

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting -- July 31, 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
Howard E. Brunson
Edgar E. Jackson
S. P. Kinser
Barton D. Riley
Emil Spillmann
W. A. Wroe

Absent

Pericles Chriss
W. Sale Lewis

Also Present

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

MINUTES

Minutes of the following meetings were approved as submitted:

June 28, 1962
July 3, 1962

ZONING

The following zoning change requests were considered by the Zoning Committee at a meeting July 24, 1962:

C14-62-86 W. O. Harper: A to C
2414-2418 Bluebonnet Lane

STAFF REPORT: This is an undeveloped piece of property adjoining a trailer court. The applicant is proposing a retail store building. "C" Commercial would permit retail, wholesale, warehouse, and other intensive uses. Zoning along South Lamar is generally "C" Commercial, with some "C-1" and "C-2" tracts, and the property across Bluebonnet Lane is "C" Commercial. Outside of the zoning along Lamar the area is generally developed with single-family residences except for the trailer court on the adjoining tract. The only question is development of Bluebonnet Lane which has a right-of-way of 40 feet and is paved 20 feet. The right-of-way should be brought up to a standard 50-foot street. There is some question as to whether or not it should be increased to 60 feet.

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C14-62-86 W. O. Harper--contd.

Mr. Harper was present at the hearing and presented the following information: I have had the property adjoining this about 20 years and bought this front part about ten years ago. I demolished an old building last year and I had no doubt about putting up a new building. The building on the corner was on the property line and the lot then was only 38 feet deep. Some time after I bought the last tract I sold about four acres for the trailer court. This property has always been used as commercial and there is commercial development across the street. There are no residences on the west side of Bluebonnet Lane. I plan a building 80' x 60'. In response to a question regarding the widening of Bluebonnet Lane: I do not object to donating land if the other owners do the same thing. I would give 5 feet if the others do.

Written approval was filed by Mr. J. C. Reasoner (2406 Bluebonnet Lane).

The staff reported to the Commission that the applicant has filed a short form plat (C8s-62-82) on this property and the Department is requesting that 10 feet of additional right-of-way be provided as the subdividers' portion for widening Bluebonnet Lane to a 60-foot street. The Commission noted that this property is in a well developed commercial area and concluded that this would be a logical extension of the existing commercial zone if Bluebonnet Lane is widened to 60 feet which is felt to be needed to serve commercial property. It was therefore unanimously

VOTED: To recommend that the request of W. O. Harper for a change of zoning from "A" Residence to "C" Commercial for property located at 2414-2418 Bluebonnet Lane be GRANTED, since it is understood that the necessary 10 feet for additional right-of-way for Bluebonnet Lane will be dedicated on the short form subdivision.

C14-62-87 Jake Silberstein: B to C
East 12th and Sabine Streets

STAFF REPORT: There is a small area of "B" Residence here which is surrounded by commercial zoning, including the west half of this block. The surrounding area is developed primarily as residential, a part being in a rather deteriorated condition. In view of the surrounding zoning, it is recommended that this be granted and in addition that the Commission change other "B" Residence property in the area as requests are made.

Mr. Silberstein appeared at the hearing and stated that he has had quite a few people wanting to develop this property but when they found it was zoned residentially they did not want it, one prospect being the Yellow Cab Company. He said he is requesting the zoning change to be prepared for the next customer.

Written comments were received from two adjacent owners approving the proposed change in order to clear out some undesirable development and stating that the City should initiate the change of this entire area south of 15th Street to commercial and encourage better development.

C14-62-87 Jake Silberstein--contd.

It was felt by the Commission that this zoning change would fit in with the pattern established in the area and would permit an improvement of existing conditions. It was also felt that the additional area between this property and the commercial zoning along Red River Street should be included in the change. The Commission therefore unanimously

VOTED: To recommend that the request of Jake Silberstein for a zoning plan change from "B" Residence to "C" Commercial for property located on the northwest corner of East 12th and Sabine Streets be GRANTED, and that the property located at 612 East 12th Street be included in the change.

C14-62-88 William J. Bailey)
C14-62-105 City of Austin): A to GR
 Tract 1: 1005 (1007) West 31st Street
 Tract 2: 3010-3024 North Lamar Boulevard

STAFF REPORT: This application is for one lot located one lot to the west of Lamar, and the City of Austin joined in the request by including a tract owned by the City on the south. A part of this City tract will be acquired by the developer in exchange for property to be used for the widening of 31st Street. The lot to the east is zoned "C" Commercial. The area to the west is developed with single-family homes, a church school, and a playground. The area east of Lamar Boulevard is developed generally with single-family homes, with the property abutting both sides of Lamar being mostly zoned "C" Commercial and one or two "C-1" and "C-2" zones. The question is where the zoning should stop when it leaves Lamar Boulevard so as to have sound development. If this property is developed we are interested in widening 31st Street which varies in width. We hope with the development of the corner lot we can widen the street. The City has no particular plans for developing its tract. The proposal for development of the other lot is for a masonry building for lease of office space to an office machine company which would require "GR" zoning. At the present time we do not have any strong feeling on this. There is a question of what this would do to the existing homes. There would be some traffic generated from any use developed. We are interested in the traffic moving into Lamar and it would be better to turn it to the side street and then into the property.

Mr. Rhea B. Merritt (agent and proposed owner of the building) represented the applicant at the hearing and explained the proposed use as follows: I have an option to buy the lot on the corner and plan to develop the two lots together, with a building of around \$150,000 in value. We have planned no driveways from Lamar Boulevard but only from 31st Street and have taken into consideration the widening of 31st Street in connection with parking on the property. I will have an office here and there will be no trucks or other objectionable features.

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C14-62-88 William J. Bailey--contd.

C14-62-105 City of Austin--contd.

A written statement was filed by Mr. F. J. McBride (911 West 30th Street) approving the change and noting his feeling that all of Lamar Boulevard should be commercial.

Six nearby owners appeared in opposition and written objections were received from six owners. Reasons given may be summarized as follows:

1. For six years, we home-owners have protested any change from the present highest residential zoning to commercial. In this case there is definite evidence of irregular practices when a descriptive picture of property use is published as accomplished fact before the date set for "proposed" zoning change of property on West 31st Street.
2. Re-zoning in this case, over the protests of a majority for the sold financial benefit of one individual or company, amounts to arbitrary devaluation and confiscation of citizens' property without legal condemnation proceedings. If you choose to arbitrarily devalue our residence property by rezoning commercial, our only recourse is to demand immediate compensation by a 50% tax reduction.
3. The new zone proposed would push too deep into an otherwise quiet residential area. We do not want this residential character jeopardized. Commercial property adjoining residential property is a nuisance. The value of property for residential purposes would automatically be decreased. This will attract heavy commercial traffic onto our essentially residential street at the expense of our children's safety going to St. Edwards' School and to the playground, and the quality of our lives in our homes.
4. Beautiful Shoal Creek, one of the unspoiled landmarks of Austin, should be protected at all costs.

The Commission felt that this change conforms to the policy of the Commission in extending the depth of existing commercial zoning rather than creating new spot zones. Mr. Brunson questioned the advisability of including more of the City tract than is needed in the exchange of property involved in the widening of 31st Street. The Director explained that most of the City tract is much lower than the street and would be practically unusable for development. The Committee then unanimously

VOTED: To recommend that the requests of William J. Bailey and the City of Austin for a change of zoning from "A" Residence to "GR" General Retail for property at 1005 (1007) West 31st Street and 3010-3024 North Lamar Boulevard be GRANTED.

DISQUALIFIED: Mr. Riley (architect for the building)

C14-62-89 51st Street Corporation: LR to C
East 51st St. and Interregional Hwy.

STAFF REPORT: About two-thirds of the property west of the Interregional Highway is in residential development. The area across the Highway is commercially zoned. The zoning pattern is rather obviously "C" Commercial. There is an undeveloped "C" Commercial zone to the north across 52nd Street, an "LR" zone adjoining on the north which is developed residentially, and an "LR" zone across 51st Street on which there is a service station. There is a question of an expansion of zoning on 51st Street in relation to the intersection at the Highway. There has been some widening but in view of the need for further widening we recommend against the change because of insufficient width of the street. If it is widened we would recommend "GR" General Retail which would cover all of the uses now in this particular area. There is one house on the property and the other portion is unimproved.

Mr. Gibson R. Randle and Mr. Trueman O'Quinn (attorneys) represented the applicant and submitted information which may be summarized as follows:

1. We have owned this property a little over two years but "LR" zoning for a business corner such as this is so limited that we have been unable to lease or sell the property.
2. 51st Street is heavily traveled and this is one of the busiest corners. (Mr. Osborne said there were 29,171 cars using the Interregional here as of the last traffic count.)
3. We have no plans at this time for a specific tenant but we have had a number of people interested in leasing or purchasing, including a drive-in restaurant. Other offers have been discussed.
4. The property would be developed to enhance all of the property around here. We consider that probably a one-story building such as is found along most of the Highway would be appropriate. We have thought of an L-shaped building with an open area along the corner and visualize entrances from both the service road and 51st Street so there would be easy access in and out. The building would probably be as close to 51st Street on the west side as is allowed and the adjoining building is nearer than 25 feet. Anticipating any widening of the street, we would not want to place a building where it would be affected.

Mr. Elvin J. Skoog (1006 East 51st Street) appeared at the hearing in opposition and also submitted written objections, stating his reasons as being the following: 51st Street is so crowded that we have a hard time getting into the street from our driveways. Any other development here which increases traffic and encroaches into the residential neighborhood would affect our property. I think we should keep this for residential. Property values are going down and 95 per cent of the residents here do not want this. If "C" is granted there could be uses permitted which would be objectionable.

C14-62-89 51st Street Corporation--contd.

The Commission reviewed the statements presented and the report of the staff. It was concluded that the request should be denied for the reason that 51st Street has a right-of-way of only 50 feet which is entirely inadequate and is proposed and partly developed as a secondary thoroughfare with a width of 90 feet, so that to grant this request would create a traffic hazard. Therefore, it was unanimously

VOTED: To recommend that the request of 51st Street Corporation for a change in the zoning plan from "LR" Local Retail to "C" Commercial for property on the northwest corner of East 51st Street and Interregional Highway be DENIED.

C14-62-90 and 106 Bob R. Lockhart et al: B to A

Tract 1: 1518-1520 Forest Trail and 2101-2105 Bridle Path

Tract 2: 1506-1508 Forest Trail

Tract 3: 1505-1517 Forest Trail and 2011-2017 Bridle Path

Tract 4: 1510-1516 Forest Trail

Additional Area: 2107-2615 Bridle Path, 1508-1514 and 1509-1515 Elton La., 1507-1511 Exposition Blvd.

STAFF REPORT: Tracts 1, 2 and 3 (as shown on the staff report) were included in a formal application for a change from "B" Residence to "A" Residence. Tract 4 was requested to be changed to "A" Residence by a petition presented by Mr. Potts to the City Council with the explanation that it was signed by at least 50 per cent of the owners of property within 200 feet in all directions of this property in Tracts 1, 2 and 3, and with the request that this be referred to the Planning Commission for consideration, since two of the owners could not see their way clear to join in the application. (the Planning Director) suggested to the City Council that the area on the south side of Bridle Path west to Exposition Boulevard be included in the hearing since all of the lots have been developed with single-family homes. The Council did approve this and it was submitted to the Commission along with the petition.

The requested change was precipitated by a building permit issued for an apartment hotel on a lot where a duplex is now located on Forest Trail. A large number of apartments are being built under the apartment hotel classification. Apartments in large numbers have been and are being built along Enfield Road in this area. Some 10 to 50 per cent of the cars of these apartments are parking on the street and it is almost solid parking along Enfield Road. In addition, there are problems of garbage, noise, and other disturbing features that are usually associated with apartments. Forest Trail is only 40 feet wide here and feeds most all traffic from the residential area into Enfield Road. Bridle Path is only 30 feet wide and has a paving width of 26 feet. You get high concentration of traffic at peak hours. In view of this general situation we would recommend that all of the area included in the application, the petition, and the additional area be changed to "A" Residence and First Height and Area.

Cl4-62-90 and 106 Bob R. Lockhart et al--contd.

Mr. Robert J. Potts (attorney) appeared for the owners filing application for the change and for the signers of the petition who also requested a change and presented statements which may be summarized as follows:

1. I represent a half dozen people who live on Forest Trail and who are in part of this area. This property is part of a large area which was zoned "B" Residence on November 17, 1932. A large part of the area has since been zoned back from "B" to "A" Residence on the east side of the railroad. Many of the people to whom I talked did not know that it was zoned "B" Residence. Streets were laid out without thought of handling modern traffic. There is no crossing of the railroad between Enfield Road and Windsor Road and no crossing of Bridle Path. Forest Trail is the only outlet from Windsor Road to Enfield Road and out to Exposition Boulevard and is below minimum width now required by the City. Birdle Path is about one-half mile long and there is no traffic relief except Elton Lane which is really a 20-foot alley connecting to Enfield Road. It does nothing to relieve traffic on Bridle Path. It is not wide enough to carry even residential traffic.
2. My clients face Forest Trail. This street already carries heavy traffic and is loaded to its capacity. There would be a deluge of apartment traffic off of Enfield Road. I am not including what most of my clients would suffer from apartment development next to them as I consider that to be a police power.
3. This zoning change will not affect the non-conforming use which has been established. When you recommend a change in the use of property you are engaged in advising them of the use of police power the same as other police powers. We are faced with a 30-year-old zoning mistake which permits an increasing traffic hazard on these streets. The health and welfare of these people should be considered.

Nineteen owners in the neighborhood favoring the change joined Mr. Potts and written statements were received from 17 owners favoring the change. The following information was given:

1. This is a quiet residential area with well maintained homes, one of which was built before anything was established except one house to the east. The area generally known as Westfield, Tarrytown, and to a lesser extent Enfield, have established values and are the most desirable residential properties within the City. Because of schools, shopping facilities, accessibility, the value of the homes, and beauty of the subdivision layouts, Westfield and Tarrytown have an appeal to the home buyer unequalled within the City. A dis-service was rendered to the home owners in these areas when certain lots on Enfield Road were permitted to be turned into apartment uses. A casual visit to any of the major cities

C14-62-90 and 106 Bob R. Lockhart et al--contd.

would demonstrate the destruction of residential values when residential subdivisions are permitted to be invaded by apartment facilities. Zoning changes should be made to protect the home owners.

2. Once apartments are permitted to invade a residential district, the home owners' values decrease, they move to another location and leave the area completely to the apartments which are inhabited principally with transient people. Ultimately, the home owner is forced to purchase a home on the very outskirts of the city limits many miles from the downtown area, and what was once a fine, centrally located residential district is turned into an apartment playhouse.
3. Austin has not yet reached the point in size where there is not available for apartment construction many undeveloped beautiful and accessible sites. The area south of the river and east of Interregional Highway is only one example where apartment development would be ideal. With such sites available, beautiful and valuable residential districts such as this area should not be subjected to apartment construction.
4. The streets are too narrow for apartments. The traffic congestion in this neighborhood is very bad and cars speed down the streets with danger of some child being hurt. Forest Trail is presently a three-lane street and if cars are parked on both sides it is difficult for cars to get through. The bus also uses this street and it has difficulty getting through. This is a rather curving street. Unless adequate parking facilities are provided by the builder, quite a traffic situation will be created and access into Enfield Road will be difficult if not dangerous. Since Bridle Path is so narrow on-street parking would congest traffic and the privacy of homes would disappear. Traffic along Enfield Road is already hazardous due to on-street parking and this problem is a direct result of the many multi-unit apartment houses without adequate off-street parking facilities which are supposed to be required.
5. Forest Trail and Bridle Path are used extensively by children going to and from Westenfield Recreation area, including the swimming pool. Increased congestion would increase the likelihood of accidents to these children.

Messrs. Trueman O'Quinn (attorney for owners of apartment under construction) C. L. Reeves (contractor), John G. Jones (1512 Forest Trail) and J. G. Holloway, Jr. (404 East 34th Street) appeared in opposition to the roll-back zoning for the following reasons:

1. (Mr. O'Quinn): We are not concerned with what the other owners want. If they want the zoning rolled back we have nothing to say, but on the property where the apartment is proposed we do have something to say.

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We drew plans in March, a building permit was granted, and we have had the first inspection. We are in the process of dismantling the present building. We have a loan commitment of \$90,000. Construction has been started. We feel that we have a legal right to proceed under the building permit. We are constructing 12 units and providing 18 parking spaces. The Ordinance permits 13 units and requires 1 parking space per unit and we are providing $1\frac{1}{2}$. We do not want to be rolled back from "B" to "A". Originally most of these lots in Westfield "A" were one-acre tracts and had a restriction for a 75-foot setback. When lots were subdivided the trouble was on the corner lot where the house could not be set back the required 75 feet.

2. (Mr. Reeves): The reasons we only started Friday were that we were in the process of getting the loan agreement.
3. (Mr. Jones): My home at 1512 Forest Trail was purchased in 1956 as "B" Residence and this was one of the key sales points of the salesman. It was his opinion that this property would retain its value due to this zoning and that at a later date we should be able to make a return on our investment. Based upon this zoning I later purchased property at 1510 Forest Trail and felt that with 175 front feet I would have a much better opportunity to make a sale for apartment purposes. At this time there are approximately 30 apartment units adjoining my two pieces of property on the south and west and within 30 feet of my bedroom window. The property on which a building permit has been issued to Mr. C. L. Reeves adjoins my property on the north. These apartments will be within 15 to 20 feet of my living room. I will be completely surrounded by apartments. No one would be interested in purchasing my property for residential purposes. A change in zoning at this time would create a financial hardship to me through no fault of mine.
4. (Mr. Holloway): I have an interest in property on Enfield Road. A few months ago you turned down a request for a change on my property to "B". Although I would like to see my property changed to "B" you should not change zoning until you know what is going to happen. I feel this is premature. The block between Elton Lane and Forest Trail was sold for a start of apartment development. People in the area will not suffer but will be left in the position they are in now. Houses along Bridle Path except for 8 are going into their old age and will result in a tax loss to the City.

One other owner appeared in opposition and replies to notice were received from three owners but no reasons were expressed.

The Zoning Committee reported the following action: Upon review of the zoning and development in the area, the recommendation of the Planning Department, and the statements presented by interested property owners, the Committee felt that the property in the Additional Area along Bridle Path

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included for hearing and Tracts 1 and 3 which were included in the application and/or petition should be changed to "A" Residence. It was noted that this property is all developed with single-family homes. The Committee further felt that Tracts 2 and 4 should remain "B" Residence as three of the tracts are already adjoining apartment development and a building permit has been issued and construction started on the remaining tract on which a duplex is now located. Therefore, it was voted to recommend that the request by application and by petition of Bob R. Lockhart et al for a change of zoning from "B" Residence and First Height and Area to "A" Residence and First Height and Area for Tracts 1, 2, 3 and 4 as shown on the staff report be denied, but that "A" Residence and First Height and Area be established for the following property: Tract 1 (1518-1520 Forest Trail and 2101-2105 Bridle Path), Tract 3 (1505-1517 Forest Trail and 2011-2017 Bridle Path), and Additional Area (2107-2615 Bridle Path, 1508-1514 and 1509-1515 Elton Lane, and 1507-1511 Exposition Boulevard).

Mr. Potts appeared before the Commission and stated his desire to withdraw the application and the petition requesting the change to "A" Residence and explained that his clients think Forest Trail should all be "A" or all be "B".

The Director called attention to the 13-unit apartment started on one tract and said the question facing the property owners is the situation of whether or not they should all have "B" Residence or a non-conforming apartment. Also, there is the question of whether or not we would want the property on Forest Trail "A" Residence where it is all single-family now and which would have one non-conforming use. If the property on Forest Trail is left "B" Residence there is a potential of having 100 apartments in that area. The next question is the proper zoning for the property along Bridle Path where there is single-family development except for one duplex and possibly one four-unit apartment house.

Mr. Kinser felt that apartments on Forest Trail would cause a bottleneck and block the use of Bridle Path entrance into Forest Trail and on Forest Trail to Enfield Road. He noted that 13 apartments will not hurt as much as 100 and the resulting increase in traffic. Mr. Potts said the people on the east side and on Tract 1 are not interested in apartments since they all have substantial investments now, with residences in the price range of \$35,000 and up, and they feel that once apartments are started in time others will follow. The Commission then

VOTED: To ACCEPT the withdrawal of the request and the petition for a change of zoning on Tracts 1, 2, 3 and 4 (for property fronting on Forest Trail).

AYE: Messrs. Brunson, Jackson, Kinser, Riley, Spillmann and Wroe

NAY: None

ABSENT: Messrs. Chriss and Lewis

PRESENT BUT NOT VOTING: Mr. Barrow

C14-62-90 and 106 Bob R. Lockhart et al--contd.

The Commission then considered the additional area on the south side of Bridle Path between Exposition Boulevard and the property under application and petition which had been included for purposes of hearing. It was concluded that, because of the existing development of this area, the zoning should be changed to "A" Residence. It was therefore

VOTED: To recommend that the zoning designation of property in the half block on the south side of Bridle Path between Exposition Boulevard and the lots fronting on Forest Trail be changed from "B" Residence and First Height and Area to "A" Residence and First Height and Area.

AYE: Messrs. Brunson, Jackson, Kinser, Riley, Spillmann and Wroe

NAY: None

ABSENT: Messrs. Chriss and Lewis

PRESENT BUT NOT VOTING: Mr. Barrow

C14-62-91 Capital National Bank, Trustee: A & 1 and C & 5 to C-1 & 5
700-704 St. Johns Ave.

STAFF REPORT: This property is about 150 feet from the west line of the Interregional Highway. A part of the tract is now zoned "A" Residence and part "C" Commercial. About 175 acres on the south side of St. Johns Avenue is zoned "C" Commercial and to the east and north are large "C" Commercial and "D" Industrial zones. There are general proposals for development of the entire area but none have become definite. I would say that any "C-1" or "C-2" zoning should be applied to well developed commercial areas.

Mr. Dan Priest (agent) represented the applicant and gave the following information: The applicant owns all of the property, which is about 18 acres, along St. Johns Avenue. We have just completed making a subdivision of this property. An oil company has the corner tract. We have made arrangements with Town and Country to build a drive-in grocery store on this property. The subdivision follows the lines of this property.

The Commission took note of the fact that the proposed subdivision will be under the control of the applicant and that, while this does not conform to the policy by being located in a well developed "C" District, it is a part of a "C" zone and will be tied in with business development. It was felt that it would be better to zone this property now instead of waiting until the residential area is developed so that future purchasers of home sites will be aware of the zoning. It was therefore unanimously

VOTED: To recommend that the request of The Capital National Bank, Trustee, for a change of zoning from "A" Residence and First Height and Area and "C" Commercial and Fifth Height and Area to "C-1" Commercial, Fifth Height and Area for property located at 700-704 St. Johns Avenue be GRANTED.

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C14-62-92 John Flanagan: A to BB
1500-1506 Sunnyvale Street

STAFF REPORT: This is a tract containing about 25,000 square feet which is proposed for apartment development. Under the requested zoning 12 regular units would be permitted. The entire tract is under one ownership and the zoning request is for about two-thirds of the tract. This property is separated from the Interregional Highway by a privately-owned strip. About a year ago there was an application for a change to "BB" Residence and First Height and Area on the block to the south which was granted. Recently there was an application on a part of this same block for a change to "B" Residence and Second Height and Area, including one lot which was not included in the previous change, and this request was recommended by the Commission to be granted and is pending final action. We now have this application for "BB" Residence and First Height and Area which permits apartments with less intense use. We opposed the change on the property to the south because of the surrounding single-family development and because of the recent change on that property we do not have a recommendation to make.

Mr. Flanagan was present and presented the following supporting statements: I own the south part of this block which is divided into six lots. I requested a change of zoning of only the west four lots as I understood that the Planning Commission and City Council wanted a buffer between this and Summit Street. Now I understand that there has been a lot on the south at Summit Street zoned "BB" Residence. This second development of "B" Residence and Second Height and Area makes a problem for me. I have a plan for 12 units if this change is granted. I do not think I would change my plans and ask for "B" Residence but will not say that I would not ask for the change.

Mr. E. L. Munson (1502 Lupine Lane) appeared favoring the request but offered no statements.

Written objection was submitted by Mr. Ruel E. Snow (1506 Lupine Lane) for the following reasons:

1. A recent verdict has changed the zoning on Block 9 to "BB" allowing construction of a large apartment type unit to be built. At the same time a similar request for a change on Lomar Drive, two blocks to the east was turned down. This request now moves this type of zoning less than 200 feet from our home. Is this a long range plan, or has the City Planning Commission already tabbed Bellvue Park as a future luxury apartment area, to be changed as requested, regardless of the present long term residences? If this be the case, why was an area along Parker Lane, three blocks to the east, which has all the same as our addition, convenient to downtown, Town Lake, not chosen instead of Bellvue Park? The main difference is the area is available with no present improvements and ideal for such a set-up.

C14-62-92 John Flanagan--contd.

2. We bitterly oppose this zone change based on the encroachment into a strictly long-time residential area and the effects it also will have on the new residential areas adjoining, such as Sunnyvale, River Oaks and Elmhurst Heights. We have lived in our present location since 1947 and were very instrumental in securing sewer and water service. We paid for the gas main for Block 11, requested and secured the street lights in Sunnyvale and Bellvue Park and last, circulated the petition that paved our streets. This is an "A" Residential area on the hill away from Riverside Drive, the Interregional Highway and Town Lake and it is hoped that you in the City Planning Commission and the City Council will do your part in keeping it this way.

In view of the recommended zoning on the south, the Commission felt that this request should be granted. It was agreed further that the Commission would consider favorably any similar zoning requests along the Interregional Highway. It was then unanimously

VOTED: To recommend that the request of John Flanagan for a zoning change from "A" Residence to "B" Residence for property at 1500-1506 Sunnyvale Street be GRANTED.

C14-62-93 A. B. Beddow: A to GR
Burrell Dr. and Anderson La.

STAFF REPORT: This area has been developed within the past ten years. The application is for the purpose of having a radio and TV repair shop or similar uses possibly permitted in a "GR" General Retail zone. There are "LR" Local Retail and a "GR" General Retail zone on the south side of Anderson Lane. There is a church across Burrell Drive from this property and a school to the north of the church. Commercial development has occurred directly across Anderson Lane although there are single-family homes to the north along Burrell Drive. The neighborhood has rapidly changed within the past ten years with piecemeal zoning. We would suggest that an "O" Office zoning be considered. This might at least limit the difficulties and at the same time restrict the use of the property by leaving it basically the "O" Office type of use. We might be faced with rezoning of the large tract on the west. Our recommendation is to try to restrict the zoning to "O" Office.

Mr. Beddow was present and explained the purpose of his application as follows:

1. It might be best to leave it residential or change to "O" Office but I have owned and developed this land and it is too close to commercial and to the church which is against my getting an FHA or other type of loan on it. The corner lot would not be large enough without the second lot to construct a building. I have proposed a 30-foot setback from Burrell Drive. I would place the building as near the railroad as possible,

C14-62-93 A. B. Beddow--contd.

facing on Anderson Lane, and would restrict the tenants for protection to my own property and other owners. If "LR" Local Retail is approved I could restrict my tenants to uses permitted without special permit. I included the TV shop because I had a man who wanted that. (Mr. Osborne said in that case he did not think he could request a special permit for "GR" uses.) I only want something I could use the lot for.

2. Anderson Lane will be a thoroughfare from Montopolis Bridge. I anticipate that within a few years this will all be commercial. Eventually it will be widened. I do not see that a small building would be more of a traffic problem than there is now.

Two owners on Burrell Drive appeared who had no opinions regarding the request. Three owners on the same street appeared and one reply to notice was received opposing the change for the following reasons:

1. In the area to the east of the railroad for at least three blocks on the north side of Anderson Lane, there is the church property which would probably never become commercial. Then there is a nice residential development on the south side about three blocks to the east. I do not think we should have any retail development east of the railroad. On the west side there are older houses and there are fences built around the commercial areas.
2. As long as Mr. Beddow keeps the property it would be kept clear but if he sells it we do not know what will happen. Commercial zoning should stop somewhere and if this is granted others would be requesting commercial. This would ruin a good homesite area.
3. There is no outlet across the railroad to the north so all the traffic comes in and goes out on the corner of Burrell and Anderson Lane. If there were a business on this corner the traffic would be even worse. There is a great number of children going to and from school on bicycles.
4. Anderson Lane is very narrow, so it would make parking impossible on either Burrell or Anderson Lane.

The Commission noted that Anderson Lane is proposed as a thoroughfare and that there is commercial zoning across this street. It was concluded that "O" Office would provide the best buffer for the residential development from the commercial on the south and between the railroad and the church. It was therefore unanimously

VOTED: To recommend that the request of A. B. Beddow for a change of zoning from "A" Residence to "GR" General Retail for property on the northwest corner of Burrell Drive and Anderson Lane be DENIED; but that an "O" Office classification be established for the property.

C14-62-94 Eristeo Chapa: B to LR
East 3rd and Caney Sts.

STAFF REPORT: This involves three lots with single-family homes. The area is single-family development. The property to the north along the railroad is zoned "D" and "E" Industrial. There is a variety of residential development in the general area. One problem is spot zoning and there are other spots scattered throughout the area. We would recommend against the change because it is spot zoning and against the general development. The proposal is for soft drinks, candy, etc., and we think it would be detrimental to the area.

Mr. Chapa stated at the hearing that he would like to have a little place to sell soda water in one room between his kitchen and garage, and said there is a need for this use.

Written comments favoring the request were received from two nearby owners.

The Commission was of the opinion that this request should be denied as it would be spot zoning in a residential area which is illegal. Therefore, it was unanimously

VOTED: To recommend that the request of Eristeo Chapa for a change of zoning from "B" Residence to "LR" Local Retail for property located on the southwest corner of East 3rd and Caney Streets be DENIED.

C14-62-95 Texas Electric Cooperatives Inc.: A & 1 and Interim A & Interim 1 to
8124-8140 Burnet Road C & 1

STAFF REPORT: The front portion of this tract is zoned "A" Residence along Burnet Road but the rear portion, in excess of 600 feet in depth, is Interim "A" Residence since it was annexed within the past year. The property along Burnet Road to the north is strip zoned as "C" Commercial. The adjoining property on the south was requested for a change to "GR" General Retail and was held up pending a street pattern. This property now under petition is presently being used by the Texas Power Reserve Cooperatives, Inc., which is a non-conforming use. The area to the north of Steck Avenue is developed as single-family homes, and there are other forms of zoning and development in the general area. This property will be affected by the use of the adjoining property to the south and west. We feel that this should be denied or postponed until we can see what the ultimate pattern will be in the area. When we change zones on large tracts we run into problems of getting the streets.

Mr. B. D. St. Clair represented the applicant and stated the following:

1. This company has owned this tract about ten years and acquired it when it was in the county. This area has developed rapidly. The property along Burnet Road will become commercial. There is vacant property between this and Gulf Mart at Anderson Lane. Although it is probable that there will be a residential subdivision on the tract to the west there has been no subdivision proposed.

C14-62-95 Texas Electric Cooperatives, Inc.--contd.

2. The purpose of the zoning change is that this will be a conforming use. We have a substantial investment on the property and wish to protect it. This application became necessary when my clients decided they might want to expand their development. We have present plans for an addition to the building for warehouse storage. What will eventually be required we cannot tell now. On the front portion of the property we have a very modern office building which has been there for several years. Immediately after purchasing the property they built a transformer and buildings were later added. The front portion was reserved for an office and parking is provided for people working in the building.

The Commission considered the need for a street pattern in this area and noted that the request for a change on the adjoining tract is still pending, but realized that it is not clear what will be done on the other large tracts in the area and did not feel that this should be held up since this company wants to expand an existing business. The Commission also generally follows the policy of extending "C" zoning where already established and the extension does not injure adjoining property. In view of this and the fact that the property is suited for such use, it was unanimously

VOTED: To recommend that the request of Texas Electric Cooperatives, Inc., for a zoning change from "A" Residence and First Height and Area and Interim "A" Residence and Interim First Height and Area to "C" Commercial and First Height and Area for property at 8124-8140 Burnet Road be GRANTED.

C14-62-96 Nelson Puett, Jr.: Interim A and Interim 1 to B & 1
Mohawk Rd., Great Northern Blvd., and Lexington Rd.

STAFF REPORT: This is a new subdivision area. This section was proposed for apartments as well as possibly the lot to the northwest being a small community center. The applicant owns all of the property in this area. We feel that the proposed zoning does serve a community need, with reasonable planning and consideration of the people who live near these apartments. In view of this we do recommend the change although it is not good zoning.

Mr. Clifford O. Coffman (Isom H. Hale and Associates, agents) represented the applicant and stated that Mr. Puett feels that "B" Residence and First Height and Area would be sufficient for his needs and that this will be a buffer zone. He explained that apartments are also planned for the area across the railroad. He noted that there is no commercial development in this area and it is a great distance to a grocery store.

Mr. Leonard Parven (3100 Borden Road) appeared in opposition for the following reasons: I think this is premature. There are no homes yet but there are homes to be built around me. I do not want to obstruct development but I think this could be postponed until people are living there along Mohawk

C14-62-96 Nelson Puett, Jr.--contd.

Road and can express their opinions. I think there will be a lot of children there. We realize there are duplexes in the area. I think there are sufficient stores to serve this area now.

The Zoning Committee reported that it had felt this to be the proper zoning for the property as a buffer zone between the residential lots and the proposed small community center, and that it would be better to zone this for apartments now before most of the lots are sold and houses built so that people buying lots will be aware of the proposed development here.

At the Commission meeting, several owners of property south of this subdivision appeared in opposition to the change. Mr. Jack Gary was their spokesman and said he represented about 210 owners in this area and none of them were aware of the hearing since the area around the proposed apartment zone is undeveloped. He presented one petition signed by 210 and another signed by 141 owners. He then submitted the following reasons for their opposition:

1. There is a large area here developed with single-family residences. We are all owners of residences located in exclusively "A" Residence zoning. It was our understanding that this subdivision would remain exclusively "A" Residence. The proposed zoning change would devalue the surrounding properties which were bought and are maintained as private residences. There was a restriction in the deeds which seemed to affect Allandale Terrace Section 2, and many people were led to believe that it would be a residential tract. This would be the only exception in the entire area and it would be spot zoning.
2. Apartments and what will be commercial will affect the entire area of homes. School conditions are already overcrowded and the introduction of transient families would only complicate their crowded condition.
3. The traffic problems in the surrounding areas are acute at present. The influx of the additional private automobiles alone would impose a volume of traffic on the existing streets that they were not intended to carry and cannot carry safely. When further commercial development, with a filling station, drive-in grocery, etc., are made, this would create more traffic.
4. This area is well served with shopping centers. There is no need for a shopping center nor even a small neighborhood center. Noise from commercial and multiple apartment units do not fit into the area and would lead to decrease in value of these residences.

Mr. Puett was present and stated the following: I bought 100 acres total in this area and out of this all I have planned is a small shopping center of about $2\frac{1}{2}$ acres. Apartments on this property were the Commission's idea for a buffer zone when we submitted the subdivision plan and explained my plans

C14-62-96 Nelson Puett, Jr.--contd.

for the shopping center. Mr. Osborne at that time suggested that I wait a month and that I might find a better site to the north but I think this is a better location because of the railroad. We never gave anyone the idea we would not have a community center. I would just as soon have residences as apartments.

Mr. Osborne explained that he told Mr. Puett that while he did not think this was the best location for this type of zoning he would recommend it with some reservations. There is a need generally in any very large residential area for a community center. This was shown on the subdivision plan.

Mr. Barrow expressed his opinion that what is planned fits in with good planning except that it is not large enough, and that to have a local retail area, then apartment zoning and a street between this and residential is sound zoning. The Commission generally agreed with the Zoning Committee in its recommendation and so unanimously

VOTED: To recommend that the request of Nelson Puett, Jr. for a change of zoning from Interim "A" and Interim First Height and Area to "B" Residence and First Height and Area for property located at Mohwak Road, Great Northern Boulevard and Lexington Road be GRANTED.

C14-62-97 Thomas Black, Trustee: C-1 to C-2
307 West 19th Street

STAFF REPORT: The area along 19th Street is developed with commercial uses. The property requested to be changed has a building in which there is an auto service use and there is a service station across Guadalupe Street. There is an existing liquor store west of Guadalupe on 19th Street. The general zoning along Guadalupe and 19th Streets is commercial. This application is for "C-2" for a proposed liquor store in the north portion of the existing building. Normally the Planning Commission has considered "C-1" and "C-2" applications in well established commercial areas and we would point out that this area is intensely developed. The lot affected is about 80 or 90 per cent covered with buildings with a setback of about 25 feet from 19th Street. There is a parking area in front. There is an open space for the auto service which may or may not be used for parking, but this is probably used in connection with the auto service use. The only approach to this is from the west going east. Anyone going west and crossing 19th Street would be in a dangerous position. Approximately 18,000 cars per day travel 19th Street.

Mr. Robert C. Sneed (attorney) appeared for the applicant and presented information which may be summarized as follows:

1. The owner of the property is Thomas Black, Trustee, the less is Samuel A. Miller, and the proposed lessee of the property in question is Chris Petropoulos who proposes a liquor store. Under the terms he would be

C14-62-97 Thomas Black, Trustee--contd.

entitled to use the property to the west as a parking area and for customers driving into and out of his business.

2. The traffic problem has been very acute. Any zoning application relating to the sale of beer, wine or liquor presents a problem. This use has been voted in by the people and then it becomes a question of location. Zoning of "C-1" on Lavaca, 19th and Guadalupe was done by the City Council so we are not dealing with the question of whether or not this meets with the standards of granting "C-2" applications. This area of Guadalupe and 19th is a shopping center. This is a well established existence usage.
3. The issue is whether this location will fit the requirements with regard to traffic and whether it would fit into the uses in the area. According to calculations, easily 50 cars could park here. The parking area is twice as large as would be used for the liquor store. The only boarding house in the immediate area is the one directly across the street. The Commission has requested applicants to confine "C-2" uses to small areas where liquor will be sold so that it can be controlled and regulated. This is one-half block from an existing liquor store.

Two nearby owners appeared favoring the request but presented no statements.

Attorneys John F. Campbell, Wm. B. Carsow, and Charles G. Trenckmann represented several property owners in the area and 6 other owners appeared, all opposing the proposed change. In addition, written objections were filed by 12 owners. Reasons given were as follows:

1. We do not feel that any liquor store is needed at this location and the public interest would not be furthered. The use would be undesirable and would be detrimental to the interest of the neighborhood in general. The trend of development in this area does not warrant this change. There is a fraternity house, a home for University girls, a rooming house for students who desire a quiet place to live and where tenants stay from one to six years, and other residential and apartment buildings. It is in the proximity of churches, the YWCA and the University Student Union Building. If this change is permitted it would substantially reduce the value of residential and apartment buildings. This would not be putting the property to its best use.
2. A liquor store at this location would aggravate the serious traffic problem on West 19th Street.
3. To grant this request would be foisting a change in opposition to surrounding property owners. A request by the same applicant on this same property was considered and recommended against in March of this year. The location of the store was moved from the south portion to 19th Street

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which aggravates the problem. There has been no change of circumstances presented to show that this change should be granted or is different from the previous application.

4. This is inimical to the purposes and objectives of the Zoning Ordinance which are based on promotion of health, safety and general morals of the citizens. Also, it would be spot zoning.
5. (Mr. Wukasch) I have had a non-conforming liquor store on 19th Street for 23 years. I was located further north on Guadalupe and voluntarily moved here because there was so much opposition to my selling liquor so near the University. This building was destroyed by fire and I obtained a building permit to rebuild and had to change the shape of my building and acquire more property to provide for parking after parking was prohibited on 19th Street. I was denied the same use requested in the present application.

In rebuttal, Mr. Sneed presented a petition signed by 20 persons favoring the requested change (three of whom later withdrew their names).

The Zoning Committee reported that it had concluded that this request should be granted since the property is located in a well developed commercial area and conforms to the policy regarding "C-2" applications, and had recommended the change.

At the Commission meeting, attorneys Charles G. Trenckmann and John Campbell requested and were granted permission to present additional testimony. They explained that their reason for this request was because of testimony presented by the attorney for the applicant in his rebuttal to which the opposition did not have a chance to reply. They then presented a written document signed by them and also by attorney Wm. B. Carsow, a map showing in different colors the owners who opposed or favored the change or who had expressed neither feeling, and a letter from Mr. Arno Nowotny, Dean of Student Life for the University of Texas, with a list of approved residences for men students including one at 1804 $\frac{1}{2}$ Lavaca and one at 300 West 19th Street. Mr. Nowotny in his letter expressed his opposition as expressed to the Commission in a letter of March 19, 1962.

The attorneys brought out the following factors in their written communication: The signatures on the petition favoring the change did not include a single owner of land within the 300-foot distance of the area to be changed, but included some operators of nearby businesses and some employees; these persons only stated they had no objections to the change; an overwhelming majority of the land within the 300-foot distance is opposed to the request; the letter from Dean Nowotny was written after he was fully advised of all the facts involved in this case.

C14-62-97 Thomas Black, Trustee--contd.

A majority of the Commission concurred with the recommendation of the Zoning Committee. Mr. Barrow questioned what arrangements have been made to get access and serve the people since it is off of the street property line. Mr. Sneed explained that the entire property from the south line of the portion of the building to be occupied by the liquor store will be included and parking will be under cover. He said the parking area would be 69'x67' at the corner at 19th and Guadalupe Streets. Mr. Brunson opposed the change for the following reasons: (1) one purpose of zoning is to keep separate influences which would be disrupting to each other; (2) liquor is an item whose uniqueness we recognize by a totally different zoning classification; (3) what we will actually be doing is opening the area immediately surrounding the University to stores that sell hard liquor. With this precedent set we will have no reason to turn down similar zoning any place on the "drag". I understand that a similar request will soon be made very close to the "A" Bar Hotel; (4) I am not opposed to the traditional student beer parlor or to adult students drinking hard liquor but I do feel that they should go out of their way to get it; (5) I think that anyone will agree that the more locations serving the students -- the more advertising and inducements they come in contact with -- the more liquor they will buy and consume; (6) I therefore oppose this change and will oppose all future changes in the area because I feel this to be morally dangerous to the students of the University and would certainly be a disrupting influence on the student life. It was then

VOTED: To recommend that the request of Thomas Black, Trustee, for a change of zoning from "C-1" Commercial to "C-2" Commercial for property located at 307 West 19th Street be GRANTED.

AYE: Messrs. Barrow, Jackson, Kinser, Riley, Spillmann and Wroe

NAY: Mr. Brunson

ABSENT: Messrs. Chriss and Lewis

C14-62-98 Charles Wendlandt: A to B
West 11th St., Winsted La. and West 12th St.

STAFF REPORT: This is basically a single-family residential area. Winsted Lane is very narrow to the north of Quarry Road. There is the question of spot zoning. If this is granted, others would be requesting zoning across the street.

Messrs. Charles and Walter Wendlandt (applicants) were present and stated the following:

1. There is apartment zoning on Winsted Lane to the north. We think apartment development would be an asset in this area. Because of the location where we have so much street area, there would not be the traffic problem that exists on Enfield Road. There was a shack on this property which fell down. There are nice houses around this property and several duplexes in the area. We intend to manage the apartments ourselves.

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C14-62-98 Charles Wendlandt--contd.

2. There is an electrical substation across Winsted Lane, a drainage problem on that property and the MO-PAC Boulevard which would discourage single-family development. Ownership has been split up into small tracts and titles clouded and we have tried to get it straightened out. We have considered developing this with duplexes.

One reply to notice was received favoring the request.

Four nearby owners appeared in opposition and written objections were received from six owners. Reasons given were:

1. Most of this neighborhood is comprised of homes lived in by the owners.
2. The three streets mentioned are approximately 30 feet wide and parking on the streets would be prohibitive. Pedestrians and children on bicycles on these streets are in serious danger of being struck by automobiles even in good daylight. Traffic is fairly active on all of these streets, more especially on Winsted Lane, inasmuch as it leads to the Royal Oaks subdivision and intersects West 9th Street through West 12th Street. West 11th and West 12th lead to O. Henry Junior High School.
3. As "B" Residence classifies an "apartment structure", only one vehicle parking space is provided for each unit of the dwelling. Naturally one car or a "Two-car" tenant, motor scooters, bicycles, boats, motors and trailers, and visitors vehicles are all "overflow" into the City streets.
4. There is a severe drainage problem on the north side due to a large gully extending the entire length of that side. Due to the ground area of 210 square feet, it is the writer's opinion that an apartment structure of four or more units would be most detrimental to the surrounding community.
5. Winsted is the only access to a very large residential development. Meriden Lane is the only egress to Lake Austin Boulevard and is used by the children from O. Henry school. There are no apartments in the present "BB" area to the northeast and this would be the only apartment house within 3 blocks of this property.

The Commission noted that this would be a spot zone and that Winsted Lane is not adequate to care for additional traffic created by an apartment house. For these reasons it was unanimously

VOTED: To recommend that the request of Charles Wendlandt for a zoning change from "A" Residence to "B" Residence for property at West 11th Street, Winsted Lane and West 12th Street be DENIED.

C14-62-99 Howell Refining Company, P. N. Howell, President: C to C-1
3001-3003 Lake Austin Boulevard

STAFF REPORT: The applicant proposes the sale of beer to go. We are faced with the question of policy since this is the only "C" Commercial zone and is surrounded by University of Texas property.

Mr. T. H. Howell represented his brother at the hearing and stated that they have operated several stores for a number of years but recently remodeled this place for a drive-in grocery in connection with the service station. He explained that there are several existing similar uses in the general area.

The Commission noted that this is the only parcel of privately-owned property west of Hearn Street on this side of Lake Austin Boulevard and that the property is located across the street from the Municipal Golf Course, a considerable distance from any residences. It was felt that the request was in order and would have no adverse effect on other property and it was therefore

VOTED: To recommend that the request of Howell Refining Company, P. N. Howell President, for a change of zoning from "C" Commercial to "C-1" Commercial for property at 3001-3003 Lake Austin Boulevard be GRANTED.

C14-62-100 Associates, Inc.: A to C
901-905 Reinli Street

C14-62-101 James W. Crow: A & 1 to C & 2
917 Reinli Street

STAFF REPORT: These are separate applications on two tracts separated by six lots fronting on Reinli Street and a large tract in the rear which abuts on a residential subdivision. The surrounding area is generally "A" Residence, with commercial along the Interregional Highway. The proposals are for changes to "C" Commercial and First Height and Area for property at 901-905 Reinli Street and "C" Commercial and Second Height and Area for 917 Reinli. This area has been stagnant for a number of years. There are a few residences scattered through the area. Reinli is a narrow street with right-of-way varying from 30 feet to 45 feet in front of these tracts. It has been widened in some locations. The problem is basically what is to be the future of the area which has this one street serving it. We recommend that zoning be denied on both properties until a pattern has been determined. "C" Commercial permits other uses without proper access. The sanitary sewer services are not sufficient to serve intensive commercial uses. If this area were brought in for residential development, adequate streets would be required while in this case no streets are required. Reinli is a long, narrow street and there is a question of whether there should be another street through the area. The street pattern involving Reinli and possibly other streets is very important. We would like to call attention to the limited 25-foot height limitation for buildings near the airport and Second Height and Area permits a height of 45 feet.

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C14-62-101 James W. Crow--contd.

Mr. Trueman O'Quinn (attorney) represented the applicants at the hearing and stated the following: Mr. Watt Schieffer (owner of the intervening large tract) did not join in the application but said he intended to use his property for other than residential. The applicants want to make proper development and are aware that the street is too narrow but they are willing to do something about that. They realize that this is not a retail area but plan office type development, possibly with some warehousing in connection with office uses. They will develop so that the property will retain its economic value.

Three replies to notice were received favoring the requests.

The Zoning Committee reported that it had felt that these requests should not be granted because of the inadequate width of Reinli Street and the need for planning for this area, and had recommended that the requests be denied.

At the Commission meeting, Mr. O'Quinn and Mr. Watt Schieffer requested and were permitted to present additional information. They stated they were willing and cooperative about Reinli Street but they did not feel another street was needed in the area for the type of uses they propose. They said they had no objection to letting the City have what is needed for the widening of Reinli but called attention to the publicly-owned property on the west (which is owned by the State Highway Department in connection with the interchange). Mr. O'Quinn stated that these two tracts have had a re-evaluation within the last two months because they were joined by commercial on each side.

The Director explained that the present commercial zoning was established without any comprehensive planning and all of the commercial tracts front on the Interregional Highway. He felt that Reinli can be widened but that the public is acquiring additional right-of-way even if no widening is done in the immediate future. The staff advised that the subdivided lots between these two tracts had given additional right-of-way when that property was subdivided.

Mr. Barrow noted that the existing commercial tracts have access to adequate streets and that he would be willing to vote for zoning these properties when they have adequate access but he did not think Reinli at present is able to serve the tracts sufficiently in commercial uses.

Other members agreed with Mr. Barrow regarding proper access. Some members felt that the requests should be granted since the applicants' attorney previously stated that they will dedicate whatever land is necessary to make Reinli a minimum of 60 feet or whatever is necessary. They thought this is well within a commercial area and is not suitable for residential development and that it will be in the public interest for the City to confer with the State for the purpose of providing adequate access to U. S. Highway 290

C14-62-100 Associates, Inc.--contd.C14-62-101 James W. Crow--contd.

from these properties and to connect with the Interregional Highway. In accordance with a majority opinion, the Commission then

VOTED: To recommend that the request of Associates, Inc. for a change from "A" Residence to "C" Commercial for property at 901-905 Reinli Street (C14-62-100) and James W. Crow for a change from "A" Residence and First Height and Area to "C" Commercial and Second Height and Area for property at 917 Reinli Street be GRANTED.

AYE: Messrs. Brunson, Kinser, Riley and Wroe

NAY: Messrs. Barrow, Jackson and Spillmann

ABSENT: Messrs. Chriss and Lewis

C14-62-102 John D. Coats: A & 1 to B & 2
Scenic Dr. and Bridle Path

STAFF REPORT: This is an irregular-shaped tract of land with a ravine through it, and of irregular terrain. The area generally is developed with single-family homes or duplexes. Across Scenic Drive, which is a narrow street, is Walsh Boat Docks. This tract possibly could be developed with duplexes which would present the same problems as with apartments. We do not think apartment zoning is suitable. We recognize the particular problems involved in development of this property.

Mr. Gibson R. Randle (attorney) represented the applicant, who was also present. Statements presented in support may be summarized as follows:

1. This property is very rugged with a ravine but the deepest draw comes through the property so that the low point is approximately on the south line. Because of the terrain of the property and the street, the blind corner, and a very serious legal question as to whether Bridle Path ever came to be a dedicated street, we applied for the zoning change. The Council investigated this and there is a legal dedicated street. The property acquired by Mr. Coats described the three metes and bounds tracts. Technically these three are separate lots. Actually there could be a duplex on each lot but would have to be subdivided into three tracts and we feel that it would not be economically feasible to put six units there.
2. Mr. Coats has in mind a multiple apartment development. This would make for better development and because of its shape and size, we feel that, with very careful planning, "B" zoning there could be a very attractive development. Because of the deep drop in level it might be practical to build something from that level up.

C14-62-102 John D. Coats--contd.

3. Bridle Path will not be used extensively because of the terrain. Duplexes on the south do not have driveways from there but from the alley in the rear of the lots. Because of the terrain of Scenic Drive it would be better to have entries from the southeast corner of the tract. This is a wooded area and this is planned as a very attractive development.
4. There is very little traffic on Scenic Drive. All streets are sufficient to take care of the traffic. We will provide off-street parking.

One owner was present who approved the proposed change but offered no statements. Two replies to notice were received favoring the request.

Mr. Larry Temple (attorney for Mr. E. G. Morrison) was present in opposition and written objection was filed by Helen Hargrave (3701 Cherry Lane). Reasons given were:

1. Scenic Drive is very narrow and if it is developed with entrance from that street it would be very dangerous. This is a duplex area. The problems on the property are good reasons to develop with duplexes in accordance with the surrounding development. If the property can be broken down into three tracts for apartments it could be done so for duplexes.
2. The present traffic condition in this area, especially Scenic Drive, is bad enough due to the narrowness of the streets without the additional complication of a large group of automobiles constantly going in and out of an establishment such as the commercial group of apartments.

After the public hearing, letters were submitted by Mr. Denny O. Ingram, Jr. (3602 Bridle Path) and Mr. Larry E. Temple for Mr. Morrison, and a petition signed by ten adjoining owners. Mr. Temple renewed his opposition and reviewed his previous statements with regard to the increase in the traffic to create a tremendous traffic hazard, the increased on-street parking, and the fact that most of the residents in this area are home owners. Mr. Ingram mentioned the problems previously discussed and the decrease in the value of the homes which would result.

The Commission reviewed the surrounding zoning and development and concluded that this request should be denied as this would be spot zoning in a single-family and duplex area. It was therefore unanimously

VOTED: To recommend that the request of John D. Coats for a change of zoning from "A" Residence and First Height and Area to "B" Residence and Second Height and Area for property at Scenic Drive and Bridle Path be DENIED.

C14-62-103 Nat Goodfriend: B to O
Nueces and West 21st Streets

STAFF REPORT: This tract is currently developed as a rooming house or fraternity house. The area surrounding this is a University housing and "B" Residence area. The applicant proposes to operate a children's nursery, the difference being that in "B" Residence there is a limit on the number of children and under "O" Office as proposed there is no limit. Under the present zoning 28 children would be permitted. In that this is a University housing area and is spot zoning, we would have to recommend against the change.

Mr. Robert C. Sneed (attorney) appeared for the applicant and two replies to notice were received favoring the request. Mr. Sneed presented the following information:

1. A contract for purchase of sale has been entered into contingent upon this change of zoning. Under the terms of the contract Mr. Bloomer will make certain repairs and improvements to the property to put it into use as a day nursery for children. There are many students who are married and have children. The wife works and the husband works part time and it is essential that there be a nursery in the area to care for the children. Mr. Bloomer is experienced in this operation and believes there is a need here for expansion of the number of children now permitted.
2. This would not create any hazard. The operation would be approximately from 8:00 a.m. to 5:00 p.m. We think this is logical and in keeping with the needs of the University.

Eight nearby owners appeared in opposition and written objections were received from nine owners. Reasons given may be summarized as follows:

1. This would create additional parking problems in an already badly congested area.
2. This is a section of homes and student housing projects and the zoning should remain as "B" Residence.
3. There are very few small children, in fact the City school board has considered closing Wooldridge School on account of the small number of children in this area.
4. There is already a nursery school at 23rd and San Antonio - three blocks from this location. The house on this property seems entirely unsuited for such a school. It has a high-winding stairway, dangerous for children.

The Commission noted that this is a residential area and felt that there is no need for further business areas. It was also recognized that this would be

C14-62-103 Nat Goodfriend--contd.

spot zoning. Mr. Barrow said if a study had been made of the area and a larger area recommended for zoning to "O" Office, he would vote for this change but he could not vote for this one small isolated area. The Commission therefore unanimously

VOTED: To recommend that the request of Nat Goodfriend for a zoning plan change from "B" Residence to "O" Office for property located on the southwest corner of Nueces and West 21st Street be DENIED.

DEFERRED ZONING CASE

C14-62-13 Austex Development Co., Ltd.: A to BB and 1
Wellington, Dexmoor, Belmoor and Cheshire
 (Deferred July 3, 1962)

The Director reported that Mr. Phillips had shown him a plan of this area with some detail as to apartment units. He called attention to some feeling that people in the area would like to see the particular plans and to the fact that there are several very serious questions on his part and the people living in the area on the apartment zoning.

Mr. Phillips showed a plan with open space between buildings and said he would like to see a break-up of apartments rather than development with large buildings. He felt that this land does lend itself to garden-type apartments.

Mr. Barrow stated that he has never been influenced in a zoning decision by plans presented but has considered what the proper zoning of the property should be. Mr. Jackson advised of a provision in Dallas where zoning changes are approved for a certain development and in accordance with certain plans and if these are not followed the zoning reverts to its former classification, but noted that Austin does not have this authority. Mr. Kinser expressed his concern that there might be development of less density for the area next to the lots that have been developed as single-family dwellings. After discussion, the Commission concluded that apartment zoning is proper for this property and it was unanimously

VOTED: To recommend that the request of Austex Development Co., Ltd., for a change of zoning from "A" Residence and First Height and Area to "BB" Residence and First Height and Area for property located on Wellington, Dexmoor, Belmoor and Cheshire be GRANTED.

CASE FOR RECONSIDERATION

C14-62-55 Southern Oaks Realty Company: Interim A & 1 to B & 1
729-909 Oltorf St.

The Director reported that this case was considered by the City Council after recommendation by the Planning Commission, and at the request of Mr. James E. Crozier was referred back to the Commission to clear up some of the questions

C14-62-55 Southern Oaks Realty Company--contd.

raised regarding what might be done in planning and zoning of this area with respect to its relation to surrounding property. He said there had been a question on how the adjoining land on the east would be developed. He felt that what was done with this property would result in a request for similar zoning on the east and to the north. He called attention to the fact that the large tract on the east is outside the city and adjoins Travis High School, that Oltorf Street does have adequate right-of-way, that this is a single-family area, and that the tract under petition is isolated from residences on the west by the creek. He said there could be approximately 100 units, with 200 on the adjoining tract and 200 across the street. He said Mr. Crozier had given him some good thoughts on the development of this property but he does infer that the adjoining property will be apartment development. In response to a question by Mr. Brunson if there is any reason because of topography that these tracts should be developed as apartments, Mr. Osborne said he did not know of any reason.

Mr. Crozier said they have a plan which would provide for less than 113 units. He noted that it would take more expensive homes than are suitable in this area to support extension of Alta Vista through this rough terrain. His idea was to put a buffer zone next to Live Oak Street and the traffic would be forced to go into Oltorf.

The Commission reviewed its former discussion and action. Mr. Barrow felt that the three areas contain too much land for apartment development and that the area generally is not developed so that you can tell whether or not this requested change is sound zoning. Mr. Spillmann felt that all three tracts are choice property for single-family development and that apartment development would permit too high a density. A majority of the Commission felt that this request should be granted because of the terrain and access to the property and that this would be a logical area for apartment buildings in South Austin. It was therefore

VOTED: To recommend that the request of Southern Oaks Realty Company for a zoning plan change from Interim "A" Residence and First Height and Area to "B" Residence and First Height and Area for property located at 729-909 Oltorf Street be GRANTED.

AYE: Messrs. Brunson, Jackson, Kinser, Riley and Wroe

NAY: Messrs. Barrow and Spillmann

ABSENT: Messrs. Chriss and Lewis

R146 SUBDIVISION COMMITTEE

The Committee chairman submitted the minutes of the Subdivision Committee meeting of July 23, 1962. The staff reported that no appeals had been filed for review of the Committee's action but that 2 cases had been referred to the Commission without action on:

C8-62-44 Northwest Hills Sec. 7, Phase 1

C8s-62-94 C. T. Uselton's Sub. Lot 1, Blk. A, Ramsey Place

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R146 Subdivision Committee--contd.

The Commission therefore

VOTED: To accept the following report and to spread the action of the Subdivision Committee of July 23, 1962, on the minutes of this meeting.

PRELIMINARY PLANS

C8-62-44 Northwest Hills Sec. 7, Phase 1
Mesa Drive

The staff reported that the Department is requesting a 70-foot right-of-way for Dry Creek Drive east of Mesa Drive. Mr. Dewey Nicholson advised the Committee that water service is not available unless the subdivision is annexed to the District and in that event sanitary sewer service will not be available. It was noted that the lots are of sufficient size for septic tank installation. Mr. Jeryl Hart (Marvin Turner Engineers) then asked that no action be taken and the subdivision be referred to the Planning Commission pending further study. The Committee therefore

VOTED: To REFER this subdivision to the Planning Commission.

The Commission considered the REFERRAL of this subdivision. The staff reported that this plan is recommended for approval subject to the following conditions:

1. Showing a 70-foot right-of-way for Dry Creek Drive east of Mesa Drive.
2. Annexation of the subdivision to Water District Number 1 for water service from the District, or annexation to the City and approval by the Water Department of water distribution plans for water service from the City of Austin.
3. Septic tank restriction for lots that cannot be served by sanitary sewer. Lots 10-13, Block J, and Lots 1-5, Block A, can be served with sanitary sewer upon annexation to the city.
4. Compliance with departmental requirements, including additional easements.

Mr. David B. Barrow (subdivider) stated that all lots can be served with sewer from a fiscal standpoint. He agreed to meet all of the above conditions. The Commission therefore

VOTED: To APPROVE the plan of NORTHWEST HILLS SEC. 7, PHASE 1, subject to the following conditions:

C8-62-44 Northwest Hills Sec. 7, Phase 1--contd.

1. Showing of additional right-of-way for Dry Creek Drive,
2. Annexation of the subdivision to Water District Number 1 for water service from the District, or annexation to the City and approval by the Water Department of water distribution plans for water service from the City of Austin,
3. Septic tank restriction for lots that cannot be served by sanitary sewer. Lots 10-13, Block J, and Lots 1-5, Block A, can be served with sanitary sewer upon annexation to the City, and
4. Compliance with departmental requirements, including additional easements.

C8-62-47 Dry Creek Terrace
Creek Terrace Drive

The staff reported that it has been determined that the proposed collector can be located almost anywhere in this area. Mr. Nicholson stated that sanitary sewer is available but water is not available. It was recommended by the staff that a variance be granted on block length for Block A which is about 2000 feet long because it backs up to a creek. The Committee then

VOTED: To APPROVE the plan of DRY CREEK TERRACE subject to compliance with departmental requirements, and to grant a variance from the Subdivision Ordinance on block length requirements for Block A.

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-62-92 Allandale North Sec. 1, Resub. Lots 19-22, Blk. D
Belford Dr.

C8s-62-93 Walnut Hills, Resub. Lot 14
Vernon Ave. and Breezeway

C8s-62-95 Spillar & Greenwood Addn., Resub. Lots 15, 16, Blk. A
Bengston St.

C8s-62-97 Northwestern Ind. Addn., Resub. Lot 1, Blk. B
Reid Drive

Existing easements need to be shown. When the original subdivision was approved 25-foot building setback lines were required and they should be shown on this plat.

C8s-62-87 Mrs. Omer A. Copeland Sub.
Goodrich Ave.

The staff reported that this plat was submitted as a proposal to form one lot out of the northeast corner of a larger lot, with the original lot divided into two equal frontages. There is an existing garage on the proposed lot and the dividing line as shown would be 3 feet from the garage while 5 feet is required by the Zoning Ordinance. The staff advised that if this plat is approved the location of the garage would have to be approved by the Board of Adjustment. The staff recommended that the dividing line be moved to provide the 5-foot side yard which would still leave a 65-foot lot on the south.

Mr. Parsons (representing the subdivider) stated that the lots are 205 feet deep but there is no street in the rear to permit future subdivision into more lots. He said this garage is about 30 years old and will not be there much longer, although it has a concrete floor which would cause unnecessary expense to move. He explained that they would like to leave the 3 feet and if the recommendation of the staff is followed it would create a bad division of the lot.

The Committee discussed the possible consideration of this by the Board of Adjustment and felt that the subdivision action should be deferred for 60 days to permit the Board to take action. It was therefore

VOTED: To DEFER action on this plat for 60 days pending some action by the Board of Adjustment

C8s-62-94 C. T. Uselton's Sub. Lot 1, Blk. A, Ramsey Place
Guadalupe and W. 46th Sts.

The staff reported that Mr. Uselton is requesting permission to submit a plat omitting that portion of original Lot 1 owned by Mr. Murray Ramsey since taxes have not been paid on that portion, and that the staff is recommending against accepting the plat. The Director stated that the Department has a memo from the Legal Department that the Commission cannot approve a subdivision where taxes are due.

Mr. Uselton said there were no taxes due on his part of the property and Mr. Ramsey had told him he could not pay the taxes on his portion and that was the reason they were leaving out the Ramsey property. He said the subdivider will pay to extend gas to this from Avenue A, and if it is ever necessary to widen Guadalupe Street there is space on the opposite side for the additional right-of-way but the developers said they could not give more than the 5 feet for widening 46th Street. Mr. Uselton said he did not think he should be penalized because of the needed right-of-way on Guadalupe Street and by taxes not being paid by Mr. Ramsey.

The Committee reviewed the statements submitted and

C8s-62-94 C. T. Uselton's Sub. Lot 1, Blk. A, Ramsey Place--contd.

VOTED: To REFER this subdivision to the Planning Commission.

The Commission considered the REFERRAL of this subdivision. The staff reviewed the former discussion on this subdivision, including the need for 5 feet of additional right-of-way for Guadalupe Street since this property is zoned commercial, and noted that the adjoining subdivision on the south had given the 5 feet. It was reported that the Gas Company has asked for fiscal arrangements, and that a variance will be needed since Mr. Ramsey will not sign the plat. It was further reported that this property was subdivided in 1948 when Mr. Ramsey sold this portion to Interstate Theaters from whom Mr. Uselton bought the property.

Mr. Uselton reported that he has made arrangements and paid the City to run utilities to the lot on 46th Street and that, with the agreement of the City Attorney, Judge Hart is holding a check from him to pay taxes on Mr. Ramsey's property and has in writing an agreement that Mr. Ramsey will pay the taxes.

Mr. Uselton said his clients were willing to give the requested 5 feet of right-of-way for 46th Street but in the contract of sale he had agreed to sell his clients the tract without 5 feet for widening Guadalupe and they had prepared plans for the entire tract. He explained that after the Planning Department asked for 5 feet for Guadalupe Street the architect prepared plans to provide this but they informed him that this will necessitate their losing one parking space on the north and one on the south and they cannot use it and give the 5 feet. Mr. Uselton noted that the State had given the right-of-way for opening Guadalupe to the north as a 50-foot street and he feels that the State would give 10 feet for this area the same as they would give 5 feet.

The Commission reviewed the problems involved and the recommendations of the staff. It was then

VOTED: To DISAPPROVE the plat of C. T. USELTON'S SUB. LOT 1, BLK. A, RAMSEY PLACE, pending completion of fiscal arrangements and payment of taxes, and to grant a variance from the Subdivision Ordinance on signature requirements.

C8s-62-96 Lamar Industrial Park
N. Lamar (U.S. 81)

The staff reported that this plat was submitted as a short form subdivision, however a street is needed for proper development and the staff is recommending that it be rejected and that a preliminary plan be filed since the owner plans a street in the future. Ten feet additional right-of-way on North Lamar is required to comply with the Thoroughfare Plan. Attention was called to the need for an amendment to the Development Plan for this to be approved since this area is not designated for industrial development. The Director noted that the property behind this strip of lots along Lamar has no street access. The Committee then

VOTED: To REJECT for filing the plat of LAMAR INDUSTRIAL PARK.

SHORT FORM PLATS - CONSIDERED

C8s-62-73 Rodgers Addition
N. Lamar and Rundberg La.

The staff recommended that this plat be disapproved pending compliance with the following conditions:

1. Completion of fiscal arrangements.
2. Compliance with departmental requirements, including provision of additional easements needed and driveway pipes needed for several lots, unless curbs and gutters are constructed on North Lamar.
3. Showing of side yard setback lines.
4. Indication of any areas proposed for other than residential use.
5. Dedication of the proposed side road on the south side.

The Committee considered this recommendation and

VOTED: To DISAPPROVE the plat of RODGERS ADDITION subject to the following conditions:

1. Completion of fiscal arrangements,
2. Showing of side yard setback lines,
3. Indication of any areas proposed for other than residential use,
4. Dedication of the proposed side road on the south side, and
5. Compliance with departmental requirements, including provision for additional easements needed and driveway pipes needed for several lots unless curbs and gutters are constructed on North Lamar.

C8s-62-82 Harper and Payne Sub.
Bluebonnet and South Lamar

It was reported by the staff that additional easements are required and an additional 10 feet of right-of-way is needed for Bluebonnet Lane. The Committee therefore

VOTED: To DISAPPROVE the plat of HARPER AND PAYNE SUB. subject to the following conditions:

1. Compliance with departmental requirements, including furnishing additional easements needed, and
2. Dedication of 10 feet of additional right-of-way for Bluebonnet Lane.

C8s-62-84 Shoalmont Addn., Resub. Lot 12, Pt. Lot 3, Blk. 1
Burnet Road

The staff reported that this is located on Burnet Road which is designated as a primary thoroughfare in the Development Plan. The Plan would require 120 feet of right-of-way except in intensively built-up areas. It was noted that this section of Burnet Road is completely developed. It was therefore

VOTED: To APPROVE the plat of SHOALMONT ADDN., RESUB. LOT 12, PT. LOT 3, BLK. 1.

C8s-62-89 Marlton Place Sec. 1, Resub. Lots 18-20
Possum Trot and W. 10th St.

It was reported by the staff that this is a resubdivision of some lots where there is a drainage problem on the corner, but that the Drainage Department and the staff recommend a variance as this is a "homemade" drainage which gives a beautiful effect. The Committee therefore

VOTED: To APPROVE the plat of MARLTON PLACE SEC. 1, RESUB. LOTS 18-20, and to grant a variance from the Subdivision Ordinance on drainage requirements.

C8s-62-98 Allandale West Sec. 5, Resub. Lots 5 & 6, Blk. P
Janey Drive

This plat was reported by the staff as having satisfied all the standards of Section 4 of the Subdivision Ordinance and was recommended for final approval. The Committee therefore

VOTED: To APPROVE the plat of ALLANDALE WEST SEC. 5, RESUB. LOTS 5 & 6, BLK. P.

C8s-62-99 Henry H. Ulrich Sub.
E. 46th and Avenue G

The staff reported the following history and information on this subdivision: A plat was submitted about a year ago and was postponed at the request of the subdivider and later withdrawn so that he could present a different plat. The present plat shows a proposal to shift the common lot line to provide for only two lots instead of the three originally shown so that two duplexes can be built. The owner has dedicated 5 feet, which is his portion for the widening of 46th Street, on the new plat as had been requested by the Planning Commission when the first subdivision was considered. The contractor today set the forms for a building 10 feet from the original 46th Street line and these would have to be removed if the plat is approved as submitted.

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C8s-62-99 Henry H. Ulrich Sub.--contd.

The Committee felt as the Commission had formerly felt, that since 46th Street is only 40 feet in width the 5-foot additional right-of-way should be provided. It was therefore

VOTED: To APPROVE the plat of HENRY H. ULRICH SUB.

ADMINISTRATIVE APPROVAL

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

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

C8s-62-86 H. L. McEntire Resub. Lot 15
Wilson and Cumberland Rd.
C8s-62-88 Slataper "A" Subdivision
Oertli Lane
C8s-62-90 Westfield A, Resub. Lot 1, Blk. 2
Dalley and W. 12th Sts.
C8s-62-91 Mason & Kelso Sub.
Ridge Oak Rd. and West View

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 for filing the following final plats:

C8-62-46 Gage Subdivision
Hardy St.
C8-62-51 Sherwood Oaks Sec. 6
St. Edwards Dr. and Sherwood
 The staff requested and the Commission voted to require all lots to meet minimum requirements.
C8-62-53 Highland Hills Sec. 7, Phase 1
Hillbrook Drive
C8-62-54 Allandale North Sec. 3
Kenbridge Dr.
C8-62-55 Allandale North Sec. 4
Wooten Dr.

C8-62-42 Flournoy's Eastern Hills Sec. 3, Phase 1
Adina St.

The staff reported that when this preliminary plan was submitted the contour lines were in error to the extent that the Water and Sewer Department could not work with the plan. It was recommended that this plat be rejected for filing until the necessary contour information is presented. The Commission therefore

VOTED: To REJECT for filing the plat of FLOURNOY'S EASTERN HILLS SEC. 3, PHASE 1, pending necessary information on contours.

SUBDIVISION PLATS - CONSIDERED

The following subdivision plats were presented for layout approval only because fiscal arrangements or necessary reports and information were not complete. The Commission therefore

VOTED: To DISAPPROVE the following plats pending conditions as listed and to authorize the staff to poll the Commission when these have been completed:

- C8-61-48 Greenwood Hills (Revised)
E. of S. Congress, S. of St. Elmo
(Completion of fiscal arrangements)
- C8-62-48 North Ridge Terrace Sec. 5
Burbank St.
(Completion of fiscal arrangements)
- C8-62-49 Deer Park Sec. 2
Manchaca Rd. and St. Alban's
(Completion of fiscal arrangements and listing all taxing units)
- C8-62-50 Allandale Terrace Sec. 2, Phase 5
Great Northern Blvd. and Stoneway Dr.
(Completion of fiscal arrangements and compliance with departmental requirements)

C8-62-12 Barton Terrace Sec. 1
Barton Hills Dr. and Trailside

The staff reported that this subdivision was one where the neighbors complained about the size of the lots in relation to surrounding lots, and that the Department feels that it cannot recommend that this be approved. The Director explained that the basis for granting a variance is set out as confiscation of property under the Subdivision Ordinance.

Mr. Oscar Holmes (engineer) stated that he thought this matter was cleared up as he had submitted a letter to the Commission requesting a variance on the three lots which have a shortage of width at the rear on the basis that they are on a curving street. He said Lot 14, Block 3, and Lot 13, Block 1, could have the rear lines shifted but that would cut down on the other lots and

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C8-62-12 Barton Terrace Sec. 1--contd.

would result in having lots which would not be quite as good areawise. He advised that the necessary right-of-way for widening Robert E. Lee Road has already been given but the dimensions were not shown on the plat.

The Commission felt that the lots should meet the Ordinance requirements since this is possible without damaging the other lots. It was therefore

VOTED: To DISAPPROVE the plat of BARTON TERRACE SECTION 1 pending completion of fiscal arrangements, making all lots conform to the Ordinance requirements in size, and showing the dimensions for the additional right-of-way for Robert E. Lee Road dedicated by this plat, and to authorize the staff to poll the Commission when these requirements have been met.

C8-62-28 Crestland

Rogge La. and Gloucester La.

The staff reported that fiscal arrangements have not been completed, that additional electric easements need to be shown on the plat, and that a note should be placed on the plat regarding the reservation of Lot 13 as a future street. The Commission then

VOTED: To DISAPPROVE the plat of CRESTLAND pending completion of fiscal arrangements, compliance with departmental requirements including showing of necessary additional easements, and a note on the plat regarding the reservation of Lot 13 as a future street.

C8-62-32 Presnell Place Sec. 1

Springdale Rd. N. of Hwy. 290

It was reported by the staff that this plat satisfies all the standards of the Subdivision Ordinance and is recommended for final approval. The Commission therefore

VOTED: To APPROVE the plat of PRESNELL PLACE SEC. 1.

C8-62-40 Walnut Place Sec. 3

Springdale Rd. and Clara Dr.

The staff requested of the Commission permission to poll the Commission after the subdivider has cleared up a problem of right-of-way which he hopes to have cleared in a few days. The Commission then

VOTED: To authorize the staff to poll the Commission when the plat has been cleared in a satisfactory manner.

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C8-62-43 H. R. Smith Addn.
Decker La. S. of Webberville Rd.

It was reported by the staff that fiscal arrangements have not been completed and the names of Decker Lane West and Linda Lane need to be changed. The Commission therefore

VOTED: To DISAPPROVE the plat of H. R. SMITH ADDN. subject to completion of fiscal arrangements and compliance with departmental requirements including changing the street names.

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 plats for filing:

C8s-62-100 Allandale Park Sec. 1, Resub. Lot 3, Blk. H
Burnet Rd. and Greenlawn Parkway

C8s-62-105 Texas Hospital Association Sub.
Sheridan Ave. and U. S. Hwy. 290

The staff explained that M. H. Crockett, Jr., part owner of this subdivision, is unwilling to sign the plat until after he knows what the City will require with regard to easements and fiscal arrangements on his property, and at that time he will sign the plat.

C8s-62-101 Martinshaw Sub., Resub. Lots 1 and 1-A
Burleson Rd. and Shaw La.

It was reported by the staff that this plat contains 14 lots fronting on Burleson Road and that there is a creek crossing the tract to the south of these lots. If this plat is approved the remainder of the property on the north side of the creek would have only a 70' access to a street unless there is an expensive creek crossing. The staff reported the feeling of the Department is that a street is needed to serve the remainder of the property because of the poor access due to the drainage. The Commission therefore

VOTED: To REJECT for filing the plat of MARTINSHAW SUB., RESUB. LOTS 1 AND 1-A.

SHORT FORM PLATS - CONSIDERED

C8s-62-93 Walnut Hills, Resub. Lot 14
Breezeway

This plat was recommended by the staff for approval as it conforms to the requirements of Section 4 of the Subdivision Ordinance. The Commission therefore

VOTED: To APPROVE the plat of WALNUT HILLS, RESUB. LOT 14.

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ADMINISTRATIVE APPROVAL

The staff reported that 3 plants 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-62-102 Gruver-Haynes Subdivision
Fort View Rd. and Manchaca Rd.
C8s-62-103 Berta Johnson Resub. Lots 30-32, Blk. 20, Travis Heights
Alta Vista Ave.
C8s-62-104 Highland Park West, Resub. Lots 31, 32, Blk. 0
Balcones Drive

OTHER BUSINESS

R810 SUBDIVISION POLICIES

Mr. Spillmann asked that the subdivision plats which were approved at this meeting be referred to the Department of Public Works for approval of street names. He said he, as Postmaster of the South Austin Station, and others in the Post Office Department have difficulty in delivering mail where there are streets of the same name. He felt that the proposed street names should be checked not only with existing street names within the City of Austin but in Westlake Hills, Rollingwood, and other abutting incorporated towns to which mail is delivered from the Austin offices. The Commission then

VOTED: To refer the subdivision plats approved at this meeting to the Department of Public Works for approval of street names.

R1008 THOROUGHFARE DEVELOPMENT PLANS

Missouri-Pacific Blvd. Extension and West Side Perimeter Loop

At the request of Mr. Tom Bradfield, the Commission considered a proposed alignment for the southwestern section of Missouri-Pacific Boulevard extending from Bee Caves south through the Dellana (Bradfield) tract to the City power line. From this point, two alternates of the proposed route south to the State Highway Department's tentative location of the "West Loop" were considered.

Mr. Bradfield said he had received some indication from the State Highway Department that this route would be satisfactory in the event the Highway Department was ever involved in it; also, the State Highway Department had given us a preliminary location for the "West Loop". Mr. Bradfield stated that he wished to sell the right-of-way to the City at their cost plus interest plus taxes.

R1008 Thoroughfare Development Plans--contd.

The Director said his present feeling is that the City should follow the present right-of-way policy when appropriate, and called attention to the fact that Mr. Bradfield's proposal would remove him from any responsibility for paving and structures. He said the present policy would require him to dedicate 70 feet of right-of-way and sell the balance to the City at the raw land cost plus the paving of 44 feet and participation in drainage structures.

Mr. Bradfield felt that the City should have in mind acquiring an area along the creek bed for park purposes and they had about six miles which are ready for that purpose. He requested the Commission to accept this route as they want to do some master planning.

Upon consideration of the plan as presented, the Commission

VOTED: To APPROVE the alignment for the southwestern section of Missouri-Pacific Boulevard extending from Bee Caves Road south through the Dellana (Bradfield) tract to the City power line, and to give preliminary approval to the proposed route south to the State Highway Department's tentative location of the "West Loop", subject to an interchange at Bee Caves Road being worked out.

C2-53-4 ZONING ORDINANCE: Interim Revisions

The Director presented a proposed amendment to the Commission regarding regular and alternate members of the Board of Adjustment as provided by State law. The Commission then

VOTED: To APPROVE the following amendment to Section 26(a) of the Zoning Ordinance and recommended that this be approved by the City Council:

"The Board of Adjustment heretofore created and established by ordinance shall hereafter be composed of as many members and alternate members as is provided by Chapter 283, page 424, Section 7, Acts 1927, Fortieth Legislature, as now or hereafter amended."

REPORTS

R146 STANDING COMMITTEES

The Chairman announced membership of the following committees as listed:

SUBDIVISION COMMITTEE

W. Sale Lewis, Chairman
Howard E. Brunson
Pericles Chriss
S. P. Kinser
Barton D. Riley

ZONING COMMITTEE

Emil Spillmann, Chairman
Howard E. Brunson
Pericles Chriss
Edgar E. Jackson
W. A. Wroe

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SUBDIVISION APPROVAL BY POLLING

C8-62-36 Wooten Village Sec. 2
Peyton Gin Rd. and Parkfield

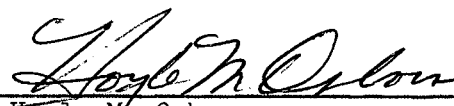
The staff reported that this subdivision was considered by polling at a special meeting of the Commission, and that a majority had

VOTED: To APPROVE the plat of WOOTEN VILLAGE SEC. 2.

MEMBERS CONTACTED: Messrs. Barrow, Brunson, Jackson, Kinser and Lewis.

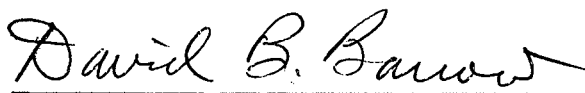
ADJOURNMENT

The meeting was adjourned at 11:25 p.m.



Hoyle M. Osborne
Executive Secretary

APPROVED:


Chairman