

CITY PLANNING COMMISSION  
Austin, Texas

Regular Meeting -- January 16, 1962

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

Present

D. B. Barrow, Chairman  
Doyle M. Baldrige  
Fred C. Barkley  
Howard E. Brunson  
Pericles Chriss  
Emil Spillmann

Absent

Noble W. Doss  
S. P. Kinser  
W. Sale Lewis

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 December 12, 1961, were approved as submitted.

ZONING

The following zoning change requests were considered by the Zoning Committee at a meeting January 14, 1962:

C14-61-174 Linden Jones: A to B  
West Ave. and W. 32nd St.

C14-61-185 Planning Commission: Area Study  
Area bordered by W.29th St., W.34th St., Lamar Blvd. and Guadalupe St.

STAFF REPORT: This area study was initiated by the Director as a result of a request for a change of zoning on a tract containing about 30,000 square feet in the approximate center of this area for the stated purpose of constructing an apartment house suitable for housing University faculty and staff personnel (C14-61-174). The Director reviewed the conditions in this area of about 80 acres, including the following: Out of over 300 structures in this area, over 40 are duplexes, 3 are apartment houses containing 16 units, (two being non-conforming uses), and some renting of rooms. Two-thirds of the dwelling units are rented and the remaining one-third are owner-occupied. Structural conditions are leaning toward a problem in major sections while there are some sections which are quite good. Most of the deterioration has been in the fringe of the area.

C14-61-174 Linden Jones--contd.

C14-61-185 Planning Commission--contd.

The area requested for a change is located in a section where there are older homes which are being well maintained, the only non-residential use being the Heritage Society property which is a meeting place as well as a memorial to the existing old homes in the area. This would be spot zoning for the case by itself.

A majority of the better maintained homes are along West Avenue and Washington Square. Other areas differ in character and there is a mixture of residential uses, generally caused by proximity to the University. Basically the traffic condition is good in this area and mostly off-street parking is provided. An apparent change is occurring and this brings up the question of future needs. "B" Residence and First Height and Area would permit about 22 apartments on the Jones tract and the Department would recommend a change to "BB" Residence and First Height and Area which permits only apartments in addition to single-family and duplex uses but does not include fraternities, rooming houses, or apartment hotels; the Department would also recommend against the requested zoning for the Jones tract only because of spot zoning. If a change in the entire area is made the single-family residences could remain there and the change would not mean an immediate change to an apartment dwelling area. Other deteriorated places may be replaced with better development. In terms of density the "BB" and First Height and Area would offer sound control but there would be other problems. The Department would not recommend anything but "BB" Residence except on lots abutting a thoroughfare, and there are serious considerations of the desirability of any further commercial on 29th Street which is a narrow street.

Mr. Trueman O'Quinn (attorney) represented Mr. Linden Jones (applicant on C14-61-174) who was also present. Statements presented in support of this request may be summarized as follows:

1. We filed the application several months ago. The staff felt there should be an area study and this should be considered at the same time. The owner agreed to that. We want our property to be considered in the study being made.
2. This property, surrounded on three sides by streets with King Lane being very narrow, does lend itself to an apartment building. Our reasons are that the property is fairly level for easy access to shopping places on Lamar or Guadalupe. Persons can walk 10 or 11 blocks to the University without too much uphill or downhill. There has been expressed a need by the University for additional student housing and this is not out of the question as far as distance from the University is concerned. We feel that this particular property can be developed so that it will be a credit to the neighborhood and will not harm the surrounding development.

C14-61-174 Linden Jones--contd.

C14-61-185 Planning Commission--contd.

3. Sixteen apartments are proposed. With the area we have I believe we could have five duplexes. That is more like an apartment but with less restriction. We would have more control over apartment houses than over several buildings. (The Director explained that, because of physical design of the property they could subdivide into four lots for four duplexes.) All traffic and garbage collection will be from King Lane. We will have more than enough off-street parking for cars on the property. We propose not to provide parking spaces on 32nd Street or West Avenue.
4. We realize there are not sufficient regulations to afford protection for the area but we want to go beyond the law to provide this protection. The suggestion has been made by the Director as to additional restrictions which he thinks should be in the Zoning Ordinance in "BB" Residence and First Height and Area. We have no objection and would be glad to comply with them. We feel development of this type should have restrictions. Our courts have shown a tendency away from what we have previously considered spot zoning and there is a question of whether this would be spot zoning.

Several persons registered opposition to this change and Mr. A. W. Penn (3114 West Avenue, Mrs. C. T. Gray (3201 West Avenue) and Mrs. Herbert Cunningham (613 West 31½ Street) presented oral objections as follows: This property is in the middle of the good residential area and the change would be a detriment to the home owners and would deprive them of the pleasure and other benefits of home owners. The area within 300 feet is almost exclusively owner-occupied. The present apartments and duplexes have the appearance of homes. There is no necessity for this since there are other locations available for apartments without ruining this neighborhood. Garbage collection from King Lane and the traffic there would be objectionable to the home owners on that street.

In consideration of the area study (C14-61-185), a very large group of owners appeared in opposition to any change in the present zoning, a number of written protests and several petitions of objection were filed. Reasons may be summarized as follows:

1. The whole area does not warrant a change and people are not in favor of this. When a change is deemed desirable, it can be made without someone coming from another area and requesting spot zoning in the middle of a good owner-occupied area.
2. Many of the University of Texas faculty members have lived in this area for over 25 years, some have recently moved here because of the character of the area and we think more will move into the area. Homes have not deteriorated in some sections. There has been a shrinkage in population.

C14-61-174 Linden Jones--contd.

C14-61-185 Planning Commission--contd.

People have spent money landscaping and beautifying the area. A zoning change would depreciate the area which would no longer have the charm it now has. There are other vacant areas available for apartment development and there is no pressing need to expand this and permit an opening wedge in the area.

3. This is not an area that is uniform in development but the proposed spot zoning is within one or two blocks of the best part of the area. There are some portions which would be benefited by apartment development. Even with "BB" zoning it would permit a rather degrading type of use. There are insufficient restrictions to make it desirable. When you get apartments you get transients who are there for only a short time and this changes the character of the area.
4. Most of the streets are very narrow and difficult to travel. Increased traffic would increase congestion. There is a steep hill on 32nd Street which is narrow and difficult to travel if cars are parked on the street.
5. When zoning is changed tax values are increased because this permits a wider range of uses. In some areas taxes have increased from \$40 to \$60 per front foot with zoning changes on paved streets.
6. There are a number of small cottages near Guadalupe Street which are rented to permanent residents or tourists, and there is commercial and other types of zoning along the boundary streets. This should not be included in the statistics for this area.

Mr. Jake Silberstein (representing Mrs. Marjorie Levy) requested that her two lots south of the Weed-Corley Funeral Home on Lamar Boulevard be changed to "C" Commercial to connect two existing "C" zones and permit commercial uses. He said there is an old house which would be moved away and a nice business established there.

Mr. Oliver Bruck (owner of property on West 29th Street) said he would approve consideration of changing the north side of the 600 block of 29th Street to "C-1" Commercial. It is now a mixture of zoning, including "C" and "C-1" Commercial. Several replies to notice were received favoring the change.

At the Commission meeting, the Director stated that Mr. Jones and Mr. O'Quinn were willing to defer their request for one or two months in response to a recommendation by the Zoning Committee that a further study be made of this area. The Commission considered the various types of development and conditions of the structures in the area and the need for a zoning change at this time. They also considered the possibility of older and larger houses being remodeled instead of being replaced with new apartment houses, and the further

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C14-61-174 Linden Jones--contd.

C14-61-185 Planning Commission--contd.

possibility of these houses being left to deteriorate instead of being repaired unless someone purchases them for repair. It was concluded that the study and the request of Mr. Jones should be deferred for further consideration. Therefore, it was unanimously

VOTED: To DEFER until the March meeting of the Planning Commission the request of Mr. Linden Jones (C14-61-174) for a change from "A" Residence to "B" Residence for property located at West Avenue and West 32nd Street, and also the area study (C14-61-185) for further study.

C14-61-177 Rio Properties, Inc., W. B. Clark, President: A to C  
Burnet Rd. and Polaris Ave.

STAFF REPORT: This is part of a larger tract of land, a larger portion of which is out of the city limits and on which northern portion is located a golf driving range and a miniature golf course on the southern portion. This area in question is now a part of the parking area for the present uses and it is proposed to establish a drive-in restaurant as an adjunct use to the existing uses. In view of the fact that this property adjoins a "C" Commercial use and is across the street from a "C-1" Commercial District, I recommend the change.

Mr. Jack C. Goodman (agent) represented the applicant and confirmed the statements of the Director regarding the proposed use.

Upon review of the surrounding use and zoning, the Commission concluded that this request should be granted as an extension of the commercial zoning and as permitting a logical use for the property. Therefore, it was unanimously

VOTED: To recommend that the request of Rio Properties, Inc., W. B. Clark, President, for a change of zoning from "A" Residence to "C" Commercial for property located at Burnet Road and Polaris Avenue be GRANTED.

C14-61-178 W. H. Johnson Estate: A to O  
Red River and E. 38 $\frac{1}{2}$  Sts.

STAFF REPORT: This application is for "O" Office for an area in excess of 16,000 square feet. The area is generally developed with single-family residences. In the immediate vicinity the only other zoning is "B" Residence across Red River on the Hancock Park property. East 38 $\frac{1}{2}$  Street is designated and used as a thoroughfare carrying 8,000 vehicles a day. Red River is a collector street with very heavy traffic. All the area is restricted to single-family development and has been so maintained. In view of the fact that this is for only two lots I would recommend against the change as spot zoning.

C14-61-178 W. H. Johnson Estate--contd.

Mr. Charles N. Avery, Jr. (attorney and agent) represented the applicant who was also present. Mr. Avery stated the following: We feel that in view of the traffic situation, the Planning Department map showing three east-west thoroughfares in this area which have a heavy flow of traffic, the desirability of this corner for residential has decreased. We also feel that the growth of the city also contributes to this situation and that "O" Office is the desirable type of zoning. The size of the property makes it suitable for doctors' offices. We have in mind only daytime use of the property.

Eighteen nearby owners appeared in opposition, six of whom presented oral statements; written objections were filed by 12 owners, and 3 petitions signed by a total of 73 owners and residents were filed. Reasons for the objection were:

1. This is an area used only for residential purposes and was so designated in our deeds. It is maintained in a high degree of care. The only commercial property is nearer the Interregional Highway. It is not an old area and it is not deteriorating.
2. The property under consideration is in an ideal location for homes, adjacent to a park area and with a beautiful view of the northwest portion of the city, and can best be used for residential purposes. Converting this property to "O" Office would be an unwise planning move and would lower the value of residential development. The health, peace and happiness of home owners would be adversely affected.
3. There is no need for additional office zoning in the area. Only a few blocks in both southerly and easterly directions from this property are areas already zoned for offices and with property available.
4. This area is convenient to the University of Texas and the downtown area. Residential property is in demand already and there is a need for more. There is new construction on 38th Street.
5. There is already heavy traffic on East 38 $\frac{1}{2}$  Street and any additional parking in or around the property in question will increase the hazards to both school children and vehicles; however, it is not at present too overrun by cars and trucks. Planting could be done on this lot for protection from traffic as has been done with some other homes.

The Commission reviewed the arguments presented and the staff report. It was felt that "O" Office would be a detriment to the safety and welfare of the public because of the heavily-traveled streets, and that the creation of a spot zone in a well developed single-family area would not be justified. Therefore, it was unanimously

VOTED: To recommend that the request of W. H. Johnson Estate for a zoning plan change from "A" Residence to "O" Office for property located at the southeast corner of Red River and East 38 $\frac{1}{2}$  Streets be DENIED.

C14-61-179 Austin Apartments, Inc.: O & 1 to O & 2  
4717-4721 Harmon Ave.

STAFF REPORT: This request is for a change in the Height and Area only. The tract is currently developed with 28 apartments and the proposed zoning would permit 57 apartments. This property is to the north and west of a single-family area and there are still many single-family homes here. Harmon Avenue is a residential street and is not adequate to handle the traffic. I would strongly recommend that the change be denied because of the increase in density and the encroachment into a single-family home area.

Mr. Sam R. Perry (attorney) represented the applicant and Mr. Edward M. Horne (owner) also appeared. It was explained that Mr. Horne has begun construction of 28 units on the south portion and proposes to add 20 units to complete the horseshoe building, including 16 two-bedroom units and 12 one-bedroom units. The applicants stated that the courtyard and area in front would provide for 58 parking spaces. They noted that the property to the south is zoned "C" Commercial which would permit more units. Mr. Perry said he felt sure Mr. Horne would give 5 feet for the widening of Harmon Avenue, but Mr. Horne did not make a statement regarding this.

One reply to notice was received favoring the request.

The Commission considered the development on the property and in the area and the traffic pattern. It was felt that the Second Height and Area would permit too high density for the area in view of the surrounding development and narrow streets. Therefore, it was unanimously

VOTED: To recommend that the request of Austin Apartments, Inc., for a change in the zoning plan from First to Second Height and Area for property located at 4717-4721 Harmon Avenue be DENIED.

C14-61-180 Elias R. Ferris: B to C  
906 East 12th St.

STAFF REPORT: This is a vacant lot adjoining a "C" Commercial area on which there is a residence. The area to the north, east and south is developed with single-family homes and to the west it is commercial along the Inter-regional Highway but is essentially vacant land. East 12th Street is designated as a thoroughfare and carries about 6700 cars per day. I would recommend this change as a logical extension of the present commercial zoning.

Mr. A. G. Ferris represented the applicant, who was also present, but added no statements to the Director's report. One reply to notice was received favoring the request.

The Commission concluded that this would be a logical extension of an existing "C" Commercial zoning and it was therefore unanimously

VOTED: To recommend that the request of Elias R. Ferris for a change of zoning from "B" Residence to "C" Commercial for property located at 906 East 12th Street be GRANTED.

C14-61-181 Walter R. Carrington: A to BB (as amended)  
Santa Clara St., Justin La. and Hardy Dr.

STAFF REPORT: This request is for 7 double-frontage lots actually fronting along Justin Lane. They were approved as such and Santa Clara was located as shown because we were assured by the developers of North Ridge Terrace, who then owned the property, that these lots would be developed with duplexes. The only justification for spot zoning would be the unique problem. "B" Residence and Second Height and Area would permit a maximum of 92 units. This would be creating a parking problem one way or another, with houses across the street facing into parking stalls. Because of the shallow depth of some of these lots parking would have to be placed so as to utilize part of the street for maneuvering space. In view of the fact that this would constitute an intrusion into a residential area I would recommend against the change. The homes in this area are well maintained and I think the protection would be to retain "A" Residence zoning.

Mr. Richard Baker (attorney) represented the applicant at the hearing and presented the following information:

1. The actual problem in development is that the lots face on both streets and Mr. Carrington has two lots which average around 190 feet in depth on the short side. This presents a problem unless the lots are resubdivided. Mr. Carrington has had experience in this type of development. He has found that duplexes presented problems of maintenance and he proposes apartments in this area. The lots are not too desirable for single-family use because of the frontage on two streets. The last two lots would have to be subdivided for two duplexes each.
2. The density requirements are much greater than Mr. Carrington needs for his plan of not more than 30 units in the area. This would be a one-story unit consisting of 24 units, and with proper utilization of the land he can get 30 two-bedroom units. The owner would maintain the area. This area has between 64,000 and 70,000 square feet which would allow about 30 units although Mr. Carrington is now planning for 24 units. We would be glad to come in under restrictive covenant to provide adequate use of the land.
3. Mr. Carrington plans now for access from Santa Clara with 35 parking spaces next to that street. Mr. Pringle, developer of all lots in the subdivision, has agreed to this proposed development.

Two replies to notice favoring the request were received.

Two nearby owners appeared in opposition and written objections were received from three owners. Reasons given were as follows:

1. Some owners would not object to duplexes but do oppose apartment development. Duplexes would present some problem but they may be sold and maintained, while apartment houses tend to deteriorate in ten or 15 years. Also a two-story apartment house would block the view and wind from homes across Justin Lane.



C14-61-181 Walter R. Carrington--contd.

2. Any construction that would add to the traffic problem on Justin Lane would be objectionable, especially so near Brentwood School. Also, any additional traffic on Santa Clara will be feeding by the school.

Mr. Baker explained that the plans for development are indefinite for the reason that no one knew until the engineers have made a study of what would be best suited for the area, the land, and the surrounding development.

The Committee reported that this had been referred to the Commission without a recommendation pending submission of a suitable site plan of development.

At the Commission meeting, Mr. Carrington and Mr. Baker amended their request to ask for a change from "A" Residence to "BB" Residence only and presented the following additional testimony:

1. We cannot see any other suitable use except multi-unit housing because of the 25-foot setback required from each street. We designed duplexes but found we could not have as good a plan because of the long lots and setbacks and found that we could give a better development and control for the community in apartments.
2. Because of the setbacks required, we are planning to have the parking in bays on Santa Clara. We do not think there should be any backing out on Justin Lane because it is a busy street. The only way it would be possible to park on the inside would be to get a variance to set the buildings on the Justin Lane or Santa Clara property line.
3. If we had duplexes there would still be back yards and garbage cans for people to see from one or the other of the streets. This proposed development is no different from duplex or single-family residence development from that standpoint.
4. Zones should be buffered down from one to the other -- "LR" Local Retail to "O" Office to "BB" Residence.

The Commission reviewed the staff report and the statements presented. Mr. Barrow thought the Commission should consider a zoning change of the land but not what they plan to build on the land, and that the decision should not be based on how the house would be built. He felt that it is not possible to develop these lots without some undesirable features for the surrounding owners and he did not think "BB" Residence was the proper zoning for the property. He considered it better for the community to leave it zoned "A" Residence and that the size and shape of the property extending into the residential area is not a proper gradation of property. He noted that the plat was approved as a residential subdivision and the street was located here to get more lots. Some members recognized that this is a difficult site to develop but that this would be an encroachment into a new "A" Residence area and apartment house development would not be the highest and best use

C14-61-181 Walter R. Carrington--contd.

for the land. Other members thought that nice apartment development is superior to duplexes and that the owner could design an apartment house that would not harm the surrounding residential area. A motion to recommend that the request be granted failed to carry by the following vote:

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

MOTION FAILED TO CARRY AND DENIAL IS RECOMMENDED.

C14-61-182 Anthony R. Ferris and Carmen K. Ferris: B to GR  
West 9th and Nueces Sts.

STAFF REPORT: The former building has been removed and the lot is currently vacant. The surrounding area is generally developed with offices, with some homes and apartments, and a general mixture of development. It was originally recommended that the entire area from 7th Street to 15th Street and from West Avenue to Guadalupe Street should be designated as "O" Office with the idea that it would be developed with offices. In view of the fact that the proposed use is for retail on this lot which is very small for such a use, that this would constitute a spot zone and would begin to change the entire pattern of the area, I recommend against the change. I would recommend "O" Office, which would offer the operations Mr. Ferris is seeking, as a continuation of the recommended zoning.

Mr. A. G. Ferris represented the applicant who was also present and submitted the following information: After the lot was bought it was found that it was too small for an apartment house or a single-family dwelling according to the Building Inspector. There are many kinds of small retail businesses that would fit on this lot. With the 25-foot setback on 9th Street and the 10-foot setback on Nueces we would have ample space for parking. "LR" Local Retail would be all right. There are so many businesses that the neighborhood could use and so many in our family who would like to get started in a business here since our family has always been in business, we would want "LR" zoning.

Mr. Silas J. Maxwell (709 Harris Avenue and owner of property in this area) said there was a proposal several years ago to make this area "O" Office and he could not understand why the City does not proceed to zone it "O" Office. He felt that most of the people in the area would agree to "O" and that it should be so zoned so that the owners would know what to do with their property. He did not object to "LR" or "GR" General Retail zoning but thought the better use is "O" Office.

Two replies to notice were received favoring the change and one reply was received approving "O" Office zoning.

C14-61-182 Anthony R. Ferris et al--contd.

The Commission felt as it did before that the area should be zoned "O" Office and that attention of the City Council should be called to the fact that this area has been recommended for a change to "O" Office. It was therefore unanimously

VOTED: To recommend that the request of Anthony R. Ferris and Carmen K. Ferris for a change in the zoning plan from "B" Residence to "GR" General Retail for property located at the southwest corner of West 9th and Nueces Streets be DENIED; but that an "O" Office classification be established for the lot.

C14-61-183 Charles L. Hoffman: A & 1 and C & 6 to C-2 & 6  
S. Congress Ave. and St. Elmo Rd.

STAFF REPORT: This is a request to change the zoning to permit a liquor store and night club on a 2-acre tract, the rear portion of which is "A" Residence. The area along South Congress Avenue for a depth of 200 feet is zoned "C" Commercial. I have no particular objection to the requested zoning but would like to have this restricted to the building area since this is a difficult zoning to administer.

Mr. Hoffman explained that he asked for the entire property so that he could add to the development in the future. He stated that the old house will be torn down and a 50'x50' liquor store erected in the northeast corner and a 67'x120' night club building in the southwest corner. In a discussion with the Committee, Mr. Hoffman agreed to present a plan showing the general location of the buildings for the Planning Commission consideration.

One reply to notice was received approving the request.

At the Commission meeting, the staff reported that the applicant requested that his application be amended to include the areas recommended by the Zoning Committee and presented a map showing the proposed buildings and their location. The Commission felt that the request should be granted, including the "A" Residence portion, as amended to include only the areas on which the buildings are to be located. They felt this would conform to the policy of the Commission since it is in the midst of a well developed commercial district. It was therefore unanimously

VOTED: To recommend that the request of Charles L. Hoffman for a change of zoning, as amended, from "A" Residence, First Height and Area, and "C" Commercial and Sixth Height and Area, to "C-2" Commercial and Sixth Height and Area for property located at the southwest corner of South Congress Avenue and St. Elmo Road be GRANTED.

C14-61-184 Henry Wire: C to C-1  
Rear 2032-2034 South Lamar Blvd.

STAFF REPORT: This request is for an area on which a building is located off of South Lamar Boulevard to permit the sale of beer in a restaurant. All of the property on South Lamar in this area is zoned "C" Commercial and there are other "C-1" zones in the area. For those reasons I recommend granting of the request.

Mr. Wire was present but added no statements to the report of the Director.

The Commission concluded that this request would conform to the policy of the Commission in that the property is located in the midst of a well developed "C" District. It was therefore unanimously :

VOTED: To recommend that the request of Henry Wire for a zoning plan change from "C" Commercial to "C-1" Commercial for property located at the rear of 2032-2034 South Lamar Boulevard be GRANTED.

#### R146 SUBDIVISION COMMITTEE

The Committee chairman submitted the minutes of the Subdivision Committee meeting of January 8, 1962. The staff reported that no appeals had been filed for review of the Committee's action but that three cases had been referred to the Commission without action on:

C8-61-45 Allandale Park, Sec. 5  
C8-61-46 Allandale Park, Sec. 6  
C8-61-48 Greenwood Forest

The Commission therefore

VOTED: To accept the following report and to spread the action of the Subdivision Committee of January 8, 1962, on the minutes of this meeting.

#### PRELIMINARY PLANS

C8-61-45 Allandale Park, Sec. 5  
Burnet Rd. and Silverplume  
C8-61-46 Allandale Park, Sec. 6  
Shoal Creek and Silverway

The staff presented several problems involved in these proposed subdivisions, including crossing Shoal Creek and some excess land of which some is not of sufficient area to be usable. It was agreed by the staff and the developers that more study is needed. The Committee therefore

VOTED: To REFER these subdivisions to the Planning Commission pending further study by the subdivider and the staff.

C8-61-45 Allandale Park, Sec. 5--contd.

C8-61-46 Allandale Park, Sec. 6--contd.

The Commission considered the REFERRAL of these subdivisions. The staff reported that the owner has requested postponement for further study of the plans. The Commission therefore

VOTED: To DEFER action on the plans of ALLANDALE PARK, SEC. 5, and ALLANDALE PARK, SEC. 6.

C8-61-47 Hillside Terrace

Aurora Drive

The staff reported that Aurora Drive is a dedicated street to the west line of this subdivision and it is proposed to extend it into the subdivision to end in a cul-de-sac, increasing the length to that beyond that permitted under the Ordinance for cul-de-sac streets. It was explained that the property on the east of the proposed subdivision is zoned commercial, fronting on Lamar Boulevard, and that the only other alternatives are to extend the street to Lamar Boulevard or curve it north to intersect Romeria Drive. It was felt that this residential area should be separated from the commercial area. The Committee then

VOTED: To APPROVE the plan of HILLSIDE TERRACE subject to compliance with departmental requirements, and to grant a variance from the Subdivision Ordinance on length of cul-de-sac requirements.

C8-61-48 Greenwood Forest (Greenwood Hills)

E. of S. Congress, S. of St. Elmo Rd.

In response to a recommendation by the staff that the name of the subdivision be changed, Mr. Isom Hale (engineer) stated that they have changed the name to "Greenwood Hills".

The staff reported that this entire large area presently outside the city is proposed for industrial use under the Austin Development Plan and questioned the desirability of developing this portion for residential use. Mr. Wayne Burns (subdivider) stated that the homes will be fairly well separated from the present industrial area and their value will not be affected by it but rather that some of the people might work in the industrial establishments. He explained that this is planned as a low-cost area with \$9,000 homes.

There were several problems presented, including the proposed creek crossings, the question of City participation in this work in relation to the policy of the City, the Telephone Company easement and underground cable, the relocation of a north-south street and the excessive length of several blocks. Mr. Hale stated that he could have a revised plan ready for consideration by the Planning Commission meeting and would work with the staff on this. The Committee felt that further study should be given the subdivision to provide a better plan. It was then

C8-61-48 Greenwood Forest (Greenwood Hills)--contd.

VOTED: To REFER this subdivision to the Planning Commission pending further study and presentation of a revised plan.

The Commission considered the REFERRAL of this subdivision. The staff reported that a revised plan of this subdivision has been submitted but has not been reviewed by the other City departments. Mr. Whitney reviewed the location of the subdivision in the proposed industrial area and other problems discussed by the Subdivision Committee. He explained that Section 1 will only include Salut Road and the lots will provide septic tanks as no sanitary sewer is available at present; however, the remainder of the tract is proposed to be served by sanitary sewer when it is available. He explained that the subdivision is designed to back lots to the sides of the tract in order to help protect this subdivision from possible industrial development on all sides. Access from South Congress Avenue to Section 1 will be by Salut Road which will eventually tie into the Interregional Highway. A second thoroughfare is provided by Rafele Trail which is proposed to extend from South Congress to the Interregional.

It was further reported that Blocks C, D, E, F and K exceed the maximum block length allowed but because of the drainage situation a variance is recommended. Lot 1, Block I, and Lot 1, Block J, are below the minimum lot area requirements and should be enlarged to meet the Ordinance requirements for lot size. The staff recommended re-designing the lot arrangement in Blocks E, P and M.

It was further noted that a telephone cable is located in the proposed right-of-way of Anatole Trail and must be approved by the Telephone Company and any adjustment paid for by the developer. A 10-foot easement exists on each side of this line which extends into the building setback area of Blocks M, N, O, and P. Mr. Whitney then reported that he talked to Mr. May of the Telephone Company and he thought this was the best location possible for the cable in the right-of-way instead of on the rear of lots where they encounter clotheslines, etc., in maintenance of the cable.

The staff recommended approval subject to granting a variance on block lengths for this subdivision, requiring all lots to meet the minimum lot area requirement, the re-design of Blocks E, M and P and meeting all departmental requirements.

The Director quoted Article III, Section 23.21, of the Subdivision Ordinance which states "Subdivisions shall conform to the master plan of the city." He noted that this was a general statement and that we do have the Development Plan which shows this area on a generalized plan to be industrial in nature. He felt that there is a possible question as to whether or not this would conflict with this plan but mentioned that it is separated to some extent by the slope of the land, there being a bluff on the north side so that the land where industrial development has occurred is higher than this. He reported that there is an area where there are some industrial uses and also some residential development. He said he did not think a railroad spur could be ex-

C8-61-48 Greenwood Hills--contd.

tended to this property as it would be about 20 feet above ground level. He explained that approval of the Commission for this as a change in the Plan would be necessary and that approval of the City Council might be necessary and desirable since it is a deviation from the Plan.

It was suggested that there might be some people living here who would work in industrial plants. Mr. Barrow felt that the Commission should be very careful in deviating from the Plan and said he would like to see the site before he voted on the plan. The Commission then

VOTED: To DEFER action on the plan of GREENWOOD HILLS for further study.

C8-61-49 Cherrylawn Addn.

Manor Rd. and Walnut Hills

It was reported by the staff that water is available and sewer easements are required across Lots 1 and 10, between Lots 1 and 10, and along the rear of Lots 2-6. Mr. Nicholson stated that they will have difficulty in serving Lots 5 and 6 and the cost of providing sewer will be borne by the subdivider. Mr. James T. Watson (engineer) said they intend to serve each lot with sanitary sewer and this will be worked out.

The following comments were presented by the staff and discussed as follows:

1. Cherrylawn Circle is about 550 feet long and exceeds the Ordinance requirement for length of culs-de-sac and a variance would be required. It was suggested that Cherrylawn Circle be located approximately 100 feet south of its proposed location which would comply with the length requirement and eliminate the double frontage of Lots 1 and 10.

There is a big drainage problem on Lot 10 and the property will have to be filled in. Mr. John Selman (subdivider) explained that he does not intend to develop Lots 1 and 10 for some time and at that time there can be further division of the lots. He said they propose duplexes for Manor Road and he feels that it is desirable to have lots fronting on Manor Road. He felt that his proposed plan would provide better lots for this family area in that he would have houses above the street, while under the suggested plan the houses on the north of Cherrylawn would be below the street, and he would like to have at least one-half of the houses above the street.

2. A 25-foot setback line should be shown from both streets for Lots 9 and 10 and also for Lot 7 which is a through lot.
3. Walnut Hills Drive should angle across a portion of Lot 10 to line up with that portion on the north side of Manor Road.

C8-61-49 Cherrylawn Addn.--contd.

4. Walnut Hills Drive originally followed the south line of this subdivision and has been eliminated, with Reicher Drive ending at this subdivision. Mr. Selman stated that this portion of Walnut Hills Drive was vacated by the county this morning.
5. There should be a re-dedication of that part of Walnut Hills Drive which is in the city limits but which has not been accepted by the City.

The Committee then

VOTED: To APPROVE the plan of CHERRYLAWN subject to the following conditions:

1. A 25-foot setback line being shown from both streets for Lots 9 and 10, and also a 25-foot setback line being shown from both streets for Lot 8,
2. Curving the north portion of Walnut Hills Drive across a portion of Lot 10 to line the street up with that on the north side of Manor Road,
3. Re-dedication of that part of Walnut Hills Drive which is in the city limits, and
4. Compliance with departmental requirements; and

to grant a variance from the Subdivision Ordinance on length of cul-de-sac requirements.

FINAL 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 Committee therefore

VOTED: To APPROVE the following final plats:

C8-61-13 Devonshire Park

New Manor Rd. and Lovell Dr.

The staff explained that this subdivision was first presented in 1959, and was disapproved December 12, 1961, pending fiscal arrangements for gas, but since that time the subdividers have given notice that these lots will not be served with gas. It was further noted that a variance on street width is required and recommended since the owner has given his portion for widening. It was further VOTED: To grant a variance from the Subdivision Ordinance on street width requirements.

C8-61-39 Oak Lawn Subdivision Sec. 3

Webberville and Meander Rds.



## 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-59-42 Glismann Subd.

Shady La. and Glismann Rd.

Also VOTED: To grant a variance from the Subdivision Ordinance on street width requirements.

C8s-61-151 Miller and Mason

Old Lockhart Hwy.

C8s-61-161 J. Grant Webster Subd., Resub. Lot 2

Airport Blvd. and U. S. 290

C8s-61-163 Koenig Place Annex

W. 51st and Leralynn Sts.

The staff reported that the owner of the north portion of the original tract could not join in the subdivision because he owes back taxes. The Committee then VOTED: To grant a variance from the Subdivision Ordinance on signature requirements.

C8s-62-3 Oakglen Park, Sec. 1, Resub. Lots 8 & 9

Oakglen and Manchaca Rd.

C8s-62-5 Tobolka Subdivision

Richcreek E. of Burnet Rd.

C8s-62-6 Manchaca Estates, Resub. Lot 8, Blk. 2

Miles Ave. and Manchaca Rd.

C8s-62-2 Elbert Madison Addition

E. 19th St. and Redwood St.

The staff reported that the Sanitary Sewer Department is requesting that fiscal arrangements be made so that these lots can be served with sanitary sewer within the near future. Mr. Nicholson stated that the money should be deposited at once. Mr. O. Leonard (engineer) stated that there is a house on Lot 5 now which has water and lights and a septic tank.

The staff requested that a 35-foot setback line be shown on the lots abutting 19th Street so that the land will be available if the State widens 19th Street. Mr. Leonard stated that this street has been increased to 100 feet by an addition on the north side but that the Highway Department proposes to increase it to 120 feet and the 35-foot setback would make the additional right-of-way available when that is done.

The staff advised that a variance will be required for Lots 4 and 5 which are wedged-shaped lots and do not meet the requirements for lot width. It was suggested by Mr. Lewis that Lot 4 be used to enlarge the other lots and make them more desirable. Mr. Madison (subdivider) agreed that

C8s-62-2 Elbert Madison Addition--contd.  
E. 19th St. and Redwood St.

this would be better since there is a very small buildable area on Lot 4 with the 35-foot setback. The Director suggested enlarging Lot 2 to permit a duplex and combining Lots 3 and 4 to sell for or build a duplex, leaving Lot 1 as it is. Mr. Whitney suggested making the lots at right angles to 19th Street for better shaped lots.

The Committee reviewed the discussion and suggestions and

VOTED: To DEFER action on the subdivision and to authorize the staff to give administrative approval when the lots have been rearranged as agreed upon and fiscal arrangements have been made.

ADMINISTRATIVE APPROVAL

The staff reported that 4 plats had received administrative approval under the Commission's rules. The Commission therefore

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

- C8s-61-158 Ravey Addn. No. 3  
     Kinney Rd. and Ravey St.
- C8s-61-159 Hillside Addition  
     Barton Springs and Dawson
- C8s-61-160 Frank Reeder Resub. Lots 7-9, Dixie Terrace  
     Burnet Rd. and Doris Dr.
- C8s-61-162 F. B. Vaughan Resub. Lots 6-8, Blk. 19, Christian and  
     Fellman Subd.  
     E. 21st and Oldham Sts.

SUBDIVISION PLATS - FILED

- C8-62-4 Brinwood Sec. 3  
     Brinwood Ave. and El Paso

The staff reported that reports have not been received from several departments and that no action on this final plat is recommended at this meeting. It was further reported that an existing street and a utility easement need to be vacated. The Commission then

VOTED: To ACCEPT for filing the plat of BRINWOOD SEC. 3.

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# 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:

C8-61-14 Northtowne Sec. 3, Phase 1  
Steck Ave. W. of Burnet Rd.  
C8-61-43 Northtowne Sec. 3, Phase 2  
Stillwood La. S. of Steck Ave.

The following plats were considered for final approval and action was taken as shown:

C8-61-32 Deer Park, Sec. 1  
Manchaca Rd. and Fair Oaks

It was reported by the staff that Lots 7, 8 and 9, Block D do not meet the minimum width requirements and a variance is recommended since these are wedge-shaped lots and contain more than the minimum area required since they are caused by a curved street. It was further reported that fiscal arrangements have not been completed, that additional easements are required, and that sanitary sewer will not be available for two years for some of the lots but not in the section proposed first for construction. Mr. Isom Hale (engineer) requested that the staff be authorized to poll the members when these requirements have been met. The Commission therefore

VOTED: To DISAPPROVE the plat of DEER PARK, SEC. 1, pending the following requirements:

1. Completion of fiscal arrangements, and
2. Showing of necessary additional easements;

and to grant a variance from the Subdivision Ordinance requirements on width of lot requirements for Lots 7, 8 and 9, Block D;

and to authorize the staff to poll the Commission when these requirements have been met.

C8-61-36 Lanier Terrace  
Burnet Rd. and Southern Pacific Railroad

The staff reported that the Austin Public Schools are giving 10 feet for the widening of Doris Drive on the north side and that the owners of the commercial property at Burnet Road have also given 10 feet. It was recommended that Doris Drive be continued on to Ohlen Road from this subdivision with a width of 60 feet in that it will carry traffic to and by the school to Burnet Road.

C8-61-36 Lanier Terrace--contd.

Mr. Jeryl Hart (engineer) said he was opposed to that because it was not shown on the preliminary plan and Mr. Attal would be penalized. He felt that the school will need the additional 10 feet for maneuvering and parking space and that when Ohlen Road is developed it will be the main traffic artery. He noted that Mr. Attal had already bought a tract of land from the school at the suggestion of the Planning Department to eliminate one problem.

The staff further recommended 25-foot setbacks for Lots 1 and 16, Block B, as they are adjoining lots which provide a 25-foot setback. Mr. Hart objected to this because it was not requested with the preliminary approval and because he felt the builder would probably set the house back. He suggested starting at the 50-foot line and tapering back to 25 feet for lots so situated. The Director felt that the 25-foot setbacks would be very desirable and reported that it is a customary thing in recommended standards of the Home Builders and loan associations to eliminate off-sets in setbacks so that one house will not be back of the other, and that some ordinances in other cities require this.

The staff also reported that fiscal arrangements have not been completed.

The Commission discussed the recommendations and felt that they would be good if the subdivider would voluntarily comply with them, but that the Commission should have a very sound basis where it is not required in the Ordinance. Mr. Hart said they would not object if these had been requirements on the preliminary plan but did object since it has progressed this far. The Commission then

VOTED: To DISAPPROVE the plat of LANIER TERRACE pending completion of fiscal arrangements.

C8-61-40 Eubank Acres Sec. 3-A, Resub. Lots 1 & 11, Blk. 1  
 Krause La. and Oakwood Dr.

The staff recommended additional right-of-way for Krause Lane which is a designated primary thoroughfare with 120 feet in width, but since the staff has reviewed this it is felt that 90 feet would be satisfactory, with 10 feet taken from the north side and 20 feet from the south side at this location. Mr. Eubank said he has no objection to giving the 10 feet but the other section of Eubank Acres Section 3 has already been approved according to the preliminary plan and brick houses are built on three of the lots. He said this section was approved in 1958 and the three houses were set back the required distance. He stated that he could not give additional right-of-way where they are located but can on the other portions and feels that Krause Lane should be widened. The staff noted that this other section was approved before the Development Plan was adopted. The Director explained that the staff recommends acquisition of 20 feet on the south side at this point and that the additional right-of-way will vary and shift back and forth along the road according to the present buildings located on Krause Lane.

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C8-61-40 Eubank Acres Sec. 3-A, Resub. Lots 1 & 11, Blk. 1--contd.

The Commission felt that since Mr. Eubank is giving the additional 10 feet of right-of-way for this subdivision it should be approved. Therefore, it was

VOTED: To APPROVE the plat of EUBANK ACRES SEC. 3-A, RESUB. LOTS 1 & 11, BLK. 1.

C8-62-2 Highland Hills Sec. 6, Phase 2  
Highland View and Hillbrook

It was reported by the staff that all requirements of the Subdivision Ordinance have been met except that fiscal arrangements have not been completed. The Commission therefore

VOTED: To DISAPPROVE the plat of HIGHLAND HILLS SEC. 6, PHASE 2, pending completion of fiscal arrangements.

SHORT FORM PLATS - FILED

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

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

C8s-62-4 John Nash Subd.

Goodrich Ave. and Ford St.

C8s-62-7 James N. Mowry Resub. Lots 5, 6, & 7, Walnut Hills Sec. 4

Northeast Dr. and Cook Dr.

SHORT FORM PLATS - CONSIDERED

C8s-61-50 Banister Heights  
Clawson Rd. and Fort View Rd.

The staff reported that this subdivision was previously deferred pending clearing up the right-of-way problem but this has now been done and the subdivider is giving 15 feet for the widening of Fort View Road; however, a variance is still needed since the street will not be 50 feet wide. The Commission then

VOTED: To APPROVE the plat of BANISTER HEIGHTS and to grant a variance from the Subdivision Ordinance on street width requirements.

C8s-61-147 Henry H. Ulrich Resub. Lots 29 & 30, Blk. 2, Hyde Park Annex  
E. 46th St. and Avenue G

It was reported by the staff that the owner has requested postponement of this subdivision until he can prepare a different plan. The Commission therefore

VOTED: To DEFER action on the plat of HENRY H. ULRICH RESUB. LOTS 29 & 30, BLK. 2, HYDE PARK ANNEX.

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OTHER BUSINESS

C2-53-4 ZONING ORDINANCE: Interim Revisions  
Dairy Processing Plant

The Director reported that there is a provision to permit a "Creamery or ice cream mixing plant" in a "C" Commercial District and it was thought this would permit a dairy processing plant but this would not be true under the interpretation of the Building Inspector. He recommended that the Commission recommend an amendment to Item 18, Section 6, to add "and dairy processing plant". The Commission then

VOTED: To recommend to the City Council that Section 6, Item 18, of the Zoning Ordinance be amended to add "or dairy processing plant".

C9-53-2 Hancock Park (East): Dedication Study

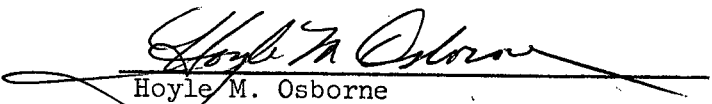
The Director reported that the City Council Thursday will consider the proper procedure to be followed in making legal the sale of the east portion of Hancock Park. The Commission recalled its former study of this sale and it was unanimously

VOTED: To record the feeling of the Commission favoring the sale of the Hancock Tract known as Hancock Park (East).

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ADJOURNMENT

The meeting was adjourned at 10:20 p.m.

  
Hoyle M. Osborne  
Executive Secretary

APPROVED:

  
Chairman

\*C8s-62-1. Peterman Von Rosenberg et al.  
Paramount and Rabb Glenn

The staff reported that a majority of the Commission had been polled by telephone January 2, 1962, and had VOTED: To APPROVE this plat.