

CITY PLANNING COMMISSION  
Austin, Texas

Regular Meeting -- June 2, 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 E. Brunson  
Ben Hendrickson  
S.P. Kinser  
Barton D. Riley  
Emil Spillmann

Absent

Ben Hendrickson  
Edgar E. Jackson  
W. Sale Lewis  
W.A. Wroe

Also Present

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

MINUTES

Minutes of the meeting of May 5, 1964 for approval.

ZONING

The following zoning changes were considered by the Zoning Committee at a meeting of May 26, 1964:

C14-64-75 Thomas J. Stephens: A to C-1  
2101-2107 East 19th Street and 1808-1812 Ferdinand

STAFF REPORT: This tract of land is located at the southwest corner of East 19th Street and Ferdinand Street. The site contains approximately 33,000 square feet and is surrounded by residential development. The applicant's stated purpose for the change is to erect a drive-in grocery. This site adjoins property which was very recently zoned "C-1". This change would permit further extension of commercial development into a residential area. East 19th Street is designated a primary thoroughfare and has at this time an inadequate right-of-way. Ferdinand Street also has inadequate right-of-way. As the site is surrounded by residential development and as the commercially zoned property adjacent is not developed commercially, the staff questions this application fitting the Committee's policy of granting "C-1" in a well developed and well defined area where business uses are dominant.

One written comment in favor of the change was received. Mr. E.H. Smartt, represented the applicant and stated that East 19th Street is developing as a commercial street. He believes the "C-1" zoning on this particular tract is in line with the development of the area. This is an adequate location for a drive-in grocery. "C-1" zoning for the west 100 feet of the property would be adequate.

C14-64-75 Thomas J. Stephens--contd.

The Commission reviewed the staff report, recognizing the established zoning pattern and development in the area. They discussed the desirability of limiting the "C-1" zoning to a portion of the site. They felt this part of East 19th Street is becoming commercial as evidenced by the commercial zoning. They felt the extension of "C-1" zoning to Ferdinand Street would provide for the same use as the adjoining property since the character of this property is the same as that now zoned commercial. It was therefore unanimously

VOTED: To recommend that the request of Thomas J. Stephens for a change of zoning from "A" Residence, First Height and Area, to "C-1" Commercial, First Height and Area, for property located at 2101-2107 East 19th Street and 1808-1812 Ferdinand, be GRANTED.

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

NAY: None

ABSENT Messrs. Hendrickson, Jackson, Lewis and Wroe

C14-64-76 Mrs. Berta Johnson: A to B  
2103-2105 Alta Vista

STAFF REPORT: This site contains 18,526 square feet, and the surrounding area is residential. The applicant proposes erecting a triplex. The proposed zoning would permit a maximum of 9 regular units. Travis Heights Elementary School and a City Park are to the east. To the south across East Live Oak, "B" Residential zoning was established in 1962. The requested change would be inconsistent with the existing zoning and development of the area.

There were two replies to notices in opposition and one in favor received. Two persons appeared at the hearing in favor of the change. The applicant stated I have three lots and would like to build another unit in order to justify the investment. The present house is 150 feet from the street.

One person appeared against the change stating the deed restrictions do not permit this density. This area has never had any "B" zoning. It is strictly a residential area.

The Commission was of the opinion this requested change of zoning would not be consistent with the residential use existing in the area. It was therefore unanimously

VOTED: To recommend that the request of Mrs. Berta Johnson for a change of zoning from "A" Residence, First Height and Area, to "B" Residence, First Height and Area, for property located at 2103-2105 Alta Vista, be DENIED.

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

NAY: None

ABSENT: Messrs. Hendrickson, Jackson, Lewis and Wroe

C14-64-77 Lloyd C. Smith: A to LR

2317-2319 Wilson, 2316-2318 Forest Ave. 210-212 Oltorf St.

STAFF REPORT: These two lots, containing 9845 square feet, side on Oltorf Street with frontage on Wilson Street and Forest Avenue. A service station is proposed for the site. This property is more or less centered between commercial zoning along Congress and South 1st Streets. The property immediately to the east and west is residential. There is a residentially maintained neighborhood to the north and south. One block to the east is a Catholic School with a church under construction. On the south side of Oltorf Street, across from the Church property, "GR" General Retail and "C-1" zoning have been established. A further extension of "O" Office and "GR" General Retail on the south side of Oltorf Street was established in 1956 and 1963. Consideration should be given to whether Local Retail zoning would be consistent with the surrounding development. This request for a change of zoning should be viewed in terms of the existing residential neighborhood.

Two replies to notices sent were received in opposition. Mr. Wendlandt, Jr., represented the applicant and stated his client is in favor of this change of zoning and would like to erect a service station.

Eight persons appeared at the hearing in opposition and stated they were presenting a petition from 48 property owners along Forest Avenue. We are opposed to any change of zoning. We bought our property knowing it was zoned "A" Residential. The filling station proposed would be wholly unneeded. There are three filling stations within 3 blocks. There are half a dozen more filling stations within a mile. We earnestly hope you will consider this request to keep our residential zoning in the neighborhood.

The Commission felt this change of zoning would be an intrusion into a well established residential area. They felt such a change would not be a part of any comprehensive zoning pattern. It was therefore unanimously

VOTED: To recommend that the request of Lloyd C. Smith for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area, for property located at 210-212 Oltorf, 2317-2319 Wilson and 2316-2318 Forest Avenue be DENIED.

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

NAY: None

ABSENT: Messrs. Hendrickson, Jackson, Lewis and Wroe

C14-64-78 Henry and Louise Woelke: C and A to C-1

5813-5821 Burnet Road

STAFF REPORT: The site is developed with a restaurant and contains an area of approximately 21,000 square feet. The applicant proposes the sale of beer and wine, incidental to the sale of food. Directly behind the subject property is St. Andrew's Church, which is more than 300 feet away from the restaurant location. Burnet Road is densely developed commercially. "C-1" zoning is established approximately 100 feet to the south of the site. Allandale Shopping Center is along the east side of Burnet Road. Along Allandale Road to the north is the Lanier Jr. High School and another church. Burnet Road is a primary thoroughfare with 60 feet of right-of-way.

C14-64-78 Henry and Louise Woelke--contd.

No replies to notices sent were received. One nearby property owner appeared and submitted a petition from property owners in favor of the change. The owner of the property feels this is proper zoning in connection with the restaurant.

The Commission felt "C-1" zoning at this location would conform to the policy of the Commission to grant "C-1" zoning in a well developed commercial area. It was therefore unanimously

VOTED: To recommend that the request of Henry and Louise Woelke for a change of zoning from "C" Commercial, Second Height and Area, to "C-1" Commercial, Second Height and Area, for property located at 5813-5821 Burnet Road, be GRANTED.

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

NAY: None

ABSENT: Messrs. Hendrickson, Jackson, Lewis and Wroe

C14-64-79 Louis Laibovitz: Tract 1: BB to C-1

2828 Rio Grande

Tract 2 and 3: C-1 to C-2

607 West 29th and 603 West 29th Streets

STAFF REPORT: The request on Tract 1 on the west side of Rio Grande, which contains 6650 square feet, is for "C-1" zoning. The proposal is to erect a drive-in cafe. Tracts 2 and 3 contain 1750 square feet, and the applicant proposes to operate a package store. There is a barber shop on the most westerly of the two small tracts. If the barber shop is not vacated, Mr. Laibovitz proposes building an addition to the shopping center. There is extensive commercial development along Rio Grande and 29th Streets. There is residential development along Rio Grande. The staff reported that the applicant had requested that Tract 2 be deleted from the application.

One of the two comments received supporting the proposed change stated they favored upgrading the uses permitted in this area. Many deteriorating residential buildings will continue to deteriorate unless higher uses are permitted.

Mr. Fred B. Werkenhain, representing property owners in the area, stated there is no objection to the change proposed on Tract 1 to the west of Rio Grande. The proposed change on Tracts 2 and 3 is opposed. These tracts are in one single shopping center. The operators of the beauty parlor, television shop and music shop oppose the request. The proposed construction on Tract 3 will reduce the parking facilities. A package store should not be in this type of center. The area is not well developed commercially. All the property is on the block and is adjacent to an apartment area. These clients believe this use in the center will injure their business.

C14-64-79 Louis Laibovitz--contd.

The Commission was of the opinion the requested "C-1" zoning on Tract 1 would be an intrusion into the residential area. They felt the request for "C-2" zoning on Tract 3 would be the best location for the package store and compatible with the commercial uses along 29th Street. They were opposed to granting "C-2" at two locations only 15 feet apart. It was therefore unanimously

VOTED: To recommend that the request of Louis Laibovitz for a change of zoning from (Tract 1) "BB" Residence, Second Height and Area, to "C-1" Commercial, Second Height and Area, for property located at 2828 Rio Grande, be DENIED; (Tract 2) "C-1" Commercial, Third Height and Area to "C-2" Commercial, Third Height and Area, for property located at 607 West 29th Street, be DENIED; and (Tract 3) "C-1" Commercial, Third Height and Area to "C-2" Commercial, Third Height and Area for property located at 603 West 29th Street, be GRANTED.

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

NAY: None

ABSENT: Messrs. Hendrickson, Jackson, Lewis and Wroe

C14-64-80 Pearl Anderson Lee: GR to C-1  
1305 Chicon

STAFF REPORT: This request is on property containing 7801 square feet that was zoned "GR" General Retail in 1962. A request from "GR" to "C-1" was recommended favorably by the Planning Commission in January as being in a well defined commercial area. However, the Council denied this request due to the predominantly residential neighborhood, and the objection to the change by the church and neighbors in the area. There is commercial development along Chicon Street extending to 14th Street. Around this commercial zoning is considerable single family residential development. Chicon Street is a commercial collector street with 60 feet of right of way and 40 feet of paving.

No replies to notices were received. Five nearby property owners appeared in support of this request. Mr. David Davidson presented a petition from 15 people of the Shepherd of the Hills Revival Center, Church of God in Christ, 1307 Chicon Street, which states there is no longer any objection to the establishment of a Town and Country Store across the alley from the Church. There was a misunderstanding previously concerning the type of business. The people in the neighborhood now feel the store would serve the community. In addition, the Church plans to move its location in the near future.

The Commission was favorable to granting this request as they considered the location in a well defined commercial area. 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.

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

NAY: None

ABSENT: Messrs. Hendrickson, Jackson, Lewis and Wroe

C14-64-81 Paul H. Vercher: A to C  
Rear of 2109 South Lamar Blvd.

STAFF REPORT: The site contains 25,070 square feet and the applicant proposes future commercial use. The site is being used for parking at the present time. The front of the lot is developed with a sheet metal shop. There is "C" Commercial zoning established along Lamar Boulevard with scattered small areas of "C-1" Commercial on both sides.

There were no replies to notices sent. Mr. Thomas T. Smith represented the applicant and informed the Committee the applicant wanted to change the zoning on the back half of the lot to the same as the front half. The subject lot will then have the same zoning as the lot next door. There is "C" Commercial zoning throughout the area.

Several property owners in the area stated they opposed this change until they know what type of store or business is intended on this property. There is still a residential area at the rear of the subject property.

The Commission regarded this change of zoning as being a logical extension of the existing zoning in the area. It was therefore unanimously

VOTED: To recommend that the request of Paul H. Vercher for a change of zoning from "A" Residence, First Height and Area, to "C" Commercial First Height and Area, for property located at the Rear of 2109 South Lamar Boulevard, be GRANTED.

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

NAY: None

ABSENT: Messrs. Hendrickson, Jackson, Lewis and Wroe

C14-64-82 Bob J. Bailey: C to C-1  
Rear of 8903-8907 North Lamar Boulevard

STAFF REPORT: This request for change to "C-1" Commercial zoning is for a tract of approximately 6100 square feet. The applicant proposes building a drive-in grocery store with the sale of package beer. The subject property is part of the North Lamar Park Subdivision on which "C" Commercial zoning was established in 1962. There is little commercial development in the area. At the corner of Peyton Gin Road is a service station and to the south of the site is a sheet metal shop. To the north and east is residential development. On the west side of Lamar Boulevard is a new subdivision with "GR" General Retail zoning extended to part of this subdivision. Lamar Boulevard has 100 feet of right-of-way with 36 feet of paving.

One reply to notices was received in favor of the change. No one appeared to represent the applicant at the hearing.

The Commission regarded this change of zoning as compatible with the area that is developing commercially. It was therefore unanimously

VOTED: To recommend the request of Bob J. Bailey for a change of zoning from "C" Commercial, Sixth Height and Area to "C-1" Commercial, Sixth Height and Area, for property located at 8903-8907 North Lamar Boulevard, be GRANTED.

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

NAY: None

ABSENT: Messrs. Hendrickson, Jackson, Lewis and Wroe

C14-64-83 D.R. Price: A to B

512-526 South Lamar Boulevard, 517-521 Kinney Avenue

Rear of 1301-1520 Barton Springs Road and Rear of 1601-613 Kinney Avenue

STAFF REPORT: The subject property contains 2.8 acres on the high side of a bluff between Lamar Boulevard and Kinney Avenue. The applicant proposes constructing apartments. The proposed zoning will permit a maximum of 60 regular apartment units or an 81 unit apartment hotel. Along Barton Springs Road is commercial development and zoning. There is a service station at the southeast corner of Barton Springs Road and South Lamar Boulevard. The remaining property in the area is residentially subdivided, with residential development to the east and to the south. The bluff prevents normal access to the apartment site. The access presents a difficult development problem necessitating a site development plan, interrelating the zoning and development.

There was one written reply received in favor of the change. Thomas T. Smith represented the applicant and presented a schematic showing four possible ways to obtain access to the site. A petition was also submitted from 17 property owners in the area stating they have no objection to the proposed change of zoning. The bluff itself will be moved back to be on a slant closer to Barton Springs Road with the commercial development. We would then utilize the area for apartment houses. This property should be put to use.

Twelve nearby property owners appeared in opposition. In their opinion it is not feasible to cut the bluff back from Barton Springs Road. As property owners in the area, they feel this would be spot zoning in a residential neighborhood. The bluff is a natural barrier between the commercial along Barton Springs Road and the residential area. There are deed restrictions on this residential property, and they wish it to remain a residential neighborhood without high density apartments on the bluff.

The Committee felt the proposed zoning is contrary to the existing development of the area and would not be the proper development for this last piece of property that is not developed in this area, unless the access problem is solved. Mr. Wroe stated that due to the inadequacy of the access, he would recommend the applicants come up with a concrete plan for access and useability of this property.

The staff reported to the Commission the applicant's request for withdrawal of this request until the development plans are more complete. The Commission therefore unanimously

AGREED: To ACCEPT the withdrawal of this application

C14-64-84 Jake Silberstein: B and C to C-1

1022-1030 East 11th Street, 1011-1015 Juniper and  
1150-1158 Waller Street

STAFF REPORT: The site covers an area of 26,363 square feet and is developed with a commercial structure and eight single-family dwellings. The applicant proposes to erect a drive-in cafe. There is commercial zoning on both sides of East 11th Street. The area to the north is predominately developed with single-family dwellings and duplexes. East 11th Street has 60 feet of right-of-way with 30 feet of paving, which is inadequate for a commercial collector street. Juniper and Waller Streets are minor residential streets with inadequate right-of-way of 40 feet.

Three written comments in opposition were received. The applicant stated the plan is to build a modern cafe to sell beer with food. It is not feasible to operate without selling beer in a drive-in cafe. Off-street parking will be provided. The construction of the building will be good and an improvement to the neighborhood.

One nearby property owner stated he was opposed to "C-1" zoning extending to Juniper Street. As long as the "C-1" zoning is confined to the south half of the site, we will not oppose it. This is still a residential area.

The majority of the Committee was of the opinion this is not a well developed commercial area and the streets are inadequate to handle increased traffic. Mr. Brunson was of the opinion the "C-1" zoning should be confined to the south half of the property.

At the Commission meeting Mr. Silberstein requested the application be amended to confine the "C-1" zoning for the portion of the property now zoned "C" Commercial. Mr. Stevens advised the remaining property, which is zoned "B" Residential would provide adequate parking facilities. The Commission then unanimously

VOTED: To recommend that the request of Jake Silberte in for a change of zoning from "B" Residence, and "C" Commercial, Second Height and Area, to "C-1" Commercial, Second Height and Area, for property located at 1011-1015 Juniper Street and 1150-1158 Waller Street, be DENIED, but to GRANT "C-1" Commercial, Second Height and Area for that portion of the site presently zoned "C" Commercial, located at 1022-1030 East 11th Street and 1150-1154 Waller Street.

AYE: Messrs. Barrow, Brunson, Kinser, Riley and Spillmann  
NAY: None  
ABSENT: Messrs. Hendrickson, Jackson, Lewis and Wroe



C14-64-85 Capitol City Oil Company: C to C-1  
1815 Manor Road

STAFF REPORT: The site is developed with a service station and covers an area of 1517 square feet. The proposed use is for operating a food pantry to include the sale of beer in the operation of a service station. The surrounding area is developed and zoned "A" Residential with the exception of commercial development along Manor Road. Manor Road is a secondary thoroughfare with 60 feet of right-of-way; the future plans are to widen it to 90 feet.

Mr. Jim Olsen represented the applicant and informed the Committee the service station building will be used to include a food pantry and the sale of beer.

Opposition from the 19th Street Baptist church and property owners in the area is summarized as follows. This is a residential and church area and they do not want to see it changed. They are opposed to the sale of beer in this block. There are a 7-Eleven Store, two cafes and a package store in the immediate area and it is not necessary to add the proposed use.

The Commission considered the area as being well developed commercially and were in favor of this change of zoning. It was therefore unanimously

VOTED: To recommend that the request of Capitol Oil Company for a change of zoning from "C" Commercial, Second Height and Area, to "C-1" Commercial, Second Height and Area for property located at 1815 Manor Road be GRANTED.

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

NAY: None

ABSENT: Messrs. Hendrickson, Jackson, Lewis and Wroe

C14-64-86 Capitol City Oil Company: D to C-1  
Rear of 4608-4610 East 7th Street

STAFF REPORT: The site covers an area of 1517 square feet and is developed with a service station. The applicant proposes operating a service station and a food pantry, to include the sale of beer for off-premise consumption. The area along Springdale Road is residentially developed with "C-1" and "C-2" zoning established to the west along East 17th Street. Springdale Road is a primary thoroughfare with 60 feet of right-of-way and a proposed 80 feet. East 7th Street has 120 feet of right-of-way.

Jim Olson represented the applicant and stated the service station building will be used to include a food pantry and the sale of beer. No one appeared in opposition to the proposed change.

The Commission considered the area as being well developed commercially and were in favor of this change of zoning. It was therefore unanimously

VOTED: To recommend that the request of Captiol City Oil Company for a change of zoning from "D" Industrial, Third Height and Area, to "C-1" Commercial, Third Height and Area, for property located at the Rear of 4608-4610 East 7th Street, be GRANTED.

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

NAY: None

ABSENT: Messrs. Hendrickson, Jackson, Lewis and Wroe

C14-64-87 Capitol City Oil Company: C to C-15304-5308 Burnet Road and Rear of 2104-2106 North Loop Blvd.

STAFF REPORT: The site covers an area of 1492 square feet and is developed with a service station. The applicant proposes operating a service station and food pantry, to include the sale of beer for off-premise consumption. The area along Burnet Road is well developed commercially with shopping centers, drive-in cafes, service stations and other commercial uses. Burnet Road is a primary thoroughfare with 60 feet of right-of-way. North Loop Boulevard is a secondary thoroughfare with 80 feet of right-of-way.

Jim Olsen represented the applicant and stated the service station building will be used to include a food pantry and the sale of beer. No one appeared in opposition to the change.

The Commission considered the area as being well developed commercially and were in favor of this change of zoning. It was therefore unanimously

VOTED: To recommend that the request of Capitol City Oil Company, 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 5304-5308 Burnet Road and Rear of 2104-2106 North Loop Boulevard, be GRANTED.

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

NAY: None

ABSENT: Messrs. Hendrickson, Jackson, Lewis and Wroe

C14-64-88 Clovis Ballard: C to C-11817-1821 East 1st Street and 94-98 Chicon Street

STAFF REPORT: The site contains an area of 11,200 square feet on which the applicant proposes to build a drive-in grocery which will include the sale of beer for off-premise consumption. There is commercial zoning along both sides of Chicon Street, with scattered commercial development. The surrounding area is developed residentially. East 1st Street and Chicon Street have 60 feet of right-of-way.

No one appeared at the hearing to represent the applicant. No one appeared in opposition to the proposed change.

The Commission regarded the area as a well established commercial area and felt the establishment of "C-1" zoning would be consistent with Commission policy. It was therefore unanimously

VOTED: To recommend that the request of Clovis Ballard for a change of zoning from "C" Commercial, Second Height and Area, to "C-1" Commercial, Second Height and Area, for property located at 1817-1821 East 1st Street and 94-98 Chicon Street be GRANTED.

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

NAY: None

ABSENT: Messrs. Hendrickson, Jackson, Lewis and Wroe.

C14-64-89 Martha P. Hoppe, et al: A to GR3501-3534 Manor Road, 2249-2259 Greenwood Ave., and 2248-2256 Redwood Ave.  
Additional Area: 3537-3541 Manor Road

STAFF REPORT: The site covers an area of 2.47 acres on which the applicant proposes future commercial development. The property on the east side of Redwood was recently granted a special permit for an office building and testing and analysis laboratory. "O" Office zoning has also recently been established to the south on Redwood. The subject property is across Manor Road from the airport entrance, and consideration should be given for the protection of the airport facilities. A request for "GR" zoning was considered for the southwest corner of Redwood and Manor Road last December. Postponement of this case was recommended by the Commission and subsequently denied by the Council. The proposed Pershing Drive will intersect Redwood near the site and will involve part of the site. The type of development adjacent to the airport entrance is of major concern. It has been noted in past considerations of this kind that aesthetic value is also a consideration in zoning property near the airport. 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 has been concerned with reasonable control in the airport area for the type of use to be anticipated in future development. We have included a 9600 square foot tract as additional area, since it is located between subject property and the property considered earlier at the corner of Manor Road and Redwood.

Mr. T.R. Mamer represented the applicant. He stated the development of this property in one tract would be more desirable. The City owns the tract to the south. Two of the owners on Redwood understand that in the development of Pershing Drive, they are going to give 20 feet of right-of-way. The President of the Trinity Testing Laboratory on the east side of Redwood is in favor of this change.

Opposition from nearby property owners is summarized: They are not in favor of this change from "A" Residential to "GR" General Retail until they know what will go on the property. They feel it should be restricted so that only buildings which will not detract from the airport terminal can be constructed.

The Committee agreed to postpone action on this request until an area study could be made with all deliberate speed to establish proper zoning for the entrance to the airport.

The Director suggested consideration of "O" Office zoning to meet the land use situation for this area. He noted the unique aspects of the situation in the property adjacent to the airport and the possible development along thoroughfare streets. With the recognition of some type of commercial uses and the possibility of apartment development, adequate control of undesirable commercial development should be considered. After further discussion, the Commission therefore unanimously

VOTED: To recommend that the request of Martha P. Hoppe, et al for a change of zoning from "A" Residence, First Height and Area, to "GR" General Retail, First Height and Area, for property located at 3501-3535 Manor Road, 2249-2259 Greenwood and 2248-2256 Redwood Avenue, including the additional area, be DENIED, but to GRANT "O" Office, First Height and Area, for the property.

AYE: Messrs. Barrow, Brunson, Kinser, Riley and Spillmann  
NAY: None  
ABSENT: Messrs. Hendrickson, Jackson, Lewis and Wroe

Cl4-64-90 Charles Villaseñor: Tract 1: A to GR

1214 Vargas Road and 6506-6510 Porter Street

Tract 2: A to C-1

Rear of 1214 Vargas Road and 6508-6510 Porter Street

STAFF REPORT: Tract 1 contains 10,800 square feet and the proposed use is a washateria. Tract 2 contains 750 square feet and the proposed use is a drive-in grocery. The surrounding area is developed residentially. "LR" Local Retail was established in 1959 northeast of the site at the intersection of Montana and Vargas Street. Vargas Road has 60 feet of right-of-way and Porter Street has 50 feet of right-of-way.

Three replies to notices were received, two in opposition and one in favor. Charles Villaseñor, the applicant, informed the Committee a drive-in grocery and washateria are proposed. The immediate area has no service of this type. There are only two grocery stores in this part of the city. They think this will be an asset to the community. A petition from over 200 families in favor of this proposal was submitted. The proposed building and uses will be a convenience to the neighborhood.

Opposition voiced by one of the property owners in the area was against the sale of beer in a residential area.

The Commission felt this change of zoning would be an intrusion into a well developed residential area and is not part of the comprehensive zoning pattern of the area. It was therefore unanimously

VOTED: To recommend that the request of Charles Villaseñor for a change of zoning from "A" Residence, First Height and Area to (Tract 1) "GR" General Retail, First Height and Area, and (Tract 2) "C-1" Commercial, First Height and Area, for property located at Tract 1: 1214 Vargas Road and 6506-6510 Porter Street, and Tract 2: Rear of 1214 Vargas Road and 6508-6510 Porter Street, be DENIED.

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

NAY: None

ABSENT: Messrs. Hendrickson, Jackson, Lewis and Wroe

Cl4-64-91 Maxine Lombard: A to B, 1 to 2

1700-1704 East 13th Street and 1301-1305 Leona Street

STAFF REPORT: The site contains an area of 19,197 square feet, and the applicant proposes construction of apartments. The proposed zoning would permit 12 regular units or a 25 unit apartment hotel. There is commercial property along 12th Street and along Chicon Street, a block away from the subject property. The area is predominantly single-family dwellings with the exception of the mixed commercial development to the east and south. There is a church at the corner of Salina and East 14th Street. The streets in the area are inadequate to serve high density and commercial uses. East 13th has a right-of-way of 50 feet and is classified as a primary thoroughfare. Leona Street has 53 feet of right-of-way and is a minor residential street. This change should be viewed in terms of the entire area instead of only two lots with this area. The question of creating a zoning pattern for the area is involved.

CP14-64-91 Maxine Lombard--contd.

The applicants supporting statements for this change of zoning are as follows: The plan is to construct two fire proof buildings to be occupied by apartments. Most of the area is a rental area. There is spot zoning of "C" Commercial on 13th Street. There is rental property next door, across the street and in the next block. Most of the property in the area consists of either rooming houses, rental duplexes and single-family dwellings. We would not overcrowd the lot. According to the square footage of the property, we could build 25 or 26 units. Several of the residents we have contacted feel this would be an improvement to the neighborhood.

The Committee was of the opinion this proposal would be an intrusion into a fairly well developed residential area. They felt the density the requested change would permit is too great for this area.

Mrs. Lombard informed the Commission she was not interested in building an apartment hotel. She wants to build town-house apartments, which would permit 13 units.

The Chairman advised the applicant the Commission would be more favorably inclined to granting "B" zoning on a larger area. The area of her request is too small to be a logical and comprehensive plan for the area.

The Commission concurred with the Zoning Committee's recommendation. In view of these circumstances, the applicant requested permission to withdraw her request until other property could be grouped with the subject property. The Commission then

AGREED: To ACCEPT the withdrawal of this request.

## SPECIAL PERMITS

CP14-64-3 Rhea B. Merritt: Dog kennel and pet shop  
1002-1004 West 35th Street

STAFF REPORT: This application has been filed as required under Section 6 and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. The applicant proposes to build a concrete, masonry and steel building completely sound proofed, with incinerator and a filter system incorporated in the air conditioning system to eliminate odors. Their purpose is to excavate the hill on the back side of the property and place buildings in this area to overcome any objection to noise, etc. Proper drains and steamhose shall be installed for cleaning. The purpose of this building is for a boarding, grooming, kennel and pet shop. There shall be no outside runs; all outside area is for parking only. The applicant proposes 14 parking spaces. The following departmental comments were reviewed:

CP14-64-3 Rhea B. Merritt--contd.

Drainage - O.K.

Health Unit - Approved: Sanitary sewer line available.

Fire Prevention - O.K.

Electric - O.K.

Traffic & Transportation - Parking area O.K. Approved subject to indicating driveways widths to meet City specifications.

Building Inspector - 1) Plot plans submitted show an 84 x 125 foot lot. The plats in this office show no such lot of this size -- we will need verification of lot or short form subdivision;  
2) Any approval of this proposed special permit does not in any way approve the structural portion of the building in compliance with the Building Code of the City of Austin.

It is recommended the site plan be approved subject to the above compliance with departmental comments and the sound proofing done to the satisfaction of the Building Inspector.

Mr. Bradley Bourland represented the applicant, stating that they would comply with departmental reports and the recommendation of the Building Inspector. There will be no objectionable odors. They will submit evidence of equipment that will purify the air.

Several nearby property owners objected to this proposal and to having an incinerator in the back of their homes. There is only an alley between the site and the homes.

The Committee was in favor of granting this request, providing the applicant complies with all departmental reports and satisfies the Building Inspector's requirements.

The staff reported to the Commission the owner of the property had requested withdrawal of this request because the applicants option on the property had expired. The Commission therefore

AGREED: To ACCEPT the withdrawal of this request.

CP14-64-4 Joe Gilbreth and Edward A. McGuire: Apartment dwelling group  
3202-3207 Shoal Creek Blvd.

STAFF REPORT: This application has been filed as required under Section 5, Paragraph 8E of the Zoning Ordinance and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. The applicants propose an apartment dwelling group, containing seven one-story structures, each containing four apartment units with a private terrace. The staff reviewed the following departmental comments:

CPI4-64-4 Joe Gilbreth and Edward A. McGuire--contd.

Health Unit - Approved: Sanitary sewer line available.

Drainage 1) Would suggest that 14 foot (not 20 foot as shown) alley be vacated, as it is now being used by property owners backing up to it and is not open as an alley on the ground.

2) Site drainage will need to be worked out by owner as elevations at rear of lot approximate the elevations at the front of the lot.

Fire Prevention: O.K.

Electric: O.K.

Traffic & Transportation - Parking area not approved. Does not scale correctly.

Building Inspector 1) Any Approval of this permit has no bearing on proposed height of fences, roof overhang, or other parts of the structure or any appendage relative to same;

2) His parking dimensions as shown on the plat are not workable; however, by rearranging there is enough parking for the 28 units contemplated;

3) The plats in this office do not show a lot of the dimensions proposed -- this would possibly create a short form subdivision.

4) Any alley is shown to the rear of this property and on the ground is not open; however, in my opinion the alley is not necessary for the ingress and egress of traffic.

No one appeared to represent the applicant.

The Committee was in favor of postponing this request until all departmental reports have been complied with.

The staff reported the applicant had amended the site plan to conform to the objections reported by the Building Inspector. The staff recommended approval of the site plan to the Commission with two conditions:

- 1) A short form subdivision be submitted and approved.
- 2) As sewer line in Shoal Creek is not adequate, a special line must run to connect with the main line at the owner's expense.

The owner has agreed to these conditions.

The Commission reviewed the site plan and the information presented. They found the plan complies with all sections of the Zoning Ordinance with the exceptions noted by the Staff. It was therefore unanimously

VOTED: To recommend the site plan be APPROVED subject to the following conditions;

- 1) Approval of a short form subdivision
- 2) Adequate sewer line is provided to connect with the main line, and authorized the Chairman to sign the necessary resolution issuing the Special Permit upon fulfillment of the conditions.

CP14-64-5 Marion B. Findley: Radio-television office and broadcast studio  
with tower  
 908 West 19th Street

STAFF REPORT: This application has been filed as required under Section 10-B, Sub-Section A, Paragraph 5, and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. The applicant proposes a building containing studios and offices for radio and television broadcasting and a tower for transmitting the signal to the main transmitter west of Austin. The tower and antenna will have a maximum height of 95 feet and will be self-supporting, requiring no guy wires. The tower will be located at the rear of the building, adjoining the west property line and approximately 20 feet south of a public alley. Parking for six cars will be provided at the rear of the property with access from West 19th Street. The following departmental reports were presented for review:

Health Unit - Approved: Sanitary sewer line available.

Fire Prevention - O.K.

Drainage - O.K.

Electric - O.K.

Traffic and Transportation - NOT APPROVED - 53.30 lot width is not adequate to accommodate the indicated 2 rows of parking and maneuvering aisle.

Building Inspector - 1) Parking for the structure would require 22 spaces; plot plans show 19 and I request that it not be accepted as shown on the plat.  
 2) The television tower should be 3 feet from the west property line;  
 3) Undoubtedly this is a two-story building and no approval on any part of this building is included in this report.

Mr. Robert Sneed represented the applicant. He stated the building will be solid masonry and completely sound proof to eliminate all noise. Mr. Findley owns the property next door as well as this property. They will locate the three extra spaces required by the Building Inspector next door. With this common ownership, there is adequate off-street parking provided.

The Committee discussed the possible need for a resubdivision of the site and the adjoining property in order to meet the parking requirements. They were of the opinion that action on this application should be postponed until all departmental requirements have been complied with.

The staff reported to the Commission the plans for parking and location of the tower have been revised to the satisfaction of the Building Inspector and the Transportation Department. The sanitary sewer line on West 19th Street may be too high to serve the proposal. If so, sewer would have to be extended down the alley. Approval is recommended subject to compliance with sewer extension service.

The Commission reviewed the site plan and the information presented. They found the plan complies with all sections of the Zoning Ordinance with the exception as noted on the sewer extension. It was therefore unanimously

VOTED: To recommend the site plan be APPROVED subject to compliance with the sewer extension service, and authorized the Chairman to sign the necessary resolution issuing the Special Permit upon fulfillment of condition.



R146 SUBDIVISION COMMITTEE

The Committee Chairman reported action taken on the subdivisions at the meeting of May 18, 1964, and requested this action be spread on the minutes of this meeting of the Planning Commission. The staff reported that no appeals have been filed from the decision of the Subdivision Committee but that the following subdivision is referred to the Commission without a recommendation:

C8-64-21 Hugo Klint Subdivision

The Commission therefore

VOTED: To ACCEPT the attached report and to spread the action of the Subdivision Committee of May 18, 1964, on the minutes of this meeting.

## PRELIMINARY PLANS

C8-64-20 Cogbill Subdivision

Matthews Lane and Eberhart Lane

The staff reported this preliminary plan had been postponed at the Commission meeting of May 18, pending the street alignment being resolved. The subdivider has dedicated an additional 4 feet to provide for the 50-foot street width required on Matthews Lane. Approval is recommended subject to compliance with all departmental reports. The Commission therefore

VOTED: To APPROVE the preliminary plan of COGBILL SUBDIVISION pending compliance of the required departmental reports.

C8-64-21 Hugo Klint Subdivision

S. Interregional Highway

This subdivision was referred to the Planning Commission by the Subdivision Committee. Since there is a problem of the street location which needs to be resolved between this subdivision and the subdivision to the east (Greenbriar), the Committee instructed the representatives of the two subdivisions to try and resolve the problem between themselves prior to this meeting. The location of the proposed street does not match the location of the proposed street in the subdivision to the east. This street is to serve as a 60 foot collector street between the Interregional Highway and the Burleson Road and must be aligned for continuity from one tract to the other. No agreement has been reached as yet. Consideration should be given in regard to the drainage structure which would be required at the proposed street location of this subdivision which may involve City participation. A report from the drainage department was read as follows:

Plat does not comply with Section 23.11(5) in that only a portion of the existing drainage facilities in adjacent portion of Interstate Highway 35 are shown. Plan shown is not satisfactory in that proposed street location will require a culvert at 100 feet east of the east property

C8-64-21 Hugo Klint Subdivision--contd.

line of subject tract, in Gilbreth property, costing approximate \$6,000, whereas location more nearly as shown on preliminary plan C8-63-50, Greenbriar Subdivision, would require only a culvert costing approximately \$1,712.00 on the Klint property. It is anticipated that either culvert would involve City participation to the extent of 48% of the total cost of the culvert in question.

The staff recommended the street be located south of the drainage way to avoid higher construction costs.

Mr. Barrow inquired of Mrs. Ross, representative of the Klint Subdivision and Phillips Petroleum Company, the developer of Tract 2 of this subdivision, if this proposal recommended by the staff for the street location would be satisfactory to Phillips Petroleum Company. Mrs. Ross replied that the financial matter of the street was involved and it would be of more financial benefit to Mr. Gilbreth, the subdivider of the east, than to her client. In connection with the background of this subdivision, Mrs. Ross submitted the following information contained in a letter to her from Phillips Petroleum Company dated December 2, 1963, which she asked to be entered in the minutes:

"This is to advise that in the interest of assisting you in expediting the issuance of a building permit to Phillips Petroleum Company subsequent to your obtaining approval for your subdivision plat to be submitted to the City of Austin Planning Commission, Phillips does here agree to pay for the construction and paving of a 40-foot wide street and installation of public utility lines on a 60-foot right-of-way that is to abut the entire southwesterly boundary of Phillips' said property, which property is described in the Deed to Phillips dated April 23, 1964, of record in Volume 2605, on Page 437, of the Deed Records of Travis County, Texas. It is expressly understood, however, that no part of the 60-foot right-of-way will be contributed by Phillips; but the right-of-way required for said street and utility lines in its entirety is to be obtained at the sole cost and expense of the adjoining property owners.

"Phillips commitment to pay for said cost is further contingent upon Phillips' obtaining its desired building permit and upon said 40-foot street commencing at the service road of Interstate 35 and running in a southeasterly direction, abutting Phillips' said property to Parker Lane. Same is to intersect Parker Lane at a right angle. Same is to be paved its entire length; however, Phillips shall have no obligation whatever to pay for any costs not directly related to said construction and installation actually occurring in that portion of the said right-of-way that will abut onto Phillips' said property."

Mrs. Ross advised when Phillips' purchased the land, it was not subdivided. When they found they would have to subdivide the property, the problem of the street could not be worked out. At the time of the request to change the zoning on this property, the plans for subdividing has not been completed.

C8-64-21 Hugo Klint Subdivision--contd.

The City has held up the building permit for a service station pending these matters. It was suggested at the Subdivision Committee meeting that the two sub-divisions involved be platted together. She feels there is a question of platting the two subdivisions because of the culvert and the cost which is involved.

Mr. Barrow stated that since he was an adjoining property owner, he would like to inquire if anyone felt he should disqualify himself. The street proposal and culvert would not affect his property or judgment as a Commission member, however. In view of these circumstances, he inquired as to Mrs. Ross's feeling in the matter. Mrs. Ross stated she felt Mr. Barrow should disqualify himself. Therefore, Mr. Barrow disqualified himself from voting and Mr. Kinser presided as Chairman.

The staff announced that with the remaining four members of the Commission acting on this case, there was no longer a quorum necessary for a decision and this matter would have to be postponed. Mr. Gerald Hart, representing Greenbriar Subdivision, inquired if the Commission would hear their side of the street question. He was advised that due to the lack of quorum, the matter must be postponed. Mr. Hart stated that Greenbriar had already received preliminary approval and was ready for final approval. The staff advised that in view of the street alignment matter involved with the Hugo Klint Subdivision, a reconsideration of previous action on the final plat of Greenbriar Section 1 would be necessary.

Mr. Kinser stated it was the responsibility of the two subdividers to work out all of the problems in order to comply with the City's regulations. Otherwise, he advised the Commission will be forced to use their own judgment in alignment of the street. After further discussion, it was then

AGREED: To POSTPONE action on this request pending a special meeting next Thursday, June 4, 1964, due to lack of a quorum at this meeting.

## 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

## SUBDIVISION PLATS - FILED--contd.

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

- C8-64-23 Skylark Addition  
State Highway 71 and Popham Drive
- C8-64-25 Fairmont Park  
Manchaca Road and Southern Oaks Drive
- C8-64-6 Greenwood Hills, Section II  
Suburban Drive and Sheraton Ave.
- C8-64-31 Barton Terrace, Section 3  
Barton Hills Drive and Deerfoot Terrace
- C8-64-32 Balcones West, Section 2  
Spicewood Springs and Baywood
- C8-64-33 Cameron Park, Section 2  
Cameron Road and St. John's Ave.
- C8-64-34 Lanier Terrace, Section 3A  
Ohlen Road and Spearman Drive
- C8-64-5 Westover Hills, Section 2  
Lester Palmer Blvd. & Hyridge
- C8-63-55 Western Trails Estates  
Jones Road and Buckskin Pass

## FINAL PLATS - CONSIDERED

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

VOTED: To APPROVE the following final plats:

- C8-63-13 Riverbend, Section 2 at University Hills  
Langston Drive and Burrell
- C8-64-15 North Lamar Park, Section 3  
North Lamar Blvd. and Carpenter Ave.
- C8-64-26 Flournoy Heights, Section 2  
Glomar Avenue and Marcus Place
- C8-60-12 A. D. Stenger Addn., Section 2  
Westridge Drive
- C8-64-7 Oak Shores on Lake Austin, Section 1  
Pearce Road and Encino Verde  
(Notation on plat that occupancy is prohibited until septic tank is installed)
- C8-63-10 Pilot Knob Acres, Section 2, Phase 1  
F. M. Hwy. 812 and Creedmore Road
- C8-62-8 Northcape Subdivision, Section 1  
Middle Fiskville Road
- C8-62-52 Community of Fairview, Section 1  
S. 1st Street and Williamson Creek  
(Authorized the holding of plat pending acquisition of drainage easement outside of the subdivision)

## FINAL PLATS - CONSIDERED contd.

C8-63-50 Greenbriar Section 1

E. Live Oak and Parker Lane

(Approval rescinded-see page 21 of these minutes)

C8-64-12 Northwest Hills, Mesa Oaks, Phase 1.Mesa Drive and Hart Blvd.

The staff reported all departmental reports have been completed but an off-site sanitary sewer easement is required. Approval was recommended with authorization to hold the plat for acquisition of this easement.

Mr. Barrow disqualified himself from voting since this is his subdivision. As a result, no action could be taken due to a lack of quorum. The other four members therefore

AGREED: To give authorization of a telephone poll for action of this plat. Each of the four members gave their affirmative vote of approval as individual members and authorized the staff to poll the other members to get a majority vote.

C8-63-50 Greenbriar, Section 1

E. Live Oak &amp; Parker Lane

The staff advised that the action taken on this plat earlier in this meeting should be rescinded as Mr. Barrow had disqualified himself from voting on this plat at the request of Mrs. Ross. The Commission therefore

VOTED: To RESCIND their previous action of approval. The remaining 4 members of the Commission then agreed to postpone action pending determination of the street alignment in connection with the Hugo Klint Subdivision for lack of a quorum, and agreed to reconsider this plat at the special meeting on June 4, 1964.

C8-63-19 Devonshire Park, Section 3

New Manor Road and Lovell Drive

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

VOTED: To DISAPPROVE the plat of DEVONSHIRE PARK, Section 3, pending the required fiscal arrangements.

## SHORT FORMS-FILED

C8s-64-68 Resub. of Part of Richard Hooper Sub.

Harmon Avenue

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

VOTED: To ACCEPT for short form plat of RESUB. OF PART OF RICHARD HOOPER SUBDIVISION for filing.

## SHORT FORMS - CONSIDERED

C8s-64-70 P. F. Orr Subdivision  
South 1st Street

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

VOTED: To APPROVE the short form plat of P. F. ORR SUBDIVISION.

C8s-64-60 Cherrylawn, Section 4, Resub. Lots 1 and 2  
Walnut Hills Drive and Cedar Lawn

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

VOTED: To DISAPPROVE the plat of CHERRYLAWN, SECTION 4, Resub. Lots 1 and 2, pending completion of required departmental reports.

C8s-64-63 R. L. Wormley Subdivision  
Farm Highway and 969 and Heflin Lane

The staff recommended disapproval of this plat pending the required fiscal arrangements, completion of departmental reports and removal of the septic tank notation of the plat. Sanitary sewer is available. The Commission therefore

VOTED: To DISAPPROVE the plat of R. L. WORMLEY SUBDIVISION pending the required fiscal arrangements, completion of departmental reports and removal of the septic tank notation on the plat.

C8s-64-65 Della Subdivision  
San Gabriel South of 21st Street

The staff explained this was a resubdivision of two existing lots of which the owner is the same. It is proposed to build apartments on Lot 11A with off-street parking on the same lot. The owner intends to add additional apartment units on Lot 12A. The purpose of the plan was to leave Lot 12A some access from the alley for service pick-up. The plat was revised to give 10 feet for service to the alley. The owner intends to remove the existing single-family dwelling on Lot 12 at some future date and build additional apartments and off-street parking to be tied to the structure proposed on Lot 11A.

This type of plan is generally recommended against but since the building plans will be tied together in the future, this provides a reason for the acceptability.

Mr. Kinser stated he was not in favor of lot changes of this type but since the owner is the same for both lots, he was willing to accept the proposed plan for the subdivision. Mr. Spillman stated he was not in favor of the proposal for the two lots. After further discussion, the Commission then

VOTED: To APPROVE the plat of DELLA SUBDIVISION.

## SHORT FORMS - CONSIDERED

C8s-64-66 T. A. Mayes Resub. Lots 52 and 53 of Subdivision of Outlot 55, Div. B  
Juniper Street and Navasota Street

The staff reported this plat complied with all departmental requirements with the exception of a variance required on the width of both Myrtle and Juniper Streets. The owner is dedicating 5 feet on Myrtle Street which would provide a 45 foot width. The proposed widening is for 50 feet on each street. He is not willing to give any right of way for the widening on Juniper Street as he needs this space for the existing building. The staff recommended the variance on Juniper Street. The Public Works Department has just recently paved Juniper Street with 30 foot paving and gutter. The Commission therefore

VOTED: To APPROVE the plat of T. A. MAYES Resub. Lots 52 and 53 of the Subdivision of Outlot 55, Div., B, granting a variance on the width of Myrtle and Juniper Streets.

C8s-64-69 Thomas and Burch Subdivision  
Riverside Drive and Summit Street

The staff explained this is a resubdivision located between old Riverside Drive and new Riverside Drive. The departmental reports have been complied with but there are two variances required in that Lots 2 and 3 are sub-standard in area for a residential lot (6900 square feet and 5750 square feet required). In addition, Lot 2 does not have the 60 foot width required for a residential corner lot.

Mr. Kinser stated that the lot size was created when new Riverside Drive was cut through to the old Riverside Drive and he felt the variances were justified. It was then

VOTED: To APPROVE the plat of THOMAS AND BURCH SUBDIVISION, granting a variance on the width of Lot 2 and the lot area of Lots 2 and 3.

C8s-64-67 Arhelger Subdivision  
Reynolds Street and Beckett Road

The staff reported the tracing had not been returned and therefore recommended this plat be rejected for filing. The Commission therefore

VOTED: To REJECT FOR FILING the plat of ARHELGER SUBDIVISION.

## ADMINISTRATIVE APPROVAL

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

## ADMINISTRATIVE APPROVAL contd.

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-64-62 Georgian Acres, Resub. Lot 4, Block C  
Georgian Drive and Crestwood Lane  
C8s-64-55 Buffer Subdivision, Resub. Lots A and B  
Ratama Street and Bouldin Ave.  
C8s-64-32 St. Edward's Heights, Section 2  
Interstate Highway 35 and Ben White Blvd.  
C8s-64-31 Preswyck Hills, Section 3  
Rogge Lane and Preswyck Drive  
C8s-64-50 North Acres, Section 1, Resub. Lots 8 and 9, Block R and  
Lots 1-5, Block S  
Newport Avenue and Applegate Drive

## OTHER BUSINESS

Proposed Manor Hills, Section 12-E  
Manor Road and East 51st Street

Mr. E. H. Smartt, representing the owner of Tract A of this proposed short form subdivision, requested the Commission's consideration on an area of disagreement. The staff explained that an attempt to subdivide Tract B out of a larger tract in Tract A is being made by this short form. There are easements required for the storm sewer, sanitary sewer and installations costs through Tract A. The original owner of the tract sold Tract B to Mr. Burke Matthews. Mr. Matthews has applied to the City for a building permit and utility connections. The drainage and sewer departments felt it was not feasible at this time to require the facilities in connection with this short form subdivision due to the undetermined nature and location of development in Tract A. An agreement was drawn up by the Planning and Legal Departments for signature of the owner of Tract A, providing that before she would develop or sell the property, she would arrange with the City to provide these facilities. The agreement was sent to Mr. E. H. Smartt for the owner's signature. This agreement was modified by Mr. Smartt and is not acceptable to the City Legal Department.

Mr. Smartt stated the area of disagreement is the instrument prepared and sent to him by the City Legal Department. He explained that this instrument indicates that prior to the sale or development of Tract A, the present owner, Mrs. Nita Barron, will comply with all City regulations regarding dedication for streets and utility easements and construction of same. She is not willing to agree to this before she sells. Mr. Smartt stated he had advised her against signing this agreement so she would be in a position to sell the entire remaining tract (Tract A). Mr. Cortez, Assistant City Attorney, advised that dedication must be made before any sale is made. Easements would be required on the larger tract.



Proposed Manor Hills, Section 12 (e)--contd.

The Director of Planning stated that the conditions were that further subdivision, sale of property or development must comply with the requirements. We would recommend a variance from the development requirements of the subdivision on the larger tract of land (Tract A) in connection with this subdivision, but these provisions must be complied with before any further sale or development occurs on Tract A.

Mr. Barrow advised the Commission's position has to be that easements and right of way must be provided or the matter postponed. He suggested that Mr. Smartt and the City Attorney arrive at an area of agreement. It was therefore

AGREED: To POSTPONE action on this short form subdivision pending an agreement with the owners and the Legal Department.

C10-64(1) ALLEY VACATION

Portion of alley between East 45th and Keasbey Street

The staff reported a request from property owners in the 700 block of East 45th Street and the 700 block of Keasbey Street to abandon the alley in this block because the alley has never been used and it has been the responsibility of the property owners to maintain this land. A letter to this affect was received by Mr. J.E. Raff by the Director of Public Works, along with a petition from the respective property owners. It was recommended by the staff that the alley be vacated with the retention of the existing easements by the City and on condition that the water meter be located to Keasbey Street on the south and E. 45th Street on the north so that the small water line in the alley can be abandoned. The Commission therefore

VOTED: To recommend the vacation of the portion of the alley in the 700 block of East 45th Street and Keasbey Street, subject to the retaining of the necessary easements by the City and on condition the water meter be relocated to Keasbey Street on the south and E. 45th Street on the north so that the small water line in the alley can be abandoned.

C2-64-1(a) AUSTIN DEVELOPMENT PLAN AMENDMENT

Request for land use change from industrial to residential of land located between Ben White Boulevard and St. Elmo Road, immediately west of Nuckles Crossing Road

This proposed amendment to the Austin Development Plan was reviewed by the Planning Commission at their meetings of March 10, 1964 and April 7, 1964. Their recommendation to the Council was that the Plan be changed from industrial to residential for all land south of the railroad east of a north-south line approximately 210 feet west of the school site. At the Council's meeting of May 21, 1964, after discussion with all departments concerned, it was voted that this

C2-64-1(a) AUSTIN DEVELOPMENT PLAN AMENDMENT contd.

request be referred back to the Commission for an area study with consideration to be given to change of a much larger area. The Council expressed concern with whether the property could be economically served with sanitary sewer. In addition to the sewer problem, the Council would like an evaluation of the potential for industrial usage within the area.

The staff explained that the area was split by an east west ridge line and the north part of the tract could be served with sanitary sewer from the Country Club line extended southerly to serve the I.R.S. center. The south half of the tract cannot be served directly and will involve the use of force mains either to the north or south to Williamson Creek at a cost of between seventy-five and one hundred thousand dollars for which there is nothing in the Capitol Improvement Program at this time. The staff recommends this matter be postponed for further study. After further discussion, it was then

VOTED: To POSTPONE action on this request pending further study.

C2-64-1(b) AUSTIN DEVELOPMENT PLAN AMENDMENT

Request for land use change from industrial to residential of area located south of U. S. Highway 183, north of Steck Avenue between Shoal Creek and Missouri Pacific Railroad

The Assistant Planning Director submitted the following report and concluded that the Commission should postpone action pending the completion of a study by the staff of industrial land needs. A request to extend residential development known as "Northtown" westerly to the Missouri Pacific Railroad has precipitated this study. In considering this application it is appropriate that all presently designated land south of Highway 183 in this general area be evaluated.

The purpose of this report is to determine whether the Austin Development Plan Land Use proposal in this area is still valid, or if any changes have transpired to justify modification of the decision of the Planning Commission and City Council in their original recommendation and adoption of the plan.

The following principles and factors were applied in locating the industrial areas on the Land Use Map:

1. The existence of properly developed industrial plants in several of the areas.
2. The availability of level land in large sites.
3. Potential for development of an industrial street system connected directly to the major street system.
4. Availability of rail, air and other transportation facilities.
5. Elimination of intermixed residential development and protection of undeveloped areas from future residential encroachment.
6. Protection of residential and commercial areas by topography and buffer areas.
7. Accessibility to the Central Business District, other major commercial areas, and to governmental centers.
8. Accessibility to residential areas for employees.
9. Potential for economic extension of utilities.

C2-64-1(b) AUSTIN DEVELOPMENT PLAN AMENDMENT contd.

In the subject area approximately 175 acres are designated for industrial development. The Steck Company, covering 10.26 acres, employs over 400 people. The only other facility is the Texas Emulsion Company, which covers 5.58 acres. These two industries constitute 9% of the area south of Highway 183. The only new use in the area not conforming to the industrial classification is a restaurant, the Barn.

The area north of Highway 183 classified as industrial consists of 1200 acres. This area has with the exception of Balcones Research built up since 1950. Of the 1200 acres, 38% has already been developed. Directly south of Summit School, approximately 250 acres was deleted from the industrial classification on May 17, 1962. To date this land has not been developed and the residential subdivision covering 52 acres which initiated the change has been permitted to lapse by the developer.

In checking the above principles in relation to the rate of industrial growth in the subject area, conditions still appear to be favorable to industrial development. The only reason for change may be the lack of immediate demand for this area for the designated use.

In light of initial findings it appears that there is no valid reason for change at this time as the area designated for industrial use was set aside to serve the community for a 20 year period. Since only three years have passed since adoption of the plan, the percentage of industrial development in the northwest area is well ahead of the rate of growth contemplated.

The only other consideration that can be given is an overall review of the entire industrial land use designation, which may point up a clearer definition of Austin's needs, what types of industries can be attracted, types and area of sites and locations desired, need for transportation facilities, and demand for public utilities. This type of study however, will require more time than was available before this hearing.

A communication from Mr. Porter, President of Steck Corporation, indicated he has no objection to the proposed change but understood the request did not affect the industrial status of lands south of Steck Avenue.

The Planning Director noted that with respect to the specific area under consideration that there was some serious question as to the appropriateness of the industrial designation which he understood to have resulted from single ownership of the tract at an earlier date.

Mr. Barrow noted that if additional industrial area is needed at a future date, there is plenty of space outside the City. The subject property has been there some time, but it is not being used, which suggests its unsuitability for industrial use.

Mr. Jim Cozier stated that a study is fine but he would like to have action as soon as possible because he has a subdivision plat forthcoming on property in this area. He noted that some 20.9 acres south of Steck Avenue between Grist and Shoal Creek has been sold by the Steck Company to a residential developer with the exception of a church site at the intersection of Steck and Grist Avenues.

C2-64-1(b) AUSTIN DEVELOPMENT PLAN AMENDMENT--contd.

Mr. Oscar Holmes noted that Shoal Creek at this particular location is not as suitable a barrier between residential and industrial use as the railroad. There is a need for residential development in the area.

The Commission was of the opinion this matter should be given further study as soon as possible and it was therefore

AGREED: To POSTPONE action on this request for further study.

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

APPROVED:

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Hoyle M. Osborne  
Executive Secretary

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Chairman