

CITY PLANNING COMMISSION
Austin, Texas
Regular Meeting -- December 12, 1978

The regular meeting of the City Planning Commission was called to order at 5:45 p.m. in the City Council Chambers, 301 West Second Street.

Present

Miguel Guerrero, Chairman
Leo Danze
Mary Ethel Schechter
Sally Shipman
Bernard Snyder
Bill Stoll
Jim Vier

Also Present

Richard Lillie, Director of Planning
Tom Knickerbocker, Assistant Director of Planning
Evelyn Butler, Supervisor Current Planning
Betty Baker, Planner
John Meinrath, Legal Department
Charles Graves, Director of Engineering
Shelia Finneran, Legal Department
Frank Bishop, Assistant Director Aviation Dept.
Ouida Glass, Senior Secretary

Absent

Freddie Dixon
Sid Jagger

ZONING

C14-78-188 J. V. Walden: Interim "A" & "BB", 1st H&A to "GR" & "O",
(By Terry Sasser) 1st H&A (as amended)
Southwest Corner
Steck Avenue and MoPac
(Continued from December 5, 1978)

Mr. Lillie explained to the Commissioners this item was on the agenda last week and the Commission had asked Mr. Sasser to check with his clients and come back with a decision.

PERSONS APPEARING IN FAVOR

Terry Sasser, representing applicant
Bill Martin, President, Balcones Civic Association

COMMISSION ACTION

Terry Sasser reported he had checked with the permanent lender on the unsolved question last week. The lender has indicated an unwillingness to go ahead with the applicant for the loan on this property on a temporary permit zoning situation. They asked that the property be permanently zoned for use, and not a temporary permit zoning, therefore, he requested again and stated the Balcones Civic Association would agree with the request that the 2.38 acres on the corner be zoned "GR", the remainder of the property "O" Office. He requested to add that portion of the property which is on the south end where Sonnet Avenue dead ends into the property have placed a one-foot strip of "A" Residential across the width of that street. He pointed out the restrictive covenant has not been tested in the courts and applicant and the neighborhood association felt this to be the surest way to assure this not be used, ever. They also agreed to a density of the "BB" on the "O" tract, have no intentions of building apartments on that property. There was discussion of the "BB" zoning density and Mr. Snyder pointed out they had agreed to 12 units to the acre and felt it should be tied to the 12-units to the acre. Mr. Sasser so agreed. He stated again the necessity for permanent zoning on the property, therefore, the request for "GR" on the corner. Mr. Vier did not understand why a special permit would not be a permanent designation. Mr. Sasser explained that it can be rolled back, and they were not in agreement to a special permit use in an "O" Office designation; stated they did not want to have to come back years from now and ask for special zoning should that be the case. Mr. Vier then asked why not "LR" and Mr. Sasser replied that it is not permissible to have the use of liquor in "LR" at any time. Mr. Sasser stated the use of liquor is not anticipated now but would not say that it would not be in the future, pointing out they would certainly meet the requirement of food sales to the liquor if this should be an option desired at a later time. Mr. Vier replied this to be an option the Planning Commission is not too excited about giving. Mr. Sasser explained the neighborhood association had no objection and could not understand why the Planning Commission would object. He pointed out it is a rare occasion

C14-78-188 J. V. Walden (continued)

for the neighborhood and applicant to be in complete agreement. Mr. Stoll asked if this agreement is in writing, and Mr. Sasser explained it has all been done by telephone. Mr. Sasser again stated his request for 2.38 acres on the corner of this total acreage be zoned "GR" so a 300-seat Luby's cafeteria can be built, stated they are asking for "GR" because it allows greater flexibility over the 50-year or more span they plan to use the property, requested the balance be zoned "O" Office, the staff recommends "BB", and the neighborhood association is in agreement with their request for "O" Office. In order to alleviate any fears of any use of Sonnet Avenue, applicant is willing to go with a one-foot strip of "A" so that it cannot be crossed. Mr. Sasser explained the neighborhood association feels more secure with this than with the restrictive covenant. Mrs. Schechter asked why applicant could not go with an LR at this time, and if the liquor situation arose, then applicant could come back for C-2 at such time as it is needed. Mr. Sasser replied that nothing would be required if the "GR" is approved. Mrs. Shipman explained that the Commission, week after week, sees situations in which the neighborhood association is all upset because twenty years ago a liberal zoning policy was made. Mr. Sasser again stated they have a specific performance contract which says this property must be zoned "C" Commercial. It must be permanent, ready to build on, and subdivided. He had been able to secure agreement of Luby's to "GR" since the lender has asked for it; had gone back to the lender with the request to accept "O" Office with a special permit or "LR" and the lender had requested an attempt to obtain the "GR". Mr. Guerrero asked what about "GR" for the building only with the remainder "O". Mr. Sasser replied he did not know the exact design of the building, cannot have a plan ready for the City Council in one week. He felt this to be highly restrictive on a design when it has not as yet been drawn.

Bill Martin, President of Balcones Civic Association, stated their only problem was the assurance that the building or the property not be used for anything other than a cafeteria, discussed the other uses permitted under "GR". He requested assurance that Sonnet Avenue not go through and discussed the need for sidewalks, pointing out that children must cross MoPac frontage roads in order to get to school and requested this need to be brought to the attention of the City Council. He stated there are no sidewalks along the portion between Westchester Avenue and along Northcastle Apartments. Mr. Vier replied that applicant had agreed last week to take care of the provision. Mr. Martin expressed agreement to the zoning of only that portion of the land covered by the building at the time a building permit is issued and a design submitted. Their primary concern is more assurance that this will be used for a Luby's Cafeteria. He discussed the fact that there is no commercial precedent for property on the west side of MoPac between 183 and Spicewood. The neighborhood association does not want the fast-food chains and additional commercial on the west side of MoPac. Mr. Snyder asked if Mr. Sasser would be willing to tie this zoning to that one land use -- a Luby's Cafeteria. Mr. Sasser discussed GR zoning only if a cafeteria

is built and asked what would happen in future years if they wish to use the property for something else. There was discussion of what could be done at that time. Mr. Sasser then stated they did not see any objection to restricting this to the point that the zoning would not be allowed unless a building permit is applied for that use. He stated, however, that if they apply for a building permit to build a cafeteria, he felt this is an uncalled for restriction and would not accept a restrictive covenant, stating he felt it to be unfair. Mr. Vier asked why he could not agree to this, and Mr. Sasser stated he felt it too highly restrictive for the property owners. Mr. Sasser again stated he needed permanent zoning. Mr. Snyder pointed out Mr. Sasser would have permanent zoning if he put a cafeteria there. Mr. Sasser then replied he would take what he can get. Mr. Stoll pointed out that Mr. Sasser had agreed last week to accept a restrictive covenant that only a cafeteria or restaurant would be built, and asked if Mr. Sasser had changed his mind. Mr. Sasser stated he was of the opinion the Commission had requested him to contact the lender, if the lender required the GR, the Commission would grant it; if not, "O" Office with a special permit. He felt that question had been answered and now the request is being changed. Mr. Vier discussed the "LR" zoning, and how it could be used; Mr. Sasser could do the restaurant, should he desire to change the use some time in the future, there is no restriction placed on the land whereby Mr. Sasser could not come back to the Commission and ask for additional zoning. He felt this to be a more suitable approach. Mr. Sasser stated again he would take the "LR" but did not want "GR" with all the restrictions.

COMMISSION VOTE

Mr. Vier moved to grant "LR" with no restrictions, "O" with a maximum density of 12 units per acre, access across the "O" property in the form of sidewalks, the sidewalk on the "LR" property to come up at subdivision time, one-foot of "A" Residential at the end of Sonnett, a six-foot privacy fence, 30-foot building setback, and the buildings to be faced toward MoPac. Mr. Danze seconded the motion. Mr. Snyder requested and Mr. Vier restated the motion. -- We are talking about "LR" on the entire corner tract with no restrictions, we are talking about "O" Office on the southern tract with a maximum of 12 units per acre, a six-foot privacy fence on the southern boundary, one-foot of "A" Residential along the southern and western boundary, and the buildings to face toward MoPac, 30-foot building setback on the south and west sides.

AYE: Danze, Guerrero, Schechter, Shipman, Snyder, Stoll, and Vier.
ABSENT: Dixon and Jagger.

THE MOTION PASSED BY A VOTE OF 7-0.

Historic Zoning

C14h-78-039 Hurt House
 2210 San Gabriel
 (Referred by City Council)

John Meinrath of the Legal Department explained to the Commissioners that the City Council had remanded this case back to the Planning Commission to vote anew to break the 3-3 tie vote. They requested the Planning Commission to vote again on the issue, not with the intention to change any vote or opinion, but to break the tie and also to establish a Finding of Fact to be transmitted to the City Council one way or another. Betty Baker of the Planning staff explained that the Landmark Commission had determined the structure to meet seven of the 13 criteria for historic zoning and this has been so recommended by the Landmark Commission. She stated the owner is opposed to the request and it will require six votes of the Council if approved. She discussed a petition of approximately 28.75 percent of property owners within 200 feet that were in opposition, also.

CITIZEN COMMUNICATION

PERSONS APPEARING IN FAVOR

Anna Lee Drayer, attorney for applicant
Charles Zeller, 709 Bouldin
Eve Beckwith, 2210 San Gabriel
Janet Cox, 2210 San Gabriel
Kim McCormick, 2210 San Gabriel
Sara Hill, 2210 San Gabriel
James Adkins, 2210 San Gabriel
Christopher D. Berlew, 2210 San Gabriel
Robert M. Liles, 1004 West 22nd
Deborah Turner, 908 -D West 21st
Tommy Eden, 2000 Pearl
Frances Morey, 1010 West 23rd
Cara Beth Stevenson, 2000 Pearl
John C. R. Taylor, 713 Graham Place
Betty Phillips, 911 West 23rd Street
Brad Grant, 1111 West 22½
Peter Flagg Maxson, 713 Graham Place
Paul Colbert, 2000 Pearl
James R. Jones, 911 West 2nd Street

PERSONS APPEARING IN OPPOSITION

Clarke Heidrick, attorney for owner
Dr. William G. Gamel, owner
Jim Maxwell, 1317 Westover Road

WRITTEN COMMENTS IN FAVOR

Petition
Suzanne Smith Saulniers, 1507 Travis Heights Boulevard
Mary Franzetti, 2402 San Gabriel Street
Daisy Barrett Tanner, 906 West 23rd Street
Marie B. Price, 910, 912, 914 West 22nd Street

C14h-78-039 Hurt House--continued

WRITTEN COMMENTS IN OPPOSITION

Petition (26 signatures - 28.75 of owners within 200')

COMMISSION ACTION

Mr. Snyder stated that since there had already been one public hearing on this issue, he requested the speakers to be brief. Anna Drayer, attorney representing the applicant, Roxanne Williamson, introduced a copy of the remarks presented by Roxanne Williamson to the City Council. She stated that the Hurt House is a vanishing style noted as Texas Victorian and discussed its proximity to other historically zoned structures, namely, the Neil Cochran House. She explained the criteria for historic zoning and stated this structure meets at least seven of the 13 criteria as set out in the Historic Landmark Ordinance. She stated she felt the main issue here to be the right of an individual to deal with his property as opposed to the right of the people to preserve their heritage. If the Hurt House meets the criteria as has been determined, the historic zoning would be in order. She discussed the fact that no economic hardship had been shown; that Dr. Gamel is a member of the Heritage Society and was fully aware of the historic nature of this property when he purchased it. She discussed the removal for historic zoning and how this could be done. She urged the Planning Commission to recommend historic zoning for this structure since it does meet seven of the 13 criteria and no economic hardship has thus far been shown. James Jones pointed out that older houses are becoming a vanishing species in the West Campus area; this structure is important to the neighborhood. Paul Holbert, Save University Neighborhood Association, heartily endorsed what already had been stated, pointing out the evidence is clear this structure meets criteria for historic zoning, and that people in the area also have rights. He stated the building in its present form brings in over \$900 a month in rental income and felt this really is a question of whether or not the Planning Commission or the City Council should guarantee an individual the right to make a substantial profit rather than a mild profit. He felt the historic zoning would cause no injury to Dr. Gamel. At this point Mr. Vier stated he did not feel the income from the property had anything to do with the request. Holbert felt that someone had spent a lot of money restoring an old house, that the amount of money the property can make definitely is important. Vier pointed out the applicant has not mentioned hardship and he felt the entire issue to be rights of the owner versus historic zoning and the protection of community interests. Vier continued that if more of this could be worked out with the owner and with the Landmark Commission before it comes to the Planning Commission, it would save a lot of time and also create more good will. There was discussion by persons living in the area that this would eventually be torn down, pointing out the increase of apartment building in the area. Betty Phillips felt the case should stand on the issues, felt this to be an important question and an important issue. She discussed signatures on the petitions presented and pointed out that some individuals had signed both petitions. She did not see how the H zoning could be a burden to the owner and discussed that owners often change their opposition when entering this process and learn what it is all about. She was in favor of preserving old and historic structures.

C14h-78-039 Hurt House--continued

Speaking in opposition, Clarke Heidrick, attorney for Dr. Gamel, owner of the structure, felt that the historic zoning would adversely affect his property. He stated Dr. Gamel had purchased this in 1975, does not have any plans to sell or to tear it down. His opposition against this is simply a matter of principle; he feels he has been done an injustice. He discussed economic hardship and pointed out this is a legal proceeding. He stated Dr. Gamel intends to continue to rent to students; discussed the investment and how it is being used. He discussed the criteria for historic zoning and stated he did not feel they had been met, perhaps Criteria C is the only one the structure would meet. Mr. Snyder asked how many criteria structure must meet in order to be zoned historic in accordance with the ordinance, and Betty Baker replied that only one is required. Dr. Gamel discussed his intentions with the property and pointed out that no one has asked him. He explained that he received a letter giving the ten-day notice to be the first communication he had received regarding this request for historic zoning. He asked the right to continue his rental operation, nothing else. He stated he did not request this historic zoning and asked to be left alone. He felt it a basic right for a property owner to have a say of what will happen to his property. He felt the historic zoning ordinance is being used for the wrong purpose in Austin. He stated he is asking the same property rights of other property owners in the area, and would ask the zoning be denied. He felt besieged by government and did not want to beg for something that is rightfully his. Mrs. Schechter asked if he would be willing to meet with the people involved, discuss the issue, and work it out with them or if he wished a definite decision right now. He replied that he was a doctor, had limited time, and wanted a decision now. Mr. Danze stated this is a historic building and did not see any problem with historic zoning on this structure. Mr. Snyder felt it to be a principle involved rather than hurt feelings. Jim Maxwell stated he disagreed with Mr. Heidrick when he felt it might meet one criteria. Mr. Maxwell felt this to be just an old house and not a vanishing example. He expressed resentment as a taxpayer that some taxes are being cut simply because people owned older houses. He pointed out there are old houses in Austin, but all of them cannot be saved.

Speaking in rebuttal, Anna Drayer again stated the issue here is whether or not the house meets the criteria. The Landmark Commission has determined that it has met seven out of the 13 criteria. She again discussed historic buildings and their proximity to each other. She stated this was important to the neighborhood and is a viable part of the community. Mrs. Schechter stated she had mixed emotions. She also explained she had just returned from Europe and had seen what had been done with historic structures there, pointing out that if something was not preserved for the future, there would be nothing for them.

COMMISSION VOTE

Mrs. Schechter moved to grant "B-H", 2nd H & A to the Hurt House and that it met Items (a), (c), (f), (h), (k), (l), and (m) of the criteria for historic zoning. Mr. Stoll seconded the motion.

AYE: Danze, Guerrero, Schechter, Shipman and Stoll.
NAY: Snyder and Vier.
ABSENT: Dixon and Jagger.

THE MOTION PASSED BY A VOTE OF 5-2.

C2o-78-016 Zoning Ordinance

To consider amending the zoning ordinance
relating to Parking Lot Landscaping.
(Postponed from November 28, 1978)

Mr. Guerrero explained there was a need for further work on the ordinance and no action should be taken on this item tonight.

NO ACTION TAKEN.

C2o-78-019 Zoning Ordinance

Discussion of proposed "AV" Aviation District
Addition of Zoning Ordinance and consideration
of setting a public hearing thereon

Mr. Lillie explained that the Austin Municipal Airport has a variety of zoning classification on the land. He has had several meetings with Mr. Bayless concerning development of airport property and a decision was made to bring these problems to the attention of the Planning Commission. If the Planning Commission should decide to consider the possibility of establishing a new zoning district for the airport, a public hearing should be held to consider the establishment of a new district. Frank Bishop, Assistant Director of the Aviation Department, stated the airport is made up of 106 parcels of land which retain the variety of zoning they had when incorporated. In order to clear this situation he would like to see all the city-owned land within the boundaries of the airport be placed into a special zoning district. He explained this is not uncommon procedure.

COMMISSION VOTE

Mr. Vier moved to set a public hearing on January 9th at 7 p.m. to consider an "AV" Aviation District addition to the zoning ordinance. Mr. Stoll seconded the motion.

AYE: Guerrero, Schechter, Shipman, Snyder, Stoll, and Vier.
ABSENT: Danze, Dixon, and Jagger.

THE MOTION PASSED BY A VOTE OF 6-0.

R200 Consideration of placing responsibility for zoning signs
on applicant

Mr. Lillie discussed the need to relieve the Planning Department of certain duties of placing signs for zoning cases that take away from normal work assignments and the possibility of amending the zoning ordinance to require the placement of signs by the applicant. He discussed the number of persons required to complete this assignment and the resulting cost to the department. Due to budget constraints he felt the Planning Commission and the Council should be made aware of this problem. He discussed the responsibility for the placement

R200 Consideration of placing responsibility for zoning signs on applicant
(continued)

of signs to be placed on the owner, the owner could pick up the necessary signs when the application is filed and the owner or his representative would see that they are properly placed. Mr. Lillie explained that the request will be heard by the City Council on December 14, and if approved, it will come back to the Planning Commission for ordinance amendment and public hearing.

NO ACTION WAS TAKEN.

OTHER BUSINESS

C3-78-005 Waterway Development Permit
Appeal of Waterway Development Permit
at 809 Patterson, Patterson Townhouses
by James W. Person

Mr. Lillie introduced Mr. Charles Graves, Director of Engineering, who explained the provisions of an appeal to a waterway development permit, as well as what applicant intended to do. He stated that the architect and engineers have met all City requirements. He was of the opinion that if this property is developed, this is as feasible as can be requested. It will comply with all recommendations and requirements.

PERSONS APPEARING IN FAVOR

Nell Hahn, attorney representing appellants
Malcolm Greenstein, property owner representing Clarksville Neighborhood

PERSONS APPEARING IN OPPOSITION

Charles Harker, architect for the project

COMMISSION ACTION

Nell Hahn, attorney for appellants, stated this project does not respect the natural and traditional character of the waterway. She discussed the area and the proposed development and pointed out that this is one area where there is still something left to preserve. She stated that creeks are worth preserving and felt there is a need to establish a uniform rule that would apply to all types of new development. She felt that the developer should alter his plans to set the entire project back 12 feet from the creek. Malcolm Greenstein stated that the Clarksville Neighborhood Association wished to be included as a party to this appeal. Mr. Snyder asked if all experts in the City staff had approved this request, and Mr. Graves explained they had. Mr. Guerrero discussed the ERM memo and pointed out ERM comments are for the purpose of advice and counsel only. Mr. Graves explained that the developer had agreed to the ERM conditions and that ERM also in the total agreement. Mrs. Shipman discussed that the Planning Commission did not feel the decision

C3-78-005 Waterway Development Permit (continued)

of this project to be in the best interest of the community safety and welfare because of the inadequacy of street paving in front of the project. She pointed out that the Planning Commission had denied the request for this special permit and that the City Council had approved it. The City staff has pointed out that the special permit meets the conditions of the ordinances, therefore, she felt the applicant should appeal to the Council since the design has created the situation and it meets the requirements. Mr. Graves explained that if the Planning Commission should deny the request for the waterway development permit appeal the applicant can appeal to the City Council.

COMMISSION VOTE

Mr. Stoll moved to deny the appeal since the staff has presented good reasons and the basis for the reasons is sound. Mr. Snyder seconded the motion.

AYE: Schechter, Shipman, Snyder, Stoll, and Vier.
NAY: Guerrero.
ABSENT: Danze, Dixon, and Jagger.

THE MOTION PASSED BY A VOTE OF 5-1.

C11-78-010 Traffic and Transportation
Parking requirement for
5109 East Ben White Blvd.

C11-77-011 Traffic and Transportation
Parking requirement
3405 South Congress Avenue at
Woodward Street (Revision)

C10v-78-028 Street Vacation
Portions of Colorado Street
Portions of West 7th Street, and
Portions of Colorado Street Alley

COMMISSION VOTE

On a consent motion by Mr. Stoll, seconded by Mr. Vier, the Planning Commission approved the above requests in accordance with staff recommendations and ordinance requirements.

AYE: Guerrero, Schechter, Shipman, Snyder, Stoll, and Vier.
ABSENT: Danze, Dixon, and Jagger.

TO CONSENT MOTION PASSED BY A VOTE OF 6-0.

R200 Master Plan
Review and recommendation of
Strategies for the Economic
Revitalization of Central Austin

Mr. Lillie explained that on October 11 the staff presented the Strategies Report for the Revitalization of Central Austin. The Council received the report and requested several of its boards and Commissions to make comments and recommendations. There was discussion of what the Planning Commission wished to do.

COMMISSION VOTE

Mrs. Shipman moved and Mr. Vier seconded the motion to have a worksession on January 16th, to have the consultant present for a public hearing and to see the presentation.

AYE: Guerrero, Schechter, Shipman, Snyder, Stoll, and Vier.

ABSENT: Danze, Dixon, and Jagger.

THE MOTION PASSED BY A VOTE OF 6-0.

PRELIMINARY SUBDIVISIONS

C8-78-84 Covered Bridge Subdivision
Hwy. 71 and Covered Bridge Dr.

Evelyn Butler stated the staff would recommend approval with the conditions as listed and that the owner is in agreement.

1. Subdivision is classified as suburban and all streets and drainage, required to be constructed to County standards for acceptance for maintenance with appropriate bond therefor posted with the County Engineer.
2. Connection required to the City of Austin water system. Systems improvements required.
3. Connection required to a sewer treatment plant and collection system with fiscal arrangements for same. Plans and specifications for such facility required to be approved by the Director of Water and Wastewater Department and Texas Department of Health. A copy of letters of approval and a permit from the Texas Department of Water Resources required to be submitted to the Planning Department prior to final approval.
4. Subdivision is located outside City.
5. Subdivision is located in the Eanes School District.
6. Subdivision is located in the Williamson Creek watershed.
7. Restriction required on the final plat prohibiting occupancy of any lot until connection is made to City of Austin water system and a sewer treatment plant and collection system approved by the City of Austin, Texas Department of Health, and Texas Department of Water Resources.
8. Variance required on the length of Pleasant Ridge Cove, Willowcrest Cove, Jaycreek Cove, Timberwild Cove and Green Ash Cove cul-de-sac(s).

C8-78-84 Covered Bridge Subdivision (continued)

- Recommend to grant because of topography and existing development.
9. Variance required on the length of block(s) A, B, C, E, F, G, H and J. Recommend to grant because of topography and existing development.
 10. Variance required to delete cul-de-sac for Woods Drive. Recommend to grant because of low density and provision is made for future extension.
 11. No sidewalks required for Suburban subdivision.
 12. Waterway development permit required prior to final plat approval.
 13. Show 100-year flood plain data on the preliminary plan.
 14. Show location, size, and flow line of existing drainage structures on or adjacent to subdivision on the preliminary plan.
 15. Drainage and/or public utility easements are required.
 16. Minimum building slab elevation note required on the final plat(s) for lots adjacent to waterway(s).
 17. The 25-year flood plain required to be dedicated as a drainage easement.
 18. Change name of Twinbrook Cove, Shady Valley Cove, Spring Oaks Cove, Timberwild Cove, Willowbrook Cove, Scenic Brook Cove, Willowcrest Cove, Willowridge Cove, Briarridge Cove, Stonebrook Cove, Briarcreek Cove, Briarcreek Drive, Stonebridge Cove, Stonebridge Drive, Pleasant Ridge Cove, Woods Drive, Green Ash Cove, Freemont Cove and Rock Hollow Cove.
 19. Show survey tie across all existing streets bordering this subdivision.
 20. Round (or clip) all street intersection corners on the preliminary plan.
 21. Show building setback lines on the preliminary plan 25' from front street, Hwy. 71, on smaller commercial tract.
 22. All street grades required to be approved by the County Engineer prior to final plat approval and must stay within maximum permitted grades. Curbs and gutter may be required by the County if street grades exceed 15%.
 23. Provide design of waterway crossings to the County Engineer prior to final plat approval.
 24. Natural gas service is not available.
 25. Recommend that a separate instrument be recorded defining conservation easement and the rights, duties and responsibilities of the owners and use limitations.
 26. Names of cul-de-sacs directly opposite each other should have the same name but be indicated as Lane or Path.
 27. Show name(s) of property owner(s) on north side of Hwy. 71 adjacent to this subdivision.
 28. County development permit required prior to start of site development.
 29. Driveway access onto Hwy. 71 requires approval of the Texas Hwy. Department and driveway access from the commercial tracts onto Covered Bridge Drive requires approval by Travis County.
 30. Submit letter to Planning Commission requesting appropriate variance and stating reasons for such requests.

After further discussion, the Commission then

VOTED: To APPROVE the preliminary subdivision in accordance with staff recommendations and ordinance requirements.

AYE: Danze, Guerrero, Schechter, Shipman, Snyder, Stoll, and Vier.

ABSENT: Dixon and Jagger.

C8-78-84 Covered Bridge Subdivision (continued)

THIS WAS APPROVED BY A VOTE OF 7-0.

C8-78-104 Great Hills Street Dedication "C"
Continental Club Parkway

Evelyn Butler stated the staff would recommend approval with conditions and that the owner agrees.

1. Subdivision is classified as urban and all streets, drainage, sidewalks, water and wastewater lines required to be constructed to City standards with appropriate fiscal arrangements therefor.
2. Connection required to the City of Austin water and wastewater systems.
3. Sidewalks required on both sides of Continental Club Parkway.
4. Fiscal arrangements and appropriate sidewalk location note required with final plat outside city limits.
5. Minimum street centerline radius is 300' for Collector streets.
6. Waterway development permit required prior to final plat approval.
7. Show 100-year flood plain data on the preliminary plan.
8. Show location, size, and flow line of existing drainage structures on or adjacent to subdivision on the preliminary plan.

After further discussion, the Commission then

VOTED: To APPROVE the preliminary plat in accordance with staff recommendations.

AYE: Danze, Guerrero, Schechter, Shipman, Snyder, Stoll, and Vier.

ABSENT: Dixon and Jagger.

THE MOTION WAS APPROVED BY A VOTE OF 7-0.

C8-78-115 Wallingwood, Section I
MoPac and Barton Skyway

Evelyn Butler explained the staff recommendation is modified based on the Council approved zoning last Thursday and the staff now recommends approval of this preliminary plan subject to the following conditions: Change Item 16 to zoning ordinance required to be passed prior to final plat approval. Applicant agrees to all conditions with the exception of Item 17 and with the ERM memorandum. Since the Council has required that special permits would need to be submitted for these tracts in conjunction with the zoning, the ERM concerns can be brought up at that time. Mr. Bradfield discussed Item 17 and felt that the ERM recommendation is summed up in one-half of the first sentence, and agreed with it, stating he feels it is imperative to preserve the integrity of the Barton Creek canyon.

C8-78-115 Wallingwood, Section I (continued)

1. Subdivision is classified as urban and all streets, drainage, sidewalks, water and wastewater lines required to be constructed to City standards with appropriate fiscal arrangements therefor.
2. Connection required to the City of Austin water and wastewater systems.
3. Subdivision is located inside City.
4. Subdivision is located in the Eanes School District.
5. Subdivision is located in the Barton Creek watershed.
6. Zoning ordinance required to be passed prior to final plat approval. (Changed at the meeting.)
7. Variance required on the scale of this preliminary plan. Recommend to grant because of plat size at the required scale of 1"=100'.
8. Sidewalks required on subdivision side of Spyglass Drive and Wallingwood Drive. Recommend variance to delete sidewalk on Loop 1 (MoPac) because of topography.
9. Appropriate sidewalk location note required on final plat inside city limits.
10. Waterway development permit required prior to final plat approval.
11. Show 100-year flood plain data on the preliminary plan.
12. Drainage and/or public utility easements as required.
13. Minimum building slab elevation note required on the final plat(s) for lots adjacent to waterway(s).
14. The 25-year flood plain required to be dedicated as a drainage easement.
15. Show survey tie across all existing streets bordering or traversing this subdivision.
16. Zoning ordinance required to be passed prior to preliminary plan approval.
17. Show note on plat stating that no driveway access onto MoPac Boulevard is allowed unless otherwise approved by the Urban Transportation Department.

ERM Comments

*1. See attached Memorandum from O.E.R.M.

*These are not ordinance requirements and cannot be required unless agreed to by owner.

After further discussion, the Commission then

VOTED: To approve the preliminary plat subject to staff recommendations and to grant all variances, and to include the ERM recommendation that it is imperative to preserve the integrity of the Barton Creek canyon.

AYE: Danze, Guerrero, Schechter, Shipman, Snyder, Stoll, and Vier.

ABSENT: Dixon and Jagger.

THE MOTION WAS PASSED BY A VOTE OF 7-0.

RECEIVED

1978

MEMO TO Dick Lillie, Director, Planning Dept.

November 11, 1978 **PLANNING**

FROM: Maureen McReynolds, Ph.D., Director, OERM

SUBJECT: OERM Comments on Wallingwood - Sections I and II Preliminary Plan

Recommendations:

1. ERM feels that it is imperative to preserve the integrity of the Barton Creek canyon from a visual point of view as well as from an ecological one. Development should be kept away from bluff lines. A building setback should be maintained from these bluffs, and a conservation easement should be dedicated to assure that no man-made structures or other alterations to the physical features are allowed in the areas which can be seen from the opposite bank of Barton Creek.

Similar, development should not encroach upon the steep, environmentally-sensitive ravines on this tract. Since these waterways are characterized by slopes of 15% and greater, we recommend that these areas be dedicated as conservation easements or offered to the City as park land. Cut and fill, the removal of vegetation and the construction of buildings, fences, etc., would be prohibited within these easements. Development is preferred on flatter land, or on slopes less than 15% gradient. Streets, likewise, should not cross these waterways.

2. For all building sites on lots abutting MoPac Boulevard, a minimum separation of 250' is needed in order to avoid a potentially adverse noise impact in the future. This distance may include MoPac right of way and private development setbacks.

3. This proposed development is located within the Edwards Aquifer recharge zone. In order to mitigate the polluting effects of urban storm water runoff, the following measures must be taken.

a. Only low density development should occur with a minimum of impervious cover. We suggest that the density for multi-family use be restricted to between 10-15 dwelling units/acre.

b. An erosion-sedimentation control plan should be developed for review by City staff. These procedures should be established to control sedimentation during the clearing phase of construction. Efforts to restore disturbed areas should also be outlined.

c. Storm water detention should be required, if necessary, to ensure that the rate and volume of storm water runoff from the developed tract does not exceed that of the undeveloped property.

d. Grease and/or sand and gravel filters should be required for each lot to filter storm water contaminants sufficient to handle the first flush of storm water runoff.

- e. Lake Austin standards should apply to this development.
4. Detailed site plans for each lot will be required for special permit review by OERM and the Citizens' Board of Natural Resources and Environmental Quality in order to make more specific comments.
 5. A vegetative buffer zone that would include dense evergreen foliage should be provided along the rear portion of Tracts 1 and 2 of Section 1.
 6. Access to Lot 5, Section II should be provided from the Dellana tract rather than as proposed. Access from this property will avoid disturbance of the environmentally-sensitive draws. Likewise, Spyglass Drive should be realigned between Lots 2 and 3, Section II to avoid the draw.
 7. The MoPac Environmental Design Study, which was approved in concept by the City Council, recommended limited local access to MoPac between Town Lake and Loop 360. According to the study, no more than two points of access east of MoPac are to be provided, with no other curb cuts. This proposed street design conflicts with the study and the City Council's decision.

Maureen McReynolds
Maureen McReynolds, Director, OERM

C8-78-116 Wallingwood, Section II
MoPac and Barton Skyway

Evelyn Butler explained that since the zoning that had been granted differs from what was requested, the Urban Transportation Department needs to complete its traffic study and requested this be postponed. Mrs. Shipman requested the Urban Transportation Department have a representative present when the meeting is held in order that they might see the system for that area between MoPac and Barton Creek with an overview of what is will look like.

After further discussion, the Commission then

VOTED: To continue this preliminary for 60 days.

AYE: Danze, Guerrero, Schechter, Shipman, Snyder, Stoll, and Vier.

ABSENT: Dixon and Jagger.

THE MOTION PASSED BY A VOTE OF 7-0.

C8-78-118 Western Oaks, III
McCarty Road & Wm. Cannon Dr.

Evelyn Butler explained the staff would recommend approval and the need for a minor modification in Item 22 regarding fiscal arrangements required to construct McCarty Lane and Beckett Lane abutting this subdivision to urban standards. This would be for one-half of the street and curb and gutter on the subdivision side only.

1. Subdivision is classified as urban and all streets, drainage, sidewalks, water and wastewater lines required to be constructed to city standards with appropriate fiscal arrangements therefor.
2. Connection required to the City of Austin water and wastewater systems.
3. Subdivision is located inside City.
4. Subdivision is located in the Austin Independent School District.
5. Subdivision is located in the Williamson Creek watershed.
6. Restriction required on final plat prohibiting vehicular access (driveways) onto William Cannon Drive from abutting residential lots and onto McCarty Lane from lots 12 and 14, block J.
7. Variance required on the length of block E. Recommend to grant because of topography.
8. Sidewalks required on both sides of William Cannon Drive and Rolling Meadow Road, one side (specify) of Carriage Hill Drive, Dalstrom Drive, Dalstrom Cove and Cornelia Drive, subdivision side of McCarty Lane and Beckett Lane.
9. Appropriate sidewalk location note required on final plat inside city limits.
10. Waterway development permit required prior to final plat approval.
11. Show 100-year flood plain data on the preliminary plan.
12. Show location, size, and flow line of existing drainage structures on or adjacent to subdivision on the preliminary plan.

C8-78-118 Western Oaks, III (continued)

13. Drainage and/or public utility easements as required.
14. Minimum building slab elevation note required on the final plat(s) for lots adjacent to waterway(s).
15. All lots required to have an adequate building site exclusive of setback lines and drainage easements.
16. The 25-year flood plain required to be dedicated as a drainage easement.
17. Show correct spelling and street type for all adjacent streets.
18. Show survey tie across all existing streets bordering this subdivision.
19. Identify proposed ownership of all common area lots on the preliminary plan for purposes of taxation, maintenance, and use limitations.
20. Show building setback lines on the preliminary plat 25' from all front streets for all common area lots.
21. All street intersections required to be at or near 90 degrees.
22. Fiscal arrangements required to construct McCarty Lane and Beckett Lane abutting this subdivision to urban standards. *
23. Main line advance required for natural gas service.
24. Detention note required on the final plat.

*One-half of the street and curb and gutter on subdivision side only.

After further discussion, the Commission then

VOTED: To approve the preliminary plat and to grant the variance in No. 7 and the modification in Item 22.

AYE: Danze, Guerrero, Schechter, Shipman, Snyder, Stoll, and Vier.

ABSENT: Dixon and Jagger.

THE MOTION WAS PASSED BY A VOTE OF 7-0.

C8-78-119 The Jester Estate, Section One
Jester Point Dr. & Bull Creek Road

Evelyn Butler explained a request to postpone until December 19 had been received.

After further discussion, the Commission then

VOTED: To postpone until December 19.

AYE: Danze, Guerrero, Schechter, Shipman, Snyder, Stoll, and Vier.

ABSENT: Dixon and Jagger.

THE MOTION PASSED BY A VOTE OF 7-0.

R105-78 Subdivision Memorandum

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

The Planning Commission considered the items listed on the Subdivision Memorandum and approved the recommendations made by the staff with modifications as annotated.

AYE: Danze, Guerrero, Schechter, Shipman, Snyder, Stoll, and Vier.

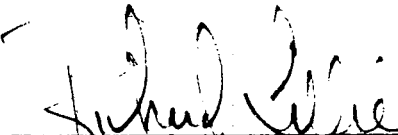
ABSENT: Dixon and Jagger.

THE MOTION PASSED BY A VOTE OF 7-0.

(The record will show that Mr. Vier abstained on C8-78-85; Snyder and Stoll abstained on C8-78-334.)

?

The meeting adjourned at 9:30 p.m.



Richard R. Lillie, Executive Secretary

19

December 12, 1978

Planning Commission--Austin, Texas

FILE	SUBDIVISION NAME LOCATION	Filed With P.C.	30 Days Expiration	REPORTS RECEIVED -- "X" if OK Footnotes if not OK: explain below														PLANNING RECOMMENDATION	ACTION
				County Engr.	St. Name Approval	Tax Cert	P.R.M. Bldg. Insp.	Water	San.	Sewer	Health	Planning	Eng.*	Dir. P.M.	Parks & Rec.	Urban Trans.	Gas		
C8-	OLD FINAL SUBDIVISION PLATS																		
73 61	La Costa, Phase Three Cameron Rd. & U.S. 290	-	-		-	-	-	-	-	-	-	-	-	-	-	-	-	REQUEST TO VACATE A PORTION OF FINAL PLAT- RECOMMEND TO GRANT	
	NEW FINAL SUBDIVISION PLATS																		
78 81	Peppertree Park, Section Six Stassney Ln. & Encinal Cove	Dec. 12	Jan. 11		X	485		1	1					X	X	X		DISAPPROVE - 1,3,4, & 5	
78 85	Village 16 at Anderson Mill Lake Creek Pkwy.	"	"		X	10	X	1813	1813	X	X			X	X	6	X	DISAPPROVE - 1,3,6,10 & 13 Mr. Vier Abstained.	
78 102	Walnut Crossing, Section Three Scribe Dr.	"	"		X	9	485	X	NR	1	1	9		X	X	8	X	DISAPPROVE - 1,3,4,5,8 & 9	
	OLD SHORT FORM SUBDIVISIONS																		
78 232	The Central Texas Clarklift Subd. I. H. 35 S. of Yager Lane	-	-	9	X	X	X	X	NA	X	9			NR	NR	X	NA	CONSIDER PROBLEMS 20 & 24 -RECOMMEND (a) DISAPPROVE - 3 & 9	
78 261	Springdale Center Manor Rd. & Ed Bluestein Blvd.	-	-	NR	X	X	X	X	X	X	NR	X	X	NR	NR	X	X	APPROVE	
78 288	Burton Homestead Hwy. 71 & R.R. 620	-	-	X	X	X	X	X	X	X	9	9		NR	NR	X	NA	CONSIDER PROBLEMS 19 & 24 - RECOMMEND (a) APPROVE	
78 299	Michael Parten Addition Riverside Farms Road	-	-	NR	X	5		X	X	X	9			NR	NR	X	NA	CONSIDER PROBLEM 29 - RECOMMEND (a) DISAPPROVE - 3,5,9, & 34	

*Telephone, Electric and Drainage requirements are cleared upon receipt of this report.

20

December 12, 1978

Planning Commission--Austin, Texas

FILE	SUBDIVISION NAME LOCATION	Filed With P.C.	30 Days Expir.	REPORTS RECEIVED Footnotes if not OK; -- "X" if OK explain below														PLANNING RECOMMENDATION	ACTION	
				County Engr.	St. Name Approval	Tax Cert	E.R.M. Bldg. Insp.	Water	San. Sewer	Health	Planning	Eng. *	Dir. P.W.	Parks & Rec.	Urban	Trans.	Gas			Fiscal Eng.
C8- 78 307	OLD SHORT FORM SUBD's. Cont'd. 1st Resub. of Lot 1, Blk. B, LaCosta, Phase Three U.S. 290, La Calma & Calidad Dr.	-	-	NR	X	X	X	X	X	X	NR	X	X	NR	NR	X	X	NR	REQUEST TO CHANGE NAME TO "LACOSTA PHASE THREE - "A" - RECOMMEND TO GRANT APPROVE	
78 312	Pecan Center U. S. 183 & Anderson Mill Rd.	-	-	NR	X	X	X	X	X	NA	X		X	NR	NR	X	X	NR	APPROVE Variance granted on sidewalk requirement on U.S. 183 and Anderson Mill Road.	
NEW SHORT FORM SUBDIVISIONS																				
78 331	Mike Johnson Addition Gregg Lane	Dec. 12	Jan. 11	9 X						1 X					NR	NR	8 X	1 NA	CONSIDER PROBLEMS 20 & 29 - RECOMMEND (a) DISAPPROVE - 1,3, & 9	
78 332	Resub. of Lots 7 & 12, Blk. B, Lost Creek, Section One Trutle Point Dr. & Bend O'River	"	"			5						34		NR	NR				DISAPPROVE - 3,5 & 34	
78 334	Schuch Addition Wm. Cannon Dr. & Manchaca Rd.	"	"	NR		4&5					NR			NR	NR				DISAPPROVE -3,4, & 5 Snyder & Vier abstained	
78 335	I.R.S. Service Center Subd. Ben White Blvd. & Woodward St.	"	"	NR		4&5					NR			NR	NR				DISAPPROVE - 3,4, & 5	
78 336	West 16th Pl. S. 16th St. W. of Pearl St.	"	"	NR		4&5						34		NR	NR				CONSIDER PROBLEM 29 - RECOMMEND (a) DISAPPROVE - 3,4,5 & 34	
78 337	Regalado Subdivision Clifford St. S. of M.L.K. Blvd.	"	"	NR		X								NR	NR				DISAPPROVE - 3	
78 338	John A. Spillar Subdivision Cumberland Rd. & S. Congress	"	"	NR		5 X					NR			NR	NR				DISAPPROVE - 3 & 5	
*Telephone, Electric and Drainage requirements are cleared upon receipt of this report.																				
78 339	Angerman Subdivision U.S. 290 West	"	"			5								NR	NR				DISAPPROVE - 3 & 5	

December 12, 1978 21

Planning Commission--Austin, Texas

FILE	SUBDIVISION NAME LOCATION SUBDIVISIONS LOCATED IN THE LAKE AUSTIN WATERSHED	Filed With P.C.	30 Days Expir.	REPORTS RECEIVED -- "X" if OK Footnotes if not OK; explain below																PLANNING RECOMMENDATION	ACTION
				County Engr.	St. Name Approval	Tax Cert.	E.R.M. Bldg. Insp.	Water San. Sewer	Health	Planning	Eng. #	Dir. P.W.	Parks & Rec.	Urban	Trans.	Gas	Fiscal Exam.				
C8-	OLD FINAL SUBDIVISION PLAT																				
78 104	Great Hills Street Dedication "C" Continental Club Pkwy.	-	-		X	X	X	NR	X	X	NR	X	X	X	X	X	X	X		VARIANCE REQUESTED TO DELETE CUL-DE-SAC REQUIREMENT ON CONTINENTAL CLUB PKWY. - RECOMMEND TO GRANT APPROVE COMPLIES WITH LAGMP	
	OLD SHORT FORM SUBDIVISION																				
5 78 305	J. Hayes Commercial Subdivision U.S. 183 & Anderson Mill Rd.	-	-	NR	10 X	X	X	X	X	NA		9 X		NR	NR	X	X	X		LAGMP REPORT NOT REQUIRED - INSTUDY AREA BUT NOT IN WATERSHED CONSIDER PROBLEM 24 - RECOMMEND (a) DISAPPROVE - 3	
	NEW SHORT FORM SUBDIVISION																				
78 340	Resub. of Lot 9, Btk. E Lakewood, Section One Waldon Dr. & Chestnut Hollow	Dec. 12	Jan. 11	NR		X					NR	34		NR	NR					LAGMP REPORT NOT REQUIRED - NO INCREASE IN DENSITY DISAPPROVE - 3 & 34	

*Telephone, Electric and Drainage requirements are cleared upon receipt of this report.

FOOTNOTES FOR THE PLANNING COMMISSION MEMORANDUM

December 12, 1978

1. Fiscal arrangements required.
2. Easements required.
3. Compliance with departmental requirements.
4. Current city tax certificates required.
5. Current county tax certificates required.
6. Sidewalk note required on plat.
7. Fiscal arrangements for sidewalks required.
8. Additional R.O.W. required.
9. Plat corrections required.
10. Street name changes required.
11. Health department approval required for septic tank use.
12. L.C.R.A. approval required for septic tank use.
13. Need letter from Williamson County M.U.D. for approval of water and wastewater services.
14. Need letter from Water District _____ for approval of water service.
15. Restriction required on plat prohibiting occupancy until connection is made to a potable water supply and to a septic tank system approved by the Austin-Travis County Health Department or to a public sewer system.
16. Council approval of approach main required prior to approval.
17. Waterway development permit required.
18. Book and page of waiver required on plat.
19. Variance required on signature of adjoining owner.
 - a) Recommend to grant with letter file
 - b) Need letter from owner
 - c) Recommend to deny
20. Variance required to exclude balance of tract.
 - a) Recommend to grant with letter in file
 - b) Need letter from owner
 - c) Recommend to deny
21. Variance required on lot width.
 - a) Recommend to grant
 - b) Recommend to deny
22. Variance required on street width.
 - a) Recommend to grant
 - b) Recommend to deny
23. Variance required to delete fiscal requirements for water service.
 - a) Recommend to grant
 - b) Recommend to deny
24. Variance required to delete fiscal for sewer.
 - a) Recommend to grant
 - b) Recommend to deny
25. Variance required to delete fiscal requirements for fire hydrant.
 - a) Recommend to grant
 - b) Recommend to deny

FOOTNOTES FOR PLANNING COMMISSION MEMORANDUM---continued

26. Variance required on lot area.
 - a) Recommend to grant
 - b) Recommend to deny
27. Variance required to delete fiscal for approach main.
 - a) Recommend to grant
 - b) Recommend to deny
28. Variance required to delete sidewalks.
 - a) Recommend to grant
 - b) Recommend to deny
29. Variance required on scale of plat.
 - a) Recommend to grant
 - b) Recommend to deny
30. Variance required to delete requirement for radius on property corners.
 - a) Recommend to grant
 - b) Recommend to deny
31. Preliminary approval required prior to final approval.
32. Approval required by T.W.Q.B., State Health Department and Director of Water and Wastewater Department for sewer treatment plant prior to final approval.
33. Lake Austin Data required.
34. Vacation of previous plat required prior to approval.
35. Connection required to city water and wastewater systems.
36. Consider reduction of fiscal for wastewater as determined by formula - estimated cost per foot x lot frontage x 2.
 - a) Recommend to grant
 - b) Recommend to deny
37. City Council approval of Zoning Ordinance required.
38. Wastewater treatment plant capacity required to be adequate prior to plat approval.