

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting -- January 12, 1965

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
Edgar E. Jackson
S. P. Kinser
W. Sale Lewis
Barton D. Riley
W. A. Wroe

Absent

Howard E. Brunson
Emil Spillmann

Also Present

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

MINUTES

Minutes of the meeting of December 15, 1964 were approved

ZONING

The following zoning changes were considered by the Zoning Committee at a meeting of January 5, 1965.

C14-64-182 James E. Crozier: A to C (amended to GR and B)
2620-2748 Anderson Lane

STAFF REPORT: The area contains 11.90 acres, and the proposed use is for retail shopping and commercial development. The request does not conform to the land use indicated on the approved preliminary subdivision plan of subject property (Northtown West, Section 4). With this change of useage from residential to commercial, the Subdivision Committee should consider a revised preliminary plan indicating street layout and land use before zoning. Gulf Mart Shopping Center is adjacent to the east. There is a service station at the corner of Anderson Lane and Burnet Road. There is a residential subdivision proposed to the north; the remaining area is undeveloped. Consideration needs to be given toward provision of adequate streets for circulation and service to subject tract and surrounding properties. The approved preliminary plan of the subdivision provided for extension of Parkdale Drive through the property into Anderson Lane. This street should have 60 feet of right of way and 40 feet of paving. Anderson Lane has 80 feet of right of way and the Master Plan requires 90 feet. It is suggested that "GR" General Retail zoning would be more appropriate than "C" for the retail and commercial developed proposed and "B" for possible apartment development to the west.

C14-64-182 James E. Crozier--contd.

No written comment was received in reply to notices sent.

The applicant was present at the hearing and offered the following information in support of his request: We are willing to amend our application for "GR" General Retail and "B" Residential zoning for this tract. We are also willing to file a revised preliminary plan and to accept the proposed connecting 60 foot street with 40 feet of paving. We are willing to dedicate five feet for the widening of Anderson Lane. The only problem that we may have is getting the additional 10 feet to widen the existing Parkdale Drive. The area around Pine-dale Cove will be used for duplexes as a buffer for the residential area to the west.

The Committee agreed to accept the amendment to "GR" General Retail zoning for the proposed retail and commercial development portion of the tract. They felt that "B" Residential zoning was appropriate for that part of subject property west of Parkdale Drive extension. They were willing to recommend granting this zoning as best use for the property, provided the subdivision plan is approved by the Subdivision Committee to provide for this zoning change prior to the Council's action on the zoning.

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

VOTED: To recommend that the request of James E. Crozier for a change of zoning from "A" Residential, First Height and Area, to "GR" General Retail, First Height and Area as amended, for property located at 2620-2734 Anderson Lane and "B" Residential, First Height and Area, for the remaining portion located at 2738-2748 Anderson Lane, be GRANTED.

C14-64-190 Estate of May Belle Allen: A to B
1701-1703 Kinney Avenue

STAFF REPORT: The site contains 15,276 square feet and is developed with a single-family dwelling. The applicant proposes construction of apartments. The area is zoned "A" Residential and is developed residentially with the exception of two small area zoned "B" Residential across Kinney Avenue. There is "C" Commercial and "GR" General Retail zoning established to the east along Lamar Boulevard. There is a fire station to the north across Collier Street. Collier Street is only 25 feet wide, and at present ends 200 feet east of subject property. Proposals have been made in the past for widening and extending the street to Lamar Boulevard; however, nothing definite is planned. Much of the area is suitable for apartment development, but the staff recommends that any rezoning be on a larger basis than that under construction.

Five replies were received in opposition to the request. Two persons appeared at the hearing in favor of the change and two in opposition.

Mr. Stewart Vincent represented the applicant. He stated this property is completely unsuitable for "A" Residential purposes. There is a fire station across Collier Street and a nursing home across Kinney Avenue. This zoning change is necessary to utilize the property for its maximum use. The Estate should receive maximum value for the property.

C14-64-190 Estate of May Belle Allen--contd.

Opposition from nearby property owners is summarized: They do not want rental property across the street from their residences. The area is single-family dwellings and they wish it to remain so.

The Committee recommended a study be made of the entire area. They reviewed the information and concluded this request should be granted for the following reason: This change of zoning would allow the highest and best use of the property.

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

VOTED: To recommend that the request of the Estate of May Belle Allen for a change of zoning from "A" Residential, First Height and Area, to "B" Residential, First Height and Area, for property located at 1701-1703 Kinney Avenue, be GRANTED.

C14-64-191 Ignacio Laredo: A and 1st to B and 2nd
4901-4903 Santa Ana Street

STAFF REPORT: The site is two lots containing an area of 30,400 square feet, which is undeveloped. The proposed use is for constructing low-cost apartments. The area is primarily single-family development. Immediately adjoining the subject property on the east is a new residential subdivision (Harmony Heights Addition). Santa Ana Street is a minor residential street with 50 feet of right-of-way which ends at subject property. The Commission granted a variance to allow the street to end without a cul-de-sac. There are no plans to extend the street east to Mason Avenue. This requested change is inconsistent with the existing zoning and development and the staff recommends against the change.

No written comment was received in reply to notices sent.

The applicant was present at the hearing and was represented by Ronald Zent. Mr. Zent stated the only way to use this property is to build small efficiency apartments. Six or eight units per lot is proposed and this will be an asset to the area.

The Committee noted that the proposed zoning would allow a maximum development of 40 units. They reviewed the information and concluded this request should be denied for the following reasons:

1. This change would be an intrusion into a well defined and developed residential area.
2. The street system is inadequate for the proposed zoning.

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

VOTED: To recommend that the request of Ignacio Laredo for a change of zoning from "A" Residential, First Height and Area, to "B" Residential, Second Height and Area, for property located at 4901-4903 Santa Ana Street, be DENIED.

(DISQUALIFIED: Mr. Kinser)

C14-64-192 Joe Adcock and Associates: C to C-1
4807 South Congress Avenue

STAFF REPORT: The site contains an area of 709.5 square feet and is undeveloped. The proposed use is for the sale of beer for off-premise consumption. This property is near the south city limit. There is "C-2" zoning established across Congress from the subject property. The clerk of the County Commissioner's Court has informed the staff that subject property is in a "dry" precinct. The area is largely undeveloped.

No written comment was received in reply to notices sent.

No one appeared to represent the application and no one appeared in opposition to the request.

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

1. The area is not developed commercially.
2. The "C-1" zone allows the sale of only one additional product - beer. Since the property is in a "dry" precinct, a beer license cannot be obtained; the rezoning would be pointless.

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

VOTED: To recommend that the request of Joe Adcock and Associates for a change of zoning from "C" Commercial, Sixth Height and Area, to "C-1" Commercial, Sixth Height and Area, for property located at 4807 South Congress Avenue, be DENIED.

C14-64-193 Tony Stasswender: A and 1st to LR and 2nd (amended to O and B 2nd)
5001-5017 Bull Creek Road

STAFF REPORT: The site contains an area of 44,100 square feet and is undeveloped. The applicant proposes establishing zoning for a drugstore or other retail outlet that may fall into this zoning classification. There is commercial development along Hancock Drive with "C", "C-1" and "LR" zoning. The Hancock Medical Center with "O" Office zoning is to the west. The remaining area is well developed with single-family residential. "LR" zoning would be an encroachment into the surrounding residential area. If any change is to occur here, nothing more permissive than "O" Office zoning is recommended.

Five written comments were received opposing this proposal.

Mr. Ed Padgett represented the applicant. He stated the applicant has not been able to sell this property as "A" Residential because it adjoins "C" Commercial and is across from doctor's offices. No one would want to build a residence next to a service station.

Nineteen persons appeared at the hearing to voice their opposition, which is summarized: We consider this further encroachment into our residential area and are opposed to the change. This is no need for further shopping centers in the area and this change would create more traffic problems.

C14-63-193 Tony Stasswender--contd.

The Committee reviewed the information and concluded this request should be denied for the following reason: The proposed change would be an intrusion into a well-developed residential area.

The staff read a letter to the Commission from the applicant amending his request to "O" Office, Second Height and Area, on the north 100 feet of this tract and "B" Residential zoning, Second Height and Area, on the south 125 feet.

The Commission felt that the change to "O" Office and "B" Residential zoning was appropriate for the property, but they were concerned with the density allowed by Second Height and Area. They felt that First Height and Area would offer a better protection for the residential area. It was therefore un-animously

VOTED: To recommend that the request of Tony Stasswender for a change of zoning from "A" Residence, First Height and Area, to "O" Office, Second Height and Area, on the north 100 feet of the tract and "B" Residential, Second Height and Area, on the south 125 feet of the property, be DENIED, but to GRANT "O" Office, First Height and Area, on the north 100 feet of the tract located at 5001-5005 Bull Creek Road, and "B" Residential, First Height and Area, on the south 125 feet of the property at 5007-5013 Bull Creek Road..

C14-64-194 Stanley W. Johnson, et al: A to C
601-603 Williams Street
607-611 Canion Street
Additional Area: 605 Williams Street

STAFF REPORT: The site contains five lots covering an area of 46,880 square feet. One lot between existing "C" zoning and subject property has been included as additional area. The applicant proposes future commercial development. There is commercial zoning immediately east and to the north and west. To the south is single-family residential development.

One written comment was received in favor of the change.

The applicant was present at the hearing and informed the Committee that warehouses and offices with parking space is proposed. Commercial zoning has been established in this area for about 14 years.

One nearby property owner appeared in opposition and stated: If this is developed commercially, our residences will be surrounded by commercial development. We would like to keep our residential area.

The Committee reviewed the information and concluded this request should be granted for the following reason: This change of zoning is a logical extension of the established commercial zoning.

C14-64-194 Stanley W. Johnson, et al--contd.

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

VOTED: To recommend that the request of Stanley W. Johnson, et al, for a change of zoning from "A" Residential, First Height and Area, to "C" Commercial, First Height and Area, for property located at 601-603 Williams, 607-611 Canion Street, including the additional area located at 605 Williams Street, be GRANTED.

C14-64-195 Glen-Park Properties, Inc: A and 1st to GR and 5th (as amended)
8503-8507 North Interregional Highway

STAFF REPORT: The area contains approximately 102,400 square feet, and fronts the Interregional Highway. The proposed use is for a commercial office building. The site includes three lots - one is developed with an office building, one is vacant and there is a dwelling on the other. There is "GR" General Retail zoning adjoining to the north. There are two large undeveloped tracts adjoining to the south. The remaining area to the east is an undeveloped residential subdivision. It is recommended that fifth height and area be established for the subject property for setback control from the Interregional Highway, which is a boulevard street.

No written comment was received. Mr. Richard L. Matz represented the applicant and requested the application be amended from Sixth to Fifth Height and Area.

The Committee reviewed the information and concluded the amended request should be granted for the following reason: This change is a logical extension of existing "GR" General Retail zoning and is the proper zoning for property on the Interregional Highway.

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

VOTED: To recommend that the request of Glen-Park Properties, Inc. for a change of zoning from "A" Residential, First Height and Area, to "GR" General Retail, Fifth Height and Area, for property located at 8503-8507 North Interregional, be GRANTED.

C14-64-196 Blanche C. Gatlin Estate: B to O
2307 Rio Grande Street
 Additional Area: 2311 Rio Grande Street

STAFF REPORT: The area contains 5708 square feet and is developed with a single-family dwelling. The additional area contains 5720 square feet and in the past has had office usage. The proposed use is for operating a beauty shop. The additional area adjoins "C" and "C-1" Commercial zoning. There is mixed commercial zoning and development along Rio Grande and West 24th Streets. The surrounding area is developed with apartments and rooming houses.

C14-64-196 Blanche C. Gatlin, Estate--contd.

One written comment was received favoring the change. Mr. Leo Herzog represented the applicant. He informed the Committee most of the customers for their beauty shop will be University students who live in the area.

There was no opposition to the request.

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

1. This change is a logical extension of existing commercial zoning.
2. This zoning would constitute a buffer zone between the existing "C" Commercial and "B" Residential zoning.

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

VOTED: To recommend that the request of Blanche C. Gatlin Estate for a change of zoning from "B" Residential, Second Height and Area, to "O" Office Second Height and Area, for property located at 2307 Rio Grande, and the additional area located at 2311 Rio Grande, be GRANTED.

C14-64-197 James T. Robinson, III: C and 6th to O and 3rd (as amended)
906-912 East 30th Street

STAFF REPORT: The site contains an area of 30,900 square feet and is undeveloped. The proposed use is for an office building. The immediate surrounding area is developed with a funeral home and florist along the Interregional Highway, office and residences to the north, an undeveloped tract to the west which adjoins St. David's Hospital, and residential development to the south. There is mixed zoning in the area of "A" And "B" Residential, "O" Office and "C" Commercial, with fifth and sixth height and area along the Interregional Highway. With improved street conditions the area to the south is locally a multi-family area. This proposed change couples third height and area with "C" Commercial which removes all densities control by ordinances and permits structure height of 90 feet. If the property was zoned "O" Office there would still be some control of density leaving the height problem. Consideration of any change of zoning in this area should be related to the street conditions and street development problems.

Three written comments were received favoring the change and two persons appeared at the hearing in support of the request.

Mr. Ronald Tynes represented the applicant. He stated "O" Office, Third Height and Area is acceptable, and we hereby amend our application. We need approximately 50 feet in height for the proposed office building. This building will be primarily for medical offices, and 25 parking spaces are planned.

C14-64-197 James T. Robinson, III--contd.

The Committee agreed to accept the amendment to the application for "O" Office, Third Height and Area. They reviewed the information and concluded this request should be granted for the following reason: "O" Office is a logical extension of existing zoning and allows the best use of the property.

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

VOTED: To recommend that the request of James T. Robinson, III for a change of zoning from "C" Commercial, Sixth Height and Area to "O" Office, Third Height and Area for property located at 906-912 East 30th Street, be GRANTED.

C14-64-198 George H. Walker: O to LR
 2401-2403 Lake Austin Boulevard

STAFF REPORT: The site contains an area of 14,000 square feet and is developed with apartments and a single-family dwelling. The proposed use is for constructing a washateria, barber shop, beauty shop and like commercial uses. The area along Lake Austin Boulevard is developed with single-family dwellings and the University of Texas housing project. Across Deep Eddy Avenue from the subject property is a cafe. The Deep Eddy Pool and City-owned property is to the south. The proposed zoning conflicts with the Town Lake Plan as adopted by the City Council.

One written comment was in favor of the change.

Mr. Paul Jones represented the applicant and his supporting testimony is summarized as follows: We request that the Zoning Committee and Planning Commission make a recommendation this application to the Council. We were only informed today that this request was in conflict with the Town Lake Plan. The Building Official has informed me the Town Lake Plan covered an area of 500 feet on either side of Town Lake. The subject property is more than 500 feet from the Town Lake according to our calculations. However, Mr. Jordan is having this distance measured. The Deep Eddy apartments are across from the site and the University of Texas is developing 424 apartment units. This area is undergoing a tremendous change. There is a need for services in the area to serve the University apartments. The proposed building will be set back sufficiently for the widening of Lake Austin Boulevard. Deep Eddy Avenue is 40 feet and we are prepared to dedicate our share of the right of way to bring the street up to 50 feet. We propose a dry cleaners, washateria and beauty shop in a modern structure with more than adequate parking. This area is not conducive to anything other than commercial uses. "LR" zoning fits the needs of this area to support the large and growing apartments in the area. The next scheduled meeting of the Town Lake Committee is the 13th of January and we are scheduled to appear before them with our proposal.

C14-64-198 George H. Walker--contd.

The Committee was concerned with the conflict of this request to the Town Lake Plan. They felt no action should be taken until further investigation had been made and referred the request to the Planning Commission without a recommendation.

Mr. Paul Jones, attorney for applicant, informed the Commission that the Building Inspector had advised him that the subject property is more than 500 feet from Town Lake. It is Mr. Jones' understanding that the City does not have funds at the present time to purchase the property and negotiations for acquiring the property have ceased. The applicant agrees to dedicate 10 feet of right of way for Deep Eddy Avenue upon acquisition of the property, which is subject to the zoning change.

The Director of Planning advised that under the Town Lake Plan, this area is designated to be acquired for public land use. It has been approved by the Town Lake Committee and the City Council. Attempts have been made to acquire this particular property, but apparently the City has been unable to reach an agreement with the owner. The result is that the property is in a planned, designated area which conflicts with this zoning case. An attempt should be made to either amend the Town Lake Plan or carry out the Plan in the best way possible. It has been the determination of the Town Lake Committee, the Council and Planning Consultants that the best use of this land is for public use.

The Chairman of the Planning Commission stated it was the duty of the Commission to recommend the zoning of the property when a request has been made and the City did not have definite plans to buy the property. Mr. Kinser and Mr. Wroe agreed that the Commission should consider the property as it is to be used at the present time and not the anticipated use.

Mr. John C. Smith, Assistant City Attorney, advised from a legal standpoint the City has no right to prevent rezoning of this property on the basis of its planned status in the Town Lake Plan alone. The property should be considered in the light of the existing situation.

After further discussion and with the understanding that the applicant on acquiring the property would dedicate 10 feet for widening Deep Eddy Avenue, the Commission unanimously

VOTED: To recommend the request of George H. Walker for a change of zoning from "O" Office, First Height and Area, to "LR" Local Retail, First Height and Area, for property located at 2401-2403 Lake Austin Boulevard, be GRANTED.

C14-64-199 Winifred O. Gustafson: A to GR
 925 East 41st
 Add'n. Area: 927 East 41st Street

STAFF REPORT: The site contains 8520 square feet and the additional area 8426 square feet. The application proposes future commercial development. The site is developed with an apartment. The additional area has been included since it adjoins subject property and "GR" zoning. The subject property is across 41st Street from the Hancock Shopping Center, which is zoned "GR" General Retail. The area along East 41st Street has "O" Office and "GR" General Retail zoning. To the south is residential development.

One written comment was in favor of the change.

The applicant was present at the hearing and stated "GR" General Retail zoning is requested to conform with established zoning. There is an apartment on the site at present. Whatever commercial use is developed on the property will be a credit to the area and compatible with the shopping center across the street.

The Committee reviewed the information and concluded this request should be granted for the following reason: The proposed change is a logical extension of existing zoning and will allow the best use of the property.

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

VOTED: To recommend that the request of Winifred O. Gustafson for a change of zoning from "A" Residential, First Height and Area, to "GR" General Retail, First Height and Area for property located at 925 East 41st Street, be GRANTED, including the additional area located at 927 East 41st Street.

C14-64-200 Tom A. Fairey: A to B
 5522-5600 Manor Road

STAFF REPORT: The area contains 27,700 square feet and is undeveloped. The proposed use is for construction of apartments. Adjoining the subject property to the north is an undeveloped tract zoned "GR", with a service station and "C-1" zoning beyond. The remaining area is primarily single-family residential. A maximum of 18 units could be built under the request zoning.

One written comment was received in favor of the change.

The applicant was present at the hearing and informed the Committee that until recently, this property was part of his home. It is proposed to develop the site for apartments along Manor Road. Landscaping and trees are planned for two apartment buildings. There is commercial development at the corner of Rogge Lane and Manor Road. "GR" zoning is adjoining, and a store is being developed 200 feet from the subject property. The area is no longer suitable for single-family residential.

C14-64-200 Tom A. Fairey--contd.

The Committee reviewed the information and concluded this request should be granted for the following reason: The proposed change is a logical extension of existing zoning.

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

VOTED: To recommend that the request of Tom A. Fairey for a change of zoning from "A" Residential, First Height and Area to "B" Residential, First Height and Area for property located at 5522-5600 Manor Road be GRANTED.

C14-64-201 Jack Andrewartha: A to BB
600-618 West 51st

STAFF REPORT: The site contains an area of 84,000 square feet and is undeveloped. The proposed use is a series of four-unit apartment houses. The applicant owns 90 feet of adjoining property to the west. There is commercial zoning along Lamar Boulevard. Across West 51st Street is a large unzoned tract owned by the State of Texas. The area to the north and east is developed with single family residences. The applicant proposes to re-subdivide the property and place apartments on each tract.

One written comment was received favoring the change.

Mr. Andrewartha was present at the hearing and informed the Committee the unzoned State property across 51st Street is mainly used as a storage area. The area has changed rapidly since 1950. Fifty-first Street is becoming a thoroughfare. It would be difficult to build anything but multi-family units on this tract. The value of building single-family residences is not justified. It is planned to create 50 foot lots for low density one-story Spanish architecture units to be grouped around a court yard. There will be 10 buildings with two one-bedroom units in each building. Adequate parking will be provided at the rear. A fence for screening the residential property will be erected. This proposal is the best use of the property.

The Committee reviewed the information and concluded this request should be granted for the following reason: The proposed zoning is the best use of the property and will provide a buffer between the State and residential property.

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

VOTED: To recommend that the request of Jack Andrewartha for a change of zoning from "A" Residential, First Height and Area, to "BB" Residential, First Height and Area for property located at 600-618 West 51st Street, and 5100-5104 Guadalupe Street be GRANTED.

C14-64-202 P. E. Worsham: A and C-1 to B
1314-1320 Rosewood Street

STAFF REPORT: The area contains 19,046 square feet and is developed with a single-family residence. The proposed use is an apartment house. This property is part of the Kealing Urban Renewal Project Plan, and complies with the Plan. The area is bounded by East 12th, Chicon, and Rosewood Avenue and by a line parallel to and half-way between Anglina and San Bernard Streets. The Plan proposes single-family and multi-family housing; a school, playground and park site; and commercial area. The proposed apartments are in one of the planned multi-family areas.

One reply to notices sent was received in opposition to the change.

Mr. Paul D. Jones, representing the Urban Renewal Agency, stated they were in favor of the change.

Mr. Forrest N. Troutman represented the applicant and stated these plans have been submitted to Urban Renewal and the Building Inspector. The apartments proposed have been approved in keeping with the Urban Renewal Plan.

The Committee reviewed the information and concluded this request should be granted for the following reason: The proposal is part of the comprehensive Kealing Urban Renewal Plan.

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

VOTED: To recommend that the request of P. E. Worsham for a change of zoning from "A" Residential and "C-1" Commercial, Second Height and Area to "B" Residential, Second Height and Area for the property located at 1314-1320 Rosewood Avenue be GRANTED.

C14-64-203 Walter Wendlandt: Tr. 1 - A to BB (amended to B)
4409-4411 Russell Street
Tr. 2 - GR to C-1
1619-1707 Ben White Boulevard

STAFF REPORT: This application consists of two tracts of land, which are undeveloped. Tract 1 contains 22,920 square feet and consists of two lots fronting on Russell Street. Tract 2 contains 22,500 square feet and is part of a larger tract zoned "GR" which is owned by Mr. Wendlandt. Tract 1 proposes a parking area adjacent to the proposed shopping center on the larger "GR" tract. Tract 2 is to be used for the sale of beer and wine for off-premise consumption in a Handy-Andy Grocery. The "BB" zoning requested for Tract 1 will not allow commercial parking; "B" zoning is required. The area along Ben White Boulevard is developed commercially. The area to the west and south of subject property is developed residentially.

C14-64-203 Walter Wendlandt--contd.

No written comment was received. The applicant was present at the hearing and informed the Committee they would amend their request on Tract 1 to "B" zoning. They feel it is reasonable to develop Tract 1 for parking. They plan to lease Tract 2 to Handy Andy, and there will also be a drugstore and filling station in the shopping center. Handy Andy stores sell beer and wine to go.

Mr. Glenn Cortez advised the Committee that an amendment to "B" Residential could be accepted as the notice of hearing was broad enough to provide for such an amendment.

The Committee reviewed the information and concluded this request should be granted for the following reason: The proposed zoning for these tracts is logical because of the existing 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 Walter Wendlandt for a change of zoning from (Tract 1) "A" Residential, First Height and Area to "B" Residential, First Height and Area; (Tract 2) "GR" General Retail, First Height and Area to "C-1" Commercial, First Height and Area for property located at (Tract 1) 4409-4411 Russell Street and (Tract 2) 1619-1707 Ben White Boulevard be GRANTED.

C14-64-204 Ellen H. Paggi: A to GR (amended to LR)
2405-2407 Lake Austin Boulevard

STAFF REPORT: The site contains an area of 15,800 square feet and is developed with a single-family residence. The proposed use is an automobile gasoline service station. The area along Lake Austin Boulevard is developed with single-family dwellings and the University of Texas housing project. The Deep Eddy Pool and City-owned property is to the south. This area is within the area of the Town Lake Plan and is in conflict with the Plan.

One written comment was in favor of the change.

The applicant was present at the hearing and was represented by Mr. Arthur E. Pihlgren. Mr. Pihlgren stated they would amend the request to "LR", Local Retail to conform with the request on the adjoining property.

The Committee accepted the amendment to "LR" Local Retail. The Committee was concerned with the conflict of this application to the Town Lake Plan. They felt no action should be taken until further investigation had been made and referred the request to the Planning Commission without a recommendation.

C14-64-204 Ellen H. Paggi--contd.

The Director of Planning advised that Hearne Street will need to be widened with the proposed development of adjoining land by the University of Texas for housing.

Mr. Kinser advised the Commission Hearne Street is not a dedicated public street.

Mr. Pihlgren stated that no plan had been filed with the University regarding the street. The architects of the University had advised him the street will be widened for ingress and egress to the apartments.

The Commission agreed the matter of widening Hearne Street should be called to the Council's attention. The Commission then unanimously

VOTED: To recommend the request of Ellen H. Paggi for a change of zoning from "A" Residential, First Height and Area, to "LR" Local Retail, First Height and Area, for property located at 2405-2407 Lake Austin Boulevard, be GRANTED.

C14-64-205 E. A. Grimmer: C to C-1
823-829 Houston Street

STAFF REPORT: The area contains 12,325 square feet and is developed with a supper club. The applicant proposes on-premise consumption of beer with food. Adjoining subject property to the west is a retail store, the House of Lights. There is a warehouse to the east and commercial development along Lamar Boulevard. The area to the west along Mc Candless Street is developed residentially. Approximately 450 feet northwest is McCallum High School. Houston Street has 50 feet of right of way. Streets serving commercial properties should have a minimum right of way of 60 feet. This request was heard by the Planning Commission last November, and it was recommended that the request be denied as the majority of the Commission felt that "C-1" zoning would be a detriment to the residential area and were concerned with the proximity of McCallum High School. The request was withdrawn before reaching the Council. The request has been reinitiated.

No written comment was received.

Two persons appeared at the hearing in favor of the change and six in opposition.

The applicant was present at the hearing and was represented by Mr. Fred B. Werkenthin. Their supporting statements are summarized: Adjacent to the site, 33,240 square feet have been acquired for parking. The applicant has owned this property for some time. It was built originally as a teenage club. This has proved unprofitable, and the building has been converted to a dinner and dancing club for adults. The applicant

C14-64-205 E. A. Grimmer--contd.

cannot operate profitably unless he has the right to sell beer to his customers. It is already zoned commercially and this request would permit additionally only the sale of beer with food. There is already "C-1" zoning in the immediate area. This proposal will not injure property owners in any way. The evening business would not have any effect on McCallum High School.

Opposition from nearby property owners was as follows: A petition is submitted from more than 15 property owners in the area. We do not want the noise, litter, nuisance and traffic caused by such an operation. The street has only 30 feet of paving, and with any additional traffic we could not get an ambulance or fire truck in the area if needed. A place like this does not belong in a residential area and in close proximity to a high school.

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

1. Additional parking has been provided.
2. There is commercial development in the area.

Mr. Kinser stated he was opposed to the change of zoning. This property has been used as a teenage club for so long it would be difficult to serve beer without keeping the teenagers out. It would not be in the best interest of the neighborhood to serve beer with food near the school. Mr. Hendrickson agreed in view of the opposition of the property owners in the area.

Mr. Wroe stated the proposed zoning would not change the present use of the property. After further discussion, the Commission then

VOTED: To recommend that the request of E. A. Grimmer for a change of zoning from "C" Commercial, First Height and Area to "C-1" Commercial, First Height and Area, for property located at 823-829 Houston Street be GRANTED.

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

C14-64-206 Tract 1 - V. E. Ahlgrimm: A to B
 806-808 West 17th Street

Tract 2 - R. H. Dear: A to B
 1707-1711 Pearl Street

Additional Area: 1700-1702 West Avenue, 800-804, 810-814 West 17th,
 1701-1705 and 1713 Pearl

STAFF REPORT: This request is for two tracts of land which are developed with single-family residences. Tract 1 contains 15,391 square feet and Tract 2 contains 23,063 square feet. The remainder of the block now

C14-64-206 Tract 1 - V. E. Ahlgrimm
Tract 2 - R. H. Dear--contd.

zoned "A" has been included as additional area. The property adjoining subject property on the east was recently rezoned "B" Residential, First Height and Area, as recommend by the Planning Commission. The Commission has advised the Council that it favors zoning the entire block "B", First Height and Area. This request proposes multiple apartments. The proposed zoning would allow a maximum of seven units on Tract 1 and 15 units on Tract 2. The surrounding area is developed with apartments and single-family dwellings. There is commercial zoning to the north along 19th Street.

A petition has been received from 21 property owners in the area opposing a change of zoning and which reads as follows:

"With reference to your file C14-64-206, a petition by Messrs. Ahlgrimm and Dear to change zoning of certain lots on West 17th and on Pearl Street from "A" Residential to "B" Residential.

We would like to go on record, once more, as being opposed to the encroachment of large, multi-unit apartments upon this little backwash of residential area. While it is pointed out to us that Mr. Ahlgrimm and Mr. Dear have no such plans in mind in entering this petition, it is also undeniable that a downward change in our zoning would makê this type of construction permissible at any future time for anyone who might so plan then.

May we point out to the Commission again, with an enlargement upon the map which accompanied the petition, that all five streets encompassed within this area are narrow and dead-ended. From West Avenue, West 16th runs one-and-one-half blocks to dead-end at a cliff above Lamar Boulevard; West 17th runs two blocks to dead-end at the same cliff; West 18th does not extend to West Avenue, but runs for only one block, between San Gabriel and Pearl. From 19th Street, San Gabriel runs south two blocks to dead-end at West 17th; Pearl runs, from a really dangerous jog at 19th, to dead-end at West 16th. Vance Circle, only indirectly affected by this petition, is a dead-end in itself.

Incidentally, we find it misleading to label your streets 40 feet wide, for example, as you have labeled Pearl, when by actual measurement, curb to curb, it is 24.3 feet. We realize that the City has the right to come out and tear out its own curbs and to widen its own streets when necessary; but we are pointing out existing conditions.

We contend that this small area of narrow, dead-end streets, with residences occupied largely by the homeowners themselves, should not be subjected to the additional traffic hazards and difficulties of multiple-housing. We have so contended at zoning hearings in the past; and we herewith respectfully enter our protest against any zoning change now."

C14-64-206 Tract 1 - V. E. Ahlgrimm
Tract 2 - R. H. Dear--contd.

Two replies to notice were in favor of the change.

The applicants were present at the hearing and their testimony is summarized. We are the owners most affected by the change of zoning on the Colonel House property. At that time we opposed the change. In order to avoid piece-meal zoning, we would like the same zoning as the adjoining property has been granted.

Seven nearby property owners appeared at the hearing in opposition to the change. Their objections were as follows: The entire area is served by dead-end, narrow streets. This area has always been residential. It would not be to any advantage to change to "B" zoning and would cause serious traffic problems.

The Committee reviewed the information and concluded this request should be granted for the following reason: This change is a logical extension of existing zoning.

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

VOTED: To recommend that the request of (Tract 1) V. E. Ahlgrimm, (Tract 2) R. H. Dear, for a change of zoning from "A" Residential, First Height and Area, to "B" Residential, First Height and Area, for property located at (Tract 1) 806-808 West 17th Street, (Tract 2) 1707-1711 Pearl Street, including the additional area located at 1700-1702 West Avenue, 800-804, 810-814 West 17th, 1701-1705 and 1713 Pearl Street, be GRANTED.

C14-64-207 F. E. Brisbon: A to GR
706 West St. John's Avenue

STAFF REPORT: The site contains an area of 2664 square feet and is undeveloped. The applicant proposes constructing a hobby shop on this strip of land which is 25 feet wide. He owns adjoining land to the east and west. Lamar Boulevard is developed commercially with "C" and "D" zoning. The area to the south across St. John's Avenue is a secondary thoroughfare with 60 feet of right of way; 90 feet is proposed.

One reply to notices sent was received in opposition to the request.

The Committee recommended the Council consider the street needs for St. John's Avenue, a secondary thoroughfare, in relation to the Master Plan. The Committee reviewed the information and concluded this request should be granted for the following reason: This change would be a logical extension of commercial zoning existing in the area.

C14-64-207 F. E. Brisbon: A to GR--contd.

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

VOTED: To recommend that the request of F. E. Brisbon for a change of zoning from "A" Residential, First Height and Area to "GR" General Retail, First Height and Area for property located at 706 West St. John's Avenue be GRANTED.

C14-64-208 Elbert Madison: A to GR
 3601-3609 East 19th Street
 1809-1813 Redwood Avenue

STAFF REPORT: The area contains 25,900 square feet and is developed with a dwelling. The applicant proposes to build a service station. There is "C" Commercial zoning across Redwood Avenue from the property. The area across East 19th Street is zoned "A" Residential with scattered residential development. East 19th Street is classified as a primary thoroughfare in the Austin Development Plan with a recommended right of way of 120 feet. This will require 10 feet from the subject property. Redwood Street has 50 feet of right of way at this location.

No written comment was received.

Mr. John B. Selman represented the applicant and stated there is no objection to giving right of way on East 19th Street and Redwood. The frontage along the thoroughfare will be commercial and this is in line with the development of the area. A filling station is proposed in an attractive building. The area is sparsely populated.

Several nearby property owners voiced their objections to the change as follows: People have bought property in this area for residential usage. This can be developed into a nice residential section, and should not be the location for a filling station or other commercial development. This proposal will devalue the present and potential residential development.

The Committee reviewed the information and concluded this request should be granted for the following reason: There is existing "C" Commercial zoning in the area and this change of zoning will provide more commercial facilities for the area.

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

VOTED: To recommend that the request of Elbert Madison for a change of zoning from "A" Residential, First Height and Area to "GR" General Retail, First Height and Area for property located at 3601-3609 East 19th Street and 1809-1813 Redwood Avenue be GRANTED.

C14-64-209 Housing Authority of Austin: B and 2nd to C and 4th
 81-89 Trinity Street
 90-94 Neches Street

STAFF REPORT: The area contains 127,500 square feet. The proposed use is a multi-story building 146 feet in height to be built by the Housing Authority of the City of Austin to provide 164 low-cost housing units for the aged. There is a mixed zoning pattern in the area of "A", "C", "C-1" and "GR." The area immediately adjacent to the south is the Sand Beach Reserve bordering Town Lake. The property includes vacated portions of Willow and Neches Streets. Waller Creek runs along the east side of the property. Fourth Height and Area would permit a height of 200 feet and remove the lot area requirement per unit.

One written comment was received in favor of the change. Two persons were present at the hearing in support of the request; there was no opposition.

Mr. Charles F. Herring represented the applicant and informed the Committee the Housing Authority is to construct a high rise building for the aged of low income groups. This will have frontage on the Sand Beach Reserve fronting on Town Lake. Waller Creek separates the property to the east.

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

1. This change of zoning allows the highest and best use for the property.
2. This change of zoning would be a logical extension of the existing commercial zoning.

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

VOTED: To recommend that the request of Housing Authority of Austin for a change of zoning from "B" Residential, Second Height and Area to "C" Commercial, Fourth Height and Area for property located at 81-89 Trinity Street and 90-94 Neches Street be GRANTED.

C14-64-210 Tract 1 - R. C. Wilson: B to LR
 2501-2507 Red River Street
 600 East 25th Street
 2504-2506 Sabine Street
Tract 2 - Walter Staehely Estate: B to C-1
 Rear of 2505-2507 Red River Street

STAFF REPORT: Tract 1 contains an area of 27,328 square feet and Tract 2 contains an area of 4,500 square feet. There is a single-family dwelling on each of the tracts. The proposed use is a drive-in grocery selling beer for off-premise consumption, a service station, bookstore and washateria. The site is across Red River Street from the University Law School, and a medical center is to the north. There is residential development to the south and east. There is mixed zoning patterns in the area of "B" Residential, "O" Office and "C" Commercial.

C14-64-210 Tract 1 - R. C. Wilson

Tract 2 - Walter Staehely Estate--contd.

Two written comments were received in favor of the zoning change and two in opposition. Two persons were present at the hearing in support of the request. Mr. Frank C. Montgomery represented the applicants, and informed the committee: This area has been changing in character and use. There are many apartments in the area and a great deal of retail units. Adjoining property will be bought for additional parking subject to this zoning change. We feel we have provided adequate parking. This is the highest and best use of the land, and we do not feel this will devalue any single-family residential property. A Town and Country Store and Shell Oil Company are prospective tenants. "C-1" zoning is needed in a drive-in grocery for the sale of beer."

Opposition from nearby property owners is summarized: We originally felt that "B" zoning would act as a buffer zone and prevent commercial encroachment. This proposal is an intrusion into the residential area, in which there is already a serious parking problem. The corner of East 25th Street and Red River is a very dangerous location. Tract 1 is not large enough for a filling station. We already have a filling station and washateria in the area. The development would destroy the residential atmosphere.

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

1. This change of zoning is a logical extension of existing commercial zoning.
2. This proposal allows the highest and best use of the property.

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

VOTED: To recommend that the request of (Tract 1) R. C. Wilson, (Tract 2) Walter Staehely Estate, for a change of zoning from (Tracts 1 & 2) "B" Residential, Second Height and Area to (Tract 1) "LR" Local Retail, Second Height and Area, (Tract 2) "C-1" Commercial, Second Height and Area, for property located at (Tract 1) 2501-2507 Red River, 600 East 25th Street, 2504-2506 Sabine Street, (Tract 2) Rear of 2505-2507 Red River Street, be GRANTED.

R146 SUBDIVISION COMMITTEE

The Committee Chairman reported action taken on the subdivisions at the meeting of December 28, 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 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 December 28, 1964, on the minutes of this meeting.

SUBDIVISION PLATS - FILED

C8-64-58 Harmony Heights Addition (amended)
Ledesma and Berger Streets

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

VOTED: To ACCEPT the plat of HARMONY HEIGHTS ADDITION for filing.

C8-63-59 Brookside Estates
Berkman Drive -- Bartholmew Drive

The staff reported that the 1964 taxes were not paid and that a further check on compliance with the City's requirements on the sale of the tract is necessary. They recommended acceptance for filing only at this time. The Commission therefore

VOTED: To ACCEPT the plat of BROOKSIDE ESTATES for filing.

C8-64-38 Northwest Hills Mesa Oaks, Phase 2
Far West Boulevard - West Rim Drive

The staff reported that 1964 taxes have not been paid and a variance is required on the cul-de-sac being provided on west end of all streets. The staff explained that eight streets were involved in this phase which would create dead-end streets. There is no provision in the Ordinance for not meeting the requirement of cul-de-sacs. Mr. Barrow, the developer, owns the adjoining property to the west which will be developed as Phase 3 and has been approved in preliminary form.

Mr. Barrow stated the whole area is covered with large oak trees and it did not seem reasonable to have to take down 25 to 30 trees in the area.

The Director of Planning advised that he had instructed the staff that such dead-end streets should not be accepted except under severe hardship. The fact that several houses are built along dead-end streets which would remain a year or more could cause a bad situation for fire protection, garbage pickup, and public movement into the area and is the reason it is generally opposed. A provision for temporary cul-de-sacs has not been approved by the City as yet.

Mr. Kinser stated in order to get this land developed in this rocky terrain, every means should be made to see that it is developed. The street are not long enough to jeopardize fire trucks or garbage pick-up. Mr. Wroe stated that the streets will be extended in time since the adjoining subdivision is under the same ownership. He did not think it fair to penalize the developer with the cul-de-sac requirement.

C8-64-38 Northwest Hills Mesa Oaks, Phase 2--contd.

Mr. Riley was of the opinion that some sort of agreement for a gravel turn-around could be made. He felt a provision could be made for a turn-around and still maintain the trees. After further discussion, the Commission

VOTED: To ACCEPT the plat of NORTHWEST HILLS MESA OAKS, Phase 2, for filing, granting a variance on the requirement on cul-de-sacs being provided on the west end of all streets.

(DISQUALIFIED: Mr. Barrow)

Mr. Barrow suggested that a recommendation be made to the City Council for an amendment to the Subdivision Ordinance which would provide for a temporary turn around of gravel surface or other adequate temporary requirements in cases where adjoining property is under same ownership. The Commission concurred with this recommendation, and it was

VOTED: To recommend to the City Council that the Subdivision Ordinance be amended to provide for a temporary cul-de-sac in cases when adjoining property is under same ownership as the subdivision.

C8-64-67 Starlight Terrace
Ledesma, East of Mason

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 STARLIGHT TERRACE and to DISAPPROVE pending compliance with departmental reports.

C8-64-54 Glenway Terrace
Parker Lane and Glen Springs Way

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 GLENWAY TERRACE and to DISAPPROVE pending compliance with departmental reports.

SUBDIVISION PLATS - CONSIDERED

C8-64-70 Heritage Hills, Section 2
Valley Forge and Grayledge

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

VOTED: To DISAPPROVE the plat of HERITAGE HILLS, Section 2, pending the required fiscal arrangements, annexation and showing of the volume and page number in the dedication of the plat.

C8-64-60 Cherry Creek Subdivision
Stanley Avenue and Manchaca Road

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

VOTED: To DISAPPROVE the plat of CHERRY CREEK SUBDIVISION pending additional easements, notation of drainage easements on the plat, completion of departmental reports and annexation.

C8-64-71 Airport and Manor Road Subdivision, Section 2
Airport Boulevard and Theodore Drive

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

VOTED: To DISAPPROVE the plat of AIRPORT AND MANOR ROAD SUBDIVISION, Section 2, pending the required fiscal arrangements, completion of departmental reports and Theodore Drive required to have 60 feet of right of way.

C8-64-46 Highland Hills Northwest
Far West Boulevard and Mesa Drive

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

VOTED: To DISAPPROVE the plat of HIGHLAND HILLS NORTHWEST pending annexation and clearance on the street name of Running Rope Drive.

C8-64-56 West Gate Square
U. S. 290 and West Gate Boulevard

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

VOTED: To DISAPPROVE the plat of WEST GATE SQUARE pending additional easements required and completion of departmental reports.

The staff reported that two plats met all requirements of the Ordinance and recommended approval. The Commission therefore

VOTED: To APPROVE the following final plats:

C8-64-24 Allandale Estates, Section 1
 U. S. 183 and Creek Boulevard
C8-64-34 Wooten Terrace, Section 1A
 Ohlen Road and Spearman Drive

SHORT FORMS - FILED

C8s-65-2 Resub. Lot 13, Block 5, Crestview Addition, Section 12
 Woodrow Avenue and Duke Avenue

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

VOTED: To ACCEPT the short form plat of CRESTVIEW ADDITION, Section 12, Resub. Lot 13, Block 5, for filing.

SHORT FORMS - CONSIDERED

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

The staff reported this plat met all requirements of the Ordinance upon consideration of a variance on the signature of the adjoining owner. A letter from the engineer for the developer indicates the small tract adjacent belongs to a corporation and it appears impossible to get them to join in the subdivision. The Commission therefore

VOTED: To APPROVE the short form plat of A. H. NEIGHBOR'S ADDITION, granting a variance on the signature requirements of the adjoining owner.

C8s-64-155 Allandale Place, Section 2
 Steck Avenue and Burnet Road

The staff reported that all departmental reports had been complied with except for the signature of the owners on the plat. The Commission therefore

VOTED: To DISAPPROVE the plat of ALLANDALE PLACE, Section 2, pending the signature of the owners, and authorized the staff to poll the Commission if this has been accomplished within 21 days.

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

The staff reported this plat lacked the required fiscal arrangements and recommended disapproval. The Commission therefore

VOTED: To DISAPPROVE the plat of J. W. Gregg's Resub. of part of Crest Haven Addition pending the required fiscal arrangements.

ADMINISTRATIVE APPROVAL

The staff reported that several 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 the meeting the administrative approval of the following short form plats:

C8s-64-157 Kenray Addition

Hancock Drive

C8s-65-1 Murray-Hill Subdivision

Shoalcreek Boulevard and Shoalwood Avenue

C8s-65-3 Georgian Acres, Resub. Lot 8, Block J

Rundberg Lane and North Drive

C8s-65-4 Heritage Hills, Section 1, Resub. Lots 1 and 2, Block B

Tecumseh and Fenelon Drive

SUBDIVISION APPROVAL BY TELEPHONE POLL:

The staff reported a majority of the Commission was contacted on December 24, 1964, and it was

VOTED: To APPROVE the following final plats:

C8-64-57 Frontier Village, Section 2

Ben White Boulevard and Pack Saddle Pass

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

Plaza Drive and Trinity Hill Drive

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

Riddlewood Drive and Springhill Drive

OTHER BUSINESS

C10-65-1(a) ALLEY VACATION REQUEST

Request for portion of alley between North Loop Boulevard and East 54th Street

The staff read a letter from Mr. Potts, attorney for Terrell Timmerman, owner of Lots 6 and 7, and Lots 25, 26, and 27, in Block 44 of The Highlands Addition in the City of Austin, in which he petitions the City to vacate the alley between such lots, and in addition the

C10-65-1(a) ALLEY VACATION REQUEST--contd.

dead-end portion of the same alley lying south of the said lots; and in this connection would respectfully show that no part of such alley has ever been opened or used by the public. Mr. Timmerman has granted an easement for access to the owners of Lots 28 through 32 in Block 44 across the westerly 20 feet of Lots 25, 26 and 27, which easement is dated November 27, 1961, and is recorded in Volume 2395 at Page 183 of the Deed Records of Travis County, Texas.

The staff noted the A. A. Cockrill property south of the Timmermann property has a fence across the alley and is part of their yard with a row of trees along the north property line. Mr. Cockrill and the other property owners have not requested vacation of the alley. The alley south of the Cockrill property is surfaced with asphalt and appears to be used as a part of the existing service station property. To the north of the Timmermann property there is a chain link fence on both sides of the alley leaving the alley space open. The alley is now a dead-end alley and not used as an alley. All abutting property owners have not joined in this petition. The staff suggests that the Commission recommend on the public need or use of the alley, leaving the question of abutting property owner participation to the Council. The Council is aware that all property owners have not joined in the vacation request.

The Commission studied the location sketch and the information presented, noting the alley is a dead-end alley and used in part as private property. They agreed the Council should be aware of the individual owner requesting this alley vacation without the adjoining owners as they felt this should be a matter of the Council policy. The Commission also agreed that the following recommendation is not intended to be contrary to any Council policy. It was therefore

VOTED: To recommend the VACATION for portion of alley between North Loop and East 54th Street, retaining the necessary easements.

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

Hoyle M. Osborne
Executive Secretary

APPROVED:

Chairman