

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting -- October 19, 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
Howard Brunson
Ben Hendrickson
S. P. Kinser
W. Sale Lewis
Barton D. Riley
Edgar Jackson
W. A. Wroe

Absent

Jack Goodman

Also Present

E. N. Stevens, Chief, Plan Administration
Beverly Sheffield, Director, Parks and Recreation
Glenn Cortez, Assistant City Attorney
Walter Foxworth, Associate Planner
Jack Polson, Associate Planner

MINUTES

Minutes of the meeting of September 21, 1965, were approved.

ZONING

The following changes were considered by the Zoning Committee at a meeting of October 12, 1965.

C14-65-173 L. C. Johnson: A to C

Rear of 3700 North Interregional Highway

STAFF REPORT: This site consists of 1325 square feet and is undeveloped. The applicant proposes to build a radio and television repair shop. It is the only part of a larger tract not zoned commercial. The tract was recently subdivided by short form. There is a building in the larger area that was serving as a repair shop, and is now being used as part of the adjoining motel owned by the applicant.

No written comment was received in reply to notices sent.

SUMMARY OF TESTIMONY

Mr. L. C. Johnson stated that the proposed zoning is for the future development of the property for a commercial motor court.

No one appeared in opposition to the request.

C14-65-173 L. C. Johnson--contd.

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 existing zoning in the area.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of L. C. Johnson for a change of zoning from "A" Residence, Fifth Height and Area to "C" Commercial, Fifth Height and Area for property located at the rear of 3700 North Interregional Highway be GRANTED.

C14-65-174 Roger Hewitt: A to O

600 Denson Drive and 6200-6202 Guadalupe Street

STAFF REPORT: This site consists of 6882 square feet and is developed with a single-family dwelling. The applicant proposes offices for the Austin Teachers Federal Credit Union. To the north of Denson Drive is a highly developed residential area. To the south of Denson Drive and east of Guadalupe Street is the Reilly Elementary School. To the south of Denson Drive and west of Guadalupe Street is an unzoned tract of land developed with a school service center. Adjoining the school service center to the west is the Texas Department of Public Safety. The staff feels the proposed zoning would be an encroachment into a residential area and may encourage other zoning applications of this type. Denson Drive is a minor collector street with 60 feet of right-of-way. Guadalupe Street is a neighborhood collector street with 60 feet of right-of-way.

TESTIMONY

PERSONS APPEARING AT HEARING

Code

	Arthur Amundson: 3301 Werner	FOR
A	Roger Hewitt: 1018 Ellingson Lane	FOR

WRITTEN COMMENT

Code

V	Mary K. Steinocker: 608 Hammack	AGAINST
P	Thomas Huggins: 614 Denson	FOR
AM	Rosa Marie Hoes: 500 Denson	AGAINST

SUMMARY OF TESTIMONY

Mr. Calvin W. Jayroe, representing the applicant, stated that the applicant is an organization of the teachers in Austin. Their main interest in having

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C14-65-174 Roger Hewitt--contd.

this location is because of the two large unzoned Austin School tracts directly across the street. The administration building is planned for the area where the school service center is located. It is extremely beneficial and important to the Credit Union and to the Austin teachers to have a credit union in this area. The unzoned area across the street is the same as if it were zoned "O" Office. There will be adequate parking on the lot. There will be few people there at any given time. The dwelling that is there will be used by the Credit Union at the present time. Most of the dwellings in the area are rental properties and the use by the Credit Union would not be unsightly, detrimental or create a traffic hazard.

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 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 Roger Hewitt for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 600 Denson Drive and 6200-6202 Guadalupe Street be DENIED.

C14-65-175 Kerry G. Merritt: A to BB
1508-1510 Sunnyvale and 1304 Summit Street

STAFF REPORT: This site consists of 12,800 square feet and is undeveloped. The applicant proposes to erect multi-unit residential structures. The property adjoining to the west was zoned "BB" in 1962, and to the south across Sunnyvale Street is a tract zoned "B" that is developed with apartments. The subject property is being resubdivided, and there is a short form that was disapproved pending completion of departmental reports. The applicants propose to divide subject property and the adjoining property into five lots. The zoning would allow a maximum of six units on the subject property and a total of 12 units if used in conjunction with the property adjoining to the west as one site. If the site is subdivided as proposed, the zoning would permit four units to be built on each of the five lots. Summit Street is a minor residential street with 80 feet of right-of-way and Sunnyvale Street has 60 feet of right-of-way.

Three written comments were received in favor of the zoning change and one in opposition.

C14-65-175 Kerry G. Merritt--contd.

TESTIMONY

WRITTEN COMMENT

Code

E	M. A. McCormick: 1507 Lupine	AGAINST
H	C. L. Hilsabeck: 1606 Elmhurst	FOR
Z	Robert C. Wilkes: 911 Daniel	FOR
AE	Lawrence Munson: 1502 Lupine	FOR

PERSONS APPEARING AT HEARING

Code

James P. McWilliams: 2910 Red River

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Robert Sneed, representing the applicant, offered the following information: This application was made for a gradation that would separate the residential property from the dense development of "B". The parties are interested in developing the property. They do not desire to have it developed into one building but desire to have 5 separate buildings. This would be in the keeping of the general customary plan of the gradation of zoning. The area to the south has been developed for quite sometime in apartment development which is the most dense type of development for multi-type houses. The "BB" zoning has already been granted on the property to the west, and the total effect would be to add only two additional units to what could be placed on the lot.

Arguments Presented AGAINST:

Mr. Jim McWilliams, representing the owners of 1505 Sunnyvale Street, offered the following information: These people wish to register their opposition to the zoning change primarily for three reasons. One is the owners at this address bought the land on the premise that residential would remain on the other side of Summit Street. Two is the small size of the area for apartments would constitute a traffic hazard. Three is because it is felt that the aesthetics of the neighborhood in this particular area would be ruined by an apartment house.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded this request should be granted as the request for "BB" zoning would fit the pattern in the neighborhood, and would be compatible with and form a buffer to the residential area. The Committee also noted that the widths of the streets serving the property are sufficient to serve the density proposed.

C14-65-175 Kerry G. Merritt--contd.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Kerry G. Merritt for a change of zoning from "A" Residence, First Height and Area to "BB" Residence, First Height and Area for property located at 1508-1510 Sunnyvale Street and 1304 Summit Street be GRANTED.

C14-65-176 E. O. Quinn: A to B
 9001 East Drive (Plat address 8913-9001)

STAFF REPORT: This site consists of 31,411 square feet and is developed with a single-family dwelling. The applicant proposes to operate a barber shop in a residence. This use is allowed in a "B" zone if the primary use of the property is as a residence. If the request is granted, and the applicant decided to use this area for apartments, he would be allowed a maximum of 20 units. The entire area is residential in nature. The staff feels this would be a case of piece-meal zoning which would set a precedent.

East Drive is a minor residential street with a 50 foot right-of-way.

TESTIMONY

WRITTEN COMMENT

Code

	E. A. Varnell: 8845 East Drive	FOR
E	J. W. Phillips: 8912 Capital Drive	AGAINST
J	Billy R. Keeling: 9011 East Drive	AGAINST
Y	C. M. Saxton: 8915 Georgian Drive	AGAINST
AJ	Johnny Allison: 9002 East Drive	AGAINST

PERSONS APPEARING AT HEARING

Code

N	Mrs. Lonnie M. Willey: 9005 East Drive	AGAINST
M	Arlos Dee Gunn: 9003 East Drive	AGAINST

SUMMARY OF TESTIMONY

No one appeared to represent the applicant.

Arguments Presented AGAINST:

Two nearby property owners appeared in opposition to the request. They stated that this is a residential neighborhood and the street is too narrow for this kind of development, and there would be no provision for off-street parking.

C14-65-176 E. O. Quinn: A to B--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded this request should be denied as the requested zoning 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 E. O. Quinn for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 9001 East Drive (Plat address 8913-9001) be DENIED.

C14-65-177 Mrs. Charlie Tod Armstrong: B to C-1

(by Marvin Braswell)

1212 Parkway and 1213-1215 Baylor Street

STAFF REPORT: This site contains 7714 square feet and is undeveloped. The applicant proposes a drive-in grocery with package beer sales. "O" Office was zoned for the property across Baylor Street in 1963. "LR" zoning was established at the intersection of Parkway and Lamar Boulevard in 1960. "C" Commercial zoning is established along Lamar Boulevard and has been there for some time. The Building Inspector has said that a 25 foot setback from both Parkway and Baylor Streets would be required for any building on the site. This will severely reduce the area available for building. The setback limitations will mean head-in parking would probably be necessary.

The westward extension of 15th Street, for which right-of-way acquisition is now under way, will cross Parkway and tie into Enfield Road just north of the subject property. This may affect the character of the area but it is too soon to tell.

TESTIMONY

WRITTEN COMMENT

Code

	M. K. McAngus: 2610 Wooldridge	AGAINST
F	Big Volume Simmons, Inc.: 1006 West 12th	FOR
G	Annie Bunch: 1207 Baylor	FOR
R	A. L. Kaelzer: 2408 Windsor Road	FOR
AK	Mrs. Merle Smith: 1213 Castle	AGAINST

PERSONS APPEARING AT HEARING

Code

S	Jack Lebo: 1501 Parkway	AGAINST
?	Mrs. Helen Craig: 1101 Enfield	AGAINST
Y	S. E. Pennybacker: 1105 Enfield	AGAINST

C14-65-177 Mrs. Charlie Tod Armstrong--contd.

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Marvin Braswell, representing the applicant, offered the following information: There is a contingent contract to sell the subject property to the National Drive-In Grocery Stores. That is just about all the lot will take care of. This entire block should be considered for rezoning, as the biggest part of the block is used for business purposes. There are also a few substandard homes in the area.

Arguments Presented AGAINST:

Three nearby property owners appeared in opposition to the request. They stated that there is not a need for this type of development in the area and it would create a traffic hazard.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded this request should be denied as the requested zoning is not compatible with the neighborhood. The lot is an inadequate building site because of its size and shape, and parking and access problems.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Mrs. Charlie Tod Armstrong for a change of zoning from "B" Residence, Second Height and Area to "C-1" Commercial, Second Height and Area for property located at 1212 Parkway & 1213-1215 Baylor Street be DENIED.

C14-65-178 C. G. Jones: A to O

2114 Shoalmont Drive

Add'n. Area: 2112 Shoalmont

STAFF REPORT: This site contains 7,000 square feet and is developed with a single-family dwelling. The applicant proposes a real estate and insurance office. The property adjoining to the east of the subject property has been included as additional area since it adjoins existing commercial property. There is strip commercial zoning along Burnet Road and residential zoning to the west of the subject property. This is a difficult zoning question as there are residences on the subject properties siding on the commercial property; however, the granting of this application may set a precedent for the lots across the street and lead to more zoning along Shoalmont Drive, a street inadequate in width for commercial development, and intrude more into the residential development.

C14-65-178 C. G. Jones--contd.

TESTIMONY

WRITTEN COMMENT

Code

V Austin Meter Service
L T. C. Barnes: 5511 Montview

FOR
FOR

PERSONS APPEARING AT HEARING

Code

None

SUMMARY OF TESTIMONY

Arguments Presented FOR:

The applicant stated that his property is only 70 feet from commercial property. Also there are only two dwellings that face on the north side of Shoalmont. This property is rent property; it is not kept up very well and does not give a very nice appearance. An office would add to the neighborhood in appearance. The area will be cleaned up and the same building will be used.

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 as it is an intrusion into a well-defined residential area, and would be on a 50-foot street, which is inadequate for commercial development. The Committee felt that the zoning would be proper only if the access was from Burnet Road.

At the Commission meeting, Mr. Kinser stated that he thought the request was logical as they are only expanding an existing commercial area. This is a more reasonable request than if someone wanted commercial zoning in a well-defined residential area.

Mr. Jackson stated that the Committee felt that any extension of the commercial zoning would be fine if the subject property and the lot adjoining to the east were under the same ownership as the commercial property and had access directly from Burnet Road.

Mr. Barrow stated that if the zoning request was granted, it would create commercial traffic on an inadequate street.

C14-65-178 C. G. Jones--contd.

After further discussion, the Commission therefore

VOTED: To recommend that the request of C. G. Jones for a change of zoning from "A" Residence, First Height and Area to "O" Office, First Height and Area for property located at 2114 Shoalmont Drive and the additional area located at 2112 Shoalmont Drive be DENIED.

AYE: Messrs. Barrow, Brunson, Hendrickson, Riley, Jackson and Wroe

NAY: Messrs. Lewis and Kinser

ABSENT: Mr. Goodman

C14-65-179 Rosa B. Cooper: A to C

2102 East 12th Street

Add'n. Area: 2100 East 12th Street
1201-1205 Alamo Street

STAFF REPORT: This site contains 5800 square feet and is developed with a two-family dwelling. The applicant proposes small mercantile. Because of the existing zoning pattern, the lot adjoining to the west has been included as additional area. There is mixed zoning in the area of "C", "C-1", "C-2", "LR" and "B". The staff does question the extension of zoning past Alamo Street as the street is substandard. The subject lots are small and would be difficult to develop individually as commercial sites except for a very small business. Twelfth Street is a thoroughfare street, and in this instance the Urban Transportation Study proposes the Twelfth Street expressway to start at 13th Street and come south. The expressway plan proposes a right-of-way of 200 feet which may affect the subject property. One written comment was received in opposition to the zoning change.

TESTIMONY

PERSONS APPEARING AT HEARING

Code

BD Floyd Chiles: 2005 East 12th

?

WRITTEN COMMENT

Code

None

SUMMARY OF TESTIMONY

No one appeared to represent the applicant.

A nearby property owner appeared in opposition to the request and stated that the lots in this area are too small to be developed commercially, and there would be no place for off-street parking.

C14-65-179 Rosa B. Cooper--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded this request should be denied as the lots are too small to allow individual development of off-street parking and commercial buildings. The Committee also did not believe that commercial zoning should be extended east of Alamo Street unless the entire block was rezoned and the lots replatted to provide larger sites for commercial use.

At the Commission meeting, Mr. Kinser stated that commercial development already exists on East 12th Street east of Alamo Street. Commercial development should be allowed to expand in areas such as this.

Mr. Barrow was of the opinion that the lot is too small to be used for a commercial site. After further discussion, the majority of the Commission concurred with the Committee recommendation and

VOTED: To recommend that the request of Rosa B. Cooper for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 2102 East 12th Street and the additional area located at 2100 East 12th and 1201-1205 Alamo Street be DENIED.

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

C14-65-180 Sun-Tex Industries Inc.: A to C
106 Pedernales Street

STAFF REPORT: This site consists of 4,392 square feet and is developed with a single-family dwelling. The applicant proposes a warehouse. The subject property and the large parcel of land to the south are actually the same parcel which is currently being subdivided. There is a bottling works on the property to the south. The reason for the expansion of zoning is to expand the business. East First Street is a primary thoroughfare and is to have 90 feet of right-of-way. Pedernales Street is a neighborhood collector street with 60 feet of right-of-way.

TESTIMONY

WRITTEN COMMENT

Code

H L. E. Noe: 2501 East 2nd
 AE Clara Schulle: 6402 Shoalcreek
 F Francisco Rodriquez: 2409 East 2nd

FOR
 FOR
 AGAINST

C14-65-180 Sun-Tex Industries Inc.---contd.

PERSONS APPEARING AT HEARING

Code

A Charles Sandahl: 3401 Cherrylawn

FOR

SUMMARY OF TESTIMONY

Mr. Charles Sandahl, representing the applicant, stated that the purpose of the change is to create another warehouse for the bottling plant. It has been expanded in one area, and this is another extension of the growing business. They wish to stay in that area as the labor force used in the plant comes from that area, and it would be beneficial to have the additional warehouse on the adjoining property. There would be no parking problem and this would not be detrimental to the area. Access to this property would be from East 1st Street only.

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 referred to the Commission pending more information on the street needs.

At the Commission meeting, Mr. Stevens stated that the reason for the referral to the Commission was so that Urban Transportation Study as it applies to this area could be reviewed. It has been found that no additional right-of-way for East 1st Street is needed at this time.

The Commission then

VOTED: To recommend that the request of Sun-Tex Industries, Inc. for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 106 Pedernales Street be GRANTED.

C14-65-181 Marvin A. Bergstrom: A to C
1905-1909 Waterston Street

STAFF REPORT: This site contains 23,250 square feet and is developed with a single-family dwelling. The purpose of the change is for erecting apartments. If the property is rezoned, it would allow a maximum of 46 apartment hotel units. The only recent history in this area is the "C-1" zone located at West 10th Street for a restaurant. This occurred approximately 1½ years ago. "BB" zoning to the west across the railroad track was zoned in 1963.

C14-65-181 Marvin A. Bergstrom--contd.

The right-of-ways for the Mo-Pac and Cross Town Expressway may affect the subject property, but until the rights-of-way and alignments are finally determined, a change in the zoning and land use would be premature. Mo-Pac plans thus far utilize a part of the lot for right-of-way and Newfield Lane exit. The zoning of this lot should follow a more comprehensive study of the land as finally related to the street system.

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

TESTIMONY

WRITTEN COMMENT

Code

None

PERSONS APPEARING AT HEARING

Code

A Marvin Bergstrom (applicant)

FOR

SUMMARY OF TESTIMONY

The applicant stated that a lot of money is spent throughout the country on urban renewal. This is a slum area and should be built up. If this property was zoned commercially, 40 apartment units could be built. If the property was zoned "B", Second Height and Area, 30 units could be built. It should be zoned one way or the other so that something can be built on the property. If there is definitely going to be an expressway, then this property will go commercial. Off-street parking will be provided.

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 as the requested zoning does not fit in with the existing zoning pattern in the area, and because the streets are inadequate.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of Marvin A. Bergstrom for a change of zoning from "A" Residence, First Height and Area to "C" Commercial, First Height and Area for property located at 1905-1909 Waterston Street be DENIED.

C14-65-182 Mrs. Ollie Isaac: A to C-1

904 East 49th Street

Add'n. Area: 906 East 49th Street

4900-4902 Bennett Avenue

STAFF REPORT: This site contains 6300 square feet and is developed with a single-family dwelling. The applicant proposes a restaurant serving beer and wine for on-premise consumption secondary to the sale of food. The lot adjoining the subject property to the east has been included as additional area to complete the zoning pattern in the block. The subject lot is to be developed in conjunction with the lot adjoining to the west which is pending rezoning. "O" Office zoning is established at the corner of Bennett Avenue and 49½ Street.

East 49½ Street is a minor collector street with 50 feet of right-of-way.

Two written comments were received in favor of the zoning change and two in opposition.

TESTIMONY

WRITTEN COMMENT

Code

None

PERSONS APPEARING AT HEARING

Code

None

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Marvin Braswell, representing the applicant, stated that when the property on the corner was recently rezoned, that it was indicated that more land would be needed. The subject lot was then purchased on a contingent basis of the "C-1" zoning being granted. There will be parking on three sides of the restaurant.

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 a logical extension of the zoning pattern. The Committee felt the request for the subject property was reasonable, but felt the additional area should be zoned "O" Office to serve as a gradation in zoning between the intensive zoning along Airport Boulevard and the residential area east of Bennett Avenue.

C14-65-182 Mrs. Ollie Isaac--contd.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Mrs. Ollie Isaac for a change of zoning from "A" Residence, First Height and Area to "C-1" Commercial, First Height and Area for property located at 904 East 49th Street should be GRANTED, and that "O" Office, First Height and Area should be GRANTED for the additional area located at 906 East 49th Street & 4900-4902 Bennett Avenue.

C14-65-183 H. M. Hardy & Austex Development Co., Ltd.: O & A to LR
5710-5804 Manor Road
Add'n. Area: 5806-5808 Manor Road

STAFF REPORT: This site contains 61,815 square feet and is developed with two single-family dwellings. The applicant proposes to erect a variety store in conjunction with a grocery store to be built on the property to the south. The lot adjoining to the north is included as additional area as it would be located between two commercial sites. The south portion of the property is zoned "O" Office and the north is zoned "A" residential. The property to the south was recently zoned "LR", Local Retail, with one parcel being zoned "C-1" for beer sales. That zoning was recommended because the site was in a desirable commercial location as there is commercial along Manor Road. "O" Office zoning would permit the requested use by a special permit without a change in zoning.

TESTIMONY

WRITTEN COMMENT

Code

U	S. L. Allen: 6309 Berkman	FOR
AD	Mrs. Frank Rieger, Sr.: 5905 Manor Road	FOR
M	Claude Garrett, III: 5707 Sandhurst	AGAINST

PERSONS APPEARING AT HEARING

Code

A	H. M. Hardy (applicant)	FOR
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SUMMARY OF TESTIMONY

Arguments Presented FOR:

The applicant stated that the property on the corner is zoned for a grocery store and this request has been made so that a variety store can be put in also.

No one appeared in opposition to the request.

C14-65-183 H. M. Hardy & Austex Development Co., Ltd.--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and concluded this request should be granted as it is a logical extension between "LR" zoning and "C-1" zoning.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of H. M. Hardy & Austex Development Co., Ltd. for a change of zoning from "O" Office, First Height and Area and "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 5710-5804 Manor Road and the additional area located at 5806-5808 Manor Road be GRANTED.

(DISQUALIFIED: Mr. Brunson)

C14-65-184 Louis Berron: A to GR
6601-6603 Felix and 901 Vargas

STAFF REPORT: This site contains 9,240 square feet and is developed with a single-family dwelling. The applicant proposes a hamburger stand. The area is developed almost entirely with single-family residences. Across the street are two small lots zoned commercially. One has a grocery store and the other a residence. The staff feels this location is not suitable for an intensive commercial use.

Varga's Road is a neighborhood collector street with 60 feet of right-of-way. Felix Avenue is a minor residential street with 50 feet of right-of-way.

TESTIMONY

WRITTEN COMMENT

Code

AG S. S. Realty Co.: Rt 2, Box 756

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 denied as it would be an intrusion into a well-defined residential area.

C14-65-184 Louis Berron--contd.

At the Commission meeting, Mr. Barrow stated that it was his opinion that the request should be granted because of the existing development and zoning at the intersection. Mr. Kinser said that there is existing commercial in the area now, and this request would conform to that development. It was then

VOTED: To recommend that the request of Louis Berron for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 6601-6603 Felix Avenue and 901 Vargas Road be DENIED.

AYE: Messrs. Brunson, Riley, Hendrickson, Jackson and Lewis
 NAY: Mr. Barrow
 ABSENT: Mr. Goodman
 (DISQUALIFIED: Mr. Kinser)
 NOT VOTING: Mr. Wroe

C14-65-185 W. T. Shelton: A to LR
3708 Kerbey Lane

STAFF REPORT: This site contains 7,112 square feet and is developed with a single-family dwelling. There are two pending zoning requests to the north. The subject property and the lots in the pending cases are to be developed as one site for a shopping center. The staff recommends the request be granted. The zoning pattern of the area is complex and it is felt uniform zoning of larger areas is desirable. Kerbey Lane is a minor residential street with 50 feet of right-of-way.

No written comment was received in reply to notices sent.

SUMMARY OF TESTIMONY

Mr. Carter Christie, representing the applicant, stated that the property is to be used in conjunction with a community center which is going to be built on this site. The extra property was acquired in order that the size of the center could be increased and adequate parking could be provided. This would free the area of any traffic problem.

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 an extension of existing "LR" zoning and is to be used in conjunction with the pending applications of "LR" in this area.

C14-65-185 W. T. Shelton--contd.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of W. T. Shelton for a change of zoning from "A" Residential, First Height and Area to "LR" Local Retail, First Height and Area for property located at 3708 Kerbey Lane be GRANTED.

C14-65-186 Walter Wendlandt: C to C-1
 Rear of 502 East 51st Street
 Rear of 5102-5104 Evans Street
 Rear of 5109-5117 Bruning Avenue

STAFF REPORT: This site contains 3750 square feet and is undeveloped. The applicant proposes to build and operate a drive-in grocery store which could sell beer to go. The subject site is part of a larger, triangular shaped tract of land. There was a request of "C-1" zoning on the large area in 1963, at which time the Commission recognized the area as primarily residential and felt the application should be denied as it was not the policy of the Commission to grant "C-1" zoning except in a well-defined commercial area. This was also the Commission's feeling on a 1962 request for property at the northwest corner of Duval and East 51st Street. The street situation is a matter of concern. East 51st Street and Bruning Avenue are collector streets with a proposed right-of-way of 60 feet. It will tie in with the Expressway just south of Koenig Lane. The other streets in the area are also substandard.

Three replies in favor of the request were received and three in opposition.

TESTIMONY

WRITTEN COMMENT

Code

P	Henry Harned: 5014 Evans	FOR
S	Ewald Brodbeck: 5008 Evans	FOR
E	Mrs. Paul Eklund: 5112 Duval	AGAINST
T	Helen T. Webster: P. O. Box 1	FOR
AD	E. T. Hamilton: 5015 Evans	AGAINST
D	Fred Bartz: 5114 Duval	AGAINST

PERSONS APPEARING AT HEARING

Code

A	Walter Wendlandt (applicant)	FOR
Z	F. Santos: 5108 Evans	FOR

SUMMARY OF TESTIMONY

The applicant stated that they own the entire block bounded by the three streets. An application for "C-1" zoning was made for the whole block in 1963. For a drive-in grocery, it is felt the "C-1" zoning should be limited to the area of the building. Since the first application was made, East 51st Street has

C14-65-186 Walter Wendlandt--contd.

been opened all the way to North Lamar. This is going to be a major crosstown street. Whatever widening is needed for 51st Street will be dedicated. The City has plans to widen Duval Street, and this is more evidence of the commercial nature of the street. Widening of Duval will not affect the subject property at all. This area is commercial and there are some commercial buildings on the property across 51st Street. The entire area will eventually be commercial. The area has been zoned commercially since 1939 or 1940. If the application is not granted, the property may be developed with another type of commercial use. Under the "C" zoning, there are several uses which are certainly more undesirable than a drive-in grocery.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and a majority concluded this request should be granted as it is in a well-defined commercial area.

The Commission concurred with the Committee recommendation and unanimously

VOTED: To recommend that the request of Walter Wendlandt for a change of zoning from "C" Commercial, First Height and Area to "C-1" Commercial, First Height and Area for property located at the rear of 502 East 51st Street, the rear of 5102-5104 Evans Street and the rear of 5109-5117 Bruning Avenue be GRANTED.

C14-65-187 Miss Lorena Jones: A to B
3804-3810 South Second Street

STAFF REPORT: This site contains approximately 87,120 square feet and is developed with a single-family dwelling. The applicant proposes a rest home. There is no maximum density for a tract in excess of 20,000 square feet. Fifty-eight apartment units would be allowed on this property if the zoning change is granted. There is a large tract of land between South Second Street and South First Street, across from the subject property, that is undeveloped. The City of Austin has approval by a special permit for a service yard located at South Second Street and South Center Street. The area to the west is an old area with substandard streets. The subdivision to the north has dedicated 5 feet for their share of the widening for Birch Street. Birch Street is proposed to extend from South Center Street to Bannister Lane. A number of the tracts in this area are large and undeveloped. If this one tract is granted apartment zoning, it could be the first of many that will want to be rezoned. The staff feels the requested zoning would be inconsistent with the development in the area unless considered on a larger area basis.

C14-65-187 Miss Lorena Jones--contd.

TESTIMONY

WRITTEN COMMENT

Code

None

PERSONS APPEARING AT HEARING

Code

A Cecil Perkins (represented applicant)

FOR

SUMMARY OF TESTIMONY

Mr. Cecil D. Perkins, representing the applicant, stated that most of the property in this area is in the low cost housing field. Ten lots have recently been purchased in this area, ranging in price from \$250 to \$1,300. Since this zoning change has been applied for, there have been many calls from people in the area wanting to sell their lots. This rest home is proposed to cost approximately \$100,000 and adequate off-street parking will be provided. There is a street across the back of the property that the people in the area want developed. There is a City Service Center going to be built in the area and there will probably be commercial across the street from the subject property. There is a buffer from Ben White Boulevard that will probably be commercial. This is a real chance for this land to be developed into something attractive that will enhance the area.

No one appeared in opposition to the request.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and a majority concluded this request should be denied as the street widths in the area are inadequate. The Committee felt this area would lend itself to an area-wide buffer type of zoning from South Center Street to Bannister Lane and from Garden Villa Lane to South Second Street.

A majority of the Commission concurred with the Committee recommendation, and therefore

VOTED: To recommend that the request of Miss Lorena Jones for a change of zoning from "A" Residence, First Height and Area to "B" Residence, First Height and Area for property located at 3804-3810 South Second Street be DENIED.

AYE: Messrs. Barrow, Hendrickson, Kinser, Lewis, Riley, Jackson & Wroe

NAY: Mr. Brunson

ABSENT: Mr. Goodman

C14-65-188 Willis D. Gibbs: A to LR

1301 Chicon Street and 1900-1902 East 13th Street

STAFF REPORT: This site contains 3,888 square feet and is developed with a single-family residence. The applicant proposes retail office use. The subject lot is very narrow. Adjoining on the north is a small lot that is occupied by a beauty shop and then there is a grocery store adjoining that. The major problem in utilization of this lot for commercial purposes is the narrow width of it, particularly with any setback that may be required. There is mixed zoning in the area of "A", "LR", "C-1", "C" and "C-2".

East 13th Street is a primary thoroughfare with 50 feet of right-of-way.

TESTIMONY

WRITTEN COMMENT

Code

None

PERSONS APPEARING AT HEARING

Code

None

SUMMARY OF TESTIMONY

The applicant stated that he purchased this property with the idea of having a two-family dwelling there. The building Inspector advised him that the small area wasn't large enough for a two-family dwelling. Therefore, it is proposed to put a one-family dwelling there and an office. The office would be downstairs and the dwelling would be upstairs.

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 completes the zoning pattern in the area.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Willis D. Gibbs for a change of zoning from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area for property located at 1301 Chicon Street and 1900-1902 East 13th Street be GRANTED.

C14-65-189 Ray Corbin, et al: A to GR

7814-7816 Watson Street

1101-1103 Anderson Lane

1109-1215 Anderson Lane

7813 Gault Street

Add'n. Area: 1105-1107 Anderson Lane

STAFF REPORT: This tract of land consists of 130,399 square feet and is developed with single-family residences and a TV service shop. One lot has been included as additional area as it would complete the zoning in this block. The owner of the additional area does object to his lot being included. He has a home there that is 5 or 6 years old and this will affect his property. Directly across Anderson Lane at the intersection of Gault Street was a recent application for "C" Commercial zoning. The Commission was of the opinion that because of inadequate right-of-way on Anderson Lane, the request should be denied. However, they favored "LR" zoning at such time as Anderson Lane has adequate right-of-way. Across Anderson Lane at the intersection of Watson Street is a strip of "C" Commercial zoning granted in 1953. Directly behind the "C" Commercial zoning and out of the city is a drive-in theater. To the west of Tisdale Drive is a tract zoned "B" Residence which is developed with a rest home. There is a subdivision to the west that sides onto Anderson Lane.

Anderson Lane is to be an east-west throughfare with 90 feet of right-of-way. This will affect the subject property by 15 feet.

TESTIMONY

WRITTEN COMMENT

Code

G	Carl Bailey: 1108 Stobaugh	FOR
BQ	Nelson Pruett: 5425 Burnet Road	FOR
J	James Malloy: 1200 Stobaugh	FOR
A	Homer Shaw: 1113 Anderson Lane	FOR
AJ	Loy D. England: 1001 Anderson Lane	FOR

PERSONS APPEARING AT HEARING

Code

A	Ray Corbin (applicant)	FOR
A	Mrs. Ruth Mills: 1205 Anderson Lane	FOR
B	H. F. Gentry: 1209 Anderson Lane	FOR
A	Edwin Becker: 1105 Anderson Lane	AGAINST
E	W. W. Wernecke: 7808 Watson	AGAINST
A	Homer Shaw: 1113 Anderson Lane	FOR
A	Jay B. Wilkins (represented applicant)	FOR
H	Richard Corbin: 1112 Stobaugh	FOR

C14-65-189 Ray Corbin, et al--contd.

SUMMARY OF TESTIMONY

Arguments Presented FOR:

Mr. Jay B. Wilkins, Jr., representing the applicant, stated that there are several houses involved in this request. There is to be a major shopping center where the drive-in is located. It is possible that the adjoining area will be included. There is considerable development in the area, and this necessitates a shopping center. The purpose of the "GR" is to try to utilize a planned development of the area to take advantage of the regional shopping center. Across the railroad track is "GR" zoning on both sides of Anderson Lane. Across the street is also "C" Commercial zoning. These lots are ideally designed for commercial development because each of the lots have 96.8 feet of frontage. Each of the applicants was made aware of the fact that Anderson Lane is to be widened, and each has consented to dedicate the 15 feet when it is requested. Anderson Lane approaches Burnet Road and Lamar Boulevard in the amount of traffic it carries across town. This is a good location for a regional shopping center.

Mr. Glenn Cortez, Assistant City Attorney, inquired if each of the owners has agreed to dedicate 15 feet of right-of-way. Mr. Wilkins stated that they have all agreed to the dedication.

Arguments Presented AGAINST:

Mr. Edward Becker stated that he owns the property designated as additional area. He stated that he has lived in this location for approximately 5½ years. The property was purchased in a residential area. A lot of investigation was done before the property was bought and there was no reason to think the property would be anything but residential. When the property adjoining to the west was purchased, after the house was built, a residence was put on it, but it was really purchased for the purpose of operating a business. It is not fair for a business to come into a residential area such as this one without the proper zone to begin with. The proposed zoning may increase the value of my land, but not for residential use. If the change is made, there is no way the residence can be sold. The house was set back 75 feet from the property line when built because it was realized that the street would be widened in the future. If a drive-in is put on the corner lot, cars will be parking next to the bedroom windows. This is not desirable for residential property.

Mr. W. W. Werenecker stated that he is opposed as this area should remain residential.

C14-65-189 Ray Corbin, et al--contd.

COMMENTS AND ACTION BY THE COMMITTEE

The Committee reviewed the information and a majority concluded this request should be denied because of the inadequacy of the width of Anderson Lane. A majority of the Committee stated that they feel "GR" zoning is too intensive for this property at the present time. However, they felt the area is changing and that "LR" zoning could be considered when the street is made adequate.

At the Commission meeting, Mr. Jay B. Wilkins, Jr., representing the applicants, advised the Commission that he has a firm commitment that the owners of the subject property will dedicate 15 feet of widening for the right-of-way of Anderson Lane. Mr. Jackson stated that it is his opinion that "LR" zoning should be granted on the subject tract as "GR" zoning is too intensive for the property. Mr. Barrow inquired if Mr. Wilkins has a commitment from the property owners for a 15 foot dedication if "LR" zoning is granted, rather than "GR".

Mr. Wilkins stated that the right-of-way would be given if either "LR" or "GR" zoning is granted, but he stated he would like for the Commission to consider the "GR" zoning.

The Commission recognized the offer of the property owners' representative, Mr. Wilkins, to dedicate additional right-of-way for Anderson Lane. They felt that with a wider street, Local Retail zoning was proper for the property. It was therefore

VOTED: To recommend that the request of Ray Corbin, et al for a change of zoning from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area for property located at 7814-7816 Watson Street, 1101-1103 Anderson Lane, 1109-1215 Anderson Lane and 7813 Gault Street and the additional area located at 1105-1107 Anderson Lane be DENIED, but that "LR" Local Retail be granted.

C14-65-190 Dr. Walter Goodall: C to C-2
123 East 9th Street and 822 Brazos Street

STAFF REPORT: This is a very small site, 24 x 15 feet, and is located on the corner of West 9th Street and Brazos Street. It is part of a parking garage adjoining the Commodore Perry Hotel. "C"-2 zoning is established along Congress Avenue and extends over most of this block to Brazos Street. There are two churches along Brazos Street, but it appears they are slightly over 300 feet from the door of the subject property.

C14-65-190 Dr. Walter Goodall--contd.

TESTIMONY

WRITTEN COMMENT

Code

AD Capt. John B. Pearson: 1507 Palma Plaza FOR

PERSONS APPEARING AT HEARING

Code

? H. T. Hibler: 2403 Rockmoor Avenue FOR

SUMMARY OF TESTIMONY

Mr. Robert McCreary and Mr. Rod Morgan, representing the applicant, offered the following information: Basically this is a site whereby an existing liquor store is to be relocated. The existing liquor store is located in the basement of the hotel, and we propose to relocate it on the ground floor of the garage that is being operated by the hotel. The distance has been measured from the front door of the proposed site to the front door of the churches. It is over 300 feet. Mr. McCreary presented a letter from Mr. W. F. Lewallen, manager of the Commodore Perry Hotel, in which he states that if the liquor store is moved, the store would be more accessible and the sales volume would increase, which would allow an increased liquor selection. Mr. Morgan stated that the existing package store has catered mostly to the hotel clients. Obviously if it is moved, it is hoped that new patronage will be acquired. The present liquor store is hard to find, and it is felt that this will be in the best interest of the hotel and the store.

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-2" zoning in a well-defined commercial area, provided that it meets all other City requirements.

The Commission concurred with the Committee recommendation, and unanimously

VOTED: To recommend that the request of Dr. Walter Goodall for a change of zoning from "C" Commercial, Fourth Height and Area to "C-2" Commercial, Fourth Height and Area for property located at 123 East 9th Street and 822 Brazos Street be GRANTED.

R146 SUBDIVISION COMMITTEE

The Committee Chairman reported action taken on the subdivisions at the meeting of October 4, 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: C8-64-69 Wal-lingwood, Revised. It was therefore

VOTED: To ACCEPT the attached report and to spread the action of the Subdivision Committee of October 4, 1965, on the minutes of this meeting.

PRELIMINARY PLANS

C8-64-69 Wallingwood, Revised
Barton Skyway

The staff reported that the Wallingwood Subdivision was considered by the Subdivision Committee October 4, 1965, and referred to the Planning Commission pending study of expanding the park property as related to the subdivision. The key issue being whether or not the City should acquire any of the Bradfield property for park purposes. The Planning and the Parks and Recreation Departments have since worked out a subdivision plan for the Bradfield property which was reviewed with the Bradfields immediately prior to the meeting.

The difference in the two plans is that their proposal lays out a tier of lots on each side of Wallingwood Drive, the easterly tier backing to the park property and backing to the bluff above Barton Creek. The Department's proposal has Wallingwood Drive running along the bluff, and on City property, with all of the lots located on the west side of the street, until the draw located south of the Girl Scout Hut, at which point the street would leave the City property, curve around the draw onto the Bradfield property and provide a loop serving both private property and the public park area. The balance of the plan is basically the same with the exception of the intersection of Wallingwood Drive and Barton Skyway. In this instance the subdividers propose a tier of lots between Wallingwood Drive and Barton Creek. The Park plan proposes Wallingwood Drive along Barton Creek, the purpose being public access to the park area. In reviewing the department's proposal with the Bradfields, it was determined by them and Thomas Watts of Bryant-Currington, Inc., engineers, that the grade for the proposed street serving the existing park property by means of a loop street off of Wallingwood Drive would definitely have excessive grade causing extreme difficulty for the public and owners of the lots it would serve. Mr. Bradfield also felt that the cost would be prohibitive both to the public and himself as the developer.

Mr. Sheffield, Director of Parks and Recreation, stated because of the fact that the grade was a problem and it would add excessive costs to the Bradfield's development, and as the proposal would not provide for as many lots, the City was not pursuing the roadway location along the bluff.

Mr. Tom Bradfield outlined his subdivision and stated that they are requesting preliminary approval only of the area shown as Section I and that Section II was shown for schematic purposes only, relating it to areas and that the problems in the area identified as Section II could be dealt with later. He stated that they had re-analyzed their first subdivision efforts and after much study, submitted this plan. They find the location of the road along the bluff as proposed by the City, is impractical construction wise. In an effort to analyze this fairly, it was determined what would happen if something like this occurred. Following the plan which the Park Board suggested

C8-64-69 Wallingwood, Revised--contd.

and then at the draw came back into the scheme that was proposed, it was analyzed and found that making even the most favorable comparison, there would be 4000 linear feet of streets in their plan as against 2700 feet of streets in the preliminary plan and by averaging the lot widths, we had 4400 linear feet of lots and on the other side 4500 linear feet of lots. There would be 1300 feet difference in the streets. There are 4 lots less in the City's plan. The only other thing that would seem to hold the cost to a minimum would be to run this street right down the property line between City Park and the subdivision and simply eliminate the culs-de-sac and have a single tier of lots at this point and then pick up again south of the draw with development. If the City shared jointly in the cost of the street it would be \$15,000, for the subdivider and the same amount for the City.

Mr. Kinser stated that he is a great believer in parks, but it is his opinion that the developers plan can be sincerely recommended. The City should spend their money developing the area it has instead of building a street. There is a mile of beautiful ground that hasn't been used in 25 years.

Mr. Barrow stated that this plan is not the same as the one submitted at the Subdivision meeting. Mr. Kinser suggested that a part of the preliminary plan be approved without any mention to the other section of the plan. If the Commission thinks the proposed layout for the first phase is satisfactory, preliminary approval should be given to only that section. After further discussion on this point, the Commission then

VOTED: To consider Section One only, leaving Section 2 as schematic.

The staff further reported that Wallingwood Drive is the only entry to the subdivision and as it is located east of Bee Caves Road, it affects the Knights of Columbus property and building. Representatives for the Knights of Columbus have been asked to be present and comment on the location of the roadway as affecting the street development of their property. This roadway will extend from Bee Caves Road through the Bradfield property, Knights of Columbus property, and the park property, crossing Barton Creek and tying into Robert E. Lee Road as part of a primary throughfare system.

Mr. Leo Herzog, member of the Board of Directors of the Knights of Columbus, stated that their preference is to go on record that they are interested in what is going to happen in this area, as the proposed road is going to be within a 100 feet of the corner of one of the buildings. One plan would take about 1 1/3 acres of the property and the other plan would take only a small portion. This is not a protest as there is no desire to block any progress on the road.

C8-64-69 Wallingwood, Revised--contd.

The staff then reported that the Director of Planning has submitted written comment as follows:

- a. An additional access point should be provided into the existing public land the vicinity of the first ravine (south of the Girl Scout Hut.)
- b. The Silver Creek cul-de-sac should be carefully reviewed and designed to provide access to the greenbelt.
- c. The subdivider and the Park and Recreation Department should establish a mutually agreed upon property line which allows construction of a trail above the flooding line (approximately 50 feet above the flood line).
- d. Adequate access should be provided in the area where Barton Skyway is to cross the creek.
- e. The approval of this plan would not be construed as a commitment by the City to acquire the land or to acquire it through other than customary appraisal procedures. (Any Open Space Program participation by the U.S. Government will require such appraisals.)
- f. No cul-de-sacs in the plan should be less than 50 feet in radius.

Mr. Sheffield indicated some of the uses that the park property could be put to with some access from either a walkway or from the Silver Creek cul-de-sac which includes some picnic areas, hike and bike trails or walkways. This is primarily a scenic thing as far as people being able to walk. Most of the area is impossible to get to. Most of it would be on the ledge where the City is going to put the sanitary sewer lines.

The staff presented technical points as follows:

1. Additional right-of-way required to widen Columbus Drive. It now goes to the Knights of Columbus building. It is proposed to be widened to 60 feet, 30 feet from center line on both sides, as it goes to Zilker Park. Since this plan does not show any right-of-way, it is not known how much it will affect their property.
2. Variance required on the length of the block adjoining Barton Creek in Section I and Section II. Since it all ties together and on the block which encompasses lots 31 through 52, with the exception of the access point in the vicinity of Lot 17, these variances are recommended.
3. Variance required on the radius of Silver Creek Circle. It is recommended that this not be granted but that full right-of-way be provided as this street will provide access to the park area.
4. Consideration should be given to additional access to Section I to provide circulation rather than creating a long dead-end street. Until Section II is developed, this will be a long dead-end street. The length from Bee Caves Road is approximately 3400 feet which is extreme until additional access is provided.

C8-64-69 Wallingwood, Revised--contd.

Mr. Bradfield, Sr., Mr. Thomas Watts, members of the Commission, and staff stated the following concerning the 50 foot radius requirement for Silver Creek cul-de-sac:

Mr. Barrow stated that it has been discussed that they not require access at the other point in the vicinity of the draw. If there is going to be access from the cul-de-sac, it should be good with sufficient width of paving in order to make better use of it. There should be sufficient area for cars to stop and park in the area.

Mr. Bradfield, Sr. inquired about a portion of the cul-de-sac extending onto City property?

Mr. Sheffield stated that as far as he is concerned, it would be all right.

Mr. Bradfield, Sr. stated that they would do whatever they can.

Mr. Barrow stated that it is very important to have as much room as possible, and Mr. Jackson was of the opinion that they need more than 35 feet of paving there.

Mr. Barrow stated that if the subdivider is willing to put the road on their land, it is all right, but if the City needs it, they should have to provide for part of it. The cul-de-sac right-of-way can be reduced to 90 feet by the Commission, but not the paving. It should be recommended that the cul-de-sac have a 45 foot radius, but the paving should be left up to Public Works.

Mr. Foxworth stated that the Commission could approve a 45 foot radius right-of-way, but a reduction in paving would have to be approved by the Director of Public Works. After further discussion, the Commission

VOTED: To APPROVE Section One only of the preliminary plan of WALLINGWOOD, REVISED, granting a variance on block lengths and a variance on the radius of Silver Creek Circle (45 feet radius-90 feet diameter), subject to provision for a 60 foot right-of-way on Columbus Drive and compliance with departmental requirements, and to RECOMMEND to the Director of Public Works that a standard paving width (40 feet radius-80 feet diameter) be provided on Silver Creek Circle.

SUBDIVISION PLATS - CONSIDEREDC8-64-35 Olivia Heights, Revised
East 19th at Adriane Drive

The staff recommended disapproval of this plat pending the required fiscal arrangements, sanitary sewer approach main required for sewer service and

C8-64-35 Olivia Heights, Revised--contd.

compliance with departmental reports. The Commission therefore

VOTED: To DISAPPROVE the final plat of OLIVIA HEIGHTS, Revised, pending the requirements as noted.

C8-65-5 Parkwood at University Hills
Loyola Lane

The staff recommended disapproval of this plat pending the following items: (1) fiscal arrangements, (2) completion of departmental reports, (3) easements omitted on plan, and (4) additional easements required. The Commission therefore

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

C8-65-27 Northwest Hills, Section 7
Far West Blvd. and West Rim Drive

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

VOTED: To DISAPPROVE the final plat of NORTHWEST HILLS, Section 7, pending the requirements as noted.

(DISQUALIFIED: Mr. Barrow)

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

The staff recommended disapproval of this final plat pending the required annexation and requested authorization to poll upon completion. The Commission therefore

VOTED: To DISAPPROVE the final plat of JAMESTOWN, Section 2, pending the required annexation and authorized the staff to poll the Commission upon completion.

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.

Mr. Frank Montgomery, representing the developers, stated that this is the second time this subdivision has been passed for completion of departmental

C8-65-38 Kassuba Beach--contd.

reports. It was thought that everything was agreed to at the meeting with the Planning Department. The Developers had been assured that the drainage report would be available. The developers have recently come from Palm Beach, Florida, and have stated that approval of the subdivision is very urgent.

Mr. Foxworth stated that all of the estimates are available except the drainage estimate. The Planning Department checked with Mr. Morgan of the Drainage Department, and he stated that the easement is not on the plat. If it is cleared within seven (7) days, the staff can poll the Commission for approval.

Mr. Montgomery advised the Commission that they have given right-of-way for Lakeshore Boulevard and now the City wants 200 feet on Riverside Drive for future expressway and 25 feet on Tinnin Lane. They also want an 80 foot drainage easement. This will knock out 80 apartment units.

Mr. Foxworth stated that Mr. Morgan reported to Mr. Metcalfe, engineer for the developer, about the drainage easement which, in some places needs to be 80 feet wide. There is some disagreement as to whether or not they want to provide the drainage easement.

Mr. Montgomery said that the developers are willing to build dams or anything else that is required, but they have a commitment to build a certain number of buildings and buildings cannot be built over an easement.

Mr. Foxworth presented a copy of the plan showing conditions of the drainage channel as determined by Mr. Morgan, Drainage Engineer. The ditch is 23 feet deep at one point and the bottom of it is very sandy, and the channel keeps widening itself out. The easement shown on this plan is what the drainage Department says is needed.

Mr. Barrow said that the Ordinance provides that if the developers cannot comply with a department requirement, they have a right to appeal to the Planning Commission. This would mean a further delay. The quickest way to dispose of this is to get the fiscal arrangements and comply with the Ordinance.

Mr. Montgomery informed the Commission that the developers are willing to do anything to rectify this situation, but an 80 foot drainage easement is not needed in the opinion of the owners.

Mr. Wroe inquired if this was brought up after the right-of-way was agreed to be dedicated? Mr. Foxworth stated that the drainage channel has always been there and it has been understood by all parties concerned that an easement would have to be provided. Mr. Morgan did say that if the subdivider wanted to put up additional fiscal arrangements to cover concrete rip-rap and protect

C8-65-38 Kassuba Beach--contd.

the walls of the channel, they may be able to get by with less than 80 feet. Mr. Montgomery stated that where the problem comes in is this. The City first wanted a 60 foot street for Tinnin Lane. Fifteen feet was provided for. Then the City wanted 10 feet more, so the buildings were redesigned in order to give this 10 feet. Now they want an 80 foot drainage easement, that is really not necessary. After further discussion, the Commission then

VOTED: To DISAPPROVE the final plat of KASSUBA BEACH, pending the required fiscal arrangements and completion of departmental reports and authorized the staff to poll the Commission upon completion.

C8-65-37 Spanish Oak Ridge, Section 1
Hornsby Street and Rennalee Loop

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

VOTED: To APPROVE the final plat of SPANISH OAK RIDGE, Section 1.

SHORT FORM PLATS - CONSIDERED

C8s-65-64 Houston Street Subdivision
Houston Street west of North Lamar Boulevard

The staff recommended disapproval of this plat pending a ten foot sidewalk and public utility easement and setback restriction that is required on the plat. The Commission therefore

VOTED: To DISAPPROVE the short form plat of HOUSTON STREET SUBDIVISION, pending the ten foot sidewalk and public utility easement and setback restriction that is required on the plat and authorized the staff to give administrative approval when this requirement has been met.

C8s-65-117 Paul's Triangle
Highway 969

The staff recommended disapproval of this plat pending the items as follows: fiscal arrangements required, easements omitted on plan, additional easements required, and compliance with departmental reports. The Commission therefore

VOTED: To DISAPPROVE the short form plat of PAUL'S TRIANGLE pending the requirements as noted.

C8s-65-119 Stringer and Carter Subdivision, Resub. Lot 1
Old Burnet Road and Hamilton Lane

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

VOTED: To DISAPPROVE the short form plat of STRINGER AND CARTER SUBDIVISION, Resubdivision Lot 1, pending fiscal arrangements and compliance with departmental reports.

C8s-65-136 Rivercrest Addition, Sec. 1, Cochran's Resub. Lots 13 and 14
Rivercrest Drive

The staff recommended disapproval of this plat pending the Health Department report on water supply and operation of septic tanks. The Commission therefore

VOTED: To DISAPPROVE the short form plat of RIVERCREST ADDITION, Section 1, Cochran's Resub. Lots 13 and 14, pending the Health Department report on water supply and operation of septic tanks.

C8s-65-102 Moten Acres
Fort Branch Boulevard at Delano Street

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

VOTED: To DISAPPROVE the short form plat of MOTEN ACRES, pending fiscal arrangements.

C8s-65-135 D & M Subdivision
Norris Drive

The staff reported that this is a resubdivision of an existing lot located on Norris Drive just off of Rabb Road. The variance that is involved, is that lots 7-B and 7-C do not have 50 feet of width at the building line. They have shown a setback line of more than 25 feet and they do have 50 feet of width or more, at that point. This request did involve an application to the Board of Adjustment. The Board granted the variance, contingent upon the approval, by the Planning Commission, of the subdivision of the lot into two lots and provided the same layout that was approved by them be used. The same layout is being used. They propose to build a duplex on the lots and the staff recommends the variance be granted. The Commission therefore

VOTED: To APPROVE the short form plat of D & M SUBDIVISION, granting a variance on the width of Lots 7-B and 7-C at the building line.

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

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

VOTED: To APPROVE the short form plat of ALLEN SUBDIVISION, Resub. Part Tract 2.

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-65-123 J. Lucas Resubdivision
 East First Street and Neches Street
C8s-65-125 Allandale Square
 Anderson Lane
C8s-65-127 Oak Park Subdivision, Resub. Sec. 2 and Lots 1-21, Sec. 3
 U. S. 290 at Oakclaire Drive
C8s-65-90 Balcones Park, Section 8, Resub. Lots 2 and 3, Blk. Y
 Mount Barker Drive

REPORTS

SUBDIVISION APPROVAL BY TELEPHONE POLL:

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

VOTED: To APPROVE the following plats on the dates shown:

C8-65-19 White Plains, Section 5
 North Lamar and Prairie Trail
 (Approved 9-28-65)
C8-65-20 Wooten Park Square
 Anderson Lane and Mullen Drive
 (Approved 9-28-65)
C8-65-43 Greenwood Hills, Section Three
 Suburban Drive and Sheffield Drive
 (Approved 10-8-65)

OTHER BUSINESS

C10-65-1(s) STREET VACATION REQUEST

West 11th Street between Lamar Boulevard and Shoal Creek

The staff reported a letter to the City Manager from the property owners on both sides of the 900 block of West 11th Street, requesting that the above portion of the street be closed and the public easement thereon be formally vacated.

Mr. Stevens reported that there are no plans for a bridge crossing Shoal Creek in this area and recommended the vacation of the street subject to the retention of the necessary easements. The Commission therefore

VOTED: To recommend the VACATION of West 11th Street between Lamar Boulevard and Shoal Creek, retaining the necessary sanitary sewer, water department, storm sewer, electric department, telephone and gas company easements.

C10-65-1(t) STREET VACATION REQUEST

Swenson Avenue north of Prospect Avenue

The staff reported that this is an application to vacate a part of Swenson Avenue that has never been opened on the ground. The vacation of the street will eliminate a drainage problem that has been existing for sometime. The staff recommends the vacation subject to the retention of the necessary easements. The Commission therefore

VOTED: To recommend the VACATION of Swenson Avenue north of Prospect Avenue, retaining the necessary electric department easements.

C10-65-1(u) STREET VACATION REQUEST

Wichita Street between West 19th and West 21st Streets and West 20th Street from 150 feet east of University Avenue to Speedway

The staff reported that this is another portion of the application for vacation of streets and alleys by the University of Texas. The Commission has recently recommended approval of the requests whenever the University acquires the property abutting the subject streets and alleys. The variance is recommended subject to the retention of the necessary easements and subject to the retention of any widening that maybe needed for the streets abutting the subject street and alley. The Commission therefore

VOTED: To recommend the VACATION of Wichita Street between West 19th and West 21st Streets and West 20th Street from 150 feet east of University Avenue to Speedway, after the University of Texas has acquired all of the property abutting the subject street and alley, and subject to the retaining of whatever land is necessary for the widening of the streets and subject to the retention of the necessary sanitary sewer, water department, storm sewer and gas company easements.

Planning Commission -- Austin, Texas

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

Hoyle M. Osborne
Executive Secretary

APPROVED:

Chairman