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**PLANNING COMMISSISON  
SITE PLAN WAIVER REQUEST REVIEW SHEET**

**CASE NUMBER:** SP-2010-0181CS      **PLANNING COMMISSION**  
**HEARING DATE:** January 11, 2011

**PROJECT NAME:** Mixed Use Condos at 1415 W 51st Street

**ADDRESS:** 1415 W 51st Street

**NEIGHBORHOOD PLAN:** Brentwood

**APPLICANT:** 51<sup>st</sup> Street Condo Project (Stephen G. Brown) - (512) 565-1244  
10809 Plumewood Drive  
Austin, TX 78750

**AGENT:** Big Red Dog Engineering & Consulting (Brad Lingvai) - (512) 669-5560  
815-A Brazos Street, Suite 319  
Austin, TX 78701

**CASE MANAGER:** Sarah Graham      Phone: 974-2826  
[sarah.graham@ci.austin.tx.us](mailto:sarah.graham@ci.austin.tx.us)

**PROPOSED DEVELOPMENT:**

The applicant is proposing to modify an existing single-family one-story structure at 1415 W. 51<sup>st</sup> Street, which is currently used as an office. The applicant is proposing to add a second story, whereas the mixed-use building would include an 884sq ft office on the first floor, and two residential units upstairs consisting of 1,930 sq ft. Associated improvements include parking (located behind the existing structure and underneath the proposed second story units), sidewalk improvements, and landscaping.

**DESCRIPTION OF WAIVERS:**

The applicant is requesting a waiver from § 25-2-1062(B)(2), which requires a structure setback of 15 feet from property used as single-family. The proposed 2nd story structure would be added to the existing structure, currently located 11 ½ feet from the property line.

The applicant is also requesting a waiver from § 25-2-1064(1)(a) requiring a front building line setback of at least 25 feet from the right-of-way when adjacent to a single-family use. A proposed 2nd story porch would be added to the existing structure, currently located 20 feet from the 51st street right-of-way.

**SUMMARY STAFF RECOMMENDATION:**

Staff recommends approval of the waiver requests. The applicant is proposing to use the existing setbacks, and not to extend further into the setback. The proposed development is less obstructive than could be administratively permitted through either a large residential structure or a conforming mixed-use structure (see architect's rendering included with the applicant's waiver request). The development is consistent with the Brentwood Neighborhood Plan. The site plan complies with all other requirements of the Land Development Code.

**PROJECT INFORMATION:**

<b>SITE AREA</b>	7,274 square feet	0.167 acres
<b>EXISTING ZONING</b>	LO-MU-NP	
<b>WATERSHED</b>	Shoal Creek (Urban)	

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<b>WATERSHED ORDINANCE</b>	Comprehensive Watershed Ordinance (Urban)		
<b>TRAFFIC IMPACT ANALYSIS</b>	Not required		
<b>CAPITOL VIEW CORRIDOR</b>	None		
<b>PROPOSED ACCESS</b>	W. 51 <sup>st</sup> Street		
	<b>Allowed/Required</b>	<b>Existing</b>	<b>Proposed</b>
<b>FLOOR-AREA RATIO</b>	.7:1		0.387:1
<b>BUILDING COVERAGE</b>	50%	14.2%	33.5%
<b>IMPERVIOUS COVERAGE</b>	70%	76.1%	69.4%
<b>PARKING</b>	7 – 1 (Urban Core Reduction) = 6		6

**SUMMARY COMMENTS ON SITE PLAN:**

The subject site is currently occupied by a single-family structure and paved parking area at the rear of the site that has been used as an office for approximately 20 years. The current owner has owned and operated the site as an office for 10 years. The applicant is proposing to modify the existing single-family one-story structure by adding a second story, whereas the mixed-use building would include an 884sq ft office on the first floor, and two residential units upstairs consisting of 1,930 sq ft. Associated improvements include 6 parking spaces (located behind the existing structure and underneath the proposed second story units), sidewalk improvements along W. 51<sup>st</sup> Street, and landscaping.

The lot is zoned LO-MU-NP – Limited Office – Mixed Use – Neighborhood Plan. According to the Brentwood Neighborhood plan, this lot is shown to be “Mixed Use/Office” on the Future Land Use Map. The LO zoning allows for office use predominately serving neighborhood or community needs. The MU zoning is intended to provide for and encourage development and redevelopment that contains a compatible mix of residential, commercial, and institutional uses within close proximity to each other, rather than separating uses. This type of intermediary zoning encourages a transition of uses from the commercial district along Burnet Rd, zoned CS-MU and GR-MU to the west of the site, to the single-family to the east.

The applicant is proposing to include 4 live oak trees to the south of the sidewalk along W. 51<sup>st</sup> Street to provide a shaded sidewalk, as well as 3 more live oak trees along the western edge of the lot. The site plan also shows the preservation of two Chinaberry trees at the southern edge of the lot.

**COMPATIBILITY:**

The site is subject to Compatibility Standards due to the single-family structure, zoned SF-3-NP to the east. Per Section 25-2-1062(B) of the Land Development Code – A site with a street frontage of 50 feet or less, a person may not construct a structure 15 feet or less from property zoned SF-5 or more restrictive zoning district. The existing single-family structure is located 11 ½ feet from the eastern property line. The applicant is proposing to follow the existing wall structure vertically for a second story structure, which would encroach into the 15 foot setback by 3 ½ feet.

Per Section 25-2-1064, a building must have a front building line setback of at least 25 feet from a right-of-way if the tract of which the building is constructed adjoins property zoned SF-5 or more restrictive zoning district. The existing single-family structure is located 20 feet from the property line, and has a covered concrete porch that further extends into the front yard setback an additional 4 feet. The applicant is proposing a second story covered porch area above the existing single-family structure, located 20 feet from the property line, thereby encroaching into the 25 foot setback by 5 feet. The existing and proposed front yard setbacks are similar to the developments to the east and west (see aerial photo, included).

All other compatibility setbacks and standards are met. As the site is only 50 feet wide, Section 25-2-1067(H) requires a 5 foot setback for parking, but a 0 foot setback for the driveway – the site plan

demonstrates compliance with this subsection. The top of the new roof is shown to be no higher than 27 feet and 8 inches, below the height limit of 30 feet per Compatibility Standards. The applicant has provided building elevation sheets that demonstrate a design and mass which would be appropriate for a residential use. The applicant has demonstrated on the plans that the site's off-street parking will be screened along the property line shared with the single-family lot to the east by way of the existing stone wall, and a proposed fence. The applicant has added notes to their site plan related to exterior lighting, noise levels, trash location, and highly reflective surfaces, as required per the Land Development Code.

**PLANNING COMMISSION ACTION:**

Brentwood Neighborhood Plan and Zoning Ordinance C14-04-0012 – February 2004. Zoning changed from LO to LO-MU-NP, Future Land Use Map shows lot to be “Mixed Use/Office”. Approved by Council in May 2004.

**EXISTING ZONING AND LAND USES:**

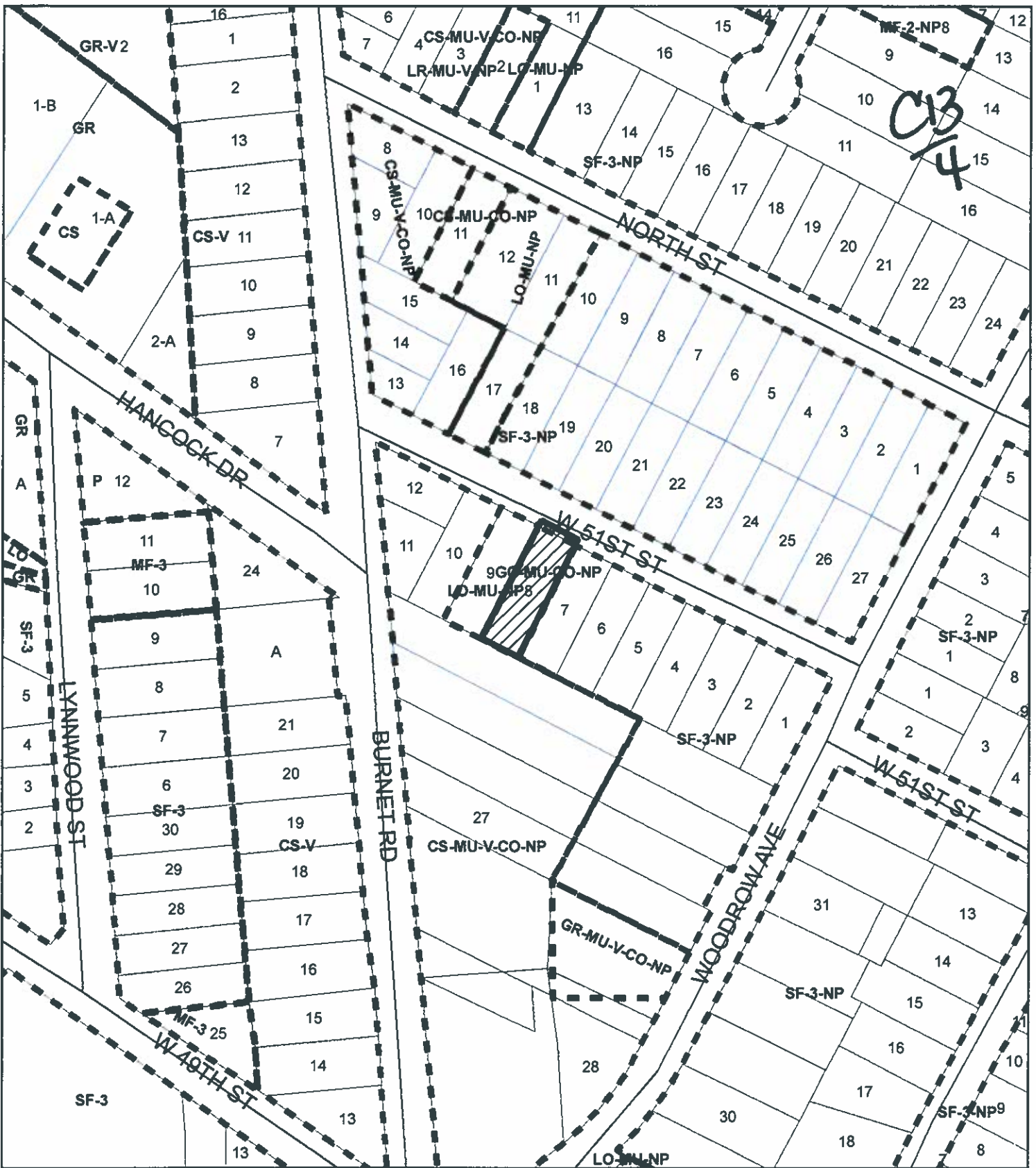
	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	LO-MU-NP	single-family structure, used as Administrative Office
<i>North</i>	W 51 <sup>st</sup> Street, then SF-3-NP	W. 51 <sup>st</sup> Street, then Single-Family
<i>South</i>	CS-MU-V-CO-NP	Medical Office
<i>East</i>	SF-3-NP	Single-Family
<i>West</i>	GO-MU-CO-NP, then CS-MU-V-CO-NP	Administrative and Business Offices (vacant), then Restaurant, Personal Services, and General Retail Sales

**ABUTTING STREETS:**

<b>Street</b>	<b>Right-of-Way Width</b>	<b>Pavement Width</b>	<b>Classification</b>
W. 51 <sup>st</sup> Street	50 ft	29 ft	Local

**NEIGHBORHOOD ORGNIZATIONS:**

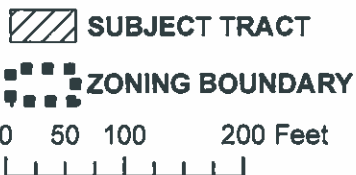
- 3— Allandale Neighborhood Association
- 66— Rosedale Neighborhood Association
- 120— Brentwood Neighborhood Association
- 283— North Austin Neighborhood Alliance
- 511— Austin Neighborhoods Council
- 740— Brentwood/Highland Combined Neighborhood-COA Liaison
- 742— Austin Independent School District
- 769— 5702 Wynona Neighbors
- 786— Home Builders Association of Greater Austin
- 787— Brentwood Neighborhood Planning Contact Team
- 1037— Homeless Neighborhood Assn.
- 1057— Highland/Skyview Neighborhood Planning Contact Team
- 1075— League of Bicycling Voters
- 1113— Austin Parks Foundation
- 1200— Super Duper Neighborhood Objectors and Appealers Organization
- 1224— Austin Monorail Project
- 1228— Sierra Club, Austin Regional Group
- 1236— The Real Estate Council of Austin, Inc
- 1277— Allandale Neighborhood Plan – COA Liaison



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SITE PLAN

CASE#: SP-2010-0181CS  
 ADDRESS: 1415 W. 51ST STREET  
 MANAGER: SARAH GRAHAM



This map has been produced by site plan review for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.







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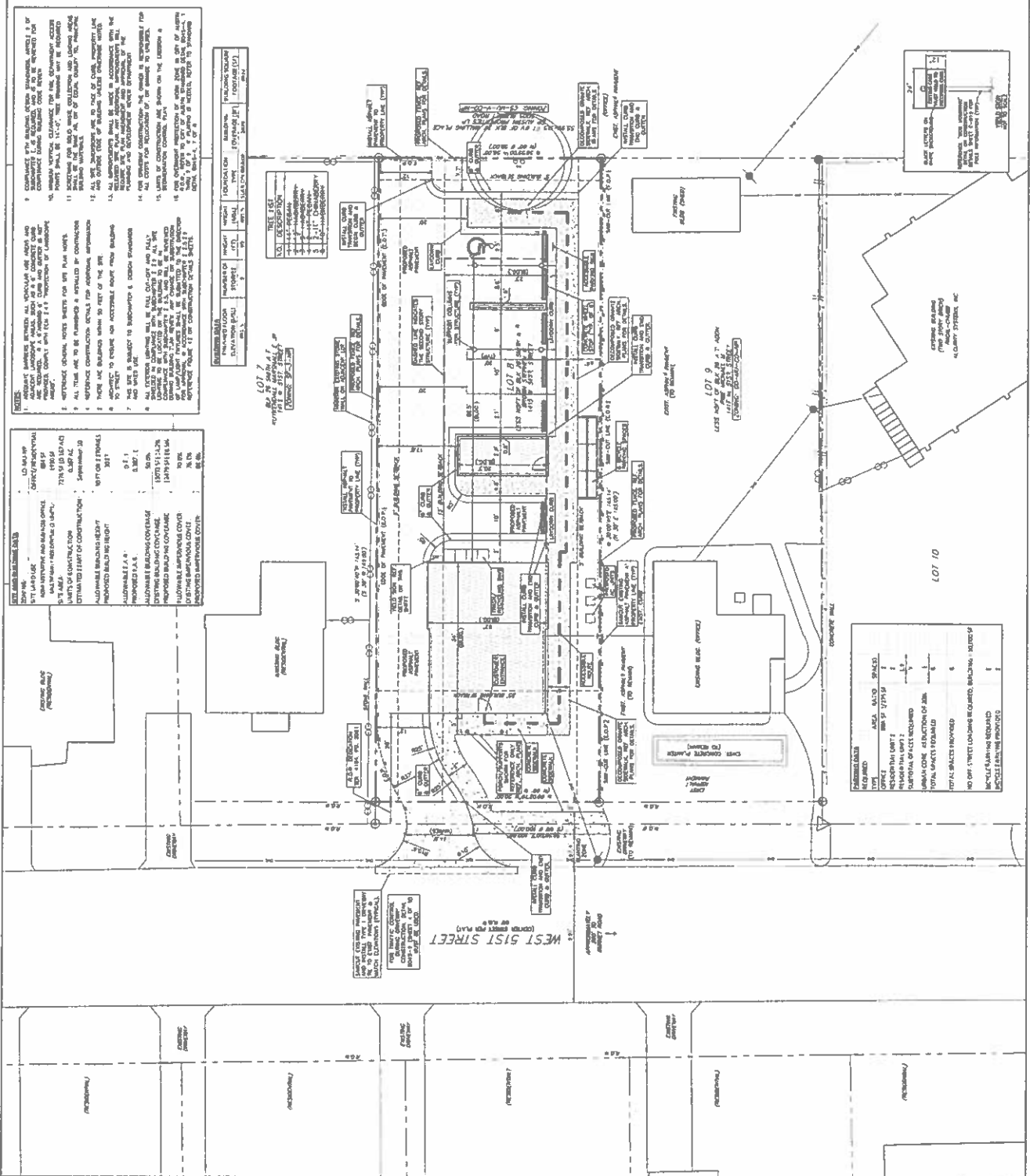
PROJECT NO.	800-C
DATE	8/15
PROJECT NAME	1415 WEST 51ST STREET, AUSTIN, TX 78756
OWNER	THE UNIVERSITY OF TEXAS AT AUSTIN
DESIGNER	BIG RED DOG ARCHITECTS
SCALE	AS SHOWN
PROJECT LOCATION	1415 WEST 51ST STREET, AUSTIN, TX 78756
PROJECT TYPE	RENOVATION TO AN EXISTING BUILDING FOR MIXED-USE CONDOS
DATE OF ISSUE	08/15/15
PROJECT STATUS	CONCEPTUAL DESIGN
PROJECT PHASE	CONCEPTUAL DESIGN
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**SITE PLAN**  
**A RENOVATION TO AN EXISTING BUILDING FOR MIXED-USE CONDOS**  
**1415 WEST 51ST STREET, AUSTIN, TX 78756**



512.666.5580  
 WWW.BIGREDDOG.COM  
 207 E. 4TH ST. OFFICE • 213-A BRIDGE ST. #112 (MAIL)  
 AUSTIN, TEXAS 78701 • TEXAS REG. NO. 111281

NO.	DATE	REVISION



**NOTES:**

1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
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NO.	DATE	REVISION

NO.	DATE	REVISION



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December 27, 2010

Ms. Sarah Graham  
Case Manager and Site Plan Reviewer  
Planning and Development Review Department  
City of Austin  
505 Barton Springs Road, 4<sup>th</sup> Floor  
Austin, Texas 78704

RE: Request for Planning Commission Hearing  
Mixed Use Condos  
1415 West 51<sup>st</sup> Street  
Austin, Texas 78756

Dear Ms. Graham:

Please accept this letter as our request for a planning commission hearing for a variance on the Mixed Use Condos, located at 1415 West 51<sup>st</sup> Street in Austin, Travis County, Texas. This site was originally a single family residence and is currently being used as office space. It is located adjacent to a single family neighborhood and commercial developments, and the planned redevelopment will add mixed-use residential units as well as expand the office space.

**Waiver Request:** The applicant is requesting a waiver from § 25-2-1062(B)(2), which requires a structure setback of 15 feet from property used as single-family. A proposed 2<sup>nd</sup> story structure would be added to the existing structure, located 11 ½ feet from the property line.

The applicant is also requesting a waiver from § 25-2-1064(1)(a) requiring a front building line setback of at least 25 feet from the right-of-way if the tract when adjacent to a single-family use. A proposed 2<sup>nd</sup> story porch would be added to the existing structure, located 20 feet from the 51<sup>st</sup> street right-of-way.

We feel that these variances are warranted for this project due a variety of factors related to the site including the limited size of the lot and the scale of the proposed project, that this project is proposing to refurbish an existing structure, and the MU zoning that was granted the property. The following discussion briefly discusses each of these points.

The proposed expansion of the second story of the commercial structure will extend ±3' into the 15' Compatibility Setback, as can be seen on the attached "Buildable Area Diagram". But the structure does not encroach on the neighboring single-family property as much as a proposed residential building could if built to its maximum potential size, which can also be seen on the referenced diagram. Also the proposed front porch of the proposed structure is similar many of the other single family homes on the street and not out of scale with the neighborhood.



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Another factor that should aid in the support of this variance request is the reuse of the existing structure. The proposed office building is being expanded upwards and vertically aligning the first and second story walls of the structure is the proper design to ensure a durable, lasting structure.

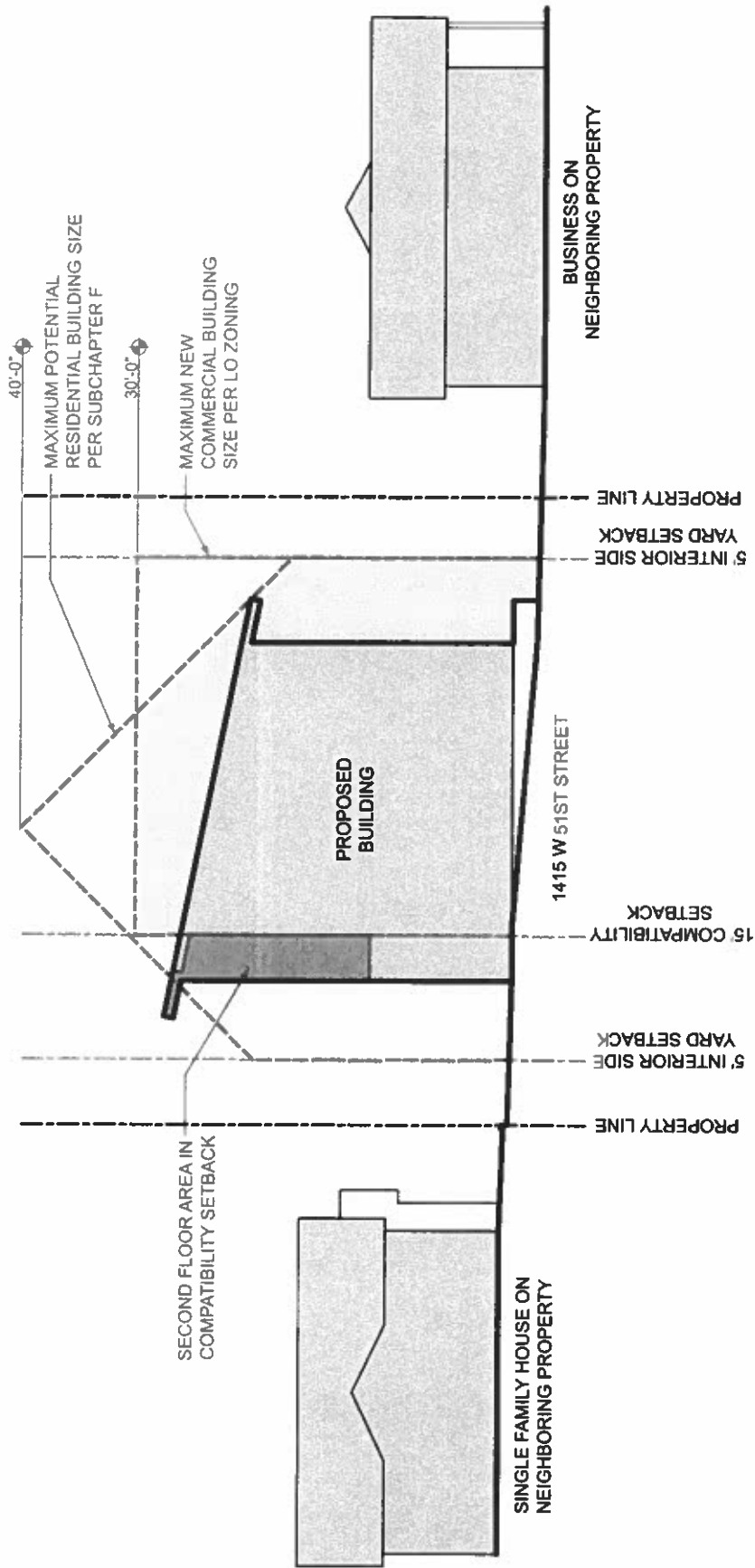
Also, the MU zoning designation that was granted to the property indicates that the City and the neighborhood desire a project of this type of construction on this property. The existing structure on the property is already being used as an office by the property owner and has been used as commercial property for the past 20 years. The MU zoning that was granted allows for the residential component of this project to be constructed, and seeing as how the expansion of the MU portion of the structure into the compatibility setback is a residential component that would be permitted in setback zone if it were a fully residential project, this variance should be supported.

Thank you for your review of this variance request. We feel that City Staff support is warranted for the above mentioned reasons and would appreciate assistance in moving this project through the required notification and planning commission hearing as expeditiously as possible. We appreciate your efforts in reviewing this variance request and should you have any questions or require clarification on any items, please don't hesitate to contact our office.

Sincerely,

Bradley J. Lingvai, P.E.  
Vice President  
BIG RED DOG Engineering | Consulting  
Texas Registration # F-11201





**BUILDABLE AREA DIAGRAM**

**WEST 51ST STREET MIXED-USE CONDOS**

DECEMBER 17, 2010  
 antenoraarchitects llp

MULTI-PHASE CONSTRUCTION

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**PUBLIC HEARING INFORMATION**

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

A zoning ordinance amendment may include a conditional overlay which would include conditions approved by the Land Use Commission or the City Council. If final approval is by a City Council's action, there is no appeal of the Land Use Commission's action.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (it may be delivered to the contact listed on a notice); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: [www.ci.austin.tx.us/development](http://www.ci.austin.tx.us/development).

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: SP-2010-0181CS  
 Contact: Sarah Graham, 512-974-2826 or  
 Michelle Casillas, 512-974-2024  
 Public Hearing: Planning Commission, Jan. 11, 2011

I am in favor  
 I object

Your Name (please print) KATHY BORTH

Your address(es) affected by this application 5110 Burnet Rd, 78756

Signature [Handwritten Signature] Date 1-3-11

Daytime Telephone: 512-569-0975

Comments: Sounds like a good project for area - will fill a need.

If you use this form to comment, it may be returned to:

City of Austin  
 Planning and Development Review - 4<sup>th</sup> floor  
 Sarah Graham  
 P. O. Box 1088  
 Austin, TX 78767-8810

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