

CASE # C15-2012-0065
ROW # 10767986

CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

TR - Travis County

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

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

STREET ADDRESS: 13401 1/2 Escarpment Dr.
Proposed Escarpment Blvd at Bernia Drive - Streets are unplatted at this time See Location Map Attached

LEGAL DESCRIPTION: Subdivision - Unplatted - Approx. 96 acres out of the H.W. Cocke Survey No. 83, Abstract 196

Lot(s) Block Outlot Division

I/We Danny Miller on behalf of myself/ourselves as authorized agent for

John Bowker affirm that on 4-25-2012
(Veritas Academy)

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

(check appropriate items below)

ERECT ATTACH COMPLETE REMODEL MAINTAIN

Private school facility
25-2-832(1)

in a CS-1 / CR 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:

See Attached Letter

HARDSHIP:

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

See Attached Letter

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

See Attached Letter

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:

See Attached Letter

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:

N/A

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:

N/A

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:

N/A

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

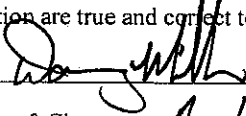
N/A

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

N/A

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.

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  Mail Address 5316 Hwy 290 West, Suite 150

City, State & Zip Austin, Tx 78735

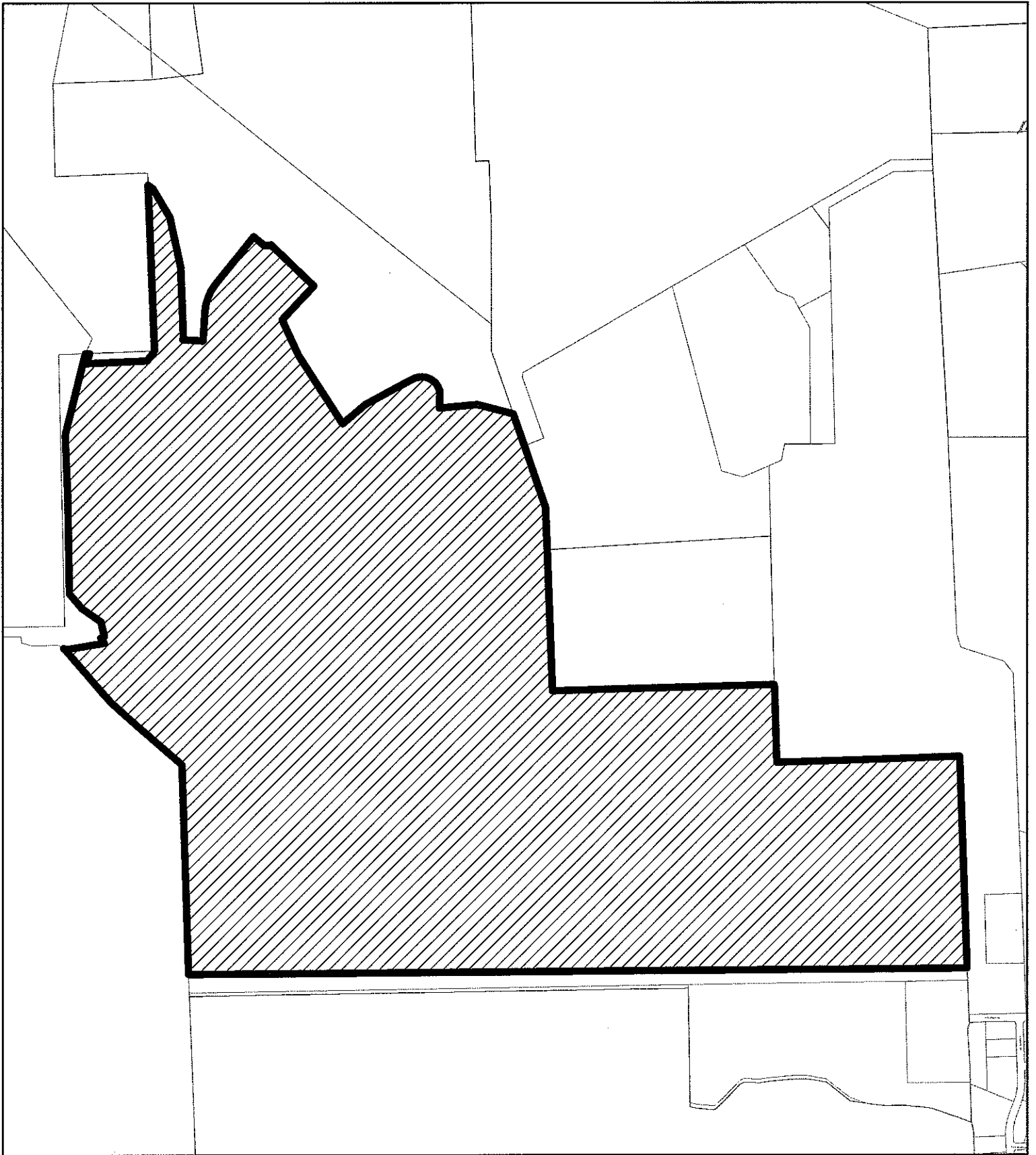
Printed Danny Miller, P.E. Phone 439-4700 Date 4-29-12

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  Mail Address _____

City, State & Zip 1100 Lakeline Blvd Austin, TX 78613

Printed John Bohner Phone 512-506-4115 Date 4/25/12



SUBJECT TRACT



ZONING BOUNDARY

CASE#: C15-2012-0065
LOCATION: 13401 1/2 ESCARPMENT DRIVE



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



5316 Highway 290 West Phone 512.439.4700
Suite 150 Fax 512.439.4716
Austin, Texas 78735 www.ljaengineering.com

April 24, 2012

Mr. Jeff Jack, Chairman
City of Austin – Board of Adjustment
505 Barton Spring Road
Austin, Texas 78704

Re: **Proposed Veritas Academy – Avana Subdivision**
 LJA Project Number A219-0401

Dear Mr. Jack:

The above referenced project is situated on an approximately 96 acre tract of land located at the terminus of a future extension of Escarpment Boulevard, within the proposed Avana Subdivision. The property is located within the City's limited purpose jurisdiction and is currently zoned Commercial Services (CS-1) and Commercial Recreation (CR). The Avana Subdivision, Phase 1 Preliminary Plan (C8J-2011-0065) was approved by the City of Austin on December 6, 2011, and is currently under development by Standard Pacific of Texas, Inc. Escarpment will be extended with Avana Phase 1, Section 2 and will terminate with a roundabout design. The subject tract will take access from this roundabout.

Currently, a local private primary and secondary school is under contract to purchase the 96 acre tract with the intent to develop a centralized campus for its teachers and students. Per Section 25-2-832(1) of the Land Development Code, public and private schools must be located on a street that has a paved surface of 40 feet from the site to where it connects with another street that has a paved width of at least 40 feet. Per the above approved Preliminary Plan, Escarpment Boulevard is classified as a Minor Undivided Arterial (MAU2) with 120' of ROW and 2-18' divided lanes that transition to a 33' wide undivided roadway. Escarpment Boulevard provides a direct connection to SH 45.

Additionally, the majority of the adjacent property is currently undeveloped. A single tract of land located adjacent to the western boundary of the site, adjacent to Bear Creek, is developed as a rural residence and is located outside the City's zoning jurisdiction. The majority of the land southeast of the subject tract was recently sold to the City of Austin as conservation land, and thus development will not extend in that direction. For these reasons, Escarpment Boulevard will terminate at this location and cannot be extended further for future development.

Based on this, the Owner of the 96 acre tract respectfully requests a variance from the above referenced Section of the LDC with the following findings:

1) Reasonable Use

The subject tract is situated at the end of a minor arterial, within a master planned single family neighborhood. The proposed private school is allowed by zoning, and is supported by the Developer of the proposed neighborhood, with the majority of adjacent land to remain undeveloped. Traffic generated by the school will not interfere with the neighborhood as Escarpment Boulevard provides direct access to SH 45. Per the Austin Transportation Criteria Manual, the proposed roadway width of Escarpment Boulevard has a capacity of 15,000 trips per day. The proposed neighborhood and private school would generate approx. 10,000 trips



per day at full buildout, at the intersection of Escarpment Boulevard and SH 45. The roadway design for Escarpment Boulevard and the proposed Avana neighborhood was designed such that there are multiple means of ingress / egress in the event of a road closure due to an emergency.

All parking will be provided onsite and will include provisions for overflow parking during special events. Strict adherence to Section 25-2-832(1) of the LDC would prohibit the proposed land use from developing on the subject tract.

Additionally, the Bradley Parties Settlement Agreement, which governs the development regulations for the subject tract, originally proposed a hotel and golf course to be situated on the subject tract. The private school will replace these uses, and thus would be expected to have less impact on the surrounding property and environment.

2) Hardship

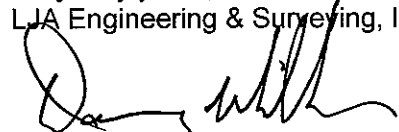
- a) The City of Austin 2025 Austin Metropolitan Area Transportation Plan requires Escarpment Boulevard to be constructed as a Minor Arterial with two lanes (MAU2). In conjunction with the Preliminary Plan for Avana Phase 1, the Austin Transportation Department required Escarpment Boulevard to be constructed with a 33' wide roadway for the final 1500 LF of the road, to its terminus with a roundabout, where the subject tract will take access.
- b) The subject tract is the only viable tract within Avana for a private school to develop on, and therefore this hardship would not apply to other properties within Avana making it unique to this property.

3) Area Character

The purpose of Section 25-2-483 of the LDC is to provide a pavement width sufficient to allow on-street parking for special events being held at a school facility in a neighborhood setting. Due to the configuration of the subject tract, combined with the steep topography and proposed site plan, it is not reasonable to expect parents to park in Escarpment Boulevard and walk over ¼ mile to the proposed school facilities. Additionally, the proposed site plan on 96 acres will include provisions to allow for all parking to be contained on-site, including overflow parking. For these reasons, on-street parking will not occur along Escarpment Boulevard.

We thank you and the Board for considering this variance. If there are any questions, or if you need any additional information, please do not hesitate to call at 439-4700.

Very truly yours,
LJA Engineering & Surveying, Inc.



Danny Miller, P.E.
Senior Project Manager



City of Austin

One Texas Center, 505 Barton Springs Rd. Austin, Texas 78704
P.O. Box 1088 Austin, Texas 78767
Phone: (512) 974-2797 Fax: (512) 974-3337

911 ADDRESSING CITY SERVICE ADDRESS VALIDATION

Date: April 27, 2012

The Following Is A Valid Address:

Address : 13401 1/2 ESCARPMENT BLVD

*Please contact the United States Postal Service or go to www.usps.com for the correct zip code for this address.

Legal Description:

Subdivision :

Block ID :

Lot ID :

Tax parcel ID :

Jurisdiction:

AUSTIN LTD

County:

HAYS

Comments:

Preliminary address for Veritas Academy subject to change upon Site Plan Completeness Check & address assignment.

Signed: _____

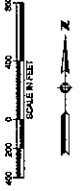
CATHERINE WINFREY

Disclaimer: The assignment and/or verification of this address does not authorize a change in land use or constitute the City of Austin's approval of any division of real property. The assignment and/or verification of this address does not supersede any requirements of the City of Austin's Land Development Code, the Texas Local Government Code, or any other state or municipal regulations.

DATE	DESCRIPTION	BY	DATE

LVA Engineering, Inc.
 5316 Highway 200, Suite 100
 Austin, Texas 78758
 Phone 512.439.4700
 Fax 512.439.4710
 E-mail info@lva.com
 LVA-001

SHEET NO. **1**
 OF 7
 SHEETS



SITE PLAN SHOWN IS
 FOR CONCEPTUAL
 PURPOSES ONLY

U5-2012-0065
 Parcel 1/2 Escarpment

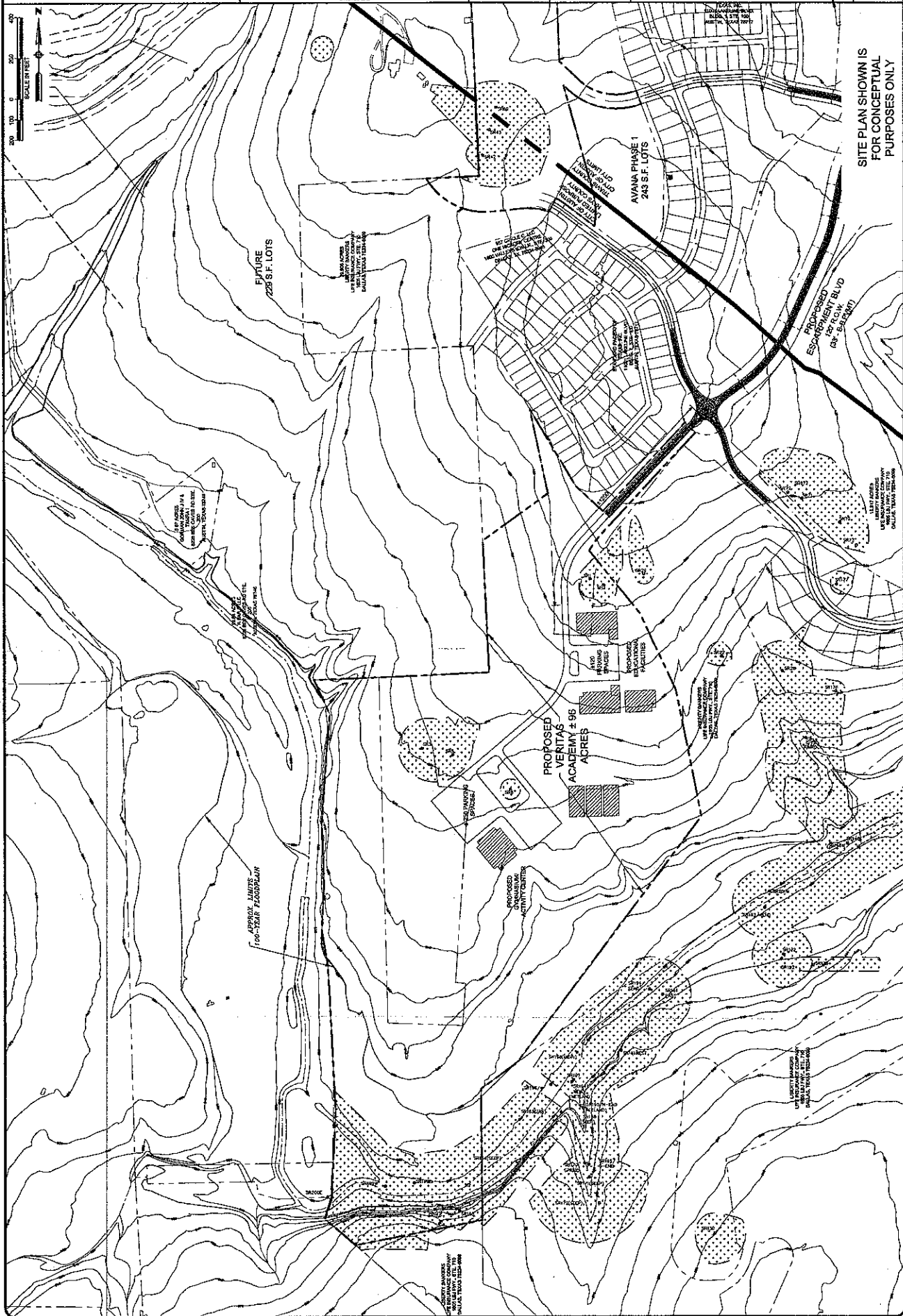
VERTAS ACADEMY
CONCEPTUAL SITE PLAN

NO.	DESCRIPTION	DATE

DATE	BY	DESCRIPTION

LA Engineering, Inc.
1518 Highway 200 West
Suite 100
P.O. Box 78735
Dallas, Texas 75275
Phone: 972.832.4200
Fax: 972.832.4218
E-mail: lae@lae.com
www.lae.com

PROJECT NO. 1
SHEET NO. 1
DATE: 12/15/2011



SITE PLAN SHOWN IS
FOR CONCEPTUAL
PURPOSES ONLY