

CITY PLANNING COMMISSION

Austin, Texas

Regular Meeting--December 14, 1976

The meeting of the Commission was called to order at 7:00 P.M. in the Council Chambers.

Present

Miguel Guerrero, Chairman
Barbara Chance
Jean Mather
Dean Rindy*
Bill Stoll
Nellie White

Absent

Freddie Dixon
Gabriel Gutierrez
Sid Jagger

Also Present

Richard Lillie, Director of Planning
Evelyn Butler, Supervisor, Current Planning
Brian Schuller, Planner
Charles Graves, Director of Engineering
Maureen McReynolds, Director of Environmental
Resource Management
Bill Lowery, Urban Transportation Department

*Arrived at 7:30 PM

SPECIAL PERMITS

Cl4p-76-046	City Vending Company:	Addition of game room to existing
	1308 East 6th Street	<u>lounge.</u>

Mr. Lillie reminded the Commission members that this case was continued from their previous meeting on December 7, 1976 to allow them time to visit the area of the subject property so that they could be more aware of the character of the neighborhood. Mr. Brian Schuller, representing the Planning staff, informed the members that the paving of the alley, as recommended by the Urban Transportation Department, is not an ordinance requirement and that the Commission can opt to allow the applicant not to pave the alley or to require the entire alley to be paved or one-half or the other to be paved.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

Queen E. Johnson, 1306 East 6th Street

Consuelo Morales, 1303 East 7th Street

Ruben Morales, 1303 East 7th Street

Eunice Michales, Box 293, Rochester, TX

PERSONS APPEARING IN FAVOR

Jack Dempsey (Representing Applicant)

PERSONS APPEARING IN OPPOSITION

None

COMMISSION ACTION:

Members reviewed the information presented. Ms. Chance asked Mr. Schuller if they could require less than half of the alley be paved. Mr. Schuller replied that they could ask the applicant to pave from his property line to the nearest intersecting street. Mr. Jack Dempsey, representing the applicant, told the members that the alley is being used by every property owner there and nothing is paved presently and he felt that if just a portion of the alley is paved there would be a maintenance problem. He added that he would rather pave the parking area and leave the alley alone except the portion behind their property. Mr. Schuller agreed that the area in which the paving stops and the ground begins will cause some problems in terms of erosion and will result in a maintenance problem. Mr. Dempsey asked if the paving would have to be asphalt or concrete. Mr. Schuller answered that it would have to be concrete. Mr. Dempsey asked that the Commission consider allowing the applicant to pave only his parking lot, but to protect the asphalt paving with a concrete apron on his property. Mr. Charles Graves, Director of the Engineering Department, explained that concrete alleys are required in commercial areas and asphalt or concrete can be used in residential areas. He added that the City does, by petition, pave alleys and assess the property owners 100 per cent of the cost. He said also that his department normally did not recommend paving just a portion of an alley because of the maintenance problem. Ms. White was concerned about the truck traffic in the alley because of the noise and the dust created. Mr. Guerrero felt it was not really fair to this applicant to require him to pave the alley when a lot of the traffic on the alley is

C14p-76-046 City Vending Company--Contd.

created by other businesses. Ms. White reminded him that Mr. Graves had said that the City could pave the alley and assess the owners. Ms. Mather felt that may not be fair to the residential owners involved. Mr. Graves clarified his statement saying that the assessment program had always been voluntary, resulting from the desire of all the property owners on the alley to have it paved. Ms. Mather made a motion to approve the request subject to compliance with departmental requirements and recommendations. Ms. Chance seconded the motion. Mr. Schuller pointed out that one of those recommendations was that the alley be paved. Ms. Mather amended her motion to exclude the recommendation from the Urban Transportation Department that the alley be paved.

COMMISSION VOTE:

To APPROVE the request of the City Vending Company for an addition of a game room to an existing lounge located at 1308 East 6th Street, subject to departmental requirements and recommendations, with the exception of the recommendation of the Urban Transportation Department that the alley be paved.

AYE: Messrs. Guerrero, Rindy and Stoll; Mmes. Chance, Mather and White

ABSENT: Messrs. Dixon, Gutierrez and Jagger

PLANNED UNIT DEVELOPMENTS

<u>C814-76-011</u>	<u>Harvey H. Lane and John Van Winkle:</u>	<u>Int. "AA" Residence, 1st H & A to</u>
	<u>Westlake Drive</u>	<u>a 51-unit planned unit development</u>
		<u>called, "Los Altos Condominiums".</u>

Mr. Lillie explained to the members that they had postponed action at their previous meeting on November 9, 1976 and had also set a public hearing for this meeting. Mr. Brian Schuller, representing the Planning staff, gave the staff report and the options open to the Planning Commission as follows:

1. approval as submitted;
2. denial based on specific points;
3. approval including compliance with ordinance requirements and departmental recommendations and to include any specific modification deemed appropriate by the Planning Commission.
4. postponement for further adaptation or until final adoption of the Lake Austin Growth Management Plan.

CITIZEN COMMUNICATION

WRITTEN COMMENTS IN FAVOR

None

WRITTEN COMMENTS IN OPPOSITION

None

PERSONS APPEARING IN FAVOR

Bert Hooper (Representing Applicant)

Kenneth Cunningham (Representing Applicant)

Stephanie Storms (Representing Applicant)

C814-76-011 Harvey H. Lane and John Van Winkle--Contd.

PERSONS APPEARING IN OPPOSITION

Ann Richards (County Commissioner Elect in Precinct 3)
Phil Savoy (County Hydrologist)
Tom Spooontz (County Traffic Engineer)
Henrietta Jacobsen
John Scanlan
Tom Leech
Peggy Fergusson
Dick Stanford
Marilyn Waite
David Bloch
Frank Schlieker
Sue Ann Barth
Robert H. Barth
John P. Cathern
R.L. Collins
W.W. Rothstile
Guy Thompson
Kay W. Bond
George Putnam

COMMISSION ACTION:

Members reviewed the information presented. Mr. Rindy made a motion to deny the request, stating that the City is not obligated to automatically grant special permits and that it is wrong to assume that the interim controls on Lake Austin are the only aspects of the Lake Austin Growth Management Plan. He added that these deal with water quality and that the Commission had decided that water quality is not enough for adequate control. He continued that his reasons for moving for denial are incompatibility with the area, density, traffic safety and fire protection. Ms. Mather seconded the motion. Mr. Guerrero stated that the reasons Mr. Rindy had given for denial were his reasons for being in favor of the application. He said that the applicant had complied with the requirements. Ms. White pointed out that almost 100% of the neighborhood residents were against the application and that the Commission usually considered any action they took on zoning cases very carefully when there was this much opposition. Mr. Guerrero said that the applicant had met what the Commission had previously required of him and he felt that the application should be approved. Ms. Chance said that although she did feel that this project was too dense for this particular area, the Commission could not expect to develop the entire Lake Austin area with one or two units per acre and there would have to be some kind of compromise. Mr. Stoll said that as far as neighborhood concerns he agreed with Ms. White, but that there are very few homes in the immediate area, most of the land being vacant, so he wondered what the neighborhood situation really is.

COMMISSION VOTE:

To DENY the request of Harvey H. Lane and John Van Winkle for a 44-unit planned unit development called Los Altos Condominiums, located on Westlake Drive, on the basis that the project is incompatible with surrounding land use, the density is too high, and concern for traffic safety and fire protection.

C814-76-011 Harvey H. Lane and John Van Winkle--Contd.

AYE: Mr. Rindy; Mmes. Chance, Mather and White
NAY: Messrs. Guerrero and Stoll
ABSENT: Messrs. Dixon, Gutierrez and Jagger

OTHER BUSINESS

C11-76-005 Transit and Transportation

Determination of number of parking spaces which are adequate for a proposed auto repair establishment to be located at 1618 E. 6th Street, as required by Sec. 45-30 of the Code of the City of Austin.

Mr. Lillie told the members that these are parking requirements that, under the City Code, are subject to review by the Commission. He continued that the staff has reviewed the site plan showing 11 parking spaces on the lot and four spaces inside the building and is in agreement with that request. Mr. Brian Schuller, representing the Planning staff, added that parking spaces number 7 and 8 will have to use the alley for access, which will require paving the alley to the nearest street from this tract. He suggested that those two spaces could be removed, leaving nine parking spaces, which the staff feels is adequate for this use.

COMMISSION ACTION:

The members reviewed the information presented and were in agreement with the staff recommendation that two parking spaces be removed for a total of nine parking spaces. Ms. Mather made a motion to approve the the parking plan for nine parking spaces and Mr. Rindy seconded the motion.

COMMISSION VOTE:

To APPROVE the parking plan of a proposed auto repair establishment to be located at 1618 E. 6th Street for nine parking spaces.

AYE: Messrs. Guerrero and Rindy; Mmes. Chance, Mather and White
ABSENT: Messrs. Dixon, Gutierrez and Jagger
OUT OF ROOM: Mr. Stoll

C11-76-006 Transit and Transportation

Determination of number of parking spaces which are adequate for the proposed Highland Toyota Sales and Service to be located at the northwest corner of Huntland Drive and Brenda Drive as required by Sec. 45-30 of the Code of the City of Austin.

Mr. Brian Schuller, representing the Planning staff, told the members that the staff has reviewed the site plan submitted by the applicant showing a total of 154 parking spaces. He brought their attention to a letter from

C11-76-006 Transit and Transportation--Contd.

Mr. Phil Mockford, a representative of the applicant, indicating that 37 spaces are proposed for employees and customers. Mr. Schuller said that the staff feels that 37 parking spaces is adequate for the use and recommends that that number of spaces be approved.

COMMISSION ACTION:

The members reviewed the information presented. Mr. Guerrero asked if the 37 spaces would have to be paved. Mr. Schuller said that that was correct, but that the balance of the spaces would not have to be paved. Ms. Mather asked what the setback was on Brenda and was told that it was 10 feet. Mr. Schuller reminded the members that when the zoning application was heard, the Commission required that no driveways be constructed on Brenda. Ms. Mather made a motion to approve the parking plan for 37 spaces. Mr. Guerrero seconded the motion. Ms. White pointed out that when the zoning application was being reviewed it was brought out by the residents in the area that some parking was occurring on a piece of property zoned "B" Residential. Mr. Lillie told her that the Building Inspector is enforcing that problem.

COMMISSION VOTE:

To APPROVE the parking plan of the proposed Highland Toyota Sales and Service to be located at the northwest corner of Huntland Drive and Brenda Drive for 37 parking spaces.

AYE: Messrs. Guerrero, Rindy and Stoll; Mmes. Mather and White
ABSENT: Messrs. Dixon, Gutierrez and Jagger
OUT OF ROOM: Ms. Chance

C12-76-013 Public Services

Consideration of a wastewater approach main to Riverside Divide, Section 3.

Mr. Lillie told the members that the line would be built from East Riverside Drive intersecting with South Lakeshore Boulevard easterly, 210 feet approximately to the existing eight inch line. He added that this is also an eight inch line that would serve four lots in the subdivision. He said that the wastewater main will be installed and paid for in full by the subdivider with no participation by the City. He pointed out that the Environmental Resource Management Office is recommending that if the line is built that it be built in the north half of the South Lakeshore Boulevard right-of-way since that portion of the lot is not developed.

COMMISSION ACTION:

The members reviewed the information presented and were in agreement with the recommendations of the Water and Wastewater and Environmental Resource Management Departments. Mr. Rindy made a motion to approve the request for a wastewater approach main to Riverside Divide, Section 3. Ms. Mather seconded the motion.

Cl2-76-013 Public Services--Contd.

COMMISSION VOTE:

To APPROVE the request for a wastewater approach main to Riverside Divide, Section 3.

AYE: Messrs. Guerrero, Rindy and Stoll; Mmes. Mather and White

ABSENT: Ms. Chance; Messrs. Dixon, Gutierrez and Jagger

R141 Planning Commission Rules and Regulations

To consider amending Section XVII, Withdrawal of Zoning Applications, of the Planning Commission Rules and Regulations.

Mr. Lillie explained that when the Commission deleted the Zoning Committee, there were a couple of changes made in the Rules and Regulations related to that Committee, but one was overlooked. He said it dealt with the Committee's policies with respect to withdrawal of zoning cases. He reminded them that this item was on the Planning Commission agenda at the meeting of the previous month to assure that all the Commission members were aware that it would be on the agenda at this meeting for action.

COMMISSION ACTION:

The members reviewed the information presented. Ms. Mather made a motion to approve the changes to the Rules and Regulations as recommended by the staff. Mr. Rindy seconded the motion.

COMMISSION VOTE:

To APPROVE the recommended amendments to Section XVII, Withdrawal of Zoning Applications, of the Planning Commission Rules and Regulations.

AYE: Messrs. Guerrers, Rindy and Stoll; Mmes. Mather and White

ABSENT: Ms. Chance; Messrs. Dixon, Gutierrez and Jagger

Cl-76 Minutes

COMMISSION VOTE:

To APPROVE the September 14, 1976 Planning Commission Minutes.

AYE: Messrs. Guerrero, Rindy and Stoll; Mmes. Mather and White

ABSENT: Ms. Chance; Messrs. Dixon, Gutierrez and Jagger

SUBDIVISIONS

R105-76 SUBDIVISION MEMORANDUM

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

FINAL SUBDIVISION PLATS--FILED AND CONSIDERED

The following final subdivisions are appearing before the Commission for the first time and all departmental requirements have not been complied with. The staff recommends disapproval of these plats. The Commission then

VOTED: To DISAPPROVE the following final subdivision plat pending fiscal arrangements and compliance with departmental requirements:

C8-76-53 Rutland Village, Section Two
Rutland Drive

AYE: Messrs. Guerrero and Stoll; Mmes. Chance, Mather and White
ABSENT: Messrs. Dixon, Gutierrez, Jagger and Rindy

The Commission then

VOTED: To DISAPPROVE the following final subdivision plat pending fiscal arrangements, provision for sidewalks, creek permit and compliance with departmental requirements:

C8-76-64 Country Place, Ltd.
Rutland Drive and Mearns Meadow

AYE: Messrs. Guerrero and Stoll; Mmes. Chance, Mather and White
ABSENT: Messrs. Dixon, Gutierrez, Jagger and Rindy

The Commission then

VOTED: To DISAPPROVE the following final subdivision plat pending fiscal arrangements, provision for sidewalks, a note on the plat requiring connection to Lamplight Village water and wastewater system, and compliance with departmental requirements:

C8-76-66 Lamplight Village, Section 3
Powderhorn Street and Krizan Ave.

AYE: Messrs. Guerrero and Stoll; Mmes. Chance, Mather and White
ABSENT: Messrs. Dixon, Gutierrez, Jagger and Rindy

The following final subdivisions have appeared before the Commission in the past and all departmental requirements have been complied with. The staff recommends approval of these plats. The Commission then

VOTED: To APPROVE the following final subdivision plat:

C8-76-45 Deerbrook Village @ Anderson Mill
Deerbrook Trail and F.M. 620

AYE: Messrs. Guerrero and Stoll; Mmes. Chance, Mather and White
ABSENT: Messrs. Dixon, Gutierrez, Jagger and Rindy

Final Subdivision Plats--Contd.

The Commission then

VOTED: To APPROVE the following Planned Unit Development Final:

C814-76-06 Chimneyhill, Phase II, Sec. I
Chimneyhill Boulevard

AYE: Messrs. Guerrero and Stoll; Mmes. Chance, Mather and White

ABSENT: Messrs. Dixon, Gutierrez, Jagger and Rindy

SHORT FORM SUBDIVISIONS--FILED AND CONSIDERED

The following short form plats have appeared before the Commission in the past and all departmental requirements have been complied with. The staff recommends approval of these plats. The Commission then

VOTED: To APPROVE the following short form subdivisions:

C8s-76-99 Quail Creek, Phase 2, Sec. 5 *Resub of Lot 10, Blk B*
Parkfield Drive

C8s-76-185 Resub. Lot 1, Blk. C; Springhill Village
Old Pflugerville Road

C8s-76-186 Resub. Lots 25 & 26, Blk. 4, Broadacres
Jeff Davis Avenue

C8s-76-188 Resub. Lots 16 & 17, Blk. 2, Barton Hollow
Barton Hills Drive

C8s-76-189 ~~Resub. of~~ Vaught Tract
Burnet Road

C8s-76-200 Town & Country Village Addition, Sec. 1
Research Blvd/U.S. 183

C8s-76-210 Resub. Pt. of 38, Theodor Heights
Clawson Road

C8s-76-226 North Village #2
Burnet Road & Anderson Lane

AYE: Messrs. Guerrero and Stoll; Mmes. Chance, Mather and White

ABSENT: Messrs. Dixon, Gutierrez, Jagger and Rindy

The Commission then

VOTED: To APPROVE the following short form subdivision, granting a variance on right-of-way requirements:

Short Form Subdivisions--Contd.

C8s-76-154 Jeito Subdivision
Guadalupe St. and West 39th St.

AYE: Messrs. Guerrero and Stoll; Mmes. Chance, Mather and White
ABSENT: Messrs. Dixon, Gutierrez, Jagger and Rindy

The Commission then

VOTED: To APPROVE the following short form subdivision, granting a
variance to exclude the balance of the tract with a recordable
instrument regarding future sales or division of such property:

C8s-76-211 Tilly Addition
Elroy and Austin Road

AYE: Messrs. Guerrero and Stoll; Mmes. Chance, Mather and White
ABSENT: Messrs. Dixon, Gutierrez, Jagger and Rindy

The Commission then

VOTED: To APPROVE the following short form subdivision:

C8s-76-218 Koock Addition
Bee Caves Road

AYE: Messrs. Guerrero, Rindy and Stoll; Mmes. Chance, Mather and White
ABSENT: Messrs. Dixon, Gutierrez and Jagger

The following short form plats have appeared before the Commission in the past
and all departmental requirements have not been complied with. The staff
recommends disapproval of these plats. The Commission then

VOTED: To DISAPPROVE the following short form subdivisions pending
compliance with departmental requirements:

C8s-76-221 Lundell Addition
Hemlock Ave. and Walnut Ave

C8s-76-224 The Woodland Village of Anderson Mill, Sec. II, Ph. 2,
Lot 8A & 8B, Blk. O
Millwright Pkwy. and Anderson Mill

C8s-76-225 B.G. Bruder
Stewart Road and F.M. 620

C8s-76-227 Camelot West, Section 2
Bedwyr Road

AYE: Messrs. Guerrero and Stoll; Mmes. Chance, Mather and White
ABSENT: Messrs. Dixon, Gutierrez, Jagger and Rindy

Short Form Subdivisions--Contd.

The Commission then

VOTED: To DISAPPROVE the following short form subdivision and granting a variance on signature requirement of the adjoining owner:

C8s-76-172 Riverside Divide, Sec. 3
E. Riverside Dr. and South Lakeshore

AYE: Messrs. Guerrero and Stoll; Mmes. Chance, Mather and White
ABSENT: Messrs. Dixon, Gutierrez, Jagger and Rindy

The Commission then

VOTED: To DISAPPROVE the following short form subdivision pending fiscal arrangements for wastewater, submission of data from soil tests and borings on each lot and verification by a registered Professional Engineer that such soil can support a foundation and building and that no danger exists as related to gasses that may result from certain types of land fill:

C8s-76-107 Riverbend, Sec. 3-D @ University Hills
Susquehanna Lane

AYE: Messrs. Guerrero, Rindy and Stoll; Mmes. Chance, Mather and White
ABSENT: Messrs. Dixon, Gutierrez and Jagger

The Commission then

VOTED: To DISAPPROVE the following short form subdivision pending compliance with departmental requirements and granting a variance on width of Lot 11-A:

C8s-76-169 Resub. Lots 11 & 12, Blk. 2, Resub. of Riverside Addition
Willow St. & Chicon Street

AYE: Messrs. Guerrero and Stoll; Mmes. Chance, Mather and White
ABSENT: Messrs. Dixon, Gutierrez, Jagger and Rindy

The Commission then

VOTED: To DISAPPROVE the following short form subdivision pending fiscal arrangements, provision for sidewalks, compliance with department requirements and granting a variance on signature requirement of the adjoining owner:

C8s-76-219 Mackedrick's Northside Addition
Barton Springs Rd. & Dawson Rd.

AYE: Messrs. Guerrero and Stoll; Mmes. Chance, Mather and White
ABSENT: Messrs. Dixon, Gutierrez, Jagger and Rindy

Short Form Subdivisions--Contd.

The Commission then

VOTED: To DISAPPROVE the following short form subdivision pending fiscal arrangement and compliance with departmental requirements:

C8s-76-139 Bundick Oaks
Ladera Vista Drive

AYE: Messrs. Guerrero, Rindy and Stoll; Mmes. Chance, Mather and White
ABSENT: Messrs. Dixon, Gutierrez and Jagger

The Commission then

VOTED: To DISAPPROVE the following short form subdivision pending compliance with departmental requirements and granting a variance on signature requirement of the adjoining owner:

C8s-76-228 Hecuba Addition
Goodrich Avenue

AYE: Messrs. Guerrero and Stoll; Mmes. Chance, Mather and White
ABSENT: Messrs. Dixon, Gutierrez, Jagger and Rindy

The Commission then

VOTED: To DISAPPROVE the following short form subdivisions pending compliance with departmental requirements:

C8s-76-222 Lake Ridge Estates, Sec. 2-B
Lake Hills Drive

C8s-76-223 Baker Hills
Bee Caves Road

AYE: Messrs. Guerrero, Rindy and Stoll; Mmes. Chance, Mather and White
ABSENT: Messrs. Dixon, Gutierrez and Jagger

The Commission then

VOTED: To DISAPPROVE the following short form subdivision pending the City's determination of ability to provide with water and/or wastewater:

C8s-76-220 7.73 Addition
Joseph Clayton Dr.

AYE: Messrs. Guerrero and Stoll; Mmes. Chance, Mather and White
ABSENT: Messrs. Dixon, Gutierrez, Jagger and Rindy

Short Form Subdivisions--Contd.

The staff reported that requests for withdrawal had been received for the following short form plats. The staff recommends that the requests be granted. The Commission then

VOTED: To GRANT the requests for withdrawal of the following short form subdivisions:

C8s-76-22 Webb-Winborn Subdivision
High Line Road

C8s-76-192 Lanier Village, Section 1
Lamar Blvd.

AYE: Messrs. Guerrero and Stoll; Mmes. Chance, Mather and White

ABSENT: Messrs. Dixon, Gutierrez, Jagger and Rindy

The meeting adjourned at 11:40 PM.



Richard R. Lillie
Executive Secretary