

CITY PLANNING COMMISSION  
Austin, Texas

Regular Meeting -- January 12, 1960

The meeting of the Commission was called to order at 7:30 p.m. in the Council Room, Municipal Building.

Present

D. B. Barrow, Chairman  
Marvin B. Braswell  
Howard E. Brunson\*  
S. P. Kinser  
Doak Rainey  
Emil Spillmann  
\*Left meeting at 9:30

Absent

Carl A. Johnson  
H. F. Kuehne  
W. Sale Lewis

Also Present

Hoyle M. Osborne, Director of Planning  
E. N. Stevens, Chief, Plan Administration  
Dudley Fowler, Assistant City Attorney  
Robert E. Beckham, Assistant Director of Public Works  
Charles L. Morgan, Senior Design Engineer

MINUTES

Minutes of the meeting of December 15, 1959, were approved as submitted.

ZONING

The following zoning change requests were considered by the Zoning Committee at a meeting January 5, 1960:

C14-59-155 Nash Phillips and Clyde Copus: A to GR  
Cameron Rd. and Wheless Lane

Mr. Nash Phillips appeared at the hearing and presented statements in support of the request. One reply to notice was received favoring the proposed change. Statements presented may be summarized as follows:

1. This property consisting of about 5 acres should be developed for commercial use if properly planned. At the present time, the owners are considering the area for their own office, a doctors' clinic, and office buildings where adequate off-street parking is provided. The owners are not interested in a third-class or hodgepodge shopping center. The property across Cameron Road both north and south of the Highway is zoned commercial and the other two corners of this intersection are not suitable for residential development.

C14-59-155 Nash Phillips and Clyde Copus--contd.

2. Mr. Phillips was not aware of representation by his salesmen when adjoining residential lots were sold that this property would be developed residentially. He built a fence along the south boundary so that prospective owners would not think it would be residential. He agreed to a 25-foot buffer strip on which no buildings could be built along the rear and to plant a Ligustrum hedge along the fence to obstruct the view of the center from the residences.
3. The owners subdivided and developed the surrounding residential subdivision and would certainly do nothing that would depreciate values. Adjoining residential lots were located to back on the center.

Nine nearby owners appeared in protest, written objections were filed by three owners, and a petition signed by 97 persons (representing about 55 owners) was filed. Objections expressed were:

1. Nearby owners purchased their homes upon the assumption that this property would retain its character as "A" Residence. In many instances the applicants, through their agents and employees, expressly represented to prospective home buyers that residences would be erected in the area. Also, the owners ascertained that the property was zoned for residential purposes and, if you cannot rely on a zoning ordinance when you are buying a home, then zoning ordinances are no instruments of protection but to rely upon them would be to the detriment of the owners. This change should not be made for the economic benefit of the developers to the detriment of the home owners.
2. Sufficient shopping centers have already been provided, all within convenient distance of the homes. There is sufficient undeveloped land within the area, totaling over 200 acres, long zoned as commercial, to provide for future needs without this unwarranted encroachment into a residential area. Because of other shopping centers, this area will consist primarily of small commercial establishments which would not be first-rate and which would be more damaging to the residential area than a first-class shopping center. The proposed "GR" zoning would permit uses which could be very objectionable. The rear of business establishments is not attractive to adjoining residences. Also, many of the homes are located on a higher elevation than the proposed center and would offer a clear view of the center.
3. Zoning ordinances are promulgated for the benefit of the citizens of a city. There is doubt that the proposed use would be in the best interest of the City. The primary purpose of zoning is to protect property for residential purposes. The City of Austin paid a considerable amount of money for a master plan which recommends this tract of land for residential use. To permit the shopping center would not be an orderly method of growth and the money for the master plan is thereby wasted.

C14-59-155 Nash Phillips and Clyde Copus--contd.

The Commission reviewed the arguments presented and the staff report. It concluded that the highest and best use for this property would be commercial because of its location adjacent to State Highway No. 20 and commercial property across Cameron Road. It was felt, however, that a 25-foot buffer zone should be provided along the south and east boundary lines as a protection to the adjoining residential development and that this zone should remain "A" Residence which would not permit buildings or parking in the 25-foot area. It was then unanimously

**VOTED:** To recommend that the request of Nash Phillips and Clyde Copus for a change of zoning from "A" Residence to "GR" General Retail for property located at the southeast intersection of Cameron Road and Wheelless Lane be DENIED; but that a "GR" General Retail classification be established for all the property except a 25-foot buffer strip along the south and east boundary lines extending from Cameron Road to Wheelless Lane.

**DISQUALIFIED:** Mr. Barrow

C14-59-171 A. M. Quist: B to LR  
W. 35th and Lawton Ave.

Messrs. A. M. Quist, Harry E. Quist, and Chas. A. Quist, Sr., appeared in support of this request and said they have had several requests for purchase of this property for business development and they want it rezoned so that they can sell the property.

Written opposition was submitted by two adjacent owners for the reason that additional retail stores are not necessary at this time, particularly west of Jefferson Street, since there is room for commercial expansion across Lawton Avenue, on Jefferson, and east of Jefferson on 35th Street, without lowering the value of the residential area.

The Chairman of the Zoning Committee reported that Mr. Braswell had notified him that he would be disqualified since he has purchased the adjoining three lots on the west and would later request "O" Office zoning. Mr. Barrow expressed his opinion that better zoning is accomplished by enlarging a business area which tends to keep the commercial zoning in one place, and as there is need for more business it discourages individual applications in scattered areas. At the zoning hearing, Mr. Brunson and Mr. Johnson did not agree that the zoning should be changed to intrude into another block but felt that it should be restricted to the presently-zoned commercial area across the street. A majority of the Commission present then

**VOTED:** To recommend that the request of A. M. Quist for a zoning plan change from "B" Residence to "LR" Local Retail for property located at the northwest corner of West 35th Street and Lawton Avenue be GRANTED.

**DISQUALIFIED:** Mr. Braswell

C14-59-172 Harry M. Gilstrap and Mrs. M. F. Thurmond: A to LR  
Red River and E. 41st Sts.

The applicants appeared at the hearing and stated that, since the property north of East 51st Street has been zoned General Retail and the traffic on 41st Street will be considerably increased with the proposed shopping center, those who live on this street will have trouble getting in and out of their driveways. They felt that their property is not now suitable for residential use. Two replies to notice were received favoring the request.

Written opposition was filed by two nearby owners on the grounds that this would destroy the value of their property for residential use. Mr. and Mrs. H. M. Hewatt (907 East 40th Street) said they bought and established their home here and they are afraid the vacant lot near them would be developed as a filling station if zoning changes are started in the neighborhood.

The Director called attention to the widening by the City of Red River Street north of 41st Street and recommended that this street be smoothed out adjacent to the applicant's property. The Commission agreed with the recommendation regarding the street and concluded that the proper zoning for this property would be "O" Office which would permit some "LR" uses under special permit with certain restrictions. It was unanimously

VOTED: To recommend that the request of Harry M. Gilstrap and Mrs. M. F. Thurmond for a change in the zoning plan from "A" Residence to "LR" Local Retail for property located at the southeast corner of Red River and East 41st Streets be DENIED; but that "O" Office zoning be established for the property with the understanding that Red River Street at this point will be lined up with that portion north of 41st Street.

C14-59-173 Robert M. Allen: A to DL  
McNeil Rd. and Rutland Dr.

Mr. Allen was present at the hearing and stated that he proposed to establish a manufacturing plant here. He concurred in the report of the staff regarding development and plans for this area. One person appeared and one reply to notice was received favoring the request.

The Commission reviewed the staff report and found that this property is located in an area recommended for industrial zoning in the Austin Development Plan and that the property is located across the street from the Balcones Research Center. It concluded that the request should be granted but felt that an additional 10 feet should be given for the widening of Rutland Drive to meet the requirements for an industrial street as recommended by the Zoning Committee. The staff reported that a letter had been filed by Mr. Allen agreeing to give the City an easement of 10 feet on the side of the property in question adjoining Rutland Drive, said easement to be along a line running 140 feet east from McNeil Road, for the widening of Rutland Drive. The Commission then unanimously

C14-59-173 Robert M. Allen--contd.

VOTED: To recommend that the request of Robert M. Allen for a change of zoning from "A" Residence to "DL" Light Industrial for property located at the northeast corner of McNeil Road and Rutland Drive be GRANTED, with the understanding that a letter has been filed by the owner agreeing to give 10 feet for the widening of Rutland Drive.

C14-59-174 Krueger Building Materials, Inc.: A to C  
6920-7004 Burnet Road

Mr. Preston C. Krueger represented the applicant in this request and explained that they have two vacant lots next to the existing business which they propose to use to enlarge the business and to provide off-street parking. He said the entire property is included so that the existing non-conforming use may become a conforming use under the Zoning Ordinance.

Mr. Kelly McAdams (7007 Burnet Road) appeared in favor of the request. Messrs. David W. Halmark (6907 Daugherty) and Lee H. Ashmore (6905 Daugherty) were interested in the drainage which might be affected by any further improvements. They said that when the property was filled in and the filling station erected south of this location, drainage water was turned onto the residential area. They favored the zoning change but requested that something be done about the drainage. Mr. Krueger said he would discuss this with the owner of the property on the south and try to work out something about the drainage.

The Commission considered the requested zoning change and the two areas included in the hearing which would connect up with existing "C-1" and "C" Commercial areas in this block to the north. It was concluded that this would be a logical extension of the present zoning in view of the surrounding zoning and development, with the understanding that the applicant will provide for adequate off-street parking. It was therefore unanimously

VOTED: To recommend that the request of Krueger Building Materials, Inc., for a zoning plan change from "A" Residence to "C" Commercial for property located at 6920-7004 Burnet Road be GRANTED; and that Area 1 (7006-7014 Burnet Road) and Area 2 (7022-7112 Burnet Road) be included in the change.

C14-59-175 M & O Timber Company: A to O  
W. 29th and McAdams Sts.

Mr. and Mrs. Kelly McAdams and Mr. Kelly R. McAdams appeared in support of their request and presented the following information:

1. There are at present some apartments on this property which are vacant and it is proposed to try renting them for offices. Only one building will be rented for this purpose now but if it is a success then the other buildings will be so used. Nothing will be done to lower the character of the area but the use as offices might improve the existing conditions.

C14-59-175 M & O Timber Company--contd.

2. No curb cuts into West 29th Street are planned. There are at present 15 cars parking on the property and this area in the northeast corner of the property will be paved as a parking area. Entrance to the property would be from either Shoal Crest Avenue or McAdams Street.

The following nearby owners appeared in opposition to the request for the reason that the present garage apartment is an eyesore and vacant most of the time. They said this is strictly a residential neighborhood and they desire that it remain so, and the buildings converted to office space would offer no improvements and would not help the traffic.

Mrs. R. C. Stephenson: 2848 Shoal Crest  
 Mrs. Myra Mollie Kilgore: 2840 Shoal Crest  
 Mrs. Charlotte D. Jelks: 2837 Shoal Crest

Upon review of the surrounding development and the location of this property, the Commission concluded that the request should be granted with the understanding that the proper off-street parking will be provided and access will be from Shoal Crest Avenue or McAdams Street. The Commission also felt that a suggestion should be made to the City Council that any curb cuts or driveways on West 29th Street be given very careful consideration because of the traffic situation on this street. It was then unanimously

VOTED: To recommend that the request of M & O Timber Company for a change in the zoning plan from "A" Residence to "O" Office for property located at the southeast corner of West 29th and McAdams Streets be GRANTED.

C14-59-176 Paul Musser and Wm. J. Naughton: A to LR  
Avenue H and East 53rd St.

The applicants stated that they have a man who wants to put in an electric appliance store and repair shop and is assured of an RCA dealership. They said that since there is commercial across the street they thought this would be a good place for a small business. They propose to move the existing building and to construct a masonry building, probably of concrete blocks.

A reply to notice was received from Mr. O. J. Hinton (5013 Avenue G) favoring the request and in favor of making all of 53rd Street commercial from Avenue F east to the railroad.

Written objection was received from four adjacent owners for the reason that this will reduce the value of residential lots, will create more noise and more traffic which is not good for the children in the area, and that there is no need for additional retail stores in the area.

The Director recommended that the request be denied and that the adjoining areas which have been zoned "LR" Local Retail be changed back to "A" Resi-

C14-59-176 Paul Musser and Wm. J. Naughton--contd.

dence. The Commission reviewed the staff report and the surrounding zoning. A majority felt that the area is definitely changing, in view of the number of zoning change requests considered in the past year, and that this property is not suitable for residential use. They felt that this would be a logical extension of business zoning. Mr. Barrow said he would not approve the change of this one lot but he does consider that the area is changing and the Commission has established a pattern here. At the zoning hearing, Mr. Brunson and Mr. Johnson felt that the request should not be granted to permit business intrusion into another block of residential property but that it should be confined to the presently-zoned "LR" area across the street and to the west. The Commission then unanimously

VOTED: To recommend that the request of Paul Musser and Wm. J. Naughton for a zoning plan change from "A" Residence to "LR" Local Retail for property located at the southeast corner of Avenue H and East 53rd Street be GRANTED.

C14-59-177 Wm. J. Simpson: A to O  
Pearl and W. 17th Sts.

Mr. Simpson appeared in support of his request and was joined by Mrs. M. Hilsberg (900 West 17th Street) who is trying to sell her property. Statements presented may be summarized as follows:

1. This is a large house and is not suitable for rental for residential use. The building has been vacant for about two years and the owner now has two prospective tenants. One doctor proposes to operate a clinic here. The owner would withdraw his request for a zoning change if a ten-year lease cannot be made for a clinic. Dr. Blaustone, the former owner, was operating a clinic or office here when the present owner purchased the property. He did not check the zoning at that time since he is not a resident of Austin and did not consider the zoning.
2. Because of the loss of income from the property, the City taxes which are \$600 a year, and the present proposal to pave the street, the owner must dispose of the property.
3. There is a paper route business now being operated next door which disturbs the neighborhood with its early noises.

Mr. Frank Erwin (attorney) represented 44 property owners in this area who opposed the request, and 15 owners appeared at the hearing. Written opposition was filed by 8 owners and a petition signed by 39 owners was also filed. Reasons for the opposition were:

1. This is not an application for a special permit but a change of zoning and all uses in an "O" Office District would be permitted if the zoning

C14-59-177 Wm. J. Simpson--contd.

is changed. One person operated a boarding house here until he was notified by the attorney for adjacent owners that this would not be a permitted use and he was asked to comply with the Zoning Ordinance. There is no assurance that the proposed doctors' clinic would be established here and the property could be sold and used for other permitted uses.

2. Judge McClendon built this house in 1907 for a single-family residence. He sold it to Dr. Blaustone for a home and a clinic was not operated here. The man next door is a University student and operates a paper route from his home but this does not disturb the neighbors.
3. This location would not be convenient for patients. All of the streets in this area are short and dead-end. There is no through street in the area and it is isolated from through traffic. All of the streets are very narrow.
4. This is probably the closest nice residential area to the downtown area and the University. It is not a degenerating neighborhood and there have been several new houses built recently. The Episcopal rectory across the street has recently been reconditioned and will continue to be the home of the minister. Any other than "A" Residence zoning would be very objectionable. Two previous applications for zoning changes in this area were denied. The proposed change would be for an economic benefit for one man and would start a degeneration of this area by creating a spot zone.
5. This neighborhood has always been attractive to families with children because of its close proximity to two schools. The children ride their bicycles and play games with a degree of safety that no busy street could give. There are 24 children in this immediate area.

The Commission reviewed the arguments presented and the staff report and concluded that this request should be denied for the reasons that this would be spot zoning in a high-class residential area which is not ready to be disturbed, and the street pattern in the area is not suitable for any change in zoning at this time. It was therefore unanimously

VOTED: To recommend that the request of Wm. J. Simpson for a zoning plan change from "A" Residence to "O" Office for property located at the southwest corner of Pearl and West 17th Streets be DENIED.



C14-59-178,180,181 Mike Butler et al, Foe A. Lawrence,Chester Salazar: A to C  
1001-1011 East 41st St.

Mr. Trueman O'Quinn (attorney) and Mr. Foe A. Lawrence (applicant) appeared for the applicants at the hearing and one reply to notice was received favoring the request. Statements presented may be summarized as follows:

1. This property adjoins "C" Commercial property on the east, which is a part of the commercial zoning along Interregional Highway, and is across the street from a large, recently-zoned "GR" General Retail area. The property immediately to the east is vacant and the Elgin Butler Brick Company has an office adjoining that property on the south. A part of the property being considered is owned by the Butler heirs and the Company also owns several tracts west of their office which is also being requested for change of zoning (C14-59-179). This would be an extension of the present "C" Commercial zoning.
2. The owners have definite plans for development of this property and the leading part of this development will be by the Butlers. It will be a very concerted development under the leadership of the Butlers.
3. While the request is for "C" Commercial, a "GR" General Retail classification will be satisfactory and permit the development planned.

Five nearby owners were present or were represented at the hearing opposing the request for the reason that extension of the present "C" Commercial zoning to the west would be objectionable and would encroach upon a nice residential neighborhood south of 41st Street, especially if the zoning request on 40th Street is granted (C14-59-179).

The Commission felt that this property is not suitable for "A" Residence development but that "O" Office would be a more logical classification in relation to the "C" Commercial along the Highway and to the "GR" zoning on the north. It was therefore unanimously

VOTED: To recommend that the request of Mike Butler et al, Foe A. Lawrence, and Chester Salazar for a change in the zoning plan from "A" Residence to "C" Commercial for property located at 1001-1011 East 41st Street be DENIED; but that an "O" Office classification be established for the property.

C14-59-179 Elgin Butler Brick Company: A to C  
1004-1010 East 40th St.

Mr. Trueman O'Quinn (attorney) represented the applicant and stated that this property adjoins the "C" Commercial property on the east on Interregional Highway, on which the Elgin Butler Brick Company office is located, and is a part of a large area requested for zoning change on both 40th and 41st Streets (C14-59-178,180,181). The request is for an extension of the present "C" Commercial zoning to include the remainder of the Company's property on 40th Street.

C14-59-179 Elgin Butler Brick Company--contd.

Five nearby owners were present or were represented at the hearing opposing the extension of the commercial zoning into this area of homes where people bought because it was a quiet area. They felt this would change the character of the development and would also increase the traffic on 40th Street which is at present a quiet street. There are a number of small children in the area and they thought the increased traffic would be hazardous to them as well as to pedestrians who use 40th Street.

The Commission discussed this request in relation to the proposal for a change on 41st Street. Mr. Barrow said he felt the areas are not the same and that this area is not ready for a change, having residences to the west and south which have been there a long time. He said if a study of the area were made and showed that the character of the area is changing, he might be in favor of the request. Mr. Rainey said he does not think it is logical to deny the request as an extension of the commercial zoning. Mr. Braswell suggested a possible "B" Residence zoning as a buffer zone. A majority of the Commission concluded that the request should be denied since the area is not ready for commercial development. It was therefore

VOTED: To recommend that the request of Elgin Butler Brick Company for a change of zoning from "A" Residence to "C" Commercial for property located at 1004-1010 East 40th Street be DENIED.

AYE: Messrs. Barrow, Braswell, Kinser and Spillmann

NAY: Mr. Rainey

ABSENT: Messrs. Brunson, Johnson, Kuehne and Lewis

C14-59-182 Chesley-Baity Development Co.: A to LR  
1232-1240 New Bastrop Highway

Mr. Robert J. Potts (attorney) represented the applicant and stated that this is a small, moon-shaped tract between the old and new Bastrop Highway. This small sliver is the only property left in this triangle (within the City limits) zoned "A". The applicant has been operating a service station on the adjoining property and proposes to remodel the building and add pumps to serve customers from either the old or new Highway. Access will be across this triangle.

Mr. and Mrs. R. B. Thrasher, owners of nearby property, favored the request for the small triangle.

The Director questioned the possibility of the Highway Department permitting a curb cut in the interchange to permit access to this property, but Mr. Fowler expressed the opinion that this question was not pertinent to the case and should not be considered with the zoning change request. The Commission felt that this would be a logical extension of the existing commercial zoning and that the logical use of the property is in conjunction with the existing business which does have access to a highway. It was therefore unanimously

C14-59-182 Chesley-Baity Development Co.--contd.

VOTED: To recommend that the request of Chesley-Baity Development Company for a zoning plan change from "A" Residence to "LR" Local Retail for property located at 1232-1240 New Bastrop Highway be GRANTED.

R146 SUBDIVISION COMMITTEE

The Committee chairman submitted the minutes of the Subdivision Committee meeting of January 4, 1960. The staff reported that one appeal had been filed for review of the Committee's action and two had been referred to the Commission without action on:

C8-59-56 Northwestern Industrial Addn.

C8-59-58 Allandale Terrace

C8-59-59 Carver Hills

The Commission therefore

VOTED: To accept the following report and to spread the action of the Subdivision Committee of January 4, 1960, on the minutes of this meeting.

C8-59-56 Northwestern Industrial Addn.

U.S. 183 W. of McNeil Rd.

It was reported by the staff that United Drive and Reid Drive had been developed north from Burnet Road (U.S. Highway No. 183) with rights-of-way of 60 feet and industrial sites were sold. It was further reported that the plan is now being presented to the Commission as a result of a request for utility service. The following recommendations were presented and discussed:

1. Building setback lines need to be shown as required by the Ordinance.
2. The right-of-way width of Burnet Road is not shown as required.
3. United Drive and Reid Drive should have rights-of-way of 80 feet as required for industrial streets.
4. Since there is no assurance that United and Reid Drives will be continued northward, provision should be made for connecting the two streets. This connection can best be located at the north boundary of the subdivision.
5. All of the subdivider's property adjacent to the subdivision as filed should be included in the preliminary plan or in a schematic plan.

C8-59-56 Northwestern Industrial Addn.--contd.

Mr. Braswell explained that he is the agent for this property and the adjoining property on the north and said that the present plans are to extend United Drive and Reid Drive north about 300 feet to tie into another cross street, and that the tracts were sold with the provision that these streets would extend to the north. He stated that a loop street on the north boundary would not provide the best use of the adjoining property and that the two will be related areas. Mr. Dewey Nicholson (Water and Sewer Design) requested a loop to connect these streets and said it would be necessary unless a 12" water line is installed to serve the area, and that the owners had previously agreed to the loop on the north end.

The Committee reviewed the problems presented and discussed the recommendations and the possible future development to the north. It was concluded that the plan should be rejected until a schematic plan is submitted showing proposed development of the adjoining property to the north in which the subdivider has an interest. It was therefore

VOTED: To REJECT the plan of NORTHWESTERN INDUSTRIAL ADDN. until a schematic plan of the area adjoining on the north is presented.

DISQUALIFIED: Mr. Braswell

The Commission considered the APPEAL of Mr. W. L. Mayfield on this subdivision relative to street loop and street width requirements. The staff explained that a schematic plan of the adjoining area on the north has been submitted as requested which does provide a loop street to connect the future extension of United Drive and Reid Drive and a connection to McNeil Road, leaving the western portion of the land for a more detailed design. It was recommended by the staff that the location of this loop street be made flexible, with a maximum distance of 400 feet from the north line of the subdivision so that adequate industrial building sites could be provided, and that the water line be located along the north line of the street so that the location could be shifted if desirable. Mr. Mayfield agreed to this recommendation.

The staff reported that consideration had been given to extending the cross street to connect into McNeil Road with an 80-foot right-of-way, but Mr. Mayfield said he would prefer the 100-foot boulevard street as shown, with an off-set, so that the general public would not cut through his subdivision to the Burnet Highway to avoid the controlled intersection of these two roads.

The staff further reported that Mr. Mayfield had been advised 14 months ago that 80-foot streets would be required in the subdivision but Mr. Mayfield said that some of the tracts had already been sold. He said he is providing a 10-foot utility easement on each side of United Drive and Reid Drive and

C8-59-56 Northwestern Industrial Addn.--contd.

he feels this, with the 60-foot right-of-way will be adequate to serve this area. Mr. Fowler recommended that the easements be designated as "Utility and sidewalk easements" to make possible the future widening of the streets without the necessity of dealing with individual owners. The Director recommended 25-foot setbacks for the tracts.

Mr. Mayfield explained that a water service refund contract has been entered into with the Travis-Williamson County Water Control and Improvement District No. 1, the result of which was the letting of an installation contract to put in a 6" water line down United Drive and an 8" water line down Reid Drive with one fire hydrant located on each street 600 feet north of Highway No. 183. He said these lines extend to the north line of the subdivision and that further contracts will be made when the adjoining property is subdivided. He stated that he has one factory under construction and waiting on utilities and another building completed and waiting for utilities.

The Commission reviewed the information presented and the schematic plan and concluded that the plan as presented for the subdivision would be satisfactory provided 25-foot setbacks are required on tracts abutting United Drive and Reid Drive and with the understanding that the cross street proposed on the adjoining land be located a maximum distance of 400 feet from the north line of the subdivision. It was therefore

VOTED: To APPROVE the plan of NORTHWESTERN INDUSTRIAL ADDN. subject to 25-foot setbacks being required for tracts fronting on United Drive and Reid Drive, and with the understanding that the cross street proposed on the adjoining land be located a maximum distance of 400 feet from the north line of the subdivision; and to grant a variance from the Subdivision Ordinance on block length requirements for Blocks A, B and C.

DISQUALIFIED: Mr. Braswell

C8-59-58 Allandale Terrace, Sec. 2  
Treadwell Blvd. N. of W. Terrace Dr.

The staff reported that Mr. W. C. Cotten (engineer) had presented a schematic plan as a possible layout of the adjoining property to the north as requested by the Water and Sewer Department. The Electric Department and Telephone Company requested additional easements, side anchor easements, and lot realignment and Mr. Cotten said most of these are guy-wire easements and the requested changes could be made on the final plat.

The Storm Sewer Division requested realignment of drainage easements in Block G to fit in with an existing structure, if at all possible, because of increased City cost if it is not so aligned, and suggested as

C8-59-58 Allandale Terrace, Sec. 2--contd.

an alternate solution that the engineer might get with the Railroad toward relocating their existing drainage structure. Mr. Cotten said they planned to take the pipe through on an angle to avoid having a lot which cannot be used.

The staff recommended a 50-foot right-of-way from Twin Oaks Drive to Treadwell Boulevard through Lot 6, Block 1, so that a footbridge can be maintained at this location for children attending Gullett School. Mr. Nelson Puett (subdivider) explained that he had previously agreed to moving the footbridge from its location at Hunt Trail to Twin Oaks Drive with the understanding that there would be a permanent bridge at this location but he will not agree to giving a 50-foot right-of-way here for a footbridge. He explained that he had submitted a study showing the extension of Shoal Creek Boulevard using the present right-of-way of Twin Oaks Drive in Edgewood Sec. 3 and then extending north, but this plan was not approved by the Director and he does not feel that two creek crossings and the necessary major structures this close together would be logical. Mr. Cotten presented a study showing Shoal Creek Boulevard connecting with Twin Oaks Drive but the Director stated that this was not the plan he had reviewed.

Mr. Puett stated that he has given the street along the railroad only because he was required to do so and not because there was a need for the street in his subdivision, and he did not feel it necessary to give the 50-foot right-of-way for the footbridge which would be used by about 30 families according to the school estimate. Mr. Osborne said there would be about 350 children using this crossing who would otherwise be forced to detour by way of Shoal Creek Boulevard or White Rock Drive. Mr. Puett felt that the children would not have to walk an additional distance of over 400 feet to the north and 400 feet back south. He said he would rather route Shoal Creek Boulevard with a crossing at Twin Oaks Drive which would tend to slow down the speed through the subdivision rather than provide a speedway. Mr. Osborne said the Public Works and Traffic and Transportation Departments feel that the Boulevard should be continued through rather than stopping at Twin Oaks Drive.

In discussing the drainage easement and the possible flooded area along Shoal Creek as shown by the Storm Sewer Division, Mr. Puett explained that there is a bluff on his side of the creek and if the easement extends over the bluff it would cut into his lots and draw water from the low land onto his lots and flood them. He thought the easement should follow the 660-foot contour line rather than the 665-foot line.

The Committee felt that further consideration should be given this plan before action is taken and it was therefore

VOTED: To refer this plan of ALLANDALE TERRACE, SEC. 2, to the Planning Commission without a recommendation.

C8-59-58 Allandale Terrace, Sec. 2--contd.

The Commission considered the REFERRAL of this subdivision. The staff reported that a revised plan has been filed which shows most of the recommended changes, including additional easements, street name changes and building lines. Attention was called to a memorandum from the Storm Sewer Division that some drainage structures would be required. Mr. Cotten said he was cognizant of the drainage structures required.

Mr. Braswell reported that the Subdivision Committee had agreed with the staff that the crossing for the school children at Twin Oaks Drive has been established and felt that the extension of Shoal Creek Boulevard should be as recommended, but that the Committee did not make a recommendation on the drainage easement.

The Commission discussed the required drainage easement and was advised by Mr. Fowler that the Commission may hear arguments as to what constitutes the minimum standards for calculation of drainage areas but does not have the power to decrease the area for drainage computed by the Public Works Department; also that the Public Works Department cannot go below the minimum standards. The staff explained that this is a very large drainage area and with the large number of houses being built there will be much more run-off. Mr. Morgan of the Storm Sewer Division explained that, when you have an insufficient channel, especially when there is high land, the channel must be widened. He felt that the channel of the creek here will have to be widened in the future, and the easement requested would permit about a 45-foot channel bottom with the slopes required. He said the 40 feet would adequately cover the top width of the channel on the west side.

Mr. Puett felt that the drainage should all be on the low side and that it does not seem fair to take his high land and lower it at his expense.

Mr. Puett also said he would like to subdivide the land with Shoal Creek Boulevard crossing at Twin Oaks Drive where the bridge would be shorter. He said the bridge further north would also ruin a lot. He was unwilling to give the requested 50-foot "easement" for the footbridge and said he would suffer a \$5,000 loss of this lot, with the value of the lot and the damages incurred, for the convenience of children and keep them from walking an extra 1000 feet. He said he offered the lot at Hunt Trail to the City so that the footbridge could be kept there when he subdivided that property and the City could still buy that lot and move the footbridge back to its original location.

Mr. Puett then asked the Commission to consider giving preliminary approval to the southwest 70 lots only which is an area outside the controversial property and about one-third of the original plan. In response to a question by the Commission, Mr. Stevens reported that there would be no drainage problem here and the Shoal Creek Boulevard location is not in this area. The Director requested that any preliminary consideration include the entire

C8-59-58 Allandale Terrace, Sec. 2--contd.

property and that the subdivider could then submit any portion for final approval. The Commission considered the problems and the arguments presented and concluded that preliminary approval could be given to the entire plan and the two problems in question resolved before final approval is given to that portion of the subdivision. It was therefore

VOTED: To APPROVE the plan of ALLANDALE TERRACE, SEC. 2, with the understanding that the problem of the drainage easement and the 50-foot right-of-way for the footbridge at Twin Oaks Drive must be settled before final approval is given on that portion of the subdivision.

C8-59-59 Carver Hills  
Blue Bluff N. of Webberville Rd.

The staff reported that there are drainage problems involved in the development of this subdivision and which make it advisable to have three blocks exceeding the limit under the Subdivision Ordinance, but that Quinn Road has been extended through Block I and leaves only Blocks J and K exceeding the limit by about 200 feet. Mr. Nicholson requested that Blocks J and K be also broken to facilitate water line installation. He said Besser Avenue could be shifted further to the south, since it would require one culvert in any plan, and that Melon Dale Avenue could be extended north to Cadillac Road. Mr. Cotten explained that the location of Besser Avenue as shown is better according to the topography and that there will be several street crossings which require culverts.

The Storm Sewer Division had requested additional easements outside of the subdivision on the east side, but the staff reported that an easement has been extended along the east line to take care of the drainage in the street instead of easements outside of the subdivision. Mr. Cotten reported that there is considerable drainage in this area and a concrete dam at the north end of Block K where the creek meanders. He said the lake area is included in one lot so that it can be controlled.

Several adjoining owners appeared but suggested that this subdivision be postponed since they had only received notice the day of the meeting and that some of the land had been sold to new owners who were unaware of the proposed subdivision. A question was raised regarding water service and concern was expressed over the possibility of insufficient pressure from the existing service line. Mr. Nicholson explained that if the line is a 2" line it will be replaced with a larger one.

The staff reported that notice of the meeting was delayed because of the holidays and that it had been impossible to contact some of the reported new owners. The Committee concluded that the subdivision should be referred to the Planning Commission without a recommendation, but with the understanding that the plan was generally satisfactory. It was therefore



C8-59-59 Carver Hills--contd.

VOTED: To refer this subdivision to the Planning Commission without a recommendation.

The Commission considered the REFERRAL of this subdivision. The staff reviewed the factors discussed by the Subdivision Committee and recommended a variance for Blocks J and K which exceed the permitted length under the Subdivision Ordinance.

Several owners of surrounding property appeared and were interested in garbage disposal, the type of structures proposed and the type of people, and the available water service. They said this is an agricultural area and they do not want a subdivision in the area, this being the only thing in the area which approaches urban use. It was explained to them that the Commission must consider the proper layout of the plan and cannot consider the type of structures or occupants, that the Water Department has requested the services of a consultant and the Marvin Turner Engineers firm has been appointed by the Water District. Mr. Curington (representing the firm) said they want to meet with the subdivider and discuss the plan with him before final approval is given the subdivision.

The Commission reviewed the plan and generally approved the layout subject to necessary easements, an adequate water supply and other departmental requirements. It was therefore

VOTED: To APPROVE the plan of CARVER HILLS subject to the following conditions:

1. Showing of necessary easements,
2. Provision for an adequate water supply, and
3. Compliance with departmental requirements;

and to grant a variance from the Subdivision Ordinance on block length requirements for Blocks J and K.

## SHORT FORM PLATS - FILED

C8s-59-152 Delwood 4 East, Sec. 4, Resub. Lots 4-7, Blk. F  
Northridge Drive

The staff reported that reports have not been received from all departments affected and recommended that no action be taken on this subdivision. The Committee therefore

VOTED: To ACCEPT for filing the plat of DELWOOD 4 EAST, SEC. 4, RESUB. LOTS 4-7, BLK. F.

SHORT FORM PLATS - CONSIDERED

C8s-59-131 Western Trails Annex (formerly Miles Terrace)  
Manchaca Rd.

Since the engineer and subdivider could not be present at the meeting, the Committee

VOTED: To DEFER action on the plat of WESTERN TRAILS ANNEX (formerly Miles Terrace) pending appearance of the engineer and/or subdivider.

C8s-59-153 Bertie Lawrence Subdivision  
S. of Neans Dr., U. S. Highway 81

It was reported by the staff that this lot is a part of a large tract of land and the cost of surveying the entire tract as required by the Subdivision Ordinance would make the cost of this lot prohibitive. The Committee concluded that a variance would be justified because of the acreage involved. Therefore, it was

VOTED: To APPROVE the plat of BERTIE LAWRENCE SUBDIVISION and to grant a variance from the Subdivision Ordinance on survey requirements.

C8s-59-154 Outlot 18 $\frac{1}{2}$ , Div. B, Resub. Pt.  
Springdale Rd. N. of E. 12th St.

The staff reported that all standards of the Subdivision Ordinance have been complied with and the plat is recommended for approval. The Committee therefore

VOTED: To APPROVE the plat of OUTLOT 18 $\frac{1}{2}$ , DIV. B, RESUB. PT.

C8s-59-156 Scanlon Addition  
Speedway and E. 46th St.

It was reported by the staff that the subdivider proposes to divide the west part of three original lots into two lots, the interior lot having a width of 52 feet and the corner lot a width of 54 feet, and that the Subdivision Ordinance requires a minimum width of 60 feet for a corner lot. It was further reported that other lots in this older subdivision are only 50 feet in width. The Committee concluded that a variance would be justified to permit the 54-foot corner lot because of existing conditions in this area. Therefore, it was

VOTED: To APPROVE the plat of SCANLON ADDITION and to grant a variance from the Subdivision Ordinance on lot width requirements for the corner lot.

DISQUALIFIED: Mr. Rainey

Planning Commission -- Austin, Texas

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# ADMINISTRATIVE APPROVAL

C8s-59-155 Highland Park West, Sec. 5, Resub. Lots 11-12, Blk. E  
Arrowhead Drive

The staff reported that this plat had received administrative approval under the Commission's rules. The Committee therefore

VOTED: To ACCEPT the staff report and to record in the minutes of this meeting the Administrative Approval of the plat of HIGHLAND PARK WEST, SEC. 5, RESUB. LOTS 11-12, BLK. E.

# SUBDIVISION PLATS - FILED

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

VOTED: To ACCEPT the following final plats for filing:

C8-59-46 Pearson Place, Sec. 1  
Valdez St. and Estrada  
C8-59-56 Northwestern Industrial Addn.  
U. S. 183 W. of McNeil Rd.

# SUBDIVISION PLATS - CONSIDERED

The following subdivision plats were reported by the staff as having satisfied all the standards of the Subdivision Ordinance and were recommended for final approval. The Commission therefore

VOTED: To APPROVE the following plats:

C8-56-19 Sherrydale, Resub. Blk. 6  
Chesterfield N. of Denson  
C8-59-48 Oak Glen Park, Sec. 1  
Manchaca Rd. and Jones Rd.  
C8-59-52 Sherwood Oaks, Sec. 3  
S. of E. Oltorf and Rebel Rd.  
C8-59-57 Southern Oaks, Sec. 3-A  
Fair Oaks Drive

Planning Commission -- Austin, Texas

Reg. Mtg. 1-12-60

The following subdivision plats were presented for layout approval only because fiscal arrangements have not been completed. The Commission therefore

VOTED: To DISAPPROVE the following plats pending completion of fiscal arrangements:

C8-59-33 Wooten Village, Sec. 1

Peyton Gin Rd. and U. S. Hwy. 183

The staff reported that this is only one portion of the preliminary plan and if the property on the south is used for other than residential purposes and the preliminary plan is not followed at the end of Sequoia Drive, a revision of the plan will be necessary, and that the subdivider should be so notified.

C8-59-55 Northwest Hills, Sec. 3

Bull Creek Rd. W. of West Slope Drive  
(Disqualified: Mr. Barrow)

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-60-1 John Applegate Survey, Resub. Pt.  
Kramer Lane

C8s-60-2 Bouldin Addn., Resub. Pt. Blk. G  
W. Annie St. W. of S. 2nd St.

SHORT FORM PLATS - CONSIDERED

C8s-59-131 Western Trails Annex  
Manchaca Road

The staff reported that the plat submitted shows only a portion of the original tract which was previously considered as Miles Terrace, excluding that portion in which the widening of Jones Road was involved, and that the staff is recommending disapproval of the plat. It was explained that the remaining portion would automatically become a lot under the Subdivision Ordinance and should be included in the plat.

Mr. Buford Stewart (subdivider) said he purchased this property about two months ago and is now proposing to subdivide it. Mr. Jeryl Hart (Marvin Turner Engineers) said that preliminary approval was given Miles Terrace with certain requirements which the owner did not choose to accept.

Mr. Fowler stated that the former owner should have sold this property by subdivision rather than by metes and bounds and that subdivision actually occurred when the original property was divided.

Planning Commission -- Austin, Texas

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C8s-59-131 Western Trails Annex--contd.

Some members of the Commission felt that the remaining portion would later be subdivided and at that time Jones Road could be widened, and that the present subdivision should be approved. Other members were of the opinion that the plat should not be approved and that subdivision should be done in accordance with the Subdivision Ordinance. A motion to approve the subdivision failed to carry by the following vote:

AYE: Messrs. Braswell, Rainey and Spillmann  
 NAY: Messrs. Barrow, Brunson and Kinser  
 ABSENT: Messrs. Johnson, Kuehne and Lewis

ADMINISTRATIVE APPROVAL

The staff reported that 2 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 subdivisions:

C8s-59-102 Sefcik Subdivision  
 East 51st St.  
C8s-59-148 Lange Addition  
 Old Fredericksburg Rd.  
 (Disqualified: Mr. Rainey)

REPORTS

R1410 STRIP ZONING

The Director distributed copies of a memorandum to members of the Commission regarding requests for strip zoning and suggested that this be discussed later by the Commission.

OTHER BUSINESS

R143 MEETING SCHEDULE

The Director briefly recalled some of the problems which have arisen at the meetings and requested the Commission to schedule a special meeting for a discussion of these problems, the Austin Development Plan, and the memorandum on strip zoning. Mr. Fowler requested advance notice on any question which might arise involving the legal phase and as a result of a general discussion, the following topics were suggested for discussion:

1. A report from the Director, the Legal Department, and possibly the City Manager on the Riverfront development.

R143 Meeting Schedule--contd.

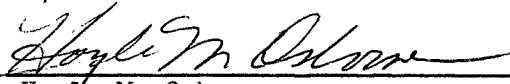
2. Subdivision and zoning problems, including consideration of a definite policy on when to require an entire tract to be included in a preliminary plan before a portion can be subdivided.
3. The authority of the City in going beyond what is reasonable and fair, such as requirements included in the thoroughfare standards and the proposed requirement for street signs and underground street lights to be installed by the subdivider. Mr. Barrow said the public interest is not served if you go beyond what is reasonable and fair as it is the growing tendency of the City to do.
4. The progress of the Austin Development Plan.

It was then


AGREED: To schedule a special meeting for Friday, January 22, 1960, at 3:30 p.m. (changed to 3:00 p.m.) for a discussion on the above and any additional points which need clarification.

ADJOURNMENT

The meeting was adjourned at 10:30 p.m.

  
\_\_\_\_\_  
Hoyle M. Osborne  
Executive Secretary

APPROVED:

  
\_\_\_\_\_  
Chairman