

CITY PLANNING COMMISSION
Austin, Texas
Regular Meeting -- April 24, 1979

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
Freddie Dixon
Sid Jagger
Mary Ethel Schechter
Sally Shipman
Bernard Snyder
Bill Stoll
Jim Vier

Also Present

Richard Lillie, Director of Planning
Evelyn Butler, Supervising Planner
Luther Polnau, Supervising Planner
Walt Darbyshire, Planner III
Rick Vaughn, Planner
Richard Sprotte, Planner
Craig Bell, Planner
Josh Farley, Planner
Lynne Hough, Planner
Charles Graves, Director of Engineering
Sheila Finneran, Legal Department
Lee Stone, OERM
Maureen McReynolds, Director of OERM
Lonnie Davis, Director of Building Inspection
Jim Gotcher, Building Inspection Department
Curtis Johnson, Director of Water and Wastewater
Joe Lucas, Water and Wastewater Department
Daron Butler, Director of Research and Budget
Ouida Glass, Senior Secretary

PUBLIC HEARINGS

¹⁸⁻⁰¹⁶
C20-79-003

Zoning Ordinance

To consider amendment to Chapter 45 of the Zoning Ordinance to establish a landscaping program along major streets

Luther Polnau of the Planning Staff discussed the proposed landscape ordinance as submitted by an ad hoc citizen group and subcommittee of the Planning Commission. It would require landscaping on parcels with "BB" or more permissive zoning on 60-foot right-of-way streets and on parcels which contain parking lots with 20 or more spaces. It would provide landscaping along the streets, would break up the sea of asphalt on parking lots and parking lots with intermittent landscaping relief and also would encourage the preservation of the planting of trees in the landscaped areas.

PERSONS APPEARING IN FAVOR

Carl Campbell, 11511 Oak Knoll
Barbara Cilley, 1114 Mariposa
H. Joseph Brown, 1512 Hardouin Avenue
Charles Meek, 11503 Spicewood Parkway
Howard Ferguson, 3102 Beverly Road
Jean Mather, 1611 Alameda

PERSONS APPEARING IN OPPOSITION

Hank Wire, 3519 Southridge
Phil Dudley
Jim Tunnell, 3415 Greystone
Ken Zimmerman, 1824 East Oltorf
Benigno Meneses, 2612 South First
Rich Ellmer, 1806 Glencliff Drive

COMMISSION ACTION

Mr. Vier explained that the copy of the proposed ordinance that was distributed for the meeting is not necessarily the one that some members of the subcommittee and the citizen group would like to see adopted. He felt the only alternative would be to discuss the ordinance as proposed. Mr. Dixon asked what happened to the original ordinance that the Planning Commission had passed and questioned the continuity between what the Commission actually had at the beginning and what is now being proposed. Carl Campbell, representing the North Oaks Neighborhood Association, stated he would like to see landscaping along the streets and to break up parking lots, but desired flexibility. Phil Dudley, representing the Austin Apartment Association, suggested that if another ordinance is to be presented, to adjourn this meeting, mail out the ordinance, and hold another hearing. He felt the proposed ordinance is a bad ordinance that will impose restrictions on investment options, would reduce commercial investment in Austin, pass on higher cost to the ultimate tenant of any project that is built, and reduce the already limited tax base. He discussed tax credit or abatement, enforcement, penalties, and questioned who wanted the ordinance, and expressed opposition to the creation of an ordinance of this magnitude. He pointed out that the Central Business District would be exempt, as well as churches, state, and schools.

78-016
C20-79-003 Zoning Ordinance (continued)

Jim Tunnell expressed opposition, felt this to be discriminatory and highly inflationary. Barbara Cilley felt this can be a tool to create the city that has been envisioned and could alleviate undesirable qualities of strip development. Joe Brown read a resolution by the Austin Chapter of American Institute of Architects endorsing the ordinance and stated that planting increases the value of property. Charles Meek discussed the twenty percent requirement and credit provisions. He felt this to be an idea concept that could be of great benefit to the citizens of Austin. Howard Ferguson felt this would preserve the amenities of the community and urged adoption of this or something comparable so that we may have some input into the appearance and the nature of this community other than that of people who are out to make a fast buck. Ken Zimmerman, representing the Austin Association of Builders, felt it apparent there are certain legal limitations. He felt the City has police powers to restrict buildings in an effort to promote health, safety and general welfare of the community. He could not recall any ordinance that has been successfully passed where aesthetics are reasons to create what might be termed a public necessity for the enactment of a restrictive regulation of this type. He questioned the public necessity for this ordinance and suggested the staff review this ordinance very carefully for the purpose of determining whether or not it is legal before it is passed to the City Council. Jean Mather asked what happened to the ordinance that had already been approved. Benigno Meneses stated that this ordinance scares him and requested consideration for the small business persons also. Hank Wire discussed what the cost would be to the builder, pointed out that enforcement would be a problem and felt that it would make money for the landscape people. Rich Elmer, representing the Austin Apartment Association, expressed opposition to the proposed ordinance and requested to table it in its entirety until a way is found to encourage or enforce property owners to maintain the landscaping they already have. He pointed out this would not change anything already existing and discussed the problems that he saw with the proposed ordinance. Mr. Jagger felt this ordinance would not cure Burnet Road or Ben White Boulevard, but pointed out that it would keep from having more. Lonnie Davis, Director of Building Inspection Department, felt the proposed ordinance needed clarification and editing, stated there would be enforcement problems. He requested more time and that it be returned to the committee so the Building Inspection Department could work with them. Hoyle Osborne questioned how this ordinance would relate to general welfare. He suggested to take a look at what is happening within the City and questioned how this could be applied and what it would cost. Jeryl Hart stated there are too many ordinances now and felt this could be approached on a voluntary demonstration basis and that the City could use these ideas on some of their projects. Mr. Jagger asked Lonnie Davis, Director of the Building Inspection Department, how he felt this could be handled without being an administrative problem, as well as discussion of the percentage provisions of the proposed ordinance. Mr. Vier proposed a very simple ordinance and recommended the Commission go along with the proposal, that it be presented to the Building Inspection Department as well as the Legal Department, in order for them to try to uncover any loopholes, submit back to the Planning Commission before it goes to the City Council. There was discussion of the variance

Planning Commission -- Austin, Texas

April 24, 1979

78-016
C20-79-003 Zoning Ordinance (continued)

provisions and who had the authority to do so. He suggested that the ordinance automatically be reconsidered at the end of one year. Mr. Vier felt this proposal would break up the parking lots and would give some buffering along the streets. He felt it should set a minimum for those who would do nothing but not to attempt to design the project for those who would do something nice anyway. Mr. Jagger felt that something should be done, but would like to see some changes.

COMMISSION ACTION

Mr. Jagger moved that the April 20 Vier draft of the landscape ordinance be considered and that the Planning Commission instruct the Legal Department to re-draft the ordinance to be sure that it complies with all legal requirements and the Building Inspection Department review it and make their suggestions to the Legal Department as to what changes should be made; that the draft ordinance be changed to require a minimum landscaping of eight feet and an average of ten feet on streets w/ROW between 60' and 120' and an average of 15' and minimum of 10' on streets with a right-of-way in excess of 120 feet, that Nos. 2 and 5 be taken out, and a further provision be added that this ordinance would not take effect for 120 days after being enacted; that the proposal be brought back to the Planning Commission on May 8 in ordinance form. Mr. Vier seconded the motion.

AYE: Unanimous.

THE MOTION PASSED BY A VOTE OF 9-0.

Mr. Jagger moved to reconsider previous action taken on the landscaping ordinance. Mr. Vier seconded the motion and it passed unanimously. Mr. Jagger then moved to rescind action on the landscape ordinance. Mr. Vier seconded this motion and it also passed by a unanimous vote.

COMPREHENSIVE PLAN

C2o-76-008 Lake Austin Growth Management Plan
Annual Report

Bill Stoll discussed the proposed changes as submitted by the subcommittee. There was discussion of the drainage ponds and the need for this to be addressed as a separate problem.

PERSONS APPEARING

Kelcey Yarbrough, 1835 Burton, No. 123
Madeline Daigle, 2706 Rae Dell
Charles F. Stahl, 3637 Far West Boulevard
Maury Hood
David Bloch, 3709 Gilbert
Ken Manning, 1406 Alameda
Mary E. Ley, 801 Avondale
Katherine McLaughlin
Jeryl Hart

COMMISSION ACTION

Charles Stahl felt this proposed ordinance to be better and that it is something the developers can live with. He expressed favor of the changes. Kelcey Yarbrough speaking for a group of students discussed flooding and sedimentation problems and pointed out that in many instances the existing ordinance is already considerably weaker than what the consultant recommended as necessary for full protection of the water quality in Lake Austin. She questioned the logic of isolating a portion of the plateau region for special impervious cover standards. There also was discussion of the transfer provision of allowable impervious coverage and pointed out that the proposal would allow from more sensitive to less sensitive areas with respect to slope. She felt this to be very undesirable with respect to the more sensitive stream valley areas and the transfer provisions to be undesirable for the entire Lake Austin watershed. She stated the 37, 20, 10 impervious coverage as recommended by the subcommittee would be an acceptable compromise, but only if the recommendation allowing transfer of the allowable impervious cover between all slope categories is not adopted, and requested that the allowable impervious coverage on slopes over 25 percent gradient remain at ten percent, and that the transfer of allowable coverage section of the ordinance remain as currently written. She suggested situations whereby a variance could be considered by the Department of Engineering and the Department of Environmental Resource Management, and also requested that the water quality parameters set forth under the alternative methods section of the ordinance be amended to remove dissolved pollutants from the list of parameters and that the current wording of the water quality parameter subsection of the alternate methods section of the ordinance be retained in order to protect the water quality of Lake Austin and its tributaries. Madeline Daigle discussed areas of the plateau region in which the increased impervious coverage standards would be allowed. She discussed Areas IV and V and felt that more intense urban development might be encouraged in an area that might be reclassified into Area VI. She felt it

C2o-76-008 Lake Austin Growth Management Plan--continued

might be best to postpone a decision on whether or not to include this area until determination has been made into which area this will be designated. She did not feel it appropriate to amend the ordinance in a manner which would contradict the Comprehensive Plan. She urged that should this ordinance be amended to provide relief to the developer in the Lake Austin watershed, it should be amended in such a way that it does not contradict growth management policies expressed in the Comprehensive Plan. David Bloch, representing West Austin Neighborhood group, expressed disappointment with a more permissive ordinance and stated he was bothered with variances in a blanket way. Maury Hood, representing the OERM Board, expressed support for what the Planning Commission was trying to do but requested to add some comments before the final decision is made. Ken Manning felt this would definitely loosen the ordinance. He stated the ordinance needs corrections or modifications, but not loosening. He also discussed the variance provision and suggested that the standards for hill region should be tightened if those for the plateau region are loosened. He also suggested that sidewalks could be handled in another manner. Mary Ley, representing the Travis Audubon Society, expressed hope for greater protection but felt this would give less protection and stated it is very discouraging, particularly the transfer provision. She also expressed concern for the variance provision. Katherine McLaughlin supported the proposed ordinance and expressed agreement with the proposed changes as submitted. Jeryl Hart felt the sidewalk provision to be appropriate and agreed with the transfer methods, also discussed the variance provisions.

Mr. Stoll stated the subcommittee had wanted to have a public hearing and make a final recommendation in two weeks. Mr. Jagger felt that perhaps the Legal Department could have an ordinance in two weeks that the Commission could act on at that time.

COMMISSION VOTE

Mr. Jagger moved that the Legal Department be instructed to prepare an ordinance in line with the subcommittee recommendations; that this in no way implies approval of the subcommittee recommendations but will be in a form that can be acted on in two weeks (May 8). Mr. Stoll seconded the motion. Mrs. Shipman offered a friendly amendment to include guidelines on the variance clause. The Legal Department also will prepare some alternative methods.

AYE: Unanimous.

THE MOTION PASSED BY A VOTE OF 9-0.

C14p-79-007 W.R. Bright: A Stand-Up Lounge
(by Robert T. Clifton)
606-608 Trinity

Mr. Lillie explained this application for a special permit is to be a lounge under C-2 zoning. When it was heard on April 4 Mr. Auler of the St. David's Episcopal Church had expressed concern for the use as well as the possibility of the location of signs. The Commission continued action so that the

C14p-79-007 W.R. Bright--continued

applicant and representatives of the church could meet and reach an agreement. Mr. Lillie also explained that this application does fall within the National Register District along East Sixth Street and that any changes in the signs or the facades would normally go before the Landmark Commission for their consideration.

PERSONS APPEARING

Ed Auler, 1612 Watchhill

COMMISSION ACTION

Mr. Auler again expressed concern that the church had regarding the distance of the location from the church as well as sign control. Mr. Auler explained that he had met with the holder of a five-year lease on the property in question and discussed the possible uses which might be a stand-up lounge, a townhouse, or some sort of old, rare book store. It is also a possibility that this might be sublet and then the church would have no assurance of the use. He again discussed that a sign could indeed be offensive to the church and requested that if approved, the Commission make the special permit conditional on the occupant refraining from erecting a sign either by which of its size or character would in the judgment of the Commission be offensive to the field of view of St. David's Episcopal Church. Mr. Lillie pointed out that any sign not extended beyond the roof line of the building would take care of the concerns the church has expressed. There was discussion of the parking requirements, and Mr. Lillie pointed out that if the request is approved, there are a number of ordinance requirements that would apply. Mrs. Shipman felt this to be a speculative special permit and stated that the applicant has not been present. She also felt there was a question of adequate parking.

COMMISSION VOTE

Mrs. Shipman moved and Mr. Danze seconded the motion to continue the request until the applicant can respond publicly to the special permit.

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

THE MOTION PASSED BY A VOTE OF 7-0-1.

C14p-79-004 Texas State Bank: An 82-Unit Apartment Project
(by Charles D. Becker)
2201 William Cannon Drive

Mr. Lillie explained that the staff is recommending to postpone this request until May 29 in order to allow the staff time to report to the Planning Commission the decision by the Board of Adjustment on an interpretation by the Building Inspection Department on density computation.

COMMISSION ACTION

Mrs. Shipman moved and Mrs. Schechter seconded the motion to continue this request until May 22.

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

ABSENT: Guerrero and Jagger.

THE MOTION PASSED BY A VOTE OF 7-0.

C12-79-006 Public Services
Wastewater Approach Main
Vintage Hills, Section 6

Mr. Lillie explained this is a request for an eight-inch wastewater approach main for Vintage Hills Section Six. All cost will be borne by the owner at no cost participation from the City. The location is with Priority Area II of the Comprehensive Plan.

COMMISSION ACTION

Mrs. Shipman moved to approve the wastewater approach main in accordance with staff recommendations. Mr. Dixon seconded the motion.

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

ABSENT: Guerrero and Jagger.

THE MOTION PASSED BY A VOTE OF 7-0.

C11-79-003 Transit and Transportation
Determination of the number of parking spaces
required for a proposed body shop at 3228
East Fifth Street.

Mr. Lillie explained the staff has reviewed the site plan submitted by the applicant and that he can provide a total of 20 parking spaces. Applicant indicates that three mechanics and one person will be employed in the office. Staff would recommend approval of the request since 18 parking spaces are being provided.

C11-79-003 Transit and Transportation--continuedCOMMISSION VOTE

Mr. Snyder moved and Mr. Dixon seconded the motion to approve 18 parking spaces in accordance with staff recommendations.

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

THE MOTION PASSED BY A VOTE OF 7-0.

C2o-79-004⁶ Zoning Ordinance

To consider setting a public hearing to consider an amendment to the Zoning Ordinance to eliminate any conflict between the Zoning Ordinance and the Board of Adjustment's Rules and Regulations.

Mr. Lillie suggested the Planning Commission set a public hearing for May 22 to consider an amendment to the Zoning Ordinance to eliminate any conflict between the Zoning Ordinance and the Board of Adjustment's Rules and Regulations.

COMMISSION ACTION

Mr. Dixon moved to set a public hearing at 7 p.m. on May 22 to consider an amendment to the Zoning Ordinance to eliminate any conflict between the Zoning Ordinance and the Board of Adjustment's Rules and Regulations.
Mr. Snyder seconded the motion.

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

THE MOTION PASSED BY A VOTE OF 7-0.

R200 Report by Committees
Septic Tank
Comprehensive Plan, Chapter IV

Mrs. Shipman reported that there would be a meeting at 7 p.m., April 30, in the Third Floor Conference Room of the Municipal Annex to consider Chapter IV.

Mr. Danze stated the Septic Tank Subcommittee meeting would be announced later.

C1-79 Minutes

To Approve Planning Commission Minutes
 March 13, 1979
 March 27, 1979 (less Subdivisions)
 April 3, 1979 (less Subdivisions)
 April 4, 1979

On a motion by Mrs. Schechter, seconded by Reverend Dixon, the Planning Commission approved the minutes subject to corrections as noted.

C6-79-001 1979-84 Capital Improvements Program
 Consideration of additional information
 from Research and Budget Office on the
 Water and Wastewater Program.

Daron Butler and Curtis Johnson discussed additional information regarding the Water and Wastewater program as it applied to the 1979-84 Capital Improvements Program.

NO ACTION WAS TAKEN

PRELIMINARY SUBDIVISIONS

C8-79-12 Morning Star Sub., Rev. 22:16, Phase 1
Ben White Blvd. and Montopolis Road

Walt Darbyshire recommended to approve. Applicant agrees to construct the sidewalks on Montopolis Drive.

A. Synopsis:

The staff recommends:

1. Approval of Phase I only of the Preliminary Plan.
2. Disapproval of Phase II and III pending the approval and passage by City Council of a zoning ordinance for the proposed uses and P.D.A. contract for Phase III.

B. Ordinance Requirements - Preliminary Stage:

All preliminary ordinance requirements are fulfilled.

C. Variances:

1. Variances are requested to delete sidewalks on Ben White and Montopolis Drive (See letters from Metcalfe Engineering and memos from the Urban Transportation and Engineering Departments). (Sec. 41-42, 41-5)

C8-79-12 Morning Star Sub., Rev. 22:16, Phase 1--continued

Recommend: (a) Ben White - grant as the Highway Department will construct sidewalks when improvements are made.

(b) Montopolis Drive - disapprove as other developments along Montopolis Drive have been required to install sidewalks.

2. Variance is requested to delete fiscal arrangements and design plans for construction of Montopolis Drive (See references in C.1.) (Sec. 41-37, 41-53)

Recommend: grant as improvements to Montopolis Drive from Ben White to Riverside Drive are included in the 1978-1983 C.I.P.

D. Recommendations (Cannot be required unless agreed to by the owner):

None

E. Notification of Ordinance Requirements - Final Plat:

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. (Sec. 41-1 and 41-14)
2. Connection is required to the City of Austin water and wastewater systems. (Sec. 41-48 and 41-49)
3. Sidewalks are required to the subdivision side of Montopolis Drive and Ben White Boulevard. (Sec. 41-42)
4. Appropriate sidewalk location note is required on final plat inside city limits. (Sec. 41-42)
5. Waterway development permit required prior to final plat approval. (Sec. 41-47.10)
6. Drainage and public utility easements as required. (Sec. 41-11, 41-13 and 41-29)
7. Fiscal arrangements are required for the construction of $\frac{1}{2}$ of Montopolis Drive to urban standards with curb and gutter on subdivision side. (Sec. 41-37 and 41-43)
8. Vacation of lots 3 and 4, J. Cody Boyd Subdivision No. 2 (original subdivision) required prior to final plat approval. (Art. 974a & Legal Opinion)

F. Information:

1. The subdivision is located in Austin in the Austin Independent School District, and in the Carson Creek watershed.

C8-79-29 Westward Ho
 Westward Ho

Walt Darbyshire recommends to approve. Applicant does not agree with recommendations D.1 and D.2; he does agree with D.3.

A. Synopsis

The staff recommends approval of the preliminary plan with variances as requested.

B. Ordinance Requirements - Preliminary

Stage: All preliminary ordinance requirements are fulfilled.

C. Variances

1. Variance is required on the length of Kandy Drive cul-de-sac. (Sec. 41-31)
Recommend: Grant provision for future extension is made.
2. Variance is required on the length of block "C". (Sec. 41-32)
Recommend: Grant, due to topography.

D. Recommendations (Cannot be required unless agreed to by the owner)

1. Recommend that the portion of street proposed in 100 year flood plain be above flood plain.
2. Recommend that the lot adjoining the creek be dedicated as a greenbelt or that a restriction be required on the final plat prohibiting re-subdivision.
3. Recommend that a restriction be required on the final plat prohibiting vehicular access (driveways) onto McCarty Lane from abutting lots.

E. Notification of Ordinance Requirements-Final Plat

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. (Sec. 41-12, 41-14, 41-36, 41-53)
2. Fiscal arrangements are required for construction of adjacent streets to urban standards one-half ($\frac{1}{2}$) of McCarty Lane with curb and gutter. (Sec. 41-14)
3. Additional R.O.W. is required, 35 feet from centerline for McCarty Lane. (Sec. 41-24)

C8-79-29 Westward Ho--continued

4. Appropriate sidewalk location note is required on final plat inside city limits. (Sec. 41-42)
5. Waterway development permit is required prior to final plat approval. (Sec. 41-45 (b))
6. Connection is required to the City of Austin water and wastewater systems. (Sec. 41-48 and 41-49)
7. Sidewalks are required on both sides of Kanby Drive, one side of Jaffna Cove, Ceylon Court, Saffron Street and Tamil Street, and on the subdivision side of McCarty Lane. (Sec. 41-42 (b))
8. Show accurate 100 year flood plain data on the preliminary plan. (Sec. 41-45)
9. Show location, size, and flow line of existing drainage structures on or adjacent to subdivision on the preliminary plan. (Sec. 41-11)
10. Drainage and/or public utility easements as required. (7½ foot P.U.E. on rear of all lots). (Sec. 41-44.2 (d))
11. Minimum building slab elevation note required on the final plat(s) for lots adjacent to waterway(s). (Ord. 750313-C)
12. All lots required to have an adequate building site exclusive of setback lines and drainage easements. (Sec. 41-35 (a))
13. The 25-year flood plain required to be dedicated as a drainage easement. (Sec. 41-44.1(e))

F. Information

1. The subdivision is located in Austin, in the Austin Independent School District, and in the Williamson Creek watershed.
2. Main line advance is required for gas.

C8-79-30 Windsor Hills North
 Yager Lane

Walt Darbyshire recommended disapproval. Applicant agreed with D.1 through D.3 and does not wish to speak.

A. Synopsis:

The staff recommends disapproval of this preliminary plan pending City Council's approval of a water approach main and availability of wastewater service and fulfillment of ordinance requirements herein.

C8-79-30 Windsor Hills North--continuedB. Ordinance Requirements - Preliminary Stage

1. Show names and addresses of landowners on the east side of Dessau Road East, adjacent to the subdivision. (Sec. 41-11)
2. Sidewalks are required on both sides of collector streets, one side of residential streets (specify) and on the subdivision side of Yager Lane and Dessau Road East (Sec. 41-42)
3. Minimum street centerline radii for collector streets is 300 feet and 200 feet for residential streets. (Sec. 41-37)
4. Show survey ties across all existing streets bordering or traversing this subdivision. (Sec. 41-11, 41-13)
5. Additional R.O.W. of 45 feet from the centerline of Dessau Road East is required. Show future R.O.W. line 60 feet from centerline with a 25 foot setback therefrom to provide additional R.O.W. at a later date. (Sec. 41-24) (NOTE: If arterial plan is revised prior to final plat approval, recommend compliance with revised plan. R.O.W. may be reduced enabling normal 25 foot building setback.)
6. Round (or clip) all street intersection corners on the preliminary plan. (Sec. 41-37)
7. Identify proposed ownership of park(s) and/or greenbelt(s) on the preliminary plan for purposes of taxation, maintenance, and use limitations. (Sec. 41-13)
8. Show building setback lines on the preliminary plan of 25 feet from all front streets, including commercial lots and park lots. (Sec. 41-11, 41-13)
9. All street intersections are required to be at or near 90 degrees. (Sec. 41-28)

C. Variances:

1. Variances are required on the length of blocks A, C, D, F, G, H, J, P and R.

Recommend to grant because of topography and as adequate circulation is provided. (Sec. 41-32)

D. Recommendations (Cannot be required unless agreed to be the owner):

1. Recommend note on final plat prohibiting driveway access onto collector streets for those lots which also have access to a residential street.

C8-79-30 Windsor Hills North--continued

2. Recommend additional R.O.W. (40' from centerline) be provided for Yager Lane because of area and types of uses which it serves.
3. Recommend a drainage (runoff) detention plat note be required on final plat.

E. Notification of Ordinance Requirements - Final Plat

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. (Sec. 41-1, 41-14 and 41-36 through 41-53)
2. Connection is required to the City of Austin water and wastewater systems. (Sec. 41-48, 41-49)
3. Fiscal arrangements and appropriate sidewalk location note are required with final plat outside city limits. (Sec. 41-13, 41-42)
4. Water development permit required prior to final plat approval. (Sec. 41-47.10)
5. Drainage and public utility easements as required. (Sec. 41-11, 41-29 and 41-44.1)
6. Minimum building slab elevation note required on the final plat(s) for lots adjacent to waterway(s). (Required by Travis County)
7. All lots required to have an adequate building site exclusive of setback lines and drainage easements. (Sec. 41-35)
8. The 25-year flood plain required to be dedicated as a drainage easement. (Sec. 41-44.1)
9. Submit corrected, approved preliminary plan with final plat(s). (Sec. 41-11)
10. Fiscal arrangements required to construct 1/2 of Yager Lane and Dessau Road East adjacent to subdivision to urban standards with curbs and gutters on subdivision side. (Sec. 41-37 and 41-43)
11. Triangle of land between Nightingale Way and subdivision boundary at the intersection with Dessau Road East required to be dedicated as R.O.W. or deeded to adjacent owner because of inadequate size as a lot. (Sec. 41-35)
12. Floodplain note required on final plat. (Sec. 41-45 and County)
13. Show lot number for all lots including park lots, etc. (Sec. 41-110)

C8-79-30 Windsor Hills North--continuedF. Information

1. County Engineer approval of street connections to Dessau Road East and Yager Lane is required.
2. Travis County review of construction plans and Development Permit is required prior to any construction.
3. All public parks are required to be deeded to the City of Austin or Travis County and must be accepted by appropriate entity.
4. Main line advance is required for natural gas service.
5. Walnut Creek is identified in the Master Plan as a greenbelt corridor and this portion of the creek is presently under consideration.
6. Wastewater service will not be available until completion of Phase 1 of the Walnut Creek Interceptor which is scheduled for contract upon securing of required easements.
7. Subdivision is located outside of Austin's city limits, in the Pflugerville Independent School District, and in the Big Walnut Creek watershed.

C8-79-31 Silverstone
Pleasant Valley Road and McElwreath

Walt Darbyshire recommended approval on a consent motion.

A. Synopsis:

The staff recommends disapproval without conditions of this preliminary plan pending City Council's approval of water and wastewater mains. In addition, the applicant must satisfy ordinance requirements herein.

B. Ordinance Requirements - Preliminary Stage:

1. Sidewalks required on both sides of Pleasant Valley Road, Copperstone Blvd. Silverstone Blvd. and Meadow Lake Blvd. and on one side (specify) of all other streets.
2. Contour lines are required to be not more than 100 horizontal feet apart. (Sec. 41-11)
3. Show 100-year flood plain data on the preliminary plan and final plat. (Sec. 41-45)
4. Show all cul-de-sac radii. (Sec. 41-11, 41-13 and 41-31)

C8-79-31 Silverstone--continued

5. Cul-de-sac (50' radius) required at the southerly end of Saguaro Road and the north end of Copperstone Blvd. and Meadow Lake Blvd. (Sec. 41-31) and is required to be open ended for future extension.
6. Reverse building setback lines on lots 3, 5, 10, 11, 18, 19, 26, 27, and 34, block A; lots 10 and 16, block D; lots 1, 7, 30 and 31, block E; lot 8, block F; lot 8, block H; lot 3 and 4, block J, and lots 7 and 13, block M. (Zoning Ord., Sec. 41-11 and 41-13)

C. Variances:

1. Variance required on the length of block(s) A and D. (Sec. 41-32) submit letter requesting this variance with owners justification.
Recommend: grant because of topography and adequate circulation is provided.

D. Recommendations:

None.

E. Notification of Ordinance Requirements - Final Plat:

1. Restriction required on final plat prohibiting vehicular access (driveway) onto Pleasant Valley Road from abutting lots. (Sec. 41-33)
2. Fiscal arrangements and appropriate sidewalk location note required with final plat outside city limits. (Sec. 41-42)
3. Fiscal arrangements required for the construction of Pleasant Valley Road urban standards with this final plat. (Sec. 41-14)
4. Waterway development permit required prior to final plat approval. (Sec. 41-47.10)
5. Drainage and public utility easements as required. (Sec. 41-11, 41-29 and 41-44.2)
6. Minimum building slab elevation note required on the final plat(s) for lots adjacent to waterway(s). (Ord. 750313-6) This ordinance does not apply unless subdivision is annexed.
7. The 25-year flood plain required to be dedicated as a drainage easement. (Sec. 41-44.1)
8. Full R.O.W. (90') required to be dedicated for Pleasant Valley Road adjoining this subdivision prior to or simultaneously with this final plat (Sec. 41-21, 41-23 and 41-25) This dedication will require joinder by the City of Austin and adjoining owner to the east.

C8-79-31 Silverstone--continued

9. 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. (Sec. 41-1, 44-14 and 41-36 thru 41-53)
10. Connection required to the City of Austin water and wastewater systems. (Sec. 41-48 and 49)

F. Information:

1. Main line advance required for natural gas service.
2. Travis County development permit required prior to any construction unless annexed to the City prior to final approval.
3. This subdivision is within Austin's E.T.J. in the Austin Independent School District, and in the Onion Creek watershed.

COMMISSION ACTION

Mrs. Shipman moved to approve staff recommendations on all of the above.
Mr. Dixon seconded the motion.

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

OUT OF THE ROOM: Stoll.

THE CONSENT MOTION PASSED BY A VOTE OF 8-0.

¹⁷⁹⁻
C8-78-24 Forest Ridge
Loop 360 and Spicewood Springs Road

Walt Darbysire recommended approval with condition. Applicant does not agree to recommendations D.1 through D.5.

C8-79-24 Forest Ridge--continuedA. Synopsis:

The staff recommends approval of this preliminary plan provided that all ordinance requirements herein are fulfilled and the following condition is accepted by the applicant prior to final plat submission:

- Condition 1. The applicants agree to dedicate the 100-year floodplain of the northwest tributary of Bull Creek and Bull Creek (unless dedicated to public use) as conservation easements. In these easements yard use is excluded; further use is to be defined prior to final plat submission. Public utilities will be granted access and use.

Should the applicant not agree to provide this conservation easement, the staff then recommends that the plan be disapproved until the applicant submits an acceptable alternative method that complies with the Lake Austin Watershed Ordinance.

B. Ordinance Requirements - Preliminary Stage:

1. Show owners of all adjacent property owners on the preliminary plan including owners of platted lots. (Sec. 41-11)
2. Minimum street centerline radius is 300' for collector streets, 200' for residential streets and 50'-75' for right angle turns. (Sec. 41-37)
3. Show drainage and public utility easements as required. (Sec. 41-47.3)
4. The 25 year flood plain is required to be dedicated as a drainage easement. (Sec. 41-47.3)
5. Show survey tie across Spicewood Springs Road and provide for 90' of R.O.W., 45' from centerline. (Sec. 41-11, Sec. 41-13 and Sec. 41-24)
6. Round (or clip) all street intersection corners. (Sec. 41-37)
7. Identify proposed ownership of parks on the preliminary plan for purposes of taxation, maintenance and use limitations. (Sec. 41-13)
8. Show all existing easements and record references (if any). (Sec. 41-18)
9. Show all cul-de-sac and centerline curve radii on the preliminary plan. (Sec. 41-13)

C8-79-24 Forest Ridge--continued

10. Identify sidewalk locations as per ordinance and Pedestrian Plan. (Sec. 41-42)
11. Section 41-35.3 states that roadways shall not be constructed on terrain with a gradient greater than 25 percent except where it is necessary to provide access to an area of slope less than 25 percent. Because conceptual alternative methods to this requirement have not been addressed, the following streets are required to be relocated as shown of the Plat Review Print:
 - a. Freehaven Circle (Block J)
 - b. Rambling Trail Circle (Block I)
 - c. Elderwood Path (Block H)
 - d. Chipperwood (Block H)
 - e. Hidden Cedar Trail (Block D)
 - f. Hollyridge Drive (Block M, N, P)
 - g. Ivy Hill Lane (Block L)

Additional, more accurate topographical data may clarify required final plat changes.

12. Winding Ridge Boulevard is required to be revised as shown on Plat Review Print to enable extensions into the adjacent Jester Estates tract at a suitable alignment based on topography. (Sec. 41-37)
13. Rambling Trail is required to be revised as shown on the Plat Review Print to provide a collector segment (approximately 350 feet long) for adequate circulation. (Sec. 41-37)
14. Cul-de-sacs are required at the end of Aspenwood Drive, Pathfinder Pass and Brenthaven Drive as shown on the Plat Review Print. (Sec. 41-31)
15. Revise impervious cover calculations to reflect plat changes and show separate calculations for the single family residential areas and streets. (Sec. 41-11.1)

C. Variances:

1. Variances are required on the length of Quietwood Lane, Hidden Cedar Trail, Elderwood Path and Treegarden Path cul-de-sacs. (Sec. 41-31). Recommend modifications as shown on the Plat Review Print (see item B.11) to eliminate need for variances except for Quietwood Lane. Recommend: grant, if recommended modification is made.
2. Variances are required on the length of all blocks over 1200'. (Sec. 41-32) Recommend: grant, because of topography if recommended changes are made.
3. Variances are required on the scale of this preliminary plan. (Sec. 41-11) Recommend: grant, because of plat size at the required scale of 1"=100'.

C8-79-24 Forest Ridge--continuedD. Recommendations (Cannot be required unless agreed to by owner):

1. Recommend that Trailing Oak Drive, Rising Hill Trail, Triple Oak Trail, Hedgeway Court, Harcourt Circle, Hope Valley Drive, Painted Valley Drive, Treehouse Trail, Aspenwood Drive, Pathfinder Pass; Rushwood Circle and Quietwood Lane be revised as shown on the Plat Review Print to keep building sites off excessively steep slopes and to provide deeper lots along ravines and steep slopes.
2. Recommend that Treehouse Trail Court, Treehouse Trail Circle, Quietwood Court and the middle cul-de-sac on Treegarden Path be deleted because only one additional lot is provided by each of these cul-de-sacs and the additional impervious cover required is significant.
3. Recommend that the density of the single-family residential areas be reduced to enable compliance with the impervious cover restrictions of the Lake Austin Ordinance.

Note: In comparing Forest Ridge with an adjacent preliminary Plan having a similar terrain (Jester Estates), it becomes apparent that this proposal is significantly denser (see table), even though there is less land in the 0-15% slope category.

<u>Percent Total Area</u>	<u>SLOPE</u>		
	<u>0-15%</u>	<u>15-25%</u>	<u>25+%</u>
Jester Estates	43%	13%	44%
Forest Ridge	34%	26%	36%
<u>Impervious Cover</u>			
Jester Estates	39%	11.8%	3.6%
Forest Ridge	34%	29%	14%

4. Building sites located on slopes exceeding 25% have been identified on the file copy of the slope map. If the applicant is willing to reduce impervious cover on this tract to comply with the Lake Austin Ordinance, it is recommended that consideration be given to reduce the number of steep (over 25% slope) building sites.
5. Recommend that the multi-family and convenience service lots be shown as P.U.D. lots. It is the staff's opinion that the proposed uses are possibly inappropriate for this type of terrain and this location. Recommend that these areas be annexed and zoned prior to final plat approval.

C8-79-24 Forest Ridge--continuedE. Notification of Ordinance Requirements - Final Plat:

1. Fiscal arrangements and appropriate sidewalk location note required on final plat outside city limits. (Sec. 41-42, 41-13)
2. Waterway development permit required prior to final plat approval. (Sec. 41-47.10)
3. Fiscal arrangements required for the construction of $\frac{1}{2}$ of Spicewood Springs Road adjacent to subdivision to urban standards including sidewalks on the subdivision side, or as required by the Engineering Department. (Sec. 41-37)
4. Minimum building slab elevation note required on the final plat for lots adjacent to waterways. (Ord. 750313-C) (Required by Travis Co.)
5. Submit two (2) copies of revised approved preliminary plan with final plat(s). (Sec. 41-11)
6. Driveways required not to exceed 14% grade for the first 25 feet unless approved by the Director of Engineering. Identification of lots requiring separate approval by the Director of Engineering shall be designated on the final plat. (Sec. 41-35.3)
7. Final plats are required to comply independently with the Lake Austin Ordinance and all materials for review are required to be submitted therewith. (Sec. 41-11.1)
8. Restrictive covenants required with final plats to specify the following:
 - a. All building foundations on slopes of 15% and over and on fill placed upon such slopes shall utilize design and construction practices certified by a registered professional engineer qualified to practice in this field and such designs shall be placed on file with the City of Austin Engineering Department. (Sec. 41-35.3)
 - b. For a minimum distance of 25 feet from the roadway edge driveway grades may exceed 14% only with specific approval of surface and geometric design proposal by the Director of the Engineering Department or his designee. (Sec. 41-35.3)
 - c. No fill on any lot shall exceed a maximum of three feet of depth. Except for structural excavation, no cut on any lot shall be greater than six feet. (Sec. 41-35.3)
9. Hidden Cedar Trail and Hope Valley Drive should have the same name. Trailing Oak Drive, Trailing Oaks Court and Trailing Oaks Circle should all be Trailing Oak Drive. Treehouse Trail should include both cul-de-sacs. Rambling Trail should change name at Lot 4 Block I. Rambling Trail Court should not have a separate name. Elderwood Path should continue across Aspenwood Drive eliminating Elderwood Court. Change names of Wood Forest Circle, Harcourt Circle and Pinelands Woods Drive because of duplication. Show Ivywood Lane and Ivy Hill Lane as one name. (Sec. 41-26)

C8-79-24 Forest Ridge--continued

10. Collector streets are required not to exceed 15% sustained grade. Residential streets are required not to exceed 20% sustained grade. (Sec. 41-37) (Sustained grades are those which continue for a distance of more than 300 feet. Construction plans will be required to be submitted to the Engineering Department prior to plat approval.)
11. A separate subdivision and special permit site plan is required for the P.U.D. site(s). (Sec. 41-11)
12. Show note on final plats prohibiting driveway access onto Loop 360. (Sec. 41-37, 41-33)
13. Provide restrictive covenant and plat note stating that prior to any construction, except single family or duplex, on any lot in this subdivision, a Site Development Permit must be obtained from the City of Austin Engineering Department. (Sec. 29-55)
14. Sidewalks location note required on final plat(s) with provisions for construction. (Sec. 41-42)
15. R.O.W. for Whisper Ridge required to approve by the Urban Transportation Department prior to final plat approval. (Sec. 41-37)
16. The intersection of Winding Ridge Boulevard with Spicewood Springs Road required to be approved by the Urban Transportation Department. (Sec. 41-37)

F. Information:

1. Subdivision is located outside the City, in the Austin Independent School District, and in the Lake Austin watershed.
2. Main line advance required for natural gas service.
3. Individual pressure reducing values on services may be required at lower elevations.
4. Areas cross hatched in blue are conservation zones as determined by the Lake Austin Growth Management Plan.
5. Engineering Department Alternative method review: (see attached memo) The alternative methods proposal contained in the engineer's report is somewhat vague and will need further study to totally ascertain its acceptability. It is felt, however, that preliminary approval may be given at this time. Possible problems with the proposals include the applicability of a pond whose drainage area includes only 30-40% of the site, and the actual removal rates for the required stormwater quality analysis.

C8-79-24 Forest Ridge--continued

6. Additional conservation easements may be necessary in order to protect the waterways and as part of a recommended alternative method.
7. Office of E.R.M. alternative method review: (See attached report)
 - A. Conservation easements appear to be inadequately sized to limit the use of chemical maintenance and clearing in ravines and waterways and to provide for nutrient uptake by streamside vegetation.
 - B. Restriction of fertilizer usage as proposed to NH₃ and Urea is not feasible to enforce and therefore is not acceptable.
 - C. Limiting the number of pets per household as proposed is not feasible to enforce; numerical data is lacking with which to compare average number per household without restriction to whatever restricted number is being proposed, should feasibility be demonstrated.
 - D. Removal efficiency per pollutant is needed for review; methods used and literature cited by other consulting engineers are on file in the City Engineer's office.
 - E. Without "d" above, adequate sizing of the pond and length of detention needed for settling cannot be properly determined.
 - F. Dissolved pollutants are inadequately addressed; no filtration of pollutants is proposed to deal with reduction of those pollutants not adhering to solid particles. No data is cited stating what percentage is estimated will settle out in the sediment pond, over what period of time, and what percentages will pass through.
8. Cul-de-sac design is required to be approved by the Urban Transportation and Engineering Departments. (Sec. 41-37)
9. The Engineering Department states that the following streets, because of severe topographical variations, should be reconsidered when more accurate topographical detail is available:

Painted Valley Drive, Treehouse Trail, Trailing Oak Drive, Rising Hill Trail, Aspenwood Drive, Hidden Cedar Trail, Treegarden Path, Elderwood Path, Rushwood Circle and Quietwood Lane. In addition, Quietwood Court is required to be deleted.

There was discussion of conforming with the Lake Austin Ordinance; the street alignment and the needed changes being approved on a preliminary plat and the problems that could arise therefrom.

COMMISSION VOTE

Mr. Jagger moved to disapprove the preliminary plat but conceptually to approve this plan subject to applicant going back and working with the problems as identified. When worked out, have another preliminary brought back to the Planning Commission. Applicant agreed to this request. Mr. Snyder seconded the motion.

AYE: Unanimous

THE MOTION PASSED BY A VOTE OF 9-0.

C8-78-80 30 Stoney Acres
F.M. 620 and Carmil Lane

Walt Darbyshire recommended approval. Applicant does not agree to D.1.

A. Synopsis

The staff recommends approval of this preliminary plan provided that all ordinance requirements herein are fulfilled prior to final plat subdivision.

B. Ordinance Requirements - Preliminary Stage:

1. Show 100-year flood plain data on the preliminary plan and final plat. (Sec. 41-45)
2. Show building setback lines on the preliminary plan 25 feet from all from streets and 15 feet from all side streets. (Sec. 41-11 (f))
3. Show all lot numbers. (Sec. 41-11 and 41-13)
4. Lot lines are required to be approximately at right angles to straight street lines. (Sec. 41-31)

C. Variances

1. Variance is required on the length of Milestone Pass cul-de-sac.
Recommend: Grant because of low density.
2. Variance is required on the length of block A.
Recommend: Grant because of low density.

D. Recommendations (Cannot be required unless agreed to by the owner)

1. Recommend that a restriction be required on final plat prohibiting vehicular access (driveways) onto F.M. 620 from abutting lot.

E. Notification of Ordinance Requirements - Final Plat

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. (Sec. 41-54)
2. Drainage and public utility easements as required. (Sec. 41-11, 41-29 and 41-44.2 (d))

C8-78-80 30 Stoney Acres

3. The 25-year flood plain required to be dedicated as a drainage easement. (Sec. 41-44.1)
4. Waterway development permit required prior to final plat approval. (Sec. 41-47.10)
5. A restriction is required on the final plat prohibiting occupancy of any lot until connection is made to a water well and septic tank system approved by the Williamson County Health Department. (Sec. 41-56, 41-57)
6. Final plat required to be approved by the City of Austin, the City of Round Rock and Williamson County Commissioner's Court. (State Statute)
7. Note required on final plat stating that no well shall be installed within 150 feet of a septic tank system and no septic tank system shall be installed within 150 feet of a well. (State Health Requirement)

F. Information

1. No sidewalks required for Suburban subdivision.
2. Health Department approval (Travis and Williamson County) has been given for use of individual water wells and septic tank systems.
3. The subdivision is located in the E.T.J. of Austin, in the Round Rock School District, and in the Brushy Creek watershed.

There was discussion of vehicular access on to 620, as well as the future widening of 620.

COMMISSION ACTION

Mrs. Shipman moved approval of the preliminary as recommended by the staff with the following comment: That at the time this subdivision comes up for final approval, the realignment of 620 in that area be presented by the staff and the applicant appear or submit in writing the plans for driveway access on to 620 from the two lots abutting it so the Planning Commission may review access at that time. Mrs. Schechter seconded the motion.

AYE: Unanimous.

THE MOTION PASSED BY A VOTE OF 9-0.

C8-79-28 Northwood V
 Oak Creek Drive

Walt Darbyshire recommended approval.

A. Snyopsis:

The staff recommends approval of this preliminary plan provided that all ordinance requirements herein are fulfilled.

B. Ordinance Requirements - Preliminary Stage

1. Appropriate sidewalk location note required on final plat inside city limits. (Sec. 41-42)
2. Sidewalk locations are required on one side (applicant's choice) of Whitewood Drive and on the subdivision side of Trailwood Road and Oak Creek Drive. (Sec. 41-42)
3. Show survey tie across all existing streets bordering or traversing this subdivision. (Sec. 41-11 & 41-24)
4. Change name of Whitewood Drive to avoid similarity to other street names. (Sec. 41-26)
5. Show date preliminary plan was prepared. (Sec. 41-11)
6. Lots 1-8, block "A" are required to be used for single family dwelling purposes. (Zoning requirement)

C. Variances: None Requested

D. Recommendations: None.

E. Notification of Ordinance Requirements - Final Plat

1. Council passage of zoning ordinance to "A" required for duplex use prior to the final plat approval. (Sec. 41-14)
2. All duplex lots are required to contain a minimum area of 7,000 square feet (zoning ordinance).
3. Waterway development permit required prior to final plat approval. (Sec. 41-47.10)
4. Drainage and public utility easements as required. (Sec. 41-13, 41-20, and 41-44.1)
5. Minimum building slab elevation note required on the final plat for lots adjacent to waterway if applicable. (Ord. No. 750313-C)
6. The 25-year flood plain required to be dedicated as a drainage easement. (Sec. 41-44.1 (e))

C8-79-28 Northwood V--continued

7. Subdivision is classified as urban and all streets, drainage, sidewalks, water and wastewater lines are required to be constructed to City standards with appropriate fiscal arrangements therefor. (Sec. 41-1 and 41-14)
8. Connection is required to the City of Austin water and wastewater systems. (Sec. 41-48 and 41-49)

F. Information:

1. This subdivision is located within Austin, in the Austin Independent School District and is in the Big Walnut Creek watershed.

Mrs. Schechter asked about the discrepancy in the number of lots. Gordon Davis explained that 40 is correct, that single-family residences will be built on the entire tract and that is the reason for the change in the number of lots.

COMMISSION VOTE

Mr. Dixon moved to grant approval subject to staff recommendations. Mrs. Schechter seconded the motion.

AYE: Unanimous

THE MOTION PASSED BY A VOTE OF 9-0.

C8-79-32 Rob Roy Phase Two
 Loop 360

Walt Darbyshire stated staff would recommend disapproval; delete Item B.3, to grant Variances 1, 2, 3, and 4; to disapprove Variance No. 5; to disapprove Variance No. 6. Applicant agrees with recommendations 1, 3, 6 and 7, for part of 2, 3, and does not agree with 4 and 5 (has a problem with Lot 26 and 40, Block E.

A. Synopsis:

The staff recommends disapproval without conditions of this preliminary plan until ordinance requirements are fulfilled.

B. Ordinance Requirements - Preliminary Stage

1. The subdivision is classified as urban and all streets, drainage, sidewalks, water and wastewater lines are required to be constructed to City standards with appropriate fiscal arrangements. (Sec. 41-1; 41-14(d), 41-36 thru 41-53, 41-48, 41-49)

C8-79-32 Rob Roy Phase Two--continued

2. Identify sidewalk locations on both sides of Pascal Lane, one side of all residential streets, and the subdivision side of St. Stephens School Road unless variance is granted to delete sidewalks. (Sec. 41-42)
3. Austin/Travis County Health Department approval required for septic tank system use prior to preliminary plan approval. (Sec. 41-53)

C. Variances

1. Variance is required to delete fiscal requirements for City wastewater services.
Recommend: to grant, provided that septic tank use is approved as no City wastewater service is available. (See attached letters) (Sec. 41-14, 41-48)
2. Variances are required on the length of Cicero Lane (both ends), Beecher Lane, Humbolt Lane, and Coleridge Lane cul-de-sacs. (See attached letter) (Sec. 41-31)
Recommend: to grant for reasons of topography, low density and to provide for future extension of Pascal Lane.
3. Variances are required on the length of blocks E, F, G and I. (See attached letter) (Sec. 41-320)
Recommend: to grant, for reasons of topography and low density.
4. Variance is required on the scale of the preliminary plan. (See attached letter) (Sec. 41-11)
Recommend: to grant, due to large plat size at the required scale of 1 inch to 100 feet.
5. Variances are requested to delete sidewalks, fiscal arrangements, and location note. (See attached letter) (Sec. 41-5).
Recommend: to disapprove, sidewalks are considered necessary by both Urban Transportation and Public Works. (See attached letter) (Sec. 41-42 and Pedestrian Plan)
6. Variance is requested to transfer fiscal arrangements from the City to the County for street and drainage improvements. (See attached letter - Gary L. Bradley, dtd. April 19, 1979) (Sec. 41-14)
Recommend: to disapprove until distribution and review can be completed by Engineering, Urban Transportation, Public Works and Legal Departments. Request for variance was submitted on April 19th; review should be complete for the May 8th hearing. (NOTE: postponement of this request need not delay conditional approval of the preliminary plan provided that all ordinance requirements herein are satisfied by the applicant.)

C8-79-32 Rob Roy Phase Two--continued

D. Recommendations (Cannot be required unless agreed to by the owner):

1. Recommend modification as shown on Plat Review Print to modify cul-de-sac bubble on Pascal Lane.
2. Recommend a note on final plat prohibiting driveway access onto St. Stephens School Road and Pascal Lane for lots 4, 22, 26, 40, 49 and 53 Block E; lots 8, 11, 20 and 28 Block G; lots 3, 11, 12, and 17 Block F; and lots 1, 9, 14 and 22 Block I.
3. Recommend that common driveways and appropriate access easements be provided for lots 1-9, 38 and 39 Block E.
4. Recommend 64' R.O.W. for all collector streets.
5. Recommend that the owner postpone this preliminary plan until low density street standards are adopted to that this development may utilize such standards. Modifications required to comply with current proposed low density standards.
6. Recommend restriction on final plat to prohibit sewage holding tanks.
7. Recommend that restrictive covenants be placed on Lots 51 through 68 to address future development compatible with the intent and purpose of the Lake Austin Watershed Ordinance.

E. Notification of Ordinance Requirements - Final Plat

1. Fiscal arrangements and appropriate sidewalk location note is required with final plat outside city limits. (Sec. 41-42)
2. The 25-year flood plain is required to be dedicated as a drainage easement. (Sec. 41-44.1(e))
3. Submit two copies of the corrected, approved preliminary plan with final plat. (Sec. 41-11)
4. Drainage and public utility easements as required. (Sec. 41-13; 41-29)
5. Minimum building slab elevation note is required on the final plat for lots adjacent to waterway(s). (Required by Travis County)
6. Waterway development permit is required prior to final plat approval. (Sec. 41-47.2; 41-47.10)

C8-79-32 Rob Roy Phase Two--continued

7. Connection required to Water District #10 water system. Letter required from such district stating financial arrangements have been made by the owner to serve this subdivision with water and that service will be provided. (Sec. 41-52)
8. Show a restriction on the final plat prohibiting occupancy of any lot until connection is made to Water District #10 water system and to a septic tank system approved by the Austin/Travis County Health Department. (Sec. 41-13)
9. All cuts and fills are required to comply with the Lake Austin Ordinance. (Sec. 41-35.3)
10. Driveways are required not to exceed 14% grade for first 25 feet or as approved by the Engineering Department. (Sec. 41-35.3)
11. Restrictive covenant required for final plat(s) to include the following:
 - A.* All building foundations on slopes of 15% and over and on fill placed upon such slopes shall utilize design and construction practices certified by a registered professional engineer qualified to practice in this field and such designs shall be placed on file with the City of Austin Engineering Department.
 - B.* For a minimum travel distance of 25 feet from the roadway edge, driveway grades may exceed 14% only with specific approval of surface and geometric design proposals by the Director of the Engineering Department or his designee.
 - C.* No fill on any lot shall exceed a maximum of three feet of depth. Except for structural excavation, no cut on any lot shall be greater than six feet.
12. Final plat(s) required to comply independently with the Lake Austin Ordinance and all materials for review required to be submitted. (Sec. 41-11.1(d)(i), 41-13, 41-35.3)
13. Sustained collector street grades required not to exceed 15%. Sustained residential street grades required not to exceed 20% (Sec. 41-37) (Sustained grades are those which occur for a distance of greater than 300 feet.)
14. Boat docks and any shoreline modifications required to be approved by the City Council and State Navigation Board. (Council Ordinance)
15. Proposed access (street intersection) onto Loop 360 required to be approved by the State Highway Department. Need letter. (State requirement.)

C8-79-32 Rob Roy Phase Two--continued

16. Existing St. Stephens School Road required to be vacated and quit claimed to this owner where it does not coincide with proposed alignment. (Sec. 41-13(h))
17. Pascal Lane out to Loop 360 required to be dedicated and constructed with the first phase of this subdivision for circulation and access. (Sec. 41-24)

* Subdivision ordinance requires compliance with these requirements. Legal Department advised that a restrictive covenant is the only means of enforcement.

F. Information

1. This subdivision is within the ETJ of Austin, in the Eanes Independent School District and is located in the Lake Austin watershed.

Gary Bradley discussed the sidewalk requirements and pointed out that sidewalks would serve no purpose in this subdivision. He discussed the street and drainage requirements, as well as development requirements in the two-mile ETJ. He requested the same provisions for Phase Two as were granted for Phase One. There was discussion of the low density standards and when they would be implemented, also discussion of transferring fiscal requirements to the County. Sheila Finneran of the Legal Department stated she needed more time to determine whether or not the Planning Commission had the authority to transfer fiscal requirements to the County.

COMMISSION VOTE

Mrs. Shipman stated that sidewalks would make this subdivision impractical and moved to approve the preliminary subdivision, granting all six variances as requested by the applicant, accepting the recommendation for Items 1, 3, 6 and 7 part of 2 with the exception of Lots 26 and 40. Mrs. Schechter seconded the motion.

Mr. Jagger offered a substitute motion that all variances be granted with the exception of the one relating specifically to the road, that Legal Department submit an opinion at the May 8 meeting, that the Commission does not require any more review or information to be submitted. The substitute motion died for the lack of a second.

The Commission then voted on the original motion.

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

THE MOTION PASSED BY A VOTE OF 7-2.

Mr. Snyder moved to establish a new subcommittee to act on low density standards and send it on to the Council. Mr. Stoll seconded the motion.

THE MOTION PASSED BY A VOTE OF 8-0.

Mr. Guerrero appointed a subcommittee to consist of Bernard Snyder as chairman, and Mr. Jagger and Mrs Shipman.

C8s-79-015 Huebetter Subdivision
 Old Bee Caves Road

Walt Darbyshire explained that the church had made the necessary fiscal arrangements and the request was withdrawn.

NO ACTION TAKEN.

R105-79 Subdivision Memorandum
 Short Form and Final Subdivisions as listed
 on the Subdivision Memorandum. Action taken
 at the meeting.

The Planning Commission considered items listed on the Subdivision Memorandum and took the action as indicated (including variances as recommended), granting the variances on C8-79-22 but disapproving the plat.

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

OUT OF THE ROOM: Snyder.

THE MOTION PASSED BY A VOTE OF 8-0.

The meeting adjourned at 11:20 p.m.



Richard R. Lillie, Executive Secretary

[illegible]

TYPE: OLD SHORT FORMS			PLANNING COMMISSION MEMORANDUM						DATE: April 24, 1979 PAGE: 3		
CBs	SUBDIVISION	FILED	CITY	ETJ	ZON- ING	PROPOSED LAND USE	LOTS/ACREAGE	STATUS	RECOMMENDATIONS	ACTION	
	LOCATION	REVIEW BY					PROPOSED LOTS				
79 22	Irene's Resub. of Lot-A ^{Davis} Add.	--	X	--	"O"	Office	1 lot	Consider Item #28(a)	DISAPPROVE	Granted Variances	
	Balcones Dr., N. of Northland Dr.	--					2 lots	Consider Item #20(a)			
79 42	Gaines Sub. Section 1-A	---	--	X	--	Lumber Yard Commercial	3.50 Acres	Consider Item #24(a)	APPROVAL		
	U.S. 290, E. of Travis Country Blvd.	--					1 lot				
79 40	Rivera Subdivision	---	X	--	"C"	Commercial	.73 Acre	APPROVE		Mr. Guerrero abstained	
	Montopolis Dr., S. of Carson Ridge	--					1 lot				
78 342	John C. Hancock Subdivision	---	--	X	--	Garage	17.07 Acres	Consider Item #19(a)	DISAPPROVE		
	FM 112, E. of Shriver Road	---					1 lot	Consider Item #29(a)			
79 57	West Sixth Place	---	X	---	"O"	Office	.44 acre	Consider Item #19(a)	APPROVAL		
	W. 6th St. @ Powell Street	---					1 lot				
76 181	Bradford Addition	---	X	---	"C" & "GR"	Commercial	8.11 acre	Consider Item #28(a)	APPROVE		
	U.S. Hwy. 183	---					5 lots				
79 20	Jin McQuiston Addition	---	X	---	"C"	Commercial	2.46 Acre	Consider Item #19 (a)	APPROVE		
	Bull Ave., E. of Stillwood Lane	---					2 lots	Consider Item #28(a)			
79 15	Huntetter Subdivision	---	---	X	---	Church	8.678 Acres	Consider Item #24	APPROVE		
	Old Bee Caves Road	---					1 lot				
78 165	Parliament Place Sec. 1	---	RECORDED					Request Vacation of Subdivision			
	Spicewood Sp. Rd. @ Parliament Pl.	---						Recommend to Grant			
79 39	Parliament Place Townhomes	---	X	---	"GR"	Townhome	1.593 Acres	Consider Item #23(a)	APPROVE		
	Spicewood Sp. Rd. @ Parliament Pl.	---					21 lots				
79 53	Anderson Acres	---						Request to Withdraw Plat	Recommend to Grant		
	Anderson Sq., N. of Anderson La.	---									

