

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting -- September 21, 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
S. P. Kinser
Howard Brunson
Ben Hendrickson
W. Sale Lewis
Barton D. Riley
Edgar E. Jackson
Jack Goodman

Absent

W. A. Wroe

Also Present

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

MINUTES

Minutes of the meeting of August 24, 1965, were approved.

ZONING

The following zoning changes were considered by the Zoning Committee at a meeting of September 21, 1965.

C14-65-157 Mrs. Billie A. Daney: B to C
2003-2005 Whitis Avenue

STAFF REPORT: This site consists of 8,750 square feet and is developed with a rooming house. The applicant proposes future commercial development. "C" Commercial zoning was recently granted on the property adjoining to the north. The Commission recommended that change since parking was the proposed use, and there exists a great need for parking in the area. This area will probably continue to be high density apartment development with scattered commercial. For the purpose of parking and apartments, this application is recommended. Whitis Avenue, with 60 feet of right-of-way, is a minor collector street.

C14-65-157 Mrs. Billie A. Daney--contd.

TESTIMONY

WRITTEN COMMENT

Code

U	Sam Schwartzberg: South Texas Bldg., San Antonio	FOR
H	Emilie Limberg: 2000 University Avenue	FOR

PERSONS APPEARING AT HEARING

Code

None

SUMMARY OF TESTIMONY

No one appeared to be heard.

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 the proposed development is an extension of the existing zoning pattern and development.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of Mrs. Billie A. Daney for a change of zoning from "B" Residence, Second Height and Area to "C" Commercial, Second Height and Area for property located at 2003-2005 Whitis Avenue be GRANTED.

C14-65-158 Kassuba Development Corporation: Int. A to GR (Tr.1) B (Tr.2)
 (by Frank Montgomery) Interim 1 to 1

Tract 1: 2100-2444 Riverside Drive
 1501-1615 Tinnin Lane

Tract 2: 1101-1115, 1227-1423 Tinnin Lane
 Rear of 1117-1225 Tinnin Lane

Add'n. Area: 1117-1225 Tinnin Lane

STAFF REPORT: This site consists of two tracts of land totaling approximately 107 acres. A parcel of land bounded on three sides by subject property has been included as additional area. The applicants propose constructing apartments and a regional community center. They propose to develop approximately 736 apartments on the two tracts of land. The first phase, located north of the proposed road midway through the property, will be developed with approximately 250 apartments. There is an approved preliminary plan on this property. The subdivision plan proposes Tinnin Lane to be a 70 foot street. It also proposes an easterly extension of South Lakeshore Boulevard. The applicants have also provided five feet of widening for Riverside Drive. The Department feels providing for the future expressway along Riverside Drive is extremely important and a firm agreement with the City to develop Tract 1 in conjunction with the proposed expressway should definitely be established.

C14-65-158 Kassuba Development Corporation--contd.

TESTIMONY

WRITTEN COMMENT

Code

A Jay Smith: 841 West Sixth FOR

PERSONS APPEARING AT HEARING

Code

A Frank Montgomery (representing applicant) FOR

SUMMARY OF TESTIMONY

Mr. Frank Montgomery, representing the applicants, stated they were aware that this expressway would ultimately be developed. It was discussed with the Planning Department staff, and they do not have a firm alignment as yet. The developers would like to see the expressway developed as soon as possible, but unless they determine exactly where it is to be located, there is nothing that can be done about it.

Mr. Stevens stated that the first phase will not affect the property along Riverside Drive.

Mr. Montgomery stated they would be willing to negotiate on the location of the expressway at the proper time.

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 for the following reasons:

1. The proposed apartment/commercial complex is a continuation of recent development in the area.
2. The planned unit development as proposed can best be achieved by zoning on a large scale, as requested.
3. The subdivision of the property is designed for the development as proposed.

At the Commission meeting, Mr. Stevens stated that it is the staff recommendation that this request be granted with the understanding that there will be an agreement worked out with the developers on the future right-of-way provision for the expressway.

C14-65-158 Kassuba Development Corporation--contd.

After further discussion the Commission then

VOTED: To recommend that the request of Kassuba Development Corporation for a change of zoning from Interim "A" Residence, Interim First Height and Area to "GR" General Retail, First Height and Area (Tract 1) and "B" Residence, First Height and Area (Tract 2) for property located at 2100-2444 Riverside Drive, 1501-1615 Tinnin Lane (Tract 1), 1101-1115, 1227-1423 Tinnin Lane and the rear of 1117-1225 Tinnin Lane (Tract 2) and the additional area located at 1117-1225 Tinnin Lane be GRANTED with the understanding that the future right-of-way for the expressway will be determined before the Council meeting.

C14-65-160 Dr. W. M. Collins: A to C-2
3901-3903 East 19th Street
1809 Perez Street

STAFF REPORT: This is a small lot containing 3,060 square feet. The lot is approximately 34 feet wide, and sides onto East 19th Street. The applicant proposes a package store. The Morris Williams Golf Course is located across East 19th Street to the north. To the west and south is residential development. To the east of the subject property is a proposed subdivision, Olivia Heights, which has received preliminary approval as a new residential development. One of the conditions of approval is the dedication of 10 feet of right-of-way for East 19th Street. East 19th Street presently has 100 feet of right-of-way, but the Master Plan calls for 120 feet. The Planning Department feels this 10 foot widening should be continued through the subject property. The staff believes the proposed zoning is not consistent with Commission policy regarding "C-2" zoning.

TESTIMONY

WRITTEN COMMENT

Code

D Addie Eppright: Rt. 1, Box 296

AGAINST

PERSONS APPEARING AT HEARING

Code

Roger Plowman

FOR

SUMMARY OF TESTIMONY

Mr. Roger Plowman appeared at the hearing in support of the request.

No one appeared in opposition to the request.

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C14-65-160 Dr. W. M. Collins--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded this request should be denied as it would be an intrusion into a well-defined residential area.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of Dr. W. M. Collins for a change of zoning from "A" Residence, First Height and Area to "C-2" Commercial, First Height and Area for property located at 3901-3903 East 19th Street and 1809 Perez Street be DENIED.

C14-65-161 Gruber, Bell & Cain: A, 1st & C, 6th to C, 3rd (Tr.1) B, 1st (Tr.2)
 Tract 1: 1206-1224 South Lamar
 Tract 2: 1205-1207 Kinney Avenue

STAFF REPORT: This site contains two tracts of land totaling 4.73 acres. The applicant proposes to develop an apartment house on Tract 1 and a private recreation area on Tract 2. The front portion of Tract 1 is zoned "C" Commercial, Sixth Height and Area and fronts onto Lamar Boulevard. Tract 2 extends northerly to Kinney Avenue. The subject property is located adjacent to a shopping center with "GR", "C-1" and "C-2" zoning. To the west of the subject property is predominantly residential development. Lamar Boulevard, with 80 feet of right-of-way, is a primary thoroughfare. The plans are to increase the right-of-way to 100 feet. Ten feet of widening will be needed from subject property. Kinney Avenue is a neighborhood collector street with 60 feet of right-of-way.

TESTIMONY

WRITTEN COMMENT

Code

T	Lamarwell Realty Co.: 1540 Milan Bldg., San Antonio	FOR
BF	Jimmie Farrell: P. O. Box 3001	FOR
AR	Joel Thielipape: 1303 Oxford	FOR

PERSONS APPEARING AT HEARING

Code

S	Mrs. M. A. Manhart: 1209 Kinney Avenue	FOR
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SUMMARY OF TESTIMONY

No one appeared for or in opposition to the request.

C14-65-161 Gruber, Bell & Cain--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee recognized the need for a 10 foot dedication for the widening of Lamar Boulevard, but felt the request should be granted as it is adjacent to a definite shopping area and is consistent with the existing zoning in the area.

At the Commission meeting, Mr. Stevens reported that the applicants have not indicated whether they will dedicate 10 feet of right-of-way for the widening of Lamar Boulevard. On the basis of the street being inadequate, the staff is therefore recommending the request be denied.

Mr. Kinser stated that it is his opinion that this area is developed commercially and the applicant should not be required to dedicate any right-of-way. After further discussion, the Commission therefore

VOTED: To recommend that the request of Gruber, Bell & Cain for a change of zoning from "C" Commercial, Sixth Height and Area and "A" Residential, First Height and Area to "C" Commercial, Third Height and Area (Tract 1) and "B" Residence, First Height and Area (Tract 2) for property located at 1206-1224 South Lamar (Tract 1) and 1205-1207 Kinney Avenue (Tract 2) be GRANTED.

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

NAY: Messrs. Barrow and Hendrickson

ABSENT: Mr. Wroe

C14-65-162 Leon D. Smith: A to C
2702-2704 Sol Wilson Avenue

STAFF REPORT: This site contains 13,600 square feet and is developed with tourist courts. The applicant proposes to operate tourist courts. This site is part of property that fronts onto East 12th Street and which is developed with 19 units. Six of these units are located on the subject property. The back portion of the property fronts onto Sol Wilson Avenue. To the south of the subject property across Sol Wilson Avenue is a church. The area to the south is developed predominantly residential. To the north, the "C" Commercial zoning has been held to a one lot depth from Sol Wilson Avenue. If this request is granted, it would encourage other applications for this same type of zoning. This area is a part of the General Neighborhood Renewal Project area and ultimately will change. The access for this area is mainly through Ridgeway Drive, with 50 feet of right-of-way. Sol Wilson Avenue is a minor residential street with 50 feet of right-of-way.

SUMMARY OF TESTIMONY

No one appeared in favor of or in opposition to the request.

C14-65-162 Leon D. Smith--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded this request should be denied as it would be improper zoning to extend "C" Commercial to Sol Wilson Street which is developed residentially. This would also be too intensive for the street development in the area.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of Leon D. Smith for a change of zoning from "A" Residential, First Height and Area to "C" Commercial, First Height and Area for property located at 2702-2704 Sol Wilson Avenue be DENIED.

C14-65-163 Olie O. Perry: A to LR
2010 Koenig Lane
5901-5903 Laird Drive

STAFF REPORT: This site consists of 7,200 square feet and is developed with a single-family residence. The applicant proposes office or local retail development. Directly across Laird Drive to the west is a paint store, zoned "C" Commercial. The area is primarily a residential neighborhood. Koenig Lane, with 70 feet of right-of-way, is planned to be widened to 90 feet. The complete alignment has not been set, but 10 feet of widening will be needed from the subject property by taking only one-half of the needed right-of-way from each side.

SUMMARY OF TESTIMONY

Mr. Olie O. Perry appeared at the hearing and stated that he requested this change of zoning in order to sell his property. He also stated that he is willing to dedicate 10 feet of widening for Koenig Lane as long as it didn't effect the sale he has for the property.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee noted that the widening offered by the applicant would bring Koenig Lane to the planned width at the site. They concluded this request should be granted as it is a logical extension of existing zoning.

Mr. William Coleman appeared at the Commission meeting and offered the following information: This lot is under option. The lot can be utilized as it is now, as the proposed building will have a setback from the front property line of 30 feet. If a 10 foot dedication is made, it will reduce the setback to 20 feet and this will require a variance. A five foot dedication would eliminate the need for a variance.

C14-65-163 Olie O. Perry--contd.

Mr. Stevens reported that the widening needs for Koenig Lane have been determined, and the staff recommends that the Commission recommend denial with the understanding that an agreement for the widening of the street can be made before the Council meeting.

Mr. Barrow stated that the proper way for the Commission to consider this request is in regard to how the property should be zoned and whether the street is wide enough. It should not be concerned with building details. Mr. Kinser stated it was his opinion that the request was a logical extension of existing zoning and would be compatible with the uses in the area, provided the street is wide enough. Mr. Jackson stated that when a zone is changed, it changes the character of the area, and unless the street is adequate to take care of this change, the request should be denied. The Commission therefore

VOTED: To recommend that the request of Olie O. Perry for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 2010 Koenig Lane and 5901-5903 Laird Drive be DENIED.

C14-65-164 James K. Eichelberger, Jr.: B to O
 2000-2002 Oldham
 706-710 East 20th Street

STAFF REPORT: This site contains two lots totaling 16,008 square feet. The area is a mixture of "B" and "BB", "O" and "C" zoning and is developed with single-family dwellings, apartments, duplexes and rooming houses. "O" Office zoning is established on two lots located at the corner of 19½ Street and Oldham Road. The Planning Department has no reservations about the requested zoning except as to retaining a consistent zoning pattern, as this type of use does fit into the area. The Commission may want to consider whether "O" Office zoning should be extended on a larger scale. The area south of Manor Road is not within the present acquisition program of the University of Texas. Oldham Road is a minor collector street with 60 feet of right-of-way. East 20th Street, a minor residential street, has 50 feet of right-of-way.

TESTIMONY

WRITTEN COMMENT

Code

C	E. E. Watson: Rt. 1, Box 21, Springtown, Texas	FOR
N	C. N. Carter: 1610 West Avenue	FOR

PERSONS APPEARING AT HEARING

Code

A	James K. Eichelberger (applicant)	FOR
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C14-65-164 James K. Eichelberger, Jr.--contd.

SUMMARY OF TESTIMONY

Mr. Eichelberger stated that the reason they are proposing commercial rather than apartment development at this particular intersection is because the topography of the land lends itself to office development more so than apartment development. There is an elevation differential of approximately 8 feet between 20th Street and Oldham Street. There are plans to bring one lane of cars off Oldham and another off of 20th Street. There will be two floors of parking and two floors of offices. There may be changes to the proposal, but it is felt that the proposed use is the highest and best use for the property. The design affords more economical space for the area.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

A few of the members felt this request should be denied, as the proposed use does not fit in with the existing development of the area and would create traffic problems. Mr. Brunson stated that the character of the neighborhood is changing toward "O" Office uses because of the overriding influences of the Interregional Highway to the east and the University of Texas expansion program on the west and north. High density uses of apartment and office uses are compatible in this area. A majority of the Commission therefore

VOTED: To recommend that the request of James K. Eichelberger for a change of zoning from "B" Residence, Second Height and Area to "O" Office, Second Height and Area for property located at 2000-2002 Oldham Street and 706-710 East 20th Street be GRANTED.

Mr. Barrow stated it was his opinion that "O" Office zoning is not the proper zoning for the site alone, since it is not contiguous to office development. A larger area, extending to the "C" Commercial area, would be more logical. Mr. Brunson stated that the requested use is compatible with the other uses in the area. After further discussion, the Commission then

VOTED: To recommend that the request of James K. Eichelberger, Jr. for a change of zoning from "B" Residence, Second Height and Area to "O" Office, Second Height and Area for property located at 2000-2002 Oldham Road and 706-710 East 20th Street be DENIED.

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

C14-65-165 George B. and Daisy F. Shepherd: A, 1st & C, 2nd to C, 2nd
5007-5015 Burnet Road
Add'n. Area: Rear of 5003-5005 Burnet Road

STAFF REPORT: This site contains 29,288 square feet and is developed with a single-family dwelling. A small area has been included as additional area because it is the only portion of a lot adjoining subject property that is not already zoned "C" Commercial. The front portion of the subject property, fronting onto Burnet Road, is zoned "C" Commercial. The Commission recently granted "GR" zoning to a tract of land on Woodrow Avenue. Because of the fact that most of the subject property is commercial and does front onto Burnet Road, this application is recommended. However, it should be pointed out that Burnet Road has a sub-standard right-of-way.

TESTIMONY

WRITTEN COMMENT

Code

BL	Ernest Rosner: P. O. Box 5202	FOR
AQ	C. A. Collins: 4909 Lynnwood	FOR
BF	Joe W. Hart: 1414 West 51st	FOR
AK	James D. Glynn, M. D.: 2404 Tower Drive	FOR

PERSONS APPEARING AT HEARING

Code

None

SUMMARY OF TESTIMONY

No one appeared in favor of or 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 a logical extension of the existing pattern.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of George B. and Daisy F. Shepherd for a change of zoning from "A" Residence, First Height and Area and "C" Commercial, Second Height and Area to "C" Commercial, Second Height and Area for property located at 5007-5015 Burnet Road and the additional area located at the rear of 5003-5005 Burnet Road be GRANTED.

C14-65-166 Leon Chandler, Jr. and Gordon D. Clark: A to O
3708 Crawford Avenue
Add'n. Area: 3702-3704, 3710-3712 Crawford Avenue
1505-1507 West 38th Street

STAFF REPORT: This site consists of 6,250 square feet and fronts onto Crawford Avenue. The applicants propose an office for an architect. The Commission recently zoned "O" Office to the southeast across 35th Street for the Seton Hospital Complex. "O" Office zoning is also established on the adjacent lot to the south. Because of the "O" zoning in the area, the balance of this block has been included as additional area. The owner to the north of the subject property is opposed to having his property zoned "O". The northeast corner of the lot to the north included as additional area, is affected by the right-of-way needs of West 38th Street. A corner is needed from this property for the widening of 38th Street. There is "GR" zoning and "LR" zoning in the area to the west.

TESTIMONY

WRITTEN COMMENT

Code

Q C. A. Parks: 208 West 31st FOR

PERSONS APPEARING AT HEARING

Code

A Gordon Clark (representing applicant) FOR

A Leon Chandler (applicant) FOR

SUMMARY OF TESTIMONY

The applicants were present in favor of the request.

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 this would be a logical extension of the zoning in the area. They felt office zoning should be extended to the entire block, as it would allow the best development of the area.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of Leon Chandler, Jr. and Gordon D. Clark for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 3708 Crawford and the additional area located at 3702-3704, 3710-3712 Crawford Avenue, and 1505-1507 West 38th Street be GRANTED.

C14-65-167 Johnnie G. Anderson, et ux: GR to C-2
 4901-4903 Airport Boulevard
 902 East 49th Street

STAFF REPORT: This site contains 8,870 square feet and is developed with a single-family dwelling. The applicant proposes to operate a restaurant, serving beer and wine secondary to the sale of food. "C" Commercial zoning is established across East 49th Street to the south. Subject property was zoned "GR" General Retail in 1956 and is part of a larger "GR" zone located to the north. A drive-in cafe is established on the property adjoining to the north. The proposed use would not require a "C-2" zone, but rather a "C-1".

TESTIMONY

WRITTEN COMMENT

Code

C	Ollie Isaac: 904 East 49th	AGAINST
E	D. C. Grimes: 6401 Wilbur	FOR
AB	Edith Crider: 4802 Clarkson	AGAINST
AC	C. W. Swenson: 4800 Clarkson	AGAINST

PERSONS APPEARING AT HEARING

Code

C	Jacob Isaac: 904 East 49th	AGAINST
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SUMMARY OF TESTIMONY

Mr. Marvin Braswell was present on behalf of the applicant.

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. However, they felt "C-1" should be granted since the area is a well-defined and well-developed commercial area.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of Johnnie G. Anderson, et ux for a change of zoning from "GR" General Retail, First Height and Area to "C-2" Commercial, First Height and Area for property located at 4901-4903 Airport Boulevard and 902 East 49th Street be DENIED, BUT TO GRANT "C-1" Commercial, First Height and Area.

C14-65-168 Johnnie G. Anderson, et ux: A, 1st to B, 2nd
 611-621 East 45th Street
 4412-4420 Eilers Avenue

STAFF REPORT: This site contains 75,042 square feet and is developed with a day nursery. The applicant proposes to erect apartments. The requested zoning would permit 100 apartment hotel units. The property adjacent to the west is zoned "B" Residential, Second Height and Area. This was zoned in 1964, at which time the Commission recommended against the request. The Commission felt that the request should be denied because of the inadequate right-of-way and the fact that it would be inconsistent with existing development. The property has a single-family dwelling on it at the present time. There is a right-of-way problem on East 45th Street and Eilers Avenue. East 45th Street is a primary thoroughfare with 55 feet of right-of-way, and a recent traffic study calls for the street to have 80 feet of right-of-way. This will affect the subject property by 15 to 25 feet. Eilers Avenue has 21 feet of right-of-way; the right-of-way needed for that street would affect the property some 29 feet on the east side. If the additional street rights-of-way are acquired, it would reduce the size of the property to 63,387 square feet and this would reduce the maximum number of units to 84.

TESTIMONY

WRITTEN COMMENT

Code

Dr. and Mrs. D. W. Terry: 603 East 43rd
 AC Nancy Smith: 708 Keasby

AGAINST
 FOR

PERSONS APPEARING AT HEARING

Code

M Ray Smith, Jr.: 941 East 50th Street

AGAINST

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Marvin Braswell, representing the applicants, stated that when the City wants to widen Eilers Avenue, the applicants will accept any legitimate offer for the land. They have more than enough area for the 40 units they propose to build.

Arguments Presented AGAINST:

Mr. Ray Smith appeared in opposition to the request and presented the following information: If this request is granted, it will be piece-meal zoning. If it is granted, the proposed apartments would face 45th Street, and that would mean there would be 60 garbage cans facing the front of his property. The tenants would more than likely be University students, and there would probably be four students to each apartment. This would mean there would be 240 cars going in and out at all hours of the day and night. This request is inconsistent with development in the area.

C14-65-168 Johnnie G. Anderson, et ux--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The staff reported a letter from the applicant stating they will, should their requested zoning change be granted, deed to the City of Austin, their share, not to exceed 25 feet in depth, of land required by the City of Austin for any future widening of East 45th Street. They further stated they agree to give to the City of Austin, should said zoning be granted, another strip of land off the east portion of the described premises, size 29 feet by 295.8 feet fronting Eilers Avenue, conditioned that the City of Austin, if and when Eilers Avenue is widened and paved, pay their (Anderson's) share of paving, curbing and drainage costs.

Mr. Barrow stated that the Planning Commission does not have the authority to bargain with the applicants for right-of-way. After further discussion, the Commission then

VOTED: To recommend that the request of Johnnie G. Anderson, et ux for a change of zoning from "A" Residence, First Height and Area to "B" Residence, Second Height and Area for property located at 611-621 East 45th Street and 4412-4420 Eilers Avenue be DENIED.

C14-65-169 Gulf Oil Corporation: A to GR

7040-7106 Highway 290

Add'n. Area: 7108-7112 U. S. Highway 290

Rear of 7114-7124 U. S. Highway 290

STAFF REPORT: This site consists of 22,400 square feet and is undeveloped. The applicant proposes to erect a service station. A tract of land with 22,913 square feet has been included as additional area as it is located between "C-1" zoning and the proposed "GR" zoning. There is a swimming pool, a non-conforming use, in the additional area. The pool is used in conjunction with a motel which is out of the City limits. Almost all of the frontage on the north side of Highway 290 is zoned commercial.

SUMMARY OF TESTIMONY

Mr. J. A. Lands appeared at the hearing on behalf of the applicant.

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 a logical extension of the existing zoning in the area.

C14-65-169 Gulf Oil Corporation--contd.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of Gulf Oil Corporation for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 7040-7106 Highway 290 and the additional area located at 7108-7112 U. S. Highway 290 and the rear of 7114-7124 U. S. Highway 290 be GRANTED.

C14-65-170 Leon Stone, et al: A to O & B (as amended)
 2910 Kinney Avenue
 2910 Burning Oak Drive
 2600-2714 Thornton Road
 2601-2617 Thornton Road

STAFF REPORT: This site consists of approximately 30 acres of land and is undeveloped. The applicant proposes a children's home and school for exceptional children. Along Thornton Road are fairly large tracts of land and a number of single-family dwellings. On the east side of Thornton Road are two non-conforming uses. To the north of the subject property there are two pending requests for commercial zoning. The reason for their pending status is to provide an extension of Thornton Road through the subject property and southward to Lightsey Road. The subject property has 1100 feet adjacent to a railroad track on the east. Immediately across the railroad track is a tract of land zoned "C" Commercial. A residential subdivision is located to the south of the property.

Thornton Road is a minor collector street with 50 feet of right-of-way, and there is concern about extending the street. The Planning Department has indicated an acceptable location for the extension. The present stub portion of Thornton Road extending into the subject property would be vacated. The vacation request has not been before the Commission as yet, but will be presented at the next Planning Commission meeting. There are two stub streets created by the subdivision to the south, both of which dead-end at the subject property. The attorney for the applicant has agreed to terminate these stub streets with a cul-de-sac on the subject property. They have also agreed to dedicate, through the property, the extension of Thornton Road and terminate it with a turn-around until it is developed further to the south. The location of the turn-around is proposed to the north of the creek. The proposed use is unique in terms of the Ordinance as it takes office zoning to accommodate the proposal. The proposed use does provide considerable open-space and the department feels this would separate the existing residential development to the south and the probable commercial development to the north.

C14-65-170 Leon Stone, et al--contd.

TESTIMONY

WRITTEN COMMENT

Code

	Mr. and Mrs. Marran: 2909 Kinney	AGAINST
	Mrs. Ruth Burleson: 2909 Kinney	"
V	M. E. Roberts: 3007 Pin Oak Court	"
J	Esther J. Riefkoge: 3005 Kinney	"
X	John P. Chambers: 3001 Pin Oak Court	"
AB	J. D. Witherington: 3006 Pin Oak Court	"
AW	A. M. Bartlett: 2807 Del Curto	"
	Mrs. Mary McDonald: 1800 St. Albans	"
	Thomas Puryear: 2910 Kinney	"
M	L. R. Briggs, Jr.: 2911 Kinney	"
AT	Russell G. Ferguson: 2905 Del Curto	"
BF	J. C. Williams: 1704 Lightsey	"
AY	A. Prewitt: 2707 Del Curto	"
F	D. G. Torbett: 709 West Gibson	"
AL	Winnie L. McCoy: 2505 Thornton	"
A	H. G. Linscomb: 3414 Lyons Road	FOR
BB	Melvin Swenson: 2607 Del Curto	AGAINST
D	Ora Armstrong: 1606 Roberts Avenue	AGAINST

PERSONS APPEARING AT HEARING

Code

A	Will Garwood: 204 Austin Nat'l. Bank	FOR
	Edwin Drmis: 4201 Wilshire Parkway	"
	V. J. Endres: Rt. 7, Box 994	"
	H. R. Gipson: 1110 East 32nd	"
	Leonard Strickler: 1900 Aggie Lane	"
	James Farriss, Jr.: 1110 East 32nd	"
	Lydon Brown: 5702 Bullard	"
	Kenneth Brown: 4005 Edgefield Court	"
A	Leon Stone (applicant)	AGAINST
	Charles White: 3008 East 12th	"
E	Mrs. H. L. McClintock: 1608 Roberts Avenue	"
BB	Melvin Swenson: 2607 Del Curto	"
	David Houston: 1601 Lightsey Road	"
AD	Gordon F. Watry: 3005 Burning Oak	"
	Fred A. Masch, Sr.: 3203 Clawson Road	"
	Mrs. Earl Madden: 3111 Clawson Road	"
	Murl Hill: 3100 Clawson Road	"
B	Mr. & Mrs. Thomas Puryear: 2910 Kinney	"
X	Jane Chambers: 3001 Pin Oak Court	"
	Homer Wallace: 3113 Clawson Road	"
	Mrs. Louie Thompson: 3007 Leaning Oak Circle	"

C14-65-170 Leon Stone, et al--contd.

	Mrs. Virginia Thorson: 3103 Dolphin	AGAINST
	Mrs. Leslie Staton: 3004 Leaning Oak Circle	"
BE	Mrs. David K. Lacker: 1704 Lightsey Road	"
BG	Everett Moore: 1706 Lightsey	"
	Mary McDonald: 3003 Kinney	"
AW	Ace Bartlett: 2807 Del Curto Road	"
AZ	W. F. Chapman: 2705 Del Curto	"
C	L. P. Manning: 1602 Roberts	"
AX	Miles Townsley: 2801 Del Curto	"
AN	Morris Kieke: 2509 Thornton	"
BC	Joseph Fine: 2605 Del Curto	"
Q	B. J. McNamara: 2908 Burning Oak	"
	Walter Schmidt: 3008 Pin Oak Court	"
AT	Russell Ferguson: 2905 Del Curto	"
AB	J. D. Witherington: 3006 Pin Oak	"
X	John Chambers: 3001 Pin Oak Court	"
AV	Arthur Smith: 2811 Del Curto	"
	Richard Schaffer: 3206 Overcup Oak	"
	M. T. Avant: 3204 Overcup Oak	"
	Mr. Chas. Hight: 3207 Overcup Oak	"
	Donald Shafford: 3202 Overcup Oak	"
	Henry J. Evans: 3201 Overcup Oak	"
J	Esther Riefkoge: 3005 Kinney	"
	Mrs. Frank Vasquez, Jr.: 3007 Kinney	"

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Will Garwood, representing the applicant, presented a model of the proposed development and a petition with nine signatures of property owners in the area who are in favor of the request. Also submitted was an amendment to the application which is as follows: (1) the area south of a line parallel to and 50 feet north of the south line of the property sought to be zoned is hereby withdrawn from the zoning application. (2) The areas which are west (and north) of the proposed road as shown, such areas are no longer south to be zoned "O" Office, First Height and Area, but rather are now sought to be zoned "B" Residential, First Height and Area. Mr. Garwood presented the following information: Mr. Kenneth Brown and Mr. Lyndon L. Brown, owners of part of the subject tract, have under option the tracts owned by Mr. Stone and Mr. and Mrs. Horace Linscomb. The purpose of the application is for the Brown Schools Oaks Unit, a school for exceptional children. On file with the Planning Department is an agreement to make dedication, as requested by the City, in the general pattern for the street and appropriate turn-around, and also to provide turn-arounds for the two stub streets to the south that dead-end at the subject property line. The applicants have also agreed to pay for the paving and development of these streets.

C14-65-170 Leon Stone, et al--contd.

Running through the entire property is a creek that provides a natural buffer. In the area to the east of the creek there will be a football field, baseball diamond, gym and swimming pool. The entire tract is heavily wooded at the present time. The existing Oaks Unit of the Brown School is located just off of North Loop Boulevard. The present enrollment of students is 125. The highest enrollment they have ever had is 132. The average age of these students is just under 13 years. The average I.Q. is approximately 93.6. Approximately 41 of these students attend the Austin Public Schools. The balance are educated at the school. The Oaks Unit is for children who are emotionally disturbed, not mentally retarded. None are accepted at the school until they are professionally screened and the school is advised that there can be improvement. Active psychotic children are not accepted into the school.

The buildings will be of stone or brick construction and will have steel supports. All of the buildings will have all of the modern safety devices such as a sprinkler system, etc. The present staff is 89, and there will be approximately 215 people on the grounds. This is the best possible location for this school. In an endeavor of this kind, it is desirable to have a large tract, and it is the feeling of the applicants that this is the proper site for the school.

The school performs an extremely valuable function in the modern day society to educate these children and make them useful citizens in our society. This is an institution that has been in the City for more than 20 years. It has been a tremendous credit to the community. It is also an economical advantage to the community. The Oaks Unit annually spends more than \$500,000 (payroll, unit expenses, etc.). The proposed building construction will be in excess of \$800,000.

To the east of the subject property "C" Commercial zoning is established for a large tract of land and beyond that is "B" and "O" zoning. The present Oaks Unit has proved compatible with other residential development in its present location.

Mr. Robert Sneed, also representing the applicant, presented the following information: The whole concept of the zoning statute deals with the uses of land. Value is also important in determining land uses. The western portion of Austin has developed with fine excellent homes contiguous to the State School. The present Oaks Unit of the Brown Schools is located across the street from one of the largest apartment complexes in the City of Austin. That land sold for five times the amount that was originally paid. There is a residential development behind the present school which has not been harmed in any manner by the school.

C14-65-170 Leon Stone, et al--contd.

The Oaks Unit needs more land and more buildings. From a commercial standpoint, this development will be as expensive, rapid and good as any development in Austin. There has been no useage of the land since it was acquired from the railroad approximately two years ago. Across the railroad track to the east is a large "C" Commercial area. Other applicants seek to move into this area with commercial uses. Zoning is predicated upon the highest and best use for the tracts of land. There is a natural gradation from the "C" Commercial zoning across the railroad track to the "O" Office and there is a natural contour break along the creek where the "O" Office development stops. "B" Residential zoning is proposed for a western portion of the property. This would permit parking only. Then there is another buffer area to the south that would prevent any encroachment of one useage on another. There will be an occupancy of approximately 225 people. If the land was developed residentially, allowing four lots to the acre, with four members to a house (which could also be developed with duplexes) there would be a density of 600 people. The requested zoning is the highest and best use for this land.

Arguments Presented AGAINST:

Forty-six people appeared at the hearing in opposition to the request. Mr. Russell G. Ferguson presented the following information in support of their opposition: This entire area is strictly residential, with all of the people being owner-occupants. The people in the area vigorously oppose any change of zoning that would permit anything but residential development. There are no apartments or duplexes in the area. This school is not an advantage to the economic development of this community. This type of economic development is not needed for this area. It will lower the value of the property, and is certainly not compatible with the area. This is a nice residential section of Austin, and all of the homeowners feel this change would be detrimental. There is no reason the school cannot stay at its present location.

The property owners abutting the proposed street are not in favor of this street going through their property. It is going to take condemnation to acquire the right-of-way for this proposed street as none of the owners affected will agree. Some of the residents in the area bought their lots with the understanding that the City was going to provide more streets for people to get into and out of the area. If the school is allowed, it will result in no street development.

Mr. E. R. Moore stated he was also opposed to the street going through his property as it would be a hazard.

COMMENTS AND ACTION BY THE COMMITTEE

A majority of the Committee recognized the fact that "C" Commercial property exists on the east side of the railroad track, and that "A" Residential exists to the west. They felt that this unique use tends to separate these two zoning areas. They felt the railroad would otherwise encourage commercial

C14-65-170 Leon Stone, et al--contd.

development along Thornton Road to the north. This property would be a stopping point between the residential and commercial. This view is supported by the following facts:

1. A 50 foot buffer zone has been proposed between the residential development and the school.
2. The school is residential in nature.
3. The proposed use would be a lower density use than full development under "A" Residence.

Mr. Hendrickson stated that he was against the request because of the inadequacy of the streets in the area, and because there is no assurance that Thornton Road will be continued south to connect with Lightsey Road. It may go through the subject property, but based on testimony given by property owners affected by the proposed extension, condemnation procedures will be required to make it a through street.

The staff reported to the Commission a letter from the applicants requesting withdrawal of this application. The Commission then

VOTED: To ACCEPT the withdrawal of this request.

C14-65-171 James Bergen, Jr.: A to LR
3710 Kerbey Lane

STAFF REPORT: This site contains 7,579 square feet and is developed with a single-family dwelling. The applicant proposes to develop this lot in conjunction with four lots adjoining to the north for a small shopping center. There is mixed zoning in the area of "LR", "GR", "O", "B", "C", and "A". A request for "LR" zoning is pending on the four lots to the north.

TESTIMONY

WRITTEN COMMENT

Code

None

PERSONS APPEARING AT HEARING

Code

A Jerry Perlitz (representing applicant)
 Carter Christie: 3407 Bonnie Road

FOR
 FOR

SUMMARY OF TESTIMONY

Mr. Jerry Perlitz, representing the applicant, stated that this lot is to be used in conjunction with the four lots fronting on 38th Street.

No one appeared in opposition to the request.

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C14-65-171 James Bergen, Jr.--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded this request should be granted as it is a reasonable extension of existing "LR" zoning.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of James Bergen, Jr. for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 3710 Kerbey Lane be GRANTED.

C14-65-172 Roberta Dickson: D, 6th and A, 1st to D, 6th
 5209-5309 Glissman Street
 760½-770½ Airport Boulevard

STAFF REPORT: This site consists of 4.63 acres of land and is undeveloped. The applicant proposes industrial development. This area is designated as industrial in the Master Plan. The east portion of the property is zoned industrial, and the west portion is zoned residential "A". The main concern is the right-of-way of Glissman Road. The portion of Glissman Road abutting the subject property is only 30 feet wide. The Ordinance requires streets abutting industrial development to have 80 feet of right-of-way. This would affect the north 25 feet of subject property. If dedicated, it would bring the street to 55 feet.

TESTIMONY

WRITTEN COMMENT

Code

None

PERSONS APPEARING AT HEARING

Code

E Mr. & Mrs. Wayne Eby: 719 Shady Lane
 K Frank Zett: 5206 Glissman
 Trueman O'Quinn (representing applicant)

FOR
 AGAINST
 FOR

SUMMARY OF TESTIMONY

Mr. Trueman O'Quinn, representing the applicant, stated that when Mrs. Dickson acquired this property she found that only a portion of it was zoned industrial. The entire tract should be zoned industrial. There are no definite plans for immediate development. If the other property owners on Glissman Street dedicate their half of the right-of-way, a recommendation will be made to the applicant to dedicate her portion. The subject property is so arranged that the frontage on Airport Boulevard is only 258 feet. If 25 feet for Glissman Street is dedicated from the property, the frontage on Airport Boulevard will be reduced.

No one appeared in opposition to the request.

C14-65-172 Roberta Dickson--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded this request should be denied due to the inadequacy of Glissman Street. The Committee stated they would look with favor on industrial zoning for subject property if Glissman Street had adequate right-of-way.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of Roberta Dickson for a change of zoning from "D" Industrial, Sixth Height and Area and "A" Residence, First Height and Area to "D" Industrial, Sixth Height and Area for property located at 5209-5309 Glissman Street and 760½-770½ Airport Boulevard be DENIED.

PENDING CASE

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: Mr. Jerry Perlitz, representing the applicants, requested a postponement of this case at the Commission meeting of August 24, 1965, pending further study with the staff on the development plans for this property, and additional right-of-way for West 38th Street. Mr. Stevens reported that the City is considering an angling right-of-way for West 38th Street and recommends that the Commission recommend against the request with the statement that they would look with favor upon the zoning when the streets are adequate.

Mr. Barrow stated that it is his opinion that a zoning request should be turned down because of inadequate street width in cases where the zoning request would increase the traffic. The zoning change in this location will increase the traffic, but not appreciably. The major increase in traffic on West 38th Street is caused by the growth of the City. It is not right to require an individual to furnish right-of-way in this situation.

Mr. Brunson inquired if the City is going to pay for the right-of-way. Mr. Perlitz stated that nothing has been said one way or the other. The street is 60 feet wide and the City has been told that the applicants will build 10 feet further back than the required setback line so that when the need for right-of-way is required, it will not be detrimental to the shopping center.

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

After further discussion, the Commission then

VOTED: To recommend that the request of Herbert Bohn, J. D. Willis and Milo W. Weaver for a change of zoning from "A" Residence, 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 be DENIED.

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

NAY: Messrs. Barrow and Kinser

ABSENT: Mr. Wroe

R146 SUBDIVISION COMMITTEE

The Committee Chairman reported action taken on the subdivisions at the meeting of September 7, 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 the following subdivision was referred to the Commission: C8-65-41 Preswyck Hills, Section 4. It was therefore

VOTED: To ACCEPT the attached report and to spread the action of the Subdivision Committee of September 7, 1965, on the minutes of this meeting.

PRELIMINARY PLANS

C8-65-41 Preswyck Hills, Section 4
Springdale Road and Rogge Lane

The staff reported that this preliminary was referred to the full Commission pending further consideration and possible revision. There was concern by the Department on the original layout inasmuch as there was existing commercial "GR" zoning on the rectangular tract located at the northeast corner of the subject tract. This particular subdivision proposes to expand the commercial in connection with the development of the subdivision. In so doing, it is creating a number of lots that jut out into the proposed commercial. The Planning Department is concerned about these 4 or 5 residential lots that stick out into the existing and proposed commercial property.

The staff has recommended some suggested changes to the engineers and developers. The proposed Lots 13, 14, 15 and 16 are the lots that jut out into the proposed commercial. With existing commercial on two sides and the proposed expansion of the commercial to the south, this puts these particular lots in a bad position as far as a residential use is concerned. To protect the value of the residential lots, it is felt that a revision should be made to try to create a better relationship between the proposed commercial

C8-65-41 Preswyck Hills, Section 4--contd.

and the residential lots. One suggestion by the staff would be to limit the commercial to the existing tract and back residential lots up to it. The other suggestion would be to increase the amount of the commercial area to roughly the same area as originally requested, again backing lots up to the commercial. This would allow for some expansion of the commercial area. In either case, this would allow for the backing of residential lots to the commercial area which provides a much better land use relationship.

Mr. Curington stated they would like to go with the original layout but take off the lots along Preswyck Hills Drive that protrude out into the proposed commercial, and let the one lot (Lot 16) be used as a duplex. Other lots adjacent to the intersection of Woodbriar and Tipton Drive would be deed restricted as residential only. Mr. Curington also stated they would like to leave the street pattern as originally planned. Mr. Stevens stated that the one lot they want to put a duplex on would be acceptable. It was Mr. Brunson's opinion that this would buffer the residential area. After further discussion, the Commission therefore

VOTED: To APPROVE the plan submitted by the engineer at the meeting, eliminating Lots 13, 14 and 15 from the plan as residential lots and subject to deed restricting the lots adjacent to the proposed commercial to residential.

Mr. Foxworth stated that there is a question on the alignment of Springdale Road. Just north of where Norwood Hills Road comes out, there is a slight jog to the east. The Planning Department's proposal would be to straighten the west right-of-way line of Springdale Road. This would involve some more dedication of approximately 10 to 14 feet over and above what they were proposing to dedicate. The reason for this is in connection with the expressway system.

Mr. Curington stated that originally the jog was 24 feet and the City asked for a 10 foot dedication which was agreed to.

Mr. Osborne, Planning Director, stated that what the City is trying to do is to work with the Highway Department on the proposed expressway scheme. The initial plan is that the City has tried to move the road as far as they could in meeting the Highway Department's wishes. It is felt that it would be best to line the street up and straighten out the west right-of-way line.

Mr. Barrow and Mr. Kinser were of the opinion that the same thing would be accomplished if the hump were taken out of the road.

Mr. Osborne stated that as long as the various developers in the area are on notice that this is a planned and proposed thoroughfare, the jog can be straightened out to some extent.

C8-65-41 Preswyck Hills, Section 4--contd.

Mr. Stevens stated that Tipton Drive extends southerly from Preswyck Hills Drive and through the subdivision. It is felt that from Norwood Hills Road, an east-west collector, should be developed as a commercial collector and should be a 60 foot road as it funnels traffic into the commercial area. At the Committee meeting, it was suggested to put 36 feet of paving there and leave the right-of-way at 50 feet.

Mr. Curington stated that they have contacted Public Works and 36 feet of paving is acceptable with a 50 foot right-of-way.

Mr. Stevens also commented that this was acceptable.

After further discussion, the Commission therefore

VOTED: To APPROVE the preliminary plan of PRESWYCK HILLS, Section 4, pending compliance with departmental reports and tapering of the west right-of-way line of Springdale Road to relieve the jog.

SUBDIVISION PLATS - FILED

C8-64-35 Olivia Heights

East 19th Street at Adriane Drive

The staff reported that this subdivision is located on East 19th Street, which is a Master Plan thoroughfare with a proposed right-of-way of 120 feet. This plat is recommended for filing subject to a 10 foot dedication being shown on the plat. It was therefore

VOTED: To ACCEPT the final plat of OLIVIA HEIGHTS for filing, subject to the 10 foot dedication being shown on the plat.

C8-65-37 Spanish Oak Ridge, Section One
Hornsby Street and Rennalee Loop

The staff reported that there is a request for a name change from Brushwood and recommended this plat be accepted for filing. It was therefore

VOTED: To ACCEPT the final plat of SPANISH OAK RIDGE, Section One, for filing, granting approval of the name change from Brushwood.

SUBDIVISION PLATS - CONSIDERED

C8-65-38 Kassuba Beach

Riverside Drive at Tinnin Lane

The staff recommended disapproval of this plat pending the required fiscal arrangements and completion of departmental reports. The Commission therefore

VOTED: To DISAPPROVE the final plat of KASSUBA BEACH, pending the required fiscal arrangements and completion of departmental reports.

C8-65-43 Greenwood Hills, Section Three
Suburban Drive at Sheffield Drive

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

VOTED: To DISAPPROVE the final plat of GREENWOOD HILLS, Section Three, pending the required annexation, authorizing the staff to poll the Commission upon completion.

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

The staff recommended disapproval of this plat pending the required fiscal arrangements and completion of departmental reports. The Commission therefore

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

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

The staff recommended disapproval pending completion of departmental reports. The Commission therefore

VOTED: To DISAPPROVE the final plat of WHITE PLAINS, Section Five, pending completion of departmental reports.

C8-65-5 Parkwood at University Hills
Loyola Lane

The staff reported that this property is located on Loyola Lane. There is a creek that these lots back up to. There is a relatively square tract of land between this property and Manor Road and Loyola Lane and the creek, which is part of this property. The Planning Department comment is that this should be included in the subdivision since it is less than 3 acres and under the same ownership. Unless the creek is bridged, it would not be useable in connection with the property to the south of the creek.

Mr. Purser stated that the paving of Loyola Lane and the water and sewer which will serve this tract of land is already in place.

Mr. Stevens inquired if there is a drainage problem. Mr. Purser stated that their problem is trying to establish the drainage requirements in connection with Little Walnut Creek. This tract could be further short-formed, since all utilities and streets are existing. If it can be cleared with Water and Sewer and Drainage, there should be no objection by the Planning Department.

C8-65-5 Parkwood at University Hills--contd.

Mr. Foxworth stated that the purpose of a subdivision is to obtain the necessary drainage easements and other easements on the subject tract of land. If this can be worked out with Public Works and the Water and Sewer Department to provide the easements as would be required by a subdivision of the property, the staff would remove their objections to this requirement.

The staff recommends disapproval of this plat pending the required fiscal arrangements, additional easements, easements omitted on plat, and completion of departmental reports, and the working out of the necessary easements with Public Works and Water and Sewer Departments for the remainder of the tract north of Little Walnut Creek easterly to Manor Road. The Commission therefore

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

C8-64-25 Fairmont Park, Section One
Manchaca Road and Southern Oaks

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

VOTED: To DISAPPROVE the final plat of FAIRMONT PARK, Section One, pending completion of departmental reports and authorized the staff to poll the Commission upon completion.

C8-65-7 Wooten Village, Section Three
Brookfield Drive and Fairfield Drive

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

VOTED: To DISAPPROVE the final plat of WOOTEN VILLAGE, Section Three, pending the required annexation and authorized the staff to poll the Commission upon completion.

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

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

VOTED: To APPROVE the final plat of CHASEWOOD ADDITION, Section One.

SHORT FORM PLATS - FILED

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

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

C8s-65-117 Paul's Triangle

Highway 969

C8s-65-118 Bayless Resub. of Lot 19, Blk. B, Northgate Addition

Taulbee Street

C8s-65-119 Stringer & Carter Subdivision, Resub. Lot 1

Old Burnet Road at Hamilton Lane

C8s-65-123 J. Lucas Resubdivision

East 1st Street and Neches Street

C8s-65-116 Dorothy C. Davol Subdivision

Balcones Drive west of Edgemont

This tract consists of approximately 1½ acres and is located south of Balcones Drive west of Edgemont Drive. The variance that is requested is that the Davol that owns the balance of the tract from which this subdivision came, has not signed this plat. This variance is recommended due to two problems. There is a letter from the Davol who owns the larger tract stating they do not wish to be included in the subdivision because of the problems involved in subdividing. Cascadera Drive dead ends into that piece of property. The approved preliminary of Mount Bonnell subdivision is to the west and proposes a street coming to the property south of the creek and because of these two streets, the Ordinance would require any subdivision to extend the two streets. There is a house on this tract of land and a house on the adjoining Hayes Davol tract, both of which are connected to one water meter. The purpose of this subdivision is to get separate water meters for these houses. The Commission therefore

VOTED: To ACCEPT the short form plat of DOROTHY C. DAVOL SUBDIVISION for filing, granting a variance on the requirement of the signature of the adjoining owner.

C8s-65-124 Allen Subdivision, Resub. Part of Tract 2

Rutland Drive

The staff reported that this subdivision is located south of Rutland Drive east of F. M. Hwy. No. 1325. There is a variance involved on the signature of the adjoining owner. A letter to the Planning Commission has been received from Mr. Robert M. Allen, owner of the balance of the tract, in which he stated he does not wish to be included in the subdivision for fear of jeopardizing his position as an investor as distinguished from a subdivider for internal revenue purposes. Departmental reports have not been received

C8s-65-124 Allen Subdivision--contd.

therefore the staff recommends this plat be accepted for filing only, subject to the granting of a variance on the requirement of the signature of the adjoining property owners. The Commission therefore

VOTED: To ACCEPT the short form plat of ALLEN SUBDIVISION, Resub. Part Tract 2, for filing, granting a variance on the requirement of the signature of the adjoining property owner.

SHORT FORM PLATS - CONSIDERED

C8s-65-102 Moten Acres

Fort Branch Blvd. at Delano Street

The staff recommended this plat be disapproved subject to the required fiscal arrangements and completion of departmental reports. The Commission therefore

VOTED: To DISAPPROVE the short form plat of MOTEN ACRES, subject to the required fiscal arrangements and completion of departmental reports.

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

The staff recommended this plat be disapproved subject to the required additional easements, easements omitted on plan and completion of departmental reports. The Commission therefore

VOTED: To DISAPPROVE the short form plat of BALCONES PARK, Section Eight, Resub. Lots 2 and 3, Block Y, pending the required additional easements, easements omitted on plan and completion of departmental reports.

C8s-65-121 Magnolia Addition, Resub. Lot 1, Block 1
Waller Street at Haskell Street

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

VOTED: To DISAPPROVE the short form plat of MAGNOLIA ADDITION, Resub. Lot 1, Block 1, pending completion of departmental reports.

C8s-65-113 M. G. Atwood Subdivision

East of Old Cameron Road on Yeager Lane

This subdivision as submitted, involves a variance on the part of the signature of the owner of the balance of the tract. A letter to the Planning Commission from Mr. Oscar W. Holmes, engineer for M. G. Atwood has been received in which they state that Mrs. Jeffie Mae Lee, owner of the balance

C8s-65-113 M. G. Atwood Subdivision--contd.

of the tract, is not interested in signing the plat and participating in the subdivision. This variance is recommended by the staff. The Commission therefore

VOTED: To APPROVE the M. G. ATWOOD SUBDIVISION, granting a variance on the requirement of the signature of the owner of the balance of the tract, being on the plat.

C8s-65-120 Grumbles Addition
James Casey Street

This is a large tract of land fronting on James Casey Street. They propose to subdivide one lot out of the tract. The problem is that Clifford Street needs to be extended. They are willing to furnish access to the balance of the tract in the future by providing a cul-de-sac and a westerly extension of Clifford Street. The staff recommends that they provide for the development of the back part of the land, but not require such development at this time. It is also recommended that this plat be approved, granting a variance on the width of James Casey Street as they are providing their share of the widening. It was therefore

VOTED: To APPROVE the short form plat of GRUMBLES ADDITION, granting a variance on the width of James Casey Street.

C8s-65-114 Ridgetop Annex, Resub. Lots 35-37, Blk. 13
Depew Avenue north of East 47th Street

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 RIDGETOP ANNEX, Resub. Lots 35-37, Block 13.

ADMINISTRATIVE APPROVAL

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

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

C8s-65-112 Kenneth E. Davis Subdivision
I. H. 35, Clayton Lane, and Reinli Street
C8s-65-111 Resub. Blk. 3, Rosedown Revised
Hancock Drive
C8s-65-115 Greenbriar, Section 1, Resub. Lot 1 & 2, Block B
Rockbridge Terrace and Greenfield Parkway
C8s-65-122 Alexanders Addition
Juliet Street west of Kinney Avenue

OTHER BUSINESS

C10-65-1(o) STREET VACATION REQUEST

Thornton Road south of Bay Street

The staff reported that the zoning request pertaining to the requested street vacation has been withdrawn. It is recommended this request be denied as the street vacation and relocation request is conditioned on the zoning and use proposed for the 30 acre tract. It was therefore

VOTED: To DENY the request for the vacation of Thornton Road south of Bay Street.

C10-65-1(p) STREET VACATION REQUEST

Portion of West Lynn Street south of West 5th

The staff reported a letter to the City Manager from Mr. E. H. Smartt requesting the City of Austin to vacate that portion of West Lynn Street lying and being south of West 5th Street. The staff recommends the alley be vacated subject to the retention of the necessary easements. It was therefore

VOTED: To recommend the VACATION of a portion of West Lynn Street south of West 5th Street, retaining the sanitary sewer, storm sewer and electric easements.

C10-65-1(q) STREET VACATION REQUEST

Portion of West 39½ Street west of Shoal Creek Boulevard to Shoal Creek

The staff reported a letter to the City Manager from Hugo and Martha Leipziger-Pearce requesting the unused right-of-way of 39½ Street be vacated. The staff recommends this alley be vacated subject to the retention of the necessary easements. It was therefore

VOTED: To recommend the VACATION of a portion of West 39½ Street west of Shoal Creek Boulevard to Shoal Creek, retaining the necessary sanitary sewer, storm sewer, water, electric and telephone easements.

C10-65-1(r) STREET VACATION REQUEST

A portion of the unnamed street south of La Casa Drive extending westerly from South Lamar Boulevard

The staff reported that this is a piece of property that Mrs. Roberta Dickson owns and was recently zoned. When the tract was zoned, Mr. Dickson dedicated a street through the property. She now wants to locate and erect a building and wishes to shift the existing street to a new location. It is recommended

C10-65-1(r) STREET VACATION REQUEST--contd.

that the vacation be recommended, and authorize the staff to hold it until the new dedication is in. It was therefore

VOTED: To recommend the VACATION of a portion of the unnamed street south of La Casa Drive extending westerly from South Lamar Boulevard, retaining the necessary easements and authorizing the staff to hold the vacation until the new dedication of a street is in.

ADJOURNMENT: The meeting was adjourned at 8:40 p.m.

Hoyle M. Osborne
Executive Secretary

APPROVED:

Chairman