

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting -- October 23, 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*
Pericles Chriss
Edgar E. Jackson
S. P. Kinser
Barton D. Riley
Emil Spillmann
W. A. Wroe
*Arrived 7:50 p.m.

Absent

W. Sale Lewis

Also Present

Hoyle M. Osborne, Director of Planning
Alfred R. Davey, Assistant Director of Planning
E. N. Stevens, Chief, Plan Administration
Dudley Fowler, Assistant City Attorney
Paul Jones, Assistant City Attorney

MINUTES

Minutes of the meeting of September 25, 1962, were approved as submitted.

ZONING

The following zoning change requests were considered by the Zoning Committee at a meeting October 16, 1962:

C14-62-142 Mrs. Thomas Sutherland: A to B, 1 to 2
201 West 39th and 200 West 38 $\frac{1}{2}$ Sts.

STAFF REPORT: This application is for one lot a few lots removed from Speedway for the stated purpose of having apartments. A recent request for a change on property south of West 38 $\frac{1}{2}$ Street was recommended against by the Commission and is pending before the City Council. There have been some recent changes south of 38th Street on Cedar Street and property along Speedway is zoned "B" Residence, with an "LR" Local Retail spot zone immediately west of Speedway on 38th. There are some apartments in the "B" zone and two in this block, otherwise the area is still single-family residential. This is a spot zone and we feel as we did in the case to the south that any change should be done in connection with an area study.

C14-62-142 Mrs. Thomas Sutherland--contd.

No one appeared to represent the applicant. Replies to notice were received from four nearby owners favoring the request but stating no reasons.

One reply to notice and one petition signed by four owners were filed in opposition to the change for the following reasons:

1. The erection of a multiple unit dwelling would in all probability cause a traffic hazard. Thirty-ninth Street is not a very wide street and 28 $\frac{1}{2}$ is much narrower. Even though off-street parking is provided, there are many examples of how the off-street parking required for multiple unit dwellings is not sufficient and causes congested parking conditions on streets nearby. A nearby example of this is on Duval Street between 31st and 32nd Streets.
2. Baker School is only a block and a half away. There are no sidewalks on the north side of 39th Street. Congested parking would cause an added danger to the children who must walk in the street going to and coming from school.
3. The change in zoning to multiple housing units would in all probability increase taxes on nearby property which is not desirable. Also, it could affect the desirability for one-family residences. We feel that the neighborhood if zoned "B" Residence would not have as high a rating as when zoned "A" Residence.
4. The Austin American dated October 13, 1962, carried a report on the editorial page regarding the way such apartments are detracting from the best interests of the city. It stated that there are already too many such units and that owners are always having many vacancies. He also said "that apartments are detracting from the city's historical appearance and is threatening the tax structure".

The Commission concluded that this request should not be granted as it is a spot zone and would be an intrusion into an all "A" Residence zone, and that the streets are not adequate to care for the additional traffic created by apartments. It was therefore unanimously

VOTED: To recommend that the request of Mrs. Thomas Sutherland for a change in the zoning plan from "A" Residence and First Height and Area to "B" Residence and Second Height and Area for property at 201 West 39th Street and 200 West 38 $\frac{1}{2}$ Street be DENIED.

C14-62-143 C. O. Barker: C to C-1
East 19th St. and Clifford Ave.

STAFF REPORT: This application is for "C-1" zoning for the purpose of the sale of beer for off-premise consumption. This is a grocery store which has been here for some time. It has a parking area provided. On the east and

C14-62-143 C. O. Barker--contd.

south is residential development. There is an industrial zone to the north and to the west across the railroad where the Texas Quarries are located. We feel this is a policy question and make no recommendation on the change.

Mr. Barker was present at the hearing and stated the following: I have been here some time and have numerous calls for beer. Some customers bring their beer here from other places and set it on my counter as they trade. I would like to have the privilege of selling beer to help my business.

Replies to notice were received from three nearby owners who favored the request.

The Commission felt that because this property is in a "C" zone, across the street from a "D" Industrial District and across the railroad from the Texas Quarries, that the request would conform to the policy regarding "C-1" changes. It was therefore unanimously

VOTED: To recommend that the request of C. O. Barker for a change of zoning from "C" Commercial to "C-1" Commercial for property located on the southwest corner of East 19th Street and Clifford Avenue be GRANTED.

C14-62-144 William E. Nickel: C to C-1
East 1st and San Marcos Sts.

STAFF REPORT: East 1st Street has been zoned commercially for many years and this section has mixed development with commercial, residential and apartment uses. The request is for the stated purpose of selling beer in a cafe. We feel that this is a policy question and make no recommendation as to the change.

Mrs. Ada B. Thiem (lessee) stated that she has operated this cafe for some time and would like to sell beer with meals. One reply to notice was received favoring the request.

Nine nearby owners appeared in opposition, written objections were received from 10 owners, and a petition signed by 13 owners was filed. Reasons for objections were:

1. The lot in question is small and there is no parking area. A beer permit here would be detrimental to the neighborhood.
2. There are 800 school children in Palm School and they travel this street all the time. In the early morning you can hardly get by this cafe because it is so crowded. There are three churches in the neighborhood.
3. There would be a lot of noise and congested parking on surrounding narrow streets. Also there is a general nuisance resulting from the sale of beer, especially if the establishment is kept open until a later hour.

C14-62-144 William E. Nickel--contd.

A majority of the Commission felt that this request conforms with the policy of the Commission because of zoning and development along East 1st Street. Other members were of the opinion that it should be denied on the basis that the use cannot properly be integrated into the neighborhood, and there is only a small step from a cafe to a beer joint, and there are no other on-premise beer consumption locations in this immediate area. It was then

VOTED: To recommend that the request of William E. Nickel for a change of zoning from "C" Commercial to "C-1" Commercial for property located on the southeast corner of East 1st Street and San Marcos Street be GRANTED.

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

NAY: Messrs. Brunson and Riley

ABSENT: Mr. Lewis

C14-62-145 Jac L. Gubbels: C to C-1 (as amended)
 Airport Blvd. and Kenniston Dr.

STAFF REPORT: This application is for the purpose of selling beer for off-premise consumption in connection with a drive-in grocery store. It is an area that is zoned industrially and commercially. We feel that the area would justify the zoning change but are concerned with the size of the property. The shallowest depth of the property is 49 feet and with a required 25-foot setback from both Airport Boulevard and Kenniston Drive they would overlap and would leave no place for a building. Otherwise, we feel this is a logical location for the proposed use.

Mr. Gubbels (applicant) and Mr. Marvin Braswell (agent for sale of the property) were present and explained that the U-TOTE'M people have a contract to purchase this tract contingent upon the zoning change, and that they think they can meet the requirements and build on this property and have altered their standard building plans to fit the property.

One reply to notice was received favoring the request.

The Committee reported that it had felt that this request should be granted if the property is large enough for a building since the location would conform to the policy in that this is a commercial area, and had voted to recommend granting of the request and instructed the staff to ascertain whether or not a building could be built on this property.

Mr. Stevens reported to the Commission that Mr. Braswell had submitted a site plan and had amended the application to add the west 40 feet of Lot 4, and that this could be considered since the proper people had been notified of the hearing. He stated that this amendment was necessary in order to provide a suitable building and that since this is a part of a planned shopping center extending onto Lot 4 which faces on Guadalupe Street, Kenniston Drive

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C14-62-145 Jac L. Gubbels--contd.

could be considered a side street and a setback of 10 feet instead of 25 feet would be required.

The Commission considered the amended application and felt that this would be the proper use of this property. It was therefore unanimously

VOTED: To recommend that the request of Jac L. Gubbels, as amended, for a zoning change from "C" Commercial to "C-1" Commercial for property at 609-617 Kenniston Drive and 6816-6820 Airport Boulevard be GRANTED.

DISQUALIFIED: Mr. Brunson

C14-62-146 Simmons Motor Company: B to C
1205 (1207) Baylor Street

STAFF REPORT: This application was considered approximately a year ago at which time the Planning Commission recommended that it be denied for the following three reasons: encroachment into a well established residential area, business would front on a street that is more or less hazardous from a traffic standpoint, and operation would definitely increase the traffic conditions. We feel the area has the same status now and that Baylor is still a residential street and traffic conditions are bad and, therefore, recommend that the request be denied.

Mr. Eddie Simmons represented the applicant and stated the following:

1. With regard to the three objections - this is a year later and progress has been made. There will be no increased traffic on Baylor more than we have now when we drive over it and make a complete circle. At the present time we have transport trucks bringing cars down Baylor to our business.
2. We have a paint and body shop immediately to the south of the area we propose to change. The property at 1207 Baylor has been offered for sale for more than we feel we could pay. Property on the west side of the paint and body shop has just been sold and has been offered to me by the new owner for a long-term lease.
3. We intend to complete a long-range plan to have an automotive service. We cannot take care of our business if we cannot expand. We now have a 50'x50' construction. The north portion was not completed because we knew it was not large enough for the type of repair shop we like. If this lot is changed we would tear down the north end and complete the construction with the addition which will be fireproof and will face on 12th Street, with one exit where a car can make a circle. We will develop something of which the neighborhood will be proud. On the west of the construction would be a paved area with a chain link fence around it to prevent car thefts.

C14-62-146 Simmons Motor Company--contd.

One reply to notice favoring the change was received.

Five nearby owners were present in opposition to the request and written objections were received from four owners. Reasons given may be summarized as follows:

1. This is a residential street with many homes and is not suitable for commercial use. The property would depreciate in value and it would be difficult to get people to live there. There is no commercial on the west side of Baylor and this is no place for an automobile shop.
2. A garage on a 50-foot lot would be grossly unfair to the adjacent residential property owners, reducing the value and desirability of their properties both individually and collectively. The change could be of benefit only to the one organization, but would be a distinct disservice to the rest of us. Conditions have not changed in the neighborhood enough to warrant consideration again in such a short time.
3. The transport trucks are a great hazard where they unload cars at this busy intersection. We do not need additional hazards on Baylor.
4. (Mrs. Welch): I had my property zoned for an antique shop. Mrs. Brown had her property changed at the same time and that is where the body shop is located. I have a small cottage on the rear of my property where I live. I do not want to be completely surrounded by the Simmons Company because it would affect the rental of my property. The sale of my property may not be completed and I may still be affected.

The Commission discussed the development in the area, both along Lamar Boulevard and on Baylor Street, and concluded that Baylor Street is not suitable for commercial development and that this one lot would be an intrusion into a residential area. It was therefore unanimously

VOTED: To recommend that the request of Simmons Motor Company for a zoning change from "B" Residence to "C" Commercial for property at 1205 (1207) Baylor Street be DENIED.

C14-62-147 Paul F. Paulsen: B to O
 2915-2917 (2913) Red River St.

STAFF REPORT: This request is for the purpose of converting a duplex into a doctor's office. The property adjoins the entrance into Medical Arts Square. There are apartments to the north and on the west is a mixture of "B" Residence and "O" Office zoning and development. We feel that with the changing pattern the change should be granted; however, we would like to point out that the property is higher than Red River and there is no parking on the site. We think if the land is cut down to provide head-in parking, it would create a hazard with cars backing out into Red River.

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C14-62-147 Paul F. Paulsen--contd.

Mr. Clair Fallon (attorney) appeared for the applicant and presented the following information: I have not discussed this parking situation with the doctor but he mentioned having a drive into a parking space on the north portion of the lot. I think we can work out this detail satisfactorily. The doctor's present plans are to leave the garage but it may be necessary to remove it in order to provide the parking.

Reply to notice was received from St. David's Community Hospital (919 East 32nd Street) favoring the request.

The Committee reported that it had favored this change as it would be in keeping with the over-all zoning in the neighborhood, but thought that the parking situation should be worked out so that no traffic hazard would be created.

Mr. Stevens reported to the Commission that Mr. Fallon had filed a site plan which eliminates the question regarding the parking by providing a way in and out of Red River. He said the plan shows that at present one-half the structure will be used for office space and the remaining one-half as living quarters. Mr. Riley questioned the 10-foot turning area at the rear and said it should be 16 feet. Mr. Fallon said if necessary they can move the parking back 7 feet to provide an adequate turning area. The Commission then unanimously

VOTED: To recommend that the request of Paul F. Paulsen for a zoning change from "B" Residence to "O" Office for property at 2915-2917 (2913) Red River Street be GRANTED.

C14-62-148 J. W. Scarbrough Estate and D. M. Bryant: A to C
111-513 East Oltorf

STAFF REPORT: This application jointly involves about 12½ acres in addition to the property already zoned along South Congress Avenue. There is a residential subdivision to the southeast and a church adjoining on the east. A recent request to the north on Rebel Road was recommended against by the Commission and is pending before the City Council. The Department recognizes this property as other than residential but feels that the "C" Commercial is too intense a use for this property. Quite often "C" Commercial is used to increase the number of apartments. If this were developed for that use, 736 units would be permitted on Tract 1 and 352 units on Tract 2. We feel that it is a general type of retail and recommend "GR" General Retail which permits all retail types of commercial except the sale of beer.

Mr. J. Chrys Dougherty (attorney) appeared for the applicants and stated: We propose a large scale shopping center here. The Bank is the Independent Executor for Tract 1. We plan the shopping center and have no thought of putting in apartments. There is a shopping center across the street to the north and one to the west. In the Sherwood Oaks area there is a buffer zone.

C14-62-148 J. W. Scarbrough Estate and D. M. Bryant--contd.

The Church offers no objection to this proposal. This does not encroach upon any residential area which does not have a buffer.

Mr. Cy Miller (real estate agent) presented the following information: We negotiated the sale of the two tracts together. Our contract states that this be used as a shopping center. This would be a complement to the other shopping centers which are zoned "C" Commercial. It is difficult for us to see why our property should be different. The sale is contingent upon the "C" zoning.

Mr. D. M. Bryant, Jr. (applicant) and Mr. R. A. Nichols (510 Krebs Lane) appeared but offered no statements. Three replies to notice were received favoring the request.

At the Commission meeting, Mr. Stevens called attention to the questions raised by Mr. Dougherty regarding the contract for sale being contingent upon "C" Commercial zoning. He reported that Mr. Franklin Denius (trustee for the buyer as the staff understands) had contacted him today and said they would accept "GR" zoning for Tract 2.

After considerable discussion of this request, the Commission concluded that there should be "C" Commercial for Tract 1 since it is across the street from a "C" District, but that "GR" General Retail should be established for Tract 2 to conform to the pattern of the existing zoning in the neighborhood. It was felt that "GR" would permit all uses normally established in a shopping center. Therefore, it was unanimously

VOTED: To recommend that the request of J. W. Scarbrough Estate and D. M. Bryant for a zoning change from "A" Residence to "C" Commercial for property at 111-513 East Oltorf be DENIED; but to recommend "C" Commercial and First Height and Area for Tract 1 and "GR" General Retail and First Height and Area for Tract 2.

DISQUALIFIED: Mr. Barrow

C14-62-149 Eugene McGuire: A to B
2313 Shoal Creek Blvd.

The Zoning Committee reported that a letter had been received from the applicants requesting permission to withdraw this request since the property has been sold and the purchaser does not desire rezoning at this time, and that the Committee had voted to accept the withdrawal of the request.

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DEFERRED CASE

C14-61-174 Linden Jones: A to B
West Ave. and W. 32nd St.
(Deferred 4-10-62)

The staff stated that this case is being brought up at this time at the request of the applicants. The staff then reviewed previous consideration of this request in relation to a study of the area from 29th Street to 34th Street and from Lamar Boulevard to Guadalupe Street, calling attention to some points regarding the present development in the area and development which would be permitted in the proposed zoning. The Director reaffirmed his previous recommendation that this area be changed to no less restrictive classification than "BB" Residence and First Height and Area and his feeling that "B" Residence would permit too great a density in relation to existing uses. He still recommended against granting this request as it would be spot zoning. He recalled that a large group of owners in this area appeared protesting any change in the zoning except on the thoroughfares.

Mr. Richard Baker (attorney) was present and brought out the following factors: This entire area is slowly losing its residential character. This tract is unusual in that it is bounded by three streets and contains one old residence which is not now as well kept as other homes in the area. There are a number of duplexes coming into existence in converting old homes. Four duplexes would be permitted on this property under the present zoning but this would not be a very desirable approach as far as architectural design is concerned since Mr. Jones proposes to keep his development in line with the Heritage House across the street. With "BB" Residence and First Height and Area 16 units would be permitted on this property and more than the required number of parking spaces could be provided. The University is a growing institution and all the property within the University area will be needed for housing. In view of the problems and discussion presented, we request that our application be amended to "BB" Residence and First Height and Area so that the ground can be properly used at this time.

Mr. Barrow explained that it was the feeling of a majority of the Commission that the area recommended for apartments was too large at this time and there was no need for the change; therefore, the Commission had decided against rezoning the entire area.

The Commission discussed the request for a decision on this application and the question of rezoning the entire area. Some members were ready to make a recommendation to change a part of the area but other members felt that due to time lapse since the public hearing and the presence of three new members who were not on the Commission at that time there should be a re-hearing and that owners should be notified of a new hearing. In view of this discussion, Mr. Baker asked that his case be deferred pending a hearing on the entire area. The Commission then

C14-61-174 Linden Jones--contd.

VOTED: To DEFER action on this request and to schedule a re-hearing on the area between West 29th and West 34th Streets, Lamar Boulevard and Guadalupe Street, and to instruct the staff to notify the property owners in this area.

AYE: Messrs. Barrow, Brunson, Chriss, Jackson, Kinser and Wroe

NAY: Messrs. Riley and Spillmann

ABSENT: Mr. Lewis

R146 SUBDIVISION COMMITTEE

The Committee chairman submitted the minutes of the Subdivision Committee meeting of October 15, 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:

C8-62-67 Summit Oaks Sec. 2

C8-62-68 Allandale Terrace Sec. 3

The Commission therefore

VOTED: To accept the following report and to spread the action of the Subdivision Committee of October 15, 1962, on the minutes of this meeting.

PRELIMINARY PLANS

C8-60-7 Southridge West (revised)
Clawson Rd. and Grayford

The staff reported that this is a revised plan of a subdivision which was approved in 1960 but on which no final plat was filed and preliminary approval expired. It was further reported that the original plan omitted one lot which was sold out of this tract by metes and bounds in 1956 and which is now included on the plan, and that additional electric easements are needed. The staff explained that a new plan was filed in 1962 (C8-62-45) on a larger area and the subdivider is requesting withdrawal of that plan.

Mr. Thomas Watts (Marvin Turner Engineers) explained that the new plan was necessary because Mr. Gage believed that he bought 25 feet more than he actually had and lot lines had to be shifted. He said they still plan to submit a final plat only on the portion where sanitary sewer is available. Mr. Watts then submitted the revised original tracing which met the above requirements. The Committee therefore

VOTED: To APPROVE the plan of SOUTHRIDGE WEST according to the revised plan submitted at the meeting.

C8-62-45 Southridge West
Clawson Rd. and Grayford

In view of the renewal of the original subdivision (C8-60-7), the subdivider requested that this new plan for a larger area than he actually owned be withdrawn. The Committee then

VOTED: To ACCEPT the withdrawal of this subdivision plan.

C8-62-58 Wilbarger Place Sec. 2
Manor Rd. and E. 51st St.

It was reported by the staff that a revised plan has been submitted which is similar to a plan previously suggested by the staff and recommended by the Committee. Attention was called to lack of required information on existing drainage facilities and to information contained in a memo from the Public Works Department that this land is needed for the expansion of the Municipal Airport. Mr. Watt Schieffer (subdivider) said he will have his engineer show the necessary drainage information on the plan. He noted that he is proceeding with his subdivision since no agreement has been reached with the City regarding purchase of this property for the Airport.

The staff noted that lots fronting on the cul-de-sac do not have the required 50-foot minimum width and that in view of a recent opinion submitted by the Legal Department regarding the granting of variances, the plan could not be approved with the lots as they are shown as has been done previously under a policy of the Commission on cul-de-sac lots. It was reported that the Commission has under study some amendments to the Subdivision Ordinance which would permit granting this variance. The Committee for reasons of non-compliance with the Ordinance

VOTED: To DISAPPROVE the plan of WILBARGER PLACE SEC. 2.

C8-62-63 Highland Hills Sec. 8, Phase 1
Walnut Clay Dr. E. of Mountainclimb Dr.

The staff presented the following comments which were discussed:

1. The tract labeled Park Area must be reviewed and approved by the Legal Department. This proposed private park is very rough and is provided for the joint use of abutting owners. The Planning Department has approved this type of arrangement but a legal way of providing the park should be worked out. It was suggested that lot lines might be extended through the area but that would cause one lot to have less than required minimum width. Mr. Stevens called attention to a memo from the Legal Department regarding a park area in the adjoining subdivision which reads as follows:

C8-62-63 Highland Hills Sec. 8, Phase 1--contd.

"Any area shown on a plat should be specifically designated as being for private ownership or for public ownership and in all instances it should be clearly understood who owns the property and who will be responsible for its maintenance, supervision and for the payment of taxes upon it.

"I would think that if these items are explicitly taken care of on the map that we would have no particular objection to an area of private ownership being listed on the plat."

Mr. Tom Bradfield (subdivider) said something could be worked out on the plat as suggested by the Legal Department, with a provision that if one owner did not want to keep this agreement he would not be entitled to use of the park. Mr. Stevens suggested that the plan could be approved with the knowledge that the park is proposed and that an agreement would be reached before the final is considered by the Planning Commission.

2. Corner Lot 13 should provide a 25-foot building setback line from both streets. Mr. Thomas Watts (Marvin Turner Engineers) said the reason for providing the 10-foot setback from Walnut Clay Drive was to allow more building area since the property slopes toward the south. Mr. Bradfield said he did not approve of 25-foot setbacks from both streets on any corner lots but felt that the setbacks should be in accordance with Zoning Ordinance requirements with the 10-foot setback line on the long side of the lot. He noted that ordinarily you have an entrance to a garage on the side of the lot and only a small part of the residence would extend beyond the setback on adjoining lots. He felt he would like to give this further study.
3. It was recommended that Laurelledge Drive be shifted to eliminate the need for key lots. The Director is opposed to key lots as poor design where the same number of lots can be provided in another manner. Mr. Bradfield said he was not sure that the key lots were objectionable since the owners of all three lots may want to face on the short street. He explained that this layout is caused by the terrain and they have planned the best lots they think they can get. He felt that if the street is shifted it would cause some lots on the north to have too great a depth.
4. It was recommended that Veranda Drive be eliminated as it would create a street with more than the maximum 20 per cent grade, and that if this is done a variance would be recommended on block length because of the topography. Mr. Bradfield said the hilltop is relatively flat and they have a layout for a circular street around this hilltop. He felt that Veranda is very important for access

C8-62-63 Highland Hills Sec. 8, Phase 1--contd.

and for drainage and that they will have less than 20 per cent grade after they do the great amount of cut and fill needed. He said this is very essential to the master planning for the hilltop.

The Committee, with the understanding that the question of the setback for corner Lot 13 and the method of providing the private park area be worked out,

VOTED: To APPROVE the plan of HIGHLAND HILLS SEC. 8, PHASE 1.

C8-62-64 Blue Meadow Addition (McMillen Addition)
Elroy Rd. E. of U. S. Hwy. 183 South

The staff reported that the subdivider is requesting a change of name to "Blue Meadow Addition". Mr. Isom Hale explained that the owner was out of town when the plan was named and filed and when he returned he gave them the correct name. The staff further reported that reports have not been received from all departments. The Committee then

VOTED: To APPROVE the change of name from "McMillen Addition" to "Blue Meadow Addition".

It was further

VOTED: To DISAPPROVE the plan of BLUE MEADOW ADDITION pending receipt of all necessary departmental reports.

C8-62-65 Brinwood Section 4
Barton Skyway and S. 1st St.

It was reported by the staff that this is a long narrow strip of land between South 1st Street and South Congress Avenue along Barton Skyway, which is a thoroughfare, on which lots will face. The following comments were presented by the staff and discussed:

1. The plan does not comply with the Subdivision Ordinance as Block 1 exceeds the maximum length. The staff is recommending that a street be provided at the location of Lot 7 in this block to provide for future development of property to the south owned by Mrs. Pickle, this street to eventually extend to Alpine Road. The staff understood that the Pickle property is for sale for subdivision and noted that the properties on the south do not have sufficient area to be individually developed with culs-de-sac.

Mr. Thomas Watts stated that access to the small tracts on the south depend upon development of the larger tracts at South 1st Street or South Congress and that the Pickle property will get the same number of lots without this cross street. He felt that there is no

C8-62-65 Brinwood Section 4--contd.

practical location for this street because of a topographic barrier but if they have to give the street they will do so. He called attention to the fact that they are having to provide a 90-foot thoroughfare street and to bear most of the cost of wide paving. He said that even if the street is located as recommended they will have a block which exceeds the maximum length permitted. He also called attention to one lot which has a width of only 40 feet at the rear because of the creek but has a frontage of about 185 feet.

Mr. Gilbreth (subdivider) said their only basis for requesting approval of the plan as presented is that they do not want to lose more lots than necessary because there is a large drainage structure to be put in this subdivision and they understand that the City does not want any more intersections into a thoroughfare than necessary.

Mr. Stevens said the staff felt it is necessary to have this street as recommended.

Mrs. Pickle and her brother, Mr. Gibson, Mrs. Turner and Mrs. Plumley were present and expressed their desire for the street for access allowing development of their small tracts on the south.

2. The LCRA power line crosses the southern portion of this property although it is not evident that the LCRA claims part of the south lots, but the engineer is working on this condition.
3. Attention was called to the tracts adjacent to South 1st Street which is shown on the plan as commercial areas and the staff noted that the plan now shows in dashed lines how the property could be subdivided residentially should it not be used commercially. The subdivider said they intended to ask for commercial zoning.

The Committee considered that a cross street is needed and felt that the engineer should give further study to the proper location of a cross street which would work out best for the subdivider and adjoining owners and discuss this with the Planning Department. It was therefore

VOTED: To DISAPPROVE the plan of BRINWOOD SECTION 4 and to request the engineer to present a plan to the Department showing where he felt a cross street could be located to the advantage of the subdivider and adjoining owners.

C8-62-66 Richland Estates Sec. 2, Phase 1
E. of Dalton La., N. of Bastrop Hwy.

The staff presented the following comments and recommendations of other departments which were discussed:

C8-62-66 Richland Estates Sec. 2, Phase 1--contd.

1. Armory Lane and Pringle Circle should be relocated based on a proposed revision of the schematic layout and to allow a drainage structure to be substantially shorter and lower in cost. Mr. Watts stated that he is working on this rearrangements.
2. The Hill property on the south should be included in this subdivision plan to provide for the dedication of Brandt Drive to Bastrop Highway as requested by the Department of Public Works. Mr. Watts said he would include this property.
3. Names of adjoining property owners and some lot dimensions should be shown on the plan as required by the Ordinance.

The Committee then

VOTED: To DISAPPROVE the plan of RICHLAND ESTATES SEC. 2, PHASE 1, subject to the following conditions:

1. Relocation of Armory Lane and Pringle Circle,
2. Inclusion of the Hill property on the south in this subdivision plan,
3. Showing of names of adjoining owners and lot dimensions; and
4. Compliance with departmental requirements.

C8-62-67 Summit Oaks Section 2
Bell Ave. and Old Burnet Rd.

A question arose over the status of a road existing in this area and Mr. Harvey Smith stated that he had checked with County officials and could find no record of a dedication although there is a road which is fenced at one end and which carries no through traffic.

The staff requested that two tracts surrounded by this subdivision on three sides be included in the plan as required by the Ordinance. Mr. D. L. Welch (subdivider) said these tracts were sold before he bought this 30 acres and he did not see why they should be included. Mr. Isom Hale explained that there are houses on these tracts which are fenced. Mr. Smith said these tracts were evidently sold off a long time before Mr. Welch bought this property and they have never been a part of the 30 acres, but he would check on the dates of their purchase as requested by the staff.

The Committee felt that in view of the need for further information this plan should be referred to the Commission pending further information. It was therefore

C8-62-67 Summit Oaks Section 2--contd..

VOTED: To REFER the plan of SUMMIT OAKS SECTION 2 to the Planning Commission and to request the engineer to check the status of the two lots in relation to the tract being subdivided.

C8-62-68 Allandale Terrace Sec. 3
 Shoal Creek Blvd. S. of Pinecrest Dr.

It was reported by the staff that an east-west secondary thoroughfare is proposed as an extension of Hart Lane across the Missouri Pacific Boulevard and through this property, and this location is recommended by the Department. The staff requested that this be deferred pending study of this problem by the full Commission. It was further reported that an interchange is proposed on the west portion of this property. In response to a statement by Mr. Nelson Puett (subdivider) that it was his understanding that this crossing would be abandoned and Greenlawn Parkway used as the thoroughfare extension, the staff explained that difficulty would be encountered in extending that thoroughfare east of Burnet Road into Justin Lane which is designated as a thoroughfare; also the problem of providing for an interchange as this area is all well developed and many homes would have to be destroyed by taking that route.

In view of the problems stated, the Committee

VOTED: To REFER the plan of ALLANDALE TERRACE SEC. 3 to the Planning Commission for further consideration of the thoroughfare location.

C8-62-69 Gaston Place, Resub. Blk. A
 Briarcliff Blvd. and Westminster Dr.

The staff reported that the subdivider has requested permission to withdraw this subdivision. The Committee therefore

VOTED: To ACCEPT the withdrawal of this subdivision.

SHORT FORM PLATS - FILED

C8s-62-128 Delafield Subdivision
 Brooklyn St. (Rebel Road)

The staff noted that the name "Brooklyn Street" should be changed to "Rebel Road" which is the correct name.

It was reported by the staff that this is a one-lot subdivision which is a part of a larger lot, and that the engineer has submitted a letter requesting a variance from signature requirements without the participation of Roger M. Rich, owner of the adjoining tract of land originally

C8s-62-128 Delafield Subdivision--contd.

a part of this tract, in that this property will in no way be affected by this subdivision since it has frontage on both streets. Mr. Harvey Smith (surveyor) was present and stated that this land had changed ownership several times before it was purchased by the subdivider and he felt that his client is in good faith trying to comply with the requirements and that they should not be forced to get the signature of the adjoining owners.

Mr. Kinser advised Mr. Smith that the Ordinance requires that an effort be made to get the signatures of other owners and that there are instances where the Commission has granted a variance when the owners could not be located or for some other reason the signature could not be obtained, but he felt that no variance could be granted unless an effort has been made to get the signature. The Committee concurred with this statement and

VOTED: To REJECT for filing the plat of DELAFIELD SUBDIVISION.

C8s-62-130 Hill Sub., Resub. Lots 1-6, Blk. 4
Bennett Ave. and E. 55th St.

The staff explained that because of an existing drainage easement there are several lots in this subdivision which have five or more sides and it is difficult to determine which is the rear lot line, and the Ordinance requires a minimum width of 50 feet. It was noted that Lots 4A, 6A and 7A are odd shaped lots and that an alternative plan would result in a less desirable plan. The Committee concluded that the proposed plan is the most desirable method of subdividing this property under the existing circumstances and it was the interpretation of the Committee that no variances are needed on this type of lot which has five or more sides. Therefore, it was

VOTED: To ACCEPT for filing the plat of HILL SUB., RESUB. LOTS 1-6, BLK. 4.

C8s-62-131 J. S. Preece Subdivision
Alice Ave. E. of Burnet Rd.

The staff reported that the subdivider is dividing one lot into four lots, including only three lots in the subdivision; and that the omitted lot was sold by metes and bounds in about 1951 or 1952, and should be included with the other three lots. The Committee therefore

VOTED: To REJECT for filing the plat of J. S. PREECE SUBDIVISION as the plat does not contain the signature of the adjoining owners.

C8s-62-133 South Lund Park Sec. 2, Resub. Lot 2
Kerr St. and Barton Blvd.

It was reported by the staff that this tract is subdivided into very large lots but that one lot has a frontage of only 40.76 feet and the staff is recommending that it be rejected for filing. The Committee therefore

VOTED: To REJECT for filing the plat of SOUTH LUND PARK SEC. 2, RESUB. LOT 2, because Lot 2C does not meet the Ordinance requirements for minimum lot width.

C8s-62-134 Cooper Lane Addition
Cooper La. S. of Matthews La.

The staff reported that this plat is recommended for acceptance for filing since all departmental reports have not been received. The Committee therefore

VOTED: To ACCEPT for filing the plat of COOPER LANE ADDITION.

SHORT FORM PLATS - CONSIDERED

C8s-62-129 Barton Springs Est., Resub. Pt. Lot 26
Eanes Road

It was reported by the staff that a variance is recommended for the width of the County Road since the owner is giving his portion for the widening. Attention was called to the fact that these are septic tank lots and that Lot 3 has a width of only 52.5 feet instead of the required 60 feet. Mr. Don West (agent) explained that this width of Lot 3 was overlooked since this portion was proposed as a future street for access to the north portion of Lot 3 on which there is a residence. He said that Lot 3 has sufficient area for further development and that the owner would not affect this possibility by building on the strip left for a street. He further stated that the property east and west of Lot 3 is undeveloped. He explained that he has an option to buy Lot 1 and plans to build a house there and requested that a variance be granted for Lot 3.

The Committee felt that Lot 3 should have a frontage of 60 feet and that the plat could be revised to provide this frontage. It was therefore

VOTED: To DISAPPROVE the plat of BARTON SPRINGS EST., RESUB. PT. LOT 26, and to authorize the staff to give administrative approval if Lot 3 is made 60 feet in width.

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

VOTED: To APPROVE the following plats:

- C8s-62-122 Northwestern Industrial Addn., Resub. Lot 6, Blk. A
United Dr. and U. S. Hwy. 183
- C8s-62-127 Malone & Funderburgh Sub.
E. 51st W. of Lancaster
- C8s-62-132 Kings Resub. on Pecan Springs Rd.
Pecan Springs Rd.
- C8s-62-135 Macmor Acres Sec. A
Magmora Rd.

PRELIMINARY PLANS

C8-62-58 Wilbarger Place Sec. 2
Manor Rd. and E. 51st St.

This plan was presented to the Commission with the understanding that all requirements had been met but with the knowledge that the Department of Public Works had submitted a report that this land is needed for expansion of the Municipal Airport. The staff noted that this plan conforms to a recommended plan of the Department with Calhoun Circle as a cul-de-sac off of Manor Road.

Mr. Fowler advised the Commission that the City Council has determined that both Manor Road and 51st Street are scheduled to be vacated and that in addition a question has been raised regarding the title as the City, on October 12, 1962, filed condemnation proceedings on this property, which proceedings are set for hearing on October 26, 1962. Mr. Fowler felt that this plan did not conform to the master plan as required by the Subdivision Ordinance and recommended disapproval. He further stated that the property of the subdivider across Manor Road is under negotiations fail. He advised that Mr. Schieffer was approached nearly two years ago by Mr. Ward of the Legal Department regarding the property involved in this subdivision.

Mr. Watt Schieffer was present and requested the Commission to approve the plan since he had not been advised that these two streets will be closed. He explained that he is subdividing this property and proposes to develop it as a protection for property across the street. He asked for approval regardless of the pending condemnation proceedings.

Mr. Fowler did not think it proper for the Commission to act on this subdivision since it does not conform to the master plan and lots would not front on a public street if the two streets are vacated. The Director recommended that the plan be disapproved as the only choice in terms of the Subdivision Ordinance and State enabling act which require that the plan conform to the master plan. He noted that this proposed expansion of the Air-

C8-62-58 Wilbarger Place Sec. 2--contd.

port is also included in the Capital Improvements Program. He called attention to the requirement that the Commission act within 30 days if Mr. Schieffer does not agree to deferral. The Commission, in the light of legal advice regarding action on this subdivision, then

VOTED: To DISAPPROVE the plan of WILBARGER PLACE SEC. 2.

C8-62-65 Brinwood Sec. 4
Barton Skyway and S. 1st St.

The staff reported that the engineer has submitted a revised plan showing the cross street (Pickle Place) as required by the Subdivision Committee but that there is one problem in that one lot has a width of 185 feet at the front, this being caused by a drainage easement; also, there is another problem with a block length of approximately 1300 square feet instead of the maximum 1200 feet permitted.

The Commission concluded that variances would be justified on the lot width and block length because of the topography of the ground, the adjoining lot arrangement and the generality of the Ordinance. It was therefore

VOTED: To APPROVE the plan of BRINWOOD SEC. 4 and to grant variances from the Subdivision Ordinance on lot width and block length requirements.

C8-62-68 Allandale Terrace Sec. 3
Shoal Creek Blvd. S. of Pinecrest Dr.

The Director stated that, at his suggestion, Mr. Puett has agreed to postpone consideration of this subdivision for two weeks to permit further study of this area. He suggested that the Commission schedule a special meeting for Tuesday, November 6, for this consideration. The Commission therefore

VOTED: To DEFER action on the plan of ALLANDALE TERRACE SEC. 3 for two weeks and to schedule a special meeting for Tuesday, November 6, 1962, for further consideration of this subdivision.

The staff reported that the engineer, immediately prior to this meeting, submitted evidence that the following plans conform to the conditions stipulated by the Subdivision Committee and had stated that if, after further checking by the staff tomorrow, it is found that additional easements are necessary or that corrections need to be made he would meet these needs. Noting the above agreement by the engineer, the Commission

VOTED: To APPROVE the following plans:

C8-62-64 Blue Meadow Addition

Elroy Rd. E. of U. S. Hwy. 183 South

(Staff: This area must be annexed to Water District No.6 before approval of the final plat.)

C8-62-66 Richland Estates Sec. 2, Phase 1

E. of Dalton La., N. of Bastrop Hwy.

C8-62-67 Summit Oaks Sec. 2

Bell Ave. and Old Burnet Rd.

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SUBDIVISION PLATS - FILED

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

VOTED: To ACCEPT the following final plats for filing:

C8-62-59 Cherrylawn Sec. 2

Walnut Hills and Manor Rd.

This involves two culs-de-sac and the Subdivision Committee gave conditional approval that the 45-foot chord on the culs-de-sac be corrected to comply before final approval. Something may be worked out before the next meeting.

C8-62-62 Temple Beth Israel Memorial Park

Interregional Hwy.

The engineer stated that any drainage easements are needed they will be provided.

C8-62-74 North Lamar Park Sec. 2

Slayton Dr. and Carpenter

The engineer stated that the owner is out of town and will sign the plat as soon as he returns.

C8-62-75 University Hills Sec. 2, Phase 3

Northeast Dr. and Vanderbilt

SUBDIVISION PLATS - CONSIDERED

C8-62-25 Richland Estates Sec. 1

Dalton La. and Sherman La.

The following comments were presented by the staff and discussed:

1. Drainage easements should be identified. Mr. Watts said the Public Works Department has requested that these be "drainage easements" rather than "drainage right-of-way".
2. The staff has not been advised that an avigation easement is required. Mr. Watts said he had been unable to get an answer to the question of whether or not the avigation easement will be required, but preliminary approval was given with the understanding that if it is required it will be provided.
3. Fiscal arrangements have not been completed. Mr. Watts said an attempt to complete these arrangements will be made in the next few days.
4. The first reading of an annexation ordinance needs to be read before the plat is approved.

Mr. Watts stated that a number of the problems had been agreed upon this afternoon and they had no opportunity to correct the plat before the meeting,

C8-62-25 Richland Estates Sec. 1--contd.

including the above items and additional right-of-way on Dalton Lane. He requested that the staff be authorized to poll the Commission when these have been completed.

Mr. Paul Jones raised the question of whether or not these lots are large enough for septic tank installation if the property is not annexed and sanitary sewer is not available. Mr. Watts felt that they are large enough.

The Commission agreed that the necessary lot area could be determined when the Commission is polled for approval. It was then

VOTED: To DISAPPROVE the plat of RICHLAND ESTATES SEC. 1 pending the following:

1. Completion of fiscal arrangements,
2. Provision for additional easements and proper identification of drainage easements, and
3. Provision of an avigation easement if necessary;

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

C8-62-39 Windsor Park Hills Sec. 3
Norwood Hills Rd.

The staff reported that the engineer is eliminating from the plat that portion of Tipton Drive which extended beyond this subdivision which was crossed by the United Gas pipe line easement and that this would eliminate one question raised. Mr. Watts stated that he will correct any closure data which is found upon checking to be incorrect. The staff recommended that approval be given and the staff be authorized to hold the plat until the first reading of the annexation ordinance and checking closures have been complete. The Commission therefore

VOTED: To APPROVE the plat of WINDSOR PARK HILLS SEC. 3, and to authorize the staff to hold the plat from recording until after the first reading of the annexation ordinance and checking of closures are completed.

C8-62-47 Northmoor Park
Dry Creek Dr. W. of Bull Creek

It was reported by the staff that most of the departmental reports have not been received and that the property will need to be annexed before final approval is given. The Commission therefore

VOTED: To DISAPPROVE the plat of NORTHMOOR PARK pending receipt of all necessary departmental reports and first reading of an annexation ordinance.

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C8-62-70 Western Trails Sec. 7 (Revised)
Comanche Tr. and Pack Saddle Pass

The staff reported that this final plat shows a cul-de-sac on Comanche Circle instead of the street extending to the north subdivision line as was shown on the preliminary plan, but that the engineer has requested approval of that portion of the plat excluding Lots 16 through 20, Block P, which are affected by the cul-de-sac. The staff explained that annexation is necessary and recommended disapproval of the revised plat pending first reading of the annexation ordinance and that the staff be authorized to poll the Commission when this has been done. The Commission therefore

VOTED: To DISAPPROVE the plat of WESTERN TRAILS SEC. 7 as revised pending first reading of the annexation ordinance and to authorize the staff to poll the Commission when this has been completed.

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

VOTED: To APPROVE the following plats:

- C8-62-42 Flournoy's Eastern Hills Sec. 3, Phase 1
Bandera Rd. and Adina
- C8-62-60 White Plains Sec. 4, Phase 1
Wagon Trail and North Lamar Blvd.
- C8-62-61 Lakewood Park Sec. 2, Lot 10, Blk. D
Laurel Wood Rd.
- C8-62-72 Memorial Park Cemetery
Cemetery Drive

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-62-133 South Lund Park Sec. 2, Resub. Lots 1 & 2
Kerr St. and Barton Blvd.
- C8s-62-137 Swanson's Ranchettes
Slaughter Lane

The staff called attention to the fact that no streets are involved as far as this subdivision is concerned, that this involves forming four lots to front on Slaughter Lane and leaves all the remainder of the tract with a 60-foot frontage on Slaughter Lane. Attention was called to the possibility that this rear portion could later be sold off as lots by metes and bounds and the 60-foot frontage used as access to Slaughter Lane since this is in the county. The Commission did not feel there was reason for disapproving this plat for the reasons mentioned.

SHORT FORM PLATS - CONSIDERED

C8s-62-60 Eubank Acres, Resub. Lots 17, 18, Blk. F
Hornsby and Braker La.

The staff reported that the subdivider has requested that this plat be withdrawn. The Commission therefore

VOTED: To ACCEPT the withdrawal of this subdivision..

C8s-62-123 Lancaster Subdivision
Montopolis Drive

It was reported by the staff that additional drainage easements are needed, that minor engineering corrections are needed, and that additional right-of-way is needed for Montopolis Drive. The Commission therefore

VOTED: To DISAPPROVE the plat of LANCASTER SUBDIVISION subject to the following conditions:

1. Showing of additional drainage easements,
2. Minor engineering corrections to the plat, and
3. Showing of additional right-of-way for Montopolis Drive.

C8s-62-128 Delafield Subdivision
Brooklyn Street

The staff called attention to a letter from the subdividers which was submitted prior to consideration by the Subdivision Committee requesting a variance from signature requirements for the reason that they did not believe the other two owners would join in the subdivision, but that the letter did not state that an attempt had been made to get these signatures.

Mr. Harvey Smith (surveyor) stated that this property was originally a part of Twin Oaks Addition and he thought this tract was subdivided by metes and bounds before his clients purchased it. He noted that the Bank of Austin is located on one of the tracts. Mr. Gilbreth (subdivider) said to the best of his knowledge the Bank is served by City utilities. (The staff explained that at that time this could have been considered as one tract and one water tap would have been permitted to the first person requesting service on the entire tract.) He stated that Mr. Rich was contacted and indicated he was not interested in signing the plat.

The Commission felt that some effort should be made to obtain the signatures of the other two owners as required in the Ordinance. Mr. Smith then requested that this be deferred to give them time to consider this. The Commission then

VOTED: To DEFER action on this plat for two weeks as requested by the surveyor.

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

VOTED: To APPROVE the following plats:

C8s-62-116 Bothmer Addition
Bluff Springs Rd.
C8s-62-136 University Hills Sec. 1, Phase 2
Northeast Dr. and U. S. Hwy. 290

OTHER BUSINESS

C10-62-1(p) STREET VACATION
Havana St. W. from S. 1st St.

The Commission considered a proposal by the City to vacate that portion of Havana Street from the southeast corner of Lot 22, Oak Ridge Heights, Section 3, eastward to South 1st Street. This vacation was requested in connection with an agreement with Mr. Willingham in that he dedicate a portion of Proposed Barton Skyway and other needed segments in exchange for the above described portion of said Havana Street. Mr. Stevens explained that the City had agreed to provide access to the lots west of the requested vacation.

Mr. Barrow called attention to the fact that there are a number of lots abutting the north side of Havana Street which have a depth of 200 feet and also front on Oak Crest, and questioned how these lots could be further developed if Havana Street is vacated. The Commission felt that further study should be given this request and felt that it would be poor planning to abandon this street and leave the deep lots with frontage on only one street. It was therefore

VOTED: To DEFER action on this request pending further information and study.

R810 SUBDIVISION PROCEDURES

Mr. Tom Bradfield presented for consideration of the Commission a problem which he and other subdividers in the hill country had encountered in the street name and numbering system now in use. He illustrated this by showing how one street would be curving and changing from an east-west street to a north-south direction and the City would require a different name and series of house numbers when the direction changed. He said he had discussed this with representatives of several City departments and the Post Office and all felt that something should be worked out. He noted that this sometimes results in adjoining lots having different street name and non-consecutive numbers.

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R810 Subdivision Procedures--contd.

Mr. Stevens reported that the Director would like to present a report on this situation (the Director being absent at this time) and the Commission

AGREED: To DEFER this matter and to request that a representative from Public Works be present at the next meeting to discuss this problem.

REPORTS

The staff reported that the following subdivisions were considered by telephone poll on the dates shown, and that a majority of the Commission had

VOTED: To APPROVE the following subdivisions:

C8-62-56 Tempo North

Morrow St. and N. Lamar Blvd.

Polled October 16, 1962

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

C8-62-60 White Plains Sec. 4 (preliminary plan)

N. Lamar and Wagon Trail

Polled October 8, 1962

MEMBERS CONTACTED: Messrs. Barrow, Jackson, Kinser, Lewis, Riley and Wroe

The staff further reported that the following plat met the conditions for approval and was approved for recording by the Director:

C8-62-40 Walnut Place Sec. 3

Springdale Rd. and Clara Dr.

*

ADJOURNMENT

The meeting was adjourned at 9:50 p.m.



Hoyle M. Osborne
Executive Secretary

APPROVED:



Chairman

*C8s-62-126 Northtowne Sec.1, 1st Resub., Resub.Lots 16, 17, Blk. N
Rockwood La.

The staff reported that a majority of the Commission members had been polled September 28, 1962, and had VOTED: To APPROVE this plat.