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 SUBJECT TRACT

 PENDING CASE

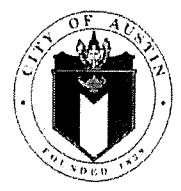
 ZONING BOUNDARY

CASE#: C15-2015-0172
Address: 502 W LONGSPUR

1" = 200'

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.

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CASE# C15-2015-0172
ROW# 11446156
TAX# 0243170501
T2AD✓

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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: W. 502 Longspur, Austin, TX, 78753

LEGAL DESCRIPTION: Subdivision – Northwend, Phase C, Section 2

Lot(s) 3 Block A Outlot _____ Division _____

I/We The PPA Group on behalf of myself/ourselves as authorized agent for 502

Longspur LP affirm that on November 13, 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)

___ ERECT ___ ATTACH ___ COMPLETE ___ REMODEL X MAINTAIN

Club Creek Apartments

in a MF-3-NP, MF-2-NP multifamily residence medium density (North Lamar)
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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REASONABLE USE:

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

- 1) There is ample parking for residents at the apartment complex and there have been no complaints otherwise.
- 2) We would like to install a playground within 50' of the property line. There is no other suitable area on site, and we want the children to have a place to play rather than the driveways.

HARDSHIP:

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

- 1) In order to restripe the parking to meet the parking code, the property will have to reduce the ~~number of trash dumpsters available to residents from 6 to 4, and increase the frequency of~~ collection to 5 or 6 days per week. Additionally, the dumpsters will have to be relocated to areas where they are rolled out into the driveway by on-site staff each morning, and after dumping rolled back into their designated spot. This has the effect of blocking the driveway, for up to several hours each day, creating inadequate traffic flow in the driveways, potential fire lane obstructions, and general inefficient use of time and resources.
- 2) The site is very tight and there is no other available area for a children's playground.

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

- 1) Other properties have less dense sites, were built later with better planning and spacing designs.
- 2) Same as above.

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:

- 1) No neighbors, or anyone else will be affected by a parking variance. Residents already park on the street in front of the property.
- 2) Playground use will have hours of operation not going past 10pm.

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:

There have been no complaints by the residents or neighbors of parking deficiencies.

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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:

1) Residents already park on the 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:

1) The granting of this variance will eliminate a potential safety hazard of dumpsters being set in the driveways for pickup for several hours each day.

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

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 [Signature] Mail Address _____

City, State & Zip _____

Printed _____ Phone _____ Date _____

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

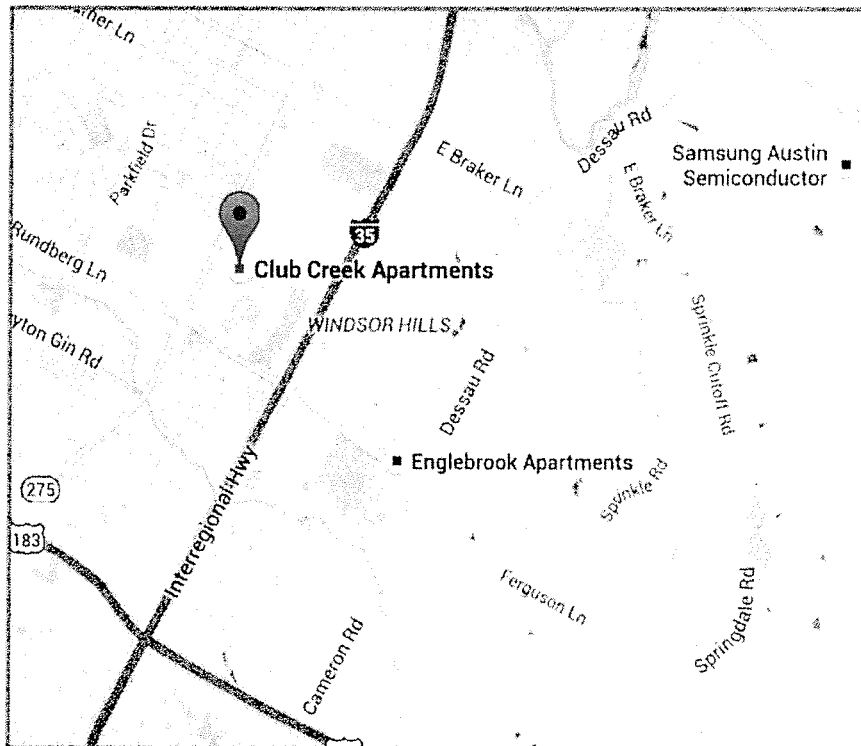
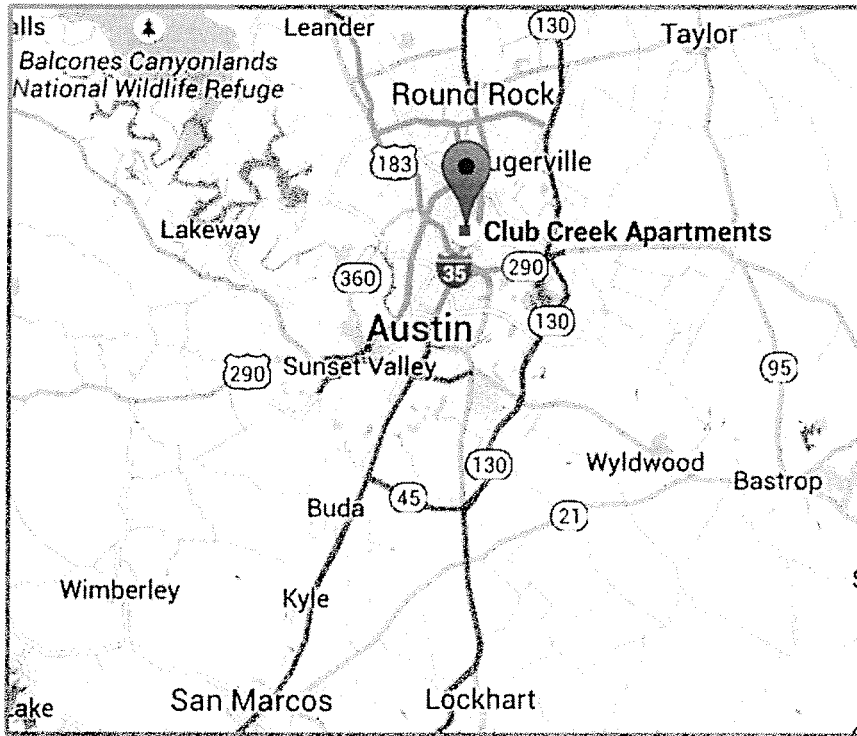
Signed [Signature] Mail Address 11149 RESEARCH BWA. STE. 375

City, State & Zip AUSTIN, TX 78735

Printed JOHN A. LANHAM Phone 512-657-0513 Date 11/13/15

Location

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Brief Explanation of Current Situation / Existing Conditions/Proposed Changes

The PPA Group through 502 Longspur LP acquired the property on Nov. 6, 2015. We are requesting 2 variances – 1) Parking Variance and 2) Setback Variance. Through our due diligence, it was discovered that the existing parking does not meet the city's requirements and we are therefore requesting a variance to the city's parking code requirements. It should be noted that there has been no complaint or formal code violation filed in connection with the parking. In addition, we are requesting a variance for setback requirements, in order to install a children's playground within 50' of the property line, in the northwest corner of the property.

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- 1) **Parking Variance-** The Club Creek Apartments, consisting of 160 units, were built on a 6 acre tract, in a very dense manner. Originally, it is assumed, dumpsters were planned to be rolled in/out by the trash collector service company. Trash collector service companies no longer leave the truck, thereby forcing on-site management to handle the task, which was burdensome and resulted in dumpsters blocking driveways for inordinate amounts of time. Therefore, new dumpster locations were created resulting in loss of parking spaces (~12). Additionally, it appears that a security fence was installed around the property, in the past, resulting in an additional loss of parking spaces (~12). Currently, there is also space for ~24 cars to park on the street in front of the property and additional 24 spaces on the other side of the street.
- 2) **Setback Variance** – We are requesting a setback variance in order to install a children's playground in the northwest corner of the parking lot which would fall within 50' of the property line. There is no other area large enough for a playground, children currently play too frequently in the driveways, creating a dangerous situation, and the residents have expressed a strong desire for this amenity. This would also entail losing another 4 parking spaces.

Current Parking Situation

Club Creek

Parking Space Count

Parking Requirements

1 Parking Space Per Efficiency Unit

1.5 Parking Spaces Per 1 Bedroom Unit

1.5 Parking Spaces Plus 0.5 Parking Spaces For Additional Bedrooms For 2 or More Bedroom Units

Unit Type	Units	Required Parking		Current Parking	Deficiency	Street Parking ¹	Net Deficiency
		Ratio	Spaces				
Efficiencies	0	1.00	0				
1 bd / 1ba	52	1.50	78				
2 bd / 2 ba	108	2.00	216				
Spaces For Playground ²	0	0.00	0		4		
Total	160		294	269	265	24	5

1) Street parking is measured only on the "Club Creek side" of the street and does not include parking across the street. It only includes legal parking areas (i.e. no fire lanes or pedestrian walkways), and only includes areas in front of the Club Creek property and the adjacent drainage easement.

2) Additional spaces needed for playground.



Site Plan

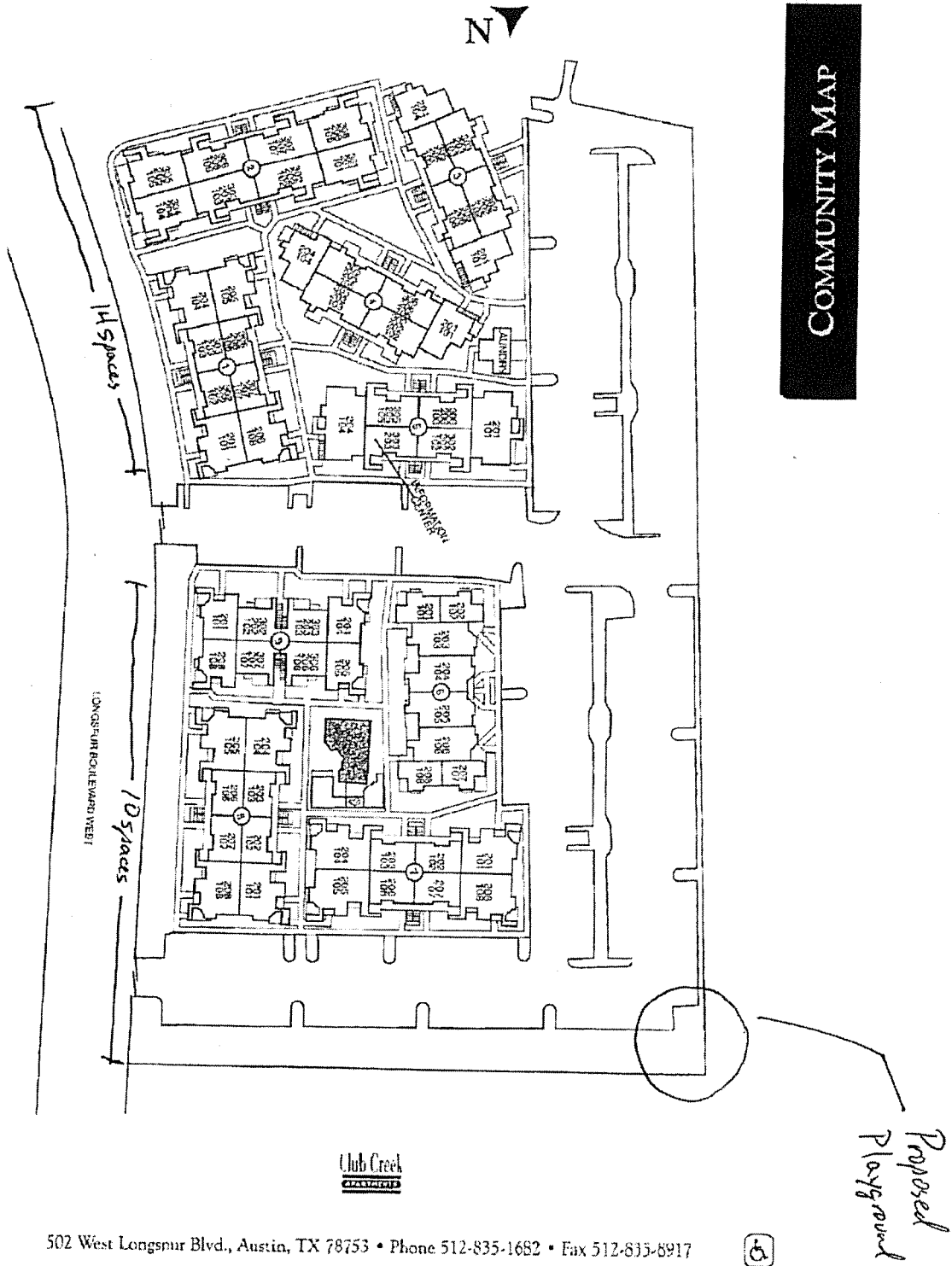


Photo #1 – Original dumpster location for rollout dumpsters.



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Photo #2 – Representative dumpster relocation showing reuse of parking spaces.

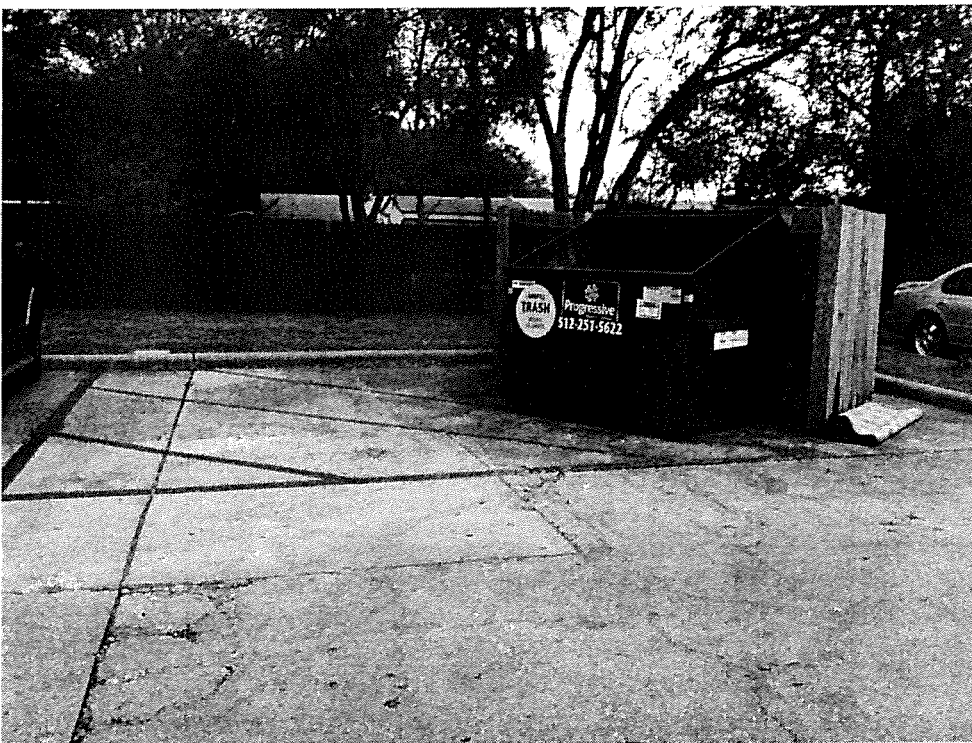
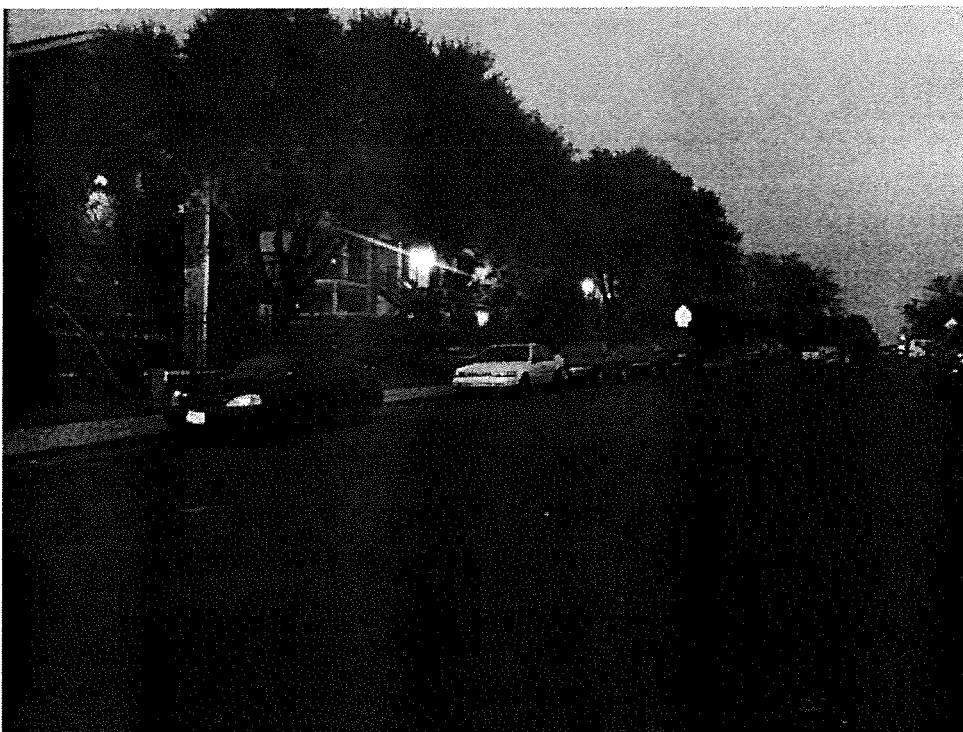


Photo #3 – Current street parking in front of property, west side of entrance.

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Photo #4 – Current street parking in front of property, east side of entrance.



Club Creek Apartments

Sample Playground Photo

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8/13

Neighbors' Response to Request For Parking

Form with various checkboxes and fields for survey responses, including sections for 'Neighbors' and 'Neighbors'.

From: Jason Barnes [mailto:jason.barnes@cityofaustin.com]
Sent: Friday, November 13, 2015 10:38 AM
To: Andrew Cross
Subject: Parking

Good Morning Andrew,

Meeting location: 1101 West Anderson Parkway, Suite 200, Austin, TX 78758. Would you be interested in any sort of parking for our project?

Thank you,
Jason Barnes

From: Jason Barnes [mailto:jason.barnes@cityofaustin.com]
Sent: Friday, November 13, 2015 10:38 AM
To: Andrew Cross
Subject: Parking

Good Morning Andrew,

Meeting location: 1101 West Anderson Parkway, Suite 200, Austin, TX 78758. Would you be interested in any sort of parking for our project?

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Jason Barnes