

February 2, 2018

From: John Lloyd  
SEDC DEVCO, Inc.  
4720-4 Rockcliff Rd.  
Austin, Texas 78746

To: J. Terron Evertson, PE, CFM  
County Engineer  
3151 SE Inner Loop, Suite B  
Williamson County, Texas 78626  
[tevertson@wilco.org](mailto:tevertson@wilco.org)  
(512) 943-3330

Re: Request for Variance/Waivers  
Siena Townhomes @ Mozart (RJE Job #2584)

Dear Mr. Evertson:

As previously discussed, SEDC DEVCO, Inc. is requesting certain variances to the Williamson County Subdivision Regulations (adopted August 20, 2013) in accordance with Section 10, titled Variances. As you know, the Siena Townhomes @ Mozart project in question is a continuation of an existing project located on the south side of Mozart Street. This variance(s) is being requested to relieve the potential economic hardship due to past County direction concerning the process of County Review and Approval of condo development within Williamson County and satisfies the spirit of 'justice' within the Williamson County Subdivision Regulations under Section 10, Variances.

We request specific variances to issues as discussed in the Williamson County Engineer's construction plan review dated November 15<sup>th</sup>, 2017, for the Siena Townhomes @ Mozart development. We specifically request the following variances and/or waivers from the referenced sections of the of the Williamson County Subdivision Regulations (WCSR) and/or City of Austin Transportation Criteria Manual (ATCM):

- Variance to **¶B3.6.4, 25 MPH Design Speed for Local Roadways** – **Standard:** The minimum curve radius for 25 MPH is 180 feet. **Provided:** One horizontal curve on Sheet 9 (labelled as C17), on Street "D" has a radius of 150 feet.
- Variance to **¶B3.6.3, Pavement Cross Section in an Urban Residential Subdivision** – **Standard:** The width of the travel way shall be 30 feet. **Provided:** A travel way of 26 feet is being provided.
- Waiver to **¶5.3.1 (H) ATCM, Single Joint Use Driveway** – **Standard:** No more than three (3) residences may be served by a single joint use driveway without constructing to private road standards. **Provided:** The six joint use driveways in this development serve a total of 70 homes.

- Variance to **¶B3.8.1, Dead End Roads and Cul-de-Sacs - Standard:** Dead end roads in residential developments that are not proposed to be extended at some time in the future and have a throat length of 150 feet or less shall have a cul-de-sac with a minimum right-of-way radius of 50 feet, and **¶B3.8.4, Hammerhead Design - Standard:** Hammerhead design will not be allowed; however, alternate designs...may be considered by the County Engineer. **Provided:** Four hammerhead street ends were included in these plans. Although Street "E" (Sheet 11) and Street "F" (Sheet 12) each incorporate a hammerhead-like design, the throat length of the dead end portion of these roads are each less than 150 feet. In addition, these plans have been reviewed and approved by Mr. Eric G. Woods, Fire Marshall, Emergency Services District No. 3 (Hutto Fire and Rescue).
- Variance to **¶1.3.2 Table 1-7 (ATCM) Minimum Horizontal Landing Length – Standard:** The minimum vertical landing length (grade <2%) approaching intersections for local streets is 50 feet. **Provided:** The vertical grade along Street "C" of 2.18% averages less than 2% over the required 50 feet. The vertical grade of 2.4% for Street "D" was required in order to meet the proposed grade of CR 110. The 2.4% grade for Street "D" and the 3.45% grade for Street "E" have been flattened as much as practical to accommodate interior grading and drainage from the proposed structures.
- Waiver for **Private Parking Areas - Standard:** Private parking areas/spaces are not allowed along public streets. **Provided:** Two parking areas are being provided to accommodate a total of 10 vehicles along two low speed roadways (5 spaces each along Streets "C" and "E").
- Variance to **¶F2.2, Appendix F, Building Setback – Standard:** Appendix F ¶F2.2 of the WCSR requires that the building setback line on all public roads other than major highways and roads be 25 feet from the edge of the right-of-way. **Provided:** A building setback line of 25 feet behind the curb line (15 feet behind the roadway easement line) is provided.
- Variance to **¶B3.6.3, Appendix G-3 and Appendix H, Curb Type – Standard:** The pavement cross section in an urban residential subdivision or a nonresidential subdivision shall be a 30 foot travel way with standard curb and gutter. **Provided:** The proposed cross section, as shown in the detail on Sheet 8 of the plans, provides for a 4-inch rolled curb along the downstream edge of the roadway a 24-inch ribbon curb along the upstream edge. Curb details for each type are shown on the upper left of Sheet 23.

In the event the herein requested variances are granted, that such variances will only be applicable to the Siena Townhomes @ Mozart development and that all regulations of the Williamson County Subdivision Regulations will apply to all other developments developed by SR Investments, LTD in Williamson County unless the Williamson County Commissioners Court should otherwise grant specific a variance for a particular development in accordance with the Williamson County Subdivision Regulations.

Williamson County will not be obligated or liable for the maintenance of any roadways, drainage or other improvements within the Siena Townhomes @ Mozart development and that such obligations shall rest solely on SR Investments, LTD, its successor, and/or the development's property/unit owner's association but in no event on Williamson County. Furthermore, SR Investments will place signs at each entrance to Siena Townhomes @ Mozart notifying property owners and the public that all roadways within the development are not maintained by Williamson County.

All other condominium developments (other than a development which is granted a variance) in Williamson County constitute a subdivision that shall comply in all respects with Williamson County Subdivision Regulations and the Williamson County Engineering Guidelines, and an application for plat approval of the such proposed subdivision shall be prepared and submitted to the Williamson County Commissioners Court in accordance with the terms and procedures set forth in the regulations.

SR Investments, LTD appreciates Williamson County's work on this issue requests to be on the next available Commissioners Court meeting agenda for approval of these variances.

Regards,

A handwritten signature in black ink, appearing to read "John Lloyd", with a stylized flourish at the end.

John Lloyd  
SEDC DEVCO, Inc.

## EXHIBIT A

### Siena Townhomes at Mozart – Construction Plan Review Comments & Variances/Waivers

**From:** Doug Woodall [doug.woodall@wilco.org](mailto:doug.woodall@wilco.org)

**Date:** November 15, 2017

Williamson County has completed review of the construction plans submitted for Siena Townhomes at Mozart. The following comments are offered for your consideration. Noted items would be considered variances from the Williamson County Subdivision Regulations or exceptions to the various manuals and design criteria referenced in the regulations.

**Overall comment** - Based on the determination that a condominium development comprised of subdivided tracts of land is a subdivision within the meaning of the provisions for subdivision regulations in Chapter 232, Subsection A and E, regardless of whether the land is owned by a single owner or commonly owned by multiple owners, Chapter 82 of the Property Code does not supersede or supplant the provisions of the Chapter 232 Local Government Code subdivision requirements. Therefore, all un-platted roads in private subdivisions must meet 2013 County road standards.

#### Private Roads

- Variance - 9.9 requires that the Owner shall provide a maintenance schedule for the roads to the County Engineer for approval prior to placement of the final plat on the Commissioners Court agenda for approval. The schedule shall include the maintenance activities, their cycle of occurrence, and the current cost of providing the maintenance activity. The total cost of the activities along with a rate of inflation shall be used to determine the annual assessment per lot.
- Waiver - No more than three (3) residences may be served by a single joint use driveway without constructing to private road standards (ATCM 5.3.1 H)
- A note should be added to the cover sheet clarifying that the roads are private, that Williamson County will never accept or maintain the roads unless they meet county standards in effect at the time of initial construction, and that the roads shall be maintained to a standard that will allow for emergency services access in perpetuity.

#### P&P Sheets

- Have the plans been submitted to the emergency services district/fire department in which this development is located (ESD No. 3, Hutto Fire Rescue, (512) 759-2616)?
- Per subdivision regulations section 4.10 & 5.7, all street names should be shown on the plans. These are shown as Street "A", "B", etc.
- Variance - There is one horizontal curve on Street "D", C17 that does not meet 25 MPH design speed required for local roadways. B3.6.4 requires local roads to have a minimum design speed of 25 MPH.
- Variance - Hammerhead design are not allowed. Street should end with a cul-de-sac. Permanent cul-de-sac streets over 150' throat length require a 60 ft radius right-of-way, 54 ft radius base and minimum 50' radius to LOG; for less than 150' throat, a 50' radius right-of-way, 44' radius base and 40' radius to FOC.

- Variance - Minimum vertical landing length (grade <2%) approaching intersections is 50' for locals approaching any type of roadway per ATCM Table 1-7. Three locations (Streets C, D & E) exceed this requirement.
- Waiver - The plans indicate multiple parking spaces along Street C and a parking island at Streets B & C. Private parking areas/spaces are not allowed along public streets.

#### **Typical Sections**

- Note on sheet 8, under the typical section refers to pavement thicknesses on sheet 2. There are no pavement thicknesses noted on page 2
- Variances - The proposed typical section consists of 30 feet of roadway BOC-BOC with 15 and 10-foot PUEs along each roadway. The pavement width is 26 feet face to face, with a non-standard laydown/4-inch rolled curb combination. Variances needed for:
  - B3.6.3 requires a minimum travel way width with from lip of gutter to lip of gutter of 30 feet,
  - B3.7.2 requires for all curbed roadway that the pavement base course be extended a minimum of 18 inches beyond the back of curb,
  - B11.2.4 requires, on curb and gutter roadways, the roadway shall be designed so that no more than one half of one travel lane shall be inundated by the 10-year storm. Ponding widths exceed this requirement for the 25-year storm and 10-year calculations were not provided,
  - B3.6.5 & Appendix G do not provide for the combination ribbon/rolled curb cross-section, and
  - Appendix H requires a curb height of 6-inches.

#### **Drainage**

- The maximum allowable distance for sheet flow (overland) is 100 feet.
- Every point within the storm drain must be a maximum of 250 feet from an access point (i.e., manhole or outfall) for drains 30 inches in diameter or smaller. A maximum of 300 feet is required for pipes greater than 30 inches. Storm drain along Street B exceeds this requirement.

#### **Signage Plan**

- An additional speed limit sign should be place on Street D off CR 110.

#### **Lot Requirements**

- Variances - Plat notes typically address setback requirements and minimum FFEs; however, as this development was platted as one condominium lot, setbacks are not dimensioned per Appendix F2. The set-backs appear to be 10 to 15 feet from the edge of the PUE. FFEs are not shown.

That should be it for this project. Please let me know if you have any question or need additional information.