

CITY PLANNING COMMISSION  
Austin, Texas

Special Meeting--June 4, 1964

The meeting was called to order at 7:30 p.m. in the Council Room, Municipal Building.

Present

S. P. Kinser, Acting Chairman  
Ben Hendrickson  
Barton D. Riley  
Emil Spillmann  
W. Sale Lewis  
W. A. Wroe

Absent

D. B. Barrow  
Howard E. Brunson  
Edgar E. Jackson

Also Present

Alfred R. Davey, Assistant Director of Planning  
E. N. Stevens, Chief Plan Administration

PRELIMINARY PLAN

C8-64-21 Hugo Klint Subdivision  
South Interregional Highway

This preliminary plan was postponed from the last Planning Commission meeting of June 2, 1964, due to a lack of quorum. The staff reviewed the problem of the street location for this subdivision in relation to the Greenbriar Subdivision to the east. The location of the proposed street in the Hugo Klint Subdivision does not match the location of the Greenbriar Subdivision. This street is to serve as a 60 foot east-west collector street between the Interregional Highway and Burleson Road and must be aligned for continuity from one tract to the other.

Mr. Stevens read a registered letter received by the Director of Planning this date from Mrs. Marian Ross, agent for Dr. Hugo Klint and Carl Richard, wherein she requested withdrawal of the preliminary subdivision plan as submitted. A telegram received from Dr. Hugo Klint and Carl Richard just prior to this meeting requests that further consideration of this subdivision be postponed until about June 15th when one of them will be in Austin.

Mr. H. Glenn Cortez, Assistant City Attorney, advised the Commission the Subdivision Ordinance does not provide for withdrawal of a subdivision. The Ordinance provides the preliminary plan must be approved or disapproved within 30 days from the date it is filed.

The Director of Planning stated he would recommend disapproval of the Hugo Klint Subdivision based on the following information:

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- (1) Street and drainage development costs for the private property owners in the area will be considerably higher than if the street were located to the south of the drainageway. An alternate street location should reduce this cost.
- (2) The proposed street location would leave a small area between the street and the drainageway on the Klint property which would be difficult to develop. The extension of the street into the adjoining Greenbriar Subdivision would cause the loss of one or two lots in that subdivision. In addition, the proposed layout could place all the drainage costs on the Greenbriar Subdivision.

Mrs. Ross explained that she had requested withdrawal of this subdivision plan as a delaying action because she felt she did not have the authority to settle the situation of the street and drainage problem. Dr. Hugo Klint and Mr. Carl Richard are quite concerned about the matter and will be in Austin on or about June 15 to help settle the matter. Mrs. Ross presented a map and reviewed the problem of the street location and the possible additional cost involved to her client.

Mrs. Ross stated a great deal of money is involved in the street location. She referred to her agreement with Phillips Petroleum Company in a letter dated December 2, 1963, outlining the extent of their participation in the street development.

Mr. Hulon Simmons, a representative of Phillips Petroleum Company, stated their major concern or interest is to get a building permit. Apparently, there was a hold-up when it was found the land was not subdivided. The land has already been purchased by Phillips and they are being penalized in not being able to fulfill their contract which was let last April.

Mr. Frank Bryant, engineer for the Greenbriar Subdivision, stated the layout plan in Greenbriar with regard to this street alignment was approximately in the same location as suggested by the Planning Department on October 9, 1963. He noted that this location was agreeable to Phillips as they originally had no intentions of having a street adjoin their tract. He further stated that he felt the street location will not affect Section 1 of the Greenbriar Subdivision and construction is already underway.

In answer to an inquiry from Mr. Wroe regarding the street consideration in subdividing the land, Mr. Osborne stated it is a requirement of the subdivision that the street be located and dedicated. There has to be a long form subdivision for dedication of street and the development of the subdivision.

Mr. Gilbreth, developer of Greenbriar, stated they have 109 lots in Section 1. There are plans for a shopping center and letters of commitment of space to be built. He does not want to sell as unimproved property.

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Mrs. Ross mentioned a gas line consideration along the south property line of Mr. Gilbreth's property. The Lavaca Gas Company has a 10 foot easement and gas line in place. She indicated this matter could be tied up in litigation for some time.

Mr. Gilbreth stated the street location shown on the preliminary plan of Greenbriar was agreeable to Phillips. Because of the loss of 60 foot frontage they felt they could not provide the street. He discussed the drainage problem which would be caused in his subdivision by the location of the street as proposed by the Hugo Klint Subdivision.

The Director recommended disapproval of the Hugo Klint Subdivision because of the street location. The street limits need to be set up and a determination of a specific location within 50 feet one way or another could be considered. He suggested the street location be south of the creek and within approximately 200 feet thereof. This would give all the people involved a fair idea of the street location. The creek which would be necessary to cross at this location falls inside the Klint property and there should be participation in the culvert by the owner of the adjoining property to the east. This is not a requirement but a suggestion for this location because of the nature of the creek at this location. Disapproval of the Hugo Klint Subdivision would mean that it can be brought up again at the Subdivision Committee Meeting of June 15. He presented the revised layout for the Commission's review.

Mr. Kinser inquired if this plan was a workable plan for the area. The Director stated if there had been any willingness of the property owners to come to an agreement, this would have been preferred. Otherwise, the proposed street layout is the recommendation of the staff. The Commission therefore unanimously

VOTED: To DISAPPROVE the plat of the HUGO KLINT SUBDIVISION pending relocation of the street within 200 feet south of the creek and departmental approval of the drainage requirements.

Mrs. Ross stated she did not feel 200 feet was the right location for the street and they planned to appeal this decision. Mr. Wroe stated the Commission could not postpone action on this preliminary plan or approve the proposed street location. Mr. Kinser advised Mrs. Ross the Commission was giving an indication of what they think is good planning.

## FINAL PLAT

C8-63-50 Greenbriar, Section 1  
East Live Oak and Parker Lane

The Commission at their meeting of June 2, 1964, voted to rescind their previous action of approval. As Mr. Barrow had disqualified him from voting on this plat at the request of Mrs. Marion Ross, representing the Hugo Klint Subdivision, the remaining four members of the Commission agreed to postpone action pending determination of the street alignment in connection with the Hugo Klint Subdivision.

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C8-63-50 Greenbriar, Section 1  
East Live Oak and Parker Lane

The Commission agreed that since the location of the collector street had been set south of the creek the layout as proposed in Section 1 of this subdivision was satisfactory. The staff explained that this subdivision had complied with the Subdivision Ordinance and all departmental reports. It was therefore unanimously

VOTED: To APPROVE the final plat of GREENBRIAR, Section 1.

ADJOURNMENT: The meeting was adjourned at 9:30 p.m.

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Hoyle M. Osborne  
Executive Secretary

APPROVED:

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Chairman