

SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

CASE#: C15-2015-0162
 Address: 2801 SPIRIT OF TEXAS DRIVE

1" = 2,083'

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.

CASE# C15-2015-0162
ROW# 1144 33 55
TAX# 0315 310601

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CITY OF AUSTIN
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: 2801 Spirit of Texas Drive, Austin TX 78719

LEGAL DESCRIPTION: Subdivision – Austin Bergstrom International Airport

Lot(s) _____ Block _____ Outlot _____ Division _____

I/We Katie Droughton on behalf of myself/ourselves as authorized agent for
City of Austin: Department of Aviation affirm that on September 30th,

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)

XX ERECT ___ ATTACH ___ COMPLETE ___ REMODEL ___ MAINTAIN

We propose to erect 10 gas station fueling stations (8 are allowed) within the
project site that is being reviewed under the City of Austin
site plan case number SP-2015-0187C.

in a AV - Aviation 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):

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3.

REASONABLE USE:

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

The ground transportation fueling system for the Austin Bergstrom International Airport (ABIA) will be the only facility at a major urban airport and requires the additional two fueling stations to serve the demand.

HARDSHIP:

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

The Airport (ABIA) is unique in that a very large facility is operated by the City Aviation Dept. and at the present time, a single ground transportation fueling facility is planned for the foreseeable future.

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

No other large public airports exist in the area.

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 fueling facility is internal to the airport, is part of the airport Master Plan and will not impair use of adjacent property.

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:

Not applicable

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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 Katie Droughton Mail Address 3660 STONERIDGE RD STE E101

City, State & Zip AUSTIN TX 78746

Printed KATIE DROUGHTON Phone 512.705.0416 Date 9-30-15

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 Kane Carpenter Mail Address 2716 SPIRIT OF TEXAS DR

City, State & Zip AUSTIN TX 78719

Printed KANE CARPENTER Phone 512.530.6621 Date 10/2/15

September 28, 2015

Board of Adjustment
City of Austin
c/o Development Services Dept.
City of Austin
505 Barton Springs Rd.
Austin, TX 78704

Re: REQUEST FOR VARIANCE to
LDC 25-2-814
Ground Transportation Fueling Facility
Austin Bergstrom International Airport

Dear Board Members:

Consistent with the master plan for the Austin Bergstrom International Airport (ABIA) the ABIA staff have entered into a concession lease agreement to provide additional services to public visitors to the airport in connection to the "cell phone" waiting area previously established. Part of the proposed public services includes a fueling facility which is designed for ten fuel pumps (20 dispensers) which exceeds the limit of 16 dispensers allowed in LDC 25-2-814.

Reasonable Use:

ABIA is a large, growing transportation hub and, for the foreseeable future will have only one fueling facility for ground transportation. The expected use of the facility requires the 10 pumps to provide demand without excessive queuing. This situation is entirely different than the private commercial scenario for which the ordinance provision was intended, whereby a number of competing fueling stations could be developed within an area typically smaller than ABIA to serve the demand. Application of the ordinance limit will not allow reasonable use which in this case is to provide an adequate service station to serve the public within ABIA.

Hardship:

The services within ABIA are unique, it being reasonable to assume that there will not be another international airport developed in Austin in the foreseeable future. The facilities at ABIA are similarly unique in that the City plans and controls the uses allowed at ABIA and has determined that the ground transportation fueling facility and other services will appropriately be located at the cell phone facility.

Area character:

The proposed fueling facility is internal to the ABIA campus and will not even be visible from outside the airport. The character of the adjacent property will be not altered as a result of the variance nor will there be any impairment of adjacent conforming property. Because the proposed service station is a

Board of Adjustment

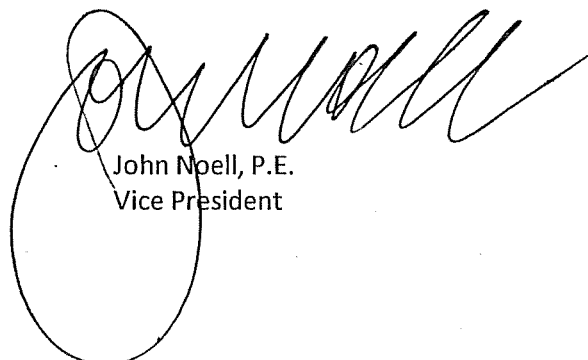
September 28, 2015

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single facility on a unique site (ABIA) there is no precedent which might impair the purpose of the zoning regulation to moderate the size of numerous service stations developed outside the airport.

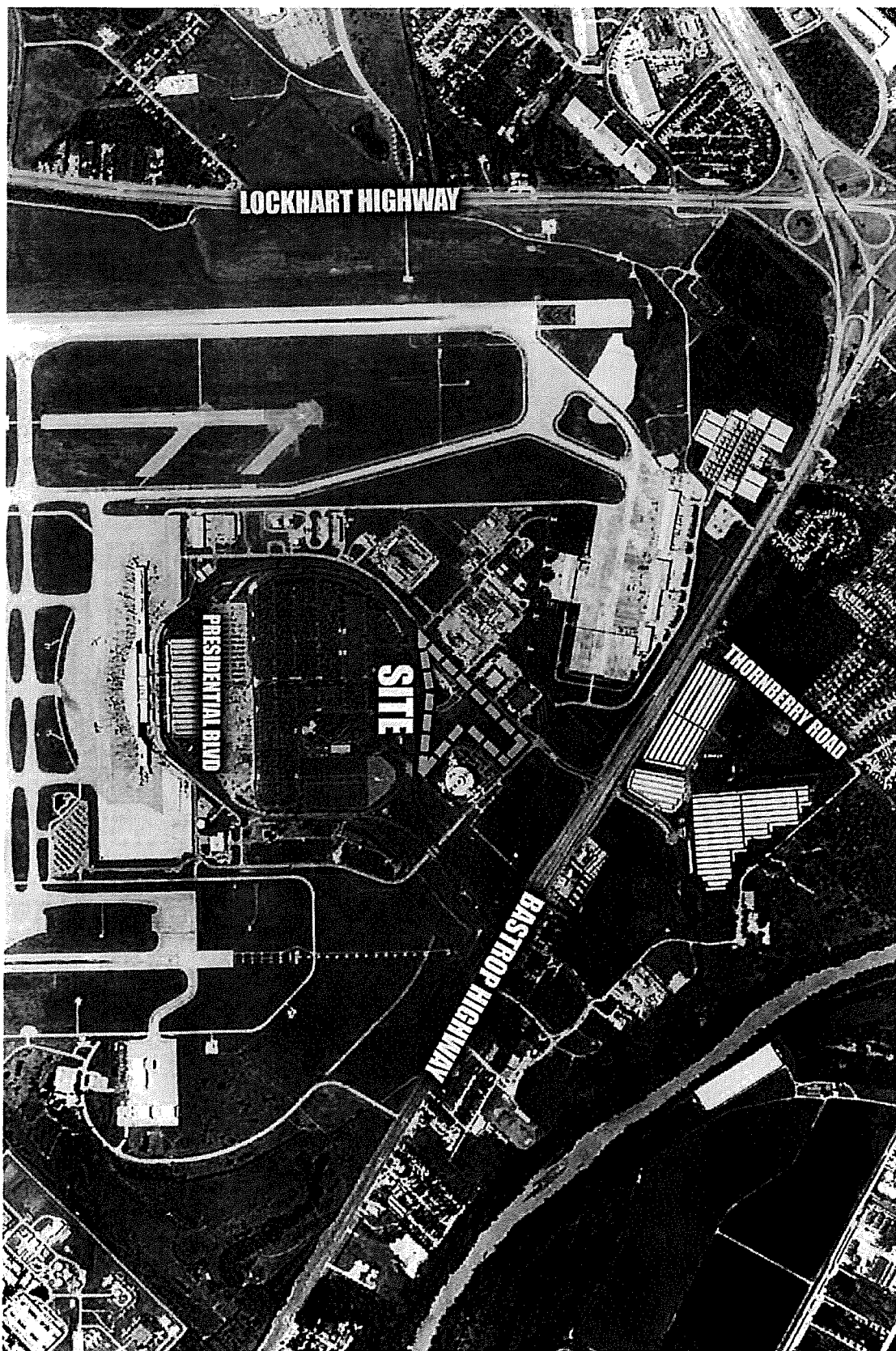
We thank you for your consideration.

Very truly yours,
URBAN DESIGN GROUP PC

A large, stylized handwritten signature in black ink, appearing to read 'John Noell', is written over the typed name and title.

John Noell, P.E.
Vice President

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PARTNERS**
ARCHITECTS & PLANNERS



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INTERNATIONAL DESIGN

ABIA Retail Venture, LLC

ABIA Retail

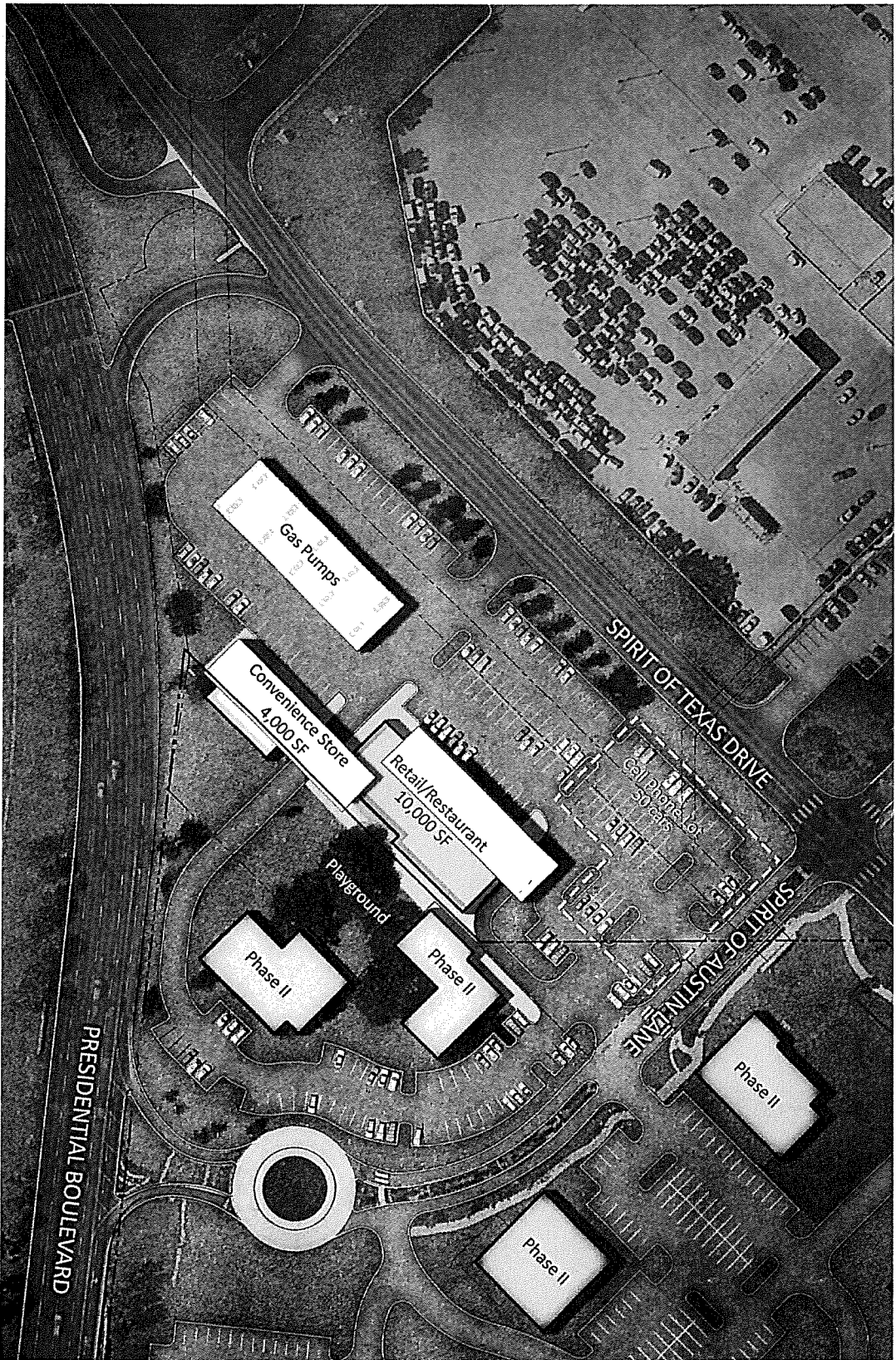
Schematic Design Package

AUSTIN, TX | #39665 | DECEMBER 24, 2014

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AERIAL CONTEXT

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ABIA Retail Venture, LLC

ABIA Retail
Schematic Design Package
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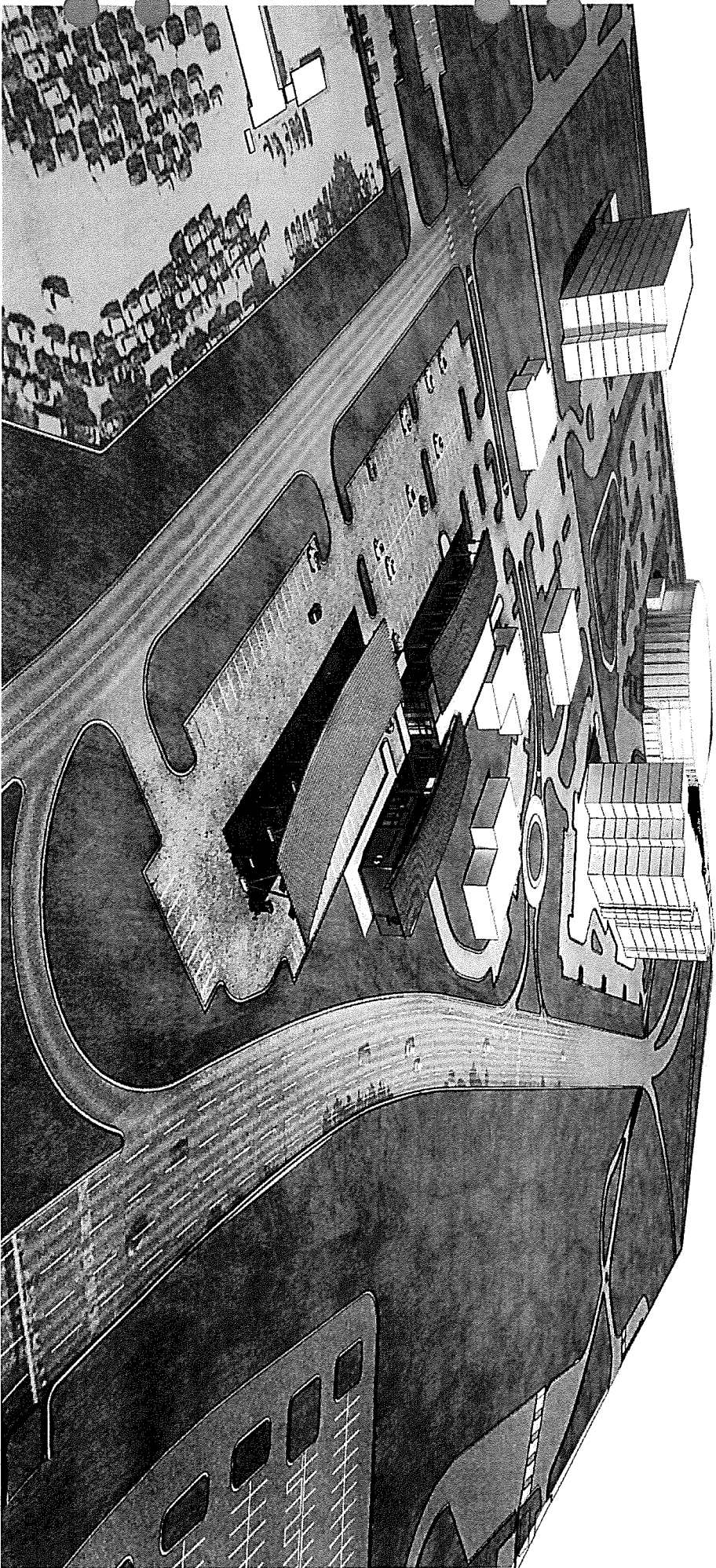
RENDERED SITE PLAN

SCALE 1" = 60'-0"

10' 30' 40'

100'

2/10/13



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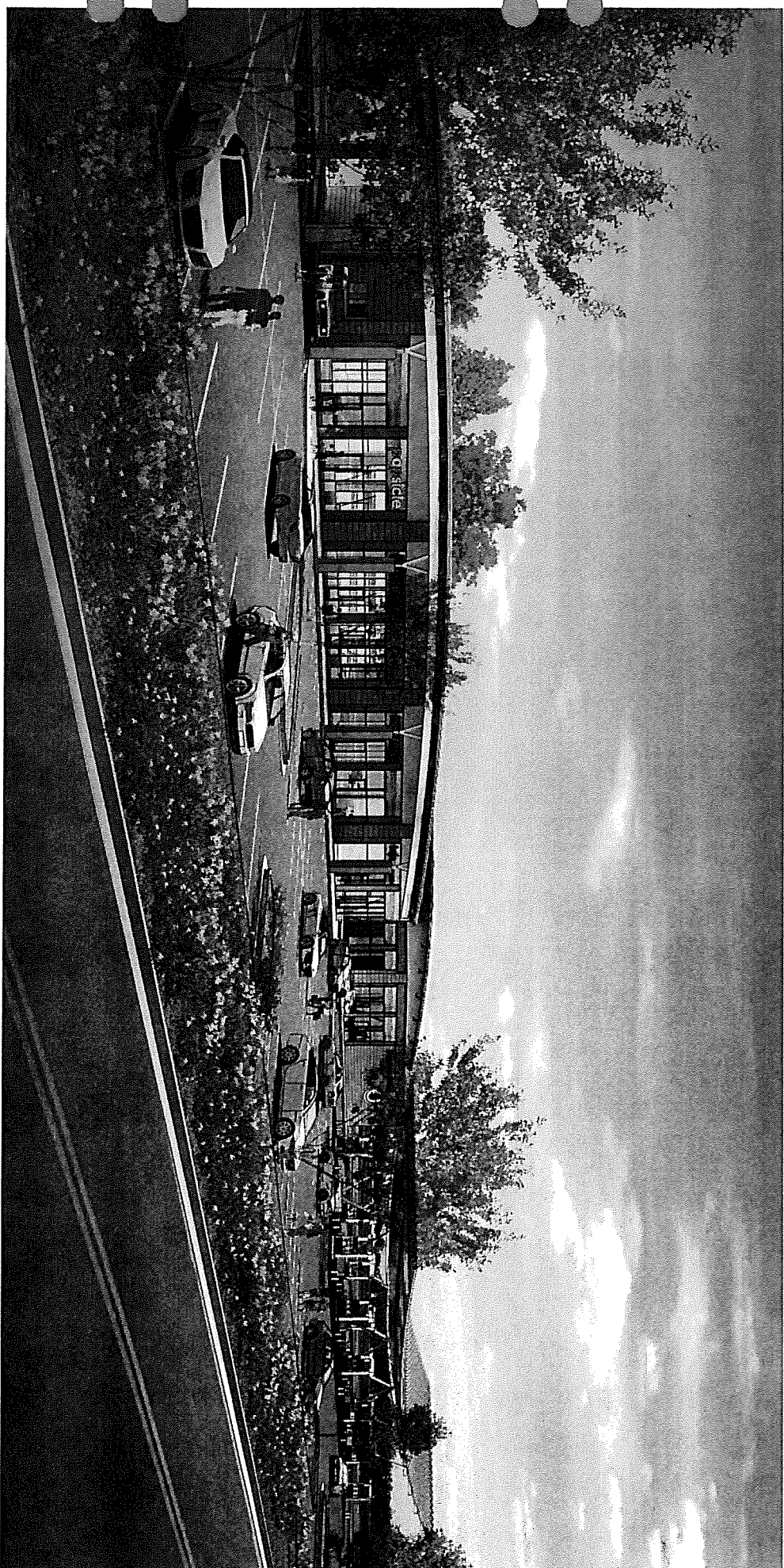


ABIA Retail Venture, LLC

ABIA Retail
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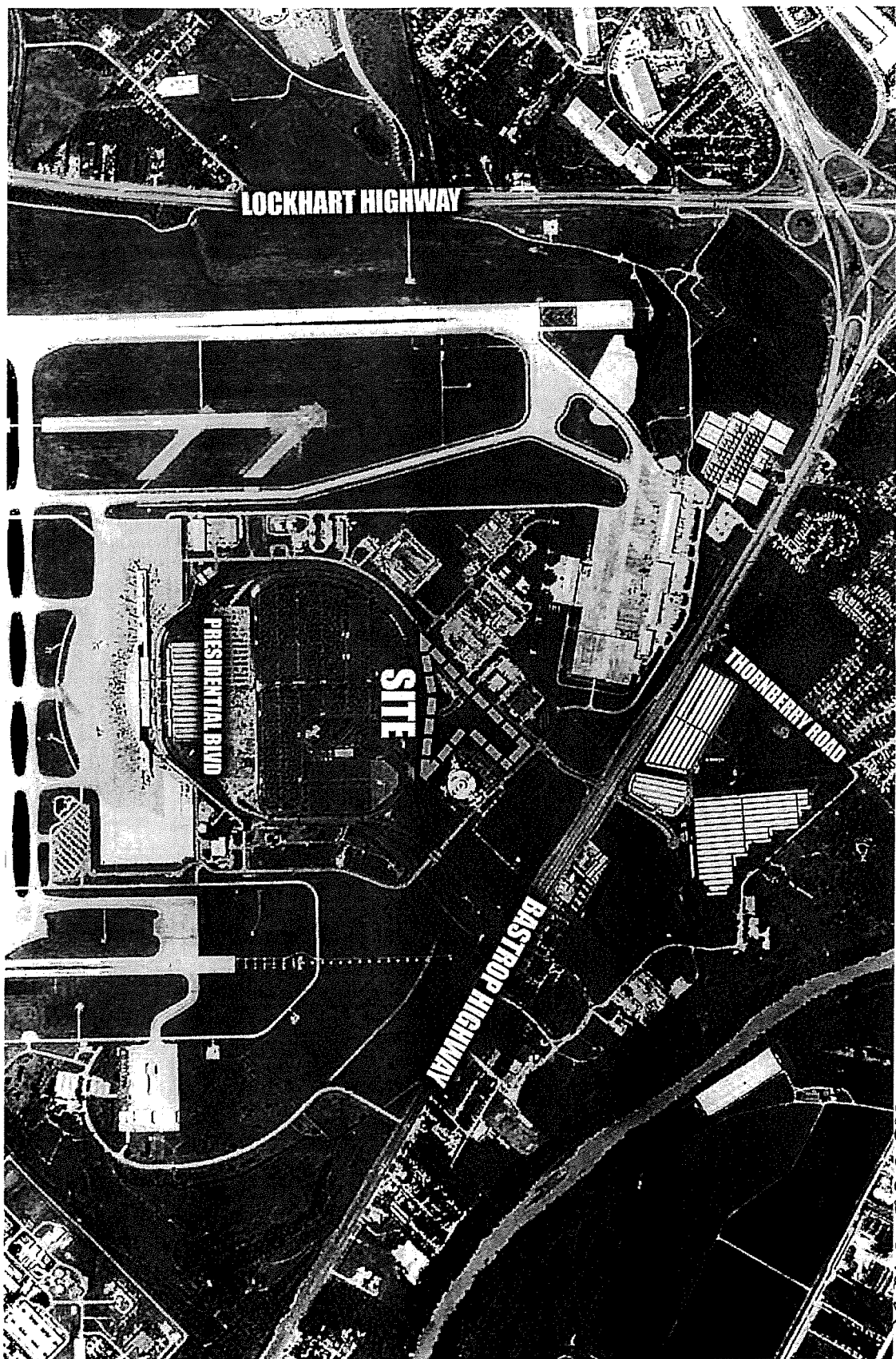


ABIA Retail Venture, LLC

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PROJECT IMAGERY

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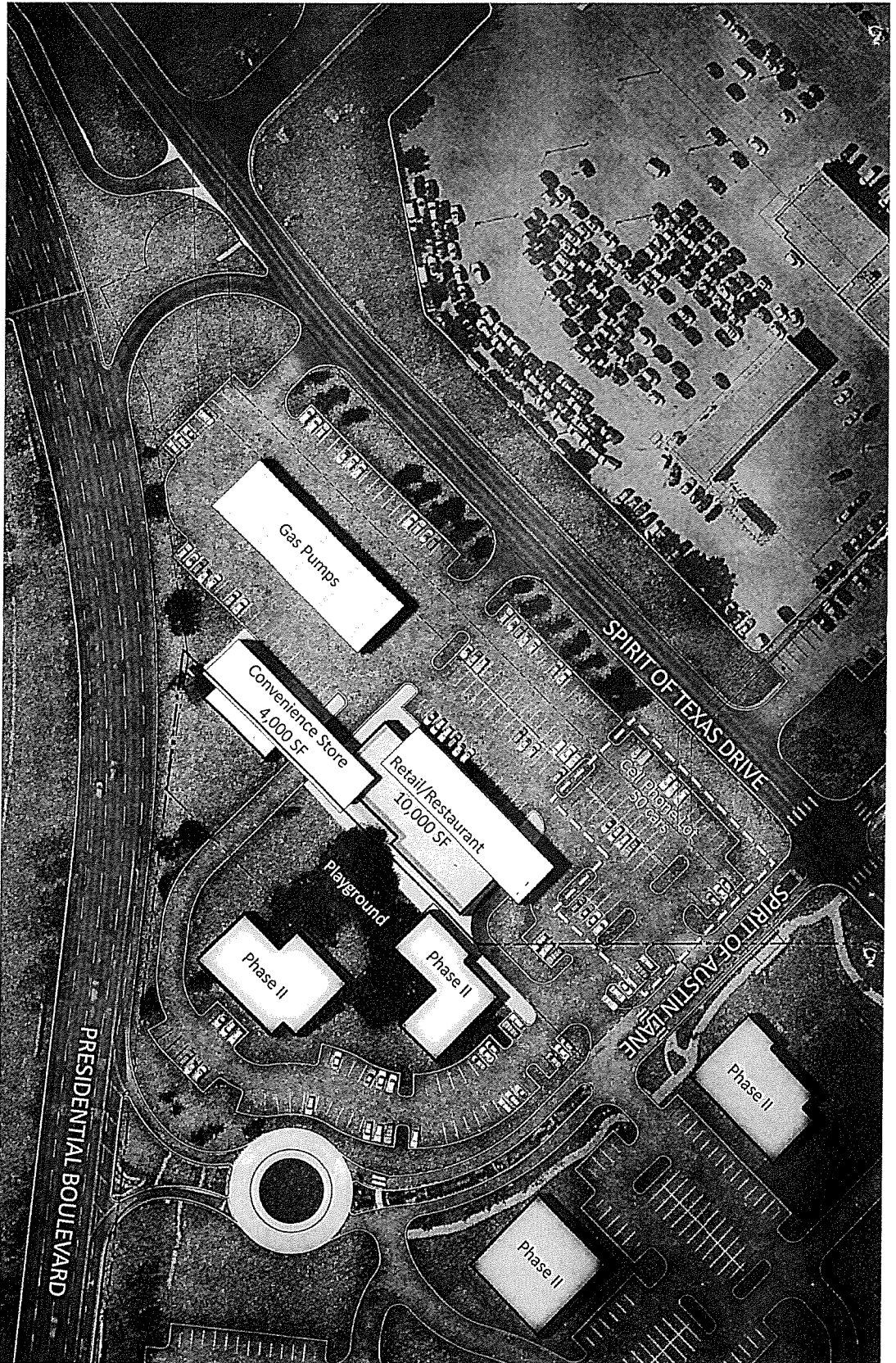


ABIA Retail Venture, LLC

AERIAL CONTEXT

ABIA Retail
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ABIA Retail Venture, LLC

ABIA Retail

Schematic Design Package

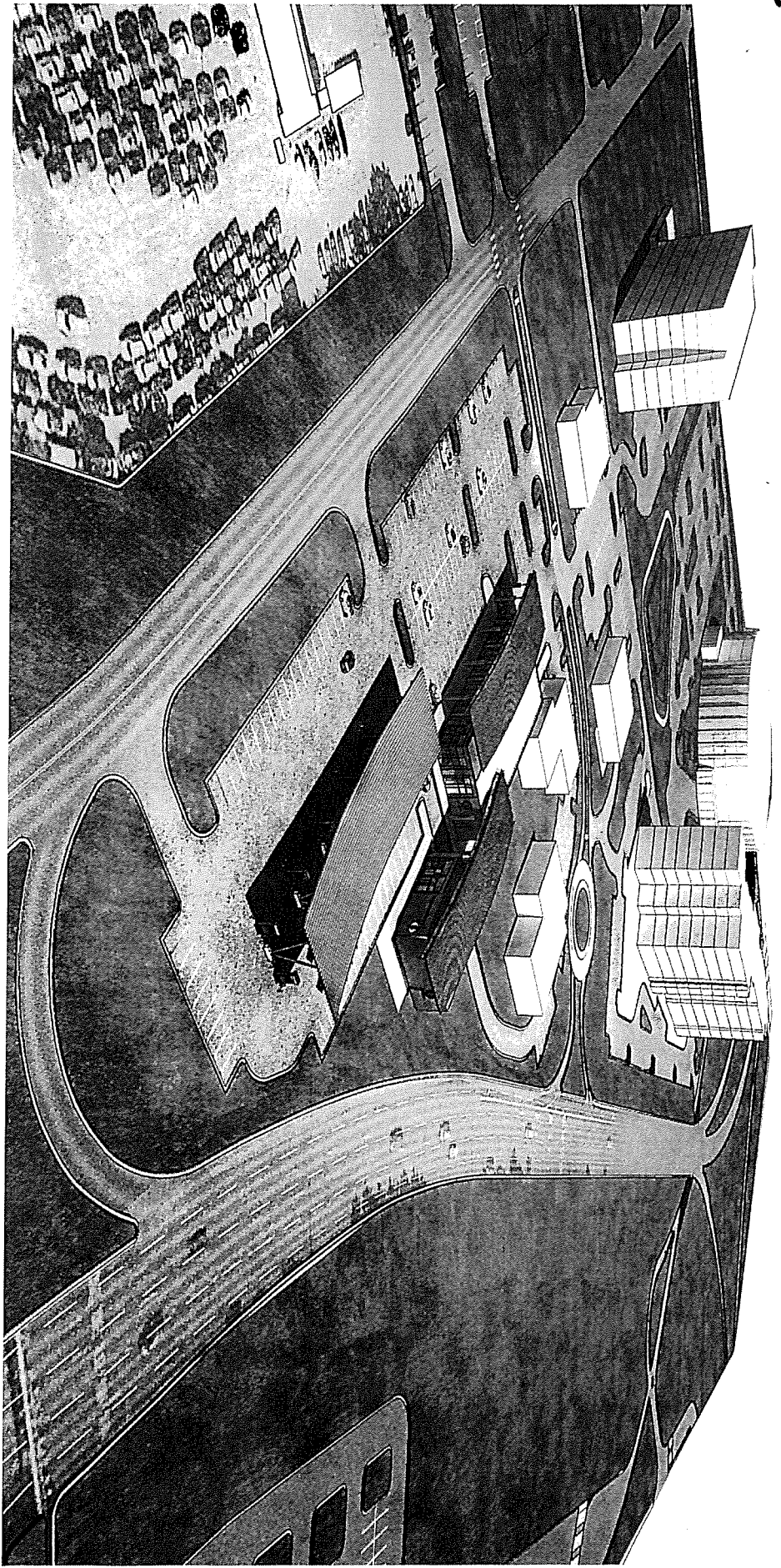
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RENDERED SITE PLAN

SCALE: 1" = 80'-0" 10' 20' 1."

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ABIA Retail Venture, LLC

ABIA Retail

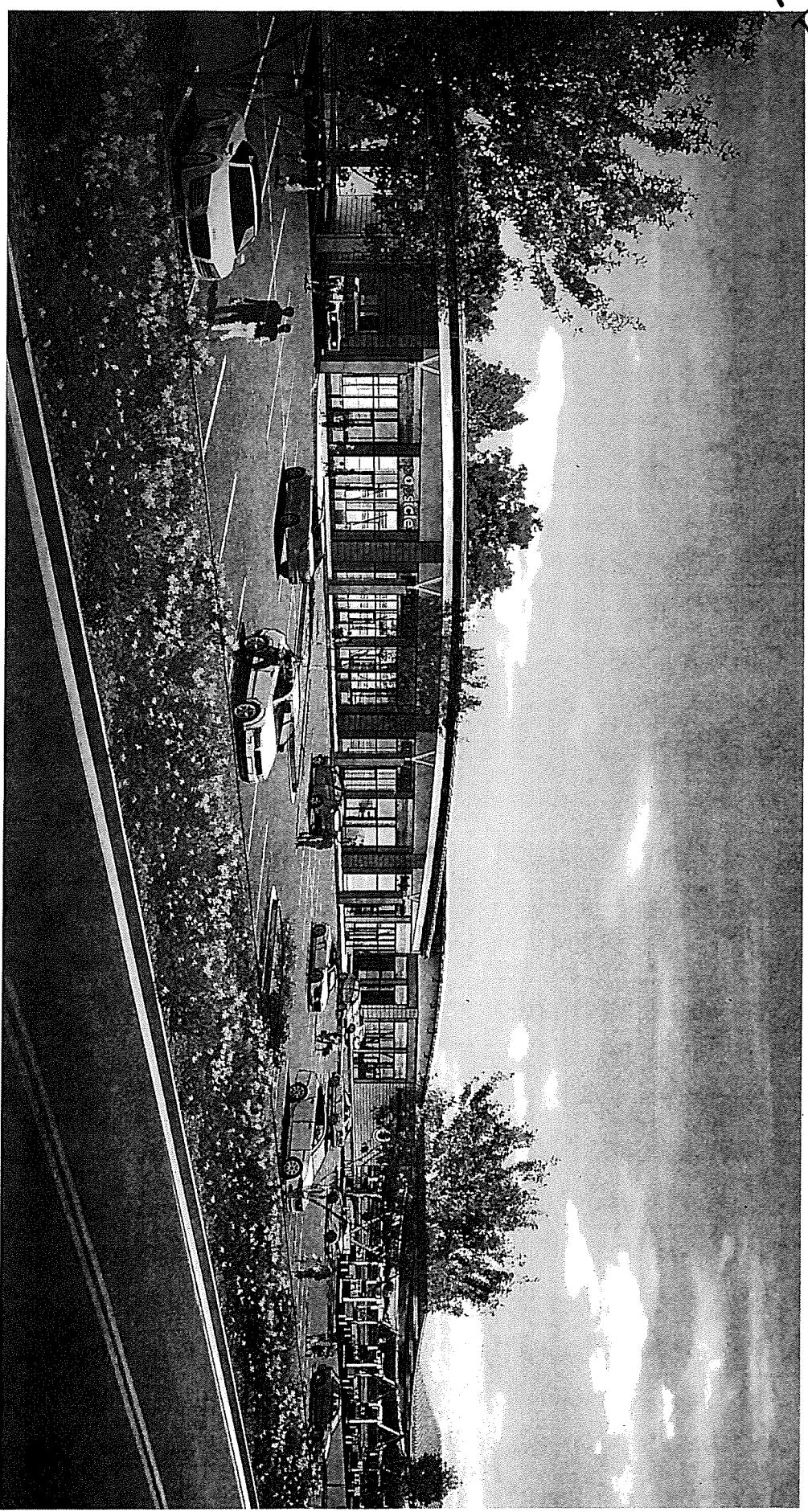
Schematic Design Package

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AERIAL RENDERING

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PROJECT IMAGERY

Site Plan Review - Lynda Courtney - 512-974-2810

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Administrative Comments:

SP 1. Please change references on the plans or in notes to "Development Services Department" (New department name) from "Planning and Development Review Department" or "Watershed Protection and Development Review Department".

SP 2. Please fill out the sign off block on each sheet with as much known information as possible: Site plan number is SP-2015-0187C, Application date is 4-24-2015, Case Manager is L. Courtney, Zoning is AV.

SP 3. Please add the site plan number SP-2015-0187C to each sheet, bottom right corner.

Design and Code Comments:

SP 4. Please note how many gas pumps are intended to be constructed with this plan, and in what configuration. Please show the type of dispenser and number of intended pumps.

★ SP 5. Under LDC 25-2-814, Service Station Use, limits the number of dispensers to 16 and the number of queue lanes to 8. Please adjust your design to comply with this.

SP 6. The canopies as shown do not provide shade protection for the primary entry of the convenience store, or for one of the entries of the restroom facilities of Building B. Please move the entire canopy to the north (?) or expand the canopies to provide a shade awning/canopy of at least 5' in width over the entry door of the convenience store and over the restroom entry.

SP 7. The north arrow shown on the site plan does not line up with the direction of the north arrow of the site location map on the cover sheet. Please align both the directions to be correct.

Water Quality Review - Benny Ho - 512-974-3402

Release of this application does not constitute a verification of all data, information, and calculations supplied by the applicant. The engineer of record is solely responsible for the completeness, accuracy, and adequacy of his/her submittal, whether or not the application is reviewed for code compliance by city engineers.

This site is located at 2801 ½ Spirit of Texas Drive in the Colorado River Watershed, which is classified as an Suburban Watershed.

WQ1. It appears that in the City of Austin's data basin, there is no SP-94-0438.0913(B). There is a site plan SP-94-0438C.0913(B) but it was for the access road not for the rental car service area. Further research has shown that the area was constructed with SP-94-0438C.0913(L0. Please revise engineer's report.

WQ2. Please clarify the amount of existing impervious cover and the proposed amount of impervious cover. If there is an increase, additional water quality control is required. (half inch capture.)

