

SUBDIVISION COMMITTEE
Regular Meeting -- August 7, 1967

PRELIMINARY PLANS

C8-67-50 Colony North, Section 3
Jamestown Drive and Colony North Drive

The staff reported that this subdivision, located on Jamestown Drive and Colony North Drive, contains 29.13 acres, 58 residential lots, with an average lot size of 70' x 125'. It is classified as urban and proposes a trailer park and commercial uses. A preliminary plan was originally approved on this property in 1964. This is a revision to that plan that involves the removal of a certain number of lots in the southern portion of the property and shortens Bangor Bend Loop and eliminates two culs-de-sac. The present proposal removes a portion of the property from residential use and ties it in with property having frontage on Lamar Boulevard for trailer park usage. A portion of the trailer park site is used for trailer park development at this time. The staff has no particular objection to this proposal as it is felt the line between residential and commercial development can be adjusted to the satisfaction of the commercial developer and the residential developer.

The staff reviewed the following departmental comments:

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| 1. Water and Sewer Department | - Water and sewer available. Annexation required for service. Additional easements required. |
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Mr. Billy Priest, surveyor for the applicant, stated that this has been complied with.

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| 2. Electric and Telephone Company | - Show existing easements and additional easements required. |
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This has been complied with.

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| 3. Storm Sewer | - Show existing storm sewer facility (culvert) in Maine Drive and existing easement south of Jamestown Drive. Additional easements may be required. |
| 4. Public Works | - Tie across Lamar Boulevard to iron stake, fence or right-of-way marker required. Name change required for Colony North Drive. |

C8-67-50 Colony North, Section 3--contd.

Mr. Bullard, the applicant, stated that the name of the street to the north was changed so that it would be the same as Colony North Drive. The names were approved before and the reason it is requested that they not be changed is because the name of the subdivision is Colony North and the street coming in to this subdivision should be the same; however, it is not too material but it would be preferable if the name of Colony could be used.

Mr. Stevens stated that this would have to be worked out with Public Works prior to submission of a final plat.

The Planning Department comments are as follows:

1. Full right-of-way (60 feet) required for proposed Colony North Drive on final plat.

Mr. Bullard explained that this is not a problem as Mr. Thurmond, adjoining property owner, has agreed to donate one-half of the right-of-way and pay for one-half of the street cost and culvert cost. The right-of-way was offered to the City on a deed at one time and this deed is still in existence.

2. Change name of Colony North Drive.
3. Francis Karber tract should be included in final plat with abutting lots.

Mr. Stevens explained that if the residential portion of the preliminary is finalled out, it will leave the Karber tract as a building site. The only particular problem with this is possibly drainage and right-of-way for Lamar Boulevard. Lamar Boulevard is scheduled to be widened and approximately 20 feet of additional right-of-way is needed from the Karber tract.

Mr. Bullard advised the staff and the Committee that Mr. Loiseau owns a portion of the property to the south that originally belonged to Mr. Karber.

Mr. Riley inquired about the small sliver of land extending to U. S. Highway 183. Mr. Bullard explained that Mr. Karber and Mr. Loiseau propose to use this strip of land, which is 60 feet wide, as a private driveway and not as a dedicated street. This will be a private means of access.

4. Annexation required for utility services.

Mr. Bullard reviewed the history of this development and the joint street and stated that utilities are available for both tracts, north and south of the street.

5. Karber tract subject to zoning when annexed.

Mr. Bullard stated that it is not proposed that the Karber tract will be annexed at the same time as the subject property as there is no control over that property.

C8-67-50 Colony North, Section 3--contd.

Mr. Stevens explained that if the property is used for commercial purposes, the City will serve the property but if it is used for residential purposes, the City will not serve the property until it is annexed.

6. Compliance with departmental reports.

Mr. Stevens advised the Committee that this particular plan appears to have followed the boundaries of the rear of the lots in Block H. Mr. Loiseau purchased to that original boundary. There is usually no concern when a residential lot backs to a residential lot but this proposal is for a trailer park and commercial uses backing up to residential lots. In view of this, the staff feels that more depth would be desirable in a few of the lots.

Mr. Bullard stated that his contractor who is Mr. Loiseau says that he will erect a six foot solid fence. If that is not satisfactory, more land would have to be purchased. Mr. Loiseau is providing for a sewer line that will go down Bangor Bend and extend on southward. This will be a major sewer line. Mr. Herndon Bailey, representing the Water and Sewer Department, stated that the plans are to extend on down to U. S. Highway 183.

Mr. Bullard informed the Committee that he plans to put a sewer line down to his property line, abutting Mr. Loiseau's property, and it will be left to him to continue it.

Mr. Stevens asked if some of the lot could be deepened by shifting the lot lines. Mr. Bullard was of the opinion that this would not be objectionable; however, where sewer lines come through, there should be a property line. When this is identified, there would be no objection and if necessary, one of the lots could be eliminated.

Mr. Stevens stated that the front part of the Karber tract is already developed and the City will have to negotiate for the additional right-of-way needed for North Lamar Boulevard. The staff recommends approval of this preliminary plan subject to the conditions as outlined. After further discussion, the Committee

VOTED: To APPROVE the preliminary plan of COLONY NORTH, Section 3, pending compliance with departmental requirements.

C8-67-51 Allandale Park, Section 10
 Silverway and Burnet Road

The staff reported that an oral request has been made to withdraw this preliminary plan. The staff recommends the request be accepted. The Committee then

VOTED: To ACCEPT the withdrawal of the preliminary plan of ALLANDALE PARK, Section 10.

SHORT FORM PLATS - FILED

The staff reported that reports have not been recieved from several departments and recommended that the following short form plats be accepted for filing only. The Committee therefore

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

C8s-67-123	<u>Crestview Resub. of Lot 10, Block 6</u> Anderson Lane and Rutgers
C8s-67-126	<u>Bowling Green Resub. of Lots 8-11, Block D</u> Bowling Green and Shamrock Avenue

C8s-67-124 Harrell Estates
Bull Creek Road

The staff reported that this short form plat involves 4 lots and a variance is required on the width of Lot 1. A letter has been received from Mr. Harvey Smith, surveyor, requesting that this variance be granted. This is a small variance as Lot 1 is 49.4 feet wide at the building line; however, it flares out and does widen at the rear. The present proposal is to erect a duplex on each of the lots involved and although Lot 1 does not have adequate width at the building line, there is enough area to build a duplex and a swimming pool and tennis court which is planned. The staff does not oppose this variance as the land on both sides of this subdivision is already developed and the land area cannot be expanded. It is recommended that the variance be granted and that this short form plat be accepted for filing. The Committee therefore

VOTED: To ACCEPT for filing the short form plat of HARRELL ESTATES, granting a variance on the width of Lot 1.

C8s-67-125 Georgetown Square
Bull Creek Road and Camp Mabry

The staff reported that this short form subdivision is located on Bull Creek Road and Camp Mabry Road. The property was recently considered by the Planning Commission and the City Council, and rezoned for apartment usage, at which time the City stated a need for additional widening of Bull Creek Road. A short form is now being required on the property in order to create 5 lots. The request has been only partially checked by the various departments at this time.

Mr. Baker advised the Committee that additional right-of-way for Bull Creek Road has been dedicated. He further stated that he has been unable to talk to the Water and Sewer Department and the Legal Department has turned the request down. Fiscal arrangements still have to be made.

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C8s-67-125 Georgetowne Square--contd.

Mr. Stevens explained to the Committee that there is a question of ownership on the west 50 feet of the subject property. This was considered at the Zoning hearing and it is still a consideration. In addition to the 50 foot strip in question, there is additional right-of-way required, triangular in shape, which effects lots 3 and 5. The staff recommends that this short form plat be accepted for filing and disapproved pending completion of departmental reports and clearance on the title of the north 50 feet of the property. The staff cannot recommend approval until such time as the title claim over the 50 foot strip is resolved.

Mr. Baker stated that the applicant has submitted a plan to the department for the first three lots and would like to undertake townhouse construction on Lot 3. The applicant would like general acquiescence from the department on the layout. The building permit cannot be issued as this was originally a 10.2 acre tract owned by Mr. R. G. Mueller. He sold a portion of the property to the synagogue and since they have built on their property, no further permits can be issued until the property is subdivided.

Mr. Baker further stated that when this property was before the Zoning Committee, he stated that before any extensive development was undertaken that they would come in with a plan to get the Commission's overall concurrence on or they would subdivide the property. It was also agreed that there would be no development on the 50 foot strip that is questioned. This has been put on the plan. A 20 foot building setback line has also been provided behind the 50 foot strip which leaves the north 70 feet of the property with no proposed development. There is still discussion between the Highway Department and the City as to whether they will need 50 feet or 70 feet for the proposed Mo-Pac Boulevard but the applicant voluntarily setback an additional 20 feet. This area will be used for parking until the City determines the need for the area. There will also be something worked out with the City to provide for a setback on the triangular corner of the tract where additional right-of-way is needed.

A variance is involved in this request as representatives of the church on the adjoining property have stated they do not wish to join in the plat at this time. They are concerned as they know the City will require widening for Bull Creek and they would have to get involved in the issue of the north 50 feet. Their position and their attorney's position is that the City does not have a valid claim to this land. This is an issue that will probably not be solved for sometime.

Mr. Stevens reported a letter from Mr. Harvey Smith, surveyor, requesting that a variance be granted on the signature of the adjoining property owner. There is one lot fronting onto Camp Mabry Road and at the zoning hearing, the staff stated that additional right-of-way was not needed as it was a dead-end street and because the subject property had access from Bull Creek Road. Under the present proposal, Lot 5 only has access from Camp Mabry Road and this necessitates further consideration of the widening of Camp Mabry Road. Mrs. Evelyn Butler, Chief, Advanced Planning, stated that it does not appear that Camp Mabry Road will connect with the proposed Mo-Pac Boulevard.

C8s-67-125 Georgetowne Square--contd.

Mr. Riley stated that when this was before the Zoning Committee, there was concern about Camp Mabry Road as the right-of-way is only 50 feet. Mr. Baker explained that at the Zoning Meeting he stated that they had to connect the proposed buildings in such a manner it would satisfy the building code as one unit or they would have to come in for a subdivision. This was the alternative. It is recognized that Lot 5 only has frontage onto Camp Mabry Road and this was discussed with Mr. Smith at length because of the Commission's concern. Some sort of an easement facility to extend out to Bull Creek Road could be provided. The applicant does not wish to dedicate a street to the City, as 50 feet of right-of-way would be required, or make the drive public. It is agreeable to provide a 30 foot easement extending out to Bull Creek Road. The applicant is more than willing to provide an easement notation on the plat or provide an easement by separate instrument to be recorded at the time this plan is recorded. This easement will be wide enough to handle two-way traffic and it would have to be used in conjunction with Lot 4. Lots 1 & 2 will not stay under the same ownership but the remaining three lots will. The 50 foot strip in question is being retained in the same ownership and not being sold until the title is clear.

Mr. Riley was of the opinion that the 30 foot easement should be on the plat as a notation before final platting.

Mr. Stevens explained that with regard to the variance from requiring the signature of the adjoining owner, the staff cannot recommend a variance when there is a problem involved in granting the variance. The granting of the variance would release whatever problems exist on the church property. After further discussion, the Committee

VOTED: To ACCEPT the short form plat of GEORGETOWNE SQUARE for filing, pending compliance with departmental reports and clearance of the title on the north 50 foot strip of the property, subject to a notation on the plat that a 30 foot driveway easement will be provided from Lot 5 to Bull Creek Road, and granting a variance from requiring the signature of the adjoining property owner.

C8s-67-127 Schoedel Addition, No. 2
Burleson Road

The staff reported that this is a one acre tract, split out of a 50 acre tract, that is located outside of the city limits. There is a variance involved on the signature of the adjoining owner. A letter from Mr. William M. Anderson has been submitted, stating that an attempt has been made to get Mr. Alvin Benner, adjoining property owner, to join in this platting but he has refused. The staff feels that the granting of this variance will not prevent the development of the surrounding property as the adjoining lot has 465.70 feet of width which is wide enough to put a road back into the property. The property adjoining on the southeast has 48.06 feet of width and is part of the adjoining 50 acre tract. There is

C8s-67-127 Schoedel Addition, No. 2--contd.

a house being constructed on the subject property and there is a need for water. The request has not been checked by the various City departments and the staff recommends that this short form plat be accepted for filing only at this time and that the variance be granted. It was then

VOTED: To ACCEPT for filing the short form plat of SCHOEDEL ADDITION, No. 2, granting a variance from requiring the signature of the adjoining property owner.

SHORT FORM PLATS -- CONSIDERED

C8s-67-97 Birchwood Addition, Section 2
Garden Villa and South Center

The staff recommended disapproval of this short form plat subject to the required extension of gas. The Committee therefore

VOTED: To DISAPPROVE the short form plat of BIRCHWOOD ADDITION, Section 2, pending an extension of gas.

C8s-67-35 Mosby Addition
Chestnut Avenue and East 20th Street

The staff recommended disapproval of this short form plat pending determination of right-of-way needed for Chestnut Avenue. The Committee then

VOTED: To DISAPPROVE the short form plat of MOSBY ADDITION pending determination of right-of-way needed for Chestnut Avenue.

ADMINISTRATIVE APPROVAL

The staff reported that six short form 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:

<u>C8s-67-110</u>	<u>Mott Addition</u>
	Crow Lane
<u>C8s-67-121</u>	<u>C. A. Freund Industrial Subdivisions</u>
	Ben White Boulevard
<u>C8s-67-116</u>	<u>Del Rio Subdivision</u>
	Fawnridge Drive and Georgian
<u>C8s-67-122</u>	<u>J. D. White Subdivision</u>
	South Lamar Boulevard
<u>C8s-67-113</u>	<u>Locke Addition</u>
	Eilers, Evans south of East 46th Street
<u>C8s-67-80</u>	<u>Birchwood Addition, Section 1</u>
	Birch Street and south Center Street