

If you need assistance completing this application (general inquires only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2<sup>nd</sup> Floor (One Texas Center).

CASE # C15-2010-0115  
ROW # 10490879

CITY OF AUSTIN TP-0220211421  
APPLICATION TO BOARD OF ADJUSTMENT  
GENERAL VARIANCE/PARKING VARIANCE

**WARNING: Filing of this appeal stops all affected construction activity.**

**PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.**

STREET ADDRESS: 5715 Manor Road

LEGAL DESCRIPTION: Subdivision – Manor Estates

Lot(s) 15 Block \_\_\_\_\_ Outlot \_\_\_\_\_ Division \_\_\_\_\_

I/We Amelia C. Sondgeroth on behalf of myself/ourselves as authorized agent for Pecan Springs Commons affirm that on 9 September, 2010,

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

ERECT  ATTACH  COMPLETE  REMODEL  MAINTAIN

To decrease the minimum off-street parking requirement of Sec. 25-6 Appendix A from 32 off-street parking spaces to 24 off-street parking spaces which includes 2 accessible parking spaces as required by the SMART Housing program in order to provide much needed green open space for the residents as well as the adjacent nursery school.  
in a GR-MU-V-CO NP district.  
(zoning district)

**NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.**

**VARIANCE FINDINGS:** I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

**REASONABLE USE:**

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

The COA MF parking standard requires 32 parking spaces for the proposed affordable housing project. Even with the urban core reduction (.8) and with restriping for compact spaces, the project still falls 8 spaces short. Constructing the required 32 spaces will preclude including a much needed green space amenity area for the residents. Studies have shown that per capita vehicle ownership tends to be lower for lower income families as well as for renters.\* Some US cities have lowered the parking requirement for affordable housing as an incentive to provide affordable housing in their communities. For example, the cities of San Diego and San Jose, California have implemented reduced parking standards to serve low income residents as well as MF in proximity to transit. This project is located adjacent to a Capital Metro transit stop.

**HARDSHIP:**

2. (a) The hardship for which the variance is requested is unique to the property in that:

The existing apartments are being redeveloped as quality affordable housing under the City's Smart Housing Program and will serve primarily low-income families with children. Their household income does not exceed 50% median family income or \$26,036 per year. The proposed green space is one more element that makes this proposed affordable housing project unique for the City. And quality affordable housing is greatly needed in the City.

(b) The hardship is not general to the area in which the property is located because:

The first phases of the revitalization project which have been completed have met the parking requirements of the COA zoning ordinance. However, the neighborhood is highly lacking green space. The Neighborhood Plan adopted by the City noted that there are only 3 acres of open space in the area (2000 Land Use Survey and Neighborhood Planning Area) This creates a hardship for the low income residents because they cannot hop in their personal vehicles to seek out amenities not within their local neighborhood.

**AREA CHARACTER:**

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

If the parking variance is allowed, the proposed project will enhance the neighborhood by providing approximately 3, 875 sq. ft. of green space area between the apartment building and the bus stop. The reduction in parking spaces and impervious cover will create an amenity for the residents as well as for the neighbors including the nursery school and individuals waiting at the bus stop. Covered bicycle parking will also be provided within this green space area.

**PARKING:** (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

Studies have shown that both renters and lower income households tend to own fewer cars.\*Renters who do not have cars will be drawn to this project not only because it is a quality affordable project but also because Capital Metro is located adjacent to the project. Therefore anticipated traffic generation from this project will be less.

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

Currently there are two driveways to this project along Manor Road. The northern most driveway will be closed and the southern one which is currently fenced will be open. Capital Metro will be relocating their bus stop further away from the intersection and as such neither parking or loading will be permitted along the boundary street .

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

The proposed parking reduction along with the proposed driveway and bus improvements will improve accessibility and safety in accordance with the objectives of the Ordinance.

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

One of the primary long term objectives of the Pecan Springs Commons is “to preserve existing affordable housing in a neighborhood that greatly needs quality, well managed and well-maintained affordable housing.” The owner is a long-term owner (non-profit affordable housing provider and the project started in October 2008 and is intended to provide affordable housing for many years. Should the nature of the project change, then the applicant understands that the variance will run with the use and not with the site.

\* *Parking Requirement Impacts on Housing Affordability*, March 2010 Victoria Transport Policy Institute; 22% renting households do not own cars (2000 Census); 26.5% urban households with incomes less than \$20,000 do not own a car (NTHS 2001)

<p><b>NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.</b></p>
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**APPLICANT CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Amelia C. Sondgeroth Mail Address 2638 Barton Hills Drive

City, State & Zip Austin, Texas 78704

Printed Amelia C. Sondgeroth Phone 512-825-6840 Date 09-09-2010

**OWNERS CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed See Attached Mail Address PO Box 685065

City, State & Zip Austin, Tex. 78768

Printed Frank Fernandez Phone 469-9130 Date 09-09-2010

## **GENERAL INFORMATION FOR SUBMITTAL OF A VARIANCE REQUEST TO THE BOARD OF ADJUSTMENT**

(The following is intended to provide assistance in explaining the variance process. These suggestions are not intended to be a complete or exhaustive guide in assisting you through this process.)

### **VARIANCE REQUIREMENTS:**

#### **General Requirements:**

- A. A variance may be granted if, because of special circumstances of a property, the strict application of the Land Development Code regulations deprives the property owner of privileges that are enjoyed by another person who owns property in the area that has the same zoning designation as the property for which the variance is requested.
- B. A variance to a regulation may not grant special privileges that are inconsistent with the limitations on other properties in the area or in the district in which the property is located.

**SUBMITTAL REQUIREMENTS:** (Failure to complete the application or to submit all the required materials will result in non-acceptance of the application.)

- (1) A completed application indicating all variances being requested. An application must include proposed findings that will support requested variances. The required findings must address each variance being sought.
- (2) A site plan to scale indicating present and proposed construction and location and use of structures on adjacent lots.
- (3) Check made payable to the City of Austin for the Board of Adjustment application fee. (Residential zoning - \$360. All other zonings - \$660.)
- (4) Other Information – Although the following is not a requirement of submittal you may wish to include additional information that may assist the Board in making an informed decision regarding your request such as: photos of the site or visual aids to support the request, letters from the neighborhood association(s) etc. Any additional information you wish to submit must be in our office one week prior to the meeting. The Board will receive a packet with all information that has been submitted on the Thursday prior to the meeting.
- (5) Austin Energy approval

Printed \_\_\_\_\_ Phone \_\_\_\_\_ Date \_\_\_\_\_

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Signed  \_\_\_\_\_ Mail Address \_\_\_\_\_

City, State & Zip \_\_\_\_\_

Printed \_\_\_\_\_ Phone \_\_\_\_\_ Date \_\_\_\_\_

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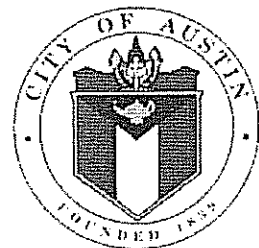
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Variances approved by the Board are limited to and conditioned upon the plans and specifications presented by the applicants, except as modified by the Board.





**BOARD OF ADJUSTMENTS**

CASE#: C15-2010-0115  
 LOCATION: 5715 MANOR RD  
 GRID: M25  
 MANAGER: SUSAN WALKER

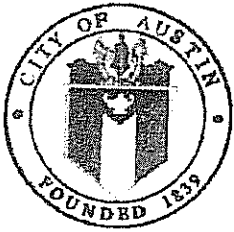


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 SUBJECT TRACT

 ZONING BOUNDARY

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



# City of Austin

P.O. Box 1088, Austin, TX 78767  
[www.cityofaustin.org/housing](http://www.cityofaustin.org/housing)

## Neighborhood Housing and Community Development Department

Gina Copic, S.M.A.R.T. Housing Program Manager  
(512) 974-3180, Fax: (512) 974-3112, [regina.copic@ci.austin.tx.us](mailto:regina.copic@ci.austin.tx.us)

April 28, 2009

**S.M.A.R.T. Housing Certification- Project ID # 61964**  
**Community Partnership for the Homeless -Sweeney & Manor**

TO WHOM IT MAY CONCERN:

Community Partnership for the Homeless (Frank Fernandez, [ffernandez@austinhomless.org](mailto:ffernandez@austinhomless.org); 469-9130), is planning to develop a 46-unit multi-family development at the following abutting properties: 5800 Sweeney Circle & 5711 Manor Road. Both properties are located within the Pecan Spring-Springdale Neighborhood Plan area.

NHCD certifies that the proposed construction meets the S.M.A.R.T. Housing standards at the pre-submittal stage. Since all the units will serve families at 50% Median Family Income (MFI) or below, the construction will be eligible for 100% waiver of the fees listed in Exhibit A of the S.M.A.R.T. Housing Resolution adopted by the City Council. Expected fee waivers include but are not limited to the following:

Capital Recovery Fees	Concrete Permit	Mechanical Permit
Building Permit	Electrical Permit	Plumbing Permit
Site Plan Review	Subdivision Plan Review	Building Plan Review
Construction Inspection	Regular Zoning Fee	
Parkland Dedication (P.L.D. Ord.)	Zoning Verification	
	Land Status Determination	

**Prior to filing of building permit applications and starting construction, the developer must:**

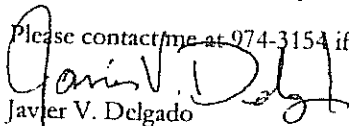
- ◆ Obtain a signed Conditional Approval from the Austin Energy Green Building Program stating that the plans and specifications for the proposed development meet the criteria for a Green Building Rating. (Austin Energy: Katie Jensen at 482-5407).
- ◆ Submit the S.M.A.R.T. Housing Residential Completeness Check, Permit Application, and plans demonstrating compliance with visitability and transit-oriented standards to single-family permit intake staff at One Texas Center, 505 Barton Springs Road.

**Before a Certificate of Occupancy will be granted, the development must:**

- ◆ Pass a final inspection and obtain a signed Final Approval from the Green Building Program. (Separate from any other inspections required by the City of Austin or Austin Energy).
- ◆ Pass a final inspection to certify that Visitability standards have been met.

The applicant must demonstrate compliance with the reasonably-priced standard after the completion of the homes, or repay the City of Austin in full the fees waived for this S.M.A.R.T. Housing certification.

Please contact me at 974-3154 if you need additional information.

  
Javier V. Delgado

Neighborhood Housing and Community Development Office

Cc: Jennifer Golech, Cap Metro  
Katie Jensen, Austin Energy  
Robby McArthur, WWW Taps  
Wendy Rhoades, NPZ/D

Deborah Fonseca, WPDR  
Danny McNabb, WPDR  
Dick Peterson, Austin Energy  
Manesh Chaku, NHCD

Chris Yanez, PARID  
Guy Brown, WPDR  
George Zapalac, WPDR  
Yolanda Parada, WPDR



**Pecan Springs • Springdale Hills**  
NEIGHBORHOOD ASSOCIATION  
"Showing We Care"

September 7, 2010

City of Austin, Board of Adjustment  
Attn: Leane Heldenfels  
P.O. Box 1088  
Austin, TX 78767

RE: Green Door parking lot variance request

Dear Ms. Heldenfels:

PSSNA supports the variance request that has been made by Green Doors for their property located at 5715 Manor Road. This reduction will provide much needed green space for residents of this affordable, green, multi-family complex.

The reduction will also create a more enjoyable and safe environment for neighbors (including the nursery school), Green Doors residents, and individuals waiting at the bus stop.

The resident populations being served are primarily low-income families that do not own the typical quantity of vehicles. In addition, the property is directly adjacent to two Capital Metro bus routes providing ample access to public transportation.

PSSNA has worked very aggressively with Green Doors to turn around a very troubled segment of our neighborhood and we feel that this variance will continue to advance that cause.

Sincerely,



Brad Wilson  
Interim President  
PSSNA



Lot 15 Manor Estates 5715 Manor Rd. 78723



NAD\_1983\_StatePlane\_Texas\_Central\_FIPS\_4203\_Feet  
Projection: Lambert\_Conformal\_Conic

**Travis Central Appraisal District**  
8314 Cross Park Drive P.O. Box 149012  
Austin, Texas 78754 Austin, Texas 78714  
Internet Address: [www.traviscad.org](http://www.traviscad.org)  
Main Telephone Number (512) 834-9347 Appraisal Information (512) 834-9310  
TDD (512) 836-3329



File Path: \\103 state map  
MapName: \\103 state map  
Date: 2/10/21  
Scale: 1:10000  
Units: Feet

0 120 Feet

Revision Date  
10/19/2005

2021

**Green Doors**  
 1503 South Interstate 35  
 Austin, TX 78741  
 P: 512.452.3372  
 F: 512.452.3372

**ACDDC**  
 Acorn Community Development Center  
 3108 East Fourth Avenue  
 Austin, TX 78702  
 P: 512.333.4155  
 F: 512.333.4155

**Sobline Engineering**  
 4201 E. Stacy Meadows Circle  
 Austin, TX 78721  
 P: 512.253.2422  
 F: 512.253.8781

**Keating Consulting Engineers**  
 5500 Research Blvd. # 300  
 Austin, TX 78759  
 P: 512.372.2216  
 F: 512.372.2211

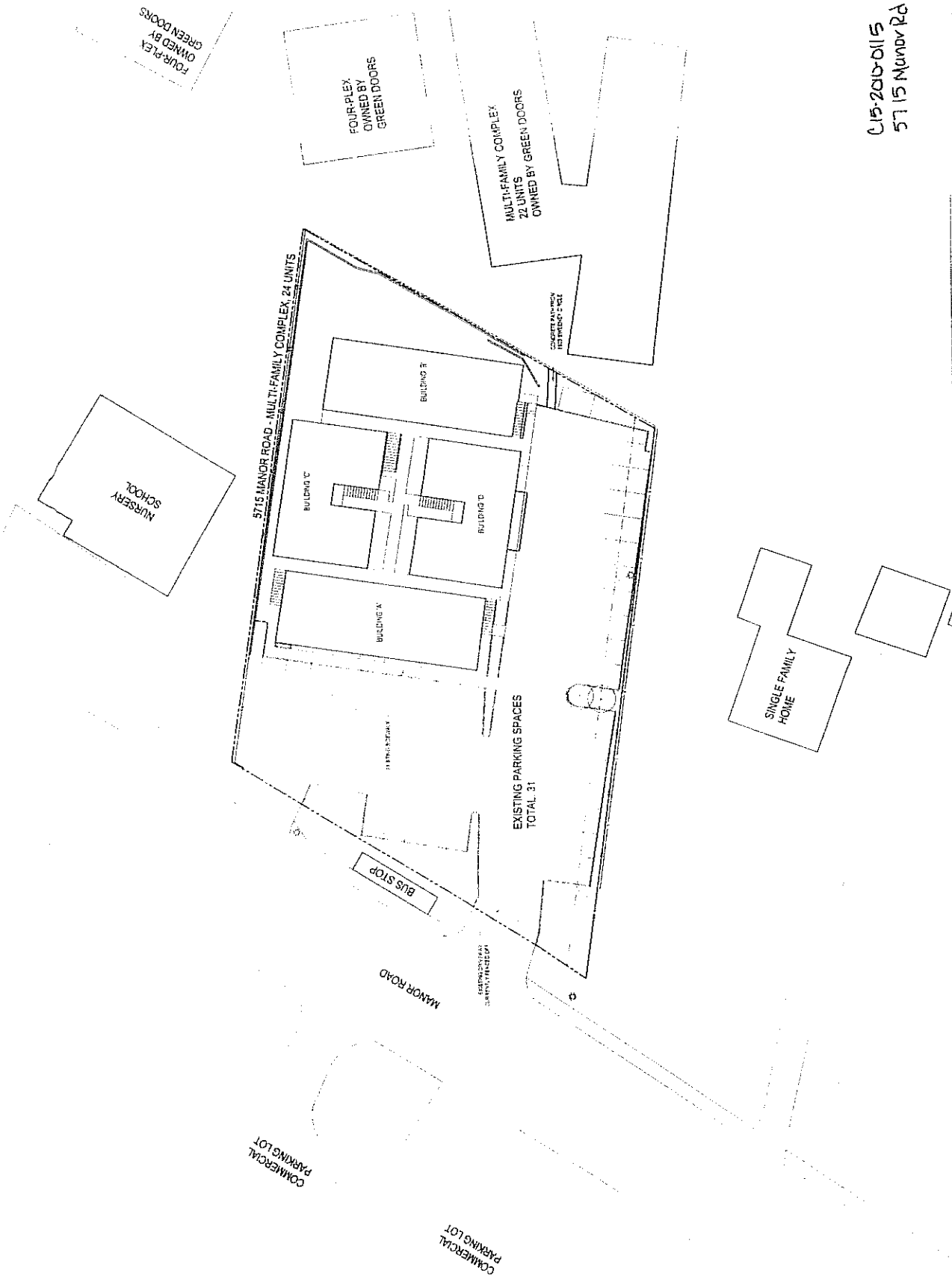
**5715 Manor Road**

5715 Manor Road  
 Austin, TX 78723

DATE: 05/15/2011  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
**SITE PLAN  
 EXISTING  
 CONDITIONS**

015-200-0115  
 5715 Manor Rd.

01 EXISTING CONDITIONS



**Green Doors**  
 11000 N. Loop West, Suite 100  
 Dallas, TX 75244  
 214.348.9131  
 1.972.683.0711

**ACDDC**  
 11000 N. Loop West, Suite 100  
 Dallas, TX 75244

**200 E. Franklin St.**  
 Austin, Texas 78701  
 512.220.4234  
 1.727.423.2323

**Bohne Engineering**  
 11000 N. Loop West, Suite 100  
 Dallas, TX 75244  
 214.348.9131

**Koenig Consulting Engineers**  
 9300 Research Blvd., # 237  
 Austin, TX 78753  
 512.220.4234  
 1.972.722.2171

**5715 Manor Road**

**5715 Manor Road**  
 Austin, TX 78723

**PROPOSED SITE PLAN**

