

CITY PLANNING COMMISSION  
Austin, Texas

Regular Meeting -- November 15, 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  
Doyle M. Baldrige  
Fred C. Barkley  
Howard E. Brunson  
Pericles Chriss  
S. P. Kinser  
Emil Spillmann

Absent

A. C. Bryant  
W. Sale Lewis

Also Present

Hoyle M. Osborne, Director of Planning  
E. N. Stevens, Chief, Plan Administration  
Dudley Fowler, Assistant City Attorney

MINUTES

Minutes of the Meeting of October 18, 1960, were approved as submitted.

ZONING

The following zoning change and special permit requests were considered by the Zoning Committee at a meeting November 8, 1960:

CL4-60-131 St. Johns Corporation: A to C

Airport Blvd., Middle Fiskville Rd., Interregional Hwy., St. Johns Ave.

DIRECTOR'S REPORT: This is a portion of a 300-acre tract on which a subdivision plan has been presented and considered by the Subdivision Committee, with the residential portion having been approved, leaving the 170-acre portion proposed for commercial for future consideration. This is an extremely large area in a section of the city where the Capital Plaza and other shopping centers are located and where there is a great amount of undeveloped commercial property. There is some question regarding the ability of this section to support this much commercial and I think we should have more information regarding the use proposed for this land. In view of the lack of concrete information, I suggest that the Commission might want to study the entire area and the existing commercial zoning, but I do not have a definite recommendation. This area will be in the section affected by proposed airport zoning but normal shopping centers generally have buildings only two or three stories in height and buildings 80 or 90 feet might present some problems.

C14-60-131 St. Johns Corporation--contd.

At the Commission meeting, the Chairman requested a report and recommendation from the Director and the following was presented:

In the area between 51st Street and St. Johns Avenue, and from Lamar Boulevard to Berkman Drive, there are 485 acres of commercial zoning, of which 185 acres are used for commercial and industrial purposes, leaving about 300 acres of unused commercially zoned land. To the north of St. Johns Avenue and to the east of Berkman Drive, there is another 200-acre area of commercially zoned land that is vacant. In addition, there are between 50 and 100 acres of land proposed for future commercial zoning. In view of this, the amount of commercial zoning far exceeds the amount of commercial land to be used commercially well into the future and will result in continued vacancies of unused structures and the pushing of residential development even farther away from the core of the city.

Secondly, the 130 acres of the proposed residential subdivision of the St. Johns tract has several questionable areas from the standpoint of their desirability for residential use because of this extensive zoning. It has been indicated that requests for commercial may be made on some portions of the proposed residential area. Also, some lots in the residential subdivision will face across a street into the "C" Commercial property.

The proposed "C" Commercial zoning will permit wholesaling, transportation for storage, contracting, and some light industrial uses as well as retail and service uses. If the entire tract were developed with a wide variety of commercial and light industrial facilities, the amount of traffic generated would be close to 50,000 cars per day, thus exceeding the capacities of both the Interregional Highway and Airport Boulevard.

Finally, this will lead to serious problems in maintaining any standard of residential development and limitation of commercial zoning for a depth of 1000 or more feet all along the Interregional Highway.

In view of these reasons I would recommend that the application be denied or postponed with recognition that there is a part of the property suitable for retail and service development and that an economic analysis of the amount and location should be made and that a carefully worked out land use plan should be developed by the owners.

Mr. Pearce Johnson asked and was granted permission to speak and he also presented Mr. Eugene Guthrie. The following is a summary of his statements: Huntland Heights residential subdivision is part of this same tract from which the commercial property comes. We feel that because there is other commercial property within the area is no basis for denial of this request. We

C14-60-131 St. Johns Corporation--contd.

are aware of the problems of the City with regard to taxes. The City has said that residential property alone cannot carry the tax load the major portion of which should be from commercial property. We are making an effort to put more commercial property on the market and make it available for the developers. Motels have been increasing in size and type of development and we do not know what these people may want or other businesses may want. We now have the problem of developing a part as residential and we will never have the question of owners' opposition if we zone this commercial now. If it is later found that all of the property is not needed for commercial it is easier to go from commercial to residential than from residential to commercial. This is what we need for the orderly development of this land. We have people who are experienced in developing land and they are not going to put something here that would hurt their development. They want something to help the city grow. An engineer is working on plans for an 80-foot thoroughfare from Airport Boulevard to Interregional Highway which we propose to dedicate and develop. This will add to the area and help carry the traffic.

The Commission reviewed the statements presented and the Director's report. Mr. Barrow said he was in sympathy with their thought of developing the property and putting it on the tax rolls but noted that one thing the Commission is supposed to consider in zoning is whether or not the area will support the business classification requested to be zoned. However, he questioned the existence of any criteria by which the amount of commercial property needed could be determined. He stated that he would rather see the owners and the applicant postpone this request for awhile, that he was convinced that much of the property is suitable for business and will be developed in time but we have heard statistics to show that we have more commercial zoning in this area than could be used in ten years and he would rather move from residential to commercial later when the need is determined or when plans for development are available. Mr. Brunson recognized the excessive amount of property zoned commercial in this area but questioned how much of it is for use. He thought that more property than necessary might make it competitive and noted that the applicants seem to actually want to develop this property now. Mr. Spillmann said he liked their plan to zone the large area but would prefer that they come in with a little more residential and less commercial but commented that it is a part of the Commission's policy to get areas for commercial development as the subdivisions are processed. It was then

VOTED: To recommend that the request of St. Johns Corporation for a change of zoning from "A" Residence to "C" Commercial for property bounded by Airport Boulevard, Middle Fiskville Road, Interregional Highway and St. Johns Avenue be GRANTED.

AYE: Messrs. Barkley, Brunson, Kinser and Spillmann  
NAY: Messrs. Baldrige, Barrow and Chriss  
ABSENT: Messrs. Bryant and Lewis

C14-60-132 Juan Vela: A to B  
2904 (2906) South 1st St.

DIRECTOR'S REPORT: The area generally along the west side of South 1st Street is developed residentially while the area on the east side is generally business uses and the Mollie Dawson School. There is a barber shop now being operated in this dwelling. While this would constitute a spot zone, I will not recommend against the request because there is a filling station and two beauty shops across the street. The City is acquiring land for the widening of South 1st Street which is designated as a thoroughfare.

Mr. Vela appeared but did not add to the statements of the Director. He was joined by Mr. J. E. Clark (2014 South 3rd Street) who favored the request.

The Commission reviewed the location of this property in relation to existing business development across South 1st Street and the nature of South 1st Street which is proposed as a thoroughfare and is presently being widened. It was concluded that the "B" zoning would be the proper classification for this property. Therefore, it was unanimously

VOTED: To recommend that the request of Juan Vela for a zoning plan change from "A" Residence to "B" Residence for property located at 2904 (2906) South 1st Street be GRANTED.

C14-60-133 Burke Matthews: A to C, 1 to 2  
2304 LaFayette Avenue

DIRECTOR'S REPORT: The front portion of this lot is presently zoned "C" Commercial and the request includes only about the one-fourth portion at the northwest corner. Since this would be a logical extension of the zoning to cover the entire lot, I recommend that the request be granted.

No one appeared to represent the applicant. J. A. Santos (2307 LaFayette Avenue) said he did not oppose the request if it is only for an extension to cover the entire lot and no beer or liquor can be sold.

One reply to notice was received from Mr. Edgar J. Mathews (2312 Dancy) opposing the request but no reasons were given.

The Commission concluded that this would be a logical extension of the present commercial zoning on the remainder of the lot since a majority is already zoned commercial. It was therefore unanimously

VOTED: To recommend that the request of Burke Matthews for a change in the zoning plan from "A" Residence and First Height and Area to "C" Commercial and Second Height and Area for property located at 2304 LaFayette Avenue be GRANTED.

Planning Commission -- Austin, Texas

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C14-60-134 Fred Wong: BB and 1 to BB and 2  
1307-1311 East 52nd St.

DIRECTOR'S REPORT: There is at present a six-unit structure on the center lot and it is proposed to erect twelve units on the adjoining area. A maximum of 25 regular apartment units, 50 efficiency units, or a 50-unit apartment hotel would be permitted under the proposed zoning and this would be too many units. This property is located in the approach zone to the Municipal Airport and an avigation easement would probably be needed. A portion of the property is in the zone where a 25-foot height is proposed as a limit. In view of the above and the fact that this is spot zoning, I recommend against the change. I feel that no increase of density should be permitted here.

Mr. Wong appeared in support of his request and presented statements as follows: I plan to erect a structure 26' x 135' on one of the other 60-foot lots for 12 units, including some efficiency units. I have provided more than the minimum parking required by the Ordinance, with some in front of the building and in the rear if necessary. The building is planned to be two stories high. This is a dead-end street and should not carry too great a load of traffic.

At the request of the Commission, the Director further reported that this request involves three tracts of land and lots on each side of the present six units are proposed to have 12 apartments each. He said it was his original recommendation to deny this as a spot zone in a residential area and he felt that this would increase the density that is beginning to develop here. He noted that this would be doubling the number of apartments on a street which is unsafe and on which there is a drainageway to the east which would make it difficult to extend the street. He felt this would throw a burden on the existing homes.

Upon review of the statements presented and the staff report, the Commission concluded that the request should not be granted to create a spot zone here and increase the density on this residential street. Mr. Barrow noted that he had voted against the former change to "BB" zoning. It was therefore

VOTED: To recommend that the request of Fred Wong for a change of zoning from "BB" Residence and First Height and Area to "BB" Residence and Second Height and Area for property located at 1307-1311 East 52nd Street be DENIED.

AYE: Messrs. Baldrige, Barrow, Brunson, Chriss, Kinser and Spillmann

NAY: Mr. Barkley

ABSENT: Messrs. Bryant and Lewis

C14-60-135 James D. Glynn, M. D.: B to O  
W. 19th St. and West Ave.

DIRECTOR'S REPORT: The area to the east and south is zoned "O" Office and "B" Residence and is developed with a mixture of uses, including single-family and apartment house development and a doctor's office on the adjoining lot. There is a medical center to the north and to the west is a fraternity house and some apartment houses. In view of the surrounding development and the fact that this lot adjoins an "O" Office zoning and use, I recommend the change.

Dr. Glynn appeared and presented the following information in support of his request: This lot is one-half of what was originally a vacant lot. About 5 years ago we asked for all the property to be zoned "O" but compromised and built my office on the east half. Since that time I have had several offers and lately for several professional offices. This would be a suitable use and is not suitable for residential.

A letter was received from Mrs. J. W. Scarbrough (1801 West Avenue) stating that she did not wish to make any protest against granting this zoning change. Reply to notice favoring the request was received from Theta Chi Educational Foundation (1802 West Avenue).

Written objection was filed by Mr. Ola S. Neighbors (1803 West Avenue) for the following reasons:

1. 19th Street is one of the traffic problems in Austin. It is the main thoroughfare from Lamar Boulevard to Interstate Highway 35 and on to Airport Boulevard. It is inadequate for the present traffic. North-south streets crossing 19th Street are not straight-through but jog, which creates additional traffic problems. 19th Street is also the main approach to the University and to the Capitol area from the west. Since 19th Street is the main west to east thoroughfare in the city, it will always be important for west-east traffic.
2. Traffic to the University will be heavier with increased enrollment, and it will likewise increase in the Capitol area, as the state grows. And the new airport will add to the load on 19th Street.
3. It seems that this is the time to consider seriously the present and future traffic problems on 19th Street. More offices will add to the bottleneck of traffic. Is it wise to pursue a policy which will some day demand a large bond issue to correct an impossible traffic jam?
4. 1805 West Avenue is adjacent to my home, 1803 West Avenue. 1811 West Avenue is adjacent to 1805 West Avenue and 709 West Avenue is the corner.
5. I purchased 1803 West Avenue in good faith for a homestead, and it seems that the City should not devalue my property, without making proper indemnity. What consideration is due a home owner who pays City taxes?

Cl4-60-135 James D. Glynn--contd.

The Commission recognized the surrounding zoning and development and the fact that this property adjoins an "O" Office zone and concluded that this would be a logical extension of the "O" Office District and would complete that designation for the portion of this block fronting on 19th Street. It was therefore unanimously

VOTED: To recommend that the request of Dr. James D. Glynn for a zoning plan change from "B" Residence to "O" Office for property located at the southeast corner of West 19th Street and West Avenue be GRANTED.

Cl4-60-136 Mrs. Jennie Eck Stewart: C-1 to C-2  
South Congress Ave. and Nellie St.

DIRECTOR'S REPORT: This is a tract of land on which there is a vacant commercial building. It is located across the street from the School for the Deaf and in a developed commercial zone along South Congress Avenue. In that this is located in a well developed commercial area and on a thoroughfare, I recommend the change.

Mr. Ernest C. Stewart, Jr. (agent) represented the applicant and stated they were interested in leasing the building to a client for a liquor store. One reply to notice was received favoring the request.

The Commission concluded that this request conforms to the policy of the Commission in that the property is located in a well developed commercial area and is almost completely surrounded by "C-1" and "C-2" zoning. I was therefore unanimously

VOTED: To recommend that the request of Mrs. Jennie Eck Stewart for a change in the zoning plan from "C-1" Commercial to "C-2" Commercial for property located at the southwest corner of South Congress Avenue and Nellie Street be GRANTED.

Cl4-60-137 A. F. White: C to A  
West Mary and South 4th Sts.

DIRECTOR'S REPORT: These are three lots which were zoned "C" Commercial in 1948 but have remained as single-family use, with one lot have two residences. When a change across the street was recently considered, Mr. White agreed to request a change back to "A" Residence for his lots. Since West Mary is designed as a residential collector street this change is very desirable and I recommend granting the request.

No one represented the applicant at the hearing. Replies to notice favoring the request were received from three nearby owners.

C14-60-137 A. F. White--contd.

Since this property is located in a very well established residential neighborhood, the Commission concluded that this would be a proper change of zoning. Therefore, it was unanimously

VOTED: To recommend that the request of A. F. White for a change of zoning from "C" Commercial to "A" Residence for property located at the northwest corner of West Mary and South 4th Streets be GRANTED.

C14-60-138 Futura Press, Inc.: A to C  
2424 South 1st St.

DIRECTOR'S REPORT: The site is undeveloped at this time. Adjacent are some homes and vacant property. Across the street is Gillis Playground. There is a limited amount of commercial zoning but most of the development is further north at the intersection of South 1st Street and Oltorf Street. In view of the fact that this tract would have a very definite effect on the vacant land with regard to its highest and best use, and although there are many problems and streets do extend through, I wish to recommend against the request since I think it will have a definite effect on the development of the surrounding property. South 1st Street is being widened.

No one appeared for the applicant. Reply to notice was received from Mr. H. G. West (owner of nearby property) who stated that he is highly in favor of this zoning change and if the south side is to grow commercially, zoning should be made to permit it to meet the demand.

The Committee chairman reported that no recommendation to the Commission had been made pending further study, including a possible need for right-of-way for widening South 1st Street. The Director reported that the necessary right-of-way has been dedicated. He again recommended that the request be denied since this leaves a large portion of this 4-acres tract undeveloped and in a questionable position for development. He called attention to the strip zoning which is increasing along South 1st Street and the effect it is having on the housing behind it. He noted that much of the commercial zoning is to the south and east of this tract and the result is that you have a scattering of commercial uses along this street which affects residential uses. He said the question is "does commercial zoning heal poor housing" such as is existing in this immediate area.

The Commission discussed the report of the Director and whether or not the land in this area is suitable for residential use and if the character of the area is changing. Mr. Spillmann noted that the area is changing from Oltorf to Mollie Dawson School and he felt the time is coming when all of this property will be commercial. He said the area between the School and Radam Lane is a good residential area but this ends at the railroad and Radam Lane. It was concluded that this would be a logical extension of the existing commercial area on South 1st Street and it was therefore unanimously

VOTED: To recommend that the request of Futura Press, Inc., for a zoning plan change from "A" Residence to "C" Commercial for property located at 2424 South 1st Street be GRANTED.



Planning Commission -- Austin, Texas

Reg. Mtg. 11-15-60

Cl4-60-139 Community Realty Co., Inc.: GR & C & 6 to GR & C & 2  
1148 Airport Blvd.

DIRECTOR'S REPORT: This is a very small spot contained within a shopping center development and the change is requested to permit a sign 50 feet high. An application was made to the Board of Adjustment for a variance but they did not have authority to grant this variance. The Second Height and Area requested would permit a height considerably higher than that proposed. In view of the fact that the sign would be located with the excessive setbacks, I would recommend the change.

No one represented the applicant at the hearing. One reply to notice was received favoring the request.

The Commission noted that this is in a well developed "GR" and "C" Commercial neighborhood and would continue the development within this block and concluded that the request should be granted. It was therefore unanimously

VOTED: To recommend that the request of Community Realty Co., Inc., for a change in the zoning plan from "GR" General Retail, "C" Commercial and Sixth Height and Area to "GR" General Retail, "C" Commercial and Second Height and Area for property located at 1148 Airport Boulevard be GRANTED.

Cl4-60-140 N. O. Pope: LR to C-1  
2109 Holly St.

DIRECTOR'S REPORT: This tract is developed with a grocery store at this time. The surrounding area is developed as single-family homes except at the corner of Holly and Canadian Streets where there is a used furniture and junk shop. In view of the fact that it does not conform to the Commission's policy and the property is in a residential area but due to other circumstances and the existing grocery store, I do not wish to make a recommendation.

Mr. Trueman O'Quinn (attorney) represented the applicant and presented statements which may be summarized as follows: There are several locations in this area where four corners of an intersection are zoned commercial and since the power plant has been located at the end of Holly Street, this has become an industrial street. We made a survey and found there was a demand for beer to be sold. There are some others selling beer for on-premise consumption. We know the applicants and their other operations and know that this operation will not interfere with the residential area.

Mr. Thomas E. Morrow (2104 Holly Street) appeared in favor of the request.

The Commission noted that this is adjoining a "C" Commercial District and concluded that this would be a logical extension of this zoning. It was therefore unanimously

VOTED: To recommend that the request of N. O. Pope for a change of zoning from "LR" Local Retail to "C-1" Commercial for property located at 2109 Holly Street be GRANTED.

C14-60-141 Lucile M. Bloor Estate: C to C-1  
West 6th St. and Lamar Blvd.

DIRECTOR'S REPORT: Since this request would conform to the policy of the Commission and the property is located in a well-developed commercial area, I recommend that the request be granted.

Mr. Sterling Sasser, Sr. (agent) represented the applicant but added nothing to the statements of the Director. Three replies to notice were received favoring the change since all of this block has been commercial for many years and the Coca Cola plant is located across the street.

The Commission concluded that the request should be granted since the property is located in the midst of a well developed commercial neighborhood and this conforms to the policy of the Commission. It was therefore unanimously

VOTED: To recommend that the request of Lucile M. Bloor Estate for a zoning plan change from "C" Commercial to "C-1" Commercial for property located at the northwest corner of West 6th Street and Lamar Boulevard be GRANTED.

C14-60-142 Perry D. Snavelly and Robert Moses: A & 1 to B & 2  
1406-1408, 1500-1502, 1506-1514 Riverside Dr.

DIRECTOR'S REPORT: This property, including the additional area included for hearing, contains about 7 acres. The purpose of the application is for developing apartments along the riverfront between Riverside Drive and the riverfront development. In view of the fact that this follows within the plan for the riverfront development as proposed, I would recommend the change except to retain First Height and Area for the reason that Second Height and Area would permit too intensely development apartments and apartment hotels. This would be more in keeping with the development on the south side of Riverside Drive. The property is on a high bluff which drops abruptly toward the Lake.

Mr. Cy Miller (agent) appeared for the applicants and stated the following: It is proposed to build luxury apartments here and we think we should have Second Height and Area to get the maximum benefit of the land. We do not have complete plans yet but the units will range from 800 to 1700 square feet in area. We do not have anything like we plan in Austin at this time. We have plenty of land for off-street parking and intend to do a beautiful landscaping job in keeping with the Lake. This would be an improvement over the old houses here now.

Mr. and Mrs. Volley S. Williams (802 Wayside Drive) appeared in opposition for the following reasons: We have a house at 1508 that we bought and now rent. The water service to this property is through another tract and which serves another house. We object to any change which would interfere with our water service and access which has been from Edgecliff. (Mr. Fowler explained that zoning would have no effect on their water rights.)

C14-60-142 Perry D. Snively and Robert Moses--contd.

After consideration of the proposed development and the density permitted under the Second Height and Area, the Commission concluded that First Height and Area would permit development more compatible with other development in the area. It was therefore unanimously

VOTED: To recommend that the request of Perry D. Snively and Robert Moses for a change of zoning from "A" Residence and First Height and Area to "B" Residence and Second Height and Area for property located at 1406-1408, 1500-1502, 1506-1514 Riverside Drive be DENIED; but that a "B" Residence and First Height and Area classification be established for the property and that the additional area included in the notice of hearing and known as 1410 and 1504 Riverside Drive and the Rear of 1502-1504 Riverside Drive be included in the change.

C14-60-143 Clarence McCullough and Ray Saunders: Interim A and 1 to GR and 1 2404-2706 South Interregional Hwy.

DIRECTOR'S REPORT: This tract backs up to the William B. Travis High School. In view of the fact that the tract is isolated by the High School tract and the question of its suitability for residential development, and there being some similar development across the street, I recommend the change.

Mr. Clarence McCullough (applicant) appeared at the hearing but presented no additional statements.

The Commission noted that this is a narrow strip of land bounded on one side by the High School and on the other side by the Interregional Highway. They concluded that it did not lend itself to residential use. Therefore, it was unanimously

VOTED: To recommend that the request of Clarence McCullough and Ray Saunders for a change of zoning from Interim "A" Residence and Interim First Height and Area to "GR" General Retail and First Height and Area for property located at 2404-2706 South Interregional Highway be GRANTED.

C14-60-144 H. E. Butt Grocery Co.: A to B 2413 Euclid Ave.

DIRECTOR'S REPORT: This consists of two tracts of land, one being a residential lot and another small tract to provide the frontage for access to Euclid Avenue. Under the "B" Residence classification, a commercial drive is permitted which is to be used for access to the shopping center. This is to be used as a service access over Euclid to Oltorf. In view of the fact that this would be creating commercial traffic in the residential area, it would be an intrusion into a residential area and I recommend against the change. The present shopping center backs up to this residential area.

C14-60-144 H. E. Butt Grocery Co.--contd.

Messrs. Frank W. Denius (attorney), Roderick F. Edens (local supervisor for HEB), and Mr. Black (Corpus Christi, Texas) appeared for the applicants and one reply to notice was received favoring the request. Statements by the applicants may be summarized as follows:

1. The property included in this request is for ingress and egress over Euclid Avenue. The original shopping center was designed prior to acquisition of this property which consists of one lot and a small tract which fronts on about half of the south end of Euclid Avenue. There was once a home on this lot and the small tract was used by it for access to Euclid Avenue. HEB does not have title to the property abutting the other half of Euclid Avenue.
2. The entire shopping center is now being completed as it was planned to be three years ago. The retaining wall on the west is not a permanent structure and has given way during the rains. It is being repaired and a fence will be constructed on it. The main entrance and exit for trucks will be over the 20-foot buffer zone on the west and the new area is to provide parking for employees, but it could be used by a truck as exit to Euclid Avenue. It is not designed for truck use.
3. The extensions into the 20-foot buffer zone are a walk and steps to get into the mall and trucks will be unloading in this buffer zone.
4. HEB will do everything they promised these people -- fix the wall, put up the fence on it, and maintain the buffer zone. The center is not designed for a principal use of Euclid Avenue.

Six owners of residential property on Euclid Avenue, one represented by Mr. Erwin K. Stork (attorney), appeared in opposition to the request and written opposition was filed by five other owners. Reasons given were

1. The present wall has cracked and dirt was washed into the yards adjoining this property. The wall will be about 12 feet above these rear yards and trucks will be parked there above the yards.
2. Although this parking area is designed for employee parking, if trucks are unloading in the buffer zone and another one is leaving, it will go to Euclid Avenue. Children play in this street and the additional traffic will be dangerous. Also, it will become an alley with trucks using it. Because it is a dead-end street, it will become a "lovers' lane" and these uses will be detrimental to the residential neighborhood.
3. This would be an encroachment into the area where the people have already granted sufficient area for this development.

C14-60-144 H. E. Butt Grocery Co.--contd.

The Committee reported that while it was considering this request, Mr. Denius reported that the applicants and the opponents had further discussed the plans and the applicants have agreed to a compromise, and some of the opponents would be satisfied with a fence and a gate for people to go through at the east end of the employee parking lot and the applicants would file a letter to that effect before the Commission meeting next Tuesday.

The Director reported to the Commission that a letter was filed agreeing to construct the fence as proposed, but that the applicant has authorized the staff to request postponement since Mr. Denius is out of the city and other attorneys in his office were not prepared to represent the applicant. The Commission therefore unanimously

VOTED: To grant the request of the applicant and defer action on this request until the next meeting of the Planning Commission.

C14-60-145 Moses J. Kouri: A & 1 to BB & 1 (as amended)  
1127-1203 East 52nd St.

DIRECTOR'S REPORT: This site is presently undeveloped and the area to the west and east is mostly undeveloped. On the north is a residential subdivision proposed but undeveloped for residential use. In view of this being spot zoning in an area which has been subdivided for residential use, I would recommend against the change.

Mr. Robert C. Sneed (attorney) appeared for the applicant and Mr. Kouri was also present at the hearing. Statements presented may be summarized as follows:

1. Mr. Kouri's purchase of this property is in two contracts that are contingent upon the zoning. The CDN subdivision immediately to the north is not necessarily a residential subdivision. The property was acquired by Mr. Nash in process of being set up as a subdivision and he completed the plat.
2. Basically this is an area where you have practically a "City of Austin" with large commercial zoning and shopping centers. Great activity is shown in the northeast and west sections of Austin. One thing that is lacking in this tremendous commercial area is apartment house development. Usually you find the large community center and apartment development, or vice versa. There is a "BB" Residence area to the east and commercial to the west. This is one of the areas that can be handled as an apartment house development.
3. If you look at the composite picture this is not spot zoning. There is a need for the employees in the area who will maintain multi-family housing. My study shows 52nd Street to be the only undeveloped area

C14-60-145 Moses J. Kouri--contd.

remaining--then this is the place where multiple units could be established. A "B" zoning mostly permits more units for residential. It is not contemplated that any business would be carried on. We only intend to go to more housing than is permitted in "A" Residence.

One person appeared favoring the request and a statement was filed by Charles D. Nash (owner of nearby property) agreeing to the change provided B. Garza pays for the curb, gutter and paving of \$186.30 on East 52nd Street.

Three owners on East 51st Street appeared in opposition and one reply to notice was received objecting to the request. Reasons given were:

1. When we bought our places, we intended to live there. The next step would be asking for a commercial zone. If this is done, what does it do to residential property value? It would reduce it but increase the commercial value. What effect on the taxes has a change from one zone to another? Does that not increase the value as business?
2. There is quite a bit of undeveloped commercial area north of Capital Plaza.

The Committee reported that this had been referred to the Commission without a recommendation for further study of the requested Second Height and Area on the present "BB" Residence zone to the east (C14-60-134).

The staff reported to the Commission that a letter has been filed by Mr. Sneed on behalf of Mr. Kouri requesting that the application be amended to request a change to "B" Residence and First Height and Area instead of the original request for Second Height and Area. The Commission accepted this amendment and considered the request as amended.

At the request of the Chairman, the Director further explained his recommendation for denial of this request as follows:

1. This is an area which has to some extent been subdivided with a single-family type street of 50-foot right-of-way and 30-foot paving. Development of apartments, even with First Height and Area, would be too great for Lancaster Court. Cameron Road has reached a point of saturation with the development of the shopping centers and other businesses. The traffic situation created by the apartments would add to the traffic congestion.
2. There is the potential of about 30 duplex units under "A" zoning. In contrast, "B" zoning would permit 150 units in the area which is  $2\frac{1}{2}$  to 3 times as many units as could be developed in the area under the present "A" zoning.

C14-60-145 Moses J. Kouri--contd.

3. If extensive or additional development occurs, this means that the public is faced with the responsibility of having to widen Cameron Road and 52nd Street serving the area. The right-of-way would be quite costly. Commercial zoning has been increased and now we are considering "B" zoning. This street was planned several years ago for residential and limited commercial facilities. Should the public be put to the expense of widening the street by adding these apartments?

Mr. Barrow suggested that the City should plan for traffic arteries where an area is developing and should follow the plan as the area develops. He thought the taxes received from additional development in widening streets would off-set the cost of providing the trafficways. Mr. Barkley stated that the developers have developed the street and he did not think they should be penalized. Mr. Osborne explained that the streets were developed under the Subdivision Ordinance with the apparent intent of developing the subdivision with single-family dwellings.

Mr. Barrow suggested that the Airport Zoning should include the density as well as the height of structures. Mr. Osborne explained that the Legal Department has advised that the Airport Zoning Ordinance should deal with height and obstructions and that the general Zoning Ordinance should handle use and density. He stated that this would be increasing the density of development in a hazard area where almost all of the property falls in the clear zone which is one of the approach areas at the end of the north-south runway; that this runway is used extensively, especially at this time of the year, for take-offs and landings. He thought there was an agreement on the applicant's part for a 30-foot height limit but said if this request is granted there is a possibility of having about 18 or 19 units on these three lots instead of the permitted three single-family units and in the event of a crash or mishap there would be more people involved. Mr. Brunson felt that it does not seem reasonable to intensify dwelling units at the end of a runway.

Mr. Kouri asked the difference in "B" and "BB" Residence restrictions and then asked that his request be amended to ask for "BB" Residence in line with the present "BB" zone further to the east since "BB" would permit what he proposes to develop.

Mr. Baldrige thought that this one case could not settle the questions raised. Mr. Kinser and Mr. Spillmann felt that the request should be granted since it is near a very well developed commercial area and is in line with the trend of development since there is "BB" zoning only 320 feet to the east. He felt that this is a very fast growing commercial neighborhood and the apartment units would be needed. Mr. Barrow said he voted against the existing "BB" zone because it was spot zoning and the same issue is involved in this request. He said he would not be opposed to changing this area if it were connected to the present "BB" zone but to zone this one piece is not sound zoning. The Commission then

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C14-60-145 Moses J. Kouri--contd.

VOTED: To recommend that the request of Moses J. Kouri for a change in the zoning plan from "A" Residence to "BB" Residence (as amended) for property located at 1127-1203 East 52nd Street be GRANTED.

AYE: Messrs. Baldrige, Barkley, Kinser and Spillmann

NAY: Messrs. Barrow, Brunson and Chriss

ABSENT: Messrs. Bryant and Lewis

C14-59-160 City of Austin Aviation Department: A to C-2  
3600 Manor Road

DIRECTOR'S REPORT: This request is for providing the maximum use of the air terminal facilities, with the sale of beer or liquor. Beer would be sold in conjunction with food in the proposed cafe and this would permit the leasing of space to a liquor store.

The Commission generally felt that this is not the proper location for the sale of liquor where all types of people pass through, including children, and where people are handling planes and arriving and leaving. Some members did not object to the serving of beer in the cafe but thought the liquor store would give a bad impression of Austin to people passing through the building. Mr. Barrow stated that selling liquor is something that is rigidly controlled and that an airport is not the proper place to sell hard liquor.

In response to questions by the Commission, Mr. Osborne explained that this is actually a small commercial center, with the operations of airlines, the weather bureau, and the cafe, and that terminal buildings in most other cities have a variety of stores, curio shops, drugstores, and similar uses. He said there is a group of people who expect to purchase liquor in an airport, including those arriving for conventions and other meetings. He stated that the liquor store would be in a separate place and not a part of the lobby for the general public. The Commission then

VOTED: To recommend that the request of the City of Austin Aviation Department for a change of zoning from "A" Residence to "C-2" Commercial for property located at 3600 Manor Road be DENIED.

AYE: Messrs. Baldrige, Barkley, Barrow, Brunson and Kinser

NAY: Messrs. Chriss and Spillmann

ABSENT: Messrs. Bryant and Lewis



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SPECIAL PERMITS

CP14-60-9 City of Austin Electric Department: Utility Sub-station  
2307-2309 Haskell Street

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 undeveloped and the area north and west is developed with the City Power Plant and to the south is the new lake.

HISTORY OF THE AREA: C14-60-140, N. O. Pope, 2109 Holly Street, request for a change from "LR" Local Retail and First Height and Area to "C-1" Commercial and First Height and Area PENDING.

C14-56-115, N. O. Pope, 2109 Holly Street, change from "A" Residence and First Height and Area to "LR" Local Retail and First Height and Area GRANTED December 6, 1956.

The "C" Commercial zoning at Canadian and Holly Streets was zoned originally in 1931.

SITE PLAN: The applicant proposes to use the site for the erection of a 16,000 KVA Electrical Sub-station (69,000 - 12,500 volts). Improvements consist of open type 69,000 volt galvanized steel structure, a unit sub-station consisting of a 16,000 KVA transformer, and a 12' x 24' station house. The site has entrance from Haskell Street (which will conform to the Austin Code regarding curb and ramp) and entrance from the alley south of Haskell Street. The site is to be surfaced with gravel and enclosed with a 10-foot chain link fence.

DEPARTMENTAL COMMENTS:

Favorable comments were received from the following departments:

Sanitary Sewer

Electric

Health Department

Storm Sewer Division

Director of Public Works

The Traffic and Transportation Department and the Fire Prevention Department offered no comments.

TESTIMONY

Mr. Emmett Rummel of the Electric Department appeared but added nothing to the staff report.

Mrs. Dorothy A. Cunningham (3236 University Drive, Fort Worth, Texas) was present but made no statements.

CP14-60-9 City of Austin Electric Department--contd.

The Zoning Committee reported that it had reviewed the site plan and found that the plan complies with all sections of the Zoning Ordinance and is a matter of public necessity and convenience as reflected in the Capital Improvements Program for 1959-1964, and is adjoining the City power plant and this is the best use for the property. The Committee had therefore recommended that the site plan be approved as presented with no extra conditions and that the Special Permit be granted.

The Commission reviewed the report of the Committee and concurred with the recommendation. It was therefore unanimously

VOTED: To APPROVE the site plan as presented with no extra conditions and to authorize the Chairman to sign the necessary resolution issuing the Special Permit.

CP14-60-10 Trans-Texas Enterprises: Mobile Home Park  
3301 South Lamar Boulevard

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 undeveloped and the area is developed with scattered single-family dwellings with a liquor store, electric company, and a lumber yard to the north along Lamar and Porter Junior High School to the south.

HISTORY OF THE LOT: C14-60-10, Original Zoning of Annexed Areas - Area 16 - Trans-Texas Enterprises Inc., 3301 South Lamar, change from Interim "A" Residence and Interim First Height and Area to "GR" General Retail and Sixth Height and Area was GRANTED October 13, 1960.

SITE PLAN: The applicant proposes to use this property for a mobile home parking with the following uses of the site proposed: Space rental for modern mobile homes, a fenced children's playground, and a community house, a combined office, storage and meeting room, for the use of the residents and their guests. The site plan further proposes 45 trailer spaces to front on paved and curbed streets. This is the first stage of development of the entire tract for this use.

DEPARTMENTAL COMMENTS:

Favorable comments were received from the following departments:  
 Sanitary Sewer  
 Health Department  
 Electric Department

No comment was received from the Fire Protection Department. The Director of Public Works approved the plan and stated they will need an application for the commercial driveway.

CPI4-60-10 Trans-Texas Enterprises--contd.

## TESTIMONY

Mr. Irvin H. Reeves (President, Trans-Texas Enterprises) appeared at the meeting but added no testimony.

The Zoning Committee reported that it had reviewed the site plan and found that it complies with all sections of the Zoning Ordinance and concluded that this is good development and a good use for this property. It had therefore recommended approval of the site plan as presented with no extra conditions and that the Special Permit be granted.

The Commission reviewed the plan and concurred with the recommendation of the Committee. It was therefore unanimously

VOTED: To APPROVE the site plan as presented with no extra conditions and to authorize the Chairman to sign the necessary resolution issuing the Special Permit.

CPI4-60-11 Terminix Company: Office Building for Terminix Company  
1206 Parkway

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 and the area north and west is developed predominantly residential with the exception of doctors' offices along Parkway. The area east and south is developed commercially including the Enfield Shopping Center, three service stations, four auto sales, a furniture company, and a restaurant.

HISTORY OF THE LOT: C14-60-123, O. D. Denson, 1206 Parkway, was changed from "B" Residence and Second Height and Area to "LR" Local Retail and Second Height and Area November 3, 1960.

AREA: C14-60-111, S. F. Waterman, Rear 1207 Lamar Boulevard, was changed from "C" Commercial and Second Height and Area to "C-2" Commercial and Second Height and Area October 13, 1960.

C14-53-42, Mrs. Gay Welch and Mrs. Jewel E. Brown, changed from "B" Residence to "C" Commercial at 1006-1008 West 12th Street October 1, 1953.

SITE PLAN: The site development shows the following improvements for an office building: A paved parking and storage area with asphalt paving of 5800 square feet of the lot, eight off-street parking spaces to be provided therein; also within the paved area will be three 500-gallon storage tanks, two of which will be underground storage, the other will be above ground. One of the below-ground tanks will be a private

CP14-60-11 Terminix Company: Office Building for Terminix Company--contd.

gasoline plant for use of the applicant. The existing improvements will be remodeled and the existing garage will be removed. A neon sign is to be erected on the southern portion of the lot and a commercial ramp and driveway is proposed.

## DEPARTMENTAL COMMENTS:

Favorable comments were received from the following departments:

Sanitary Sewer Department

Electric Department

Health Department

No comments were presented by the Fire Protection Department. The Director of Public Works approved the plan but stated that they will need a request for the commercial driveway and also an application for a private gasoline pump. The Traffic Engineer suggested making the west side of the driveway at about 60 degrees with the street curb to facilitate ingress. He said the City will not provide another cut through the left turn island as too many hazards already exist.

## TESTIMONY

Mr. W. D. Youngblood, Manager of Terminix, was present but left the meeting before the consideration of this request.

The Zoning Committee reported that it had reviewed the site plan and found that the plan complies with all sections of the Zoning Ordinance and concluded that this would be a good use for this property and would provide what could be a good solution to a land use problem in this area. Therefore, it had recommended approval of the site plan and that the Special Permit be granted.

The Director then reported to the Commission that the applicant has not modified the site plan according to the Traffic Engineer's recommendations and has not shown the grade of the ramp into the property. He recommended that the case be postponed until these changes are made. The Commission therefore unanimously

VOTED: To DEFER action on this request until the information needed has been presented to the Planning Department.

R146 SUBDIVISION COMMITTEE

The Committee chairman submitted the minutes of the Subdivision Committee meeting of November 7, 1960. The staff reported that no appeals had been filed for review of the Committee's action. The Commission therefore

VOTED: To accept the following report and to spread the action of the Subdivision Committee of November 7, 1960, on the minutes of this meeting.

PRELIMINARY PLANS

08-60-35 Northwood  
Balcones Tr. N. of Spicewood Springs Rd.

The staff called attention to the recommendations of the utility departments and the difficulty of serving a portion of the subdivision with water. Mr. Jeryl Hart (engineer) said there is an 8" water line in Spicewood Springs Road and they would provide any easements needed by the City to serve the subdivision.

The following recommendations were presented by the staff and discussed:

1. Show the bearings on the north line of the tract between Lots 4 and 5, Block E, and also show ownership. A review of the plan shows that this has been complied with except one gap for a distance of 70' where the bearing was omitted.
2. Show a 50' radius of curves at the east and west ends of Fir Drive. Mr. Hart said he thought they were 50 feet and would take care of that.
3. Lots 10, 11, and 15, Block B, have insufficient width for septic tank lots and, since they are pie shaped, the policy of the Commission is to have a width of 60 feet at the building line. Mr. Hart explained that it is not economically feasible to develop the subdivision if sanitary sewer is required to be extended because of the small size of the subdivision. He said that percolation tests have been made and they have met the Health Department requirements. He agreed to provide 60 feet at the building line.
4. It was recommended that a 25-foot setback from both streets be required for corner lots which front on the sides of other lots. A suggested revision by the staff was reviewed but not approved. Mr. D. L. Welch (subdivider) stated that FHA penalizes lots of this type but it is impossible on a small tract not to have some lots fronting on the sides of lots. He said he could see no particular objection to the 25-foot setbacks as requested.
5. It was suggested that a planting strip be provided along Balcones Drive for the double-frontage lots. Mr. Hart said he could provide a restrictive covenant rather than a planting strip which would prohibit access to Balcones Drive from these lots, and he could see no hardship which would cause the owner to disagree.

The Commission then held a general discussion on the effect of this subdivision on surrounding property. The staff reported that suggested plans had been discussed with adjoining owners who had agreed that subdivision of their properties could be worked out. It was further

C8-60-35 Northwood--contd.

reported that Mr. Nicholson had recommended the northerly extension of Delwood Drive but the owners on the north felt that it would be too close to their home and would take too much land from their small tract. The shallow depth of the property next to Anderson Lane was questioned in the event it were proposed for commercial use in the future. It was then

VOTED: To APPROVE the plat of NORTHWOOD subject to the following conditions:

1. That a restriction be provided that prohibits access to Lots 1-9, Block A, from Balcones Trail,
2. That a 25-foot setback from both streets be shown on Lots 4 and 6, Block C, and Lot 1, Block E,
3. That a 50-foot radius be provided on semi-cul-de-sacs at the east and west ends of Fir Drive,
4. That a 60-foot width be provided at the building line of Lots 10, 11, and 15, Block B, and
5. Compliance with departmental requirements.

## SHORT FORM PLATS - FILED

C8s-60-112 Ridgetop Gardens, Resub. Pt. Lots 3 & 4, Lot 1 Resub.  
E. 51st and E. 52nd Sts. E. of Cameron Rd.

It was reported by the staff that all necessary departmental reports have not been received and it is recommended that no action be taken on this plat at this meeting. The staff also called attention to a note from the Advanced Planning Section regarding the effect of this subdivision on proposed Airport Zoning for this area and the possible need for an avigation easement. The Committee then

VOTED: To ACCEPT for filing the plat of RIDGETOP GARDENS, RESUB. PT. LOTS 3 & 4, LOT 1 RESUB.

## SHORT FORM PLATS - CONSIDERED

C8s-60-106 M. A. Abraham Subdivision  
Dungan La. and Brown La.

The staff reported that additional easements are required, that fiscal arrangements have not been completed, and that all necessary departmental reports have not been received. The Committee therefore

VOTED: To DISAPPROVE the plat of M. A. ABRAHAM SUBDIVISION pending necessary easements, completion of fiscal arrangements, and receipt of necessary departmental reports.

C8s-60-113 Chase Addition, Sec. 2  
Hargrave St. S. of Rosewood Ave.

It was reported by the staff that Lot 1 has sufficient area but is extremely shallow. This area was left over from the Chase Subdivision and a building permit was given for one house on the tract which is now built on Lot 1 which has been sold by metes and bounds. The owner of Lot 2 filed an appeal and was granted a variance by the Board of Adjustment to permit a residence on Lot 2 with a front setback of 10 feet. It was represented to the staff that both of the lots extend to the opposite side of Boggy Creek which would give sufficient area even though it is not usable. The engineer is now making a survey to establish the line across the creek. It is recommended by the staff that the plat be rejected until the survey is completed since there would be insufficient area for Lot 2 if the property does not extend across the creek and there will be a drainage easement needed. Mr. Kinser noted that the creek needs straightening out and the easement would facilitate this. The Committee then

VOTED: To REJECT the filing of the plat of CHASE ADDITION, SEC. 2.

C8s-60-115 Park View, Resub. Lots 22-24  
Nelson and W. 8th St.

The staff reported that the subdivider is creating two lots out of the former three lots which front on a 45-foot street which was there when the original subdivision was approved in 1948. It was recommended that thought be given to widening the street since larger lots in this "B" Residence District would permit more units and could create more traffic. The Committee noted that Nelson Street is only about 240 feet in length and is up a steep hill. It was felt that since there would be no through traffic on this street except what would be generated on this side of the street, the 45-foot street would be sufficient to serve these people. Therefore, the Commission

VOTED: To APPROVE the plat of PARK VIEW, RESUB. LOTS 22-24, and to grant a variance from the Subdivision Ordinance on street width requirements.

PRELIMINARY PLANS

The following plans were presented for renewal of preliminary approval which has expired. The Commission then

VOTED: To grant an extension of six months on preliminary approval for the following subdivisions:

C8-60-9 Delwood Estates  
Wheless Lane N. of Hampton Dr.  
(Subdividers are in the process of submitting a final plat on a portion of this plan)

## PRELIMINARY PLANS RENEWED--contd.

C8-60-11 Northwest Acres

N. Lamar and Peyton Gin Rd.

(requested by the owner and developer in order to complete his plans)

C8-60-14 Hill Country

W. of Tanglewood Tr.

(requested by the subdivider to permit further study of proposed development)

## SUBDIVISION PLATS - FILED

C8-60-32 Huntland Heights

St. Johns Ave. and Interregional Hwy.

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

VOTED: To ACCEPT for filing the plat of HUNTLAND HEIGHTS.

## SUBDIVISION PLATS - CONSIDERED

C8-60-10 Royal Oaks Estates, Sec. 1

Rogge La. W. of Manor Rd.

The staff reported that the plat is ready for final approval and all conditions have been met, but the subdivider is requesting a change of name to Section 2. It was further reported that the original subdivision was presented under the name of Windsor Park III, Section 5, with Section 4 adjoining this on the south, and that the subdivider later proposes to request a change of name of Windsor Park III, Section 4, to Royal Oaks Estates, Sec. 1. The Commission therefore

VOTED: To APPROVE the plat of ROYAL OAKS ESTATES, SEC. 1 and to APPROVE the name change to Royal Oaks Estates, Sec. 2.

C8-60-33 Schieffer Place, Sec. 5

Vineland Dr. and Schieffer Ave.

This plat was reported by the staff as having satisfied all the standards of the Subdivision Ordinance and was recommended for final approval. The Commission therefore

VOTED: To APPROVE the plat of SCHIEFFER PLACE, SEC. 5.



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C8-60-34 Barton View, Sec. 4  
Stearns Lane

This plat was presented for layout approval only because fiscal arrangements have not been completed and the City tax certificates have not been submitted. The Commission therefore

VOTED: To DISAPPROVE the plat of BARTON VIEW, SEC. 4, pending completion of fiscal arrangements and receipt of tax certificates.

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-60-117 William M. Collins Sub.  
Farm Highway 969  
C8s-60-118 Mary Alice Comeskey Sub.  
W. 34th St. and West Ave.

The following plats were presented for approval with a recommendation that the Planning Department be instructed to hold the plat until tax certificates are received, having been notified that the money for the taxes is being sent from Houston. The Commission therefore

VOTED: To APPROVE the following plats and to instruct the staff to hold the plats until tax certificates have been received:

C8s-60-114 Sherwood Oaks, Sec. 3, Resub. Lots 13-21, Blk. 3  
Little John Lane  
C8s-60-119 Sherwood Oaks, Sec. 3, Resub. Lots 4-5, Blk. 2  
Little John Lane

The following plats were presented under short form procedures and action was taken as shown.

C8s-60-110 Sanders Subdivision  
Old Manchaca Rd. and Oak Valley Rd.

The staff reported that fiscal arrangements have not been completed, all necessary departmental reports have not been received, and a drainage easement needs to be increased in size. The Commission therefore

VOTED: To DISAPPROVE the plat of SANDERS SUBDIVISION pending completion of fiscal arrangements, receipt of necessary departmental reports, and increase in size of the drainage easement.

C8s-60-121 Chestnut Ave. Addition

Chestnut Ave. and E. 16th and E. 17th Sts.

It was reported by the staff that fiscal arrangements have not been completed and that a variance is needed since East 16th Street does not have a 50-foot width. It now varies in width from 34 feet at the west of the block and widens to 40 feet at Chestnut Avenue. The subdivider has given 7½ feet in front of his subdivision and the remainder of the necessary right-of-way should come from the other side of the street. The Advanced Planning Section questions the alignment of the street and the intersection. The staff feels that the off-set is not good and the full 50 feet should be provided.

The Commission reviewed the plat and then

VOTED: To DISAPPROVE the plat of CHESTNUT AVENUE ADDITION pending completion of fiscal arrangements and to grant a variance on street width requirements of the Subdivision Ordinance.

C8s-60-122 Cleo M. Arnett Sub.

Morrow St. W. of Lamar Blvd.

It was reported by the staff that the portion of the property included in the subdivision was sold off in 1951, and that a letter was submitted by Mr. Marlton O. Metcalfe (Engineer) explaining that Gaynell H. McDonald, owner of adjoining property on the south, has not paid taxes since 1955 and the engineer was unable to contact her at her home in Paris, Texas, but had been advised that she does not want to pay her back taxes at this time. The letter also advised that Cleo M. Arnett has purchased houses, which have to be removed at a certain date, to be placed on these four lots. The engineer requested the Commission to grant a variance from the Ordinance on signature requirements because of these circumstances.

The staff further reported that Gaynell H. McDonald and Carl M. Smith (owner of another portion of the original tract) have property fronting on Lamar Boulevard and, therefore, have access to a street, this property having been split prior to 1946 and not being affected by the present Ordinance requirements.

Mrs. Sue Sanders (for the engineer) reviewed the statements regarding the time limit in moving houses purchased from the University which did not give them time to contact Mrs. McDonald.

The Commission reviewed the plat and the statements presented and concluded that this subdivision does not affect the other property and that this is similar to some other cases where it has been difficult to get the signatures of adjoining owners. It was therefore

VOTED: To APPROVE the plat of CLEO M. ARNETT SUB. and to grant a variance from the Subdivision Ordinance on signature requirements.

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C8s-60-123 Joe G. Aldridge Sub.  
Brown La. N. of Sprinkle Rd.

This plat was reported by the staff to comply with all provisions of Section 4 of the Subdivision Ordinance. The Commission therefore

VOTED: To APPROVE the plat of JOE G. ALDRIDGE SUB.

#### 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-60-116 Cherry Hills, Resub. Lots 6, 7 and 8  
Tallison Terrace S. of Alpine Rd.  
C8s-60-124 Allandale Hills, Sec. 1, Resub. Lots 21, 22, Blk. C  
Belford Dr. E. of Mullen

#### OTHER BUSINESS

C8-57-20 Southern Oaks  
Manchaca Rd. and Jones Rd.

Mr. Harry Whittington (representing Mr. Nelson Puett) requested the Commission to accept for filing a final plat on Section 4 of this subdivision which included a much larger area and which was previously disapproved by the Commission because of a legal question regarding a title problem because of a lease on the property to KTBC. He reviewed the previous discussion regarding the location of towers and said the subdivider has applied for Section 4 which adjoins Section 1 which has been developed and where people are living. He said that the subdivider at that time developed streets and utilities to serve this entire area. He explained that Section 4 would not be affected by the title question since, as explained in previous discussions, a tower could not be located less than 1600 feet from an existing tower and the only possible location would not affect this Section 4 which they wish to have accepted for filing.

Mr. Barrow explained that when Section 1 was approved the Planning Commission was not aware of the lease and suggested and it was agreed by the Commission that when the legal question has been cleared by the Legal Department, the staff poll the Commission for approval of the preliminary plan and for acceptance of Section 4 for filing.

C10-60-1(p) STREET VACATION  
Jackson Ave. S. about 250 ft. from Bull Creek Rd.

The Director presented a request of abutting owners for the vacation of that portion of Jackson Avenue which extends south an average distance of 250 feet from Bull Creek Road and the dedication of that portion of Jackson Avenue

C10-60-1(p) STREET VACATION--contd.

which connects with Bull Creek Road about 131 feet south of the portion requested for vacation. He explained that this south cut-off has been used by the public for some years instead of the portion requested for vacation and this would make it a dedicated street. The Commission felt that the new dedicated location would make a better intersection than that portion formerly dedicated. It was therefore

VOTED: To recommend that the portion of Jackson Avenue which extends south an average distance of 250 feet south from Bull Creek Road be VACATED, and that the portion of Jackson Avenue which has been used as a substitute be DEDICATED as a public street (as both streets are shown on the attached plat), subject to the City retaining the necessary easements.

C10-60-1(q) STREET VACATION

Atlanta St. N. from W. 7th St.

A written request filed by the abutting owners requesting the vacation of that portion of Atlanta Street extending north from West 7th Street to the rear of Block B, Royal Oak subdivision, was considered. The Director explained that this dead-end street slopes down to 7th Street and drops off into Johnson Creek, therefore serving no purpose since the abutting lots face on other streets. The Commission therefore

VOTED: To recommend that the portion of Atlanta Street extending north from West 7th Street to the rear of Block B, Royal Oak subdivision, be VACATED, subject to the City retaining the necessary easements.

C10-60-1(r) STREET VACATION

Lakeside Blvd. bet. W. 34th and W. 37th Sts.

Alamo Blvd. bet. Lot 12, Blk. 9, Glen Ridge Addn. and W. 38th St.

W. 35th St. (old State St.) bet. Mills Ave. and Lakeside Blvd.

The Director explained that this is a request for the closing of portions of three streets which would present some possible problems in the disposition of 37th Street on each side of the street, and would involve a bridge across 38th Street extension to connect with 35th Street. He said he had discussed this with the developers for some time and with other City departments. He explained that the Traffic Engineer is drawing the final location of 38th Street and has recommended that the 400 feet of Alamo Boulevard south of 38th Street not be closed at the present time although he thinks that there will be some possible solution in closing it some time, and he approves the remainder of the plan. The Director of Public Works feels that the application is premature and he could not recommend that any closing be approved in the area.

Mr. Eugene Palmer (attorney) and Mr. Robert T. Davis (developer) presented the following information in person and by letter of application in support of this request.

C10-60-1(r) STREET VACATION--contd.

1. Neither West 35th nor Lakeside is presently open for public use, West 35th being blocked off by the City and Lakeside not having been open or used as a street for many years if ever at all. Alamo is subject to sporadic and infrequent use between West 34th and West 35th but is not being used elsewhere. The part of Alamo which is open is not being maintained by the City. Alamo Boulevard is on a high bluff toward the north and would only serve the tenants.
2. The City of Austin would benefit by the vacation of these streets in that it would not be called upon to engage in expensive clearance and maintenance of streets which have little or no utility. Moreover, the existing heavy volume of traffic on West 35th and West 34th would be subjected to a possible safety hazard if these side streets were opened and put into use just at the place where the traffic hazard is greatest, namely, as the volume of traffic curves from 34th to 35th.
3. A corporation will be formed for the purpose of beautifying Blocks 12 and 13 of Glen Ridge Addition by placing thereon a luxury apartment development of a minimum of fifty rental units and suitable commercial enterprises of a service nature accompanying the apartment development. Future apartment and commercial development is planned for Blocks 8 and 9 of Glen Ridge Addition. A program for beautification of Shoal Creek in this area will be an integral part of the plan of development and in this connection we should like to inform you that we contemplate building a small dam on Shoal Creek in the vicinity of West 35th Street, which dam would be for the purpose of beautifying the area and would not interfere with drainage either upstream or down stream. Your approval of the final plans for the dam will be solicited.
4. The property in all possibility will be best suited for large apartment development. It is permitted to have 342 units but we intend to place 150. A large swimming pool will be in the center of this project. It seems that the trend in apartments is that the so-called garden apartments with green belts, recreational areas, and swimming pools, have more potential rental than crowded apartments. We are willing to dedicate a green belt. We plan to develop 72 units as the first portion, costing in the neighborhood of \$38,000. The particular problem in trying to develop this over-all plan, which seems to be an ideal plan for this area, is the old streets and we would prefer a green belt along the creek. We would like to keep the old bridge to use as one of our entrances.
5. A comprehensive development of the property is planned along the line suggested above. The location of these improvements on this property will truly enhance its value both to the public and to the City in the form of increased tax revenues and removal of the burden of maintaining the streets. Our first unit will add \$12,000 per year and the over-all will add \$25,000 a year in taxes. We think by placing this type of

C10-60-1(r) STREET VACATION--contd.

development in this area the surrounding area would be improved. Only through the vacation of these streets can the development proceed with assurance of success; in fact, the integrated nature of this development including land site, financing, construction, design, creek beautification and vacation of streets requires that the plan not proceed at all if any element thereof be lacking.

6. This is the first step in the over-all plan for development. We have talked to owners who reside or adjoin this property and we have not found any opposition but they seem to be generally in favor of this plan. It is not our intention by this or any other application to interfere with the City's development of 38th Street which borders the north line of this property, and we would be willing to modify our plan to have the orderly development here. The north portion will be held until plans for 38th Street are completed. At the present time the property is under three ownerships and Mr. Davis has a long-term lease from these three owners.
7. One portion is under City ownership. We would like for the City to take a generous setback because of the bad intersection, the abandonment of this street throwing both streets together. We want the island because it would be a detriment to us if it should at some time be turned into some type of commercial spot zoning. Part of this property is now zoned for apartment use and we will request a change of zoning for the remainder.
8. For the 72 units we are planning 90 parking spaces, with a minimum of  $1\frac{1}{2}$  parking spaces per unit and possibly more. Parking will be screened from view of the public.
9. It is submitted that the public will receive substantial benefits from the proposed development and your consideration and action in this regard will be appreciated. We cannot afford to have the final plans drawn up without a decision from the City and we are citing an option.

The Commission reviewed the statements presented. The Director reported that as far as the Department is concerned, the plan is a very desirable proposal, but there are questions which must be disposed of, including the proper use and disposition of the City-owned triangle. The Commission felt that the streets could not be closed at the present time because of the lack of departmental reports and completion of the final plans for 38th Street and other streets in the area, but the Commission wished to endorse the proposal as being good development.

C2-53-4 ZONING ORDINANCE: Interim Revisions

The Director reported that the City Council has requested the Commission to consider permitting home beauty shops in "A" Residence Districts under some special conditions. He noted that about two years ago the Commission had considered this matter and concluded that beauty shops should not be permitted in "A" but in "B" Residence Districts. He said the question came up as to whether or not there would be a difference in location which might cause the Commission to grant one in one section of the City and deny another at some other location. Mr. Fowler stated that a distinction based on location would be hard to tie down and he felt there might be some areas that the Commission might want to zone to another zone. He thought it might possibly be advisable for the City to go to a less restrictive zone with a somewhat reclassification of the zones since "A" Residence covers a large portion of the City. Mr. Osborne said his original recommendation was that there might be zoned a single-family zone as "AA" Residence for some parts of the city, with "A" Residence remaining the same with beauty shops in that area, but that would get back to spot zoning in "AA" areas. The Director presented some suggested amendments to permit beauty shops in "A" Residence Districts under certain restrictions. After discussion of these amendments, the Commission unanimously

VOTED: To recommend to the City Council that the following amendments be adopted:

SECTION 4, Paragraph 10(i), add as a Permitted Accessory Use

Beauty Shop

Beauty Shop, subject to the following conditions:

- (1) It be located within or attached to the main dwelling.
- (2) It be operated by members of the resident family with no outside employees.
- (3) It not utilize more than twenty-five per cent of the gross floor area of the residence structure, but not to exceed three hundred square feet.
- (4) That there be no signs, advertising devices or displays to create outside the building any external evidence of the beauty shop operation.
- (5) That one off-street parking space for customers be provided in addition to that required for the residence. This shall not be located within the required front yard or side yard along a street.

Planning Commission -- Austin, Texas

Reg. Mtg. 11-15-60

R143 PLANNING COMMISSION: Meeting Schedule

The Commission discussed a date for an informal meeting and at Mr. Kinser's invitation, it was

AGREED: To schedule an informal meeting of the Commission for Monday, January 28, 1961, at 6:30 p.m. at the home of Mr. Kinser, and to include in the discussions the Riverfront Development.

## REPORTS - SUBDIVISION APPROVAL BY TELEPHONE POLL

C8-60-22 North Oaks Hillside, Sec. 1  
Berrywood Dr. E. of Interregional Hwy.

It was reported by the staff that a majority of the Commission had been polled by telephone and had

VOTED: To APPROVE the plat of NORTH OAKS HILLSIDE, SEC. 1.

MEMBERS CONTACTED: Messrs. Barrow, Barkley, Brunson, Bryant, Kinser and Spillmann


## ADJOURNMENT

The meeting was adjourned at 10:40 p.m.



Hoyle M. Osborne  
Executive Secretary

APPROVED:

  
Chairman