

CITY PLANNING COMMISSION
Austin, Texas
Regular Meeting -- September 25, 1979

The regular meeting of the City Planning Commission was called to order at 5:55 p.m. in the First Floor Conference Room of the Municipal Annex, 301 West Second Street.

Present

Miguel Guerrero, Chairman
Leo Danze
Freddie Dixon
Sid Jagger
Mary Ethel Schechter
Sally Shipman
Bill Stoll

Absent

Bernard Snyder
Jim Vier

Also Present

Evelyn Butler, Supervising Planner
Luther Polnau, Supervising Planner
Walt Darbyshire, Planner III
Rick Vaughn, Planner
David Hutton, Planner
John Cykoski, Planner
Sheila Finneran, Legal Department
Joe Lucas, Water and Wastewater Department
Jim Conner, Engineering Department
Ouida Glass, Senior Secretary

R200 Consider recommendation to City Council
concerning the Downtown Revitalization Program

Mr. Guerrero discussed the emergency item regarding the Downtown Revitalization Program and the need to take action at this meeting. After much discussion, Reverend Dixon moved to accept the cover letter with the necessary additions, deletions, and corrections on file in the Planning Department. Mrs. Schechter seconded the motion. Mr. Jagger offered a friendly amendment to express appreciation for the many boards and commissions and of the AIA Task Force, that it would be inappropriate to use their material and not acknowledge authorship.

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

THE MOTION PASSED BY A VOTE OF 6-0.

C3-79-003 Waterway Development Permit
Appeal of Waterway Development Permit
No. 79-80-3476 for Dorsett Oaks
Subdivision by Mr. Gene Fritcher

Evelyn Butler explained that Mr. Gene Fritcher had filed an appeal regarding the Waterway Development Permit for the Dorsett Oaks Subdivision. She pointed out the Parks and Recreation Department had indicated they were not interested in the area for a park.

PERSONS APPEARING

Gene Fritcher
Mac Allen, representing Nash Phillips-Copus Company
Gordon Davis, Representing Nash Phillips-Copus Company

COMMISSION ACTION

Gene Fritcher discussed the property in question and distributed pictures, stated he felt this area should be recognized and maintained for all citizens of Austin to enjoy. He discussed having worked with the developer and with Bill Milburn, as well as the Parks and Recreation Department in an attempt to have this set aside as some type park land for all people to enjoy rather than two lots for two people. Mac Allen, representing Nash Phillips-Copus Company, discussed the area and stated that if the Parks and Recreation Department wanted the land, they would dedicate it in the 100-year flood plain, but stated that the Parks and Recreation Department would not accept it. There was discussion of the land being maintained by a homeowners association and why that was not possible now. Mr. Jagger discussed an environmental easement on the 100-year flood plain, and Gordon Davis of NPC stated he would have no objection to that.

C3-79-003 Waterway Development Permit--continued

COMMISSION VOTE

Mr. Jagger moved to deny the appeal of the waterway development permit and to accept the offer of the owner of Dorsett Oaks Subdivision to place an environmental easement on the existing drainage easement on Lots 1 and 2. Mr. Dixon seconded the motion.

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

THE MOTION PASSED BY A VOTE OF 7-0.

C12-79-016 Public Services

Water and wastewater approach main
to serve Lot 35 (south of Lakeshore
Drive) of the Lakeshore Addition.

John Cykoski of the Planning staff explained the requested approach main is for seven living units, with City participation. This is an emergency since the Health Department has a law suit pending at this time.

PERSONS APPEARING

Jim Brady

COMMISSION ACTION

There was discussion of the pending law suit by the Health Department and the area to be served by the line. There was discussion of how many acres this would open up and whether or not the line would have the capacity to serve what is being opened. John Cykoski discussed capacity of a maximum of approximately 120 acres could be served.

COMMISSION VOTE

Mr. Stoll moved and Mr. Danze seconded the motion to approve the water and wastewater approach main to serve Lot 35 (south of Westlake Drive) of the Lakeshore Addition in accordance with staff recommendations.

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

THE MOTION PASSED BY A VOTE OF 5-0-1.

C2 -79-008 Roadway Plan
 Consider the proposed Roadway Plan

Evelyn Butler discussed the concerns of the Planning Department regarding the Roadway Plan and suggested the Commission might want to study the input presented and take action later. Mike Weaver of the Urban Transportation Department discussed the preparation of the Roadway Plan, the series of public hearings, worksessions, neighborhood group meetings, and citizen input involved to get to this point. He discussed the participation of public agencies and municipalities in the ETJ and stated this would take the place of the current 1969 plan and would become a part of the Comprehensive Plan that is to be approved and adopted. Public hearings will be required at the Council level.

PERSONS APPEARING IN FAVOR

Jacqueline Bloch, 3709 Gilbert
 Walter H. Milliron, 8701 Mountain Ridge Drive
 Robert Brandt, 8702 Mountain Ridge Drive
 Caroline Brandt, 8702 Mountain Ridge Drive
 Herbert A. Miller, Jr., 8707 Mountain Ridge Drive
 Paul Kuehler, 8708 Mountain Ridge
 Helen and Roger Gary, 8867 Mountain Ridge Circle
 Mr. and Mrs. Walter Williron, 8701 Mountain Ridge Drive
 Joyce Phillips, 8802 Wildridge
 M.B. Garlow, 8719 Mountain Ridge Drive
 Mrs. Paul Kuehler, 8708 Mountain Ridge Drive
 Clemmie and Gordon Hext, 8838 Mountain Path Circle
 Dave Fellers, 8804 Mountain Ridge Drive
 Bill Martin, Balcones Civic Assn.
 Ira Yates

PERSONS APPEARING IN OPPOSITION

William T. Gunn, III, 3700 Moon River
 Mary Lee Crusemann, 2704 Moonlight Bend
 Sydney Hall, 2400 Vista Lane
 William J. Hudspeth, Jr., 4105 Edgemont Drive
 Will Garwood, 3408 Timberwood Circle
 Celeste B. Cromack, 4016 Duval

COMMISSION ACTION

Robert Brandt submitted a petition and expressed favor with the extension of Steck Avenue to Loop 360. Carolyn Brandt, Herbert Miller, Paul Kuehler, Dave Fellers also requested Steck Avenue be extended to Loop 360. Bill Martin, president of the Balcones Civic Association, expressed favor with the plan and requested a scale-down of the hike and bike and trail system. Ira Yates requested a crossing on Slaughter Creek at Riddle Road. Jacqueline Bloch, representing the West Austin Neighborhood Group, stated this is a very good plan but took exception to additional right-of-way and the pavement widening on Exposition, Enfield and Windsor. She discussed the reduction in traffic

C2 -79-008 Roadway Plan--continued

due to MoPac and felt this was not now necessary. She also discussed off-street parking adjacent to the golf course in conjunction with public transportation and encouraged the use thereof. She pointed out that West Austin is a stable, already developed area. Sidney Hill was concerned for the area of Exposition and Windsor Road west of Loop 1 and for additional right-of-way being required. Also of a similar opinion were William Hudspeth, Trust Officer of the Austin National Bank, and Will Garwood, attorney representing the Tarrytown Shopping Center. Celeste Cromack, representing the Hyde Park Neighborhood Association, discussed their concerns for the widening of 38th and 38½ Streets between IH-35 and Guadalupe, urged this area be removed from the plan until the study has been completed. She urged these streets be maintained at or near the present widths and also expressed concern for the closing of San Jacinto and re-routing of Red River. Bill Gunn stated Westlake Drive should be deleted from crossing Barton Creek. There also was discussion of the greenbelt and park area in Barton Creek.

Mr. Jagger asked if the plan complied with existing standards and suggested if there are changes in the standards, that the right-of-way or road widths be identified and considered as separate issues, and that consideration be given to the possibility of providing for cars already parked for shuttle bus service at stops.

COMMISSION VOTE

Reverend Dixon moved the Planning Commission had received the comments in good faith and they should be sent on. Mrs. Shipman requested staff to respond to all citizen concerns and that a subcommittee be appointed to review the plan with the staff so recommendations could be made to the Commission before it goes to the City Council. Mr. Guerrero seconded the motion and suggested to include streets already being planned. Mr. Stoll commended the Urban Transportation Department and Commission for an excellent planning document.

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

THE MOTION PASSED BY A VOTE OF 7-0.

A subcommittee of Freddie Dixon as Chairman and Sally Shipman and Mary Ethel Schechter was appointed.

C14-78-064 Pecan Springs-University Hills
Area Study

Evelyn Butler introduced Jack Holford, who discussed the area. The staff report is on file in the offices of the Planning Department.

In May of 1978 the Planning Department recommended the permanent zoning of a 760 acre area generally defined by Manor Road, Springdale Road, and MLK Boulevard. Although "LR", "GR", and "O" 1st Height and Area were recommended for several parcels, the large majority of the area was to change from interim "A" to permanent "AA". On June 6, 1978 the Planning Commission voted (4-1) to exclude already permanently zoned land from the area and to change all interim zoned land to permanent "AA" zoning. At this point, therefore, apparently about 175 acres of land were excluded from the original zoning proposal. The interim "A" land which is still proposed for permanent "AA" zoning appears to include the following properties:

<u>Owner of Order Indentification</u>	<u>Acreage</u>
Richard Seiders and Family (includes Trust)	185.0
R. B. Lewis	120.0
Austin Independent School District (3 Tracts)	60.0
Nash Phillips-Copus	31.4
John E. Miller and Others (2 Tracts)	17.5
Turner Family	10.2
Bobby Dockal and Others	6.0
Albert J. Carlson	5.2
Bluffs of University Hills (Subdivision)	55.0
Springdale Hills (Subdivision)	95.0
Total	<u>585.3</u>

Although the minutes are ambiguous, apparently the City Council, on July 27, 1978 agreed (7-0) to grant a 6-month delay to allow the property owners and neighborhood residents to prepare a master plan for the Area in question. The consulting firm of Holford and Carson, employed by landowner Dick Seiders, prepared a Study and Plan of the entire 715 acres area bounded by Manor Road, MLK Boulevard and Springdale Road. The consultants first presented the document to the City in March of 1979. Since that time further discussion between the neighborhood residents and the consultants has resulted in certain revisions to the Study and Plan.

At this time the consultants, representing the major landowners, urge that the interim "A" zoning remain, and that the City Council formally adopt the development plan for use in evaluating future development proposals. The neighborhood residents apparently still desire to effect the proposed zoning change.

Two issues must now be resolved: (1) the City's position with respect to the proposed Development Plan, and (2) the proper zoning for the tracts in question.

C14-78-064 Pecan Springs-University Hills--continued1. The Development Plan

The consultant's study includes a very good presentation of relevant information concerning facilities, land use, and physical, social and economic characteristics of the study area. It admirably performs its educational function. In addition, the study makes a convincing case against the expectation of further residential development in the study area.

The study and development plan is not a neighborhood plan in the sense that it conforms to anything proposed for the City's neighborhood planning effort. It is in essence a zoning study, with site planning for an area of 715 mostly undeveloped acres in unconsolidated ownership. In 1976, only 1,974 persons lived within the study area. The plan was not initiated and developed by neighborhood residents, but was instead accomplished by a consulting firm for paying clients - the major landowners in the area. Most of the "neighborhood residents" involved with the case apparently live outside the boundaries of the study area. In addition, the study area is split by the boundary between two neighborhood associations. The consultants recommend that the City Council adopt the Development Plan with guidelines, and review future development proposals in accordance with it. It should be noted that the two neighborhood groups that have been involved in this case have not adopted the plan, or otherwise indicated support of their memberships.

Recommendation

The plan should be considered by the Planning Commission and City Council as a resource document, a useful presentation of information and analysis, which may later be referred to when analyzing future development proposals or zoning changes in the area. The plan should be afforded a standing of a consultant's report for their clients.

2. Zoning

The Planning Commission recommended converting all of the interim zoned land to permanent "AA". The primary consequence of this action would be to allow the right of petition to adjacent owners within 200 feet to property for which future zoning changes are requested. If a valid petition is presented, six council votes rather than four are needed in order to change the zoning on such tracts. The residents of nearby neighborhoods support this proposal.

The consultants, representing the major landowners, recommend against assigning a permanent zoning district to the interim "A" properties. They convincingly argue that residential development is probably not the best use for much of the study area. They also point out that the right of petition extends only 200 feet and therefore might encumber no more than 5% of the undeveloped land, thereby limiting its effectiveness, and that a change to permanent zoning would "polarize the landowners of the vacant acreage and homeowners in adjacent neighborhoods."

C14-78-064 Pecan Springs-University Hills--continuedRecommendation

Although the consultant's study and plan is a very informative document, with good ideas and sound analysis, it fails to accomplish the task which the minutes indicate the Council assigned in July 1978: to determine the appropriate permanent zoning acceptable to the respective landowners and the two neighborhood associations. Instead, the study and plan recommend against any permanent zoning.

The staff advises that the right of petition associated with permanent zoning would give near by residents some feeling of control over at least a 200 foot buffer strip. It is not obvious that "polarization" would be avoided any more easily with the retention of interim zoning.

It is the policy of the City Council to encourage conversion from interim to permanent zoning wherever possible. The City Council reaffirmed this policy, with respect to the subject tracts, during the July 27, 1978 hearing. More than one-year has elapsed and still no consensus exists between landowners and neighborhood groups concerning appropriate permanent zoning.

The staff recommends changing the zoning on the subject tracts from interim "A" 1st height and area to permanent "A" 1st height and area. Note that this deviates from the original proposal of "AA" designation. Conversion to permanent zoning is consistent with current City policy, as stated above, and protects the interests of adjacent residential areas. No permanent "AA" zoning can be found in the vicinity of the subject tracts, nor are any other areas of either the University Hills or Pecan Springs neighborhood associations so zoned. The single-family residential properties within these two neighborhoods tend to be zoned either "A" or "IA". Only a few newly-annexed tracts to the northeast are zoned "IAA". In addition, the conversion of zoning from "IA" to "A" cannot be construed as "downzoning". It is instead merely the removal of interim status. Permanent zoning does not prohibit applications for more permissive zoning in accordance with the zoning patterns suggested in the study. In those areas closest to the existing residential areas it would provide opportunity for petition.

PERSONS APPEARING

Jack Holford
Mike Garrett, Pecan Springs Integrated Neighborhood Association
Merwyn Johnson, Pecan Springs Integrated Neighborhood Association
Jo Ann Bartz, University Hills Neighborhood Association

COMMISSION ACTION

Jack Holford discussed the study they had completed and recommended the property be left zoned interim and that zoning requests be on an individual basis as use occurs and that the plan, with modifications, be adopted as guidelines. Mike Garrett, representing the Pecan Springs Integrated Neighborhood Association, expressed essential agreement with the plan, but would prefer residential, realized the imposition, and stated the plan would limit the damage. He requested the neighborhood association be given review power over what will happen to the land and discussed some areas they had problems with.

C14-78-064 Pecan Springs-University Hills--continued

Merwyn Johnson, representing the Pecan Springs Integrated Neighborhood Association, stated the initial request was that everything be zoned "AA" Residential and pointed out the need for protection against undesirable development. He explained that high density would encourage unstable conditions that would be unfortunate. Approximately 50 percent of the area is owner occupied and 50 percent rental. He encouraged development in a residential direction and stated a community center would encourage this type development.

Joan Bartz read a prepared statement and discussed school sites. She pointed out there is not now a junior high site east of Bluestein and there is no intention of putting one there. She stated there is a need to keep the school tract for a future junior high site. She agreed that permanent zoning is not down zoning and requested to proceed with the original request. The study did not accept the Council directive. It is a good reference document and should be used for that. She then read another prepared statement into the record and requested that the requested changes to the zoning ordinance be transmitted to the Legal Department for initiation of the needed action. If land is not used for the specified purpose, that the zoning be changed back to the original zoning; a specific time limit be placed in which to use zoning; that the Planning Commission initiate action to amend the zoning ordinance to mandate that all future annexed lands be given permanent zoning immediately upon annexation. Mr. Danze urged the Commission to adopt the plan, to try to get requirements implemented on Ed Bluestein similar to those on 183, especially regarding controls on access, curb cuts, right-of-way, signage, etc.

COMMISSION VOTE

Reverend Dixon moved to accept the document as a study and guide, that the questions that were raised as a result of the discussion at this meeting be answered and the information given to the neighborhood association. Mrs. Shipman offered a friendly amendment to recommend the land be designated as a sensitive area and that any new zoning be predicated with the special permit process at the time a zoning application is submitted. Reverend Dixon accepted the amendment, and Mrs. Shipman seconded the motion. Evelyn Butler discussed the legal provisions to require a special permit and the need to amend the zoning ordinance if this is carried out. It was agreed to have a report from the Legal Department for the Planning Commission meeting on October 9.

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

THE MOTION PASSED BY A VOTE OF 5-0.

R200 Request by Whispering Oaks-Cherry Creek
Neighborhood Association to establish permanent zoning

Evelyn Butler discussed the request of Whispering Oaks-Cherry Creek Neighborhood Association to establish permanent zoning.

PERSONS APPEARING

Marilyn Simpson

COMMISSION ACTION

Marilyn Simpson, representing the Whispering Oaks-Cherry Creek Neighborhood Association, discussed the area involved in the request for permanent zoning and stated they are requesting permanent "AA" for land used for residences or to be developed for residential and all undeveloped land be designated permanent "A". Evelyn Butler discussed the work and time that would be involved and suggested it be done in sections.

COMMISSION VOTE

Reverend Dixon moved and Mrs. Shipman seconded the motion to initiate permanent zoning for the Whispering Oaks-Cherry Creek area.

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

THE MOTION PASSED BY A VOTE OF 5-0.

C20-79-011 Zoning Ordinance
To consider setting a public hearing to amend
Chapter 45 of the Austin City Code authorizing
limited (non-fixed wing aircraft) landing fields
pursuant to special permit.

Evelyn Butler suggested a date of October 23 for a public hearing to amend Chapter 45 of the Austin City Code permitting heliports.

COMMISSION VOTE

Reverend Dixon moved and Mr. Guerrero seconded the motion to set a public hearing on October 23 to amend Chapter 45 of the Austin City Code authorizing limited (non-fixed wing aircraft) landing fields pursuant to special permit.

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

THE MOTION PASSED BY A VOTE OF 7-0.

C20-79-012 Zoning Ordinance

To consider setting a public hearing to amend Chapter 45 of the Austin City Code to provide for common driveways in townhouse projects.

COMMISSION VOTE

Mr. Danze moved and Mr. Guerrero seconded the motion to set a public hearing on October 23 to amend Chapter 45 of the Austin City Code to provide for common driveways in townhouse projects.

AYE: Danze, Dixon, Guerrero, Schechter, and Shipman.

ABSENT: Jagger, Snyder, Stoll, and Vier.

THE MOTION PASSED BY A VOTE OF 5-0.

R200 Planning Commission
Annual Report

The Planning Commission approved the annual report with corrections as noted.

C1-79 Minutes

To approve Planning Commission Minutes

August 14, 1979

August 28, 1979

September 4, 1979

Spetember 11, 1979

Mrs. Schechter moved approval of the minutes of August 28, September 4, and September 11 with corrections as noted. Mr. Guerrero seconded the motion and included those of August 14, 1979.

AYE: Danze, Dixon, Guerrero, Schechter, and Shipman.

ABSENT: Jagger, Snyder, Stoll, and Vier.

THE MOTION PASSED BY A VOTE OF 5-0.

SUBDIVISIONSC8s-78-73Trian Subdivision

To determine the legality of the refund of letter of credit to Mr. Harmon Lisnow pertaining to fiscal arrangements for water service in the ETJ.

Evelyn Butler explained this had been heard earlier and the Planning Commission had requested the Legal Department to come back with a determination and a proposed ordinance. Applicant has requested release from a letter of credit for the approved subdivision. The Legal Department had determined this is not possible, and the Planning Commission has instructed the Legal Department to see what would have to be done to make it possible. The staff has concerns for the proposed ordinance. It could open the door to a number of requests.

COMMISSION ACTION

Mr. Jagger asked if it could be done. Sheila Finneran of the Legal Staff explained the Council must first pass an ordinance. She explained there was no evidence of confiscation, possible hardship, but not confiscation. Mr. Jagger stated it was necessary to have a termination point for any letter of credit and expressed concern for a policy regarding removal, requested an ordinance to do this. It should not be a staff decision. John Cykoski explained they are extended or called on depending on need for the service. Mr. Guerrero expressed concern for residential, single-lot subdivisions. Ms. Finneran stated it would be necessary for the Planning Commission to determine the length of the letter of credit prior to final plat approval. **Mr. Jagger stated a reasonableness of time should be included. Mr. Jagger requested an ordinance that would give the Planning Commission the opportunity to deal with something in retrospect when the real facts are known, as well as a right to waive without complete confiscation before the fact.** Ms. Finneran then verified that the Commission was requesting an ordinance be drafted whereby a one-lot residential subdivision, where there is no reasonable likelihood that the line will be required or needed within five years, the Planning Commission will have the option of setting the length of time the letter of credit prior to plat recording or the option afterwards of rescinding it. Mr. Jagger requested the Legal Department to come back with another ordinance and that the Planning Department would at that time consider setting a public hearing.

NO ACTION TAKEN.

C8-79-35 Southampton, Section 3-A
 Longview Road and Paisano Road

A. Synopsis: Approval

The staff recommends approval of this preliminary plan.

B. Variances:

On May 22, 1979 the Planning Commission approved the original preliminary plan and granted a variance deleting the cul-de-sac on Evanston Lane since provision for future extension was made. The plat was later approved and recorded. The revised preliminary does not involve Evanston Lane, and therefore, the staff recommends that the original configuration of Evanston Lane be retained.

C. Requirements:

The preliminary plan meets all city-adopted requirements. Additional requirements must be satisfied prior to final plat approval.

COMMISSION VOTE

On motion by Mr. Danze, seconded by Reverend Dixon, the Commission approved the preliminary plat of Southampton, Section 3-A.

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

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

C8-79-67 Bluff Springs Estates
 Bluff Springs Road

A. Synopsis: Approve

The staff recommends approval of this preliminary plan.

B. Variances: None

C. Requirements:

This preliminary plan meets all city-adopted requirements. Additional requirements must be satisfied prior to final plat approval.

COMMISSION VOTE

On motion by Mr. Danze, seconded by Reverend Dixon, the Commission approved the preliminary plat of Bluff Springs Estates.

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

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

C8-79-77 Yarrabee Bend South Section 1
Nuckols Crossing

A. Synopsis: Approval

The staff recommends approval of this preliminary plan.

B. Variances: None

C. Requirements:

This preliminary plan meets all city-adopted requirements. Additional requirements must be satisfied prior to final plat approval.

COMMISSION ACTION

On motion by Mr. Danze, Seconded by Reverend Dixon, the Commission approved the preliminary plat of Yarrabee Bend South Section 1.

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

ABSENT: Snyder and Vier.

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

C8-79-80 McKownville III
F.M. 1826 at Slaughter Creek

A. Synopsis: Disapproval

The staff recommends disapproval of this preliminary plan.

B. Variances:

1. A variance is requested on the length of Block "B". (Chapter 41-32)
Recommend: to deny, variance on the block length and that modification be required to allow for adequate external circulation. The topography of this property does not prohibit providing the required streets to provide proper circulation. Such streets are required to reduce block length and provide adequate circulation for the future extension of public services, fire and police protection, emergency vehicles, utility service when the adjacent property is developed.
2. A variance is requested on the requirement for 60 feet of right-of-way for Colonel Barbay Drive. (Chapter 41-24)
Recommend: to deny, this street is classified as a collector street, and is required for adequate circulation.

C. Requirements:

The preliminary plan does not meet all city-adopted requirements.

C8-79-80 McKownville III--continued

Rick Vaughn of the Planning staff stated the staff would recommend to deny. Provisions for traffic circulation to adjoining tracts are needed. The Urban Transportation Department has requested postponement until they have had time to research and give full information.

O.B. McKown, Jr., read a prepared statement and discussed the cost of McKownville II and that of the proposed subdivision as proposed by the Planning Department. There was discussion of the street system, the need for access for the property to the south, the pipe lines under the tract.

COMMISSION VOTE

Mr. Stoll moved and Reverend Dixon seconded the motion to accept staff recommendations, to disapprove the plat and to deny the two variances. Mr. Jagger offered a substitute motion, seconded by Mr. Danze, to postpone, to address the legal questions, to obtain a report from the Urban Transportation Department, to require the dedication of the three roads but not require they be built, to require the dedication of 66 feet of right-of-way on the major thoroughfare, to grant the variance on the radius requiring 200 feet instead of 300 feet, and that prior to final approval applicant show the right-of-way for the pipeline and that specific restrictions be placed on those lots that are intersected by the pipeline showing where a home can be built. Ms. Finneran pointed out the ordinance does not allow authority to delete fiscal. The substitute motion failed.

The Commission then voted on the original motion to disapprove the plat and to deny the two variances.

AYE: Dixon, Stoll, and Guerrero.

NAY: Danze, and Jagger.

OUT OF THE ROOM: Shipman.

ABSTAINED: Schechter.

ABSENT: Snyder, and Vier.

THE MOTION PASSED BY A VOTE OF 3-2-1.

C8-79-85 Balcones Oaks Section 3
Woodcrest Drive

PULLED FROM THE AGENDA

NO ACTION TAKEN.

C8-79-84 Vintage Hills Section 7
Ed Bluestein & Langston Drive

A. Synopsis: Approve

The staff recommends approval of this preliminary plan.

B. Variances: None

C. Requirements:

The preliminary plan meets all city-adopted requirements. Additional requirements must be satisfied for final plat approval.

COMMISSION ACTION

Area residents, not adjoining owners, spoke in opposition to the subdivision, pointing out they had not received notification, did not know what would go in, and requested the area remain as it is. Joan Bartz, representing the University Hills Homeowners Association, requested homeowner organizations be notified of subdivisions. She stated that if there is to be development in that area, that single-family type homes would be preferred over complexes. John Meinrath, attorney for applicant, agreed to meet with the homeowners association, but requested approval of the preliminary plat.

COMMISSION VOTE

Reverend Dixon moved approval of the preliminary plat for Vintage Hills Section 7 on the condition that Bill Milburn Company meet with the neighborhood prior in final approval. Mr. Stoll seconded the motion. Reverend Dixon then withdrew his motion. Mr. Jagger moved and Mrs. Schechter seconded the motion to postpone for 30 days and applicant to meet with the neighborhood in the meantime.

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

THE MOTION PASSED BY A VOTE OF 5-0-1.

Planning Commission--Austin, Texas

September 25, 1979

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R105-79Subdivision Memorandum

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

The Planning Commission considered items on the subdivision memorandum and took action as indicated thereon.

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

OUT OF THE ROOM: Shipman.

ABSENT: Snyder and Vier.

The meeting adjourned at 11:10 p.m.



Richard R. Lillie, Executive Secretary

TYPE: FINAL SUBDIVISIONS		PLANNING COMMISSION MEMORANDUM						DATE: September 25, 1979 PAGE: 2	
C8s	SUBDIVISION	CITY	ZON- ING	ETJ	PROPOSED LAND USE	ACREAGE	VARIANCES STATUS	RECOMMENDATIONS	ACTION
	LOCATION					LOTS			
	SHORT FORM SUBDIVISIONS								
1	79 Airport King Subdivision					3.146			
23	Airport Blvd. & M L. K. Blvd.	X	GR			2	COMPLETE	APPROVAL	
2	79 Capital Memorial Gardens Sec. P								
143	IH 35 & Old U. S. 81						WITHDRAW	APPROVAL	
3	79 Capital Memorial Gardens Sec. J-A								
157	IH 35 & Old U. S. 81						WITHDRAW	APPROVAL	
4	79 The Williford Subdivision					1	Adj. Owner - Grant		
158	FM 812, East of Williford Lane			X	Residential	1	COMPLETE	APPROVAL	
5	79 D. W. Patrick Addition					50.0	Scale, Adj. Owner, Fiscal WW		
139	Gregg Ln., East of Dessau Road			X	Residential	1	N/A - Grant		
6	79 Resub. of Pt. of Lots 4, 5, 6, 7, & 8					4	COMPLETE	APPROVAL	
161	Block 3, Freewater Addition						Change name of "Resub. of Part of Lots		
	South 1st Street & Banister Lane	X	C			3	3, 4, 5, 6, 7, & 8 Block 3 Freewater		
							Addition - Grant	COMPLETE	APPROVAL
7(a)	79 Barrington Oaks Section Six								
102	Spicewood Springs Rd. & Oxford Drive						Partial Vacation	LAGMP	
							APPROVAL		
7(b)	79s Barrington Oaks Section 6-A					0.42			
157	Greenwich Meridian & Heat			X	Residential	2	COMPLETE	APPROVAL	
8	79 Cherry Creek Commercial III-G					2.245			
148	Westgate Blvd. & Deaton Hill	X	BB			11	COMPLETE	APPROVAL	
9	79 Cherry Creek Commercial III-H					2.294			
149	William Cannon & Deaton Hill	X	GR			1	COMPLETE	APPROVAL	

TYPE: FINAL SUBDIVISIONS		PLANNING COMMISSION MEMORANDUM						DATE: September 25, 1979 PAGE: 3	
	SUBDIVISION	CITY	ZON- ING	ETJ	PROPOSED LAND USE	ACREAGE	VARIANCES	RECOMMENDATIONS	ACTION
CBs	LOCATION					LOTS	STATUS		
1.	79 Cherry Creek Commercial III-A					2.38			
	107 William Cannon & Deaton Hill	X	O			1	COMPLETE	APPROVAL	
2.	78 No. 28 Tortuga Trail					1.433	Adj. Owner - Grant Fiscal - W & WW N/A - Grant		
	117 Tortuga Trail	X	IA	X	Residential	1	Delete ROW Req. - Grant LAGMP - COMPLETE	APPROVAL	
3.	78 Westcreek Section 7						Remainder of Tract - Grant		
	182 Morning Dew & Hill Forest						INCOMPLETE	DISAPPROVAL	
4.	79 T.A.S.S.P. & T.A.S.C.					0.708	Adj. Owner - Grant		
	163 IH 35, South of Woodland Avenue	X	O			1	INCOMPLETE	DISAPPROVAL	
5(a)	67 Resub. of Cameron Park Sec. 1								
	180 Cameron Rd. & Atkison Road						Partial Vacation	GRANT	
5(b)	79 The Christi Subdivision								
	155 Cameron Rd. & Atkison Road						INCOMPLETE	DISAPPROVAL	
6(a)	73 Pihlgren Subdivision								
	126 N. Lamar Blvd., N. of Rutland Drive						VACATION	APPROVAL	
5(b)	79 Mallick Subdivision						Adj. Owner - Grant		
	163 N. Lamar Blvd., N. of Rutland Drive						COMPLETE	APPROVAL	
7(a)	78 1st Resub. Lot 1 Block C, LaCosta Ph. 3								
	235 US 290 & Calidad						VACATION	APPROVAL	
7(b)	68 LaCosta Phase Three								
	78 Cameron Road & US 290						Partial Vacation	APPROVAL	
7(c)	79 LaCosta Phase 3-B		C			43.438			
	136 Cameron Road & US 290 East	X	2nd			4	INCOMPLETE	DISAPPROVAL	

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