SUBDIVISION REVIEW SHEET

CASE NO.: C8-2018-0044.0A  
PC DATE: June 11, 2019  
Postponed from May 28  
Postponed from May 14

SUBDIVISION NAME: Resubdivision of Lot 14, Block 4, Broadacres Subdivision

AREA: 0.34 acre (14,798 sf)  
LOTS: 2

APPLICANT: Starling Development

AGENT: Prossner and Assoc. (Kurt Prossner)

ADDRESS OF SUBDIVISION: 5509 Clay Avenue

GRIDS: MJ27  
COUNTY: Travis

WATERSHED: Shoal Creek  
JURISDICTION: Full Purpose

EXISTING ZONING: SF-3-NP  
DISTRICT: 7

LAND USE: residential  
NEIGHBORHOOD PLAN: Brentwood

VARIANCES: flag lot variance

SIDEWALKS: Sidewalks will be constructed along Clay Avenue.

DEPARTMENT COMMENTS: The request is for the approval of the Resubdivision of Lot 14, Block 4, Broadacres Subdivision, including a variance for a flag lot. The plat is comprised of 2 lots on 0.34 acre (14,798 sf). The applicant proposes to resubdivide an existing lot into two lots for residential use. The proposed lots comply with zoning requirements for use, lot width and lot size.

At the May 28 hearing, this item was postponed to June 11 because Commissioner Shaw requested additional information about the criteria for a flag lot variance. That criteria is listed below in bold. All reviewers have approved the plat and the driveway/utility plan.

LDC 25-4-175(2) In single-family or duplex residential subdivisions on previously platted land, the Land Use Commission shall grant a variance to allow flag lots if:

(a) the commission finds that the subdivision:

(i) has provided accessibility for emergency responders;  Approved by Austin Fire Dept. Verified by note in amanda.

(ii) has adequate room for required utilities;  Approved by Austin Energy on Dec 8, 2018, and by Austin Water on May 21, 2019.
(iii) enhances environmental and tree protection; Approved by heritage tree review on March 26, 2019. Approved by environmental review. Verified by note in amanda.

(iv) is otherwise compatible with the surrounding neighborhood; and Approval at the discretion of the PC. Staff finds the flag lot is compatible with the surrounding neighborhood due to the presence of other flag lots, and the lack of written opposition to the plat.

(b) the applicant provides a copy of any existing private deed restrictions for informational purposes. There are no deed restrictions for this lot.

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

PLANNING COMMISSION ACTION:

CASE MANAGER: Steve Hopkins PHONE: 512-974-3175

E-mail: steve.hopkins@austintexas.gov
NOTE: WATER METERS AND CLEANOUTS SHALL NOT BE LOCATED IN DRIVEWAYS OR SIDEWALKS.
RESUBDIVISION OF LOT 14 BLOCK 4, BROADACRES SUBDIVISION
AUSTIN, TRAVIS COUNTY, TEXAS
SHEET 2 OF 2

GENERAL NOTES:
(1) 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. A SITE DEVELOPMENT PERMIT MAY REQUIRE ADDITIONAL CONDITIONS BE APPLIED.
(2) NO BUILDINGS, FENCES, LANDSCAPING OR OTHER STRUCTURES ARE PERMITTED IN DRAINAGE EASEMENTS EXCEPT AS APPROVED BY THE CITY OF AUSTIN, AND TRAVIS COUNTY.
(3) PROPERTY OWNER SHALL PROVIDE ACCESS FOR DRAINAGE EASEMENTS AS MAY BE NECESSARY AND SHALL NOT PROHIBIT ACCESS BY GOVERNMENTAL AUTHORITY.
(4) ALL STREETS, DRAINAGE, SIDEWALKS, EROSION CONTROL, AND WASTEWATER LINES ARE REQUIRED TO BE CONSTRUCTED AND INSTALLED TO CITY OF AUSTIN STANDARDS.
(5) THE OWNER OF THIS SUBDIVISION, THE CITY, OR HIS HER SUCCESSORS AND ASSIGNS, ASSUMES RESPONSIBILITIES FOR PLANS AND CONSTRUCTION OF SUBDIVISION IMPROVEMENTS WHICH COMPLY WITH ALL APPLICABLE CODES AND REQUIREMENTS OF THE CITY OF AUSTIN. THE OWNER UNDERSTANDS AND ACKNOWLEDGES THAT PLAT VACATION OR REQUISITION MAY BE REQUIRED, AT THE OWNER’S SOLE EXPENSE, IF PLANS TO CONSTRUCT THIS SUBDIVISION DO NOT COMPLY WITH SUCH CODES AND REQUIREMENTS.
(6) ALL STRUCTURES, ANY PORTION OF WHICH IS BEYOND 150 FEET FROM CLAY AVENUE, MUST HAVE A CODE COMPLIANT 130 MOIRE SPRINKLER SYSTEM INSTALLED.
(7) ALL NOTES AND RESTRICTIONS FOR BROADER SUBDIVISION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEROF RECORDED IN VOLUME 3, PAGE 125, PLAT RECORDS, TRAVIS COUNTY, TEXAS, APPLIES TO THIS PLAT.
(8) NO LOT WILL BE OCCUPIED UNTIL THE STRUCTURE IS CONNECTED TO THE CITY OF AUSTIN WATER AND WASTEWATER UTILITY SYSTEM.
(9) EROSION/SIDEWALK CONTROL ARE REQUIRED FOR ALL CONSTRUCTION ON EACH LOT PURSUANT TO LDC SECTION 25-8-1811, AND THE ENVIRONMENTAL CRITERIA MANUAL.
(10) BY APPROVING THIS PLAT, THE CITY OF AUSTIN ASSUMES NO OBLIGATION TO CONSTRUCT ANY INFRASTRUCTURE IN ADDITION TO WHAT IS SHOWN ON THE SUBDIVISION PLAT.
(11) WATER METERS AND CLEANOUTS SHALL NOT BE LOCATED IN DRIVEWAYS OR SIDEWALKS.
(12) EACH LOT SHALL HAVE INDEPENDENT WATER METERS AND CLEANOUTS AND PRIVATE PLUMBING SHALL NOT CROSS LOT LINES.
(13) THE WATER AND WASTEWATER UTILITY SYSTEM SERVING THIS SUBDIVISION MUST BE IN ACCORDANCE WITH THE CITY OF AUSTIN UTILITY DESIGN CRITERIA.
(14) NO LOT IN THIS SUBDIVISION HAS SLOPES GREATER THAN 15%.
(15) ACCESS FROM THE ROAD LOTS 2 AND 4 FROM CLAY AVENUE SHALL BE THROUGH JOINT USE ACCESS EASEMENT ONLY AS SHOWN ON PLAT.
(16) PUBLIC SIDEWALKS, REQUIRED BY CITY OF AUSTIN STANDARDS, ARE REQUIRED ALONG THE FOLLOWING STREETS AND AS SHOWN BY A DOTTED LINE ON THE FACE OF THE PLAT.
(17) ALL ADDRESSES FOR RESIDENTIAL LOTS UTILIZING A FLAG LOT DESIGN MUST BE DISPLAYED AT THEIR CLOSEST POINT OF ACCESS TO A PUBLIC SERVICE.
(18) A FEET–PER–LOT OF PARKLAND REQUIREMENT HAS BEEN PAID FOR 3 RESIDENCES. NO FEE WAS CHARGED FOR THE EXISTING RESIDENCE.

ELECTRIC NOTES:
(1) AUSTIN ENERGIES HAS THE RIGHT TO PRUNE AND OR REMOVE TREES, SHRUBBERY AND OTHER OBSTRUCTIONS TO THE PUBLIC UTILITY EASEMENTS AS MAY BE NECESSARY. AUSTIN ENERGIES WILL PERFORM ALL TREES WORK IN COMPLIANCE WITH CHAPTER 25-8, SUB-CHAPTER B OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE.
(2) THE OWNER/DEVELOPER OF THIS SUBDIVISION/LOT SHALL PROVIDE AUSTIN ENERGY WITH ANY EASEMENT AND OR ACCESS REQUIRED IN ADDITION TO THOSE REQUIRED FOR THE INSTALLATION AND/OR MAINTENANCE OF ELECTRIC FACILITIES. THESE EASEMENTS AND OR ACCESS ARE REQUIRED TO BE LOCATED AND COMPLIED WITH AS SHOWN ON THE UTILITY CONSTRUCTION PLAT.
(3) THE OWNER SHALL BE RESPONSIBLE FOR INSTALLATION OF ELECTRIC EASEMENTS, UTILITY CONTROL, AND IS RESPONSIBLE FOR ANY INITIAL TREE PRUNING AND TREE REMOVAL THAT IS WITHIN THE LIMITS OF THE CENTERLINE OF THE PROPOSED ELECTRIC UTILITY EASEMENT TO PROVIDE ELECTRICAL SERVICE TO THIS PROJECT.
(4) THE OWNER OF THE PROPERTY IS RESPONSIBLE FOR MAINTAINING CLEARANCES REQUIRED BY THE NATIONAL ELECTRICAL SAFETY CODE, OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) REGULATIONS, CITY OF AUSTIN RULES AND REGULATIONS AND TEXAS STATE LAWS Pertaining TO THE INSTALLATION, AND MAINTENANCE OF EXISTING AND PROPOSED ELECTRIC UTILITY TOWERS, STRUCTURES AND EQUIPMENT, AND THE OWNER AGREES THAT AUSTIN ENERGIES 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.
(5) ANY RELOCATION OF ELECTRIC FACILITIES SHALL BE AT LANDOWNER/DEVELOPER’S EXPENSE.

STATE OF TEXAS COUNTY OF TRAVIS
KNOW ALL MEN BY THESE PRESENTS THAT I, LYNN CURR, MANAGING MEMBER, STARPING HOLDINGS, LLC, A TEXAS LIMITED LIABILITY COMPANY, OWNER OF LOT 14, BLOCK 4, BROADACRES, A SUBDIVISION IN THE CITY OF AUSTIN, TEXAS, COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 3, PAGE 125, PLAT RECORDS, TRAVIS COUNTY, TEXAS, AS CONSIDERED TO BE DOCUMENT NUMBER 20117086146, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, HERETOFOR SUBSTANCE SAID 0.34 ACRE TRACT IN ACCORDANCE WITH THE ATTACHED PLAT, TO BE KNOWN AS:

RESUBDIVISION OF LOT 14, BLOCK 4, BROADACRES SUBDIVISION
SAID SUBDIVISION HAVING BEEN APPROVED FOR RESUBDIVISION PURSUANT TO THE PUBLIC NOTIFICATION AND HEARING PROVISIONS OF CHAPTER 212.014 OF THE LOCAL GOVERNMENT CODE, DO HEREBY RESUBMIT, AND DO HEREBY SUBMIT TO THE PUBLIC THE USE AND EASEMENTS AND AS EASEMENTS AS SHOWN HERETO, SUBJECT TO ANY EASEMENTS OR RESTRICTIONS HEREBEFOR GRANTED OR NOT.

WITNESS MY HAND THE _______ DAY OF ________, 2019 A.D.
LYNN CURR
MANAGING MEMBER
STARPING HOLDINGS, LLC
1105 S. 8TH STREET
AUSTIN, TX 78704
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _______ DAY OF ________, 2019, BY LYNN CURR

NOTE: PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES:
STATE OF TEXAS
COUNTY OF TRAVIS
L. DANA DEBAYAR, CLERK OF TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE Forex OF WRITING AND ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE _______ DAY OF ________, 2019, AND IS AT _______ O’CLOCK _______ M. AND ONLY RECORDED ON THE _______ DAY OF ________, 2019, AT _______ O’CLOCK _______ M. OF OFFICIAL PUBLIC RECORDS OF SAID COUNTY AND STATE AS DOCUMENT NUMBER _______ OF OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

WITNESS MY HAND THIS _______ DAY OF ________, 2019 A.D.
L. DANA DEBAYAR, COUNTY CLERK TRAVIS COUNTY, TEXAS
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DEPUTY
L. DANA DEBAYAR, COUNTY CLERK TRAVIS COUNTY, TEXAS
PLANNING COMMISSION APPROVAL
APPROVED, ACCEPTED AND AUTHORIZED FOR RECORD BY THE DIRECTOR, DEVELOPMENT SERVICES DEPARTMENT, CITY OF AUSTIN, COUNTY OF TRAVIS, ON THE _______ DAY OF ________, 2019.

STEVE HOPKINS, SR.
DENISE LUCAS, ACTING DIRECTOR
DEVELOPMENT SERVICES DEPARTMENT

JAMES SHIELD, CHAIR
PATRICIA SEIDEL, SECRETARY

ENGINEER’S CERTIFICATION:
L. KURT M. PROSSER, 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 STANDards AND COMPLIES WITH THE ENGINEERING RELATED PART OF TITLE 25 OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

KURT M. PROSSER, P.E. # 58191
PROSSER AND ASSOCIATES, INC.
13377 POND SPRINGS ROAD, SUITE 104
AUSTIN, TX 78729
PH: (512) 918-3343 F: (512) 918-2431

SURVEYOR’S CERTIFICATION:
L. JUAN M. CANALES, JR., A TEXAS REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSED IN AND FOR THE STATE OF TEXAS, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE THAT THIS PLAT COMPLIES WITH TITLE 25 OF THE AUSTIN CITY CODE OF 1999, IS TRUE AND CORRECT, AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE BY ME OR UNDER MY SUPERVISION ON THE GROUND, AND ALL NECESSARY MONUMENTS ARE IN PLACE.

L. JUAN M. CANALES, JR., R.L.P.S. NO. 440
VICE PRESIDENT OF THE GENERAL PARTNER
LANDMARK SURVEYING, LP
(512) 328-7411, EXT. 111
TEXAS FIRM REGISTRATION NO. 100727-00
CASE NO. CS-2018-00444.0A
MARCH 27, 2018

LANDMARK SURVEYING, LP
2200 EAST 5TH STREET
AUSTIN, TEXAS 78702