

CITY PLANNING COMMISSION  
Austin, Texas

Regular Meeting--September 22, 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  
Edgar E. Jackson

Absent

W. Sale Lewis  
Emil Spillmann  
W. A. Wroe

Also Present

E. N. Stevens, Chief, Plan Administration  
H. Glenn Cortez, Assistant City Attorney  
Jack Polson, Associate Planner

MINUTES

Minutes of the meeting of August 25, 1964 were approved.

ZONING

The following zoning changes were considered by the Zoning Committee at a meeting of September 15, 1964.

C14-64-127 Henry Gable & Associates: B and 3rd to C and 4th  
2501-2517 Rio Grande, 608-614 W. 25th, 2500-2516 Seton Avenue,  
615-621 West 26th Street

STAFF REPORT: In August of 1963, The Christian Faith and Life Community requested a change on this same property from "B" Residential, Second Height and Area, to "B" Residential, Third Height and Area. This change was recommended by the Commission at their August 27, 1963 meeting and subsequently granted by the City Council. The Commission felt this property is an integral part of what is recognized as the University area, and to accomplish and encourage better development, more flexibility in height would be necessary. The Commission further felt that the area near the University should be included in the Third Height and Area District except in use districts permitting an increase in density. The present applicants propose constructing a high rise apartment building to serve the same function as proposed by the Christian Faith and Life Community. It is intended to be used as a complex for University students. The requested "C" Commercial, Fourth Height and Area, would permit intensive retail and wholesale uses and would remove all density limitations on the property. It would also permit a height of 200 feet and would remove setback requirements. The staff feels it is unwise to allow this latitude of development in this area, due to the existing high population density and inadequate streets. Rio Grande Street has an inadequate right of way of 60 feet and is classified as a commercial collector street in the Austin Development Plan, with a recommended

Cl4-64-127 Henry Gable & Associates: B and 3rd to C and 4th.--contd.

right of way of 70 feet. With density as proposed by this application, street needs would have to be reconsidered. The present widths of the other streets in the area are 60 feet, which is inadequate to handle the increased traffic which would be generated by the proposed development.

One written comment was received in opposition to the proposed change of zoning. Mr. Henry Gable, the applicant, was present at the hearing along with Mr. Thomas E. Stanley, architect, and Mr. Nich Cohen, associate. Mr. E. M. DeGeurin represented the applicants. A summary of the supporting statements for the application is as follows: A complete complex development for a unique concept of student life is planned. There will be approximately 250 units with four students per unit plus approximately 51 faculty units under the plan. A restaurant, recreation and study area will be provided in separate areas. The basic high-rise concept will satisfy the need to be close to the University area in a unique university housing program of first class development. The relationship of land cost to unit cost would require a sufficient number of units for a high rise apartment complex. There will be off-street parking provided for approximately 400 cars in two levels of parking. Parking may need to be eliminated by the City along Rio Grande Street, as well as on Seton, West 25th and 26th Streets, as much as possible. We are in favor of widening Rio Grande and providing sidewalks.

The Committee recommended this application be denied for the following reasons:

1. The proposal would more than double the density that is allowed under the present zoning.
2. The proposed density is higher than that recommended in the Austin Development Plan.
3. The streets in the area are not adequate for a large increase of residents concentrated in a limited area.

Mr. DeGeurin presented a letter to the Planning Commission members, giving additional comments in favor of the change, and presented a picture of a similar development near the University of Pittsburgh. The Commission agreed to let Mr. DeGeurin briefly explain the comments outlined in his letter.

The Chairman stated he was in favor of high density development in the University area, but was not in favor of the proposed change for the reason that "C" Commercial zoning does not exist in this area and this would be an isolated case if permitted. The members of the Commission stated the problems which would be created in development and circulation around the University area needed careful consideration. It was agreed an area study needed to be made by the staff at their earliest convenience.

C14-64-127 Henry Gable & Associates: B and 3rd to C and 4th--contd.

After further discussion, the Commission then unanimously

VOTED: To recommend the request of Henry Gable & Associates for a change of zoning from "B" Residential, Third Height and Area to "C" Commercial, Fourth Height and Area, for property located at 2501-2517 Rio Grande, 608-614 West 25th Street, 2500-2516 Seton Avenue and 615-621 West 26th Street be DENIED.

C14-64-129 U-Tote'M of Austin, Inc: C and C-1 to C-1 (as amended)  
3000-3006 South Congress Avenue

STAFF REPORT: The site covers an area of 12,262 square feet and is developed with a vacant grocery store. The proposed use is for a drive-in type grocery including the sale of beer for off-premise consumption. There is "C-1" zoning established on the area of the store which the applicant proposes extending to include the new building. There is commercial zoning and development along Congress Avenue. La Vista Street has an inadequate right-of-way of 40 feet at subject property. To the west, La Vista was increased to 50 feet in the development of Brinwood Subdivision.

One written comment was received in favor of the proposed change.

Mr. Robert Sneed represented the applicant and stated: U-Tote-M has bought the existing property and store. They are building a new store behind the existing one and intend to tear down the present building. This request is merely shifting the "C-1" zoning on the property.

The Committee recommended this request be granted for the following reasons:

1. The applicant will restrict the "C-1" zoning to the building site.
2. The property is in a well developed commercial area.

The Commission concurred with the Committee's recommendation and it was unanimously

VOTED: To recommend the request of U-Tote-M of Austin, Inc. for a change of zoning from "C" and "C-1" Commercial, Second Height and Area, to "C-1" Commercial, Second Height and Area, for property located at 101-111 La Vista and 3000-3006 South Congress, be GRANTED.

C14-64-130 J. B. Ford: C to C-1 (as amended)  
2017-2023 Ivy Trail

STAFF REPORT: The site covers an area of 6,375 square feet and is undeveloped. The property along Manchaca Road has mixed zoning LR, GR and C and is developed commercially. The area to the west is developed residentially. The applicant proposes the sale of beer in original containers for off-premise consumption in a drive-in grocery. The seven-foot wide strip shown as being between Ben White Boulevard and subject property has been dedicated for street purposes.

C14-64-130 J. B. Ford: C to C-1 (as amended)

No written comment was received in reply to notices sent.

Two nearby property owners appeared at the hearing in opposition to this change.

The applicant was present at the hearing and his supporting statements are summarized: It is intended to lease the property for a drive-in grocery. The "C-1" zoning will be limited to the actual building site and the application is hereby amended to that effect. The property was zoned "C" Commercial before many of the property owners in the neighborhood bought their homes.

Opponents of the proposal contended that a drive-in grocery will ruin the residential property with the lights, traffic and other nuisances. It was noted there is an existing service station at the corner of Ben White Boulevard and Manchaca Road and this application would be a further commercial encroachment in a residential area.

The Committee recommended this request be granted for the following reasons:

1. The property is in a well defined and developed commercial area.
2. The "C-1" zoning will be restricted to the building site.

The Commission concurred with the Committee's recommendation, and it was unanimously

VOTED: To recommend that the request of J. B. Ford for a change of zoning from "C" Commercial, Sixth Height and Area, to "C-1" Commercial, Sixth Height and Area, for property located at 2017-2023 Ivy Trail be GRANTED.

C14-64-131 Harry F. Porter: D to C-2  
600 Riverside Drive

STAFF REPORT: The site contains an area of 11,869 square feet and is developed with a restaurant. The applicant proposes the sale of beer and wine secondary to the sale of food in the restaurant. The area along Riverside Drive is developed primarily residential with Travis Park to the east. "D" Industrial zoning extends to the area northwest of the site. Riverside Drive has 70 feet of right-of-way at present; it is classified as a primary thoroughfare in the Austin Development Plan with a proposed right-of-way of 120 feet.

No written comment was received in reply to notices sent.

Two persons appeared at the hearing in favor of the change. Mrs. Mary Joe Carroll represented the applicant and stated: The owner has built a lovely restaurant in an apartment and recreation area. The present

C14-64-131 Harry F. Porter: C to C-2--contd.

industrial zoning is not appropriate. Mr. Porter is requesting "C-2" zoning to be able to take advantage of a possible change in the state liquor law. He does not plan to operate a package store or private club. The owner would be willing to give right-of-way for street widening.

The Committee reviewed the information and were of the opinion that "C-2" zoning is not necessary for the purpose the applicant proposes. They recommended that "C-1" zoning be granted for the following reasons:

1. The site is in a well developed commercial area.
2. "C-1" zoning is proper zoning for the property.

The Commission concurred with the Committee's recommendation, and it was unanimously

VOTED: To recommend that the request of Harry F. Porter for a change of zoning from "D" Industrial, Second Height and Area, to "C-2" Commercial, Second Height and Area, for property located at 600 Riverside Drive, be DENIED, but to GRANT "C-1" Commercial, Second Height and Area, for the property.

C14-64-132 Hardy M. Smith: BB to O  
2905 San Gabriel Street

STAFF REPORT: The site contains an area of 8,442 square feet and is developed with a duplex. The applicant proposes renting the property for offices. This lot was included in an area study conducted by the Planning Commission in 1962, in which the area was zoned "BB" Residential, establishing a zoning pattern of apartment development. Along San Gabriel Street a mixed pattern of "C" Commercial, "LR" Local Retail, "GR" General Retail and "O" Office zoning has developed. The area is primarily developed with apartments and single-family residences. San Gabriel Street has 45 feet of right-of-way. Consideration should be given to the consistent zoning pattern of "BB" Residential established in the area. It is felt the proposed change would be an intrusion into the well established zoning pattern where the streets are inadequate to handle commercial development.

Four written replies were received in favor of the proposed change, and one nearby property owner appeared at the hearing in favor of the application. No one was present to represent the applicant.

The Committee recommended this request be denied for the following reasons:

1. "O" Office zoning is inconsistent with the pattern recognized as appropriate for the area and established as a result of an area study in 1962.
2. The proposal would be an intrusion into the established "BB" Residential area.

C14-64-132 Hardy M. Smith: BB to O--contd.

The Commission concurred with the Committee's recommendation and it was unanimously

VOTED: To recommend that the request of Hardy M. Smith for a change of zoning from "BB" Residential, First Height and Area, to "O" Office, First Height and Area, for property located at 2905-2905½ San Gabriel, be DENIED.

C14-64-133 Moton H. Crockett, Jr. A to C and C-1 (as amended)  
6200-6208 Cameron Road

STAFF REPORT: The site contains 1.57 acres and is developed with a real estate office. The applicant proposes a restaurant which will sell beer and wine with food. The area east of Cameron Road is developed residentially with the exception of a large tract of "GR" General Retail zoning to the north. The area east of Cameron Road has "GR" General Retail and "C" Commercial zoning established. Cameron Road is classified as a commercial collector street with 80 feet of right-of-way. There is concern for the establishment of "C-1" zoning across from the residential area on this large a tract.

No written comment was received.

The applicant was present at the hearing and presented the following information: We request this application be amended to reduce the "C-1" zoning for the building site with "C" Commercial on the balance of the property. This property was outside the City limits for many years and the real estate office was operated as a non-conforming use. There is a commercial building on the site and it is planned to convert into a restaurant. There are other tracts of land immediately adjoining the site which are zoned "C" Commercial.

The Committee recommended the request be granted for the reason that the property is in a well developed and defined commercial area.

The Commission concurred with the Committee's recommendation and it was unanimously

VOTED: To recommend that the request of Moton H. Crockett, Jr. for a change of zoning from "A" Residence, First Height and Area, to Tract 1: "C" Commercial, First Height and Area at 6200 Cameron Road and Tract 2: "C-1" Commercial, First Height and Area, at 6202-6208 Cameron Road, be GRANTED.

C14-64-134 Mrs. Maxine Mock: A to B  
5507-5517 Helen

STAFF REPORT: The area contains 22,000 square feet and is undeveloped. The proposed use is an apartment building. There is commercial zoning and development between Airport Boulevard and Helen Street. At the north end of Helen Street, there is an apartment building. The area

C14-64-134 Mrs. Maxine Mock: A to B--contd.

east of Helen Street is "A" Residential and developed with single-family residences. Helen Street has a right-of-way of 60 feet south of subject property and 50 feet to the north.

One written comment was received in support of the proposed change.

Mr. Bob J. Bailey represented the applicant and offered the following information: Spartan's Department Store is across Helen Street from the site. There is another department store and apartment building to the north. This change of zoning would be an asset to the neighborhood. It is accessible to Airport Boulevard and the Interregional Highway. A creek and drainage ditch runs through this property with a bridge at the north end.

The Committee recommended this request be denied for the following reasons:

1. It does not fit the zoning pattern of the area.
2. It would be an intrusion into the well established residential area.

The Commission concurred with the Committee's recommendation and it was unanimously

VOTED: To recommend that the request of Mrs. Maxine Mock for a change of zoning from "A" Residence, First Height and Area, to "B" Residential, First Height and Area, for property located at 5507-5517 Helen, be DENIED.

C14-64-135 Margaret Knippa Best: C to C-1 (as amended)  
 2401-2407 San Gabriel and 904-914 West 24th Street

STAFF REPORT: The area contains 7,000 square feet and is developed with a grocery store. The applicant proposes selling beer in the grocery store for off-premise consumption. The surrounding area is developed primarily with apartments and rooming houses. "LR" Local Retail has been established with two filling stations along San Gabriel. East of San Gabriel at the corner of West 24th is the Texas Federation of Women's Club with "C" zoning. West 24th Street currently has 60 feet of right-of-way. It is classified as a secondary thoroughfare with a proposed right-of-way of 90 feet in the Austin Development Plan. The projected traffic count for West 24th Street is 31,000 cars a day by 1982.

Three written comments were received in opposition to the change and two in favor.

Mr. Ernest Best with Kash-Karry, Inc. (lessee) appeared on behalf of this application. He informed the Committee the sale of beer has become a major item in the food business. Beer is the number four volume item in the United States. In supermarkets alone billions of dollars worth of beer is sold. Dozens of drive-in groceries sell beer, and they are losing business because they have not been able to sell this commodity. They close their store at 7 o'clock, except Friday and Saturday when they close at 8 o'clock. They are not open on Sunday.

C14-64-135 Margaret Knippa Best: C to C-1 (as amended)-- contd.

The Committee recommended this change of zoning be granted as the property is in a well defined commercial area.

The Commission concurred with the Committee's recommendation and it was unanimously

VOTED: To recommend that the request of Margaret Knippa Best for a change of zoning from "C" Commercial, Second Height and Area, to "C-1" Commercial, Second Height and Area, for property located at 2401-2407 San Gabriel and 904-914 West 24th Street, be GRANTED.

C14-64-136 Capital National Bank: LR to C-1 (as amended)

3423-3435 Northland Drive and 5513-5601 Parkcrest Drive

STAFF REPORT: The area covers 6,800 square feet and is developed with a grocery store. The proposed use is for selling beer in the grocery store for off-premise consumption. The area along Parkcrest Drive and Balcones Drive has mixed zoning of "LR", "C", "GR" and "DL". The area north of Northland Drive is developed residentially. Northland Drive has 100 feet of right-of-way and is classified as a primary thoroughfare with a proposed right-of-way of 120 feet in the Austin Development Plan. Parkcrest Drive has 60 feet of right-of-way and is a commercial collector street.

One written comment was received in opposition to the proposed change.

Mr. Ernest Best, representing Kash-Karry, Inc. (lessee), presented the following information in support of this request: The sale of beer has become a major item in the food business. Beer is the number four volume item in the United States. In supermarkets alone, billions of dollars worth of beer is sold. Dozens of drive-in groceries sell beer, and they are losing business because they have not been able to sell this commodity. They close their stores at 7 o'clock Monday through Thursday and at 8 o'clock on Friday and Saturday. They are not open on Sunday.

Mr. W. L. Bradfield appeared in opposition to this request. He stated they would have no objection to the requested use by the present occupants if that use were confined to a minor portion of the existing building or to an area no closer than 70 feet to Northland Drive. "C-1" Commercial permits a multitude of uses which would greatly depreciate the value of Highland Hills residential property. He felt the "C-1" zoning should be restricted to the south portion of the building.

The applicant amended his request to the south 85 feet of the grocery.

The Committee recommended that the request be granted as the property is in a well defined commercial area.



C14-64-136 Capital National Bank: LR to C-1 (as amended)--contd.

The Commission concurred with the Committee's recommendation, and it was unanimously

VOTED: To recommend that the request of Capital National Bank for a change of zoning from "LR" Local Retail, First Height and Area, to "C-1" Commercial, First Height and Area, for property located at 3423-3435 Northland Drive and 5513-5601 Parkcrest Drive, be GRANTED.

C14-64-137 Westenfield Development Co.: C to C-1 (as amended)  
1207-1211 West Lynn and 1517-1521 West 13th

STAFF REPORT: The area comprises 8,000 square feet and is developed with a grocery store. The applicant proposes selling beer in the grocery store for off-premise consumption. The area along West Lynn Street is developed commercially with "C", "C-1" and "C-2" zoning established. The front door to front door distance between the grocery and St. Luke's Methodist Church is 395 feet. The remaining area is developed with single-family residences and apartments. West Lynn has 60 feet of right-of-way and is classified as a commercial collector street. West 13th Street is a minor residential street with 46 feet of right-of-way.

No written comment was received in reply to notices sent.

Mr. Ernest Best, representing Kash-Karry, Inc. (lessee) informed the Committee: The sale of beer has become a major item in the food business. Beer is the number four volume item in the United States. In supermarkets alone, billions of dollars worth of beer is sold. Dozens of drive-in groceries sell beer, and they are losing business because they have not been able to sell this commodity. They close their stores at 7 o'clock each day except Friday and Saturday when they close at 8 o'clock. They are closed on Sunday.

The Committee recommended the application be granted as the property is in a well defined commercial area.

The Commission concurred with the Committee's recommendation and it was unanimously

VOTED: To recommend that the request of Westenfield Development Company for a change of zoning from "C" Commercial, First Height and Area, to "C-1" Commercial, First Height and Area, for property located at 1207-1211 West Lynn and 1517-1521 West 13th Street, be GRANTED.

C14-64-138 Carrington's University Hills: Int. A to LR (Tract 1) and C-1 (Tract 2)  
Tract 1: 6700-6722 Manor Road and 3508-3520 Loyola Lane  
Tract 2: Rear of 6706-6710 Manor Road and Rear of 3512-3516 Loyola Lane

STAFF REPORT: Tract 1 contains 32,738 square feet and Tract 2 contains 3,500 square feet. These tracts are part of the new subdivision of University Hills. This part of the property was originally in the subdivision

C14-64-138 Carrington's University Hills; Int. A to LR (Tract 1) and C-1 (Tract 2)--contd.

plans as commercial property but was deleted. It is now proposed to be used for a drive-in grocery. There is concern as to what effect this change of zoning would have on the undeveloped property across Manor Road. There is commercial zoning existing on a 12 acre tract west along Loyola Lane.

No written comment was received.

Mr. Paul Jones represented the applicant and stated: This proposal is in conformance with the preliminary subdivision which was submitted. This is not residential property. It is at the corner of a secondary thoroughfare. They have limited the "C-1" zoning to the approximate size of the building. The nearest facilities of this type are a good distance away. This type of development is for the service of the general neighborhood and is proper zoning.

The Committee recommended the request be granted for the following reasons:

1. The property was planned for commercial development in the original comprehensive plan of the subdivision.
2. The property is not suitable for residential property because it is at the intersection of a collector and a thoroughfare street.

The majority of the Commission favored granting the request for the above reasons. Mr. Barrow was of the opinion this change did not fit the policy of the Commission. After further discussion, it was then

VOTED: To recommend that the request of Carrington's University Hills for a change of zoning from Interim "A" Residence, First Height and Area, to "LR" Local Retail, First Height and Area (Tract 1) and "C-1" Commercial, First Height and Area, (Tract 2) for property located at (Tract 1) 6700-6722 Manor Road and 3508-3520 Loyola Lane and (Tract 2) Rear of 6706-6710 Manor Road and Rear of 3512-3516 Loyla Lane, be GRANTED.

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

NAY: Mr. Barrow

ABSENT: Messrs. Lewis, Spillmann and Wroe

C14-64-139 Bob Ammann: C to C-1  
8916-8922 North Lamar Boulevard

STAFF REPORT: The site contains 3,600 square feet and is undeveloped. The applicant proposes erecting a drive-in grocry. The subject property is part of a larger tract zoned "GR" General Retail in connection with the Country Air Subdivision. The area along Lamar Boulevard has mixed commercial and residential development. Lamar Boulevard has 120 feet of right of way and is classified as a primary thoroughfare. Peyton Gin Road has 85 feet of right of way and is a collector street. The Lanier High School site is located to the west on the south side of Peyton Gin Road.

C14-64-139 Bob Ammann: C to C-1--contd.

One written comment was received in favor of the proposed change.

Mr. Robert Sneed represented the applicant and offered the following information in support of this request: The area along Peyton Gin Road has non-conforming uses of commercial and industrial. We believe it is good planning to provide for commercial development in the subdivision. This eliminates "hodge-podge" development, and future property owners will be aware of what is proposed. A Town and Country store is planned to serve the residential community, with the sale of beer for off-premise consumption.

The Committee recommended the request be granted as it is the policy of the Commission to permit "C-1" zoning in a well planned commercial area.

The Commission concurred with the Committee's recommendation, and it was unanimously

VOTED: To recommend that the request of Bob Ammann for a change of zoning from "C" Commercial, Sixth Height and Area, to "C-1" Commercial, Sixth Height and Area for property located at 8916-8922 North Lamar Boulevard be GRANTED.

C14-64-140 Bob Ammann: C and 6th and GR and 1st to C-2 and 1st  
8916-8922 North Lamar Boulevard

STAFF REPORT: The site contains 3,600 square feet and is undeveloped. The applicant proposes a package store. The subject property is part of a larger tract zoned "GR" General Retail in connection with the Country Air Subdivision. The area along Lamar Boulevard has mixed commercial and residential development. North Lamar Boulevard has 120 feet of right of way and is classified as a primary thoroughfare. Peyton Gin Road has 85 feet of right of way and is a collector street. The Lanier High School site is located to the west on the south side of Peyton Gin Road.

One written comment was received in favor of the proposed change.

Mr. Robert Sneed represented the applicant. His supporting statements are summarized as follows: The area along Peyton Gin Road and North Lamar Boulevard has non-conforming commercial uses. We believe it is good planning to provide for commercial development in the subdivision. This eliminates "hodge-podge" development, and future property owners will be aware of what is proposed. A package store is proposed, and the "C-2" zoning is requested only for the size of the building.

The Committee reviewed the information and concluded "C-2" zoning should be limited to the east 30' x 60' of the site. They favored granting the "C-2" zoning for the following reason: It is the policy of the Commission to permit "C-2" zoning in a well planned commercial area.

C14-64-140 Bob Ammann: C and 6th and GR and 1st to C-2 and 1st--contd.

The Commission concurred with the Committee's recommendation, and it was unanimously

VOTED: To recommend that the request of Bob Ammann for a change of zoning from "C" Commercial, Sixth Height and Area and "GR" General Retail, First Height and Area, to "C-2" Commercial, First Height and Area, for property located at 8916-8922 North Lamar Boulevard, be DENIED for the west 30 x 60 feet of the property, and GRANTED for the east 30 x 60 feet.

C14-64-141 Louie Gage: A to C  
1026 East 53rd

STAFF REPORT: The site contains an area of 3891 square feet and is developed with a single family residence. The applicant proposes constructing a drive-in cafe. The area between the Interregional Highway and Cameron Road is zoned and developed commercially. The subject property is the only property zoned "A" Residence in the immediate area, east of the Interregional Highway.

No written comment was received.

Mr. Louie Gage was present at the hearing and informed the Committee there is a house on the lot at present which sets back two and one-half feet from the property line. The new building will be designed for a drive-in restaurant with provision for six cars.

The Committee recommended the request be granted for the following reasons:

1. It is a logical extension of existing commercial zoning.
2. "A" Residence zoning is incompatible with the surrounding highly-developed commercial area.

The Commission concurred with the Committee's request, and it was unanimously

VOTED: To recommend that the request of Louie Gage for a change of zoning from "A" Residence, Fifth Height and Area, for property located at 1026 East 53rd Street, be GRANTED.

C14-64-142 Henry W. Studtman Estate and Jack McKay: A to C, 1 to 5  
Tract 1: 1014 East 38th and 3801-3803 Harmon Avenue  
Tract 2: 1016 East 38th Street

STAFF REPORT: These two tracts comprise an area of 12,386 square feet and are developed with a house on each lot. The application proposes expansion of the Acacia Motel which adjoins the subject property. The area along Harmon Avenue to the south and west is zoned "A" Residential with the exception of "O" Office zoning at the corner of Harmon Avenue and East 38½ Street across from the site. Harmon Avenue and East 38th are minor residential and collector streets, respectively, each having 50 feet of right of way. The proposed change from first height and area

C14-64-142 Henry W. Studtman Estate and Jack McKay: A to C, 1 to 5

to fifth height and area poses a density problem in this residential area with limited access for commercial traffic from the Interregional Highway. "LR" Local Retail zoning would permit the proposed motel expansion by special permit, thereby permitting the Planning Commission to control the development problems.

Sixteen replies to notices were opposed to the zoning change.

Two people appeared at the hearing in favor of the proposed change and three against. Mr. Francher Archer represented the applicant and stated the entire block is zoned "C" Commercial except for these two lots. This change would complete the zoning pattern and allow better development and parking for the Acacia Motel.

A petition was presented from 21 home owners in the area opposing the change. As property owners in this area, they wish the area to remain residential and feel this change would be an intrusion.

The Committee recommended the change be granted. They felt the change would complete the zoning pattern of the block and is consistent with existing zoning and development in the block.

The majority of the members of the Commission concurred with the Committee's recommendation. Mr. Riley felt the proposed change permitted too great a density in the area. After further discussion, it was then

VOTED: To recommend that the request of Henry W. Studtman Estate and Jack McKay for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, Fifth Height and Area for property located at (Tract 1) 1014 East 38th Street and 3801-3803 Harmon Avenue, and (Tract 2) 1016 East 38th Street, be GRANTED.

AYE: Messrs. Barrow, Brunson, Hendrickson, Jackson, and Kinser

NAY: Mr. Riley

ABSENT: Messrs. Lewis, Spillmann and Wroe

C14-64-143 Capital National Bank: LR to GR

3401-3405 Northland Drive and 5608-5616 Balcones Drive

STAFF REPORT: The site contains an area of 16,500 square feet and is developed with a service station. The applicant proposes the display and sale of boats. The area between Parkcrest Drive and Northland Drive is developed with mixed commercial uses and zoning of "C" Commercial, "LR" Local Retail, "GR" General Retail and "DL" Light Industrial. The area north of Northland Drive is developed residentially. There are large tracts of undeveloped land east of Balcones Drive. If this change of zoning is granted, the applicant intends to request a Special Permit on the property for the following uses: (1) Automobile and marine service station, (2) Display and sale of new and used boats and parts, (3) Outdoor storage of boats and trailers within a solid fenced area, and (4) Boat motor repair.

C14-64-143 Capital National Bank: LR to GR

One written reply was received in favor of the change and one in opposition.

Mr. L. W. Bloomquist represented the applicant and his supporting statements are summarized: Boats are stored only for the duration of the repair of boat or motor. This storage will be confined to the rear of the building and back of the lot. The noise will be muffled into a tank in water and there will be no objectionable noise resulting. Three boats will be displayed in front of the filling station for display and sale purposes.

Mr. W. L. Bradfield appeared in opposition to the change in the interest of protecting the residential property owners in Highland Hills. He suggested confining the change in zoning to the area in which boat storage is desired. He objected to the uses permitted under "GR" General Retail zoning which could have an adverse affect upon residential property.

The Committee recommended the request be denied as the use proposed and other uses permitted in "GR" are not compatible with the nearby residential areas.

Mr. Stevens read a letter to the Commission from Mr. L. V. Bloomquist proposing the following amendment to the application: The driveway and the front of the property be continued as "LR" and the back of the property behind the proposed fence be changed to "GR".

Mr. Stevens explained this amendment would also allow the applicant to request a Special Permit for the uses intended.

Mr. Riley expressed concern for the traffic problem involved in handling boats and trailers.

A motion to grant the requested amendment failed to carry by the following vote:

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

It was moved that the Commission vote to deny the request. The Commission therefore

VOTED: To recommend that the request of Capital National Bank for a change of zoning from "LR" Local Retail, First Height and Area, to "GR" General Retail, First Height and Area, for property located at 3401-3405 Northland Drive and 5608-5616 Balcones Drive, be DENIED.

The motion failed to carry by the following vote:

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

C14-64-144 Harold H. Adkins: C to C-17201-7203 North Lamar and 712-720 St. Johns Avenue

STAFF REPORT: The site contains an area of 6336 square feet and is developed with a grocery store. The area along Lamar Boulevard is developed commercially. The area south of St. John's Avenue is developed commercially with mixed zoning of "C", "C-1", "LR" and "D". The area north of St. John's Avenue is developed residentially. Jefferson Chemical Company is southwest of the subject property. The applicant proposes the sale of beer in the grocery for off-premise consumption. St. Johns Avenue is a neighborhood collector street with 60 feet of right-of-way.

No written comment was received. Two persons appeared at the hearing in opposition to the request. Mr. Arthur E. Pihlgren represented the applicant. He stated it has become imperative for a grocery store to sell beer to meet competition. The beer will be sold for off-premise consumption. Nearby property owners opposed the selling of beer because of the noise and other disturbances which would be created.

The Committee recommended granting the requested change as the site is in a well-defined and developed commercial area.

The Commission concurred with the Committee's recommendation, and it was unanimously

VOTED: To recommend that the request of Harold H. Adkins for a change of zoning from "C" Commercial, First Height and Area, to "C-1" Commercial, First Height and Area, for property located at 7201-7203 North Lamar and 712-720 St. Johns Avenue, be GRANTED.

C14-64-145 Glen E. Lewis: B to LR (Tract 1) and B to C-1 (Tract 2)Tract 1: 921-929 Oltorf and 2401-2405 South 5th StreetTract 2: Rear of 2403-2405 South 5th and Rear of 923-927 Oltorf Street

STAFF REPORT: Tract 1 contains an area of 13,150 square feet and Tract 2 contains an area of 2,500 square feet. The proposed use is the sale of beer for off-premise consumption in a 7-Eleven Drive-In Grocery. The area is developed primarily with single-family residences and apartments. Recently, "C-1" Commercial zoning was established for Green Pastures Restaurant to the north. North of subject property is an apartment development zoned "LR" Local Retail. The Meadowbrook Housing Project is northwest of the site. Oltorf Street has 80 feet of right-of-way; the Austin Development Plan proposes 120 feet of right-of-way for this primary thoroughfare. South 5th Street has 50 feet of right-of-way.

No written comment was received.

The applicant was present at the hearing and was represented by Mr. Arthur E. Pihlgren. They informed the Committee a 7-Eleven Store is proposed and is needed for this neighborhood. It is primarily an apartment house area with a Federal Housing Project. They do not feel this would be a detriment to the property owners in the area, but rather will enhance the property values.

C14-64-145 Glen E. Lewis: B to LR (Tract 1) and B to C-1 (Tract 2)--contd.

The Committee recommended the request be granted for the following reasons:

1. The area has "LR" Local Retail zoning across the street from the site.
2. This would be a convenience to the neighborhood in use (grocery) permitted under "LR" zoning.

The Commission concurred with the Committee's recommendation, and it was unanimously

VOTED: To recommend the request of Glen E. Lewis for a change of zoning from "A" Residential, Sixth Height and Area to (Tract 1) "LR" Local Retail, Sixth Height and Area, and (Tract 2) "C-1" Commercial, Sixth Height and Area, for property located at (Tract 1) 921-929 Oltorf and 2401-2405 South 5th Street, and (Tract 2) Rear of 2403-2405 South 5th and Rear of 923-927 Oltorf Street, be GRANTED.

C14-64-146 William J. Joseph: GR to C-1 (as amended)  
1808 Briarcliff

STAFF REPORT: The site contains 2800 square feet and is occupied with a vacant building. The proposed use is for the sale of beer for on-premise consumption with food in a restaurant. There is a grocery adjacent to the site which is zoned "C-1". The large tract of land across Briarcliff Boulevard from the site is undeveloped with the exception of a service station at the corner, and is zoned "GR" General Retail. The Harris Public School is west of the subject property. The area north of Wheless Lane is developed residentially. Briarcliff Boulevard is a neighborhood collector street with 60 feet of right of way.

No written comment was received.

The applicant and Mr. Arthur E. Pihlgren were present at the hearing. Mr. Pihlgren informed the Committee the building has been vacant approximately two and one-half years. They have a prospective client to lease the property for a cafe serving Mexican food and beer. The "C-1" zoning is requested for the area of the building (the north 70 feet of the lot). "C-1" zoning is established next door.

The Committee recommended granting the request as it is an extension of already existing "C-1" zoning.

The Commission concurred with the Committee's request, and it was unanimously

VOTED: To recommend that the request of William J. Joseph, as amended, for a change of zoning from "GR" General Retail, Sixth Height and Area, to "C-1" Commercial, Sixth Height and Area, for property located at 1808 Briarcliff, be GRANTED.



## SPECIAL PERMIT

CP14-64-9 Capital National Bank: Business for display and sale of boats and  
3401-3405 Northland Dr. parts and the repair of boat motors.  
 5608-5616 Balcones Drive

STAFF REPORT: This application has been filed as required under Section 5C, Paragraph 37a 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 proposed use is a business for display and sale of boats and parts, for repair of boat motors, automobile and marine service station, and outdoor storage of boats and trailers within a solid fenced area. The site is completely paved and is developed with a service station. Access is from Northland Drive and Balcones Drive.

The staff reported all departmental reports have not been completed, and requested this application be postponed. The Commission therefore

VOTED: To POSTPONE action pending action by the City Council on the pending zoning change for the property (C14-64-143).

## OTHER BUSINESS

C10-64-1(q) ALLEY VACATION REQUEST  
 West 30th Street alley between Whitis and Cedar Streets

The purpose of this alley vacation is to consolidate the church property located on both sides of the alley. A proposed 20 foot alley is located north of the First English Lutheran Church to the west of Cedar Street. The Commission postponed action for 30 days at the last Commission meeting pending the notification of adjacent property owners of the proposed alley. The staff reported that two of the property owners had been contacted north of the church property and they opposed the closing of the alley. Therefore, the application has not been continued. The staff recommended the Commission take no further action. The Commission therefore

VOTED: To DISMISS the request to close West 30th Street alley between Whitis and Cedar Streets.

C10-64-1(r) STREET VACATION REQUEST  
 Portion of Orland Boulevard between I & G.N. R.R. and Mt. Vernon Drive

The staff advised that a dangerous railroad crossing would be created by developing this street; and therefore, it has never been developed. A letter from Greenwood Properties, Inc., developer, requests that the street be vacated and the title be restored to Greenwood Properties Inc. This vacation is recommended subject to retaining the necessary storm sewer, utility and electrical easements. The Commission then

VOTED: To recommend the portion of Orland Boulevard between I & G.N. R. R. and Mt. Vernon Drive be VACATED subject to retaining the necessary storm sewer, utility and electrical easements.

C10-64-1(s) ALLEY VACATION REQUEST

Portion of alley between East 53rd and East 53½ Streets

The staff reported a letter from nine adjacent property owners petitioning the City for the closing the alleyway from Airport Boulevard and DePew Street midway between 53rd and 53½ Streets. All of the adjoining property owners have signed the request except Sinclair Refining Company, and they should be apprised of this closing. The staff noted that both sides of the alleyway are zoned commercial and the request may be premature. The Commission reviewed the location sketch and it was then

VOTED: To POSTPONE the request pending further study.

C10-64-1(t) STREET VACATION REQUEST

Portion of Apache Pass west of Tejas Trail

The staff reported a request from an abutting property owner to vacate Apache Pass from Tejas Trail West to the westerly subdivision boundary of Western Trails, Section 6. The property owners feel the recent zoning of the property to the west for apartments and commercial uses will generate traffic which would be undesirable. The staff advised the proposed West Gate Square Subdivision adjoins the street to the east. They recommended the request for street vacation be postponed pending the approval of the subdivision plan. The Commission therefore

VOTED: To POSTPONE the request for street vacation of a portion of Apache Pass west of Tejas Trail pending further study.

R146 SUBDIVISION COMMITTEE

The Committee Chairman reported action taken on the subdivisions at the meeting of September 8, 1964, and requested that 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 and the following subdivision was referred to the Commission without a recommendation: C8-64-29 Allandale Park, Section 9. The Commission therefore

VOTED: To ACCEPT the attached report and to spread the action of the Subdivision Committee of September 8, 1964 on the minutes of this meeting.

## PRELIMINARY PLANS

C8-64-11 Blue Bluff

Webberville Road and Ehlert Drive

The staff reported the owners were requesting a six-months extension. The Commission therefore

VOTED: To GRANT a six-months extension of the preliminary plan of BLUE BLUFF.

C8-64-8 Barton Hills West

Barton Skyway and Barton Hills Drive

The staff reported the owner is requesting a six-months extension. The Commission therefore

VOTED: To GRANT a six-months extension of the preliminary plan of BARTON HILLS WEST.

## 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 compliance with the required departmental reports.

C8-64-50 North Oaks, Section 3, Phase 1

Plaza Drive and Trinity Hills Drive

C8-64-51 North Oaks, Section 3, Phase 2

Riddlewood Drive and Springhill Drive

C8-64-39 Bluff Springs Subdivision

Springwood Road E. of Bluff Springs

C8-64-56 West Gate Square

U. S. Highway 290 and West Gate

C8-64-44 Crestwyck Acres

Manor Road and Overhill Road

The staff reported that reports have not been received from departments concerned and recommended acceptance for filing upon two considerations. First, a variance from the Ordinance is required on cul-de-sac requirements. Wickhaven Drive is a dead-end street and since only one lot would be served off this street, and the street is actually only one lot depth from an intersection, the variance is recommended. The other requirement is the showing of the building setback lines on the plat. The Commission therefore

VOTED: To ACCEPT the plat of CRESTWYCK ACRES for filing, granting a variance on the cul-de-sac requirement, and DISAPPROVE the plat pending compliance with departmental reports and showing of the building setback lines on the plat.

C8-63-48 Jerome Stark Subdivision

Manchaca Road and Barge Street

The staff recommended this plat be accepted for filing as all departmental reports have not been received and disapproved pending the following items: (1) Showing building setback lines on the plat, (2) An additional 5 foot of right of way on Manchaca Road. The Commission therefore

VOTED: To ACCEPT the plat of JEROME STARK SUBDIVISION for filing and DISAPPROVE pending showing building setback line and additional right-of-way being provided on Manchaca Road.

C8-62-73 Rivercrest Addition Section 2 - Rev.  
Rivercrest Drive West of St. Stephens School Road

The staff reported all departmental reports have not been received and recommended acceptance for filing upon consideration of a variance in Commission policy which requires the necks of cul-de-sacs to be rounded. The staff presented a letter from the surveyor stating there are a number of pecans streets in the subdivision which the owner is desirous of saving. Consequently, in constructing the curb and gutter in this development, it will be necessary to vary the distance between the curb and property line. It is felt the curving or rounding at the intersection points would serve no purpose. This subdivision proposes boat slips coming into the lots from the lake. It is recommended that the policy requiring rounding the necks of cul-de-sacs be waived as this is a suburban subdivision and thru streets would not be developed according to City specifications. The Commission then

VOTED: To ACCEPT the plat for filing, granting a variance from Commission policy on the rounding the necks of cul-de-sacs, and DISAPPROVE pending compliance with departmental reports.

SUBDIVISION PLATS - CONSIDERED

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

The staff reported all departmental reports have not been complied with and recommended disapproval. In addition, the staff read a letter from the owner requesting the name of the subdivision be changed to Wooten Terrace, Section 1. The Commission then

VOTED: To DISAPPROVE the plat of LANIER TERRACE, Section 3, pending compliance with departmental reports, granting the name change to Wooten Terrace, Section 1.

C8-64-34 Lanier Terrace, Section 3A  
Ohlen Road and Speerman Drive

The staff reported all departmental reports have not been complied with and recommended disapproval. In addition, the staff read a letter from the owner requesting the name of the subdivision be changed to Wooten Terrace, Section 1A. The Commission then

VOTED: To DISAPPROVE the plat of LANIER TERRACE, Section 3A, pending compliance with departmental reports, granting the name change to Wooten Terrace, Section 1A.

C8-63-45 Terrace Village, Section 1  
Barton Hills Drive

The staff reported all departmental reports have been completed but a variance is required on dead-end street. (Trailside Drive) This street is only 150 feet from an intersection, which is just slightly more than one average lot depth. There are only three lots with apartments proposed across the street. Approval of the street without the turn-around is recommended as it conforms to the approved preliminary plan. The Commission therefore

VOTED: To APPROVE the plat of TERRACE VILLAGE, Section 1, granting a variance on the cul-de-sac requirement.

C8-64-37 Balcones Hills, Section 1  
Spicewood Springs Road and Greenslope Drive

The staff reported all departmental reports have been completed but a variance is required on a dead-end street. (Greenslope Drive) The staff read a letter from the subdividers, who own the abutting property to the street, stating their intent to bring in the next section of the subdivision with extension of Greenslope Drive within the next six to eight months. The Commission therefore

VOTED: To APPROVE the plat of BALCONES HILLS, Section 1, granting a variance on the dead-end street.

C8-64-9 Northwest Terrace, Section 1  
U. S. Highway 183 and McCann Drive

The staff reported all departmental reports have been completed and recommended approval with the following condition. Lot 1, Block G, an abutting portion of Stillwood Lane, to be deleted from this section. It was explained that the City had not been able to acquire additional property for a full street at this point. The Commission therefore

VOTED: To APPROVE the plat of NORTHWEST TERRACE, Section 1, with the condition that Lot 1, Block G and abutting portion of Stillwood Lane be deleted from this section prior to recording of the plat.

C8-63-55 Western Trails Estates  
Jones Road

The staff reported all departmental reports have been completed and recommended approval. The Commission therefore

VOTED: To APPROVE the plat of WESTERN TRAILS ESTATES

C8-64-18 Deer Park, Section 3- Rev.  
Stassney Lane and Kings Highway

The staff reported this plat complied with all departmental requirements except for a variance required on Brittany Boulevard and the final determination of the right-of-way on Stassney Lane. It was explained that Brittany Boulevard is a stub street which dead-ends into the abutting Wayne Burns property. A variance in requiring the turn-around is requested so the street and lots can be extended out to Manchaca Road within the next two years. The final determination of the right-of-way on Stassney Lane has not been made. This was originally proposed as a primary thoroughfare of 120 feet. The existing portion has 60 feet of right-of-way. Stassney Lane may possibly be reduced to a secondary thoroughfare of 90 feet, but a final determination of the right-of-way must be reached by the Director of Planning.

Mr. Isom Hale, engineer for the developer, advised that they had shown 30 feet on the preliminary plan for the widening to 120 feet of Stassney Lane. In the meantime, the City has made a destination study and Stassney Lane has been reduced to 90 feet. The staff explained that no determination of the width except that of the Master Plan (120 feet) had been made and were unable to ascertain that anyone had approved a 90 foot width.

C8s-64-18 Deer Park, Section 3 - Rev. - contd.

After further discussion, the Commission then

VOTED: To DISAPPROVE the plat of DEER PARK, Section 3- Rev., pending the determination of the width of Stassney Lane and correction of the plat if necessary, granting a variance on the cul-de-sac requirement on Brittany Boulevard, and authorized the staff to poll the members for approval after the width of Stassney Lane is determined.

## SHORT FORMS - FILED

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

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

C8s-64-113 M. L. Williams Sub.

Failley Drive and Georgian Drive  
(Georgian Drive requires 5 feet additional right-of-way)

C8s-64-114 Glenmar, Section 2

Fiesta and Govalle Streets

C8s-64-117 Mar Glen, Resub. of Lot 5

Exposition Blvd. and Carlton Road  
(30 feet of right-of-way required on Exposition Blvd.)

C8s-64-119 St. Louis Heights Sub. of Lots 2-5, Resub. Lot 1, Block A  
Burnet Road

## SHORT FORMS - CONSIDERED

C8s-64-118 Resub. of F. O. Cullen Sub.

Manchaca Road So. of Fredericksburg Rd.

The staff recommended this plat be rejected for filing as the tracing has not been returned to the Planning Department. The Commission therefore

VOTED: To REJECT the plat of the Resub. of F. O. Cullen Subdivision for filing.

C8s-64-107 G. C. Prock Sub., Resub. Lot 9

Prock Lane and Don Ann Street

The staff reported all departmental reports have not been completed and the owner is requesting a variance from the drainage requirements. Mr. Glen Cortez, Assistant City Attorney, explained that the Commission had no power to act upon such a request for a variance. Disapproval was recommended pending compliance with all departmental requirements. The Commission therefore

VOTED: To DISAPPROVE the plat of G. C. Prock Subdivision, Resub. Lot 9, pending compliance with all departmental requirements, and instructed the owner, Mr. Joe Perone, that the Council was the only authority to grant a variance from the drainage requirements of the Ordinance.

C8s-64-115 Murchison Industrial Valley  
Farm Road 969 - Nixon Lane

The staff explained this area was designated in the Austin Development Plan as an industrial area. Since this property is designated as industrial, Nixon Lane will need to be widened 15 feet to provide for a future right-of-way of 80 feet. Under the provisions of the Ordinance, the balance of the property is required to be a part of the plan. Mr. Murchison subdivided the property into one large lot and has since sold a portion of this lot to some other people who now refuse to join in the plat. He is seeking a variance from the signature requirements. All departmental reports have been complied with.

Mr. Murchison advised that are two houses on Lots 1 and 3 which set-back only 25 feet. He did not feel he could easily give any right-of-way. He then agreed to give up to 15 feet, if necessary, to widen Nixon Lane.

After further discussion, the Commission then

VOTED: To APPROVE the plat of Murchison Industrial Valley subject to provision of the amount of right of way determined necessary from the property to widen Nixon Lane to a future 80 foot right-of-way.

ADMINISTRATIVE APPROVAL

The staff reported that four 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-64-42 Allandale Place, Section 1

Ashdale Drive and Parkdale Drive

C8s-64-104 G. C. Prock Subdivision Lot 3

Prock Lane East of Springdale

C8s-64-112 Fredericksburg Road Acres, Resub. Part of Lots 21,22,23

Thornton Road and Oltorf Street

C8s-64-116 Allandale Park, Resub. No. 5

Burnet Road and Greenlawn Parkway

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

APPROVED: .....

\_\_\_\_\_  
 Hoyle M. Osborne  
 Executive Secretary

\_\_\_\_\_  
 Chairman