

**SUBDIVISION REVIEW SHEET
VARIANCE ONLY**

CASE NO.: C8-2016-0187.0A

Z.A.P. DATE: July 11, 2017

SUBDIVISION NAME: Mariposa Flats

AREA: 1.0036

LOT(S): 1

OWNER/APPLICANT: Richard J. Bruggeman

AGENT: LJA Engineering, Inc.
(Danny Miller)

ADDRESS OF SUBDIVISION: 1901 MARIPOSA DR

GRIDS: MJ19

COUNTY: Travis

WATERSHED: Town Lake

JURISDICTION: Full Purpose

EXISTING ZONING: MF-4-CO

DISTRICT: 3

NEIGHBORHOOD PLAN: Riverside

PROPOSED LAND USE Commercial MF

ADMINISTRATIVE WAIVERS: None

VARIANCES: The applicant requests a variance from LDC Section 25-4-151 which requires that streets in a new subdivision must be in line with existing streets on adjoining property. The applicant proposes to not extend Mariposa Drive through the proposed lot. **Recommended**, (see attached memorandum from Transportation Review).

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 solely for the approval of the above referenced variance request. The proposed plat is composed of 1 lot on 1.0036 acres.

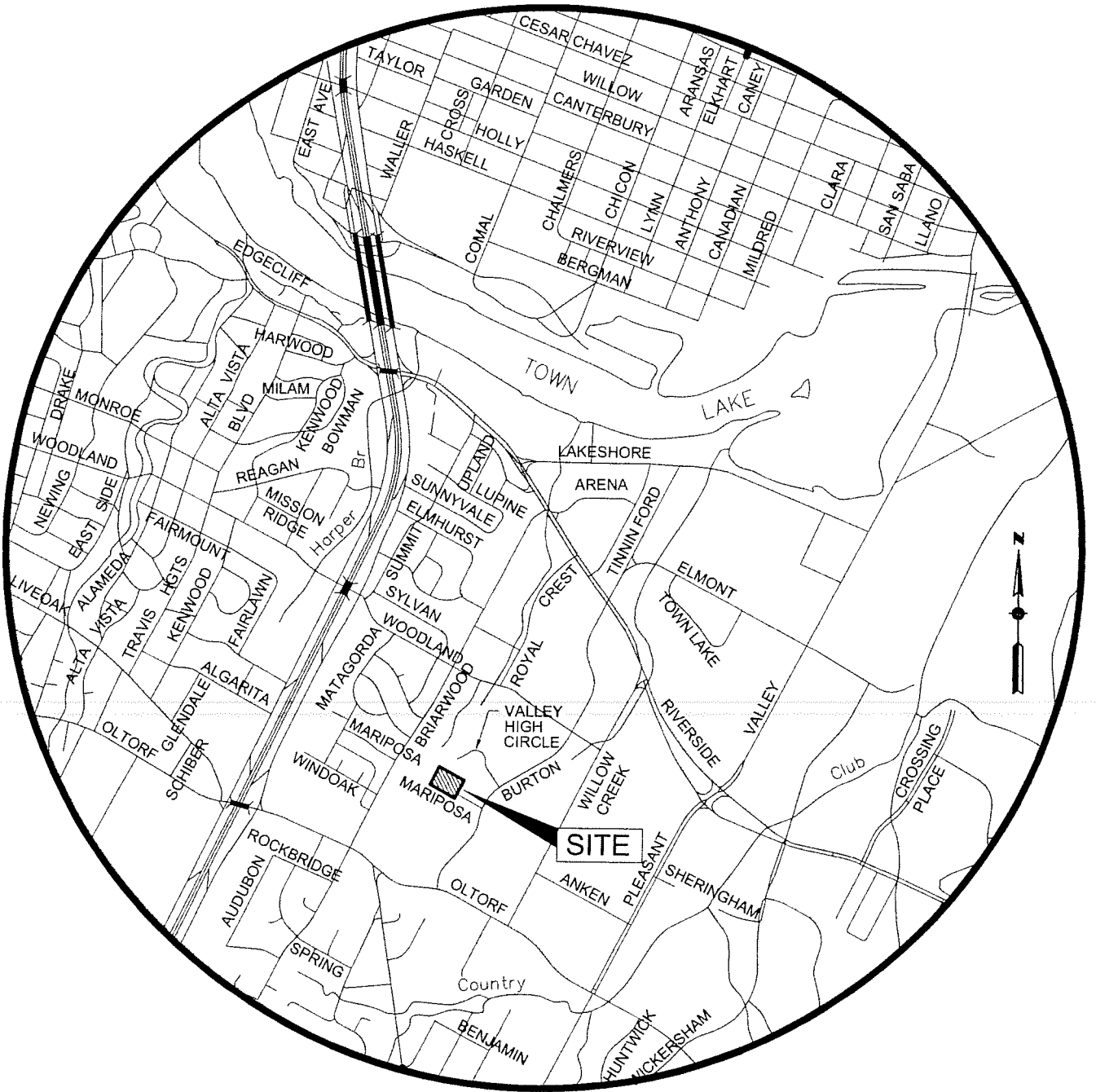
STAFF RECOMMENDATION: The staff recommends approval of the variance request. This plat will otherwise meet all applicable State and City of Austin LDC requirements.

PLANNING COMMISSION ACTION:

CITY STAFF: Don Perryman

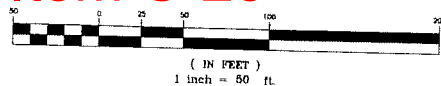
PHONE: 512-974-2786

e-mail: don.perryman@austintexas.gov

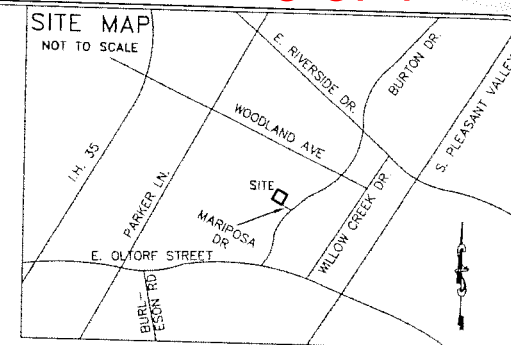


LOCATION MAP
(N.T.S.)

GRID NO. J19, MAPSCO PAGE 615T



FINAL PLAT OF MARIPOSA FLATS



LOT SIX(6) SEC. SIX
COLORADO HILLS ESTATES
(56/100)

KENNETH R. MAHAFFEY
LOT 7, COLORADO HILLS
ESTATES SECTION 6
(56/100)

LA CHENAY
CONDOMINIUMS
(9189/232)

LOT 1
BLOCK A

1.0036 AC.
43,718 SQ. FT.
(2001178962)

MARIPOSA DRIVE
(60' PUBLIC R.O.W.)

AUS PARK VIEW INVESTORS LLC
LOT 1
PARKER HEIGHTS SEC 3
(2013011712)

LEGEND
① 1/2" HIGH PIN FOUND
② 1/2" HIGH PIN SET
③ PLAT FOUND
④ RECORD INFORMATION

STATE OF TEXAS:
COUNTY OF TRAVIS:

KNOW ALL MEN BY THESE PRESENTS:

THAT FLATS ON MARIPOSA LLC BEING THE OWNER OF THAT CERTAIN 1.0036 ACRES TRACT OF LAND OUT THE SANTIAGO DEL VALLE GRANT, ABSTRACT NO. 22 SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AS CONVEYED BY DEED RECORDED IN DOCUMENT NO. 2016001218 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, DOES HEREBY SUBDIVIDE 1.0036 ACRES OF LAND IN ACCORDANCE WITH THE ATTACHED MAP OR PLAT SHOWN HEREON PURSUANT TO CHAPTER 212 OF THE TEXAS LOCAL GOVERNMENT CODE, TO BE KNOWN AS:

MARIPOSA FLATS

AND DO HEREBY DEDICATE TO THE PUBLIC, THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

DATE:

STATE OF TEXAS:
COUNTY OF TRAVIS:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE CAPACITY THEREIN STATED FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THE DAY OF _____, 20____ AD.

NOTARY PUBLIC FOR THE STATE OF TEXAS

(NAME: _____)

MY COMMISSION EXPIRES: _____

GENERAL NOTES:

GENERAL NOTES CONTINUED:

SURVEYOR'S CERTIFICATE

I, HERMAN CRICHTON, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THIS PLAT COMPLES BOTH THE SURVEYING RELATED PORTIONS OF CHAPTER 25 OF THE AUSTIN CITY CODE OF 2008 AS AMENDED, IS TRUE AND CORRECT, AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR MADE UNDER MY SUPERVISION IN AUGUST OF 2016.

HERMAN CRICHTON, R.P.L.S., No. 4046
DATE: _____
SURVEYING BY: _____
CRICHTON AND ASSOCIATES



TBLS Firm # 101727-00
9448 East Highway 280
Suite B105
Austin, Texas 78723
(512) 244-3395
Orders@CrichtonandAssociates.com

- 2) THIS TRACT LIES WITHIN ZONE X, AREAS OUTSIDE THE 500-YEAR FLOOD PLAIN, AS SHOWN ON COMMUNITY PANEL NUMBER 4843C 0605 H, OF THE FLOOD INSURANCE RATE MAP PREPARED FOR THE CITY OF AUSTIN BY THE FEDERAL INSURANCE ADMINISTRATION DEPARTMENT, H.U.D. ON SEPT. 26, 2008.
- 3) 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 FACILITIES AND APPURTENANCES, NO OBJECTS, INCLUDING BUT NOT LIMITED TO, BUILDINGS, RETAINING WALLS, TREES OR OTHER STRUCTURES ARE PERMITTED IN WATER AND/OR WASTEWATER EASEMENTS EXCEPT AS APPROVED BY THE CITY OF AUSTIN AND TRAVIS COUNTY TEXAS.
- 4) THE WATER AND WASTEWATER UTILITY SYSTEM SERVING THIS SUBDIVISION MUST BE IN ACCORDANCE WITH THE CITY OF AUSTIN DESIGN CRITERIA. THE WATER AND WASTEWATER UTILITY PLAN MUST BE REVIEWED AND APPROVED BY THE AUSTIN WATER UTILITY. ALL WATER AND WASTEWATER UTILITY CONSTRUCTION MUST BE INSPECTED BY THE CITY OF AUSTIN. THE LANDOWNER MUST PAY THE CITY INSPECTION FEE WITH THE UTILITY CONSTRUCTION.
- 5) WATER QUALITY CONTROLS ARE REQUIRED FOR ALL DEVELOPMENT PURSUANT TO THE LAND DEVELOPMENT CODE.
- 6) BUILDING SETBACK LINES SHALL BE IN ACCORDANCE WITH THE OF AUSTIN ZONING ORDINANCE REQUIREMENTS.
- 7) THE OWNER OF THIS SUBDIVISION, AND HIS OR HER SUCCESSORS AND ASSIGNS, ASSUMES RESPONSIBILITY 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 REPLATING MAY BE REQUIRED AT THE OWNERS SOLE EXPENSE, IF PLANS TO CONSTRUCT THIS SUBDIVISION DO NOT COMPLY WITH SUCH CODES AND REQUIREMENTS.
- 8) PRIOR TO CONSTRUCTION, EXCEPT DETACHED SINGLE FAMILY ON ANY LOT IN THIS SUBDIVISION, A SITE DEVELOPMENT PERMIT MUST BE OBTAINED FROM THE CITY OF AUSTIN.
- 9) STREETS, DRAINAGE, SIDEWALKS, EROSION CONTROLS, AND WATER AND WASTEWATER LINES ARE REQUIRED TO BE CONSTRUCTED AND INSTALLED TO MEET CITY OF AUSTIN STANDARDS.
- 10) AUSTIN ENERGY HAS THE RIGHT TO PRUNE AND/OR REMOVE TREES, SHRUBBERY AND OTHER OBSTRUCTIONS TO THE EXTENT NECESSARY TO KEEP THE EASEMENTS CLEAR. AUSTIN ENERGY WILL PERFORM ALL TREE WORK IN COMPLIANCE WITH CHAPTER 25-6, SUBCHAPTER B, OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE.
- 11) 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 AND ONGOING MAINTENANCE OF OVERHEAD AND UNDERGROUND ELECTRIC FACILITIES. THESE EASEMENTS AND/OR ACCESS ARE REQUIRED TO PROVIDE ELECTRIC SERVICE TO THE BUILDING, AND WILL NOT BE LOCATED SO AS TO CAUSE THE SITE TO BE OUT OF COMPLIANCE WITH CHAPTER 25-6 OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE.

- 12) THE OWNER SHALL BE RESPONSIBLE FOR INSTALLATION OF TEMPORARY EROSION CONTROL, REVEGETATION AND TREE PROTECTION. IN ADDITION, THE OWNER SHALL BE RESPONSIBLE FOR ANY PROPOSED OVERHEAD ELECTRICAL FACILITIES DESIGNED TO PROVIDE ELECTRIC SERVICE TO THIS PROJECT. THE OWNER SHALL INCLUDE AUSTIN ENERGY WORK WITHIN THE LIMITS OF CONSTRUCTION FOR THIS PROJECT.
- 13) 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 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.
- 14) EROSION CONTROLS ARE REQUIRED FOR ALL CONSTRUCTION ON INDIVIDUAL LOTS, IN ACCORDANCE WITH THE CITY OF AUSTIN LAND DEVELOPMENT CODE AND THE ENVIRONMENTAL CRITERIA MANUAL.
- 15) ANY ELECTRIC UTILITY ACTIVITY INSIDE THE SUBDIVISION SHALL BE INCLUDED UNDER THE DEVELOPMENT PERMIT.
- 16) THIS SUBDIVISION SHALL BE DEVELOPED, CONSTRUCTED, AND MAINTAINED IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF TITLE 25 AND TITLE 30, AUSTIN CITY CODE, AS ADOPTED ON THE DATE THIS SUBDIVISION APPLICATION WAS FILED WITH THE CITY OF AUSTIN.
- 17) THE OWNER SHALL BE RESPONSIBLE FOR INSTALLATION OF TEMPORARY EROSION CONTROL, RE-VEGETATION AND TREE PROTECTION. IN ADDITION, THE OWNER SHALL BE RESPONSIBLE FOR ANY PROPOSED OVERHEAD ELECTRICAL FACILITIES DESIGNED TO PROVIDE ELECTRIC SERVICE TO THIS PROJECT. THE OWNER SHALL INCLUDE AUSTIN ENERGY'S WORK WITHIN THE LIMITS OF CONSTRUCTION FOR THIS PROJECT.
- 18) 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.
- 19) NO WATER WELL IN THIS SUBDIVISION MAY BE LOCATED WITHIN 150 FEET OF THE SUBDIVISION BOUNDARY WITHOUT THE CONSENT OF THE ADJOINING LAND OWNER(S).

ACCEPTED AND AUTHORIZED FOR RECORD BY THE DIRECTOR, DEVELOPMENT SERVICES DEPARTMENT, CITY OF AUSTIN, TEXAS, THIS THE ____ DAY OF _____, 2015.

J. RODNEY GONZALES, DIRECTOR
DEVELOPMENT REVIEW DEPARTMENT

THIS SUBDIVISION PLAT IS LOCATED WITHIN THE LIMITED PURPOSE JURISDICTION OF THE CITY OF AUSTIN ON THIS THE ____ DAY OF _____, 2015.

THE STATE OF TEXAS
COUNTY OF TRAVIS

I, DANA DEBEAUVOUR, 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____ AD. AT ____ O'CLOCK____ M., AND DULY RECORDED ON THE ____ DAY OF _____, 20____ AD. AT ____ M., PLAT RECORDS OF SAID COUNTY AND STATE IN DOCUMENT NO. ____ OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK, THIS ____ DAY OF _____, 20____ AD.
DANA DEBEAUVOUR, COUNTY CLERK, TRAVIS COUNTY, TEXAS
BY _____ DEPUTY

**MEMORANDUM**

TO: Don Perryman, Case Manager
Members of the Planning Commission

FROM: Natalia Rodriguez, CNU-A, Land Use Review Division, DSD

DATE: July 3, 2017

SUBJECT: Variance Request Mariposa Flats Subdivision
Case Number – C8-2016-0187.0A

Recommendation: To approve the variance

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 variance is for the connection to Mariposa Drive.

The proposed subdivision is located within the City of Austin's full purpose jurisdiction in southeast Austin, between Woodland Avenue and E Oltorf Street. The site consists of one lot on 1.004 acres.

Staff recommends approval of the variance for the following reasons:

- Mariposa Drive is an existing local street which provides access to the multi-family units to the north.
- Traffic circulation would not be compromised if Mariposa Drive was not extended because there are other ingress and egress points throughout this subdivision and adjacent subdivisions to right-of-way.
- The proposed development for this subdivision includes a six-story multi-family and parking garage building. The 60-foot right-of-way dedication and setback requirements would reduce the buildable area by approximately 40%. In accordance with the Comprehensive Master Plan, Imagine Austin, staff has agreed to support the proposed multi-family residential development within the Urban Core with the condition to provide pedestrian and bicycle connectivity.

Support for variance contingent upon following recommendations:

- The site shall provide a 15-foot Sidewalk, Trail, and Recreational Easement along the south property line from Mariposa Lane to the adjacent site to the west.
- An urban trail shall be constructed, in accordance with City of Austin standards, at the time of Site Plan application from Mariposa Drive to the adjacent site to the west.
- This trail connection allows for open and accessible pedestrian and bicycle travel from the adjacent multi-family development, and any future adjacent development, to Mariposa Lane and bus stops along Burton Drive.

If you have any further questions or required additional information, please contact me at 974-3099.

Natalia Rodriguez, CNU-A
Land Use Review Division/ Transportation Review
Development Services Department