

SUBDIVISION REVIEW SHEET (VARIANCE ONLY)

G-9
/

CASE NO.: C8-2014-0178.0A

P.C. DATE: April 14, 2015

SUBDIVISION NAME: Ava's Subdivision

AREA: .85 Acres

LOT(S): 4

OWNER/APPLICANT: 4023 Valley View Rd, Development LLC (Ben Menfi)

AGENT: Mcdill Eng. (Tom Mcdill)

ADDRESS OF SUBDIVISION: 4109 Valley View Road

GRIDS: MG19

COUNTY: Travis

WATERSHED: West Bouldin Creek

JURISDICTION: Full-Purpose

EXISTING ZONING: SF-3

MUD: N/A

NEIGHBORHOOD PLAN: South Lamar

PROPOSED LAND USE: Duplex

ADMINISTRATIVE WAIVERS: None

VARIANCES: The applicant requests a variance from LDC Section 25-4-175(A)(2) in order to resubdivide an existing lot with a flag lot design. **RECOMMENDED**, (see attached memorandum from subdivision review).

SIDEWALKS: Sidewalks will be provided on Valley View Road.

DEPARTMENT COMMENTS: The request is for approval of the Ava's Subdivision. The proposed plat is composed of 1 lot on .85 acres. This case is on your agenda for consideration of the variance request only at this time.

STAFF RECOMMENDATION: The staff recommends approval of the above referenced variance request. Should the Commission grant the variance request, staff will continue to work with the applicant to clear the remaining review comments and will bring the plat back to the Commission for final action.

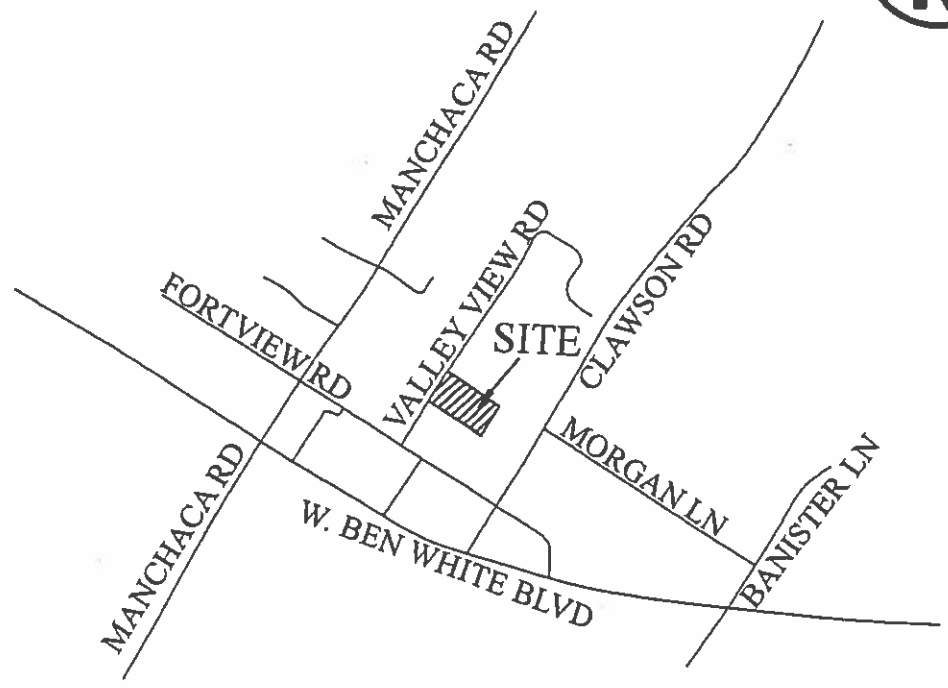
PLANNING COMMISSION ACTION:

CITY STAFF: Don Perryman
e-mail: don.perryman@austintexas.gov

PHONE: 512-974-2786

Ca/2

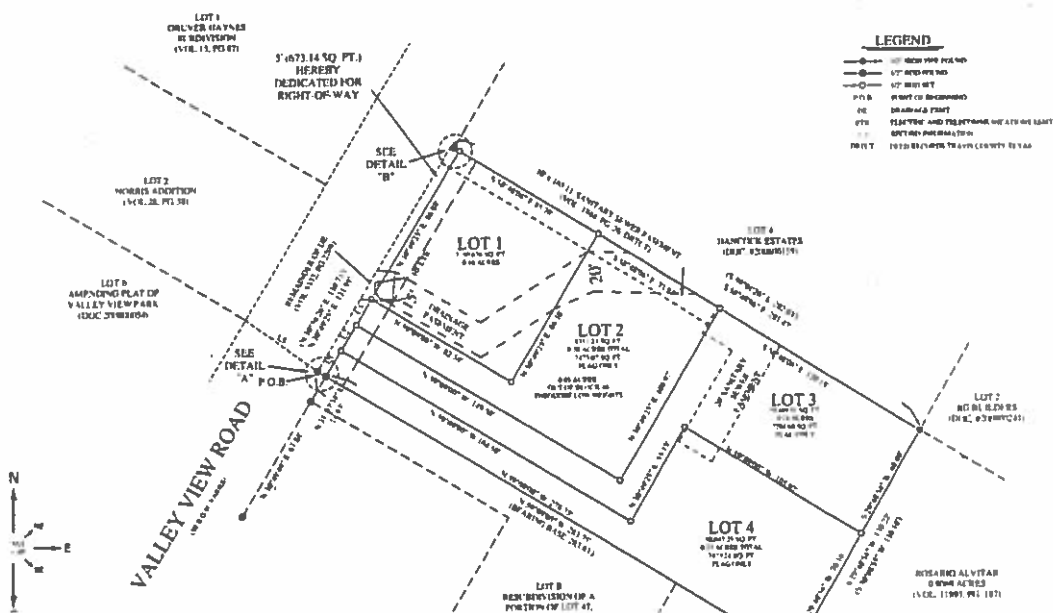
LOCATION MAP
NOT TO SCALE



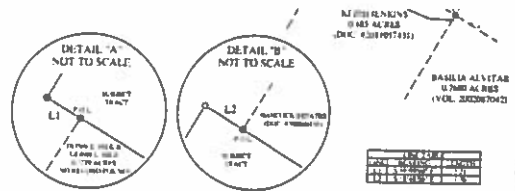
CASE#

AVA'S SUBDIVISION, RESUBDIVISION OF A PORTION OF LOT 46, THEODORE LOW HEIGHTS SUBDIVISION

C9/3



- LEGEND**
- 600 NAIL FOUND
 - CONCRETE MONUMENT SET
 - 1/2" ROD FOUND
 - 1/2" ROD SET
 - POINT TO BE RECORDED
 - BUILDING LINE
 - PLATTING AND RECORDING INFORMATION
 - RECORD INFORMATION
 - PLAT RECORDS TRAVIS COUNTY TEXAS
 - OFFICIAL PUBLIC RECORDS TRAVIS COUNTY TEXAS
 - LOCATION OF 4' SIDEWALK TO BE INSTALLED
 - REAL PROPERTY RECORDS TRAVIS COUNTY TEXAS



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TEXAS
#TRAVIS

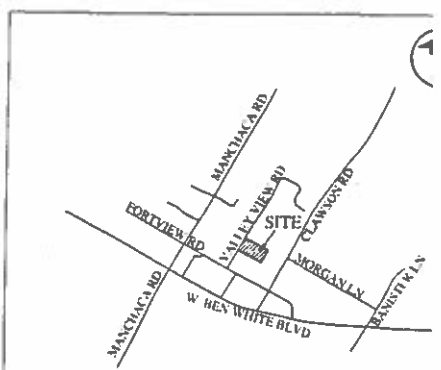
I HEREBY AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND DO HEREBY CERTIFY THAT THIS PLAT COMPLIES WITH THE SURVEY RELATED PORTIONS OF THE AUSTIN CITY CODE OF 1999, AS AMENDED, AND TO THE BEST OF MY KNOWLEDGE IS TRUE AND CORRECT AND WAS PREPARED FROM A SURVEY OF THE PROPERTY MADE ON THE GROUND UNDER MY PERSONAL SUPERVISION.

DAVID R. RPL # 5729
AND SURVEYING
1800N MILL RD
78729

THIS TRACT IS WITHIN THE BOUNDARIES OF THE 100 FOOT PLAIN OF ANY WATERWAY THAT IS WITHIN THE LIMITS OF THE FEDERAL FLOOD INSURANCE ADMINISTRATION.

LINE	BEARING	DISTANCE
L1	N 30°49'25" E	15.00'
L2	N 30°49'25" E	15.00'
L3	N 59°44'47" W	15.00'
L4	N 60°19'32" W	29.47'
L5	N 59°28'58" W	45.15'

DAVID R. RPL # 5729
AND SURVEYING
1800N MILL RD
78729



SCANNED



C9
4

MEMORANDUM

TO: Members of the Planning Commission

FROM: Don E. Perryman, Planner Senior
Planning and Development Review Department

DATE: April 7, 2015

SUBJECT: C8-2014-0178.0A Ava's Subdivision Flag Lot variance request

The applicant for the above referenced subdivision application has requested a variance from Section 25-4-175(A)(2) of the Land Development Code to utilize a flag lot design for a resubdivision creating four single family residential lots. In reviewing the variance request, staff evaluated the request based upon the criteria below, (see criteria and staff response):

(i) has provided accessibility for emergency responders;

The applicant has met with Austin Fire Department review staff and AFD staff has determined that the flag lot configuration proposed will not inhibit accessibility for emergency responders. However, improvements may be required including the possibility of a fire lane, installation of new hydrants, or sprinkling of structures.

(ii) has adequate room for required utilities

The applicant has provided a driveway and utility plan to reviewers for the City of Austin Water and Wastewater review and Austin Energy Departments. The reviewers have determined after review of the utility/driveway plan that there is adequate room to provide utility service to both lots and utilities will not cross the proposed new lot lines.

(iii) enhances environmental and tree protection;

The applicant has provided a tree survey to arborist staff with the City of Austin and the arborist have no objections or further recommendations.

C9
5

(iv) is otherwise compatible with the surrounding neighborhood;

The applicant has provided an exhibit, (see attached, Flag Lot Map Exhibit) which generally shows the development pattern in the immediate vicinity. According to the map provided, (attached), there are several existing flag lots in the immediate neighborhood. Based upon the map provided, staff believes that a flag lot design is compatible with the surrounding neighborhood.

(v) the applicant provides a copy of any existing private deed restrictions;

The applicant has determined that there are no existing private deed restrictions that apply to this property.

Based upon review of these criteria, staff recommends the variance request to develop a flag lot as a part of this resubdivision request.

C9
/6

McDill Engineering

Engineering Consultants 3206 W. Slaughter Lane, Austin, TX, 78738
(512) 288-2392

Andy Linseisen
City of Austin
Development Review
PO BOX 1088
Austin, Texas 78767

FLAG LOT VARIANCE REQUEST

Dear Mr. Linseisen:

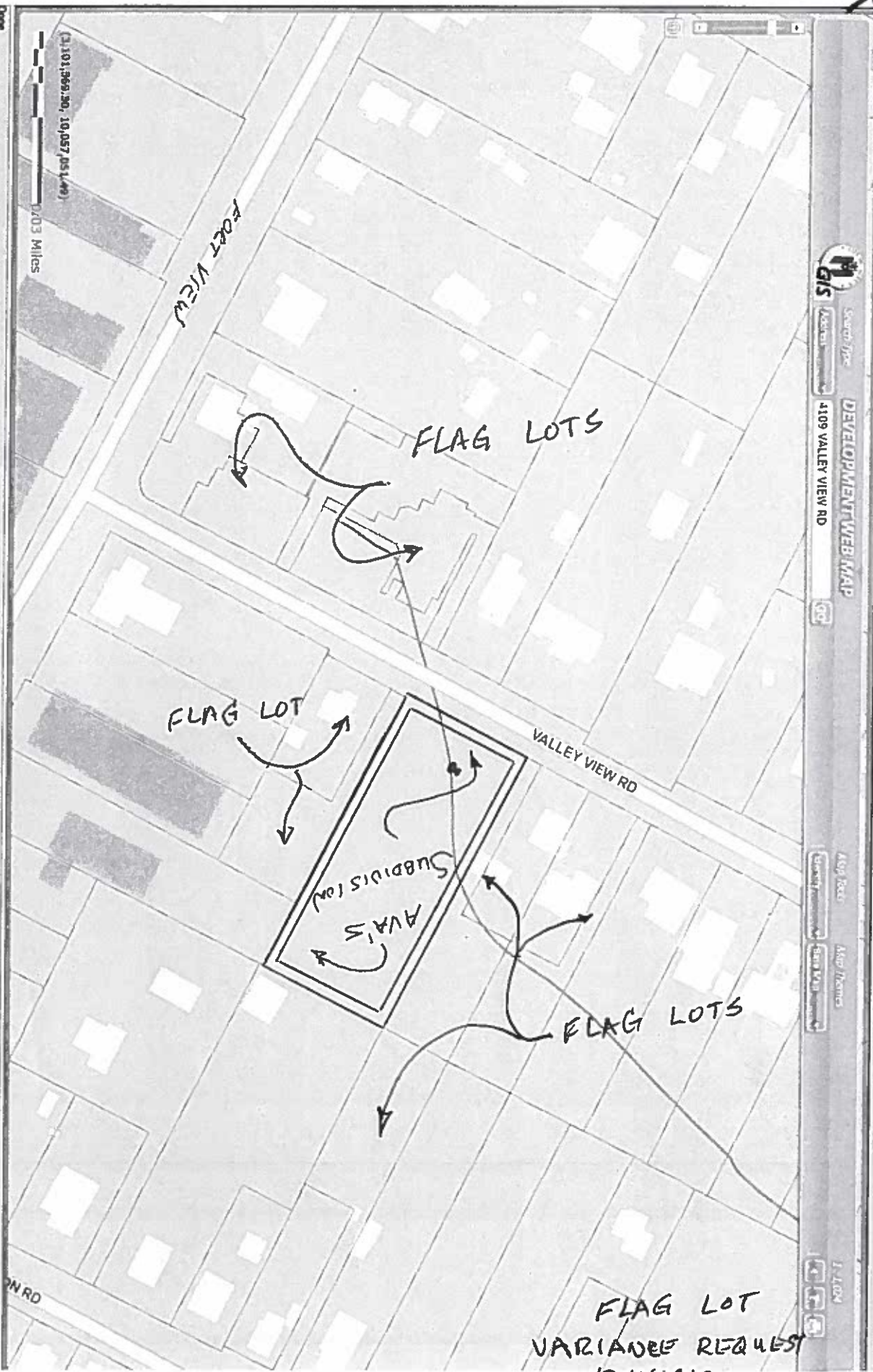
On behalf of my client, 4023 Valley View Development LLC, McDill Engineering has submitted a Subdivision permit application for the Ava's Subdivision, located at the upper area of Valley View (4023) near the intersection with Fort View Road, in south Austin. This tract of land appears to be a remnant of several piecemeal re-subdivisions of land in the area. The tract is only 0.85 acres. It is surrounded by flag lot developments. The property is heavily wooded and the topo as well as the large number of protected trees preclude standard development without destruction of several protected trees. There is a significant storm sewer that dumps into the front of the tract that precludes the standard small lot frontages. The combination of historic trees, drainage situations, surrounding flag lot development, the deep tract configuration, as well as the topo create a definite need for a flag lot subdivision. This tract has been reviewed by Chris Johnson as well Dan Perryman and it appears that all of the desired attributes exist on this site for a positive response to this variance request.

Thank you,


Tom McDill, Jr., P.E.

EXHIBIT E

5/17



DEVELOPMENT WEB MAP
1109 VALLEY VIEW RD

Map Tools

1:1000

FOOT VIEW

FLAG LOTS

FLAG LOT

AVAS'S
SUBDIVISION

VALLEY VIEW RD

FLAG LOTS

FLAG LOT
VARIANCE REQUEST

0.03 Miles
(1,101,969.20, 10,057,051.49)

09/18

McDill Engineering
Engineering Consultants 3206 W. Slaughter Lane, Austin, TX, 78738
(512) 288-2392

Don Perryman
Planning Review
COA
505 Barton Springs Rd.
Austin, TX 78701

February 19, 2015

Re: 4109 Valley Vista Rd., C8-2014-0178.0A, Ava's Subdivision

Dear Mr. Perryman:

Thanks for meeting me this morning. I am writing this cover letter for the referenced project concerning the attached comments we have received covering the required variance for the flag lot design, as listed on the copy of the comment sheet attached. This response is not to meant as a development design commitment, but should ascertain that the elements listed are covered by comments received, and they demonstratE that the flag lot design feasibly can meet the applicable City of Austin rules and regulations..

1. Emergency responder accessibility: I have attached a copy of the most recent layout of proposed structures as well as the driveways, "150 foot reaches" and fire hydrant locations. As you can see this site is pretty much surrounded by fire protection and the layout does provide the required truck and hose layout distances. This layout addresses all of the attached fire department comments. We will create further details to the fire department , to include an access arrangement from the adjoining property to the North on down the road to provide overlapping accessibility.
2. Required utility assignment adequacy: The attached letter from the Austin water department demonstrates that there exists at least one way to provide the required locations and whatever easement needed will be provided after we can realize a way to proceed with the flag lot variance. The plan has been submitted for final approval, by another reengineer to close the loop of the 6" water line existing in Valley View Road and the resultant fire flows would alleviate the need for sprinkler designs in the structures. The structures can be designed for sprinklers if there are no other improvements to the overall water line network.
3. Tree protection: I have provided Mr. Embesi with the tree survey and the proposed game plan as an overlay. He indicates there will be only a few "heritage" protected trees and I see only one tree that may have to be sacrificed and replaced with other trees. I believe his comment will reflect that.

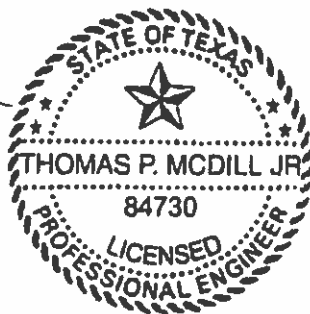
CG
/a

4. Neighborhood compatibility: I have provide the aerial and plats of all adjacent properties to demonstrate that this tract is virtually surrounded by flag lot developments and this is the most efficient and fitting method of improving this property.
5. I am attaching the 1930 plat covering this tract and, as you can see there are no deed restrictions. The surrounding developments have all complied under any and all non-existent restrictions.

With these considerations all taken into account it appears this flag lot design proposal would pass muster and we would like to get on an agenda as soon as possible. Please let me know if you have any further questions.

Thanks,

Thomas P. McDill Jr.
Thomas P, McDill, P.E.



P.S.: (A) EMBESI SAID HE WROTE A LETTER
(e-mail ??)

(B) LET ME KNOW WHAT ELSE YOU WOULD
LIKE TO SEE ON THE SKETCH

Castillo, Ralph

09/10

From: Castillo, Ralph
Sent: Friday, February 13, 2015 12:01
To: Perryman, Don; Buys, Ron (Ron.Buys@austintexas.gov)
Subject: 4108 Valley View Rd., C8-2014-0178.0A; Request for Fire Dept. sign-off for accessibility for emergency responders

To: (via hard copy)
Tom McDill, P.E.
McDill Engineering
512-288-2392

← TOM WILL PICK UP

Tom,

This letter is a follow-up to our conversation this morning. You were requesting Austin Fire Dept. (AFD) to sign two letters indicating our approval of the above subject project (a re-subdivision to create flag lots).

Unfortunately due to the volume of work we are asked to review and approve (we reviewed about 600 plans per month, last count), we are required to do our reviews and issue our approvals within the established plan submittal and approval process.

In your case, we reviewed your submitted plans, which were reviewed by Ron Buys, and he issued the following comment:

1. LOT 3 AND 4 ARE MORE THAN 150 FT FROM STREET SO FIRE ACCESS IS INADEQUATE AND NEED FIRE HYDRANT LOCATIONS TO VERIFY THAT DISTANCES MEET CODE.

This comment can be addressed by providing the following, on a plan, or plans, submitted as a formal update via the Case Manager (Don Perryman):

2. Show on the plan a fire lane in compliance with International Fire Code (IFC) Sec. 503, as amended by AFD, that will provide the access required by this section for homes proposed for Lots 3 and 4. If you are not familiar with the detailed requirements of this section, feel free to contact me, and I can direct you to online resources of the IFC, or let you use my copy at our office.
3. If the fire lane is located on multiple lots (straddles a property line), then a Joint Use Access Easement must be indicated on the plan, and will need to be recorded with the County prior to Site Plan approval (AFD can approve the re-subdivision after the easement is shown on the plan, prior to recording with the County, if approved by the Case Manager).
4. Show on the plan the location of the fire hydrants to show compliance with IFC Sec. 507, as amended by AFD. Once again, if you are not familiar with the detailed requirements of Sec. 507, feel free to set up a meeting with me to discuss.

Be advised that currently I am available to meet next week on Wednesday afternoon or anytime Friday.

Thanks,

Ralph B. Castillo, P.E.
Lead Engineer, Engineering Services Section
Austin Fire Department/Emergency Prevention Division
505 Barton Springs RD, Suite 200



PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

Commission is required to approve the subdivision by State law if no variances are required, and if it meets all requirements. A board or commission's decision on a subdivision may only be appealed if it involves an environmental variance. A variance may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (it may be delivered to the contact person listed on a notice); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
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Case Number: C8-2014-0178.0A

Contact: Don Perryman, 512-974-2786 or

Natalia Rodriguez, 512-974-3099

Public Hearing: Zoning and Platting Commission, March 17, 2015

BRIAN GAGE

Your Name (please print)

 I am in favor
 I object

4021 VILLEY VIEW RD #A, 78741

Your address(es) affected by this application

Signature

5/12/15

Date

Daytime Telephone: 512-851-3428

Comments: MY HOME HAS BEEN AFFECTED BY RECENT CONSTRUCTION IN THE LOT DUE EAST OF THE SUBJECT LOT. DUE TO PLANTS IN PREVIOUS COURSE I HAVE INCURRED PLANTS PREVIOUSLY THE LOT IN QUESTION INCLUDES THE REMAINE OF A WATER-SHED CREEK, ALREADY STRAWED BY CURRENT DENSITY. FURTHER STRAWING THIS WATER-SHED WILL BE Destructive to my home.

If you use this form to comment, it may be returned to:

City of Austin - Planning & Development Review Dept./4th Floor
 Don Perryman
 P. O. Box 1088
 Austin, TX 78767-8810

DO NOT APPROVE

5/14

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Case Number: C8-2014-0178.0A
 Contact: Don Perryman, 512-974-2786
 Natalia Rodriguez, 512-974-3099
 Public Hearing: Planning Commission, April 14, 2015

Your Name (please print) JENNIFER P WATSON

I am in favor
 I am not in favor

Your address(es) affected by this application 4007b Valley View 78704



Date 3/30/15

Daytime Telephone: 512-775-8186

Comments: Each time this has occurred on our street taxes have gone up. We received no extra services for the increases. Our property is not worth more. We just have to pay you more suckers more money so someone else can build more midtown-looking condos on our street!

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 Don Perryman
 P. O. Box 1088
 Austin, TX 78767-8810

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 Contact: Don Perryman, 512-974-2786
 Natalia Rodriguez, 512-974-3099
 Public Hearing: Planning Commission, April 14, 2015

Michelle Wyszocki
 Your Name (please print)

I am in favor
 I object

Holly Bailey View
 Your address(es) affected by this application
 Michelle Wyszocki

3/29/15
 Date

Daytime Telephone: 512 472 5899
 Signature

Comments:

If you use this form to comment, it may be returned to:
 City of Austin – Planning & Development Review Department / 4th Fl
 Don Perryman
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 Austin, TX 78767-8810

5/3

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 Contact: Don Perryman, 512-974-2786
 Natalia Rodriguez, 512-974-3099
 Public Hearing: Planning Commission, April 14, 2015

KEN ACORD
 Your Name (please print) I am in favor
 I object

4010 Valley View Rd Austin 78704
 Your address(es) affected by this application

Ken Acord
 Signature

Daytime Telephone: _____ Date 3-29-15

Comments: _____

If you use this form to comment, it may be returned to:
 City of Austin – Planning & Development Review Department / 4th Fl
 Don Perryman
 P. O. Box 1088
 Austin, TX 78767-8810

815

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Case Number: C8-2014-0103
 Contact: Don Perryman, 512-974-2786
 Cindy Casillas, 512-974-3437
 Public Hearing: March 17, 2015, Zoning and Platting Commission

KAREN ALKAM

Your Name (please print)

10233 Beard Avenue

Your address(es) affected by this application

Karen Alkam

Signature

3/16/15

Date

Daytime Telephone: _____

Comments: _____

I am in favor of this object

If you use this form to comment, it may be returned to:

City of Austin – Planning & Development Review Dept./4th Floor
 Don Perryman
 P. O. Box 1088
 Austin, TX 78767-8810