

## SUBDIVISION REVIEW SHEET

C12  
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**CASE NO.:** C8-2013-0221.0A

**Z.A.P. DATE:** April 15, 2014

**SUBDIVISION NAME:** Ross Complex Subdivision

**AREA:** 16.54 acres

**LOTS:** 4

**APPLICANT:** Equinox Properties, LLC  
(Daniel Wang)

**AGENT:** Cuatro Consultants, Ltd.  
(James Massaro, P.E.)

**ADDRESS OF SUBDIVISION:** 5501 ½ Ross Road

**GRIDS:** Q14

**COUNTY:** Travis

**WATERSHED:** Dry Creek East

**JURISDICTION:** Full Purpose

**EXISTING ZONING:** GR-MU-CO / LR-MU-CO

**PROPOSED LAND USE:** Retail

**SIDEWALKS:** Sidewalks will be provided on the subdivision side of all boundary streets.

**ADMINISTRATIVE WAIVERS:** None

**DEPARTMENT COMMENTS:** The request is for the approval of the Ross Complex subdivision composed of four lots on 16.54 acres with a variance request for Street Alignment and Connectivity. The applicant proposes to subdivide the unplatted property for retail uses.

**VARIANCE:** A variance to Land Development Code Section 25-4-151 Street Alignment and Connectivity is requested to not extend Spiers Way. The Land Development Code Section 25-4-151 requires that new streets in a subdivision align with and connect to existing street. The applicant proposes to not extend Spiers Way east to connect to Ross Road. The applicant has been in contact with the adjacent neighborhood association, the Berdoll Farms Homeowners Association, and the neighborhood group supports the variance. The neighborhood association is concerned with the additional traffic the road connection would generate and are satisfied with the existing road connections. Refer to the attached support material provided by the Berdoll Farms Homeowners Association.

Staff does not recommend the variance, the subdivision does not have topographic constraints preventing the construction of Spiers Way. Extending Spiers Way would provide additional access to and from the neighbor and disperse traffic. The request for the variance does not support Imagine Austin's "Promote compact and connected city", and undergoing changes to subdivision regulations promoting connectivity. Refer to the accompanied variance memorandum.



**STAFF RECOMMENDATION:** Staff does not recommend approval of the Ross Complex plat since approval of the variance is not recommended. If the Zoning & Platting Commission grants the variance to Land Development Code Section 25-4-151 the subdivision can be approved by the commission. With the approval of the variance the plat would meet all other applicable State and City of Austin Land Development Code requirements.

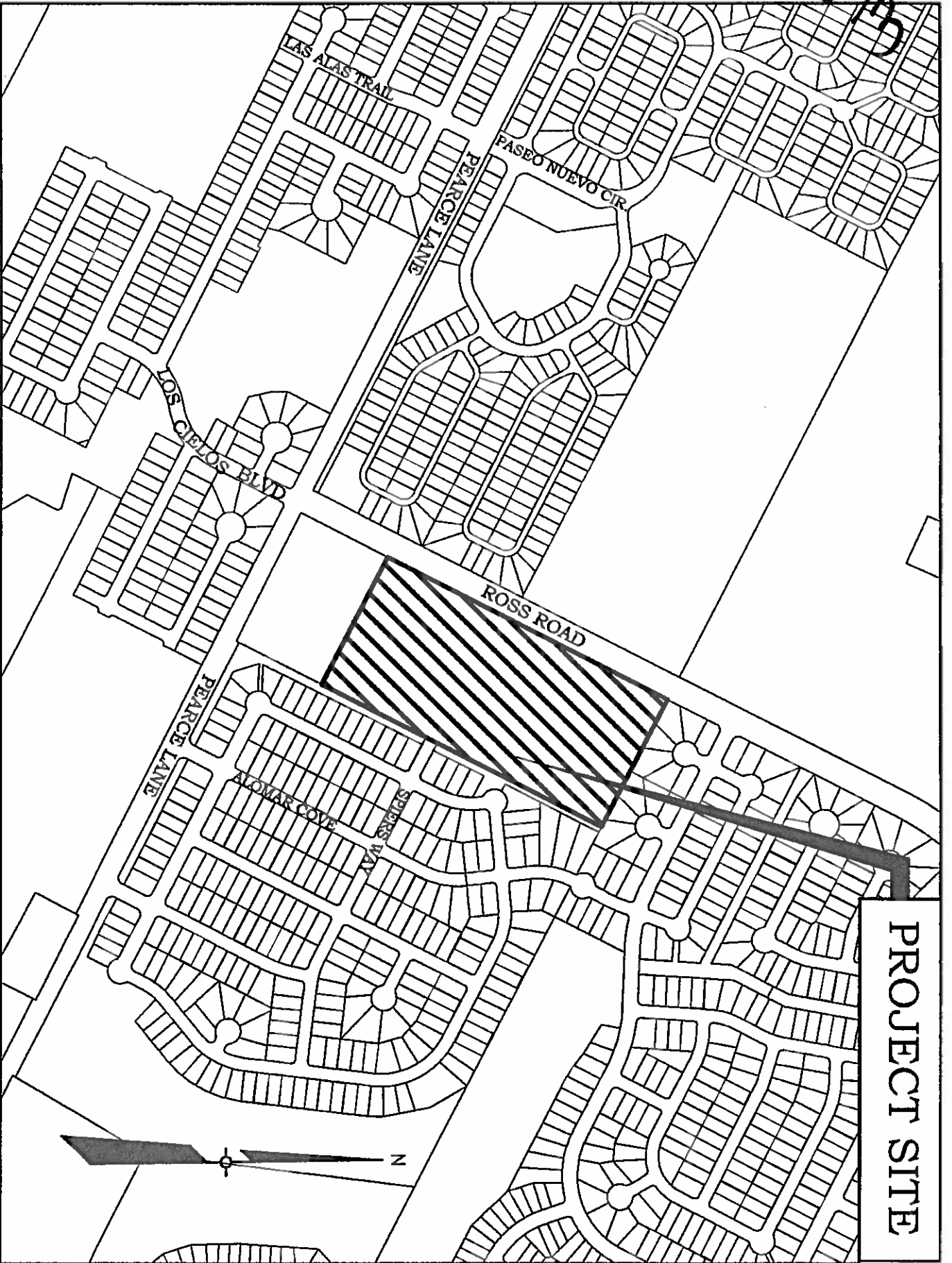
**ZONING & PLATTING ACTION:**

**CASE MANAGER:** Cesar Zavala  
**E-mail:** Cesar.Zavala@austintexas.gov

**PHONE:** 512-974-3404

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PROJECT SITE



GRID NO. P-14

MAPSCO PG. 677 R-14

LOCATION MAP

1"=500'

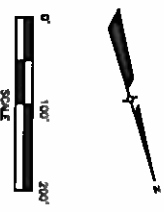
PLAT OF  
ROSS COMPLEX SUBDIVISION

16.54 ACRES  
CITY OF AUSTIN, TEXAS

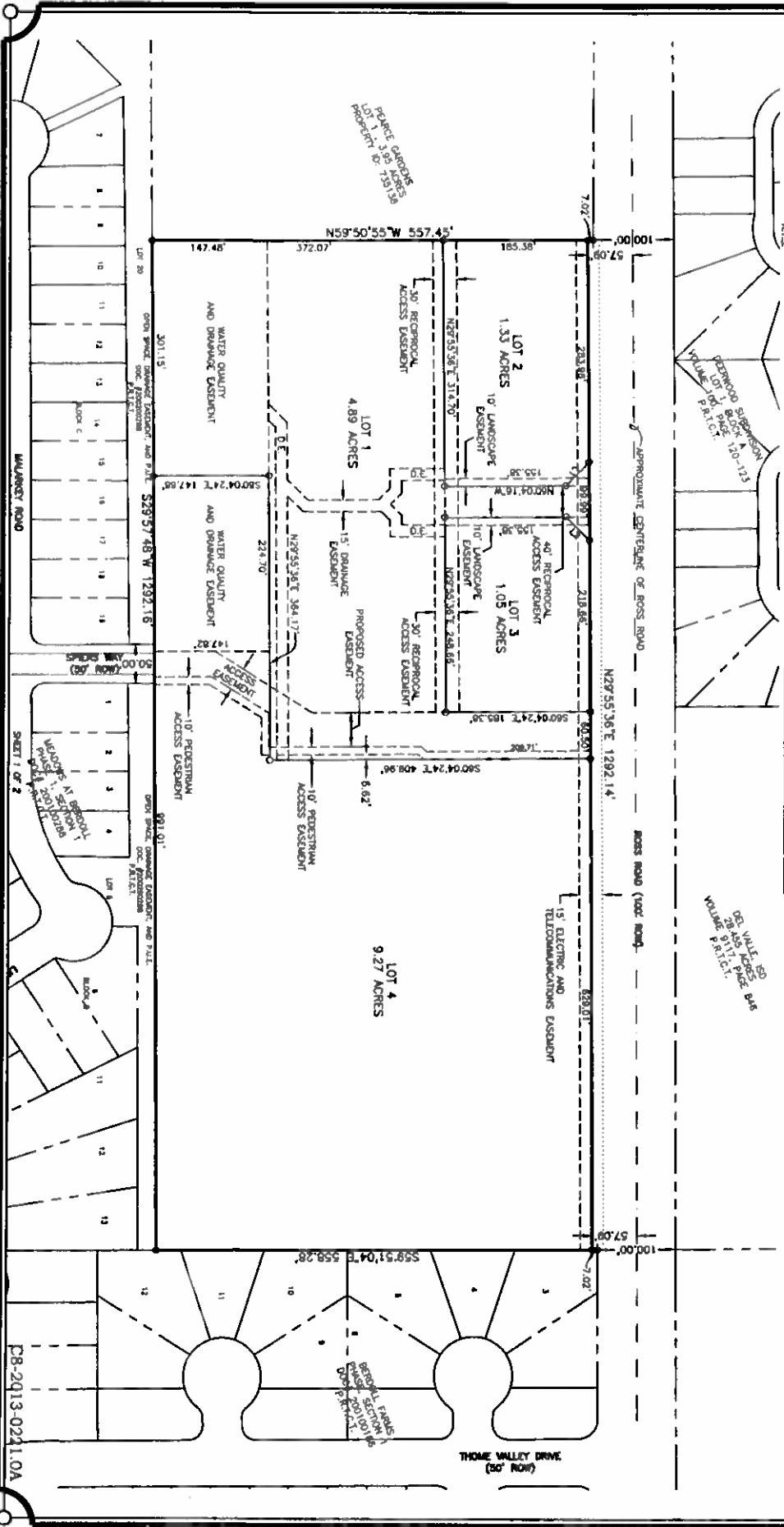
LAND USE SUMMARY		
TOTAL ACREAGE	:	16.54 ACRES
COMMERCIAL LOTS	:	4 LOTS
LOT 1 :	21.121 SF	4.89 ACRES
LOT 2 :	57,823 SF	1.33 ACRES
LOT 3 :	43,646 SF	1.05 ACRES
LOT 4 :	404,248 SF	9.27 ACRES

LINE TABLE		
LINE	LENGTH	BEARING
13	42.83	N76°54'47"
12	42.83	S15°04'24"

LEGEND	
●	DOOR/TS RELOCATION (SEE NOTE)
○	DOOR/TS 1/7, 5/1, 5/2 SET
○	DOOR/TS 1/7, 5/1, 5/2, 7/4, 7/5, 7/6, 7/7, 7/8, 7/9, 7/10, 7/11, 7/12, 7/13, 7/14, 7/15, 7/16, 7/17, 7/18, 7/19, 7/20, 7/21, 7/22, 7/23, 7/24, 7/25, 7/26, 7/27, 7/28, 7/29, 7/30, 7/31, 7/32, 7/33, 7/34, 7/35, 7/36, 7/37, 7/38, 7/39, 7/40, 7/41, 7/42, 7/43, 7/44, 7/45, 7/46, 7/47, 7/48, 7/49, 7/50, 7/51, 7/52, 7/53, 7/54, 7/55, 7/56, 7/57, 7/58, 7/59, 7/60, 7/61, 7/62, 7/63, 7/64, 7/65, 7/66, 7/67, 7/68, 7/69, 7/70, 7/71, 7/72, 7/73, 7/74, 7/75, 7/76, 7/77, 7/78, 7/79, 7/80, 7/81, 7/82, 7/83, 7/84, 7/85, 7/86, 7/87, 7/88, 7/89, 7/90, 7/91, 7/92, 7/93, 7/94, 7/95, 7/96, 7/97, 7/98, 7/99, 7/100, 7/101, 7/102, 7/103, 7/104, 7/105, 7/106, 7/107, 7/108, 7/109, 7/110, 7/111, 7/112, 7/113, 7/114, 7/115, 7/116, 7/117, 7/118, 7/119, 7/120, 7/121, 7/122, 7/123, 7/124, 7/125, 7/126, 7/127, 7/128, 7/129, 7/130, 7/131, 7/132, 7/133, 7/134, 7/135, 7/136, 7/137, 7/138, 7/139, 7/140, 7/141, 7/142, 7/143, 7/144, 7/145, 7/146, 7/147, 7/148, 7/149, 7/150, 7/151, 7/152, 7/153, 7/154, 7/155, 7/156, 7/157, 7/158, 7/159, 7/160, 7/161, 7/162, 7/163, 7/164, 7/165, 7/166, 7/167, 7/168, 7/169, 7/170, 7/171, 7/172, 7/173, 7/174, 7/175, 7/176, 7/177, 7/178, 7/179, 7/180, 7/181, 7/182, 7/183, 7/184, 7/185, 7/186, 7/187, 7/188, 7/189, 7/190, 7/191, 7/192, 7/193, 7/194, 7/195, 7/196, 7/197, 7/198, 7/199, 7/200, 7/201, 7/202, 7/203, 7/204, 7/205, 7/206, 7/207, 7/208, 7/209, 7/210, 7/211, 7/212, 7/213, 7/214, 7/215, 7/216, 7/217, 7/218, 7/219, 7/220, 7/221, 7/222, 7/223, 7/224, 7/225, 7/226, 7/227, 7/228, 7/229, 7/230, 7/231, 7/232, 7/233, 7/234, 7/235, 7/236, 7/237, 7/238, 7/239, 7/240, 7/241, 7/242, 7/243, 7/244, 7/245, 7/246, 7/247, 7/248, 7/249, 7/250, 7/251, 7/252, 7/253, 7/254, 7/255, 7/256, 7/257, 7/258, 7/259, 7/260, 7/261, 7/262, 7/263, 7/264, 7/265, 7/266, 7/267, 7/268, 7/269, 7/270, 7/271, 7/272, 7/273, 7/274, 7/275, 7/276, 7/277, 7/278, 7/279, 7/280, 7/281, 7/282, 7/283, 7/284, 7/285, 7/286, 7/287, 7/288, 7/289, 7/290, 7/291, 7/292, 7/293, 7/294, 7/295, 7/296, 7/297, 7/298, 7/299, 7/300, 7/301, 7/302, 7/303, 7/304, 7/305, 7/306, 7/307, 7/308, 7/309, 7/310, 7/311, 7/312, 7/313, 7/314, 7/315, 7/316, 7/317, 7/318, 7/319, 7/320, 7/321, 7/322, 7/323, 7/324, 7/325, 7/326, 7/327, 7/328, 7/329, 7/330, 7/331, 7/332, 7/333, 7/334, 7/335, 7/336, 7/337, 7/338, 7/339, 7/340, 7/341, 7/342, 7/343, 7/344, 7/345, 7/346, 7/347, 7/348, 7/349, 7/350, 7/351, 7/352, 7/353, 7/354, 7/355, 7/356, 7/357, 7/358, 7/359, 7/360, 7/361, 7/362, 7/363, 7/364, 7/365, 7/366, 7/367, 7/368, 7/369, 7/370, 7/371, 7/372, 7/373, 7/374, 7/375, 7/376, 7/377, 7/378, 7/379, 7/380, 7/381, 7/382, 7/383, 7/384, 7/385, 7/386, 7/387, 7/388, 7/389, 7/390, 7/391, 7/392, 7/393, 7/394, 7/395, 7/396, 7/397, 7/398, 7/399, 7/400, 7/401, 7/402, 7/403, 7/404, 7/405, 7/406, 7/407, 7/408, 7/409, 7/410, 7/411, 7/412, 7/413, 7/414, 7/415, 7/416, 7/417, 7/418, 7/419, 7/420, 7/421, 7/422, 7/423, 7/424, 7/425, 7/426, 7/427, 7/428, 7/429, 7/430, 7/431, 7/432, 7/433, 7/434, 7/435, 7/436, 7/437, 7/438, 7/439, 7/440, 7/441, 7/442, 7/443, 7/444, 7/445, 7/446, 7/447, 7/448, 7/449, 7/450, 7/451, 7/452, 7/453, 7/454, 7/455, 7/456, 7/457, 7/458, 7/459, 7/460, 7/461, 7/462, 7/463, 7/464, 7/465, 7/466, 7/467, 7/468, 7/469, 7/470, 7/471, 7/472, 7/473, 7/474, 7/475, 7/476, 7/477, 7/478, 7/479, 7/480, 7/481, 7/482, 7/483, 7/484, 7/485, 7/486, 7/487, 7/488, 7/489, 7/490, 7/491, 7/492, 7/493, 7/494, 7/495, 7/496, 7/497, 7/498, 7/499, 7/500, 7/501, 7/502, 7/503, 7/504, 7/505, 7/506, 7/507, 7/508, 7/509, 7/510, 7/511, 7/512, 7/513, 7/514, 7/515, 7/516, 7/517, 7/518, 7/519, 7/520, 7/521, 7/522, 7/523, 7/524, 7/525, 7/526, 7/527, 7/528, 7/529, 7/530, 7/531, 7/532, 7/533, 7/534, 7/535, 7/536, 7/537, 7/538, 7/539, 7/540, 7/541, 7/542, 7/543, 7/544, 7/545, 7/546, 7/547, 7/548, 7/549, 7/550, 7/551, 7/552, 7/553, 7/554, 7/555, 7/556, 7/557, 7/558, 7/559, 7/560, 7/561, 7/562, 7/563, 7/564, 7/565, 7/566, 7/567, 7/568, 7/569, 7/570, 7/571, 7/572, 7/573, 7/574, 7/575, 7/576, 7/577, 7/578, 7/579, 7/580, 7/581, 7/582, 7/583, 7/58



**ECUATRO**  
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e-mail: [info@ecuattro.com](mailto:info@ecuattro.com)





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## MEMORANDUM

**TO:** Cesar Zavala, Case Manager  
Members of the Zoning and Platting Commission  
**FROM:** Sangeeta Jain, Transportation Review, PDRD  
**DATE:** April 9, 2014  
**SUBJECT:** Variance Request for Ross Subdivision (C8-2013-0221.0A)  
**RECOMMENDATION:** Disapprove

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The applicant for the above referenced subdivision is requesting a variance to Title 25 of the Land Development Code (LDC) Section 25-4-151, which requires streets of a new subdivision to be in line with existing streets on adjoining property. The proposed subdivision is located in the City of Austin's full purpose jurisdiction in south-east Austin. The site consists of about 17 acres and is zoned GR-MU-CO (southern portion of the site) and LR-MU-CO (northern portion of the site). The variance request is for not extending Spiers Way (See attached Exhibit #1).

**Staff recommends disapproval of the variance for the following reasons:**

- There are no topographic or environmental constraints preventing the extension and construction of Spiers Way.
  - Extending Spiers Way allows for better dispersal of traffic by allowing additional point of access in and out of the neighborhoods.
  - The variance request does not support the guiding principles of Imagine Austin "*Promote compact and connected city*".
  - The existing portion of Spiers Way is already constructed to the site's east property line.
  - PDRD is undergoing changes to subdivision regulations and the requested variance does not support these revisions. (See attached Memo from Pamela Larson, Planner PDRD)
  - It is unlikely that the extension of Spiers Way would promote cut-through traffic.
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If you have any further questions or required additional information, please contact me at (512) 974-2219.

This is a black and white aerial photograph of a suburban residential area. The image shows a dense grid of streets and houses. A large, rectangular, undeveloped plot of land is prominently featured in the center, labeled 'Hess Complex'. To the left of this complex, there is a large, light-colored building complex, possibly a school or government facility, with a parking lot. To the right, there are more residential streets and houses. The overall layout suggests a planned suburban development.

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December 3, 2013

Firm Registration No. F-3524

Greg Guernsey, A.I.C.P., Director  
Planning and Development Review Department  
City of Austin  
505 Barton Springs Road  
Austin, Texas 78701

**RE: ROSS COMPLEX: 5501 1/2 ROSS ROAD  
VARIANCE REQUEST  
CCL 13-121**

Dear Mr. Guernsey:

On behalf of our Client, Equinox Properties, LLC, please find this formal request for variance to the requirement to connect streets per 25-4-151 *STREET ALIGNMENT AND CONNECTIVITY*.

*"Streets of a new subdivision shall be aligned with and connect to existing streets on adjoining property unless the Land Use Commission determines that the Comprehensive Plan, topography, requirements of traffic circulation, or other considerations make it desirable to depart from the alignment or connection."*

Spiers Way is located on the southeast side of the tract and dead-ends at the boundary. Under current code, this road would be required to be connected to Ross Road through this subdivision. We request that a variance be granted to this connection for the Ross Complex Subdivision.

We have met several meetings with the affected Berdoll Farms Homeowners Association. The HOA is concerned that a cross connection would bring undesired traffic through the subdivision and that the current connections are sufficient and preferred for their needs. The HOA will provide their support letter for this request under separate cover.

We have also been in discussions with Eric Bollich, P.E., South Austin Area Engineer, Traffic Engineering Division, Austin Transportation Department. He has concurred with a commercial driveway with an emergency access connection instead of the required street connection. Please see our correspondence with Eric attached.

We are hereby requesting a variance to 25-4-151 *STREET ALIGNMENT AND CONNECTIVITY* to allow the Ross Complex Subdivision to include a commercial driveway with an emergency access connection instead of the required street connection.

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Please advise if you have any questions concerning this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "James C. Massaro". The signature is fluid and cursive, with a long horizontal stroke at the end.

James C. Massaro, P.E.  
Project Manager

SCANNED





## MEMORANDUM

**To:** Sangeeta Jain, Development Services Processes Coordinator  
Planning and Development Review

**From:** Pamela Larson, Planner  
Planning and Development Review

**Date:** January 31, 2014

**Subject:** Ross Complex Subdivision Transportation Review for Connectivity

This memorandum is related to the connectivity of the Ross Complex Subdivision. The Ross Complex plat is located east of Ross Road between northern Thome Valley Drive and southern Pearce Lane.

The Planning and Development Review Department is undergoing the process to revise the Subdivision Regulations within the Land Development Code in order to promote a more compact and connected city, as written in the community's Comprehensive Plan, Imagine Austin (adopted by City Council 6/15/2012). Though the regulations currently are in draft state, it is imperative to implement the vision of the comprehensive plan by not granting variances to development that opposes Imagine Austin Priority Program goals. The Ross Complex Subdivision is located outside of an activity center or corridor identified by the Growth Concept Map, allowing it to elect standards from the proposed "Compact", "Conservation" or "Conventional" subdivision types<sup>1</sup>. This review will assess the subdivision's performance to the Conventional Subdivision, which has the least-connected standards.

In summary, Planners working on the revisions to the Subdivision Regulations recommend that a variance is not granted by Planning Commission for Spiers Way to be constructed as a private drive, but instead is built as a public street. The construction of a public street provides connectivity for all users, time and distance savings for emergency access response, pedestrian infrastructure that meets City standards, the creation of an intersection at Spiers Way and Ross Road that will allow for a crossing to Del Valle Elementary School, and a stronger implementation of the Imagine Austin Comprehensive Plan.

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<sup>1</sup> Compact, Conservation and Conventional are working names for Subdivisions types. Names may be revised and/or categories changed to better align with the Land Development Code Consultant Team's place types.

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- Dead-end roads to a maximum of 150'
  - **Analysis:** Not extending Spiers Way into the Ross Complex subdivision inflicts on a neighboring site a dead-end road which exceeds 150' should any mechanism be used to restrict access on the road (such as through gating, not providing maintenance of the right-of-way, etc.).
  - **PC Recommendation:** Deny the request for a variance for Spiers Way to be constructed as a private drive. Extend Spiers Way as a public road through the Ross Complex Subdivision to Ross Road.
- Minimum 2 access streets; if scale of development does not generate a complete block a stub may be required to allow for future connections
  - **Analysis:** public access is only provided to Ross Road, limiting external access for site.
  - **PC Recommendation:** Deny the request for a variance for Spiers Way to be constructed as a private drive. Extend Spiers Way as a public road through the Ross Complex Subdivision to Ross Road.
- Connection of all constructed and paper stubs through site
  - **Analysis:** Spiers Way is constructed as access and public utility easement.
  - **PC Recommendation:** Extend Spiers Way as a public road through the Ross Complex Subdivision to Ross Road.
- For any variance to the block length maximum of 800', a developer will be required to put a mid-block pedestrian/bicycle easement at least 300' from the end of the block length
  - **Analysis:** The pedestrian easement provides additional access through the Ross Complex Subdivision, however, not extending Spiers Way creates an unnecessary 1,890' block length, more than 200% of the maximum.
  - **PC Recommendation:** Deny the request for variance. Extend Spiers Way as a public road through the Ross Complex Subdivision to Ross Road.
  - **Applicant Recommendation:** Provide additional pedestrian access along the east-west reciprocal access easement to provide for convenient, safe and direct pedestrian access to the Pearce Gardens Subdivision (**See Exhibit C**).
- Minimum number of external connections dependent on lots
  - **Analysis:** The three lot subdivision of Ross Complex meets external connectivity standards, however it inflicts poor emergency access and service management on the Meadows at Berdoll single-family subdivision in addition to not meeting proposed external connectivity regulations.

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construction of roads to public street standards greatly increases emergency response capabilities and decreases time travelled to sites, potentially saving lives.

Research on pedestrian behavior exhibits that for walking to be incorporated as a mode of transportation, safe and convenient routes must be provided. The Ross Complex Subdivision separates the 249-home Meadows at Berdoll subdivision from Del Valle Elementary School. Though a pedestrian easement provides convenient connectivity, Staff would like to express concern over the possibilities that the easement will not be constructed with complimentary pedestrian amenities, such as street trees to provide shade and protection from adverse weather, lighting to provide visibility and sense of security, and eyes on the street from other roadway users.

### **Geography Notes**

To the east is the Meadows at Berdoll single-family subdivision

To the west is the Del Valley High School and Deerwood Subdivision

To the north is the Berdoll Farms single-family subdivision

To the south are the Pearce Gardens (Texaco commercial) and the los Cielos subdivision

If you have any questions regarding the research and recommendations of this memorandum, please feel free to contact Pamela Larson, Community Transformation Grant Planner, (512)974-6404 or [Pamela.Larson@austintexas.gov](mailto:Pamela.Larson@austintexas.gov), or Robert Anderson, Community Transformation Grant Planner, (512)974-6405 or [Robert.Anderson2@austintexas.gov](mailto:Robert.Anderson2@austintexas.gov).

**Attachments:** Exhibit A, Exhibit B, Exhibit C, Draft Subdivision Regulations Table





**16.54 ACRES**  
**CITY OF AUSTIN, TEXAS**

LAND USE SUMMARY		
TOTAL ACRES	:	16.54 ACRES
COMMERCIAL LOTS	:	4 LOTS

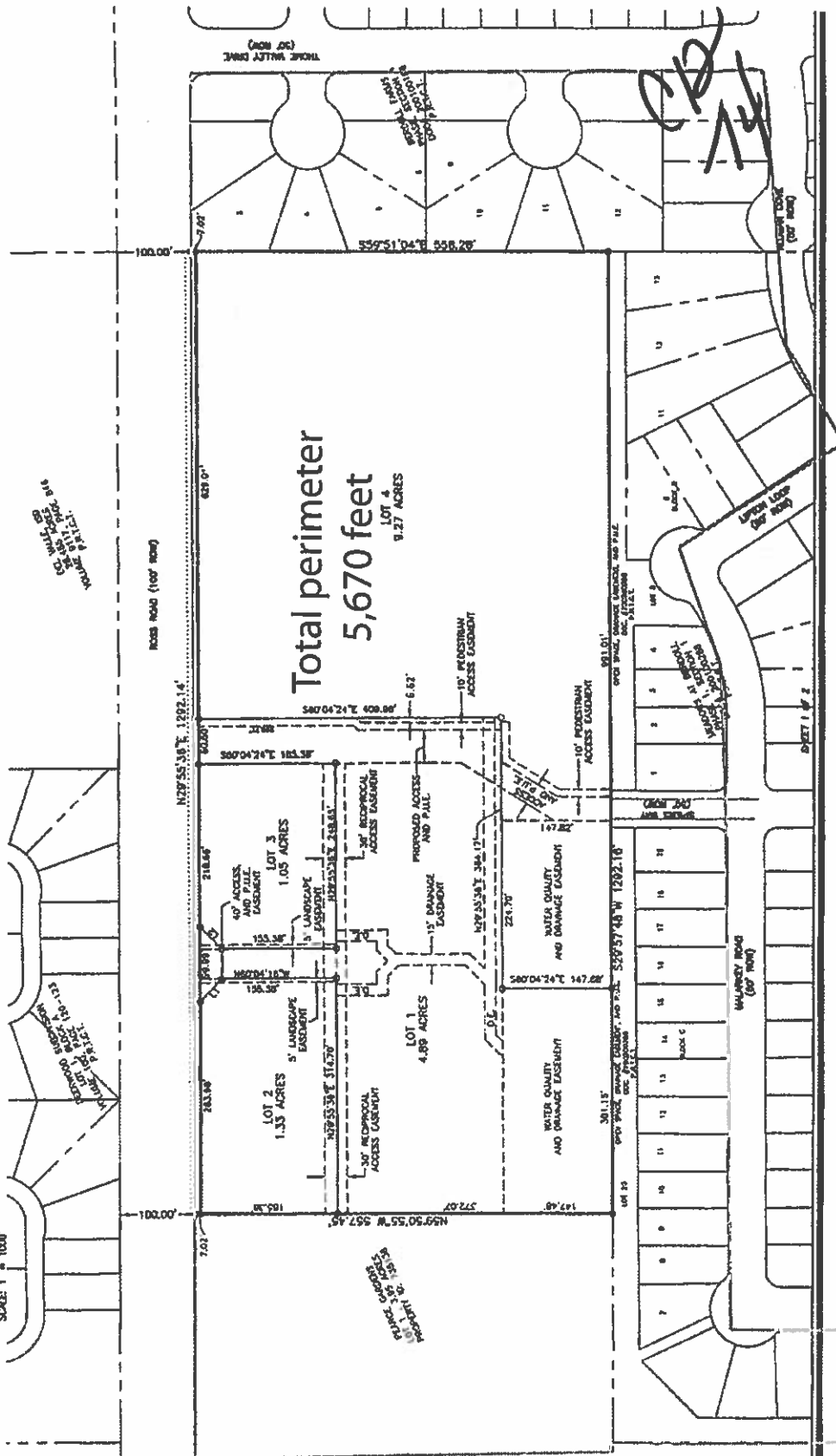
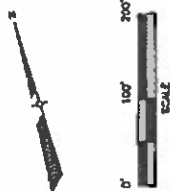
LINE TABLE		
LINE	LENGTH	BEARING
11	42.43	N75°55'54"E
12	42.43	S15°04'54"E

**EXHIBIT "A"**

### LEGEND

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**4EUAL**  
Consultants,  
Representative 36-1-1722



# PLAT OF

CITY OF AUSTIN, TEXAS

## LAND USE SUMMARY

TOTAL ACREAGE	:	18.54 ACRES
COMMERCIAL LOTS	:	4 LOTS

LINE TABLE		
LINE	LENGTH	BEARING
11	42.43	N74°53'44"E
12	42.43	S19°04'24"E

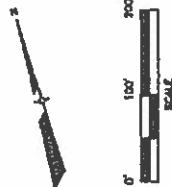
**EXHIBIT "C"**

### LEGEND

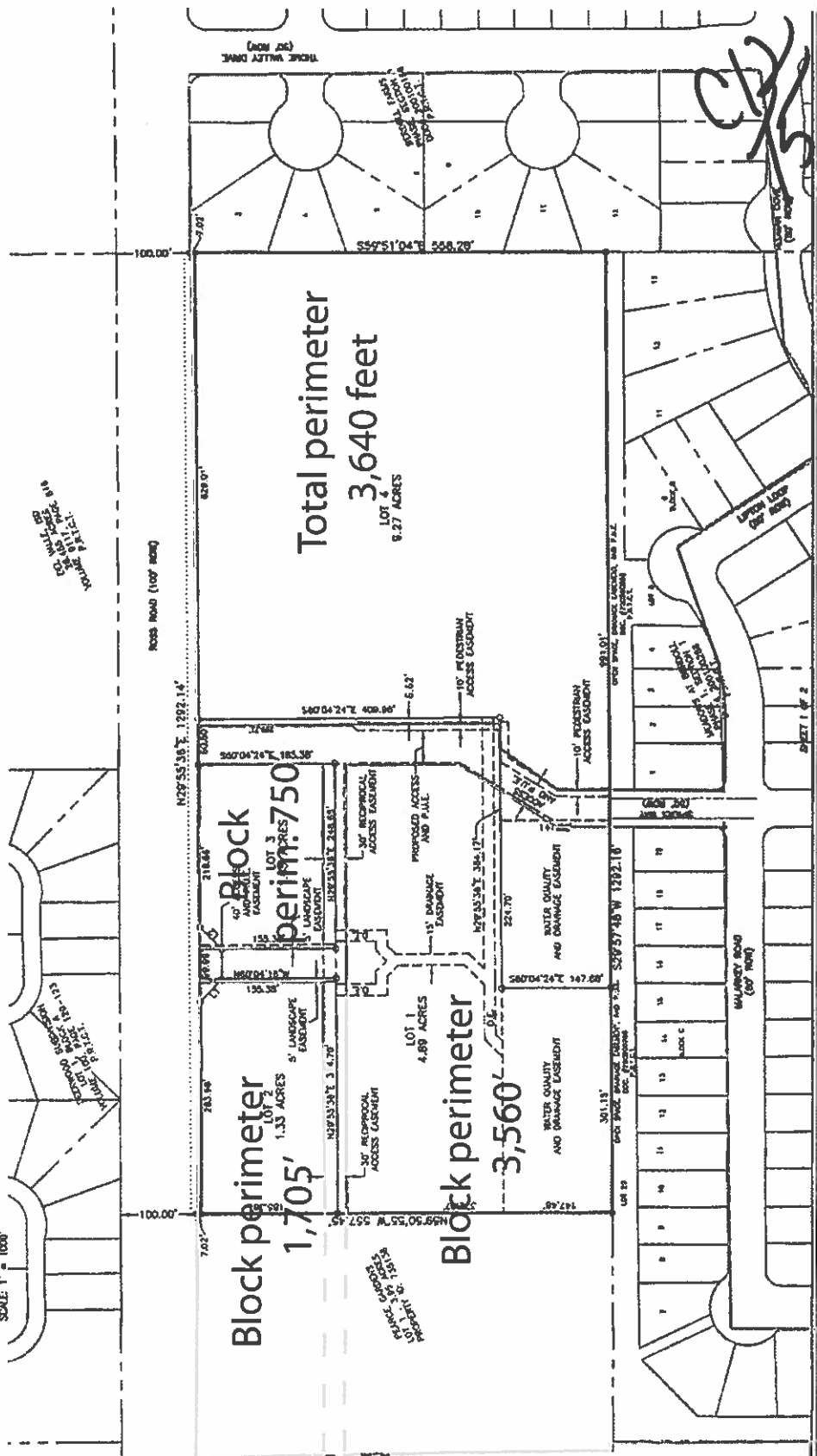
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MOOREHEAD, MOBILE CO-65443  
 1940 624 DOB 1935F MARYLETT  
 43 00 1902 1940C RUDOLPH  
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**4EQUAT**  
Consultants, Inc.  
Registriered No. 133224  
Postfach 1000, 50001 Köln, Germany  
Tel. 0221 4000000



LOCATION MAP  
SCALE: 1" = 1000'



C12/16



## MEMORANDUM

\*\*\*\*\*

**TO: Cesar Zavala, Case Manager**  
**Planning and Development Review**

**From: Robert Anderson, Planner**  
**Planning and Development Review Department**

**Date: February 19, 2014**

**RE: Ross Complex Subdivision (Case #: C8-2013-0221.0A)**

\*\*\*\*\*

Dear Mr. Zavala:

Whereas the Pedestrian Advisory Council (PAC) is in nascent form, without official members or a chair to submit a recommendation on the group's behalf, I submit this memorandum as PAC staff reflecting the group's recommendation regarding the Ross Complex Subdivision. The language was approved by those in attendance and an official vote count is included of all members of the public in the audience.

The PAC was formed in summer 2013 in order to advise City of Austin on pedestrian planning, design, funding, and enforcement efforts regarding the creation, maintenance and operation of pedestrian facilities in order to ensure a safe and enjoyable circulation for both commuting and recreation within the City of Austin. The PAC's goal is to ensure sensitivity to pedestrian issues in the design and implementation of all public and private projects impacting pedestrians.

On February 3, 2014 the PAC reviewed the submitted plans of the Ross Complex Subdivision and the associated variance that would ultimately be necessary to fulfill the plans as proposed. The variance request, if plans are submitted and proceed to Zoning and Platting Commission, would be to not connect Spiers Way to Ross Road as required by 25-4-151 STREET ALIGNMENT AND CONNECTIVITY.



C12  
1/1

*"Streets of a new subdivision shall be aligned with and connect to existing streets on adjoining property unless the Land Use Commission determines that the Comprehensive Plan, topography, requirements of traffic circulation, or other considerations make it desirable to depart from the alignment or connection."<sup>1</sup>*

The Pedestrian Advisory Council identified numerous points in the applicant's proposal as submitted and recommends denial of any request for a variance to City of Austin's Street Alignment and Connectivity standards, if requested. **The PAC, after discussion of the points to follow, voted 12-0 in favor of recommending requiring Spiers Way to connect to Ross Road as per current Subdivision Regulation requirements.<sup>2</sup>** There were two abstentions and one recusal.

**The group recommends requiring Ross Road to connect to Spiers Way for the following reasons:**

1. Connecting Spiers Way to Ross Road provides for a pedestrian connection as required by current Subdivision Regulations. Figure 1 below shows the existing stub street.

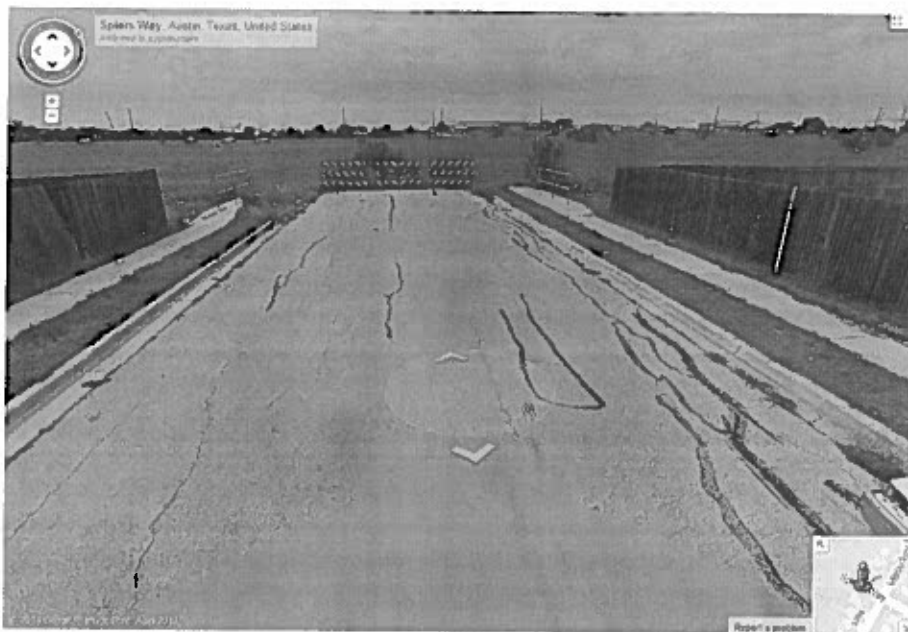


Figure 1. Google photograph of the Spiers Way stub street looking into the proposed subdivision and toward the Del Valle Elementary School.

<sup>1</sup> Austin City Code, § 25-4-151. Available at [http://www.amlegal.com/nxt/gateway.dll/Texas/austin/thecodeofthecityofaustintexas?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:austin\\_tx\\$anc=](http://www.amlegal.com/nxt/gateway.dll/Texas/austin/thecodeofthecityofaustintexas?f=templates$fn=default.htm$3.0$vid=amlegal:austin_tx$anc=)

<sup>2</sup> Originally, the PAC vote was 13-0 in favor of the recommendations, with two abstentions. Following the meeting, a City staff member in attendance *not* on City time, indicated a preference for having their vote recorded as a recusal.

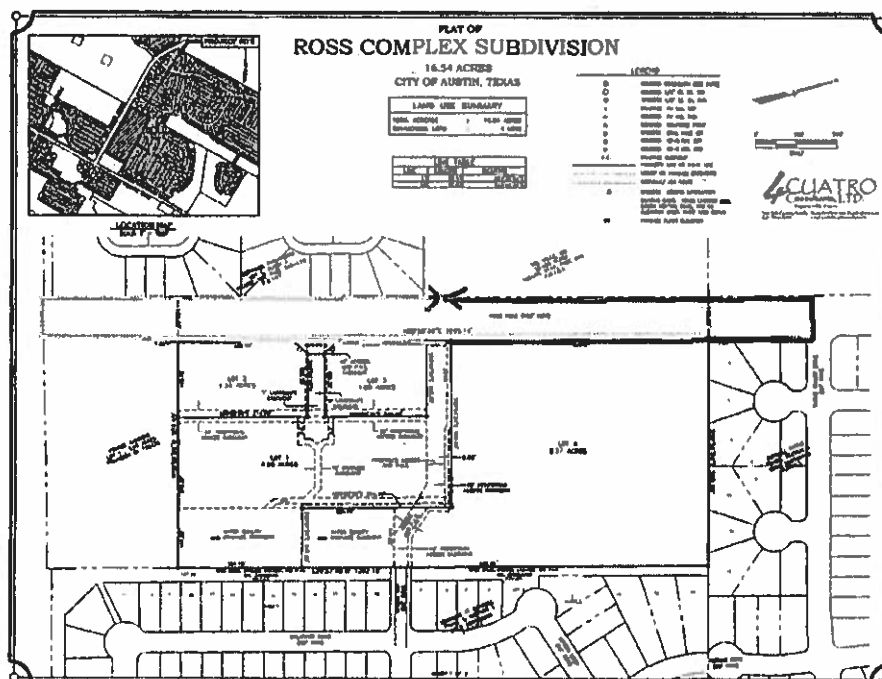
C12  
18

2. The *Imagine Austin* Comprehensive Plan, adopted summer 2012, articulates a clear vision for compact and connected development encouraging pedestrian connections and walkable places. Sample language within the Plan articulating walkable communities:

*"Austin promotes safe bicycle and pedestrian access with well-designed routes that provide connectivity throughout the greater Austin area. These routes are part of our comprehensive regional transportation network."*<sup>3</sup>

*"Build new neighborhoods where grocery stores, shopping and dining options, and community services (such as post offices, libraries, healthcare, government offices) are easily accessed from nearby neighborhoods via bicycle and pedestrian traffic. Limit 'sprawl' and commutes all over town to access these types of services."*<sup>4</sup>

3. A private drive would not create a legal crossing point at Ross Road. Instead, individuals will still have to navigate to the North or South in order to legally (and safely) cross Ross Road at either Thome Valley Drive or Pearce Lane. This creates additional time barriers to pedestrianism of approximately 10 minutes. Figure 2 below illustrates in red and green the required pedestrian travel pathways in order to cross Ross Road if approaching through the proposed private drive.



<sup>3</sup> City of Austin. (2012). *Imagine Austin Comprehensive Plan*. p. 86. Retrieved from <http://assets.austintexas.gov/webiacpfullreduced.pdf>

<sup>4</sup> *Ibid.* p. 119.

C/2/19

Figure 2. Private drives do not create legal crossing points or effective pedestrian connections. A private drive does not enhance pedestrian connectivity.

4. Del Valle Middle School is situated immediately to the Northwest of the proposed subdivision. Providing for a public street encourages more transportation options for families and children in order to access the school.
5. The proposed private drive includes a pedestrian easement on only one side of the drive, whereas a public street would provide for sidewalks on both sides of the street;
6. Private drives are not required to be constructed to City of Austin street standards. As a result, the proposed private drive to connect Spiers Way to Ross Road would not be required to incorporate street lighting, nor other elements of public streets, unless specific provisions are stipulated. Absence of lighting presents safety concerns;

The Pedestrian Advisory Council has expressed an interest in the progression of this subdivision case.

Please let me know if you have any questions regarding the recommendations of the Pedestrian Advisory Council.

Sincerely,



Robert Anderson, Community Transformation Grant Planner  
Comprehensive Planning Division

cc: Pedestrian Advisory Council



CLZ/20

April 15, 2014,

Planning and Zoning Commissioners:

It is the Ross Complex Project's intent to provide emergency, pedestrian and bicycle access to Ross Road by the proposed connection to the existing Berdoll Farms Subdivision, while protecting the quality of life for their neighborhood. In meetings with the Berdoll Farms H.O.A., the Board provided their *support for not extending Spiers Way* if full pedestrian access and emergency access to Ross Road complies with emergency access requirements. The Owner has also agreed to provide uses in support of neighborhood needs, creating a destination for walking and cycling traffic.

Based upon the concerns stated to us, the Project proposes pedestrian and emergency access **only** to prevent vehicular through traffic from placing an unnecessary burden on the Berdoll Farms Subdivision roadways. This would not increase a trip from any home more than a quarter mile for almost any trip by utilizing the existing connections points at Thome Valley Drive and Alomar Cove. Approval of this variance is preferable, according to our discussions with the Del Valle District Facilities Manager, to creating a second crossing at Ross Road that connects to the secondary employee parking entrance to Del Valle Elementary. The District's preference is to have a centralized crossing for Ross Road at existing Thome Valley Drive.

After addressing the concerns of the local stakeholders, we have made every effort to provide access to pedestrians, neighborhood bicyclists and emergency service providers as requested by the Berdoll Farms HOA, Del Valle School District Representatives and in coordination with City of Austin Fire Department and Transportation Department Staff.

Please find, attached, the following documentation in support of this variance request to "**LDC 25-4-151 STREET ALIGNMENT AND CONNECTIVITY**" for the proposed Ross Complex Subdivision:

1. Original Variance Request to "**LDC 25-4-151 STREET ALIGNMENT AND CONNECTIVITY**"

C12/21

2. Berdoll Farms HOA correspondence in support of approval of the Ross Complex driveway connection as in lieu of constructing a local street.
3. Eric Bollich, South Austin Area Engineer, City of Austin, correspondence in support of approval of the Ross Complex construction of a driveway connection at Spiers.
4. Sonny Pelayo, Austin Fire Department, correspondence in support of approval of the Ross Complex Plat as proposed.
5. Response to Pedestrian Advisory Council memorandum dated February 19, 2014 providing recommendations for the Ross Complex Subdivision with respect to this variance request.

Please feel free to contact me if you have any concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "James C. Massaro", with a long horizontal flourish extending to the right.

James C. Massaro,  
Project Manager  
Cuatro Consultants, Ltd.

attachment

C12/22

## **ORIGINAL VARIANCE REQUEST**



012/23

December 3, 2013

Firm Registration No. F-3524

Greg Guernsey, A.I.C.P., Director  
Planning and Development Review Department  
City of Austin  
505 Barton Springs Road  
Austin, Texas 78701

**RE: ROSS COMPLEX: 5501 1/2 ROSS ROAD  
VARIANCE REQUEST  
CCL 13-121**

Dear Mr. Guernsey:

On behalf of our Client, Equinox Properties, LLC, please find this formal request for variance to the requirement to connect streets per 25-4-151 *STREET ALIGNMENT AND CONNECTIVITY*.

*"Streets of a new subdivision shall be aligned with and connect to existing streets on adjoining property unless the Land Use Commission determines that the Comprehensive Plan, topography, requirements of traffic circulation, or other considerations make it desirable to depart from the alignment or connection."*

Spiers Way is located on the southeast side of the tract and dead-ends at the boundary. Under current code, this road would be required to be connected to Ross Road through this subdivision. We request that a variance be granted to this connection for the Ross Complex Subdivision.

We have met several meetings with the affected Berdoll Farms Homeowners Association. The HOA is concerned that a cross connection would bring undesired traffic through the subdivision and that the current connections are sufficient and preferred for their needs. The HOA will provide their support letter for this request under separate cover.

We have also been in discussions with Eric Bollich, P.E., South Austin Area Engineer, Traffic Engineering Division, Austin Transportation Department. He has concurred with a commercial driveway with an emergency access connection instead of the required street connection. Please see our correspondence with Eric attached.

We are hereby requesting a variance to 25-4-151 *STREET ALIGNMENT AND CONNECTIVITY* to allow the Ross Complex Subdivision to include a commercial driveway with an emergency access connection instead of the required street connection.

C12/4  
21

Please advise if you have any questions concerning this matter.

Sincerely,

A handwritten signature in cursive script, reading "James C. Massaro". The signature is fluid and extends to the right with a long horizontal stroke.

James C. Massaro, P.E.  
Project Manager



C12  
1/25

## **BERDOLL FARMS HOA CORRESPONDENCE**

C12/212

***BERDOLL FARM SUBDIVISION/POA***

November 20, 2013

Amber Mitchell, Development Services Process Coordinator  
City of Austin – Development Assistance Center  
505 Barton Springs Rd. 1st Fl.  
Austin, Texas 78704

**RE: EQUINOX POWER SYSTEMS, INC.  
5501 1/2 ROSS ROAD (16.76 ACRE TRACT)  
AUSTIN, TRAVIS COUNTY, TEXAS  
CCL 13-121**

Dear Ms. Mitchell:

On behalf of the Berdoll Farms Subdivision Property Owner's Association, the Board of Directors supports the Developer's variance request to not extend Spiers Way. In exchange, the Developer shall provide emergency access to Spiers Way compliant with fire access lane requirements and Knox box to allow controlled exit and entrance. Developer shall also provide uses on this tract compatible with the neighborhood's needs.

Please let me know if you have questions on this matter.

Sincerely,

Patricia King, President  
Berdoll Farms Subdivision Property Owner's Association

C12/21

**Musheerah "Missy" Murphy**

---

**From:** Hugo Elizondo, Jr., P.E.  
**Sent:** Wednesday, February 05, 2014 5:40 PM  
**To:** Musheerah "Missy" Murphy  
**Subject:** FW: BER - RE: HOA Letter of Support for Ross Complex

**From:** Patricia King [mailto:patriciaking818@gmail.com]  
**Sent:** Tuesday, February 04, 2014 1:15 PM  
**To:** Bob Nardo  
**Cc:** Hugo Elizondo, Jr., P.E.  
**Subject:** Re: BER - RE: HOA Letter of Support for Ross Complex

I thought we signed off on this already. For the record, I approve letter of support.

On Mon, Feb 3, 2014 at 1:08 PM, Bob Nardo <[bob.nardo@goodwintx.com](mailto:bob.nardo@goodwintx.com)> wrote:

Hugo:

I will forward your note to the board of director.

Thanks for the update.

---

**From:** Hugo Elizondo, Jr., P.E. [mailto:[hugo@cuatroconsultants.com](mailto:hugo@cuatroconsultants.com)]  
**Sent:** Monday, February 03, 2014 11:21 AM  
**To:** Bob Nardo  
**Cc:** Musheerah "Missy" Murphy  
**Subject:** FW: HOA Letter of Support for Ross Complex

Bob:

We are processing Final Plat and Site Plan application with City including our request for a no thru or connecting Spiers Way.

We can really use the Neighborhood support letter per our draft.

CP/28

Think there is any way the HOA will sign? I will be glad to speak with the President directly.

Let me know.

Thank you for your help.

Sincerely,

*Hugo Elizondo, Jr., P.E.*

Cuatro Consultants, Ltd.

Firm No. 3524

3601 Kyle Crossing, Ste B.

Kyle, Texas 78640

512.312.5040, ext. 205

512.565.9040, cell

---

**From:** Hugo Elizondo, Jr., P.E.

**Sent:** Wednesday, November 27, 2013 12:12 PM

**To:** Bob Nardo ([bob.nardo@goodwintx.com](mailto:bob.nardo@goodwintx.com))

**Cc:** Musheerah "Missy" Murphy

**Subject:** HOA Letter of Support for Ross Complex

Bob:

C12/29

Let me know what I need to do in order to get the Board to execute the "draft" support letter I provided at the meeting last week.

Appreciate your help on this matter.

Happy Thanksgiving!

Sincerely,

*Hugo Elizondo, Jr., P.E.*

Cuatro Consultants, Ltd.

Firm No. 3524

3601 Kyle Crossing, Ste B.

Kyle, Texas 78640

512.312.5040, ext. 205

512.565.9040, cell

C12/30

**ERIC BOLlich, SOUTH AUSTIN AREA ENGINEER,  
CITY OF AUSTIN, CORRESPONDENCE**

C12/31

**James Massaro, P.E.**

---

**From:** Hugo Elizondo, Jr., P.E.  
**Sent:** Wednesday, November 27, 2013 11:50 AM  
**To:** Bollich, Eric  
**Cc:** Musheerah "Missy" Murphy; James Massaro, P.E.  
**Subject:** RE: Ross Complex: Proposed Site Development Plan on Ross Road north of Pearce Lane

Eric:

Thank you. Look forward to working with you on the implementation of this Project.

We will include the signage work described below in our Site Plan submittal for Phase 1 of our Project.

Sincerely,

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**From:** Bollich, Eric [mailto:Eric.Bollich@austintexas.gov]  
**Sent:** Tuesday, November 26, 2013 4:40 PM  
**To:** Hugo Elizondo, Jr., P.E.  
**Subject:** RE: Ross Complex: Proposed Site Development Plan on Ross Road north of Pearce Lane

Hugo,

Sorry, I thought I had responded to your last email. I am comfortable with leaving Spiers Way with the existing stub out.

The "Road Ends" sign should follow MUTCD W14-1T with a "150 FT" plaque underneath following MUTCD W16-2aP. They should be placed on the northeast corner of Spiers/Malarkey for westbound traffic.

Thanks,  
Eric

---

**From:** Hugo Elizondo, Jr., P.E. [mailto:hugo@cuatroconsultants.com]  
**Sent:** Friday, November 22, 2013 4:30 PM  
**To:** Bollich, Eric  
**Cc:** Musheerah "Missy" Murphy; Daniel Wang (dwang11@gmail.com); Farid Agahi  
**Subject:** RE: Ross Complex: Proposed Site Development Plan on Ross Road north of Pearce Lane

Eric:

No, I have not submitted to AFD for comment, yet from experience and working with them on similar emergency access, they typically do not require a turnaround if they have the gate and knox box setup.

Under Item 2, below, the gate can be placed at a distance of 135 feet from Malarkey and thus per Fire Code no turnaround is required.

We can install the sign on Malarkey per your suggestion.

Let me know if you have other questions/concerns.

Thank you,

C12  
32

*Hugo Elizondo, Jr., P.E.*

Cuatro Consultants, Ltd.  
Firm No. 3524  
3601 Kyle Crossing, Ste B.  
Kyle, Texas 78640  
512.312.5040, ext. 205  
512.565.9040, cell

---

**From:** Bollich, Eric [<mailto:Eric.Bollich@austintexas.gov>]  
**Sent:** Friday, November 22, 2013 2:00 PM  
**To:** Hugo Elizondo, Jr., P.E.  
**Cc:** Musheerah "Missy" Murphy; James Massaro, P.E.  
**Subject:** RE: Ross Complex: Proposed Site Development Plan on Ross Road north of Pearce Lane

Hugo,

Thanks for your thoughts. Has AFD commented on requiring a cul-de-sac for the existing stub? I know that it will provide emergency access beyond the end of street, but we were looking for a consistent end treatment for streets that don't provide continuous public access. Perhaps we could install a "ROAD ENDS 150 FT" sign close to Malarkey Rd to address potential confusion.

---

**From:** Hugo Elizondo, Jr., P.E. [<mailto:hugo@cuatroconsultants.com>]  
**Sent:** Friday, November 15, 2013 4:47 PM  
**To:** Bollich, Eric  
**Cc:** Musheerah "Missy" Murphy; James Massaro, P.E.  
**Subject:** Ross Complex: Proposed Site Development Plan on Ross Road north of Pearce Lane

Eric,

We have reviewed your response with the Landowner/Developer and would like to offer the following concerns regarding the addition of circular turnaround at the end of Spiers Way.

We offer the following for consideration:

1. The drivers currently using the subdivision roadways are accustomed to the existing configuration and the addition of a normally closed gate with signage at the end of Spiers Way and commercial development beyond it is not likely to cause any added confusion. This configuration has been in place for years.
2. This existing configuration is a straight, short, dead-end street that will continue to allow for easy navigation. The normally closed gate can be equipped with street-end barricade type markers and will be visible from the nearest intersection at Malarkey Road. The gate can be placed at the end of the residential lots which is 135 feet from the intersecting street and less than the 150 feet required for a fire truck turnaround.



C12/33

3. The proposed commercial driveway connection without a turnaround allows Emergency Responders to gain access through the proposed gate in both directions.
4. Our proposed configuration allows for pedestrian connectivity in both directions as is encouraged by current code and is not existing now.
5. The addition of a cul-de-sac will provide an area near and on the way to the middle school and high school for children and teenagers to congregate unsupervised and unprotected near an existing drainage channel and proposed water quality and detention pond and commercial area. This is a safety concern and will encourage nuisance noise to the surrounding neighborhood and present an unsafe and unguarded area that is difficult to monitor for the proposed development.

Note: We will coordinate with the DVISD to utilize the proposed sidewalk along our side of Ross Road. They also want to concentrate their crossing at Thome Valley.

We appreciate your consideration of our concerns and will be glad to meet with you to see if we can obtain your support for our original proposal of an emergency access drive with pedestrian access and no cul-de-sac.

Appreciate your time and response.

Sincerely,

*Hugo Elizondo, Jr., P.E.*

Cuatro Consultants, Ltd.  
Firm No. 3524  
3601 Kyle Crossing, Ste B.  
Kyle, Texas 78640  
512.312.5040, ext. 205  
512.565.9040, cell

---

**From:** Bollich, Eric [<mailto:Eric.Bollich@austintexas.gov>]  
**Sent:** Wednesday, November 06, 2013 12:30 PM  
**To:** Hugo Elizondo, Jr., P.E.  
**Subject:** RE: Ross Complex: Proposed Site Development Plan on Ross Road north of Pearce Lane

Hugo,

We support the proposed pedestrian access easement and emergency access through the site. I would like to see the end of Splers Way converted to a cul-de-sac for a proper street end treatment so that drivers can reverse direction if needed. The existing stub out suggests the street was intended to connect to Ross Road.

Has DVISD discussed changes to their school routes after the site and sidewalk are built? I ask because students might want to cross Ross Road at the school service drive rather than using Thome Valley Drive. We prefer to have focused crossing points with shorter school zones for maximum effectiveness, so I would hope DVISD encourages crossings to remain at Thome Valley to utilize the coming sidewalk along the east side of Ross Road.

Eric

C12  
34

---

Eric Bollich, P.E., PTOE

South Austin Area Engineer

Traffic Engineering Division

Austin Transportation Department

505 Barton Springs Rd, Suite 800

Austin, TX 78704

(512) 974-7767

[eric.bollich@austintexas.gov](mailto:eric.bollich@austintexas.gov)

**From:** Hugo Elizondo, Jr., P.E. [<mailto:hugo@cuatroconsultants.com>]

**Sent:** Wednesday, October 30, 2013 5:59 PM

**To:** Bollich, Eric

**Cc:** Daniel Wang ([dwang11@gmail.com](mailto:dwang11@gmail.com)); Farid Agahi; Musheerah "Missy" Murphy

**Subject:** Ross Complex: Proposed Site Development Plan on Ross Road north of Pearce Lane

Mr. Bollich:

Per discussion this morning, please find the proposed Site Plan for the Ross Complex which includes commercial/retail use and a multifamily component.

This is per the email sent to you by Amber Mitchell.

Per discussion, we met with Staff previously and we have met with the Berdoll Farms HOA regarding their preference on extending Spiers Way to Ross Road or simply providing emergency access with a knoxbox and pedestrian access. The Board indicated verbally that their preference would be the emergency connection.

CLP/35

We also discussed this same item with the Del Valle ISD Facilities Manager. The School District also supports the commercial drive with emergency access versus extending Spiers Way.

We also reviewed the access points for the Berdoll Farms and noted various exit points onto Ross Road and Pearce Lane.

Per Sangeeta's comment we will be glad to include a pedestrian access easement and ADA accessible route from Ross to the west end of Spiers Way at our east line.

We believe this proposal is in line with the needs of the residents and the area. Per discussion, the Landowners have committed to providing retail services that the neighborhood can use and support.

Please review and let us know if you have questions.

*Hugo Elizondo, Jr., P.E.*

Cuatro Consultants, Ltd.

Firm No. 3524

3601 Kyle Crossing, Ste B.

Kyle, Texas 78640

512.312.5040. ext. 205

512.565.9040, cell

C12/36

**SONNY PELAYO, AUSTIN FIRE DEPARTMENT,  
CORRESPONDENCE**

C12/3X

## **Musheerah "Missy" Murphy**

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**From:** James Massaro, P.E.  
**Sent:** Thursday, April 03, 2014 2:01 PM  
**To:** Musheerah "Missy" Murphy  
**Subject:** FW: Ross Complex Fire Access

---

**From:** Pelayo, Sonny [<mailto:Sonny.Pelayo@austintexas.gov>]  
**Sent:** Wednesday, March 12, 2014 3:29 PM  
**To:** James Massaro, P.E.  
**Subject:** RE: Ross Complex Fire Access

James,

The proposed configuration appears to be acceptable with a caution that I am only commenting on the general fire lane accessibility for a fire truck and I have not checked that the grading, turn radii, fire lane width, fire hydrant layout, pavement design and fire truck access gate design are as required by the fire code. We will reserve that level of scrutiny for a formal plan submittal and review.



Sonny Pelayo, P.E.  
Engineer  
Austin Fire Department  
505 Barton Springs Road, Suite 200  
Austin, TX 78704  
512.974.0194 - office  
512.974.0162 - fax

[www.cityofaustin.org/fire](http://www.cityofaustin.org/fire)

*Want to know what you can do to protect your home and family from wildfire danger? Check out "10 Simple Steps to Protecting Your Home From Wildland Fire" by clicking here:*

<http://txforestservice.tamu.edu/main/article.aspx?id=8512#10%20simple>

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**From:** James Massaro, P.E. [<mailto:james@cuatroconsultants.com>]  
**Sent:** Friday, March 07, 2014 10:14 AM  
**To:** Pelayo, Sonny  
**Subject:** Ross Complex Fire Access


Sonny,

Please find the attached Ross Complex Site Plan for your review and comment. We want to make sure you are agreeable to the configuration shown for Fire Access. Of particular note are the signage at the corner of Splers and Malarky as requested and the Knox Box for emergency access through our site to Ross Road.

Please confirm receipt and let us know if this is acceptable.

If you have any questions, please feel free to contact us.

**James C. Massaro, P.E.**  
**Project Manager**

  
**Firm Registration No. F-3524**  
**(512) 312 - 5040 ext. 204**  
**1 (512) 508 - 3084 (cell)**  
**(512) 312 - 5399 (fax)**

C12/  
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C12  
39

**RESPONSE TO PEDESTRIAN ADVISORY COUNCIL  
MEMORANDUM**

C12/40

Please find the following responses to the concerns raised by the Pedestrian Advisory Council in their memorandum dated February 19, 2013:

**1. Connecting Spiers Way provides a pedestrian connection:**

- a. We have included in the current configuration 24 hour pedestrian access through the development from Spiers Way to Ross Road with the initial construction.*

**2. Imagine Austin Comprehensive Plan encourages bicycle and pedestrian access:**

- a. Our 24-hour pedestrian and bicycle access is in keeping with the Imagine Austin plan maintaining walkable and cyclable connections to local nodes. In addition, the Project will be required to provide sidewalk extension along Ross Road as construction occurs.*

**3. A new Ross Road crossing would not be constructed to serve Del Valle Elementary:**

- a. The District Facilities Manager has expressed a preference that students not cross at this location for reasons of safety. Such a crossing would require additional crossing guards and would guide elementary students to a secondary service driveway for employee parking not used for student dropoff and pickup.*

**4. A public street encourages more transportation options:**

- a. Pedestrian and Bicycling options will be available at all times for the benefit of Berdoll Farms residents and guests as encouraged by the Imagine Austin Comprehensive Plan without overburdening the existing Berdoll Farms roadway system with through vehicular traffic. Direct access to Ross would not reduce 1/4 mile from almost any trip that currently uses Thome Valley Drive or Alomar Cove.*



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**5. A pedestrian easement is proposed on one side only:**

- a. The Project is under review and may be modified to include additional pedestrian and bicycle access on either or both sides of the connection as proposed for the benefit of those travelers.*

**6. Private drives are not required to be constructed to City of Austin Street Standards:**

- a. The proposed connection shall be constructed to City of Austin Standards for full emergency access without overburdening the existing Berdoll Farms roadway system with through vehicular traffic. The lighting for the first phase of proposed development will be installed with the initial construction of this Project adjacent to the pedestrian pathway.*

C12/42



## MEMORANDUM

\*\*\*\*\*

**TO: Cesar Zavala, Case Manager**  
**Planning and Development Review**

**From: Robert Anderson, Planner**  
**Planning and Development Review Department**

**Date: February 19, 2014**

**RE: Ross Complex Subdivision (Case #: C8-2013-0221.0A)**

\*\*\*\*\*

Dear Mr. Zavala:

Whereas the Pedestrian Advisory Council (PAC) is in nascent form, without official members or a chair to submit a recommendation on the group's behalf, I submit this memorandum as PAC staff reflecting the group's recommendation regarding the Ross Complex Subdivision. The language was approved by those in attendance and an official vote count is included of all members of the public in the audience.

The PAC was formed in summer 2013 in order to advise City of Austin on pedestrian planning, design, funding, and enforcement efforts regarding the creation, maintenance and operation of pedestrian facilities in order to ensure a safe and enjoyable circulation for both commuting and recreation within the City of Austin. The PAC's goal is to ensure sensitivity to pedestrian issues in the design and implementation of all public and private projects impacting pedestrians.

On February 3, 2014 the PAC reviewed the submitted plans of the Ross Complex Subdivision and the associated variance that would ultimately be necessary to fulfill the plans as proposed. The variance request, if plans are submitted and proceed to Zoning and Platting Commission, would be to not connect Spiers Way to Ross Road as required by 25-4-151 STREET ALIGNMENT AND CONNECTIVITY.

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*"Streets of a new subdivision shall be aligned with and connect to existing streets on adjoining property unless the Land Use Commission determines that the Comprehensive Plan, topography, requirements of traffic circulation, or other considerations make it desirable to depart from the alignment or connection."<sup>1</sup>*

The Pedestrian Advisory Council identified numerous points in the applicant's proposal as submitted and recommends denial of any request for a variance to City of Austin's Street Alignment and Connectivity standards, if requested. **The PAC, after discussion of the points to follow, voted 12-0 in favor of recommending requiring Spiers Way to connect to Ross Road as per current Subdivision Regulation requirements.<sup>2</sup>** There were two abstentions and one recusal.

**The group recommends requiring Ross Road to connect to Spiers Way for the following reasons:**

1. Connecting Spiers Way to Ross Road provides for a pedestrian connection as required by current Subdivision Regulations. Figure 1 below shows the existing stub street.

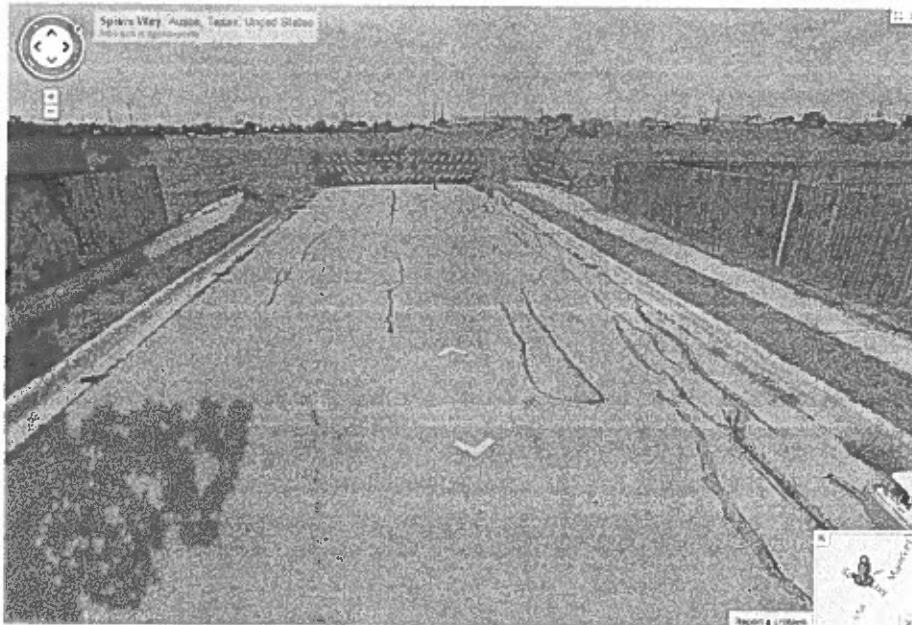


Figure 1. Google photograph of the Spiers Way stub street looking into the proposed subdivision and toward the Del Valle Elementary School.

<sup>1</sup> Austin City Code. § 25-4-151. Available at [http://www.amlegal.com/nxt/gateway.dll/Texas/austin/thecodeofthecityofaustintexas?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:austin\\_tx\\$anc=](http://www.amlegal.com/nxt/gateway.dll/Texas/austin/thecodeofthecityofaustintexas?f=templates$fn=default.htm$3.0$vid=amlegal:austin_tx$anc=)

<sup>2</sup> Originally, the PAC vote was 13-0 in favor of the recommendations, with two abstentions. Following the meeting, a City staff member in attendance *not* on City time, indicated a preference for having their vote recorded as a recusal.

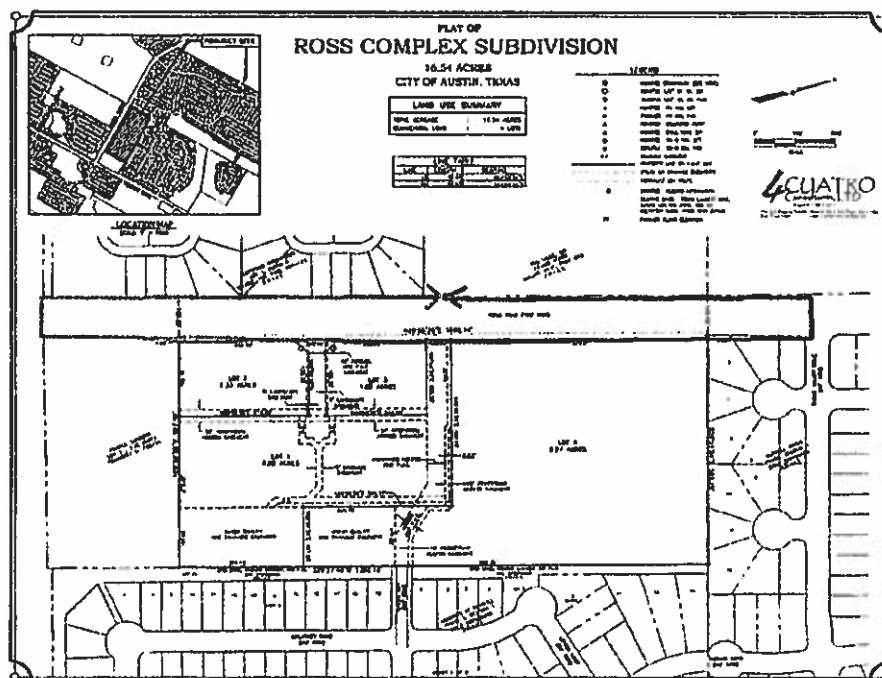
C12/44

2. The *Imagine Austin* Comprehensive Plan, adopted summer 2012, articulates a clear vision for compact and connected development encouraging pedestrian connections and walkable places. Sample language within the Plan articulating walkable communities:

*"Austin promotes safe bicycle and pedestrian access with well-designed routes that provide connectivity throughout the greater Austin area. These routes are part of our comprehensive regional transportation network."*<sup>3</sup>

*"Build new neighborhoods where grocery stores, shopping and dining options, and community services (such as post offices, libraries, healthcare, government offices) are easily accessed from nearby neighborhoods via bicycle and pedestrian traffic. Limit 'sprawl' and commutes all over town to access these types of services."*<sup>4</sup>

3. A private drive would not create a legal crossing point at Ross Road. Instead, individuals will still have to navigate to the North or South in order to legally (and safely) cross Ross Road at either Thome Valley Drive or Pearce Lane. This creates additional time barriers to pedestrianism of approximately 10 minutes. Figure 2 below illustrates in red and green the required pedestrian travel pathways in order to cross Ross Road if approaching through the proposed private drive.



<sup>3</sup> City of Austin. (2012). *Imagine Austin Comprehensive Plan*, p. 86. Retrieved from <http://assets.austintexas.gov/webiacpfullreduced.pdf>

<sup>4</sup> *Ibid*, p. 119.

C12  
/45

Figure 2. Private drives do not create legal crossing points or effective pedestrian connections. A private drive does not enhance pedestrian connectivity.

4. Del Valle Middle School is situated immediately to the Northwest of the proposed subdivision. Providing for a public street encourages more transportation options for families and children in order to access the school.
5. The proposed private drive includes a pedestrian easement on only one side of the drive, whereas a public street would provide for sidewalks on both sides of the street;
6. Private drives are not required to be constructed to City of Austin street standards. As a result, the proposed private drive to connect Spiers Way to Ross Road would not be required to incorporate street lighting, nor other elements of public streets, unless specific provisions are stipulated. Absence of lighting presents safety concerns;

The Pedestrian Advisory Council has expressed an interest in the progression of this subdivision case.

Please let me know if you have any questions regarding the recommendations of the Pedestrian Advisory Council.

Sincerely,



Robert Anderson, Community Transformation Grant Planner  
Comprehensive Planning Division

cc: Pedestrian Advisory Council

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## **PROPOSED ROSS COMPLEX SUBDIVISION**



# ROSS COMPLEX SUBDIVISION

PLAT OF

16.54 ACRES

CITY OF AUSTIN, TEXAS

STATE OF TEXAS,  
COUNTY OF TRAVIS:

KNOW ALL MEN BY THESE PRESENTS, THAT EDUARDO PROPERTIES, L.L.C., A TEXAS LIMITED LIABILITY CORPORATION, BEING THE OWNER OF 16.54 ACRES OF LAND, BEING ALL OF THE LAND SHOWN AND DESCRIBED IN THE ATTACHED INSTRUMENT, HAS CAUSED THE FOLLOWING INSTRUMENT TO BE PREPARED, WRITTEN, SIGNED, AND RECORDED IN THE PUBLIC RECORDS OF THE CITY OF AUSTIN, TEXAS, IN ACCORDANCE WITH THE ATTACHED INSTRUMENT, TO WIT: INSTRUMENT NO. 201220068, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, BEING 16.54 ACRES OF LAND IN ACCORDANCE WITH THE ATTACHED INSTRUMENT, TO WIT: INSTRUMENT NO. 201220068.

"PLAT OF ROSS COMPLEX SUBDIVISION"

AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF ALL STREETS AND EASEMENTS AS SHOWN THEREON, SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HEREONTOBE GRANTED AND NOT RELEASED.

EDUARDO PROPERTIES, L.L.C.  
A TEXAS LIMITED LIABILITY CORPORATION

DANIEL WANG, REPRESENTATIVE

BEFORE ME, A NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS, ON THIS DAY PERSONALLY APPEARED DANIEL WANG, KNOWN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT OF WRITING, AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

(SEAL)

NOTARY PUBLIC'S SIGNATURE

## PLAT NOTES

- THE WATER AND WASTEWATER UTILITY SYSTEM SERVING THIS SUBDIVISION MUST BE IN ACCORDANCE WITH THE CITY OF AUSTIN'S UTILITY STANDARDS. THE UTILITY SYSTEM MUST BE DESIGNED, CONSTRUCTED, AND MAINTAINED IN ACCORDANCE WITH THE CITY OF AUSTIN'S UTILITY STANDARDS. THE UTILITY SYSTEM MUST BE DESIGNED, CONSTRUCTED, AND MAINTAINED IN ACCORDANCE WITH THE CITY OF AUSTIN'S UTILITY STANDARDS.
- BEFORE CONSTRUCTION ON THIS SUBDIVISION, DRAINAGE PLANS WILL BE SUBMITTED TO THE CITY OF AUSTIN FOR REVIEW. THE DRAINAGE PLANS MUST BE DESIGNED IN ACCORDANCE WITH THE CITY OF AUSTIN'S DRAINAGE STANDARDS. THE DRAINAGE PLANS MUST BE DESIGNED IN ACCORDANCE WITH THE CITY OF AUSTIN'S DRAINAGE STANDARDS.
- NO BUILDINGS, STRUCTURES, LANDSCAPING OR OTHER STRUCTURES ARE PERMITTED IN DRAINAGE EASEMENTS EXCEPT AS APPROVED BY THE CITY OF AUSTIN.
- ALL DRAINAGE EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER OR HIS ASSIGNEE. THE CITY OF AUSTIN WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE OF DRAINAGE EASEMENTS ON PRIVATE PROPERTY.
- THE OWNER OF THIS SUBDIVISION AND HIS OR HER SUCCESSORS AND ASSIGNEES, ASSUMES RESPONSIBILITY FOR CONSTRUCTION OF THE UTILITY SYSTEM AND FOR THE MAINTENANCE OF THE UTILITY SYSTEM. THE OWNER OF THIS SUBDIVISION AND HIS OR HER SUCCESSORS AND ASSIGNEES, ASSUMES RESPONSIBILITY FOR CONSTRUCTION OF THE UTILITY SYSTEM AND FOR THE MAINTENANCE OF THE UTILITY SYSTEM.
- PROPERTY OWNERS SHALL PROVIDE FOR ACCESS TO DRAINAGE EASEMENTS AS MAY BE NECESSARY FOR THE MAINTENANCE OF SAID EASEMENT. THE CITY OF AUSTIN WILL NOT BE RESPONSIBLE FOR THE MAINTENANCE OF DRAINAGE EASEMENTS ON PRIVATE PROPERTY.
- NO DEVELOPMENT SHALL BE CONSTRUCTED WITHIN THE CONSERVATION, DRAINAGE, AND PUBLIC UTILITY EASEMENTS, EXCEPT FOR DRAINAGE STRUCTURES, UTILITIES, PROVIDED THAT SUCH DEVELOPMENT BE CONSTRUCTED WITHIN CITY STREETS.
- FOR A VARIATION FROM THE DRAINAGE OF 24 FEET FROM THE BOUNDARY EDGE, DRAINAGE GRADIENTS MAY EXCEED 1:4 ONLY WITH SPECIFIC APPROVAL OF SURFACE MATERIALS AND GEOTECHNICAL DESIGN APPROVED BY THE CITY OF AUSTIN.
- PRIOR TO CONSTRUCTION ON ANY LOT IN THIS SUBDIVISION, A SITE DEVELOPMENT PERMIT MUST BE OBTAINED FROM THE CITY OF AUSTIN.
- EROSION CONTROLS ARE REQUIRED FOR ALL CONSTRUCTION ON INDIVIDUAL LOTS, IN ACCORDANCE WITH THE CITY OF AUSTIN ENVIRONMENTAL CONTROL MANUAL.
- NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO THE CITY OF AUSTIN WATER AND WASTEWATER SYSTEMS.
- AUSTIN ENERGY HAS THE RIGHT TO PRUNE AND/OR REMOVE TREES, SHRUBBERY AND OTHER VEGETATION TO THE EXTENT NECESSARY TO KEEP THE EASEMENTS CLEAR. AUSTIN ENERGY WILL PERFORM ALL TREE WORK.
- THE OWNER/DEVELOPER OF THIS SUBDIVISION/LOT SHALL PROVIDE AUSTIN ENERGY WITH ANY EASEMENT AND/OR ACCESS REQUIRED IN ADDITION TO THOSE INDICATED FOR THE INSTALLATION OF OVERHEAD ELECTRICAL FACILITIES, UNDERGROUND ELECTRICAL FACILITIES, THESE EASEMENTS AND/OR ACCESS ARE REQUIRED TO PROVIDE ELECTRIC SERVICE TO THE BUILDING.
- THE OWNER SHALL BE RESPONSIBLE FOR ANY INSTALLATION OF TEMPORARY EROSION CONTROL, REVEGETATION AND TREE PROTECTION. IN ADDITION THE OWNER SHALL BE RESPONSIBLE FOR ANY OVERHEAD ELECTRICAL FACILITIES, UNDERGROUND ELECTRICAL FACILITIES, THESE EASEMENTS AND/OR ACCESS ARE REQUIRED TO PROVIDE ELECTRIC SERVICE TO THE BUILDING.
- BUILDING SETBACK LINES SHALL BE IN CONFORMANCE WITH THE CITY OF AUSTIN ZONING ORDINANCE REQUIREMENTS.
- ALL STREETS WILL BE CONSTRUCTED TO CITY OF AUSTIN STANDARDS.
- ALL DRAINAGE FACILITIES ARE LOCATED WITHIN DRAINAGE EASEMENTS AND COMPLY WITH THE CITY OF AUSTIN DRAINAGE CRITERIA MANUAL.
- BY APPROVING THIS PLAT, THE CITY OF AUSTIN ASSUMES NO OBLIGATION TO CONSTRUCT ANY INFRASTRUCTURE IN CONNECTION WITH THIS SUBDIVISION. ANY SUBDIVISION INFRASTRUCTURE MUST BE CONSTRUCTED AND MAINTAINED BY THE SUBDIVISION OWNER. THE RESPONSIBILITY OF THE SUBDIVISION OWNER TO CONSTRUCT AND MAINTAIN ANY SUBDIVISION INFRASTRUCTURE TO CITY STANDARDS MAY BE AFFECTED BY THE CITY OF AUSTIN'S CERTIFICATES OF OCCUPANCY.
- PUBLIC STREETS, BUILT TO CITY OF AUSTIN STANDARDS, ARE REQUIRED ALONG THE FOLLOWING LOTS: LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100. THESE STREETS SHALL BE CONSTRUCTED AND MAINTAINED BY THE SUBDIVISION OWNER. THE RESPONSIBILITY OF THE SUBDIVISION OWNER TO CONSTRUCT AND MAINTAIN ANY SUBDIVISION INFRASTRUCTURE TO CITY STANDARDS MAY BE AFFECTED BY THE CITY OF AUSTIN'S CERTIFICATES OF OCCUPANCY.
- PARKLAND FEES ARE REQUIRED PER ORDINANCE 20070631-027, OR AS AMENDED, PRIOR TO APPROVAL OF ANY SITE PLAN IN THIS SUBDIVISION.
- OFF-STREET LOADING AND UNLOADING FACILITIES SHALL BE PROVIDED ON ALL COMMERICAL AND INDUSTRIAL LOTS.
- A VARIANCE TO SECTION \_\_\_\_\_ OF THE LAND DEVELOPMENT CODE, WAS GRANTED BY THE ZONING AND PLATTING COMMISSION/PLATTING COMMISSION ON \_\_\_\_\_, 2014.

## FLOOD PLAIN NOTE

THE 100-YEAR FLOOD PLAIN IS CONTAINED WITHIN THE DRAINAGE EASEMENT(S) SHOWN HEREON. THE 100-YEAR FLOOD PLAIN IS CONTAINED WITHIN THE DRAINAGE EASEMENT(S) SHOWN HEREON. THE 100-YEAR FLOOD PLAIN IS CONTAINED WITHIN THE DRAINAGE EASEMENT(S) SHOWN HEREON.

## DRAINAGE CERTIFICATION

I, \_\_\_\_\_, ENGINEER, DO HEREBY CERTIFY THAT THE INFORMATION AND CALCULATIONS SUBMITTED ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I, \_\_\_\_\_, ENGINEER, DO HEREBY CERTIFY THAT THE INFORMATION AND CALCULATIONS SUBMITTED ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

EDUARDO PROPERTIES, L.L.C.  
A TEXAS LIMITED LIABILITY CORPORATION  
DANIEL WANG, REPRESENTATIVE

## SURVEYOR'S CERTIFICATION

I, GEORGE E. LUCAS, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THIS PLAT COMPLES WITH CHAPTER 25 OF THE TEXAS SURVEYING ACT. I, GEORGE E. LUCAS, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THIS PLAT COMPLES WITH CHAPTER 25 OF THE TEXAS SURVEYING ACT.

GEORGE E. LUCAS  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 4180, STATE OF TEXAS  
433 LITTLE LAKE ROAD  
HUTTO, TEXAS 78643

THIS SUBDIVISION IS LOCATED WITHIN THE FULL PURPOSE JURISDICTION OF THE CITY OF AUSTIN, TEXAS. THIS SUBDIVISION IS LOCATED WITHIN THE FULL PURPOSE JURISDICTION OF THE CITY OF AUSTIN, TEXAS.

## PLANNING AND DEVELOPMENT REVIEW DEPARTMENT

ACCEPTED AND AUTHORIZED FOR RECORD BY THE DIRECTOR, PLANNING & DEVELOPMENT REVIEW DEPARTMENT, CITY OF AUSTIN, COUNTY OF TRAVIS, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

ORIG. CLERKSHIP DIRECTOR  
PLANNING AND DEVELOPMENT REVIEW DEPARTMENT

## ZONING AND PLATTING COMMISSION

ACCEPTED AND AUTHORIZED FOR RECORD BY THE ZONING AND PLATTING COMMISSION OF THE CITY OF AUSTIN, TEXAS THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

BETTY BAKER, CHAIRPERSON  
CITY/PLANNING SECRETARY

STATE OF TEXAS,  
COUNTY OF TRAVIS:

I, DANIEL WANG, CLERK OF TRAVIS COUNTY, TEXAS DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014, AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ P.M. PLAT RECORDS OF SAID COUNTY AND STATE IN DOCUMENT NO. \_\_\_\_\_ OFFICIAL RECORDS OF TRAVIS COUNTY, TEXAS.

WITNESS MY HAND AND SEAL OF THE COUNTY CLERK, THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.

DANIEL WANG, COUNTY CLERK  
TRAVIS COUNTY, TEXAS

DEPUTY

4EQUATRO  
Consultants  
Registration No. 11111  
401 West Street  
Austin, Texas 78701

PREPARED: NOVEMBER 4, 2013  
SUBMITTED: NOVEMBER 4, 2013

CB-2013-0221.0A

SHEET 2 OF 3