

CITY PLANNING COMMISSION
Austin, Texas

Special Meeting -- May 31, 1961

The meeting of the Commission was called to order at 3:30 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
W. Sale Lewis
Emil Spillmann

Also Present

Hoyle M. Osborne, Director of Planning
E. N. Stevens, Chief, Plan Administration

PRELIMINARY PLANS

C8-61-12 Highland Medical Center
Hancock Dr. W. of Bull Creek Rd.

The Director reported that this plan has been referred between the Subdivision Committee and the Planning Commission several times at the request of the subdividers. The following factors were brought out in the discussion:

1. The plan shows 8 lots fronting on a proposed 50-foot street which extends from Hancock Drive around a proposed parking area, with an additional lot fronting on Hancock Drive on the east side. The subdivider proposes to sell these lots to individual doctors and dentists for offices, with a portion of the parking area set aside for each lot by restrictions either on the plat or by some other approved method, which will have to be approved by the Legal Department.
2. The parking area will be a separate lot for tax purposes and each owner of the 8 lots will own a portion of it, and this area would be restricted against any building. This will provide for about 40 cars and additional parking for about 5 cars will be available at the curb of the proposed street. This parking area would meet the requirements for the individual sites. The parking area will be maintained by the owners of the lots under instruments prepared by an attorney for Mr. Mayfield (subdivider). The tax problem will be included in this arrangement.
3. Lots 1 and 9 on the west and east will probably have separate off-street parking because of their location on Hancock Drive.
4. Each of the 8 lots would be a relatively small lot and would not provide the off-street parking itself. There is no provision in an "O" Office District as to the size of the lots. This is an unusual subdivision where a series of lots are created which do not provide off-street

C8-61-12 Highland Medical Center--contd.

parking except for a public parking area. If this were approved, unless off-street parking is provided on each individual lot, it must be considered by the Board of Adjustment as being off-site parking. The lot depths are 60 feet with a setback of 10 feet shown instead of the required 25 feet which would require a variance. A building area of 45 feet would be available, so there would be setback and coverage problems involved.

5. There would be a dedicated street around the parking area similar to Medical Arts Square which was accepted in 1954 in a subdivision, where none of the formalities or technicalities were observed insofar as requirements for off-street parking were concerned. This was worked out to some extent with the developer as it was prior to the parking ordinance. The Building Inspector issued permits and it has worked out fairly well. This may or may not be construed as a precedent in this particular case. The street proposed in this subdivision in effect functions as a private driveway but will have to be maintained by the public. The street is specifically requested by the subdivider so that water and sewer lines can be constructed in the street and each of these lots can tap into these lines. In turn, this makes the subdivision eligible for refund contract which would mean that the City would have to pay 90 per cent of the utilities and the City would have to participate in part of the paving where the street intersects Hancock Drive at two points. This will mean about \$2,000 in refund contracts. The Public Works Department says they will only participate in 30 feet of paving on this street.
6. The only alternative would be to have these lots extend out to Hancock Drive which would put them in the situation of having to connect to water and sewer lines in Hancock Drive at the expense of the individual owner or the subdivider. If this were done and the setback lines be retained as shown on the separate lots, with a series of easements for use of the parking lot for each individual owner, it would be in effect an off-street parking area but would necessitate a very complicated set of deeds and restrictions on each individual lot.

The Commission reviewed the plan submitted and the problems involved. Mr. Barrow thought this would be a benefit to the City because you would get people off the street on to the parking area. He thought that very few people would want to buy the lots if they extended out to Hancock Drive and that the City would be better served with the plan submitted. He was of the opinion that the City's tax returns on that first plan would far exceed the expenditures necessary. The Director said he recognizes the desirability of this design with the buildings set back and the off-street parking area but also considered the expense to the City, including the maintenance of this street which he felt would not be serious. He reported that the Water and Sewer Departments felt that either plan would be satisfactory with them. He said he felt that in terms of design the plan as submitted is logical. The Commission then

Planning Commission -- Austin, Texas

Spec. Mtg. 5-31-61

C8-61-12 Highland Medical Center--contd.

VOTED: To indicate to the subdividers that the plan is acceptable and that they bring in a proper preliminary plan for routine approval.

FINAL PLATS

C8-61-9 Holiday Hills, Section 2
Northcrest and Northway Dr.

It was reported by the staff that this plat was disapproved April 11, 1961, pending completion of fiscal arrangements and receipt of all departmental reports, but that in an attempt to satisfy the drainage requirements, the subdivider encountered difficulty in obtaining an easement outside of the subdivision. For that reason the plat has been revised, eliminating Northway Drive and the lots fronting thereon from the plat. The revised plat is subject to engineering check and completion of fiscal arrangements.

Mr. Barrow asked how the elimination of this part of the subdivision for the reason that easements cannot be obtained will affect the rest of the plat. The Director explained that the drainage problem can be eliminated if the subdivider acquires the land where the drainage problem exists which he may be able to do. Mr. Gerald Williamson said the owners have not quoted a price on that property but it might be worked out should it be acquired for the church, but this could be brought in with the other part of this subdivision and the whole thing be worked out together. The staff presented a sketch showing how the plan could be worked out which would necessitate some exchange of land with the church.

The Director explained that in addition, Northway Drive was shown on the preliminary plan as extending to the Louis C. Page property and Mr. Page had objected to that street extending into his property, and there is a basic problem of how many and which connecting streets should be extended into the Page property.

The Director said when the first section of Holiday Hills was considered, Mr. Page and Mr. E. C. McClure objected strenuously to the drainage situation which the Commission caused by approving that section, and he felt sure there will be more objections from them with this extension of the subdivision. By eliminating the north portion of the subdivision as shown on the revised plat, this problem and the extension of streets into the Page property will be postponed.

The Director reported that there is also the problem of extending Northcrest Boulevard to Anderson Lane since the Highway Department has made no provision for a cross-over, but the school officials have expressed a desire to have Northcrest extended to Anderson Lane. In the preliminary plan Northcrest was located about one lot east and provided for a more logical depth of lots for the church property adjoining to the north. The staff feels that this street should be shifted to the east a little in the portion of the final plat eliminated on this plat to provide a better depth of lots for the church property.

C8-61-9 Holiday Hills, Section 2--contd.

The Commission then

VOTED: To DISAPPROVE the plat of HOLIDAY HILLS, SECTION 2, pending completion of fiscal arrangements and engineering check.

C8-61-10 Braes Ridge, Section 2
Braes Ridge Dr. E. of Belfast Dr.

Mr. Stevens reviewed the previous consideration by the Commission when it was discovered there had been no preliminary plan for this portion of the subdivision but only a schematic plan. He advised the Commission that this preliminary plan has been submitted and approved and the final plat of this section is now ready for approval. The Commission therefore

VOTED: To APPROVE the plat of BRAES RIDGE, SECTION 2.

(Mr. Lewis out of the room at roll call)

C8-61-15 Oaklawn Sec. 2
Webberville Rd. and Meander Dr.

The staff reported that this plat was approved May 16, 1961, and the staff was authorized to withhold filing to confirm verbal departmental reports. After these reports were confirmed and lots were checked for area, it was found that the following lots are deficient in area: Lots 16, 17, 18 and 23, Block C; Lots 15, 16, 23, and 24, Block E; Lot 1, Block F. No request had been made by the engineer or subdivider for a variance on these lot areas. The Department recommended elimination of Lot 17, Block E, and adjustment of the boundaries of the subdivision for enlarging Lots 16, 17, 18, and 23, Block C, and Lot 1, Block F. Two of the interior lots have an area below 5000 square feet.

The Director explained that the department is particularly concerned when a subdivision is filed with a series of lots that are sub-standard, where the sub-standard condition is not the result of some peculiarity inherent in the subdivision, particularly with respect to the physical condition. One instance was where a drainage easement extended through the subdivision and the buildable area of the subdivision more or less dictated the size of the lots. He said that in this particular case he doesn't feel that the same type of condition exists and the sub-standard lots are primarily for economic reasons and he cannot see in the Ordinance any sound basis for recommending in favor of any of the sub-standard lots, with the possible exception of the corner lots which are near the required area, some having adjoining lots which exceed minimum area requirements. He felt that the Commission might consider a variance on these corner lots.

Mr. Barrow asked if there has been any resubdivision made to eliminate these sub-standard lots and Mr. Osborne said the engineers have indicated that they can increase several of the lots, particularly in the block west of Meander

C8-61-15 Oaklawn Sec. 2--contd.

Drive except the corner lot. Mr. H. W. Curington (engineer) explained that some area had been taken from this corner lot to add to a lot in Section 1, making it 5200 square feet in area. Mr. Osborne said he believed this is to be FHA financed and he did not know their minimum required lot size. Mr. Curington said he has been trying but has not found out that information.

Mr. Kinser said he and his wife have bought 9 of these lots, that the ones he has are standard but whether or not the others are he does not know but he would rather have sub-standard lots in area than lots that are ill shaped and laid out on a skew just to meet the requirements as it is difficult to locate houses on lots shaped like that. He noted that Lot 17 on the cul-de-sac is not sub-standard but has an awkward shape. Mr. Curington concurred that it is not sub-standard in area but in the way it is shaped and that Mr. Cal Marshall said he already has a man who has spoken for this lot.

In response to a question by Mr. Lewis, Mr. Osborne said the staff is not advocating these sub-standard lots and noted that there are two corner lots ranging in area from 6300 to 6500 square feet instead of the required 6900 square feet.

Mr. Curington said that he could adjust most of the lots on the west of Meander Drive but the fact is that all of the lots have been sold on the east side and they would like to have it platted as they were sold. Mr. Osborne stated that the subdivision is served by all utilities according to subdivision standards.

Mr. Cal Marshall explained that the houses in the subdivision range from \$6700 to \$10,000 in cost, and are two-bedroom houses about 24' x 30' on the small lots. Mr. Curington said he talked to somebody with the City and they would not participate in the cost of the larger 8" water line through the subdivision. Mr. Osborne said they were hoping to pay for a 6" water line and have the City pay for the difference in cost between the 6" and 8" water lines, but the City cannot do this under its policy. He felt that the Commission cannot approve these sub-standard lots for economical reasons. In response to a question by Mr. Kinser, Mr. Barrow said the Commission might have practical authority but not legal authority to approve this with the variances involved. Mr. Curington said to meet the recommendations of the staff it would be necessary to lose one lot and readjust the lines of some lots.

Mr. Barrow said he would not object to a variance on corner lots where the lot adjoining it is over the standard required but he felt the Commission should refuse to accept the plat with the 9 sub-standard lots. In response to a question by Mr. Barrow as to why this is being presented now instead of on the preliminary plan, the Director explained that there was no request for variance for the sub-standard lots on the approved preliminary but calculations had not been made on these lots at that time and the engineer then thought that they would all be standard. Mr. Kinser said he would rather have sub-standard lots with the lot lines perpendicular to the street than to have the lot lines shifted to make the lines at odd angles.

C8-61-15 Oaklawn Sec. 2--contd.

The Commission discussed the possible need for some relief in the low-cost housing subdivisions. Mr. Barrow said he had noted in the area where he subdivided that conditions are changing and people want less land. He said he recognized a need for a minimum lot size but questioned whether or not the present minimum is sound in this type of development. The Director said he had seriously considered a revision to the Subdivision Ordinance and has found that this has been considered in many cities, generally in many large cities where the land is extremely limited, and as far as he could tell there is more restriction on the design of buildings. He noted that virtually no cities are permitting single-family residences on lots of this size but generally are requiring 6000 square feet. He called attention to the limited building area when you exclude the setback and side and rear yard areas, with a garage or carport usually in the rear yard area. Mr. Barrow felt that the requirements are good but it makes development high in this type of area. He thought the answer would be for the City to participate in part of the cost where you have a certain sale price of lots. He said he is not advocating sub-standard lots but that something should be done in these low-cost areas to relieve the situation. He was of the opinion that the Commission could get into a serious situation if members used their own judgment in lowering the minimum standards of lots and there would be a question as to where to stop the minimum.

Mr. Chriss agreed that there might be a necessity of a change in the Subdivision Ordinance but he didn't feel the Commission has the legal right to change the Subdivision Ordinance at this meeting. Mr. Baldridge did not think the Ordinance should be changed but that the lot requirements are small enough. He did not feel like penalizing the subdividers of low-cost subdivisions but still did not feel that the land should be over-crowded. Mr. Curington noted that it costs about as much to develop these subdivisions as those with lots of twice as much area.

Mr. Barrow said he has thought for some time that something should be done about developing these low-priced areas because of the expense of putting in the kind of paving and utilities that are required by the Ordinance, which he favors, but he thinks the City should participate in these costs in these areas more than they do, wherever there is a show for a need. He noted, however, that if this subdivision is approved as submitted the owners would have to go before the Board of Adjustment for variances and the Board would have notice that the Planning Commission is approving subdivisions with sub-standard lots. He felt that this should be kept on a hardship basis for other than only economical hardship.

It was concluded by the Commission that, while it is recognized that some relief should be given in the subdivision of low-cost areas, the Commission does not have the legal power to approve the plat with 9 sub-standard lots under the present Subdivision Ordinance requirements and that the plat should be disapproved pending a revision as discussed. Therefore, it was

Planning Commission -- Austin, Texas

Spec. Mtg. 5-31-61

C8-61-15 Oaklawn Sec. 2--contd.

VOTED: To DISAPPROVE the plat of OAKLAWN, SECTION 2, and to indicate to the subdivider that the Commission will approve the revised plan as discussed.

It was further

AGREED: That the staff poll the Commission when the revised plat is submitted and checked to satisfy the requirements.

It was then

VOTED: That the Commission will at some time consider the minimum Ordinance requirements as discussed.

C8-60-19 Highland Hills, Sec. 6, Phase 1
North Ext. Highland Hills Parkway

The staff reported that this plat was disapproved March 14, 1961, for completion of departmental reports and fiscal arrangements, both of which have since been completed. Normal consideration of this would be June 20, 1961, with Commissioners Court consideration June 26, 1961, but as this plat is ready for approval, consideration of it today would permit the Commissioners Court to approve it on Monday, June 5, 1961. The Commission therefore

VOTED: To APPROVE the plat of HIGHLAND HILLS, SEC. 6, PHASE 1.

(Mr. Brunson out of the room at roll call)

SPECIAL PERMITS

CP14-61-3 Southwestern Bell Telephone Company: Central Supply Center, Work Shop, and Mobile Shop
East 12th St., Sabine St. and East Ave.

The Director reported that no action was taken by the Commission because of the two driveways located at the intersection of 12th Street and the Highway, one of which runs into the island in connection with the Interregional construction and the other into the median which is already in 12th Street. The Traffic Department previously recommended disapproval of these two driveways but Mr. Arthur Fehr (architect) said he had talked to the Traffic Engineer later who has approved the location of the driveways. Mr. Osborne said he recommended one condition, that these be entrance driveways only so that the traffic moving east on 12th Street would turn into the driveway but no traffic would come off the property onto 12th Street. The center portion of the property is reserved for storage of Telephone Company equipment which would exit into Sabine Street and the outer area is for employee parking and they would exit into the alley between 11th and 12th Streets and then into the Interregional going south. He said the Highway Department has requested that no driveways be permitted to exit on the Interregional Highway.

CP14-61-3 Southwestern Bell Telephone Company--contd.

In view of the explanations and recommendation made by the Director and a review of the proposed plan, the Commission unanimously

VOTED: To APPROVE the site plan subject to the following condition and to authorize the Chairman to sign the necessary resolution issuing the Special Permit:

1. That the driveways at the intersection of East 12th Street and the Interregional Highway be restricted to entrance only and that a sign to that effect be placed at the entrance to each driveway.

CP14-61-4 M. Z. Collins: Motel

Edgecliff St., Manlove St., Interregional Highway

The Director recommended approval of this Special Permit with the condition that no sign is approved with this permit and the applicants will have to come back to the Commission for the approval of signs. The reason for this recommendation is that the architect does not know at this time where or what kind of signs they want. Mr. Stevens explained that the placing of the signs will have to be approved only by the Board of Adjustment because under the Zoning Ordinance the only sign permitted is a flat sign against the wall. Mr. Osborne said what they need now is approval of the site plan so that they can actually get a building permit. The Commission therefore

VOTED: To APPROVE the site plan subject to the following condition and to authorize the Chairman to sign the necessary resolution issuing the Special Permit:

1. That no signs are approved with this Special Permit.

OTHER BUSINESS

R810 SUBDIVISION RULES AND PROCEDURES

Mr. Stevens reported that very often subdividers present a plan or plat and omit some of the technical filing requirements of the Ordinance such as street width, street names, basis for contours, etc. He said this sometimes brings up problems as some preliminary plans are not corrected to show these omissions. He proposed a check list which would be completed by the engineers and surveyors to eliminate some of these problems and said the Department feels that it should be a little more firm in requiring all of these things and that a plan or plat should be rejected when it is presented without meeting these requirements.

The Commission agreed with the Department recommendation and suggested that all engineers and surveyors be notified that this policy has been established and that a plan or plat will not be accepted unless it meets these requirements. It was therefore

Planning Commission -- Austin, Texas

Spec. Mtg. 5-31-61

R810 Subdivision Rules and Procedures--contd.

VOTED: To establish this policy of using a check list in the future on preliminary plans, and final and short form plats, and that engineers and surveyors be notified that a plan or plat will be rejected if it does not meet these requirements.

R140 PLANNING COMMISSION: Organization

Since the City Council had re-appointed all of the members whose terms expire on June 1, 1961, the annual election of officers was held. The Commission then elected the following officers for the following year:

Chairman: Mr. Barrow
Vice-Chairman: Mr. Kinser
Secretary: Mr. Lewis

R146 STANDING COMMITTEES

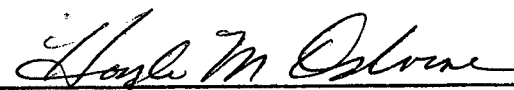
Mr. Kinser suggested that all Committees be dissolved and the Chairman be authorized to reappoint them, and that the Commission members pledge themselves to work with the Chairman to the best of their ability. The Commission therefore

VOTED: To dissolve all standing committees and to authorize the Chairman to reappoint members to these committees and to pledge themselves to work with the Chairman to the best of their ability.


PRESENT BUT NOT VOTING: Mr. Barrow

ADJOURNMENT

The meeting was adjourned at 5:35 p.m.


Hoyle M. Osborne
Executive Secretary

APPROVED:


Chairman