

**APPEAL OF AN ADMINISTRATIVE EXTENSION ON A SITE PLAN APPLICATION**

**CASE NUMBER:** SP-2015-0195C

**PLANNING COMMISSION DATE:** 3/22/2016

**PROJECT NAME:** 2015 Manor Road

**ADDRESS:** 2015 Manor Road

**APPELLANT:** Bo McCarver  
1719 Manor Road  
Austin, TX 78722  
Ph. (512)573-0786

**APPLICANT:** 2015 Manor Road Development LLC (David Kanne)  
1717 W. 6<sup>th</sup> Street, Suite 234  
Austin, TX 78722  
Ph. (512)804-9100

**AGENT:** Wuest Group (Scott M. Wuest)  
2007 S. 1<sup>st</sup> Street, Suite 103  
Austin, TX 78704  
Ph. (512) 394-1900

**CASE MANAGER:** Nikki Hoelter (512)974-2863  
[Nikki.hoelter@austintexas.gov](mailto:Nikki.hoelter@austintexas.gov)

**CITY COUNCIL DISTRICT:** Ora Houston - 1

**NEIGHBORHOOD PLAN:** Upper Boggy Creek

**Description of Appeal:**

An appeal to an administrative extension of update deadline. [LDC Section 25-1-88].

- Extension of Update Deadline, LDC Section 25-1-88(A), an applicant may request of the director that the deadline of a site plan application be extended by filing a written request and justification prior to the deadline of that application.
- Under LDC Section 25-1-88(A)(3), Extension of Update Deadline – an interested party may appeal the responsible director’s decision under this subsection to the Land Use Commission.

**Proposed Development:**

The applicant is proposing the demolition of an existing building, covered deck and surface parking for the construction of 4, three-story condominium buildings with a total of 16 units,

with parking within personal garages on site. The first floor of each building will be for the parking. Additional parking will be provided on site with access to the alley. The project will comply with Subchapter E, most specifically providing street trees 30 foot on center within a 7 foot planting zone and a 5 foot clear zone along Manor Road and Poquito Street.

**Staff's Determination of Extension:**

A 180 day extension was requested by the engineer on December 21, 2015, on the expiration date. The extension was granted, extending the application expiration date to June 18, 2016.

Three legal documents were required to be executed prior to site plan approval. These included a sidewalk easement, which was under review by the City of Austin Law Department at the time the extension was requested. A license agreement is required to allow for the improvements within the right of way, which include the street trees along Poquito Street and Manor Road. This application process is lengthy and occurs outside of the normal site plan process, with a separate department. Lastly a restrictive covenant regarding unified development to join the 3 lots together to be developed as one tract.

Due to the complexity of the remaining comments and the time required to obtain approval by different City departments, staff determined there was just cause to grant the extension.

Extensions to the update deadline are standard practice by staff when unresolved issues are pending or when documents require City legal staff's review and approval.

If the current site plan is not granted the extension and the application expires, the applicant may re-file the same plan to obtain a site development permit.

There's a history of 3 separate site plans for this site, which have all expired. Each site plan was proposing parking for a restaurant. This project proposes a different plan under a different owner.

The project complies with zoning ordinance number 20100311-062 which is within the Upper Boggy Creek Neighborhood Plan. The subject site is known as Tract 10 in the ordinance. In Part 3, A of the ordinance it requires "10 percent of residential units for rental in a vertical mixed use building be reserved for households earning no more than 60 percent of the Annual Median Family Income." The proposed development is for condominiums which are for sale units, furthermore the development would not qualify as a vertical mixed use building. (The ordinance is attached)

Although there are numerous outstanding issues for this site plan, extensions to the update deadline is standard practice by staff when unresolved issues are pending or when documents require City legal staff's review and approval. The most recent master comment report is attached for the commissioner's review.

**Appellant Issues Bo McCarver:**

The following list outlines the attached appellant letter included with this backup material:

1. He asserts extensions were granted on 3 different dates, and the current project shows nominal progress.
2. The project does not provide affordable housing within the proposed condominium development.

**Planning Commission Action:**

Under LDC Section 25-1-88(3), Extension of Update Deadline – an interested party may appeal the responsible director's decision under this subsection to the Land Use Commission.

The commission may grant the appeal or uphold the administrative decision to grant the extension.

If the appeal is granted, the site plan application expires. The applicant may then submit a new application for the same project to continue the review process. Once all administrative requirements are met, a site plan permit may be issued.

If the appeal is denied, the site plan application will be extended for the requested 180 days, granting an extension to June 18, 2016. The applicant will have until this date to clear all outstanding comments to obtain a site development permit. If the comments are not cleared by the deadline, the application will expire.

**Planning Commission Action:** 2/9/16 Postponed by the applicant (12-0)  
2/23/16 Postponed by staff (12-0)

**PROJECT INFORMATION**

Site Area	0.66 acres	28,795 square feet	
Zoning	CS-MU-V-NP		
Traffic Impact Analysis	N/A		
Capitol View Corridor	N/A		
Proposed Access	Poquito Street		
	Allowed/Required	Existing	Proposed
Floor-to-Area Ratio	NA	0	.064:1
Building Coverage	NA	0	6.4%
Impervious Coverage	NA	0	56.8 %
Height	NA	0	23' 6"
Parking	NA	0	27

**SURROUNDING CONDITIONS: Zoning/ Land Use**

**North:** CS-V-CO-NP - Retail

**East:** CS-MU-V-NP - Parking

**South:** SF-3-NP – Single family residence

**West:** CS-MU-CO-NP - Restaurant



**City of Austin Planning and Development Review Department**  
**505 Barton Springs Road / P.O. Box 1088 / Austin, Texas 78767-8835**

**SITE PLAN APPEAL**

If you are an applicant and/or property owner or interested party, and you wish to appeal a decision on a site plan application, the following form must be completed and filed with the Director of Planning and Development Review Department, City of Austin, at the address shown above. The deadline to file an appeal is 14 days after the decision of the Land Use Commission (ZAP or PC), or 20 days after an administrative decision by the Director. If you need assistance, please contact the assigned City contact at (512) 974-2680.

CASE NO. SP-2015-0195C

DATE APPEAL FILED Jan. 8, 2016

PROJECT NAME 2015 Manor Road

NAME Bo McCarver

PROJECT ADDRESS 2015 Manor Road

SIGNATURE Bo McCarver

APPLICANT'S NAME 3812-3816 Speedway, LLC

ADDRESS 1719 Manor Road, Austin, TX 78722

CITY CONTACT Nikki Hoelter

PHONE NO. (512) 573-0786 WORK

Same HOME

**INTERESTED PARTY STATUS:** Indicate how you qualify as an interested party who may file an appeal by the following criteria: (Check one)

- ☐ I am the record property owner of the subject property
- ☐ I am the applicant or agent representing the applicant
- ☐ I communicated my interest by speaking at the Land Use Commission public hearing on (date)

☒ **X** I communicated my interest in writing to the Director or Land Use Commission prior to the decision (Attached, and I appreciate the timely updates as this project has dragged-out.).

**In addition to the above criteria,** I qualify as an interested party by one of the following criteria: (Check one)

- ☐ I occupy as my primary residence a dwelling located within 500 feet of the subject site.
- ☐ I am the record owner of property within 500 feet of the subject site.
- ☒ **X** I am an officer of a neighborhood or environmental organization whose declared boundaries are within 500 feet of the subject site. I represent the Blackland Community Development Corporation that owns several properties directly west of the proposed Manor Lofts

**DECISION TO BE APPEALED\*:** (Check one)

- ☐ Administrative Disapproval/Interpretation of a Site Plan
- ☐ Replacement site plan
- ☐ Land Use Commission Approval/Disapproval of a Site Plan
- ☒ **X** Waiver or Extension

Date of Decision: \_\_\_\_\_  
 Date of Decision: \_\_\_\_\_  
 Date of Decision: \_\_\_\_\_  
 Date of Decision: 21Dec2015

☐ Planned Unit Development (PUD) Revision

Date of Decision: \_\_\_\_\_

☐ Other: \_\_\_\_\_

Date of Decision: \_\_\_\_\_

\*Administrative Approval/Disapproval of a Site Plan may only be appealed by the Applicant.



**STATEMENT:**

Applicable Code Section: SP-1-183

We appeal the extension for two reasons:

- (1) the applicant has already been granted at least three extensions: Aug. 3, Oct. 12 and Dec. 21, 2015, and the new application shows little progress in curing major discrepancies with city codes; and
- (2) the applicant has shown no interest to provide affordable housing for low-income households within the 16 proposed condominiums. Such affordable housing set-asides were approved in August of 2002 by the Austin City Council as described on pages 76-77 in the Upper Boggy Creek Neighborhood Plan attached below.

The Blackland Neighborhood is located within Homestead Preservation District A, as established by the Austin City Council. Set-aside, inclusion of affordable housing in these municipal districts was specifically allowed by HB2266, passed by the Texas Legislature in 2005, as described in Sec. 214.905 of the Texas Municipal Codes below.

Sec. 214.905. PROHIBITION OF CERTAIN MUNICIPAL REQUIREMENTS REGARDING SALES OF HOUSING UNITS OR RESIDENTIAL LOTS. (a) A municipality may not adopt a requirement in any form, including through an ordinance or regulation or as a condition for granting a building permit, that establishes a maximum sales price for a privately produced housing unit or residential building lot.

(b) This section does not affect any authority of a municipality to:

(1) create or implement an incentive, contract commitment, density bonus, or other voluntary program designed to increase the supply of moderate or lower-cost housing units; or

*(2) adopt a requirement applicable to an area served under the provisions of Chapter 373A, Local Government Code, which authorizes homestead preservation districts, if such chapter is created by an act of the legislature.*

(c) This section does not apply to a requirement adopted by a municipality for an area as a part of a development agreement entered into before September 1, 2005.

(d) This section does not apply to property that is part of an urban land bank program.

#### Appendix B Blackland S.M.A.R.T. Housing Statement

Developers and redevelopers who wish to produce housing in higher densities should communicate early in their planning with the Blackland Community Development Corporation (BCDC). The corporation is committed to preserving the residential quality of the neighborhood by encouraging compatible architecture and mixed-income housing, a significant portion of which is at affordable rates. The corporation will support and work constructively with developers and redevelopers whose housing endeavors effectively address these goals. Such support is dependent on the negotiation of contractual agreements that clearly describe and assure performance by the developers and redevelopers toward providing affordable housing in the neighborhood.

In order to preserve affordable housing, any developer or redeveloper in the Blackland Neighborhood (bounded by Manor Road, Chestnut Avenue, MLK Blvd. and Comal Street) who develops and/or redevelops four or more units of housing should make at least 25 percent of those units available for sale or rent to low-income families at affordable rates for a minimum of twenty years. "Low-income" is defined as earning at or less than 50 percent median family income (MFI) for Travis County. (See figures below.) "Affordable rates" is defined as costing no more than 65 percent market rate or \$80,000 for a two-bedroom unit, whichever is lower; and renting for no more than 65 percent market rate or \$600 per month for a 2-bedroom unit, whichever is lower. These figures are approximations that will vary with interest rates and other cost factors that will be negotiated.

The developed or redeveloped units need not be adjoined, and the counting of units will be cumulative through multiple years beginning with city council approval of the Upper Boggy Creek Plan, for example, the units could be on several blocks and accumulated over several years. The affordable units must be made available to qualified low-income families. Developers and redevelopers who choose not to make 25 percent of their units available to low-income families at affordable rates should pay a mitigation fee of 30 percent of the average total price of the non-affordable (higher priced) units price to BCBC to build affordable housing. For example, a developer who builds four units at an average price of \$100,000 should pay BCDC \$30,000 in mitigation fees.

An affordable unit originally leased to a qualified lower income family shall automatically lose its status as an affordable unit if the family no longer qualifies as a lower income family at the end of the primary term of the lease. When this occurs, the next vacated dwelling unit should be offered for lease as an affordable unit until the required number of affordable units is provided. This provision may not be used as grounds for evicting a previously qualified lower income family from a unit if the family wishes to pay the market rate for the unit.

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## INTERESTED PARTY INFORMATION

Interested parties are specifically defined in section 25-1-131 of the City Code. To view the Code on-line, go to this link:  
<https://www.municode.com/library/tx/austin>

Besides the applicant or owner listed in an application, a person can become an interested party if they communicate an interest to the City through the Case Manager and if they satisfy at least one of the following criteria: 1) they occupy a primary residence that is within 500 feet of the site of the proposed development; 2) they are the record owner of property within 500 feet of the site of the proposed development; or 3) they are an officer of an environmental or neighborhood organization that has an interest in the site of the proposed development or whose declared boundaries are within 500 feet of the site of the proposed development.

If a person satisfies the criteria to become an interested party, they must communicate an interest by delivering a written statement to the Case Manager. The communication must: 1) generally identify the issues of concern; 2) include the person's name, telephone phone number, and mailing address; 3) be delivered before the earliest date on which action on the application may occur; and 4) if the communication is by telephone, be confirmed in writing not later than seven days after the earliest date on which action on the application may occur.

MCS/SP  
June 19, 2015

Written comments concerning the site plan application may be submitted to the case manager on this form. Comments on a separate form should include the case number and the contact person listed on the notice.

Item C-05

Case Number: SP-2015-0195C  
Contact: Nikki Hoelter, 512-974-2863 or  
Elsa Garza, 512-974-2308

☒ I meet the requirements for and request to be an interested party

Note: All contact information is mandatory.

Name (please print) Bo McCarver Telephone number 512-573-0786

Address(es) affected by this application (Street, City, ZIP Code) 1900, 1902, 1906, 1908 E. 22nd (Blackland CDC units)

Mailing address (Street, City, ZIP Code) 1719 Manor Road, Austin 78722

Signature Bo McCarver Date 18 June 2015

Comments: The Blackland Subdistrict of the Upper  
Boggy Creek Neighborhood Plan calls for 25 percent  
of multifamily housing to be affordable to low-income  
families (GOMF). See pages 76-77 of the plan.  
I see nothing in this site plan addressing  
affordable units.

Mail comment forms to:  
City of Austin  
Development Services Department  
Attn: Nikki Hoelter  
P. O. Box 1088  
Austin, TX 78767-1088

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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.

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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:

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**Case Number:** SP-2015-0195C

**Contact:** Nikki Hoelter, 512-974-2863 or

Elsa Garza, 512-974-2308

**Public Hearing:** Planning Commission, Feb. 9, 2016

*Jennifer Holmes*

Your Name (please print)

*2704 French Place Apt T Austin TX 78722*

Your address(es) affected by this application

*J Holmes*

Signature

Date

Daytime Telephone: *710 361 8260*

Comments: *This area should be used for*

*something that would enhance the daily life of current residents (e.g. food trucks)*

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

City of Austin

Development Services Department – 4<sup>th</sup> floor

Nikki Hoelter

P. O. Box 1088

Austin, TX 78767-1088

## TEXAS HOUSE OF REPRESENTATIVES



EDDIE RODRIGUEZ

FIFTY-FIRST DISTRICT

March 1, 2016

Dear Mayor Adler and Council members,

I thank the Austin City Council for recently adopting Tax Increment Financing to support affordable housing through Homestead Preservation Districts (HPDs). I believe this will go a long way towards making Austin more affordable.

When I passed the legislation to enable cities to establish HPDs back in 2005, my intent was to provide another avenue for the creation and preservation of affordable housing units in Austin. While establishing HPDs is an important step to increasing the number of units coming onto the market, I want to bring your attention to the potential for inclusionary zoning, which the legislature prohibited cities from utilizing under House Bill 2266 in that same year.

Prior to 2005, inclusionary zoning could be adopted by a city trying to generate more affordable housing through "set asides"; it gave cities the capacity to establish prices on certain homes to ensure an affordability component for developments. HB 2266 took away that ability.

Thankfully, I was able to amend HB 2266 to exempt HPDs from the law, ensuring that cities could still set aside units in developments within HPDs. In my view, the ability to set those limitations would have helped offset some of the negative effects of gentrification, such as housing segregation.

Various neighborhood groups in my district have passed resolutions or endorsed resolutions requesting that Council adopt inclusionary zoning methods, including the Blackland and Holy Cross Neighborhood Associations, the Eastern Sector of the Austin Neighborhoods Council and the Upper Boggy Creek Planning Team.

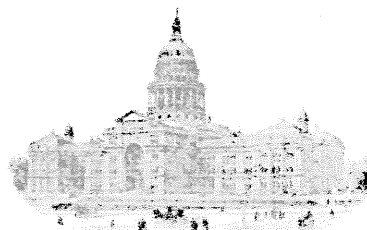
As Council moves forward with the implementation of HPDs, I ask you to consider utilizing inclusionary zoning for affordable housing. Austin's explosive growth requires us to consider proactive methods for assuring integration in our neighborhoods and schools.

Your consideration of this powerful tool could result in hundreds of affordable units. I urge you to place the study and implementation of inclusionary zoning on a future agenda of the Affordable Housing Committee. If I can assist you in any way, please let me know.

Sincerely,

Eddie Rodriguez

POST OFFICE BOX 2910  
AUSTIN, TEXAS 78768-2910  
512-463-0674





City of Austin Planning and  
Development Services Department  
505 Barton Springs Road • P.O. Box 1088 • Austin, Texas 78767-8835

December 22, 2015

Scott M. Wuest  
Wuest Group  
2007 S. 1<sup>st</sup> St. Suite 103  
Austin, TX 78704

Subject: 2015 Manor Road (SP-2015-0195C)

Dear Mr. Wuest,

Your request for an extension to the time period allowed by Chapter 25-1-88 to submit an update for the **2015 Manor Road – SP-2015-0195C** has been reviewed. Staff finds justification for your request. Therefore, a 180-day extension has been granted for your application pursuant to Chapter 25-1-88, which allows the granting of such an extension. Section 25-1-88 also allows an interested party to appeal the responsible director's decision under this subsection to the Land Use Commission.

You now have until, **June 18, 2016** in which to submit an update to the plan, respond to all comments and comply with the provision of the Land Development Code. Please be aware if all comments are not cleared by **June 18, 2016**, this case will expire and you will need to submit a new application.

If you have any questions, please contact me at (512) 974-2863.

Sincerely,

for Nikki Hoelter,  
Case Manager  
Development Services Department

Hoelter, Nikki

---

**From:** Scott M. Wuest <[scott@wuestgrouptx.com](mailto:scott@wuestgrouptx.com)>  
**Sent:** Wednesday, December 30, 2015 1:57 PM  
**To:** Hoelter, Nikki  
**Subject:** FW: Case SP-2015--0195C 2015 Manor Road

Nikki-

See below for your records. Thanks and Happy New Year!

Scott M. Wuest, P.E.  
Wuest Group



2007 S 1<sup>st</sup> Street, Suite 103  
Austin, Texas 78704

Office: (512)394-1900  
Mobile: (512)784-7978

**From:** Scott M. Wuest  
**Sent:** Tuesday, December 22, 2015 10:09 AM  
**To:** 'Simmons-Smith, Michael' <[Michael.Simmons-Smith@austintexas.gov](mailto:Michael.Simmons-Smith@austintexas.gov)>  
**Cc:** Joan Ternus Angil <[jangil@wuestgrouptx.com](mailto:jangil@wuestgrouptx.com)>  
**Subject:** Case SP-2015--0195C 2015 Manor Road

Michael-

My case manager, Nikki Hoelter, is out of the office this week and has left your name as her next in charge.

As representative for the owner and in accordance with Section 25-1-88 of the Land Development Code, I respectfully request a 180-day extension for the site plan referred in the Subject box.

We currently have a sidewalk easement, license agreement, and Unified Development Agreement in review with the city legal and city real estate. We have also encountered delays for Austin Water approval and RSMP drainage approval.

Thanks in advance for your time and attention.

sincerely,

Scott M. Wuest, P.E.



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-2015-0195C  
**Contact:** Nikki Hoelter, 512-974-2863 or  
 Elsa Garza, 512-974-2308  
**Public Hearing:** Planning Commission, Feb. 9, 2016

Jennifer Vilmer  
 Your Name (please print)  
2704 French Place Apt T Austin TX 78722  
 Your address(es) affected by this application  
J Vilmer 2/5/16  
 Signature Date  
 Daytime Telephone: 710 321 8260

☐ I am in favor  
☒ I object

Comments: This area should be used for  
something that would enhance the  
daily life of current residents (e.g. food  
trucks)

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

City of Austin  
 Development Services Department – 4<sup>th</sup> floor  
 Nikki Hoelter  
 P. O. Box 1088  
 Austin, TX 78767-1088

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Case Number: SP-2015-0195C

Contact: Nikki Hoelter, 512-974-2863 or

Elsa Garza, 512-974-2308

Public Hearing: Planning Commission, Feb. 9, 2016

RUTH C. ELLISON

Your Name (please print)

1804 E. 22nd St

Your address(es) affected by this application

Ruth C. Ellison 2/8/16

Signature

Daytime Telephone: 512.477.5612

Date

Comments: I am in agreement

with the appellant BO

McCarver on case #

SP 2015-0195C

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

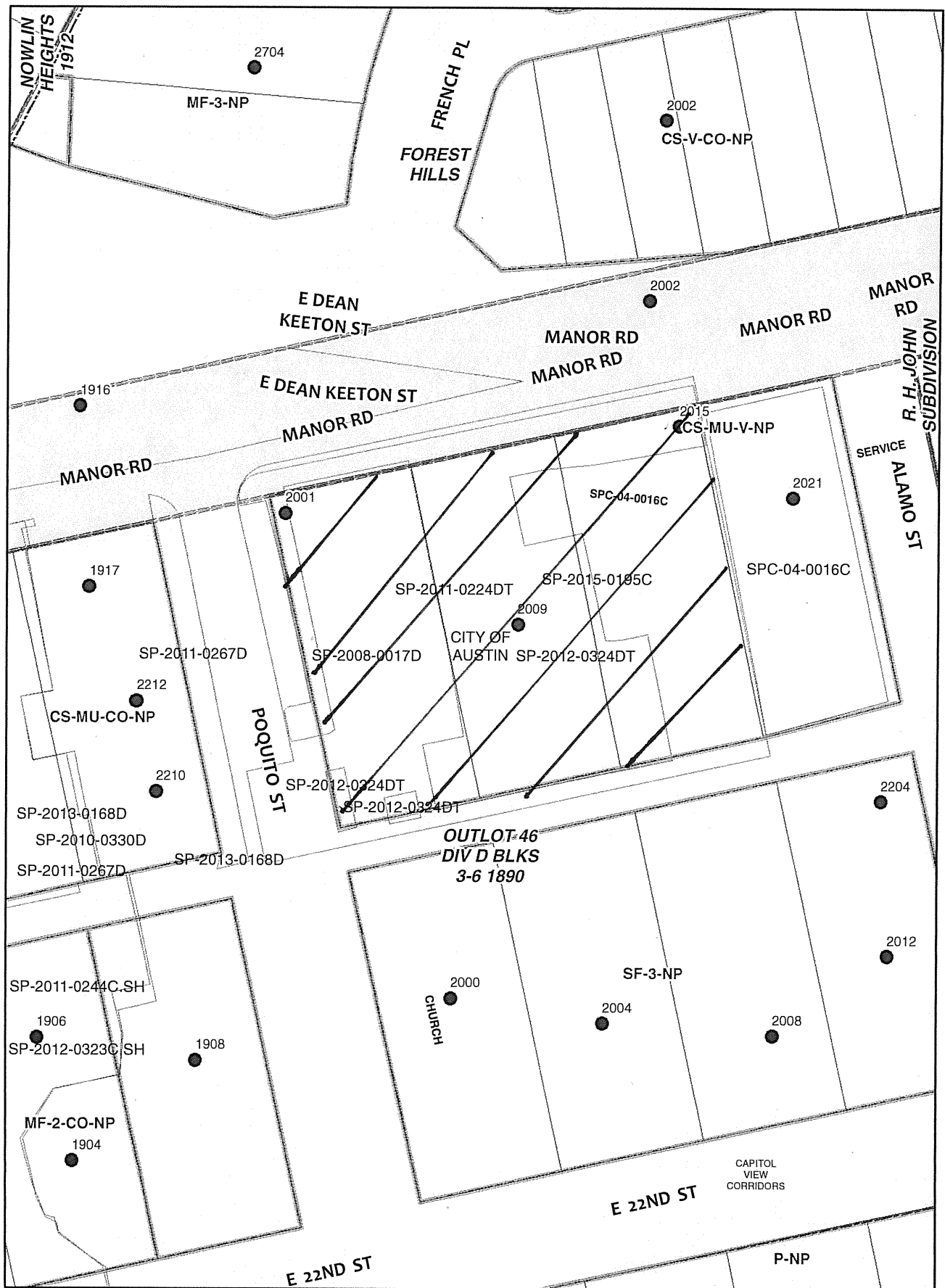
City of Austin

Development Services Department - 4<sup>th</sup> floor

Nikki Hoelter

P. O. Box 1088

Austin, TX 78767-1088



**ORDINANCE NO. 20100311-062**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ADD A VERTICAL MIXED USE BUILDING (V) COMBINING DISTRICT TO CERTAIN TRACTS AND TO AMEND THE ZONING MAP TO CHANGE THE BOUNDARIES OF THE VERTICAL MIXED USE OVERLAY (VMU) DISTRICT TO EXCLUDE TRACT 2 LOCATED IN THE UPPER BOGGY CREEK NEIGHBORHOOD PLANNING AREA.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to add a vertical mixed use building (V) combining district to certain tracts (the "Property") described in Zoning Case No. C14-2009-0102 on file at the Planning and Development Review Department, as follows:

Approximately 51.39 acres of land in the City of Austin, Travis County, Texas, as shown on in the tract map attached as Exhibit "A" (*Upper Boggy Creek Neighborhood Planning Area*),

located in the Upper Boggy Creek neighborhood planning area, locally known as the area bounded by IH-35, 26<sup>th</sup> Street and Comal Street on the west, Airport Boulevard on the north and east, and Martin Luther King, Jr. Boulevard, Cedar Boulevard, Rogers Boulevard, Walnut Boulevard and Manor Road on the south in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B" (*the Zoning Map*).

Except as specifically provided in this ordinance, the existing base zoning districts, combining districts, and other conditions remain in effect.

**PART 2.** The zoning districts for the Property are changed from limited office-conditional overlay-neighborhood plan (LO-CO-NP) combining district, limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district, limited office-historic landmark-mixed use-conditional overlay-neighborhood plan (LO-H-MU-CO-NP) combining district, general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district, neighborhood commercial-conditional overlay-neighborhood plan (LR-CO-NP) combining district, neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district, community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district,



general commercial services-neighborhood plan (CS-NP) combining district, general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district, general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district, and commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district, to limited office-vertical mixed use building-conditional overlay-neighborhood plan (LO-V-CO-NP) combining district, limited office-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (LO-MU-V-CO-NP) combining district, limited office-historic landmark-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (LO-H-MU-V-CO-NP) combining district, general office-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GO-MU-V-CO-NP) combining district, neighborhood commercial-vertical mixed use building-conditional overlay-neighborhood plan (LR-V-CO-NP) combining district, neighborhood commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (LR-MU-V-CO-NP) combining district, community commercial-vertical mixed use building-conditional overlay-neighborhood plan (GR-V-CO-NP) combining district, general commercial services-vertical mixed use building-neighborhood plan (CS-V-NP) combining district, general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district, general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district, general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district, and commercial-liquor sales-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-1-MU-V-CO-NP) combining district, as more particularly described and identified in the chart below:

Tract #	TCAD Property ID	City of Austin Address	Zoning From	Zoning To
1	211884	4302 AIRPORT BLVD	GR-CO-NP	GR-V-CO-NP
4	207586	3850 AIRPORT BLVD	CS-MU-NP	CS-MU-V-NP
	207585	3848 AIRPORT BLVD	CS-MU-NP	CS-MU-V-NP
5	207583	3822 AIRPORT BLVD	CS-MU-NP	CS-MU-V-NP
	207580	3800 AIRPORT BLVD	CS-MU-NP	CS-MU-V-NP
	207579	3840 AIRPORT BLVD	CS-MU-NP	CS-MU-V-NP
		1825 E 38TH HALF ST		
		3842 AIRPORT BLVD		
	207584	3802 1/2 AIRPORT BLVD	CS-MU-NP	CS-MU-V-NP
		3808 1/2 AIRPORT BLVD		
		3810 AIRPORT BLVD		
6	205408	3104 WALNUT AVE	LR-CO-NP	LR-V-CO-NP
		2610 MANOR RD		

Tract #	TCAD Property ID	City of Austin Address	Zoning From	Zoning To
7	205401	2408 MANOR RD	CS-MU-CO-NP	CS-MU-V-NP
	205403	2406 MANOR RD	CS-MU-CO-NP	CS-MU-V-NP
	205399	2502 MANOR RD	LR-MU-CO-NP; CS-1-MU-CO-NP	LR-V-CO-NP; CS-1-MU-V-CO-NP
	205400	2500 MANOR RD	LR-MU-CO-NP	LR-MU-V-CO-NP
	205404	LOT 17 * & W23.55FT OF LOT 18 OLT 33 DIV C FOREST HILLS B	CS-MU-CO-NP	CS-MU-V-NP
	205402	LOT 16 OLT 33 DIV C FOREST HILLS B	CS-MU-CO-NP	CS-MU-V-NP
	205405	2310 MANOR RD	CS-MU-CO-NP	CS-MU-V-NP
	205406	LOT 14 *PLUS N23.6FT OF LOT 13 * & N23.6FT OF LOT 15 OLT 33 DIV C FOREST HILLS B	CS-CO-NP	CS-V-CO-NP
8	205362	2216 MANOR RD	CS-MU-CO-NP	CS-MU-V-NP
	205361	2226 MANOR RD	CS-MU-CO-NP	CS-MU-V-NP
		2224 MANOR RD		
	205326	2801 BREEZE TER	CS-MU-CO-NP	CS-MU-V-NP
	2200 MANOR RD			
9	205280	2002 MANOR RD	CS-CO-NP	CS-V-CO-NP
10	202222	2021 MANOR RD	CS-MU-CO-NP	CS-MU-V-NP
	202221	2001 1/2 MANOR RD	CS-MU-CO-NP	CS-MU-V-NP
		2015 MANOR RD		
12	202227	2113 MANOR RD	CS-CO-NP	CS-V-CO-NP
		2115 MANOR RD		
14	203963	2219 MANOR RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	203952	2209 MANOR RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	203962	2207 MANOR RD	CS-MU-CO-NP	CS-MU-V-CO-NP
16	203970	2200 MAPLE AVE	CS-1-MU-CO-NP	CS-1-MU-V-CO-NP
		2305 MANOR RD	CS-MU-CO-NP	CS-MU-V-CO-NP
		2307 MANOR RD		
		2307 1/2 MANOR RD		
18	204045	2401 MANOR RD	CS-MU-CO-NP	CS-MU-V-CO-NP
20	204047	2515 MANOR RD	CS-MU-CO-NP	CS-MU-V-CO-NP
	204048	2501 MANOR RD	CS-MU-CO-NP	CS-MU-V-CO-NP
23	202356	1910 E MARTIN LUTHER KING JR BLVD	LR-MU-CO-NP	LR-MU-V-CO-NP
	368766	1902 E MARTIN LUTHER KING JR BLVD	CS-1-MU-CO-NP	CS-1-MU-V-CO-NP
	202357	1900 E MARTIN LUTHER KING JR BLVD	CS-1-MU-CO-NP	CS-1-MU-V-CO-NP
24	202358	1905 POQUITO ST	LO-MU-CO-NP	LO-MU-V-CO-NP
25	202364	2106 E MARTIN LUTHER KING JR BLVD	LO-H-MU-CO-NP	LO-H-MU-V-CO-NP
	202365	2104 E MARTIN LUTHER KING JR BLVD	LO-MU-CO-NP	LO-MU-V-CO-NP
	202366	2102 E MARTIN LUTHER KING JR BLVD	LO-MU-CO-NP	LO-MU-V-CO-NP
	202367	2100 E MARTIN LUTHER KING JR BLVD	LO-MU-CO-NP	LO-MU-V-CO-NP



Tract #	TCAD Property ID	City of Austin Address	Zoning From	Zoning To
26	204036	2212 E MARTIN LUTHER KING JR BLVD	LO-MU-CO-NP	LO-MU-V-CO-NP
	204037	2210 E MARTIN LUTHER KING JR BLVD	LO-MU-CO-NP	LO-MU-V-CO-NP
	204038	2204 E MARTIN LUTHER KING JR BLVD	LO-MU-CO-NP	LO-MU-V-CO-NP
	204039	1903 COLETO ST	LO-MU-CO-NP	LO-MU-V-CO-NP
		2200 E MARTIN LUTHER KING JR BLVD		
27	205398	.3440 ACR OF DIVISION C	GO-MU-CO-NP	GO-MU-V-CO-NP
	205396	2506 MANOR RD	LR-MU-CO-NP	LR-MU-V-CO-NP
	205397	2504 MANOR RD	LR-MU-CO-NP	LR-MU-V-CO-NP
100	210662	1114 1/2 WILSHIRE BLVD	CS-MU-CO-NP	CS-MU-V-CO-NP
		4107 N IH 35 SVRD NB		
		4109 N IH 35 SVRD NB		
		4103 N IH 35 SVRD NB		
		4121 N IH 35 SVRD NB		
101	210714	4021 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	210721	LOT 2 LA FONTANA PLACE AMENDED PLAT OF LOTS 1&2	CS-MU-CO-NP	CS-MU-V-CO-NP
	210715	ABS 346 SUR 9 HAWKINS T ACR .42	CS-MU-CO-NP	CS-MU-V-CO-NP
	210720	1300 E 38TH HALF ST	CS-MU-CO-NP	CS-MU-V-CO-NP
	210716	1406 E 38TH HALF ST	CS-MU-CO-NP	CS-MU-V-CO-NP
		1402 E 38TH HALF ST		
		1400 E 38TH HALF ST		
	210718	3807 N IH 35 SVRD NB	CS-MU-NP	CS-MU-V-NP
		3809 N IH 35 SVRD NB		
		3813 N IH 35 SVRD NB		
		3815 N IH 35 SVRD NB		
	210719	1208 E 38TH HALF ST	CS-MU-NP	CS-MU-V-NP
		3811 N IH 35 SVRD NB		
		3901 N IH 35 SVRD NB		
		3903 N IH 35 SVRD NB		
		3911 N IH 35 SVRD NB		
		3913 N IH 35 SVRD NB		
		3921 N IH 35 SVRD NB		
		3925 N IH 35 SVRD NB		
		3929 N IH 35 SVRD NB		
		3909 N IH 35 SVRD NB		
		4001 N IH 35 SVRD NB		
102	209094	3711 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	209093	3709 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	209092	3707 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	209091	3705 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	209089	3509 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	209088	3507 N IH 35 SVRD NB	CS-1-MU-CO-NP	CS-1-MU-V-CO-NP
	209087	3505 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	209110	3501 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP

Tract #	TCAD Property ID	City of Austin Address	Zoning From	Zoning To
	209111	3735 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
		3701 N IH 35 SVRD NB		
	209090	3703 N IH 35 SVRD NB	CS-1-MU-CO-NP	CS-1-MU-V-CO-NP
		3703 1/2 N IH 35 SVRD		
103	209085	3405 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	209084	3401 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	209083	3311 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	209082	3301 N IH 35 SVRD	CS-MU-CO-NP	CS-MU-V-CO-NP
	209064	3421 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
		1103 1/2 CONCORDIA AVE		
	209086	3407 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
		3411 N IH 35 SVRD NB		
104	206989	3215 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	206988	3213 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	207015	3211 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	207014	3209 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	206987	3207 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
	206986	3205 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
		3217 N IH 35 SVRD NB		
	206990	3217 1/2 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
105	206974	3109 N IH 35 SVRD NB	CS-NP	CS-V-NP
	206980	1104 E 31ST ST	CS-MU-CO-NP	CS-MU-V-CO-NP
		3103 N IH 35 SVRD NB		
		3105 N IH 35 SVRD NB		
106	206957	1105 E 31ST ST	CS-MU-CO-NP	CS-MU-V-CO-NP
		3011 N IH 35 SVRD NB		
	206956	3007 1/2 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
		3009 N IH 35 SVRD NB		
	206955	1104 E 30TH ST	CS-MU-CO-NP	CS-MU-V-CO-NP
		3007 N IH 35 SVRD NB		
107	206954	2901 N IH 35 SVRD NB	GR-MU-CO-NP	GR-MU-V-CO-NP
	206953	2909 N IH 35 SVRD NB	CS-MU-CO-NP	CS-MU-V-CO-NP
		2909 1/2 N IH 35 SVRD NB		
108	205221	1900 MANOR RD	CS-MU-CO-NP	CS-MU-V-CO-NP
109	205451	3200 LARRY LN	LO-CO-NP	LO-V-CO-NP
		2710 MANOR RD		

**PART 3.** The Property is subject to Chapter 25-2, Subchapter E, Article 4.3 (*Vertical Mixed Use Buildings*) as follows:

A. Ten percent of residential units available for rental in a vertical mixed use building shall be reserved for households earning no more than 60 percent of the Annual Median Family Income.

B. The following applies to Tracts 4 - 9, 27, and 100 - 109:

1. The property is exempt from the dimensional standards identified in Article 4.3.3 E.2. (*Dimensional and Parking Requirements*).
2. The property is subject to the parking reductions identified in Article 4.3.3 E.3. (*Dimensional and Parking Requirements*).
3. For property in office districts, the additional uses allowed under Article 4.3.3. C.2 (*Ground-Floor Commercial Uses Allowed*) apply.

C. The following applies to Tracts 10, 12, 14, 16, 18, 20, and 23 - 26:

1. The property is exempt from the dimensional standards identified in Article 4.3.3 E.2. (*Dimensional and Parking Requirements*).

**PART 4.** The zoning map is amended to change the boundaries of the vertical mixed use (VMU) overlay district to exclude Tract 2 located as shown in this Part and identified on Exhibit "A". The tracts are not subject to Chapter 25-2, Subchapter E, Article 4.3 (*Vertical Mixed Use Buildings*).

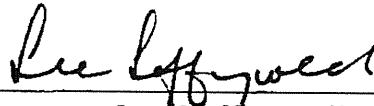
Tract #	TCAD Property ID	City of Austin Address
2	211885	4300 AIRPORT BLVD
		4300 1/2 AIRPORT BLVD

**PART 5.** This ordinance takes effect on March 22, 2010.

**PASSED AND APPROVED**

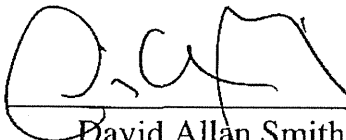
March 11, 2010

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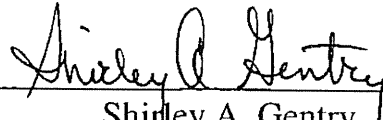
Lee Leffingwell  
Mayor

**APPROVED:**



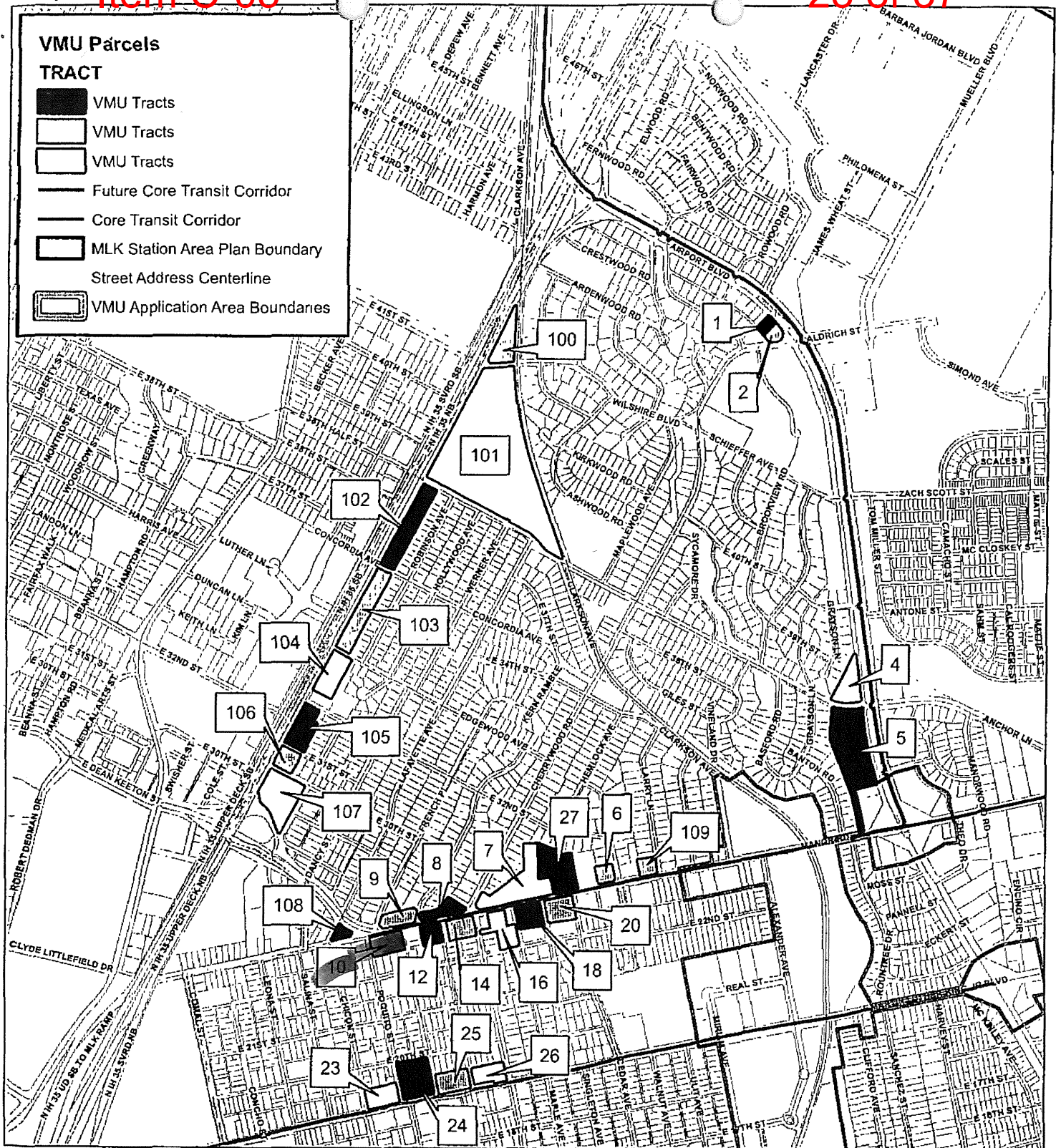
David Allan Smith  
City Attorney

**ATTEST:**



Shirley A. Gentry  
City Clerk





**Upper Boggy Creek Neighborhood Planning Area  
Vertical Mixed Use (VMU) Opt-In/Opt-Out Process  
Tract Map, C14-2009-0102 EXHIBIT A**

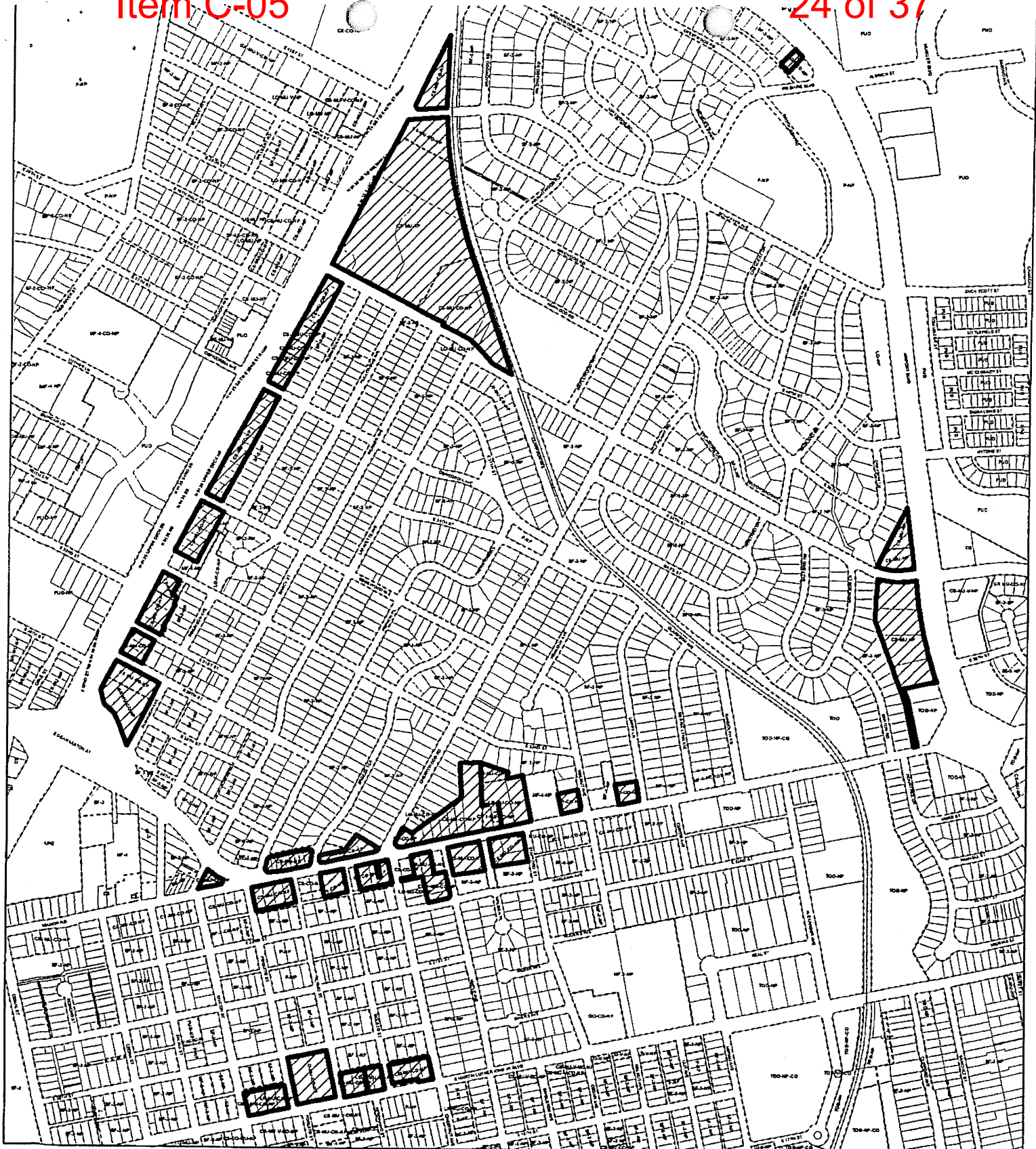
0 500 1,000 2,000 Feet







Produced by City of Austin  
Planning & Development Review Dept.  
August 27, 2009

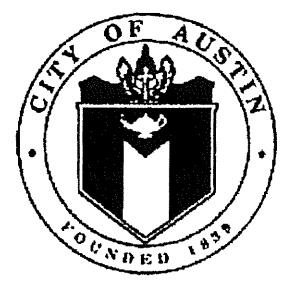
This map has been produced by the City of Austin for the sole purpose of aiding regional planning and is not warranted for any other use. No warranty is made regarding its accuracy or completeness.





 N  
 SUBJECT TRACT  
 ZONING BOUNDARY  
 PENDING CASE  
 OPERATOR: S. MEEKS

ZONING EXHIBIT B  
 ZONING CASE#: C14-2009-0102  
 ADDRESS: UPPER BOGGY CREEK  
 PLANNING AREA  
 SUBJECT AREA: 51.39 ACRES  
 GRID: K23-25 & L24  
 MANAGER: J. BROWNING



1" = 800'

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

CITY OF AUSTIN – PLANNING AND DEVELOPMENT REVIEW DEPARTMENT  
SITE PLAN APPLICATION – MASTER COMMENT REPORT

CASE NUMBER: **SP-2015-0195C**  
REVISION #: **00**  
CASE MANAGER: **Nikki Hoelter**

UPDATE: **U2**  
PHONE #: **512-974-2863**

PROJECT NAME: **2015 Manor Road**  
LOCATION: **2009 MANOR RD W/BLDGS AND UNITS**

SUBMITTAL DATE: **October 12, 2015**  
REPORT DUE DATE: **October 26, 2015**  
FINAL REPORT DATE: **November 18, 2015**  
**23 DAYS HAVE BEEN ADDED TO THE UPDATE DEADLINE**

**STAFF REPORT:**

This report includes all staff comments received to date concerning your most recent site plan submittal. The comments may include requirements, recommendations, or information. The requirements in this report must be addressed by an updated site plan submittal.

The site plan will be approved when all requirements from each review discipline have been addressed. However, until this happens, your site plan is considered disapproved. Additional comments may be generated as a result of information or design changes provided in your update.

If you have any questions, problems, concerns, or if you require additional information about this report, please do not hesitate to contact your case manager at the phone number listed above or by writing to the City of Austin, Planning and Development Review Department, P.O. Box 1088, Austin, Texas 78704.

**UPDATE DEADLINE (LDC 25-5-113):**

It is the responsibility of the applicant or his/her agent to update this site plan application. **The final update to clear all comments must be submitted by the update deadline, which is December 21, 2015.** Otherwise, the application will automatically be denied. If this date falls on a weekend or City of Austin holiday, the next City of Austin workday will be the deadline.

**EXTENSION OF UPDATE DEADLINE (LDC 25-1-88):**

You may request an extension to the update deadline by submitting a written justification to your case manager on or before the update deadline. Extensions may be granted for good cause at the Director's discretion.

**UPDATE SUBMITTALS:**

**A formal update submittal is required. You must make an appointment with the Intake Staff (974-6338) to submit the update. Please bring a copy of this report with you upon submittal to Intake.**

**Please submit 9 copies of the plans and 10 copies of a letter** that address each comment for distribution to the following reviewers. Clearly label information or packets with the reviewer's name that are intended for specific reviewers. **No distribution is required for the Planner 1 and only the letter is required for Austin Water Utility.**

**REVIEWERS:**

Planner 1 : Thomas Sievers  
Electric : Jenna Neal  
Drainage Construction : Leslie Daniel  
Site Plan : Nikki Hoelter  
Traffic Control : Eva Moore  
DSD Transportation : Natalia Rodriguez  
Environmental : Pamela Abee-Taulli  
Fire For Site Plan : Cora Urgena  
PARD / Planning & Design : Marilyn Lamensdorf  
R.O.W. : Reza Sedghy  
AWU-Utility Development Service : Bradley Barron  
Water Quality : Leslie Daniel

Drainage Construction Review - Leslie Daniel - 512-974-6316
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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 City engineers review the application for Code compliance.

*A formal update is required; reviewers are not able to clear any comments based on phone calls, e-mails, or meetings, but must receive formal updates in order to confirm positive plan set changes. Please provide a letter that addresses each of the review comments. The responsible engineer must sign all engineering representations. Reviewers may issue additional comments as further information becomes available.*

DC1 – DC6 Comments previously cleared.

DC7 Pipe used in ROW or drainage easements shall be reinforced concrete. [DCM 5.2.0(G)] Concrete pipe shall be manufactured and installed in compliance with the standard specifications published by the Department of Public Works. Please provide a detail of the storm drain shown to tie from the site to the existing storm drain. Include details. Depending on the pipe sizes and types, a manhole may be required. [DCM 5.6.0]

U1 DCM 5.3.3 requires "Pipes that are to become an integral part of the public storm drain system shall have a minimum diameter of 18 inches." In addition, DCM 5.2.0 (B) does not allow the discharge from a larger pipe into a smaller pipe. It appears the applicant will need to replace the existing 8" pipe to the closest manhole, which appears to be just west of Poquito Street, with a minimum of 18" RCP. DCM 8.1.0 states, "Runoff is then released at a controlled rate which cannot exceed the capacities of the existing downstream drainage systems..." Consider the capacity of the existing downstream drainage system prior to proposing to tie into it.

U2 Tying the 18" RCP to the 8" storm drain through the manhole is allowable. However, the minimum size of pipe allowed in the ROW is 18". In addition, downstream capacity must be demonstrated. Please contact Watershed Protection for assistance to verify adequate capacity exists in the downstream drainage system. StormCAD models for existing infrastructure may be available – contact Angela Todd-Sheremet (512-974-2382) to request a copy. The applicant may also wish to contact Jorge Morales (512-974-3345) to discuss capacity in the system. If the 8" pipe backs up, please do not use free flow conditions for the pond outfall in the model.

DC8 Please provide a Unified Development Agreement that clearly ties these lots together for the construction, use, and maintenance of the proposed water quality/detention facility for the proposed site plan. The most recent version of the standard legal documents is available online at <http://www.austintexas.gov/page/common-easement-and-restrictive-covenants#pdrd>. Please submit the complete document with exhibits to this reviewer. Once received, this reviewer will coordinate with Legal staff for review and approval of the legal documents and the City survey for review of the exhibits. Please contact Annette Bogusch at (512) 974-6483 with specific questions regarding the legal documents.

U2 The response letter indicated an updated UDA is included but it was not. Please send updated UDA to this reviewer, along with the metes & bounds exhibit.



- DC9 Standard manhole detail added; comment cleared.
- DC10 HEC-HMS model provided; comment cleared.
- DC11 Please provide structural details for the proposed subsurface pond.  
U2 Comment remains.
- DC12 Please provide the following for the proposed subsurface detention pond:
- Minimum access lid of a 4'x6' Double Leaf per SPL WW-614 (H2O Loading Required) with slam lock at the detention basin
  - A Subsurface Pond Maintenance plan (per applicable portions of ECM 1.6.2.E requirements)
  - A Restrictive Covenant for the implementation and on-going maintenance of the SPM plan
- U2 The plans indicate two 3' x 6' access lids. The figure provided in the ECM 1.6.2 (E) (2) allows one 4'x6' access lid detention pond (two for water quality). Please modify detail provided on Sheet 20.

Comments on Pond Maintenance Plan:

Please modify the frequency of the pond inspections to "once every six months or immediately following a significant rainfall event."

Include a requirement for an annual third party inspection by a registered Professional Engineer with a report (including photos and drawdown verification) provided to Watershed Protection Department. Seven days' notice to WPD is required.

The City's standard RC for the pond maintenance plan was emailed to Joan Angil at Wuest Group on October 19, 2015. Please provide complete RC with exhibits to this reviewer.

- DC13 Hydrologic summary charts corrected; comment cleared.
- DC14 Please ensure the detail for the alley reconstruction (1000S-4) is included in the plan set.
- DC15 Please submit a geotechnical/soils report for review. Please forward the alley design to Daren Duncan, P.E., Street and Bridge Division, Public Work Department for review and approval, or this reviewer will forward if submitted with next update.

Electric Review - Jenna Neal - 512-322-6110
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- EL 5. As an FYI, any **relocation** of electric facilities shall be at landowner's/developer's expense.
- EL 7. Show transformer pad & meter locations for next formal update  
**Update 1:** Pending -

**Update 2:** Contact Don Pleasant at ph. **512-505-7223** or Wendi Broden, of Public Involvement/Real Estate Services for Austin Energy at ph. **512-322-6237** to set up a meeting to discuss the following;

- a. Transformer location(s) as well as additional Pole to serve project,
- b. Clearance issues regarding the Transformer locations and existing facilities.
- c. Clearance issues of project are building location and our facilities.
- d. The service pole (source of power) that will provide proposed transformer is not shown on plan.

**Comment Not Clear**

EL 8. The Proposed Development has CLEARANCE Issues that must be remedied prior to site plan approval. Please refer to AustinEnergy Design Criteria Manual; which may be found on-line. [www.austinenenergy.com](http://www.austinenenergy.com) / contractors / electric service design & planning.

- a) Transformer Pads
- b) Streetlights

**Update 1:** Pending

**Update 2:** See EL 7.

**Comment Not Clear**

EL 9. Next formal update must include an exhibit showing the dimensions from the proposed buildings to proposed electric routing. This, EL 9-7 will be discussed further with Don Pleasant and Wendi Broden.

**Update 1:** Distances from proposed building to the electric lines are shown however, the need is for a section and plan view showing the exiting utility pole(s) w/ cross arms at 8+/- wide and include dimensions from the outer electric line to the outermost building / canopy/ awning.

**Update 2:** See EL 7.

**Comment Not Clear**

Environmental Review - Pamela Abee-Taulli - 512-974-1879
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UPDATE 2 10/22/15

*Please be advised that additional comments may be generated as update information is reviewed. If an update has been rejected, reviewers are not able to clear comments based on phone calls, emails, or meetings, but must receive formal updates in order to confirm positive plan set changes.*

EV 20 UPDATE 2 Comment cleared.

**Landscape Fees and ESC Fiscal Surety [LDC 25-1-82, 25-7-65, 25-8-234]**

EV 21 Provide a fiscal estimate for erosion/sedimentation controls and revegetation based on Appendix S-1 of the Environmental Criteria Manual. For sites with a limit of construction greater than one acre, the fiscal estimate must include a \$3000 per acre of LOC clean-up fee. The approved amount must be posted with the City prior to permit/site plan approval. [LDC 25-8-186, ECM 1.2.1, ECM Appendix S-1]

UPDATE 1 Erosion fiscal approved for \$12,848.20. Comment will be cleared upon confirmation of posting.

**UPDATE 2 Response noted; awaiting posting. Thank you.**



EV 22 Payment of the landscape inspection fee is required prior to permit/site plan approval. Please obtain the invoice at Intake on the fourth floor. Payment of the fee is made at the first floor Cashier's Window. Upon payment, please forward a copy of the receipt to the environmental reviewer. Fee for this site is:

Landscape Inspection Fee (LOC <1 ac.):	\$615.00
Development Services Surcharge (4%):	\$24.60
<b>Total</b>	<b>\$639.60</b>

FYI: (1) Landscape inspections that require re-inspection will be charged a fee of \$98.00. (2) The landscape fee is subject to change, this estimate can be confirmed prior to approval. [LDC 25-2-983]

UPDATE 1 Comment pending.

**UPDATE 2 Response noted; awaiting payment. Thank you.**

## Fire For Site Plan Review - Cora Urgena - 512-974-0184

- FR 1 Request a copy of the fire hydrant flow test from AFD and provide the reviewer with a copy.  
Update #1 – Addressed.
- FR 2 Include the square footage for the largest building on the cover sheet.  
Update #1 - Also, include the type of sprinkler system on the cover sheet and correct the square footage.  
Update #2 - 13D sprinkler systems connect to the individual unit's domestic line with sprinkler piping distributed within each individual unit. Sprinkler piping must not penetrate the fire separation walls within each unit. A fire sprinkler riser room will not be required as shown on the plans since this is typical of a 13R sprinkler system. Please remove the riser room from the plans.
- FR 3 Verify if there are property lines between the individual units. Verify the fire rating of the walls between each unit and the type of sprinkler system provided.  
Update #1 – Addressed.
- FR 4 Show the location of the FDC on the Utility plan. The FDC must face the fire department access road.  
Update #1 – Addressed.
- FR 5. Show the fire hydrant locations on the Utility plan. All portions of the buildings must be within 500 feet of two fire hydrants.  
Update #1 – Addressed.
- FR 6 Include the following note on the Utility Plan.

**Underground mains feeding NFPA 13 sprinkler systems must be installed and tested in accordance with NFPA 13, and the Fire Code, by a licensed sprinkler contractor with a plumbing permit. The entire main must be hydrostatically tested at one time, unless isolation valves are provided between tested sections.**

## Update #1 – Addressed.

INFORMAL UPDATE– UPDATE 2 – 10/22/2015

PARD / Planning & Design Review - Marilyn Lamensdorf - 512-974-9372

### UPDATE 1:

PR1: The parkland dedication fee of \$650/dwelling unit is required [25-1-601] and must be paid prior to site plan approval [25-1-605(C)]. When ready to make payment, please contact this reviewer at [marilyn.lamensdorf@austintexas.gov](mailto:marilyn.lamensdorf@austintexas.gov) for a PARD approved worksheet. In the email, provide final number of dwelling units and any affordable housing certification documents, if applicable. The current unit count is 16.

Site Plan Review - Nikki Hoelter - 512-974-2863

### **SUBCHAPTER E – COMMERCIAL DESIGN GUIDELINES**

SP 6: Please provide in the legend or with a label that each building entry is covered with the awning as depicted by one label on the site plan sheet.

Please label all building entries.

**Up#1 – Label the entries for building 3 & 4, show how each will be shaded.**

**Up#2 – All provided awnings will need to be a minimum of 4 feet wide.  
Please dimension awnings; they appear to be less than 4 feet.**

SP 8. Open space is required for this development and is subject to Section 2.7 of Subchapter E shall devote a minimum of 5% gross site area to one or more of the private common open space or pedestrian amenities as listed in Subchapter E. Please identify all amenities in the dedicated area.

Area shall meet specified location and design criteria (Subchapter E, 2.7.D) Area shall be maintained by owners of development (Section 2.7.3.E.)

On sheet 5, please explain the difference in the 250 square foot landscape area and the open space shown in the south corner of the property. Is this to meet the required open space minimum?

**Up# 1- Show the type of amenities provided in the open space areas.  
Show the amount of space provided in the site data table.**

**Up#2 – Provide an amenity within the 850 sf of open space.  
Show the amount of space provided in the site data table.**

- SP 10. A license agreement will be required for all trees, furniture, or irrigation, in the right of way; Please contact Andy Halm with ROW Management Division at 974-7185. Please begin this process as soon as possible, as it can take some time.  
\*\*Site plan approval and release will not occur until this is approved. \*\*

**Up# 1- Pending.**

**Up#2 - Pending**

#### **SUBDIVISION REQUIREMENT**

- SP 12. For the proposed site plan, please record a Unified Development agreement that clearly ties these lots together for the construction, use, and maintenance of the proposed Detention facility. Please submit this document to this reviewer. This reviewer will coordinate with the Legal Department for review and approval.  
\*For any legal document questions please contact Annette Bogusch – PDRD Legal Liaison (974-6483).

\*Before staff forwards to legal, approved exhibits and surveys will need to be attached with the document.

\*Please be aware this process takes some time and now requires lien-holders information/consent.

**Up# 1- Pending review of the document by staff and COA legal.**

**Up#2 – Emailed UDA with maintenance standard form to Scott Wuest on 11/17/15.**

**Pending review of the document by staff and COA legal.**

#### **ADMINISTRATIVE SITE PLAN REQUIREMENTS**

- SP 14. Comment cleared.

- SP 19. Have all existing and future dedicated easements, including joint access, drainage, conservation, utility, communication, etc been shown? Indicate volume and page or document number, or dedication by plat. All buildings, fences, landscaping, patios, flatwork and other uses or obstructions of a drainage easement are prohibited, unless expressly permitted by a license agreement approved by the City of Austin authorizing use of the easement.

**Up# 1- Pending execution of the sidewalk easement.**

**Up#2 – Pending.**

#### **COMPATIBILITY/SCREENING REQUIREMENTS**

- SP 24. All parking areas and driveways shall maintain a setback of 25 feet from the south property line adjacent to an SF-5 or more restrictive use or district. [Section 25-2-1067].

The drive along the south property line is within the setback, a waiver may be requested to the Planning Commission.

**Up# 1- Please submit a waiver request.**

**The request will be scheduled once most comments have been cleared.**

**Up# 2- The response sealed package did not contain the request, please submit.**

- SP 26. Comment cleared.

- SP 27. Comment cleared.

**Site Plan Plumbing Review - Cory Harmon - 512-974-2882****APPROVED**

The proposed site plan (SP-2015-0195C) is approved from a plumbing code perspective.

**R.O.W. Review - Reza Sedghy - 512-974-7912****INFORMAL UPDATE 10-22-2015**

ROW1 AULCC Submittal @ 90% is Required  
Please Contact Reza Sedghy @ 512-974-7912  
Last AULCC Submittal (UCC-150604-05-01) had objections  
from WPD, S&B, AWU, and TGS  
Please Resubmit, use UCC# in all Communications.  
[Reza.Sedghy@austintexas.gov](mailto:Reza.Sedghy@austintexas.gov)

**Approval for this Site Plan is related to the plans received in this update. All revisions required to satisfy any other reviewer's comments, must not affect construction in the ROW. If revisions to this plan requires changes to any elements, or proposed construction within the Right of Way; a formal review by ATD- ROW and ATD-Traffic Control will be required.**

**Other ROW MGMT FYI's**

1. Approval of Site Plan does not allow for any work in the Right of Way to be conducted without Temporary Use of Right of Way Permit:
  - a. Excavations for Utility work will require an Excavation Permit.(EX)
  - b. All Driveways and Concrete work will require a Driveway/Sidewalk Permit (DS)
  - c. All Traffic Control and Pedestrian protection will require a Temporary Use of Permit (RW)
  - d. All other Permits such as the Building Permit (BP) must be approved before use of the ROW will be allowed.
2. Approved set of plans must be submitted to ROW Management before Excavation Permits will be approved. Please deliver to:  
Isaiah Lewallen  
512-974-1479  
3701 Lake Austin Blvd. Austin TX 78703  
[Isaiah.Lewallen@austintexas.gov](mailto:Isaiah.Lewallen@austintexas.gov)  
Once plans are received, please visit: <https://www.ci.austin.tx.us/rowman> for Right of Way Excavation Permit submittal for any excavation in COA Right of Way.
3. Coordination with the Office of Special Events, Public Works Department, and any other projects identified as a conflict at the time of Permitting
  - i. Please contact [Betty.torres@austintexas.gov](mailto:Betty.torres@austintexas.gov) for coordination with Special Events.



4. Development/Inspection Fees must be paid and recorded by PDR. Inspections and job assignment must be completed by [Stephen.castleberry@austintexas.gov](mailto:Stephen.castleberry@austintexas.gov)
5. IF LICENSE AGREEMENTS or ENCROACHMENTS ARE REQUIRED, ALL AGREEMENTS MUST BE APPROVED and RECORDED BEFORE RIGHT OF WAY PERMITS WILL BE APPROVED. This will also include that:
  - a) All Plan Revisions/Corrections be submitted and approved
  - b) All Updated Engineering Estimates for any Plan Revisions/Corrections must be submitted to PDR.

## Traffic Control Review - Eva Moore - 512-974-7671

### REJECTED:

A flagger scenario will work on Poquito, but due to the curve it should be drawn out. Work is within 100' of the intersection, usually we do not allow flagging within 100' of an intersection.

Parking exists on both sides of Poquito, No Parking signs will need to be incorporated.

Redlines available at 3701 Lake Austin.

## DSD Transportation Review - Natalia Rodriguez - 512-974-3099

*Please be advised that additional comments may be generated as update information is reviewed. If an update has been rejected, reviewers are not able to clear comments based on phone calls, emails, or meetings, but must receive formal updates in order to confirm positive plan set changes.*

**Update 1: 8/21/2015**

**Transportation Review is Rejected**

**Formal Update is required.**

### SUBCHAPTER E

TR1. Where required, the sidewalk shall extend onto private property to fulfill the 12-foot minimum requirement, with a sidewalk easement provided (§2.2.3.B). Please provide a sidewalk easement along Poquito Street or See the transportation reviewer for details.  
*Update 1: Comment outstanding. The easement has been forwarded to Legal. Please provide the sidewalk easement document number on the site plan once it has been recorded.*

***Update 2: Comment outstanding. Pending Legal approval and recordation. Please provide the sidewalk easement document number on the site plan once it has been recorded.***

### ACCESSIBILITY

TR2. ***Update 2: Comment cleared. No accessible units are being proposed. A note has been added to the cover sheet.***

**PARKING**

TR3. The minimum parking requirement is 3.5 spaces per unit. LDC, 25-6, Appendix A. Please revise Parking Summary table with the revised parking requirement and parking calculations. Additionally, the site plan shows 46 parking spaces and the table indicates that there are 47. Please revise.

*Update 1: Comment outstanding. Please provide the code reference for the Live + Work parking requirements or request for a Special Parking Determination. Condominium parking requirements are cleared.*

**Update 2: Comment outstanding. Live + Work spaces have been removed. 8 - 4 bedroom condos are being proposed. As discussed in Update 1, the parking requirement for 4 bedrooms is 3 spaces. Revise the parking table to show the correct ratio.**

TR4. **Update 2: Comment cleared. The corrected bicycle detail has been shown.**

TR5. Access to alleys requires the approval of the transportation reviewer. Head-in, back-out parking is prohibited on streets and alleys in SF-6 and more permissive districts, unless approved by the Transportation reviewer. LDC, 25-6-472; TCM, 5.3.1.F. The Transportation Reviewer will be in contact with Public Works to determine if the proposed parking surface parking spaces are acceptable.

*Update 1: Comment outstanding. Per Public Works: Provide a Paving Plan to David Boswell within Public Works to review. Include the appropriate plan views, dimensions and details clearly showing this proposed construction, including appropriate cross sections to ensure compliance with 1000S-4, Type A. Update the grading plan to show the proposed alley grades. All existing utility poles and other potential obstructions need to be shown on the plan view. Additionally, once Public Works has reviewed the dimensioned plan view of the parking spaces, they will make the final determination regarding parking off of the alley.*

**Update 2: Comment outstanding. Pending Public Works approval.**

**DRIVEWAYS**

TR6. What is the condition of the existing alley? If parking along the alley is approved, the existing alley may be required to be paved for all or a portion of the entire length. [LDC, 25-6-292(c); LDC, 25-6-323; TCM, 5.3.1.B.]

*Update 1: Comment outstanding. Approval from Public Works is required for the repavement. The reviewer will contact the applicant with Public Works decision. Additionally, the repavement needs to go to the entire length of the property. Please extend the repavement to the property line.*

**Update 2: Comment outstanding. Pending Public Works approval. Additionally, it appears the Site Plan Release block covers the repaving hatching from the curb return to the property line. Please revise the plans to show the repaving from Poquito Street to the east property line.**

**TRASH**

TR7. Trash dumpsters must be located to provide adequate access and maneuverability for service vehicles. Based on the location, it appears that it would be difficult for the trash to be picked up. Please clarify how the trash will be picked up. LDC, 25-2-1067(c); TCM, 9.3.0.2.

*Update 1: Comment outstanding. The new proposed location conflicts with the adjacent parking space and does not appear to have sufficient maneuverability. Will the previous location be sufficient for the dumpsters? Please revise plans to eliminate this conflict.*

***Update 2: Comment outstanding. Clarify how trash will be picked up from this location. Will the dumpster be rolled out to the curb from the enclosure?***

TR8. Maneuvering areas for loading facilities shall not conflict with parking spaces or with the maneuvering areas for parking spaces. Public right-of-way shall not be used for maneuvering. All maneuvering shall be contained on-site. TCM, 9.3.0.3. Please revise dumpster locations to ensure that maneuvering will not be done within the public right-of-way (alley).

***Update 1: Comment outstanding. The new proposed location conflicts with the adjacent parking space and does not appear to have sufficient maneuverability. If the repavement of the alley is approved, the dumpster can be placed adjacent to the alley for pick up. Please contact the reviewer for clarification.***

***Update 2: Comment outstanding. Pending clarification of dumpster pickup. Additional comments may be generated depending on how trash will be picked up.***

TR9. ***Update 2: Comment cleared. The rectangular box is an underground detention and the MH has been added to the legend as manholes.***

TR10. ***Update 2: Comment cleared. The object has been identified as an area inlet and has been called out.***

TR11. ***Update 2: Comment cleared. The “covered walk” callout has been removed from the walkway. A covered walkway between the buildings is not being proposed.***

TR12. The existing curb and gutter and the proposed curb and gutter are being shown at the alley and Poquito Street. Please indicate what is being removed and what is being proposed, or remove the existing curb and gutter from the site plan.

***Update 2: Comment outstanding. Show both curb return radii for the proposed alley driveway.***

#### **Additional comments based off of plan changes**

TR13. Show the clear zone dimension on the sidewalk along Manor Road.

TR14. Dimension both stall widths within the garage.

TR15. Clarify the circles that are being shown. One is located within the crosswalk and the other is located within the alley. Are they manholes?

TR16. The landscape/open space area requires an ADA route to the facility. Please revise the ADA route and dimension the new route.

TR17. Identify the location and callout the mailbox kiosk.

TR18. There appears to be a solid black curved line near the corner of Manor Road and Poquito Street, located within the sidewalk/right-of-way. Please clarify and callout this line.

TR19. Diagonal or corner-type curb ramps are prohibited in new construction within public right-of-way. [TCM, 4.3.0; City of Austin Standard No. 432S-3 thru 432S-3F]. Revise the plans to show the perpendicular curb ramps and provide the details.

TR20. Additional comments may be provided as a result of information or design changes provided in your update.

**AWU-Utility Development Service Review - Bradley Barron - 512-972-0078**

WW1. The review comments will be satisfied once Pipeline Engineering has approved the water and wastewater utility plan. For plan review status, contact Matt Cullen at 512-972-1241. Response comments and corrections, along with the original redlines, must be returned to the assigned Pipeline Engineering reviewer at the Waller Creek office, 625 E 10<sup>th</sup> St., 3<sup>rd</sup> floor.

**Water Quality Review - Leslie Daniel - 512-974-6316**

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 City engineers review the application for Code compliance.

WQ1 – WQ2 Comments previously cleared.

WQ3 Approved Appendix T has been forwarded to the Fiscal Office; payment of this fee is required prior to site plan.

**U2** Awaiting payment of fee. Please provide copy of fee receipt to clear this comment.

WQ4 – WQ5 Comments previously cleared.

**Planner 1 Review - Thomas Sievers - 512-974-1237****THE FOLLOWING COMMENTS APPLY PRIOR TO THE RELEASE OF THE SITE DEVELOPMENT PERMIT.**

P1. FYI – An appointment is required in order to receive the site development permit. The permit will be released after the flash drive has been submitted with the Intake Staff and the site plan approval blocks have been finished. Contact the Planner I listed above at [thomas.sievers@austintexas.gov](mailto:thomas.sievers@austintexas.gov) to set up an appointment to receive the site plan permit.

P2. FYI – Fill out the Site Plan Approval blocks with the following information in **bold**.

- **Sheet numbers**
- File number: **SP-2015-0195C**
- Application date: **May 1, 2015**
- Under Section **112** of Chapter **25-5** of the City of Austin Code
- Case Manager: Nikki Hoelter
- Zoning: CS-MU-V-NP

If the Site Plan Approval Blocks are not filled out, the applicant will need to make an appointment to fill them out by hand. If the applicant wishes the Planner 1 to fill them out, there could be a delay in receiving the site development permit.



**P3. FYI – FLASH DRIVE REQUIREMENT**

All applications submitted for completeness check after 5/10/10 for Administrative Site Plan Revision, Consolidated Site Plan, Non-Consolidated Site Plan, CIP Streets and Drainage, Major Drainage/Regional Detention, and Subdivision Construction Plans will require the additional items listed in Exhibit VII of the application packet on a USB flash drive prior to release of permit. The flash drive must be taken directly to the Intake Department by the applicant after site plan approval. For more information, contact the Intake Staff.

**End of Report.**