SUBDIVISION REVIEW SHEET

CASE NO.: C8-2018-0164.0A  P.C. DATE: December 17, 2019

SUBDIVISION NAME: Resubdivision of the West 40 feet of Lot 8, Lot 9 and the East 25 feet of Lot 10, Block I, Violet Crown Heights, Section Two

AREA: 0.57 acres  LOT(S): 3

OWNER/APPLICANT: David Whitworth Development Company  AGENT: David Whitworth

ADDRESS OF SUBDIVISION: 1506 Ruth Ave.

WATERSHED: Shoal Creek  COUNTY: Travis

EXISTING ZONING: SF-3-NP  JURISDICTION: Full

NEIGHBORHOOD PLAN: Brentwood

PROPOSED LAND USE: Residential

VARIANCES: A variance to section 25-4-175 to allow a residential flag lot has been requested. The applicant is proposing one residential flag lot with this application for Lot B. The applicant has obtained approval from the Fire Department to verify accessibility for emergency responders, approval from the Austin Water Utility, Austin Energy, and the City Arborist to verify there is adequate room for the required utilities and enhanced tree protection on the site. It is the Staff's opinion that the proposed subdivision is compatible with the surrounding development, and is consistent with other flag lots within the Brentwood neighborhood. It should also be noted that there are no known deed restrictions on the site, and a note has been added that requires all addresses for residential lots utilizing a flag lot design must be displayed at their closest point of access to a public street for emergency responders. Because the application meets the flag lot criteria as required by the Land Development Code, the Staff recommends approval of the variance.

DEPARTMENT COMMENTS: The request is for the approval of the Resubdivision of the West 40 feet of Lot 8, Lot 9 and the East 25 feet of Lot 10, Block I, Violet Crown Heights, Section Two composed of three lots on 0.57 acres. The applicant is proposing to resubdivide an existing lot and portions of lots into a three lot subdivision for residential uses.

STAFF RECOMMENDATION: If the variance is approved, the staff recommends approval of the plat. With variance approval, this plat would meet all applicable State and City of Austin LDC requirements.

CASE MANAGER: Cesar Zavala  PHONE: 512-974-3404
Email address: cesar.zavala@austintexas.gov
SECTION TWO “RESUBDIVISION” OF THE WEST 40 OF LOT 8, LOT 9 AND THE EAST 25 OF LOT 10, BLOCK 1 VIOLIETF CROWN HEIGHTS

RESUBDIVISION OF THE WEST 40 OF LOT 8, LOT 9 AND THE
MEMORANDUM

TO: Members of the Planning Commission

FROM: Cesar Zavala, Planner Senior
       Development Services Department

DATE: December 10, 2019

SUBJECT: C8-2018-0164.0A Resubdivision of the West 40 feet of Lot 8, Lot 9 and the
         East 25 feet of Lot 10, Block I, Violet Crown Heights, Section Two

The applicant for the above referenced subdivision application has requested a variance
from Section 25-4-175(A)(2) of the Land Development Code to utilize a flag lot design in
the resubdivision. In reviewing the variance request, staff evaluated the request based
upon the criteria below, (see criteria and staff response):

(i) **has provided accessibility for emergency responders;**

   The application has been reviewed by the Austin Fire Department and AFD staff
   has determined that the flag lot configuration proposed will not inhibit
   accessibility for emergency responders.

(ii) **has adequate room for required utilities**

   The applicant has provided a driveway and utility plan for review by the City of
   Austin Water and Wastewater Department and Austin Energy Department. The
   reviewers for both departments have determined that the utility/driveway plan has
   adequate room to provide utility service to both lots and utilities will not cross the
   proposed new lot lines.

(iii) **enhances environmental and tree protection;**

   The applicant has provided a tree survey to arborist staff with the City of Austin
   and the arborist have no objections or further recommendations.
(iv) is otherwise compatible with the surrounding neighborhood;

The property is zoned SF-3-NP which allows a minimum lot size of 5,750 square feet. The proposed subdivision will meet the minimum lot size requirement with the lots having a size greater than 7,000 square feet. Additionally, other properties within the Brentwood Neighborhood have been resubdivided using flag lot configurations, such as property located between Burnet Rd, Woodrow Ave, and W. Koenig Lane, as well as property in the Romeria and N. Lamar area.

The immediate area is zoned SF-3-NP which is the appropriate zoning for the proposed use. See the attached Flag Lot Variance Exhibit map and accompanied maps which generally show the development pattern in the immediate vicinity.

(v) the applicant provides a copy of any existing private deed restrictions;

The applicant has determined that there are no existing private deed restrictions that apply to this property.

Based upon review of these criteria, staff recommends the variance request to develop a flag lot as a part of this resubdivision request.
Flag Lot “Variance” Backup Material: 25 SEPARATE FLAG LOTS NEARBY

Historically very large lots in the Brentwood/Crestview neighborhood that typically deeper than they are wide, have been resubdivided utilizing the flag lot configuration to make use of the ample land square footage for housing that lacks frontage to meet current code. Flag lots are compatible and there is a pattern and history of using the flag lot in Brentwood/Crestview. Furthermore the concept of a house at the back of a lot is well established and allowed by code with the adu ordinance. The resulting lot sizes are all large legal lots more than sufficient for housing and meet all code.
Variance Backup- Compatible with surrounding neighborhood. Five other Flag Lots nearby upon a quick and non all inclusive count of the immediate area.
For additional information on the City of Austin’s land development process:

Visit our website: http://www.austin.gov/development

The subject property is proposed for development based on the following:

- An Application for Environmental & Neighborhood Review
- A notice of public hearing
- A notice for an appeal
- A notice for a public hearing
- A notice for a public meeting
- A notice for a public comment

The subject property is within 200 feet of a primary residence or is occupied by a primary residence. The subject property is also within 200 feet of a public building.

If you are concerned about the subject property, please contact the City of Austin’s Development Services Department at 512-974-3124 or email developmentservices@austintx.gov.

A public hearing is scheduled for December 17, 2019, at 7:00 PM at the City of Austin’s Development Services Department Building, 800 S First Street, Austin, TX 78704.

Written comments must be submitted to the City of Austin’s Development Services Department no later than 4:00 PM on the day of the hearing. Comments may be submitted by mail, fax, or email to developmentservices@austintx.gov.

A public meeting is scheduled for December 17, 2019, at 6:00 PM at the City of Austin’s Development Services Department Building, 800 S First Street, Austin, TX 78704.

Written comments must be submitted to the City of Austin’s Development Services Department no later than 4:00 PM on the day of the meeting. Comments may be submitted by mail, fax, or email to developmentservices@austintx.gov.

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The subject property is approved for development. An appeal to the City of Austin’s Board of Adjustment is available by contacting the Austin Board of Adjustment at 720 Colorado Street, Ste 100, Austin, TX 78701.

The property is located within the boundaries of the City of Austin. If you are not a landowner or tenant, you may also contact a neighborhood organization or the Department of Housing and Community Development for assistance.

Public Hearing Information:

Public Hearing: December 17, 2019, Planning Commission
Kamran Zamanpour, 512-974-3124
Contact: Caesar Zavala, 512-974-3244
Case Number: C-2018-0164.04

A public hearing was held on the subject property. The property is located within the boundaries of the City of Austin. If you are not a landowner or tenant, you may also contact a neighborhood organization or the Department of Housing and Community Development for assistance.

Written comments must be submitted to the board of commission, or the

The following is a list of the names of the members of the board of commission:

[Redacted]

The public hearing was held on January 2, 2019. A public hearing on the subject property is scheduled for January 29, 2019. If you are not a landowner or tenant, you may also contact a neighborhood organization or the Department of Housing and Community Development for assistance.

Written comments must be submitted to the board of commission, or the

The following is a list of the names of the members of the board of commission:

[Redacted]
Public Hearing Information

Public Hearing on December 17, 2019 Planning Commission

Case Number: CE-2018-0164-A

Written comments must be submitted to the Board of Commission (or the
contact person listed in the notice) before or at the public hearing.

Please visit our website: http://www.austin.gov/development
For additional information on the City of Austin’s development process.

City of Austin – Development Services Department / 4th Floor
P.O. Box 1088
Cesar Chavez
Austin, TX 78767-8810

If you use this form to comment, fill out and return it:

Dear City of Austin,

I am in favor of the proposed development.

[Signature]

Date

[Address]

[Name]

[Phone]

[Email]

I am in favor of the proposed development.

[Signature]

Date

[Address]

[Name]

[Phone]

[Email]
RESUBDIVISION OF THE WEST 40' OF LOT 8, LOT 9 AND THE EAST 25' OF LOT 10, BLOCK I, VIOLET CROWN HEIGHTS, SECTION TWO "RESUBDIVISION"

1. Prior to construction, except as otherwise specified, a plat shall be submitted to the City of Austin.

2. Prior to the issuance of any permit for construction, a plat showing the proposed improvements shall be submitted to the City of Austin.

3. No part of the improvements shown on the plat shall be constructed until the plat has been approved by the City of Austin.

4. No structures or improvements are to be constructed without a permit from the City of Austin.

5. No part of the improvements shown on the plat shall be constructed except as shown on the plat, subject to any limitations or restrictions that may be imposed by the City of Austin.

6. All structures or improvements are to be constructed in accordance with the specifications and requirements of the City of Austin.

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