

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting--January 14, 1975

The meeting of the Commission was called to order at 7:00 p.m. in the Electric Building Auditorium

Present

C. W. Hetherly, Chairman
O. P. "Bob" Bobbitt
Rizer Everett
Betty Himmelblau
Philip Juarez
Jean Mather
Charles Nash
George Ramsey, III
Bennie Washington

Also Present

Evelyn Butler, Supervising Planner
Walter Foxworth, Planner
Charles Graves, Director of Engineering
Don Bird, Assistant City Attorney
Pat Settle, Administrative Secretary

ZONING

The following zoning changes were considered by the Zoning Committee at the meeting of January 6, 1975.

Present

O. P. "Bob" Bobbitt, Chairman
Rizer Everett
Betty Himmelblau
Charles Nash
Bennie Washington

Also Present

Evelyn Butler, Supervising Planner
Duncan Muir, Planner
Brian Schuller, Planner
Pat Settle, Administrative Secretary

C14-74-169	Gary Cutsinger and Henry S. Miller Co., Trustee: Interim "A" 6617 and 6701 Decker Lane, also bounded by Decker Lake Road	<u>Residence, "1st" H & A to</u> <u>"GR" General Retail, "1st" H & A</u> <u>on Tract B and "O" Office, "1st</u> <u>H & A on Tract A (as amended)</u> <u>(Orig. Req.: Int. "A" Residence,</u> <u>"1st" H & A to "GR" General Retail</u> <u>"1st" H & A</u>
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STAFF REPORT:

These two tracts of land are located southwest of Decker Lake District Park in east Austin at the intersection of two existing major arterial streets. The 4,000-acre Decker Lake District Park joins Tract B to the north. All land at this intersection is presently being used for agricultural purposes. The 600-acre Colony Park subdivision is located west of subject tracts. That development will include an elementary school, park land, low-density apartments and shopping facilities in addition to the 350 acres of low-density residential homes.

The staff generally supports "GR" General Retail zoning at the intersection of major arterials. General Retail zoning allows multi-purpose development, shopping center uses, office and multi-family development. Thirty-two acres of "GR" have been established to the west. It is buffered from the proposed single-family neighborhood by low-density apartment zoning. Subject request on Tract B is 26.5 acres and on Tract A, 8.7 acres. For comparison purposes, Hancock Center is developed on 36 acres, Highland Mall, including the theater, on 54 acres.

Decker Lake District Park provides a logical point of termination for intensive zoning north and east of Tract B. No logical termination point exists on Tract A. In view of this, the staff recommends "O" Office zoning on Tract A to provide for less intense uses next to low-density development.

The staff presented an area study map showing zoning and development in this general area.

STAFF RECOMMENDATION:

That "GR" General Retail be granted on Tract B and that "GR" General Retail be denied, but "O" Office be granted on Tract A. Sign notification is also recommended for this outlying tract.

NOTE: A subdivision is not required on either of the subject tracts prior to the issuance of a building permit unless there is further division at a later date.

CITIZEN COMMUNICATION (L.B.J. NEIGHBORHOOD ASSOCIATION)

WRITTEN COMMENT

None

C14-74-169 Gary Cutsinger and Henry S. Miller Co., Trustee--Contd.

PERSONS APPEARING

John Woolley (representing applicant)

Don Sullivan (LBJ Neighborhood Association)

FOR

COMMITTEE ACTION:

The applicant amended his request to agree with the staff's recommendation. Members reviewed the information presented and recommended to grant "GR" General Retail, "1st" H & A on Tract B and "O" Office, "1st" H & A on Tract A, as amended, subject to sign notification on the tract.

AYE: Messrs. Bobbitt, Everett, Nash and Washington.
Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To recommend that the request of Gary Cutsinger and Henry S. Miller Co., Trustee for a zoning change from Interim "A" Residence, Interim "1st" H & A to "GR" General Retail, "1st" H & A on Tract B and "O" Office, "1st" H & A on Tract A, as amended, on property located at 6617 and 6701 Decker Lane, also bounded by Decker Lake Road, be GRANTED, as amended, subject to sign notification.

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey, and Washington. Mmes. Himmelblau and Mather

C14-74-171 Gary Johnson, Trustee: Int. "A" Residence, "1st" H & A to 6504 Decker Lake Road, also "LR" Local Retail, "1st" H & A bounded by Johnny Morris Road and "A" Residence, "1st" H & A (Tract 1) and "BB" Residence, "1st" H & A and "A" Residence, "1st" H & A (Tract 2)

STAFF REPORT:

The applicant has requested that Tract 2 be withdrawn.

Subject tracts are located in east Austin between Ed Bluestein Boulevard and Decker Lake Park. They are bounded on the south by a major arterial, Decker Lake Road, and on the east by Johnny Morris Road which is presently a narrow road with 50 feet of r.o.w. This road is planned to be upgraded to a major arterial with 90 feet of r.o.w. It is not in the present five-year C.I.P. A railroad and Walnut Creek exists to the west. One day-time train per day is currently scheduled along the railroad. A drainage and recreational greenbelt is planned along Walnut Creek. Current use of all land adjacent to subject tracts is agricultural. The Colony Park neighborhood is being developed to the northeast.

C14-74-171 Gary Johnson, Trustee--Contd.

"LR" Local Retail zoning has been established on the undeveloped tract to the east. Last month the Commission reviewed the zoning request on the tract to the south. Ten acres of "LR" Local Retail zoning was recommended, but the request for "O" Office zoning on the remainder was not recommended. Concern was expressed about increasing the water runoff and flooding problems along Walnut Creek.

The original request reviewed by the staff was for "LR" Local Retail on Tract 1 and "BB" Residence on Tract 2. In response to a recommendation to the applicant of "LR" excluding the north 150 feet to be zoned "A" on Tract 1, and to deny apartment zoning on Tract 2, the applicant amended the application to 150 feet of "A" along the entire north boundary, and offered to restrict the apartment density to 12-15 units per acre on Tract 2. This is similar to the density restriction on the apartment zoning which was established in Colony Park to the east.

The staff has no objection to the amended "LR" request, as local retail at the intersection of major residential arterials will serve the developing neighborhood in this area. The 150 feet of "A" can be developed with a tier of lots and will mark the northern limit of the business zoning. However, the staff cannot support apartment zoning even with the boundary of "A". Large acreages of apartment and non-residential zoning along Decker Lake Road and Johnny Morris Road could inhibit the growth of the young single-family neighborhood in this area to which there has been a strong commitment for a number of years.

STAFF RECOMMENDATION:

That "LR" Local Retail and "A" Residence be granted as requested on Tract 1, and that "BB" Residence be denied, but "A" Residence be granted on Tract 2 as consistent with this developing single-family neighborhood and the Commission recommendation to the south, subject to one-half the r.o.w. (20 feet) to increase Johnny Morris Road to 90 feet. "A" Residence permits developments of up to ten units per acre which is twice the density of the developing single-family neighborhood in this area.

NOTE: Due to the age of this tract, a subdivision is not required prior to the issuance of a building permit for the entire tract unless it is partitioned later.

CITIZEN COMMUNICATION (L.B.J. NEIGHBORHOOD ASSOCIATION)

WRITTEN COMMENT

None

PERSONS APPEARING

Gary Johnson (applicant)

Don Sullivan (LBJ NEIGHBORHOOD ASSN.)

FOR

C14-74-171 Gary Johnson, Trustee--Contd.

COMMITTEE ACTION:

Members reviewed the information presented and recommended to grant the request for withdrawal of "BB" Residence, "1st" H & A and "A" Residence, "1st" H & A on Tract 2.

AYE: Messrs. Bobbitt, Everett, Nash and Washington.
Ms. Himmelblau

The members then recommended that the request for "LR" Local Retail, "1st" H & A and "A" Residence, "1st" H & A on Tract 1 be granted, subject to sign notification on the tract.

AYE: Messrs. Bobbitt, Everett, Nash and Washington.
Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To recommend that the request of Gary Johnson, Trustee, for a zoning change from Interim "A" Residence, Interim "1st" H & A to "LR" Local Retail, "1st" H & A and "A" Residence, "1st" H & A on Tract 1 on property located at 6504 Decker Lake Road, also bounded by Johnny Morris Road, be GRANTED, subject to one-half the r.o.w. (20 feet) to increase Johnny Morris Road to 90 feet, and subject to sign notification.

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey,
and Washington. Mmes. Himmelblau and Mather

The Commission then voted to GRANT the request of Gary Johnson, Trustee, to withdraw a zoning change from Interim "A" Residence, Interim "1st" H & A to "BB" Residence, "1st" H & A and "A" Residence, "1st" H & A on Tract 2, on property located at 6504 Decker Lake Road, also bounded by Johnny Morris Road.

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey,
and Washington. Mmes. Himmelblau and Mather

C14-74-176 Claudia S. Nabors and John McCrary: "B" Residence, "1st" H & A to
4308 Speedway Avenue "C" Commercial, "1st" H & A

STAFF REPORT:

Subject tract is located north of the University of Texas in an older neighborhood which is predominantly single-family. This 25-foot wide lot fronts a neighborhood collector street. The zoning request is made to allow expansion of the post office which is located on the "C" Commercial tract to the south. Although the post office is a locally-oriented use in this area, it nevertheless required the "C" Commercial District, due to outside storage of delivery vehicles. A privacy fence along the north boundary is recommended to shield the single-family residence from this activity.

STAFF RECOMMENDATION:

That this case be granted, subject to a privacy fence along the north boundary.

CITIZEN COMMUNICATION (HYDE PARK NEIGHBORHOOD ASSOCIATION)

WRITTEN COMMENT

Thomas Zelenka (HYDE PARK NEIGHBORHOOD ASSN.)	FOR
Mrs. Lucille Mitchien Goches: 5207 Woodview Avenue	FOR
Clark C. Gill: 4102-B Avenue H	FOR
G. Legett: 2904 Swisher Street	FOR
Grace T. Lopes: 4401 Speedway	FOR
Mary A. Thompson: P. O. Box 4306	AGAINST
Nannie S. Brown Moulden, San Antonio, Texas	AGAINST

PERSONS APPEARING

A. Roy Thomas (representing applicant)	
Claudia Nabors (applicant)	
Janis Linder (HYDE PARK NEIGHBORHOOD ASSN.)	FOR
C. Thomas: 4308 Speedway	FOR
Thomas F. Zelenka: 4504 Avenue G	FOR
John T. Hoegey: 9108 Georgian Drive	FOR

COMMITTEE ACTION:

Members reviewed the information presented and recommended that this request be granted, subject to a privacy fence along the north boundary of the tract.

AYE: Messrs. Bobbitt, Everett, Nash and Washington.
 Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

C14-74-176 Claudia S. Nabors and John McCrary--Contd.

COMMISSION VOTE:

To recommend that the request of Claudia S. Nabors and John McCrary for a zoning change from "B" Residence, "1st" H & A to "C" Commercial, "1st" H & A on property located at 4308 Speedway Avenue be GRANTED, subject to a privacy fence along the north boundary.

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey and Washington. Mmes. Himmelblau and Mather

C14-74-177 Austin "45" Ltd.: "A" Residence, "1st" H & A
4109 Tannehill Lane to "B" Residence, "1st" H & A

STAFF REPORT:

Subject tract is located in east Austin on a residential collector street. Presently, Tannehill Lane has 40 feet of r.o.w. with a varying surface of 30 feet or less and is inadequate to serve as a collector street under current City standards. It is planned to be increased to 60 feet when the abutting properties are subdivided. The surrounding land uses include a foster home to the north, and an elementary school to the south serves the single-family neighborhood in this area.

The commitment to the continued development of single-family residential development along Tannehill Lane has been evidenced in four separate zoning cases in this vicinity. Subject tract was part of a 1972 case (pending subdivision) which covered 44 acres of land extending from Tannehill Lane to Ed Bluestein Boulevard to the east. In that case the zoning approval was oriented to Ed Bluestein Boulevard and was scaled down to "A" Residence along Tannehill Lane and Sam Houston Avenue. Apartment zoning has been denied twice on the tract to the northwest of subject tract. Mobile home zoning was denied on the tract to the west of Norman Elementary School which is located south of Sam Houston Avenue.

The applicant has informed the staff that the intended use is that of access to a proposed nursing home on the "B"-zoned land to the east. Although this use does not generate much traffic, the establishment of the "B" zoning would set a very undesirable precedent on Tannehill Lane. The applicant is encouraged to utilize the provision in the zoning ordinance which permits the development of nursing homes on five acres in "A" Residence by special permit. The setback provisions and site plan review will insure compatibility with the single-family neighborhood. Another alternate is to use the north end of Tract 1c with frontage to Tracor Lane, eliminating the need for access to Tannehill Lane.

C14-74-177 Austin "45" Ltd.--Contd.

STAFF RECOMMENDATION:

That this case be denied as an encroachment into a single-family neighborhood and as consistent with previous Commission and Council action. Conditions have not changed to support this zoning request. If zoning is recommended, one-half the r.o.w. (10 feet) is required to increase Tannehill Lane from 40 to 60 feet.

NOTE: A subdivision is required.

CITIZEN COMMUNICATION (CONCERNED CITIZENS OF EAST AUSTIN)

WRITTEN COMMENT

G. Legett: 2904 Swisher Street

FOR

PERSONS APPEARING

Sam Perry (representing applicant)

COMMITTEE ACTION:

The applicant indicated he would be willing to place a restriction on the rezoning to insure that the property will be used for access to the proposed nursing home only. Members reviewed the information presented and questioned the need to rezone the entire tract. Mr. Nash indicated he would not want to see strip zoning and would want the zoning to revert back to "A" if not used for the proposed use. Mr. Bobbitt expressed a desire to zone only the land needed for the actual driveway rather than the entire tract. Members recommended that this case be referred to the full Commission to allow the staff time to obtain information regarding the frontage needed for access.

AYE: Messrs. Bobbitt, Everett, Nash and Washington.
 Ms. Himmelblau

COMMISSION ACTION:

In answer to the question concerning the driveway width requirement, the staff reported that 30 feet are required. The staff recommends that zoning be granted on 40 feet which would allow for 30 feet of paving for the driveway and 5 feet on either side which would also allow room for sidewalks. Members reviewed the information presented and recommended to deny the original request but to grant the zoning on 40 feet out of the center of the tract, subject to conditions.

COMMISSION VOTE:

To recommend that the request of Austin "45" Ltd. for a zoning change from "A" Residence, "1st" H & A to "B" Residence, "1st" H & A, on property located at 4109 Tannehill Lane be DENIED but that "B" Residence, "1st" H & A be GRANTED on 40 feet out of the center of the tract, subject to the zoning reverting back to "A" Residence, "1st" H & A if not used for driveway access to the nursing home only.

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey
 and Washington. Mmes. Himmelblau and Mather

STAFF REPORT:

The topography shown on the conceptual plan indicates a proportion of the land with slopes greater than 20%. Development costs on rough topography such as this are more costly than on flatter terrain. In many cases it is more economical to completely alter the topography by terracing development. Due to the access to subject tract provided by an expressway and a major perimeter loop, and time-proximity to downtown Austin, it is likely that subject tract will experience considerable alteration to facilitate development if intensive zoning is granted.

C14-74-178 Jagger Associates, Inc.--Contd.

While preservation of the natural features of the land and storm water runoff are not zoning issues, the staff recommends the applicant continue to recognize the importance of these factors to the future use of the tract itself and to the maintenance and preservation of the environmental features of the general area in which the land is a part.

A second concern of the staff is the effect which rezoning 233 acres of land for intensive use will have on the three remaining corners of this intersection and undeveloped land to the north, south and east along these major arteries. This case sets a strong precedent for many more acres than that contained in subject request. It is important to work with all landowners in the area to determine future land use and zoning patterns, and to avoid as much as possible strip zoning and development along these major streets and highways. The staff recommends density limitations on rough terrain such as the limits suggested by the applicant in the conceptual plan.

STAFF RECOMMENDATION:

That "GR" General Retail be granted on Tract 2 (54.35 acres) and on Tract 1 (104.3 acres), excluding a 50-foot buffer of "A" fronting Walsh Tarleton Lane from the northern portion of Tract 6 to the southern portion of Tract 5; that "O" Office be granted on Tract 3 (9.89 acres) and Tract 6 (11.46 acres); and that "BB" Residence be granted on Tract 4 (26.11 acres) and Tract 5 (27.39 acres), subject to a density restriction of 15 units per acre on Tracts 4 and 5. The recommended strip of "A" Residence will serve as a buffer between the General Retail District to the east and the low-density residential land to the west.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

None

PERSONS APPEARING

Arthur L. Hessin: 401 Canyon Rim Drive	FOR
Mrs. T. Hardie Bowman: 305 Buckeye Trail	AGAINST
Joe Riddell: 310 West 35th Street	AGAINST
Nancy Wilson Domjan: 2400 Forest Bend Drive	AGAINST
Mrs. William Tamminga: 1307 Constant Springs Drive	AGAINST
John Perkins: 1307 Silver Hill Drive	AGAINST
Marion Glass: 1305 Silver Hill Drive	AGAINST
James A. Bannerot (Barton Creek Association)	AGAINST
Lorna Monti: 6207 Forest Hill Drive	AGAINST
Patricia Newton: 5 Inwood Circle	AGAINST
Joe A. Goeth: 1208 Walsh Tarleton Lane	AGAINST
Chartier Newton: 5 Inwood Circle	AGAINST
Flo Macklin: 4820 Rollingwood	AGAINST
Barbara Fisher: 3 Inwood Circle	AGAINST
Mrs. W. R. Hudson (NOW OR NEVER)	AGAINST
Ray Vaughn: 2311 Farnswood Circle	AGAINST

C14-74-178 Jagger Associates, Inc.--Contd.

Sally Vaughn: 2311 Farnswood Circle	AGAINST
Kilian Fehr (Eanes Civic Association)	AGAINST
Jausell McKemie: 900 Stone Canyon Drive	AGAINST
E. B. McKemie: 900 Stone Canyon Drive	AGAINST
Gibson R. Randle: 801 International Life Bldg.	NO OPINION

COMMITTEE ACTION:

The applicant indicated he would agree to placing deed restrictions as follows:

1. limit the density in the multi-family area to 15 units per net acre (not including parkland or greenbelts)
2. limit the retail area to no residential units
3. no construction to start until the plan is approved by the Director of Engineering which would provide for no increase of downstream flooding on Barton Creek and would not detract from the quality of the water
4. dedicate to the City the green space indicated on the conceptual subdivision plan or provide an environmental conservation easement that would provide for the area to remain in its natural state with no trees to be cut down

In answer to Ms. Mather's and Ms. Himmelblau's concern about development on the slopes, the applicant indicated that he would not build on slopes of 20% or more nor would he cut the slopes. He also indicated he would limit the coverage (buildings, paving, etc.) to 40%. The applicant stated he would agree to a PUD or special permit on Tract 2 but not Tract 1 because of the lead-time necessary in developing a regional shopping center. In answer to Mr. Bobbitt's question regarding "O" Office rather than "GR" General Retail on Tract 2, the applicant stated that "GR" was needed but that he could accomplish his plans with a special permit. Mr. Washington inquired if he would be willing to submit a special permit on Tracts 2 through 6, and the applicant indicated he would. Mr. Bobbitt expressed concern about the large amount of "GR" and felt that it would result in strip commercial and retail uses. Ms. Mather expressed concern about the effects of such density on the aquifer. Ms. Himmelblau recommended that the case be referred to the full Commission to allow further consideration of the case.

AYE: Messrs. Everett and Washington. Ms. Himmelblau
NAY: Messrs. Bobbitt and Nash
(Ms. Mather present but not voting)

C14-74-178 Jagger Associates, Inc.--Contd.

COMMISSION ACTION:

Mr. Hetherly stated that he had met with the developer, the Barton Creek Citizen's Association, and the City Legal Department with regard to the deed restrictions proposed by the developer. The development will be subject to subdivision and will require that these restrictions be recorded on the plats. The staff read the following letter submitted by the applicant:

"After meeting with you and your staff, a representative of the City Attorney's office and my attorney, it was suggested that it might be helpful if I submitted this letter to you to clarify how we could best accomplish the suggestions made by members of the zoning committee at the hearing.

1. We are proposing that any restriction be incorporated on the subdivision plat as well as recorded in the County Deed Records. The City Legal Department is of the opinion that this is the best and most secure way to insure that these restrictions be enforceable. Since any zoning will be approved subject to subdivision of the property, the restrictions will be placed by reference on a recorded subdivision plat prior to the passage of the zoning ordinance covering the property included in the plat. No zoning ordinance will be passed on any property until this condition is met for the property included in the ordinance.
2. With reference to the proposals on (1) not building on land of 20% or greater slope, (2) coverage by buildings and parking on less than 40% of the land, and (3) special permits, it was concluded that rather than having a number of restrictive covenants pertaining to these items, the objectives could best be accomplished by placing not less than 40% of the land in tracts 2, 3, 4, 5 and 6 in a conservation easement as follows:

Tract 2	17.0 acres or more
Tract 3	2.7 acres or more
Tract 4	13.6 acres or more
Tract 5	11.4 acres or more
Tract 6	3.3 acres or more
Total	<u>48.0 acres</u>

The above tracts total 117.3 acres, exclusive of public streets; therefore, at least 41% of this land would be protected by a conservation easement. The conservation easement would include land contained in the originally proposed greenbelt. In addition, Tract 1 would have at least 10 acres placed in a conservation easement.

C14-74-178 Jagger Associates, Inc.--Contd.

All or a portion of the land placed in these conservation easements would be offered to the City Parks Department as a gift. That portion which the department did not take would be maintained by adjacent property owners.

3. It appears necessary to clarify how we intend to use the originally proposed greenbelts in calculating permitted density on the residential tracts. It was and is our intent that these greenbelts, as originally proposed, would not be used in calculating density on each individual tract, but rather that only the area net of these greenbelts would be used.

In order to avoid confusion by the addition of further conservation easements, the table below sets forth the maximum density that each tract would be deed restricted against on the basis of 15 units to the acre.

	<u>Total Acres</u>	<u>Original Green Belt</u>	<u>Net Acres</u>	<u>Density</u>	<u>Maximum # of Units</u>
Tract 3	9.0	1.5	7.5	15	112
Tract 4	24.4	3.0	21.4	15	321
Tract 5	23.4	2.3	21.1	15	316

Tract 3, therefore, would have a maximum density of 112 units, Tract 4 would have a maximum density of 321 units and Tract 5 would have a maximum density of 316 units. It should be pointed out that in the table showing the density calculations which we previously submitted, what we originally proposed would have allowed 1,535 units on all the land contained in this application. What we are now agreeing to would provide for a maximum of 749 units on the same land. This figure is less than one-half of the original proposal.

4. The drainage restriction discussed at the zoning committee meeting of January 6, 1975, will be included in the deed restrictions to be recorded in the County Deed Records as well as incorporating the restrictions by reference on the subdivision plat prior to recording of the plat.
5. Some committee members expressed concern about the GR zoning on Tract 2. Should the planning commission so desire, I would be agreeable to reducing the zoning on Tract 2 to LR.

C14-74-178 Jagger Associates, Inc.--Contd.

We have prepared and attached hereto forms of restrictive covenants and conservation easements to accomplish the above objectives. This form has been approved by the legal department; however, we would suggest that the zoning be approved subject to the planning department's determination that the restrictions carry out the intent of the conditions imposed by the planning commission.

Please call me if you have any questions." (s) Sid Jagger

Mr. Don Bird, Assistant City Attorney, read the following drafts of the restrictive covenants submitted by the applicant:

"THE STATE OF TEXAS :
COUNTY OF TRAVIS :

KNOW ALL MEN BY THESE PRESENTS:

That Jagger Associates, Inc., a Texas corporation, acting by and through its duly authorized officer, for a full valuable consideration in hand paid by the City of Austin, a municipal corporation in the County of Travis, State of Texas, the receipt of which is hereby acknowledged, and for which no lien, express or implied, is retained or shall exist, has GRANTED, SOLD, AND CONVEYED, and by these presents does GRANT, SELL, AND CONVEY, unto the City of Austin a conservation easement over and across that land in Travis County, Texas, described in Exhibit "A", which exhibit is attached hereto and made a part hereof for all purposes, granting unto the City of Austin the right and easement:

1. To prevent forever the depositing, dumping or abandoning of any landfill or solid or liquid refuse wastes or junk thereon or therein;
2. To prevent forever the quarrying, excavation or removal of rock, minerals, gravel, sand, topsoil or other similar material from the land and the cutting of trees over 3 inches in diameter from the land; provided, however, that such excavation, cutting, filling, grading, and removal of trees as is necessary to allow the construction of roads, driveways, or bridges for ingress and egress, or hiking or walking trails, or the construction of such improvements as are necessary or desirable to control storm water discharge, shall be permitted.
3. To prevent the construction of all building and parking lots, except such improvements as are necessary or desirable to control storm water discharge.
4. To prevent the construction of private roads or driveways, except as necessary or desirable for ingress and egress.

C14-74-178 Jagger Associates, Inc.--Contd.

5. To enter upon the land to inspect for violation of the provisions of this easement and to remove or eliminate any unauthorized junk, refuse or construction therein and to perform such restoration as may be deemed necessary to restore the land to the condition it was in before the said violation;

and grantor, its successors or assigns, shall not do any of the acts set forth in paragraphs 1, 2, 3, 4 or 5 above, from and after the date hereof, without the prior written consent of the City Manager of the City of Austin.

It is agreed and understood that grantor, its successors and assigns, shall be permitted to use the above described land encumbered by said conservation easement for all purposes, present and future, not inconsistent with said grant or in violation of any applicable laws or City ordinances.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights herein granted into the City of Austin, its successors and assigns, forever."

"THE STATE OF TEXAS :
COUNTY OF TRAVIS :

WHEREAS, Jagger Associates, Inc., (hereinafter sometimes referred to as "Jagger") is the owner of _____ acres of land, more or less, described in Exhibit "A", hereinafter referred to as the "Property", which exhibit is attached hereto and made a part hereof for all purposes, which land is located in the City of Austin, Travis County, Texas, (hereinafter sometimes referred to as "City"); and

WHEREAS, the City is desirous of said Property being developed properly and appropriately so that the City will be able to plan the future expansion of its utility and street systems and the drainage and flood prevention systems in the area of the Property; and

WHEREAS, the City and Jagger have agreed that the Property should be impressed with a covenant and restriction running with the land and desire to set forth such agreement in writing;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That Jagger Associates, Inc., the owner of the Property in the City of Austin, Travis County, Texas, for a full valuable consideration to it in hand paid by the City of Austin, a municipal corporation, the receipt of which is hereby acknowledged, does hereby agree with respect to said Property, such agreement to be deemed and considered as a covenant running with the land, and which shall be binding upon Jagger, its successors and assigns, as follows: to-wit:

C14-74-178 Jagger Associates, Inc.--Contd.

1. (a) That no residential units shall be constructed on Tracts 1, 2, and 6 out of the Property, which tracts are described in Exhibits "B", "C", and "D", respectively, which exhibits are attached hereto and made a part hereof for all purposes.

(b) That not more than 112 residential units shall be constructed on Tract 3, not more than 321 residential units shall be constructed on Tract 4, and not more than 316 residential units shall be constructed on Tract 5, out of the property, which tracts are described in Exhibits "E", "F" and "G", respectively, which exhibits are attached hereto and made a part hereof for all purposes.

2. That no building permit shall be issued by the City for any development or construction and no development or construction shall be commenced on any of the following tracts out of the Property, until acreage out of such tract has been dedicated to the City and/or placed in a conservation easement in favor of the City (such easement to be in the form attached hereto as Exhibit "H", which exhibit is attached hereto and made a part hereof for all purposes) as follows:

<u>Tract Number</u>	<u>Acreage Dedicated and/or in Conservation Easement</u>
1	10 acres
2	17.0 acres
3	2.7 acres
4	13.6 acres
5	11.4 acres
6	3.3 acres

3. That Jagger, its successors and assigns, shall take such measures as may reasonably be required by the Director of Engineering of the City of Austin to prevent any increase in flooding downstream from the Property on Barton Creek from that which would occur as a result of natural surface water run-off from the property in its undeveloped state. Any reasonable decision of the Director of Engineering as to what such measures are required shall not be subsequently changed or modified except by agreement of both the City, its successors and assigns and Jagger, its successors or assigns.

4. Jagger, its successors or assigns, shall construct and install such low-flow grease and/or sand filters on the Property for filtering contaminating or polluting storm water discharge as may be reasonably required by the Director of Engineering of the City of Austin. Any reasonable decision of the Director of Engineering as to what such measures are required shall not be subsequently changed or modified except by agreement of both the City, its successors and assigns and Jagger, its successors or assigns.

C14-74-178 Jagger Associates, Inc.--Contd.

5. This covenant and agreement shall run solely to and in favor of the City and shall be enforceable only by the City, its successors and assigns. If any person or persons shall violate or attempt to violate the foregoing agreement and covenant, it shall be lawful for the City, its successors and assigns, to prosecute proceedings at law or in equity against the person or persons violating or attempting to violate such agreement or covenant, and to obtain a temporary restraining order, and/or a temporary or permanent injunction to prevent him or them from so doing or to collect damages for such violation. If any part or provision of the agreement or covenant herein contained shall be declared invalid by a Judge or Court order, the same shall in no wise affect any of the other provisions of this agreement, and such remaining portion of the agreement shall remain in full force and effect. Any suit brought to enforce this agreement, to determine the validity of any covenant or agreement contained hereto, or to determine the validity, as reasonable or otherwise, of any act or decision of Jagger, including its representatives and employees, or its successors and assigns, or the City, including its representatives and employees, or its successors or assigns, shall be brought in a District Court in Travis County, Texas.

6. The failure at any time to enforce this agreement by the City, its successors and assigns, whether any violations hereof are known or not, shall not constitute a waiver or estoppel of the right to do so.

7. This agreement may be modified, or terminated only by joint action of both (a) a majority vote of the members of the City Council of the City of Austin, or such other governing body as may succeed the City Council of the City of Austin, and (b) by the owner of the above described property at the time of such modification, amendment or termination."

For the purpose of clarification for those citizens present at the zoning meeting, Mr. Hetherly pointed out that the original conceptual plan which the Commission approved several months prior, contained a total of 1,500 dwelling units. The applicant has agreed to reduce the total number of units to 749 dwelling units on the 233 acres being considered tonight. He pointed out that this figure includes all the land. He stated that the density will be 3.2 units per acre. Mr. Hetherly stated that this figure does not mean there will be 3.2 units on each lot but that some areas will be on slopes where there will be no buildings and some areas will have cluster-type housing which can have a density of 15 units per acre.

Mr. Ramsey called attention to the inconsistency of the language of the covenants regarding the phrase "successors and assigns" and suggested that it read "successors or assigns".

C14-74-178 Jagger Associates, Inc.--Contd.

For clarification, Ms. Mather pointed out that Mr. Jagger had agreed to a covenant to limit the coverage to 40% of the land but the covenant has changed to an agreement to give a conservation easement or dedicate 40% of the land. She felt that in the process, this would still limit the coverage to 40%.

In answer to Mr. Bobbitt's question regarding the discrepancy in density figures presented at the zoning meeting by the opposition, the staff pointed out that they did not know where the neighborhood group got the figures, and that a number of factors could be involved, thus causing the discrepancy. This would depend on the amount of area incorporated in the study and whether open space, single-family and multi-family areas were included in the computations. The staff pointed out that the department does not assemble figures on all projects, but they can compute density figures based on special permits covering specific projects. Mr. Hetherly pointed out that the figures presented at the zoning meeting were computed by a door-to-door canvass on Riverside Drive by members of the opposition. He was of the opinion that the comparison of Riverside Drive which was developed by a number of developers to the proposed master planned development is an unfair comparison.

Ms. Mather expressed concern of the density of development in this area on the aquifer. She stated she would like to see a study made in order to have some basis for making decisions on future developments in this area. She was of the opinion that this proposed development would be far less destructive to this sensitive area than a regular subdivision because of the terrain.

Mr. Juarez stated he had had an opportunity to look at the proposed plan and was ready to make a motion to approve the request, as amended, subject to departmental requirements and to include the covenants that were read into the record.

COMMISSION VOTE:

To recommend that the request of Jagger Associates, Inc. for a zoning change from Interim "A" Residence, Interim "1st" H & A to "GR" General Retail, "1st" H & A (Tract 1); "LR" Local Retail, "1st" H & A (Tract 2), as amended, "O" Office, "1st" H & A (Tracts 3 and 6); and "BB" Residence, "1st" H & A (Tracts 4 and 5), on property located at 2803-3309 West Ben White Boulevard, also bounded by French Creek Drive and the proposed MoPac Boulevard, be GRANTED, as amended, subject to the restrictive covenants and conservation easement covenant as submitted by the applicant.

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey
 and Washington. Mmes. Himmelblau and Mather

SPECIAL PERMITS

C14p-74-012	Continental Assurance Company: <u>An Arcade and Lounge for</u> 2014-2018 Whitis Avenue 301-305 West 21st Street and 2021 Guadalupe	<u>80 Patron Seats (Revision to</u> <u>approved Special Permit for</u> <u>40 seats)</u>
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STAFF REPORT:

This is an application for a revision to an approved Special Permit for a lounge with 40 seats. The applicant is requesting approval of an increase to 80 seats. The lounge, known as "Uncle Stanley's", is located in Dobie Mall at 21st Street and Whitis Avenue.

STAFF RECOMMENDATION:

The staff recommends approval of this revised application, subject to compliance with departmental requirements as on file with the City of Austin Planning Department.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Horace C. Barnhart: 2004 University Avenue

FOR

PERSONS APPEARING

None

COMMITTEE ACTION:

Members reviewed the information presented and recommended that this request be approved, subject to departmental requirements.

AYE: Messrs. Hetherly, Bobbitt, Nash and Washington.
Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To APPROVE the request of Continental Assurance Company for a special permit for an arcade and lounge for 80 patron seats (revision to approved Special Permit for 40 seats) on property located at 2014-2018 Whitis Avenue, 301-305 West 21st Street and 2021 Guadalupe Street, subject to departmental requirements as on file with the City of Austin Planning Department, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey,
and Washington. Mmes. Himmelblau and Mather

The Chairman announced that any interested party aggrieved by this decision may appeal to the City Council for a review of the decision upon giving written notice to the City Council within ten days following the decision of the Planning Commission.

C14p-74-051 Farm and Home Association: Peppertree Square Shopping Center
Teri Road, Pepper Lane and
Friedrich Lane

STAFF RECOMMENDATION:

This is an application for a special permit for a local retail shopping center proposed on the north side of Teri Road between Friedrich Lane and Pepper Lane. "LR" Local Retail zoning has been approved on the site, subject to a special permit.

The total lease area of the site is 60,000 square feet in Phase II and 2,108 square feet in Phase I.

Parking is proposed around the perimeter of the site with the shops oriented inward to a landscaped area.

STAFF RECOMMENDATION:

The staff recommends approval of this application, subject to compliance with departmental requirements as on file with the City of Austin Planning Department.

CITIZEN COMMUNICATION (SOUTH AUSTIN NEIGHBORHOODS EAST)

WRITTEN COMMENT

None

PERSONS APPEARING

Joe Gilbreth (representing applicant)

COMMITTEE ACTION:

In reply to Urban Transportation's requirement for driveway locations, the applicant indicated he would be agreeable to closing the easternmost driveway on Teri Road, however, he felt a need to retain the other driveway locations. Members reviewed the information presented and recommended to approve the request, subject to departmental requirements and to allow the applicant to work with the City on the driveway location requirements.

AYE: Messrs. Bobbitt, Everett, Nash and Washington.
 Mmes. Himmelblau

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

C14p-74-051 Farm and Home Association--Contd.

COMMISSION VOTE:

To APPROVE the request of Farm and Home Association for a special permit for the construction of Peppertree Square Shopping Center on property located at Teri Road, Pepper Lane and Friedrich Lane, subject to departmental requirements as on file with the City of Austin Planning Department and to allow the applicant to work with the City on driveway locations, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey,
and Washington. Mmes. Himmelblau and Mather

The Chairman announced that any interested party aggrieved by this decision may appeal to the City Council for a review of the decision upon giving written notice to the City Council within ten days following the decision of the Planning Commission.

C14p-74-052 Joe Gilbreth and Company, Inc.: A Low-band Radio Antenna Tower
3813 Wadford Street, also
bounded by Dunlap Street

STAFF REPORT:

This application has been filed as required under Section 45-28, Sub-Section (e), and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This is an application for a special permit to allow a radio tower at 3813 Wadford Street. The tower is 140 feet high and is existing at present as a television antenna. The applicant is asking permission to additionally use this tower for a two-way radio antenna. The tower is located within the fenced area on the lot.

STAFF RECOMMENDATION:

The staff recommends approval of this application, subject to compliance with departmental requirements as on file with the City of Austin Planning Department and limit the area of the special permit to the area of the tower and anchors within the fenced area.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

None

PERSONS APPEARING

Joe Gilbreth (applicant)

C14p-74-052 Joe Gilbreth and Company, Inc.--Contd.

COMMITTEE ACTION:

Members reviewed the information presented and recommended that this request be approved, subject to departmental requirements and limiting the special permit to the area of the tower and anchors within the fenced area.

AYE: Messrs. Bobbitt, Everett, Nash and Washington.
 Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To APPROVE the request of Joe Gilbreth and Co., Inc. for a low-band radio antenna tower to be constructed on property located at 3813 Wadford Street, also bounded by Dunlap Street, subject to departmental requirements as on file with the City of Austin Planning Department and limiting the Special Permit to the area of the tower and anchors within the fenced area, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey,
 and Washington. Mmes. Himmelblau and Mather

The Chairman announced that any interested party aggrieved by this decision may appeal to the City Council for a review of the decision upon giving written notice to the City Council within ten days following the decision of the Planning Commission.

C14p-74-053 Lynn Storm: A Proposed Office and Retail Center
1200 West 38th Street

STAFF REPORT:

This application has been filed as required under Section 45-21, Sub-Section (a), Paragraph (f), and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This is an application for a special permit to allow a retail and office development on property located at 1200 West 38th Street. The property is zoned "LR" Local Retail and "O" Office, "1st" H & A. Abutting the site to the east is "C" Commercial and "GR" General Retail zoning. To the west is "LR" Local Retail, "O" Office, and "A" Residence zoning.

The proposed plan indicates a total of 26,000 square feet of retail space and 4,200 square feet of office space. Access to the center is from 38th Street for customers and from 39th Street for service vehicles and employees.

C14p-74-053 Lynn Storm--Contd.

This tract is covered with many large trees which would be preserved by this design.

STAFF RECOMMENDATION:

The staff recommends approval of this application, subject to departmental requirements as on file with the City of Austin Planning Department.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

H. J. Mayton: 3806 Bailey Lane

FOR

John R. Crawford: 2006 Leberman Lane

FOR

PERSONS APPEARING

Bill Scudder (representing applicant)

Bill Carson (representing applicant)

COMMITTEE ACTION:

Members reviewed the information presented. In reply to Ms. Himmelblau's concern regarding the high traffic volume that would be created on 39th Street, the applicant briefly reviewed the site plan which prohibits customer access at the rear property line. He pointed out that a row of trees exists along the rear property line which would act as a natural buffer. Members were in agreement that this request be approved, subject to departmental requirements.

AYE: Messrs. Bobbitt, Everett, Nash and Washington.
 Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To APPROVE the request of Lynn Storm for a special permit for the construction of a proposed office and retail center located at 1200 West 38th Street, subject to departmental requirements as on file with the City of Austin Planning Department, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey,
 and Washington. Mmes. Himmelblau and Mather

The Chairman announced that any interested party aggrieved by this decision may appeal to the City Council for a review of the decision upon giving written notice to the City Council within ten days following the decision of the Planning Commission.

C14p-74-054 Carl W. Burnette, Trustee: 61 Apartment Units
5001-5019 Balcones Drive

STAFF REPORT:

This application has been filed as required under Section 45-23, Sub-Section (73), Paragraph (e), and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This is an application for a special permit to allow a 61-unit apartment project proposed at 5001-5019 Balcones Drive.

This 2.6-acre tract is zoned "C" Commercial and is located just south of the existing shopping center on Hancock Drive between Balcones Drive and Fairview Drive. Immediately south of the subject tract is the Highland Park School and park.

Twenty-three units are to have access to Balcones Drive and the remaining 38 units will have access to Fairview Drive.

In 1968 an application for a special permit for 53 apartment units was approved by the Planning Commission, subject to restricting access onto Fairview Drive, right-of-way on Balcones and Fairview Drive and departmental requirements. The hearing was attended by many neighborhood residents who were mainly concerned with the traffic problems generated by the proposal related to the elementary school on the adjoining property.

In reviewing the present application, the staff feels the area has not changed since 1968 and that the concerns at that time are still valid.

Recently, Fairview Drive was made one-way south from Hancock Drive to ease traffic congestion around the school tract. The applicant is proposing access onto Fairview Drive, however, the staff is requiring no access onto Fairview Drive to prevent apartment traffic from going through the residential areas to the east and south.

The applicant has talked with Urban Transportation Department concerning making Fairview Drive a two-way system between Hancock Drive and Sunny Lane. If a two-way system is approved for this particular section of Fairview Drive, much of the concern by the staff would be alleviated. However, Mr. Allan Brecher, with Urban Transportation Department indicated he would be happy to consider this proposal, but not having considered this at this time in detail feels that his department would have reservations on making this section of Fairview two-way.

STAFF RECOMMENDATION:

The staff recommends approval of this application, subject to departmental requirements as on file with the City of Austin Planning Department.

C14p-74-054 Carl W. Burnette, Trustee--Contd.

CITIZEN COMMUNICATION (WEST CENTRAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Raymond Ramsey: 3339 Hancock Drive	FOR
G. G. Zedler: P. O. Box 908	AGAINST
Warren McKinney: 4905 Fairview Drive	AGAINST
Walter Summer: 5005 Crestway Drive	AGAINST
Mr. & Mrs. J. R. Hill: 3205 Sunny Lane	AGAINST
Ora M. Davis, Jr.: 4908 Balcones Drive	AGAINST
Mrs. James Lassiter: 4708 Highland Terrace	AGAINST
Mrs. Dick Whittington: 3101 W. Highland Terrace	AGAINST
Mr. & Mrs. G. C. Morris: 4717 Highland Terrace	AGAINST
Michael R. Moore: 5001 Crestway Drive	AGAINST
Mrs. Ben Bishop: 4907 Fairview Drive	AGAINST
Kenneth Bishop: 4907 Fairview Drive	AGAINST
Jean & Arnold Douglass: 4611 Madrona Drive	AGAINST
Mrs. Zella Wise: 3204 Sunny Lane	AGAINST
Walter Young: 4909 Valley Oak	AGAINST
Mr. & Mrs. Ernest K. Gay: 5001 Fairview Drive	AGAINST
M. B. & Alyce Ingram: 5113 Fairview Drive	AGAINST
Edith Crabtree: 5112 Fairview Drive	AGAINST
Robert Braden: 5115 Fairview Drive	AGAINST
Dale Porter: 5116 Fairview Drive	AGAINST
Mr. & Mrs. J. R. Hill: 3205 Sunny Lane	AGAINST
Chester Depew: 3207 Sunny Lane	AGAINST
Francis Lucas: 5100 Fairview Drive	AGAINST
Daniel B. Hackworth	AGAINST
Mrs. William Wilkins: 3310 Hancock Drive	AGAINST
C. S. Chenault: 5001 Fairview Drive	AGAINST
Mrs. Lillian S. Brown	AGAINST
Mr. & Mrs. Ross Kramer: 3209 Hancock Drive	AGAINST
Mr. & Mrs. John Salviski	AGAINST
Clay & Marion Wilkins	AGAINST
Mrs. Marion B. Findlay	AGAINST
H. D. Krick	AGAINST
Bart Hodges	AGAINST
Robert Egres	AGAINST
Stanislav Zernic	AGAINST
Price G. Crum	AGAINST
Sam Olquin	AGAINST
Frank Foster, Jr.	AGAINST
C. M. Walton: 3201 Sunny Lane	AGAINST
J. T. Patterson: 3106 Highland Terrace West	AGAINST
Craig Leach: 4805 Valley Oak Drive	AGAINST
Paul Jones: 4802 Valley Oak Drive	AGAINST
Rachel Henderlite: 4800 Valley Oak Drive	AGAINST
Allen Davis: 4704 Valley Oak Drive	AGAINST
Lawrence Graber: 4703 Valley Oak Drive	AGAINST

C14p-74-054 Carl W. Burnette, Trustee--Contd.

Dr. & Mrs. Broadbent: 4700 Valley Oak Drive	AGAINST
L. Lewis: 4707 Valley Oak Drive	AGAINST
Mr. & Mrs. Claxton Draper: 4712 Highland Terrace	AGAINST
Alton E. Greeven, Jr.: 4710 Highland Terrace	AGAINST
Lewis Bowland: 3108 Highland Terrace West	AGAINST
Dr. & Mrs. Otto Lypman: 3104 Perry Lane	AGAINST
Naomi & Sid Worob: 3204 Highland Terrace	AGAINST
Mr. & Mrs. O. D. Hyndman, Sr.: 4905 Valley Oak Dr.	AGAINST
Petition bearing 6 names	AGAINST
Petition bearing 34 names	AGAINST
Petition bearing 12 names	AGAINST
Petition bearing 37 names	AGAINST
Petition bearing 13 names	AGAINST
Petition bearing 6 names	AGAINST

PERSONS APPEARING

Bill Scudder (representing applicant)	
Bill Carson (representing applicant)	
J. C. Chapman: 8096 Rockcrest	AGAINST
George H. Shafer: 3318 Big Bend Drive	AGAINST
O. N. Bruck: 4803 Valley Oak Drive	AGAINST
Mrs. O. N. Bruck: 4803 Valley Oak Drive	AGAINST
Lawrence S. Graham: 4702 Valley Oak Drive	AGAINST
Kay L. Hancock: 4619 Madrona Drive	AGAINST
Rachel Henderlite: 4800 Valley Oak Drive	AGAINST
Betty Schaufele: 4800 Valley Oak Drive	AGAINST
Mrs. Allen Davis: 4704 Valley Oak Drive	AGAINST
Donald F. Nobles: 5000 Crestway	AGAINST
Mrs. Kirk Michaux: 5801 Highland Hills Drive	AGAINST
Frances Rodgers: 4901 West Frances Place	AGAINST
Bennie Kitto: 5102 Crestway Drive	AGAINST
Bob Lloyd	AGAINST
Mrs. Ernest Gaddy	AGAINST
Ernest Gay	AGAINST
Mrs. Kirkley Show	AGAINST
Nancy Hamilton: 5802 Highland Hills Drive	AGAINST
Guy L. Bush: 4605 Balcones Drive	AGAINST
Mrs. E. P. Dolan: 5000 Highland Court	AGAINST
Susan T. Sternberg: 5720 Highland Hills Drive	AGAINST
Nikki Cain : 5805 Highlands Hills Drive	AGAINST
Gary Underhill: 5707 Trailridge Drive	AGAINST
Patricia Greven: 4710 Highland Terrace	AGAINST
Kathy Benefield: 4903 Fairview Drive	AGAINST
R. J. Braden: 5115 Fairview Drive	AGAINST
Frank Bash: 4507 Balcones Drive	AGAINST
Susan Bash: 4507 Balcones Drive	AGAINST
Mickey Benefield: 4903 Fairview Drive	AGAINST
James Cobert: 3206 Highland Terrace West	AGAINST

C14p-74-054 Carl W. Burnette, Trustee--Contd.

Marion Wilkins: 3320 Big Bend Drive	AGAINST
C. A. Wilkins: 3320 Big Bend Drive	AGAINST
Edith Buss: 3318 Perry Lane	AGAINST
John & Millie Sobieski: 5000 Balcones Drive	AGAINST
Gail A. Egnos: 5004 Balcones Drive	AGAINST
Ralph R. Rash: 5002 Balcones Drive	AGAINST
Mrs. Ralph R. Rash: 5002 Balcones Drive	AGAINST
Shirley K. Brewer: 4801 Fairview Drive	AGAINST
R. J. Lafrentz: 5003 Valley Oak Drive	AGAINST
Mrs. James Lassiter: 4708 Highland Terrace	AGAINST
Ralph Helyer: 3205 Highland Terrace West	AGAINST
Marvin J. Weatherford: 3201 Perry Lane	AGAINST
Woodrow Sledge (AISD)	AGAINST
Kelley Atkinson: 3202 Sunny Lane	AGAINST
Henry O. Atkinson: 3202 Sunny Lane	AGAINST
Jean Atkinson: 3202 Sunny Lane	AGAINST
George K. Bead: 3314 Perry Lane	AGAINST
Mr. & Mrs. Jim Abney: 3305 Big Bend Drive	AGAINST
C. R. Follett: 5900 Wynona	NO OPINION

COMMITTEE ACTION:

The applicant requested a postponement to allow him to get a recommendation from the Urban Transportation Department concerning changing the one-way street on Fairview to a two-way street. Members were in agreement to hear the case since such a large number of citizens were present. Mr. Bobbitt pointed out that the Committee could not act on the one-way street issue but only on the special permit itself and whether or not to allow access on Fairview. Ms. Himmelblau stated she thought the one-way street was the best solution for that street. Members unanimously recommended that the Committee hear the case.

The applicant made his presentation and reviewed the departmental requirements. He requested that the 25-foot driveway width be allowed rather than the 30-foot requirement in order to decrease the amount of paving on the ground. In answer to Ms. Himmelblau's question regarding a fence around the proposed complex, the applicant indicated that neither pedestrian nor vehicular traffic can get from the apartment complex to the shopping center without going around one end of the tract. All truck traffic will come off Balcones or off Hancock, thus preventing any service vehicles on Fairview. Members reviewed the information presented by the applicant and heard testimony opposing the project primarily because of the additional traffic hazards to the school created by the density of such a project. Mr. Nash recommended that the case be postponed 30 days to allow the opposition to negotiate with the developer for possible purchase of the property for use by the school.

AYE: Messrs. Bobbitt, Everett, Nash and Washington.
Ms. Himmelblau

C14p-74-054 Carl W. Burnette, Trustee--Contd.

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To recommend that the request of Carl W. Burnette, Trustee for a special permit for the construction of 61 apartment units called "Parkside Apartments" on property located at 5001-5019 Balcones Drive, also bounded by Fairview Drive, be POSTPONED 30 DAYS.

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey and Washington. Mmes. Himmelblau and Mather

STREET VACATIONS

C10v-75-001 Austin Independent School District
Vacation of the alley between Spence Street and Taylor Street, extending east from San Marcos Street to a dead end

STAFF REPORT:

This is a request by the Austin Independent School District to vacate the alley between Spence Street and Taylor Street, extending east from San Marcos Street to a dead end. The school district owns all the adjacent property, and vacation of this alley will allow for the construction of an elementary school on the site. The staff is recommending that this alley be vacated, subject to retention of any required easements and/or the removal of any utility lines.

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the staff's recommendation.

COMMISSION VOTE:

To APPROVE the request of the Austin Independent School District for vacation of the alley between Spence Street and Taylor Street, extending east from San Marcos Street to a dead end, subject to retention of any required easements and/or the removal of any utility lines.

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey and Washington. Mmes. Himmelblau and Mather

PUBLIC HEARINGS

C2o-74-005 Ordinances

Amendment to Chapter 41 of the City Code for inclusion of the Federal Flood Insurance requirements into the City's Ordinance

Mr. Charles Graves, Director of Engineering, reported that this ordinance amendment has appeared before the Commission in the past in order that the City comply with the Federal Flood Insurance requirements. A number of work sessions and public hearings were held to write the amendment. Several developers expressed concern about the language and requested clarification of the proposal. In response to their request, the ordinance was reworded and presented to the Commission at their meeting of December 20, 1974. However, due to lack of a quorum at that meeting, the proposed ordinance is appearing again tonight for action. Mr. Graves reviewed the changes and recommended they be approved as follows:

Sec. 41-44 Standard Provisions for Storm Drainage

(a) add may be in the sentence regarding the requiring a closed storm sewer system

(b) add or other conduit structure . . . and except that the enclosure of any design peak flows exceeding 300 cfs shall require the approval of the City Planning Commission . . .

(c) add The design shall further provide for system overflows from storms exceeding the intensity of a 25-year storm and including the intensity of the 100-year storm.

Sec. 41-44.2 Responsibility of Owner or Developer for Storm Drainage

(e) add When the owner-developer certifies by affidavit that a bona fide attempt to meet offsite drainage requirements has not been successful the City may assist at its discretion in the acquisition of necessary property rights to provide for construction of offsite drainage improvements. The owner-developer shall make adequate guarantees that he will stand the full cost of acquiring said property rights and shall retain full responsibility for construction of the required offsite improvements.

C2o-74-005 Ordinances--Contd.

Sec. 41-45 Engineering Design

(b) add It shall be the responsibility of the Director of Engineering to determine whether the need exists for a preliminary drainage study, and if required the study shall be submitted to the Director of Engineering prior to his acceptance for review of any construction plans for the development or any increment thereof.

(d) add It shall be the responsibility of the Director of Engineering to designate and to maintain official flood plain maps. . .

Sec. 41-45.1 Duties of the Director of Engineering

The interpretation of the requirements set forth in Sections 41-44 and 41-45 shall be made by the Director of Engineering.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

None

COMMISSION ACTION:

Ms. Mather expressed concern about Sec. 41-44.2 (e) which gives the City the right to condemn adjoining property to take care of runoff. She was concerned that a property owner might develop his property with too much hard surface, thus creating runoff, and the adjoining property would have to be sacrificed to take care of that runoff. Mr. Graves pointed out that the Creek Ordinance would not permit an increase in downstream flooding. Basically, the acquiring of property would be for easements and any condemnation would require Council approval.

COMMISSION VOTE:

To APPROVE the amendment to Chapter 41 of the City Code as submitted by the Department of Engineering for inclusion of the Federal Flood Insurance requirements into the City's ordinance.

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey
 and Washington. Mmes. Himmelblau and Mather

C2o-74-010 Ordinances

Amendment to Section 45-14.3 of the Zoning Ordinance to require placement of signs on property upon application for a zoning change and prior to the first public hearing by the Planning Commission

The staff reported that there will be additional amendments related to the proposed ordinance and recommended that action be postponed on this request until all proposed amendments can be heard together.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

None

COMMISSION ACTION:

Members reviewed the information and recommended that this case be postponed.

COMMISSION VOTE:

To POSTPONE the amendment to Section 45-14.3 of the Zoning Ordinance to require placement of signs on property upon application for a zoning change and prior to the first public hearing by the Planning Commission.

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey
 and Washington. Mmes. Himmelblau and Mather

C2o-75-001 Ordinances

Amendment to Chapter 29-1 and Section 47-1 of Chapter 41 of the Code of the City of Austin, 1967 to provide a definition for the term "property"

The staff reported that this request is to define the term "property" in Chapter 29-1 and Section 47-1 of Chapter 41 of the Code of the City of Austin, 1967.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

Joe Riddell

Carol Bucknall

AGAINST

AGAINST

COMMISSION ACTION:

Mr. Hetherly pointed out that in writing the Creek Ordinance, it was the intent to mean "real property". Mr. Don Bird, Assistant City Attorney, stated that reference is made to real property in the Subdivision and Zoning Ordinances but in the case of the Creek Ordinance, no prior reference is made, thus the need to define the Commission's intent. Mr. Bobbitt

C20-75-001 Ordinances--Contd.

stated that tenants living in areas that would be affected would have the right of appeal through their landlords who would be influenced by the tenants, but he felt they should not have the right to appeal if they did not actually own the property. Mr. Ramsey was of the opinion that the right of appeal should be by the owner of real property. Ms. Mather felt that any person living in any particular area has an investment in the area other than money and should have the right to appeal. Mr. Hetherly pointed out some of the problems dealing with notification of property owners. A majority of the members were in agreement that the intent of the ordinance was to mean "real property" and recommended to amend the ordinance to define the term.

COMMISSION VOTE:

To APPROVE the amendment to Chapter 29-1 and Section 47-1 of Chapter 41 of the Code of the City of Austin, 1967 to add the following definition thereto:

Property. For all purposes herein, property shall mean real property exclusively.

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey
 and Washington. Ms. Himmelblau
NAY: Ms. Mather

C3-74-012 Environment

Request to enclose a waterway west of Maple
Avenue between East 12th and East 13th Streets.
C. I. P. No. 6236 4

Mr. Charles Graves, Director of Engineering, reported that this is a request by the Community Development District No. 4 for a Waterway Development Permit to enclose an existing drainage ditch in a concrete box culvert along Maple Avenue from East 12th Street to East 13th Street. Approval by the Planning Commission is necessary because the waterway carries a peak flow of over 300 cfs. Mr. Graves pointed out that this drainage way is along a street that is to be paved. The enclosure is needed to correct this badly eroding channel which is an environmental and esthetic disgrace to this area. Also, the enclosure would eliminate a health hazard caused by the dumping of refuse into the present waterway. Currently, the residents along the west bank have no direct access to a public street but must gain access by an alley located behind the houses. Construction of the culvert will eliminate these undesirable conditions.

Mr. Graves recommended that this request be approved.

C3-74-012 Environment--Contd.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

None

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the staff's recommendation.

COMMISSION VOTE:

To APPROVE the request for enclosing the waterway west of Maple Avenue between East 12th Street and East 13th Street, Permit No. 74-11-3088, C. I. P. No. 6236 4.

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey and Washington. Mmes. Himmelblau and Mather

C814-74-013 First Service Corporation: 505 Attached and Detached
single-family dwelling units with commercial acreage, common open space and recreational facilities called "Lakewood".
Continued from December 20, 1974 Planning Commission for lack of a quorum.

Mr. Hetherly reported that this case was originally heard and approved by the Zoning Committee at their December meeting. Because of inaccurate information given the public regarding the right of appeal, Mr. Hetherly requested that the hearing be continued to the December 20th Planning Commission. The Commission was unable to take action at that meeting because of lack of a quorum. The hearing is continued at this meeting for final action by the Commission.

STAFF REPORT:

This is an application for a Planned Unit Development for 505 attached and detached dwelling units and commercial acreage on 167.05 acres of land located at Lakewood Drive and Loop 360, north of F. M. Highway 2222.

Of the total 167.05 acres under this ownership, 7.55 acres are proposed as commercial at the intersection of Lakewood Drive and Loop 360; 119.40 acres are residential; and 40.10 acres along the western boundary are to remain unplatted and reserved for possible sale to the adjoining property owner due to severe access problems from this site.

The residential density proposed is approximately 4.2 dwelling units per acre. The applicant proposes 29 large single-family detached residences along the eastern side adjacent to the existing residential development. The balance of the residential area is comprised of 257 townhouse units and 219 patio or zero lot-line units. The common open space, including four tennis courts and a swimming pool, comprises 40.58 acres or approximately 32% of the area.

C814-74-013 First Service Corporation--Contd.

STAFF RECOMMENDATION:

The staff recommends approval of the site plan and preliminary subdivision, subject to departmental requirements as on file with the City of Austin Planning Department and recommends that a variance be granted on the block length requirements.

The staff read from the Environmental Resource Management's comments which indicated that the applicant has agreed to shift the lots that were critically near to the creek so that any structure will be around 50 feet from the centerline. This brings the PUD into compliance with the original comments that were made. The water feature is a gravel pit which will be filled with water and used as part of the greenbelt system. Environmental Resource Management is agreeable to the applicant's plan to use post and beam construction on the slopes greater than 30%, thus alleviating the necessity to cut and grade these slopes or those that would pose stability problems.

CITIZEN COMMUNICATION (CONCERNED CITIZENS OF LAKEWOOD)

WRITTEN COMMENT

W. F. von Rosenberg: P. O. Box 9787
D. W. Doerr, Jr.: 7611 Creekbluff Drive
George Tipton, M.D.: 7701 Creekbluff Drive
John W. Faris: 8508 Brookfield

FOR
AGAINST
AGAINST
AGAINST

PERSONS APPEARING

Jim Brady (representing applicant)
Roy Bechtol (representing applicant)
Maury Hood (representing applicant)
David Williams (CONCERNED CITIZENS OF LAKEWOOD)
Gene Pipkin (CONCERNED CITIZENS OF LAKEWOOD)

AGAINST
AGAINST

COMMISSION ACTION:

Members reviewed the information presented from the staff and applicant. Representatives from the neighborhood association read a list of requirements they wanted to see incorporated into the plan. However, Mr. Hetherly indicated the Commission could not require any of these conditions except the covenant restricting the cutting and filling of the slopes greater than 30%.

The applicant indicated he would be willing to work with the neighborhood on the fire protection problems but would not agree to provide the land or money for a fire control station. He also agreed to not cut and fill on building sites with slopes of 30% or greater. He stated that approximately four units will be eliminated in Phase V because of the street realignment, thus creating a reduction in the density.

C814-74-013 First Service Corporation--Contd.

Mr. Hetherly agreed that the fire protection problem in the existing area is bad, but he felt that from the standpoint of City services, the area would benefit from this proposed development.

Mr. Nash recommended that this plan be approved, subject to conditions.

COMMISSION VOTE:

To APPROVE the site plan and preliminary subdivision of First Service Corporation for 505 attached and detached single-family dwelling units with commercial acreage, common open space and recreational facilities called "Lakewood", on property located at Lakewood Drive and Loop 360 (West Ben White Boulevard), subject to compliance with departmental requirements as on file with the City of Austin Planning Department; subject to a restrictive covenant which would prohibit cutting or filling of any slopes of 30% or greater; and reducing the commercial area to 5.9 acres.

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey
 and Washington. Mmes. Himmelblau and Mather

OTHER BUSINESS

C814-74-005 Cat Mountain Villa

Lookout Mountain Drive and F. M. 2222
Letter from Cat Mountain Properties requesting
a variance to sidewalk requirements on pre-
viously approved Cat Mountain Villa PUD.

STAFF REPORT:

This is a request by the Cat Mountain Properties for a variance on the sidewalk requirements in the Cat Mountain Villa PUD. Sidewalks were required along certain streets, and the applicant is requesting that he be allowed to provide walkways in lieu of sidewalks through the interior greenbelt areas. These walkways will be constructed over some of the wastewater installations. Urban Transportation has indicated approval of the proposed plan which provides for pedestrian circulation separate from the vehicular routes. These will be safe-school routes.

STAFF RECOMMENDATION:

The staff recommends that a variance be granted to allow walkways in lieu of sidewalks as shown on the amended site plan on file with the City of Austin Planning Department.

C814-74-005 Cat Mountain Villa--Contd.

COMMISSION ACTION:

Members reviewed the information presented. In answer to Mr. Ramsey's question regarding lighting of the walkways, the applicant indicated no plans had been made for lighting. Members agreed that the homeowners association could decide whether or not they wanted lighting. Mr. Washington recommended that a variance be granted.

COMMISSION VOTE:

To GRANT the request of Cat Mountain Properties for a variance to allow walkways in lieu of sidewalks on the previously approved Cat Mountain Villa PUD, located at Lookout Mountain Drive and F. M. 2222, as shown on the amended site plan on file with the City of Austin Planning Department.

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey and Washington. Mmes. Himmelblau and Mather

R141 Planning Commission Rules and Procedures
Amendment to Section XVII (d) requiring a
period of 12 months before refiling a
zoning application that has been withdrawn

The Commission requested that this case be postponed to the January 28, 1975 Planning Commission for consideration.

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey, and Washington. Mmes. Himmelblau and Mather

C8-71-144 Buckingham Estates Commercial Area
Cooper Lane and Buckingham Place
Consideration of fiscal requirements

The staff reported that the developers of the Buckingham Estates Commercial Area (Don West and Dick Rathgeber) are requesting that a variance be granted to not require fiscal arrangements for the sidewalks along William Cannon Drive until such time as they are ready to develop the area. The developer has submitted his letter of credit and is requesting that this be released. The staff pointed out that the department will soon have an amendment to the Subdivision Ordinance which will require construction of sidewalks in conjunction with issuance of driveway permits rather than requiring developers to make fiscal arrangements as now required. Therefore, the staff can recommend a variance, deleting the sidewalk fiscal arrangements and releasing the letter of credit, subject to the developer filing an amended plat.

C8-71-144 Buckingham Estates Commercial Area--Contd.

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the staff's recommendation.

COMMISSION VOTE:

To GRANT the request of Don West and Dick Rathgeber for a variance on the fiscal arrangements for sidewalk requirements for Buckingham Estates Commercial Area located at Cooper Lane and Buckingham Place, and release of their letter of credit, subject to filing an amended plat.

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey, and Washington. Mmes. Himmelblau and Mather

C8s-74-159 Buckingham East, Section 1
William Cannon Drive and South First Street
Consideration of fiscal requirements

The staff reported that the applicant has requested that this case be withdrawn.

COMMISSION ACTION:

Members reviewed the information and recommended that the request be withdrawn.

COMMISSION VOTE:

To WITHDRAW the request of Buckingham East, Section 1 on property located at William Cannon Drive and South First Street for consideration of fiscal requirements.

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey, and Washington. Mmes. Himmelblau and Mather

The Commission then

VOTED: To approve the October 8, 1974 Planning Commission minutes.

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey, and Washington. Mmes. Himmelblau and Mather

SUBDIVISIONS

C8-74-72 Lakeway Estates, Section 1
F. M. 620 and Little Oaks Road
Preliminary subdivision postponed pending Health
Department report for septic tank use. Postponed
from December 20, 1974 Planning Commission for lack
of a quorum

The staff requested that this case be postponed, pending receipt of a report from the Health Department for septic tank use.

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the staff's request.

COMMISSION VOTE:

To POSTPONE the following preliminary subdivision, pending receipt of a report from the Health Department for septic tank use:

C8-74-72 Lakeway, Section 1
F. M. 620 and Little Oaks Road

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey
and Washington. Mmes. Himmelblau and Mather

C8-74-67 Sunrise Acres, Section 2
Sunflower Drive and Bass Lane
Preliminary/Final subdivision postponed pending Health
Department report for septic tank use. Postponed from
December 20, 1974 Planning Commission for lack of a quorum

The staff requested that this case be postponed, pending receipt of a report from the Health Department for septic tank use.

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the staff's request.

COMMISSION VOTE:

To POSTPONE the following preliminary/final subdivision, pending receipt of a report from the Health Department for septic tank use:

C8-74-67 Sunrise Acres, Section 2
Sunflower Drive and Bass Lane

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey
and Washington. Mmes. Himmelblau and Mather

C8-74-1 Bee Caves, Section 1
Walsh Tarleton Lane and French Creek Drive
Preliminary/Final subdivision postponed from
December 20, 1974 Planning Commission for lack of a quorum

The staff reported that the applicant has requested that this case be postponed.

COMMISSION ACTION:

Members reviewed the information presented and recommended that this case be postponed.

COMMISSION VOTE:

To POSTPONE the following preliminary/final subdivision:

C8-74-1 Bee Caves, Section 1
Walsh Tarleton Lane and French Creek Drive

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey
and Washington. Mmes. Himmelblau and Mather

C8s-74-21 N H P Lamar Addition
C8s-73-232 North Lamar Boulevard and Thurmond Drive
Consider amending previously approved plat restriction

The staff requested that this case be postponed.

COMMISSION ACTION:

Members reviewed the information and were in agreement with the staff's request.

COMMISSION VOTE:

To POSTPONE the request of N H P Lamar Addition to consider amending a previously approved plat restriction on property located at North Lamar Boulevard and Thurmond Drive.

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey,
and Washington. Mmes. Himmelblau and Mather

R105-74 Subdivision Memorandum
Preliminary, Short Form and Final Subdivisions
as listed on the Subdivision Memorandum. Postponed
from December 20, 1974 Planning Commission meeting for
for lack of a quorum. Action to be taken at meeting.

PRELIMINARY SUBDIVISIONS--FILED AND CONSIDERED

The staff reported that a request had been received for a six-month's extension of the following preliminary plan. The Commission then

VOTED: To GRANT a six-month's extension of the preliminary approval of the following plan:

C814-73-05 West Park Place (PUD)
Pecos Street & Hillview Road

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey and Washington. Mmes. Himmelblau and Mather

PRELIMINARY/FINAL SUBDIVISIONS--FILED AND CONSIDERED

The staff recommended to APPROVE the following preliminary plans, subject to conditions set forth in the technical reports and to ACCEPT FOR FILING AND DISAPPROVE the final plans, subject to departmental requirements as on file with the City of Austin Planning Department:

C8-74-69 Cherry Creek, Phase VI, Section Two (2)
West Gate Blvd. & Burkett Drive
C8-74-73 Oak Plaza
I. H. 35 & Woodcreek North
C8-74-74 Barrington Oaks, Section Three (3)
Barrington Oaks Drive & Burrhill Drive

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey and Washington. Mmes. Himmelblau and Mather

FINAL SUBDIVISION PLATS--FILED AND CONSIDERED

The following final subdivision has appeared before the Commission in the past. The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following final subdivision, pending compliance with departmental requirements as on file with the City of Austin Planning Department and pending fiscal arrangements required:

C8-72-73 Little Bee Creek Estates
The High Road & Little Bee Creek Road

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey and Washington. Mmes. Himmelblau and Mather

The Commission then

Final Subdivisions--Contd.

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following final subdivision, pending fiscal arrangements required, pending tax certificates required and pending resolving street name problems (see Planning):

C8-74-70 Parliament Place Street Dedication
Parliament Place & Spicewood Springs Road

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey and Washington. Mmes. Himmelblau and Mather

The Commission then

VOTED: To GRANT the moving of sidewalks on Danwood Drive from the east to the west side from Oak View Drive, northerly to the deadend on the following final subdivision:

C8-72-64 Oak Forest, Section Two (2)
Oak Knoll Drive & Meadow Drive

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey and Washington. Mmes. Himmelblau and Mather

The Commission then

VOTED: To GRANT the moving of sidewalks on Plantation Road from the north side to the south side on the following final subdivision:

C8-72-89 Oak Plantation Subdivision
Brodie Lane & Thomas Kincheon Street

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey and Washington. Mmes. Himmelblau and Mather

The Commission then

VOTED: To GRANT a name change to Trailwood Village at Travis Country I on the following final subdivision:

C8-73-78 Travis Country, Section Two (2)
Travis Country Circle

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey and Washington. Mmes. Himmelblau and Mather

Final Subdivisions--Contd.

The Commission then

VOTED: To GRANT a name change to Trailwood Village at Travis Country II on the following final subdivision:

C8s-73-107 Travis Country, Section II, Phase II
Travis Country Circle & Big Oak Drive

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey and Washington. Mmes. Himmelblau and Mather

SHORT FORM SUBDIVISIONS--FILED AND CONSIDERED

The staff reported that the following short form plats have complied with all departmental requirements and recommend that they be approved. The Commission then

VOTED: To APPROVE the following short form subdivisions:

C8s-74-216 Wallace E. Johnson Subdivision
Rutherford Lane
C8s-74-217 Smith & Scholars Addition
Manchaca Road & Fort View Road
C8s-74-223 Eastland Plaza
Tillery Street & Airport Blvd.
C8s-74-228 Kay Goodson Subdivision
Hoeke Lane

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey and Washington. Mmes. Himmelblau and Mather

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form subdivisions, pending compliance with departmental requirements as on file with the City of Austin Planning Department:

C8s-74-248 Resub. Lots 21 & 22, Blk. "K" Windsor
Hills, Section 7
Pond View Circle
C8s-74-249 Texas AFL-CIO Addition
West 11th Street & Lavaca
C8s-74-250 Lot 5 & 6, Blk. "Y", Northwest
Hills, Cat Mountain Section
Cat Mountain Drive
C8s-74-251 Resub. Lot 16 & Portion of 14-A
Northwest Hills, Cat Mountain Section
Cat Mountain Cove

Short Form Subdivisions--Contd.

C8s-74-252 Amended Plat Lots 8-18, Blk. "J" &
Lots 1-9, Blk. "P" of the Village
at Quail Creek
Barnhill Drive

C8s-74-254 Meadow Creek, Sec. 1, Resub. Lots 18,
19, 21 & 22, Blk. "E"
Lamar Boulevard

C8s-74-257 Resub. Lots 8 & 17, Blk. "A"
Arroyo Doble, Section 2
Horsethief Trail

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey and
Washington. Mmes. Himmelblau and Mather

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form
subdivisions, pending compliance with departmental require-
ments and granted a variance to exclude the balance of the
tract:

C8s-74-247 Ojeda Addition
Weidemar Lane

C8s-74-253 Den-Bar #1
Manchaca Road

C8s-74-256 Browning-Ferris Corner
F. M. 973

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey and
Washington. Mmes. Himmelblau and Mather

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form
subdivision, pending compliance with departmental requirements
as on file with the City of Austin Planning Department and
requiring that Lot D-5 be 40' wide fronting onto Spicewood
Springs Road:

C8s-74-255 Fourth Resub. of H. S. R. Subd. II
Mesa Drive & Spicewood Springs Road

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey and
Washington. Mmes. Himmelblau and Mather

R105-74Subdivision Memorandum

Preliminary, Short Form and Final Subdivisions
as listed on the Subdivision Memorandum. Action
to be taken at the meeting.

FINAL SUBDIVISION PLATS--FILED AND CONSIDERED

The following final subdivisions have appeared before the Commission in the past and have now met all departmental requirements. The staff recommends they be approved. The Commission then

VOTED: To APPROVE the following final subdivisions:

<u>C814-72-11</u>	<u>Peppertree Park</u>
	<u>Teri Road</u>
<u>C814-74-05</u>	<u>Cat Mountain Villas</u>
	<u>Lookout Mountain Drive & F.M. 2222</u>
<u>C8-72-97</u>	<u>Camelot, Section Five (5)</u>
	<u>Ledge Drive & Castle Ridge Road</u>
<u>C8-73-56</u>	<u>Quail Creek, Section 7, Phase 2</u>
	<u>Rundberg Lane & Quail Wood Drive</u>
<u>C8-73-95</u>	<u>Meadowcreek, Section Two, Phase Two</u>
	<u>Dittmar Lane</u>
<u>C8-73-118</u>	<u>Peppertree Park, Section Five</u>
	<u>Teri Road & Frederick Lane</u>
<u>C8-73-126</u>	<u>Woodstone Village</u>
	<u>Plantation Road & Brodie Lane</u>
<u>C8-73-128</u>	<u>Meadowcreek, Section Two, Phase One</u>
	<u>South 1st Street & Eberhart Lane</u>
<u>C8-74-04</u>	<u>Wagon Crossing, Section Three</u>
	<u>E. Stassney Lane & Ponciana Drive</u>
<u>C8-74-05</u>	<u>Sonesta West, Section One</u>
	<u>Fathom Circle & Country Club Road</u>
<u>C8-74-43</u>	<u>Beaconridge II</u>
	<u>Hill Lane & Dittmar Road</u>
<u>C8-74-45</u>	<u>Barton Market Square, Phase I</u>
	<u>Ben White Blvd. & Pack Saddle Pass</u>
<u>C8-74-53</u>	<u>Village Square</u>
	<u>Pleasant Valley Road & Blanco Lane</u>
<u>C8-74-57</u>	<u>Westlake Highlands, Section 8</u>
	<u>Toro Canyon Road & Fox Trail</u>
<u>C8-74-69</u>	<u>Cherry Creek, Phase VI, Section 2</u>
	<u>West Gate Blvd. & Berkett Drive</u>
<u>C8-74-75</u>	<u>Woodstone Village, Section II</u>
	<u>Woodstone Drive (Changed to Croftwood Drive)</u>
	<u>& Eskew Drive</u>
<u>C8-74-76</u>	<u>Woodstone Village, Section III</u>
	<u>Wakefield Drive & Wordsford Drive</u>

Final Subdivisions--Contd.

<u>C8-74-77</u>	<u>Woodstone Village, Section IV</u> <u>Leaffield Drive</u>
<u>C8-74-78</u>	<u>Woodstone Village, Section V</u> <u>Woodstone Drive (Changed to Croftwood Drive)</u> <u>& Leaffield Drive</u>

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey,
and Washington. Mmes. Himmelblau and Mather

SHORT FORM SUBDIVISIONS--FILED AND CONSIDERED

The staff reported that the following short form plats have complied with all departmental requirements and recommended that they be approved. The Commission then

VOTED: To APPROVE the following short form subdivisions:

<u>C8s-74-115</u>	<u>Zilker Heights</u> <u>Bee Caves Road</u>
<u>C8s-74-183</u>	<u>Resub. Lots 30 & 31, Southridge, Sec. 5</u> <u>Rockdale Circle</u>
<u>C8s-74-221</u>	<u>Crofford Addition</u> <u>U. S. 290 & Crofford Lane</u>
<u>C8s-74-237</u>	<u>Twin Oaks Industrial District No. 6</u> <u>E. St. Elmo & Willow Springs</u>
<u>C8s-74-257</u>	<u>Resub. Lots 8 & 17, Blk. A,</u> <u>Arroyo Doble, Sec. 2</u> <u>Horsethief Trail</u>

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey and
Washington. Mmes. Himmelblau and Mather

The Commission then

VOTED: To ACCEPT FOR FILING AND APPROVE the following short form
subdivision:

<u>C8s-74-262</u>	<u>Resub. Blk. 182, Original City of Austin</u> <u>E. 1st Street & San Jacinto Street</u>
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AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey and
Washington. Mmes. Himmelblau and Mather

The Commission then

Short Form Subdivisions--Contd.

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form subdivisions, pending compliance with departmental requirements as on file with the City of Austin Planning Department:

<u>C8s-74-263</u>	<u>Jung's Woodruff Blvd. Addn. Resub. #1</u>
	Ben White Blvd. & Payload Pass
<u>C8s-74-264</u>	<u>Lot 13, Blk. "C" Eddie Ludwig Subdivision</u>
	Victory Street
<u>C8s-74-265</u>	<u>Straus Corner</u>
	Lamar Blvd. & Raymond Street

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey and Washington. Mmes. Himmelblau and Mather

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form subdivision, pending compliance with departmental requirements as on file with the City of Austin Planning Department and granted a variance on the signature of the adjoining owner:

<u>C8s-74-258</u>	<u>Gilbert Ramos Subdivision</u>
	McNeil Road

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey and Washington. Mmes. Himmelblau and Mather


The Commission then

VOTED: To POSTPONE the following short form subdivisions, pending receipt of a letter of variance on the signature of the adjoining owner:

<u>C8s-74-259</u>	<u>Dittmar-Hanson Subdivision</u>
	Capital View Drive
<u>C8s-74-260</u>	<u>Hurricane Steel Industrial Subdivision</u>
	F. M. Highway 1325
<u>C8s-74-261</u>	<u>Presbyterian Addition</u>
	Mesa Drive

AYE: Messrs. Hetherly, Bobbitt, Everett, Juarez, Nash, Ramsey and Washington. Mmes. Himmelblau and Mather

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


Richard Lillie
Executive Secretary