Item C-07 1 of 21

### SUBDIVISION REVIEW SHEET

**CASE NO.:** C8-2016-0148.0A **Z.A.P. DATE:** April 4, 2017

**SUBDIVISION NAME:** Highland Village Section 2, Resubdivision of Lots 1 and 2, Block I

**AREA**: .483 **LOT(S)**: 3

OWNER/APPLICANT: Najib Wehbe AGENT: Hector Avila

ADDRESS OF SUBDIVISION: 5019 and 5021 West Frances Place

GRIDS: MH27 COUNTY: Travis

**WATERSHED:** Shoal Creek

JURISDICTION: Full Purpose

**EXISTING ZONING:** SF-2 **DISTRICT:** 10

PROPOSED LAND USE: single-family

**ADMINISTRATIVE WAIVERS:** None

**VARIANCES**: None

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

**DEPARTMENT COMMENTS:** The request is for approval of the Highland Village Section 2 Phase 1, resubdivision of Lots 1 and 2, Block I. The proposed plat is composed of 3 lots on .483 acres. The applicant proposes to resubdivide two existing legal lots into 3 lots for single-family residential use. Two lots are proposed to continue to take access to West Frances Place and the newly resubdivided lot will take access to Hancock Drive. All utilities are available from the City of Austin. The developer will be responsible for all costs associated with any required improvements.

Staff notes that there is significant opposition from the adjacent neighborhoods, however, the plat has been reviewed and found to meet all City of Austin requirements.

**STAFF RECOMMENDATION:** The staff recommends approval of the plat. This plat meets all applicable State and City of Austin LDC requirements.

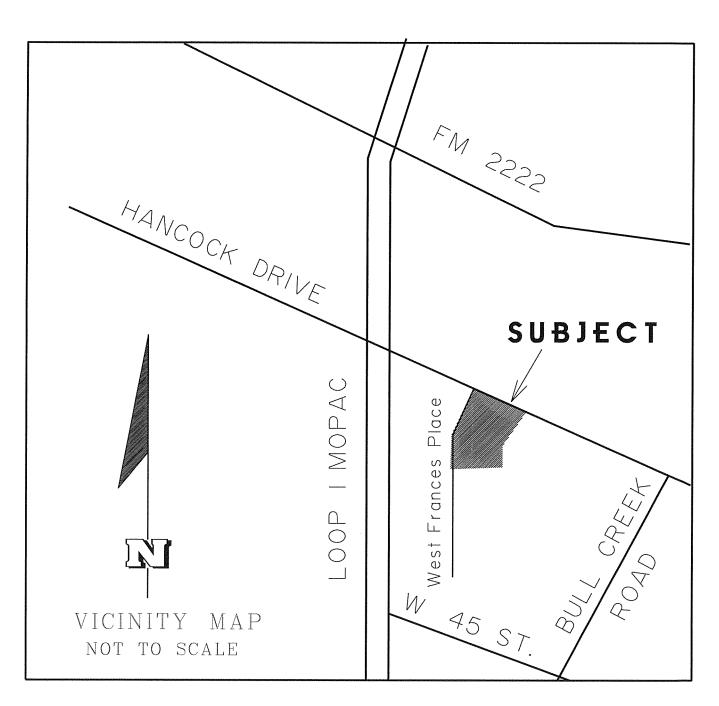
### **ZONING AND PLATTING ACTION:**

**CITY STAFF:** Don Perryman **PHONE:** 512-974-2786

e-mail: don.perryman@austintexas.gov

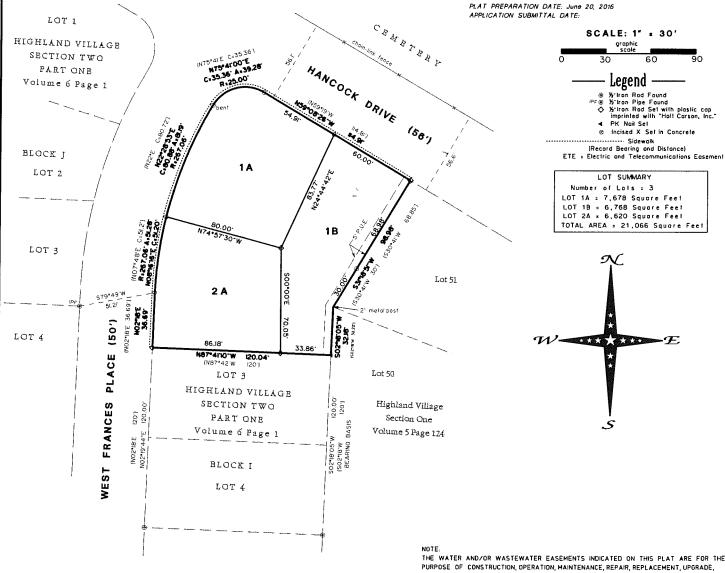






CASE NUMBER C8-2016-

### RESUBDIVISION OF LOT I AND OT 2 BLOCK I HIGHLAND VILLAGE SECTION TWO PART ONE



THE STATE OF TEXAS
THE COUNTY OF TRAVIS

KNOW ALL MEN BY THESE PRESENTS

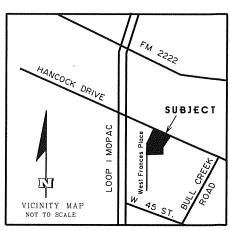
That I, Najib Wehbe, owner of all of Lot 1 and Lot 2, Block I, Highland Village Section Two Park One, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 6 Page 1 of the Plat Records of Travis County, Texas, as conveyed to me by General Warranty Deeds recorded in Occument No. 2014;129799 and Document No. of the Official Public Records of Travis County, Texas, said subdivision having been approved for resubdivision pursuant to the public notification and hearing provision of Chapter 212.014 of the Local Government Code,

do hereby resubdivide said lats in accordance with the atlached map or plat shown hereon to be known as

### RESUBDIVISION OF LOT I AND LOT 2 BLOCK I HIGHLAND VILLAGE SECTION TWO PART ONE

and do hereby dedicate to the Public the use of all streets and easements shown hereon, subject to any easements and/or restrictions heretatore granted, and not released.

THE WATER AND/OR WASTEWATER EASEMENTS INDICATED ON THIS PLAT ARE FOR THE PURPOSE OF CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT, UPGRADE, DECOMMISSIONING AND REMOVAL OF WATER AND/OR WASTEWATER FACELITIES AND APPURTENANCES NO OBJECTS, INCLUDING BUT NOT LIMITED TO, BUILDINGS, FENCES, RETAINING WALLS, TREES OR OTHER STRUCTURES ARE PERMITTED IN WATER AND/OR WASTEWATER EASEMENTS EXCEPT AS APPROVED BY THE CITY OF AUSTIN



CASE NUMBER C8-2016-0000.0A



### The Allandale Neighborhood Association P.O. Box 10886 • Austin, TX 78766

**Don Perryman**City of Austin Senior Planner
City of Austin Development Services Department
One Texas Center, 4th Floor
505 Barton Springs Rd.

Re: 5021 West Frances Place, Case Number: C8-2016-0148.0A

### Dear Mr. Perryman:

As an Executive Committee Member and the Zoning Committee Chairperson for the Allandale Neighborhood Association (ANA), I am responding to the notice received from the City of Austin Planning and Development Review Department that the Zoning and Platting Commission will hold a public hearing on the proposed subdivision at 5021 West Frances Place, case number C8-2016-0148.0A, on March 7, 2017.

First of all, thank you for prompt responses to my questions and providing requested documents related to this re-subdivision case. After reviewing the original deeds for the property provided by the owner, I did determine that the re-subdivision violates the restriction for the lots which states, "No lot with a frontage at the building set back line shall be less than 60 feet ...." The maximum width of the new lot is 60 feet along Hancock Dr. and then tapers to approximately to 34 feet. Therefore, any improvements added that face Hancock cannot comply with this deed restrictions. As you explained to me in previous discussions, the City will not deny approval based on lack of compliance with deed restrictions. However, ANA will request that the owner follow the appropriate legal process for amending the deed allowing this re-subdivision and future development on this new lot.

Secondly, the City's Transportation Department initially prohibited the owner from constructing a driveway from Hancock Dr. associated with this re-subdivision because the Transportation Criteria Manual does not allow access to single family residences from minor arterials and according to City Transportation Staff, "The future right-of-way improvements will affect the operations of North Loop and the residential frontage creates concerns for future vehicular maneuverability along the arterial." It is our understanding that City staff after initially requiring

driveway access from West Frances Place, have changed their position and are now permitting driveway access from Hancock Dr. once the owner has an approved joint use access agreement for a shared driveway. We do not agree with this arrangement as it does not comply with the Transportation Criteria Manual and the increased use of a single shared driveway will correspondingly increase safety risks to bike riders along Hancock Dr., a primary route for Highland Park Elementary students.

Furthermore, the re-subdivision of these two lots will create a property that is not compatible with the character of surrounding neighborhoods. Allowing the re-subdivion of properties when there is clearly not adequate space for a driveway and that creates the necessity for a shared use agreement with adjoining properties is not compatible with neighborhoods within Allandale.

Please contact me at (512) 567-3536, if you have any questions concerning this letter.

Sincerely,

Todd Shaw

Allandale Neighborhood Association Zoning Committee Chairperson

Lead Shar

### Pamela Blaine Hughes

February 11, 2017

City of Austin – Development Services Department, 4<sup>th</sup> Floor Don Perryman PO Box 1088 Austin, Texas 78767

Case Number: C8-2016-0148.0A

Public Hearing: Zoning and Platting, March 7, 2017

Dear Mr. Perryman,

I am writing to object to the proposed re-subdivision plans presented for: 5021 W. Frances Place.

In early conversations with the property owner, I considered supporting this proposal. I live across the street from this property, and would like to see improvements made to the two run-down, vacant houses that are currently there.

However as I learn more about it, and have had conversations with builders, and other members of the neighborhood association, I have changed my feelings. I do not think it is in the best interest of the neighborhood and our property values to allow owners to reconfigure their property in this way.

If the property owner had proposed development plans, and we had a concrete idea of what the new development would look, I might feel differently. However I think the re-platting proposed for the single purpose of one individual trying to get more money out of an investment property does not serve this neighborhood and community as a whole. I also have concern that approving this plan would set a precedent for other investors and developers to try to do the same in other areas.

I think the subdividing plans are very unconventional at best, and I respectfully oppose.

Thank you for your consideration of this matter.

Pamela Blaine 5016 W. Frances Place Austin, Texas 78731 512-413-9600

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 an 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. A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

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:

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For additional information on the City of Austin's land development process, visit our web site: <a href="http://www.austintexas.gov/development">http://www.austintexas.gov/development</a>.

P. O. Box 1088 Austin, TX 78767-8810	P. C
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Contact: Don Perryman, 512-974-2786 or Elsa Garza, 512-974-2308  Public Hearing: Zoning and Platting Commission, Mar 7, 2017	PC
Case Number: C8-2016-0148.0A	

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Comments: We oppose the proposed re-subdivision of the existing subdivision of 2 lots into 3.  Allowing additional occupants in central theoretic occupants in central theoretic the environment and thattice as well as stretching already thin city services.	Comments: be ex	
Your address(es) affected by this application  2/13/2017  Signature  Daytime Telephone: 512, 454, 5046	Your address(es	
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Case Number: C8-2016-0148.0A Contact: Don Perryman, 512-974-2786 or Elsa Garza, 512-974-2308 Public Hearing: Zoning and Platting Commission, Mar 7, 2017	Case Numbe Contact: Do Public Hear	

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City of Austin -Development Services Department / 4th Fl

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Austin, TX 78767-8810

Don Perryman P. O. Box 1088

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visit our web site: http://www.austintexas.gov/development

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Case Number: C8-2016-0148.0A

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### 13 of 2

### PUBLIC HEARING INFORMATION

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## PUBLIC HEARING INFORMATION

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Don Perryman

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