

## SUBDIVISION REVIEW SHEET

**CASE NO.:** C8-2020-0021.0A

**COMMISSION DATE:** December 7, 2021

**SUBDIVISION NAME:** Fort Branch Subdivision

**ADDRESS:** 5016 E. Martin Luther King Jr. Blvd.

**APPLICANT:** East 13<sup>th</sup> Street LLC (Robert Penta)

**AGENT:** Jerome Perales (Perales Land Development LLC)

**ZONING:** SF-3-NP (single family residence)

**NEIGHBORHOOD PLAN:** MLK-183

**AREA:** 2.9 acre (126,324 sf)

**LOTS:** 8

**COUNTY:** Travis

**DISTRICT:** 1

**WATERSHED:** Fort Branch

**JURISDICTION:** Full Purpose

**VARIANCES:** none

### **DEPARTMENT COMMENTS:**

The request is for the approval of the Fort Branch Subdivision comprised of 8 lots on 2.9 acres (126,324 sf).

Staff recommends approval of the plat, subject to the conditions listed in the attached comment report. After the conditions are met, the plat will comply with LDC 25-4-84(B). The conditions include completing a restrictive covenant, clarification of rain garden design, verify Drainage Criteria Manual requirements, adding a plat note, payment of parkland fees, and posting fiscal. These are administrative actions that require no discretionary review. An application that has been approved with conditions may be updated to address those conditions until the application expires and the plat does not need to be heard before the Commission again.

### **STAFF RECOMMENDATION:**

Staff recommends approval of the plat, subject to the conditions listed in the comment report dated December 2, 2021, and attached as Exhibit C.

**CASE MANAGER:** Cesar Zavala

**PHONE:** 512-974-3404

**E-mail:** [cesar.zavala@austintexas.gov](mailto:cesar.zavala@austintexas.gov)

### **ATTACHMENTS**

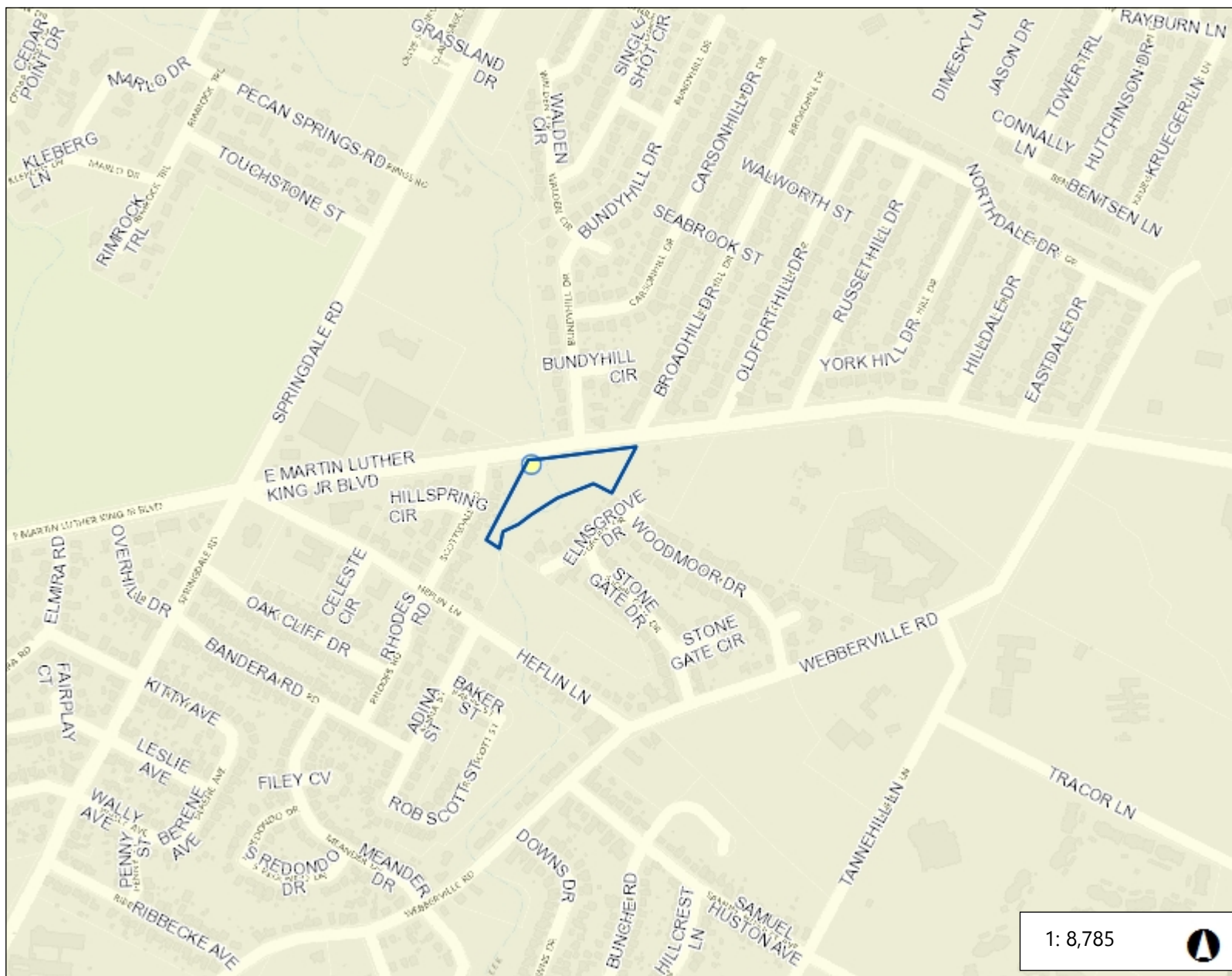
Exhibit A: Vicinity map


Exhibit B: Proposed plat

Exhibit C: Comment report dated December 2, 2021



**Property Profile**









1: 8,785 







**Legend**

**Street Labels**

**Jurisdiction**

-  FULL PURPOSE
-  LIMITED PURPOSE
-  EXTRATERRITORIAL JURISDICTI
-  2 MILE ETJ AGRICULTURAL AGR
-  OTHER CITY LIMITS
-  OTHER CITIES ETJ

**Jurisdiction**

-  FULL PURPOSE
-  LIMITED PURPOSE
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-  OTHER CITIES ETJ

**Notes**

SUBDIVISION NAME: Fort Branch  
Subdivision

ADDRESS: 5016 E. Martin Luther King Jr.  
Blvd.

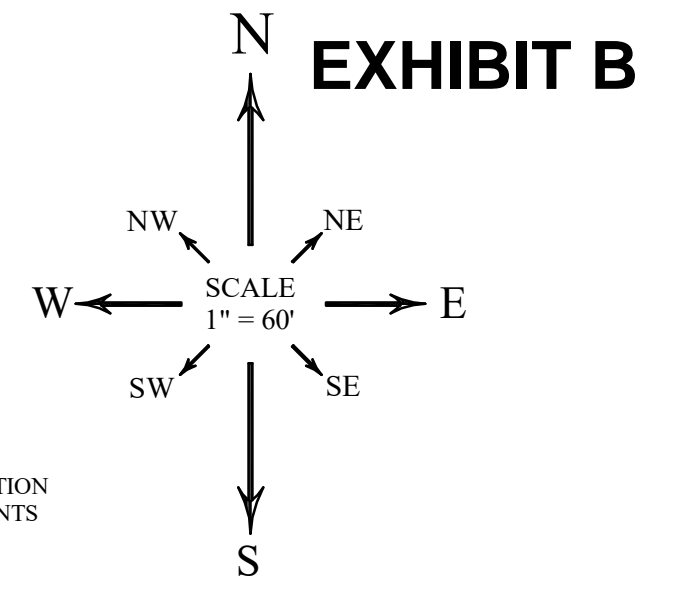
0.3 0 0.14 0.3 Miles

NAD\_1983\_StatePlane\_Texas\_Central\_FIPS\_4203\_Feet

Date Printed:

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey. This product has been produced by the City of Austin for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

# FORT BRANCH CREEK SUBDIVISION



## LEGEND

- 1/2" ROD FOUND
- 1/2" ROD SET
- ⊙ MAG NAIL FOUND
- ⊕ CALCULATED POINT
- ETE ELECTRIC DISTRIBUTION/TELECOM. ESMT
- SSE SANITARY SEWER ESMT
- WWE WATER/WASTEWATER ESMT
- P.O.B. POINT OF BEGINNING
- SIDEWALK
- ▨ DRAINAGE ESMT HEREBY DEDICATED

BEARING BASIS:  
BEARINGS ARE GRID NORTH  
BASED ON THE TEXAS COORDINATE SYSTEM  
CENTRAL TEXAS ZONE (4203)  
NAD83 HARN HORIZONTAL CONTROL.

LINE	BEARING	DISTANCE
L1	N 62°37'24" W	55.12'
L2	N 62°37'24" W	16.65'
L3	N 64°35'54" W	30.27'
L4	S 67°57'41" W	10.70'
L5	N 62°04'28" W	22.11'
L6	N 27°55'32" E	44.61'
L7	N 07°24'42" W	5.00'
L8	N 27°55'32" E	48.39'
L9	N 05°53'49" W	16.17'



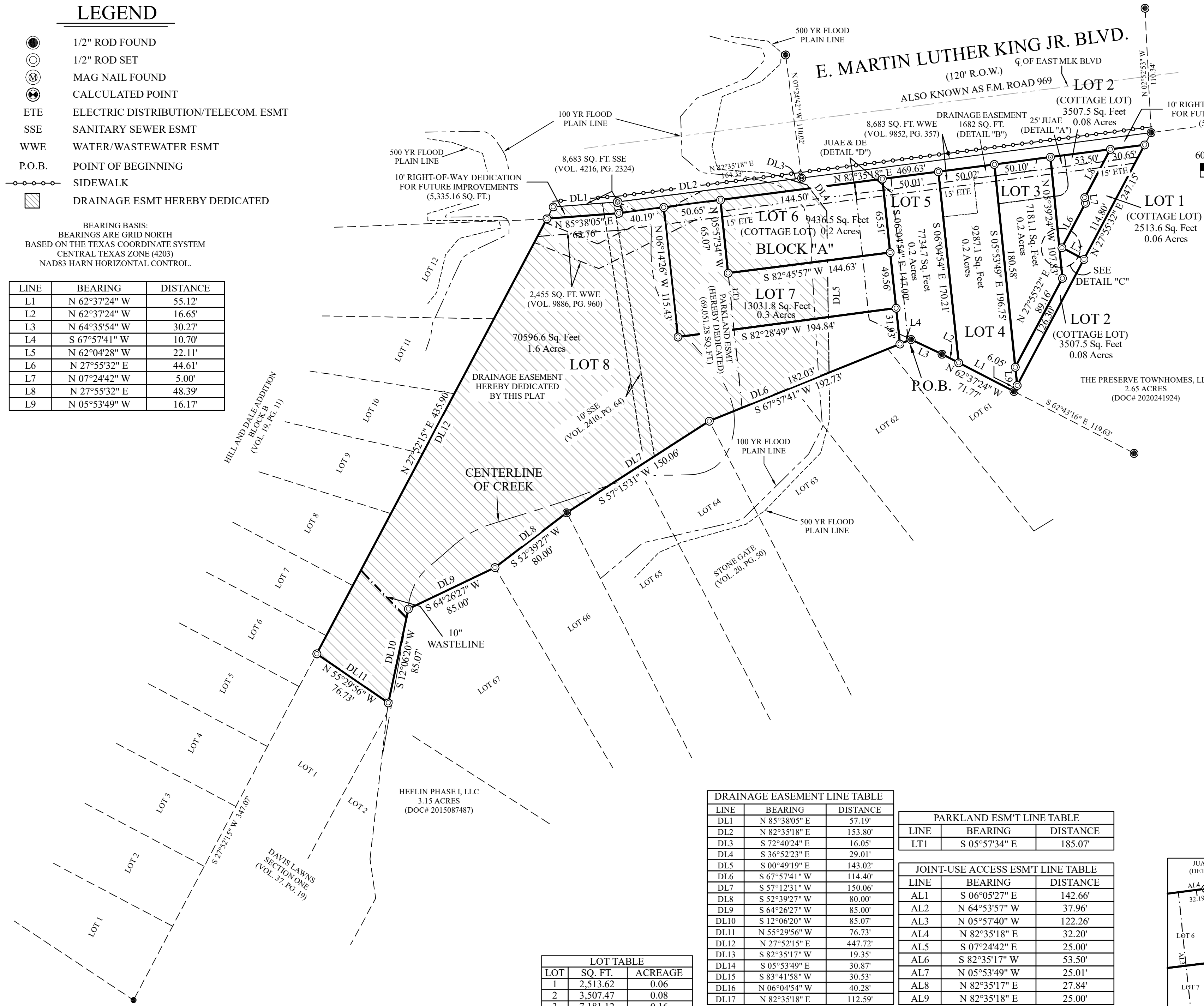
**OWNER:** EAST 13TH STREET, LLC  
1802 E. 14TH STREET  
AUSTIN, TEXAS 78702

**ACREAGE:** 2.95 ACRES  
**NUMBER OF BLOCKS:** 1  
**NUMBER OF LOTS:** 8 - RESIDENTIAL  
**SUBMITTAL DATE:** 03/29/2021  
**DATE OF REVISION:** 04/27/2021

**SURVEYOR:** ALL STAR LAND SURVEYING - FIRM# 10135000  
9020 ANDERSON MILL ROAD, AUSTIN, TEXAS 78729  
(512) 249-8149 REF# A1000119

**ENGINEER:** JEROME PERALES, PE 94676  
PERALES LAND DEVELOPMENT, LLC  
FIRM REGISTRATION NO. F-20933  
8705 SHOAL CREEK BLVD., SUITE 213  
AUSTIN, TEXAS 78757

**PROJECT DATUM:** NORTH AMERICAN DATUM 1983 (NAD 83)  
TEXAS STATE PLANE - CENTRAL ZONE (4203)  
UNITS: US SURVEY FEET



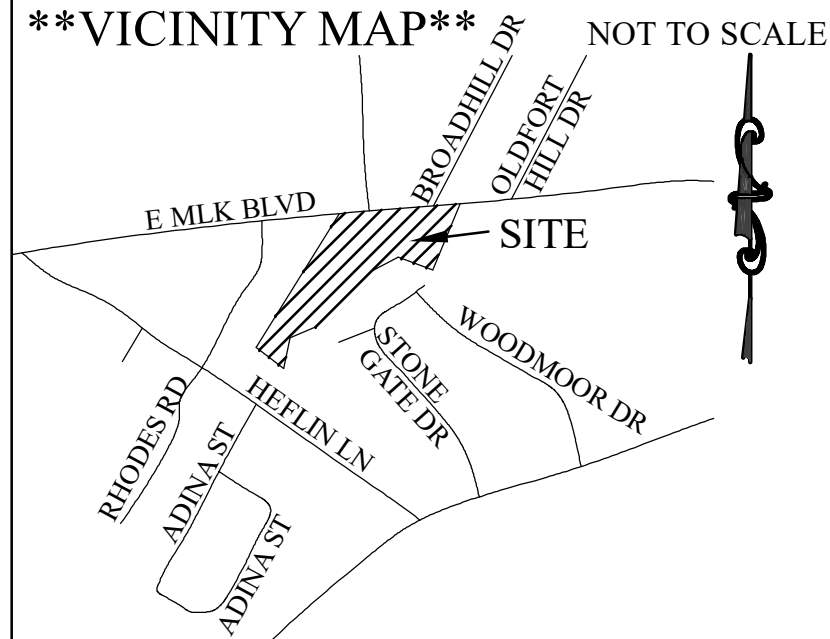
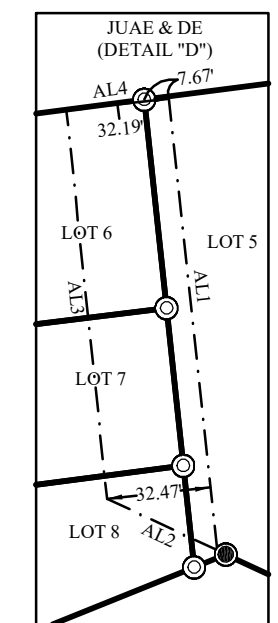
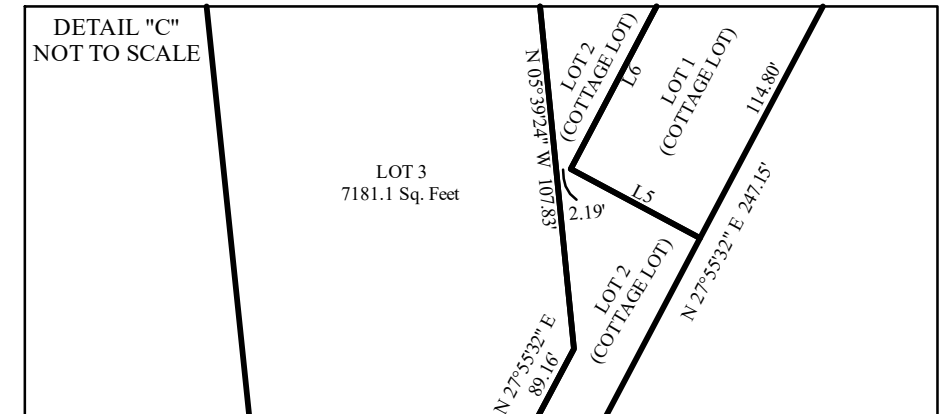
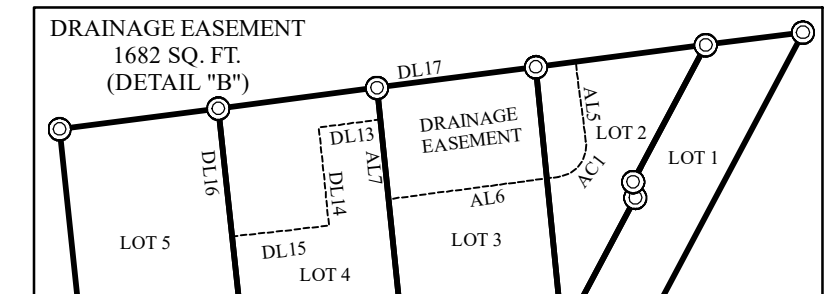
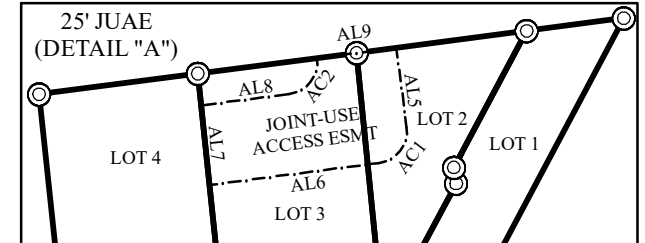
LOT	SQ. FT.	ACREAGE
1	2,513.62	0.06
2	3,507.47	0.08
3	7,181.12	0.16
4	9,287.10	0.21
5	7,734.68	0.18
6	9,436.47	0.22
7	13,031.82	0.30
8	70,596.57	1.62
ROW	5,335.16	0.12

LINE	BEARING	DISTANCE
DL1	N 85°38'05" E	57.19'
DL2	N 82°35'18" E	153.80'
DL3	S 72°40'24" E	16.05'
DL4	S 36°52'23" E	29.01'
DL5	S 00°49'19" E	143.02'
DL6	S 67°57'41" W	114.40'
DL7	S 57°15'31" W	150.06'
DL8	S 52°39'27" W	80.00'
DL9	S 64°26'27" W	85.00'
DL10	S 12°06'20" W	85.07'
DL11	N 55°29'56" W	76.73'
DL12	N 27°52'15" E	447.72'
DL13	S 82°35'17" W	19.35'
DL14	S 05°53'49" E	30.87'
DL15	S 83°41'58" W	30.53'
DL16	N 06°04'54" W	40.28'
DL17	N 82°35'18" E	112.59'

LINE	BEARING	DISTANCE
LT1	S 05°57'34" E	185.07'

LINE	BEARING	DISTANCE
AL1	S 06°05'27" E	142.66'
AL2	N 64°53'57" W	37.96'
AL3	N 05°57'40" W	122.26'
AL4	N 82°35'18" E	32.20'
AL5	S 07°24'42" E	25.00'
AL6	S 82°35'17" W	53.50'
AL7	N 05°53'49" W	25.01'
AL8	N 82°35'17" E	27.84'
AL9	N 82°35'18" E	25.00'

CURVE	RADIUS	CHORD LENGTH	CHORD BEARING	ARC LENGTH
AC1	10.00'	14.14'	S 37°35'17" W	15.71'
AC2	10.00'	14.14'	N 37°35'17" E	15.71'



# FORT BRANCH CREEK SUBDIVISION

## NOTES:

1. NO LOT SHALL BE OCCUPIED UNTIL THE STRUCTURE IS CONNECTED TO THE CITY OF AUSTIN WATER AND WASTEWATER UTILITY SYSTEM.
2. THE WATER AND WASTEWATER UTILITY SYSTEM SERVING THE SUBDIVISION MUST BE IN ACCORDANCE WITH 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 LAND OWNER MUST PAY THE CITY INSPECTION FEE WITH THE UTILITY CONSTRUCTION.
3. BUILDING SETBACK LINES SHALL BE IN ACCORDANCE WITH THE CITY OF AUSTIN ZONING ORDINANCE REQUIREMENTS.
4. NO BUILDING, FENCES, LANDSCAPING OR OTHER OBSTRUCTIONS ARE PERMITTED IN DRAINAGE EASEMENTS EXCEPT AS APPROVED BY THE CITY OF AUSTIN.
5. ALL DRAINAGE EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNER OR HIS/HER ASSIGNS.
6. PROPERTY OWNER SHALL PROVIDE FOR ACCESS TO DRAINAGE EASEMENTS AS MAY BE NECESSARY AND SHALL NOT PROHIBIT ACCESS BY GOVERNMENTAL AUTHORITIES.
7. THE OWNER OF THIS SUBDIVISIONS, AND HIS OR HER SUCCESSORS AND ASSIGNS, ASSUME 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 REPLATTING MAY BE REQUIRED, AT THE OWNER'S 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. ALL STREETS, DRAINAGE, SIDEWALKS, EROSION CONTROLS, AND WATER AND WASTEWATER LINES ARE REQUIRED TO BE CONSTRUCTED AND INSTALLED TO CITY OF AUSTIN STANDARDS.
10. AUSTIN ENERGY HAD THE RIGHT TO CUT AND TRIM TREES AND SHRUBBERY AND REMOVE OBSTRUCTIONS TO THE EXTENT NECESSARY TO KEEP THE EASEMENTS CLEAR OF OBSTRUCTIONS. AUSTIN ENERGY WILL PERFORM ALL TREE WORK IN COMPLIANCE WITH THE CITY OF AUSTIN LAND DEVELOPMENT CODE.
11. THE OWNER / DEVELOPER OF THIS SUBDIVISION / LOT MAY PROVIDE AUSTIN ENERGY ANY EASEMENT AND / OR ACCESS REQUIRED FOR THE INSTALLATION AND ONGOING MAINTENANCE OF OVERHEAD AND UNDERGROUND ELECTRIC FACILITIES WITHIN OR ALONG THE PERIMETER OF THIS SUBDIVISION / LOT. THESE EASEMENTS / ACCESS ARE REQUIRED TO PROVIDE ELECTRIC SERVICE TO THE BUILDING AND WILL NOT BE LOCATED AS TO CAUSE THE SITE TO BE OUT OF COMPLIANCE WITH THE CITY OF AUSTIN LAND DEVELOPMENT CODE.
12. THE OWNER SHALL BE RESPONSIBLE FOR INSTALLATION OF TEMPORARY EROSION, REVEGETATION AND TREE PROTECTION. IN ADDITION, THE OWNER SHALL BE RESPONSIBLE FOR ANY INITIAL PRUNING AND TREE REMOVAL THAT IS WITHIN TEN FEET OF THE CENTER LINE OF THE 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.
13. THIS SUBDIVISION PLAT WAS APPROVED AND RECORDED BEFORE THE CONSTRUCTION AND ACCEPTANCE OF STREETS AND OTHER SUBDIVISION IMPROVEMENTS. PURSUANT TO THE TERMS OF A SUBDIVISION CONSTRUCTION AGREEMENT BETWEEN THE SUBDIVIDER AND THE CITY OF AUSTIN, DATED \_\_\_\_\_, 20\_\_\_\_, THE SUBDIVIDER IS RESPONSIBLE FOR THE CONSTRUCTION OF ALL STREETS AND FACILITIES NEEDED TO SERVE THE LOTS WITHIN THE SUBDIVISION. THE RESPONSIBILITY MAY BE ASSIGNED IN ACCORDANCE WITH THE TERMS OF THAT AGREEMENT. FOR THE CONSTRUCTION AGREEMENT PERTAINING TO THIS SUBDIVISION, SEE THE SEPARATE INSTRUMENT RECORDED IN DOC. NO. \_\_\_\_\_, IN THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.
14. THE LANDOWNER IS RESPONSIBLE FOR PROVIDING THE SUBDIVISION INFRASTRUCTURE, INCLUDING THE WATER AND WASTEWATER UTILITY IMPROVEMENTS.
15. THE 100 YEAR FLOODPLAIN IS CONTAINED WITHIN THE DRAINAGE EASEMENT(S) SHOWN HEREON. A PORTION OF THIS TRACT IS WITHIN THE BOUNDARIES OF THE 100 YEAR FLOOD PLAIN OF ANY WATERWAY THAT IS WITHIN THE LIMITS OF STUDY OF THE FEDERAL FLOOD INSURANCE ADMINISTRATION FIRM PANEL # 48453C 0470K, DATED JANUARY 6, 2016 FOR AUSTIN, TRAVIS COUNTY, TEXAS.
16. EROSION / SEDIMENTATION CONTROLS ARE REQUIRED FOR ALL CONSTRUCTION ON EACH LOT, INCLUDING SINGLE FAMILY AND DUPLEX CONSTRUCTION, PURSUANT TO THE CITY OF AUSTIN LAND DEVELOPMENT CODE AND THE ENVIRONMENTAL CRITERIA MANUAL (ECM).
17. 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 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.
18. WATER QUALITY CONTROLS ARE REQUIRED FOR ALL DEVELOPMENT PURSUANT TO THE LAND DEVELOPMENT CODE.
19. EACH LOT SHALL HAVE INDEPENDENT WATER METERS AND CLEANOUTS AND PRIVATE PLUMBING SHALL NOT CROSS LOTLINES. PRIVATE LINES MAY CROSS PERPENDICULARLY BUT OTHERWISE SHALL NOT BE LOCATED WITHIN A PUBLIC UTILITY EASEMENT.
20. PUBLIC SIDEWALKS, BUILT TO CITY OF AUSTIN STANDARDS, ARE REQUIRED ALONG E. MLK BLVD./FM 969 AS SHOWN BY A DOTTED LINE ON THE FACE OF THE PLAT. THE SIDEWALKS ALONG E. MLK BLVD./FM 969 ARE SUBJECT TO THE APPROVAL OF THE TEXAS DEPARTMENT OF TRANSPORTATION AT THE SITE PLAN PHASE. THE REQUIRED SIDEWALKS SHALL BE IN PLACE PRIOR TO THE LOT BEING OCCUPIED. FAILURE TO CONSTRUCT THE REQUIRED SIDEWALKS MAY RESULT IN THE WITHHOLDING OF CERTIFICATES OF OCCUPANCY, BUILDING PERMITS, OR UTILITY CONNECTIONS BY THE GOVERNING BODY OR UTILITY COMPANY.
21. OFF-STREET LOADING AND UNLOADING FACILITIES SHALL BE PROVIDED ON ALL COMMERCIAL AND INDUSTRIAL LOTS.
22. WATER METERS AND CLEANOUTS SHALL NOT BE LOCATED IN DRIVEWAYS OR SIDEWALKS.
23. A 25' JOINT-USE ACCESS ESMT IS HEREBY DEDICATED BY THIS PLAT FOR ACCESS TO LOTS 2, 3 & 4. AS WELL AS A 30' JOINT-USE ACCESS ESMT IS HEREBY DEDICATED BY THIS PLAT FOR ACCESS TO LOTS 5, 6, 7 & 8.
24. PRIOR TO CONSTRUCTION ON LOTS IN THIS SUBDIVISION, DRAINAGE PLANS WILL BE SUBMITTED TO THE CITY OF AUSTIN FOR REVIEW. RAINFALL RUN-OFF SHALL BE HELD TO THE AMOUNT EXISTING AT UNDEVELOPED STATUS BY PONDING OR OTHER APPROVED METHODS. ALL PROPOSED CONSTRUCTION OR SITE ALTERATION ON LOT(S) \_\_\_\_\_ BLOCK(S) \_\_\_\_\_ REQUIRES APPROVAL OF A SEPERATE DEVELOPMENT PERMIT.
25. WATERWAY SETBACKS AS DEFINED BY THE LAND DEVELOPMENT CODE MAY BE LOCATED ON THIS PROPERTY. DEVELOPMENT IS LIMITED WITHIN WATERWAY SETBACKS.
26. PARKLAND DEDICATION HAS BEEN PROVIDED FOR 13 UNITS BY THE DEDICATION OF A PARK EASEMENT AND FEE.

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

THAT I, EAST 13TH STREET, LLC, REPRESENTED BY ROBERT E. PENTA JR., BEING OWNER OF 1.15 ACRES AND 1.80 ACRE TRACT OF LAND, OUT OF AND A PART OF THE JESSE TANNEHILL LEAGUE, SURVEY NO. 29, IN TRAVIS COUNTY, TEXAS, AND BEING THAT SAME 1.15 AND 1.80 ACRE TRACTS, CONVEYED BY DEED OF RECORD, RECORDED IN DOCUMENT NUMBER 2021123454, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, DOES HEREBY SUBDIVID 2.95 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:

"FORT BRANCH CREEK SUBDIVISION"

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

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
ROBERT E. PENTA JR.  
EAST 13TH STREET, LLC  
1802 E. 14TH STREET  
AUSTIN TX, 78702

STATE OF TEXAS  
COUNTY OF TRAVIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ROBERT E. PENTA JR., FOR EAST 13TH STREET, LLC KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

NOTARY PUBLIC IN AND FOR TRAVIS COUNTY, TEXAS  
MY COMMISSION EXPIRES: \_\_\_\_\_

STATE OF TEXAS  
COUNTY OF TRAVIS

I, EDWARD RUMSEY, 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 SURVEYING RELATED PORTIONS OF TITLE 25, OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, AND WAS PREPARED FROM AN ACTUAL ON THE GROUND SURVEY OF THE PROPERTY MADE UNDER MY DIRECTION AND SUPERVISION.

\_\_\_\_\_  
EDWARD RUMSEY, RPLS # 5729  
ALLSTAR LAND SURVEYING  
9020 ANDERSON MILL RD  
AUSTIN, TX 78729  
TBPLS FIRM NO. 10135000  
A1000119

11/03/2021  
DATE



ENGINEER'S CERTIFICATION:

I, JERRY PERALES, P.E., AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF ENGINEERING AND HEREBY CERTIFY THAT THIS PLAT IS FEASIBLE FROM AN ENGINEERING STANDPOINT AND COMPLIES WITH THE ENGINEERING RELATED PORTIONS OF TITLE 25 OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

THE 100-YEAR FLOODPLAIN, AS DEFINED BY THE CITY REGULATIONS, IS CONTAINED WITHIN THE DRAINAGE EASEMENT(S) SHOWN HEREON. THIS TRACT IS WITHIN THE BOUNDARIES OF THE 100-YEAR FLOODPLAIN OF ANY WATERWAY THAT IS WITHIN THE LIMITS OF STUDY OF THE FEDERAL FLOOD INSURANCE ADMINISTRATION FIRM PANEL NO. 48453C0470K, DATED 01/06/2016, FOR TRAVIS COUNTY, TEXAS.

\_\_\_\_\_  
JEROME PERALES, P.E. 94676  
PERALES LAND DEVELOPMENT, LLC.  
FIRM REGISTRATION NO. F-20933  
8705 SHOAL CREEK BLVD., SUITE 213  
AUSITN, TEXAS 78757  
(512) 297-5019

DATE

ACCEPTED AND AUTHORIZED FOR RECORD BY THE LAND USE COMMISSION OF THE CITY OF AUSTIN, ON THIS, \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
SECRETARY

APPROVAL FOR ACCEPTANCE

THIS SUBDIVISION PLAT IS LOCATED WITHIN THE FULL PURPOSE LIMITS OF THE CITY OF AUSTIN ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_.

APPROVED, ACCEPTED AND AUTHORIZED FOR RECORD BY THE DIRECTOR, DEVELOPMENT SERVICES DEPARTMENT, CITY OF AUSTIN, COUNTY OF TRAVIS, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ A.D.

\_\_\_\_\_  
CESAR ZAVALA FOR:  
DENISE LUCAS, DIRECTOR  
DEVELOPMENT SERVICES DEPARTMENT

STATE OF TEXAS  
COUNTY OF TRAVIS

I, DANA DEBEAUVOIR, 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., OFFICIAL PUBLIC RECORDS OF SAID COUNTY AND STATE IN DOCUMENT # \_\_\_\_\_.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK, THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_, A.D.

DANA DEBEAUVOIR, COUNTY CLERK TRAVIS COUNTY, TEXAS

\_\_\_\_\_  
DEPUTY



CITY OF AUSTIN –DEVELOPMENT SERVICES DEPARTMENT  
SUBDIVISION APPLICATION – MASTER COMMENT REPORT

CASE NUMBER: C8-2020-0021.0A  
 REVISION #: 00 UPDATE: U3  
 CASE MANAGER: Cesar Zavala PHONE #: 512-974-3404

PROJECT NAME: Fort Branch Creek Subdivision  
 LOCATION: 5016 E MARTIN LUTHER KING JR BLVD

SUBMITTAL DATE: November 22, 2021  
 REPORT DUE DATE: December 6, 2021  
 FINAL REPORT DATE: December 2, 2021

**STAFF REPORT:**

This report includes all staff comments received to date concerning your most recent subdivision application submittal. The comments may include requirements, recommendations, or information. The requirements in this report must be addressed by an updated submittal. The subdivision application will be approved when all requirements from each review discipline have been addressed. If you have any questions, concerns or if you require additional information about this report, please contact your case manager at the phone number listed above or by using the contact information listed for each reviewer in this report.

Any change to the plan/plat shall not cause noncompliance with any applicable code or criteria. In addition, any change to the plat may trigger new comments.

**UPDATE DEADLINE INFORMATION (LDC 25-4-56; 25-4-82):**

All comments must be addressed by filing an updated submittal prior to the update deadline of **December 31, 2021**. Otherwise, the application will expire. If this date falls on a weekend or City of Austin holiday, the next City of Austin workday will be the deadline.

Extension of Review Period, Extension of Update Deadline and Tolling of Application Period do not apply to applications for preliminary plan, plat or subdivision construction plans (LDC 25-1-88; 25-1-89; 25-1-90).

**UPDATE SUBMITTAL INSTRUCTIONS (LDC 25-1-83):**

1. Applicants must make an appointment with Intake Staff (512-974-1770 or [LURIntake@austintexas.gov](mailto:LURIntake@austintexas.gov)) in order to submit an update.
2. Your update must include the following items:
  - a. This report
  - b. The revised plat/plan in pdf format
  - c. A letter that addresses each comment in the master comment report
3. Updates must be submitted on an approved submittal date, between the hours of 8:30 am and 4:00 pm. Refer to the submittal calendar for a list of approved submittal dates.

**IMPORTANT NOTICE: the City of Austin Mayor and Travis County Judge COVID orders that suspended deadlines are set to end on December 31, 2021. Unless the Covid orders are extended, applications or determinations will begin expiring again on or after January 1, 2022. Please review the coversheet of the most recent staff report to find the expiration date. FYI: Preliminary Plan and Final Plat applications expire after 90 days and Subdivision Construction Plans expire after 1 year unless the application has been approved.**

**REVIEWERS:**

Planner 1 : Cindy Edmond  
 Drainage Engineering : Kyle Virr  
 Subdivision: Cesar Zavala

PARD / Planning & Design : Thomas Rowlinson  
 Water Quality : Kyle Virr

Release of this application does not constitute a verification of all data, information, and calculations supplied by the applicant. The engineer of record is solely responsible for the completeness, accuracy, and adequacy of his/her submittal, whether or not the application is reviewed for code compliance by city engineers.

#### FLOODPLAIN

DE 1 to DE5. CLEARED

#### EASEMENTS

DE 6. I believe you have planned to do a restrictive covenant for private maintenance of the infrastructure? That document will need to be submitted for review and also noted in a plat note.

U1: Pending approval from pond maintenance group.

U2: Comment stands.

U3: Comment stands.

#### ENGINEER'S REPORT

DE 7. CLEARED

DE 8. Include pond layouts demonstrating that the proposed ponds will meet the DCM 1.2.4.E requirements for maintenance, inspection and safety, and contained within a drainage easement extending to the ROW.

U2: It appears the east rain garden will outlet into the west rain garden. Is the west rain garden sized to accept the outlet flows?

U3: Where does the east rain garden outlet? It appears there is a pipe connecting the two rain gardens. Please add details to make the pond flow/functions clear. Also please verify that DCM 1.2.4.E requirements for maintenance are being met.

#### PLAT NOTES

DE 9 to DE11. CLEARED

#### FISCAL

DE 12. Fiscal arrangements are required for street, detention, sidewalk, drainage, restoration, erosion controls, and water quality ponds [LDC 25-1-112]. Remember to include fiscal for sidewalks located next to greenbelts, open spaces, landscape areas, drainage easements, etc. Once approved, a fiscal estimate will be prepared pending receipt of additional information. Engineer's construction cost estimate for determining fiscal requirements is requested.

U1: Pending review, approval and posting of fiscal.

U2: Comment stands.

U3: Does the fiscal include all drainage/water quality infrastructure? There is only an entry for each rain garden as a lump sum.

## Update 2

PR 1: Parkland dedication is required per Chapter 25-1, Article 14 (Parkland Dedication) of the City Code prior to approval of this subdivision. The parkland should include the Fort Branch creek area in order to comply with City Code 25-1-603. Designate the park area in a park easement, labeled "Park Easement hereby dedicated by plat", to comply with § 25-1-604 (E). Contact this reviewer to discuss:

[thomas.rowlinson@austintexas.gov](mailto:thomas.rowlinson@austintexas.gov)

U1: Acceptance of the easement area is dependent on whether it meets parks standards per § 25-1-603 (see PR 2).

**U2: PARD and applicant have agreed that, to meet City Code 25-1-603, the parkland trail boundary shall encompass most of the drainage easement up to the western boundary of Lot 6. Revise the parkland trail easement to reflect as much. Send updated plat to this reviewer once revised.**

PR 2: To demonstrate compliance with § 25-1-603 and credit the park easement appropriately, provide to this reviewer a table showing the acreages of parkland dedication that is in the following categories: (A) 25-year floodplain, (B) critical water quality zone, 100-year floodplain, CEF buffers, and easements NOT in 25-year floodplain, and (C) land unencumbered by the above mentioned restrictions.

U1: Table documenting credit to comply with § 25-1-603 has not been provided to this reviewer.

**U2: Cleared.**

PR 3: To comply with § 25-1-605 and § 25-1-606, parkland dedication fees will be issued. Payment of the fees is required prior to approval. Once the amount of parkland and credit has been provided (see PR 1 and PR 2), fees may be issued. Please confirm the number of units to issue fees.

U1: Comment remains. Contact this reviewer, Thomas Rowlinson, Principal Planner, to finalize remaining fees in-lieu to comply with § 25-1-605 and § 25-1-606.

**U2: Cleared.**

PR 4: Once the number of units have been confirmed, add the following note to the plat:

Parkland dedication has been provided for 8 units by the dedication of a park easement and fees.

U1: Comment remains. Contact this reviewer, Thomas Rowlinson, Principal Planner, to finalize plat note: [thomas.rowlinson@austintexas.gov](mailto:thomas.rowlinson@austintexas.gov). Add plat note exactly as provided to document compliance with Chapter 25-1, Article 14 (Parkland Dedication).

**U2: Revise note to reflect total of 13 dwelling units. Park development fee is still required per § 25-1-606 (separate from fee in-lieu of land). The fee has been issued for 13 dwelling units. If the applicant wishes to post fiscal to construct park/trail improvements within the easement, please send a schematic drawing of the improvements with cost estimate equivalent to the development fee.**

SR 4. Lots should have a minimum width of 50 feet starting at the front building setback line ending 50 feet towards the rear of the lot. Verify that the lots meet the lot width requirement, as shown Lots 1, 2 and 6 do not meet the lot width requirement. L.D.C. [25-1-22\(C\)](#)  
Update 1: Label the lots that will have small lot use, such as Cottage or Urban Home uses, and provide a note listing the lots that will follow the Residential Infill Special Uses.

Update 2: Annotate on the plat that Lot 6 will have cottage use.

**Update 3:** Include a note on the plat that list the lots that will have cottage use.

SR 5. – SR 19. Comments Cleared.

SR 20. Contact the Intake Department to verify the submittal fees. The property is currently unplatted and the subdivision application is for a plat with six lots requiring commission approval with no notices.

**Update 3:** The database shows an outstanding balance on the application fees. Comment pending payment of fees.

SR 21. The following items are needed to approve the case and record plat at Travis County, listed items are provided after all reviewers comments have provided sign offs. (T.L.G.C 212.004(d) / T.L.G.C 212.014):

- Mylars containing original signatures, with appropriate seals and dates. All signatures, seals and stamps on the plat must be legible and in black ink.
- Original tax certificate(s) showing all taxes paid for the previous year. (can be provided after approval of the plat)
- Check for plat recordation fee & any associated documents. (can be provided after approval of the plat)

Water Quality Review - Kyle Virr - 512-974-2538
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Release of this application does not constitute a verification of all data, information, and calculations supplied by the applicant. The engineer of record is solely responsible for the completeness, accuracy, and adequacy of his/her submittal, whether or not the application is reviewed for code compliance by city engineers.

#### PLAN/PLAT NOTES

WQ 1. CLEARED

#### WATER QUALITY PLAN

WQ 2. Provide water quality plan for this subdivision.in accordance with the application packet page 17.[LDC 25-1-83]

U1: Please elaborate on the rain garden design (infiltration vs. filtration, R-1 table(s), etc.)

U2: Please provide a plan to satisfy ECM 1.6.7.4 regarding infiltration rate evaluation.

U3: Please verify that DCM 1.2.4.E requirements are being met.

End of report