

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting -- October 10, 1961

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. Baldridge
Fred C. Barkley
Howard E. Brunson*
Pericles Chriss
S. P. Kinser
W. Sale Lewis
Emil Spillmann
*Left the meeting at 11:05 p.m.

Absent

Noble W. Doss

Also Present

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

MINUTES

Minutes of the meeting of September 12, 1961, were approved as submitted.

The following zoning change requests and Special Permit were considered by the Zoning Committee at a meeting October 3, 1961:

ZONING

C14-61-133 Dr. and Mrs. B. E. Conner: A to O
Cotton and Navasota Sts.

STAFF REPORT: This lot is located across the street from a "C" Commercial District which has been in existence for many years, with an "O" Office zone in the southeast corner of the block of commercial. To the west is a "B" Residence District and to the east is "A" Residence for a considerable distance. There are scattered "LR", "C" Commercial, "C-1" and "C-2" Commercial zones throughout the area. The staff feels that "O" Office is too heavy a zoning for the property and would be spot zoning. It is recommended that a study of the entire area be made for proper zoning instead of extending the spot zoning into an established residential area.

Mr. Horace S. Wallace, Jr. (agent) represented the applicant and submitted the following information:

Planning Commission -- Austin, Texas

Reg. Mtg. 10-10-61

C14-61-133 Dr. and Mrs. B. E. Conner--contd.

1. It is proposed to establish an office here for a national insurance company who wants to locate in Austin. The building will cover about 1200 square feet and there will be parking for 10 cars of the agents.
2. We received a letter from the City which advised that Navasota will be paved within the next few months.
3. Because of the commercial zones in the area it appears that this would fit into the future commercial development. Commercial is moving in this direction.

One owner appeared and one reply to notice was received favoring the proposed change.

Four replies to notice were received from owners disapproving the request for the reason that they would like to keep this area as nearly residential as possible.

A majority of the Commission felt that this change would be in keeping with the general zoning across the street and in the area and that the use proposed would be the highest and best use for the property. Mr. Chriss was opposed because it was spot zoning. It was then

VOTED: To recommend that the request of Dr. and Mrs. B. E. Conner for a change of zoning from "A" Residence to "O" Office for property located at the southeast corner of Cotton and Navasota Streets be GRANTED.

AYE: Messrs. Barrow, Baldrige, Barkley, Lewis and Spillmann

NAY: Mr. Chriss

ABSENT: Messrs. Brunson and Doss

DISQUALIFIED: Mr. Kinser

C14-61-135 Howard D. Pringle: A to C
Burnet La. and Justin La.

STAFF REPORT: This application is a part of the proposed North Ridge Terrace subdivision which has been given preliminary approval and the northeast corner of which has been given final approval. The subdivider is also bringing in a final plat of the east portion which contains 32 lots. Property to the east and north is "A" Residence and has single-family homes. There are two churches across Justin Lane to the north. To the south is residential development except property along Burnet Road which is zoned commercial but still mostly residential with a few commercial uses, including the Travis County Precinct warehouse. The staff recommends that the north part be zoned "LR" Local Retail except the eastern 100 feet. This is recommended for "O" Office which does not permit the more intensive commercial uses such as warehousing but could have limited commercial uses by special permit to control parking

C14-61-135 Howard D. Pringle--contd.

and other features. The staff feels that the shallow depth lots along Burnet Lane are more suitable for residential and are not suitable for commercial development and the parking would be limited to head-in parking; more depth could provide better development and parking.

Mr. Oscar W. Holmes (agent) represented the applicant who was also present and was joined by Mr. John A. McPhaul (3200 Pasadena) who favored the request. Statements by Mr. Holmes may be summarized as follows:

1. We want a community center on the north portion similar to that in Allandale, composed of a possible grocery store, drugstore, beauty shop, ladies' store, and men's store. This type of use and churches co-exist all over the city and there have been no problems at other locations. I previously discussed this plan with the vicar of the Episcopal church and he expressed no objections.
2. We propose to develop our lots along the strip on Burnet Lane with sub-contractors' offices such as an electrical contractor where he could have an office and supplies in the rear. Sub-contractors do not need a large office or much parking. They take the services to the people. We would have sufficient parking for the offices where there are very few customers coming to the location and would not have congested parking.
3. This is a part of the over-all planning of the subdivision. Homes would not be suitable across the street from the County warehouse. Residential lots would back up to the offices along Burnet Lane. A screening fence is required around the commercial property adjoining residential property.

Mr. Norman A. Palmer (7606 Meadowview Lane) appeared in opposition but offered no comments. Mr. W. E. Tinsley (member of Episcopal Church Council of Episcopal Church of the Resurrection) represented the church and stated the following: About 550 feet across the street on Justin Lane belongs to the Episcopal Church of the Resurrection and there is a new masonry educational building nearing completion and another planned behind it. The Church selected this site some time ago with the thought that this church is destined to become the largest Episcopal church in Austin. Fehr and Granger (architects) were employed to prepare a plan for development and eventually all of this land will be used. The Church operates a parochial school for children 4 and 5 years of age and there is always a waiting list. There will be 60 children in the new building to be completed within the next few weeks and the school operates for 9 months of the year. A use other than "A" Residence is highly undesirable and "C" Commercial would do irreparable damage to the investment of about one-quarter million dollars in this building program.

The Committee chairman reported that the Committee had considered the recommendations of the Department, the planned subdivision, the shallow depth of the lots and parking needs for the type of business proposed, and the possibility of the need for expansion of these businesses, and had concluded that

C14-61-135 Howard D. Pringle--contd.

the request should be given further study by the entire Commission. Therefore, no recommendation is being presented by the Committee.

At the Commission meeting Mr. Holmes reported that they had discussed this zoning with the Church people across the street who have indicated they would be satisfied with the "LR" Local Retail zoning for the shopping center and the applicant would accept "LR" since he felt this would permit the shopping center and would be satisfied with "O" Office on the east 100 feet. He repeated his desire for "C" Commercial along Burnet Lane where they could either use two lots together or provide straight-in parking for offices on the 120-foot depth lots.

Mr. McPhaul said he did not feel the property facing the "C-1" and "C-2" zoning and the County warehouse across Burnet Lane would be subject to a lesser than "C" Commercial zoning. He said the small lots are needed for these types of business near the downtown area where they can serve people in their homes and also have some warehouse and small storage. He asked the Commission to give serious consideration to these facts.

A representative of the Episcopal Church stated they did not object to the recommended "LR" Local Retail and "O" Office zoning on the north portion and were not affected by the zoning along Burnet Lane.

The Commission reviewed the report of the Committee and the information presented. The Director stated his feeling that the owners of this property had an opportunity of designing their subdivision for their desired uses and he felt that it would not be desirable to have residential lots backing up to the shallow commercial lots along Burnet Road. He said there has been opposition expressed by adjoining owners in similar cases in the city. He also objected to the strip zoning this would create. Mr. Holmes said that the adjoining owners would buy their home sites with the knowledge that the lots were "C" Commercial. Mr. Barrow said he did not think this would be sound zoning for this narrow property, particularly where it backs up to residential property. Mr. Lewis favored the "LR" Local Retail and "O" Office on Justin Lane but felt that the lots on Burnet Lane should be commercial. The Commission then

VOTED: To recommend that the request of Howard D. Pringle for a zoning plan change from "A" Residence to "C" Commercial for property located on the east side of Burnet Lane south from Justin Lane and on the south side of Justin Lane east from Burnet Lane be DENIED, but that the following classifications be established for this property:

- "O" Office for the proposed lots fronting on Burnet Lane,
- "LR" Local Retail for the portion of the proposed Community Center tract except the eastern 100 feet, and
- "O" Office for the eastern 100 feet of the proposed Community Center tract.

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

NAY: Mr. Lewis (thinks Burnet Lane lots should be Local Retail)

ABSENT: Mr. Doss

C14-61-136 R. G. Wierusheske: A to LR
 4307-4311 Alice Ave., 4302-4306 Maybelle Ave.

STAFF REPORT: The property to the north on Alice Avenue is "LR" Local Retail and the property to the south is "C" Commercial. In most part the property is still developed residentially except a filling station at 45th Street. The greenhouse, nursery and florist shop has been in existence on this property for a number of years. An additional area was included in the notice of hearing to fill out the block. The staff recommends that the request be granted since this is the only block on this side of the street zoned residential. The applicant proposes to expand the existing business.

Mr. Wierusheske appeared at the hearing and stated the following:

1. About a year ago we engaged architects to prepare a plan to make this one of the best florist shops in Austin. They were to take care of everything. We assumed that they had taken care of the building permit. We were delayed in starting the expansion and when I applied for the permit I was told I was in a residential district. In the meantime the subcontractor had torn down our main building. We appealed to the Board of Adjustment for a variance and were told that our proper procedure was to request a change of zoning. We have waited about nine weeks and need to have the building replaced as soon as possible.
2. This business has been in existence since 1935, at least. The adjoining property on the south is developed with a beauty shop on the north lot and a residence on the south. The owners of this property are in favor of having their property included in the change.

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

Written opposition was filed by Mr. Henry A. Horton, Jr. (4306 Bellvue Avenue) for the reasons that it seems unwise to extend at this time any parcel of land that will encroach upon the residential section of this area. He preferred that this be kept a residential area as it was intended to be.

The Commission concluded that this change of zoning would complete the pattern of zoning in this area. It was therefore

VOTED: To recommend that the request of R. G. Wierusheske for a change in the zoning plan from "A" Residence to "LR" Local Retail for property located at 4307-4311 Alice Avenue and 4302-4306 Maybelle Avenue be GRANTED, and that the property located at 4301-4305 and 4313-4315 Alice Avenue, 4300 and 4308-4310 Maybelle Avenue, and 1301-1303 West 44th Street be included in the change.

Planning Commission -- Austin, Texas

Reg. Mtg. 10-10-61

C14-61-137 Frank Reeder: C to C-1
Burnet Rd. and Doris Dr.

STAFF REPORT: Doris Drive is at present the only entrance to Sidney Lanier Junior-Senior High School about one block to the east. The area to the east is "A" Residence with some undeveloped lots. The property along Burnet Road is commercial. Since this application is from "C" to "C-1" for the purpose of selling beer in connection with a drive-in grocery, our only problem is whether or not it fits the policy of the Commission and it is our feeling that this is not a well developed commercial area.

No one appeared to represent the applicant. Reply to notice was received from Mr. George B. Montz (2304 Doris Drive) who favored the request but gave no reasons.

The Committee reported that it discussed the fact that Doris Drive is the entrance to the nearby school and considered the development along Burnet Road. It was concluded that the request should be considered by the entire Commission and it was therefore referred to the Commission without a recommendation.

Mr. Spillmann thought that this area is in a transition period and is slowly developing into a commercial district. He noted that Burnet Road is a thoroughfare and although it is not well developed commercially it is moving in that direction and this change would establish a fixed zoning pattern. Mr. Barrow was opposed to this change for the reason that this does not conform to the policy of the Commission, Mr. Barkley noted that there is "A" Residence surrounding the property, and Mr. Kinser thought this is too near the school. The staff reported receipt of a letter from the lessees stating that they would lease this building provided they are able to obtain off-premise beer. It was then

VOTED: To recommend that the request of Frank Reeder for a change of zoning from "C" Commercial to "C-1" Commercial for property located at the southeast corner of Burnet Road and Doris Drive be GRANTED.

AYE: Messrs. Baldridge, Chriss, Lewis and Spillmann

NAY: Messrs. Barrow, Barkley and Kinser

ABSENT: Messrs. Brunson and Doss

C14-61-138 Olen E. Hager: A & C to B, 1 to 2
2704 French Place

STAFF REPORT: This property consists of one lot adjoining an existing commercial zoning along Manor Road but fronts on French Place, the dividing line of the zoning splitting the adjoining lot on the south. We have included the northwest portion of the adjoining lot to make it all the same zoning. There is mixed development along Manor Road with commercial and residential uses and is not fully developed. We feel that this application is premature and that there is nothing to warrant the change at this time. The lot with the "C" area has a house which is well maintained. First Height and Area would permit four apartments which is what we would recommend. Second Height and Area would permit too dense a development for the lot.

C14-61-138 Olen E. Hager--contd.

Mr. Hager appeared at the hearing and presented the following information: The "C" Commercial line cuts off a part of my lot. I have had two offers for "C" Commercial and lost both because it was zoned residential. I have no definite plans. I wanted Second Height and Area so I could have efficiency apartments which rent very well in this area. I have too much tied up in this property to sell it for residential. I think I would like to have six efficiency units but do not think it would justify four units. It would benefit the owner of the commercial lot to have the remainder of it zoned commercial. If it is possible, I will be glad to be restricted to six apartments. (Mr. Stevens explained that there is nothing binding once the zoning is changed and the next owner could have ten units.)

Reply to notice was received from Mr. R. L. Day (2702 French Place) who disapproved the change but offered no reasons.

The Commission felt that a "C" Residence classification and development would provide a buffer zone here but that First Height and Area should be retained to limit the number of apartments permitted on this lot. It was then

VOTED: To recommend that the request of Olen E. Hager for a zoning plan change from "A" Residence and "C" Commercial to "B" Residence, and from First Height and Area to Second Height and Area for property located at 2704 French Place be DENIED, but that a "B" Residence and First Height and Area classification be established for the lot; and that the "A" Residence portion of property located at 2702 French Place be given a "C" Commercial and Second Height and Area classification.

DISQUALIFIED: Mr. Lewis

C14-61-139 H. G. West: 1 to 2
W. Oltorf and S. 1st Sts.

STAFF REPORT: There is a shopping area on most of this property and several zoning classifications. Mr. West is requesting Second Height and Area so that he can develop the eastern part with apartments and this would permit more units than the First Height and Area. On the west of South 1st Street there is a Second Height and Area which has been in existence for a number of years. We feel that Second Height and Area would permit too dense a development. Twenty-five units would be permitted now and 50 under Second Height and Area although Mr. West is proposing 32 units.

Mr. H. G. West and his son, Mr. Don West, appeared in support of this request and stated the following information:

1. The apartment development would be on the 250 feet that is presently undeveloped. This would be for 32 units as we now plan. We employed architects to plan the best use of this land and more parking area than is required will be provided.

C14-61-139 H. G. West--contd.

2. We plan to have a U-shaped building on the back of the lot and 43 parking spaces in the front, with a play space of about 40' x 60'.
3. This is not spot zoning but a continuation of an existing Second Height and Area zone.

Mr. John H. Payne (1310 Travis Heights Boulevard) appeared in favor of the change and written approval was received from Mr. John Claude Butler (815 Rutherford Place), both owning property in this area.

The Committee reported that after discussing the various existing zoning classifications and the information presented by the staff, it was felt that this should be considered by the entire Commission and it had therefore been referred to the Commission without a recommendation.

Mr. Don West appeared before the Commission and presented a plan of proposed development, clarifying information regarding the parking. He said they have 3840 square feet of building in the present commercial development and propose to expand this in the future. Forty-three parking spaces are provided, which exceeds the requirements, and it is planned to use a part of these spaces for the apartment unit. Forty-five spaces will be provided to serve the apartments.

The Commission reviewed the statements presented, the Committee report and the staff report. Mr. Barrow felt that the density of apartment house use should be controlled. He thought that 32 units is practical if there is any way to control the number but would not approve the 50 units permitted under Second Height and Area. The Director stated that if you limit the number of units you would be encroaching upon the powers of the Board of Adjustment in granting variances and by giving special treatment to this case it would be similar to the Board granting a variance to increase the density under a First Height and Area classification.

Mr. Fowler said the Commission is powerless to grant any zone with restrictions and if Second Height and Area is granted the applicant could build the permitted number of units. A majority of the Commission concluded that the request should not be granted to permit 50 apartment units on this property. It was then

VOTED: To recommend that the request of H. G. West for a change in the zoning plan from First to Second Height and Area for property located at the southeast corner of West Oltorf and South 1st Streets be DENIED.

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

C14-61-140 A. S. Brient and L. L. McCandless: A to C
8-14 Chicon Street

STAFF REPORT: This change is for the stated purpose of erecting a multi-unit apartment house. This subdivision was recently approved and Salina Street was paved. The reason for requesting "C" Commercial instead of "BB" or "B" Residence is to have more units. This property abuts City of Austin property on Town Lake and to the east is a lake which has been discussed for use as boat storage. The Department feels that no zoning change should be made in this area until the lakefront study has been made and zoning is done in its entirety.

Mr. Brient appeared and stated the following: Salina Street has been paved and all the houses in this subdivision improved. We understand the City is planning a street along the north side of the Lake and we want to be ready to build multiple units when that street is in. Our development is planned to face on the new street and on the Lake. It would be an L-shaped building. With regard to extending Salina Street through this property, we do not think it would be feasible. There are some commercial uses in the area and two "Bait for Sale" businesses across Chicon Street in homes. They do a good business.

Mr. Chester Brooks stated that he owns five dwellings on Chalmers Avenue and noted that these owners have improved the subdivision and he thinks their plans would be a good revenue-bearing project. He noted that this property along Chalmers and east is the first private property east of the Interregional Highway.

The Committee discussed the recommendation of the staff and the study now being undertaken on the proper zoning and development of the lakefront area. In response to a question by the Committee if the applicants would be willing to wait until this study is completed, Mr. Brient stated that they would withdraw their application pending this study. The Committee then

VOTED: To ACCEPT the withdrawal of this request.

C14-61-141 Richard Baker et al: O to B
E. 32nd and Red River Sts.

The staff reported that the applicant had requested that this case be deferred and has notified the adjacent owners in accordance with the Commission rules. The Committee therefore

VOTED: To DEFER action on this request as requested by the applicant.

C14-61-142 Leroy Eck: A to B, 1 to 2
Rear 405 Academy and Rear 1200 Newning Ave.

STAFF REPORT: The front part of this property is "B" Residence and Second Height and Area. The back 100 feet is "A" Residence and First Height and Area, and the change is requested to permit an apartment house. If the change is granted, 39 units would be permitted on the entire tract. The surrounding area is developed with single-family dwellings and some duplexes. The Department feels that before any further extension of the present "B" Residence area is made a study of the area should be made to see if the present zoning is proper.

Messrs. John McPhaul and Don West (agents) represented the applicant and stated the following in support of this request:

1. This would be only a continuation of the surrounding zoning. The existing residences are 60 to 65 years old and have outlived their usefulness for residences. Two blocks to the west is the Terrace Motel and this is close to the downtown area. The best use for these large lots would be apartment houses. There is one apartment house in the area now and a vacant lot which could be developed with apartments.
2. There would probably be 20 to 22 units due to the fact that the parking situation is always a problem. There might be a few more units. (Mr. Stevens stated that the front part could have 11 units as it is now zoned or 22 efficiency units.)
3. This 100-foot tract was originally a part of an "A" Residence tract fronting on Hillside Avenue.

Mr. James A. O'Neal (1202 Newning Avenue) said he was interested in how many units are planned and that he did not know that all of this property was zoned "B" Residence. He noted that it is a single-family unit area except for one apartment house.

The Commission felt that since this tract adjoins an existing "B" Residence area this would be a logical extension and would permit suitable development for the area. It was therefore unanimously

VOTED: To recommend that the request of Leroy Eck 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 the rear of 405 Academy Drive and the rear of 1200 Newning Avenue be GRANTED.

C14-61-143 LaFray Carter: A to B, 1 to 2
Rear 1408-1414 (1406) Rosewood Ave.

STAFF REPORT: This tract is the rear portion of property fronting on Rosewood Avenue. The purpose of the request to change this rear portion is to erect an apartment house. The front part of the property is zoned "C-1" Commercial and a part of it is still used residentially. Under "B" Residence

C14-61-143 LaFray Carter--contd.

and First Height and Area, 15 regular units and 27 units under the apartment hotel classification would be permitted; under "B" Residence and Second Height and Area, 17 regular and 34 apartment hotel units would be permitted. We recommend that "B" Residence and First Height and Area be granted to keep down the density.

Mr. Oliver B. Street (agent) represented the applicant and presented the following: Our desire is to improve the living conditions in East Austin. The owner probably will not put over six or eight units and would be satisfied with First Height and Area. She plans to use the vacant lot fronting on Rosewood Avenue for access and parking, which will be black-topped. There is an alley in the rear which will also be used for access so there will be a driveway through the property.

Written objection was filed by Mr. T. J. Jackson, Jr. (1164 Comal Street) for the reason that the property on Comal Street is homestead property and has been for some time, and he definitely objects to the proposed change.

The Commission noted that the applicant's representative has stated she would be satisfied with First Height and Area. It was felt that "B" Residence and First Height and Area would permit the logical development for this property. Therefore, it was

VOTED: To recommend that the request of LaFray Carter for a zoning plan change from "A" Residence and First Height and Area to "B" Residence and Second Height and Area for property located at rear 1408-1414 (1406) Rosewood Avenue be DENIED; but that "B" Residence and First Height and Area be established for the property.

AYE: Messrs. Barrow, Baldridge, Barkley, Chriss, Kinser, Lewis and Spillmann
 NAY: None
 ABSENT: Messrs. Brunson and Doss

C14-61-144 Robert L. Allen: A to O
 Koenig La. and Jeff Davis Ave.

STAFF REPORT: Koenig Lane is a thoroughfare street which does not have the necessary right-of-way. This would be spot zoning and we have found that there are deed restrictions on the property. For these reasons we recommend against the change of zoning.

Mr. Robert L. Allen appeared in support of his request and presented the following information:

1. Property on Koenig Lane is overdue for a change of zoning. Business uses are across the street and further to the west there are enough non-conforming offices with signs to almost make it look like a business district. The fact that there are so many residences being used as offices

C14-61-144 Robert L. Allen--contd.

would indicate that Koenig Lane is better suited for that type of use. There is too much traffic on the street for residential use.

2. There are many houses for sale. An appraiser said my house would be penalized as much as 15% on loan value and I would be forced to take less than its value. For commercial it would increase in value. The house next door is about 650 square feet in area and has not been rented for about two years. Many "FOR SALE" signs are on the street and there are some vacant houses for rent. This district is rapidly becoming an area of absentee ownership and in this case the property decreases in value.
3. I (the applicant) am a general contractor and would like to have my office here. The lot is large enough for a driveway to serve for off-street parking. This would not hurt the adjoining absentee owner.
4. The owner across the street said he had his property for sale for a year and could not sell it but has been fortunate in renting it.

Mr. Oscar Wall (owner of 1302 East 51st Street) said he had his lot for sale for a year and could not sell it but he has been fortunate in renting it. Reply to notice was received from Mr. and Mrs. James Fennell (owner of 1615 Koenig Lane) who favored the change.

Six nearby owners appeared in opposition and presented a petition signed by 14 owners, and written objections were filed by two owners. Reasons given were:

1. Rezoning would not help unless a whole area were changed. This one change would encourage others to request changes, thereby extending injury each time a change is made.
2. This is a residential area primarily and an infringement is a violation of the residents' rights and consequently devalues all adjacent property. Also, there are unfavorable possibilities if the zoning is changed on this lot.

The Commission felt that this request should not be granted since it would be spot zoning in a well established residential area. Therefore, it was

VOTED: To recommend that the request of Robert L. Allen for a change in the zoning plan from "A" Residence to "O" Office for property located at the southeast corner of Koenig Lane and Jeff Davis Avenue be DENIED.

AYE: Messrs. Barrow, Baldridge, Barkley, Chriss, Kinser and Spillmann
 NAY: None
 ABSENT: Messrs. Brunson and Doss
 DISQUALIFIED: Mr. Lewis

C14-61-145 Maurice Hall: A to GR, 1 to 2
1002-1008 Waterfront St.

STAFF REPORT: This property has an access problem which we feel would present quite a problem in the operation of a motel. Waterfront Street is not opened and the only access is by private road south from Flores Street. This property will also be affected by the lakefront study now being made and we recommend no change at this time.

Mr. Robert O. Smith (agent) represented the applicant, who was also present, and presented the following information: This is an isolated island off the Interregional Highway. Two other persons own property in this area but before we go too far in negotiating we want to get the attitude of the Commission on this request. One of the owners is overseas and it is difficult to negotiate with him. Our problem of access would be solved and we could provide access if we could acquire the adjoining lot. This property is not suitable for residential and we think the area should be changed to "GR" General Retail.

The Committee discussed the recommendation of the staff and the study now being undertaken on the proper zoning and development of the lakefront area. In response to a question by the Committee if the applicant would be willing to wait until this study is completed, Mr. Smith stated that they would withdraw the application pending this study. The Committee then

VOTED: To ACCEPT the withdrawal of this request.

SPECIAL PERMIT

CP14-61-10 Alice B. Holmes: Gasoline Filling Station
Leon and W. 24th Sts.

STAFF REPORT: This property adjoins a "C" Commercial District. The Department feels as it did when the change of zoning was considered, while this is adjoining a "C" Commercial District it is not developed as commercial but by a use permitted in a "B" Residence District and this would be extending the zoning by special permit. We feel that the zoning is too intensive and should be turned back and this request be denied. This recommendation is based on the site itself and not on the site plan. We feel this is inappropriate development. The following comments were presented by some other City departments:

| | |
|----------------------|---|
| Office Engineer: | Driveways OK. Require letter of request for permission construct station and for sale of retail gasoline addressed to City Manager or Council plus an additional print of this site plan. |
| Health Department: | Approved subject to sanitary sewer line being available. |
| Electric Department: | Curb return at east edge of property to be moved west to clear power pole. Power pole and guy wire in west drive east of Leon Street to be relocated east of drive-in safety island. |

CP14-61-10 Alice B. Holmes--contd.

Building Inspector: The three signs as shown on plat are in violation of the Zoning Ordinance and must be approved by Board of Adjustment. A 4-foot solid fence needs to be erected on the south side of the property line where parking is to be located.

Mr. Frank Kerbow (attorney) appeared for the applicant who was also present with her son, Mr. Robert Holmes. Mr. Kerbow presented the following information in support of the request.

1. The owner has a 15-year lease with the Texaco Company contingent upon this permit being granted. There is a Humble station across 24th Street and a grocery store. There is not a private residence on 24th Street from this property to Lamar Boulevard. If this permit is denied Mrs. Holmes would be forced to live here and not use her property for the purpose she wishes. There is a trend toward commercial here and the owner thinks a filling station is the best use for this property. We do not feel that a filling station decreases the value of surrounding property.
2. The grade here is inconsequential and Lamar Boulevard is visible from this intersection. Other stations in Austin are located where the grade is worse than this. There is no traffic on Leon Street which is a short street.

Dr. Walter K. Long was present and also submitted a letter objecting to this request for the following reasons:

1. I own the property at the southwest corner of Leon and West 24th Streets and directly across Leon Street from the proposed filling station. My property was originally purchased with the intention of constructing a doctor's office for myself but at the present time it is for sale. I feel that my property would be best suited for office use, apartments, or fraternity-sorority use. It is the feeling of one real estate man and another who wanted to buy my lot that the value of my property would be lessened by the filling station which would, regardless of how attractively it were built, lessen the desirability of my property for any of the above uses. In fact it would tend to limit the usefulness of my property to that of another filling station and might require me to request a special permit for construction of a filling station on my property.
2. Entirely aside from my objections to a proposed filling station for reasons of being an adjacent property owner, I make several trips a day over this section of West 24th Street, feel that the traffic on the street is already too heavy, and believe that of all possible additional types of construction on West 24th Street, a gasoline filling station would do most to increase the traffic on the street.

CP14-61-10 Alice B. Holmes--contd.

3. Leon is a narrow street but it carries enough traffic that the City has put "NO PARKING" signs south from 24th Street. The filling station would slow down this traffic on Leon Street.

Mrs. Mary Lee Williams stated the following reasons in a letter of protest:

1. We object to having a filling station adjacent to our home as it would certainly depreciate the value of our home and property. Our home was purchased many, many years ago and we wish to keep it in a residential district.
2. There is too much traffic now on 24th and narrow Leon Street. A girl died recently as a result of an accident at 24th and Leon Streets.
3. It is not necessary to have another filling station in this area since there are already three filling stations on 24th between Leon and Rio Grande Streets.

The Commission discussed the statements presented and the staff report. A majority felt that the proper zoning for the area has been established as "O" Office and there is too steep a grade on 24th Street for a filling station here. It was then

VOTED: To recommend that the request of Mrs. Alice B. Holmes for a special permit to erect a gasoline filling station at the southeast corner of West 24th and Leon Streets be DENIED.

DISQUALIFIED: Mr. Barrow

DEFERRED ZONING CASE

C14-61-134 City Planning Commission: Area Study

Ben White Blvd., Pack Saddle Pass E. to Railroad
(Deferred 9-12-61)

BRIEF HISTORY OF CASE: In addition to the regular hearing by the Zoning Committee of the Planning Commission, a meeting of the Commission with property owners in this area was held in the Joslin School September 26, 1961, at which about 200 property owners appeared, some of which expressed their preference for zoning of their properties. Also, written requests have been received from several owners for a change of zoning of their properties.

The Commission continued consideration of this area study and several property owners appeared and requested and were granted permission to present information in addition to that already submitted. The Chairman again explained that this study was initiated by the Commission at the recommendation of the staff because of the number of requests which had been filed and information sought in this area. The Commission decided to consider individual tracts rather than the area as a whole and the following discussion and actions resulted.

C14-61-134 City Planning Commission--contd.

1. Flower shop lot at northwest corner of Manchaca and Fort View Roads
 Mrs. Fort requested "C" Commercial since they now have a shop and want to expand and have a nursery. The Director said there is no question as to present operation in the "O" Office District.

 VOTED: To change to "LR" Local Retail in conformity with adjacent owners in similar businesses.

 NAY: Messrs. Barrow, Brunson and Chriss
2. "C" Commercial property on west side of Manchaca Road at Ivy Trail

 VOTED: To change to "GR" General Retail as highest and best use of property.
3. Residential portion of Ford Village Block

 VOTED: To change to "B" Residence.
 NAY: Mr. Spillmann
3. Block bounded by Boulevard, Fort View Road, Russell Drive and Gillis

 VOTED: To change to "B" Residence.
 NAY: Mr. Spillmann
4. Residential property north of Fort View between Manchaca Road and Valley View Road

 VOTED: To change to "LR" Local Retail.
 NAY: Messrs. Barrow and Chriss
5. Two lots at 1506-1508 Fort View Road

 These lots have been zoned "GR" for several years and have been developed residentially. Because of this and the fact that they are spot zones, it was

 VOTED: To change to "A" Residence.
6. "C" Commercial tract north of Fort View at end of Gillis Street

 Mr. Buck Smith (attorney) said the owner operates a grocery store and needs to have "C-1" to sell beer. The Director said this was changed to "C" Commercial in 1953 or 1954 when that was the only commercial classification and spot zone was established. He said "C" Commercial later was changed to permit wholesaling and some light industry and the owner has indicated the property is up for sale and it later could be used for some use other than the grocery store. He recommended "GR" General Retail as the most suitable compromise, covering most of retail businesses.

 VOTED: To change to "GR" General Retail.

Cl4-61-134 Planning Commission --contd.7. Property east of above described "C" Commercial lot to east end of block

Mr. Fowler requested for the City that its property be zoned "C". The Director said that property east of the "C" lot has been requested for "C". Mr. Fowler said this is the last privately-owned property in this block. Mr. Chriss was opposed to proposed "GR" for the reason that it was a mistake in the first place to zone this one lot "C" Commercial and if you start expanding spot zones you have demands for it everywhere.

VOTED: To change area to "GR" General Retail, including City property.

8. "C" Commercial tract at southwest corner of Boulevard and Banister Lane

It was noted this tract is much lower than the street and if was felt that "GR" would permit highest and best use.

VOTED: To change to "GR" General Retail

NAY: Mr. Barrow (not sound zoning since development around it is residential.)

9. Four lots at southeast corner of the Boulevard and Gillis Street

Since this is located between two recommended "GR" Districts, it was

VOTED: To change to "GR" General Retail.

10. Twelve-acre tract south of Boulevard and east of Russell Drive

Messrs. Charles and Walter Wendlandt requested "GR" General Retail except the south 35 feet which they proposed as "B" Residence but later changed as follows. They agreed to dedicate to the City a 50-foot street along the south line of their property from the west line of Clawson Road to the east line of Diane Drive to provide circulation between these streets and into the proposed shopping center.

VOTED: To change to "GR" General Retail since the owners have committed themselves to dedicating a 50-foot street along the south line.

10. Tract at southwest corner of Boulevard and Gillis Street

VOTED: To change to "GR" General Retail with Wendlandt tract.

C14-61-134 City Planning Commission--contd.

11. Five lots siding on Ben White Boulevard between Manchaca Road and east of Russell Drive, and 3 lots fronting on Manchaca Road south of Service station

VOTED: To change to "LR" Local Retail.

12. Three-lot depth south of above recommended "LR" Local Retail between east of Manchaca Road and east of Russell Drive

VOTED: To change to "O" Office.

The following areas were recommended to remain "A" Residence because of existing residential development, topographic conditions, and nearby proposals for residential development. It was also noted that some of these areas have deed restrictions:

Residential area on Ivy Trail

Two vacant lots on Pack Saddle Pass at Ben White Boulevard

Three vacant tracts east of residential lots on Pack Saddle Pass

Area north and south of Boulevard east of Banister Lane

R146 SUBDIVISION COMMITTEE

The Committee chairman submitted the minutes of the Subdivision Committee meeting of October 2, 1961. The staff reported that no appeals had been filed for review of the Committee's action but that 3 cases had been referred to the Commission without action on:

C8-61-33 Emerald Forest (Revised)

C8s-61-120 Manor Hill Addn., Resub. Lot 7, Blk. D

C8s-61-93 Outlot 56, Div. B, Resub. Lot 2, Blk. 4 (re-hearing)

The Commission therefore

VOTED: To accept the following report and to spread the action of the Subdivision Committee of October 2, 1961, on the minutes of this meeting.

PRELIMINARY PLANS

C8-61-32 Stonehedge Addn.

Manchaca Rd. and Stassney La.

The staff called attention to the following recommendations by the various departments:

1. Water and Sewer: The City does not have permission to serve the entire area and any area served by water and sewer must first be annexed to the City. The staff explained that this area is served

C8-61-32 Stonehedge Addn.--contd.

by an independent water district and the City has a contract to serve only a portion of the subdivision. Mr. Wayne Burns (subdivider) stated that the president of the water district said if the City would write a letter requesting permission to provide services the whole area could be served by the City. He said he intends to annex the proposed commercial area and Section 1 so that all persons purchasing lots can have no objections to the commercial property. The staff requested that annexation procedure be initiated by the subdivider or his engineer before or at the time the final plat is submitted for filing in order to give ample time for the City Council to determine whether or not this area will be annexed before the Planning Commission action on the final plat.

2. Electric Department and Telephone Company: Additional easements and some lot line changes will be required before service can be given.
3. Storm Sewer: Additional drainage easements are needed and the location and size of existing drainage structures need to be shown.
4. Public Works: The name of Fair Oaks Drive should end at Stonehedge Drive.

The staff then presented the following comments which were discussed:

1. Change the name of the subdivision to avoid confusion with Stonehedge Estate. Mr. Burns agreed to the name of "St. Hubert's Wood".
2. Change the name of either Hedgestone Street or Stonehedge Drive because of similarity, and change the name of Fair Oaks Court.
3. The area north of Block C should be designated as a public utility and drainage easement. Mr. Burns stated he would do so and also divide this area so as to be included in the various lots adjoining the area.
4. Identify contour lines more clearly.
5. Lots 7-10 and Lot 20, Block C, are subject to partial flooding and cannot be approved until facilities are provided to eliminate flooding. Mr. Burns said he has discussed this with the adjoining owner. The Director said he felt the City would want a flooding easement and the staff suggested that this area be designated by a lot or block number.
6. Block C exceeds the block length permitted by the Ordinance but it was recommended that a variance be granted due to the location of this block in relation to the creek and the railroad.

C8-61-32 Stonehedge Addn.--contd.

7. Fair Oaks Drive must be aligned to match existing Fair Oaks Drive in Southern Oaks subdivision so as to eliminate the slight offset. Mr. Burns agreed to this change.
8. A 60-foot right-of-way should be provided for South-Hedge Street to serve any commercial development, which Mr. Burns agreed to provide.
9. No residential lots should front on South-Hedge Street if it is to be used commercially. Mr. Burns explained that he had enlarged the commercial area after talking with the Planning Department but he would like to leave these lots as they are since he has some plans for them.
10. Lots 14 and 15, Block A, Lots 17 and 20, Block B, Lots 17 and 25, Block C, Lots 7-10, Block D, Lots 9, 10, 12, and 17, Block G, and Lot 8, Block H, do not meet Ordinance requirements for width. Most of these have sufficient area but are narrow at the back and are limited in buildable area. Mr. Burns said they would require a 60-foot width of lot at the rear of all buildings. Mr. Richard Coffman (engineer) said they would make all the lots in Block D comply with Ordinance requirements.
11. It was recommended that Jones Road be located as shown on a Planning Department study sketch by curving the road to the south so that it would come within this subdivision and provide buildable lots on the north side next to the creek. The staff asked for an agreement between Mr. Burns and the adjoining owner, Mr. Jentsch, regarding the extension of this road in the future in order to determine whether or not the street should end in a cul-de-sac. Mr. Jentsch said he plans to subdivide some time in the future but is not certain when. Mr. Burns said they had shifted the alignment as suggested and the small tract remaining in this subdivision can be used in connection with adjoining land later to form usable lots. He suggested that instead of providing the cul-de-sac he end the street at his subdivision line and provide a paved semi-cul-de-sac so that the street could be later extended and the street straightened here. The Director thought that the cul-de-sac should be provided and that an agreement be made with the adjoining owners that the street will be extended when the adjoining land is subdivided. Mr. Burns stated that under his contract with Mr. Jentsch he is required to continue the street through to Mr. Jentsch's property. He said Mr. Jentsch feels that he can work with Mr. Wm. Drake and agree on a plan which would benefit both owners. Mr. Burns explained that this is located in the northern portion of the subdivision which will be the first section to be presented for final approval. Mr. L. J. Struhall was also interested in this problem.
12. Show location and size of existing drainage structures as required by the Ordinance.

C8-61-32 Stonehedge Addn.--contd.

The Committee felt that something should be worked out on the alignment of Jones Road between the owners affected. It was then

VOTED: To APPROVE the plan of STONEHEDGE ADDITION (St. Hubert's Wood) subject to the following conditions:

1. Annexation procedure being initiated by the subdivider or his engineer before or at the time the final plat is submitted for filing,
 2. Ending the name of Fair Oaks Drive at Stonehedge Drive,
 3. Changing the name of the subdivision to "St. Hubert's Wood",
 4. Changing the name of either Hedgestone Street or Stonehedge Drive and changing the name of Fair Oaks Court,
 5. Designating the area north of Block C as a public utility and drainage easement, and including the area in the various lots adjoining the area,
 6. Eliminating flooding of Lots 7-10 and Lot 20, Block C, or giving the City a flooding easement if that is requested by the City,
 7. Changing the alignment of Fair Oaks Drive to match existing Fair Oaks Drive in Southern Oaks subdivision,
 8. Providing a 60-foot right-of-way for South-Hedge Street to serve commercial development,
 9. Providing a 60-foot lot width at the rear of all buildings on Lots 14 and 15, Block A, Lots 17 and 20, Block B, Lots 17 and 25, Block C, Lots 7-10, Block D, Lots 9, 10, 12 and 17, Block G, and Lot 8, Block H, or rearranging the lines to meet the Ordinance requirements,
 10. Relocating the right-of-way of Jones Road as shown on the Planning Department study sketch and working out some plan and agreement with the adjoining owner regarding the extension of this street in the future,
 11. Compliance with departmental requirements, and
- to grant a variance from the Subdivision Ordinance on block length requirements for Block C.

(Staff note: See page 436 for Planning Commission consideration)

C8-61-33 Emerald Forest (Revised)
S. 1st St. N. of Stassney La.

The staff called attention to the following recommendations by the various departments:

1. Annexation to the city is required for water and sewer services. Limited sanitary sewer service is available until Williamson Creek sewer line is completed. The staff requested that annexation procedure be initiated by the subdivider or his engineer before or at the time the final plat is submitted for filing in order to give ample time for the City Council to determine whether or not this area will be annexed before the Planning Commission action on the final plat.
2. Additional easements and some lot line changes are needed for the Electric and Storm Sewer Departments and the Telephone Company. The location and size of existing drainage structures should be shown and the dashed line through Blocks K, L and M, from Emerald Forest Drive to the railroad identified.
3. The Public Works Department stated that Emerald Forest Drive and Vinson Drive will be one street and should have one name. It was also requested that the name of Driftwood Drive be changed as it is a duplication of an existing street.

The following comments by the Planning Department were then submitted and discussed:

1. Emeraldwood Drive should be changed to Lansing Drive as it is designed as a 60-foot minor collector street to extend to the northwest and cross the railroad to connect with existing Lansing Drive. Blocks K, L and M may then need revision due to the proposed railroad crossing for Emeraldwood Drive, the location of which has been chosen by the Directors of Planning and Public Works.
2. Radam Lane should have a "T" intersection with the recommended revision of Emeraldwood Drive and should not be adjacent to the railroad.
3. Emeraldwood Drive should intersect South 1st Street near the top of the ridge so as not to create a blind intersection. The intersection now is a short distance north of the ridge top.
4. The additional 45-foot right-of-way will be required for the northern portion of Emerald Forest Drive to provide adequate width for final approval. No lots abutting this half-street can be approved until the additional right-of-way is provided. This street was designed and shown in the Austin Development Plan as a 90-foot thoroughfare. The Director explained that the additional 45 feet

C8-61-33 Emerald Forest--contd.

is on the Railroad Company property and they indicated they were interested but did not say they would dedicate the right-of-way. Their problem is the grade crossing and who will stand the cost which will be around \$7,000.

Mr. Patterson said the engineer is working on the subdivision in relation to the railroad crossing but they are primarily interested in some lots in the north portion which will not affect the other portion of the subdivision.

5. Change the name of Driftwood Drive as it is a duplication of an existing street name.
6. Blocks J, K, M and B exceed the block length permitted by the Ordinance. The staff recommended a variance for Blocks B and J which are along the creek but not for the other blocks. Mr. Jeryl Hart (engineer) stated that these other blocks will be taken care of with the relocation of Emerald Drive across the railroad.
7. Designate the intended use of the large tracts shown on the schematic plan south of Block K, particularly between the south line of the subdivision and Williamson Creek.
8. Designate the area to be covered by individual final sections.

Mr. Hart presented a revised plan and stated that since South 1st Street will not be changed as the owners first thought, they have gone back to one of their old plans for providing some land for other than residential development. He said if they could get approval on the north portion and leave the other for negotiation with the Railroad Company they could proceed with that portion. Mr. Patterson said they originally had a plan with commercial property on South 1st Street and since it will be a number of years before the new thoroughfare is completed they would like to reserve a portion on South 1st Street for commercial use.

Mr. Stevens said that the staff has not seen the revised plan and requested that the engineer submit the tracing for study and that this be referred to the Planning Commission pending study of the revised plan. The Committee therefore

VOTED: To REFER this subdivision to the Planning Commission pending further study of the revised plan by the staff.

DISQUALIFIED: Mr. Kinser

The Commission considered the REFERRAL of this subdivision. The Director stated that a revision of the preliminary plan was received in the Planning Department only yesterday and he felt that the staff is not in a position to recommend approval of this plan except the north part because of the short time for review.

C8-61-33 Emerald Forest--contd.

Mr. Whitney explained that the north section is in condition to be approved at this time except for additional right-of-way on the half-street and it was not felt that any lots should be approved on the half-street.

Mr. Hart said the Planning Department had advised him that the Department is planning to discuss the right-of-way with the Railroad company and he presumed this has not been done. He reported that his clients are willing to dedicate 50 feet for Emerald Forest Drive at this time since this will be a divided thoroughfare and the entire development seems to be for development in the future and it would probably be nine months before any further development could be anticipated there pending discussion with the Railroad Company. Mr. Osborne said it is expected that some negotiations will be had in about three weeks and that the dedication of the 50 feet offers some solution. He said he would prefer to see the alignment 60 feet initially, developed with 44 feet of paving extending to the west property line and leaving 14 feet between the curb and the lots on the east side. He explained that south of this the curb area will be 23 feet and this section could be re-staked later if the subdivider is not ready for the final plat by the time the entire right-of-way is acquired.

Mr. Hart said their main objective is to get the lots in the north portion staked and there are about 30 lots which the Water District has allocated for water and sewer service, Mr. Davis having indicated that by the time the subdivision is completed these services will be available. Mr. Osborne recommended an area for approval which would include the portion requested by the engineer but also recommended that 70 feet of right-of-way be provided for that portion of Emerald Forest Drive in this section (including Vinson Drive).

The Commission discussed the possibility of dedicating a 50-foot right-of-way with 30 feet of paving, with a curb on only one side which would avoid the necessity of having to tear out the other curb when the street is widened. The Director said he did not think the Public Works Department would agree to that. Mr. Hart said he could see the need of 44 feet of paving on the thoroughfare and at any time the street is widened they could go back and tear out the existing paving. In response to a question regarding the results of the 50-foot street being established and then the other right-of-way to be obtained later, Mr. Fowler explained that the City has the right of eminent domain against the Railroad Company. The Director noted that the developer is required to take care of the boundary streets. After considerable discussion, the Commission concluded that the north part of the subdivision could be approved at this time, which will permit the development of some 30 lots, but that the 70-foot right-of-way should be required for that portion of Emerald Forest Drive within this area. It was therefore

VOTED: To APPROVE the portion of the plan north of a line extending from the west line of Emerald Forest Drive along the south line of Cardiff Drive to the east line of Lot 1, thence southerly to the south line of the tier of lots fronting on Cardiff Drive to Aberdeen Drive, thence southerly to Banning Drive and thence easterly to the east line of the subdivision, subject to the provision of 70 feet of right-of-way for Emerald Forest Drive (including Vinson Drive) north of the south line of Cardiff Drive.

SHORT FORM PLATS - FILED

C8s-61-128 Cullen Resub. Pt. Oak Acres
Oak Blvd. S. and Oak Blvd.

The staff reported that there is a problem of a drainage ditch through three lots and asked that a 25-foot setback be shown on the plat so that the drainage will not crowd the development and place it too near the street. The Committee then

VOTED: To ACCEPT for filing the plat of CULLEN RESUB. PT. OAK ACRES subject to the setback line being shown on the plat.

C8s-61-123 Cherrylawn Addn.
Manor Rd. and Walnut Hills Dr.

The staff reported that it could not be determined whether or not Walnut Hills Drive had been accepted as a dedicated street and recommended that the plat not be accepted for filing until this question has been settled. The Committee therefore

VOTED: To REJECT FOR FILING the plat of CHERRYLAWN ADDN.

SHORT FORM PLATS - CONSIDERED

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

VOTED: To APPROVE the following plats:

C8s-61-112 Fiskville School Addn., Resub. Lot 5
Georgian Dr. and Beaver

C8s-61-122 Wand and Felter Subdiv.
W. 29th and Harris Blvd.

C8s-61-125 James B. Archer Subd.
Yager Lane

C8s-61-130 Northfield Addn., Resub. Lots 65 & 66
Guadalupe St. and Franklin Blvd.

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

C8s-61-120 Manor Hill Addn., Resub. Lot 7, Blk. D
E. 38th and Towerview Ct.

It was reported by the staff that this is a resubdivision of one lot into two lots and that the lot next to the alley has only 7000 square feet instead of 9000 square feet as required for a septic tank lot. It was further reported that the Health Department has stated that septic tanks will work on these lots but there will be a sanitary sewer avail-

C8s-61-120 Manor Hill Addn., Resub. Lot 7, Blk. D--contd.

able in about a year and requested that this resubdivision be held until sewer is available. The Committee felt that this should be considered by the entire Commission and it was therefore

VOTED: To REFER this subdivision to the Planning Commission for further study.

The Commission considered the REFERRAL of this subdivision. The staff reported that each lot contains about 7000 square feet of area but sanitary sewer is not available to Lot 7A and Mr. Barron has requested a variance to allow him to subdivide the property as shown, stating he is agreeable to filing a letter stating that he would not develop the property which he owns to the west of this property which will serve as a drainage field for Lot 7A until such time as a sanitary sewer line is provided to serve Lot 7A. The staff further reported that a variance is needed in area requirements for septic tanks. The Commission then

VOTED: To APPROVE the plat of MANOR HILL ADDN., RESUB. LOT 7, BLK. D, subject to the subdivider furnishing a letter stating he is willing to leave the property adjoining Lot 7A undeveloped until sanitary sewer is available and to grant a variance from the Subdivision Ordinance on area requirements.

(Staff note: A letter was received from Mr. Frank C. Barron October 12, 1961, stating that he agrees not to build on the adjoining Block "G" which he owns, until a City of Austin approved sanitary sewer line is installed in the proposed serviceway at the rear of said Block "G".)

C8s-61-129 Mabel C. Rowe Subd.
Matthews La. and Windsor Rd.

The staff reported that Matthews Drive is only 25 feet in width but the lots also front on Scenic Drive. It was recommended that a 25-foot setback from Scenic Drive be shown on both lots and a 50-foot setback from Matthews Drive for Lot 1A and the north portion of Lot 1B. It was further reported that the owner owes about \$6,000 in taxes but has proposed in a letter that she is selling Lot 1A with the intention that all delinquent City and County taxes due for the years 1942-1961 will be paid out of the proceeds of the sale. A notation on the letter by the Austin Title Company states that this Company is acting as escrow agents and will hold in escrow the amount necessary to pay the taxes.

In view of the fact that the Austin Title Company is acting as escrow agents to assure the payment of the taxes owed on this property, the Committee

VOTED: To APPROVE the plat of MABEL C. ROWE SUBD. subject to a 25-foot setback from Scenic Drive being shown on Lots 1A and 1B and a 50-foot setback from Matthews Drive being shown on Lot 1A and the northern portion of Lot 1B; and to grant a variance from the Subdivision Ordinance on street width requirement.

ADMINISTRATIVE APPROVAL

The staff reported that 3 plats had received administrative approval under the Commission's rules. The Committee therefore

VOTED: To ACCEPT the staff report and to record in the minutes of this meeting the administrative approval of the following subdivisions:

- C8s-61-121 Real Industrial Park, Resub. Lot 9
Miriam Ave. and Real St.
- C8s-61-124 Highland Park West, Sec. 2, Resub. Lot 7, Blk. C; Highland Park West, Sec. 4, Resub. Lot 8, Blk. C
Ridge Oak Dr. and Highland Crest Dr.
- C8s-61-126 River Road Park, Resub. Lots 3 & 4
W. of Pecos River Rd.
- C8s-61-127 Royal Oak Estates, Sec. 2, Resub. Lots 5 & 6, Blk. 0
Sandhurst Circle and Rogge La.

SHORT FORM PLAT FOR REVIEW

- C8s-61-93 Outlot 56, Div. B, Resub. Lot 2, Blk. 4
Hackberry and Comal Sts.

Mr. E. E. Naumann reported to the Committee that he had received no notice that this subdivision would be reviewed at the last Commission meeting and had understood that it would be considered by this Committee. The Director explained the action of the Commission and said Mr. Naumann is here to request the Committee to tell him what would be acceptable. The Committee felt that since some members of the Commission had expressed different views regarding this subdivision it should be considered again by the Commission rather than the Committee. Therefore, it was

VOTED: To REFER this request of Mr. Naumann for a hearing to the Planning Commission for re-hearing.

The Commission considered the REFERRAL of this subdivision for re-hearing. No one appeared to represent the subdivider and the Commission therefore took no action.

PRELIMINARY PLANS

- C8-61-32 Stonehedge Addition (St. Hubert's Wood -- now named Deer Park)
Manchaca Rd. and Stassney Rd.

The Director brought this subdivision up for consideration by the Commission because of certain conditions imposed by the Subdivision Committee, one regarding the relocation of Jones Road right-of-way being worked out with the adjoining owners. He advised that while the adjoining land is listed under Mr. Drake's name he thought it is under control of Mr. Nash Phillips. Mr. Jentsch was present and agreed to this arrangement. Mr. Osborne said there

Planning Commission -- Austin, Texas

Reg. Mtg. 10-10-61

C8-61-32 Stonehedge Addition (St. Hubert's Wood -- Deer Park)--contd.

is some lack of agreement between Mr. Burns, Mr. Jentsch and Mr. Drake or Mr. Phillips regarding ownership of the lots created if the street is shifted to provide lots along the bluff which involves the several ownerships. He recommended approval subject to the condition that this be settled by the private owners.

Mr. Struhall advised that Mr. Phillips had said he would work this out with Mr. Jentsch but Mr. Burns said Mr. Jentsch and Mr. Phillips will not give him an agreement. Mr. Burns also said he would like to have the choice of whether or not there would be a cul-de-sac or extend the road. He agreed that if the Commission would approve the plan subject to working this out he will approach Mr. Phillips and make some arrangement for a cul-de-sac. The Commission then

VOTED: To APPROVE the plan of STONEHEDGE (Deer Park) subject to the working out of Jones Road realignment between Mr. Burns and adjoining owners, the provision for a cul-de-sac or extension of the Road, and to grant a variance from the Subdivision Ordinance on length of cul-de-sac requirements.

SUBDIVISION PLATS - FILED

C8-58-44 Manor Hills Sec. 11 (Revised)
Manor Rd. and E. 51st St.

The staff reported that all departmental reports have not been received. It was also reported that there is a request pending for a change of zoning to "C" Commercial for this property and it was recommended that the plat be held pending withdrawal of this zoning change request since the subdivision is planned for residential development and the Ordinance requires that the zoning conform to the proposed use of the property. Mr. Isom Hale (engineer) stated that this matter will be settled before the time of final approval. The Commission therefore

VOTED: To ACCEPT for filing the plat of MANOR HILLS SEC. 11 (Revised) pending withdrawal of the zoning change request for "C" Commercial.

SUBDIVISION PLATS - CONSIDERED

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

VOTED: To APPROVE the following plats:

C8-59-28 Greenwood Forest #2

Richmond and S. Forest

and to authorize the staff to hold the plat from recording pending first reading of an annexation ordinance, a letter requesting annexation having been filed.

- C8-61-12 Highland Medical Center
Hancock Drive
- C8-61-22 Cary Subdivision, Sec. 1
S. 3rd St. N. of Philco Dr.
- C8-61-24 North Ridge Terrace
Justin La. and Hardy Dr.
and to authorize the staff to hold the plat from recording until vacation of 5 feet of easement on Lot 10, Crestview Addition.
- C8-61-25 Brinwood Sec. 2
Frederick St.
and to authorize the staff to hold the plat from recording pending vacation of portions of Frederick Street and Jones Avenue.
- C8-61-29 Northwest Hills, Sec. 5
N. end of Mountainclimb Dr.
and to authorize the staff to hold the plat from recording pending annexation of the area.
Disqualified: Mr. Barrow
- C8-61-31 Sherwood Oaks, Sec. 5
Sherwood La. and Long Bow La.
- C8-61-35 Allandale Terrace, Sec. 2
Treadwell Blvd. and Shoal Creek

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

VOTED: To DISAPPROVE the following plats pending conditions listed:

- C8-61-26 Pecan Garden
Thompson and Henninger Sts.
(pending completion of fiscal arrangements, completion of departmental reports, and providing drainage facilities to eliminate flooding of lots)
- C8-61-30 Mimosa Manor, Sec. 3
Matthews La. and Lilac La.
(pending completion of fiscal arrangements)

SHORT FORM PLATS - FILED

- C8s-61-131 Royal Oak Estates Sec. 2, Resub. Blk. S, Lots 1-7
Coventry La. and Rogge La.

The staff reported that some departmental reports have not been received and some additional electric easements are needed, that the Telephone Company plant is in place and rearrangement of this plant will be at the expense of the subdivider or property owner.

Mr. Jeryl Hart said the owner has acquired some adjoining property and a plan for that has been submitted revising the lots in that area, that he is aware that he will have to make some changes to better utilize his property but would like to get a disapproval on this plat subject to working out these problems since he is anxious to start building.

Planning Commission -- Austin, Texas

Reg. Mtg. 10-10-61

C8s-61-131 Royal Oak Estates Sec. 2, Resub. Blk. S, Lots 1-7--contd.

The staff recommended that the plat be accepted for filing and the staff be authorized to give Administrative approval when the above conditions have been met. The Commission therefore

VOTED: To ACCEPT for filing the plat of ROYAL OAK ESTATES SEC. 2, RESUB. BLK. S, LOTS 1-7, subject to receipt of all necessary departmental reports, and showing of easements needed, and to authorize the staff to give Administrative approval when these conditions have been met.

SHORT FORM PLATS - CONSIDERED

C8s-61-128 Cullen Resub. Pt. Oak Acres
Oak Blvd. and Oak Blvd. E.

The staff reported that this plat complies with all provisions of Section 4 of the Subdivision Ordinance and is recommended for approval. The Commission therefore

VOTED: To APPROVE the plat of CULLEN RESUB. PT. OAK ACRES.

C8s-61-132 Crestview Addn., Rear Pt. Lots 16, 17, 33, 34
Hardy Dr. and Justin La.

It was reported by the staff that the subdivider was unable to obtain the signature of one original owner and a variance will be needed for approval of the subdivision. The Commission then

VOTED: To APPROVE the plat of CRESTVIEW ADDN., REAR PT. LOTS 16, 17, 33, 34, and to grant a variance from the Subdivision Ordinance on signature requirements.

C8s-61-133 Morris Dale Subd.
Old Post Rd. N. of F. M. 1626

The staff reported that the original owner has not paid for his 1961 County taxes and that a letter was filed by Mr. M. O. Metcalfe (engineer) requesting a variance since the owner of the remaining 25.70-acre tract has refused to pay his 1961 taxes at this time, and all other requirements have been complied with and since water is necessary to the occupancy of the house which is near completion on Tract "B". The staff further reported that this 25.70-acre tract was omitted from the plat and a variance would be needed if the plat is approved. The Commission noted that the 1961 taxes are not delinquent until January 31, 1962. It was concluded that the variance should be granted as this subdivision will not interfere with the development of the balance of the property and therefore the Commission

VOTED: To APPROVE the plat of MORRIS DALE SUBD. and to grant a variance from the Subdivision Ordinance on signature requirements.

OTHER BUSINESS

C10-61-1(1) STREET VACATION

Pt. West 34th St. on N. side, W. of Mills Ave.

The Commission considered a request by the abutting owners for vacation of a strip of West 34th Street on the north side adjacent to four lots west of Mills Avenue. It was noted that the vacation of this strip would eliminate a jog in the street at this location and straighten the alignment of 34th Street and it was therefore

VOTED: To recommend that the portion of West 34th Street adjacent to Lots 4, 5, 6 and 7, extending west from Mills Avenue as shown on the attached sketch, be VACATED subject to retaining the necessary easements by the City.

C2-53-4 ZONING ORDINANCE: Interim Revisions

The Director reported that the City Council has requested a study of zoning fees. He advised that he has obtained information regarding this procedure from other Texas cities and expects information from some others. He quoted fees charged by some of the cities and Mr. Barrow suggested that there might be a gradual scale from a small fee for one lot to an increased fee for large tracts. Mr. Osborne suggested that the Commission give this matter some thought pending further studies and information.

C10-54-1 MISSOURI-PACIFIC BOULEVARD STUDY

The Director advised that a special meeting on the design of this Boulevard would be desirable and it was

AGREED: That a special meeting would be scheduled for review of the plans.

R202 PLANNING MEETINGS AND CONFERENCES

Mr. Osborne reported that there will be a Second Annual Institute on Planning and Zoning in Dallas October 26, 27, and 28, on planning and zoning, and suggested that some of the Commission members attend.

Mr. Osborne also reported that the League of Texas Municipalities, of which the City Planners' Association of Texas is a part, will meet in San Antonio October 28 through the 31, and that Mr. Chriss will be on the panel on zoning discussion. He thought that some of the members would be interested in spending a day or more in that meeting.

Planning Commission -- Austin, Texas

Reg. Mtg. 10-10-61

SUBDIVISION APPROVAL BY TELEPHONE POLL

The staff reported that Commission members had been polled regarding action on the following subdivisions on various dates as shown and had

VOTED: To APPROVE the following subdivisions:

C8-60-4 Mariposa Terrace

Mariposa Dr. E. of Kenwood
(September 22, 1961)

Members contacted: Messrs. Brunson, Chriss, Kinser, Lewis and
Spillmann

C8-60-34 Barton View, Sec. 4

Stearns Lane
(September 21, 1961)

Members contacted: Messrs. Barkley, Brunson, Chriss, Kinser
and Spillmann

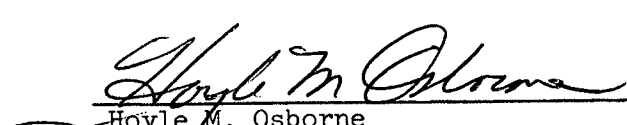
C8-61-17 Windsor Park Hills, Sec. 1

Rogge La. E. of Manor Rd.
(September 25, 1961)


Members contacted: Messrs. Barrow, Brunson, Chriss, Kinser and
Lewis

ADJOURNMENT

The meeting was adjourned at 11:30 p.m.


Hoyle M. Osborne
Executive Secretary

APPROVED:


Chairman