

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting -- May 31, 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
W. Sale Lewis
Doak Rainey
Emil Spillmann

Absent

Carl A. Johnson
H. F. Kuehne

Also Present

Hoyle M. Osborne, Director of Planning
W. T. Williams, City Manager
Dudley Fowler, Assistant City Attorney

MINUTES

Minutes of the meeting of May 17, 1960, were approved as submitted.

The following zoning change and special permit requests were considered by the Zoning Committee at a meeting May 24, 1960:

ZONING

C14-60-10 ORIGINAL ZONING: 1960

- Area 17: 31 acres adjoining Barton Hills, Sec. 3-A
- Area 18: Western Trails, Sec. 6
- Area 19: 6.7 acres fronting on Redd St. 135 ft. E. of Pack Saddle Pass
- Area 20: Miles Terrace
- Area 21: Oakglen Park, Sec. 1
- Area 22: Southern Oaks, Sec. 3 and Sec. 3-A

No one appeared at the hearing in interest of the zoning of these areas. According to the staff report, these areas were annexed to the City in October of 1959 and in times subsequent thereto, and are all located in the southwest part of the city. Four of the six areas are subdivided and are in the process of being developed residentially. The other two areas (Areas 17 and 19) are still unplatted tracts of land but are surrounded for the most part by residentially-zoned property and development. It was recommended by the staff that all six areas be established as "A" Residence and First Height and Area. The Commission therefore unanimously

C14-60-10 Original Zoning: 1960-contd.

VOTED: To recommend that "A" Residence and First Height and Area be established for the following areas:

- Area 17: 31 acres adjoining Barton Hills, Sec. 3-A
- Area 18: Western Trails, Sec. 6
- Area 19: 6.7 acres fronting on Redd St. 135 ft. E. of Pack Saddle Pass
- Area 20: Miles Terrace
- Area 21: Oakglen Park, Sec. 1
- Area 22: Southern Oaks, Sec. 3, and Sec. 3-A

C14-60-50 Concha Govea: B to LR
 Santa Rosa and Matamoras Sts.

Mr. Simon R. Govea appeared for the applicant and explained that he wishes to open a little grocery store in this neighborhood. He said he has one house on the lot and one storeroom where no one lives.

Replies to notice were received from five nearby owners who favored the request.

The Commission reviewed the staff report and found that this immediate area is very intensely developed with single-family dwellings on small lots which are similar in size to the subject property, a number of which have two dwellings each. The staff recommended that the request be denied as a spot zone in this district and for the further reason that the streets are only 40 feet in width and are unpaved. The staff felt that, although this might seem to be a convenience for this neighborhood, there are groceries and other commercial areas within three to four blocks and located on principal streets and bus lines. The Commission concurred with the staff recommendation and it was therefore unanimously

VOTED: To recommend that the request of Concha Govea for a change of zoning from "B" Residence to "LR" Local Retail for property located at the southeast corner of Santa Rosa and Matamoras Streets be DENIED.

C14-60-51 Dora E. Scarborough: A to O
 Windsor Rd. and Spring Lane

Mr. Robert L. Scarborough represented the applicant and gave the following information: It has been pregressively more difficult to keep our apartments rented here due to the heavy traffic on Windsor Road and Spring Lane, especially on Windsor Road around five and six o'clock. These are very attractive apartments and have heating and cooling and plenty of space. Each has a separate entrance front and back and a separate yard. The rent has been reduced from \$110 to \$75 per month because of the location. I believe if we were permitted to lease the buildings for some of the uses in an "O" Office District it would be more suitable. We have had some doctors in-

C14-60-51 Dora E. Scarborough--contd.

terested in this location and would prefer to rent it to some sort of clinic to get a little more income from the building. We would also like to get away from the worry of trying to rent it for residential purposes, especially in view of the proposed change of zoning immediately across the street from the post office which will add to the traffic.

Reply to notice was received from Gertrude Newton (2211 Stamford Lane) who favored the request.

The staff recommended denial of this request because of the potential effect on surrounding property and the size of the lot, and this would form the basis for additional "O" zoning on the remaining lots in this block along Windsor Road. The staff noted that the request for a zoning change for the Post Office across the street is different in that three out of the four lots were undeveloped and the size of the tract was adequate to be developed as a unit, and that there is no basis for expansion of the shopping area except on the south to Exposition Boulevard, although that property is under deed restrictions.

Some members felt that the present shopping center is inadequate for the present uses which cannot expand and that the entire center should be enlarged to permit uses which would serve the area. The Director felt that the center is inadequate for some uses, including the grocery store, but is a very poor location for some other uses since no one but the people living in this area pass through this intersection. He felt that the maximum growth has been reached and questioned whether or not the addition of zoning such as is requested would benefit the type of development in the center since there is at present a dwelling on the property which would have to be removed to permit expansion of the business uses.

Mr. Barrow said that the Tarrytown area is a very large residential area and the community center is inadequate to serve it and he felt it should be expanded. However, since there are deed restrictions on the property he does not think the burden of enforcing these restrictions should be on the owners in this subdivision but that the release of the restrictions should be done before the zoning is changed. He said he would favor the change if there were no deed restrictions.

Mr. Braswell felt that this would be a buffer zone between commercial and residential properties and that the shopping center needs to be expanded.

Mr. Lewis said this would be extending the buffer zone across a street where there are nice houses and that this would be creeping paralysis and would destroy the whole area.

Mr. Brunson said according to the last census, Tarrytown is decreasing in the number of people and he felt that adding this one lot does not increase the

C14-60-51 Dora E. Scarborough--contd.

shopping center area but only adds to the traffic problem. He objected to this first intrusion of a non-residential use into this neighborhood.

A motion to recommend that the request be granted failed to carry and it was therefore

VOTED: To recommend that the request of Dora E. Scarborough for a zoning plan change from "A" Residence to "O" Office for property located at the northeast corner of Windsor Road and Spring Lane be DENIED.

AYE: Messrs. Barrow, Brunson, Lewis and Rainey

NAY: Messrs. Braswell, Kinser and Spillmann

ABSENT: Messrs. Johnson and Kuehne

C14-60-52 T. A. Fairey: A to GR
5602-5610 Manor Rd.

Mr. Fairey appeared at the hearing and presented statements which may be summarized as follows:

1. I planned to establish a small shopping center here several years ago before the area was annexed to the city and had sold the corner to the Gulf Oil Corporation where a service station has been erected. This property will have frontage on Manor Road which has a right-of-way of 80 feet and on Rogge Lane which is planned to be opened by this property. This would eliminate the possibility of any traffic hazard.
2. I received approval of a preliminary plan for the property several years ago but withheld any further action at the request of the Planning Department until the City had completed its master plan. I have been using this property as an overflow storage of machinery for my business now located in the city.
3. This property adjoins my home which is located on two acres and I do not want that property included in the zoning change. I discussed this with 17 nearby owners and only one objected and he does not approve of any change of zoning within the city.

Mr. Fairey also presented a petition signed by 16 owners approving this request. (Messrs. Roy W. Fox and Walter James reported to the Commission that these owners were not within the area of notification.)

Messrs. Fox (5603 Manor Road) and James (5513 Manor Road) appeared opposing the request and written objections were filed by eight nearby owners. Reasons given were:

C14-60-52 T. A. Fairey--contd.

1. The homes in the residential area across Manor Road are all less than six years old. People located here because it was a residential area and this shopping center would lower the value of these homes.
2. This area is already serviced by Cameron Village, Capital Plaza, Windsor Village, all within a short distance, and in less than one block we have two service stations and two grocery stores. The area is being besieged by community centers and service stations are being located on nearly every corner.
3. The surface of Manor Road is in poor condition and very little maintenance is done. The traffic is very bad and school children cross Manor Road at this location.

A report from the staff shows that this property is presently undeveloped and the area to the east across Manor Road is developed with single-family dwellings and there are a few single-family dwellings to the west, and that the adjoining area is in the process of being developed with single-family dwellings through subdivision development. The report further shows that the service station property was not considered for commercial zoning at the time of hearing on permanent zoning for this area. It was recommended by the staff that this request be denied as a spot zone in a developing residential area, with commercial facing into residences recently developed across Manor Road, and on the grounds that there is ample undeveloped commercial property 2,000 feet to the south and located at the intersection of two thoroughfares. It was explained that Rogge Lane is designated as a residential collector street and is being developed with 60 feet of right-of-way and 40 feet of paving to serve the residential area only. A majority of the Commission concluded that this would be a logical zoning for the property and that Rogge Lane will be a thoroughfare as well as Manor Road, especially in view of the fact that adjoining residential subdivisions are being designed with lots backing up to this property. Mr. Lewis thought that with the service station located as it is, the property cannot be utilized for residential purposes to its fullest extent and the only suitable zoning is as proposed.

Mr. Brunson disapproved the request because this would eventually result in strip zoning similar to that along Koenig Lane which started in this manner. Mr. Barrow noted that the service station is adjacent to a large number of residential developments and the harm would be to the residences already built, but he felt that the undeveloped portion of the subject property can be developed residentially. The Commission then

VOTED: To recommend that the request of T. A. Fairey for a change in the zoning plan from "A" Residence to "GR" General Retail for property located at 5602-5610 Manor Road be GRANTED.

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

Planning Commission -- Austin, Texas

Reg. Mtg. 5-31-60

C14-60-53 C. H. Drummond: A to B
Haney Dr. and North Hampton Dr.

Mr. and Mrs. Drummond appeared in support of their request and presented the following information:

1. Mrs. Drummond is a beautician and lives at this address. She has to work and is proposing to establish a beauty shop in a part of her home so that she can be at home with her children, one of which is preparing to enter elementary school and the other being a teenager. Very few cars would be parked here.
2. This use would not change the character of the property since no outside operator would be employed and the owners have no intention of establishing apartments here. Considering the amount of money needed to establish the beauty shop it would not be feasible to change to any other business.

Mrs. Drummond filed a petition signed by 18 persons who stated they had no objections to the operation of the beauty shop.

Three nearby owners appeared at the hearing in opposition to this request and written objections were filed by ten nearby owners. Reasons given were:

1. There are ample commercial sites available near this property for any type of business. If one person should start a business in a home it might establish a precedent and trend in the area and others would have the same right. This is a fine residential neighborhood and the necessary result of this use would clearly be to impair and interfere with the owners' rights to enjoy living here and would be in violation of the restrictive covenants which are designed and intended to preserve the residential character of the neighborhood.
2. Additional cars in this area would mean more danger for the many small children who live and play here as well as for the older children who attend Pierce Junior High School. The streets directly involved are already carrying a full load of traffic.
3. There are already two beauty shops within five blocks of this property and if a third is needed, the person involved can surely procure a site in one of the nearby shopping centers. The only advantage which would emanate from an amended zoning in this case would enure to the applicant to the detriment of the neighbors. The applicant purchased this property with the knowledge of the deed restrictions.

According to the staff report, this lot has an area of 7150 square feet and would not be of adequate size for apartment house development and the site is developed with a single-family dwelling in keeping with the surrounding uses in this fully developed subdivision. The staff recommended against the request since this would be spot zoning in a recently-developed residential subdivision and would affect

C14-60-53 C. H. Drummond--contd.

the character of the area. The Commission concluded that the request should not be granted to create a spot zone in a new and very modern residential area. It was therefore unanimously

VOTED: To recommend that the request of C. H. Drummond for a change of zoning from "A" Residence to "B" Residence for property located at the north-east corner of Haney Drive and North Hampton Drive be DENIED.

C14-60-54 Mrs. Viola L. Lott: A to C
2326-2332 (2328-2330) Rosewood Ave.

Mr. J. Phillip Crawford represented the applicant and explained that the front portion of this property is already zoned "C" Commercial, leaving a small triangular area at the rear next to the railroad which is zoned residential. There are some sub-standard buildings on this rear portion which we feel should be removed and the property improved. This requested zoning would not permit the sale of beer.

One reply to notice was received favoring the request. Several nearby owners appeared and were interested in what was planned for the property. They said they did not realize that the south part of the lots were already commercial and they did not want beer sold here.

Written objections were filed by Mr. and Mrs. J. H. Brown (2320 Rosewood Avenue) on the grounds that this is the main street leading to the Rosewood Housing Project and to Anderson High School and additional traffic would endanger the lives of the children in the area.

The Commission noted that the front 180 feet of this property is already commercial and is developed with a washateria, a grocery store, and single-family dwellings. The staff recommended this as a minor expansion of an extensive existing "C" zone and this was concurred in by the Commission who concluded that this would be a logical expansion. It was therefore unanimously

VOTED: To recommend that the request of Mrs. Viola L. Lott for a zoning plan change from "A" Residence to "C" Commercial for property located at 2326-2332 (2328-2330) Rosewood Avenue be GRANTED.

C14-60-55 John Stuart Harris: B to O
West 19th and Pearl Sts.

Mr. Raymond Ramsey represented the applicant and gave the following information: I am also one of the owners of the adjoining medical center. It has been our long-range plan to extend this center on to Pearl Street. At present the only improvements on this property are seven furnished apartments and one rented unfurnished house on the back. We feel this is a logical extension of an existing "O" zoning that is already there and would be well

C14-60-55 John Stuart Harris--contd.

bounded by Pearl on the west, the alley on the north and an apartment house on the east. We do not feel this request for an extension would encroach on the residences because they would be protected by streets and alleys. A continuation of the modern improvements would be a real contribution to the neighborhood. We will set back on the extension as we have on our present development.

A written statement approving the request was filed by Dr. James D. Glynn (707 West 19th Street).

According to the staff report, this request is recommended for the reason that this would permit an expansion of an existing "O" Office District for the expressed purpose of expanding the present medical center, and also for the reason that the property fronts on a principal thoroughfare that is being developed with 60 feet of paving. The Commission felt that this would be a logical extension of the present "O" Office zoning in this increasing office area. It was therefore unanimously

VOTED: To recommend that the request of John Stuart Harris for a change in the zoning plan from "B" Residence to "O" Office for property located at the northeast corner of West 19th and Pearl Streets be GRANTED.

C14-60-56 K. P. Carpenter: GR to C
8238-8300 Burnet Rd.

It was reported by the Committee chairman that Mr. Carpenter had filed this request for "C" Commercial with the understanding, from information he said he received from the Building Inspection Division, that this would permit a highway billboard on the property line, while in the present "GR" General Retail zone it would have to be set back 25 feet. Mr. Kinser said the request was referred to the Commission pending further information concerning this setback requirement since it was the opinion of the staff that the change in zoning would have no bearing on the setback requirements.

The staff reported to the Commission receipt of a letter from Mr. Carpenter requesting permission to withdraw this request since he has learned that the change to "C" Commercial would not permit him to place his sign on the property line. The Commission therefore unanimously

VOTED: To APPROVE WITHDRAWAL of the request of K. P. Carpenter for a change of zoning from "GR" General Retail to "C" Commercial for property located at 8238-8300 Burnet Road.

C14-60-57 Walter Carrington and E. M. Chote: 1 to 2
2811-2817 San Pedro and 2810-2816 Salado

Messrs. Arch Braswell and Marvin B. Braswell represented the applicants at the hearing and presented information which may be summarized as follows:

1. Mr. Chote agreed in his first application for a change from "A" to "B" Residence (which is pending before the City Council) to give 10 feet for the widening of Salado Street. This deed has already been signed giving this strip for a distance of 219 feet. This would make a 50-foot street which would be ample to take care of all the traffic that would be created here.
2. There is a brick home on the Chote property (south lot) which Mr. Chote does not propose to demolish. He does not intend to change in any way this two-story house but intends to maintain it as his home.
3. Mr. Carrington proposes to erect two separate buildings with eight apartments each on his portion of the property. The buildings will be two-story masonry construction and will utilize 24,000 square feet, which is all Mr. Carrington is interested in now. This would leave about 17,000 square feet for parking after the 10 feet has been deeded. (The staff report shows that the Carrington tract contains 33,214 square feet, including the 10-foot strip, and will permit a maximum development under the requested zone of 22 apartment units or 44 efficiency units.) When this deed is delivered to the City, which Mr. Chote has signed and executed, Mr. Carrington can establish what we call efficiency-type apartments and a greater number than the 16 which are proposed, if the Height and Area is changed, but he wants to build two-bedroom apartments or none at all. He does not want the efficiency apartments. This will tend to cut the traffic down because he has more than ample parking for all of the cars, even after giving the 10 feet across the entire front.
4. There is a need for apartment house development in this area and in checking the entire distance in the University area it was found that about 91 per cent of this area is now zoned Second Height and Area.

Mr. H. L. P. Phillips (2811 Salado Street) appeared in support of this request and said he plans similar development on his property. Four replies to notice were received from owners who approved the request.

Eight nearby owners appeared in opposition and written objections were filed by nine nearby owners. Reasons given were:

1. This is an older, quiet residential neighborhood where many bought homes before there was any zoning but which was later protected by residential zoning established for the area. Many of the owners are older people and University people, some of which are retired, who selected this location because of the narrow streets and the quiet atmosphere and a neighbor-

C14-60-57 Walter Carrington and E. M. Chote--contd.

- hood not surrounded by boarding houses. One resident plans to buy the property where he now resides and plans considerable improvements in addition to purchasing additional property. He would not make this investment if this area is turned into an apartment-house district. He would consider purchasing the subject property for as much as \$10,000 if the owners would sell for that price in order to keep it residential. These people all objected to the first request for a change from "A" Residence to "B" Residence which is now pending before the City Council.
2. If the property is zoned "B" Residence and now changed to Second Height and Area as requested, this would permit more units, possibly with buildings designed to hurt the people on San Pedro Street since the subject property consists of through lots. It would be more desirable if buildings could be built facing both streets. The owner at one time promised that any development would be designed to face both streets.
 3. Both Salado and San Pedro are very narrow streets (even with the proposed 10-foot widening of Salado Street) and the apartment development would add to the traffic and parking congestion on these streets. Even if off-street parking is provided, there is no assurance that the tenants would use the space and visitors would be using the streets. There is a tendency now for people to park on the streets rather than use their garages. Since Rio Grande has been made a one-way street, the traffic on Salado has grown tremendously, thereby increasing the traffic problem in the area. Any change in zoning which would allow multiple housing unit construction would further increase the traffic problems and hazards.
 4. If any change of zoning is made, the change of the entire area should be considered. The present change would be spot zoning which creates an inequity and there is no cogent argument for changing the zoning of this property to make it open to building of different type and kind from those in the area. Until there is some need to justify these apartment houses, a spot zone should not be established.
 5. Apartment house dwellers do not take care of their garbage or lawns and are not very considerate of owners who dwell in the neighborhood. This is a desirable area for people who can walk to the University and send their children to nearby schools while there are other people who can live further away and use their cars.

The Director reported that corrected dimensions of Mr. Carrington's property show that this property can be developed with 12 regular units if "B" Residence and First Height and Area is granted (which is pending before the City Council), while under "B" Residence and Second Height and Area as proposed the property could be developed with 16 regular units or 32 efficiency units, excluding the ten feet proposed for the widening of Salado Street. He

C14-60-57 Walter Carrington and E. M. Chote--contd.

recommended against the Second Height and Area since the nearest such zoning is south of 28 $\frac{1}{2}$ Street and fronting on Rio Grande and he felt that Second Height and Area would permit too great a density of development. He explained that while plans are for larger apartments, efficiency apartments would be permitted and the problem in this area is the extensive development of single-family and duplex development which would delay any development of larger units for some years. He also felt that the streets are inadequate to take the traffic which would result from present and possible uses.

Mr. Osborne further explained that on the entire property (including the Chote property) the number of regular units would be reduced from 20 to 19 (excluding the proposed ten-foot street dedication) but the applicants could request a variance from the Board of Adjustment for the 20 units and the staff would probably recommend such a variance.

Some members of the Commission felt that this area is changing into an apartment house area and that the larger-area apartments would be better than efficiency apartments and would create less traffic, especially with the proposed widening of Salado Street. Other members were of the opinion that the request should not be granted since a zoning change cannot be based on what the applicant proposes to do at this particular time, that San Pedro is the only north-south street between Salado and Lamar Boulevard and the street arrangement in this whole area is bad and insufficient. They also felt that the number of units that can be built under present or recommended use zoning is very great and to increase this amount by creating a Second Height and Area District would be very bad. A motion to grant the request failed to carry and it was therefore

VOTED: To recommend that the request of Walter Carrington and E. M. Chote for a zoning plan change from First Height and Area to Second Height and Area for property located at 2811-2817 San Pedro Street and 2810-2816 Salado Street be DENIED.

AYE: Messrs. Barrow, Brunson, Lewis and Rainey

NAY: Messrs. Kinser and Spillmann

ABSENT: Messrs. Johnson and Kuehne

DISQUALIFIED: Mr. Braswell

C14-60-58 Ray Brown and Buford Stewart: A to C
1407-1409 Morgan Lane

Both applicants appeared at the hearing and presented the following statements in support of this request:

1. The applicants purchased this property on which there has been a warehouse located for a number of years. The building was in a dilapidated condition and they have done considerable improvement work so that it can be rented out for warehouse purposes if the zoning change is granted.

C14-60-58 Ray Brown and Buford Stewart--contd.

2. Nothing will be done to create any further traffic hazards on this street.

Seven owners appeared in opposition and written objections were filed by two owners. Reasons given were:

1. The present tin warehouse is an eyesore and there is no commercial property at this time on Morgan Lane. The lot has been leveled but this does not improve the existing conditions. It was at one time used as a brick yard.
2. Development along Morgan Lane is residential and there is a new subdivision planned immediately to the north, with a proposed street connecting with Morgan Lane about opposite this property which will be the only entrance to the subdivision from the south. It is proposed to have between 300 and 400 homes in this subdivision. This will increase the traffic on Morgan Lane and any commercial development which will bring in more trucks and equipment to travel this street would increase the traffic hazards to the residents. Also, there are around 42 children on this street within about a 4-block distance.
3. There is a community center within four blocks of this property and there is no need for additional businesses. It is a residential neighborhood and should remain so.

The Commission noted that this area is rapidly being developed as a residential area with nice, new homes. It was concluded that the lot is more suitable for residential use and that, while this is an extension in depth of a present "C" Commercial zone, it is in two separate lots and would extend the commercial to another street. It was further noted that the present "C" Commercial and "GR" General Retail zones to the south were created where non-conforming uses were present. It was therefore unanimously

VOTED: To recommend that the request of Ray Brown and Buford Stewart for a change in the zoning plan from "A" Residence to "C" Commercial for property located at 1407-1409 Morgan Lane be DENIED.

C14-60-60 Nash Phillips and Clyde Copus: A to GR
1915-2005 Wheless Lane

Mr. Phillips represented the applicants and gave the following information: We completed the purchase of this tract of land about four or five months ago and have been working on a plan of development. We feel this plan is well thought out and has a basis for the request. We have now completed the entire vacant land deal here and while I feel honestly we are 8 or 10 months premature in the present economic cycle, I believe it behooves us to be early in zoning and I think this is good zoning since I laid this area out

C14-60-60 Nash Phillips and Clyde Copus--contd.

with this center in mind. I don't understand the department's recommendation that it should be denied, especially that the street is inadequate. This was shown on the subdivision plan in cooperation with Mr. Mahoney and Mr. Golden and I think the files will show that we are going along with the plan that we had at that time. I think this is needed and that it is proper zoning.

Mr. John A. Swinnea, Jr. (1908 Wheless Lane) and Mr. Robert D. Manning (1910 Wheless Lane) appeared in opposition for the reason that there is sufficient commercial property in this area to serve their needs and children cross here going to Harris School. Written objection was filed by Major J. R. Gregg (2010 Wheless Lane) because infiltration of other than residential buildings lessens desirability of his home.

The Zoning Committee chairman reported that some question had arisen regarding streets which had been proposed to extend through this property as shown on an approved preliminary plan and the case was referred to the Commission pending further information on the subdivision plan.

Mr. Phillips appeared before the Commission and said that, since the zoning hearing, they have negotiated with the Presbyterian Church to exchange some property which would change the street pattern so that no street would extend through this subject property. He explained that none of the surrounding residential subdivision has been developed and the first step will be to bring in a street which will serve the shopping area. Mr. Phillips explained that he did not own this property when he planned the 30-acre shopping center to the west but he does not think this subject property is suitable for residential development adjoining the "GR" center on the west.

The staff report showed that this property is a part of Delwood Estates, which was recently given preliminary approval, and this tract was shown as being a proposed commercial area. The staff recommended against the request for the following reasons:

1. There is an undeveloped "GR" zone adjoining on the west and there is an adequate amount of land zoned "GR" in the immediate vicinity.
2. Briarcliff-Wheless was planned and is being developed as a residential collector street and already has two shopping centers and the vacant "GR" zoning area facing it. Additional zoning would simply overload the street.
3. The properly-zoned property at 51st and Manor Road thoroughfares and a proposed shopping center at Northeast Drive and Highway 290 are adequate to serve additional residential development.

C14-60-60 Nash Phillips and Clyde Copus--contd.

The Commission reviewed the staff recommendations and the arguments presented. Mr. Braswell noted that a large portion of the original 30 acres set aside for a community center has been taken up by the school and churches. Mr. Lewis felt that if this land is zoned before the residential area is developed, people will buy knowing there is a "GR" zone here and there will not be so much demand for spot zoning. The Commission concluded that this extension of the present "GR" area is proper and needed and that this land does not lend itself to residential development, and that the request should be granted in view of the revised street pattern which eliminates any streets extending through this property. It was therefore 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 1915-2005 Wheless Lane be GRANTED, with the understanding that the street pattern will be revised as shown on the modified plan.

C14-60-61 Clint Small, Jr.: Tract 1: A to GR; Tract 2: A to C-1
West 35th St. and Scenic Drive

Messrs. Richard Craig (attorney), George MacDonald (agent), John Plaseck (architect), W. R. Coleman (architect), and Clint Small, Jr. (applicant) appeared in support of this request and were joined by two nearby owners who approved the change. Also, written approval was filed by Chester L. Wheless (302 Grant Place, Corpus Christi). Statements presented may be summarized as follows:

1. Mr. MacDonald, as a home builder and developer in the northwest section of the city, was approached by the owners of the subject property about the possibility of building homes on this property for high-class residential purposes. He studied this proposal, considering the traffic count on West 35th, Windsor Road and Balcones, and the topography of the property, and concluded that a shopping center as shown on a plan presented would be the highest and best use of the land rather than residential. The property is subject to draining and lights from cars traveling Balcones shine directly into the property and it would be difficult to build a \$50,000 home on this corner and sell it. These same characteristics make it very desirable for commercial development.
2. This is across the street from an existing "C" Commercial zone and it is doubtful that the owners knew this when it was bought in 1954, or realized what it was like to pay taxes on property this size and use it for a one-family dwelling. It was out of the city at that time.
3. There is also an economic problem here. The property is worth a minimum of \$200,000 for a shopping center but is worth only a fraction of that if it is left as residential. Mr. Small bought this property with

Cl4-60-61 Clint Small, Jr.--contd.

the idea of developing it residentially but was advised by Mr. McCullough that he did not consider this the best use for the property and that there were also other problems connected with it. The City is also proposing a water line in the front 5 feet which will destroy a number of fine trees.

4. There is a need for a service center here. The major oil companies recognize the need for a service station here and are ready to negotiate favorable leases for the property. It is proposed to develop something that would be attractive to the area. A firm of architects have spent a great deal of time designing a community center that would fit in with the area and be attractive, being a colonial plan that would fit in with the neighborhood. The design is unique for Austin and an attempt was made to soften the difference between the residential and commercial.
5. People who bought homes in the nearby area must have been aware of the present "C" Commercial zones at the southeast corner of this intersection and in the Camp Mabry tract. These people are objecting for financial reasons while the applicants seek to use their property for its highest and best use and receive some financial return.
6. This will be a convenient shopping center similar to others in the city and will serve the general neighborhood. There is no way that this could generate any appreciable amount of traffic because of its type of operation. There are only about five or six lots in the area from which you can see this property, hear anything that would take place or smell any odors that would emanate from the business. This is only on the fringe of the residential area to the north and there is very little residential development south of 35th Street.

55 owners in this general area appeared in opposition, a petition signed by 174 persons and written objections from 32 owners were filed. Reasons for the opposition may be summarized as follows:

1. Our attention was attracted to the Colorado Foothills by the large lots, the hilly topography, the trees and the indications that a better than average community of private residences was being created. Restrictions and covenants added to the cost of the property, but the restrictions inspired confidence in the future of a better than average residential section, and a feeling of security in the standards established and the permanency thereof. Even though the original property was outside the city limits at the time, we had full faith that the area would be restricted when the city took it in.

Inquiry revealed that the property located across West 35th Street in a southerly direction was zoned for residential use, and we were confident that the authorities of the City of Austin would follow a policy that

Cl4-60-61 Clint Small, Jr.--contd.

would honor the Colorado Foothills restrictions and protect the property-owner therein against any change in the use of adjacent properties that would impair property values in or the purely residential nature of the Colorado Foothills Community.

Our residences were acquired for a permanent home, a place for living, a place for rearing a family and enjoying comfort and pride in residences and in the neighborhood wherein we lived. Both the Colorado Foothills area and the developing subdivisions on and tangent to Scenic Drive are comprised of carefully restricted homesites containing upper-bracket homes, probably half or more custom built. The encroachment of a general business area would not enhance the value of these properties.

2. These changes are proposed within one of Austin's most beautiful residential areas. Obviously, residents living close to this area object to this type of rezoning for more altruistic reasons. This area is one of great natural beauty, it is close to Laguna Gloria, one of Austin's most beautiful landmarks, it is just below Mt. Bonnell and is on the route of the scenic drive to the Highland Lakes. Nothing could seem more incongruous with the lovely homes, well-kept lawns and rustic beauty to be found in this area than a narrow strip of useless commercial development.

Laguna Gloria is an art center with quiet, restful grounds in which those who view the treasures of the place can rest or roam. There have been various groups in Austin concerned with preserving a relatively natural setting surrounding Laguna Gloria as one of the last protected beauty spots along Lake Austin. The development of a commercial zone on Mr. Small's property would undoubtedly encroach upon this semi-public, natural setting in Laguna Gloria.

Scenic Drive should remain a scenic drive; its beauty should not be marred by commercialization.

3. In 1951-52 when this area was first being settled and persons were making substantial investments which the area now reflects, the City suddenly informed us that it had to locate a water plant in the area because, from an engineering standpoint, that area was the only place in which the plant could be located. However, with recognition of the nature of the area, the City was careful to promise that the plant would be constructed and maintained in such fashion that it would not interfere with nor mar the residential atmosphere and use of the property. To this end, and at considerable expense, the City used Arkansas ledgerstone in constructing the plant, and has landscaped the plant grounds. When, over considerable objections, the City Council approved the building of the water plant in its present location, such action was taken with the definite understanding that the plant would con-

Cl4-60-61 Clint Small, Jr.--contd.

stitute the only encroachment upon the residential nature of the property and that the manner of its construction and landscaping would make the encroachment as inoffensive as possible. If the City should not approve commercial zoning in the area, a blight far greater than the water plan will develop, and the care which the City took with respect to building and landscaping that plant will go for naught.

4. A motion was made by the Board of Deacons of the University Presbyterian Church protesting the zoning change across from the church manse. The adjacent property would be devaluated by an establishment of a commercial zone and commercial property in this area would be a distraction to the residential property and particularly to the use of the residents at 3213 which is the home of the minister of our church.
5. Mr. Small has only owned this property about a year and the property before that was owned about two years by Mr. Wheless. All of Camp Mabry is not zoned as "C" zoning. Most of it will be quite restricted in this development. It is important that, although value might be given to Mr. Small's property, it would create no wealth because the added value of their property would be lowered. Mr. Small presumably bought knowing the residential nature of the area, knowing that the property which he purchased has a residential zoning, and knowing of the zoning ordinances of the City of Austin. To keep the property residential will not alter his investment or the nature of the property which he purchased. Rather, it will alter only his speculative hopes. Contrariwise, to abruptly change the property to a commercial zoning will greatly damage the investments of those of us who live in the area, and will do so under circumstances which we had no reason to anticipate and over which we have no control.
6. Mr. Tom Bradfield, as a member of the firm which developed Colorado Foothills: We did not have the least idea that this spot would be used other than for residential purposes. Nine or ten months ago, I made a request of Mr. Wheless to walk over the property again after several years. I made a careful study at the time and I determined that it was a very valuable piece of property and could be very profitably built into a residential development. I questioned Mr. MacDonald's and Mr. Small's economics of this proposal. I am confident that value is there, residentially speaking; I am not so sure that development of this property into commercial would be the best use you could put to this property if they should make this change. They are using only a portion of that property. It would immediately kill the value they have on the remainder of the property. According to the figures, they are putting a value of \$30,000 an acre on this property by zoning only a small portion of this tract.

C14-60-61 Clint Small, Jr.--contd.

7. Mr. Horace Wm. Netherton (3933 Balcones Drive): Sometime ago I was requested to help zone some property on 35th Street where an apartment house was planned and presented as evidence. At the time this property was zoned, Mr. Durham was asked by the Mayor when this building would be built. Mr. Durham guaranteed verbally that this building would be built within 6 months. Mr. Braswell is now the owner of this property. Plans are not always carried out as planned but the property sold for other uses. That is a point to consider. Once this is zoned there is no guarantee what will be built there. Once it is zoned you only have to meet the zoning requirements for that classification. This Zoning Committee has always had presented to it beautiful plans and good intentions on the part of the developers which would not lessen the value of the property adjacent to it.
8. There is absolutely no need for any commercial development along this narrow strip since the residential area is amply served by both Casis and Brykerwood shopping areas (both within a mile) and the Tarrytown and Highland Park shopping centers. Seven gasoline stations, 4 laundromats plus 1 proposed, 4 large, well-stocked super markets, 4 drug stores, 4 variety stores, plus 3 drive-in grocery stores are but a few of the already established facilities within a short radius of this proposed site. Studies of cities show that there is no surer way to destroy a city than to let business invade desirable residential areas.

In addition, it does not appear that this is a natural commercial location as 35th Street at this point serves no residential area to the west nor does Balcones Drive continue across 35th Street to the south. Thus, neither street is essentially a through street at this point. Within a relatively close proximity shopping facilities are available on Exposition at Casis Center and at West 35th and the intersection of Jefferson. Additional commercial sites would not provide facilities which are not already available to residents of the area.

The applicant should have the burden of proof that this should be changed. This is an area where families are pretty well motorized. There are no needs for a shopping facility to be within walking distance.

Across the road we have the Laguna Gloria. That area belongs to the City of Austin and will never be developed residentially. The only other place you have residential development would be down Scenic Drive where it would be normal for the traffic to move on down to the Casis area. There are an amazingly few people who live between 35th and the Highland Park West area. There is not an area adjacent to this that can ever be developed successfully as residential. Essentially from the railroad tracks to the corner of Balcones on the north side is owned by Camp Mabry. There may be ultimate plans for it to be developed as a golf course. It is felt that there will never be an immediate adjacent

C14-60-61 Clint Small, Jr.--contd.

neighborhood on the north to increase business demands. The Austin State School is near and there is a substantial area there that can never be developed. In the other direction we have the City Filtration Plant. The other street that leads into this area to the proposed shopping center area is Pecos Street. There are very few residents on Pecos Street at this time.

9. The traffic in this area also deserves serious consideration. Balcones Drive has become a principal artery for persons going to and from the lakes; traffic on it was greatly increased a few years ago when it was cut through to Highland Park West; and as a result, it now has to bear the lake traffic and traffic to Highland Park West, as well as the traffic of those of us who live along it. In addition, Scenic Drive has recently been cut through to Pecos and paved. Consequently, the intersection of West 35th Street, Scenic Drive and Balcones Drive has now become one of heavy traffic and of not inconsiderable dangers. It goes without saying that to locate a filling station and shopping center at the intersection will greatly increase both the traffic and the dangers. Pecos is not designed for the kind of traffic that would be generated by such a shopping center. The traffic problem would be considerable because of the topography of this street. Any kind of commercial development that is successful would generate traffic. This would be a store that would stay open at all hours. There would be traffic that would go on into the night that would interfere very materially with the residential use. As more and more homes are developed there, more and more children will go to school on their bikes and the traffic which is heavy enough now will present more of a problem. If any heavier, it will be even a greater danger. This particular location would present a serious traffic hazard because of the thoroughfare and especially on Saturdays and Sundays along 35th Street and Mount Bonnell Road.
10. Rezoning of this area to permit the intrusion of a shopping center would be "spot zoning" at its very worst. I sincerely believe that if the owner of the property in question has a right to commercial rezoning of such property, and if rezoning is granted, then the residential zoning ordinances of the City of Austin are stultified and anyone who owns a vacant lot or two in any residential area of the City will have an equal right to seek and secure a commercial zoning of his property. Many problems arise whenever rezoning suddenly creates an island of commercial property in the midst of an established and attractive residential area.

One of the factors in the Zoning Ordinance is that consideration should be given the character and suitability of uses and the preserving the value of buildings and encouraging the most appropriate use of buildings and preserving the natural area, natural beauty. The City's interest is to serve the general welfare of Austin. That is the foundation of

C14-60-61 Clint Small, Jr.--contd.

zoning. We do not care to see our property damaged in order to line the pockets of one who purchased residential property with the apparent hope of making it commercial. Zoning ordinances were designed to cover this very situation; if they do not, they have no utility and they afford no protection to those of us who have been led to believe otherwise.

The Director presented the following report and recommendations on this request:

It is recognized that there is a need for certain shopping or service facilities near a residential area and that this is one reasonable basis for the application. On the other hand, there are shopping and service facilities within one to $1\frac{1}{2}$ miles of this area and these existing facilities are located on the main travel routes to and from the residential area. Even the elementary school for the area is located 1 to $1\frac{1}{2}$ miles from the residential area. Secondly, the subject property is located across Scenic Drive from a "C" Commercial zone established in 1938 and the proposed rezoning would constitute an extension of an existing zone. However, this commercial property has never been developed. Finally, there is the question of whether or not the subject property can be developed residentially. This question cannot be answered in detail but it should be pointed out that the property on the north side of 35th Street has been developed residentially and that the property at 35th and Exposition is generally similar in nature to the subject property and has been developed residentially.

In view of the character of the area and a reasonable doubt concerning the need for commercial zoning in this area, it is recommended that the request be denied on the condition that the Commission recommend to owners of the existing "C" Commercial property and to the Council that this undeveloped "C" Commercial property be changed back to residential. If this is not done there will certainly be a continuing question about the zoning and ultimate development of all the adjoining property.

The Zoning Committee gave the following report of its action:

The Committee reviewed the arguments presented and the staff report. In discussing the present "C" Commercial zone across the street, Mr. Burns stated that he became interested several years ago in the effect of this commercial property on the area and had purchased 70 feet of this commercial tract as a protection for his home about 215 feet from the proposed zoning change. He said he and Mr. T. C. Wommack now own the property and will take whatever action needed to get this property changed back to "A" Residence. Mr. Ted Wendlandt, owner of a portion of the "C" Commercial property, stated that the Wendlandt firm has owned this property for many years and do not want it changed back to residential. The Committee also noted the present "C" Commercial tract in the southwest corner of the Camp Mabry tract.

C14-60-61 Clint Small, Jr.--contd.

Upon review of the proposed zoning change, the Committee concluded that this is not suitable for commercial development, partly because of topography, that this would be poor planning in permitting this commercial development where it is possible for the residential area to grow without interruption and where it would be detrimental to the welfare of the community, and that the highest and best use for this property is residential. It was therefore unanimously

VOTED: To recommend that the request of Clint Small, Jr., for a zoning plan change from "A" Residence to "GR" General Retail for Tract 1 and from "A" Residence to "C-1" Commercial for Tract 2, the property being located at the southwest corner of West 35th Street and Scenic Drive, be DENIED.

It was further unanimously

VOTED: To instruct the staff to initiate an immediate hearing on a proposal to change the zoning from "C" Commercial to "A" Residence for the "C" Commercial tract at the southeast corner of West 35th and Scenic Drive and for the "C" Commercial area in the southwest corner of the Camp Mabry tract.

The Commission received a letter from Mr. George MacDonald requesting permission to withdraw without prejudice this application. It was then unanimously

VOTED: To APPROVE THE WITHDRAWAL of this request of Clint Small, Jr.

The Commission then discussed the recommendation of the Zoning Committee that a hearing be initiated on changing the present "C" Commercial zone at the southeast corner of West 35th Street and Scenic Drive and the "C" Commercial zone in the southwest corner of Camp Mabry to "A" Residence. It was concluded that no study of this zoning should be made at this time in view of the withdrawal of the zoning change request across the street.

C14-60-62 Herbert Bohn et al: A to LR
 Jefferson St. and W. 38th St.

Mr. F. M. Reed represented the applicants and explained their reasons for requesting this zoning change as follows: There is a community center at 35th and Jefferson, with a service station on each corner. There is a Gulf station across the street from this property and some other "C" and "C-1" zoning and development. It is proposed to change this property so that a washateria may be established on the south portion where it may not be affected by the proposed realignment of 38th Street. The property on the corner was included because Mr. Bohn wanted his lot to be commercial also.

Planning Commission -- Austin, Texas

Reg. Mtg. 5-31-60

C14-60-62 Herbert Bohn et al--contd.

Mr. Lee J. Freeman (3802 Pete's Path) and Mr. and Mrs. George W. Reid (3800 Pete's Path) appeared at the hearing and opposed the request on the grounds that there is already a washateria and a service station at 35th and Jefferson and another one nearby. They felt there was no need for another station which could be built on the corner if this property is zoned "LR".

The Zoning Committee reported that this request was referred to the Commission without action pending further information in relation to the realignment of 38th Street to intersect 35th Street.

The staff explained that some of the plans for the thoroughfare realignment would affect this property but that final details have not been worked out. The City Manager explained that this project is budgeted and contract will be let in October of this year when the alignment will be determined. He called attention to the proposed alignment shown on the zoning map since 1950 and that since that time a community center has been developed which causes the problem of relocating the thoroughfare. He felt that this would involve a part of this property.

The Commission reviewed the request in relation to proposed uses and the fact that Mr. Bohn (owner of the corner lot) had no plans for development at this time. It was concluded that a zoning change for the south portion of the property would be logical but that the corner lot should be omitted since the owner has no immediate plans for development. It was therefore unanimously

VOTED: To recommend that the request of Herbert Bohn et al for a zoning plan change from "A" Residence to "LR" Local Retail for property located at the southeast corner of Jefferson and West 38th Streets be DENIED, but that "LR" Local Retail be established for the property owned by Essie Beard and W. T. Shelton and known as 3707 and 3709 Jefferson Street.

SPECIAL PERMITS

CP14-60-4 Westenfield Development Company: U. S. Government Sub-Post Office Windsor Rd. and Stamford La.

The Director reviewed the information in the previously submitted staff report and presented the following analysis of the application:

CHARACTER OF SITE AND AREA: The site is developed with a single-family dwelling on the south part. The area is developed generally with single-family dwellings, a few duplexes and apartments. Tarrytown Shopping Center exists to the northwest of the subject property.

HISTORY: LOT: C14-60-46 Request by applicant to change zoning of subject property from "A" Residence, First Height and Area to "O" Office, First Height and Area. Pending Council action.

Planning Commission -- Austin, Texas

Reg. Mtg. 5-31-60

CP14-60-4 Westenfield Development Company--contd.

AREA: C14-60-51 3024 Windsor Rd. and 24-1-2403 Spring Lane. Request to change zoning from "A" Residence, First Height and Area, to "O" Office, First Height and Area. Pending.

SITE PLAN: The site plan is well done and complies with the technical requirements of the Zoning Ordinance, proposing a building area of 6,068 square feet plus 500 square feet of platform area. The building is proposed to be located to the south on the property with 30 off-street parking spaces to the front of it toward apparently personnel and truck storage space which need to be identified. There is an area to the south of the building identified as future post office expansion of 2,000 square feet which would reduce the ratio of parking space to floor space. Along the south and west property lines the plan shows some screening which should be identified as hedging adequate to screen.

DEPARTMENTAL REPORTS

Favorable reports were received from the following departments, with comments as noted:

Traffic Engineer	Health Unit (subject to sewer being available)
Fire Protection	Storm Sewer Division (easement needed)
Office Engineer	Director Public Works
Fire Prevention	

TESTIMONY

Mr. Trueman O'Quinn (attorney) and Mr. Tom Graham (owner) appeared at the hearing and explained that the type of structure planned is residential which will fit in with the surrounding area. The building area will be approximately 5,500 square feet which will come well within the permitted building area.

The Zoning Committee reported that it had reviewed the site plan and the staff report and had voted to approve the site plan. The Director suggested that the hedge on the south and west sides as shown is not identified as such and that the size should be considered. The Commission felt that the hedge should be identified and should be limited in height to 6 feet. It was then unanimously

VOTED: To APPROVE the site plan subject to the identification of the 6-foot hedge and to authorize the Chairman to sign the necessary resolution issuing the Special Permit.

DISQUALIFIED: Mr. Spillmann

Planning Commission -- Austin, Texas

Reg. Mtg. 5-31-60

CP14-60-5 Edward R. Rathgeber, Jr.: 4-unit apartment building in addition to an 8-unit and a 2-unit apartment buildings
1321-1335 West Mary St.

The Director reviewed the information in the previously submitted staff report and presented the following analysis of the application:

CHARACTER OF SITE AND AREA: The site is developed with an eight (8) unit apartment building and a two (2) unit apartment building. The area to the north and including subject property is zoned "C" Commercial and except for subject property, is developed with service station, cafes, barber shop, tourist courts, and laundry. The area to the east is developed with single-family dwellings. The area to the south is developed with a construction supply company with a housing development across the railroad track. The area to the southwest is largely undeveloped "A" Residence zoning.

HISTORY: LOT: C14-56-127 - H. B. Clagett: 1319-1337 West Mary - "A" Residence, First Height and Area, and "C" Commercial, Second Height and Area, to "C" Commercial, Second Height and Area GRANTED January 10, 1957.

Original Zoning of this area including subject property September 1, 1938 after annexation in 1937 at which time the highway frontage was zoned "C" Commercial for a depth of approximately 150 feet.

AREA: The property bordering the railroad on the east from Brodie Street to West Mary was changed from "A" Residence to "C" Commercial July 22, 1948.

C14-57-138 Ernest Hardin: 1803 Evergreen Avenue - "A" Residence to "B" Residence, GRANTED February 13, 1958.

SITE PLAN: The applicant proposes to use the site for the erection of a four-unit apartment building in addition to an existing eight-unit apartment building and a two-unit apartment building. The staff, in reviewing the site plan, feels that there must be a paved parking area and driveway, the driveway to be restricted to 30 feet by small curbs or barricades, that the building uses and number of apartments in each building should be identified, and that plans for the balance of the area should be shown.

DEPARTMENTAL COMMENTS

Favorable reports were received from the following departments:	
Water and Sewer Design	Storm Sewer Division
Traffic Engineer	Director Public Works
Health Unit	Fire Protection
Fire Prevention	

CP14-60-5 Edward R. Rathgeber, Jr.--contd.

TESTIMONY

Mr. Rathgeber explained that the new building will have four units and that the parking area will be paved, probably with black-top. He said this entire area is zoned commercial and it is possible that it will all be developed for apartment buildings. He said he is in the business of wrecking buildings and is able to pick up apartment buildings at a good price. He stated that the present development involves only two lots and he is using about 110 feet of the property. He explained that there is about 50 feet of access now, with a 4-foot incline, and he could curb the property but none of the other property on West Mary is curbed.

The Commission reviewed the site plan, the staff report, and the statements by the applicant and approved the plan subject to the following restrictions:

1. Provision of a paved parking area and driveway, and
2. Curbing West Mary Street and limiting the driveway to 30 feet.

It was then unanimously

VOTED: To APPROVE the site plan subject to the above restrictions and to authorize the Chairman to sign the necessary resolution issuing the Special Permit.

R146 SUBDIVISION COMMITTEE

The Committee chairman submitted the minutes of the Subdivision Committee meeting of May 23, 1960. The staff reported that no appeals had been filed for review of the Committee's action but that one case had been referred to the Commission without action on:

C8s-60-45 Green Grove Addn.

*

PRELIMINARY PLANS

C8-60-3 Southridge, Sec. 1

Clawson Rd. S. of Lightsey Rd.

The staff reported that the engineer has requested that this subdivision be again deferred since Mr. Nash Phillips (subdivider) is out of the City and unable to attend the meeting. The Committee therefore

VOTED: To DEFER action on the plan of SOUTHRIDGE, SEC. 1, to the next regular meeting of the Planning Commission.

*The Commission therefore

VOTED: To accept the following report and to spread the action of the Subdivision Committee of May 23, 1960, on the minutes of this meeting.

C8-60-16 Northwest Hills, Sec. 4
Bull Creek Rd. W. of City limits

Mr. D. B. Barrow (subdivider) explained that he has not submitted a schematic plan for the entire 2000-acre area since this portion included in the subdivision is a topographic entity and he does not feel that an owner should be tied to a future development on a schematic of this size as conditions may change to justify a different plan. He said a street was provided along the west to provide access into the adjoining area and also one to the north. He thought all traffic on the west will go south to Northland Drive and all traffic on the east will go east to the Missouri-Pacific Boulevard.

In response to a statement from Mr. Nicholson that an area study would be needed to work out a water system, Mr. Barrow replied that he has discussed this with Mr. Davis and this subdivision is so located on a sufficiently high level that it can be served by the existing water line. He said the other portion of the larger area would be developed by sections, with the area on the west being the last to be developed, this area having many creeks and draws.

Mr. Barrow called attention to a recommendation in the Austin Development Plan that green belts be provided in the city and said he and his brother had planned to give a green belt at a later date but they did not think the City was in a position at this time to maintain such an area.

The staff noted that no final plat can be accepted until Street "A" is dedicated into Bull Creek Road and that a modification of the intersection of this street with Bull Creek Road may be required. Mr. Barrow said he owns the adjoining property and the street will be dedicated with the subdivision.

It was further reported by the staff that Lot 1, Block E and Lots 1 and 18-29, Block F cannot be included in a final plat until Street "F" is dedicated. Mr. Barrow said this would be worked out with Mr. W. L. Bradfield (owner of adjoining property).

The staff recommended a variance as requested for Block G, which exceeds the maximum block length requirements, because of the topography.

The staff recommended modification of the intersection of Streets "C" and "F" and the street extending easterly. Mr. Barrow said Mr. Bradfield has changed his plans several times but no preliminary plan has been presented by Mr. Bradfield and they will work out this intersection.

The staff recommended some minor plat corrections needed to meet the Subdivision Ordinance.

C8-60-16 Northwest Hills, Sec. 4--contd.

The Committee then

VOTED: To APPROVE the plan of NORTHWEST HILLS, SEC. 4, subject to departmental requirements, and to grant a variance from the Subdivision Ordinance on block length requirements for Block G.

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 Committee therefore

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

C8s-60-49 Georgian Acres, Resub. Lot 4, Blk. D
Home Place and East Drive
C8s-60-52 W. T. Wallis Sub., Resub. Lot 1
Old Fredericksburg Rd.
C8s-60-55 Ivan M. Stewart
Goodrich and Hether

SHORT FORM PLATS - CONSIDERED

The following plats were presented under Short Form Procedures and were reported by the staff to comply with all provisions of Section 4 of the Subdivision Ordinance. The Committee therefore

VOTED: To APPROVE the following plats:

C8s-60-22 J. E. Bouldin Addn., Resub. Lot 10, Blk. O
South 4th St. S. of W. Johanna
C8s-60-38 Ridgetop Gardens, Sec. 3
E. 52nd St. E. of Lancaster Court
C8s-60-40 Reissig Hgts. No. 2
Burleson Rd.
(Disqualified: Mr. Rainey)
C8s-60-42 Delwood 4 East, Sec. 4, Resub. Lots 35-36, Block E
Northridge Dr.
C8s-60-53 Taylor Glass Subd.
S. Congress S. of Riverside Dr.

The following plats were presented under Short Form Procedures and action was taken as shown.

Planning Commission -- Austin, Texas

Reg. Mtg. 5-31-60

C8s-60-45 Green Grove Addn.
Cedar Creek Rd. and County Rd.

It was reported by the staff that all departmental reports have not been received and that there is a problem since this property is not in a water district. Mr. Nicholson said there is a water line in the County Road, which is in a water district, but these lots cannot be served until the property is annexed to the water district.

The Committee discussed the possibility of having a restriction placed on the plat that no lots may be developed until water is available but it was noted that the subdivision cannot be approved under the Subdivision Ordinance until water is available. It was then

VOTED: To refer this subdivision to the Planning Commission for further information regarding approval without water utility being present. (See page 189 for Commission consideration)

C8s-60-54 William Bell Subdivision
Tannehill La. and Samuel Huston

The staff reviewed previous action on this subdivision and reported that Tannehill Lane is only 40 feet in width but the subdividers have given their portion for the necessary widening and a variance was recommended. The Committee therefore

VOTED: To APPROVE the plat of WILLIAM BELL SUBDIVISION and to grant a variance in street width requirements for Tannehill Lane.

C8s-60-56 J W. Croslin Subdivision, Sec. 2
Croslin and Marcell Sts.

The staff reported that Mr. Croslin proposes to present this one-lot subdivision so that a building permit may be secured for a dwelling. It was further reported that this plat has been approved by the various departments as circulated by the engineer.

Mr. Croslin explained that he proposed to later develop the entire subdivision (C8-54-21) for residential use when he is more financially able but at this time he only wishes to develop this one lot. The Committee then

VOTED: To APPROVE the withdrawal of Lot 17 from the original preliminary plan which was previously approved.

It was then

VOTED: To APPROVE the plat of J. W. CROSLIN SUBDIVISION, SEC. 2, with the understanding that the plat will be completed to show the adjoining property.

ADMINISTRATIVE APPROVAL

The staff reported that 2 plats 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 following subdivisions:

C8s-60-50 Walsh Place, Resub. Lots 3-5, Blk. 5
Bonnie Rd. W. of Robin Hood
C8s-60-51 Outlot 63, Div. E, Resub. Lots 1-3
Neches and E. 18th Sts.

OTHER BUSINESS

R808 DEVELOPMENT PLAN

Bolm Rd. at Gardner Rd.

The staff presented studies prepared by the Planning Department at the request of property owners north of Bolm Road between Perry Lane and Gardner Road, showing possible subdivision of the land with a north-south street and one east-west street as an extension of Mayhall Drive. It was explained that the people approved the north-south street and east-west street as an extension of Mayhall Drive. It was explained that the people approved the north-south street but did not want the east-west street, and if this street is omitted, the block lengths would exceed that permitted in the Ordinance.

The Committee reviewed the plan and felt that this would be a desirable layout but only if the cross-street is developed. It was felt that this east-west street would be needed and to omit it from the plan would not be in accordance with good planning for the City since this street would facilitate traffic to the school east of Gardner Road and would also provide better circulation in the area.

PRELIMINARY PLANS

C8-58-31 South Terrace

Kinney Ave. and Lightsey Rd.

Mr. Tom Gee requested the Commission to reconsider its action of December 3, 1958, on this subdivision in light of the Thoroughfare Standards recently adopted by the City Council. He said that at one time a 90-foot thoroughfare was recommended because Lightsey Road was a secondary thoroughfare. After the Council had adopted the Standards, Mr. Gee asked them to refer this case back to the Commission for further consideration of this thoroughfare.

The Director explained that the Commission had approved the preliminary plan with a 90-foot width and subject to other minor conditions, but since that

Planning Commission -- Austin, Texas

Reg. Mtg. 5-31-60

C8-58-31 South Terrace--contd.

time the Council has adopted the policy of purchasing additional right-of-way over that needed in a subdivision. Mr. Gee said that if the Commission affirms its former decision in requiring the 90 feet he plans to take up with the City Manager negotiations regarding the right-of-way over 60 feet which the subdivider feels is adequate.

Upon further consideration, the Commission felt that the 90 feet should be provided and the subdivider should be compensated for the additional right-of-way needed. It was therefore

VOTED: To reaffirm its former decision and to recommend that the subdivider be compensated for the right-of-way in excess of what is needed for the subdivision up to the 90 feet.

DISQUALIFIED: Mr. Rainey

C8-60-3 Southridge, Sec. 1
Clawson Rd. and Lightsey Rd.

The Director reviewed his former recommendations which were presented at a previous meeting regarding a reduction in the right-of-way width of South Ridge Drive.

Mr. Nash Phillips (subdivider) and Mr. H. W. Curington (engineer) explained that a revised plan of this subdivision had been filed with the Department a week or more ago which showed some changes in addition to the reduced right-of-way but the Director reported that he had checked with employees in the Department and no record could be found of this revised plan having been filed. The Commission then

VOTED: To DEFER action on this subdivision pending further information and presentation of a revised plan showing the proposed changes.

SUBDIVISION PLATS - FILED

C8-60-17 Street Dedication Plat
Wade Ave., Pecos St. and Northwood Rd.

It was reported by the staff that this is for the dedication of a new street which has been developed to the north of Casis School. It was further reported that reports have not been received from all affected departments and that the Water and Sewer Division has recommended that this plat be accepted only on the condition that the streets will not be accepted as existing streets for fiscal purposes when the adjoining land is subdivided. The Commission therefore

VOTED: To ACCEPT for filing the plat of STREET DEDICATION PLAT, taking note of the recommendations of the Water and Sewer Division.

SUBDIVISION PLATS - CONSIDERED

The following plats were presented for layout approval only because fiscal arrangements or necessary reports were not complete. It was therefore

VOTED: To DISAPPROVE the following plats pending conditions as shown:

C8-59-37 Allandale Hills, Sec. 1

Mullen Dr. N. of Anderson La.

(pending fiscal arrangements, easements, and departmental reports). Mr. Curington reported that a new plan was filed today showing the widening of some lots from 60 feet to 75 feet but this would not change the plat otherwise.

C8-60-8 Allandale West, Sec. 5

White Rock Dr. and Bullard Dr.

(pending fiscal arrangements)

C8-60-15 Highland Hills, Sec. 5, Phase 4

Highland Hills Parkway

(pending fiscal arrangements, easements, and departmental reports)

C8-60-18 Manor Hills, Sec. 12-D

New Manor Rd. N. of E. 51st St.

(pending fiscal arrangements)

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-60-57 Dick Patton Subd.

Patton La. and Mira Loma La.

C8s-60-59 First Resub. Windsor Park III, Sec. 4

Rogge La. W. of Manor Rd.

The staff reported that this is a resubdivision of a part of the original plan and shows elimination of the street easements and a rearrangement of lot lines. (See C10-60-1, Windsor Park III, Sec. 3 and 4 easement abandonment)

C8s-60-60 University Hills, Sec. 1, Resub. Lots 14 & 15, Blk. H

Haney Dr. S. of Fordham La.

Planning Commission -- Austin, Texas

Reg. Mtg. 5-31-60

SHORT FORM PLATS - CONSIDERED

The following plats were presented under Short Form Procedures and were reported by the staff to comply with all provisions of Section 4 of the Subdivision Ordinance. The Commission therefore

VOTED: To APPROVE the following plats:

- C8s-60-49 Georgian Acres, Resub. Lot 4, Blk. D
Home Place and East Drive
C8s-60-61 Johnson Subdivision
Georgian Dr. and Rundberg La.

The following plats were presented under Short Form Procedures and were reported by the staff to comply with all provisions of Section 4 except for conditions as shown. The Commission therefore

VOTED: To DISAPPROVE the following plats pending conditions as shown:

- C8s-60-45 Green Grove Addn.
Cedar Creek Rd.
The staff reported that this involves 11 lots and is not in a water district at this time. The Commission concluded that when the plat is considered for final approval it would be the duty of the subdivider to show it is in a water district or that restrictions have been placed on the plat to assure an adequate water supply and operation of septic tanks, and also to meet the 9000-square-foot requirement for lot area. (pending easements, proof of water adequacy, and departmental reports).
C8s-60-47 Great Oaks Bluff, Sec. 2
Shoal Creek Blvd. and W. 39 $\frac{1}{2}$ St.
(pending fiscal arrangements, easements, and departmental reports)
C8s-60-48 Roberts Villa, Resub. Blk. B and Pt. Blks. A, C and D
Lowell Roberts N. of U. S. 71
(pending easements, installation and acceptance of water lines, and departmental reports)

ADMINISTRATIVE APPROVAL

The staff reported that one plat 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 subdivision:

- C8s-60-58 North Acres, Resub. Lots 34-36, Blk. M
Hollybluff St. and Walnut Bend Dr.

Planning Commission -- Austin, Texas

Reg. Mtg. 5-31-60

OTHER BUSINESS

C10-60-1 EASEMENT ABANDONMENT

Windsor Park III, Sec. 3 and 4

The Commission continued consideration of the request of the subdivider that the 60-foot street easements in these subdivisions be abandoned. The Director reported that from a planning standpoint a street should be extended through to break the block length and to give access out of the area, but that the Director of Public Works feels that it is unlikely that this portion will be developed because of the drainage structure that would be required.

Mr. Barrow said he definitely thought the street should have been developed at that time instead of the easements given because of the block lengths, but since this was not done the Commission is faced with an easement which the City does not see any need for. It was therefore

VOTED: To recommend that these street easements be abandoned since there is no foreseeable need for this street.

R143 MEETING SCHEDULE

The Director reported that the City Manager is requesting a special meeting with the Planning Commission to discuss the bond issue. It was then

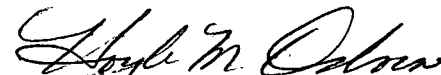
AGREED: To schedule a meeting of the Commission Thursday, June 2, 1960, at 7:30 p.m. for a discussion of the bond issue.

The Director also reported that plans on the Riverfront Development have been discussed with various City officials and suggested that this also be considered at this special meeting. It was then


AGREED: To include for discussion plans for the Riverfront Development.

ADJOURNMENT

The meeting was adjourned at 10:05 p.m.


Hoyle M. Osborne
Executive Secretary

APPROVED:


Chairman