

CITY PLANNING COMMISSION  
Austin, Texas

Regular Meeting -- April 10, 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. Baldridge  
Fred C. Barkley  
Howard E. Brunson  
Pericles Chriss  
S. P. Kinser  
W. Sale Lewis  
Emil Spillmann

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 following meetings were approved as submitted:

March 13, 1962  
March 26, 1962

ZONING

C14-62-28 Lloyd W. Payne: A & 1 to B & 2  
1100 Blanco Street

STAFF REPORT: The application is for one lot in the middle of the block. The lot presently has two single-family dwellings on it and it is proposed to erect apartments. The lot contains 13,970 square feet and the requested zoning change will permit 9 regular units or 18 efficiency or apartment hotel units. The property is across the street from and north of a "B" Residence and Second Height and Area District and there was a recent change to "BB" Residence and First Height and Area on property about two blocks to the north. The staff feels that since about 90% of the area is still developed in single-family dwellings, including the "B" Residence area, with the exception of one building three lots north which appears to have three units, the proposed change of the one lot would encroach into a residential area. It is possible that this would be a natural boundary if the "B" Residence zone were extended northward but the present request is for one lot only.

C14-62-28 Lloyd W. Payne--contd.

Mrs. Sue Strein (agent) appeared for the applicant and explained that she is selling this lot for him and this sale does depend on the zoning change. She said they felt this is an excellent location for apartments and is near the Windsor apartments recently built to the north.

Written objections were filed by six nearby owners for the following reasons:

1. We do not want an apartment house with its crowded condition of cars and noise and people in our quiet neighborhood.
2. Parking would be impossible at times. Even though spaces are provided, tenants and visitors prefer the street for quick parking. Blanco Street at this point is very narrow and cars sometimes park on both sides, leaving room for one-way traffic only.
3. It would increase the traffic and the hazard to firemen leaving the fire station.

The Commission noted that this property is next to a fire station and electric sub-station. It was felt that this neighborhood lends itself to apartments and that the older homes in the immediate area would probably have no major repairs for single-family use but could be converted into apartment houses. The Commission considered a suggestion by the Director that the area north from West 10th Street and east of Shelley Avenue Alley could be converted to apartment zoning by individual applications as owners are ready to change the type of use on their properties rather than changing the entire half block at this time. It was felt by the Commission that First Height and Area should be retained for the property as more suitable than Second Height and Area for this street. The Commission then

AGREED: To recommend favorably on a change to "B" Residence for other lots in this area north from West 10th Street and east of Shelley Avenue Alley as applications are received as this seems to be a logical dividing line.

It was further unanimously

VOTED: To recommend that the request of Lloyd W. Payne 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 1100 Blanco Street be DENIED; but that a "B" Residence and First Height and Area classification be established for the property.

C14-62-29 Jack J. Aills: B to O  
607 (609) West 9th Street

STAFF REPORT: This is a one-lot application which leaves a gap between the existing "O" Office zoning and the property involved, and this intervening area was included for purposes of hearing. The pattern has already been

C14-62-29 Jack J. Aills--contd.

established as "O" Office south of 8th Street and north of 11th Street, with isolated office zones in the area. We feel that this does fit into the pattern and recommend that the request be granted, with the additional area included.

Mr. and Mrs. Aills were present and stated that they propose to operate an antique shop in connection with their home and this requires "O" Office zoning. They said the house is very large and has ample space for both uses. Replies to notice were received from five nearby owners favoring the request.

One reply to notice was received opposing the change as it will increase taxes and will not increase income.

The Commission noted that this would be a continuation of "O" Office zoning if the intervening area is included, and that this is a logical pattern for the area as shown by previous recommendations for "O" Office in this vicinity. It was therefore

VOTED: To recommend that the request of Jack J. Aills for a zoning plan change from "B" Residence and Second Height and Area to "O" Office and Second Height and Area for property located at 607 (609) West 9th Street be GRANTED; and that the property located at 605 West 9th Street be included in the change.

C14-62-30 Ben H. Powell, Jr.: C to C-1  
5343-5345 Burnet Road

STAFF REPORT: This request is for one lot and the purpose is to permit the sale of beer in a restaurant secondary to the sale of food. This is a well developed commercial area and we feel this request conforms to the policy of the Commission and recommend that it be granted.

Mr. James A. Howard (agent) appeared for the applicant and stated that this property is under lease and they are requesting the change to permit the tenant to sell beer with food in his restaurant. Two persons joined the applicant in this request.

The Commission felt that this is in a well developed commercial area and that the request conforms to the Commission's policy regarding "C-1" zones. It was therefore unanimously

VOTED: To recommend that the request of Ben H. Powell, Jr. for a change in the zoning from "C" Commercial to "C-1" Commercial for property located at 5343-5345 Burnet Road be GRANTED.

C14-62-31 La Riviera Hotel Corp., M. Z. Collins, Pres.: O to C-1  
S. Interregional Hwy. and Edgecliff

STAFF REPORT: The applicants propose to operate a restaurant in connection with the motel and are requesting the change to permit the sale of beer and

C14-62-31 La Riviera Hotel Corp.--contd.

wine in the restaurant. The entire tract has been included and we recommend that any zoning change be confined to the area of the restaurant only as it would tend to establish a zoning pattern for adjacent properties.

Mr. D. M. Buck McCullough appeared for the applicant and stated the following: Most of the area other than the motel is paved parking area. All we would need is the dining room area and the pool site and we can describe the area needed. We have a certification from the County Clerk's office that this is in a "wet" area.

The staff reported to the Commission that a further check has shown that the applicants included the entire building site since they have service to the rooms and they wanted to be certain this would be permitted in addition to the serving of beer in the restaurant and at the pool. The Commission considered this revised request to include the building area rather than the entire property, but concluded that the sale of beer should be confined to the area of the cafe only, if field notes are provided to define that area. It was then unanimously

VOTED: To recommend that the request of La Riviera Hotel Corp., M. Z. Collins, President, for a change in the zoning plan from "O" Office to "C-1" Commercial for property located at 1001-1025 South Interregional Highway and 1300 Edgecliff be GRANTED for only that area where the cafe is located, with the understanding that field notes will be provided to locate the area of the cafe.

C14-62-32 Gordon M. Lantz et al: A to BB  
Red River and Harris Avenue

STAFF REPORT: This application involves three separate lots and three owners. The area across Red River to the east is zoned "B" Residence but is developed with a church and there is residential to the south. The lots in the adjoining subdivision are restricted to residential use by deed restrictions. The area is well developed as single-family dwellings and for that reason we recommend that the request be denied. If the applicant for Tract 3 proposes to erect a separate building, this would not be permitted under the Ordinance. Tract 3 would allow 7 units as well as Tract 2. Tract 1 would allow 3 units.

The Committee presented the following report of the public hearing: Mr. and Mrs. Lantz appeared and stated that they have a demand for apartments, that they have a duplex at 3406 Red River and propose to add two units to this, with four parking spaces underneath. They did not want to distract from the neighborhood but rather to enhance it. They felt that a duplex would hide the huts in the back of this property and would be in the nature of the duplex to the south.

Four nearby owners had appeared at the hearing in opposition and written objections were received from two owners. Reasons given were as follows:

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C14-62-32 Gordon M. Lantz et al--contd.

1. We are not unmindful of the need for progress and changes in an area where multiple and duplex units are needed but we do not feel that this is an area that meets these requirements. It is an isolated area with "B" across Red River and "BB" to the south. Because of the natural terrain back to Waller Creek and the fine homes here, we feel it has a unique quality suited for single-family use and this proposal would do violence to the area.
2. We do not feel that because this property fronts on Red River, a busy thoroughfare, it would warrant this change. There are other locations in Austin which have very fine homes fronting on thoroughfares.
3. Other lots in the area are restricted to single-family dwellings.
4. When we selected and purchased lots here we were assured that this was strictly "A" Residence property and we would not have invested money in a home if we had known that it was not a protected residential area.

The Committee had recommended that the request be denied for the reasons that this is a well developed residential neighborhood with very nice homes and to grant the request would be doing an injustice to the people.

The Commission received a letter from Mr. Lantz stating that the applicants wished to withdraw this request. The Commission therefore unanimously

VOTED: To ACCEPT the withdrawal of this request.

C14-62-33 Martin L. Anderson: A & 1 to O & 2  
1007 East 40th Street

STAFF REPORT: This request was presented at the last meeting as a change to "O" Office and First Height and Area and the present request is for Second Height and Area. We included the intervening area for purposes of hearing. We feel that the "O" Office fits the established pattern to the north which was recommended against by the Planning Commission about two years ago but granted by the City Council. We recommend that the change granted for "O" Office and First Height and Area as it fits the established pattern.

Mrs. Anderson was present and explained that this is an apartment or office area and there is "O" Office across the street. She had requested Second Height and Area but stated that if the Commission feels that it cannot recommend that she would accept First Height and Area. One reply to notice was received favoring the request.

Written objections were received from four owners who gave the following reasons:

C14-62-33 Martin L. Anderson--contd.

1. Property on this street should not be commercial inasmuch as the entire Sears "East 40" is available and also property along the Interregional Highway is commercial. East 40th Street is quiet, shady and restful and ideal for residents and should remain residential. Values of the homes in this area will again be lowered yet the evaluation of our property for tax purposes remains the same.
2. The change is not needed to furnish services and it is objectionable to the people living near.

The Commission noted that this application is across the street from an "O" Office zone and felt this would be in keeping with the character of zoning in the neighborhood and a grading down from "O" Office to "A" Residence, but that Second Height and Area should not be granted. It was therefore unanimously

VOTED: To recommend that the request of Martin L. Anderson for a zoning change from "A" Residence and First Height and Area to "O" Office and Second Height and Area for property located at 1007 East 40th Street be DENIED; but that a classification of "O" Office and First Height and Area be established for the property; and that the property located at 1009-1011 East 40th Street be included in the change.

C14-62-34 Phillip Arledge: A to C  
 Rountree and Manor Road

STAFF REPORT: This application is for one lot which backs up to the "C" Commercial District to the east and is near an industrial area on the west where the Texas Quarries are located. This is, however, in a residential area and would be a spot encroaching into this neighborhood which is restricted by deed to residential use. It is proposed to sell boats and motors.

Mr. James R. Foutch (agent) represented the applicant, who was also present, and stated the following: Basically the property along Manor Road and Airport Boulevard, except for two spots on Manor Road, is commercial. We feel that this would not be a spot zone. Because we are surrounded by commercial we feel that we should have the same. We only plan to display boats and motors for sale so that we can have an outlet for our products. Someone will live here at all times.

Four nearby owners appeared in opposition for the following reasons: When this subdivision was designed, the corner property was left for commercial use and the remainder reserved for residential use. Access into Manor Road from the subdivision is on Rountree Drive and it is difficult to enter that street now. Further commercial uses would increase this bottleneck. Also, if this is granted, others would be encouraged to request zoning changes along Manor Road.

C14-62-34 Phillip Arledge--contd.

Due to the fact that this is the only street that provides entrance into a large residential neighborhood, the Commission felt that any commercial establishment facing on Rountree Drive would be a violation of the health, welfare and safety of the community and would be hazardous to all the people in the neighborhood. It was therefore unanimously

VOTED: To recommend that the request of Phillip Arledge for a change in the zoning plan from "A" Residence to "C" Commercial for property located on the southeast corner of Manor Road and Rountree Drive be DENIED.

C14-62-35 Andre Abbate: A to O  
2101-2106 West 35th Street

STAFF REPORT: This is a tract of land containing about three acres and the requested change is for the purpose of using a part of the property for offices. There are at present 18 dwelling units on the tract. The property is west of the railroad between Camp Mabry and the Suburban Alcoholic Foundation property. State Highway Department offices are located across the railroad. The State School is located directly across the street to the south. The surrounding property is zoned "A" Residence, and we recommend that the request be denied as not fitting the zoning pattern and as spot zoning.

The applicant was present and stated the following: We are surrounded by uses other than residential as stated by the staff. Camp Hubbard (State Highway Property) is industrially used. I have people who want to lease the two houses fronting on 35th Street and the remainder of the property will remain as it is. This use would not hurt any of the surrounding properties.

The Commission felt that since the use of 35th Street now is State institutional, any zoning here should be limited to "B" Residence. This would also be spot zoning. After further discussion, it was therefore unanimously

VOTED: To recommend that the request of Andre Abbate for a change in zoning from "A" Residence to "O" Office for property located at 2101-2106 West 35th Street be DENIED.

DISQUALIFIED: Mr. Lewis

C14-62-36 Len C. Dure: GR to C-1  
7505-7509 Burnet Road

STAFF REPORT: This application is for a part of a large tract on the east side of Burnet Road, containing 32,514 square feet. It is proposed to sell beer in a restaurant on this property. The area to the north is zoned "GR" General Retail and there is a "C-2" zone adjoining on the south. The remainder of the property on Burnet Road is generally "C" Commercial, with "A" Residence across Burnet Road and to the north on the west side. The area to the east is developed residentially and there is a church about one block to the north.

C14-62-36 Len C. Dure--contd.

There is a proposed residential subdivision across Burnet Road. The adjoining property on the north and that across Burnet Road is presently undeveloped and we feel that it is questionable as to whether or not this conforms to the policy of the Commission.

No one appeared to represent the applicant. The purpose as stated in the application is to permit the sale of beer in a restaurant.

Five nearby owners appeared in opposition and written objections were filed by one owner and by a petition signed by 18 owners. Reasons given were: This is a nice neighborhood of homes and rental property and this change would lower the value of our property. The location is too near the church and it is not desirable to have this type of use near our children.

The Commission concluded that this was proper zoning for the property since it adjoins "C-2" Commercial on the south and property along Burnet Road is generally commercial. It was therefore unanimously

VOTED: To recommend that the request of Len C. Dure for a zoning change from "GR" General Retail to "C-1" Commercial for property located at 7505-7509 Burnet Road be GRANTED.

C14-62-37 W. A. Bowman et al: A to B

3709-3711 (3701-3703) Cedar St. and 109 (107) West 38th St.

STAFF REPORT: Property to the south was recommended for "B" Residence and First Height and Area and this change is pending before the City Council for consideration Thursday. Since receiving the application we have received letters from Mr. and Mrs. W. A. Bowman and Mr. Alex W. Melchior requesting that their property be withdrawn from the application, leaving only the lot adjoining the property which was recommended and the area included for hearing. In keeping with the recommended property on the south, we would recommend "B" Residence and First Height and Area for the lot.

Mr. Trueman O'Quinn (attorney) represented Mr. H. C. Byler (proposed developer) and Mr. Carroll C. Gillespie (agent for the sale of the property), who were also present. The following information was presented by these persons:

1. (Mr. O'Quinn) I have been employed by Mr. C. C. Gillespie who is working with Mr. H. C. Byler, the prospective builder, having in mind some construction on Cedar Street between 35th and 38th Streets for multiple housing. The application was signed by other owners. The owners who did not join in the original application or have indicated that they do not want to join in the request or objected to having their property included, have been withdrawn. The remaining lot could then be added to the area formerly recommended. If the property is developed it will be better zoning to include the entire block if possible.



C14-62-37 W. A. Bowman et al--contd.

2. This is an extension of "B" zoning along Speedway and would not be spot zoning. There is an "LR" zone on 38th Street adjoining the alley on the east.
3. The object of the application is to bring about a development of multiple dwellings which seems to be the type of development going in along Speedway. This is a type of zoning which provides for students who want to be fairly close to their schools and for others who would be near their businesses. We feel that we can develop the property so that it will be a credit to the neighborhood.
4. This area has gone into rental property almost entirely. Much of it is getting rather old and it seems that the only way to make improvements is to build new homes or apartments, but I cannot see building new homes. It is very much an apartment area. The use across the street is much like an apartment development.
5. It is understood that the City Council has decided to proceed with an Urban Renewal Program. It would seem that private construction would be preferable to government-sponsored and financed development. Apartment need is for small apartments, duplexes for single men and women in respectable areas and at low rental. The property is in a relatively low rental area but the apartments would probably rent for more than the present houses.

Two nearby owners appeared and three replies to notice were received favoring this request.

The following information was submitted by the applicants and owner of the area included for hearing:

Mr. and Mrs. Bowman (applicants): We want to keep our home here and do not want our zoning changed. We have submitted a letter withdrawing from the request.

Mr. Alex W. Melchior (applicant): I submitted a letter withdrawing from the request.

Mr. Crescencio Fuentez (applicant): I object to the change of zoning.

Ollie E. Goodson (113 West 38th St.): I certainly do object to the change in the zoning.

Four nearby owners appeared in opposition and written objections were received from eight owners. Reasons given were: There is no need for such zoning change in this area and we are satisfied with our present zoning. We cannot see where building apartments would help other property. The Nurses' and Confederate Women's Home across the street is kept in good condition and

C14-62-37 W. A. Bowman et al--contd.

there are only one or two houses which are rent property. Most of us have spent quite a lot of money on our homes.

The Committee reported that it had considered the requests of withdrawal by Mr. and Mrs. Bowman and Mr. Melchior from the request and had voted to accept the withdrawal of these owners.

The Commission considered the status of this application, two owners having withdrawn from the request and the other submitting written objection to the zoning change, and concluded that the request should be considered to include only the lot adjoining the property previously recommended (C14-62-15) and that this lot should have the same classification as recommended for the other property. It was therefore unanimously

VOTED: To recommend that the request of Crescencio Fuentez for a change of zoning from "A" Residence to "B" Residence and from First to Second Height and Area for property located at 3709 (3701) Cedar Street be DENIED; but that "B" Residence and First Height and Area be established for the property.

## DEFERRED REQUEST

C14-61-174 Linden Jones: A to B  
West Ave. and W. 32nd St.  
(Deferred 1-15-62)

Mr. Richard Baker (attorney) again appeared before the Commission and explained that he had indicated at the time of deferral that plans were being prepared for the proposed apartment house to include 28 units with a restrictive covenant limiting the number of units to 28, but that through a misunderstanding the completed plans show 32 units and Mr. Jones was not aware of that and is not committed to that plan. He only presented the plans to show the Commission the type of development proposed. He noted that they plan to have a development similar in appearance to the Heritage House, providing parking with access from King Street to provide for 32 cars.

The Director stated that "BB" Residence and First Height and Area as first recommended would allow older houses to be converted into apartments which would fit into this area and that the proposed development would not fit into the surrounding development. He said he could see no sound zoning which would include this lot.

After considerable discussion and agreement by Mr. Richard Baker, it was

VOTED: To DEFER for at least 30 days consideration of this request.

## REQUESTS RECONSIDERED

C14-61-152 Joe J. Joseph: B to O  
West 6th and Campbell Sts.

STAFF REPORT: This is property on which there is a day nursery and the present "B" Residence zoning limits the number of children to 10 on this property. The request is for "O" Office which does not limit the number of children but 35 children would be permitted by the State Department of Public Welfare. A previous request for a change to "O" Office was recommended against by the Commission. At the time of hearing before the City Council on March 22, 1962, the request was referred back to the Commission for a re-hearing. The staff would make the same recommendation as for the previous consideration which was to deny since this is definitely a single-family home area with older families living here and it is too soon for "O" Office, and the recommendation is not because of the Missouri-Pacific Boulevard plans but the development of the neighborhood and the fact that this is a proposal of "O" Office for a particular operation of a commercial use.

Mr. Robert C. Sneed (attorney) represented the applicant and stated the following:

1. We requested that this matter be returned to the Planning Commission by the City Council. We realize that this has been previously discussed but I would like to request that we look at it strictly from a zoning standpoint and not from the standpoint of the children taken care of and the fact that they will only be there during the day. In the present state of zoning the property immediately to the south of the Johnson property would permit many more children. If this could be done we see that no damage could be done to Mr. Johnson. If this property could be moved less than 100 feet to the south this use would be permitted. We do not believe that the noise of little children would make it any more difficult on the north or south sides.
2. The western part of Austin needs an "O" Office area. The proposed Boulevard will funnel traffic into downtown Austin by West 5th and West 6th Streets, probably 6th Street being one-way west and 5th Street one-way east. The question is what will happen to the area in between. Along the railroad track to the south is industrial property, immediately across the street is "C" Commercial, and to the north is a large apartment house development in a "B" Residence zone. It is logical that there should be the gradation of one zone to another. This property is ideally suited and located for "O" Office and, looking at it for a particular usage, presents no problem with regard to traffic. The transition period has already taken place on 6th Street. If you study the flow of traffic and trend of development in this old residential area you will find it has reached an "O" Office District. The master plan of the Boulevard has changed the character of this property.
3. We do not know of any use other than "O" Office which would be the highest and best use for the property.

C14-61-152 Joe J. Joseph--contd.

Mr. H. S. Johnson (507 Campbell Street) appeared in opposition for himself and representing people who submitted written protests. Replies to notice opposing the request were received from Mrs. W. M. Stuart (1711 West 6th Street) and Mrs. Lena P. Shropshire (1611 West 6th Street). Reasons for the opposition were:

1. This is cutting this residential section in half. It has been and will continue to be residential. People take care of their homes, many of them being older people. "O" Office means commercial to a degree. The applicants once operated a small shop for manufacture of nursery furniture. We did not object to a nursery of 14 children and did not object to adding 3 children, then the request came for 28 children. Mrs. Boyd is operating unlicensed now since it does not meet State requirements. They fenced in about 20 feet of City easement.
2. This close-in location makes it very convenient for older people. A majority of the houses are homes for occupants and many in this block are owned by widows who live alone and feel safer in a strictly residential area.

The Commission reviewed the statements presented and concluded that no additional evidence has been presented that was not heard at the previous hearing. It was concluded by a majority that this is an area which should not be disturbed at this time and that the change in the type of development on 6th Street is occurring further to the east and not near this property. It was then

VOTED: To recommend that the request of Joe J. Joseph for a zoning change from "B" Residence to "O" Office for property located at the southeast corner of West 6th and Campbell Streets be DENIED.

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

C14-62-15 Marion Edwards et al: A & 1 to B & 2  
Cedar and West 35th Sts.

The Director reported that the City Council has requested the Commission to reconsider its former recommendation in connection with consideration of the request for rezoning on the adjoining property (C14-62-37). In view of the action taken on the one lot remaining in the new application, the Commission unanimously

VOTED: To AFFIRM its former recommendation for a change to "B" Residence and First Height and Area.

R146 SUBDIVISION COMMITTEE

The Committee chairman submitted the minutes of the Subdivision Committee meeting of April 2, 1962. The staff reported that no appeals had been filed for review of the Committee's action. The Commission therefore

VOTED: To accept the following report and to spread the action of the Subdivision Committee of April 2, 1962, on the minutes of this meeting.

PRELIMINARY PLANS

C8-62-15 Santa Monica Park

Ben White Blvd. W. of Burleson Rd.

The staff reported that this plan is presented only for discussion since it was approved by the Planning Commission subject to the details being worked out with the Department and to the satisfaction of other departments. It was further reported that a revised plan has been presented, showing better lot arrangement and proposing only one access to Ben White Boulevard, the street having a 100-foot right-of-way. It was noted that the street had been eliminated along the gas line easement as requested by the Gas Company leaving two blocks which exceed the maximum length permitted by the Ordinance. A variance was recommended for the block affected by the drainage ditch but not for the other block.

Mr. Dewey Nicholson suggested that the street proposed along the gas line easement not be eliminated but be shifted to the south in order to break the block lengths since the Water Department would prefer a water line in a street rather than an easement because of the difficulty in maintaining lines in easements. He said his suggestions are based on the original plan since he did not receive the revised plan in time to give it a thorough study. He advised that water service in this subdivision is provided from two different systems, the 620-foot contour line located in the south third of the subdivision being the division line between the service from North Austin and service from the booster system in South Austin. He called attention to the problems caused by service from the northern system because of the high pressure in this area. He felt that moving the street rather than eliminating it would give them more flexibility in the water system.

Mr. M. O. Metcalfe reported that he had filed prints of the revised plan with the Department prior to the last Planning Commission meeting but these plans were not at the meeting. He said he could not reply to Mr. Nicholson's suggestions since he has not had a chance to study them but that they are still working with the City departments in accordance with the action of the Planning Commission at the last meeting.

The Director explained that the only problem is the alternative of providing the additional street or granting a variance in block length requirements, and that the Department is objecting to the variance because

C8-62-15 Santa Monica Park--contd.

of the water system and water pressure only and not because of the circulation within the subdivision.

C8-62-19 Allandale Terrace Sec. 2 (Revised)  
Stoneway and Great Northern Blvd.

The following information was presented by the staff: This revised plan was presented to show a proposed elimination of a portion of Mohawk Road. Mr. Nelson Puett (subdivider) has now purchased adjoining property on the northeast. He has agreed to approval of the plan generally south of Mohawk Road but will consider the northern portion in relation to the adjoining property. Also, there are problems involved with the development of the Missouri Pacific Boulevard which have not been worked out in this area. If Lexington Road is extended southward as shown on this schematic plan a variance in block length requirements will be needed for Block E. The following comments were presented by the staff:

1. The owner of the subdivision should be shown on the plan.
2. The boundary survey of this subdivision should be shown on the plan.
3. The centerline of the I. & G.N. Railroad should be shown on the plan.

The Committee felt that the northern portion of the plan should be held in abeyance until Mr. Puett completes the purchase of the adjoining property, which may result in a change in the plans for that area, but that the lots abutting Mohawk Road could be approved at this time. The Committee also noted that a variance from block length requirements for Block E on Lexington Road would be necessary if this street is extended northward through the remainder of the subdivision and agreed to grant this variance. The Committee therefore

VOTED: To APPROVE that portion of the plan of ALLANDALE TERRACE SEC. 2, as revised, to include only Lots 1 through 5, Block D, and Lot 18, Block E, subject to the following conditions:

1. Showing the name of the owner of the subdivision on the plan,
2. Showing the subdivision boundary survey on the plan,
3. Showing the centerline of the I. & G.N. Railroad on the plan, and
4. Compliance with departmental requirements;

and to agree to grant a variance on block length for Block E if necessary when the remainder of the subdivision is considered.

C8-62-20 Manor Hills Sec. 8, Resub. Lot 62  
E. 51st St. and Manor Rd.

The Director reported that this is a tract of land which was considered for zoning for apartments and the request was postponed. The subdivider is now coming in with a revision of his plan for single-family or duplex lots fronting on East 51st Street. Lot 8 contains about 2 acres and will be considered by the Commission for zoning for apartment development. The 50-foot dog-leg at Manor Road is for access to Lot 8 and is an area where they cannot build because of a telephone cable. In effect, this would be a corner lot requiring a 60-foot width but since no building can be done on it we recommend a variance from the lot width requirements. Tannehill Branch extends along the west line of Lot 8 and a large portion of this tract is subject to flooding. In view of this, the staff suggested that a site plan be submitted prior to subdivision approval.

Mr. H. W. Curington (Marvin Turner Engineers) stated that the tier of lots on East 51st Street will be for sale for either single-family or duplex use but single-family lots are planned. He said he was aware of the flooding conditions on a part of Lot 8.

The Committee then

VOTED: To APPROVE the plan of MANOR HILLS SEC. 8, RESUB. LOT 8, RESUB. LOT 62, subject to compliance with departmental requirements, and to grant a variance from lot width requirements for Lot 8.

C8-62-21 Windsor Park Hills (Revised)  
Springdale Rd. S. of Rogge La.

The staff presented the following comments which were considered:

1. All conditions of original preliminary approval by the Subdivision Committee May 8, 1961, must be complied with before final approval of this subdivision is given.
2. A variance is required on the length of Beechwood Cove. The staff recommends that this street be extended northerly to Norwood Hill Road.
3. Blocks O and R exceed Ordinance requirements for block length and a variance is needed. The staff is recommending a variance on Block R because of the drainage ditch along the rear of the lots. No variance will be needed on Block O if Beechwood Cove is extended northerly to Norwood Hill Road.
4. Additional right-of-way is required for the widening of Springdale Road north of Lot 3, Block 1, and the Director recommended 10 feet for this widening.

C8-62-21 Windsor Park Hills--contd.

5. All through lots should provide a minimum depth of 120 feet.
6. Lots 14, 15 and 22, Block R, Lots 9-11, Block Q, and Lots 20-21, Block P, must be included in this subdivision or developed in connection with adjoining tracts before a final plat can be approved on these lots. The Director said the plan could be approved with the understanding that this portion not be shown on the final plat. He reported that Mr. Nash Phillips (subdivider) is planning to buy this adjoining property.
7. Arrangements for the dedication and construction of East 51st Street must be made before any lots abutting thereon can be approved.
8. Agreement must be reached with the United Gas Company covering their existing 50-foot easement before the plan can be approved. A separate public utility easement will be necessary.
9. It is possible that Meadford Drive and 51st Street may need to be relocated.

Mr. Curington said he agreed to the above suggestions. He explained that they do not intend to do anything where the gas line is now located and that they are in the process of getting the gas line relocated.

The Committee then

VOTED: To APPROVE the plan of WINDSOR PARK HILLS as revised subject to the following conditions:

1. Compliance with all conditions of original preliminary approval May 8, 1961,
2. Extending Beechwood Cove northerly to Norwood Hill Road,
3. Provision of 10 feet for additional right-of-way for the widening of Springdale Road north of Lot 3, Block 1,
4. Providing a minimum depth of 120 feet for all through lots,
5. Inclusion of Lots 14, 15 and 22, Block R, Lots 9-11, Block Q, and Lots 20-21, Block P, in this subdivision, or eliminating this portion of the area from the plan,
6. Arrangements for the dedication and construction of East 51st Street before any lots abutting thereon can be approved,



C8-62-21 Windsor Park Hills--contd.

7. An agreement reached with the United Gas Company covering their existing 50-foot easement and provision for a separate utility easement,

8. Relocation of Meadford Drive and 51st Street if found necessary, and

9. Compliance with departmental requirements;

and to grant a variance from the Subdivision Ordinance on block length requirements for Block R.

.FINAL PLATS.

The staff reported that the following plats conform to the standards of the Subdivision Ordinance and are ready for final approval, but since only four members were present, the Committee

VOTED: To DISAPPROVE the following plats and to authorize the staff to poll the Commission members for approval:

C8-62-2 Highland Hills Sec. 6, Phase 2

Highland View and Hillbrook

Only a portion of the preliminary plan is being finalized as they propose to revise the eastern portion.

C8-62-9 Neans Place Sec. 2, Part 1

Ken St. and Lamar Blvd.

Only one lot is being finalized out of the subdivision.

SHORT FORM PLATS - FILED

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

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

C8s-62-42 Banister Acres, Resub. Lot 1, Blk. 4

Banister La. and Casey St.

C8s-62-43 Winn Subd., Resub. Lots 1-2

Finley Drive

C8s-62-45 Brentwood Terrace, Resub. Lot 1, Blk. C

Karen La. and Goodnight La.

C8s-62-49 Chernosky Sub. #17, Resub. Lots 2-3, Blk. 13, and Lots 43-44, Blk. 12  
Cruz St. and Vargas St.

The staff reported that Lot 2-A has approximately 100 square feet less than the required area, Lot 44-A has a width of 52 feet instead of the minimum of 60 feet required for a corner lot, and Lot 43-A is only 25 feet in width at the rear while a minimum of 50 feet is required, all of these lots requiring variances from Subdivision Ordinance requirements. The staff further reported that this subdivision changes the lot lines of four lots of record to create better building sites, and the staff recommended that the variances be granted because of the improvement in the building sites for all four lots in the subdivision. The Committee therefore

VOTED: To ACCEPT for filing the plat of CHERNOSKY SUB. #17, RESUB. LOTS 2-3, BLK. 13, AND LOTS 43-44, BLOCK 12.

C8s-62-50 Banister Heights, Resub. Pt. Lots 2-3  
Ben White Blvd.

The staff recommended that this plat be rejected for filing until the status of the portion of Lot 2, owned by the City of Austin, can be determined in relation to this subdivision. The Committee therefore

VOTED: To REJECT for filing the plat of BANISTER HEIGHTS, RESUB. PT. LOTS 2-3.

SHORT FORM PLATS - CONSIDERED

C8s-62-40 V. M. Carothers Subd.  
Wadford St. and Dunlap

The staff reported that a variance is required on street width since Dunlap Street is only 45 feet wide; also a variance is required for lot area on Lot 1 which is a corner lot with less than the required 6900 square feet. These variances were recommended since the subdivider has given his portion for the widening of the street. The Committee then

VOTED: To APPROVE the plat of V. M. CAROTHERS SUBD. and to grant variances from the Subdivision Ordinance on street width and lot area requirements.

C8s-62-41 Morin Addition  
Thrasher Lane

The staff reported that this plat satisfies all the provisions of Section 4 of the Subdivision Ordinance and approval is recommended. The Committee therefore

VOTED: To APPROVE the plat of MORIN ADDITION.

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#### ADMINISTRATIVE APPROVAL

The staff reported that 5 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-62-36 H. B. Edwards Resub. Lot 31, Theodore Low Heights  
Manchaca Rd. near Prather La.
- C8s-62-44 Lydia Littman  
Caddie St. and Brassie St.
- C8s-62-46 Allandale North Sec. 1, Resub. Lots 4-5, Blk. 13  
Belford E. of Mullen Dr.
- C8s-62-47 Allandale North Sec. 1, Resub. Lots 15-16, Blk. F  
Pompton Dr. W. of Mullen Dr.
- C8s-62-48 Myrtle Carlson  
E. 38th St. E. of Red River St.

#### PRELIMINARY PLAN

C8-62-12 Barton Terrace  
Barton Hills and Trailside

Mr. Andrewartha and Mr. Holmes appeared in behalf of this subdivision. The Director stated that the staff had not intended to bring this up as there was an understanding that it would not be brought up until the problems were worked out with City departments and a firm agreement as to what the subdividers intend to do.

Mr. Andrewartha said that the corporation would be glad to sell a lot on Norris Drive and he would sell a lot off of Cliffside Drive, but they have not heard from anyone and he feels that this is about all he can do. He felt that in fairness to him and the neighbors the Commission should take action on the remainder of the subdivision. Mr. Kinser reported that he had talked with Mr. Andrewartha who promised to sell the lots at \$30 per front foot and that Mr. Walling told him Mrs. Johns would buy a lot. Mr. Holmes said they are agreeable to giving a 5-foot sanitary sewer easement on each side of the lots. Mr. Stevens recommended a variance in block length requirements for Block 5 because of topography.

The Commission reviewed this subdivision and the problems involved. It was felt that in view of the fact that Mr. Walling, representing Mrs. Johns, has stated that they would buy the lot and Mr. Andrewartha has said he would sell them any of the lots they want, the remainder of the subdivision should be approved with the understanding that the necessary easements will be provided. It was then

VOTED: To APPROVE the plan of BARTON TERRACE subject to the following conditions:

C8-62-12 Barton Terrace--contd.

1. Correcting lot sizes. to meet minimum requirements,
2. Curving Norris Drive into Spring Creek Drive (west),
3. Settling the question of property ownership of Lot 17, Block 10, before a final plat is submitted, and
4. Compliance with departmental requirements;

and to grant a variance from the Subdivision Ordinance on block length requirements for Block 5.

## SUBDIVISION PLATS - FILED

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

VOTED: To ACCEPT the following final plats for filing:

C8-62-5 North Lamar Park, Sec. 1  
North Lamar Blvd. at Peyton Gin Road

C8-62-19 Allandale Terrace, Sec. 2, Phase 4  
Mohawk Rd. and Lexington Rd.

C8-62-23 Oasis Village, Section 2  
Mojave Dr. and Sahara Ave.

The staff reported that only one lot in Section 1 has been inspected for septic tank approval and it was recommended that a restriction be placed on the plat of Section 2 restricting all lots from occupancy until installation of septic tanks have been inspected and approved by the Health Department.

## 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 final plats:

C8-62-17 North Ridge Terrace, Sec. 3  
Hardy Dr. and Redland St.

C8-62-22 North Ridge Terrace, Sec. 4  
Hardy Dr. and Burbank St.

C8-62-24 Windsor Park Comm. Area  
Broadmoor Dr. and Cameron Rd.

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The following subdivision plats were presented for layout approval only because fiscal arrangements or necessary reports were not complete, or other requirements have not been met as shown. It was therefore

VOTED: To DISAPPROVE the following final plats subject to the conditions as shown:

C8-61-45 Allandale Park, Sec. 5

Burnet Rd. and Silverplume

(Minor engineering items, fiscal arrangements, additional easements, showing existing easements, completion of departmental reports)

C8-61-46 Allandale Park, Sec. 6

Shoal Creek and Silverway

(Minor engineering items, fiscal arrangements, additional easements, showing existing easements, completion of departmental reports)

C8-61-49 Cherrylawn, Sec. 1

Walnut Hills S. of Manor Rd.

(Fiscal arrangements, additional easements, guy easements outside platted area, street dedication for Walnut Hills Drive)

C8-62-16 Barton View, Sec. 5

Dudley Dr. and Cupid Dr.

(Fiscal arrangements, additional easements, engineering requirements, receipt of tax certificate for 1961 taxes)

C8-62-18 Huntland Heights, Sec. 2

Huntland Dr. and St. Johns Ave.

(Fiscal arrangements)

C8-62-7 White Plains, Sec. 3

Plains Tr. and Kramer La.

The staff reported that the owner has requested permission to revise this plat. The Commission therefore

VOTED: To DISAPPROVE the plat of White Plains, Sec. 3.

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-62-52 Eubank Acres, Sec. 3-A, Resub. Lots 18, 19, Blk. K

Indianhead and Krause La.

C8s-62-55 Dean Terrace, Resub. Lots 1, 2, Blk.. C

Dungan St. and Walnut Dr.

C8s-62-39 Payne and Dieter Sub.  
Virginia Ave. and Cater Dr.

The staff reviewed action of the Commission on the previous plat and explained that the revised plat is very similar to the former plat and the loop required with approval of the previous plat is not provided. It was further reported that the need of a utility easement has been reported to Mr. Claude Bush (surveyor).

Mr. Fowler stated that there has been no provision made to actually dedicate the easement extending east from Cater Drive but the area shown is of such a public character that the public cannot be deprived of its use. He said that this area is in the nature of a private easement dedicated to Mr. William Dieter and it was his feeling that since Mr. Dieter is joining in the subdivision there is no chance that the public would be deprived of the use of this easement, but in time this entire loop will be used without interruption by the people and will be given title to the public by limitation.

The Commission concluded that the plat is in such condition that it can be accepted for filing and the details worked out later. It was therefore

VOTED: To ACCEPT for filing the plat of PAYNE AND DIETER SUB.

C8s-62-53 Menkings Resub. Pt. Lot 61, Fairview Park  
Riverside Dr. and LeGrande St.

It was reported by the staff that this is a two-lot subdivision of a tract on which two houses are located. It was further reported that the back lot has a 30-foot frontage on LeGrande but angles out toward the rear, and Lot 1 is a large lot which has difficult entrance over an access easement since access from Riverside Drive is not available since that street was graded down below the lot level. The Commission then

VOTED: To ACCEPT for filing the plat of MENKINGS RESUB. PT. LOT 61, FAIRVIEW PARK and to grant a variance from the Subdivision Ordinance on lot width requirements.

SHORT FORM PLATS - CONSIDERED

C8s-62-31 Barton View, Sec. 3, and Sec. 2, Resub. No. 2, Resub. Lot 11-B  
Stearn's La. and Fredericksburg Rd.

The staff reported that the subdivider has requested permission to withdraw this plat. The Commission therefore

VOTED: To ACCEPT the withdrawal of the plat of BARTON VIEW, SEC. 3, AND SEC. 2, RESUB. NO. 2, RESUB. LOT 11-B.

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C8s-62-51 George M. Hausman Sub. Pt. Lot 5, Ridgetop Gardens  
E. 51st St. W. of Lancaster Court

The staff reported that 51st Street is designated as a thoroughfare street but the subdivider is giving 15 feet which is his portion for the additional right-of-way and a variance is recommended. It was further reported that this property is located in the flight pattern at the Municipal Airport and an avigation easement should be acquired. The Commission then

VOTED: To DISAPPROVE the plat of GEORGE M. HAUSMAN SUB. PT. LOT 5, RIDGETOP GARDENS pending acquisition of an avigation easement and to grant a variance from the Subdivision Ordinance on street width requirements for 51st Street.

C8s-62-54 Van Fleet's Resubdivision  
Caswell Ave. and 44th St.

The staff reported that this is a two-lot subdivision which creates two large lots out of five small lots. East 44th Street is only 40 feet in width but has been paved a width of 30 feet and; therefore, a variance is recommended. The Commission therefore

VOTED: To APPROVE the plat of VAN FLEET'S RESUBDIVISION and to grant a variance from the Subdivision Ordinance on street width requirements for 44th Street.

C8s-62-56 Stella McDaniel's Sub.  
Fortview Rd. and Valley View

It was reported by the staff that this subdivision creates two lots out of a larger tract and that a variance is needed on street width since Valley View does not have the minimum 50 feet, but the subdivider is giving his portion of additional right-of-way. The Commission therefore

VOTED: To APPROVE the plat of STELLA McDANIEL'S SUB. and to grant a variance from the Subdivision Ordinance on street width requirements for Valley View.

OTHER BUSINESS

C2-62-1 DEVELOPMENT PLAN AMENDMENTS  
Balcones Terrace subdivision

The Director reviewed the previous discussion on this subdivision which is located at F.M. Rd. 1325 and Kramer Lane, and presented the following information:

1. The problem is having a residential subdivision in a designated industrial area which is in violation of the master plan. The subdivision has been submitted to the Department as a preliminary plan. One argu-

C2-62-1 Balcones Terrace subdivision--contd.

ment presented is that it is across the street from an elementary school. There is a distance of several hundred feet between the north line of the school and the north line of the proposed industrial area which was extended northward to the proposed thoroughfare. The Llano Branch railroad is on the east line of the subdivision.

2. At the present time the industrial growth occurring in Austin and Travis County follows fairly close to our forecast, although this forecast has been only about five years, while our population has not followed our forecast. Presently we are using about 600 acres industrially and it seems that in the next ten years we will need an additional 600 acres. By 1980 we will probably have over 2000 acres in industrial land.
3. Out of this proposed 1400 acres affected by the subdivision, there are about 350 acres definitely committed to industrial use -- probably in the neighborhood of 100 acres privately used and another 100 acres in the Balcones Research, and another 100 acres for the subdivision committed to industrial use. There is probably a market in this particular area of 300 acres in the future.
4. If this subdivision is cut off for residential use, what type of protection would be provided between the two areas? This is in the prevailing wind from industries to the south toward the residences. There have been several damage suits in the past because of obnoxious features of industrial operations.

I would like to suggest the following:

1. Recommend that the land be held for industrial purposes because it offers a continuation of development. Residential development will offer a problem to the west and south and create a zoning problem in the future.
2. If it is your decision that this subdivision should be approved, we should work with the subdividers for a sufficient buffer within reason to provide separation between any industrial which might develop and homes in the subdivision. This would affect the present design of the subdivision.

Mr. Oscar Holmes stated that this land was acquired about six months ago for residential development and they feel if industry does come to this area this subdivision will provide housing for the employees. He said a buffer zone is a new idea to him and he had not thought about it.

The Commission considered the future needs for industrial use in this area and questioned the advisability of delaying development of this land for the next ten years unless it is fairly certain this much land will be needed for industrial use in this area. It was suggested that that portion east of F.M.



C2-62-1 Balcones Terrace subdivision--contd.

Road 1325 and north of the south line of the proposed subdivision be eliminated from the industrial area and be made available for residential development, since there is already an elementary school in this section and there is a question of whether or not this amount of industrial land will be reasonably used within the next ten years. It was concluded that if the above area were eliminated from the industrial area there would be sufficient area for industrial development for several years and that it is possible that the present industrial areas in the city may be found to be in the wrong locations and other industrial areas designated, and that as far as can be foreseen at this time there is an excess of industrial land to meet the need at this time. For the reason that it appears to the Commission that it will be more than ten years before the industrial area set aside in this area will be used and occupied as industrial and by that time there will probably be other areas set aside for industrial use, provided a buffer zone is provided between the residential and industrial zones, the Commission unanimously

VOTED: To recommend to the City Council that the Austin Development Plan be amended to exclude from the industrial area that portion east of F.M. Road 1325 and north of the south line of the proposed subdivision of Balcones Terrace, provided a buffer zone is provided on the plan of that subdivision between the residential and industrial areas.

C10-62-1(f) ALLEY VACATION

East 26 $\frac{1}{2}$  St. Alley W. of San Jacinto Blvd.

The Commission considered a letter from Mrs. Lucille Acock requesting the vacation of the 15-foot alley adjacent to the east side of her property on East 26 $\frac{1}{2}$  Street. The Director reported that the building owned by the property owner now extends into the City's drainage easement along the west side of San Jacinto Boulevard and he felt this should be moved. He recommended against vacation of the alley since the drainage easement may prove to be inadequate. The Commission concurred in this recommendation and it was therefore

VOTED: To recommend to the City Council that the portion of East 26 $\frac{1}{2}$  Street Alley west of San Jacinto Boulevard as shown on the attached sketch not be vacated.

## REPORTS

C8s-56-4 Theodore Lowe Heights, Resub. Pt.  
Clawson Rd. and Lightsey La.

The staff reported that this subdivision was approved and one lot sold when, in attempting to sell Lots 1 and 2 an error was discovered by another engineer; the engineer went to the County Clerk's office and corrected the plat in the County Plat records by changing the dimensions and corrections on some of the lots. It was felt by the staff that the Commission should be advised of this procedure. Mr. Barrow felt that if the change was to make the plat as they intended to file it he could see no objection to the corrections. Mr. Fowler expressed his concern over the tampering of County Court plat records.

R808 DEVELOPMENT PLANSRichland Estates and Tomanet Subdivisions

The Director reviewed former informal discussion of proposed Richland Estates and Tomanet subdivisions and the dedication of right-of-way for proposed primary thoroughfares in the immediate vicinity of each subdivision. He noted that the Commission had instructed him to require dedication of the right-of-way and he has worked out the problem so that the engineers will submit preliminary plans showing where the proposed thoroughfares are to be located and that they will not file any final plat on that portion until the exact location of the thoroughfares are determined. He said this does not put the land in dedication to either the City or the County but there will be dedicated streets crossing this area to the subdivisions. He explained that the engineers and subdividers have been most cooperative in planning their subdivisions to provide the proper lots or providing the thoroughfare. The Chairman commended Mr. Osborne on his work on these subdivisions.

R808 DEVELOPMENT PLANSMeadowlake Ranchettes

The staff called attention to an advertisement in the Sunday edition of the American-Statesman offering for sale property in "Meadowlake Ranchettes" which is not an approved subdivision and is within the area under control of the City. It was explained that the people in this subdivision cannot obtain water or electric services until the subdivision is approved.

## SUBDIVISION APPROVAL BY POLL

C8-62-2 Highland Hills Sec. 6, Phase 2

Highland View and Hillbrook

C8-62-9 Neans Place Sec. 2, Part 1

Ken St. and Lamar Blvd.

The staff reported that these subdivisions were presented to the Subdivision Committee but a quorum of the Commission was not present to take action; and that some members had been polled later and had

VOTED: To APPROVE the plats of HIGHLAND HILLS SEC. 6, PHASE 2, and NEANS PLACE SEC. 2, PART 1.

## MEMBERS POLLED:

Messrs. Barrow, Baldrige, Brunson and Lewis (polled after Committee meeting 4-2-62)

Mr. Kinser (polled by telephone 4-3-62)

## ADJOURNMENT

The meeting was adjourned at 10:45 p.m.

APPROVED:

David B. Barrow  
Chairman

Hoyle M. Osborne  
Executive Secretary