






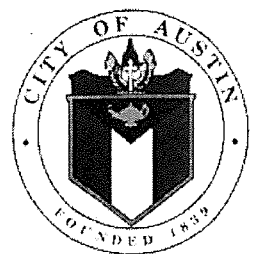
-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

**NOTIFICATIONS**

CASE#: C15-2015-0131  
900 & 902 S 1ST STREET AND  
901, 903, & 907 S 2ND STREET

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 CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



1" = 267'

CASE# C15-205-0131  
ROW# 113 95763  
TAX# 101847, 101849, 101850, 101852 ✓

119  
2

CITY OF AUSTIN TCAD 0102010813, 0102010811,  
APPLICATION TO BOARD OF ADJUSTMENT  
GENERAL VARIANCE/PARKING VARIANCE 0102010810, 0102010808

WARNING: Filing of this appeal stops all affected construction activity. (Some maps for mer case)

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

C15-2014-00

STREET ADDRESS: 900 S. 1st Street, Austin, TX 78704 (+ 902, 903, 907, 901 S. 2nd St)

LEGAL DESCRIPTION: Subdivision - Abe William Subdivision; Vol. 328, PG. 231-233 D.R.T.C.T.

Lot(s) 1-8 Block \_\_\_\_\_ Outlot \_\_\_\_\_ Division \_\_\_\_\_

I/We Michael Padavic on behalf of myself/ourselves as authorized agent for

1st Street Highlands LP affirm that on July 7, 2015,

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

(check appropriate items below and state what portion of the Land Development Code you are seeking a variance from)

X ERECT \_\_\_ ATTACH \_\_\_ COMPLETE \_\_\_ REMODEL \_\_\_ MAINTAIN  
a mixed-use (office and multi-family residential) building with parking, a portion of which is in an area restricted by LDC Section 25-2-1063 (Height Limitations and Setbacks for Large Sites) of Article 10, Compatibility Standards, which is being triggered by the use and zoning of the property at 909 S 2nd Street. We are requesting a variance to Section 25-2-1063 (B) to decrease the distance from 25 feet (required) to 0 feet (requested); Section 25-2-1063 (C) to increase the maximum height restriction from 2 stories and 30 feet and 3 stories and 40 feet (required) to 4 stories and 45 feet (requested).

in a GR-MU-V-CO-NP district. (Bouldin)  
(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):

5/3/35

**REASONABLE USE:**

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

A new access easement and drive (via joint agreement with the owner of the adjacent property) that City Council and staff deemed a benefit to the city and neighborhood, was a required stipulation for approval of ROW vacations. A variance to Section 25-2-1063 (B) is required to allow the drive to be constructed. As the adjacent property will subsequently be developed to a higher density than the current configuration, a variance to Section 25-2-1063 (C) will allow the best use for the subject property, which is consistent with other applicable zoning regulations including Subchapter E, tree preservation and the current neighborhood plan.

**HARDSHIP:**

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

As a stipulation for approval of ROW vacations, City Council has required the construction of a road that is not possible with the existing compatibility regulations. In addition, existing topography and heritage trees on this particular site do not allow for another configuration of the proposed building that best adheres to the existing zoning regulations (including Subchapter E and tree preservation) and the neighborhood plan. With the drive in place, and more dense development planned for the adjacent property, Compatibility Standards are not appropriate.]

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

The neighborhood plan (and subsequent rezoning) allows for "mixed-use" along S. 1st Street, which could be further defined as more dense multi-family and office use. S. 1st Street may be characterized as having small office, restaurant or retail use. A conditional overlay for this property restricts the maximum height to 45' (from 65' per zoning regulations), restricting the placement of the building on the site. Additionally, the access easement and drive required by City Council is specific to this particular property.

**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:

The proposed use for the property is in line with the neighborhood plan, both in use and form, as well as desire future development for these lots specifically. Adherence to Compatibility Standards would require removal of heritage trees and would create a larger building form and facade, service as a departure from the neighborhood plan.

**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

mm  
y

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 2003 S. 1st Street

City, State & Zip Austin, TX 78704

Printed Michael Padavic Phone 512.289.1313 Date 7/7/15

**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 2003 S. 1st Street

City, State & Zip Austin, TX 78704

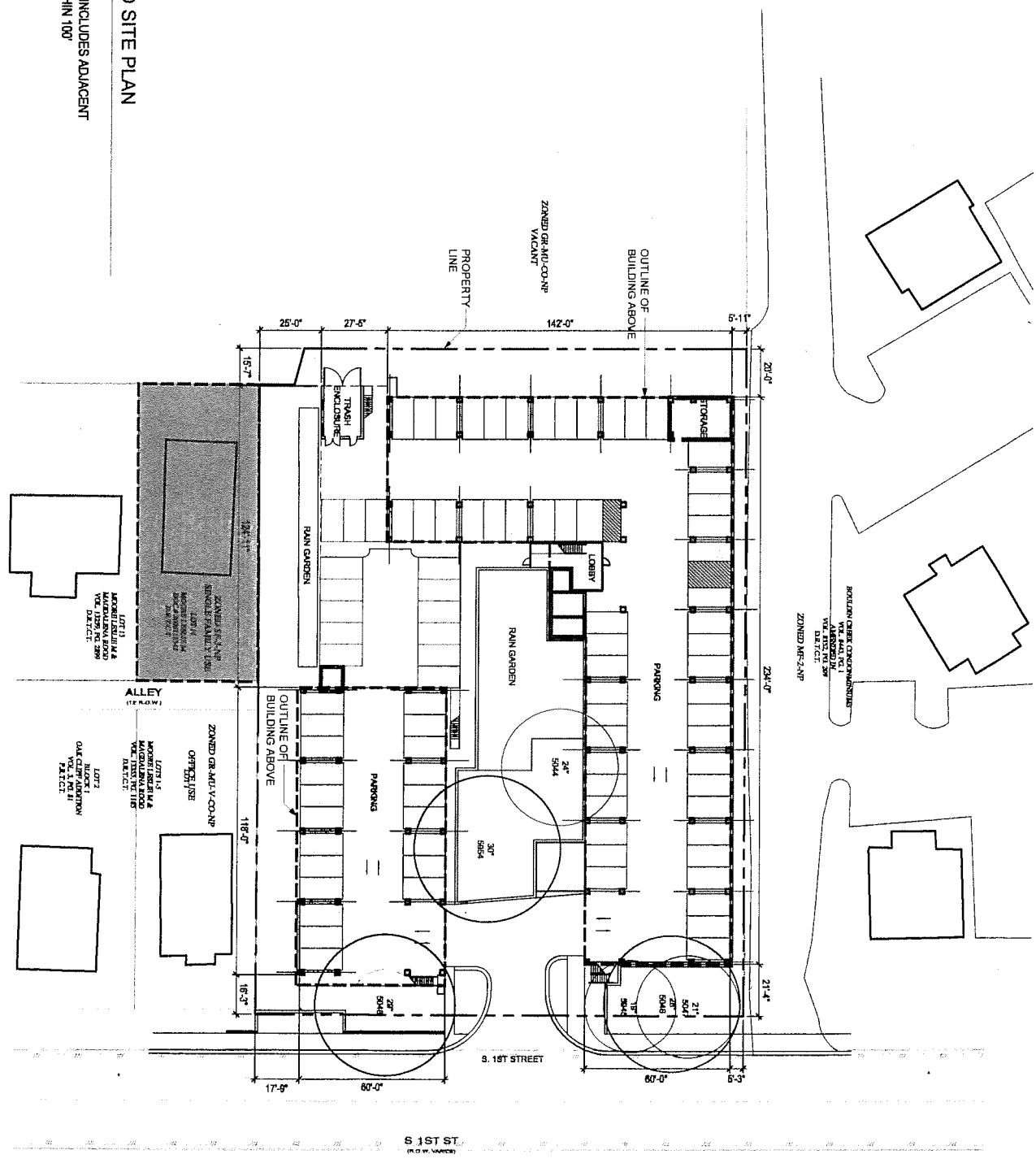
Printed Michael Padavic Phone 512.289.1313 Date 7/7/15

5/15

1

# PROPOSED SITE PLAN

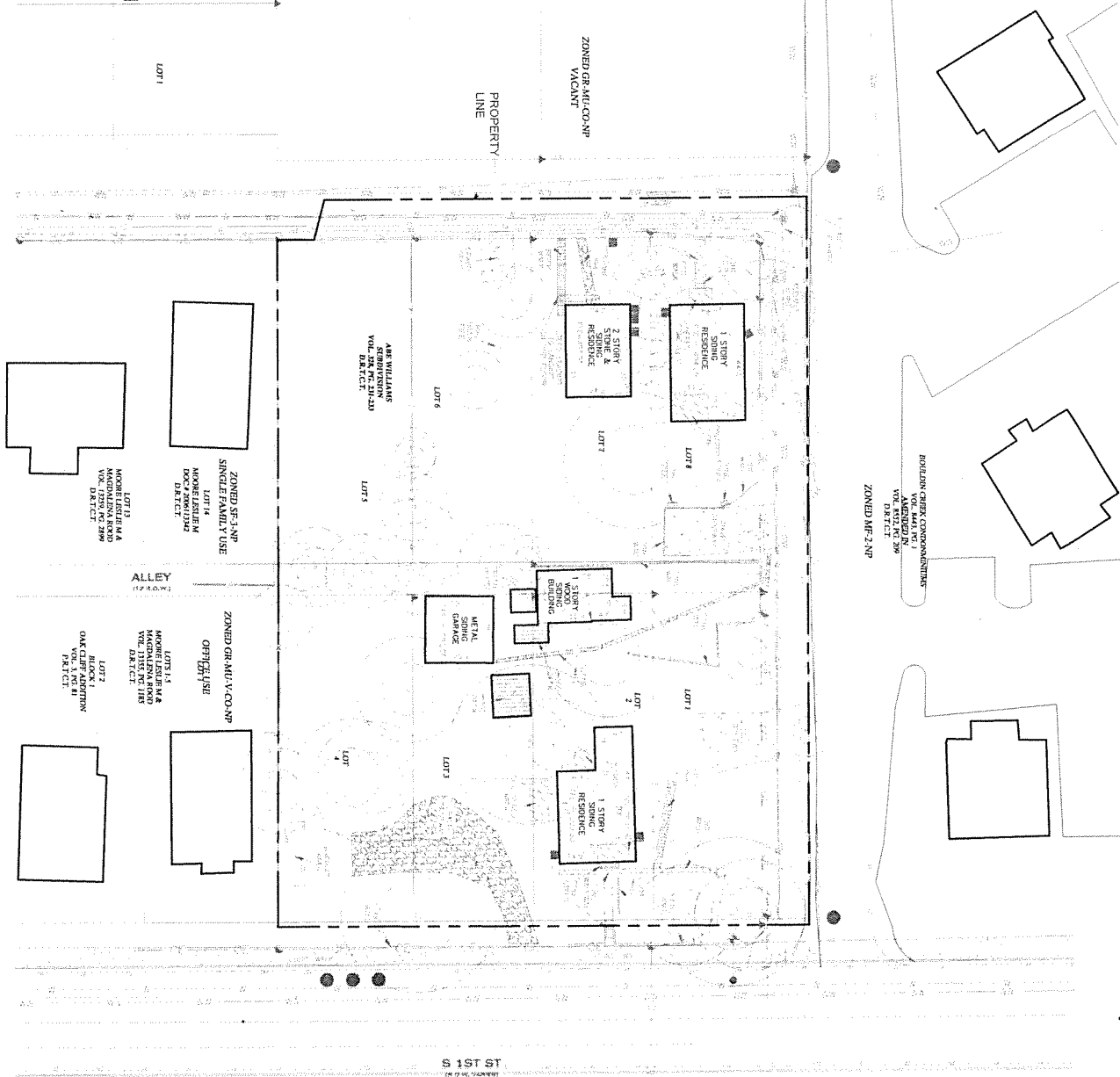
1:40  
NOTE: SITE PLAN INCLUDES ADJACENT  
PROPERTIES WITHIN 100'



<p><b>PROJECT NAME:</b> 900</p> <p><b>PROJECT NUMBER:</b> PSW 1208</p> <p><b>PROJECT ADDRESS:</b> 900 S. 1st Street</p>	<p>ISSUE DATE: 5/23/2014</p>	<p><b>PSW HOMES LLC</b> 2003 S. 1st Street Austin, TX 78704 p. 512.328.3006 t. 866.866.8175 www.pswrealstate.com</p> <p><small>PSW HOMES holds all rights of copyright to these drawings. Any reproduction, alteration, modification, usage or transmission in any form without the prior written permission of PSW HOMES.</small></p> <p>© 2012 PSW HOMES</p>
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6/9

1  
1:40  
EXISTING CONSTRUCTION  
NOTE: SITE PLAN INCLUDES ADJACENT  
PROPERTIES WITHIN 100'



PROJECT NAME:  
900  
PROJECT NUMBER:  
PSW 1208  
PROJECT ADDRESS:  
900 S. 1st Street

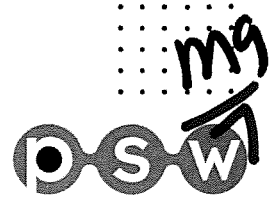
ISSUE DATE: 5/23/2014

PSW HOMES LLC  
2003 S 1st Street  
Austin, TX 78704  
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05-2015-0131



2003 S. 1ST  
AUSTIN, TX 78704

To Whom it May Concern:

The following documents are included as additional supporting documentation for Land Development Code variance request for 900 S. 1<sup>st</sup> Street:

1. Letter of Support from Magdalena Rood and Leslie Moore, owners of the adjacent property to the south.
2. Email from John Bodek, BCNA Zoning Committee Chair, recommendation from BCNA Zoning Committee to BCNA Steering Committee to not oppose the request.
3. West Elevation of Proposed Design
4. SW Axon View of Current Design
5. SW Axon View of Proposed Design

Leslie Moore and Magdalena Rood  
1003 S. 2<sup>nd</sup> Street  
Austin, Texas 78704

mg  
/8

August 10, 2015

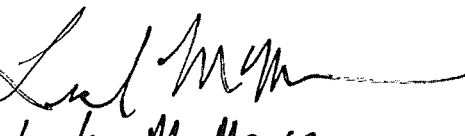
Mr. Ross Wilson  
Director of Community Development  
PSW  
Austin, TX 78704

Dear Ross,

This letter expresses our support for the PSW request for a variance from the development code for compatibility setback from our property at 909 S. 2<sup>nd</sup> Street, given PSW's agreement to not place the garbage dumpster for the planned condos in that location.

Sincerely,

  
Magdalena Rood

  
Leslie M. Moore



mg  
9/

Mr. Wilson -

Thank you for attending BCNA's Zoning Committee meeting on 08/24/2015.

The ZC voted 5-0-0 (for-against-abstain) to not oppose your request as described in your application to Board of Adjustment, signed by Michael Padavic and dated 7/7/14.

This recommendation will be forwarded to the BCNA Steering Committee for their consideration.

If I can be of any further assistance, please do not hesitate to contact me,

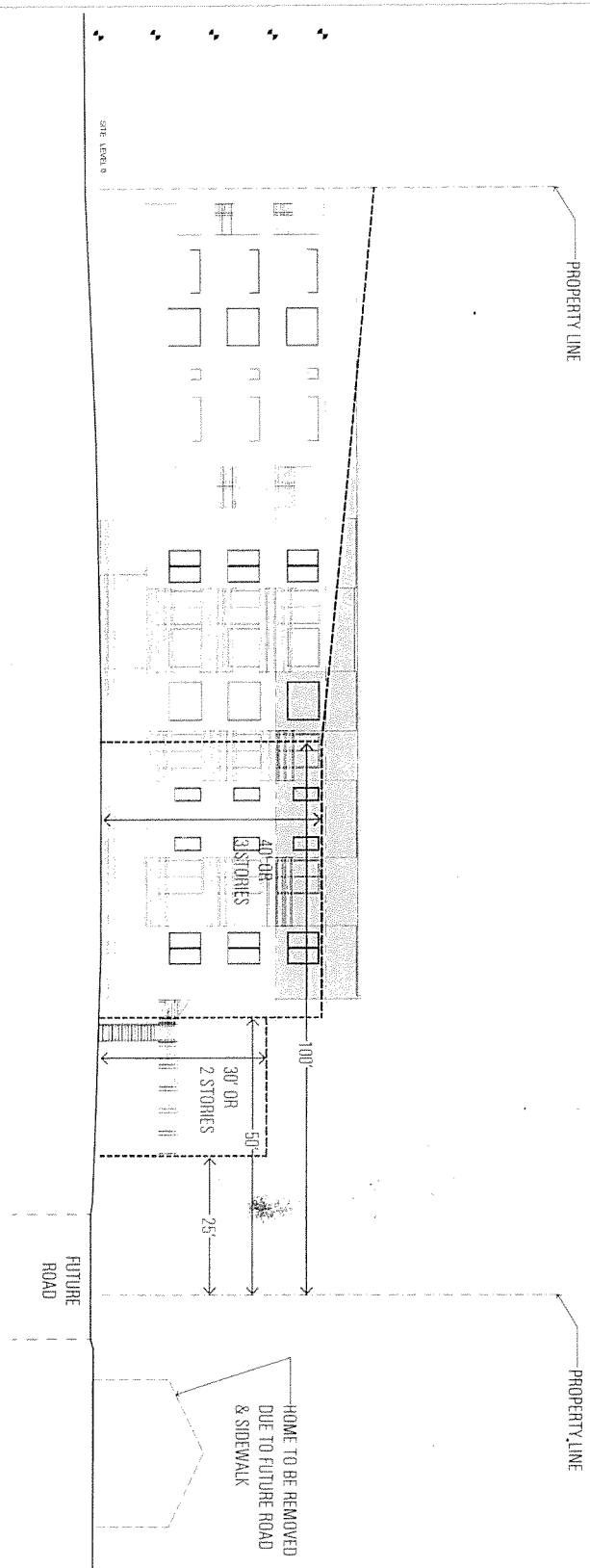
John Bodek  
BCNA Zoning Committee Chair  
bcna.zc@gmail.com

BOULDIN COURT NEIGHBORHOOD  
ASSOCIATION (BCNA) ZONING  
COMMITTEE RECOMMENDATION  
TO BCNA STEERING COMMITTEE  
TO NOT OPPOSE THE REQUEST.

6/2

- AREA OF BUILDING THAT VIOLATES COMPATIBILITY STANDARDS
- LINE DELINEATING COMPATIBILITY HEIGHT AND SETBACK STANDARDS

WEST ELEVATION  
3/32" = 1'-0"

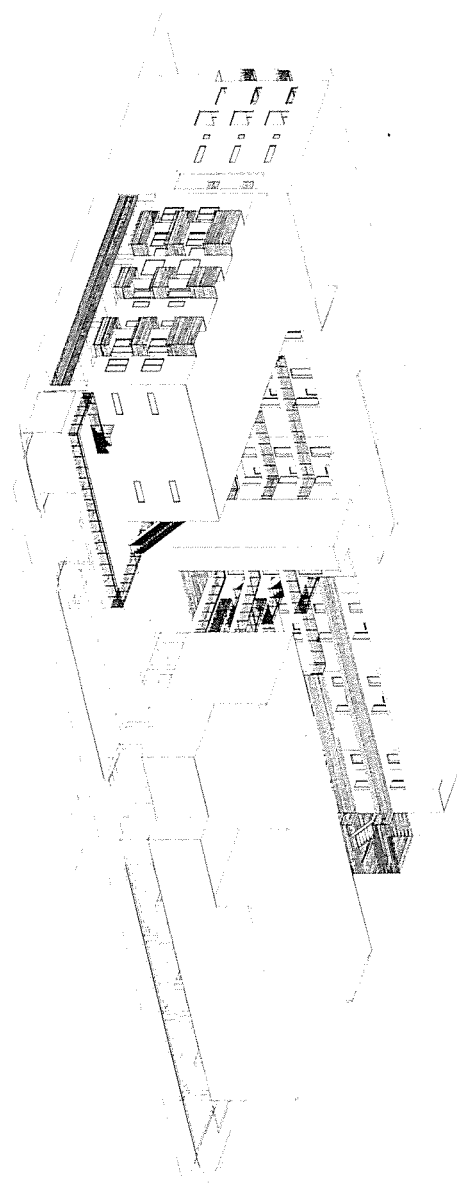


Page of

PROJECT NAME <b>900</b> PSW PROJECT NUMBER <b>1208.00</b> PROJECT ADDRESS 900 S. 1st Street Austin, Texas 78	ISSUE DATE <b>08/31/15</b>	PSW HOMES LLC  2003 S 1st Street Austin, TX 78704 512 320 3905 www.pswrealestate.com <small>PSW HOMES holds all rights of copyright to these drawings. Any reproduction, alteration, modification, usage or incorporation into other documents may not occur without the prior written permission of PSW HOMES. © 2013 PSW HOMES</small>
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1 SW AXON VIEW OF CURRENT DESIGN



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PROJECT NAME  
**900**  
PSW PROJECT NUMBER  
**1208.00**  
PROJECT ADDRESS  
**900 S 1st Street Austin, Texas 78704**

ISSUE DATE  
**08/31/15**

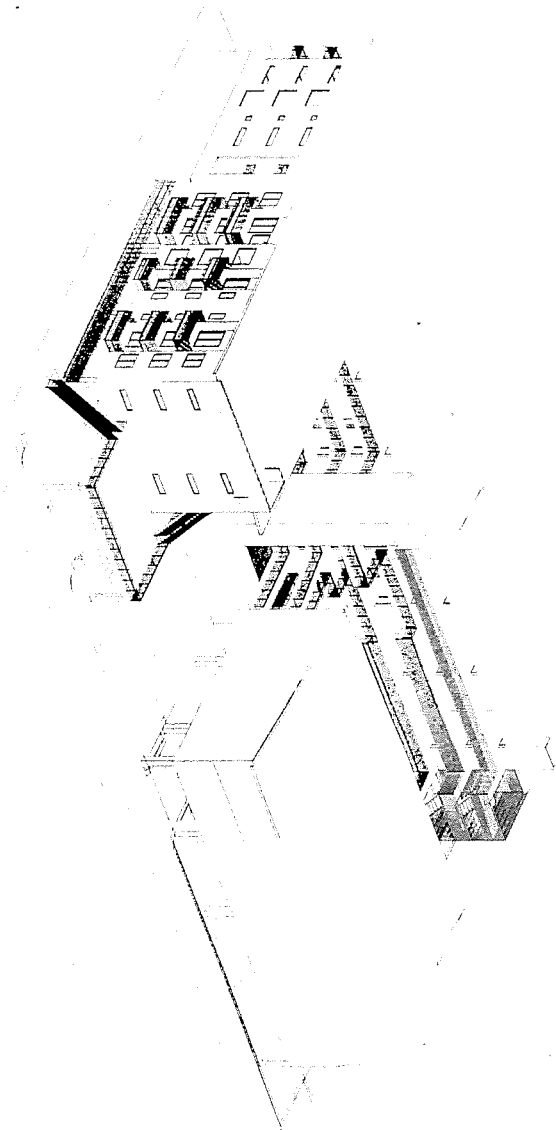
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mg  
12

1 SW AXON VIEW OF PROPOSED DESIGN

AREA OF BUILDING THAT VIOLATES COMPATIBILITY STANDARDS



Page  
of

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900  
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PROJECT ADDRESS  
900 S 1st Street Austin Texas 78704

ISSUE DATE  
08/31/15

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