NAME: Menchaca Road Apartments

ADDRESS: 7731 Menchaca Road

APPLICANT: CRP-GREP Elan Dawson Owner L.P. (Logan Kimble, Greystar)

AGENT: BGE, Inc. (Brian Grace, P.E.)

ZONING: GO-MU

NEIGHBORHOOD PLAN: N/A

AREA: 10.70 acres

LOTS: 1

COUNTY: Travis

DISTRICT: 5

WATERSHED: South Boggy Creek

JURISDICTION: Full Purpose

SIDEWALKS: Sidewalks will be constructed along Menchaca Rd.

VARIANCES: One variance request to LDC 25-4-34, Balance of Tract.

DEPARTMENT COMMENTS:
The request is for the approval of Menchaca Road Apartments final plat, comprised of one lot on 10.70 acres, with a balance of tract variance. The applicant proposes to subdivide an unplatted tract into one lot for multifamily use.

The plat does not comply with the criteria for approval in LDC 25-4-84(B) and staff recommends disapproval for the reasons listed in the attached comment report. An application that has been disapproved with reasons may be updated to address those reasons until the application expires.

If the applicant submits an update to address the reasons for disapproval, that update will be presented to the Land Use Commission within fifteen days of submittal.

STAFF RECOMMENDATION:
Staff recommends disapproval of the plat for the reasons listed in the comment report dated July 16, 2020, and attached as Exhibit D.

CASE MANAGER: Jennifer Bennett-Reumuth

PHONE: 512-974-9002

E-mail: jennifer.bennett-reumuth@austintexas.gov

ATTACHMENTS
Exhibit A: Vicinity Map
Exhibit B: Proposed Plat
Exhibit C: Variance Request
Exhibit D: Comment Report dated July 16, 2020
March 30th, 2020

Jennifer Bennett-Reumuth, AICP  
City of Austin Development Services Department  
505 Barton Springs Road  
Austin, TX 78704

Re: Menchaca Rd Apartments – Project Assessment  
Case Number C8-2019-0176.0A.PA

Dear Jennifer,

This letter is to formally request a variance from 25-4-34 of the Land Development Code which requires an application for a final plat to include all land constituting the original tract. The property has not existed in its current configuration prior to the date which it became subject to the City’s jurisdiction over subdivision of the land. This requirement imposes an unreasonable hardship on the applicant as the original tract dates back to 1907 and was 107 acres in size. It would be impractical for the applicant to track down all potential property owners to include them in the plat, as many lots from the original tract have already been platted and developed. An exhibit is included which shows the approximate limits of the original tracts overlaid on current TCAD parcels to outline how the original tract does not exist in its current form.

Subdividing only a portion of the original tract would not substantially impair the planning on roads or other public facilities as the property is located within a near fully developed portion of the City. There are no proposed roadway facilities per the latest ASMP that cross through any portion of the original tract.

The nearest adjacent tracts to the site which are part of the original tract and unplatted are may still be reasonably used for development. A summary is below:

TCAD 0422150116 – 1.25 acres with direct frontage (greater than 50’ wide) to Menchaca Road  
TCAD 0422150114 – 1.32 acres with direct frontage (greater than 50’ wide) to Menchaca Road  
TCAD 0422150115 & TCAD 0422150113 – 3.93 acres & 4.89 acres. These tracts are listed together as they are both owned by “Last Rock Star LLC”. The 3.93 acre tract does not have frontage to Menchaca Road, however, the 4.89 acre does have greater than 50’ of frontage to Menchaca Road. This gives the property owner the ability to reasonably use and develop the properties.

The applicant respectfully requests the City consider and approve this variance request.

Sincerely,

Brian J. Grace, P.E.  
Senior Project Manager  
BGE, Inc.  
TBPE Firm No. 1046
MENCHACA ROAD APARTMENTS

A SUBDIVISION OF 10.700 ACRES OF LAND LOCATED IN THE WILLIAM CANNON SURVEY NO. 19, TRAVIS COUNTY, TEXAS
MENCHACA ROAD APARTMENTS

A SUBDIVISION OF 10.700 ACRES OF LAND LOCATED IN THE WILLIAM CANNON SURVEY NO. 19, TRAVIS COUNTY, TEXAS
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 September 21, 2020. 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 (974-1770) 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.

REVIEWERS:
Planner 1: Addison Ptomey
Subdivision: Jennifer Bennett-Reumuth
Transportation Planning: Ivan Naranjo
911 Addressing: Cathy Winfrey
Drainage Engineering: Jay Baker
Water Quality: Jay Baker
Site Plan Plumbing: Cory Harmon
Approved.

911 Addressing Review - Cathy Winfrey - 512-974-2398

AD1: This Final Plat is rejected for the following reason: the name of MANCHACA RD has been changed by Ordinance, and the label should now read MENCHACA RD. Please update the street name label.

ATD Engineering Review - Amber Mitchell - 512-974-5646

No comments at this time.

Drainage Engineering Review - Jay Baker - 512-974-2636

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.

GENERAL COMMENTS
DE 1. Surveyor's seal, signature and date required.

DE 2. Revise the spelling on the plat and supporting documents from "Manchaca" to "Menchaca" to match the application.

PLAN/PLAT NOTES
DE 3. Revise note #11 to read as follows [LDC 25-5-1]:
"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."

DE 4. Add the following Note [LDC 25-7-2, LDC 25-7-3, LDC 25-7-4]:
"No buildings, fences, landscaping or other obstructions are permitted in drainage easements except as approved by the City of Austin or Travis County."

DE 5. Revise note #4 to read as follows:
"All drainage easements on private property shall be maintained by the property owner or assign." 

DE 6. Revise note #3 to read as follows: [LDC 25-7-152]:
"Property owner shall provide for access to drainage easements as may be necessary and shall not prohibit access by governmental authorities."

DRAINAGE PLAN
DE 7. Provide drainage plan in accordance with the application packet page 17.

DRAINAGE EASEMENTS
DE 8. There is an off-site drainage area contributing to the site conveying through the site along the railroad tracks to the east. This will need to be contained within the ROW or drainage easement. Provide hydrologic/hydraulic analysis of the drainage conveyance demonstrating that
the 100 WSEL will be contained in the drainage easement. The easement has been identified with the site plan but has not yet been identified with the plat. (LDC 25-7-151 and 153).

**DRAINAGE REPORT**

DE 9. Ensure that the drainage plan and report addresses major drainage issues including detention, conveyance of off-site fully developed flows through the subdivision and downstream conveyance and capacity of the receiving drainage system.

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**Environmental Review - Pamela Abee-Taulli - 512-974-1879**

No comments. Plan approved.

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**PARD / Planning & Design Review - Scott Grantham - 512-974-9457**

PR1. Comments made on behalf of Justin Stewart at PARD.

PR2. Parkland dedication for this final plat is being satisfied at site plan.

PR3. FYI, thank you for showing the trail and recreation easement along the railroad.

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**Subdivision Review - Jennifer Bennett-Reumuth - 512-974-9002**

SR 1. If the existing structures will be demolished, a demo permit must be submitted before the plat is approved by the Director (if administrative) or scheduled for a hearing. The structures must be demolished prior to recordation of the plat (90 calendar days after plat approval). (LDC § 25-1-83)

SR 2. Section 25-4-34 of the Land Development Code, requires that an application for preliminary plan or final plat include all land constituting the original tract. A letter was submitted with justification for a variance request from Section 25-4-34. Notification must be sent according to Section 25-1-132. Staff supports this variance request.

SR 3. FYI: There may be additional fees that need to be paid prior to plat approval.

SR 4. FYI: Original current (crimped) tax certificates must be provided at the time the plat is cleared for approval stating that all real property taxes are paid up to and including the preceding tax year. These tax certificates are available from the Tax Assessor/Collectors Office at the Travis County Courthouse, and must be ordered two (2) days prior to receipt. Tax receipts or other information in-lieu of certificates cannot be substituted.

SR 5. FYI: Recording fees must be paid at the time this plat is approved.

SR 6. FYI: After all comments have been cleared, please send the original, final mylar (with original signatures and seals) and one mylar copy to this reviewer.

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**Transportation Planning - Ivan Naranjo - 512-974-7649**

TR1. Since this section of Manchaca Road/FM 2304 is a TxDOT roadway, please revise the sidewalk plat note (General Note #13) to read as follows: "Public sidewalks, built to City of Austin standards, are required along Manchaca Road/FM 2304 as shown by a dotted line on the face of the plat. The sidewalks along Manchaca Road/FM 2304 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
The landowner intends to serve each lot with City of Austin water and wastewater utilities. Each lot must have a separate water and wastewater utility connection and no existing or proposed plumbing may cross lot lines. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocations and or abandonments to serve each lot.

FYI. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

**GENERAL COMMENTS**
WQ 1. Surveyor's seal, signature and date required.

**PLAN/PLAT NOTES**
WQ 2. Add the following water quality note:

"Water quality controls are required for all development pursuant to the Land Development Code. [LDC 25-8-211]

**WATER QUALITY PLAN**
WQ 3. Provide water quality plan for this subdivision in accordance with the application packet page 17. [LDC 25-1-83]

**LANDFILL**
WQ 4. Provide landfill certification [LDC 25-1-83.]

1. Section 609.6 of the 2015 Uniform Plumbing Code prohibits water piping from crossing lot lines. Demonstrate that no water piping currently crosses the proposed lot lines.
2. Pursuant to compliance with Sections 307.1, 609.6, and 721.1 of the 2015 Uniform Plumbing Code, add a plat note that conveys the following: Each Lot within this subdivision shall have separate sewer taps, separate water meters, and their respective private water and sewer service lines shall be positioned or located in a manner that will not cross lot lines.

**END OF REPORT**