

CITY PLANNING COMMISSION  
Austin, Texas

Regular Meeting--December 15, 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  
W. Sale Lewis  
Barton D. Riley  
Emil Spillmann  
W. A. Wroe

Absent

Howard E. Brunson  
Edgar E. Jackson

Also Present

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

MINUTES

Minutes of the meeting of November 17, 1964, were approved.

ZONING

The following zoning changes were considered by the Zoning Committee at a meeting of December 8, 1964.

C14-64-174 Glenn R. Ragland, et al: A to C  
4003-4013 and 4017 Marathon  
1004-1006 West 40th Street  
1005 West 41st Street  
Additional Area: 4015 Marathon

STAFF REPORT: The site consists of six blocks and contains an area of 53,359 square feet. It is developed with single-family dwellings. An intervening lot has been included as additional area. The proposed use is for office and warehouse space. There is commercial development to the east and west with residential development north and south. The residential development to the north is well maintained, and none of the houses face commercial development, as does subject property. The staff noted that although extension of zoning to subject property is logical in view of the existing commercial zoning on three sides, this is not the case along Marathon Boulevard north of 41st Street. Marathon is a minor collector street with 100 feet of right of way and 40 feet of paving.

Three written comments were received in favor of the change.

C14-64-174 Glenn R. Ragland, et al: A to C--contd.

One nearby property owner appeared at the hearing in favor of the change. The applicant was present at the hearing and stated the following in support of his request: There are commercial buildings directly across the street and to the south. Lamar Boulevard is developed commercially. A drive-in grocery is across the street from the site. An appliance service center is proposed which we feel would be good for the whole community.

One nearby property owner opposed commercial development, and was in favor of the area remaining residential.

The Committee reviewed the information and concluded this request should be granted for the following reasons:

1. The change of zoning is a logical extension of existing commercial zoning.
2. Proposed zoning would complete the pattern for the entire block, including the additional area.

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

VOTED: To recommend that the request of Glenn R. Ragland, et al for a change of zoning from "A" Residence, First Height and Area, to "C" Commercial, First Height and Area, for property located at 4003-4013 and 4017 Marathon, 1004-1006 West 40th Street, 1005 West 41st Street, and the additional area at 4015 Marathon be GRANTED.

C14-64-175 Jerry Wallace: A to C  
 9311-9323 Slayton Drive  
 201-209 Rundberg Lane

STAFF REPORT: The site contains an area of 21,000 square feet and is undeveloped. Future commercial development is proposed. Across Slayton Drive to the west is an elementary school site. Across East Rundberg Lane to the north is a church. The adjacent subdivision to the east is restricted against commercial development. The remaining area is sparsely developed with single-family dwellings. The subject property is part of the recent subdivision of North Lamar Park which proposed this property as commercial in the preliminary plan. The final subdivision platted this property as residential lots. Because of the surrounding planned development, it will be difficult for expansion of commercial development to occur at this location. An undesirable situation could be created by zoning a small area "C" Commercial.

No written comment was received in reply to notices sent. One nearby property owner appeared in opposition.

The applicant presented the following in support of his request. They dedicated a piece of land to the City for future widening of East Rundberg Lane which cut down the area of the site. Across Rundberg Lane is a butane outlet and the church site. The elementary school is across Slayton

C14-64-175 Jerry Wallace: A to C--contd.

Drive. They provided 60 feet of right of way to allow flow of traffic around the school, and with Rundberg Lane being a thoroughfare, we see a great deal of future commercial development. The undeveloped land to the north also makes commercial development more likely.

The Committee reviewed the information and concluded this request should be denied for the following reason: The proposed zoning is premature since there is no commercial zoning or development in the area, and the residential development is sparse.

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

VOTED: To recommend that the request of Jerry Wallace for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 9311-9323 Slayton Drive and 201-209 Rundberg Lane be DENIED.

C14-64-176 Louie Gage: C and 5th to C and 6th  
1026 East 53rd Street  
5301 Interregional Highway

STAFF REPORT: The site contains an area of 3,891 square feet and is developed with a small frame residential structure. The maximum depth of the lot is 32.6 feet with 142.44 feet frontage along the Interregional Highway. The property joins Cameron Village Shopping Center to the north, with Capital Plaza beyond. The purpose of the change is for a drive-in restaurant and the elimination of a spot zone. The proposed change from fifth height and area to sixth height and area is requested because of the size of the property and the requirement of a 25 foot setback under fifth height and area along a boulevard street. Sixth height and area does not require the 25 foot side setback from boulevard streets. The applicant previously applied for a setback variance to the Board of Adjustment, and the request was denied. The area along this side of the Interregional Highway has mixed sixth, fifth and second height and area. There is sixth height and area to the north and south of the subject property. The Council had zoned both sides of the Interregional Highway in this area fifth height and area.

Mr. Robert J. Potts represented the applicant. Mr. Potts stated he took exception to the staff comments as they were biased statements and made certain assumptions. This change of zoning is to conform to the zoning in the neighborhood. Sixth height and area zoning has been established in the area for a considerable period of time. The applicant has designed his structure to conform to the setback requirement under sixth height and area.

C14-64-176 Louie Gage: C and 5th to C and 6th--contd.

The Committee reviewed the information and concluded this request should be granted for the following reason: Under the present height and area pattern this zoning change is a logical extension of sixth height and area district in this area.

The Committee recommended that an amendment to the text of the Zoning Ordinance to require 25 foot setback along all boulevard streets be considered by the Planning Commission and the City Council.

The Commission concurred with the Committee's recommendation to grant the request. They felt any study of textual changes in the Ordinance should be initiated by the City Council. It was therefore unanimously

VOTED: To recommend that the request of Louie Gage for a change of zoning from "C" Commercial, Fifth Height and Area, to "C" Commercial, Sixth Height and Area, for property located at 1026 East 53rd Street and 5301 Interregional Highway be GRANTED.

C14-64-177 D. C. Bradford: Tract 1-Gr to C-1

Rear of 5207 Cameron Road

Tract 2-GR to C-2

Rear of 5209 Cameron Road

STAFF REPORT: Tract 1 contains an area of 5296 square feet and is undeveloped. Tract 2 contains 1737 square feet and is developed with a vacant building. Tract 1 is a proposed patio in connection with an existing restaurant. The sale of beer and wine with food is proposed. Tract 2 is a proposed lounge. The area along Cameron Road is developed commercially. There is residential development to the south along East 52nd Street.

One reply to notices sent was favorable to the proposed change on Tract 1 and opposed to Tract 2.

Alex Limon represented the applicant. He stated the applicant is the owner of the restaurant adjoining Tract 1. It is his intention to enlarge the restaurant and to have C-1 zoning for the sale of beer and wine. A lounge is planned for Tract 2 and he would like C-2 zoning. A driveway between the two tracts will be used for entrance and parking.

The Committee reviewed the information and concluded this request should be granted for the following reasons:

1. The property is in a well developed commercial area.
2. The use proposed is proper use of the property.

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

VOTED: To recommend that the request of D. C. Bradford for a change of zoning from "GR" General Retail, Sixth Height and Area (Tract 1) to "C-1" Commercial and (Tract 2) "C-2" Commercial, Sixth Height and Area, for property located at the rear of 5207 Cameron Road be GRANTED.

C14-64-178 Joe B. Biggs: A to B  
300-302 North Loop Boulevard  
5300-5310 Chesterfield  
301 Franklin Boulevard

STAFF REPORT: The area contains 32,810 square feet and is developed with a single-family dwelling. The applicant proposes constructing apartments. A creek approximately 35 feet wide is along the east side of the property. There is commercial and office development across North Loop; however, most of the area is developed with single-family and two-family dwellings. The proposed zoning would allow a maximum of 21 units. North Loop Boulevard is classified as a secondary thoroughfare in the Austin Development Plan with a proposed right-of-way of 90 feet. Franklin Boulevard and Chesterfield Avenue are inadequate to serve apartment development. The staff is concerned with the creation of an apartment zone on Franklin Street, since it is single-family residential in character.

Two written comments were received in favor of the change.

John Selman represented the applicant. He stated twelve one-story units are proposed. The site has had practically no use because of the drainage ditch. He felt construction of apartments will beautify the area, and would be a buffer zoned between office, commercial and the residential area. North Loop is a secondary thoroughfare, and further residential development is limited. He felt this type of small apartment project is ideal at this locale, and was willing to dedicate some land for street widening. Access will be from North Loop and Franklin Streets.

The Committee was concerned with the intrusion of apartments on the rear portion of the property into the residential area, and with the access off Franklin Boulevard. They were in favor of the change of zoning for lots 93 and 95 fronting on North Loop Boulevard, but were concerned with the additional right of way needed for North Loop. It was concluded that the rear lot, lot 96, should remain "A" Residential, and that lots 93 and 95 should be rezoned "B" Residential.

The staff read a letter from the applicant amending his application. He withdrew his request for a change of zoning for the north 95.2 feet of lot 96, located at 301 Franklin Boulevard.

The Commission agreed to accept the amendment to the application. They concurred with the comments of the Committee, and it was unanimously

VOTED: To recommend that the request of Joe B. Biggs for a change of zoning from "A" Residence, First Height and Area, to "B" Residence, First Height and Area, be GRANTED for lot 93, lot 95 and the south 65 feet of lot 96, Northfield Addition, located at 300-302 North Loop Boulevard, 5300-5306 Chesterfield Avenue and the rear of 301 Franklin.

C14-64-179 W. H. Bullard: Tract 1 - A to B  
 7204-7306 Twin Crest, 300-312 Croslin,  
 7230-7328 Duval, 300-306 Carmen Court  
Tract 2 - A to C  
 301-305 Carmen Court, 7201-7205 Twin Crest  
 308-408 St. John's Ave., 7200-7224 Duval Street  
Tract 3 - A to B (as amended)  
 7200-7202 Twin Crest, 300-304 St. John's Avenue

STAFF REPORT: Tract 1 contains an area of 238,000 square feet on which multiple apartment units are proposed. Tract 2 contains an area of 70,600 square feet on which commercial development is proposed. Tract 3 contains an area of 20,400 square feet on which office space is proposed. The surrounding area is developed with single-family and two-family dwellings. There is commercially zoned, undeveloped land east of Duval Street. Duval Street has 50 feet of right-of-way. Streets serving commercial properties should have a minimum right-of-way of 60 feet.

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

The applicant informed the Committee as follows: They are having difficulty getting financing for "A" Residential development. There are a number of duplexes in the area. The purpose of this zoning is for low density row house type development for Tract 1. They asked for "C" Commercial zoning on Tract 2 so that it would be compatible with the "C" Commercial zoning across the street. Since there is opposition to zoning Tract 2 "O", we hereby amend our application to "B" Residential. Tract 3 is developed with a real estate office and this can be converted to a duplex.

Three people appeared at the hearing in opposition to the request for the following reasons:

1. They are opposed to the proposed change on all three tracts and feel the area should remain residential.
2. They are opposed to the proposed change of zoning on Tract 3 and feel this would be an intrusion into the residential area. There is no reason to have "O" Office on Tract 3. The parking facilities are inadequate at present.

The Committee agreed to accept the amendment for Tract 3 to "B" Residential. They were in favor of "B" Residential zoning for Tract 1 and Tract 3 as proper use of the land. They were concerned with protection of the residential neighborhood and felt that "C" Commercial zoning for Tract 2 is too broad. They felt "O" Office zoning would act as a buffer zone between the existing commercial and residential zoning.

The Commission discussed the "O" Office zoning for Tract 2. The Planning Director reviewed development of the area, noting that apartments are proposed across Duval Street behind the Chariot Inn Motel. Mr. Kinser expressed concern for further commercial encroachment and increased traffic in the area.

C14-64-179 W. H. Bullard: Tract 1 - A to B--contd.

Mr. Wroe was in favor of "C" Commercial as requested for Tract 2. He felt this conformed to the established "C" Commercial zoning across Duval Street.

After further discussion, the Commission then

VOTED: To recommend that the request of W. H. Bullard for a change of zoning from "A" Residential to "B" Residential, First Height and Area for Tract 1 and Tract 3 for property located at 300-312 Croslin, 7230-7328 Duval, 300-306 Carmen and 7200-7202 Twin Crest and 300-304 St. John's Avenue, be GRANTED; but to DENY "C" Commercial, First Height and Area for Tract 2 located at 301-305 Carmen Court, 7201-7205 Twin Crest, 308-408 St. Johns Avenue, 7200-7224 Duval Street, and recommended "O" Office, First Height and Area, be GRANTED.

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

C14-64-180 Tract 1: W. H. Bullard: A to GR  
 408 Pampa Drive  
Tract 2: Joe Fuhrman: A to GR  
 406 Pampa Drive  
Tract 3: L. G. Whitehead: A to GR  
 404 Pampa Drive

STAFF REPORT: Each of the three tracts contains an area of 11,250 square feet. The proposed use is for business usage functional to neighboring properties. The property adjacent to the west is zoned "GR" General Retail. The area along 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.

One written comment was received in favor of the change.

Mr. W. H. Bullard informed the Committee there has been a complete change in the character of the neighborhood as evidenced by the "GR" and "C" Commercial zoning established. They are following a plan already established by the "GR" zoning. At present there is a concrete block mixer on Tract 2, Tract 3 is undeveloped and Tract 1 has a house on the lot.

The Committee was concerned with the right of way of Pampa Drive, but felt the requested zoning should be granted, as it is proper and is a logical extension of existing commercial zoning.

C14-64-180 Tract 1: W. H. Bullard: A to GR  
Tract 2: Joe Fuhrman: A to GR  
Tract 3: L. G. Whitehead: A to GR--contd.

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

VOTED: To recommend that the request of W. H. Bullard, Joe Fuhrman, L. G. Whitehead for a change of zoning from "A" Residence, First Height and Area, to "GR" General Retail, First Height and Area, for property located at (Tract 1) 408 Pampa Drive (Tract 2) 406 Pampa Drive and (Tract 3) 404 Pampa Drive be GRANTED.

C14-64-181 Otto H. Buaas: C to C-2  
1128 West 6th Street

STAFF REPORT: The site contains an area of 1,250 square feet and is developed with a vacant building. The proposed use is operating a lounge. An adjacent area immediately west is presently zoned "C-2". This area extends approximately 26 feet along West 6th Street and 50 feet on Blanco Street. The area along West 6th Street is developed commercially. The area to the north is developed residentially.

Two written comments were received in opposition.

The applicant was present at the hearing and stated: As an experienced club manager, he is able and capable of running an orderly place of business. There is plenty of parking space on West 6th and this proposal will not interfere with the residential area.

Seven nearby property owners appeared in opposition for the following reasons:

1. The streets in the area are inadequate and there is a serious circulation problem. A lounge would generate additional traffic. The area is not well developed commercially.
2. A lounge would be detrimental to the residential area. The liquor store is a very bad environment and causes nuisance, trash and noise. This proposal would further create an unpleasant situation.

The Committee reviewed the information and concluded this request should be denied for the following reason: There is a lack of off-street parking in the area and at the site.

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

VOTED: To recommend that the request of Otto H. Buaas for a change of zoning from "C" Commercial, Second Height and Area, to "C-2" Commercial, Second Height and Area, for property located at 1128 West 6th Street, be DENIED.



C14-64-183 Tract 1: Roy Miller - A to GR  
3400-3500 Manor Road, 2200-2228 Anchor Lane  
Tract 2: Richard Hooper - A to GR  
2212-2214 Palo Pinto Drive, 3317 Manor Road  
Tract 3: Richard Hooper - A to GR  
2215 Palo Pinto Drive, 3401 Manor Road

STAFF REPORT: Tract 1 contains 3.78 acres, Tract 2 contains 12,500 square feet and Tract 3 contains 13,700 square feet. A service station is proposed for Tract 1, T. V. sales and service for Tract 2, and an apartment house and office for Tract 3. The property is undeveloped except for a single-family residence on Tract 1. The proposed zoning would allow a maximum of 6 units on Tract 3. The area is largely undeveloped with the exception of residential development to the south of Tracts 2 and 3. Manor Road and Anchor Lane are classified as secondary thoroughfares in the Austin Development Plan, with proposed rights-of-way of 90 feet. Presently, Anchor Lane has 50 feet of right of way and Manor Road has 80 feet. Palo Pinto is a minor residential street with 50 feet of right-of-way. Some time ago, the Commission asked the staff to study the area and to recommend zoning which is proper for the area. The staff recommends "O" Office as the best zoning for this location. It is also noted that Anchor Lane is part of the Manor Road - 38th Street thoroughfare, and as such is one of the City's major east-west traffic routes. Its present right-of-way is seriously inadequate.

No written comment was received.

Richard Hooper offered the following information in support of this request: The recommendation for "O" Office zoning on Tracts 2 and 3 would be fine. On Tract 1, we are presently negotiating for a filling station and asking for "GR" General Retail zoning. This was recommended in 1961 for "GR". The City said they wanted to buy the property and the zoning change was not completed. Now that we have a sale for this property, we feel we should be granted "GR" zoning on this tract. Since the City has not brought the property, we would like to put a service station on Tract 1.

The Committee reviewed the information and concluded this request should be denied for the following reasons:

1. The proposed change would be inconsistent with the zoning pattern of the area.
2. The streets in the area are inadequate for this type of zoning.

They recommended "O" Office, First Height and Area, as proper zoning for the area provided the streets in the area are made adequate.

The Director of Planning informed the Commission that the City is negotiating for the purchase of Tract 1, and that it is expected the City will purchase the property in the near future.

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

VOTED: To recommend that the request of Roy Miller and Richard Hooper for a change of zoning from "A" Residence, First Height and Area, to "GR" General Retail, First Height and Area, for property located at (Tract 1) 3400-3500 Manor Road, 2200-2228 Anchor Lane, (Tract 2) 2212-2214 Palo Pinto Drive, 3317 Manor Road, (Tract 3) 2215 Palo Pinto Drive, 3401 Manor Road, be DENIED, but to GRANT "O" Office, First Height and Area, for the property.

C14-64-184 H. L. Beaver: A to BB  
2015-2019 Blue Bonnet Lane

STAFF REPORT: The site contains one acre of land and is undeveloped. The applicant proposes constructing apartments. Zilker Elementary School is across Blue Bonnet Lane from the property. The area is partly developed with single-family residences, and has large tracts of undeveloped land. The proposed zoning would allow a maximum of 21 units. A study of the need for more streets in the area should precede any further intensification of land use.

Three replies to notices sent were in favor of the change.

No one appeared to represent the applicant. Mr. Fred Wong of 2111 Kenwood stated the proposed change would be good for the area. Mr. R. H. Stewart of 2013 Blue-bonnet Lane stated the area is developed with single-family residences. A large apartment development would not be compatible with these residences.

The Committee reviewed the information and concluded this request should be denied for the following reason: The change would be inconsistent with the zoning and development of the area.

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

VOTED: To recommend that the request of H. L. Beaver for a change of zoning from "A" Residence, First Height and Area, to "B" Residence, First Height and Area, for property located at 2015-2019 Blue Bonnet Lane, be DENIED.

(DISQUALIFIED: Mr. Lewis)

C14-64-185 Tract 1: Patrick H. Downing - A to O  
814-818 East 32nd Street, 3200-3204 Red River  
Tract 2: William W. Bollman - BB to O  
3206-3210 Red River  
Tract 3: Vance Fox - BB to O  
3212-3218 Red River

STAFF REPORT: Tract 1 contains an area of 17,750 square feet, Tract 2 contains 20,400 square feet and Tract 3 contains 30,800 square feet. Tract 1 has a single-family dwelling, Tract 2 is undeveloped and Tract 3 has two single-family dwellings. The proposed use is for offices. The subdivision to the east is zoned "B" Residential and is developed with apartments and single-family dwellings. The property adjoins residential property to the west which is developed with single-family dwellings. There is commercial zoning and development across Red River from the subject tracts. "O" Office zoning is established south of East 32nd. Red River has 60 feet of right of way and is classified as a secondary thoroughfare with a proposed right-of-way of 90 feet. East 32nd Street is a secondary thoroughfare with 60 feet of right-of-way and 40 feet of paving. Both of these streets are inadequate. The proposed second height and area density would permit a maximum apartment development of 90 units.

Two replies to notice were opposed to the zoning change. A petition was submitted from 21 property owners in the area in favor of the change.

C14-64-185 Tract 1: Patrick H. Downing--contd.  
Tract 2: William W. Bollman--contd.  
Tract 3: Vance Fox --contd.

Mr. Vance Fox presented the following information in support of the application.

This area has changed over the years, and the proposed zoning would be a good location for doctors' offices. Second height and area is needed to provide the height, density and space for parking. Other property in the area is zoned second height and area and there is "O" zoning established south of 32nd Street. A petition is submitted from 21 property owners in the area in favor of the change.

Three people appeared at the hearing in opposition to the request. Their testimony is summarized as follows: The property at the southeast corner of 32nd and Red River has been zoned "O" Office and nothing has developed. We would like to keep the property values up in this area and do not believe this is the proper zoning. There are many children in this area and the additional traffic this proposal would create presents serious traffic problems.

The Committee reviewed the information and concluded "O" Office, First Height and Area should be granted for the following reasons:

1. Second Height and area is too intense a zoning for the area.
2. "O" Office zoning is compatible with the present zoning and development of the area.

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

VOTED: To recommend that the request of Patrick H. Downing, William H. Bollman and Vance Fox for a change of zoning from (Tract 1) "A" Residence, First Height and Area, (Tracts 2 and 3) "BB" Residence, First Height and Area, to "O" Office, Second Height and Area, for property located at 814-818 East 32nd, 3200-3204 Red River, 3206-3210 Red River, 3212-3218 Red River, be DENIED, but to GRANT "O" Office, First Height and Area, for the property.

C14-64-186 Austin Hotel Development, Inc.: C to C-2  
1101 San Jacinto

STAFF REPORT: The site contains an area of 6,118 square feet as amended in the large tract and 1,300 square feet in the smaller. The proposed use is a private club and package store in the Downtowner Motor Inn. There are mixed commercial uses in the area with some residential development. East 11th and San Jacinto Streets are commercial collectors with 80 feet of right-of-way.

One written comment was in favor of the change.

Mr. Frank Montgomery represented the applicant and stated: This change of zoning is requested for three meeting rooms, a private club and a package store in the Downtowner Motor Inn. The applicant would like to amend the application to include an additional 230 square feet in the larger tract.

The Committee accepted the amendment to the application, after being advised by Mr. Cortez and Mr. Stevens that the enlarged area would not require notification of the hearing to any additional persons.

C14-64-186 Austin Hotel Development, Inc.--contd.

The Committee reviewed the information and concluded this request should be granted for the following reasons:

1. The property is in a well defined commercial area.
2. The proposed use is a proper part of the comprehensive development of the property.

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

VOTED: To recommend that the request of Austin Motel Development, Inc. for a change of zoning from "C" Commercial, Second Height and Area, to "C-2" Commercial, Second Height and Area, for property located at 314-316 East 11th and 1105-1107 San Jacinto Street, be GRANTED.

C14-64-187 E. B. LaRue, Jr.: LR to C-1  
5319-5401 Balcones Drive

STAFF REPORT: The site covers an area of 2301 square feet and is developed with a Rylander Supermarket. The sale of beer and wine for off-premise consumption is proposed. There is mixed commercial and residential development in the area. South of the subject property is C-2 zoning developed with a cafe. A liquor store zoned C-2 is on the west side of Balcones Drive. There is a residential subdivision south of the subject property. Balcones Drive is a neighborhood collector street with 60 feet of right-of-way. No written comment was received in reply to notices sent.

Mr. Bob R. Howerton represented the applicant and stated this application is for the purpose of selling beer and wine in a supermarket. There is a liquor store and a Town and Country Store in the immediate neighborhood. Mr. William B. Saunders stated he was opposed to the request. He felt consideration should be given to the Highland Park Baptist Church. "C-2" zoning is not good for this area with the church facilities located nearby.

The Committee reviewed the information and concluded this request should be granted for the following reasons:

1. The site is in a well developed commercial area.
2. "C-2" zoning is established in the immediate area.

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

VOTED; To recommend that the request of E. B. LaRue 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 5319-5401 Balcones Drive, be GRANTED.

C14-64-188 K. C. Smith: B to C  
206-212 East 26-½ Street

STAFF REPORT: The site contains an area of 19,600 square feet and is developed with four single-family dwellings. The area is primarily a mixture of rooming houses, dormitories and apartments. The Presbyterian Theological Seminary owns the property immediately north and University of Texas property is south of East 26½ Street. The area east of San Jacinto Boulevard has mixed zoning of "O" Office, "LR" Local Retail and "C" Commercial. The proposed use is for construction and operation of a boys dormitory, commercial shops and eating establishment to be used in conjunction therewith.

C14-64-188 K. C. Smith--contd.

Four favorable comments were received in reply to notices sent and one in opposition.

Mr. Alvis Vandygriff represented the application. His testimony is summarized as follows:

We propose to develop this property into a boys dormitory, commercial shops and eating establishment. The commercial zoning is needed to make this economically feasible. We have provided sufficient area for parking. We believe this would be a credit to the University area.

Mr. David L. Stitt represented the Austin Presbyterian Theological Seminary in opposition to the request. He stated the Austin Presbyterian Theological Seminary is concerned with open space in their future development. This change would permit unlimited density.

A letter from the Business Manager of the University of Texas was submitted. Mr. James H. Colvin, the Business Manager, was present. He informed the Committee that the purpose of the letter was not opposition to the request, but to put the University on record as to its plans in the area. The substance of the letter is as follows: The Board of Regents of the University of Texas recently voted to ask the Legislature for permission to acquire, by condemnation if necessary, the property bounded on the north and east by San Jacinto, on the south by East 26½ and on the west by Speedway.

The Committee reviewed the information and concluded this request should be denied for the following reasons:

1. The proposed change would allow too great a density.
2. The board range of uses permitted in the "C" district is inconsistent with the development of the area.

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

VOTED: To recommend that the request of K. C. Smith for a change of zoning from "B" Residence, Third Height and Area, to "C" Commercial, Third Height and Area, for property located at 260-212 East 26½ Street, be DENIED.

C14-64-189 Lloyd Payne: A to C  
 1617-1631 Riverside Drive  
 1612-1628 Old Riverside Drive

STAFF REPORT: The site covers an area of 25,265 square feet and is developed with three single-family dwellings. The applicant proposes a service station. There is a drive-in grocery zoned "C-1" adjacent to subject property on the west. The area along Old Riverside Drive is developed with single-family dwellings. The area north of Riverside Drive is developed with apartments. To the east is mixed zoning of "LR", "C" and "B" zoning. Riverside Drive is a primary thoroughfare with 80 feet of right-of-way which is designated for 120 feet of right-of-way in the Austin Development Plan. Old Riverside Drive is currently substandard with only 40 feet of right-of-way from Loma Drive west past the site and widening to 50 feet at Summit Street. The property

C14-64-189 Lloyd Payne--contd.

zoned "C-1" was recently resubdivided. As a result of this, 15 feet of additional right-of-way was obtained for widening of Riverside Drive and 10 feet for the widening of Old Riverside Drive.

One reply to notice was in favor of the change and one in opposition.

Mr. C. T. Uselton represented the applicant and informed the Committee that "C" Commercial is requested because a service station is not permitted under "GR" General Retail to do mechanical work on cars in the driveway area. Many service station operators want to do maintenance work, which has to be enclosed in a building under "GR" zoning. His clients are willing to dedicate 15 feet for right-of-way on Riverside Drive. They are not willing to dedicate any right-of-way for Old Riverside Drive. There is no reason for heavy traffic on Old Riverside Drive. Upland Drive is the only street feeding traffic into Old Riverside Drive at this location.

The Committee reviewed the information and concluded "C" Commercial, Second Height and Area zoning should be denied. They recommended "GR" General Retail, First Height and Area for the following reasons:

1. "C" Commercial, Second Height and Area would allow a waiver of the required front and rear setbacks.
2. Old Riverside Drive is inadequate to handle heavy commercial traffic.
3. "GR" zoning would allow, by special permit, a service station with automobile repair outside a building.

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

**VOTED:** To recommend that the request of Lloyd Payne for a change of zoning from "A" Residence, First Height and Area, to "C" Commercial, Second Height and Area, for property located at 1617-1631 Riverside Drive and 1612-1628 Old Riverside Drive, be DENIED, but to GRANT "GR" General Retail, First Height and Area.

SPECIAL PERMIT

C14-64-11 City of Austin Fire Prevention Office:  
Rear of 15 Comal Street

1. Office bldg. and storage area
2. Auditorium (capacity 100)
3. Storage for Austin Aqua Festival
4. Parking for Fire Dept. and public
5. Public restroom facilities

**STAFF REPORT:** This application has been filed as required under Section 10A, Paragraphs 3 and 5 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 area contains 4.95 acres and covers undeveloped portions of Old Street and bridge yard and residential subdivision. The proposed use is for (1) office building and storage area, (2) auditorium (capacity 100), (3) storage of Austin Aqua Festival, (4) parking for Fire Department and public, (5) public restroom facilities. The property adjoins East Sand Beach Reserve to the south. The

C14-64-11 City of Austin Fire Prevention Office--contd.

property north is a laboratory owned by the City. There is a fish hatchery to the west and residential property to the east. Access to subject property is by a dirt road and Chalmers Avenue. Parking spaces for 80 have been allocated. Departmental comments are as follows:

Tax Assessor -- Exempt property  
 Electric -- OK  
 Traffic Engineer -- OK  
 Director of Public Works - Plan meets with our approval  
 Building Inspection -- I see nothing wrong with the application  
 Fire Prevention -- OK  
 Fire Protection -- We recommend a fire hydrant to be placed in the vicinity of the building.  
 Water and Sewer -- Plat is satisfactory  
 Health -- Sanitary sewer line available  
 Storm Sewer -- No special problems  
 Director of Utilities -- Existing street light circuit to be removed and relocated at no expense to Fire Marshall's building

No written report has been received from the Director of Recreation. He has orally reported that the site plan does not correspond to the layout proposed by the Department of Parks and Recreation. These differences will have to be resolved.

No written comments were received in reply to notices sent.

Mr. W. L. Heaton represented the applicant and stated the purpose of this permit is to expand educational facilities to give lectures to school children and to the public.

The Committee reviewed the information and examined the site plan. They found the plan complies with all requirements of the Ordinance except those noted by Fire Protection and Recreation.

Mr. Stevens reported to the Commission the plan has been approved by the Town Lake Committee.

The Commission reviewed the information presented and examined the site plan. They found the plan complies with all departmental reports with the exception of the street needs proposed by the Recreation Department and the fire hydrant recommended by Fire Protection. It was therefore unanimously

VOTED: To APPROVE the site plan and authorized the Chairman to sign the necessary resolution.

R146 SUBDIVISION COMMITTEE

The Committee Chairman reported action taken on the subdivisions at the meeting of November 20, 1964, and requested this action be spread on the minutes of this meeting of the Planning Commission. The staff reported that no appeals have been filed from the decision of the Subdivision Committee 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 November 30, 1964 on the minutes of this meeting.

## PRELIMINARY PLANS

C8-64-29 Allandale Park, Section 9  
Foster Lane and Shoal Creek

The staff reported the owners are requesting a 30-day extension. The Commission therefore

VOTED: To GRANT a 30-day extension of the preliminary plan of ALLANDALE PARK, Section 9.

C8-64-21 Hugo Klint Subdivision  
South Interregional

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

VOTED: To GRANT a six-months extension of the preliminary plan of HUGO KLINT SUBDIVISION.

C8-64-63 College Heights  
New Burleson Road and Hillbriar Drive

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

VOTED: To GRANT a six-months extension of the preliminary plan of COLLEGE HEIGHTS.

C8-64-61 North Ridge Terrace, Section 6  
Justin Lane and Burnet Lane

The staff reported this plat met all requirements of the Ordinance and recommended approval. The Commission therefore

VOTED: To APPROVE the preliminary plan of NORTH RIDGE TERRACE, Section 6.

## SUBDIVISION PLATS - FILED

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

VOTED: To ACCEPT the following final plat for filing:

C8-64-70 Heritage Hills, Section 2  
Valley Forge and GrayledgeC8-64-60 Cherry Creek Subdivision  
Stanley Avenue and Manchaca Road

The staff reported that reports have not been received from departments and recommended acceptance for filing subject to the following items:

- (1) Round all intersection corners and neck of cul-de-sac.
- (2) Relocation of 20 foot park walkway to a minimum distance of 1000 feet west of the east line of this subdivision.



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C8-64-60 Cherry Creek Subdivision--contd.

The Commission therefore

VOTED: To ACCEPT the plat of CHERRY CREEK SUBDIVISION for filing subject to rounding all intersection corners and neck of cul-de-sac, and relocation of easement to provide for park walkway at the location recommended by the Planning Department

C8-64-24 Allandale Estates - Revised  
U. S. 183 and Shoal Creek Blvd.

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

VOTED: To ACCEPT the final plat of ALLANDALE ESTATES - Revised for filing and to DISAPPROVE pending compliance with departmental reports.

SUBDIVISION PLATS - CONSIDERED

C8-62-73 Rivercrest Addition, Section 2  
Rivercrest Drive west of St. Stephens School Road

The staff reported this plat has been approved by the Planning Commission, however, the owner is asking that the plat be held for recording until after January 1, 1964 for tax purposes. This was considered at the last Commission meeting and postponed due to a lack of quorum. The Assistant City Attorney advised that although there is no requirement for immediate recording of a plat, it should only be delayed under compelling circumstances. The Commission felt the request was valid and it was therefore

VOTED: To GRANT the request for delay in recording the plat of RIVERCREST ADDITION, Section 2, until after January 1, 1965.

C8-64-66 Deer Park, Section 4  
St. George's Green and St. Alban

The staff reported that several requirements of the Ordinance had not been met. The Commission therefore

VOTED: To DISAPPROVE the plat of DEER PARK, Section 4, subject to the following conditions:

1. Fiscal arrangements required
2. Additional easements required
3. Completion of Departmental reports

C8-64-46 Highland Hills Northwest, Phase 1  
Far West Blvd. and Mesa Drive

The staff reported that several requirements of the Ordinance had not been met.

C8-64-46 Highland Hills Northwest, Phase 1--contd.

The Commission therefore

VOTED: To DISAPPROVE the plat of HIGHLAND HILLS NORTHWEST, Phase 1, subject to the following conditions:

1. Fiscal arrangements required
2. Additional easements required
3. Completion of departmental reports
4. City tax certificate required
5. Annexation required
6. Change name of Running Rope

C8-64-50 North Oaks, Section 3, Phase 1  
Plaza Drive and Trinity Hill Drive

The staff reported that several requirements of the Ordinance had not been met.  
The Commission therefore

VOTED: To DISAPPROVE the plat of NORTH OAKS, Section 3, Phase 1, subject to the following conditions:

1. Additional easements required
2. Completion of departmental reports

C8-64-51 North Oaks, Section 3, Phase 2  
Riddlewood Road and Springhill Road

The staff reported that several requirements of the Ordinance had not been met.  
The Commission therefore

VOTED: To DISAPPROVE the plat of NORTH OAKS, Section 3, Phase 2, subject to the following conditions:

1. Additional easements required
2. Completion of departmental reports

C8-64-55 Highland Hills, Section 9  
Lamplight Lane and Sumac

The staff reported that several requirements of the Ordinance had not been met.  
The Commission therefore

VOTED: To DISAPPROVE the plat of HIGHLAND HILLS, Section 9, subject to the following conditions:

1. Additional easements required
2. Completion of departmental reports
3. Council action on request for street name change

C8-64-57 Frontier Village, Section 2  
Ben White Blvd. and Pack Saddle Pass

The staff reported that several requirements of the Ordinance had not been met.

C8-64-57 Frontier Village, Section 2--contd.

The Commission therefore

VOTED: To DISAPPROVE the plat of FRONTIER VILLAGE, Section 2, subject to the following conditions:

1. Additional easements required
2. Completion of departmental reports
3. Annexation required

SHORT FORMS - FILED

C8s-64-150 A. H. Neighbor's Addition  
Riverside Drive

The staff reported that reports have not been received from several departments and recommended acceptance for filing with the inclusion of the "Smith" lot in the plat or a request for variance. The Commission therefore

VOTED: To ACCEPT the plat of A. H. NEIGHBOR'S ADDITION for filing upon inclusion of the adjoining lot or a request for a variance.

SHORT FORMS - CONSIDERED

C8s-64-43 Springdale Park  
Springdale Road and Oak Springs

The staff reported that several requirements of the Ordinance had not been met. The Commission therefore

VOTED: To DISAPPROVE the plat of SPRINGDALE PARK, subject to the following conditions:

1. Additional easements required
2. Completion of departmental reports

C8s-64-149 J. W. Gregg's Resub. of part of Crest Haven Addition  
Greenwood Avenue

The staff reported that several requirements of the Ordinance had not been met. The Commission therefore

VOTED: To DISAPPROVE the plat of J. W. GREGG'S RESUB., subject to the following conditions:

1. Fiscal arrangements required
2. Completion of departmental reports

C8s-64-146 Second Resub. of South Congress Square  
South Congress at East Oltorf

The staff reported all requirements of the Ordinance had been met and recommended approval. The Commission therefore

VOTED: To APPROVE the plat of Second Resub. of SOUTH CONGRESS SQUARE

C8s-64-147 Delwood Terrace, Section 1, Resub. Lots 9-11, Block B  
Belmnor Drive

The staff reported this plat 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 DELWOOD TERRACE, Section 1, Resub. Lots 9-11, Block B.

SUBDIVISION APPROVAL BY TELEPHONE POLL:

The staff reported consideration by telephone poll on November 25, 1964, and that a majority of the Commission had

VOTED: To APPROVE the following final plats:

- C8-64-52 Timberwood  
West 35th Street and Scenic Drive
- C8-64-58 Harmony Heights Addition  
Ledesma and Berger Streets
- C8-64-63 Barton Terrace, Section 4  
Barton Hills Drive and Trailside

OTHER BUSINESS

C10-64-1(s) ALLEY VACATION REQUEST

Portion of alley between East 53rd and East 53½ Streets

This request was postponed by the Commission at their September 22, 1964 meeting for further study. The alley is only 10 feet wide and the property owners would like to use the alley space for better vehicle maneuverability. Both sides of the alleyway are zoned commercial and it is recommended the alley be closed. The Commission therefore

VOTED: To recommend that portion of alley between East 53rd and East 53½ Streets be VACATED, but to retain the alley as an electric easement.

C10-64-1(v) ALLEY VACATION REQUEST

Alley between East Annie and East Milton Streets

The staff reported a letter from the adjoining owners requesting the closing of the alley in the 200 block of East Annie Street through the 200 block of East Milton Street. This alley vacation is recommended with the retaining of 10 feet for electrical easement. The Commission therefore

VOTED: To recommend VACATION of alley between East Annie and East Milton Streets, except for retaining the 10 foot electrical easement.

C10-64-1(w) ALLEY VACATION REQUEST

Upson Street Alley between Johnson and West 7th Streets

The staff reported a petition from 16 property owners abutting the Upson Street alley requesting vacation to allow the ownership to revert to them. This twenty foot alley is through terrain that is prohibitive from a cost standpoint for the City to construct, and further, it connects West 7th Street to a portion of Johnson Street which has never been opened. The lots abutting on the east boundary of the alley face on Atlanta Street, which has never been opened.

The Director of Public Works has stated that 7th Street could become a part of a one-way street system through Missouri-Pacific interchange. Lots 1, 2, 15 and 16, owned by Mrs. Sylvion Kivlin, would need to be re-fronted with proper setback should this occur. If 7th Street is so used and a setback established, the Director of Public Works recommends the closing of this alley. If 7th Street is not so used, it is recommended to vacate the alley, leaving the lots as they now exist. Mrs. Kivlin has agreed to replat her lots to comply if the Council should approve the one-way use of 7th Street. If the Council does not wish to widen West 7th Street, these four lots could be left in the present state. The Commission therefore

VOTED: To recommend the Upson Street Alley be VACATED with the understanding that Lots 1, 2, 15 and 16 will be re-platted to comply with the setback requirements for the widening of West 7th Street is necessary.

C10-64-1(x) STREET VACATION REQUEST

Portion of Toomy Road west of Jessie Street

Because of the jog in Toomey Road, part of the right-of-way is wider than necessary. This area will be incorporated into parking facilities of the City Traffic and Signal Shop. This vacation is recommended except for the north five feet which may be needed for future widening of Toomey Road, which is only 50 feet wide. The Commission therefore

VOTED: To recommend the vacation of a portion of Toomy Road west of Jessie Street except for the north five feet, and to retain the requested electrical easement and water line easement.

C10-64-1(y) STREET VACATION REQUEST

Portion of Shoalwood Avenue west of 42nd Street

A petition was read from the adjoining property owners to vacate the street right-of-way presently held by the City for future expansion of Shoalwood Avenue from its present intersection from West 42nd Street southward some one-hundred seventy feet (170') to its proposed intersection with Shoalcreek Blvd. In presenting this petition, the property owners observed:

(1) the area to be served by the right-of-way cited has apparently reached its maximum development adequately served by existing streets as evidenced by the fact that this right-of-way has been allowed to lie dormant for quite some time, even after present, maximum development of this area and the vacating by the City some years ago of the related right-of-way extension of West 42nd Street to its intersection with Shoalcreek Boulevard;

C10-64-1(y) Portion of Shoalwood Avenue west of 42nd Street

(2) that the grade or slope of the right-of-way in question, especially at its intersection with, as well as approach to, the existing grade of Shoal-creek Boulevard, would appear to make its development and use hazardous and/or unduly expensive.

The Director of Public Works agrees that the slope of the right-of-way would make a dangerous intersection and is not necessary. The vacation is recommended with the retention of whatever easements are necessary.

The Commission therefore

VOTED: To recommend the portion of Shoalwood Avenue west of 42nd Street be VACATED, retaining the necessary easements.

ADJOURNMENT: The meeting was adjourned at 9:10 p.m.

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Hoyle M. Osborne  
Executive Secretary

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Chairman