




271-13



- N
-  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.

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.



CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

13
2

DATE: Monday, February 8, 2016

CASE NUMBER: C15-2015-0172

____ Brooke Bailey
____ Michael Benaglio
____ William Burkhardt
____ Eric Goff
____ Melissa Hawthorne
____ Don Leighton-Burwell
____ Rahm McDaniel
____ Melissa Neslund
____ James Valadez
____ Michael Von Ohlen
____ Kelly Blume (Alternate)

OWNER/APPLICANT: John Latham

ADDRESS: 502 LONGSPUR BLVD

VARIANCE REQUESTED: A. The applicant has requested variance(s) to Section 25-6, Appendix A (Tables of Off-Street parking and Loading Requirements) to reduce the number of required parking spaces from 294 spaces (required) to 265 spaces (requested, existing) in order to provide additional dumpsters, security fence and a playground on this multi-family site in a "MF-2, MF-3 – NP" Multifamily Residence Low Density – Multifamily Medium Density - Neighborhood Plan zoning district. (North Lamar)

B. The applicant has requested variance(s) to Section 25-2-1067 (F) (Design Regulations) of Article 10, Compatibility Standards to reduce the distance an intensive recreational use including swimming pool, tennis court, ball court or playground may not be constructed from 50 feet or less from an adjoining property (required) to 0 feet (requested) in order to construct a playground on this multi-family site in a "MF-2, MF-3 – NP" Multifamily Residence Low Density – Multifamily Medium Density - Neighborhood Plan zoning district. (North Lamar)

BOARD'S DECISION: Dec 14, 2015 The public hearing was closed on Board Member Melissa Hawthorne motion to Grant Item A and Postpone Item B to February 8, 2016, Board Member Eric Goff second on a 8-0 vote; **GRANTED ITEM A AND POSTPONED ITEM B TO FEBRUARY 8, 2016. FEB 8, 2016 POSTPONED TO MAY 9, 2016 BY APPLICANT**

FINDING:

Heldenfels, Leane

CF-2016-0172

From: John A. Latham
Sent: Tuesday, February 02, 2016 5:36 PM
To: Heldenfels, Leane
Subject: RE: 2/8 Board of Adjustment hearing

L3
3

Leane,

Hi. We would like to postpone our hearing to the April meeting for the Longspur property.

However, we have a new variance request for a different property. Is there room on the March hearing for us? It is a building setback variance for our property on Cameron Rd.

Thanks,
John

John A. Latham
Chief Investment Officer
Office: 512-651-0513 ext. 914
Cell: 512-913-4423
jlatham@theppagroup.com

The PPA Group 11149 Research Blvd. Suite 375, Austin Texas 78759
O: 512-651-0513 | F: 1-877-630-5817 | www.theppagroup.com

From: Heldenfels, Leane [<mailto:Leane.Heldenfels@austintexas.gov>]
Sent: Tuesday, February 02, 2016 5:17 PM
To: jennifer@libertysigns.com; nick@libertysigns.com; dan@vantreeck.com; Leon Barish; mary ingles; Courtney, Lynda; Guernsey, Greg; Rusthoven, Jerry; Moncada Consulting; Mark Lakins; Juan Gonzalez; josephinaochoa@yahoo.com; Michael Kane; david cancialosi; John A. Latham; Rodney K. Bennett; Jeff Bridgewater; Richard Hughes; lucy@thoughtbarn.com; Mike McHone
Cc: Johnston, Liz
Subject: FW: 2/8 Board of Adjustment hearing

Greetings 2/8 Board of Adjustment applicants and applicable staff members:

See attached agenda and Austin Energy comments and reply to just me and advise if you'll need a postponement and to what date (3/14, 4/11 or further). Print out and bring a copy of the agenda to the meeting with you to follow along the proceedings as we'll not have any paper copies there.

Special notes:

Michael Kane – even though I'm showing your request to postpone to at least 3/14, I think there may be neighborhood opposition to the request so someone from your case should be there to argue for postponing and also advise if you'd like a later date than 3/14.

David Cancialosi – even though your two cases were denied by Austin Energy, I don't have a written request for postponement yet – if you'd like to postpone, advise of which date you'd like to postpone to.

Liz – we don't have any Lake Austin cases this month.

L3
4

CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: Monday, December 14, 2015

CASE NUMBER: C15-2015-0172

☐ Y ☐ Brooke Bailey
☐ Y ☐ Michael Benaglio
☐ Y ☐ William Burkhardt
☐ Y ☐ Eric Goff 2nd the Motion
☐ Y ☐ Melissa Hawthorne Motion to Grant Item A only, PP Item B to 2-8-16
☐ Y ☐ Don Leighton-Burwell
☐ - ☐ Melissa Neslund
☐ Y ☐ James Valadez
☐ - ☐ Michael Von Ohlen
☐ - ☐ Kelly Blume (Alternate)
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FINDING:

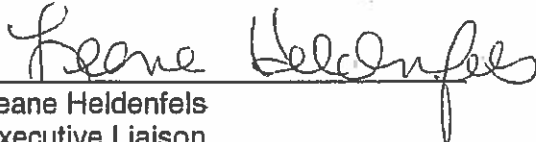
1. The Zoning regulations applicable to the property do not allow for a reasonable use because: there is ample parking for residents at the apartment complex and transit nearby


5/13

2. (a) The hardship for which the variance is requested is unique to the property in that: unit mix and change refuse service site changed over the years and configuration on site is balance
(b) The hardship is not general to the area in which the property is located because: what is on site seems to work really well for the units
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: this is the way site functions now

PARKING: (Additional criteria for parking variance only)

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specified regulation because: what's on site has function for use of apartments today
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: no new units will be added
3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objective of this Ordinance because: safety trash placements on site, no units added
4. The variance will run with the use or uses to which it pertains and shall not run with the site because: it does


Leane Heldenfels
Executive Liaison


William Burkhardt
Chairman

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

6/3

X

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):

43
1

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.

13/8
X

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.

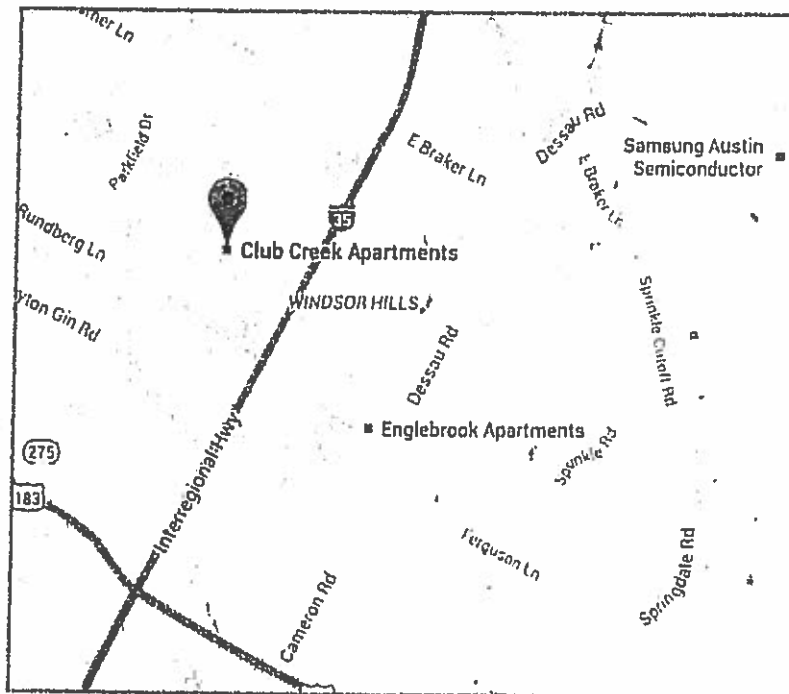
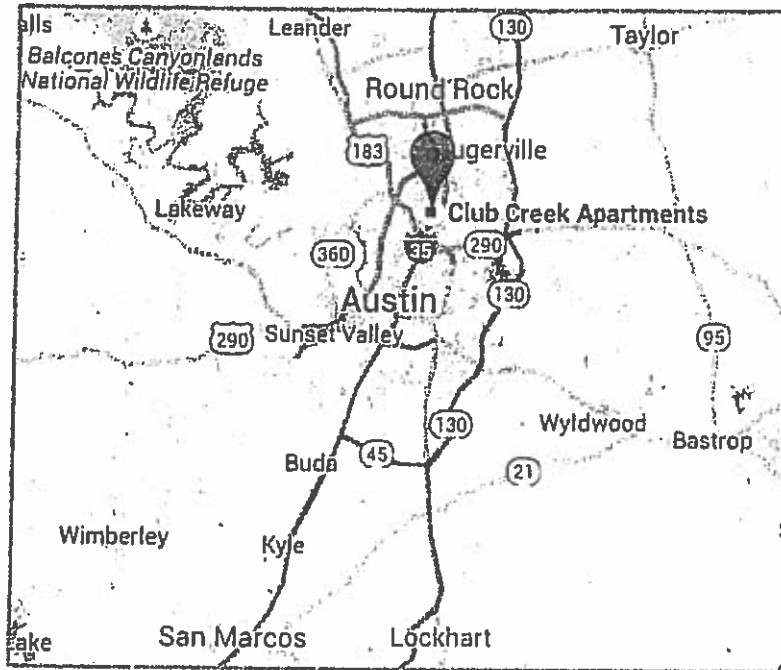
Signed [Signature] Mail Address 11149 RESEARCH BLVD. STE. 375

City, State & Zip AUSTIN, TX 78735

Printed JOHN A. LATHAM Phone 512-651-0513 Date 11/13/15

Location

6/3/9



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.

L3
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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

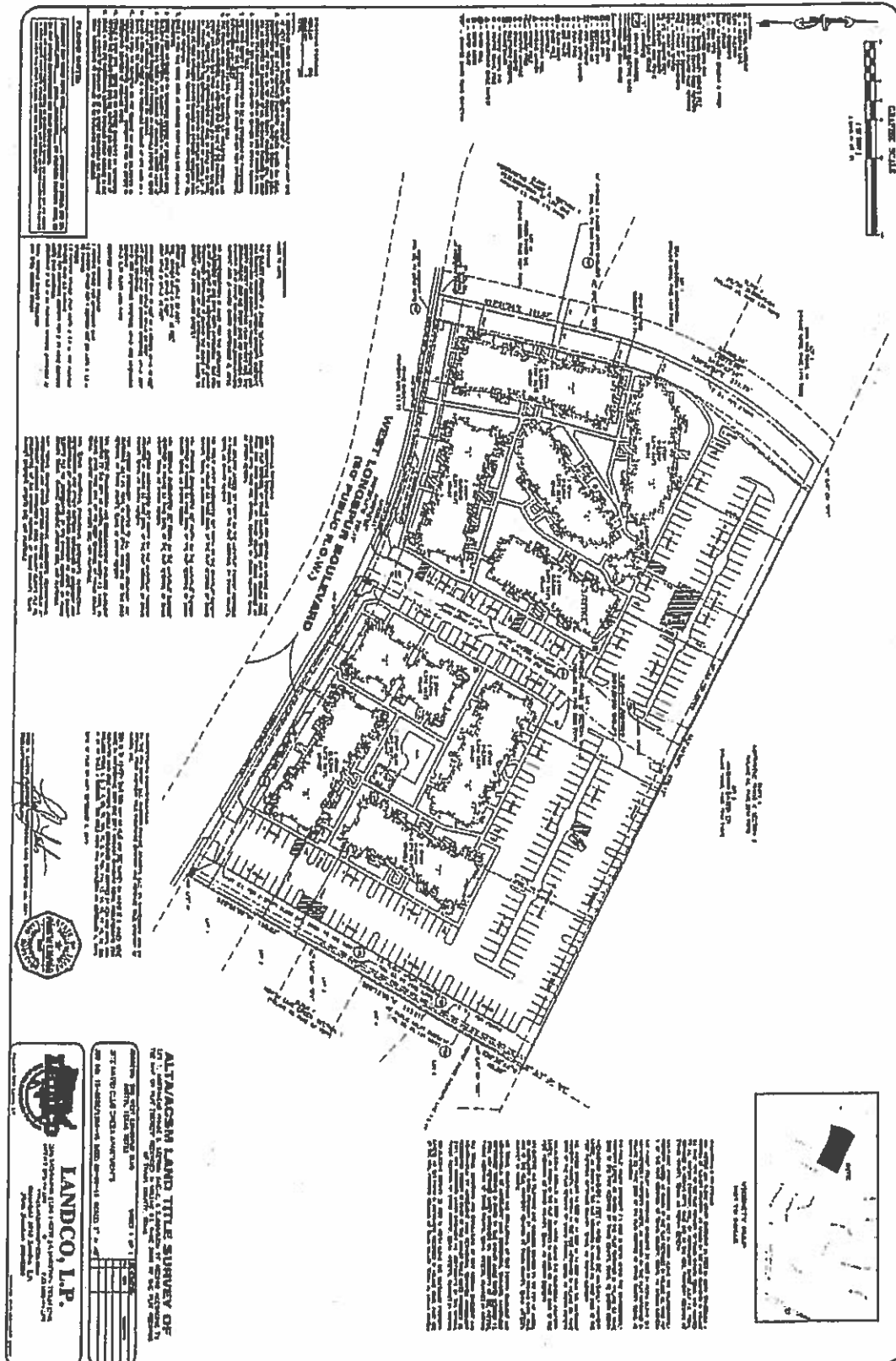
Unit Type	Units	Required Parking		Current Parking	Deficiency	Street Parking ¹	Net Deficiency
		Ratio	Spaces				
Efficiencies	0	1.00	0				
1 bd / 1ba	52	1.50	78				
2 bd / 2 ba	108	2.00	216				
Spaces For Playground ²	0	0.00	0		4		
Total	160		294	269	265	24	5

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.

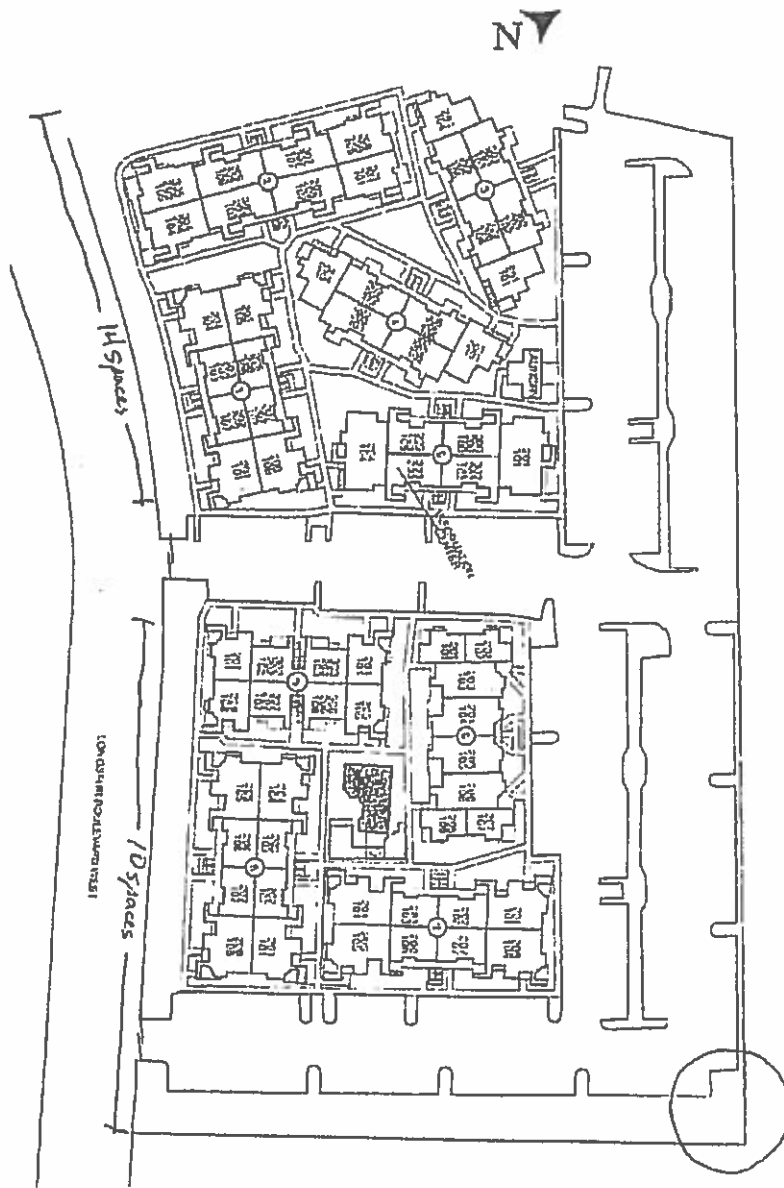
Survey

11/13



Site Plan

12/31



COMMUNITY MAP

Proposed
Playground

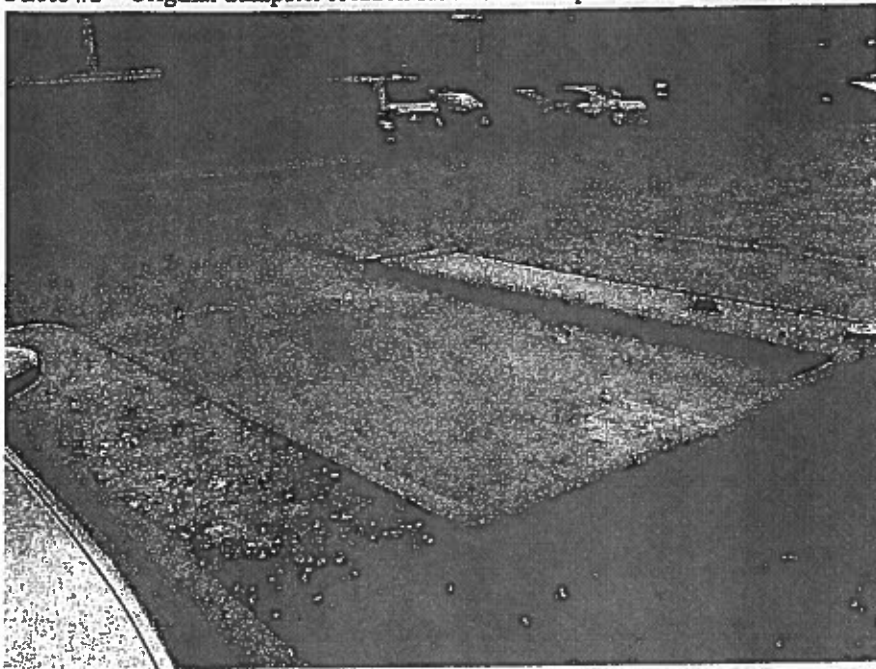
Club Creek
COMMUNITY



502 West Longspur Blvd., Austin, TX 78753 • Phone 512-835-1682 • Fax 512-513-6917



Photo #1 – Original dumpster location for rollout dumpsters.



4/13/13

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

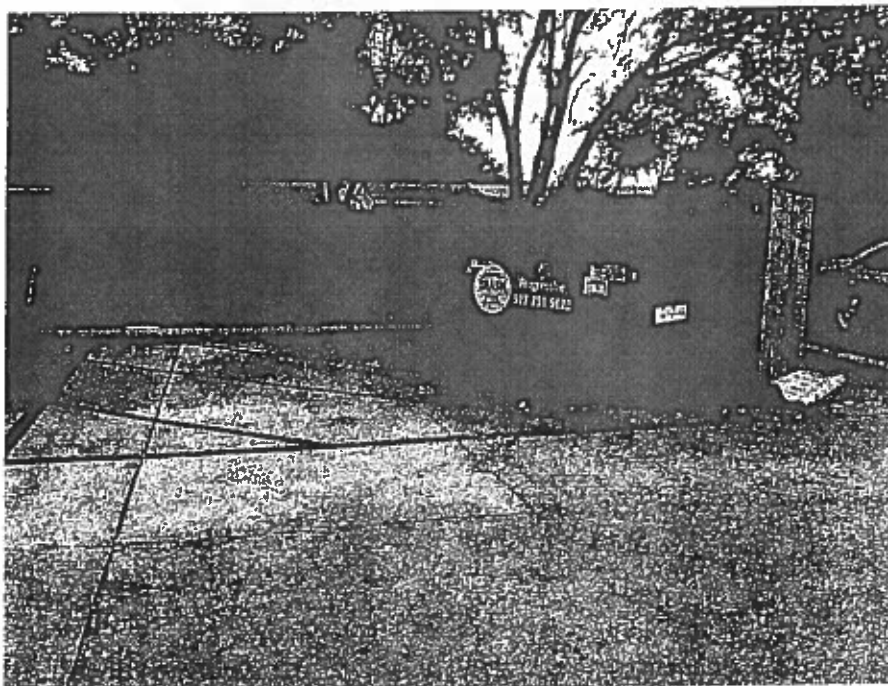


Photo #3 – Current street parking in front of property, west side of entrance.

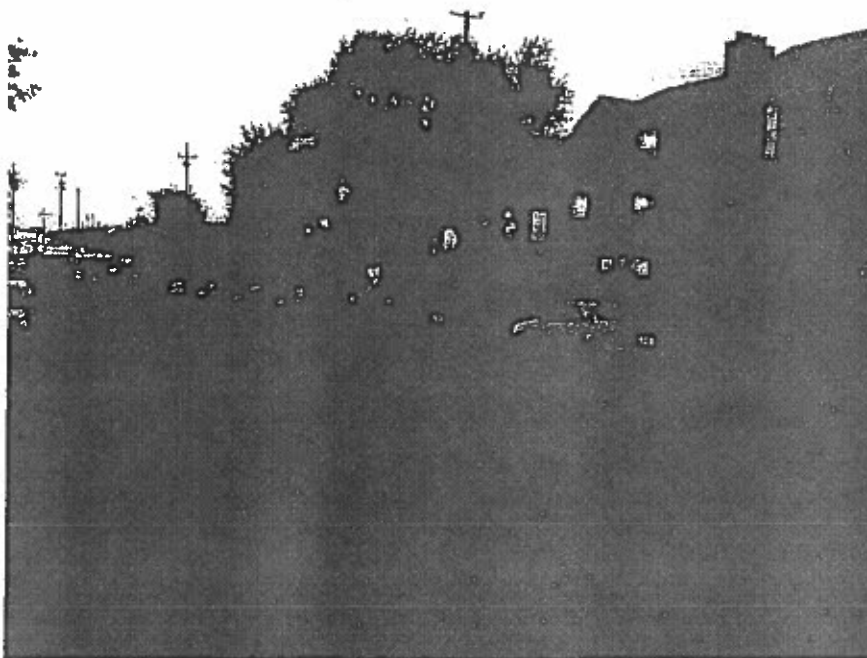
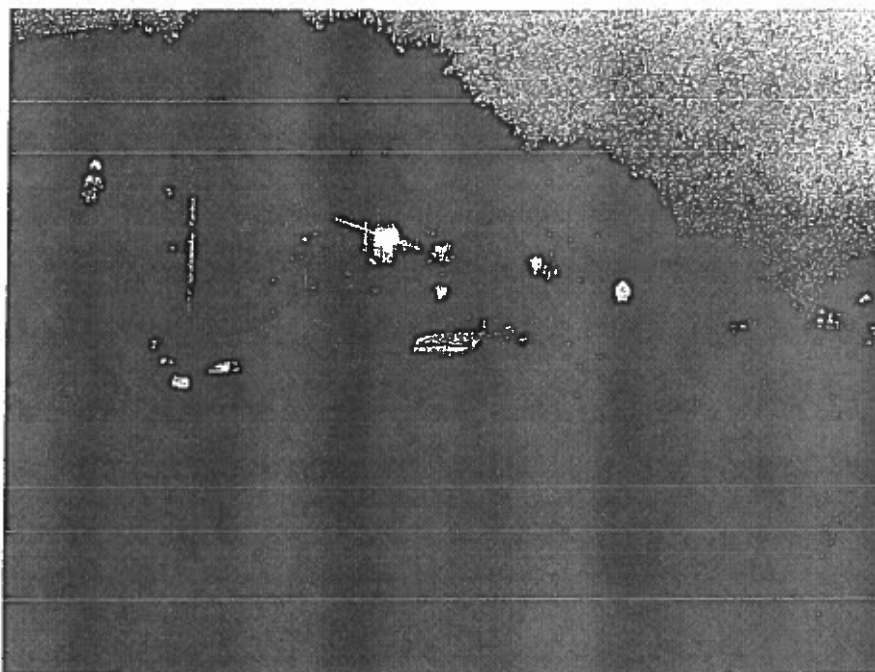
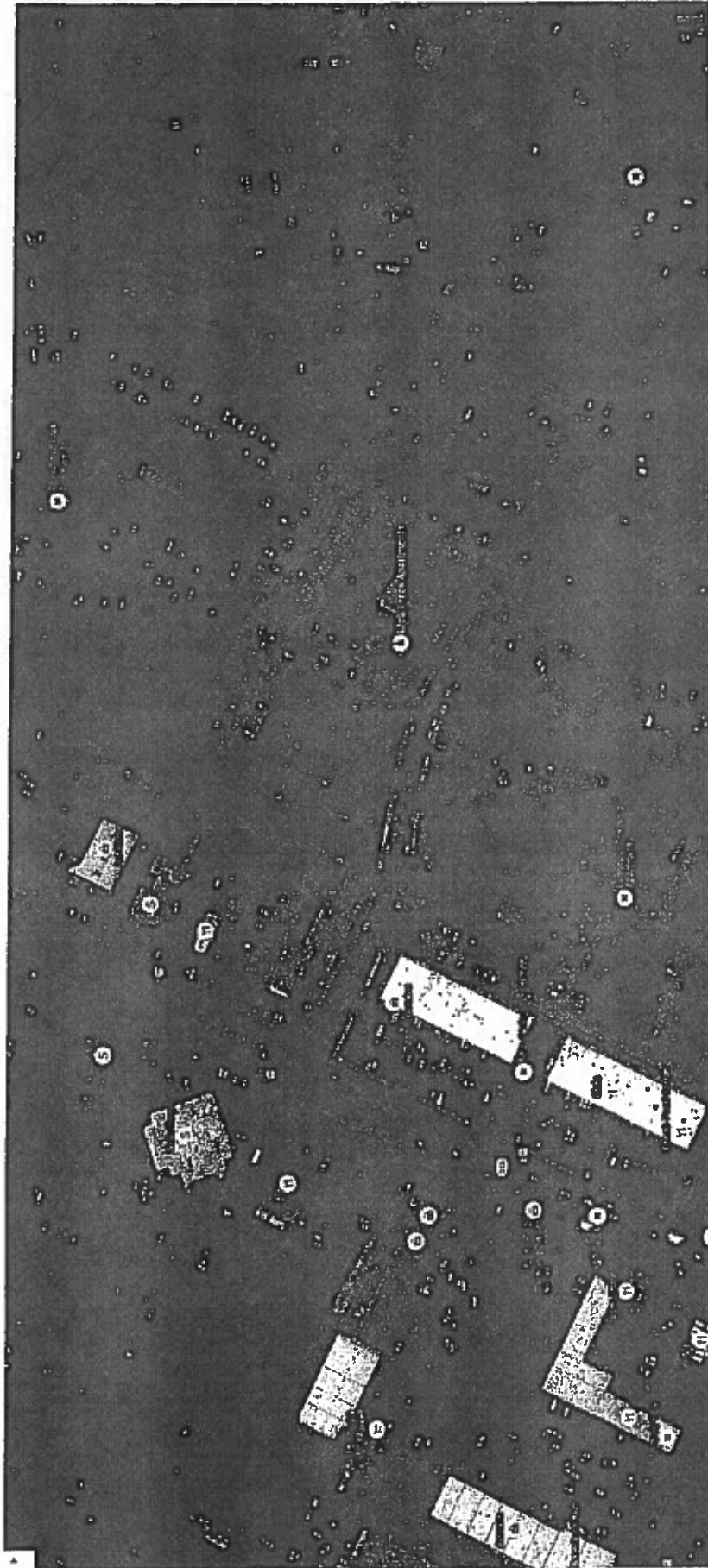


Photo #4 – Current street parking in front of property, east side of entrance.



Club Creek Apartments

Aerial Photo



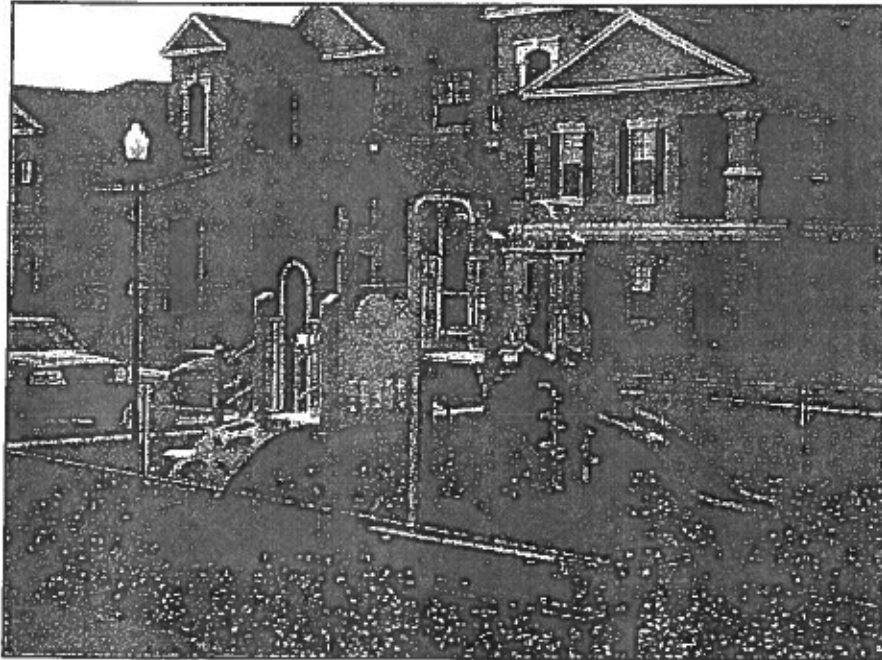
CS-2015-
0172

13/15

Y1

Club Creek Apartments

Sample Playground Photo



13
16
12

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14

(Faint vertical text from bleed-through)

[illegible]

‘*అదేమిట? ఇంకా ఉన్నావా?*’

3. *Explain the importance of the following factors in the development of a country's economy:*

የገንዘብ አጠቃቀም

1844 1845 1846 1847 1848 1849 1850 1851 1852 1853 1854 1855 1856 1857 1858 1859 1860 1861 1862 1863 1864 1865 1866 1867 1868 1869 1870 1871 1872 1873 1874 1875 1876 1877 1878 1879 1880 1881 1882 1883 1884 1885 1886 1887 1888 1889 1890 1891 1892 1893 1894 1895 1896 1897 1898 1899 1900 1901 1902 1903 1904 1905 1906 1907 1908 1909 1910 1911 1912 1913 1914 1915 1916 1917 1918 1919 1920 1921 1922 1923 1924 1925 1926 1927 1928 1929 1930 1931 1932 1933 1934 1935 1936 1937 1938 1939 1940 1941 1942 1943 1944 1945 1946 1947 1948 1949 1950 1951 1952 1953 1954 1955 1956 1957 1958 1959 1960 1961 1962 1963 1964 1965 1966 1967 1968 1969 1970 1971 1972 1973 1974 1975 1976 1977 1978 1979 1980 1981 1982 1983 1984 1985 1986 1987 1988 1989 1990 1991 1992 1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055 2056 2057 2058 2059 2060 2061 2062 2063 2064 2065 2066 2067 2068 2069 2070 2071 2072 2073 2074 2075 2076 2077 2078 2079 2080 2081 2082 2083 2084 2085 2086 2087 2088 2089 2090 2091 2092 2093 2094 2095 2096 2097 2098 2099 2100 2101 2102 2103 2104 2105 2106 2107 2108 2109 2110 2111 2112 2113 2114 2115 2116 2117 2118 2119 2120 2121 2122 2123 2124 2125 2126 2127 2128 2129 2130 2131 2132 2133 2134 2135 2136 2137 2138 2139 2140 2141 2142 2143 2144 2145 2146 2147 2148 2149 2150 2151 2152 2153 2154 2155 2156 2157 2158 2159 2160 2161 2162 2163 2164 2165 2166 2167 2168 2169 2170 2171 2172 2173 2174 2175 2176 2177 2178 2179 2180 2181 2182 2183 2184 2185 2186 2187 2188 2189 2190 2191 2192 2193 2194 2195 2196 2197 2198 2199 2200 2201 2202 2203 2204 2205 2206 2207 2208 2209 2210 2211 2212 2213 2214 2215 2216 2217 2218 2219 2220 2221 2222 2223 2224 2225 2226 2227 2228 2229 2230 2231 2232 2233 2234 2235 2236 2237 2238 2239 2240 2241 2242 2243 2244 2245 2246 2247 2248 2249 2250 2251 2252 2253 2254 2255 2256 2257 2258 2259 2260 2261 2262 2263 2264 2265 2266 2267 2268 2269 2270 2271 2272 2273 2274 2275 2276 2277 2278 2279 2280 2281 2282 2283 2284 2285 2286 2287 2288 2289 2290 2291 2292 2293 2294 2295 2296 2297 2298 2299 2300 2301 2302 2303 2304 2305 2306 2307 2308 2309 2310 2311 2312 2313 2314 2315 2316 2317 2318 2319 2320 2321 2322 2323 2324 2325 2326 2327 2328 2329 2330 2331 2332 2333 2334 2335 2336 2337 2338 2339 2340 2341 2342 2343 2344 2345 2346 2347 2348 2349 2350 2351 2352 2353 2354 2355 2356 2357 2358 2359 2360 2361 2362 2363 2364 2365 2366 2367 2368 2369 2370 2371 2372 2373 2374 2375 2376 2377 2378 2379 2380 2381 2382 2383 2384 2385 2386 2387 2388 2389 2390 2391 2392 2393 2394 2395 2396 2397 2398 2399 2400 2401 2402 2403 2404 2405 2406 2407 2408 2409 2410 2411 2412 2413 2414 2415 2416 2417 2418 2419 2420 2421 2422 2423 2424 2425 2426 2427 2428 2429 2430 2431 2432 2433 2434 2435 2436 2437 2438 2439 2440 2441 2442 2443 2444 2445 2446 2447 2448 2449 2450 2451 2452 2453 2454 2455 2456 2457 2458 2459 2460 2461 2462 2463 2464 2465 2466 2467 2468 2469 2470 2471 2472 2473 2474 2475 2476 2477 2478 2479 2480 2481 2482 2483 2484 2485 2486 2487 2488 2489 2490 2491 2492 2493 2494 2495 2496 2497 2498 2499 2500 2501 2502 2503 2504 2505 2506 2507 2508 2509 2510 2511 2512 2513 2514 2515 2516 2517 2518 2519 2520 2521 2522 2523 2524 2525 2526 2527 2528 2529 2530 2531 2532 2533 2534 2535 2536 2537 2538 2539 2540 2541 2542 2543 2544 2545 2546 2547 2548 2549 2550 2551 2552 2553 2554 2555 2556 2557 2558 2559 2560 2561 2562 2563 2564 2565 2566 2567 2568 2569 2570 2571 2572 2573 2574 2575 2576 2577 2578 2579 2580 2581 2582 2583 2584 2585 2586 2587 2588 2589 2590 2591 2592 2593 2594 2595 2596 2597 2598 2599 2600 2601 2602 2603 2604 2605 2606 2607 2608 2609 2610 2611 2612 2613 2614 2615 2616 2617 2618 2619 2620 2621 2622 2623 2624 2625 2626 2627 2628 2629 2630 2631 2632 2633 2634 2635 2636 2637 2638 2639 2640 2641 2642 2643 2644 2645 2646 2647 2648 2649 2650 2651 2652 2653 2654 2655 2656 2657 2658 2659 2660 2661 2

