

**PLANNING COMMISSION
SITE PLAN WAIVER REQUEST REVIEW SHEET**

CASE NUMBER: SP-2016-0008C **PLANNING COMMISSION
HEARING DATE:** Sept. 13, 2016

PROJECT NAME: Lofts at 12th Street

ADDRESS: 2724 E. 12th Street

NEIGHBORHOOD PLAN: Chestnut

COUNCIL DISTRICT #: 1

APPLICANT: Big Red Dog (Mike Reyes) (512) 669-5560
2010 E. 5th Street Ste. 100
Austin, TX 78702

AGENT: San Antonio Dream Homes, LLC. (Shravan Parsi) (281) 862-5294
701 Brazos Street Ste. 1620
Austin, TX 78701

CASE MANAGER: Rosemary Avila Phone: 512-974-2784
Rosemary.avila@austintexas.gov

PROPOSED DEVELOPMENT:

The applicant is proposing to construct a five story multi-family residential development (30 units total) with associated site improvements. The site is 0.60 acres, located in the MLK TOD, and zoned TOD-NP-CO (Transit Oriented Development- Neighborhood Plan- Conditional Overlay).

DESCRIPTION OF WAIVERS:

The applicant is requesting a waiver from § 25-2-1063, “a person may not construct a structure 25 feet or less from a property in an urban family residence (SF-5) or more restrictive zoning district.” The applicant is requesting a 5’ setback on the west property line. The applicant is proposing 11 parking spaces, a transformer pad (10’ x 10’), and bicycle parking that are encroaching into the 25’ compatibility setback.

SUMMARY STAFF RECOMMENDATION:

Staff recommends approval of the waiver request. The proposed multi-family building is not within the 25’ compatibility setback. A portion of the site is within a Critical Water Quality Zone, there is a drainage easement, and the site frontage is 39’ wide, therefore the applicant is unable to build on the southern portion of the lot. Adjacent neighbors to the west of the site have signed support letters for the proposed parking within the 25 foot setback (see letters attached in the back-up material). The site complies with other compatibility standard requirements such as lighting and screening.

COMPATIBILITY:

Section 4.2.10 of the MLK TOD (Transit Oriented Development) states Compatibility Standards, as stipulated of Article 10 of Chapter 25-2 of the LDC, shall apply to all properties within the TOD District.

Section 25-2-1051 states that “Article 10 Compatibility Standards apply if a use in a SF-6 or less restrictive zoning district is located on a property across the street from or adjoining a property on which a

use is permitted in a SF-5 or more restrictive zoning district is located.”

The proposed development is subject to Compatibility Standards on the west property line due to the adjacent properties zoned SF-3-NP.

Per the Design Regulations schedule in 25-2-1067(H) of the LDC, the setback for the driveway is 0 feet, due to the E. 12th street frontage being 39 feet. Since the parking area is over 125 feet wide, the back part of the lot cannot fall under the Design Regulations schedule and is subject to the 25’ standard Compatibility setback.

PROJECT INFORMATION:

SITE AREA	26,136 square feet	.60 acres
EXISTING ZONING	TOD-NP-CO	
WATERSHED	Boggy Creek	
WATERSHED ORDINANCE	Comprehensive Watershed Ordinance (Urban)	
TRAFFIC IMPACT ANALYSIS	Not required	
CAPITOL VIEW CORRIDOR	None	
PROPOSED ACCESS	E 12 th Street	
	Allowed/Required	Proposed
FLOOR-AREA RATIO	2:1	1.28:1
BUILDING COVERAGE	95%	32.28%
IMPERVIOUS COVERAGE	95%	68.5%
PARKING	21	31

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	TOD-NP-CO	Multi-family Residential
<i>North</i>	TOD-NP-CO	Common Area
<i>South</i>	E 12 th St, then P-NP and Railroad	E 12 th St, then Railroad and Parks/Greenbelt
<i>East</i>	Railroad then P-NP	Railroad then Parks/Greenbelts
<i>West</i>	SF-3-NP	Single Family, Duplexes

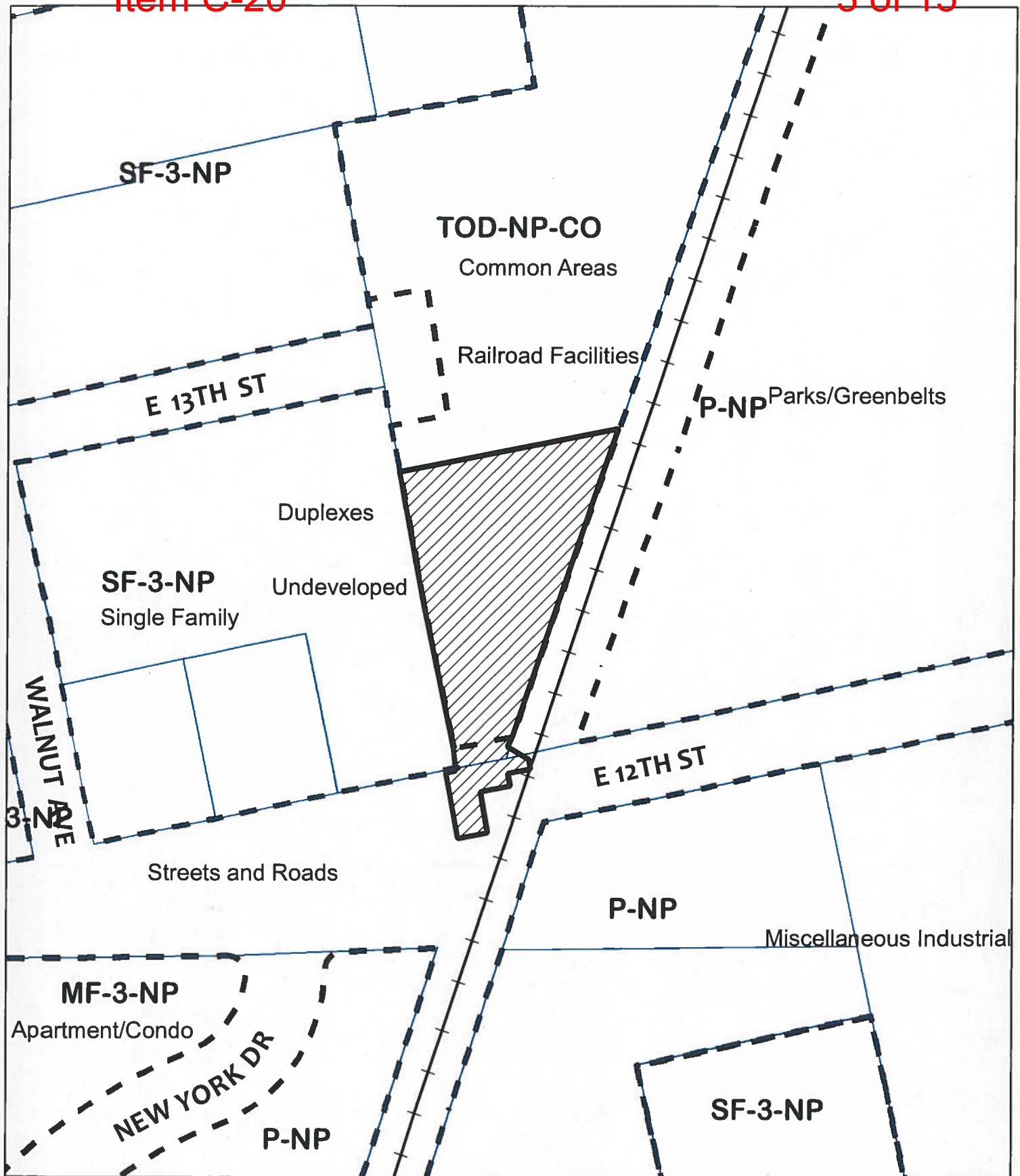
ABUTTING STREETS:

Street	Right-of-Way Width	Pavement Width	Classification
E 12 th Street	56’	40’	MNR 4 (Minor Arterial- 4 Lane)

NEIGHBORHOOD ORGNIZATIONS:

African American Cultural Heritage District
 Business Association
 Austin Heritage Tree Foundation
 Austin Independent School District
 Austin Neighborhoods Council
 Bike Austin
 Chestnut Addition Neighborhood Assn.
 Chestnut Commons HOA
 Chestnut Neighborhood Contact Team
 Chestnut Neighborhood Revitalization Corp.
 Del Valle Community Coalition

East Austin Conservancy
 Friends of Austin Neighborhoods
 Friends of Chestnut Neighborhood Plan
 Friends of Emma Barrientos MACC
 Homewood Heights Neighborhood Association
 Preservation Austin
 Rosewood Neighborhood Contact Team
 SEL Texas
 Sierra Club, Austin Regional Group
 United East Austin Coalition



Site Plan - Waiver

CASE#: SP-2016-0008C

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CASE NAME: Lofts at 12th Street

MANAGER: Rosemary Avila

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 the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



OPERATOR: R. Avila



METCALFE WOLFF
STUART & WILLIAMS, LLP
Attorneys at Law

MICHELE R. LYNCH
512.404.2251

September 6, 2016

Rodney Gonzales
City of Austin Development Services Dept.
505 Barton Springs Road, 1st Floor
Austin, Texas 78704

Re: East 12th Street Lofts (the "Project"); Planning Commission – Waiver to 25' Compatibility Setback; 2724 E. 12th Street (the "Property")

Dear Mr. Gonzales:

As representatives of the owner of the above stated Property we respectfully submit this letter requesting a waiver to the 25 foot setback requirement in Austin's Land Development Code § 25-2-1063.

LDC § 25-2-1081 (A) states the Land Use Commission may waive a requirement of this article if the Land Use Commission determinates that a waiver is appropriate and will not harm the surrounding area. However, any Land Use Commission Waiver may not reduce a required setback to less than five feet (LDC § 25-2-1081 (B)).

The Property is in the MLK Transit Oriented Development Regulating Plan ("MLK TOD"), and compatibility is triggered by the property owners to the west that are outside of the MLK TOD.

We are requesting a 5' setback on the western side of the Property, which will allow for bicycle and vehicular parking as well as a transformer, as shown on Exhibit "B". We offer the following reasons to demonstrate that this waiver is appropriate and will not harm the surrounding area:

1. The 25' compatibility setback is triggered by properties that are zoned Single Family Residence – Neighborhood Plan (SF-3-NP), all of which have offered support of this setback waiver; see Exhibit "B" for triggering properties and please find the compatibility support letters attached hereto under separate cover.
 - a. The developer of the Project has agreed to provide screening in between the parking on the Property and the properties to the west.
2. The Property is constrained by Railroad Right-of-Way, floodplain, and a drainage easement. Therefore, development is only allowed on certain portions of a small tract. The proposed building was shifted away from the adjacent neighbors, but some of the parking must encroach in the 25' compatibility setback; see Exhibit "C".

Because this compatibility setback waiver request (from 25' to 5') is appropriate, will not harm



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the surrounding area, is not less than 5', and is supported by the property owners triggering compatibility, we respectfully request staff support.

If you have any questions or need additional information, please feel free to contact me or the project engineer.

Sincerely,

Michele R. Lynch,
Michele R. Lynch

MRL:kw
Enclosures

cc: Shravan Parsi, Owner
Cliff Kendall, Big Red Dog
Ron Pope, Architect

Exhibit "A"

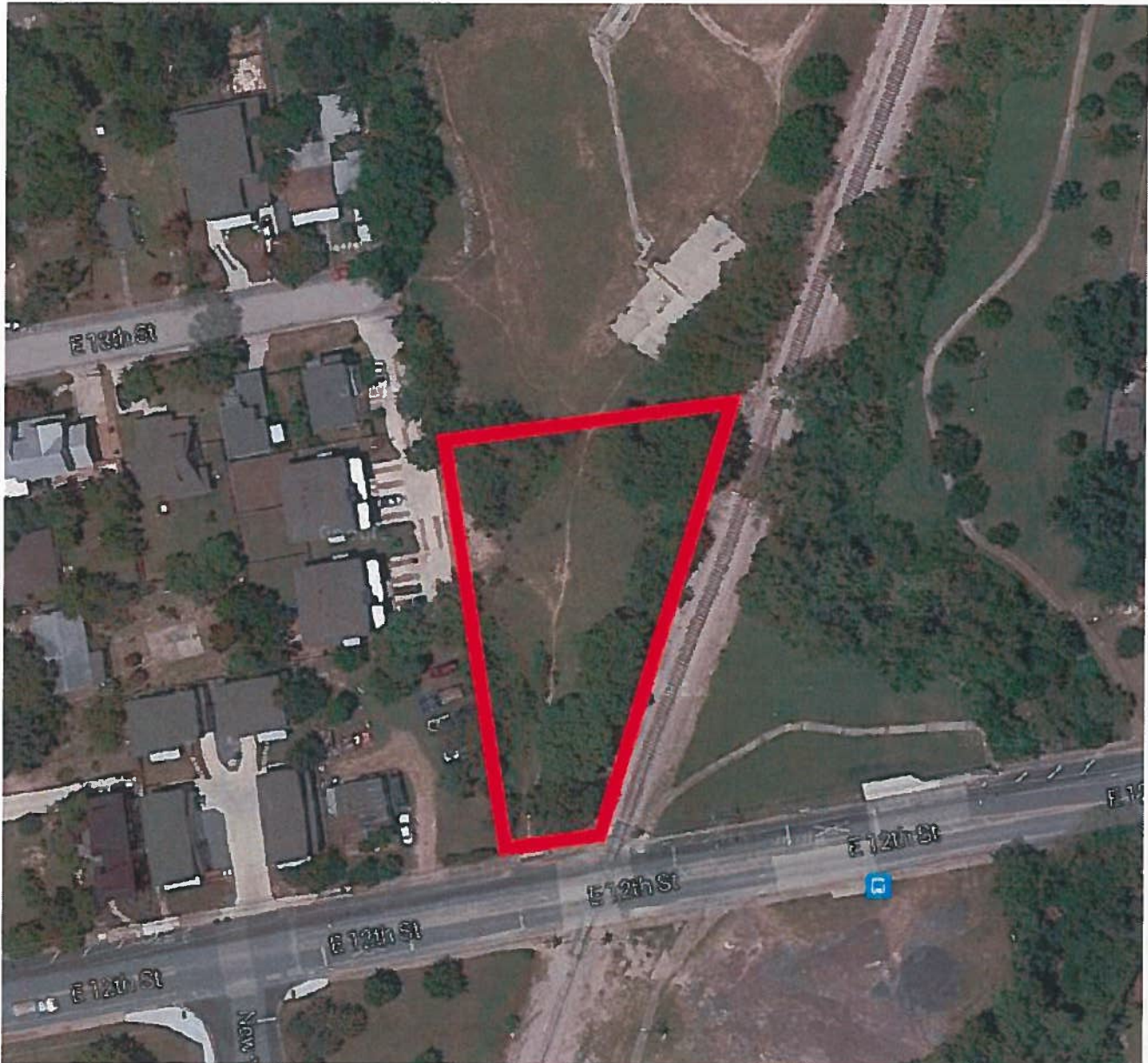
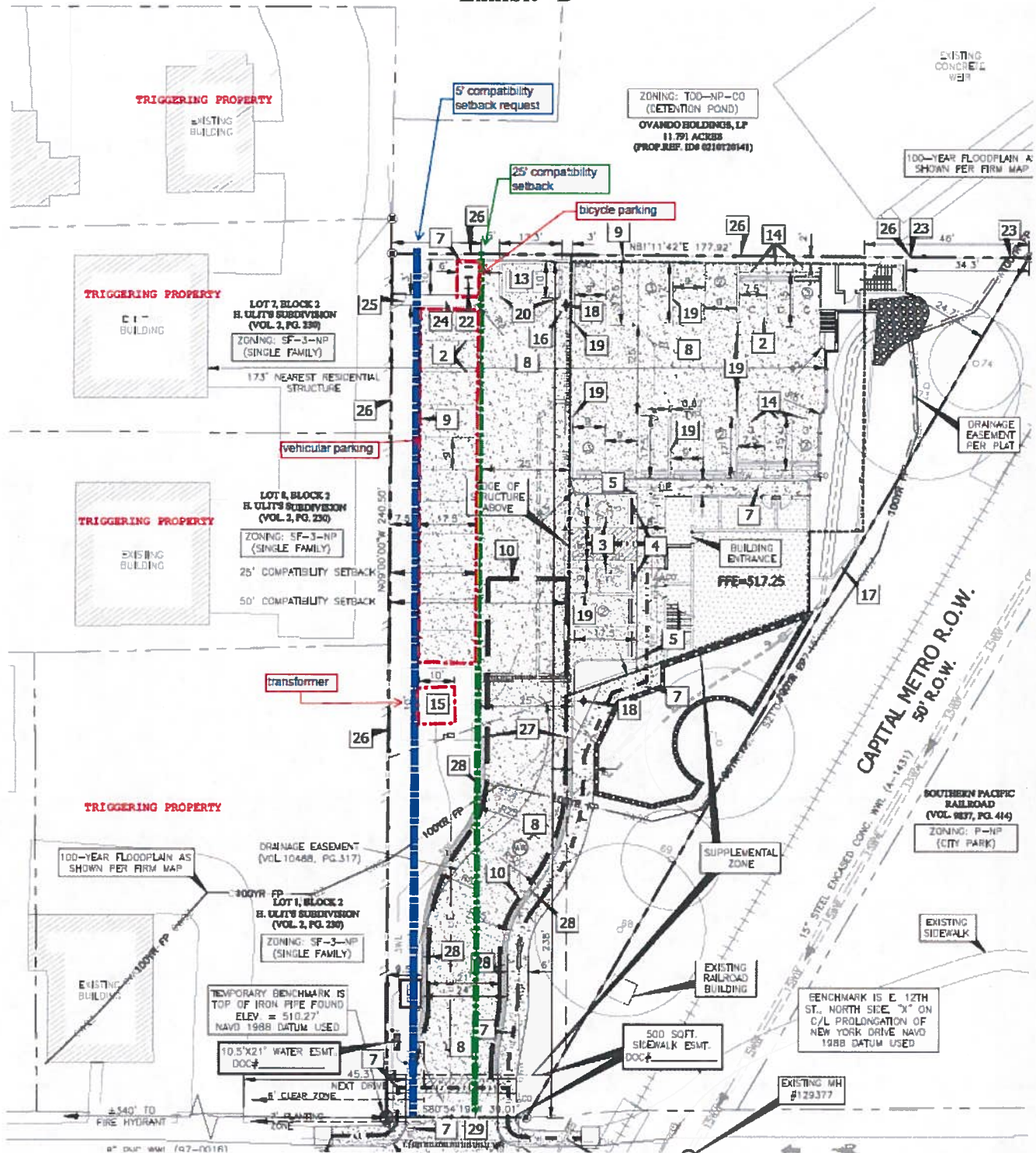
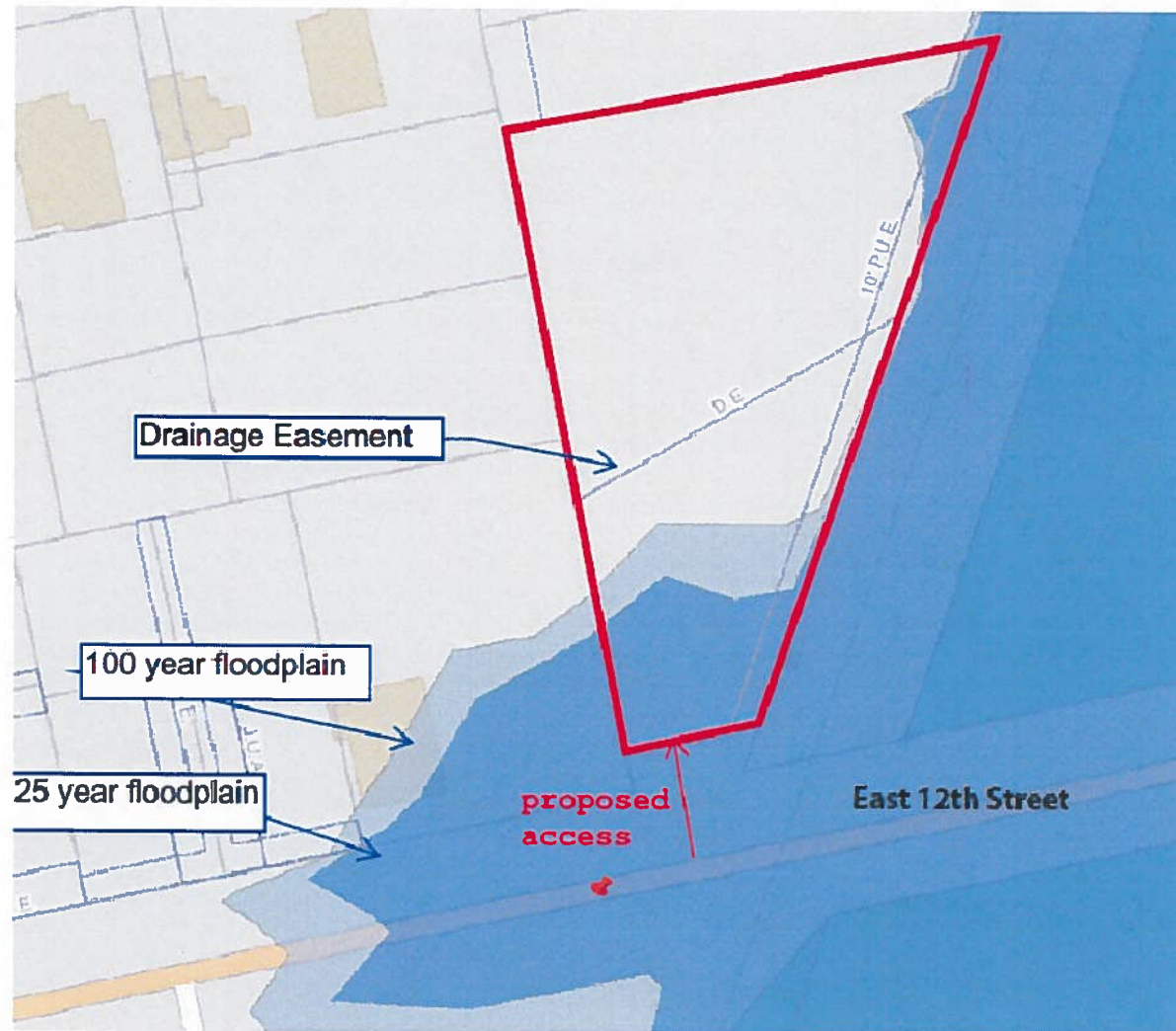


Exhibit "B"



MICHELE R. LYNCH
512.404.2251

Exhibit "C"



To Whom It May Concern:

I am a landowner with property, which abuts a .6-acre lot located at 2724 East 12th Street. As such, Napa Ventures, the owner of the above-mentioned lot, approached me about their desire to develop the site into a residential transit oriented development. I have seen preliminary plans for development, and as a neighboring property owner I would be willing to support the construction of a 5-story residential building as well as parking within 25 feet of the property adjacent to my property.

Thank you for your consideration on this matter.

Signed:

Ray Jackson Sr.

Date:

7-21-2015

Name:

Ray Jackson Sr.

Address:

2724 East 12th St.

Phone:

512 628 0259

Email:

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Thank you for your consideration on this matter.

Signed: Afrand Razian

Date: 7/24/15

Name: Afrand Razian

Address: 2709 E. 13th St Unit F

Phone: 832-876-1051

Email:

To Whom It May Concern:

I am a landowner with property, which abuts a .6 acre lot located at 2724 East 12th Street. As such NAPA Ventures, the owner of the above-mentioned lot, approached me about their desire to develop the site into a residential transit oriented development. I have seen the preliminary plans for development, and as a neighboring property owner I would be willing to support the construction of a 5-story residential building as well as parking within 25 feet of the property adjacent to my property.

Thank you for your consideration on this matter.

Signed:



Date:

7.30.15

Name:

Michael Streiter

Address:

2709 East 13th St. Unit D Austin, TX
78702

Phone:

214 546 4011

Email:

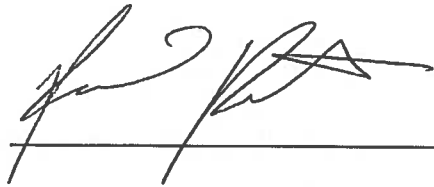
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Thank you for your consideration on this matter.

Signed:



Date:

7-22-15

Name:

Paul Pita

Address:

2709 E. 13th Street Austin TX 78702

Phone:

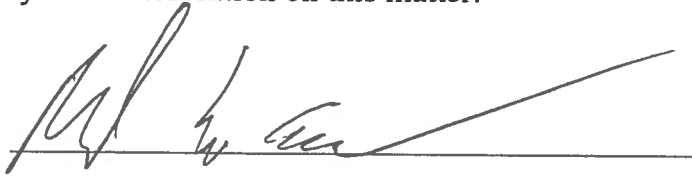
774-238-8586

Email:

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Thank you for your consideration on this matter.

Signed:



Date:

11/12/15

Name:

Mike Bickford

Address:

2709 E ~~12~~ 13th St. Unit E

Email:

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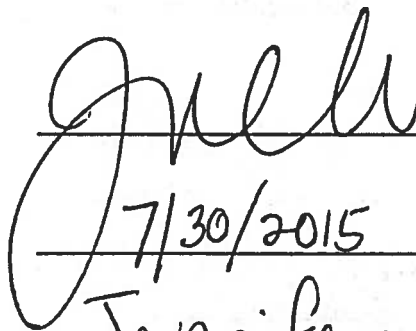
Date:

Name:

Address:

Phone:

Email:


7/30/2015
Jennifer Hollers
2709 E 13th St. 1 78702
(512) 826 3040

