## CITY OF AUSTIN Board of Adjustment Decision Sheet

## DATE: Monday, April 10, 2017

## CASE NUMBER: C15-2017-0015

Y\_\_\_\_Brooke Bailey N\_\_\_\_William Burkhardt Y\_\_\_\_Eric Goff Y\_\_\_\_Melissa Hawthorne Y\_\_\_\_Bryan King Y\_\_\_\_Don Leighton-Burwell Y\_\_\_\_Don Leighton-Burwell Y\_\_\_\_Rahm McDaniel Y\_\_\_\_Rahm McDaniel Y\_\_\_\_Veronica Rivera -\_\_\_\_James Valadez Absent Y\_\_\_\_Michael Von Ohlen Y\_\_\_\_Kelly Blume (Alternate) -\_\_\_\_Martha Gonzalez (Alternate) Y\_\_\_\_Pim Mayo (Alternate)

**OWNER/APPLICANT: Sudhakar Allada** 

## ADDRESS: 911 22ND ST

VARIANCE REQUESTED: The applicant has requested variance(s) to Section 25-6-601 (A) (Parking Requirements for University Neighborhood Overlay District) to reduce the number of required parking spaces from 21 spaces (required, 60% of the spaces required by Appendix A) to 8 spaces (requested) in order to erect a 20 unit, 62 bedroom multifamily use in a "MF- 4 - CO - NP" Multifamily Residence Medium Density – Conditional Overlay - Neighborhood Plan zoning district. (West University, Outer West Campus)

**BOARD'S DECISION:** March 13, 2017 The public hearing was closed on Board Member Eric Goff motion to Postpone to April 10, 2017, Board Member Rahm McDaniel second on a 10-1 vote (Board member Bryan King nay); POSTPONED TO APRIL 10, 2017. April 10, 2017 POSTPONED TO MAY 8, 2017

## **FINDING:**

- 1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
- 2. (a) The hardship for which the variance is requested is unique to the property in that:(b) The hardship is not general to the area in which the property is located because:
- 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:

Leane Heldenfels

Executive Liaison

William Burkhard Chairman

## CITY OF AUSTIN Board of Adjustment Decision Sheet

## DATE: Monday, March 13, 2017

## CASE NUMBER: C15-2017-0015

- \_\_\_-Brooke Bailey (Absent)
- \_\_\_\_y\_\_\_William Burkhardt
- y\_\_\_Eric Goff Motion to pp to April 10, 2017
- \_\_\_\_y\_\_\_Melissa Hawthorne
- \_\_\_n\_\_Bryan King
- \_\_\_\_y\_\_\_Don Leighton-Burwell
- \_\_\_y\_\_Rahm McDaniel 2<sup>nd</sup> the Motion
- \_\_\_y\_\_\_Melissa Neslund
- \_\_\_\_\_Veronica Rivera out-not able to serve due to lack of training
- \_\_\_y\_\_\_James Valadez
- \_\_\_\_\_Michael Von Ohlen out-not able to serve due to lack of training
- \_\_\_y\_\_\_Kelly Blume (Alternate)
- \_\_\_\_y\_\_\_Martha Gonzalez (Alternate)
- \_\_\_y\_\_\_Pim Mayo (Alternate)

## **OWNER/APPLICANT: Sudhakar Allada**

## ADDRESS: 911 22ND ST

VARIANCE REQUESTED: The applicant has requested variance(s) to Section 25-6-601 (A) (Parking Requirements for University Neighborhood Overlay District) to reduce the number of required parking spaces from 21 spaces (required, 60% of the spaces required by Appendix A) to 8 spaces (requested) in order to erect a 20 unit, 62 bedroom multi-family use in a "MF- 4 - CO - NP" Multifamily Residence Medium Density – Conditional Overlay - Neighborhood Plan zoning district. (West University, Outer West Campus)

**BOARD'S DECISION:** March 13, 2017 The public hearing was closed on Board Member Eric Goff motion to Postpone to April 10, 2017, Board Member Rahm McDaniel second on a 10-1 vote (Board member Bryan King nay); POSTPONED TO APRIL 10, 2017.

## **FINDING:**

- 1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
- 2. (a) The hardship for which the variance is requested is unique to the property in that:(b) The hardship is not general to the area in which the property is located because:
- 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:

Leane Heldenfels

Executive Liaison

William Burkhardt Chairman



1 " = 120 '

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made



**CITY OF AUSTIN Development Services Department** One Texas Center | Phone: 512,978,4000 505 Barton Springs Road, Austin, Texas 78704

## **Board of Adjustment General/Parking Variance Application**

## WARNING: Filing of this appeal stops all affected construction activity.

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, click here to Save the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. If more space is required, please complete Section 6 as needed. All information is required (if applicable).

For Office Use Only	
Case # <u>C15-2015</u> CO15 ROW # <u>11673730</u>	Tax # 0212010802- TCAD
Section 1: Applicant Statement	
Street Address: 911 W 22nd St, Austin, Tx, 78705	
Subdivision Legal Description:	
0.156 acres of land, being a portion of Outlot 25, Division	"D"
Lot(s): Block(s)	):
Outlot: 25 Division	
Zoning District: MF-4-CO-NP, in the UNO District (Wegt )	Iniversity)
Sudhakar Allada	on behalf of myself, as
authorized agent for <u>Allada Uno, LLC</u>	affirm that on
Month February , Day 13 , Year 2017	
Board of Adjustment for consideration to (select appropriate	
	Maintain O Other:
Type of Structure: <u>4-story student housing building</u>	
City of Austin I Board of Adjustment General/Parking Variance Application	

sument General/Parking variance Application

09/11/2015 | Page 4 of 8

()3/4

Portion of the City of Austin Land Development Code applicant is seeking a variance from:

Reduction from University Neighborhood Overlay (UNO) ordinance parking and loading (?)

REQUIRED 21, PROPOSED 3 (	(PARKING)
	(LOADING)
PROPOSING 1 PARKING SPOT TO BE A	(
ection 2: Variance Findings	

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 supporting documents.

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.

I contend that my entitlement to the requested variance is based on the following findings:

## **Reasonable Use**

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

The UNO zoning promotes high density, affordable student housing in a pedestrian oriented environment. This was in part to promote the construction of student housing in and around west campus and to keep dense student housing out of the surrounding single-family neighborhoods. The parking requirements restrict the ability of the proposed development to provide affordable housing.

## Hardship

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

The small size of this lot does not allow for the construction of a multi-level parking garage as the ramps required would take up the majority of the lot area, minimizing the area allowed for actual parking stalls. Furthermore, this project has opted into 25-6-601 C2 of the LDC to provide at least 10% of the dwelling units to house persons whose household income is less than 50% of the Austin median income, on option not taken by the majority of west campus developments.

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

Most of the lots in the UNO are not this small and therefore can sustain a parking garage, including ramps for different levels of parking.

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## Area Character

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:

UNO requires the leasing of the parking spaces separate from the leasing of an apartment. One of the goals of the UNO district is to discourage students from bringing private cars to Austin. However, should a student wish to have a car nearby, other UNO projects who are not as constrained by the geometry of their site, have excess parking that they lease out to the public. It is possible for those who wish to have a car to enter a yearly lease with these public garages.

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 in the City of Austin Land Development Code Chapter 25-6, Appendix A 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:

 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 specific regulation because:

The calculated parking requirement for student housing no longer corresponds to the current or anticipated future parking needs for UNO residents. Students are not allowed to park on campus; they must utilize public transportation or walk to get to and around campus. There are plenty of garages nearby for students who choose to bring a car to west campus to lease.

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:

The onsite parking will be sufficient for ADA requirements and will provide an area of loading and unloading for residents. All on street parking is in the UNO parking benefit district and is metered. This was done to regulate on street parking and prevent the interference with the free flow of traffic. No additional cars will be allowed to park in areas not currently slated for parking:

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

UNO's goal is to create a predominately pedestrian area, nudging students to use public transportation when at all possible. The University furthers this cause: walking or taking the bus is the only way to access campus during the school day. Reducing the number of cars is a goal of UNO. This principal is furthered along by the inclusion of car and ride sharing programs.

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

The change of use from a small house of students to a multi-story student housing structure with the parking variance will be a long term use and use of the site will be in place for decades.

## Section 3: Applicant Certificate

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

Applicant Signature:	Thes	Date: 02/13/2017
Applicant Name (typed or printed): Sud	hakar Allada	
Applicant Mailing Address: 10007 Stone	e Harbor Way	
City: Irving	State: TX	Zip: 75063
Phone (will be public information): (512	2) 339-9518	
Email (optional - will be public informati	on): sallada@vahoo.com	

## **Section 4: Owner Certificate**

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

Owner Signature: Sucher		Date: 02/13/2017
Owner Name (typed or printed): Sudhakar Allada.	manager of Allada Uno, L	LC
Owner Mailing Address: 10007 Stone Harbor Way	/	
City: Irving	State: TX	Zip: 75063
Phone (will be public information): (512) 339-951	8	
Email (optional – will be public information): sallad	da@yahoo.com	
Email (optional – will be public information): sallad	la@yahoo.com	

## **Section 5: Agent Information**

Agent Name: Michael R. McHone		
Agent Mailing Address: P.O. Box 8142		
City: Austin	State: Tx	Zip: 78713
Phone (will be public information): (512) 554-8440		
Email (optional - will be public information): mchone1	234@sbcglobal.net	

## Section 6: Additional Space (if applicable)

Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).



City of Austin

P.O. Box 1088, Austin. TX 78767 mmm.eityofaustin.org/ housing

## **Neighborhood Housing and Community Development Department**

February 9, 2016

S.M.A.R.T. Housing- Preliminary Certification Allada UNO LLC – AVON at 22<sup>nd</sup> (ID #66060)

TO WHOM IT MAY CONCERN:

Allada UNO LLC – AVON at 22<sup>nd</sup> (development contact: Sudhakar Allada, 512.339.9518 (m); sallada@yahoo.com) has submitted a S.M.A.R.T. Housing application for the construction of a 22 unit (63 bedroom) multi-family development at 911 W 22<sup>nd</sup> Street, Austin TX 78705 in the University Overlay District of the West Campus Neighborhood Planning Area. The project will be subject to a forty (40) year affordability period after issuance of certificate of occupancy. Per the UNO Ordinance, 20140213-056, the applicant has elected to rent by the <u>unit</u>. This project is electing to pay the fee-in-lieu versus providing an additional 10% of affordable units or bedrooms. Prior to issuance of the certificate of occupancy, the fee-in-lieu calculation must be finalized and paid in full to the Neighborhood Housing and Community Development office and the applicant must enter into a Restrictive Covenant stating the affordability requirements and terms which will be filed for record at the Travis County Clerk Office.

NHCD certifies that the proposed construction will meet the S.M.A.R.T. Housing standards at the pre-submittal stage. Since 10% of the units (2 units) will serve households at or below 60% Median Family Income (MFI), the development will be eligible for 25% waiver of the fees listed in Exhibit A of the S.M.A.R.T. Housing Resolution adopted by the City Council. The expected fee waivers include, but are not limited to, the following fees:

Capital Recovery Fees Building Permit Concrete Permit Electrical Permit Mechanical Permit Plumbing Permit Site Plan Review Misc. Site Plan Fee Construction Inspection Subdivision Plan Review Misc. Subdivision Fee Zoning Verification Land Status Determination Building Plan Review Parkland Dedication (by separate ordinance)

In addition, the development must:

- Pass a final inspection and obtain a signed Final Approval from the Green Building Program. (Separate from any other inspections required by the City of Austin or Austin Energy. Contact Austin Energy Green Building: 512-482-5300 or greenbuilding@austinenergy.com).
- Pass a final inspection to certify that accessibility standards have been met.

The applicant must demonstrate compliance with the reasonably-priced standard after the completion of the units, or repay the City of Austin in full the fees waived for this S.M.A.R.T. Housing certification.

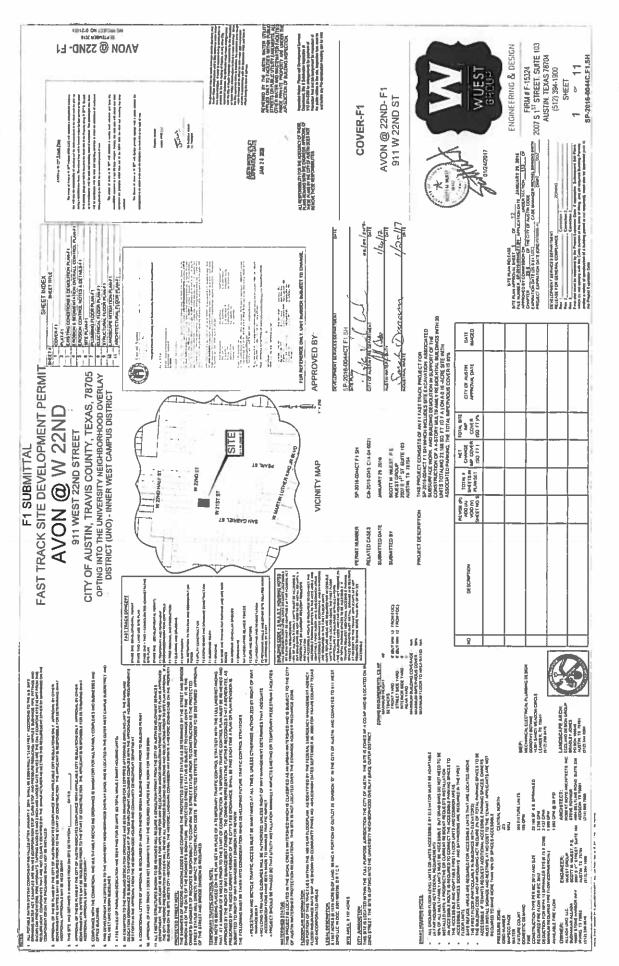
Please contact me by phone 512.974.3128 or by email at Sandra.harkins@austintexas.gov if you need additional information.

u kins 2 and Na Sandra Harkins

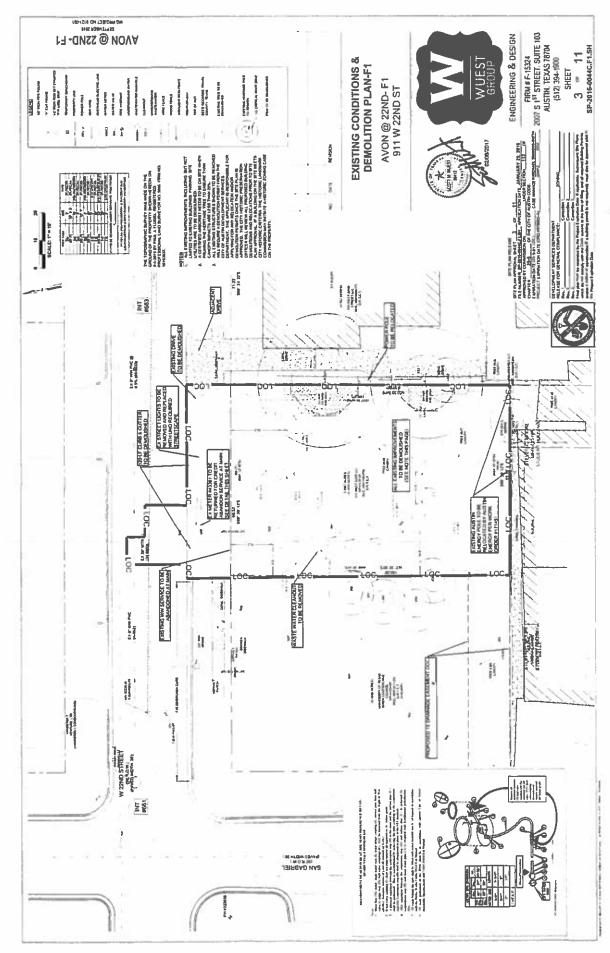
Neighborhood Housing and Community Development

Cc: Laurie Shaw, Capital Metro Maureen Meredith, PZD M. Simmons-Smith, DSD Katherine Murray, Austin Energy Randi Jenkins, AWU Ellis Morgan, NHCD Bryan Bomer, AEGB Gina Copic, NHCD Marilyn Lamensdorf, PARD Heidi Kasper, AEGB Carl Wren, DSD

Alma Molieri, DSD Susan Kinel, NHCD Stephen Castleberry, DSD Lynda Courtney, DSD Cande Coward, DSD

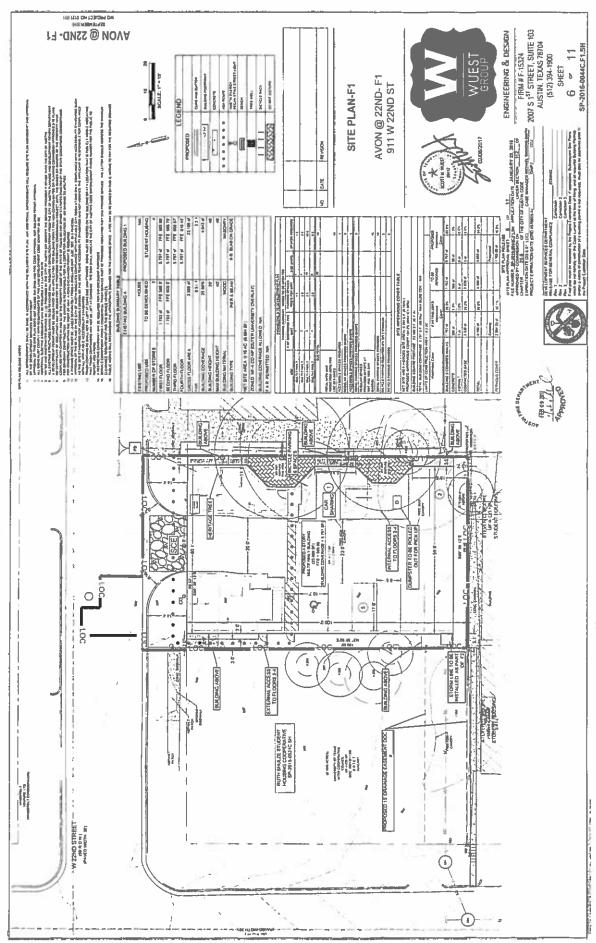


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## Heldenfels, Leane

From: Sent: To: Subject: Attachments:

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Wednesday, March 08, 2017 4:32 PM Heldenfels, Leane Re: 2/13 Board of Adjustment agenda, back up Avon Variance Request1.pdf L03/12

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C19-2017-0015

Leane,

Attached is a presentation that I would like to present at the meeting. I did meet with UAP and CANPAC. I waiting for their response.

Thanks Sudhakar

From: "Heldenfels, Leane" < eane.Heldenfels@austintexas.gov> To: Gavino Fernandez

Sent: Wednesday, March 8, 2017 4:01 PM Subject: FW: 2/13 Board of Adjustment agenda, back up

Greetings 3/13 Board of Adjustment Applicants, Agents and involved staff:

Please see attached meeting agenda and Austin Energy report.

If you would like to request to have your case postponed or withdrawn from the Board's agenda please **reply to just me (not all)** by noon Monday and advise.

I will then announce any known requests for postponement or withdraw at the beginning of the hearing, 5:30, and then these requests are voted on by the Board at that time.

If your case if proceeding Monday please print out a copy of the agenda and bring to the hearing to keep track of cases as we will <u>not</u> have paper copies at the hearing.

The agenda and case back up are now posted online at the Board's website:

## http://www.austintexas.gov/cityclerk/boards\_commissions/meetings/15\_1.htm

(If this link doesn't work go to austinexas.gov, click on government tab near top of page, click on Boards and Commissions small tab near top of page, highlight Board of Adjustment and click view website, open agenda folder to left of page, see the December 12 meeting materials).

Please go to the Board's website now to take a look at the back up material posted there.

## C15-23/17-2015

NOTICE OF CONFIDENTIALITY RIGHTS: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.

## Memorandum of Parking Agreement (AVON at W 22nd)

Date:	March 0	8, 2017
Landlord: Landlord Address:		N GABRIEL LLC, A TEXAS LIMITED LIABILITY COMPANY N GABRIEL, Austin, Travis County, TX 78705
Tenant:	ALLADA	UNO LLC, a Texas limited liability company
Tenant Address:		tone Harbor Way allas County, Texas 75063
Benefited Property:	Division County,	0.1570) acres of land, being a portion of Outlot 25, "D", in the City of Austin in Deed Records of Travis Texas, and having received Legal Lot Status per City of ase Number C81-2015-0345.
Benefited Property A	ddress:	911 W 22 <sup>nd</sup> street Austin, Travis County, Texas 78705
Benefited Property S	ite Plan:	City of Austin Site Plan No. SP-2017-0044CT.F1.SH as amended, revised or corrected from time to time
Parking Agreement:		The parking agreement executed by and between Landlord and Tenant, dated on or about March 08, 2017, and concerning the terms and conditions of making the Parking Spaces available to the Benefited Property at the off-site Parking Facility Location in order to comply with the parking requirements of the Benefited Property Site Plan.

Parking Facility Location:	1909 and 1907 San Gabriel Street
	Austin, Travis County, Texas 78705

Parking Spaces:	10 spaces
Termination Date:	December 31 <sup>sl</sup> , 2050
Consideration:	TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration advanced by Tenant to the Landlord pursuant to the Parking Agreement, the receipt and sufficiency of which is acknowledged.

WHEREAS, the Tenant entered into the Parking Agreement with Landlord;

WHEREAS, as part of the Consideration under the Parking Agreement, Landlord has agreed to make available to the Benefited Property the Parking Spaces at the Parking Facility Location to satisfy the parking requirements of the City of Austin under the Benefited Property Site Plan;

**NOW, THEREFORE,** the parties represent that on the Date the Landlord and Tenant agreed to the Parking Agreement with respect to the Benefited Property for the period stated in the Parking Agreement.

When the context requires, singular nouns and pronouns include the plural.

Executed effective the Date first above stated.

LANDLORD: 1909 SAN GABRIEL LLC, A TEXAS LIMITED LIABILITY COMPANY Name: Nick Cochtage Title: Monager

STATE OF TEXAS 8 8 COUNTY OF TRAVIS

Before me, Notary Public, on this day personally appeared, <u>NICK CoCHRANE</u> Manager of **1909 SAN GABRIEL LLC**, A TEXAS LIMITED LIABILITY COMPANY, known to me personally to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on March 9, 2017.

[Seal]

Notary Public, State of TEXAS



TENANT: ALLADA UNO LLC, A TEXAS LIMITED LIABILITY COMPANY

03/16

Name:Sudhakar Allada Title: Manager

STATE OF TEXAS 9 9

Before me, Notary Public, on this day personally appeared, Manager ALLADA UNO LLC,

A TEXAS LIMITED LIABILITY COMPANY, known to me personally to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office on March 9, 2017.

[Seal]

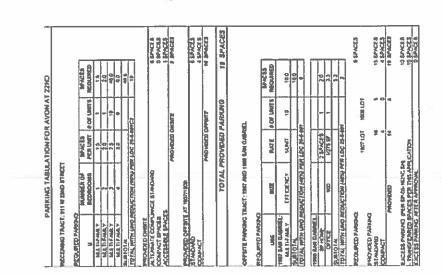
Notary Public, State of TEXAS



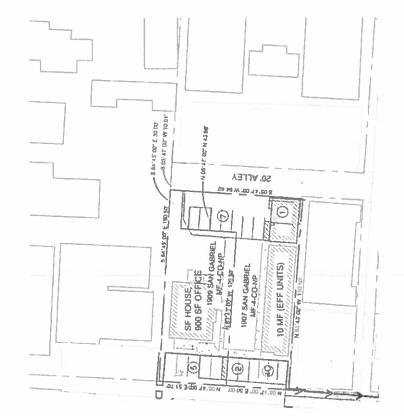
# Parking Availability at 1909 San Gabriel



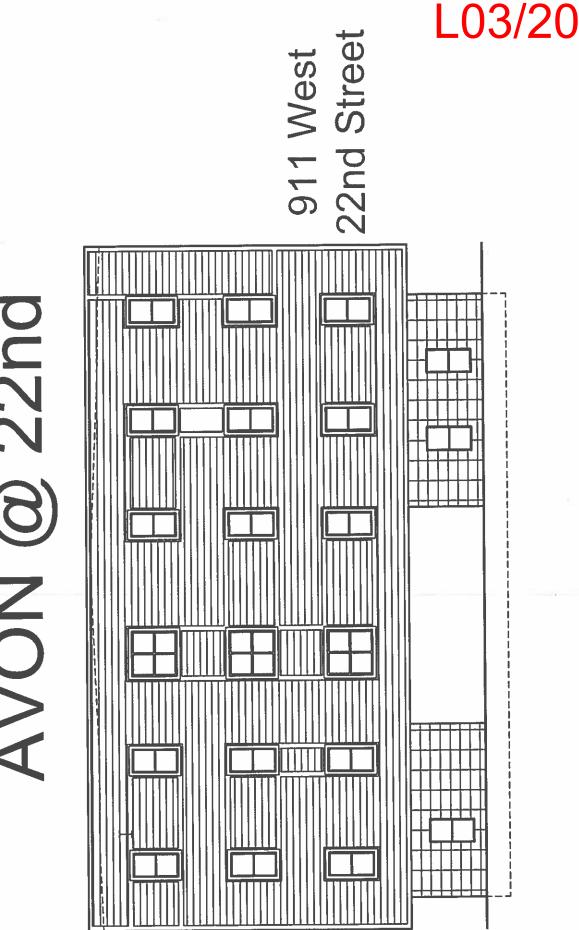
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Parking Table



Parking Availability at 1909 San Gabriel



AVON @ 22nd

# **Project Highlights**

20 unit 62 bedroom student housing

Affordability planned for 10% of Units

**Opted into Smart Housing** 

# Variances Requested:

Reduce the required number of on-site parking spaces from 21 to 8 (section 25-2-601C)

Off site parking may be provided at 1907/1909 San Gabriel

# UNO Zoning for 911 West 22nd

Allows for building on 100% of the lot

40 foot height limit due to conditional overlay

Requires parking to be leased seperately from the Unit

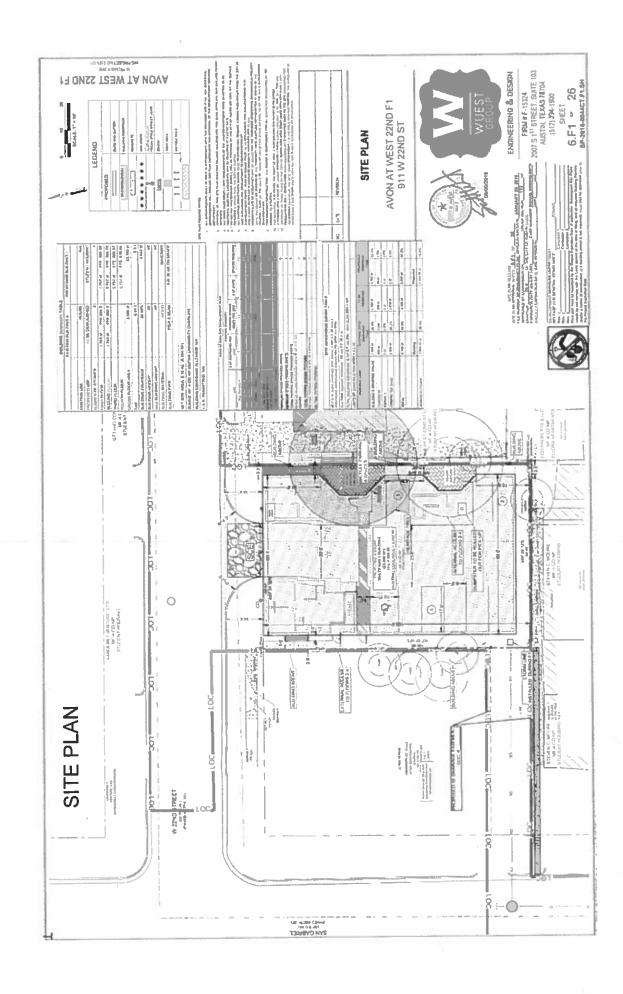


911 West 22nd, Narrow lot, No Alley Access

## Hardships

The small size of this lot does not allow for the construction of a multi-level parking garage as the ramps required would take up the majority of the lot area, minimizing the area allowed for actual parking stalls.

Lack of alley access and narrow site dimensions severely restrict the ability to construct a parking structure Most of the lots in the UNO are not this small and therefore can sustain a parking garage, including ramps for different levels of parking.

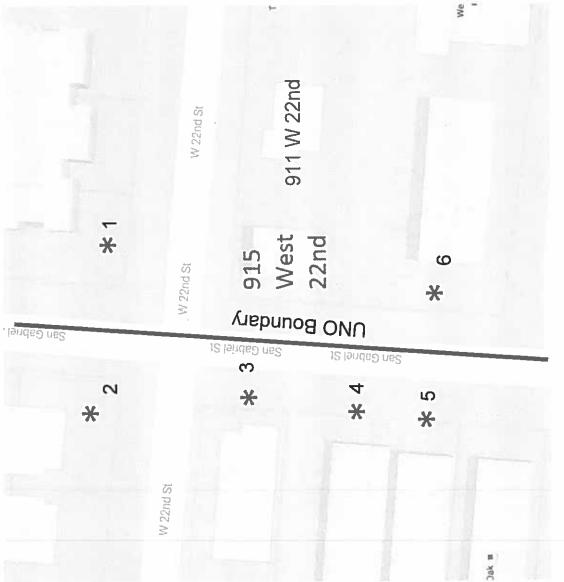


Drainage issue and proposed easement area

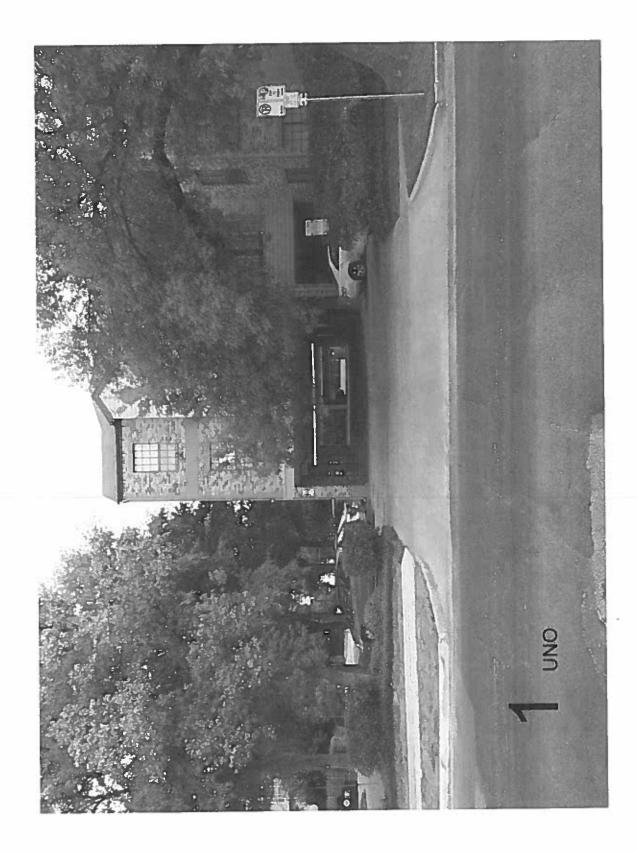


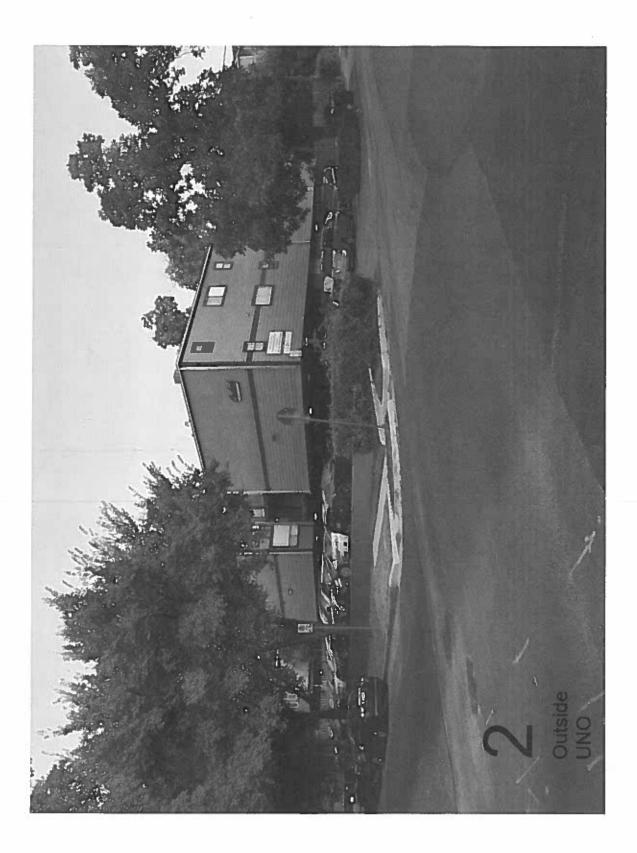
## Area Character

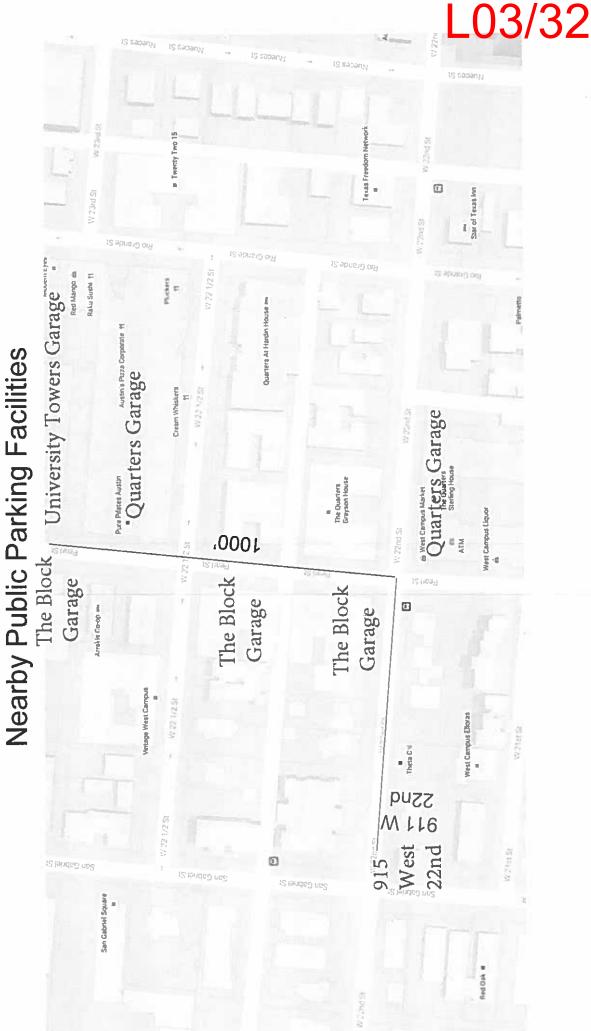
both with future UNO projects, as well as the adjacent properties outside the UNO A small parking garage will be in character with the surrounding neighborhood, area.

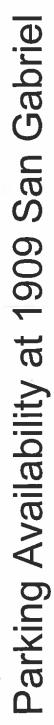


## Neighboring Garage Parking



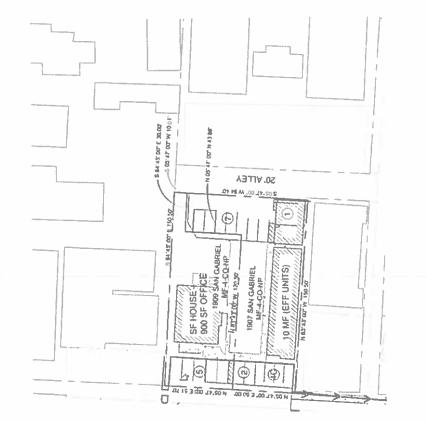








## Parking Table



Parking Availability at 1909 San Gabriel



## Heldenfels, Leane

From: Sent: To: Subject: Attachments: Jesse Justice Justice

Hi Leane,

Attached is Nick Cochrane's letter supporting Sudhakar Allada's 911 w 22nd street variance for parking.

Thanks, Jesse R Mamuhewa >

> Scan Date: 03.07.2017 17:17:41 (-0500) Queries to:

	process, visit our web site: www.austintexas.gov/devservices	For additional information on the City of Austin's land development	department no later than 10 days after the decision. An appeal form may be available from the responsible department.	the subject property or proposed development. A notice of appeal must be filed with the director of the responsible	• is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of	<ul> <li>is the record owner of property within 500 feet of the subject property or proposed development; or</li> </ul>	property or proposed development;	• occupies a primary residence that is within 500 feet of the subject	<ul> <li>appearing and speaking for the record at the public hearing;</li> </ul>	notice); or	concern (it may be delivered to the contact person listed on a	• delivering a written statement to the board or commission before or	board or commission by:	owner of the subject property, or who communicates an interest to a	An interested party is defined as a person who is the applicant or record	will determine whether a person has standing to appeal the decision.	standing to appear, or an interestor party may is recurring an appeal	A board or commission's decision may be appealed by a person with
Email: leane.heldenfels@austintexas.gc	the hearing to be received timely Fax: (512) 974-6305	(Note: mailed comments must be	P. O. Box 1088 Austin. TX 78767-1088	Mail: City of Austin-Development Ser	Comments must be returned by noon seen by the Board at this hearing. Th						17		\$1.	Comments:		Davtime Telephone: 517-567-	Signature	

## Heldenfels, Leane

From: Sent: To: Subject: Gabe Tiberius Colombo Wednesday, March 08, 2017 10:19 AM Heldenfels, Leane Comment on Case No. C15-2017-0015, 911 W. 22nd St

Dear Ms. Heldenfels,

I am writing to express my opinion **in favor** of granting a parking variance for the proposed multifamily housing project at the listed address.

As an urban studies senior at UT, I have developed an understanding of the way individual decisions on seemingly inconsequential matters such as parking spaces can impact the way the city grows, and the way we experience the city, in significant ways.

I have a strong conviction that building denser housing with fewer parking spaces, which both discourages driving and makes streets more pleasant to walk on, is essential to creating the 'compact and connected' Austin that is stated as a goal in the ImagineAustin plan. This means we must make the right decisions in each small instance.

West Campus has already developed a significant density as to allow many daily needs to be met without the use of a car; and improving street design in the neighborhood is, slowly but surely, making it a safer and more pleasant place to walk. Of all places to allow for fewer parking spaces, West Campus is in the best condition to mitigate a variance's potential impact on the transportation needs of a project's future residents.

For a more in-depth exploration of the relationship between parking requirements and building great cities, please take a look at this <u>article</u>.

I will reiterate that I am strongly in favor of granting the parking variance to allow fewer parking spaces to be built at this property.

Thank you for your time and hard work.

Warm regards,

Gabe

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Gabe Colombo The University of Texas at Austin | Class of 2017 Plan II Honors and Urban Studies

<ul> <li>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:</li> <li>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 person listed on a notice); or</li> <li>appearing and speaking for the record at the public hearing; and:</li> <li>occupies a primary residence that is within 500 feet of the subject property or proposed development;</li> <li>is the record owner of property within 500 feet of the subject property or proposed development;</li> <li>an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.</li> <li>For additional information on the City of Austin's land development</li> </ul>	<ul> <li>PUBLIC HEARING INFORMATION</li> <li>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 application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.</li> <li>During a public hearing, the board or commission may postpone or continue an 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 will be sent.</li> <li>A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision.</li> </ul>
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Fax. (312) 7/1-0303 Email: lcanc.heldenfels@austintexas.gov
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P. O. Box 1088
Leane Heldenfels
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Public Hearing: Board of Adjustment, March 13, 2017
Contact: Leane Heldenfels, 512-974-2202, leane heldenfels@austintexas.gov
Case Number: C15-2017-0015, 911 W. 22 <sup>nd</sup> St.
Case Number; and the contact person listed on the notice. All comments
board or commission, or Council; the scheduled date of the public hearing; the
Written comments must be submitted to the contact person listed on the notice

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<ul> <li>is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.</li> <li>A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.</li> <li>For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/devservices</li> </ul>	<ul> <li>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: <ul> <li>delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (<i>it may be delivered to the contact person listed on a notice</i>); or <ul> <li>appearing and speaking for the record at the public hearing;</li> <li>occupies a primary residence that is within 500 feet of the subject property or proposed development;</li> </ul> </li> </ul></li></ul>	<b>PUBLIC HEARING INFORMATION</b> Although applicants and/or their agent(s) are expected to attend a public hearing, <u>you are not required to attend</u> . However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed application. 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. 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 will be sent. A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.
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<b>Comments must be returned b</b> seen by the Board at this hearin Mail: City of Austin-Developm Leane Heldenfels P. O. Box 1088 Austin, TX 78767-1088 (Note: mailed comments) the hearing to be received the hearing to be received		Written comments must be submitte before or at a public hearing. Your o board or commission, or Council; th Case Number; and the contact perso received will become part of the p Case Number: C15-2017-001 Contact: Leane Heldenfels, 512-9 Public Hearing: Board of Ad Public Hearing: Board of Ad Your Namd (please print) Your address(es affected by this ap Signature Daytime Telephone: 512 - 4

Email: leane.heldenfels@austintexas.gov
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Public Hearing: Board of Adjustment, March 13, 2017
<b>Contact:</b> Leane Heldenfels, 512-974-2202, leane.heldenfels@austintexas.gov
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Case Number; and the contact person listed on the notice. All comments
before or at a public heating. I our continuents should include the number of the hearing; the
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For additional information on the City of Austin's land development (Not process, visit our web site: www.austintexas.gov/devservices Fax: (512)	A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may p. 0	ntal or neighborhood organization that clared boundaries are within 500 feet of sed development.	<ul> <li>and:</li> <li>occupies a primary residence that is within 500 feet of the subject property or proposed development;</li> <li>is the record owner of property within 500 feet of the subject property or proposed development; or</li> </ul>	<ul> <li>concern (it may be delivered to the contact person listed on a notice); or</li> <li>appearing and speaking for the record at the public hearing;</li> </ul>	<ul> <li>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:         <ul> <li>delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of</li> <li>Comments:</li> <li>Comments:</li></ul></li></ul>	ho J Daytime	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 will be sent. Your address	Although applicants and/or their agent(s) are expected to attend a public hearing, <u>you are not required to attend</u> . However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed application. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.	PUBLIC HEARING INFORMATION         Written complete           before or at a         before or at a
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Written comments must be submitted to the contact person listed on the notice	N.

## L03/42 C15-2017-0015

## Heldenfels, Leane

From: Sent: To: Subject:

Eric Goff • Friday, March 17, 2017 1:55 PM Heldenfels, Leane Fwd: 911 W. 22nd St. BOA case

In order to increase the chances of a win-win outcome that satisfies both sides on the 911 W. 22nd case, I'm wondering whether we could involve Larry Schooler as a facilitator/mediator to help the parties find consensus solutions.

Not sure what the procedure is for this, but wanted to forward this along for the record.

----- Forwarded message -----From: Schooler, Larry <<u>larry.schooler@austintexas.gov</u>> Date: Fri, Mar 17, 2017 at 1:08 PM Subject: 911 W. 22nd St. BOA case To:

Hey, Eric-long time, no talk; hope you're well.

I just finished working on a case for Planning and Zoning along Thornton Road, functioning as a facilitator/mediator of sorts between the developer and neighbors, and I'm curious whether you think it might be helpful to have a similar type of meeting with Sudhakar Allada and the nearby neighbors on that project. LMK your thoughts. Thanks.

Larry Schooler Manager, Public Engagement Division, Communications and Public Information Office (512) 974-6004 ConversationCorps.org SpeakUpAustin.org Austintexas.gov/community

Leane,

We are redesigned the parking level and therefore we request to postpone our case hearing at the BOA today.

Thanks Sudhakar

Sent from my iPhone

On Apr 5, 2017, at 1:35 PM, Heldenfels, Leane <<u>Leane.Heldenfels@austintexas.gov</u>> wrote:

If the number of parking spaces is correct in terms or required/requested then we're OK with you just adjusting, revising the number of bedrooms in a update letter to the Board – I can include it in their late backup if you send it to me by noon Monday. If the bedroom number increases the required/requested parking space number then we'll have to postpone for this hearing and resend it/the notice for the 5/8 hearing. If the new bedroom number decreases the required/requested parking number then we can proceed, no new notice needed (and you can provide an update to the Board in the form of a progress letter, update).

FYi – Leane

From: sudhakar allada Sent: Wednesday, April 05, 2017 12:14 PM To: Heldenfels, Leane Subject: Re: 4/10 Board of Adjustment agenda, back up

Hi Leane,

There seems to be mistake in the number of bedrooms in the application. Is there any way to correct it?

Thanks Sudhakar

Yancey			
		"Hernandez	, Tony [PDRD]"

<<u>Tony.Hernandez@austintexas.gov</u>> Sent: Wednesday, April 5, 2017 11:31 AM Subject: 4/10 Board of Adjustment agenda, back up

Greetings 3/13 Board of Adjustment Applicants, Agents and involved staff:

Please see attached meeting agenda, Austin Energy report will follow in a separate email.

If you would like to request to have your case postponed or withdrawn from the Board's agenda please **reply to just me (not all)** by noon Monday and advise.

I will then announce any known requests for postponement or withdraw at the beginning of the hearing, 5:30, and then these requests are voted on by the Board at that time.

If your case if proceeding on Monday please print out a copy of the agenda and bring to the hearing to keep track of cases as we will **not** \_have paper copies at the hearing. Note that the Chair may call for the P&Z CodeNext briefing to occur at 6pm instead of during New Business where it's listed on the agenda, so we actually may not get to cases until 6:30pm – FYI.

The agenda and case back up are now posted online at the Board's website:

## http://www.austintexas.gov/cityclerk/boards\_commissions/meetings/15\_1.htm

(If this link doesn't work go to <u>austinexas.gov</u>, click on government tab near top of page, click on Boards and Commissions small tab near top of page, highlight Board of Adjustment and click view website, open agenda folder to left of page, see the December 12 meeting materials).

Please go to the Board's website now and take a look at the back up material posted there.

If you see anything you've submitted that is either missing or not legible please bring 15 sets of that info to Monday's hearing. You can also see the packet page numbers that we've added to the evidence so you can know what page numbers the Board members may refer to during the hearing, feel free to print out all of your numbered case evidence so you



have those page numbers, too.

Also, remember to go back to this link **after 3pm on Monday** to see any late back up that has been received on your case.

It will normally consist of replies received from our public notice mailing. Print out a copy of that late back up info for your reference and bring it to the hearing in the event that the Board has questions about any of the responses received.

You can bring a copy of all of the evidence you'd like to present on a usb flash drive to the hearing and the AV staff person can help you project it and run thru the info as you speak on your case. That staff prefers that you label your flash drive w/ your agenda number and give the drive to him ahead of your case being called so he can make sure it's able to be projected correctly when your case is called.

If you add any new/revised information to your presentation that is not in the packet so far, email me with a pdf of that new information on Tuesday after the hearing.

We can validate your parking stub from the garage below City Hall, so try to remember to bring it up with you. The garage entrance is off of Guadalupe.

We will issue decision sheets from the meeting on our website page for searching case and permit info 2 weeks after the hearing, so this month that will be by 4/24. Here's a link to the page where we'll file them:

https://www.austintexas.gov/devreview/a\_queryfolder\_permits.jsp

(If this link doesn't work go to <u>austintexas.gov</u>, click on development tab near top of page, then click on Search)

Once at this page you can input your case number or address, then click submit. Open the BA case and scroll down to attachments and see the final ds (decision sheet) there. You can print it out for use in a resubmittal for a permit, site plan or subdivision or email it to your code officer for any pending violation.

If your case is denied or if you don't agree with any part of the Board's decision (for example, a condition imposed on a granted case) you have until noon **Th 4/20** to request a reconsideration and provide new or clarified evidence to show how you feel the Board erred in its decision (see attached rules, cost for sending out re-notification of a reconsidered case is \$582.40 – check made out to the City of Austin will need to be dropped to my mailbox by close of lobby same day, Th 4/20).



If your case is postponed to the 5/8 hearing you'll have until end of day 4/24 to email me any revised, additional evidence that we'll add to that meeting's advance packet along with all the evidence that was provided in the 4/10 packet and late back up.

I look forward to seeing you all on Monday – <u>reply just to me, not to all</u>, to advise if you have questions, concerns.

## Leane Heldenfels

Board of Adjustment Liaison City of Austin Development Services Department One Texas Center, 1st Floor, Development Assistance Center 505 Barton Springs Road Office: 512-974-2202 <image001.png> Follow us on Facebook, Twitter & Instagram @DevelopmentATX We want to hear from you! Please take a few minutes to complete our online customer survey. Nos gustaría escuchar de usted. Por favor, tome un momento para

completar nuestra encuesta.