

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting -- December 18, 1962

The meeting of the Commission was called to order at 7:00 p.m. in the Council Room, Municipal Building.

Present

D. B. Barrow, Chairman
Howard E. Brunson
Edgar E. Jackson
S. P. Kinser
W. Sale Lewis
Barton D. Riley
W. A. Wroe

Absent

Pericles Chriss
Emil Spillmann

Also Present

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

MINUTES

Minutes of the meeting of November 20, 1962, were approved as submitted.

The following zoning change and Special Permit requests were considered by the Zoning Committee at a meeting December 11, 1962:

ZONING

C14-62-162 Mrs. June H. Brewer et al: A to B, 1 to 2
East 19th, Leona, Salina and East 20th Sts.

STAFF REPORT: This is a request by 13 property owners to change an area consisting of $1\frac{1}{2}$ blocks adjacent to a commercial area on 19th and Chicon Streets. The total area has about two acres and is developed with 17 single-family and two duplex dwellings. Six of the 13 lots are too small to use for "B" Residence; other tracts would range from six to twelve units. Unless some of the lots are combined and used as one development, they could not be developed as "B". The surrounding area is predominantly single-family and duplex development. East 19th Street is paved and has a right-of-way of 60 feet, East 20th is 50 feet wide and graveled, Leona Street is 53.33 feet wide and paved 30 feet, and Salina is 53.33 feet wide and graveled. The alley through the blocks is graveled. We feel that this application, if granted in any form, should be "B" Residence and First Height and Area as Second Height and Area would permit too great a density for the area. We feel that this is a peculiar type of zoning with no planned boundary given as to proposed apartment use, but that it would be on one or two lots at a time. We particularly recommend against Second Height and Area.

C14-62-162 Mrs. June H. Brewer et al--contd.

Mr. Fred L. Tarver (agent) represented Mrs. Brewer (applicant) who was also present. One reply to notice was received favoring the request. Mr. Tarver stated that Mrs. Brewer owns the corner lot at 20th and Leona Streets and proposes to erect an apartment with five units, including four one-bedroom and one two-bedroom apartments.

The Commission felt that this would be a logical use of the property and a buffer zone for the surrounding residential area, but that Second Height and Area would permit too high a density of development. It was therefore unanimously

VOTED: To recommend that the request of Mrs. June H. Brewer et al for a zoning change from "A" Residence and First Height and Area to "B" Residence and Second Height and Area for property bounded by East 19th, Leona, Salina and East 20th Streets be DENIED; but that a classification of "B" Residence and First Height and Area be established for the property.

C14-62-163 Lucille Wells Estate: C to C-1
Guadalupe and West 32nd Streets

STAFF REPORT: This application is for a change to "C-1" Commercial for the stated purpose of selling beer for on-premise consumption in a drive-in cafe. The property contains about one-half acre. The west side of Guadalupe Street is and has been zoned and developed as commercial for some time except for two houses in the block to the north. The area west of the site is an area where "BB" Residence has been recommended and is pending before the City Council. East across Guadalupe and south of 34th Street is Aldridge Place which is restricted by deed and zoning to residential development. We feel that this does conform to the policy of the Commission generally.

Mr. Richard E. Chalmers (agent) represented the applicant and two replies to notice were received favoring the request. Information presented in support of this request may be summarized as follows:

1. This estate is in the hands of an administrator. The deceased, while living, was unable to pay City taxes since 1949, and the estate is in a bad financial state. The sale, if this request is granted, would help to clear up the estate. A drive-in restaurant would be an improvement over what is there now. The person who has a contract to purchase has been in the restaurant business for about sixteen years under his own ownership and has leased sites. I am quite familiar with his businesses as a customer. His food consumption would average 75 per cent of his business but in this type of operation you almost have to have beer. He would be serving food and beer in cars as well as in the building.
2. There is space on the property for around 100 cars. There would be no parking on the street. We would probably have an average of 12 to 15

C14-62-163 Lucille Wells Estate--contd.

cars at any one time except in unusual events in which there would be from 38 to 40 cars. The alley would be used by service vehicles as access to the business.

3. Across the street to the north the property is zoned to permit the privilege of selling beer. This would be a drive-in restaurant and the sale of food and not a honky-tonk. There are two such operations nearer the people across Guadalupe than this drive-in restaurant will be. This business would have 12 o'clock closing hours except on Saturday which would be 1:00 a.m. There would be no outside loud speakers.

Three nearby owners were present in opposition and written objections were filed by three owners. Reasons given were:

1. Property in Aldridge Place is restricted. There is a service station across the street but there are never 100 cars there. This will be a hang-out for young people and there would be bright lights and noise late at night. When we bought property we knew "C" did not permit this type of use. The principle which should be followed is to leave the zoning as it is unless there is a good reason for the change. There is no need on Guadalupe for another honky-tonk. University students have ample facilities without encroaching here. This property could be used for commercial or apartment development.
2. It is understood that the person who proposes to operate this business operates Martin's Place at 28th and Guadalupe and similar businesses which are really honky-tonks. They are very undesirable. 32nd Street has been a very quiet street but with the filling station on the corner it has become somewhat of a speedway. With this use the traffic will increase and children will not be safe there. It becomes necessary sometimes to fight for the protection of your property.

Mr. Lewis Buck requested and was permitted to speak at the Commission meeting for the reason that he was not notified of the public hearing. He then presented the following information: I have recently escrowed for the purchase of property at 3116 Wheeler Street. I understand that the use will be a late-hour operation and this will cause some difficulty of traffic impediment with people leaving this property, going down Hemphill Park, and with Wheeler Street being a circular street we could have an unusual amount of traffic using this street. I understand the proposed improvements will be \$15,000. I have a loan approved which exceeds this \$15,000 amount and residential property will decrease in value if we continue to zone to "C-1" Commercial in this area.

The Commission noted that this is a well developed commercial area with most of the property on Guadalupe to the State Hospital grounds being used commercially, and concluded that this would be an extension of the present "C-1" Commercial and the proposed use for this particular site is in line with development in a commercial area. Therefore, it was

C14-62-163 Lucille Wells Estate--contd.

VOTED: To recommend that the request of Lucille Wells Estate for a zoning change from "C" Commercial to "C-1" Commercial for property located at the southwest corner of Guadalupe and West 32nd Streets be GRANTED.

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

NAY: Mr. Barrow

ABSENT: Messrs. Chriss and Spillmann

DISQUALIFIED: Mr. Lewis

C14-62-164 Henry G. Krauss: 0 to LR
E. Oltorf St. and Rebel Rd.

STAFF REPORT: This request is for the purpose of operating a horticultural nursery. The zoning on the site was changed to "O" Office in 1959 and later the "LR" Local Retail zoning to the east was granted. There is also an "LR" Local Retail zone across Rebel Road to the west which was established in 1956, a "GR" General Retail zone to the southwest created under a very recent change, and a request for a special permit for an apartment site across the street to the south which is still pending. Because of the existing zoning pattern in the area we feel that this change would be in keeping with the existing zoning. Our only question is regarding off-street parking and we feel that the Commission would like to have a statement from the applicant regarding the size of the proposed off-street parking area, its arrangement and paving.

No one appeared to represent the applicant. Two replies to notice were received opposing the request but no reasons were given.

The Zoning Committee reported the following action: It was felt by the Committee that this would be a logical extension of existing zoning in view of zoning changes in the area within the past year, and that this would be the proper zoning for the property, but that consideration should be given the plan for parking. The Committee had therefore recommended that the request be granted but had asked the staff to discuss with the applicant his plan for parking.

At the Commission meeting, Mr. Stevens reported that Mr. Krauss will provide off-street parking to meet the Ordinance if he has a building on the property and he has further committed himself to provide a minimum of 7 off-street parking spaces in the event he does not have a building on the property in connection with his horticultural use of the property. He proposes to have a 45-foot opening from Oltorf Street and an opening from Rebel Road which he states he will locate and build to City specifications and recommendations.

The Commission concurred with the recommendation of the Zoning Committee and concluded that the request should be granted in view of the type of operation proposed as reported by the staff. It was therefore unanimously

VOTED: To recommend that the request of Henry G. Krauss for a change of zoning from "O" Office to "LR" Local Retail for property located at the northeast corner of East Oltorf Street and Reben Road be GRANTED.

Planning Commission -- Austin, Texas

Reg. Mtg. 12-18-62

C14-62-165 Philip Crawford: C to C-1
1400-06 Fort View Road

STAFF REPORT: This request is for a change to "C-1" Commercial for the purpose of selling beer for off-premise consumption in a grocery store which was here before the property was annexed to the city. The site fronts approximately at the corner of Fort View Road and Ben White Boulevard and was included in a recent general study of this area. The property was zoned "C" Commercial prior to the general zoning study. We feel this is a policy question and make no firm recommendation.

Mr. Joe Palmaro (lessee) represented the applicant and explained that since he has leased this place he has had requests for beer. He noted that Mr. Ballard, about two blocks down the street, does have beer in his store. One reply to notice was received favoring the change.

The Reverend Bob J. Cox (Minister of Southwest Christian Church) and three of his members appeared in opposition for the following reasons:

1. The Church does want to protest the change of zoning. The remainder of the property on which the store is located is owned by the same person and we can see that if the zoning is changed it makes it easier to move from one place to another. We are opposed to off-premise consumption but even more opposed to the next step. The sale of beer here would put it closer to the church and make it harder to teach against and work with the young people when they see the sale of intoxicants.
2. There are plenty locations a few blocks one direction or another to get beer, including one at South 1st and Ben White Boulevard and at the 7-Eleven store on the Manchaca Road.
3. Beer and food do not have to be sold in the same place. We do not want this near the church.

It was felt by some members of the Commission that this property is separated from the church and could be considered more as contiguous to the Boulevard. Other members were of the opinion that this would not be a suitable location for the proposed use since the site is small and isolated from other well developed commercial areas and could not be considered as conforming to the policy of the Commission. It was then unanimously

VOTED: To recommend that the request of Philip Crawford for a zoning change from "C" Commercial to "C-1" Commercial for property located at 1400-06 Fort View Road be DENIED.

C14-62-166 H. G. West: C to C-1
Rear 2342-2344 Rosewood Ave.

STAFF REPORT: This application is for an interior tract which is a part of a larger lot owned by the applicant. The purpose is to permit the sale of beer for off-premise consumption. The change was initiated some time ago to

C14-62-166 H. G. West--contd.

change back to "A" Residence the property on both sides of Rosewood Avenue in this area but the only change made was to First Height and Area. Across the street is "C" Commercial, a housing project to the east, and Rosewood Park to the west. There is no beer within several blocks of this location. Since the application was filed, Mr. Robert J. Potts, Jr., has submitted a letter which reads in part as follows:

"Apparently this application should not have been accepted in the first place, since the property lies within an area under study by the Urban Renewal Commission, but due to an oversight the application was accepted, and apparently persons interested in the matter will be present at the hearing.

"In view of the fact that all interested parties will be present, and that due notice has been given, I respectfully request that the Planning Commission, through its Zoning Committee, will hear the case as scheduled, but that it will make no recommendation to the City Council until cleared by the Urban Renewal Commission, according to the directive of the City Council. I believe that such a course as this will comply with established procedures, while at the same time occasioning the least inconvenience to persons notified of the hearing in error.

Since this area was so set up and the Council has set up and appointed an Urban Renewal Commission, they feel that this Commission should review the request and make a recommendation before this is considered by the Planning Commission. We make no recommendation on this request but suggest that the Committee defer action as requested.

Mr. Robert J. Potts (attorney) represented the applicant and Mr. Hence Black, Jr. (proposed operator of the store) was also present. Mr. Potts presented the following information in support of this request:

1. I was advised that the City Council wanted this to be considered by the Urban Renewal Commission first. Mr. Golden suggested that the Zoning Committee hold the hearing and then defer action since notices had been sent out before it was found to be in the Urban Renewal Area.
2. I represent Mr. West and Calhoun-Smith Distributing Company who is purchasing the property. On the property they propose to put in a Texaco service station and have entered into a written commitment for a Town and Country store. The area requested for the change is for the portion to be occupied by the Town and Country store only. No drinking will be allowed on the premises. Mr. Hence Black, Jr., who has been with the Town and Country Company for some time, will operate the business which will be a clean and quiet operation.
3. There are two or three stores and eating places and various other small enterprises of that nature in the area. I think with the character of

C14-62-166 H. G. West--contd.

the area and the nearby church that on-premise consumption would be objectionable. Beer for off-premise consumption is the proper way to handle this business. This is a certain kind of merchandise which people around desire to buy. Allowing such an operation as proposed here would not be deterious to life in the city. Urban Renewal may be studying this for from six to nine months according to Mr. Golden.

4. I advised my clients before I knew of the Urban Renewal Program that they would have to assist in the solving of the drainage problem existing on the property. They have been prepared since the beginning to grant easements along the creek to assist in clearing up the flooding problem.

Four nearby owners were present in opposition, written objections were received from one owner, and a petition of protest signed by 63 persons was filed. Reasons given may be summarized as follows:

1. We have three schools, a housing project, a church and a park. Very often the policy must be called because of disturbances in the area. We have enough trouble with people now without manufacturing it. As soon as we get beer to go, there will be an application for beer across the street. While this is for off-premise consumption now it would be soon for on-premise consumption. One application for beer in a cafe has already been denied. Mr. Gurley operates a nice little grocery store and it is convenient to everyone in the community.
2. This is an area of older people and we do not want beer. Traffic caused by other businesses make it hard to get in and out of our property now. To change zones would create a more hazardous condition on Rosewood and we want it kept as it is.

The Zoning Committee reported the following action: It was felt by the Committee that this request should be denied for the reason that it is in conflict with the health and welfare of the community due to the fact that there are two schools and a playground within 200 feet in every direction, and this would cause a traffic hazard. Also, two previous requests for zoning changes in the area were denied. It was agreed, however, in view of the testimony presented, that the Commission should be asked to refer this to the Urban Renewal Commission before any action is taken.

Upon review of the testimony presented and the feeling of the Committee regarding the change, the Commission concluded that the request should be denied. It was noted that this request would automatically be reviewed by the Urban Renewal Commission under the present organization. Therefore, it was unanimously

VOTED: To recommend that the request of H. G. West for a change of zoning from "C" Commercial to "C-1" Commercial for property located at the rear of 2342-2344 Rosewood Avenue be DENIED.

C14-62-167 G. D. Baten: A to O
McDonald Ave. and W. 38th St.

STAFF REPORT: This application is for one lot for the stated purpose of erecting a doctor's office. This is presently a vacant lot. Adjoining property to the east and north is in a "C" Commercial zone which has been here for some years. The surrounding area to the south, west and north is developed with single-family homes and duplexes. We feel that you should not start into an area unless you decide that there is a change in the area and an area is established rather than a single lot. We would recommend against changing this one lot. West 38th Street is designated as a thoroughfare and has inadequate right-of-way now.

Mr. E. Ahlgrimm represented the applicant and stated the following: The doctors selected this particular location because it is near their patients, is on a bus line and on a thoroughfare, and is only one block west of Lamar Boulevard. I tried to get the adjoining owner to join in the application but he did not. The property affected has a frontage of 58 feet on McDonald Avenue and 128 feet on West 38th Street.

Replies to notice were received from two nearby owners favoring the request but offering no reasons.

At the Commission meeting, the Director again called attention to the proposal for 38th Street to be a thoroughfare and difficulty of developing a satisfactory thoroughfare with a right-of-way of only 60 feet if zoning changes are granted and the lots are intensively developed. He noted that both "C" Commercial lots adjoining this property are developed residentially and that the area along 38th has a mixed development with some good residential sections and some dwellings in poor condition. He recognized that there is a question of what the zoning should be and suggested that "O" Office might offer an alternative. He further noted that there are five blocks of commercially zoned land in the immediate area which is mostly developed residentially. He mentioned the difficulty of assembling a number of small lots for common development because of multiple ownership. He concluded that there is adequate commercial zoning which offers opportunities for the type of development proposed and that 38th Street is inadequate to serve intensive uses.

In a discussion by the Commission some members felt that if a change is made there should be a larger area, possibly from Lamar Boulevard to the Creek, and that this area will eventually be developed commercially. They felt that doctors' offices would not be objectionable in a residential area and would not create excess traffic, but doubted that offices would be suitable here. Other members felt that one lot would create more or less a spot zone and questioned where the zoning would stop once a change is made. They noted that there is other nearby property already zoned to permit the proposed use. It was then

VOTED: To recommend that the request of G. D. Baten for a change in the zoning plan from "A" Residence to "O" Office for property located at the southeast corner of McDonald Avenue and West 38th Street be GRANTED.

AYE: Messrs. Barrow, Kinser, Lewis, Riley and Wroe

NAY: Messrs. Brunson and Jackson

ABSENT: Messrs. Chriss and Spillmann

C14-62-168 Richard A. Obenhaus: C to C-2 (as amended)
817-819 East 53 $\frac{1}{2}$ Street

STAFF REPORT: This application is for a change to "C-2" Commercial for the purpose of operating a lounge with the sale of beer. The north side of 53 $\frac{1}{2}$ Street is very well developed commercially. To the east and southeast the area is well developed and subdivided as a single-family residential area. We feel this is a matter of policy and recognize that the sale of beer is a commodity. We do not make a firm recommendation although this is close to being a well developed commercial area.

Mr. Obenhaus was present at the hearing and presented the following information in support of his request: This is now a commercial building and is surrounded by commercial buildings. I also own the property to the east and rear of this building. I would like to designate only the front portion of this building now and if the Planning Commission would like I would submit a description of the desired 30'x50' area. This will not be a drive-in but will be a lounges. I have full control and am leasing the property. The open area will eventually all be developed similar to what is there now.

One reply to notice was received favoring the request.

Seven nearby owners were present in opposition and written objections were filed by three owners. The following reasons were given:

1. This is not the place for a business of this type and it would be very undesirable. The hamburger place across the street is nice and we have a good neighborhood. This type of use would depreciate the value of our property. With all the vacant area for parking the young people would be gathering here during late hours. We have lived here many years and are for progress and development but do not feel that this would be a proper business in this location.
2. This neighborhood has lots of children and this would be a very bad example for them. It is between the school and the residential neighborhood.

Some members of the Commission opposed this zoning at this location because it is on the edge of a residential area and on a residential street away from the main street. Other members were of the opinion that the property is located in a well defined commercial area and is across the street from a commercial development and that the request should be granted. It was then

VOTED: To recommend that the request of Richard A. Obenhaus for a zoning change from "C" Commercial to "C-2" Commercial for property located at 817-819 East 53 $\frac{1}{2}$ Street be GRANTED.

AYE: Messrs. Barrow, Jackson, Lewis and Riley
 NAY: Messrs. Brunson, Kinser and Wroe
 ABSENT: Messrs. Chriss and Spillmann

C14-62-169 C. L. Reeves: B to O
910 West 19th Street

STAFF REPORT: This is one lot on the north side of West 19th Street on which "O" Office is requested for the purpose of erecting an insurance office building. The lot is presently developed with a single-family dwelling. The adjoining property on the east was zoned "O" Office in 1958 but the Planning Commission had recommended against the change, feeling that it should not be granted unless an area study was made and that it would be spot zoning. We feel that to establish an "O" Office area and not piecemeal zoning the "O" Office districts should be connected. There is an "O" Office zone to the west but there was a doctor's office there at that time which was in keeping with the "O" zoning. Other nearby office zones were established in 1959 and 1960.

Mr. Robert C. Sneed (attorney) represented the applicant and presented the following information in support of the change:

1. Mr. Reeves entered into a contract of sale with Mr. Marion Findlay with Jefferson Standard Life Insurance Company and it is intended to move the present development and erect an office building containing approximately 6600 to 6700 square feet of office space with outside porches, and to provide off-street parking for the entire usage of the property so that there will be a self-contained and self-operating use to avoid congestion of traffic. The type of building proposed is that being used predominantly by insurance offices. It has been found that it is better to move the Underwriter out of the congested buildings to provide more convenience for him and his customers.
2. With regard to piecemeal and area zoning, we find that this same argument has been made on every single change as it has been accomplished. The movement has been in a westerly direction. We have one of the best types of office development in the City of Austin in this area. Only about 15 per cent of the large commercial area along the Interregional is developed where so much commercial has been zoned.
3. This is an area of transition. Development should take place in an orderly fashion. This is a case of development that should be on this type of traffic artery between Lamar Boulevard and Guadalupe Street. This is not spot zoning as a matter of law. This is the most logical approach. If we had waited for an area study before the medical center was established we would have waited indefinitely. If we say no change should take place until there is an area change then we find an increase in the value of property and that it is impractical to develop. This is a logical expansion of a well established office district which is different from uses along Guadalupe and Lamar. This is not offensive to the area but is the kind of development that is protected and a benefit to the city.

C14-62-169 C. L. Reeves--contd.

Mrs. J. W. Bradfield (911 West 19th Street) submitted the following written objections: I feel that an inside lot is too small for office zoning. The traffic here is such that I never park my car on the 19th Street side opposite this lot in question.

The Commission recognized that this would be piecemeal zoning but is convinced that the area is changing and that the proposed change is being recommended because of this changing character of the area. It was therefore unanimously

VOTED: To recommend that the request of C. L. Reeves for a zoning change from "B" Residence to "O" Office for property located at 910 West 19th Street be GRANTED.

C14-62-170 Manor Apartments, Inc.: Tract 1: A to B, 1 to 2
 Rear 1616-1714 Manor Rd.
Tract 2: A to C, 1 to 2
 Rear 1712-14 Manor Road
Tract 3: C to C-2
 1712-1714 Manor Road

STAFF REPORT: This application is for rezoning of three tracts and an additional area included for purposes of hearing. The applicant proposes the erection of apartments and shopping facilities in connection therewith. The proposed zoning of "B" Residence and Second Height and Area for Tract 1 would permit a maximum of 45 regular units, 90 efficiency units, or a 90-unit apartment hotel. "C" Commercial and Second Height and Area is requested for Tract 2, and "C-2" Commercial and Second Height and Area for Tract 3. The owner of the additional area is asking that his property be zoned "C" Commercial to permit expansion of his plumbing business. There has been fairly recent consideration of zoning in this area. "B" Residence and First Height and Area was recommended by the Commission for the adjoining property on the east of Tract 1 but the Council granted "B" Residence and Second Height and Area. The area of that property permits a maximum of 76 units but a building permit was issued for 48 units with the stipulation under a private covenant that no more than 61 units would be built. There is one access from Manor Road to the existing apartments but some access from Robinson Avenue is provided. We feel that "B" Residence and First Height and Area should be granted for Tract 1 and the additional area, because of the great number of units permitted under "B" Residence and Second Height and Area.

Mr. Robert C. Sneed (attorney) represented the applicant and stated the following: The southwest portion of the existing apartment property is used as an entranceway and has no development. It is in fact a boulevard entrance with one side for the exit. Robinson Street is paved and curbed and ties into the north line of Tract 1. The Manor Apartments developer has under contract to purchase the three tracts and already has title to the northeast corner which has a house on it and where a swimming pool is planned. It is

C14-62-170 Manor Apartments, Inc.--contd.

proposed that the development will consist of a commercial usage on Tract 2, with off-street parking, for small units of a service type to the occupants of the apartments. We have studied very much the problem of how many parking spaces must be maintained in order to properly handle the property. It will be a failure unless adequate parking is provided on the property for people will not park on Manor Road and walk to the units. It is contemplated to erect an additional 64 units and add 81 parking spaces, making a total of 228 spaces for 112 units. The parking area for commercial usage will be available for overflow parking at night. There will be a ratio of more than 2 to 1. We will provide a private covenant to restrict this to 64 units. Proposals under a proposed zoning ordinance have been taken into consideration in planning this project. Tract 3 will have a small liquor store. There will also be a 7-Eleven or Town and Country type store, barber shop and beauty shop -- the kind of businesses normally provided as service to the apartment development. Other property fronting on Manor Road is zoned "C" Commercial.

Mr. R. P. Hoffpauir (2314 Dancy Street) appeared in opposition and stated: I and some of my neighbors appeared at the hearing and objected when the zoning was changed to permit the Manor House to be built. All that the Manor House has added to our neighborhood is trouble by their wild parties, foul language and unnecessary noise, and the throwing of empty beer bottles and cans on our property. We have had to call the manager and also the city police to quiet them in the late hours at night. I doubt that my objection will even be considered but I must object to this zoning change. Thank you for any consideration that you may give this objection.

The Commission felt that, because the present apartment house area is zoned Second Height and Area, the same classification should be granted for Tract 2, and that this would be an expansion of the present apartment development, and that the additional area should also be "B" Residence and Second Height and Area. It was agreed that the proposed usage of Tracts 2 and 3 would provide suitable services for the apartment development. Therefore, it was unanimously

VOTED: To recommend that the request of Manor Apartments, Inc., for a change of zoning be GRANTED as follows:

- Tract 1: From "A" Residence and First Height and Area to "B" Residence and Second Height and Area
- Tract 2: From "A" Residence and First Height and Area to "C" Commercial and Second Height and Area, and
- Tract 3: From "C" Commercial and Second Height and Area to "C-2" Commercial and Second Height and Area;

and to recommend "B" Residence and Second Height and Area for the additional area known as Rear 1700 Manor Road.

SPECIAL PERMIT

CPl4-62-7 Fairway Enterprises, Inc.: Apartment Dwelling Group
1406-1514 Riverside Dr.

STAFF REPORT: This property was recently considered for a Height and Area change but it was discovered that the Height and Area change was not necessary and the request was withdrawn; however, a special permit was necessary. The application proposes buildings for 200 units in an apartment dwelling group, with off-street parking for 275 automobiles (a ratio of 1.37 spaces per apartment unit). The plan also proposes a club house and two swimming pools for the common use of the tenants or residents of these apartments. The site is located between Town Lake and Riverside Drive at the east end of Edgecliff Street and the plan shows three driveways extending northerly off Riverside Drive for ingress to and egress from the parking areas. Mr. Folse has worked out the type and location of electric service as requested by the Electric Department. The Town Lake Committee established a 40-foot setback from the Lake which is provided by this plan. One problem is the flood area. The planning and design of the low water dam and the Town Lake were based on "controlled" flood elevation of 441 feet above mean sea level. It is recognized that catastrophic flooding may cover above this elevation but the possibilities are quite low. In view of the fact that the north portions of the tract are below the 441-foot elevation, structures designed for housing purposes should not be built below this elevation. Mr. Folse has agreed to that and will furnish us a contour map and, if necessary, a final grading plan. The City has acquired 80 feet of right-of-way to the east on Riverside Drive but that to the west is 60 feet and we will need adequate right-of-way to provide for 80 feet to comply with the master plan as this is designated as a primary thoroughfare. We feel that the Ordinance does provide a basis to require additional right-of-way.

Following are comments by various City departments:

- | | |
|--------------------------|---|
| Director of Public Works | - No objections. Driveways are O.K. |
| Fire Protection | - Recommend hydrant be placed in center of grounds. |
| Health Department | - Approved subject to sanitary sewer line being available. |
| Fire Prevention | - O.K. |
| Office Engineer | - O.K. Separate request necessary for driveways. |
| Traffic & Transportation | - No head-in parking along Riverside Drive. Otherwise O.K. |
| Building Inspector | - In checking the plot plan that was presented to you for a special permit for an apartment house group, I find it impossible to approve. The parking arrangement should be changed to provide 45-degree spaces in some instances where proper access is doubtful, and the revised parking plan to be submitted to me for approval. |
| Water and Sewer | - No comment |
| Electric Department | - Please have architect or engineer contact me concerning electric service. |

CP14-62-7 Fairway Enterprises, Inc.--contd.

Storm Sewer Division - Extend 30" pipe through driveway to slough and provide easement. West driveway conflicts with existing storm sewer inlet. Show existing storm sewer easement on plan.

The Planning Department recommendation is that the plan be approved subject to these conditions being met.

Mr. Paul Jones (Legal Department) stated the following: The Zoning Ordinance requirements for apartment dwelling groups include the condition that "streets necessary to serve the adjoining property are widened, dedicated and developed in accordance with the standards of the Subdivision Ordinance as required by the Planning Commission". The Subdivision Ordinance requires that streets conform to the master plan and that thoroughfare streets have a minimum right-of-way of 80 feet. The master plan provides that Riverside Drive is a thoroughfare. Therefore, it is my opinion that an 80-foot right-of-way would be required for Riverside Drive in the approval of this plan.

Mr. Les Proctor was present and said they realized that Riverside Drive should be widened but they would prefer that the additional right-of-way be made available by additional setbacks for buildings D and E rather than giving the additional right-of-way. Mr. Folse (agent) said he has made some changes on the site plan, locating the fire hydrant where the Fire Marshal would like it located.

At the Commission meeting, Mr. Stevens reported that Mr. Folse has corrected the site plan to provide for the changes affecting the plan itself and has put statements on the plan that all the remaining conditions requested by the City will be met. The Director reported that a catastrophic flood could occur above the 441-foot elevation, from Bee Creek, Barton Creek, and other drainage areas emptying into the lake, since this is not a controlled lake, but that this elevation offers a reasonable degree of assurance. Upon review of the site plan and the statements presented, the Commission found that the plan complies with all sections of the Zoning Ordinance and that this is a desirable use for this land. It was therefore

VOTED: To APPROVE the site plan as revised subject to the following conditions and to authorize the Chairman to sign the necessary resolution issuing the Special Permit:

1. That no building shall be located below the 441-foot elevation,
2. That additional right-of-way shall be dedicated to make Riverside Drive an 80-foot thoroughfare,
3. That a separate request be filed with the Department of Public Works for the driveways,

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CP14-62-7 Fairway Enterprises, Inc.--contd.

4. That a 30" diameter pipe be installed at the owner's expense to meet City specifications, easement to be granted at the time of issuance of the building permit, and
5. That the existing drain be moved at the owner's expense to clear the most westerly driveway.

R146 SUBDIVISION COMMITTEE

The Committee chairman submitted the minutes of the Subdivision Committee meeting of November 12, 1962 (which were not ready for submission at the last Commission meeting). The staff reported that no appeals had been filed for review of the Committee's action. The Commission therefore

VOTED: To accept the following report and to spread the action of the Subdivision Committee of November 12, 1962, on the minutes of this meeting.

PRELIMINARY PLANS

C8-62-15 Santa Monica Park (Revised)
Ben White W. of Burleson Rd.

The staff reported that the subdivider is not ready to submit the final plat but preliminary approval given in March of 1962 has expired and an extension of time has been requested. It was recalled that there is a question of the United Gas Lines easement which has not been completely resolved and it is the responsibility of the subdivider to furnish information regarding this easement. The easement must be reviewed by the City Legal Department and determined by them that the street dedications through the easement can be accepted and maintained as public streets. The Committee felt that this area should be reviewed by the Advanced Planning Section to determine whether or not there are any school or park needs here. The Committee then

VOTED: To GRANT the request for extension of preliminary approval for six months pending further information on the United Gas Lines easement and the school needs for the area.

C8-62-71 Angus Valley
Duval Rd. and U. S. Hwy. 183

The staff explained that this is a proposed suburban subdivision of very low density and is located five miles from the intersection of Burnet Road and Highway 183, north of Duval Road. It was suggested that the proposed entrance into the subdivision from Highway 183 be altered to provide a connection with Duval Road rather than by West Cow Path in order to serve these large lots. Mr. Hood said the adjoin-

C8-62-71 Angus Valley--contd.

ing owner has partially agreed to sell the southeast corner of his property so that Duval Road can be extended directly into Highway 183 and that this exchange of land should be completed in the near future.

The following comments were then presented by the staff and discussed:

1. The boundary line of Travis-Williamson Water District #1 extends northerly through the entire subdivision at the approximate location of East Cow Path and its northerly prolongation as shown on the plan. The portion east of this line is in the Water District and the portion west is outside and would have to be annexed by the District to obtain service therefrom. The Water District is obligated to serve the property within its boundaries at the expense of the owner or future owners of any part of this property.

Mr. E. J. Hood (subdivider) said the information regarding a part of this subdivision being within the Water District is wrong and the previous owner had not signed the agreement to be included. He explained that he has employed Mr. Sterzing to dig a well, which is already under construction, on Lot 21. He said this well will probably not serve more than a dozen customers and that the property will eventually all be in the Water District.

2. All information available shows that a part of the subdivision is in the Water District and if this is true a note will be required on the final plat concerning the taxing agencies applicable to the property.
3. If this subdivision is to be served with water from a source other than the Water District, a report will be required from the Health Department concerning source, potability, adequacy, distribution and operation of such a system. Attention was called to a memo from the Sanitary Engineer which read in part as follows:

Due to the size of the lots we feel that there would be no objection to septic tanks, provided they are built and maintained in accordance with State Department of Health Plans and Specifications.

Before approval of the plans, it will be necessary that we be furnished the following data regarding the water supply. It is our understanding that part of the subdivision will be in a Water Control and Improvement District, and that the owner intends to furnish water to the remainder of the subdivision from a private well.

1. The use of this private well in a Subdivision will put the owner in the position of a public water system operator, and it will be necessary that the well be cased, bacteriological

C8-62-71 Angus Valley--contd.

and chemical analyses furnished and the adequacy of the supply be determined by a competent well driller and certified information furnished as to the number of gallons per minute, drawdown, recovery rate and expected yield over a long period of time.

2. The water supply must be operated by a person having at least a Grade (C) Well Water Operator's License issued by the State Health Department.
3. Plans should be submitted showing size of all lines, fire hydrants, valve locations, as well as storage tank capacity and pressure figures.
4. Information should be furnished also on the number of houses to be connected, and the expected maximum usage for each house as average and as peak load flows.
5. Bacteriological samples must be taken from points in the system after completion and should these show the presence of Coliform Organisms, it will be necessary to install a chlorination system.

Mr. Hood said he had discussed this subdivision with Mr. Hargis and the State Health Department, that Mr. Sterzing evidently is aware of the regulations since he has several wells operating in the Austin area, and that all necessary tests will be made before the water is used. He explained that running water will be piped to tracts in the entire subdivision.

4. An east-west street is required between Bull Run and Maverick Drive from the east to the west boundary of the subdivision to break the block length which exceeds the requirements, to provide better distribution for water in the present or in the future, and for access to adjoining properties. The Water Department has advised that this is needed for water distribution and for fire protection which is limited by long blocks. Bull Run should be extended to the east line of the subdivision for better future circulation and access to adjoining property. East Cow Path should be extended to the south line of the subdivision and an east-west street be provided between this extension and the east line of the subdivision since aerial photos show a street a short distance to the east which could be later extended to connect with the proposed street. These streets could be shown on the preliminary plan and final plats could be filed on sections not affected by the streets at this time.

C8-62-71 Angus Valley--contd.

The road easement north from Bull Run is not acceptable but all roads proposed must be so indicated and dedicated in connection with approval of lots abutting thereon. Future owners may want this road in the rear of the large lots. Also, a future street was considered possible along the east boundary of the subdivision in the event the large tracts are resubdivided into smaller lots.

Mr. Hood did not agree with the proposed streets and said there are nearly two miles of roads now and by the time he gets a water system, streets paved and other improvements done the cost will be too high. He said owners in the future may want to put the street in the rear of the lots, and that if the adjoining owners on the east want a street he will sell his land to them. The staff recommended shifting East Cow Path south of Bull Run to the east to line up with the proposed road easement north of Bull Run in order to avoid an offset in case this street is dedicated. Mr. Hood agreed to this change.

5. The staff suggested that proposed restrictions be presented for consideration of the Subdivision Committee in relation to replatting the lots and consideration of future development of the large tracts.

Mr. Hood said he does not believe it would be feasible to divide these lots into smaller tracts, that three persons have approached him proposing to buy several lots each, which would indicate that smaller tracts would not be as desirable. He stated that he intends to limit the division of these lots to not less than 100 feet of frontage and this will be included in the recorded restrictions.

6. Change the names of East Cow Path and West Cow Path and provide a different name for each portion of East Cow Path as shown in order to avoid confusion since these are north-south streets. Mr. Spillmann said there was confusion in the delivery of mail with similar names such as these.
7. Recommend Duval Road and West Duval Road be provided with a right-of-way of 70 feet since this will serve as a collector street, with a suggestion that 5 feet be given on the north and 15 on the south. Mr. Hood said this is already a dedicated county road.

In general explanation of the subdivision, Mr. Hood said he did not feel that he is wasting his money in dividing as he proposes, that people appear to want the large lots without too many streets and he does not see the need of the suggested east-west streets. He said he has a contract with a man to remove rock from the northwest corner of the subdivision to make a buildable area and to pave the streets. He noted that if the

C8-62-71 Angus Valley--contd.

property does not sell he will then make a park out of it or use it for another purpose. He called attention to another location in the southern portion which has large rocks but said he will have a restrictive covenant in the deeds so that no one can take out this rock and destroy the appearance of the area.

The staff then called attention to a report from the Drainage Department that further study is being given by that Department to the drainage areas and the proper widths of the necessary drainage easements. The staff also called attention to a letter filed by Mr. Hood and Mr. O. P. Schoolfield (surveyor) noting that the plan drawn to a scale of 100 feet to the inch is cumbersome and, since such a map must be reduced in size to be placed on record in the County Clerk's office, the lettering would be illegible, they were requesting that a variance be granted to permit the plan to be drawn 200 feet to the inch.

After general consideration by the Committee of the plan and the above comments, the Committee, with the agreement of Mr. Hood,

VOTED: To DEFER action on this plan until the next regular meeting of the Subdivision Committee, with the request that special attention be given to the points discussed, and to grant a variance to permit the plan to be drawn to a scale of 200 feet to the inch.

C8-62-78 Western Trails Sec. 7-A
Jones Rd. and Pack Saddle Pass

The staff reported that this subdivision is a revision of a part of the previously approved Western Trails Subdivision; the revision being mainly the relocation of the access street into the adjoining property to the west. The relocation is from Comanche Circle to Adobe Pass, which is recommended as it still proposes adequate access to the adjoining tract of land.

The following comments were presented by the staff and discussed:

1. The right-of-way width and alignment of Jones Road should correspond with that previously shown on the record plat of Southern Oaks, Section 5.
2. Block P exceeds Ordinance requirements for block length by being 1300 feet when considered with the remainder of the block to the north, but a variance is recommended due to a drainage easement and area along the west boundary line of the block.
3. Annexation of this property, including Jones Road, must be considered and approved by the City Council before final approval can be given.

C8-62-78 Western Trails Sec. 7-A--contd.

4. Rearrangement of Lots 7-14, Block T, is suggested as shown on the Department Plat Review copy in order to provide better arrangement of lots and a 25-foot building line on all sides of said lots. A restriction could be placed on the plat that all lots front on the cul-de-sac instead of on Pack Saddle Pass. Mr. Thomas Watts (Marvin Turner Engineers) explained that the odd-shaped lot was so shown to avoid having the through lots. He suggested that the plan be approved excluding Block T which would be held in abeyance for further study by the owner.

After consideration of the revised plan, the Committee

VOTED: To APPROVE all of the plan of WESTERN TRAILS, SECTION 7-A, except Block T, and to grant a variance from the Subdivision Ordinance on block length requirements for Block P.

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-62-128 Delafield Subdivision
 Rebel Rd. and Oltorf St.
C8s-62-140 Fiskville School Addn., Resub. Lot 12, Blk. 1
 Elliot St.
C8s-62-143 C. R. Angell Sr. Addn., Resub. Lots 17 & 19, Blk. 5
 Langham St. and Brassie St.

SHORT FORM PLATS - CONSIDERED

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

VOTED: To APPROVE the following plats:

C8s-62-130 Hill Sub., Resub. Lots 1-6, Blk. 4
 Bennett Ave. and E. 55th St.
C8s-62-133 South Lund Park Sec. 2, Resub. Lots 1 & 2
 Kerr St. and Barton Blvd.
C8s-62-134 Cooper Lane Addition
 Cooper La. S. of Matthews
C8s-62-141 Schoedel Addition
 Burleson Rd. and McCall Rd.

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

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

The staff reported that fiscal arrangements need to be completed for water and sanitary sewer service, and for gas unless a note is placed on the plat that the subdivider does not intend to provide this subdivision with gas from a public utility. The staff further reported that information supplied when this subdivision was filed that the adjoining owner should join in the subdivision was in error since it has been found that this property was split before the Ordinance was revised in 1946.

~~C8s-62-131~~ The Committee therefore

VOTED: To DISAPPROVE the plat of J. S. PREECE SUBDIVISION pending completion of fiscal arrangements for water and sewer and for gas or a note being placed on the plat that the subdivider does not intend to provide this subdivision with gas from a public utility.

C8s-62-142 Herman Brown Addn. No. 2, Sec. 2
Southill Cr. and Macken St.

It was reported by the staff that fiscal arrangements have not been completed. The Committee therefore

VOTED: To DISAPPROVE the plat of HERMAN BROWN ADDN. NO. 2, SEC. 2, pending completion of fiscal arrangements.

ADMINISTRATIVE APPROVAL

The staff reported that 2 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-62-138 Joe Manor Trustee Sub.
E. 30th St. and Interregional Hwy.
C8s-62-139 Avenue F Addition
Avenue F and E. 47th St.

R146 SUBDIVISION COMMITTEE

The Committee chairman then submitted the minutes of the Subdivision Committee meeting of December 10, 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:

C8-62-37 Delwood Terrace (Revised)
C8-62-71 Angus Valley

R146 Subdivision Committee--contd.

The Commission therefore

VOTED: To accept the following report and to spread the action of the Subdivision Committee of December 10, 1962, on the minutes of this meeting.

PRELIMINARY PLANS

C8-62-15 Santa Monica Park (Revised)
Ben White Blvd. W. of Burleson Rd.

The staff reported that a six-month's extension of preliminary approval was given at the last Subdivision Committee meeting pending further information on the United Gas Lines easement and the school needs for the area. It was further reported that since that time 16 additional lots have been included in the plan. Mr. Jeryl Hart then presented a revised plan showing the addition of 5 lots, making a total of 203 lots in the subdivision, and a strip of proposed commercial for a depth of about 395 feet along Ben White Boulevard.

The following departmental comments and recommendations were presented by the staff and discussed:

1. A report from the Drainage Department stated that portions of Lots 8 and 9, Block C, are believed to be subject to flooding and before any final approval is given evidence must be presented to show that these lots are not subject to flooding.
2. Blocks A, D, E, and H do not comply with the Subdivision Ordinance regarding lot arrangements. The Ordinance states that, in general, an arrangement placing adjacent lots at right angles to each other shall be avoided. The proposed arrangement involves corner lots on culs-de-sac and the staff feels that where the subdivider chooses to so subdivide and it is difficult to correct the situation, setbacks of 25 feet from each street should be shown on the corner lots unless the lots definitely side on each other so that the corner lot setback would be complementary to adjoining lots. In this subdivision, the gas line easement limits the design in some areas. The Director reported that some cities use a tapered setback to solve this problem.

Mr. Hart said they have provided 25-foot setbacks on lots where there is a 25-foot setback on the same side of the street but not where lots front on sides of lots across the street.

3. A residential layout has been indicated on the revised plan for the proposed commercial areas to show that this property could be used

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

residentially in the event it is not zoned for commercial use. Approval of this plan does not constitute approval of zoning for the proposed commercial areas.

The Committee considered the above discussions and felt that the Commission will favor providing 25-foot setbacks from side streets where lots across the street front on these lots. It was then

VOTED: To DISAPPROVE the plan of SANTA MONICA PARK as revised and submitted at the meeting pending receipt of all necessary departmental reports and providing 25-foot setbacks for Lots 3 and 10, Block A, and Lot 32, Block E.

C8-62-29 Heritage Hills

U. S. Hwy. 81 and Rutherford

The staff reported receipt of a letter from the Marvin Turner Engineers requesting a six-month's extension of preliminary approval of this subdivision. Mr. Curington was present and stated that three months would give them the time needed to prepare a final plan. The Committee therefore

VOTED: To GRANT an extension of three months for approval of the preliminary plan of HERITAGE HILLS.

C8-62-37 Delwood Terrace (revised)

Wheless La. and Wellington

The staff reported receipt of a letter from the Marvin Turner Engineers requesting a six-month's extension of the preliminary approval on this subdivision. The staff reviewed the partial approval given the subdivision, noting that the portion concerning the connection of Gaston Place Drive with Wheless Lane was not approved, but held in abeyance pending an agreement on the connection.

The staff further reported that Delwood Terrace Commercial Area final (C8-62-69) was recently filed covering the adjoining property and property within Delwood Terrace (C8-62-37). As this plat will be considered by the Planning Commission, it is recommended that the request for extension be held in abeyance and both considered at the same time. The Committee therefore

VOTED: To REFER this subdivision to the Planning Commission for consideration with the Delwood Terrace commercial area.

C8-62-71 Angus Valley
Duval Rd. and U. S. Hwy. 183

The Committee reviewed all the previous discussions on this subdivision by the Subdivision Committee at a meeting November 12, 1962, when action was deferred to this meeting. In addition, the following additional testimony was presented and discussed in relation to a revised plan submitted this morning which showed the shifting of some street locations.

1. Mr. E. J. Hood (subdivider) stated that this area is not in the Water District. Mr. Hood reiterated his intention of providing a water well on Lot 21 to serve the subdivision. Mr. Stevens again called attention to and reviewed a letter from the Health Department regarding the source of water and the requirements of the State Water Department. Mr. Hood assured the Committee that these conditions and requirements would be met.
2. The staff still requested a street to be provided somewhere midway in the subdivision to break the block length and to provide for fire protection, future water distribution, and better circulation. Attention was called to the fact that West Cow Path is 5900 feet long. The staff noted that this street would also permit future extension to the east and west on adjoining properties in the event they are subdivided.

Mr. Hood said this cross street would be prohibitive in cost and would serve no purpose if it is not extended into adjoining properties and these owners are not interested in the street. He felt that this area would not be subdivided for some time and explained that people who are interested in his large tracts are not proposing to build but that some have expressed the desire for large lots where they can keep a horse. They want as little traffic as possible.

3. Mr. Hood stated that Lots 5, 6, 7, 8, 9 and 10, Block E, will be a rock quarry and after the rock is taken out the street on the north will be rebuilt to the new grade. He said the operator will travel and maintain West Cow Path while he is using the rock quarry, and that he has liability insurance on this man who will operate on his property. Mr. Schoolfield (surveyor) said he added a note to the plan stating that Lots 5 to 10 and Block E are under lease to a rock quarry company.

Mr. Stevens reported receipt of a letter from Mr. A. H. Robinson, Jr., of the Austin White Lime Company, which stated in part that although this quarry on the land owned by Mr. A. H. Robinson, Jr., is not in operation at the present time, blasting, quarrying and crushing will be resumed on this property within the next two or three years. Mr. Stevens further reported that at his request an

C8-62-71 Angus Valley--contd.

opinion has been received from Mr. Paul D. Jones of the Legal Department which presents the following conclusions: "It is my opinion that the notification by A. H. Robinson, Jr., to the Planning Commission, of a use to which he might at some future time put his land, would have no effect whatever upon the decision by the Commission to approve or disapprove the Angus Valley Subdivision. It is further my opinion that the City, by approving the subdivision, would not in any way make itself liable to future property owners of lots in the Angus Valley Subdivision for damage caused them should Robinson in fact carry out his proposed use at a later time."

4. The revised plan shows a street plan for Block D and a variance would be required on block length since these streets are 1550 feet long. There is a private road to the east of this block and the staff is recommending that the subdivider provide a road to tie into this private road. Mr. Hood said the adjoining owners on the east of Block D want to buy this strip and do not want to extend the private road.
5. The extension of Duval Road should be shown as proposed and the other portion vacated before the final plat is submitted. Mr. Hood said the owners have refused to sell him the land for extending Duval Road now but it is possible that the land will change ownership and he may be able to obtain the right-of-way.
6. Mr. Stevens reported that Mr. Arthur Merchant (Drainage Department) had stated that the County would not accept the streets unless they are 60 feet in width because they cannot develop their roads within 50-foot rights-of-way and requested the engineer to check this.
7. With regard to the drainage, Mr. Schoolfield said he had shown a 20-foot drainage easement in addition to the additional right-of-way for Duval Road to care for the drainage on a 25-year basis. Mr. Hood explained that there is a cafe on the adjoining property to the south and one to the north where the water drains.

In view of the problems presented, the Committee felt that this should be considered by the full Commission. It was therefore

VOTED: To REFER this subdivision to the Commission without a recommendation.

C8-62-82 Portions of University Hills Sec. 2 and 3 (Revised)
Loyola La. and Willamette Dr.

The staff explained that these sections were approved in 1958, and since that time some have been revised and four sections have been finalized; preliminary approval has expired on Sections 4 and 5. The current area

C8-62-82 Portions of University Hills Sec. 2 and 3--contd.

has 103 acres with about 280 residential lots. The staff called attention to engineering and technical data required by the Subdivision Ordinance which is not shown on the plan and presented the following comments which were discussed:

1. A number of lots are placed at right angles to each other, which arrangement does not comply with the Subdivision Ordinance. Many of these arrangements can be corrected by minor shifting of street and lot lines, especially in Blocks 8, 9, 11 and 12 of Section 3 as shown on the Planning Department sketch. The staff would recommend this arrangement with 25-foot setbacks.
2. A residential layout should be indicated for the community center area if any consideration is being given to this type of development. It is evident that a large portion of this area is subject to flooding. Mr. Jeryl Hart said he has no definite information on this other than what was shown on the original plan, but the property could be used for recreational facilities. He said they did not include this in the revision.
3. A variance will be necessary to approve De Paul Cove and Tulsa Cove which are cul-de-sac streets and slightly exceed the maximum length permitted.
4. Some questions have been considered in the over-all composite plan. Northeast Loop will affect Section 4 which is terminated and will be considered as a new plan. The Fred Morse property could present a problem because of the drainage which would require an expensive crossing if Langston Drive, which will form a collector street, is extended through this property. This will be a very important street.

The Director stated that he would like to get as many of these problems as possible solved at this time as they relate to whether or not this is the proper way to subdivide this property, taking into consideration the cost of drainage structures and circulation which have been the biggest problems in the area. The Committee then

VOTED: To instruct the staff to accept for filing that part of the preliminary plan for the portion of Block 11 from Loyola Lane east to the north boundary of LaSalle Street.

FINAL PLAT

C8-62-79 Herman Brown Addition No. 2, Sec. 3
Pecos Street

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

VOTED: To APPROVE the plat of HERMAN BROWN ADDITION NO. 2, SEC. 3.

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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-62-150 Ernest R. Hardin Sub.
West Mary and Evergreen
- C8s-62-151 Northgate Addn., Resub. Lot 16, Block E
Watson and Stobaugh Sts.
- C8s-62-153 Biel Walker Addn.
Red River and 47th Sts.
- C8s-62-154 Swisher Addn., Resub. Pt. Lots 7-9, Blk. 25
East Annie and Brackenridge Sts.
- C8s-62-155 Northwest Hills Sec. 4 & 5, Resub. Lots 4-5, Blk. C
Mountain Climb Dr.
- C8s-62-156 Royal Oaks Estates Sec. 2, First Resub. Lot 9 and
Second Resub. Lot 10, Blk. P
Sandhurst Circle
- C8s-62-157 Allandale North Sec. 2, Resub. Lots 12-13, Blk. J
Wooten Dr.
- C8s-62-158 Royal Oak Estates Sec. 2, Resub. Lots 1-2, Blk. S
Coventry Lane

SHORT FORM PLATS - CONSIDERED

- C8s-62-128 Delafield Sub.
Rebel Rd. and Oltorf St.

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

VOTED: To APPROVE the plat of DELAFIELD SUB.

- C8s-62-152 Barton Hills Sec. 1, Resub. Pt. Blk. J
Barton Skyway and S. Lamar Blvd.

The staff reported that Mr. Jack Andrewartha has submitted a letter stating that he has attempted unsuccessfully to contact the purchasers of the remaining portion of this property which was resubdivided without a subdivision, and requesting that the Commission grant a variance in this instance and allow them to proceed with the present pending subdivision and omitting the U-TOTE'M tract. The Committee then

VOTED: To APPROVE the plat of BARTON HILLS SEC. 1, RESUB. PT. BLK. J, and to grant a variance from the Subdivision Ordinance on signature requirements.

ADMINISTRATIVE APPROVAL

The staff reported that one plat 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 subdivision:

C8s-62-143 C. L. Angell Sr. Addn., Resub. Lots 17 & 19, Blk. 5
Langham and Brassie Sts.

PRELIMINARY PLANS

C8-61-8 Allandale North
Irene Dr. E. of Burnet Rd.
C8-61-36 Lanier Terrace
Burnet Rd. & Southern Pacific RR.

The Director suggested that the Commission consider a revision of two preliminary plans, but basically Lanier Terrace, and presented the following statements: This is a joint proposal to relocate a drainage ditch along the north side of Lots 22-28, Lanier Terrace and then southward to the north line of the affected lot in Allandale North, then westward toward Burnet Road. In addition, the request proposes the elimination of the connection of Lanier Drive to Bowling Green Drive. The two proposals would eliminate two culverts on Lanier Drive and Bowling Green Drive. The staff recognizes the economic advantages of drainage relocation and suggests approval of this if satisfactory to the Storm Sewer Division. The staff recommends disapproval of the elimination of the connection to Bowling Green for the following reasons:

1. Exceeds block length requirements
2. Water and Sewer Department requests connection for development of water loop system
3. Traffic circulation would be impaired.

Note: With Bowling Green connection, one culvert would be required.

Mr. Curington stated that it is possible to use the existing easement for the drainage and that they were trying to off-set the drainage problem by having only one drainage ditch which would be siding on some lots. He said they have several large streets to provide circulation and the property along the railroad will possibly be commercial property.

The Commission felt that further study should be given this proposal and it was

AGREED: That the Planning Commission would inspect this property.

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C8-62-15 Santa Monica Park (Revised)
Ben White W. of Burleson Rd.

The staff reported that this plan was considered by the Subdivision Committee and was disapproved because all departmental reports had not been received. It was further reported that this plan has again been revised and the engineer has discussed it with the departments who have given verbal approval but the staff cannot get written reports until tomorrow. The Commission then

VOTED: To APPROVE the plan of SANTA MONICA PARK (revised) with the understanding that satisfactory reports are received from the necessary departments by tomorrow.

DISQUALIFIED: Mr. Barrow, owner of adjoining land

(Staff note: Satisfactory departmental reports were received 12-19-62)

C8-62-37 Delwood Terrace (revised)
Wheless La. and Wellington

It was reported by the staff that this plan was given preliminary approval in part about eight months ago until the connection of Gaston Place and Wellington Drive could be worked out, and a portion of the area was given final approval subject to certain conditions. The staff further reported that the engineers have requested an extension of this preliminary approval. The Director stated that he and Mr. Curington were working on this but are not ready for a plan at this time. The Commission then

VOTED: To extend preliminary approval to the plan of DELWOOD TERRACE (revised) for two months.

C8-62-71 Angus Valley
Duval Rd. and U. S. Hwy. 183

Mr. Stevens reviewed all previous discussions by the Subdivision Committee at two meetings, stating that the main problem is street and block lengths, one block being over 5900 feet and a total of four blocks which exceed maximum lengths permitted under the Ordinance. He noted that a cross street has been proposed to break the blocks and that the staff felt that this street should be provided as previously noted. He mentioned the need for widening Duval Road to an ultimate 70-foot right-of-way width, which is agreeable with Mr. Hood. He noted another problem regarding the question of whether or not this is entirely out of the Water District and called attention to a letter from the Health Department regarding requirements in the event the subdivision is served by a well on the property.

The Director reported that he has been advised by one officer in the Water District that 20 acres were taken into this District and the boundary extended somewhere north of Duval Road at the southwest corner but it is not known exactly where the boundary is located but that it seems there is some of this land in the District.

C8-62-71 Angus Valley--contd.

Regarding the cross street in the central portion, Mr. Osborne explained that the staff is not critical as to where it will be located nor that it be a major street, but only the approximate location. He felt that the street does not have to be continuous but that there is one large tract to the east and large tracts to the west which could be served by an extension of this street. He further reported that he has tentatively discussed with the Highway Department a very large loop to the north and he felt that access from this subdivision should be available to provide a connection to this loop.

The Director stated that this subdivision offers a very difficult problem and that the Department is trying to work out a reasonable compromise but maintain some minimum standards, recognizing that there will be some middle circulation. He noted that there has been some splitting of lots in this area without benefit of subdivision and the staff is trying to get some basic circulation established.

Mr. Hood said he was in agreement with all of the requirements except the cross street and opposed that because of the use to which the property will be put, and that he could give a street easement there. He said that some restrictions will be needed as to the location of barns and restrictions as to the type of dwellings to be erected in the future. He said the streets in the south portion will be worked out as the type of development on the northern portion is determined. With respect to the cross street, Mr. Hood said he could not get the cooperation of the neighboring property owners. Mr. Osborne said he would recommend against acceptance of any street easement which would not be improved, but suggested that there might be one alteration if the County would approve this street without requiring its development if the subdivider would agree to develop it when the street is needed.

The Commission expressed sympathy with the problems encountered in development of this subdivision but could not see any basis for a variance on the street pattern and block length because of the circulation needed. It was felt that the amount of streets as recommended is not unreasonable for the amount of land involved. It was further felt that the unimproved cross street would be acceptable at this time if an arrangement could be made with the County regarding paving. Therefore, it was

VOTED: To APPROVE the plan of ANGUS VALLEY subject to an east-west street being provided through the general area as discussed, and to instruct the staff to consult with the County regarding whether or not they would require the street to be paved at this time or that paving could be done at the expense of the subdivider should it be needed at any time, and to determine if any portion of the subdivision is in the Water District before that portion is considered for final approval.

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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:

- C8-60-7 Southridge West
Dawson Rd. N. of Morgan La.
(North point to be rearranged to make plat on same side of street as shown on preliminary)
- C8-62-65 Brinwood Sec. 4
S. 1st and Barton Skyway
(Additional right-of-way required for South 1st Street)
- C8-62-81 University Hills Sec. 3, Phase 3
Loyola and Parkwood

SUBDIVISION PLATS - CONSIDERED

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

The staff reported that fiscal arrangements have not been completed, all necessary departmental reports have not been received, and additional easements are required. The Commission therefore

VOTED: To DISAPPROVE the plat of MANOR HILLS SEC. 8, RESUB. LOT 62, subject to completion of fiscal arrangements, receipt of necessary departmental reports, and showing of additional easements.

- C8-62-30 Highland Hills Sec. 6, Phase 2-B
Highland View and Hillbrook

It was reported by the staff that fiscal arrangements have not been completed, that a variance from drainage requirements is needed and is being requested, and that annexation of the property is necessary. Under the Ordinance, any determination of whether or not open drainage ditch or pipe is used is to be determined by the Public Works Department. A report from the Director of Public Works shows that the subdivider has made verbal request through that department for a variance to permit a natural open channel in lieu of pipe for the reason that the installation of pipe would add cost and detract from the natural beauty of the area, thereby decreasing the value of the property. It further stated that the Department anticipated that the natural channel will confine the stream flow to approximately 3 feet of depth and approximately 20 feet of width, and that the Department recommends that this variance be granted provided a drainage easement of 30 feet total width is dedicated so as to contain the anticipated flooding. The Director recommended granting of the variance due to the unique terrain and the fact that this is in a

C8-62-30 Highland Hills Sec. 6, Phase 2-B--contd.

rock draw, that there is some vegetation and some solid material which would get into the ditch but he felt it is adequate to care for the drainage with the limited fill. The Commission then

VOTED: To DISAPPROVE the plat of HIGHLAND HILLS SEC. 6, PHASE 2-B, pending completion of fiscal arrangements and initiation of annexation proceedings, and to grant a variance from the Subdivision Ordinance on drainage requirements to permit an open channel to be approved by the Department of Public Works.

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

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

VOTED: To APPROVE the plat of H. R. SMITH ADDITION.

C8-62-49 Deer Park Sec. 2 (Revised)
Manchaca Rd. and St. Albans Rd.

The staff reported that fiscal arrangements have not been completed and additional easements are required, that the volume and page number of the property conveyance is not shown on the plat, and that there should be a restriction on the plat regarding installation and inspection of septic tanks. The Commission therefore

VOTED: To DISAPPROVE the plat of DEER PARK SEC. 2 (Revised) pending completion of fiscal arrangements, showing of additional easements, showing of the volume and page number of the conveyance of title in the dedication statement and showing on the plat a restriction regarding installation and inspection of septic tanks.

C8-62-53 Highland Hills Sec. 7, Phase 1
Hillbrook Drive

The staff reported that a variance is requested by letter from the engineers from the drainage requirements for the reason that these subdivisions (see C8-62-30) are located in rough, hilly terrain and the location for installing any storm sewer would be in a natural rock draw that is both deep and inaccessible in many spots, and the developer and his clients consider this quite a scenic addition to these lots. The Director presented the same recommendation regarding this drainage as for Highland Hills Sec. 6, Phase 2-B. The staff further reported that annexation proceedings need to be initiated, and that plat restrictions are needed regarding the proposed private park and that the subdividers are still working on the correct method of dedicating the park but this will be settled before the plat can be finally approved. Mr.

C8-62-53 Highland Hills Sec. 7, Phase 1--contd.

Tom Bradfield said they had talked to members of the Legal Department and on December 13, 1962, had a letter from Mr. Fowler of that Department stating objections to the park area proposed. He said they had thought of giving this park to abutting owners and believe they have arrived at a method of answering these objections by marking the area on the plat as a "private park" to put people on notice and including in the statement of intention to subdivide a statement "that Bradfield-Cummins does hereby convey an unidentified 1/7 interest in the area shown as 'private park' to each abutting owner of Lots 1, 2, 3, 4, 5, 6 and 7, in Highland Hills Sec. 7, Phase 1, the ownership herein conveyed to become a permanent and inseparable part of each lot and further, that the 'private park' so conveyed is restricted to park use only and is subject to the same laws and ordinances by which other previously owned properties are maintained and taxed."

Mr. Paul Jones (Legal Department) stated that this is a lot separated by a boundary and it would still be 1/7 interest in a lot which has no street frontage, and that they could not approve it on that basis. He said maintenance is a very real problem since six owners might want to maintain it and the 7th can say "keep off of my land". He said they had suggested extending the lot lines so that this lot is owned by these 7 owners and, if the subdivider wishes, working out details whereby they would be assessed a certain amount for maintenance of this park. He did not think the Commission could approve this as proposed at this time.

The Commission favored what is proposed but did not think it could be approved. It was suggested that this area be omitted from the plat at this time pending further study regarding the method to be used. Mr. Bradfield agreed to omit it from the plat. The Commission then

VOTED: To DISAPPROVE the plat of HIGHLAND HILLS SEC. 7, PHASE 1, except the area proposed for a private park, subject to initiation of annexation proceedings, and to grant a variance from the Subdivision Ordinance on drainage requirements to permit an open channel to be approved by the Department of Public Works.

C8-62-69 Delwood Terrace Commercial Area
 Briarcliff Blvd. and Wheless La.

The staff reported that fiscal arrangements have not been completed. The Director stated that this and the adjoining subdivision were approved on the preliminary plan of Delwood Terrace and this street has been in place for from six months to a year and that probably utility lines are in place. He noted that the preliminary plan covered only about the eastern one-third of this subdivision and the western portion of the road was not on this plan. He said there is a question of what should be done about the road, noting that a preliminary plan showing this intersection was submitted and then withdrawn when the question arose at that time. He reported that Lot 3 is to be sold possibly for filling station purposes. He suggested that the Commission ac-

C8-62-69 Delwood Terrace Commercial Area--contd.

cept the plat provided fiscal arrangements are completed and channelization of the wye intersection is worked out, recognizing that there is no preliminary plan. The Commission then

VOTED: To DISAPPROVE the plat of DELWOOD TERRACE COMMERCIAL AREA pending completion of fiscal arrangements.

C8-62-80 Oasis Vallage Sec. 3
Eureka Dr. and Sahara Ave.

It was reported by the staff that fiscal arrangements have not been completed, that additional easements are required, that all departmental reports have not been received, and that a restriction needs to be shown on the plat regarding installation and inspection of septic tanks. The Commission therefore

VOTED: To DISAPPROVE the plat of OASIS VILLAGE SEC. 3, pending completion of fiscal arrangements, showing of additional required easements, receipt of all necessary departmental reports, and showing of a restriction on the plat regarding installation and inspection of septic tanks.

SHORT FORM PLATS - FILED

C8s-62-150 Ernest Hardin Sub.
West Mary and Evergreen Sts.

The staff noted that there are three problems -- the plat does not comply with drainage requirements, a variance is needed for street width with the subdivider giving his 3 feet and leaving a width of 47 feet, and the Building Inspector states he cannot approve this as there is a small residential building within 3 feet of the west line of Lot 3 and this same structure extends over the rear or north line of Lot 3. The staff recommended accepting the plat for filing with a variance on street width, noting that other requirements need to be met. The Commission then

VOTED: To ACCEPT for filing the plat of ERNEST HARDIN SUB. subject to compliance with departmental requirements, and to grant a variance from the Subdivision Ordinance on street width requirements for Evergreen Street.

SHORT FORM PLATS - CONSIDERED

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

VOTED: To APPROVE the following plats:

SHORT FORM PLATS APPROVED--contd.

C8s-62-156 Royal Oak Estates Sec. 2, First Resub. Lot 9 and Second Resub.

Lot 10, Blk. P
Sandhurst Circle

C8s-62-157 Allandale North Sec. 2, Resub. Lots 1-2, Blk. J

Wooten Drive

C8s-62-158 Royal Oak Estates Sec. 2, Resub. Lots 1-2, Blk. S

Coventry Lane

C8s-62-159 Ridgetop Annex. Resub. Lots 5, 6, 7 & Pt. 4, Blk. 10

East 45 $\frac{1}{2}$ Street

The staff reported that this street has recently been paved and curbed and the Public Works Director and the staff recommended that the present right-of-way remain the same. The Commission then VOTED: To grant a variance from street width requirements.

C8s-62-160 Southwood Annex No. 2

Oltorf and S. 5th Sts.

The staff stated that this property is zoned "LR" Local Retail that the owners propose to divide the tract into two lots, to develop the corner lot with apartments. The Director stated that this does not conflict with the Ordinance since "LR" permits apartments.

OTHER BUSINESS

C10-62-1(s) STREET VACATION

Pt. Robt. E. Lee Rd. N. of Melridge Pl.

The staff presented a request for vacation by the Legal Department in behalf of Mr. Angus McDonald of that approximately 100 square feet of land which is at present in the existing right-of-way of Robert E. Lee Road and will be excess when the new right-of-way is established. The Committee then

VOTED: To recommend that the portion of Robt. E. Lee Road shown on the attached sketch be VACATED.

C10-62-1(t) STREET VACATION

Triangle of Riverside Dr. at Newning Ave.

The staff presented a letter from Mrs. Hattie Valdes requesting vacation of a triangular portion of Riverside Drive which lies south of the south line of the new right-of-way and east of Newning Avenue, stating that she owns all the property fronting on this strip.

The Director advised that two years ago Mrs. Valdes was advised that this triangle would not be vacated and she has again requested the vacation. He stated that due to the width of Riverside Drive the staff recommends that this portion be retained for future widening. The Commission therefore

VOTED: To recommend that the request of Mrs. Hattie Valdes for vacation of a triangular portion of Riverside Drive east of Newning Avenue be DENIED.

C10-62-1(u) ALLEY VACATION

W. 6th St. Alley, Nueces to San Antonio

It was reported by the staff that a letter was filed by Mr. Neill Boldrick, Jr., for the vacation of the alley in Block 74, being West 6th Street Alley between Nueces and San Antonio Streets, requesting that this alley be vacated. It was explained in the letter that the applicant's family has owned this property since 1872, and during all that time this alley has been unused and his family has paid taxes on the alley property; that his family are the owners of all the property abutting this alley and all consent to the vacation of it. The letter also advised that the City of Austin owns a storm sewer easement over the portion of their property abutting the alley and the alley itself, the easement being granted in December, 1940, by his grandmother.

The Director explained that Lot 5 has been cleared and is now vacant, that Lot 6 is vacant, that Lot 8 has an old house and there is another old house in the alley at the west end of Nueces Street, there is a garage in the middle of the block in the alley, and that the alley has been fenced for many years. Mr. Jackson stated that this property on each side of the alley is under the same ownership and the family has paid taxes on the alley. The Commission then

VOTED: To recommend that West 6th Street Alley between San Antonio and Nueces Streets be VACATED subject to the City retaining the necessary easements.

C10-62-1(v) STREET VACATION

17½ feet of Highland Medical Circle

The Director reviewed the action of the Commission in approving this subdivision, with a 7½-foot setback from Highland Medical Circle and the common parking area on Lot 10, calling attention to the fact that the owner and engineer of the subdivision were cautioned that all lots within the subdivision except Lot 9 would require Board of Adjustment action, all of which was set out in the minutes. He said the Board of Adjustment recently denied a variance for a 7½-foot setback on Lot 8 and also for lot coverage which exceeded that permitted and for inadequate off-street parking on the lot instead of accepting the parking on Lot 10. He reported that the subdivider is now asking for the vacation of 17½ feet of Highland Medical Circle so that the requirements for Lot 8 may be met. He explained that in vacating the street it would be extending beyond the curb and into the paved portion of the street and there would still be the lot congestion and off-street parking problems, some of which would be provided on Lot 8 and some on Lot 10.

In discussing this problem, Mr. Barrow said he thinks the layout of the land is sound and that parking across the street from the office is all right, but he thought that it would be unwise to reduce the street below the minimum requirements. He suggested vacating the entire street and extending lot lines

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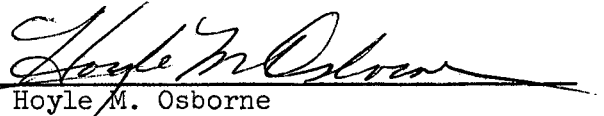
C10-62-1(v) Highland Medical Circle Vacation--contd.

to Hancock Drive but leaving the street as it is developed. Mr. Richard Baker stated that he had been advised that Mr. Mayfield did not understand that he would need a variance on these lots and that he has had utilities installed and the street is paved and curbed. Mr. Kinser then suggested moving the entire street over $17\frac{1}{2}$ feet which would solve the problems and still provide a street with a minimum width. The Commission indicated that it would favor that move. It was then

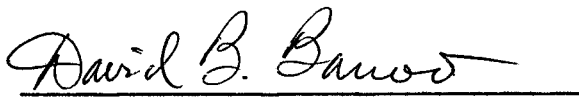
VOTED: To DEFER action on this request pending further study, with the indication that the Commission would favor revision of the plat to move the street over $17\frac{1}{2}$ feet.

ADJOURNMENT

The meeting was adjourned at 10:30 p.m.


Hoyle M. Osborne
Executive Secretary

APPROVED:


Chairman