15 Jerald Senter, M.D. A to O--contd.

is a doctor's office on the adjoining lot to the east, fronting on the Interregional Highway. The surrounding area is developed predominantly residential with commercial zoning along the Interregional Highway. Harmon Avenue is classified as a minor residential street with 50 feet of right-of-way. Recommended minimum street width for commercial development is 60 feet.

One written reply in favor of the change was received.

The applicant was present at the hearing and was represented by Mr. Joe Gilbreth. Mr. Gilbreth stated they were concerned with providing better medical facilities in this area of Austin. A 15-unit medical center with 158 parking spaces will be provided. The doctor's office adjoining the site belongs to the applicant and will be part of this center. An architectural sketch was presented.

The Committee was favorable to the proposed use of the property, but was opposed to adding commercial traffic to Harmon and East 50th Street, and to extending commercial zoning further into the surrounding residential area.

At the Commission meeting, the Director of Planning noted that approximately two thirds of commercially zoned property in this area along the Interregional Highway is either vacant or used for residential purposes. He questioned whether a more intensive use of the property was logical.

The Commission discussed the feasibility of this change of zoning in a residential neighborhood. The majority of the members felt it would be an intrusion and that the streets are inadequate to handle the additional traffic such a change would impose.

It was therefore

VOTED: To recommend that the request of Jerald Senter, M.D. for a change of zoning from "A" Residential, First Height and Area, to "O" Office, First Height and Area, for property located at 4909-4913 Harmon Avenue and 1009-1013 East 50th Street, including the additional area at 1015 East 50th Street, be DENIED.

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

NAY: Messrs. Brunson and Spillmann

ABSENT: Mr. Lewis

C14-64-16 Rolfe A. Norman A to O
400-404 West 45th Street

STAFF REPORT: The site is developed with two single-family dwellings and contains an area of 8410 square feet. There is an office building on the lot adjoining subject property on the west. The area is developed predominantly residential with mixed development of office and commercial zoning along Guadalupe Street. The applicant proposes expansion of the Lutheran Welfare Society operation and off-street parking. West 45th Street is a primary thoroughfare with 60 feet of right-of-way and 40 feet of paving. The applicant has an appeal pending before the Board of Adjustment for a variance to erect an addition to a church welfare office providing no off-street

C14-64-16 Rolfe A. Norman: A to O--contd.

parking instead of the required four parking spaces. This request has been made for the property located at 408 West 45th Street, which adjoins the subject property on the west.

Six replies to notices were received in favor of the change and one in opposition.

Three nearby property owners appeared at the hearing in support of this request. The applicant was present and stated this is in line with the developing commercial uses on 45th Street, and will be a good development for the community. He stated they would need additional parking spaces in connection with the Church activities.

The Commission reviewed this change of zoning as a justified extension of existing zoning in the area and it was therefore unanimously

VOTED: To recommend that the request of Rolfe A. Norman for a change of zoning from "A" Residential, First Height and Area, to "O" Office, First Height and Area, for property located at 400-404 West 45th Street be GRANTED.

CP14-64-1 The Southwest Republic Corporation: Television tower
Ridge Oak Drive

STAFF REPORT: This application has been filed as required under Section 10, Sub-Section A, Paragraph 5, and according to procedures as specified in Section 10-B of the Zoning Ordinance.

The applicant proposes to erect a television tower 340 feet in height. The tower is to be set back 124 feet from the front property line and 16 feet from the north property line. An office building and garage, 48 feet by 48 feet, is proposed to be located 60 feet from the front property line and 16 feet from the east property line. This building consists of office, garage and storage space, and a transmitter room. Eight head-in parking spaces are to be provided in the front and driveways entering from Ridge Oak Drive.

The following comments were reported by City departments in regard to this request:

1. Water and Sewer - Sanitary sewer extension required. Off-site easement required for sanitary sewer. Recommend building permit not be issued on the basis of use of a septic tank in lieu of sanitary sewer due to close proximity to underground water reservoir.
2. Public Works - No objections. Recommend concrete driveways off of Ridge Oak Drive. Ground elevation at base of tower 855.35 feet. (based on U.S.G.S.) Require request for driveways.
3. Building Inspector - Location of Building complies. Height of structure will comply with Airport Zoning Ordinance. Complete set of plans on building will be required at time permit is granted. Structural plans with engineers seal will also be required for tower before permit will be issued.

CP14-64-1 The Southwest Republic Corporation--contd.

4. Electric - O.K.
5. Health Unit - Approved. Sanitary sewer available.
6. Fire Prevention - O.K.
7. Traffic and Transportation - No comment

The staff advised that any structure in excess of 150 feet would have to be reviewed by the Airport Advisory Committee.

No written comment was received.

Eleven persons appeared in opposition at the hearing. Mr. Robert Sneed represented the applicant and offered the following amendments as part of the application:

1. The driveway as shown on the plan would be shown as a concrete driveway.
2. Applicant tenders as part of the site plan that the street be surfaced in an acceptable manner.
3. We will include within the application the running of a sewer line to serve this property and the granting of whatever easement is required.

Mr. Sneed stated that with the above amendments, the applicants feel they will have complied with all requirements of the Departments of the City of Austin.

The following is a summary of Mr. Sneed's presentation to the Committee:

We recognize the fact that something of this character is not necessarily popular. What we must look to is not the interest of a few individuals, but to the Ordinance. Section 10-A established the proposed use as allowable with a Special Permit in all districts. Already there is a tower on the adjoining property; not quite as tall, but it is there. The standards established by the City of Austin in adopting the Zoning Ordinance allow a community tower to be put up by special permit if all the requirements are complied with.

We have tried to analyze the items in Section 10-B in the matter of traffic and its effect. The television studio where the programs will be produced will be at another location in the City. At the tower site will be a transmitting station only, and it will normally be occupied by only one person. The rest of the staff will be at the downtown studio. Since there will be only one person at the site, no heavy traffic condition will be created.

No noise will be produced in any elements connected with this tower. There is no problem of safety or public health. In the matter of general welfare,

CP14-64-1 The Southwest Republic Corporation--contd.

height limits are restricted by the Ordinance. There is approximately an 855 foot elevation at the site. By adding 300 feet for the tower, a total of 1,155 feet total elevation is involved. This is a permissive elevation which is under the prescribed safety limits of the Ordinance. In order to furnish this type of UHF television service for the community, it is necessary to select the right place and the right altitude to get complete City coverage.

Mr. William B. Carr, consulting engineer (No. 18388), Fort Worth, Texas, presented a sketch of the proposed tower and advised the Committee of his survey regarding this application on behalf of the applicants. It has been determined from aerial photographs and the coordinating of air space and terrain, that this is the best location for the tower. The service and coverage is within the FCC rules and regulations. The FCC regulations require that all of the people of Austin shall be included in this coverage in keeping with the service to the public interest. It is necessary to erect the transmitter on high terrain in order to reach people located in low places behind hills. The major airports in the area have been considered. The study establishes this location as the best.

Opposition from residential property owners in the area is summarized as follows:

1. Notices of this hearing were sent January 24, 1964. Obviously, the people speaking in opposition have not had equal time to employ experts and determine other suitable locations for this TV tower. We want equal time to present the other side of the story and show there are other locations which are less harmful than this location. The area selected is in the heart of a fine residential section.
2. The property owners in the area regard the area on the south and west of the site, as well as immediately across the street, as one of the prime areas for residential development. The history of the area bears this out. In this connection, Georgia Lucas, who owns some of this property, had planned to develop the area comparable to Balcones West. A 300 foot tower will take away substantially from the residential character of the neighborhood. In essence, we feel this is putting a rather massive commercial development on a half-acre city lot right in the heart of the residential area. The general welfare of the people is involved.
3. Television is a commercial enterprise and can be sold like any other business. If this permit is allowed, we would have no guarantee that additional facilities could not be added to the further detriment of the neighborhood. The proposed tower should not be compared with the existing tower on the adjoining property. The present tower is only 65 feet high and is a municipal facility.
4. Safety is a factor to be considered. Air traffic from Camp Mabry must be considered for the safety of the people in the area. Between 10 and 20 aircraft operate in and out of this field. The down-wind leg of

CP14-64-1 The Southwest Republic Corporation--contd.

their approach puts them right across this tower site. Consideration should be given to the airport zoning ordinance as it relates to Camp Mabry and Robert Mueller Airport. Whatever action is taken will have to be conditioned on whatever is found and developed regarding the safety angle. The tower would be almost in line with the instrument landing approach at the Municipal Airport. There is without question a definite hazard.

5. The proposed structure cannot be isolated from children. Children have been injured in the past from such television towers.

The Committee reviewed the information presented and concluded this matter should be postponed for further study. It was ~~referred~~ to the Planning Commission without recommendation.

Mr. Robert Sneed, on behalf of the applicant, requested the Commission's permission to withdraw this application pending further study. In view of the question of safety raised because of the relationship of the tower site to Camp Mabry, the applicants felt more time was needed to evaluate the situation.

Mr. Wayland Rivers objected to the withdrawal of this case. He did not think it fair to the opposition to have another hearing of the case, as he believed the situation would remain the same.

The Chairman questioned whether there was sufficient reason to accept withdrawal of this application.

After further discussion, it was then

VOTED: To ACCEPT the withdrawal of this application

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

NAY: Mr. Barrow

ABSENT: Mr. Lewis

CP14-64-2 TV Cable of Austin; Television cable substation and 35 foot microwave tower
5812 Manor Road

STAFF REPORT: This application has been filed as required under Section 10-Sub-section A, Paragraph 5 and according to procedures as specified in Section 10-B of the Zoning Ordinance.

The applicant proposes to erect a microwave tower and substation. The proposed tower is 35 foot free standing tower with a base of 5 feet by 5 feet. The proposed substation building is a structure 8 feet by 12 feet. Both structures will be located on a site 20 feet by 20 feet with a gravel access drive from Sweeney Lane

CP14-64-2 TV Cable of Austin; Television cable substation and 35 foot microwave tower
contd.

Departmental comments are as follows:

Public Works - Mr. Rountree Building Inspector	Recommend concrete approach on Sweeney Lane Building permit will be required. Structural plans with engineers seal required for tower before permit will be issued.
Public Works - Mr. Hoker	Require concrete approach into driveways. Separate request is necessary.
Water & Sewer - Mr. Nicholson	No objections
Health Unit - Mr. Hargis	Approved: Sanitary sewer line available
Fire Prevention - Mr. Heaton	O.K.
Electric Dept. - Mr. Dungan	O.K.
Traffic and Transportation Mr. Klapproth	No comment

No written comment was received.

Mr. John Campbell, applicant, along with his representative, Mr. Herbert Jackson, were present at the hearing. Mr. Jackson informed the Committee the application is for the 20x20 foot site only and that there is ingress and egress to the site. There is an existing four-foot chain link fence around two sides of the site. There will be an access ladder on the tower, beginning about 10 feet above ground. Mr. Jackson presented a copy of the agreement covering the access easement to the site.

Mr. Edgar Jackson suggested the applicant put a chain link fence on the other two sides of the property for better protection.

The Committee recommended approval subject to completion of departmental reports.

The staff reported to the Commission that all departmental reports have been complied with.

The Commission reviewed the staff report and the site plan and found the plan complies with all pertinent sections of the Zoning Ordinance. It was therefore unanimously

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

SUBDIVISION PLATS FILED

The staff reported that reports have not been received from several departments and recommended that the following final plats be accepted for filing and disapproved pending compliance with departmental reports. The Commission therefore

VOTED: To ACCEPT the following final plats for filing and to DISAPPROVE pending the required departmental reports

C8-64-4 Avon Heights

Rabb Glenn Street and Ann Arbor Avenue

C8-63-64 Lakewood Park, Section 4

Creekbluff Drive and Ledge

C8-63-50 Greenbriar, Section 1

East Live Oak St. and Parker Lane

FINAL PLATS - CONSIDERED

C8-63-67 Swanson's Ranchettes No. 2, Resub. of Lot 3
Swanson Lane south of Slaughter

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

VOTED: To DISAPPROVE the plat of SWANSON'S RANCHETTES NO. 2, Resub. of Lot 3, pending completion of fiscal arrangements.

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

The staff recommended disapproval of this plat pending the following items:

1. Fiscal arrangements.
2. Tie-down easements
3. Blocks A and F cannot be serviced from the rear unless lot line is changed as noted on the plat.
4. Indicate status of Reicher Drive and adjacent property.
5. Annexation is required.

The Commission therefore

VOTED: To DISAPPROVE the plat of CHERRYLAWN, Section 5, pending fiscal arrangements, tie-down easements, disposition of electrical service in Blocks A and F, determination of the status of Riecher Drive and adjacent property, and annexation.

C8-63-62 Herman Brown Addition No. 2, Section 4
Pecos Street and Scenic Drive

The staff recommended disapproval of this plat pending the following:

1. Show 25 foot building setback line from Wade Avenue for Lot 1, Block E.
2. Full dedication of Wade Avenue and status of Scenic Drive.
3. Vacation of streets and easements affecting this plat must be accomplished before final approval.

It was explained that the subdivider has asked for vacation of existing Wade Avenue north of Scenic Drive and for Scenic Drive through this subdivision.

The engineer for the subdivider, Mr. Weldon Hudson, advised that this portion of the street under discussion was north of the property abutting the subject addition. The neighbor on the north has joined in the plat to dedicate

C8-63-62 Herman Brown Addition No. 2, Section 4--contd.

Wade Avenue, an existing City street, which has never been opened. If this is to remain a street, this dedication should be extended throughout the block. However, this street probably will never be opened.

The Director of Planning commented there are several property owners abutting into Wade Avenue. In effect, the street is there along with a number of streets in the area pending future development. Upon request, the street might have to be opened.

Mr. Hudson advised that if the Commission feels it is necessary, an effort will be made to get the street widened.

The Commission therefore

VOTED: To DISAPPROVE the plat pending the building setback lines for Lot 1, Block E, full dedication of Wade Avenue, and the vacations of streets and easements required.

C8-63-72 St. John's Commercial Area, Section 2
Denson Street east of Airport Blvd.

The staff recommended disapproval of this plat pending the following:

1. Fiscal arrangements.
2. Additional easements.
3. Completion of Departmental reports.
4. Paying of 1963 taxes.
5. Show required setback line and include the strip east of the railroad on the plat.

In addition to above, there should be an indication of the disposition of the triangular strip on the east side of Dillard Circle abutting existing Lot 1. Should there be any difficulty in doing this, the property should be dedicated for additional right-of-way or thrown in with Lot 2 as part of this tract.

A final consideration of this plat is the matter of a dead-end street. The Planning Commission and Subdivision Committee have agreed previously that as long as the subdivider owns the abutting property which can be used as a turn-around instead of the required cul-de-sac, this would be satisfactory because the street would be extended in the near future.

Mr. Thomas Watts, engineer for the developer, stated in regard to the triangular strip on the east side of Dillard that it would be included in Lot No. 2. As for the strip east of the railroad tract, the owner would like to be put in a position to be able to dispose of it with the balance of the unsubdivided portion of his property.

C8-63-72 St. John's Commercial Area, Section 2--contd.

Mr. Barrow commented he felt this tract should become a part of the subdivision as it is a part of the same tract being subdivided.

After further discussion, the Commission then

VOTED: To DISAPPROVE the plat of St. John's Commercial Area, Section 2, subject to the five items noted above.

C8-60-12 A.D. Stenger Addition No. 2
Westridge Drive

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

The Director of Public Works recommended that Westridge Drive be extended southerly across "Reserve" so that it could tie into Airole Way, which is dedicated from Wilke Drive northerly to R.L. Erickson's property.

The final plat leaves these two lots off and dead-ends the street which was recommended and approved in preliminary plan by the Subdivision Committee. The Commission therefore

VOTED: To DISAPPROVE the plat of A.D. STENGER ADDITION NO. 2, pending the required fiscal arrangements, additional easements and completion of of departmental reports.

The staff reported the following plats had satisfied all the standards of the Subdivision Ordinance and recommended final approval. The Commission therefore

VOTED: To APPROVE the following final plats:

C8-61-48 Greenwood Hills, Section 1
Suburban Drive and Sheraton Avenue

C8-63-42 Oltorf Village, Section 2
Interregional Highway south of Oltorf Street

SHORT FORMS - FILED

C8s-64-9 A.E. Schutze Resub. of Tract B of Sub. of Portion of Isaac Decker Leage
Sterzing Street and Barton Springs

The staff reported that all departmental reports have not been received and recommended acceptance for filing with the following notation from the Building Inspector.

Lot 2B and buildings located on it will be approved by the Building Inspector's Office. Lot 1B has two residential structures, one accessory building and one

C8s-64-9 A.E. Schutze Resub. of Tract B of Sub. of Portion of Isaac Decker Leage

commercial building on it. Building Inspector's Office would approve more commercial structures on it, but no more residential structures. This is a matter of Zoning Ordinance enforcement.

The Commission therefore

VOTED: TO ACCEPT for filing, the short form plat of A.E. Schutze Resub. of Tract B Subdivision of Portion of Isaac Decker Leage.

The staff recommended that the following short form plats be accepted for filing. The Commission therefore

VOTED: To ACCEPT the following short form plats for filing:

C8s-64-7 Duval Road Lots

Duval Road NE of Burnet Road

C8s-64-12 Country Air, Section 1, Resub. of Lots 1 and 2

Conrad Street and Little Walnut

SHORT FORMS - CONSIDERED

C8s-64-3 Thrasher Lane Subdivision

Thrasher Lane

The staff recommended this plat be disapproved pending the required fiscal arrangements. The Commission therefore

VOTED: To DISAPPROVE the short form plat of THRASHER LANE SUBDIVISION pending completion of fiscal arrangements.

C8s-64-14 Westenfield "A", Resub. Portion of Lots 10 and 11, Blk. 9

Enfield Road and Norwalk Lane

The staff recommended this plat be disapproved pending showing of an existing drainage easement on the plat. The Commission therefore

VOTED: To DISAPPROVE the plat of WESTENFIELD "A", pending showing of the drainage easement on the plat.

C8s-64-11 Neighbors Addn., Resub. Lot 3

Airport Blvd. South of 38 $\frac{1}{2}$ Street

The staff reported the subdivider has requested withdrawal of this plat. The Commission therefore

VOTED: To ACCEPT the withdrawal of NEIGHBORS ADDN., RESUB. LOT 3.

The staff reported the following short form plats had satisfied all the standards of the Subdivision Ordinance and recommended final approval.
The Commission therefore

VOTED: To APPROVE the following short form plats

- C8s-64-6 Matthews Neman Subdivision -
Jollyville McNeil Road
(with instructions to accept no further short forms with consideration of the balance of the tract.)
- C8s-64-79 North Acres, Resub. Lots 24A, 25 and 26, Block M
Somerset Avenue
- C8s-64-15 Fortune Estates
Rabb Road and Wilke Drive

ADMINISTRATIVE APPROVAL

The staff reported that four short form 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-63-154 Resub. of Part of Barton Oaks
Edgewater Drive and Manchaca Road
- C8s-64-8 Walnut Hills, Resub. of Lots 15, 16, 19, 20 and 21
Adalee Ave. north of Manor Road
- C8s-64-10 Kutac Addition
Edgedale Drive and Reicher Drive
- C8s-64-13 Georgian Acres, Resub. of Lots 14, Block C
Home Place and East Drive

REPORTS

SUBDIVISION APPROVAL BY TELEPHONE POLL

It was reported by the staff that the following subdivision were considered by telephone poll on January 21, 1964, and that a majority of the Commission had

VOTED: To APPROVE the following plats:

- C8-63-30 Northtown West, Section 3
Stillwood Lane and Steck Avenue
- 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 Avenue

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OTHER BUSINESS

C10-64-1(c) STREET VACATION
Herman Brown Addition

A request for street vacation of Scenic Drive and Wade Avenue had been considered in connection with the subdivision plat of Herman Brown Addition No. 2, Section 4, earlier in the meeting. All departments had given their O.K. on such vacation.

The Commission therefore

VOTED: To recommend that the request for vacation of alley in the Herman Brown Addition be GRANTED.

ADJOURNMENT: The meeting adjourned at 9:20 p.m.

Hoyle M. Osborne
Executive Secretary

APPROVED:

Chairman