

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting -- August 24, 1965

The meeting of the Commission was called to order at 7:00 p.m. in the Council Room, Municipal Building.

Present

S. P. Kinser, Acting Chairman
Howard Brunson
Ben Hendrickson
W. Sale Lewis
Barton D. Riley
Edgar E. Jackson
W. A. Wroe
Jack Goodman

Absent

D. B. Barrow

Also Present

Hoyle 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

MINUTES

Minutes of the meeting of July 27, 1965, were approved.

ZONING

The following zoning changes were considered by the Zoning Committee at a meeting of August 17, 1965.

C14-65-143 Mrs. Ed Whited: A to GR
1106 Nile Street

STAFF REPORT: This site contains 6,000 square feet and is undeveloped. The applicant proposes a cafe with no inside dining facilities. Along the railroad track to the west is industrial property. There are two small locations of "B" Residential zoning close to the subject property. The balance of the area is zoned "A" Residential. Adjoining the subject property to the north is a non-conforming grocery store that has been established for some time. The subject property is located in the Glen Oaks General Neighborhood Renewal Plan area, which is primarily a flood control project. The streets in the area are substandard with 45 feet of right-of-way.

C14-65-143 Mrs. Ed Whited--contd.

TESTIMONY

WRITTEN COMMENT

Code

U Mrs. Mary Lou Akres: 2607 Walter FOR

PERSONS APPEARING AT HEARING

V Mrs. L. E. Hennington: 1112 Midway Street NO OPINION
 ? Miss Frankie Hennington: 1121 Midway NO OPINION

SUMMARY OF TESTIMONY

Mrs. Ruby Green, representing the applicant, stated they plan to have a small restaurant to serve walk up customers. She also stated that if the Glen Oaks Renewal Project proceeds, they will not do anything with the property.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

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

1. The requested change is not consistent with present zoning.
2. The streets in the area are inadequate.
3. This would be an intrusion into a residential area.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Mrs. Ed Whited for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 1106 Nile Street be DENIED.

C14-65-144 James Bruno: A to LR
 58½-58 3/4 Rainey Street
 615-623 River Street
 59½-59 3/4 Bierce Street

STAFF REPORT: This site contains approximately 6,400 square feet and is developed with a single-family dwelling. The applicant proposes to erect a refreshment and sandwich stand. The area is developed with single-family residences, including an area along the Interregional Highway that has been zoned "C" Commercial since 1955. The City owns property to the north, and there are plans to develop the general area with a park area between the lake and a proposed Town Lake Drive; however, there has

C14-65-144 James Bruno--contd.

been no formal approval by the Council of this plan. The present plans are to utilize the Street and Bridge yard and Bierce Street, which would be widened on the west side. Between the proposed Town Lake Drive and the lakeshore, there would be public land and open space. In the area between the proposed drive and East Avenue, there is apartment and residential development. There would be restricted commercial zoning along the Interregional Highway. The Planning Department feels the applicant's request to be premature at this time for this particular location. River Street is a minor residential street with 60 feet of right-of-way. Rainey and Bierce Streets, with 40 feet of right-of-way, are gravel.

TESTIMONY

WRITTEN COMMENT

Code

None

PERSONS APPEARING AT HEARING

Code

A Peter Bruno: 58 Rainey Street

FOR

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Peter Bruno, representing the applicant, stated they want to put in a refreshment stand and a sandwich shop that will be a credit to the area. Mrs. M. Wolf, a nearby property owner, appeared in favor of the request. She stated that there is a very fine commercial development on the other side of the lake. The subject area is similar in terrain and has the same view. It was her opinion that this area should be developed commercially, but felt the Committee should take into consideration more area than the subject lot.

Arguments Presented AGAINST:

Several nearby property owners appeared in opposition to the request. They stated that this type of zoning would tend to bring undesirable elements into the area. They felt that this type of zoning would eventually lead to the sale of liquor, and this would be a bad influence on the younger people in the area. This would not be a credit to the neighborhood.

C14-65-144 James Bruno--contd.

COMMENTS AND ACTION BY THE COMMITTEE

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

1. This type zoning would be an intrusion into a well-developed residential area.
2. The requested zoning would be inconsistent with existing zoning in the area.
3. The streets are inadequate to serve commercial traffic.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of James Bruno for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 58½-58 ¾ Rainey Street, 615-623 River Street, 59½-59 ¾ Bierce Street be DENIED.

C14-65-145 Elizabeth Paterson: A & BB to O, 1 to 2
2703-2707 Swisher Street
Add'n. Area: 2701 Swisher Street
900-902 Wahrenberger Street

STAFF REPORT: This area contains 17,664 square feet and is developed with a single-family residence. The lot adjacent to the subject property to the south has been included as additional area because of the existing pattern of development. The applicant proposes doctors' offices and a clinic. There is mixed zoning in the area of "A", "C", "B", "BB", and "O". The zoning of the property for offices is proper zoning for the property, but there are street problems. The streets in the area are only 50 feet wide. Swisher Street, a gravel street, does not go all the way through, and a creek crossing would be required to open the street. The dedicated alley to the rear of the property is undeveloped. The recent expressway study envisions an east-west arterial street along the existing Wahrenberger street. This street may be widened to 120 feet, which might affect the subject property.

TESTIMONY

WRITTEN COMMENT

Code

AC	Sterling Sasser, Sr.: 719 West 6th	FOR
AP	Harry E. Montandon: 2412 North Interregional	FOR
U	PRP Bldg. Corp.: #8 Medical Arts Square	FOR

PERSONS APPEARING AT HEARING

Code

W. L. Grafton: P. O. Box 2083	FOR
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C14-65-145 Elizabeth Paterson--contd.

SUMMARY OF TESTIMONY

Mr. W. L. Grafton, representing the applicant, stated that their intentions are to develop as a unit the entire block. They own frontage on Cole Street as well as on Swisher Street. The alley is not open at the present time and would be immaterial to their use. Approximately 135,000 square feet of property in this area is owned by doctors, making this location ideal for the proposed development.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded this request should be denied because of the inadequacies of the streets in the area. The Committee noted that they would look with favor on granting "O" Office zoning for the property when the streets are inadequate.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of Elizabeth Paterson for a change of zoning from "A" Residence and "BB" Residence, First Height and Area to "O" Office, Second Height and Area for property located at 2703-2707 Swisher Street and the additional area located at 2701 Swisher Street and 900-902 Wahrenberger Street be DENIED.

C14-65-146 Thomas Wommack: A to DL
Rear of 123 St. Elmo Road
125-209 St. Elmo Road
Add'n. Area: 4420-4434 South Congress

STAFF REPORT: This site contains approximately 4.65 acres of land and is undeveloped. The applicant proposes industrial development. Adjoining the subject property to the west is Oldham Subdivision that was developed about 20 years ago. To the north and south is flat, undeveloped land with the exception of commercial development along Congress Avenue. The Austin Development plan proposes "commercial service and semi-industrial uses" for the area between Congress Avenue and the west boundary of subject property. The proposed "DL" District does not conflict with the plan. To the east of subject property is a 50 x 200 foot strip that has been included as additional area. St. Elmo Road, has a right-of-way varying from 42½ feet on either side of the property to 35 feet in front of the property. This is inadequate for commercial or industrial development. The eventual width of the street has not been determined, but would probably be not less than 60 feet. Because of the requirements of the Master Plan, only a zoning change to "DL" or "C" could be considered.

C14-65-146 Thomas Wommack--contd.

TESTIMONY

WRITTEN COMMENT

Code

?	Carl McDaniels: 4413 Garnett	AGAINST
AB	August M. Dobbins: 4414 Garnett	AGAINST
B	Henry H. Blaustone: 303 West Caddo	FOR
F	Emil Arhelger: 4417 Garnett	AGAINST
L	Benton Davidson: 4407 Garnett	AGAINST
M	A. P. Bisson: 4405 Garnett	AGAINST
T	Ben Lockhart: 801 Kinney Avenue	FOR
Y	Carl E. Uhlig: 4406 Garnett	AGAINST
Z	Jerry S. Lightsey: 4408 Garnett	AGAINST
AA	Julius McBride: 4410 Garnett	AGAINST
AB	A. M. Dobbins: 4414 Garnett	AGAINST

PERSONS APPEARING AT HEARING

Code

M	A. P. Bisson: 4405 Garnett	AGAINST
P	George Neill: 4401 Garnett	AGAINST
L	B. E. Davidson: 4407 Garnett	AGAINST
?	Carl McDaniels: 4413 Garnett	AGAINST
J	Jo Maxine Moore: 4411 Garnett	AGAINST
AA	J. E. McBride: 4410 Garnett	AGAINST
D	Arthur Ashmore: 4501 Garnett	AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Odas Jung, representing the applicant, stated they want to subdivide the subject property into small industrial lots. The lots are proposed to be 60 feet wide, with the corner lots being 80 feet. Buildings are planned on both sides of a master drive that will be in the middle of the property. The buildings will be used mostly for offices and for some storage. There is a great need for this type of development in the area.

Arguments Presented AGAINST:

Five nearby property owners appeared in opposition to the request, and stated they are opposed to this type of development so near to their homes. This area is residential and the homeowners would like for it to stay residential.

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C14-65-146 Thomas Wommack--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee recognized that because of the Master Plan, the applicant is prevented from developing his property residentially. They were aware that the request does conform with the Master Plan, but they felt the request should be denied because of the inadequate width of St. Elmo Road. The Committee noted that they would look with favor on "DL" zoning when the street has adequate right-of-way.

Mr. Stevens reported a letter addressed to himself from Mr. Odas Jung, representing the applicant. The letter is summarized as follows: Mr. Wommack has agreed to dedicate any additional right-of-way necessary on West St. Elmo Road to make his property acceptable for light industrial use. He will be glad to do this when he submits his preliminary subdivision plan.

The Commission was cognizant of the fact that the request conforms with the Master Plan. It was their opinion that this request should be granted in view of the fact that the inadequacy of the street will be corrected in the subdivision of the property.

It was therefore

VOTED: To recommend that the request of Thomas C. Wommack for a change of zoning from "A" Residence, First Height and Area to "DL" Light Industrial, First Height and Area for property located at the rear of 123 St. Elmo Road, 125-209 St. Elmo Road and the additional area located at 4420-4434 South Congress be GRANTED.

C14-65-147 Herbert Bohn, J. D. Willis & Milo W. Weaver: A to LR
3711 Jefferson Street
1605-1607 West 38th Street
.1601-1603 West 38th Street
3712-3714 Kerbey Lane

STAFF REPORT: This application includes four parcels of land totaling 23,856 square feet. The applicants propose retail stores. There is mixed zoning in the area of "LR", "GR", "O", "B", "C", "A", and "C-1". An application was made on part of the subject property in 1960, at which time a majority of the Commission concluded that to grant the request would be contrary to the public welfare at that time. The application was pending until the applicant requested withdrawal in July, and filed an expanded application. Thirty-eighth Street has been widened to 60 feet, but the plan is to widen it to 80 feet. The proposed alignment would require ten feet from the subject property. The requested zoning is not out of character with the development along Jefferson Street, but the right-of-way of 38th Street is a problem. If the street is made

C14-65-147 Herbert Bohn, J. D. Willis & Milo W. Weaver--contd.

adequate, the Planning Department has no objection to the change. The Director of Public Works feels that widening should occur on both sides of the street in order to match existing alignment and to utilize City owned property to the east on the south side of West 38th Street.

TESTIMONY

WRITTEN COMMENT

Code

U Newton O. Wilds: 1107 West 31st FOR

PERSONS APPEARING AT HEARING

Code

A Jerry Perlitz: 2400 Sweetbrush FOR

? Mr. and Mrs. C. B. Christie: 3407 Bonnie Road FOR

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Jerry Perlitz, representing the applicants, offered the following information: The request for "LR" zoning is made in order to help the property values in the area. The area is in a transitional period because of the Seton Hospital complex. The property adjoining to the south is already zoned "LR". In regard to widening 38th Street, most of the traffic is going to be on 34th and 35th Streets going to the Mo-Pac Expressway. This will eliminate a great deal of traffic on 38th Street. If 10 feet of widening is acquired from the subject property, the property would be worthless for anything other than a parking area. We have worked with the Planning Department on layout, parking space, etc. According to that plan, there will be 40 off-street parking spaces, which is more than adequate. The buildings will be located at the rear of the property and will consist of a candle shop, a shoe shop and a dress shop. There will be angle parking in front of the stores and on both sides. The stores will be set back 5 feet from the rear property line. Mr. Milo Weaver stated that 20 feet for widening was dedicated on a lot across West 38th Street from the subject property, when the lot was zoned "O" Office in 1964. If the street is widened, it should be taken from the same side in order for the street to line up.

Arguments Presented AGAINST:

Mr. R. G. Miller appeared at the hearing in opposition to the request. He stated that it is his opinion that the widening for 38th Street should be taken from both sides of the street in order to straighten the curve at Jefferson Street and Bull Creek Road. He feels the request should be forwarded to the Public Works Department before any decision is made on the right-of-way because having to back out into traffic is very hazardous.

C14-65-147 Herbert Bohn, J. D. Willis & Milo W. Weaver--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded this request should be denied because of the inadequacy of the street. The Committee noted they would look with favor on the application when the street is adequate.

Mr. Jerry Perlitz appeared at the Commission hearing and offered the following information: Since the Committee hearing, the Director of Public Works has informed him that an additional 10 feet will also be needed on Jefferson Street because it is to be a feeder street for the proposed 34th-35th Street expressway. Since 10 feet is needed for Jefferson Street and for 38th Street, his clients have no choice but to acquire property to the south. Accordingly, an option has been taken on two lots adjoining to the south. One of the lots has "LR" zoning established. The proposed center will be moved back so as to provide adequate off-street parking if the 10 feet is acquired for the additional right-of-way. The applicants are not willing to dedicate to the City any land for right-of-way, and are willing to sell for the market value of the land. A letter was presented to the Commission in which they stated that if they should get "LR" zoning, they will put any and all improvements on the lots so that if the 10 feet for right-of-way is needed, there will still be adequate room for off-street parking.

Mr. Jackson stated that it is his opinion that the zoning request cannot be granted on the present status; however, he does feel that the property owners should be willing to provide a part of the additional right-of-way to the City. If this residential street is going to be changed to commercial, the property owner should provide additional right-of-way because he is changing the character of the area.

Mr. Kinser stated it is his opinion that if the City has indicated they are going to need additional right-of-way, that they should go ahead and take the right-of-way instead of waiting.

Mr. Stevens stated that the paving of 38th Street is new paving but the 80 feet is to ultimately help development of 38th Street. The City is trying to anticipate and provide right-of-way for future needs.

Mr. Perlitz said that they are working on their plans for the development at this time because they have talked with Mr. Rountree and he thought they were being reasonable. Mr. Perlitz stated that they cannot dedicate this right-of-way to the City because the land is so expensive. He requested a postponement to further study the problem with the staff. After further discussion, the Commission

VOTED: To POSTPONE action on the request of Herbert Bohn, J. D. Willis and Milo W. Weaver for a change of zoning from "A" Residential, First Height and Area to "LR" Local Retail, First Height and Area for property located at 3711 Jefferson Street, 1605-1607 West 38th Street, 1601-1603 West 38th Street and 3712-3714 Kerbey Lane.

C14-65-148 Francis R. Reissig: A & C to GR, 1 & 6 to 1
2011-2037 Ben White Boulevard
 4410 Manchaca Road

STAFF REPORT: This request consists of a 2.29 acre undeveloped tract on which the applicant proposes to erect a supermarket. The eastern part is a 30 foot wide strip that provides access from Manchaca Road. Primary access is planned to be from Ben White Boulevard. Part of the tract is presently zoned "C" Commercial.

TESTIMONY

WRITTEN COMMENT

Code

None

PERSONS APPEARING AT HEARING

Code

A Russell Rowland (representing applicant)

FOR

SUMMARY OF TESTIMONY

Mr. Russell Rowland, representing the applicant, stated that the building to be erected on this lot will contain 12,000 square feet and will be occupied by a supermarket. This building and the building on the lot adjoining to the west (Case #149) are being designed to compliment each other. A lot of the area is full of brush and weeds and it is felt that this will be a considerable improvement.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded this request should be granted as the requested zoning is the highest and best use for the property.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Francis R. Reissig for a change of zoning from "A" Residence, First Height and Area and "C" Commercial, Sixth Height and Area to "GR" General Retail, First Height and Area for property located at 2011-2037 Ben White Boulevard and 4410 Manchaca Road be GRANTED.

C14-65-149 Alfred E. Fiedler: A to GR
2101-2119 Ben White Boulevard
2100-2118 Redd Street

STAFF REPORT: This tract consists of approximately 3 acres and is undeveloped. The applicant proposes a retail discount store. The area is developed with a mixed zoning pattern of "O", "LR", "GR", "C", and "A". There is some concern about commercial zoning being extended to Redd Street. The staff proposes a buffer zone of "B" Residential, that would allow parking, for the south 85 feet. Ten feet is needed for widening of Redd Street, since the existing 50 feet of right-of-way is insufficient to serve commercial property. Western Trails Boulevard to the west has 70 feet of right-of-way. Western Trails Boulevard and Redd Street have both become collector streets. The existing 50 feet of right-of-way of Redd Street is inadequate for the amount of traffic that would be generated. The Planning Department is recommending that before development occurs, Redd Street be brought up to 60 feet or possibly 70 feet. A 50 foot wide strip adjacent to the subject property to the east was dedicated to the public about ten years previously when two-thirds of the property was outside the City. It has never been opened or formally accepted by the county or city. The Planning Department sees no particular need for the street. If it were opened, there would be the possibility of a crossover on Ben White Boulevard, which would be detrimental to that street. The staff has suggested to the applicant that vacation proceedings be initiated.

TESTIMONY

WRITTEN COMMENT

Code

AD Walter L. Butler: 4411 Pack Saddle Pass FOR

PERSONS APPEARING AT HEARING

Code

A Russell Rowland (representing applicant) FOR

SUMMARY OF TESTIMONY

Mr. Russell Rowland, representing the applicant, stated that the additional right-of-way needed for Redd Street would be dedicated from the subject property, and ultimately from the property adjoining to the west, which his client is purchasing. The building proposed for this property will contain 25,000 or 30,000 square feet, which will leave more than adequate space for parking. The area is full of brush and weeds and the proposed development will be an asset to the area. The 50 foot strip that was dedicated to the public was dedicated along with the property, and therefore, his client has the legal right to request vacation of it. Mr. Rowland further stated that "B" zoning for the south 75 feet, exclusive of the 10 feet for additional right-of-way was acceptable.

No one appeared in opposition to the request.

C14-65-149 Alfred E. Fiedler--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded this request should be granted with the exception of an 85 foot strip along Redd Street. It was the Committee recommendation that the south 85 feet be zoned "B" for buffer purposes. They felt the zoning was logical and the best use for the property, as the present zoning is no longer applicable to the land use along Ben White Boulevard.

The Commission was of the opinion the request should be granted, provided adequate right-of-way is provided for Redd Street. It was therefore

VOTED: To recommend that the request of Alfred E. Fiedler for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 2101-2119 West Ben White Boulevard be GRANTED and that "B" Residential, First Height and Area be granted for the south 85 feet, located at 2100-2118 Redd Street.

C14-65-150 Scranton Jones: B to O
505 West 10th Street
(Plat Address: 513-515)

STAFF REPORT: This site contains 8,832 square feet and is developed with apartments. The applicant proposes professional offices. "C" Commercial zoning adjoins the property to the east. There is mixed zoning of "O", "B", and "C" in the area. The general tendency has been to change the area from "B" to "O" Office. The application is in keeping with the existing pattern and development of the area. West 10th Street is a commercial collector street with 80 feet of right-of-way.

TESTIMONY

WRITTEN COMMENT

Code

G	W. H. Bullard: 620 Colorado	FOR
AB	George Nalle: 1003 Rio Grande	FOR

PERSONS APPEARING AT HEARING

Code

A	Donald O'Conner (representing applicant)	FOR
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C14-65-150 Scranton Jones--contd.

SUMMARY OF TESTIMONY

Mr. Donald R. O'Conner, representing the applicant, offered the following information: Mr. Scranton Jones has spent approximately \$11,000 remodeling this property, and since that time has had only about 50% occupancy of the place. He would like to have the requested zoning in order that the property can be rented for office uses.

No one appeared in opposition to the change.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded this request should be granted as the requested zoning is consistent with the type of development and use established in the area.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of Scranton Jones for a change of zoning from "B" Residence, Second Height and Area to "O" Office, Second Height and Area for property located at 505 West 10th Street be GRANTED.

C14-65-151 A. E. Pardue: B to C
2007 Whitis Avenue

STAFF REPORT: This site consists of 8,750 square feet and is developed with a rooming house. The applicant proposes a commercial parking lot. There are numerous rooming and boarding houses and apartments in the area. The University of Texas is located to the north of the property on West 21st Street. Guadalupe Street is developed with commercial zoning. "O" Office is established directly across the street from the subject property. The University of Texas is authorized to acquire property east of the alley between Wichita Street and University Avenue. There is no objection to a parking lot or garage as parking and high density apartments would be proper in the area. The applicant also plans to put parking on the lot adjacent to the north. Whitis Avenue is a minor collector street with 60 feet of right-of-way.

TESTIMONY

WRITTEN COMMENT

Code

H	Emilie Limber: 2000 University Avenue	FOR
P	Edward Joseph: 1005 West 6th	FOR
T	Mrs. Chas. Joe Moore: 2002 Whitis Avenue	AGAINST
U	Mrs. Sarah Schwartzberg: South Texas Bldg. San Antonio	FOR

C14-65-151 A. E. Pardue--contd.

PERSONS APPEARING AT HEARING

Code

? Michael A. Wash: 4906 Beverly Hills Drive

FOR

SUMMARY OF TESTIMONY

Mr. Raymond Ramsey, representing the applicant, offered the following information: The applicant proposes to use the subject property as a parking garage to accommodate the tremendous overflow of cars in the area. This is agreeable with the University. Arrangements are being made for the demolition of the old and inadequate rooming houses on the subject property and the lot adjoining to the north. This is the highest and best use for the property. Mr. Mike Wash, also representing the applicant, stated there is no intention to create any structure other than a parking garage or parking facilities. The applicant has indicated that it is his desire to design an underground parking level along with the surface parking area.

No one appeared in opposition to the change.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded this request should be granted as the area is a high density area and there is a need for additional parking.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of A. E. Pardue for a change of zoning from "B" Residence, Second Height and Area to "C" Commercial, Second Height and Area for property located at 2007 Whitis Avenue be GRANTED.

C14-65-152 William W. Flatt: C to C-1
1510-1512 Guadalupe Street

STAFF REPORT: This site contains 2,800 square feet and is developed with a cafe. The applicant proposes to operate a restaurant, serving beer with food. Commercial development is established along Guadalupe Street. There is a strip of "C-1" zoning on Lavaca Street backing up to Guadalupe Street. The subject property is part of a larger building that is occupied by a beauty school and the cafe. Guadalupe Street, with 80 feet of right-of-way, is a commercial collector street.

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8-24-65C14-65-152 William W. Flatt--contd.

TESTIMONY

WRITTEN COMMENT

Code

N	A. D. Bolm: 2309 Windsor Road	FOR
X	August A. Achilles: 507 West 17th	FOR

PERSONS APPEARING AT HEARING

Code

A	Lloyd L. Borden: 1004 East 44th	FOR
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SUMMARY OF TESTIMONY

Mr. Lloyd L. Borden representing the applicant, stated that the requested zoning is consistent with the existing property uses in the area. He also stated that there will be no structural changes made to the building. No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded this request should be granted as it fits the Commission's policy of granting "C-1" zoning in a well-developed commercial area, and because the proposed use is consistent with the development of the area.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of William W. Flatt for a change of zoning from "C" Commercial, Third Height and Area to "C-1" Commercial, Third Height and Area for property located at 1510-1512 Guadalupe Street be GRANTED.

C14-65-153 T. O. Kite: O & C-1 to LR (Tr.1) C-1 & O to C-1 (Tr. 2)

Tract 1: 5700-5708 Manor Road

2800-2816 Rogge Lane

Tract 2: Rear of 5704-5706 Manor Road

STAFF REPORT: This site consists of two tracts of land totaling approximately 50,800 square feet. The applicant proposes to construct a grocery store and have package sales of beer. There is at present a large area zoned "O" Office and a smaller area zoned "C-1". This zoning has been established since 1963. The proposed Tract 1 encompasses half of the existing "O" Office zone. The small tract is 75 feet square and overlaps existing "C-1" and "O". There are two other "C-1" zones in the area. There is a small shopping center developed in the area. The Planning Department feels this is a logical use of the property because of the increased development in the area and the location at the intersection of a collector street and thoroughfare. Rogge Lane is a minor collector street with 60 feet of right-of-way. Manor Road, a secondary thoroughfare, has 80 feet of right-of-way.

C14-65-153 T. O. Kite--contd.

TESTIMONY

WRITTEN COMMENT

Code

M J. T. Whitesides, Jr: 5703 Sandhurst AGAINST

PERSONS APPEARING AT HEARING

Code

L Milton E. Chatham: 5701 Sandhurst Circle AGAINST
 ? Gene Lewis: 5705 Sandhurst Circle AGAINST
 M John Whitesides: 5703 Sandhurst AGAINST
 U H.M. Hardy: 5722 Manor Road FOR

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Dr. Brunson, co-purchaser and developer of the subject property stated that the request is for the purpose of constructing a 7500 square foot grocery store for the Minimax grocery chain. The store could be built without a change of zoning by a special permit, but it is felt the request is the proper zoning for the property. There is little difference between the zone asked for and the zoning that is established.

Arguments Presented AGAINST:

Six nearby property owners appeared in opposition to the request. They offered the following objections: (1) The value of the residential property in the area would decrease. (2) There is no public demand for an additional grocery store in this area as there are four or five already established. (3) Many school children have to pass by this location, and the sale of beer would not be proper. (4) This is not a commercial area, but a residential area, and the residents would like for it to remain residential. (5) This establishment would create additional traffic and would be hazardous.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded this request should be granted as this is a logical location for local retail facilities, at the intersection of a thoroughfare and collector street. The Committee was of the opinion this is a well defined commercial area.

Planning Commission -- Austin, Texas

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8-24-65C14-65-153 T. O. Kite--contd.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of T. O. Kite for a change of zoning from "O" Office and "C-1" Commercial, First Height and Area (Tract 1) "C-1" Commercial and "O" Office, First Height and Area (Tract 2) to "LR" Local Retail, First Height and Area (Tract 1) and "C-1" Commercial, First Height and Area (Tract 2) for property located at 5700-5708 Manor Road, 2800-2816 Rogge Lane (Tract 1) and the rear of 5704-5706 Manor Road (Tract 2) be GRANTED.

(DISQUALIFIED: Mr. Brunson)

C14-65-154 Western Trails, Inc.: Interim A to C (Tr.1) & O (Tr.2)

Tract 1: 4401-4469 Frontier Trail
2217-2333 Ben White Boulevard
4414-4426 Pack Saddle Pass
2208-2332 Western Trails Boulevard
Tract 2: 2200-2206 Western Trails Boulevard
4428-4434 Pack Saddle Pass
Add'n. Area: 2201-2215 Ben White Boulevard
4400-4412 Pack Saddle Pass

STAFF REPORT: This site consists of two tracts of land totaling approximately 11 acres. A small tract adjoining this property at the corner of Ben White Boulevard and Pack Saddle Pass has been included as additional area. The applicants propose commercial and office development. The subject property was recently annexed to the City. In June, 1965, there was a request for "C" Commercial zoning on the property adjacent to the west. The Committee recognized the need for a buffer zone for the south 100 feet of the site, parallel to Western Trails Boulevard, was proper zoning. They were favorable to extending the "C" Commercial, First Height and Area zoning existing to the west to the remainder of the site. The Council agreed with the recommendation. Since the applicants propose "O" Office zoning on the small tract, the Planning Department is recommending that the same consideration be given for a 110 foot buffer zone along the north side of Western Trails Boulevard to provide a buffer to the residential area on the south side. Western Trails Boulevard and Frontier Trail are commercial collector streets with 70 feet of right-of-way. Ben White Boulevard, a major thoroughfare, has 200 feet of right-of-way. Pack Saddle Pass is a neighborhood collector with 70 feet of right-of-way.

TESTIMONY

WRITTEN COMMENT

Code

AK Walter L. Butler: 4411 Pack Saddle Pass FOR

PERSONS APPEARING AT HEARING

Code

? Nolan Purser (representing applicants) FOR

C14-65-154 Western Trails, Inc.--contd.

SUMMARY OF TESTIMONY

Mr. Nolan Purser, representing the applicants, stated that they are following through with the subdivision plan and they have no objection to the Planning Department recommendations.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee recognized the need for a buffer zone and felt that "O" Office, First Height and Area should be granted for the south 110 feet of Tract 1 parallel to Western Trails Boulevard, as it is a logical extension of present zoning. They were in favor of granting "C" Commercial for the balance of Tract 1, and the additional area, and "O" Office for Tract 2, as this is the highest and best use for the land.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of Western Trails, Inc. for a change of zoning from Interim "A" Residential, Interim First Height and Area to "C" Commercial, First Height and Area be GRANTED for that portion of Tract 1 located at 2217-2333 Ben White Boulevard, 4414-4426 Pack Saddle Pass, and 4401-4461 Frontier Trail, and to GRANT "O" Office, First Height and Area for the south 110 feet of Tract 1 located at 4463-4469 Frontier Trail and 2208-2332 Western Trails Boulevard; and to GRANT "O" Office, First Height and Area for Tract 2 located at 2200-2206 Western Trails Boulevard, 4428-4434 Pack Saddle Pass; and to GRANT "C" Commercial, First Height and Area for the additional area located at 2201-2215 Ben White Boulevard and 4400-4412 Pack Saddle Pass.

C14-65-155 Walter Carrington: O to LR (Tract 1) B to LR (Tract 2) B to LR (Tract 3) O to BB (Tract 4) B to BB (Tract 5) Int. A and A to BB (Tract 6)

Tract 1: 1303-1309 Parker Lane
Rear of 1801-1903 Riverside Drive
Tract 2: 2021-2027 Riverside Drive
Tract 3: 1901-1903 Riverside Drive
Tract 4: 1825-1901 Riverside Drive
Tract 5: Rear of 1901-2015 Riverside Drive
Tract 6: 1311-1713 Parker Lane

STAFF REPORT: This site consists of 6 tracts of land totaling approximately 42 acres. The existing "O" Office and "B" Residential zoning was established as a buffer zone resulting from the original subdivision plan, which has since been abandoned. The particular development problem will be the provision for adequate streets. The applicant has previously dedicated

C14-65-155 Walter Carrington--contd.

5 feet for the widening of Riverside Drive, bringing it to 85 feet. He has also dedicated 10 feet for part of the widening of Parker Lane, which will bring it up to 70 feet. Widening of Parker Lane is to continue to the south requiring 10 feet from the subject property. Woodland Avenue is an east-west collector street, which is proposed to be extended from Parker Lane to Riverside Drive, through the applicant's property. The final determination of the alignment of Woodland Avenue has not been made.

SUMMARY OF TESTIMONY

Mr. Richard Baker, representing the applicant, offered the following information: Because of the terrain, this is a difficult piece of property to develop. A plan has been worked out with the Planning Department. The front portion of the application is approximately 300 feet deep. It is anticipated that Riverside Drive eventually will have to be widened an additional 100 feet on both sides to conform with the Master Plan. The "LR" portion of the application is set back enough so that this 100 feet will not interfere with development when the additional right-of-way is required. The balance of the property with "BB" zoning is planned for multi-family development in the overall area. The development will consist of condominiums, townhouses, and attached houses. There is no feasible way to develop this property with single-family dwellings.

Mr. Nolan Purser, engineer for the developer, stated that there is a large drainage way approximately 200 feet north of the south property line which makes single-family development difficult.

Mr. Baker stated that he was not authorized to dedicate additional right-of-way for Parker Lane, but it is his opinion that this dedication will be no problem. Mr. Stevens inquired how many units were contemplated. Mr. Purser stated the units will be such as to be approximately the same density as single-family dwellings. Each lot will have to be site graded, and this will require a site grading plan for each individual lot.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded this request should be granted subject to the requirements of the Subdivision Ordinance. The Committee recognized the fact that the right-of-way and street alignment questions will be resolved with the submission and approval of a preliminary subdivision plan, which will be necessary to develop the property as proposed.

C14-65-155 Walter Carrington--contd.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of Walter Carrington for a change of zoning from "O" Office, First Height and Area to "LR" Local Retail, First Height and Area (Tract 1) "B" Residence, First Height and Area to "LR" Local Retail, First Height and Area (Tract 2) "B" Residence, First Height and Area to "LR" Local Retail, First Height and Area (Tract 3) "O" Office, First Height and Area to "BB" Residence, First Height and Area (Tract 4) "B" Residence, First Height and Area to "BB" Residence, First Height and Area (Tract 5) Interim "A" and "A" Residence, First Height and Area to "BB" Residence, First Height and Area (Tract 6) for property located at 1303-1309 Parker Lane and the rear of 1801-1903 Riverside Drive (Tract 1), 2021-2027 Riverside Drive (Tract 2), 1901-1903 Riverside Drive (Tract 3), the rear of 1825-1901 Riverside Drive (Tract 4), rear of 1901-2015 Riverside Drive (Tract 5) 1311-1713 Parker Lane (Tract 6) be GRANTED.

C14-65-156 James E. Crozier: GR to C
2620-2710 Anderson Lane

STAFF REPORT: This site is an 80,000 square foot tract that is undeveloped. The applicant proposes a postal substation. There is mixed zoning in the area. "B" Residential zoning was established as a buffer to discourage the strip zoning of Anderson Lane as commercial. Gulf Mart discount store is established to the east of subject property. The area between the subject property and Balcones Road is mostly undeveloped. A special permit can be granted for a postal substation, without a change of zoning. There are plans to develop approximately 50 acres of land across Anderson Lane as a large community center. Unless there is "C" zoning established for that area, it is felt this one parcel would be inconsistent with the zoning pattern in the area. Anderson Lane is proposed to be extended westward as it is to be a crosstown thoroughfare. The road is presently 80 feet wide, but it is contemplated that it will be 90 feet. Five feet for additional widening is needed from both sides of the street, providing 45 feet from the existing center line.

SUMMARY OF TESTIMONY

Mr. James Crozier, stated that he represents the owner of the subject property. A letter was presented to the Committee from Mr. O. N. Bruck, Postmaster, United States Post Office in Austin, in which he stated that in order for the Post Office Department to be able to secure the most advantageous real estate deal possible for the government, it is necessary that the proposed site be zoned for "C" Commercial use. Any other zoning would not offer a satisfactory lease basis, because many investment agencies will not make a maximum loan for a special purpose building. Mr. Crozier stated this was his only reason for asking for a change in zoning.

No one appeared in opposition to the request.

C14-65-156 James E. Crozier--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded this request should be denied as the request is not in keeping with existing development of the area.

Mr. Kinser stated that it is his opinion that this property is a logical extension of existing "C" Commercial zoning. The requested zoning will be a benefit and convenience for all of the people in the area in that they will have better mail service. This should be considered in good planning.

The Director of Planning stated that this is a unique situation because of the particular requirement of the Post Office Department. The zoning does not assure the post office of use of the property because a special permit is needed regardless of the zoning. The zoning in this area is mixed and there are similar locations where "C" Commercial was granted for the same type of development.

Mr. Crozier stated that the post office feels that when an owner exercises an option, he will be making a better bid knowing that the property will be "C" Commercial property now and in the future.

Mr. Jackson stated that if the post office decides they do not want this particular piece of property, then the "C" Commercial will be established and anything can be put on the property. It was his feeling that granting of this request would set a precedent, and that the Commission would have no basis to turn down similar requests in the area.

Mr. Crozier said that a precedent has already been set in zoning property for post offices.

Mr. Brunson stated that to zone this property "C" Commercial would be setting a precedent for Anderson Lane.

After further discussion, a motion to deny this request failed to carry by the following vote.

AYE: Messrs. Wroe and Brunson

NAY: Messrs. Kinser, Hendrickson, Lewis, Riley, Jackson and Goodman

ABSENT: Mr. Barrow

It was then

VOTED: To recommend that the request of James E. Crozier for a change of zoning from "GR" General Retail, First Height and Area to "C" Commercial, First Height and Area for property located at 2620-2710 Anderson Lane be GRANTED.

AYE: Messrs. Kinser, Hendrickson, Lewis, Riley, Jackson and Goodman

NAY: Messrs. Wroe and Brunson

ABSENT: Mr. Barrow

C14-65-159 Mrs. Esther Crow, et al: A to LR
 1810-1814 and 1820 West 35th Street
 1809 West 35th Street
Add'n. Area: 1816-1818 West 35th Street

STAFF REPORT: This application consists of 39,935 square feet of land. Because of the separate parts of the application, two lots have been included as additional area. Four lots of the application are located on the north side of 35th Street and one lot is located on the south side. There is a shopping center located on the corner of Lawton Avenue and West 35th Street. In 1959, "LR" zoning was established for this shopping center, as was "B" zoning for three lots adjacent to the west. The south side of 35th Street has fairly consistent "O" Office zoning. Thirty-fifth Street is a thoroughfare street which may become an expressway. The expressway as planned would not require any right of way from the north side of 35th Street. It is the opinion of the Planning Department that "LR" for this property is not the proper zoning, as there exists a buffer zone of "B" Residence established between the "A" Residential development and the "LR" zoning. It is felt the "B" zoning should be extended to complete the pattern of zoning.

TESTIMONY

WRITTEN COMMENT

Code

BL L. A. Joseph: 2213 East 1st FOR

PERSONS APPEARING AT HEARING

Code

AP	Conway Taylor: 1805 West 35th	FOR
F	Mrs. C. F. Stockburger: 1817 West 36th	AGAINST
G	M. B. Hicks Simank: 1815 West 36th	AGAINST
E	Mrs. C. C. Champion: 3406 Glenview	FOR
L	Minerva Davis: 1807 West 36th	AGAINST
J	Mrs. J. C. Tittle: 1811 West 36th	AGAINST
	Don Grimes	FOR

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mrs. Crow stated she represents the prospective buyer of the property and they are asking for rezoning in order to put in a coin-operated washateria. It will be a nice building and will be an improvement to the general area. This entire area will eventually be zoned for retail uses. Mr. Don Grimes and Mr. Conway Taylor, appearing in favor of the request, offered the following information: It appears that the general trend of this area is to extend this particular shopping center along a heavily traveled thoroughfare. Currently in the area there are service stations, industrial equipment

C14-65-159 Mrs. Esther Crow, et al--contd.

for the State Highway Department, and many other businesses. There are duplexes and apartments in the area. The property in this area is undesirable for residential purposes. The traffic is too heavy for a residential area. The requested change is a logical extension of existing zoning.

Arguments Presented AGAINST:

Five nearby property owners appeared in opposition to the requested change. They offered the following objections:

1. The traffic hazard in the area will be increased, as cars will have to back onto 35th Street.
2. Parking problems will be increased.
3. Property values will decrease.
4. The alley behind the subject property will be littered with debris from an establishment such as this, and it will be a detriment to the area.
5. The homes in this area are well-kept, and this will detract from their appearance and value.
6. There are numerous shopping centers with coin-washaterias available. There is no need for the requested zone.
7. There are deed restrictions on the lots in this subdivision.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee was of the opinion that "B" Residential should be granted as an extension of existing "B" zoning on the north side. They felt this is the proper zoning for this area.

Mr. Robert Potts, representing the applicant, stated that he wanted to petition the Commission to resubmit the application on the grounds the staff report presented to the Zoning Committee contained inaccuracies.

Mr. Wroe stated that it was his opinion that all of the facts pertinent to this case were brought out at the Committee hearing. The members agreed that further testimony on these points would be fruitless. It was then

VOTED: To recommend that the request of Mrs. Esther Crow, et al for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 1810-1814 West 35th Street, 1820 West 35th Street, 1809 West 35th Street and the additional area located at 1816-1818 West 35th Street be DENIED but to GRANT "B" Residence, First Height and Area.

R146 SUBDIVISION COMMITTEE

The Committee Chairman reported action taken on the subdivisions at the meeting of August 9, 1965, 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. It was therefore

VOTED: To ACCEPT the attached report and to spread the action of the Subdivision Committee of August 9, 1965, on the minutes of this meeting.

SUBDIVISION PLATS - FILED

C8-65-38 Kassuba Beach
Riverside Drive at Tinnin Lane

The staff reported that reports have not been received from several departments and recommended that this final plat be accepted for filing. The Commission therefore

VOTED: To ACCEPT the final plat of KASSUBA BEACH, for filing.

C8-65-43 Greenwood Hills, Section 3
Suburban Drive and Sheffield Drive

This subdivision is located south of St. Elmo Road and east of Congress Avenue. The problem is that Seminole Drive lacks a cul-de-sac. It is a policy of the Planning Commission to require a cul-de-sac for any street that extends more than a one lot depth from an intersection. The engineer for the developer, Mr. Isom Hale, stated that his client is willing to put up a fiscal letter guaranteeing the extension of the street to the nearest intersecting street. Mr. Cortez, assistant City Attorney, has indicated that this would be acceptable, but that a variance should be granted. After further discussion, the Commission

VOTED: To ACCEPT the final plat of GREENWOOD HILLS, Section 3, for filing, granting a variance from requiring a cul-de-sac at the east end of Seminole Drive, subject to submission of a fiscal letter acceptable to the Legal Department, which will ensure extension of Seminole Drive at such time as the City deems necessary.

SUBDIVISION PLATS - CONSIDERED

C8-65-20 Wooten Park Square
Anderson Lane and Mullen Drive

The staff recommended disapproval of this plat pending compliance with departmental reports. The Commission therefore

VOTED: To DISAPPROVE the final plat of WOOTEN PARK SQUARE, pending completion of departmental reports.

C8-65-31 Chasewood Addition, Section 1
Blue Crest Drive

The staff recommended disapproval of this plat pending the required fiscal arrangements. The Commission therefore

VOTED: To DISAPPROVE the final plat of CHASEWOOD ADDITION, Section 1, pending the required fiscal arrangements.

C8-65-19 White Plains, Section 5
North Lamar Boulevard and Prairie Trail

The staff recommended disapproval of this plat pending the required additional easements, fiscal arrangements and compliance with departmental reports. The Commission therefore

VOTED: To DISAPPROVE the final plat of WHITE PLAINS, Section 5, pending the required additional easements, fiscal arrangements and compliance with departmental reports.

C8-65-25 Frontier Village, Section 3
Western Trails Boulevard and Frontier Trail

The staff recommended disapproval of this plat pending the required fiscal arrangements. The Commission therefore

VOTED: To DISAPPROVE the final plat of FRONTIER VILLAGE, Section 3, pending the required fiscal arrangements.

C8-65-5 Parkwood at University Hills, Section 1
Loyola Lane

The staff recommended disapproval of this plat pending a number of items as follows: Additional easements required, easements omitted on plan, fiscal arrangements required, compliance with departmental reports and the inclusion of balance of tract east to Manor Road. The Commission therefore

VOTED: To DISAPPROVE the final plat of PARKWOOD AT UNIVERSITY HILLS, Section 1, pending the requirements as noted.

C8-65-3 Highland Hills, N.W., Section 2
Running Rope east of Mesa Drive

The staff recommended disapproval of this plat pending a number of items as follows: Easements omitted on plan, compliance with departmental reports, realign common line of Lots 23 and 24 to fit existing sanitary sewer line. This action applicable to plat showing amended intersections at east end of Running Rope at Sungate Drive. The Commission therefore

VOTED: To DISAPPROVE the final plat of Highland Hills, N.W., Section 2, pending the requirements as noted and subject to this action being applicable to plat showing amended intersection at east end of Running Rope at Sungate Drive.

C8-65-35 Jamestown, Section 2
Fairfield Drive and Jamestown

The staff recommended disapproval of this plat pending the required additional easements, fiscal arrangements, annexation and compliance with departmental reports. The Commission therefore

VOTED: To DISAPPROVE the final plat of JAMESTOWN, Section 2, pending the requirements as noted.

SHORT FORM PLAT - FILED

C8s-65-102 Moten Acres
Ft. Branch Boulevard at Delano Street

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 time. The Commission therefore

VOTED: To ACCEPT the short form plat of MOTEN ACRES, for filing.

C8s-65-90 Balcones Park, Section 8, Resub. Lots 2 & 3, Block Y
Mt. Barker Drive

The staff recommended disapproval of this plat pending compliance with departmental reports. The Commission therefore

VOTED: To DISAPPROVE the short form plat of BALCONES PARK, Section 8, Resub. Lots 2 and 3, Block Y, pending compliance with departmental reports.

C8s-65-91 Bellvue Park, Resub. Lots 1-6, Block 10
Sunnyvale and Summit Streets

The staff recommended disapproval of this plat pending compliance with departmental reports. The Commission therefore

VOTED: To DISAPPROVE the short form plat of BELLVUE PARK, Resub. Lots 1-6, Block 10, pending compliance with departmental reports.

C8s-65-95 Jonea Addition
South Congress at Alpine Road

The staff recommended disapproval of this plat pending a number of items as follows: Easements omitted on plan, fiscal arrangements required, 35 foot drainage easement is incorrectly cited as filed in Volume 1503, page 27; correct citation is Volume 2571, pages 422-424, and compliance with departmental reports. The Commission therefore

VOTED: To DISAPPROVE the short form plat of JONEA ADDITION, pending the requirements as noted.

C8s-65-105 A. B. Beddow Subdivision
Airport Boulevard and East 38½ Street

The staff reported that this subdivision is located on the southwest corner of Airport Boulevard and East 38½ Street. It is a portion of a tract of land that was left out of an original tract to the south. There are two problems involved. One is that the owner of the adjoining 25 foot strip is required by Ordinance to join in and be a part of the Plat. The second problem is that East 38½ Street is proposed on the Master Plan to be widened to 80 feet. The original proposal was 120 feet but it has been reduced. The original right-of-way of the street was 50 feet. Fifteen feet was dedicated on the north side bringing it up to 65 feet. Fifteen feet for additional right-of-way is needed from the south side. Mr. Flournoy wants to lease a portion of this property from Mrs. Beddow, the owner, to build a model home.

Mr. Flournoy stated that the 25 foot strip belongs to a real estate man in Houston and they do not know how to contact him. He stated he is leasing the corner of this land to put a model home on. The lease is for one year with an option for more. Mr. Flournoy advised the Commission that he did not feel there is any justification for this case because the map he has shows the property is already subdivided.

Mr. Jackson inquired if the property is subdivided. Mr. Foxworth stated that Mr. Flournoy has a tax map which shows the property is divided by ownership, but the property has not been subdivided such as to make this division legal under the Subdivision Ordinance.

Mr. Flournoy stated that this lease is not intended to be permanent. He said that he has talked with the owner about the 15 foot dedication of right-of-way to the City for East 38½ Street and the owner did not agree to dedicate. Mr. Flournoy also said that he has talked with the Legal Department of the City and they have said that she more than likely could be paid for 10 feet of the required 15 feet and this would mean that she would only need to dedicate five feet. It is his opinion that the owner will agree to this.

Mr. Foxworth stated that the Sanitary Sewer Department reported that there is a need for some fiscal arrangements for the 25 foot strip adjoining this property. The Planning Department realizes that these people should not be required to pay to get utilities to that 25 foot strip, but if this subdivision is approved, then the strip becomes an approved site which the city may have to serve using city funds. Under the circumstances, since the owner of the 25 foot strip cannot be found, the Department recommends a variance be granted. There should be some understanding that the owner of the 25 foot strip may not be able to get service without some fiscal arrangements. The recommendation in relation to the right-of-way is that the 15 feet be required.

C8s-65-105 A. B. Beddow Subdivision--contd.

After further discussion the Commission

VOTED: To DISAPPROVE the short form plat of A. B. BEDDOW SUBDIVISION subject to the dedication of 15 feet for the widening of East 38½ Street, granting a variance from requiring the owner of the 25 foot strip adjoining subject property being a part of the platting.

C8s-65-96 North Village

Burnet Road and Anderson Lane

The staff recommended disapproval of this plat pending the required additional easements, fiscal arrangements and compliance with departmental reports. After further discussion, the Commission therefore

VOTED: To DISAPPROVE the short form plat of NORTH VILLAGE, pending the required additional easements, fiscal arrangements, compliance with departmental reports and authorized administrative approval upon completion.

C8s-65-93 H. E. Cadwallader Subdivision

Rabb Road

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

VOTED: To APPROVE the short form plat of H. E. CADWALLADER SUBDIVISION.

ADMINISTRATIVE APPROVAL

The staff reported that nine short form plats had received administrative approval under the Commission's rules. The Commission therefore

VOTED: To ACCEPT the staff report and to record in the minutes of this meeting the administrative approval of the following short form subdivisions:

C8s-65-92 Sunday Subdivision

Oertli Lane

C8s-65-100 Patton's Addition

U. S. Highway 290

C8s-65-87 Violet Crown Heights, Section 1, Resub. Lot 11, Block F

Woodrow Avenue and Brentwood Street

C8s-65-76 Swartz Addition

East Third at Comal

ADMINISTRATIVE APPROVAL--contd.

C8s-65-101 Poehlmann Acres, Resub. Lots 3 and 4
 Pecan Springs Road
C8s-65-86 Cherry Creek, Resub. Lots 11, 12, 13A, Block A
 Parkside Lane
C8s-65-97 Speedway Annex
 Speedway South of West 46th Street
C8s-65-103 Stasswender Addition, Resub. Lot 2
 Bull Creek Road South of Hancock Drive
C8s-65-104 Northtowne, Section 1, Resub. Lot 17, Block D
 Steck Avenue and Burnet Road

REPORTS

SUBDIVISION APPROVAL BY TELEPHONE POLL:

It was reported by the staff that the following subdivisions were considered by telephone poll on the dates shown, and that a majority of the Commission had

VOTED: To APPROVE the following plats:

C8-63-49 Southwest Terrace Annex
 South end of Southland Drive
C8-64-17 South Gate Terrace
 Interregional Highway and Wind Oak Drive
 (7-30-65)

C8-65-21 Springdale Hills, Section 2
 East 19th, West of Hilldale
C8-64-66 Deer Park, Section 4
 St. George's Green and St. Alban's Boulevard
C8-65-32 Parson's Subdivision, No. 1
 Kramer Lane and Plains Trail
 (8-2-65)

C8-65-13 Rollinghills West
 Swenson Drive and Pinnacle Road
 (8-4-65)

C8-64-55 Highland Hills, Section 9
 Lamplight Lane and Sumac Drive
 (8-6-65)

OTHER BUSINESS

C10-65-1(k) STREET VACATION REQUEST

Rimrock Trail starting 400 feet south of Marlow Drive to end of street

The staff reported that the City acquired this piece of property in connection with the Morris Williams Golf Course. They propose to terminate Rimrock Trail by a cul-de-sac and replat all of the lots with the exception of Lots 6 and 9, which are to be used in connection with the golf course. There are a number of problems concerning relocation of utilities and easements. The staff recommends the Commission recommend the street be vacated subject to working out the necessary utility locations and subject to its not being sent to the City Council until the plat is ready to be approve. After further discussion, the Commission therefore

VOTED: To recommend that Rimrock Trail starting 400 feet south of Marlow Drive to end of street be VACATED subject to the relocation of the necessary utilities and easements, and to recommend this not be sent to the City Council until the plat is ready to be approved.

C10-65-1(L & M) STREET AND ALLEY CLOSING

(L) Woolridge Street from East 26½ Street to San Jacinto Boulevard, and all alleys within blocks encompassed by Speedway, San Jacinto Boulevard and East 26½ Street

(M) East 23½ Street from Red River to Swisher, East 23rd Street from Red River to Oldham, Sabine Street from Manor Road to East 24½ Street, Oldham Street from East 23rd Street to East 24 Street and all alleys within blocks encompassed by the following streets - Red River, East 24th Street, Swisher Street, East 23rd Street, Oldham and Manor Road.

The staff reported a letter to the Mayor from the University of Texas in which they state that the Board of Regents has been authorized to acquire property abutting the above described streets and alleys. They request the above streets and alleys be vacated.

Mr. Stevens stated that Manor Road and Red River Street are both scheduled to be widened but the amount of widening has not been determined. The staff recommends the widening for these streets be retained, but that the remainder be vacated.

Mr. Jackson inquired if the University has acquired any of this land or if they have indicated when the land will be acquired. A number of the Commission members stated they would not be in favor of the request until these tracts of land have been acquired. After further discussion, the Commission then

VOTED: To APPROVE the request for street and alley vacation after the University of Texas has acquired all of the property abutting the subject streets and alleys, and subject to retaining those parts of the streets and alleys necessary for the widening of Red River Street and Manor Road and subject to the retention of the necessary easements.

C10-65-1(n) STREET AND ALLEY VACATION

Flores Street east of San Marcos Street, San Marcos Street south of Flores Street, Waterfront Street and the alley between Flores and Waterfront Streets

The Director of Planning stated that this request is for a proposed motor hotel development on the water front. There are a number of questions that are not resolved with respect to the overall proposal. The only modification of the original request that the staff is recommending is for a proposed parkway that will run along Town Lake under the bridge. It is recommended this area not be vacated. It is recommended that the balance of the area be vacated subject to the retention of the necessary easements. The entire 60 feet of right-of-way of Flores Street will be retained as there is a 48 foot sewer line located there. It would be a requirement that no construction be made above the easement area.

The general intention is that the proposed development will be a high-rise motor hotel placed approximately in the center of the site. Flores street will become part of the parking area.

The only property owners in the area are the Gulf Company, Maurice Hall and the City. The City owns lots 4, 5, 19 and 20.

After further discussion, the Commission therefore

VOTED: To recommend that Flores Street east of San Marcos Street, San Marcos Street south of Flores Street, Waterfront Street and the alley between Flores and Waterfront Streets be VACATED with the exception of the south portion of San Marcos Street and the west portion of Waterfront Street which is to be used as a parkway, subject to the retention of the necessary easements and provided this application be made by the adjacent property owners to these streets.

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

APPROVED:

Hoyle M. Osborne
Executive Secretary

Chairman