

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting--June 30, 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
Ben Hendrickson
S.P. Kinser
Emil Spillmann
W. A. Wroe

Absent

Howard E. Brunson

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 June 2 and June 4, 1964 were approved.

ZONING

The following zoning changes were considered by the Zoning Committee at a meeting of June 23, 1964.

C14-64-38 Karl B. Wagner: A to GR, 1 to 5
8700-8842 Research Blvd., 1901-1931 Peyton Gin Road and
1700-1762 Ohlen Road

STAFF REPORT: This request was dismissed by the Planning Commission at their April 7, 1964 meeting as the property had not been annexed to the City. The property has since been annexed, and the request readvertised. It is being presented for reconsideration. The site consists of approximately 22 acres of land, and is undeveloped, having frontage on U. S. Highway 183, Ohlen Road and Peyton Gin Road. The area to the south is developed with single-family dwellings. The area to the west encompasses the proposed residential development of Lanier Terrace and the Lanier Junior and Senior High School. The area to the north and east is undeveloped. The applicant proposes a general retail development. Protection of the developed and proposed residential areas is a major concern in this zoning request. At the original hearing, the Zoning Committee recommended the requested change except for a 100 foot buffer zone for protection of the residential development. They recommended an "O" Office zoning as a buffer from the commercial zoning.

One reply to notice in opposition to the proposed change was received. The applicant was present at the hearing and presented the following in support of his request: We have considered all possible uses for the property and believe that commercial use is the most desirable. The character of U. S. Highway 183 is commercial and industrial. This 25 acres would yield a better class of

C14-64-38 Karl B. Wagner: A to GR, 1 to 5--contd.

development than something smaller. As far as Ohlen Road is concerned, it has an 80 foot right-of-way which would indicate the City anticipates more than average traffic for a neighborhood collector street.

Opposition from Mr. Alfred R. Davey, a nearby property owner, is summarized as follows: The most objectionable feature to the use of this particular site for general commercial purposes is the "nuisance values" of traffic generation and visual incongruity with adjoining residences. Alternative means of overcoming or diminishing these objectionable features are: (a) Reduce the size of the commercial operation, especially as it intrudes into the residential area; (b) Provide a visual and vehicular barrier on those boundary points which are common with residential development. The single planning principle that must be answered is whether the "GR" commercial zoning is the highest and best use of all parts of the subject site area. Is not residential development the more appropriate use of the land distant from the highway frontage?

The Committee was of the opinion that "GR" General Retail was the best use of the property. They felt, however, that a 100 foot buffer strip of "O" Office zoning for protection of the residential development south of Ohlen Road and west of subject property should be established.

At the Commission meeting, the Director of Planning raised the question of fifth height and area at this location. He noted that in the case of a shopping center development, the fifth height and area is not a prerequisite or a desirable feature necessarily.

The Commission discussed extending the buffer strip of "O" Office zoning along the west and northwest boundary to Peyton Gin Road by the following vote:

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

It was therefore

VOTED: To recommend that the request of Karl B. Wagner for a change of zoning from "A" Residential, First Height and Area, to "GR" General Retail, Fifth Height and Area, for property located at 8700-8842 Research Blvd., 1901-1931 Peyton Gin Road and 1700-1762 Ohlen Road be GRANTED except for a 100 foot wide strip beginning at the extension of the east line of Lot 46, Wooten Park Subdivision, Section 5, thence westerly and northerly along the south and west line of subject property, for which "O" Office, Fifth Height and Area is recommended.

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

C14-64-92 Leland R. Wilson: A to B, 1 to 2

3101-3103 Walnut Avenue and 2700-2704 Manor Road

Additional Area: Tract 1: 2608-2612 Manor Road, 3100-3104 Walnut Avenue

Tract 2: 2706-2710 Manor Road, 3200-3202 Larry Lane

STAFF REPORT: The site is developed with a single-family dwelling and covers approximately one-half acre. There is mixed residential and commercial development along Manor Road. A single-family residential subdivision is to the north. The applicant proposes erecting a multi-family dwelling. The additional area consists of two tracts, each about one-half acre in size. Manor Road has 60 feet of right of way with 40 feet of paving and is classified as a secondary thoroughfare. The proposed right of way is 90 feet. If this site were developed to the maximum extent under the requested change of zoning, 30 hotel apartments could be built, and a total of 49 units on the additional area.

No written comments were received in reply to notices sent. The applicant was present at the hearing.

The Commission recognized the inadequacy of the right of way on Manor Road and felt the density allowed by the proposed zoning is too great. It was therefore unanimously

VOTED: To recommend that the request of Leland R. Wilson for a change of zoning from "A" Residential, First Height and Area, to "B" Residential, Second Height and Area, for property located at 3101-3103 Walnut Avenue and 2700-2704 Manor Road, including the additional area of (Tract 1) 2608-2612 Manor Road, 3100-3104 Walnut Avenue, (Tract 2) 2706-2710 Manor Road, 3200-3202 Larry Lane, be DENIED and recommended that "B" Residential, First Height and Area, be GRANTED for this property and the additional area.

C14-64-93 H. T. Baker: A to C

410 Pampa Drive

Additional Area: 412 Pampa Drive

STAFF REPORT: The site is developed with a single-family dwelling and consists of 10,950 square feet. The intervening lot between the site and existing commercial zoning is included as additional area. This additional area is developed with a single-family dwelling and covers an area of 10,950 square feet. The applicant proposes converting the present dwelling into a contractor's office and storage area. Airport Boulevard is developed commercially. The remaining area is developed residentially. Pampa Drive has 50 feet of right of way with 30 feet of paving. Streets serving commercial development should have a minimum right of way of 60 feet. The staff suggests consideration of a gradation of commercial zoning along Pampa Drive rather than extending "C" zoning farther into the residential area.

One written comment was received in favor of this change of zoning. The applicant was present at the hearing and stated he planned to move his contracting business to this location.

The Commission considered the requested zoning as too intensive for the area and concluded that "GR" General Retail would be proper zoning for the site, including the additional area. It was therefore unanimously

C14-64-93 H. T. Baker: A to C-contd.

VOTED: To recommend that the request of H. T. Baker for a change of zoning from "A" Residential, First Height and Area, to "C" Commercial, First Height and Area, for property located at 410 Pampa Drive, be DENIED, but to GRANT "GR" General Retail for the property, including the additional area located at 412 Pampa Drive.

C14-64-94 Milo Weaver: A to O
1512-1600 West 38th Street

STAFF REPORT: This application is for 0.95 acre tract of land with approximately 102 feet frontage on West 38th Street and extending approximately 400 feet in depth. The site is two lots removed from the corner of Jefferson Street and Bull Creek Road. The proposed use is for general office development. There is mixed residential and commercial development along West 38th Street and Jefferson Street. The surrounding area has scattered single-family development. To the southeast of the site, a hospital complex is proposed. Across the street from the site at the corner of Jefferson Street and West 38th, there is a request for "LR" Local Retail zoning which has been deferred until the eventual right-of-way and alignment of West 38th has been determined. The major problem of increased density in this area is the inadequate street widths. West 38th Street has an inadequate right-of-way of 50 and 60 feet with 40 feet of paving. Kerbey Lane dead-ends at West 38th Street at the site and has 50 feet of right-of-way with 30 feet of paving.

No written comment was received in reply to notices sent. Mr. Robert Sneed represented the applicant, and presented the following supporting statements: This property is under contract of sale for the purpose of erecting offices for doctors. This is not a part of the proposed hospital complex. The consideration of this zoning is an examination of graduation of zoning patterns. "LR" Local Retail is established on the corner. (Staff note: The property referred to by Mr. Sneed is zoned "A" Residential.) "O" Office zoning would be a less intensive use. The reason for the movement away from town is for the purpose of easy access and adequate off-street parking. We believe this is the highest and best use of the property. Access and lack of traffic congestion is important for a doctor's office development, and we are interested in the widening of 38th Street.

Mr. Sam Perry, representing the applicant, informed the Commission that although the property is under contract of sale, the applicant is willing to give a portion of the property to widen 38th Street at the location of the site.

The Director of Planning noted that a future owner would not necessarily be bound by street right of way in the contract.

The Commission was of the opinion that "O" Office zoning is the best use for the property, but due to the inadequate width of 38th Street, they felt the request should not be granted. It was therefore unanimously

VOTED: To recommend that the request of Milo Weaver for a change of zoning from "A" Residential, First Height and Area, to "O" Office, First Height and Area, for property located at 1512-1600 West 38th Street, be DENIED.

C14-64-95 Chester D. Brooks: C to C-1

3001-3003 East 12th Street and 1197 Harvey Street

STAFF REPORT: The site is developed with a grocery store and contains 3038 square feet. The proposed use is a grocery to include the sale of beer and wine for off-premise consumption. The surrounding area is a well developed residential area. Both East 12th and Harvey Streets have 60 feet of right-of-way with 30 feet of paving. In the Austin Development Plan, East 12th is classified as a primary thoroughfare with a proposed right-of-way of 120 feet.

Six written comments were received in opposition to the change of zoning. One person appeared at the hearing in favor of the change and three persons stated they were opposed. The applicant was present at the hearing and stated the proposed change of zoning is for the sale of beer to go in a drive-in grocery. He has had a store on Rio Grande Street over a year and has had no complaints. The opposition from property owners in the area is summarized as follows: The sale of alcoholic beverages is not good for this community. This is a peaceful, quiet residential area and there is a church located within 300 feet.

The Commission agreed this request should be denied as it would be an intrusion into a well developed residential area. It is the policy of the Commission to grant this type of zoning only in a well developed commercial area. It was therefore unanimously

VOTED: To recommend that the request of Chester D. Brooks for a change of zoning from "C" Commercial, First Height and Area, to "C-1" Commercial, First Height and Area, for property located at 3001-3003 East 12th Street and 1197 Harvey Street, be DENIED.

C14-64-96 W. C. Brown: A to B

2100-2116 South Fifth Street and 1001-1013 Brodie Street

STAFF REPORT: The site covers 3.13 acres and is developed with single-family dwellings. The applicant proposes erecting apartments. Meadowbrook Housing Project, containing 160 units, adjoins the site to the west and south and is zoned "B" Residential. The area to the north and east is developed predominantly with single-family dwellings. The Green Pastures Restaurant to the southwest has "C-1" zoning established adjoining "LR" Local Retail zoning. Brodie and South 5th Street are minor residential streets with inadequate right-of-way of 50 and 60 feet and 30 feet of paving. West Live Oak dead-ends into the subject property.

Three favorable written comments were received in reply to notices sent. The applicant was present at the hearing and informed the Committee he felt the property was best suited for apartments, and that this change would be an improvement.

The Commission was of the opinion this change of zoning was a logical extension of existing zoning and proper use of the land. It was therefore unanimously

VOTED: To recommend that the request of W. C. Brown for a change of zoning from "A" Residential, First Height and Area, to "B" Residential, First Height and Area, for property located at 2100-2116 South Fifth Street and 1001-1013 Brodie Street, be GRANTED.

C14-64-97 Mr. and Mrs. Leon Malkin: C to C-2
812-814 West 12th Street

STAFF REPORT: The site is developed with three business units in a single building on a lot 50 feet x 60 feet. One of the units is vacant and the applicant proposes operating a package store. The property is situated 150 feet to the west of West Avenue between a service station and grocery store. The surrounding area has mixed zoning and development. Stephen F. Austin High School and Pease Elementary School are to the east of the site. There are a large number of students in the immediate area. There is no off-street parking provided at subject property.

Three written comments opposing this change of zoning were received. Two nearby property owners expressed their opposition at the hearing as follows: There is no place for a liquor store close to a high school. No one in the neighborhood wants a liquor store except the applicant. Liquor stores have been trying to come into this area for years and we have opposed it. It would be detrimental for high school students in the area.

Mr. H. T. Lowry represented the applicant and informed the Committee one of the three stores on the subject property has been vacant for five months. The applicant wants to change the zoning to "C-2" in order to rent the property. He stated the property is over 300 feet from the school and has ample parking facilities because of arrangement with the H.E.B. Store to use its parking lot.

The Commission agreed "C-2" zoning is not proper in an area containing a large number of teenage students. It was therefore unanimously

VOTED: To recommend that the request of Mr. and Mrs. Leon Malkin for a change of zoning from "C" Commercial, Second Height and Area, to "C-2" Commercial, Second Height and Area, for property located at 812-814 West 12th Street, be DENIED.

C14-64-98 Harold Hicks: C to C-1
2318-2328 South Congress Avenue and 2319-2329 College Avenue

STAFF REPORT: The site is developed with a trailer sales office and contains a 17,930 square foot area. The proposed use is for operating a grocery to include the sale of beer for off-premise consumption. There is "C-1" zoning established along Congress Avenue along with other commercial development. St. Ignatius Church and the school is located to the west of the site across College Avenue. South Congress presently has a 100 foot right-of-way with 60 feet of paving. In the Austin Development Plan, South Congress is classified as a primary thoroughfare with a proposed right-of-way of 120 feet.

Two written comments favoring the change were received. The applicant and his representative, Mr. John D. Reed, were present at the hearing and offered the following information in support of this request: There is a filling station on each side of the location at the present time. We have contracted with a drive-in grocery provided there is "C-1" zoning. There is "C-1" zoning established in the surrounding area. This is a large tract of land and at present it is being used as a trailer sales lot. The church is more than 300 feet away from the site.

C14-64-98 Harold Hicks: C to C-1-contd.

The Commission recognized the well developed commercial area where "C-1" zoning has been established. It was therefore unanimously

VOTED: To recommend that the request of Harold Hicks for a change of zoning from "C" Commercial, Second Height and Area, to "C-1" Commercial, Second Height and Area, for property located at 2318-2328 South Congress Avenue and 2319-2329 College Avenue, be GRANTED.

C14-64-99 C. B. Smith: D to C-1

Rear of 7019-7109 Lamar Boulevard

Rear of 6946-6970 Airport Boulevard

STAFF REPORT: The site is developed with a grocery store and is 160 x 160 feet square. The applicant proposes the sale of beer for off-premise consumption. The surrounding area is developed commercially and industrially. North Lamar Boulevard is classified as a primary thoroughfare in the Austin Development Plan with a proposed right-of-way of 120 feet instead of the present 100 feet. Airport Boulevard has 138 feet of right of way, 40 feet of which is paved. The grocery store is the first unit of a proposed shopping center.

No written comment was received in reply to notices sent.

Mr. M. B. Braswell represented the applicant and noted the area is commercially and industrially developed.

The Commission recognized the subject property as being in a well defined commercial area. It was therefore unanimously

VOTED: To recommend that the request of C. B. Smith for a change of zoning from "D" Industrial, First Height and Area, to "C-1" Commercial, First Height and Area, for property located at the rear of 7019-7109 Lamar Boulevard and the rear of 6946-6970 Airport Boulevard be GRANTED.

C14-64-100 Leo M. Black: A to B

2401-2405 Enfield Road and 1408-1414 Elton Lane

STAFF REPORT: The site is developed with a single-family dwelling and covers an area of 29,260 square feet. The applicant proposes constructing apartments. Enfield Road has mixed single-family and multi-family development. The south side of Enfield Road is a predominantly well-maintained residential area. Enfield Road has 70 feet of right-of-way with 40 feet of paving. In the Austin Development Plan, Enfield Road is classified as a secondary thoroughfare with a proposed right-of-way of 90 feet. Elton Lane is a minor residential street with 30 feet of right-of-way and paving. The right-of-way of Elton Lane does not permit widening for the expansion of "B" zoning on the south side of Enfield Road. The subject property was part of an area zoned "B" Residence in 1932. Part of the area, including adjacent property back to "A" Residence. The zoning was changed back to "A" Residence in 1949.

C14-64-100 Leo M. Black: A to B-contd.

Mr. Herbert Smartt represented the applicant and submitted the following information in support of the request: Enfield Road is a well developed apartment area. We feel this is a logical extension of apartment development and the highest and best use of the land. The trend has been to apartments and will continue until it is a complete apartment development. We feel it should be extended to include this property.

Five replies to notices sent were against the proposed change and approximately twenty nearby property owners appeared at the hearing to voice their opposition. Opposition to the zoning change is outlined below:

1. This is spot zoning in a well maintained single-family residential area. The people in this area have tried to maintain their homes and raise families and are continually threatened by a few people who want only to make money.
2. The traffic conditions and parking are horrible on Enfield Road. The number of accidents has increased and the parking of cars on both sides of Enfield Road, Elton Lane and Kent Lane from students living in apartments across Enfield Road is a menace.
3. There are many apartments available elsewhere. New apartments become a fad and the older apartments remain vacant. Apartments do not tend toward stability or progress in a residential area.
4. Westfield A, of which the subject property is a part, has deed restrictions for residential only. The property owners should have some protection from this intrusion.

The Committee was of the opinion this change of zoning would be an intrusion into a well developed and well maintained single-family residential area. It was their recommendation that the request be denied.

The staff reported a request to the Commission from Mr. Herbert Smartt, attorney for the applicant, for withdrawal of the application. The Commission therefore unanimously

VOTED: To accept withdrawal of this application

DISQUALIFIED: Mr. Wroe (adjoining property owner in the area)

C14-64-101 Edwin H. Golden: A to C

3907-4015 Wadford and 118-128 Ben White Blvd.

STAFF REPORT: The site is vacant and covers a 0.84 acre tract. The applicant proposes erection of a shopping center. The property to the west and north is developed residentially. There is commercial development along Ben White Boulevard and South Congress Avenue. The minimum right-of-way required for any street by the Austin Subdivision Ordinance is 50 feet, and streets serving commercial properties should have a minimum right-of-way of 60 feet. Wadford Street is not developed at Ben White Boulevard and has a maximum right-of-way of 40 feet at the north of the site.

C14-64-101 Edwin H. Golden: A to C contd.

Three replies to notices sent were in favor of the change. The applicant was present at the hearing and stated he felt there is a need for apartments in this area.

The Committee felt this change of zoning would be an extension of existing zoning in the area and proper use of the property. They concluded, however, that Wadford Street should be opened to a minimum of 40 feet of right-of-way.

The Commission discussed the need for the widening of Wadford Street to the minimum of 50 feet under the requirements of the Ordinance. They recognized that Wadford Street is inadequate to support the burden of the proposed shopping center, and that streets serving commercial properties should have a minimum right of way of 60 feet. It was therefore unanimously

VOTED: To recommend that the request of Edwin H. Golden for a change of zoning from "A" Residential, First Height and Area, to "C" Commercial, First Height and Area, for property located at 3907-4015 Wadford and 118-128 Ben White Boulevard be DENIED.

C14-64-102 Joseph W. Brown, Sr.: A to C
2705-2707 Hancock Drive

STAFF REPORT: The site is undeveloped and covers an area of 15,500 square feet. The applicant proposes constructing a real estate office. The properties to the west and north of subject property are developed commercially. To the south is a single-family residential subdivision. A request for "C-1" zoning was recently granted for a drive-in grocery across Hancock Drive from the site. The Austin Memorial Cemetery is to the northeast. Hancock Drive has 60 feet right of way with 40 feet of paving. In the Austin Development Plan, Hancock Drive is classified as a secondary thoroughfare with a proposed right-of-way of 90 feet.

One reply to notices sent was received in favor of the change.

Mr. Paul D. Jones represented the applicant. He informed the Committee the applicant has a contract to sell this property for a real estate office for light commercial use. He is requesting "C" Commercial zoning because there is commercial zoning in the area. This would be an extension of existing "C" Commercial zoning across the street and adjacent to the site.

The Commission was of the opinion that "C" Commercial zoning is too intensive a zone to extend into the residential area to the east and south. They recognized that the area along Hancock Drive is developing commercially, but felt that "LR" Local Retail zoning would fit the zoning pattern and provide a buffer for the residential area. It was therefore unanimously

VOTED: To recommend that the request of Joseph W. Brown, Sr. for a change of zoning from "A" Residential, First Height and Area, to "C" Commercial, First Height and Area, for property located at 2705-2707 Hancock Drive, be DENIED, but to GRANT "LR" Local Retail zoning for the area.

R146 SUBDIVISION COMMITTEE

The Committee Chairman reported action taken on the subdivisions at the meeting of June 15, 1964, and requested this action be spread on this meeting of the Planning Commission. The staff reported that no appeals have been filed from the decision of the Subdivision Committee and that no subdivisions were referred to the Commission. The Commission therefore

VOTED: To ACCEPT the attached report and to spread the action of the Subdivision Committee of June 15, 1964, on the minutes of this meeting.

PRELIMINARY PLANSC8-64-24 Allandale Estates

U. S. Highway 183 and Shoal Creek Blvd.

The staff presented the following comments:

1. The alignment of Shoal Creek Blvd. should have a 70 foot right-of-way due its its 4200 foot length. It is proposed to tie Shoal Creek Blvd. into Grist Blvd. on the south. Grist Blvd. is not as yet dedicated but is built on the ground. Eventually, there will be a full interchange at Anderson Lane and Missouri Pacific Blvd. but only limited interchange at Steck Avenue and Missouri-Pacific Blvd. There is a definite need for a straight alignment of Shoal Creek and Grist Blvd. and the elimination of two sharp curves at the north end tieing into Highway 183.

Mr. Oscar Holes, engineer for the developer, stated the developer had a title company look into the matter of Grist Boulevard. This boulevard is not dedicated, it is privately owned. The developer is interested in Grist Boulevard being dedicated, but he is reluctant to change the plan until it is dedicated. He noted this particular part of the plan is in the industrial area, and that Allandale Estates is a residential subdivision.

Mr. Foxworth advised that he has talked to Mr. Porter, President of Steck Company this date and he is agreeable to dedication of Grist Boulevard and a letter of intent will be forthcoming. The dedication will require action by the Company's Board of Directors.

2. The alignment of Thrushwood Drive should be improved and the right-of-way should be 60 feet as it connectes with a collector street in Northwest Terrace.
3. An additional area west of and adjoining the tract owned by the school and located north of Rockwood Lane at Stanwood and Stout Drive is necessary for a park area. The school has indicated their intentions to use the whole tract which they own for a school, however. If the City is willing to purchase this land for a park site, the developer is agreeable to the proposal.
4. In connection with the park site, a pedestrian walkway from the 70 foot thoroughfare to the school and park site will be needed. This walkway would be required in lieu of a street because the block exceeds the Ordinance requirements of 1200 feet.

C8-64-24 Allandale Estates--contd.

Mr. Holmes advised the developer is not satisfied with this particular feature of the plan. He feels it would not be desirable to a prospective purchaser to have lots adjacent to the park walkway. It would cause a continual maintenance problem on eight of the lots. He is opposed to a pedestrian walkway through the subdivision because of the maintenance and nuisance it would create.

5. Due to the nature of Steck Avenue, the staff recommends no lots front on this street. This would affect six or eight lots fronting on Steck Avenue. It was noted that individual driveways backing into a busy street would create a traffic hazard.
6. Consideration of access to Missouri-Pacific Team Tract should be given. Although the railroad is using the property at this point, there is concern with future use of this tract should it not be used by them in the future.
7. In relation to drainage, there will be difficulty with existing 10" sanitary sewer line in connection with proposed rechannelization of Shoal Creek. A certain amount of blasting will probably be required to rechannel the creek.

The Chairman advised Mr. Holmes the rechanneling of the existing sewer line will need to be worked out with the City Engineering Department and the developer.

8. The Drainage Department reports lots in the vicinity of Steck Avenue and Shoal Creek will be subject to flooding. Something must be done to eliminate this.
9. The staff noted that the revised plan being considered had not been reviewed by the department and time would be needed to consider the changes made.

The staff recommended approval of the plan subject to the conditions outlined above. It was noted that final approval of the plat will be based on the amendment to the Austin Development Plan for a land use change from industrial to residential for the land located south of Highway 183 west of Shoal Creek. After further discussion, it was then

VOTED: To APPROVE the preliminary plan of ALLANDALE ESTATES subject to the conditions outlined above.

C8-64-29 Allandale Park, Sec. 9 - Revised
Foster Lane and Shoal Creek

The staff presented this preliminary plan which was postponed from the last Subdivision Committee meeting due to problems connected with drainage. The plan has been revised to incorporate the drainage requirements. Mr. Foxworth explained the staff recommended that all lots front on the south side of Foster Lane to avoid lots backing on the south side. The plan has been revised to eliminate one drainage structure which will result in a

C8-64-29 Allandale Park, Sec. 9 - Revised

small drainage channel to the creek along Foster Lane and create two lots backing onto the drainage channels. These two lots would be forced to put in a culvert to get access if they were required to front Foster Lane. Approval of the plan is recommended subject to completion of all departmental reports. The Commission therefore

VOTED: To APPROVE the preliminary plan of ALLANDALE PARK, Section 9 - Revised, subject to completion of departmental requirements.

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.

- C8-64-36 Western Trails, Section 9
Western Trails west of Pack Saddle Pass
- C8-64-22 Perkins Valley
Bluff Springs Road and Mozelle Lane
- C8-64-30 Colony North, Section 1
Jamestown Drive and Alexandria Ave.
- C8-64-10 Riverbend, Section 3A
Dubuque Lane and Susquehanna Lane
- C8-64-42 Riverbend, Section 3-C
Manor Road and Susquehanna
- C8-64-43 Northwest Hills, Mesa Oaks, Phase 1A
Far West Blvd. & Waterline Drive.
(DISQUALIFIED: Mr. Barrow)

C8-64-28 Porter Heights
Manchaca Road E. of Prather

The staff recommended this plat be accepted for filing and disapproved pending the required fiscal arrangements and notarization, acreage and volume and page being shown. The Commission then

VOTED: To ACCEPT the plat of PORTER HEIGHTS for filing and disapproved pending the required fiscal arrangements and notarization, acreage and volume and page being shown on the plat.

C8-64-41 Riverbend, Section 3-B
Manor Road and Loyola Lane

The staff recommended this plat be accepted for filing and disapproved pending completion of departmental reports and further consideration of the zoning question for Lot 46, Block 2. It was explained that Lot 46 at the corner of Loyola Lane and Manor Road is proposed for commercial useage. If this proposed commercial is developed, it would be adjacent to give residential lots of the subdivision.

C8-64-41 Riverbend, Section 3-B--contd.

Mr. Thomas Watts, engineer for the developer, advised that Lot 46 could be incorporated into the residential units. He suggested the developer might plan to have duplexes or a smaller structure such as a church. He requested that Lot 46 be deleted from the plan until something other than commercial useage can be planned.

The Commission then

VOTED: To ACCEPT the plat of RIVERBEND, Section 3-B for filing and DISAPPROVED the plat pending completion of departmental reports, and deletion of Lot 46 from the plat.

SUBDIVISION PLATS - CONSIDEREDC8-64-19 Devenshire Park, Section 3
New Manor Road and Lovall Drive

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

VOTED: To APPROVE the final plat of DEVENSHIRE PARK, Section 3.

C8-63-56 Stone Gate
Webberville Road and Stone Gate Drive

The staff reported additional easements, completion of departmental reports and annexation are required. In addition, permission from Water District No. 13 is required for service and the water district boundary and taxing unit statement need to be shown on the plat.

Mr. Thomas Watts, engineer for the developer, stated that the required additional easements have been completed and water district boundary and taxing unit statement is now on the plat. Annexation is being processed and permission from Water District 13 is forthcoming. He requested this plat be referred to the Subdivision Committee for approval upon completion of these requirements.

The Commission therefore

VOTED: To DISAPPROVE the plat of STONE GATE pending completion of all requirements. They authorized the Subdivision Committee to give approval upon completion of the requirements.

C8-64-5 Westover Hills, Section 2
Lester Palmer Blvd. & Hyridge Drive

The staff recommended disapproval of this plat pending annexation of the property. The Commission therefore

VOTED: To DISAPPROVE the plat of WESTOVER HILLS, Section 2, pending annexation of the property.

The staff reported that fiscal arrangements were required on the following plats and recommended disapproval. The Commission therefore

VOTED: To DISAPPROVE the following final plats pending the required fiscal arrangements.

C8-64-1 Balcones West, Section 2

Spicewood Springs Road

C8-64-6 Greenwood Hills, Section 2

Suburban Drive. so. of Sheraton Ave.

C8-64-33 Cameron Park, Section 2

Cameron Road and St. Johns

(Annexation also required)

C8-64-31 Barton Terrace, Section 3

Barton Hills Drive and Deerfoot Terrace

The staff recommended disapproval of this plat pending the required fiscal arrangements and annexation. In addition, Lot 2, Boock 9 needs a restriction on the plat in relation to the availability of satisfactory sanitary sewer service. The engineer for the developer has indicated that before any house is built on this lot, the lot will be filled to an elevation of one foot above the proposed street grade, or, a house will not be placed on the lot until satisfactory sanitary sewer lines are installed in the future.

Mr. Holmes, engineer for the developer, agreed that a notation would be placed on the plat to the effect that Lot 2 would be filled to an elevation of one foot above proposed street grade or connected to a sewer line in the next section of the subdivision adjoining this lot. The Commission therefore

VOTED: To DISAPPROVE the plat of BARTON TERRACE, Section 3, pending the required fiscal arrangements, annexation and notation on the plat concerning the use of Lot 2, Block 9, in relation to the availability of satisfactory sanitary sewer service.

SHORT FORMS - FILED

C8s-64-82 Northwestern Industrial Addition, Resub. Lot 2, Blk. B.

United Drive

The staff recommended acceptance for filing and disapproval of the plat pending completion of departmental reports. The Commission therefore

VOTED: To ACCEPT the plat of NORTHWESTERN INDUSTRIAL ADDITION, Resub. Lot 2, Block B, for filing and DISAPPROVED pending the required departmental reports.

C8s-64-86 Ma-Son Place

Airport Blvd. and Gunter

The staff recommended acceptance for filing and disapproval pending compliance of departmental reports. In addition, a variance is required on the signature

C8s-64-86 Ma-Son Place--contd.

of the adjoining property owner. The owner of the plat had been unable to reach the adjoining owner for signature requirements. The Commission therefore

VOTED: To ACCEPT the plat of MA-SON PLACE for filing, and to DISAPPROVE pending completion of departmental reports, and agreed to consider variances when the plat is reconsidered after departmental reports have been complied with.

SHORT FORM PLATS - CONSIDERED

C8s-64-76 Duval Subdivision, Resub. of Part of Block 2
W. 5th Street and Orchard

The staff reviewed the restriction of Lot 2 to be placed on this plat from residential use as agreed at the last Subdivision Committee meeting. This property is owned by the Austin Transit Corporation and does not comply with the Subdivision Ordinance for residential use. There is a creek running through Lot 2. It was further explained that due to the fact that W. 5th Street is a part of the thoroughfare to be tied into Missouri-Pacific Boulevard, there should be a 70 foot right-of-way provided in the future. However, due to the existence of substantial structures located on both sides of subject tract, which are on the existing south right-of-way line, it is recommended that any future widening of the street should be made on the north side. Most of the structures on the north side have greater setbacks, and are primarily houses or small structures with less permanent duration. In view of these circumstances, approval of this plat is recommended without requiring right-of-way at this location.

The Commission therefore

VOTED: To APPROVE the plat of DUVAL SUBDIVISION, Resub. of Part of Block 2, restricting the use of Lot 2 from residential use.

(DISQUALIFIED: Mr. Jackson)

C8s-64-77 Fredericksburg Road Acres, Sub. Lot 8, Block 2
South Lamar Blvd.

It was noted that South Lamar is designated a primary thoroughfare in the Austin Development Plan with a proposed right-of-way of 120 feet. It is recommended no additional right-of-way be required at this time due to the existence of building on these lots and existence of other buildings in this area which is located either on the present right-of-way line of this street or very close to it. However, additional right-of-way in the amount of 20 feet may be required in the future to conform with the Plan. The Commission therefore

VOTED: To APPROVE the plat of FREDERICKSBURG ROAD ACRES, Resub. Lot 8, Block 2.

C8s-64-78 Fairview Park, Resub. Lots 4, 5, 8, 9 and 10, Block 10
The Circle and Drake Avenue

A request for a variance from the requirement of 6900 square feet for a corner lot (Lot 9A) has been received from the owner. Lot 9A has 6709 square feet and has had a house there for many years. Lot 10 was a narrow strip of 10 feet in width and would create a problem. However, Lot 10 has been incorporated into the other lots to increase the original size. The staff recommended the variance for Lot 9A because the lots were being increased in size. The Commission therefore

VOTED: To APPROVE the short form plat of Fairview Park, Resub. Lots 4, 5, 8, 9 and 10, granting a variance from the lot requirements of Lot 9A.

C8s-64-84 Worsham Addition No. 1
E. 7th Street and Gunter Street

It was explained that due to the fact that the owner of the north tract from which this subdivision is being separated is too ill to sign the plat, the owner requests a variance that will allow the plat to be filed without his signature. The Commission therefore

VOTED: To APPROVE the short form plat of WORTHAM ADDITION NO. 1, granting a variance on signature requirements of the adjoining owner.

C8s-64-85 Fairview Park, Resub. Lot 35 and Part of Lot 13
Park Lane and Hillside

The staff reviewed two requests for variances on this resubdivision of an existing lot located on Park Lane west of Newning Avenue. The owner advised the adjoining property owner refused to participate in this subdivision. Therefore, a variance from the signature requirements is requested. A variance is also involved in the width of Lot 35B which has only 49.3 feet on the street instead of the required 50 feet. The Commission therefore

VOTED: To APPROVE the plat of FAIRVIEW PARK, Resub. Lot 35 and Part of Lot 13, granting a variance on signature requirements and lot width of Lot 35B.

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

VOTED: To APPROVE the following short form plats:

C8s-64-80 Erlene Reynolds Sub.
McCarty Road

C8s-64-81 Santa Monica Park, Sec. 3,
Ben White Blvd. & Catalina

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-64-60 Cherrylawn, Sec. 4, Resub.
Walnut Hills Drive & Cedar Lawn
C8s-64-79 Oakie Heights, Resub Lot 36
Jessie Street

C8s-64-72 Ford Oaks Annex
Gail and Riddle Roads
C8s-64-83 Arrah Neal Hirsh Sub.
Oak Springs Drive

OTHER BUSINESS

C10-64-1(m) STREET VACATIONS

Request for closing on Willow Street between Trinity and Neches Street and closing part of Neches Street south of East 1st Street.

The staff reported a request concerning closing of Willow Street between Trinity and Neches Street and the closing part of Neches Street south of East 1st Street. The Director stated a oneway street system is proposed and the referenced street will not be needed for the street system. He recommended the vacation of these two streets with the retaining of the drainage easement and any other easement requested by the department. The Commission therefore

VOTED: To recommend that Willow Street between Trinity and Neches and Neches Street south of East 1st Street be VACATED, subject to the retaining of the necessary easements.

C10-64-1(n) STREET VACATION

Portion of West Live Oak Street east of South 5th Street

The staff reported a request for vacation from the owner of this strip of land at the end of Live Oak. The City does not intend to use this land and this street vacation is recommended. The Commission therefore

VOTED: To recommend the portion of West Live Oak Street east of South 5th Street be VACATED.

C10-64-1(o) STREET VACATION

Portion of Poquito Street

The staff reported a request from the subdivider for the vacation of the westerly 1.67 feet of Poquito Street adjacent to Block 8 of the C. R. Johns Subdivision. Poquito Street was dedicated as a 53.33 foot street and the subdivider feels that 50 feet is all that is necessary. The staff and the Director of Public Works recommended against the vacation of a portion of Poquito Street. The Commission therefore

VOTED: To recommend the request for vacation of a portion of Poquito Street be DENIED.

R809 SUBDIVISIONS - Contacts and Inquiries

Short Form Subdivison Proposal - West 32nd Street

The staff reported a request from Forrest T. Morgan, Jr. for the splitting of property located at 1405 West 32nd Street. West 32nd Street comes to a dead-end at this location. Mrs. Arthur L. Carnahan owns the subject property and Mr. Morgan owns the adjoining property located at 1404 West 32nd Street. West 32nd Street. West 32nd Street is 50 feet wide. When this subdivision was originally approved, 25 feet was left on the adjoining property to the street. Mrs. Carahan proposes to split this remaining 25 feet to incorporate into her present homesite and to create a new and separate lot. These two lots would have frontages of 12½ feet, requiring variances from the subdivision and zoning ordinance. It is also proposed to relocate the curb to the property line on the south side of West 32nd Street for access into the most southerly lot.

R809 SUBDIVISIONS - Contacts and Inquiries -- contd.

The staff can find no basis for favorably recommending this request.

The Commission viewed the request in terms of the neighborhood noting other large lots. They recognized the previous subdivision of the subject tract and the granting of a variance to permit the 25 foot lot fronts. The Commission felt further reduction of the lot frontage would not provide adequate access. After further discussion, it was then

VOTED: To DISAPPROVE the proposed short form subdivision at 1405 West 32nd Street.

R1410 LEGISLATION, PROCEDURES AND REGULATIONS

Request from the Board of Adjustment that Section 19, paragraph (a) of Zoning Ordinance be amended to delete the exception from side yard requirements for carports.

The staff explained that it has been the experience of the Board of Adjustment that owners of carports often find it desirable or necessary to enclose them in order to provide another room for a growing family to provide more adequate shelter for an automobile. Since this is the easiest and least expensive way to add a room to a house, it is frequently done. This in turn creates numerous appeals to the Board for variances. It was also their opinion that fewer carports are being built in the newer subdivisions. This has the effect of often creating a situation wherein the owner of a carport filing an appeal with the Board for a variance from the sideyard requirement has the only carport in the neighborhood. To deny him the right to convert his carport into a garage in such a situation is contrary to the intent of the Board's Rules and Regulations concerning the basis for action on variance requests.

The Board therefore agreed the best way to eliminate the problem of discrimination between owners of carports and owners of garages and the increased number of appeals that must be processed and considered by the Board and City administration is to amend the Zoning Ordinance so that there is no difference in total sideyard requirements for carports and garages. They request the Planning Commission's consideration and recommendation to the City Council that Section 19, paragraph (a) of the Zoning Ordinance be amended in the following particular:

To delete the phrase "carport, as defined in Article 2", the portion occupying the side yard to be open on three sides, and extending not closer than five (5) feet to the side property line"; from Section 19 paragraph (a); as follows:

"(a) Side and Rear Yards. The space in a side or rear yard shall be open and unobstructed from its lowest point to the sky, except for an open stoop or terrace to an entrance door on the first floor or an open stair to a second story extending not over three (3) feet into the side yard, (a carport, as defined in Article 2, the portion occupying the side yard to be open on three sides, and extending not closer than five (5) feet to the side property line,) and for the ordinary projections of window sills, belt courses, cornices, chimney flues, eaves projecting not more than two (2) feet from the building

R1410 LEGISLATION, PROCEDURES AND REGULATIONS--contd.

line, and other ornamental features. A building and any accessory buildings erected on the same lot shall for the purpose of side and rear yard requirements be considered as a single building, except that a private garage or other accessory building not over twenty-five (25) feet in height may occupy not to exceed forty percent (40%) of the rear yard area."

The Commission concurred with the opinion of the Board of Adjustment that the exception in the Zoning Ordinance which allows a smaller total sideyard for open attached carports than for enclosed garages creates an undesirable situation. It was therefore

VOTED: To recommend the phrase "a carport, as defined in Article 2, the portion occupying the side yard to be open on three sides, and extending not closer than five (5) feet to the side property line" in paragraph (a) of Section 19 of the Zoning Ordinance be deleted.

AUSTIN DEVELOPMENT PLANC2-64-1(c) AUSTIN DEVELOPMENT PLAN

Request for a Resolution of the Commission that the City's application for open space land grant in the vicinity of Walnut Creek and U. S. Highway 81 is in compliance with and will implement the Austin Development Plan.

The Director outlined the designated area of approximately 136 acres bordering Walnut Creek, west of U. S. Highway 81. He explained the proposal whereby the City will acquire this land under the Open Space Land Program of the Home Finance Agency. This land use is consistent with the Austin Development Plan, and the Director of Recreation and the Parks and Recreation Board have recommended the provision of a large park in this area.

The Commission therefore

VOTED: To authorize the Chairman to sign the necessary resolution commending the City Council for its implementation of the City of Austin Development Plan by proceeding to acquire Open Space Land for future use consistent with such Master Plan along Walnut Creek between U. S. Highway 81 and Highway 1325.

R140 PLANNING COMMISSION: Organization

Since the City Council had re-appointed all of the members whose terms expired on June 1, 1964, the annual election of officers was held. The Commission then re-elected the following officers for the following year:

Chairman: Mr. Barrow
Vice Chairman: Mr. Kinser

Secretary: Mr. Lewis
Assistant Secretary: Mr. Jackson

REPORTS

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

Request for land use change from industrial to residential of land located south of Highway 183 west of Shoal Creek.

This request for land use change from industrial to residential for land located south of Highway 183 west of Shoal Creek was reviewed by the Planning Commission at their meeting of June 2, 1964, and postponed for further study.

A memorandum to the Commission from the Planning Director outlined a report of the Northwest Area Industrial Land Use Study of which the subject 74 acres is a part. The Land Use Map and a graph of manufacturing growth were used as visual aids. The Director reviewed the principles and factors applied in locating the industrial area on the Land Use Map of the Austin Development Plan. The projection of industrial land area needs for wholesaling, transportation, utilities, and warehousing would demand approximately 18,000 employees. This industrial expansion would require the 3400 acres which corresponds to the amount proposed in the Austin Development Plan. This depletion of the potential industrial land acreage can have serious consequences to the economic growth of the community if the policy to set aside future industrial land is eliminated. Although Austin has a relatively slow growth in the industrial sector of the economy in comparison with other cities of its size, there is a continuing and substantial growth. In the elimination of a policy to set aside industrial land for the future, a situation of dispersed industry could result.

Three recommendations for the subject property and the surrounding industrial property were presented for the Commission's consideration:

- (1) The industrial designation of the subject property (Tract 1) be changed to residential designation in the Austin Development Plan on the singular valid basis that the land values have possibly made its development for industrial purposes prohibitive.
- (2) The industrial designation of Tract 3 between Grist Boulevard, Shoal Creek, Steck Avenue, and Anderson Lane be changed to residential designation because of the same reasons applicable to the subject property.
- (3) The industrial designation be retained for the approximately 110 acres of Tracts 2 and 4. The Steck Company tract (Tract 2) should be retained as industrial because of the Steck plant location thereon.

The 76 acres in Tract 4 which includes all that area between the MoPac Railroad and Balcones Drive is ideally suited for industrial classification in terms of almost every factor enumerated in the Plan. The chances of residential encroachment into this strip of land are remote. Even if there are no chances of industrial development of Tract 4, it is poorly suited for residential development. There is, however, a serious possibility that without adequate control, this area may be further eroded away by commercial intrusion.

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

The Commission reviewed the information and recommendations presented. In discussing the aspects of industrial growth and related land use, it was their opinion there is too much industrial land designated in the Austin Development Plan. They felt the City will not have any large industrial expansion in the future and the retention of industrial land over a long period of time places a tax burden on the property owner and limits the development.

Mr. Barrow commented there is a trend away from large industrial areas within cities. The future needs of Austin's industrial growth will be taken care of outside the City.

Mr. Kinser commented that due to the thoroughfare and railroad, Tract 4 is not suited for residential development.

The Commission discussed the possibility of light industrial, commercial, or office type development for Tract 4. The Director stated the question of access and traffic would be difficult for commercial type use and would limit the area as a general retail or commercial development. After further discussion, it was then

VOTED: To recommend the following land use changes in the Austin Development Plan for property located between Steck Avenue, U. S. Highway 183, Missouri Pacific Railroad and Shoal Creek:

- (1) Tract 1 and 3 be changed from industrial to residential,
- (2) Tract 2 should remain industrial,
- (3) Tract 4 should be specifically classified for light industrial use.

ADJOURNMENT: The meeting was adjourned at 10:30 p.m.

Hoyle M. Osborne
Executive Secretary

APPROVED:

Chairman