

SUBDIVISION REVIEW SHEET

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CASE NO.: C8-2014-0153.0A

ZAP DATE: July 7, 2015

SUBDIVISION NAME: Restoration Subdivision

AREA: 4.51 acres

LOTS: 1

APPLICANT: Restoration Temple of Deliverance
Ministries (Pastor John Horne)

AGENT: I.T. Gonzalez Engineers
(Bill Graham)

ADDRESS OF SUBDIVISION: 6301 Moonglow Dr

GRIDS: MP24

COUNTY: Travis

WATERSHED: Walnut Creek

JURISDICTION: Full Purpose

EXISTING ZONING: SF-4A

COUNCIL DISTRICT: 1

PROPOSED LAND USE: Religious assembly

NEIGHBORHOOD PLAN: none

VARIANCES: LDC 25-4-151

SIDEWALKS: Because Moonglow Drive ends at the property line, no sidewalks will be required.

DEPARTMENT COMMENTS:

The request is for approval of the Restoration Temple final plat and a variance to LDC 25-4-151. The plat consists of one lot on 4.51 acres. The lot will be developed with a church. The variance is needed because LDC 25-4-151 requires the streets of new subdivisions to align with and connect to existing streets on adjoining property. The variance will allow Moonglow Drive to end at the property line rather than being extended. If the variance is approved, the proposed lot will comply with zoning requirements for use, lot width and lot size.

STAFF RECOMMENDATION: The staff recommends approval of the plat and the variance. With the variance, the subdivision meets all applicable State and City of Austin Land Development Code requirements.

ZONING AND PLATTING COMMISSION ACTION:

CASE MANAGER: Steve Hopkins

PHONE: 512-974-3175

E-mail: steve.hopkins@austintexas.gov

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MEMORANDUM

DATE: January 21st, 2015
TO: Chair and Members of the Planning Commission
CC: Steve Hopkins, Case Manager
FROM: Caleb Gutshall, Transportation Review
SUBJECT: Variance Request for Restoration Temple, C8-2014-0153.0A
RECOMMENDATION: To approve the variance

PROPERTY LOCATION:

The proposed subdivision is located on 4.51 acres zoned SF-4A approximately 0.25 miles south of Loyola Lane and 0.20 miles east of Johnny Morris Road. The site has right-of-way access to Moonglow Drive along the northern property boundary via a stubbed-out roadway connection

DESCRIPTION OF WAIVER:

The applicant for the proposed Restoration Temple Subdivision is requesting a variance from the Land Development Code (LDC) requirement:

- (1) Section 25-4-151 that states 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.

The variance requested is for Moonglow Drive.

STAFF RECOMMENDATION:

Both The Austin Transportation Department and Planning and Development Review Department provided input and support the following recommendation.

The Transportation Review Section recommends the variance to be granted for the following reasons:

- Extension of the roadway adds a substantial amount of impervious cover in the lower 150' of the Critical Water Quality Zone (CWQZ). The roadway extension would also negatively affect the adjacent Walnut Creek watershed 100-year floodplain causing potential safety hazards. Due to the environmentally sensitive issues, it is not desirable to extend Moonglow Drive.

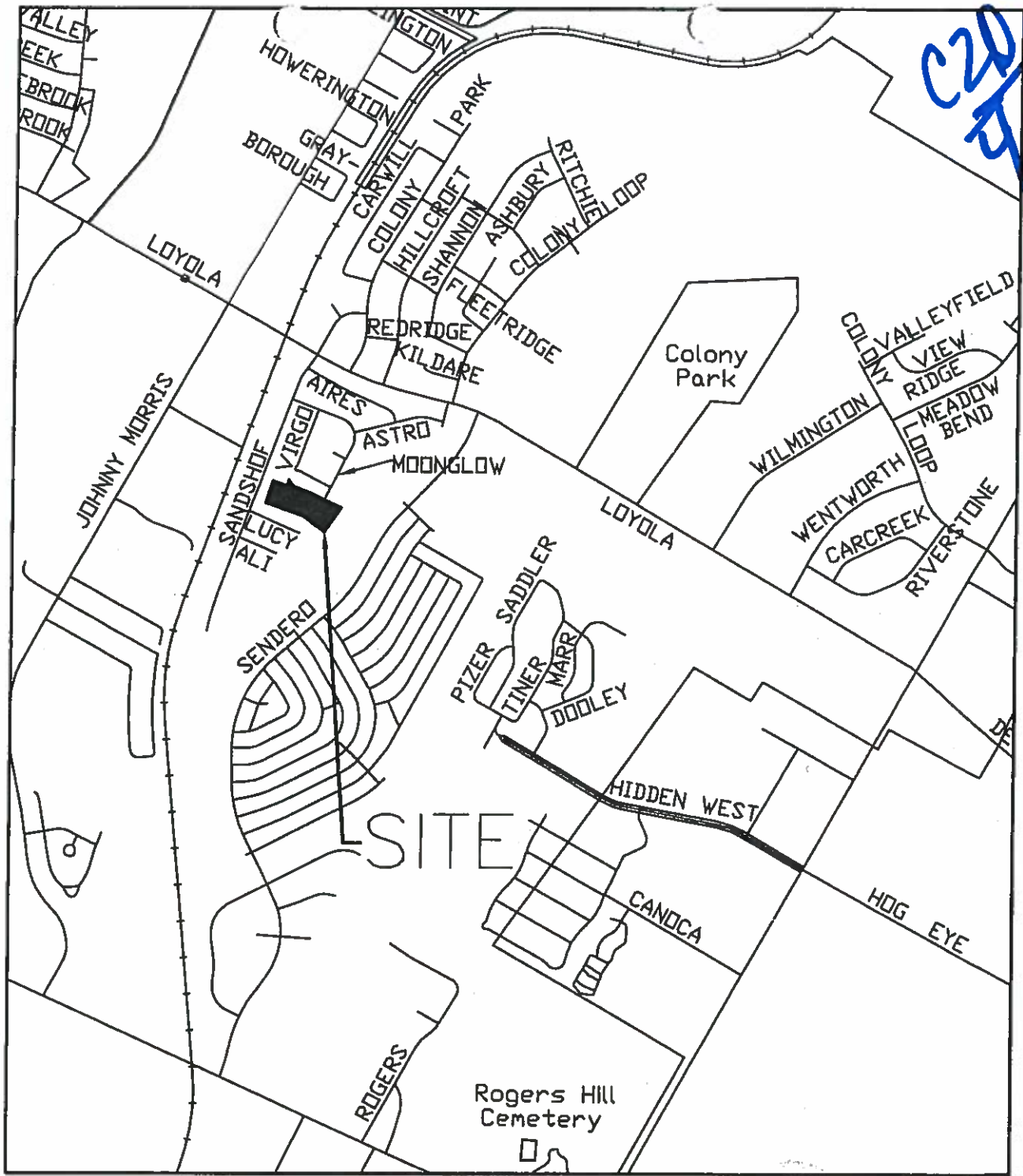
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- The site is currently bound by single-family detached housing to the north and south, an open space easement to the west, and a creek to the east. The extension of Moonglow Drive does not implement Imagine Austin or provide additional connectivity options in the area due to the site's constraints.

If you have any further questions or require additional information, please contact me at 974-6420.



Caleb Gutshall
Senior Planner
Planning and Development Review Department, Transportation Review Section



VICINITY MAP
N.T.S.

SCANNED

RESTORATION TEMPLE SUBDIVISION
6301 MOONGLOW DRIVE
AUSTIN, TX 78724

RESTORATION TEMPLE SUBDIVISION

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Accepted and authorized for record by the Zoning & Platting Commission of the City of Austin, Texas, this, _____ day of _____ 20____

STATE OF TEXAS
COUNTY OF TRAVIS
KNOW ALL MEN BY THESE PRESENTS:

Betty Baker, Chair

Cynthia Banks, Secretary

THAT I, JOHN W. HORNE, ACTING HEREIN BY AND THROUGH AND AS THE AUTHORIZED OFFICER OF RESTORATION TEMPLE OF DELIVERANCE MINISTRIES, A NON-PROFIT CORPORATION, BEING THE OWNER OF 4.509 ACRES OF LAND OUT OF THE JAMES BURLISON SURVEY IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING THAT 4.509 ACRE TRACT OF LAND AS CONVEYED BY WARRANTY DEED 2014060982 RECORDED IN THE REAL RECORDS OF TRAVIS COUNTY, TEXAS, SAID TRACT HAVING BEEN APPROVED FOR SUBDIVISION PURSUANT TO THE PUBLIC NOTIFICATION AND HEARING PROVISION OF CHAPTER 212 OF THE LOCAL GOVERNMENT CODE, DO HEREBY SUBDIVIDE SAID 4.509 ACRE TRACT ACCORDING TO THE ATTACHED MAP OR PLAT SHOWN HEREON TO BE KNOWN AS "RESTORATION TEMPLE SUBDIVISION" AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF ALL STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

FLOODPLAIN NOTE:
A PORTION OF THIS SUBDIVISION IS WITHIN THE BOUNDARIES OF THE 100 YEAR FLOODPLAIN THAT IS WITHIN THE LIMITS OF THE STUDY OF THE FEDERAL FLOOD INSURANCE ADMINISTRATION FIRM PANEL NUMBER 4645300470H, DATED SEPTEMBER 28, 2008.

WITNESS MY HAND THIS _____ DAY OF _____, 20____

GENERAL NOTES:

1. THIS SUBDIVISION PLAT IS LOCATED WITHIN THE FULL-PURPOSE JURISDICTION OF THE CITY OF AUSTIN ON THIS THE _____ DAY OF _____, 20____.
2. NO LOT WILL BE OCCUPIED UNTIL THE STRUCTURE IS CONNECTED TO THE CITY OF AUSTIN WATER AND WASTEWATER UTILITY SYSTEM.
3. THE WATER AND WASTEWATER UTILITY SYSTEMS SERVING THIS SUBDIVISION MUST BE IN ACCORDANCE WITH THE CITY OF AUSTIN UTILITY DESIGN CRITERIA. THE WATER AND WASTEWATER UTILITY PLAN MUST BE REVIEWED AND APPROVED BY THE AUSTIN WATER UTILITY. ALL WATER AND WASTEWATER CONSTRUCTION MUST BE INSPECTED BY THE CITY OF AUSTIN. THE LANDOWNER MUST PAY THE CITY INSPECTION FEE WITH THE UTILITY CONSTRUCTION.
4. THE LANDOWNER(S) IS RESPONSIBLE FOR PROVIDING THE WATER AND WASTEWATER UTILITY IMPROVEMENTS, OFFSITE MAIN EXTENSIONS, SYSTEM UPGRADES, UTILITY RELOCATION, AND ABANDONMENT TO SERVE EACH LOT.
5. THE OWNER OF THIS SUBDIVISION, AND HIS OR HER SUCCESSORS AND ASSIGNS, ASSUMES RESPONSIBILITIES FOR PLANS FOR CONSTRUCTION OF SUBDIVISION IMPROVEMENTS WHICH COMPLY WITH APPLICABLE CODES AND REQUIREMENTS OF THE CITY OF AUSTIN. THE OWNER UNDERSTANDS AND ACKNOWLEDGES THAT PLAT VACATION OR REPLATTING MAY BE REQUIRED, AT THE OWNER'S SOLE EXPENSE, IF PLANS TO CONSTRUCT THIS SUBDIVISION DO NOT COMPLY WITH SUCH CODES AND REQUIREMENTS.
6. EROSION/SEDIMENTATION CONTROLS ARE REQUIRED FOR ALL CONSTRUCTION ON EACH LOT, PURSUANT TO THE LAND DEVELOPMENT CODE AND THE ENVIRONMENTAL CRITERIA MANUAL.
7. THE ELECTRIC UTILITY HAS THE RIGHT TO PRUNE AND/OR REMOVE TREES, SHRUBBERY AND OTHER OBSTRUCTIONS TO THE EXTENT NECESSARY TO KEEP THE EASEMENTS CLEAR. THE UTILITY WILL PERFORM ALL TREE WORK IN COMPLIANCE WITH CHAPTER 25-8, SUBCHAPTER B OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE.
8. THE OWNER/DEVELOPER OF THIS SUBDIVISION/LOT SHALL PROVIDE THE ELECTRIC UTILITY COMPANY WITH ANY EASEMENT AND/OR ACCESS REQUIRED, IN ADDITION TO THOSE INDICATED, FOR THE INSTALLATION AND ONGOING MAINTENANCE OF OVERHEAD AND UNDERGROUND ELECTRIC FACILITIES. THESE EASEMENTS AND/OR ACCESS ARE REQUIRED TO PROVIDE ELECTRIC SERVICE TO THE LOT, AND WILL NOT BE LOCATED SO AS TO CAUSE THE SITE TO BE OUT OF COMPLIANCE WITH CHAPTER 25-8 OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE.
9. THE OWNER SHALL BE RESPONSIBLE FOR ANY INSTALLATION OF TEMPORARY EROSION CONTROL, VEGETATION AND TREE PROTECTION. IN ADDITION, THE OWNER SHALL BE RESPONSIBLE FOR ANY TREE PRUNING AND TREE REMOVAL THAT IS WITHIN TEN FEET OF THE CENTER LINE OF THE OVERHEAD ELECTRICAL FACILITIES DESIGNED TO PROVIDE ELECTRIC SERVICE TO THIS PROJECT. AUSTIN ENERGY WORK SHALL ALSO BE INCLUDED WITHIN THE LIMITS OF CONSTRUCTION FOR THIS PROJECT.
10. NO BUILDINGS, FENCES, LANDSCAPING OR OTHER OBSTRUCTION ARE PERMITTED IN DRAINAGE EASEMENTS AND WATER QUALITY EASEMENTS EXCEPT AS APPROVED BY THE CITY OF AUSTIN OR TRAVIS COUNTY.
11. BUILDING SETBACK LINES SHALL BE IN CONFORMANCE WITH CITY OF AUSTIN ZONING ORDINANCE REQUIREMENTS.
12. THE OWNER OF THE PROPERTY IS RESPONSIBLE FOR MAINTAINING CLEARANCES REQUIRED BY THE NATIONAL ELECTRIC SAFETY CODE, OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) REGULATIONS, CITY OF AUSTIN RULES AND REGULATIONS AND TEXAS STATE LAWS PERTAINING TO CLEARANCES WHEN WORKING IN CLOSE PROXIMITY TO OVERHEAD POWER LINES AND EQUIPMENT. AUSTIN ENERGY WILL NOT RENDER ELECTRIC SERVICE UNLESS REQUIRED CLEARANCES ARE MAINTAINED. ALL COSTS INCURRED BECAUSE OF FAILURE TO COMPLY WITH THE REQUIRED CLEARANCES WILL BE CHARGED TO THE OWNER.
13. PARTICIPATION IN THE REGIONAL STORMWATER MANAGEMENT PROGRAM WAS GRANTED FOR THIS SUBDIVISION ON _____ BY THE CITY OF AUSTIN WATERSHED PROTECTION DEPARTMENT.
14. BY APPROVING THIS PLAT, THE CITY OF AUSTIN ASSUMES NO OBLIGATION TO CONSTRUCT ANY INFRASTRUCTURE IN CONNECTION WITH THIS SUBDIVISION. ANY SUBDIVISION INFRASTRUCTURE REQUIRED FOR THE DEVELOPMENT OF THE LOTS IN THIS SUBDIVISION IS THE RESPONSIBILITY OF THE DEVELOPER AND/OR THE OWNERS OF THE LOTS. FAILURE TO CONSTRUCT ANY REQUIRED INFRASTRUCTURE TO CITY STANDARDS MAY BE JUST CAUSE FOR THE CITY TO DENY APPLICATIONS FOR CERTAIN DEVELOPMENT PERMITS INCLUDING BUILDING PERMITS, SITE PLAN APPROVALS, AND/OR CERTIFICATES OF OCCUPANCY.
15. PRIOR TO DEVELOPMENT ON LOT 1, A SITE DEVELOPMENT PERMIT, TO INCLUDE WATER QUALITY PLANS, SHALL BE OBTAINED FROM THE CITY OF AUSTIN.
16. THE CITY OF AUSTIN 100-YEAR FULLY DEVELOPED FLOODPLAIN WITHIN THE TRACT BOUNDARY AS SHOWN ON THE PLAT FOR THIS SUBDIVISION, AND LABELED AS DRAINAGE EASEMENT #1, IS HEREBY DEDICATED AS A DRAINAGE EASEMENT.
17. DRAINAGE EASEMENT #2 AS SHOWN ON THE PLAT FOR THIS SUBDIVISION IS HEREBY DEDICATED AS A DRAINAGE EASEMENT.
18. THE WATER LINE EASEMENT AS SHOWN ON THE PLAT FOR THIS SUBDIVISION IS HEREBY DEDICATED AS A WATERLINE EASEMENT.
19. ALL ACTIVITIES WITHIN THE CRITICAL ENVIRONMENTAL FEATURE (CEF) AND ASSOCIATED SETBACK (CEF SETBACK) MUST COMPLY WITH THE CITY OF AUSTIN LAND DEVELOPMENT CODE. THE NATURAL VEGETATIVE COVER MUST BE RETAINED TO THE MAXIMUM EXTENT PRACTICABLE; CONSTRUCTION IS PROHIBITED; AND WASTEWATER DISPOSAL OR IRRIGATION IS PROHIBITED.
20. A VARIANCE TO SECTION 25-4-151 OF THE LAND DEVELOPMENT CODE WAS GRANTED BY THE ZONING & PLATTING COMMISSION ON _____ 20____.

JOHN W. HORNE
AUTHORIZED OFFICER
RESTORATION TEMPLE OF DELIVERANCE MINISTRIES
6301 MOONCLOW DRIVE
AUSTIN, TX 78724

STATE OF TEXAS
COUNTY OF TRAVIS

THIS INSTRUMENT ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 20____

NOTARY PUBLIC, IN AND FOR THE STATE OF TEXAS

(PRINT NAME)

(ADDRESS)

MY COMMISSION EXPIRES: _____

SURVEYOR'S CERTIFICATION

THIS IS TO CERTIFY THAT I AM AUTHORIZED TO PRACTICE THE PROFESSION OF SURVEYING IN THE STATE OF TEXAS; AND THAT ALL INFORMATION SHOWN THEREON IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AS RELATED TO THE SURVEYING PORTIONS THEREOF; AND THAT SAID PLAT COMPLIES WITH CHAPTER 25 OF THE AUSTIN CITY CODE, AND OTHER APPLICABLE CODES AND ORDINANCES.

WITNESS MY HAND THIS _____ DAY OF _____, 20____

I.T. GONZALEZ
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 2780
IT GONZALEZ ENGINEERS
3501 MANOR ROAD
AUSTIN, TEXAS 78723
(512) 447-7400

ENGINEER'S CERTIFICATION

THIS IS TO CERTIFY THAT I AM AUTHORIZED TO PRACTICE THE PROFESSION OF ENGINEERING IN THE STATE OF TEXAS; THAT I SUBMITTED HEREON TO THE CITY OF AUSTIN FOR RECORD AND APPROVAL THIS INSTRUMENT IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE AS RELATED TO THE ENGINEERING PORTIONS THEREOF; AND THAT SAID PLAT IS COMPLETE, ACCURATE AND IN COMPLIANCE WITH THE CITY OF AUSTIN LAND DEVELOPMENT CODE.

WITNESS MY HAND THIS _____ DAY OF _____, 20____

I.T. GONZALEZ
REGISTERED PROFESSIONAL ENGINEER NO. 41307
IT GONZALEZ ENGINEERS
3501 MANOR ROAD
AUSTIN, TEXAS 78723
(512) 447-7400

APPROVED FOR ACCEPTANCE:

APPROVED, ACCEPTED AND AUTHORIZED FOR RECORD BY THE DIRECTOR, PLANNING AND DEVELOPMENT REVIEW DEPARTMENT, CITY OF AUSTIN, COUNTY OF TRAVIS, THIS THE _____ DAY OF _____, 20____.

GREG GUERNSEY, DIRECTOR
PLANNING AND DEVELOPMENT REVIEW DEPARTMENT

DATE

STATE OF TEXAS
COUNTY OF TRAVIS

I, DANA DEBEAUVOR, 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 _____, 20____, A.D. AT _____ O'CLOCK _____ M., DULY RECORDED ON THE _____ DAY OF _____, 20____, A.D. AT _____ O'CLOCK _____ M., PLAT RECORDS OF SAID COUNTY AND STATE IN DOCUMENT NUMBER _____ OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK, THIS DAY OF _____, 20____, A.D.

DANA DEBEAUVOR, COUNTY CLERK
TRAVIS COUNTY, TEXAS

DEPUTY

SHEET 2 OF 2
CASE #CB-2014-0153.0A
PLAT APPLICATION SUBMITTAL DATE: 9-8-2014
PLAT PREPARATION DATE: 6-19-2015

I.T. GONZALEZ ENGINEERS

SURVEYING FIRM REGISTRATION NO. 100573-0
ENGINEERING FIRM REGISTRATION NO. F-3216
3501 MANOR ROAD
AUSTIN, TEXAS 78723
TEL: (512) 447-7400 FAX: (512) 447-6389

May 6, 2015

Zoning and Platting Commission
301 W 2nd Street
Austin, Texas 78701

Re: Street Alignment and Connectivity Variance
Restoration Temple Subdivision
6301 Moonglow Drive
C8-2014-0153.0A

Dear Members of ZAP Commission:

On behalf of our client, Restoration Temple of Deliverance Ministries, I. T. Gonzalez Engineers is requesting a variance from the requirements of the Land Development Code Section 25-4-151, Street Alignment and Connectivity. The tract of land to be subdivided to make one lot is currently undeveloped. The proposed improvements as shown on a site plan currently under review include a church building and associated drive and parking.

There is not practical way to extend Moonglow Drive to meet the requirements of Section 25-4-151. When the property surrounding 6301 Moonglow Drive was subdivided, no access was provided to the public roads that were constructed as part of the subdivision. To the west, the 6301 Moonglow Drive tract was blocked from access to Sandshof Drive by a conservation easement lot with an approximate depth of 25' that was created as part of the Sendero Hills Phase 4 Subdivision approved in 2007. The current owner will not grant an access easement to allow access across the conservation easement lot. To the south, access to Lucy Cove was not provided when this part of the property was developed as part of the same subdivision.

A creek with a CWQZ that must be crossed to access Moonglow Drive from the subject property lies to the east, with a portion of the Moonglow Drive being located in the lower 150' of this 300' wide CWQZ. A 100-year flood plain drainage easement for this creek is being dedicated as part of the subdivision of this property. A drainage easement lot, created as part of the Sendero Hills Phase 4 Subdivision, abuts the 100-year floodplain that will be dedicated.

The construction of a culdesac at the end of Moonglow Drive would result in a large area of impervious cover being located in the lower 150' of the CWQZ. The topography in this area is fairly steep, making needed grading for a possible culdesac extend even further into the lower 150' of the CWQZ.

To develop the tract at 6301 Moonglow, access must be taken by a drive with abutting ADA access sidewalk. This drive and sidewalk will cross the CWQZ that is located on the site in order

to connect to the end of Moonglow Drive. The section of the drive and sidewalk that will be located in the lower 150' of CWQZ will be constructed to create the minimum change necessary to develop the land. Water quality buffering will be used for construction of the section of the drive and sidewalk and the parking in the upper 150' of the CWQZ.

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With the constraints that have been discussed, the property cannot be developed without the requested variance.

Sincerely,



Bill Graham, P.E.