

Republic of Texas History Center

Daughters of the Republic of Texas

Board of Adjustment Presentation

July 8th 5:30PM

Building Variance Reconsideration



LYM MILLER
ARCHITECTURE

CITY OF AUSTIN – BOARD OF ADJUSTMENT

WILLIAM BURKHARDT – CHAIR

MELISSA HAWTHORNE – VICE CHAIR

BROOKE BAILEY

MARTHA B. GONZALEZ

DON LEIGHTON-BURWELL

RAHM T. McDANIEL

KELLY BLUME

DARRYL W. PRUETT

JESSICA COHEN

VERONICA RIVERA

ADA I. CORRAL

YASMINE SMITH

ERIC W. GOFF

MICHAEL VON OHLEN

May 13th

Variance Unanimously Approved

Notification Error

June 10th

Reconsideration Denied

Procedural Error

July 8th

Second Reconsideration

T.B.D.



ZONING PROFILE

60' HEIGHT
1:1 FAR

LAND DEVELOPMENT CODE

COMPATIBILITY STANDARDS

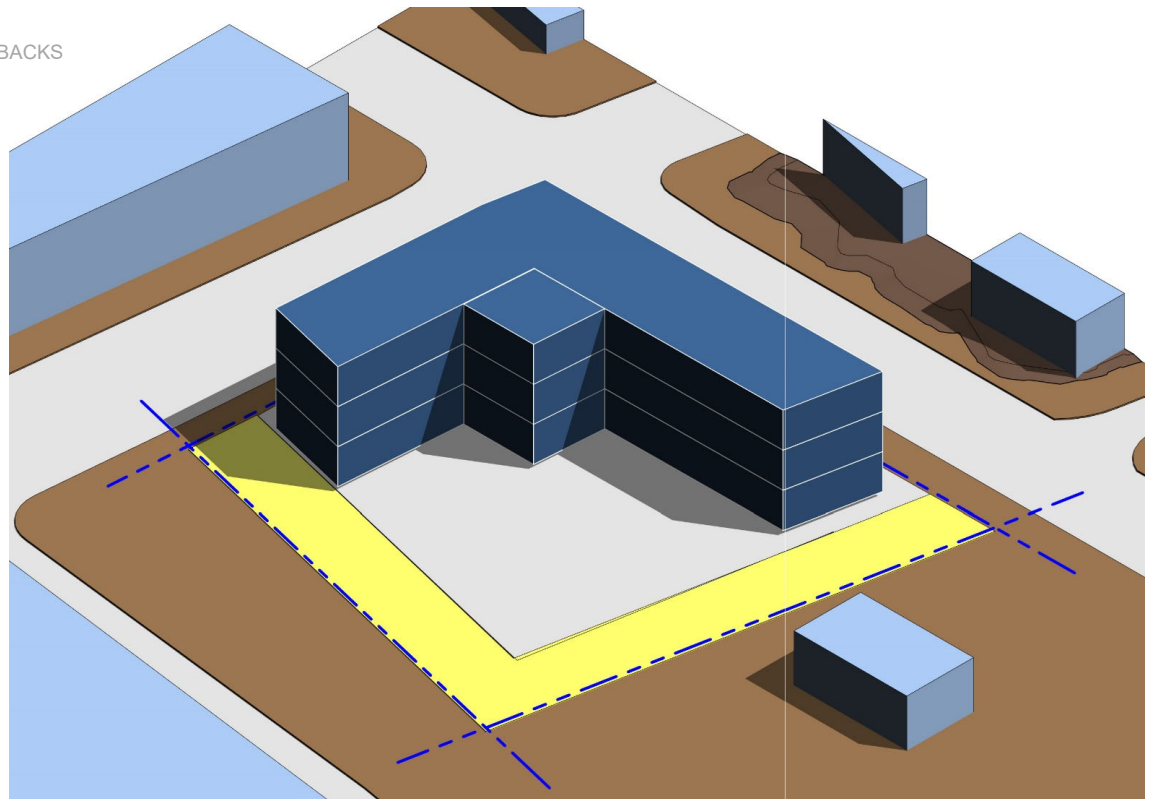
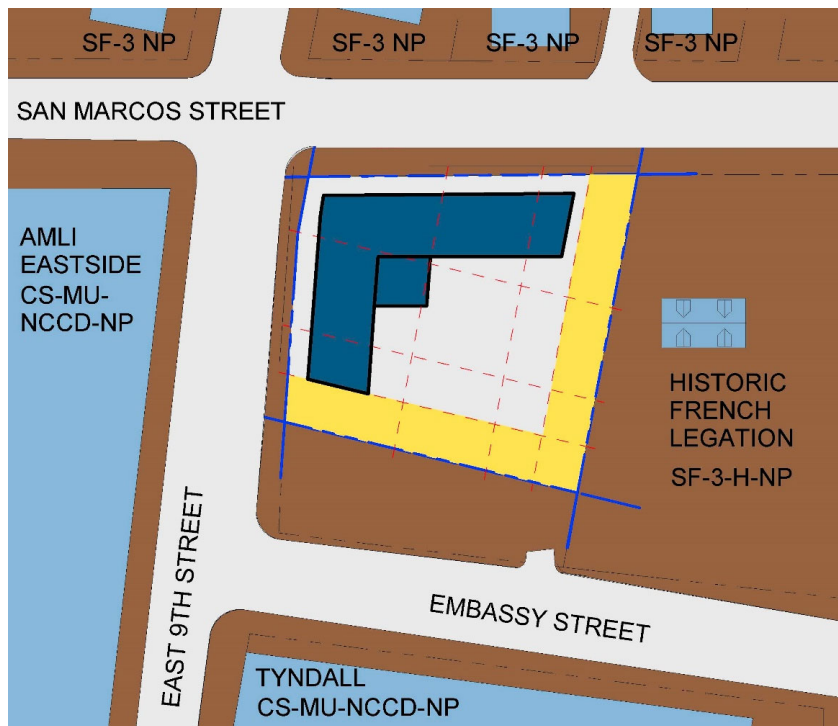
CURBCUT REGULATIONS
CURBCUT LOCATION OPTIONS
FIRE ACCESS REGULATIONS
FIRE LANE REQUIREMENTS
APPROVED WAIVERS

EXISTING CURBCUTS & PARKING IN SETBACKS

NEIGHBORHOOD CONSERVATION COMBINING DISTRICT (NCCD)

INCREASED F.A.R. GOALS
HEIGHT RESTRICTIONS

ZONING HARDSHIP



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The Daughters of the Republic of Texas

800 Block of San Marcos Street

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1:1 FAR

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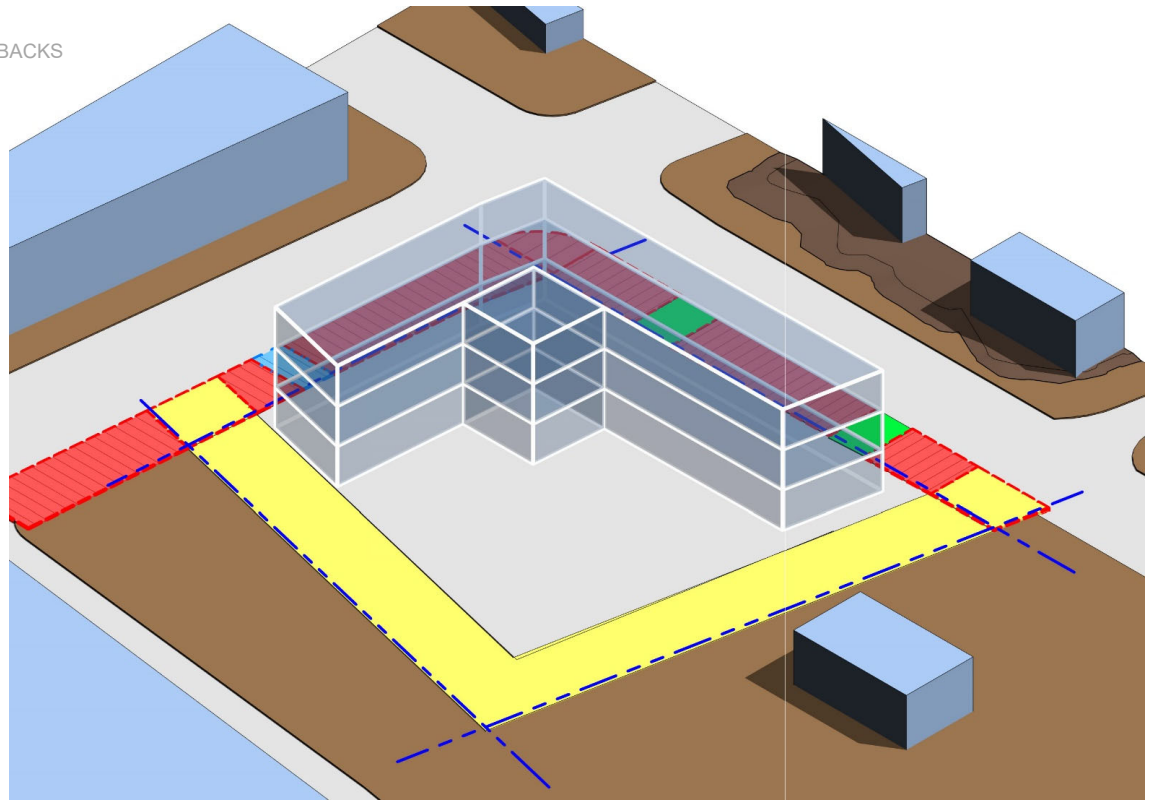
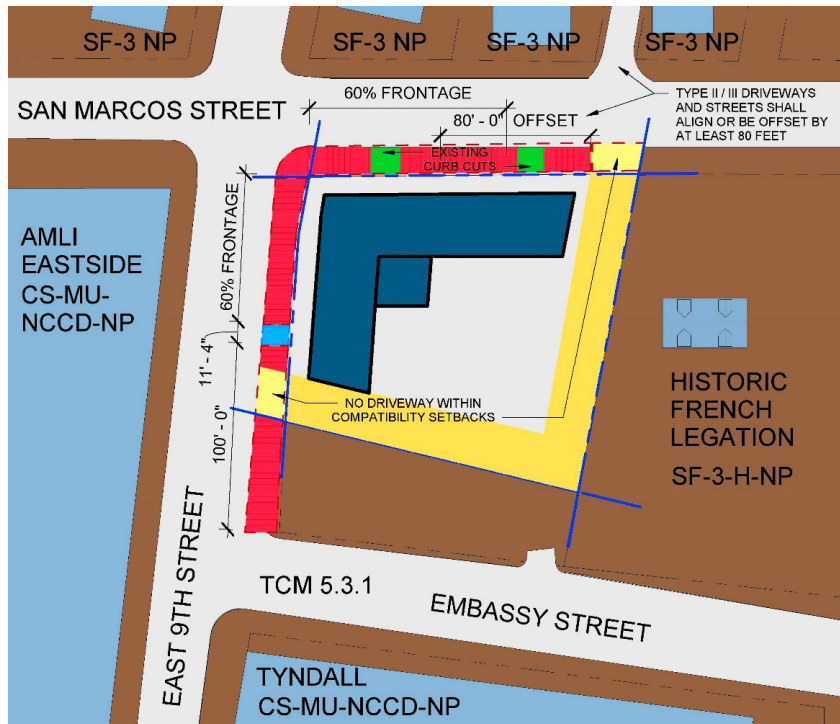
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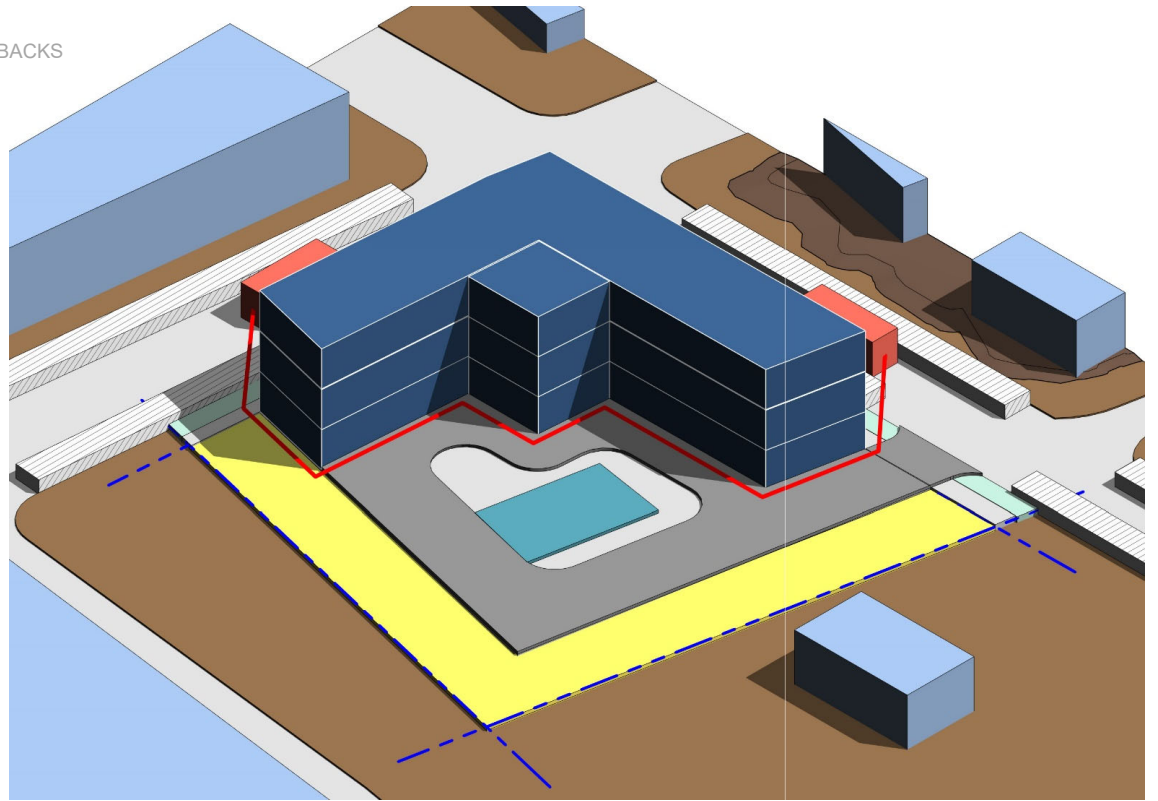
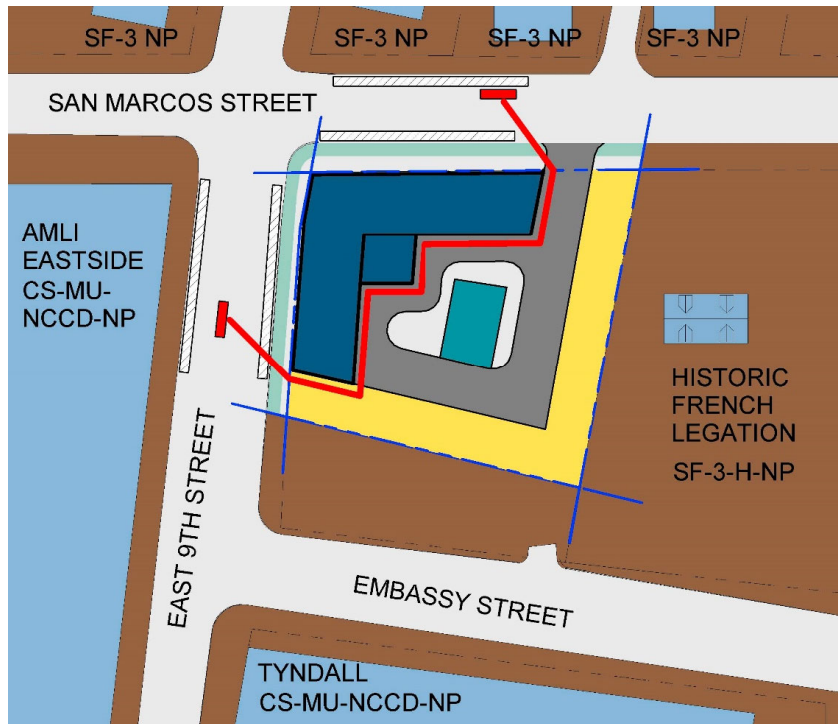
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COMPATIBILITY STANDARDS
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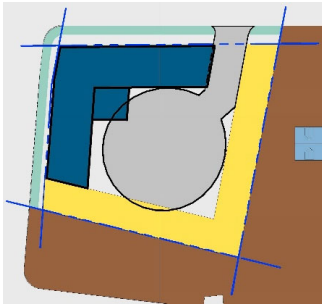
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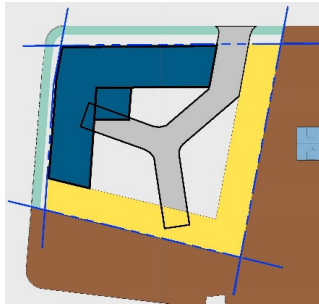
NEIGHBORHOOD CONSERVATION COMBINING DISTRICT (NCCD)

INCREASED F.A.R. GOALS
HEIGHT RESTRICTIONS

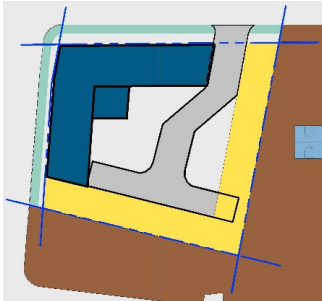
ZONING HARDSHIP



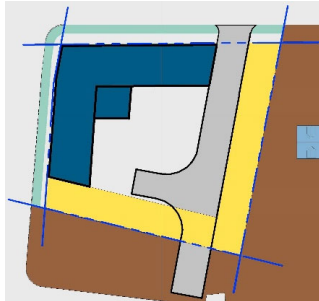
96-FOOT DIAMETER CUL-DE-SAC



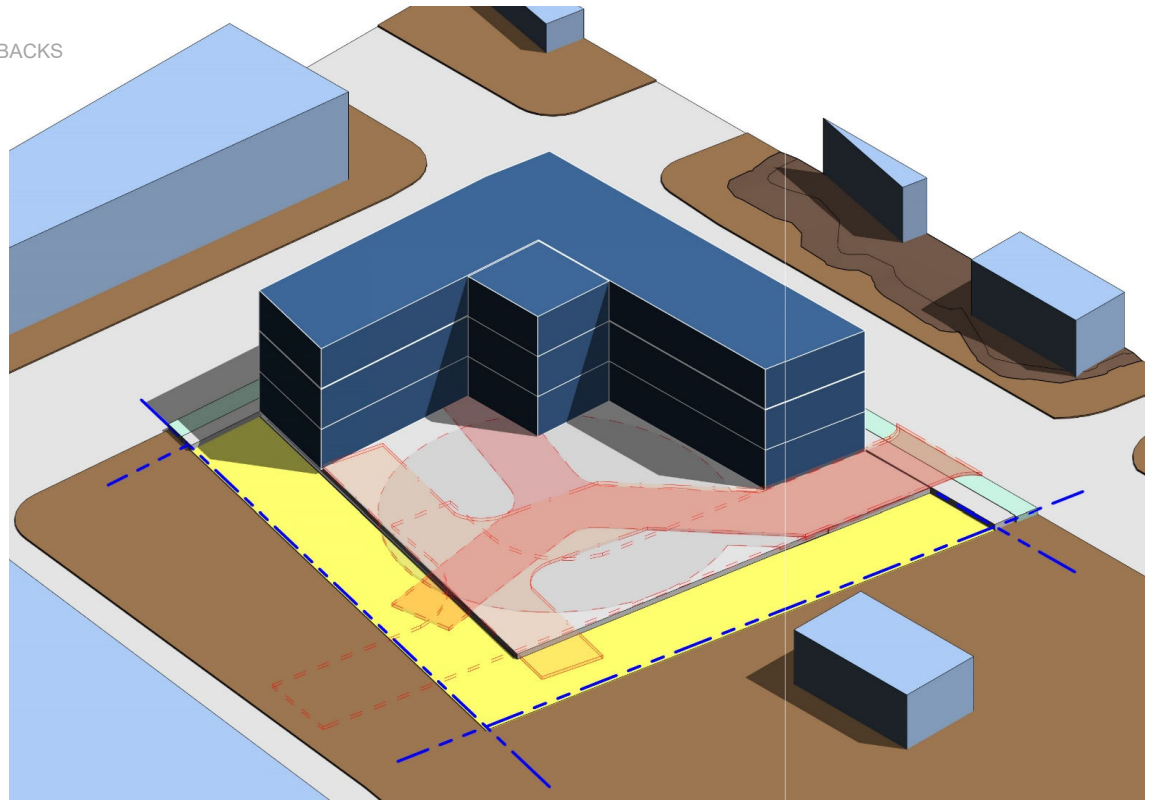
60-FOOT "Y"



120-FOOT HAMMERHEAD



ALT TO 120- FOOT HAMMERHEAD



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1:1 FAR

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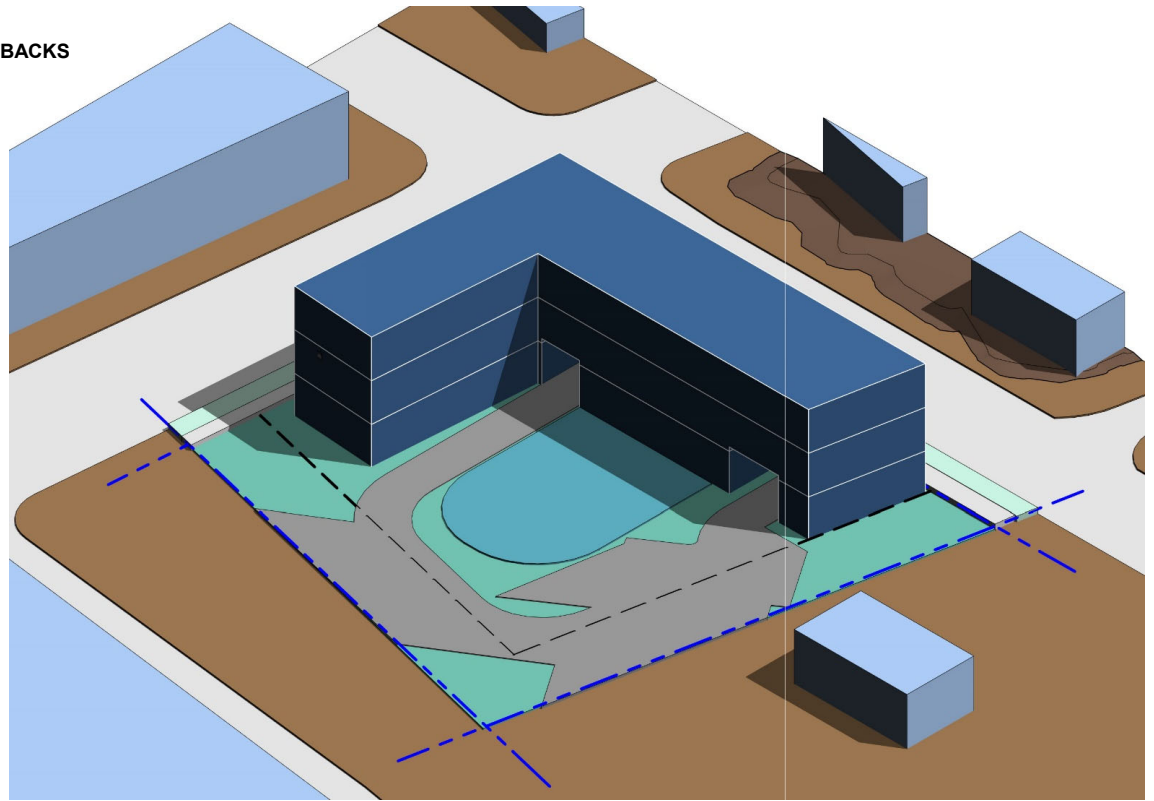
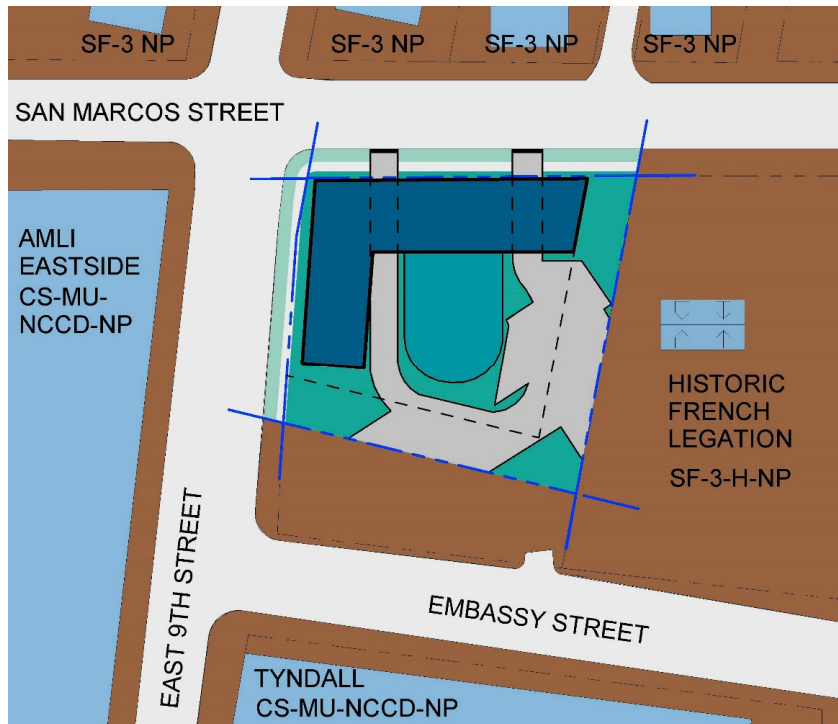
APPROVED WAIVERS

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NEIGHBORHOOD CONSERVATION COMBINING DISTRICT (NCCD)

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1:1 FAR

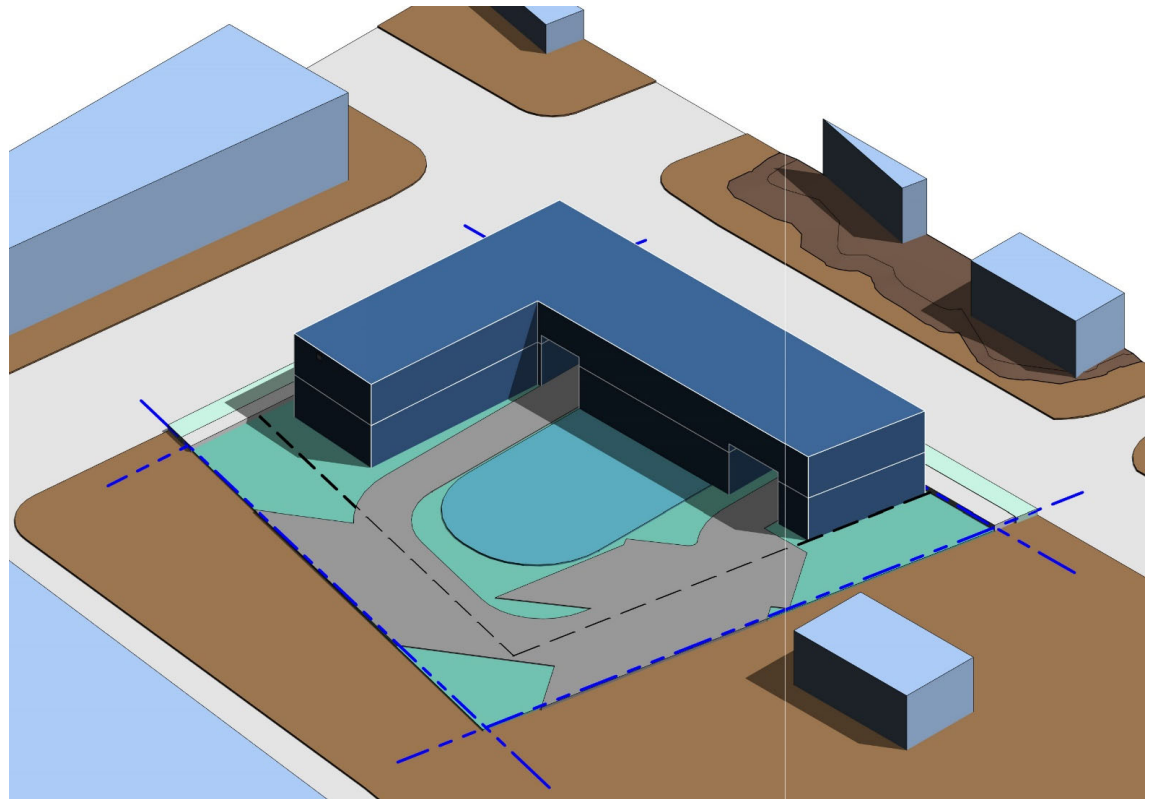
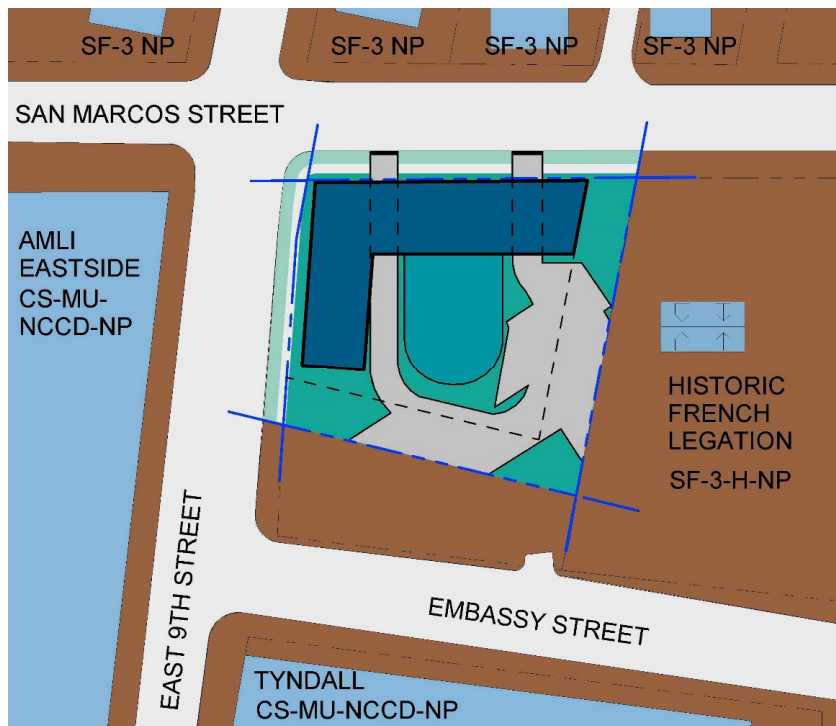
LAND DEVELOPMENT CODE

40' HEIGHT
1:1 FAR

NEIGHBORHOOD CONSERVATION COMBINING DISTRICT (NCCD)

27' HEIGHT
2:1 FAR

ZONING HARDSHIP



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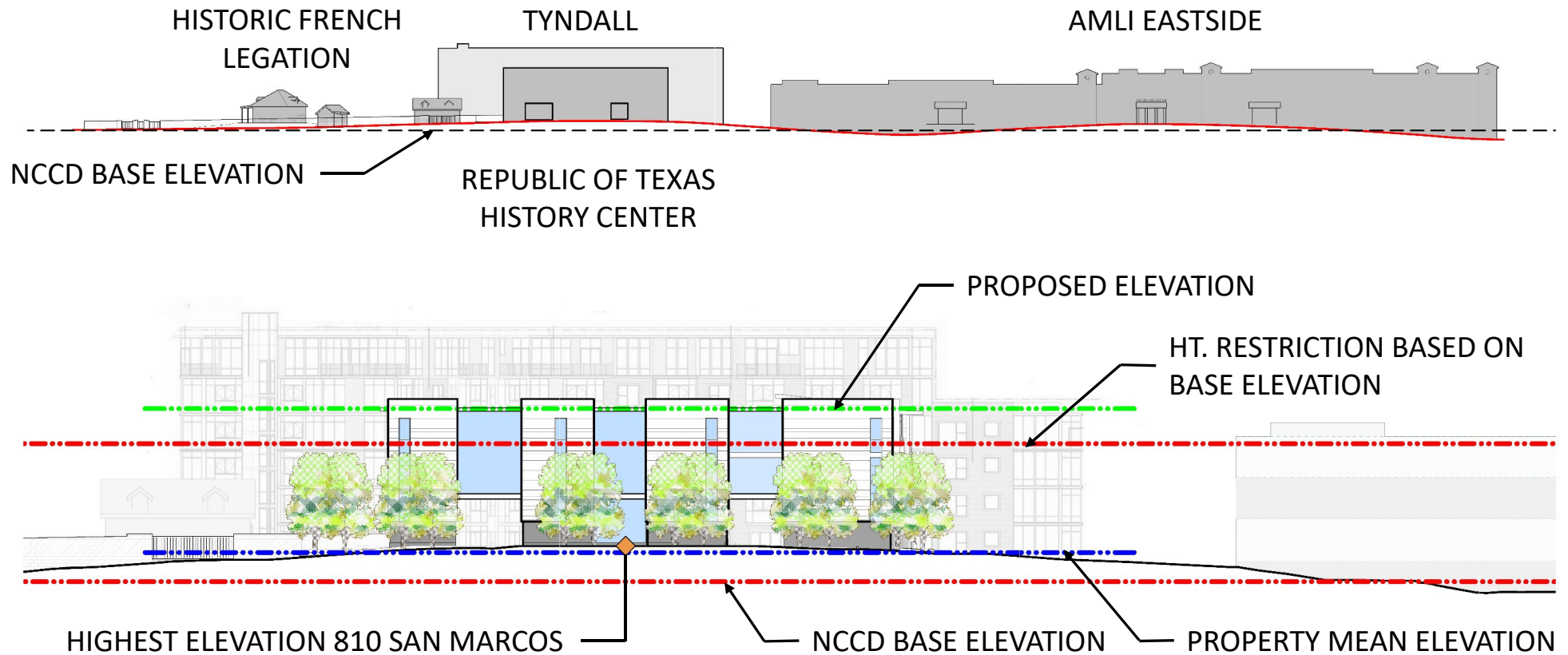
Building Height Variance Reconsideration

A UNIQUE HARDSHIP

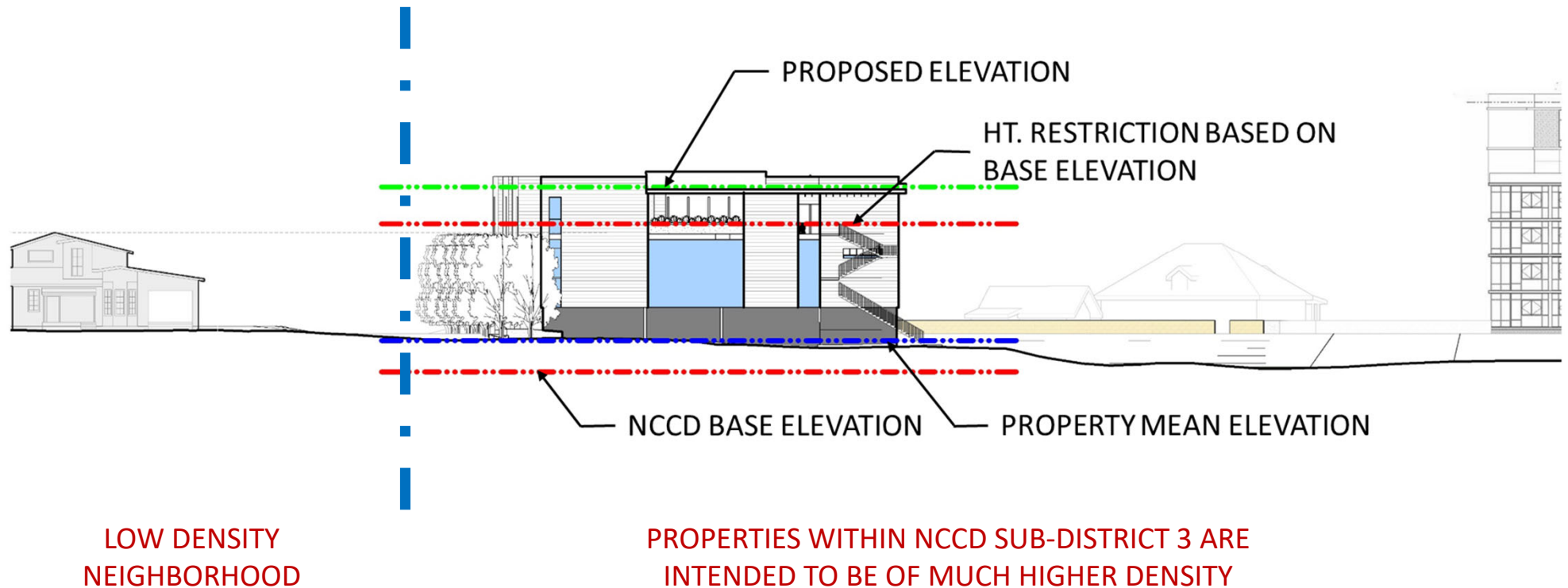
- SMALL CORNER SITE
- SHARES TWO PROPERTY LINES WITH THE HISTORIC FRENCH LEGATION (SF-3)
- NCCD's HIGHEST POINT
- LOWERED BASE ELEVATION (MEAN ELEV. BTWN 9TH & 11TH)
- *A PROPERTY OWNER CAN PROVE UNNECESSARY HARDSHIP, **EVEN IF THE OWNER HAS SOME REASONABLE USE OF THE PROPERTY WITHOUT THE VARIANCE.***



NCCD BASE ELEVATION – EAST ELEVATION ALONG SAN MARCOS



NCCD BASE ELEVATION – NORTH ELEVATION ALONG E. 9TH STREET



GUADALUPE ASSOCIATION FOR AN IMPROVED NEIGHBORHOOD MARK ROGERS AND H. MICHAEL GUAJARDO

- APRIL 25 – **DRT MET WITH AND NOTIFIED MARK ROGERS** AND NEIGHBORHOOD STAKEHOLDERS OF THE MAY 13 BOARD OF ADJUSTMENT AGENDA
- AT THAT MEETING **OPPOSITION** TO THE VARIANCE REQUEST WAS EXPRESSED **IF WE DID NOT CHANGE** THE EXTERIOR DESIGN AND MOVE VEHICULAR ACCESS TO E. 9TH STREET
- MARK ROGERS LATER **INDICATED THAT HE WAS NOT AWARE** OF OUR INCLUSION ON THE MAY 13 AGENDA
- LYM MILLER ARCHITECTURE REACHED PRIOR TO MAY 13 BY EMAIL REQUESTING ADDITIONAL MEETINGS
- NEIGHBORHOOD RESIDENTS STATED THEY **DID NOT RECEIVED NOTIFICATION MAILINGS**





City of Austin

Founded by Congress, Republic of Texas, 1839
Planning and Development Review Department

One Texas Center, 505 Barton Springs Road
P.O. Box 1088, Austin, Texas 78767

September 25, 2014

Ricardo M. De Camps
Big Red Dog Engineering & Consulting
1021 East 7th Street, #100
Austin, TX 78702

RE: Administrative Waiver Approval for 8th & Embassy Multifamily
Case No. SP-2014-0104C

Dear Mr. De Camps:

In regard to the above-referenced site development permit application, we find good cause to approve an administrative waiver from Section 7.10.a. (*Residential Compatibility Requirements*) of Ordinance No. 910620-C, which established the site development regulations of the 1991 East 11th Street Neighborhood Conservation Combining District (NCCD).

Although Section 7.10.a. states that the French Legation Museum shall trigger compatibility standards, in our opinion we do not feel that it was the intent of City Council during their deliberations to limit the building heights of the subject parcel to other than 50 feet and 70 feet as described by Part 3(A) & (D) of Ordinance No. 010607-23 (which amended Ordinance No. 910620-C).

Therefore, as per Section 7.6. (*Site Development Regulations*), we deem that the proposed development and its design are compatible with the goals and objectives of the NCCD document, and thereby grant this administrative waiver.

Gregory I. Guernsey, A.I.C.P.
Director
Planning and Development Review Department

cc: Terry Mitchell
Matt Mathias
Diana Wang
Michael Simmons-Smith

RESIDENTIAL COMPATIBILITY STANDARDS WAIVERS

- **LA VISTA DE GUADALUPE** (FOUR STORIES WITH PARKING BENEATH) WAS **GRANTED AN ADMINISTRATIVE WAIVER FROM COMPATIBILITY STANDARDS** BY PLAN REVIEW STAFF
- **THE TYNDALL 8TH** AND EMBASSY MULTI-FAMILY (SIX STORIES WITH PARKING BENEATH) WAS **GRANTED AN ADMINISTRATIVE WAIVER FROM COMPATIBILITY STANDARDS** BY THE DIRECTOR OF PLANNING AND DEVELOPMENT REVIEW



RESIDENT CONCERNS

G.A.I.N. **DID NOT** SHOW IT IS POSSIBLE TO MEET OUR PROGRAM WITHOUT THIS VARIANCE

THE NCCD **LOWERS** THE ALLOWABLE HEIGHT TO APPROXIMATELY **27 FEET** ABOVE THE AVERAGE EXISTING GRADE OF OUR SITE ALONG SAN MARCOS STREET – THIS IS LOWER THAN WHAT IS TYPICALLY ALLOWED FOR SF-3

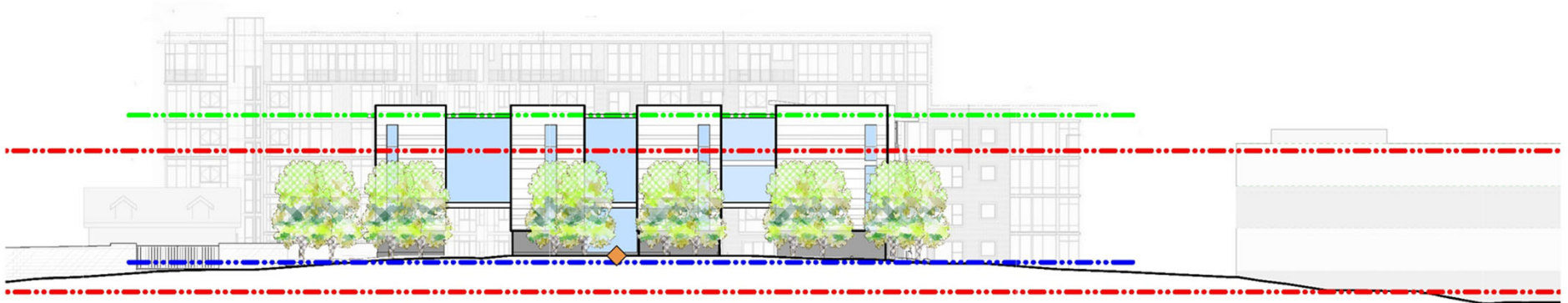
OUR EFFECTIVE BUILDING HEIGHT **WILL NOT** BE 50 FEET IN HEIGHT IF THE VARIANCE IS APPROVED AND WILL INSTEAD BE APPROXIMATELY **37 FEET** ABOVE OUR AVERAGE EXISTING GRADE

Case Number C15-2019-0027

Contact: Elaine Ramirez

Public Hearing: Board of Adjustment, June 10, 2019

I write on behalf of myself, Delia Sifuentes, and my husband, Ben Sifuentes. We oppose the variance requested by The Daughters of the Republic of Texas ("DRT"). Our home at 1003 E. 9th Street, Austin, Texas 78702 has been in my family since it was built by my father in approximately 1914. I was born in that home. I acquired the home from my father around 1973, and will be passing the home down to my own children. This is a true family home. I also own the home at 811 San Marcos, Austin, Texas 78702. That home was sold to me by my former neighbor who was a lifetime friend and who, upon learning she had a terminal illness, asked me to buy the home from her and give her a life estate for her remaining months. It was important to her that a person from the neighborhood get her home because she knew I would advocate for the preservation of her home and the neighborhood. Granting the variance request would have a negative impact on our property and the other homes in the area. A building of 50 feet in height, instead of the allowed 40 feet, would be out of character for the structures in the area. The neighborhood is full of historic homes, some of which have been in families for over 100 years. DRT puts a paramount on preserving Texas history so it seems antithetical that they would want to disrupt the historical integrity of a historic neighborhood to build an unnecessarily tall building. As the Neighborhood Association has laid out, it is possible for DRT to construct their building without the need for the variance. The neighborhood was recently designated a historical overlay district meaning the city has deemed the architecture and the neighborhood to be historically significant. Allowing the variance would be contrary to the city's acknowledgement of maintaining the historical integrity of the neighborhood. We respectfully request the Board of Adjustment to deny the unnecessary and intrusive variance request.



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The Daughters of the Republic of Texas

800 Block of San Marcos Street

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Building Height Variance Reconsideration



Case Number: C15-2019-0027
 Contact: Elaine Ramirez, 512-974-2202
 Public Hearing: Board of Adjustment, June 10, 2019

David Scheinfeld
 Your Name (please print)
1009 E. 9th St Austin TX 78702
 Your address(es) affected by this application
David Scheinfeld Signature 6/6/19 Date
 Daytime Telephone: 253-208-7018

Comments: We are a residential neighborhood. We oppose increased height because it aesthetically decreases our view, increases shade or typically increases # of people in building which increase traffic / parking in neighborhood. GAIN has suggested alternative design ideas that allow building to have devoted sq foot but not increase to foot or more opening to garage on E 9th on off

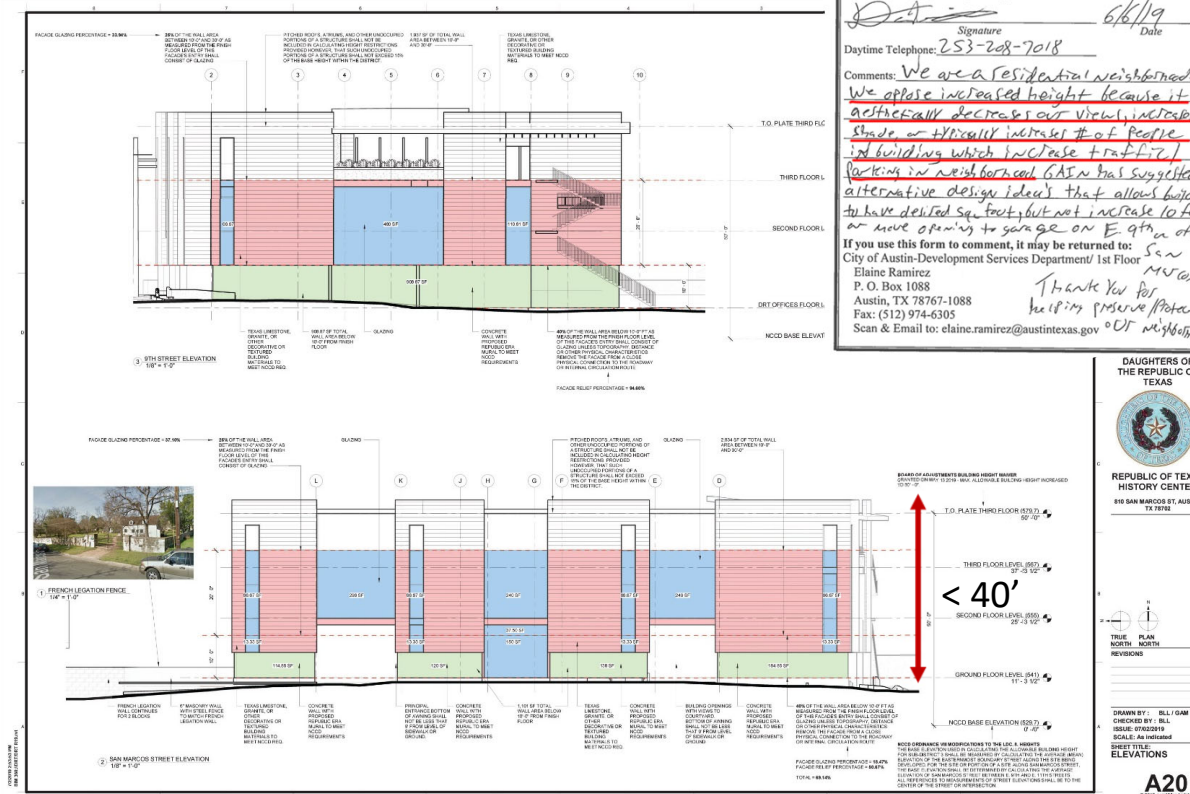
If you use this form to comment, it may be returned to:
 City of Austin-Development Services Department/ 1st Floor
 Elaine Ramirez
 P. O. Box 1088
 Austin, TX 78767-1088
 Fax: (512) 974-6305
 Scan & Email to: elaine.ramirez@austintexas.gov

Thank You for helping preserve historic neighborhood

G.A.I.N. REQUESTS AND SUGGESTIONS DO NOT COMPLY WITH LAND DEVELOPMENT CODE **SUB-CHAPTER E** REQUIREMENTS:

- GLAZING / FAÇADE RELIEF
- FAÇADE ARTICULATION
- CLEAR / SUPPLEMENTAL ZONE

HATCH WORKS FAÇADE PROPOSAL REQUIRES A HEIGHT VARIANCE



COMPLIES WITH SUBCHAPTER E FOR COMMERCIAL AND MIXED USE

Republic of Texas History Center
 The Daughters of the Republic of Texas
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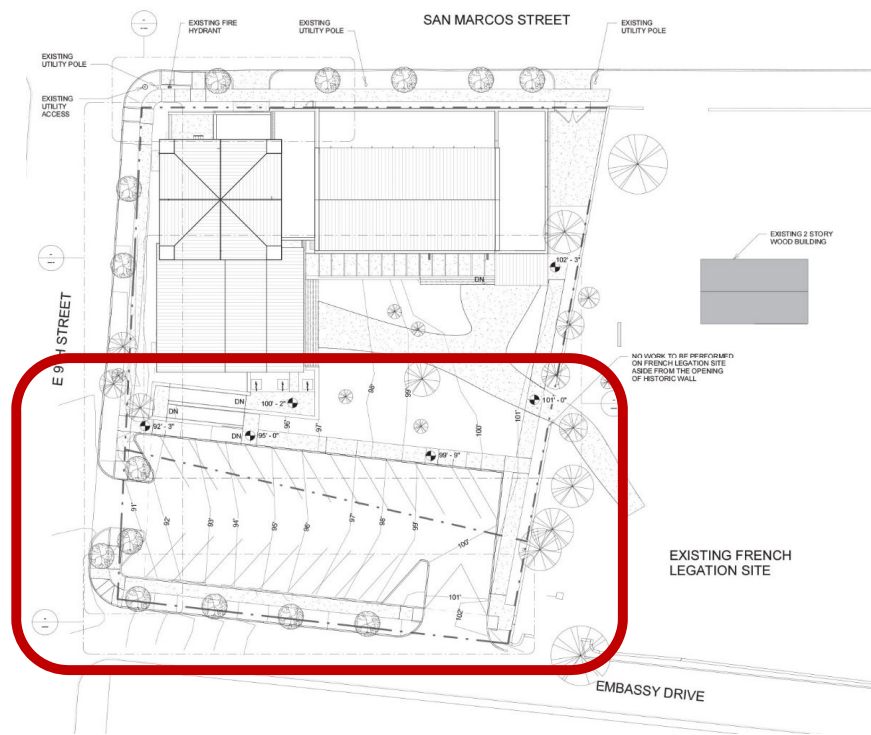
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37' - 6"

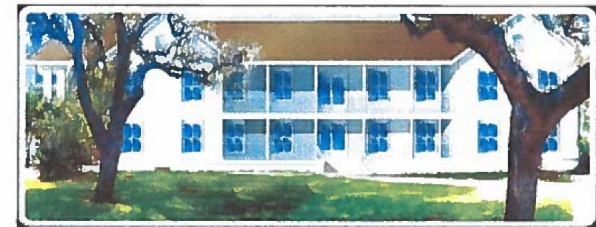
DOES NOT COMPLY WITH SUBCHAPTER E



ALL PRIOR REPUBLIC OF TEXAS HISTORY CENTER DESIGNS UTILIZED A STATE OF TEXAS **UNIFIED DEVELOPMENT AGREEMENT** AND STILL **WOULD HAVE REQUIRED THIS VARIANCE** TO ADDRESS THE LOWERED NCCD BASE ELEVATION MEASUREMENT



DRT 3-story design from around 2017 ~~with one story below grade.~~
Lym Miller Architecture



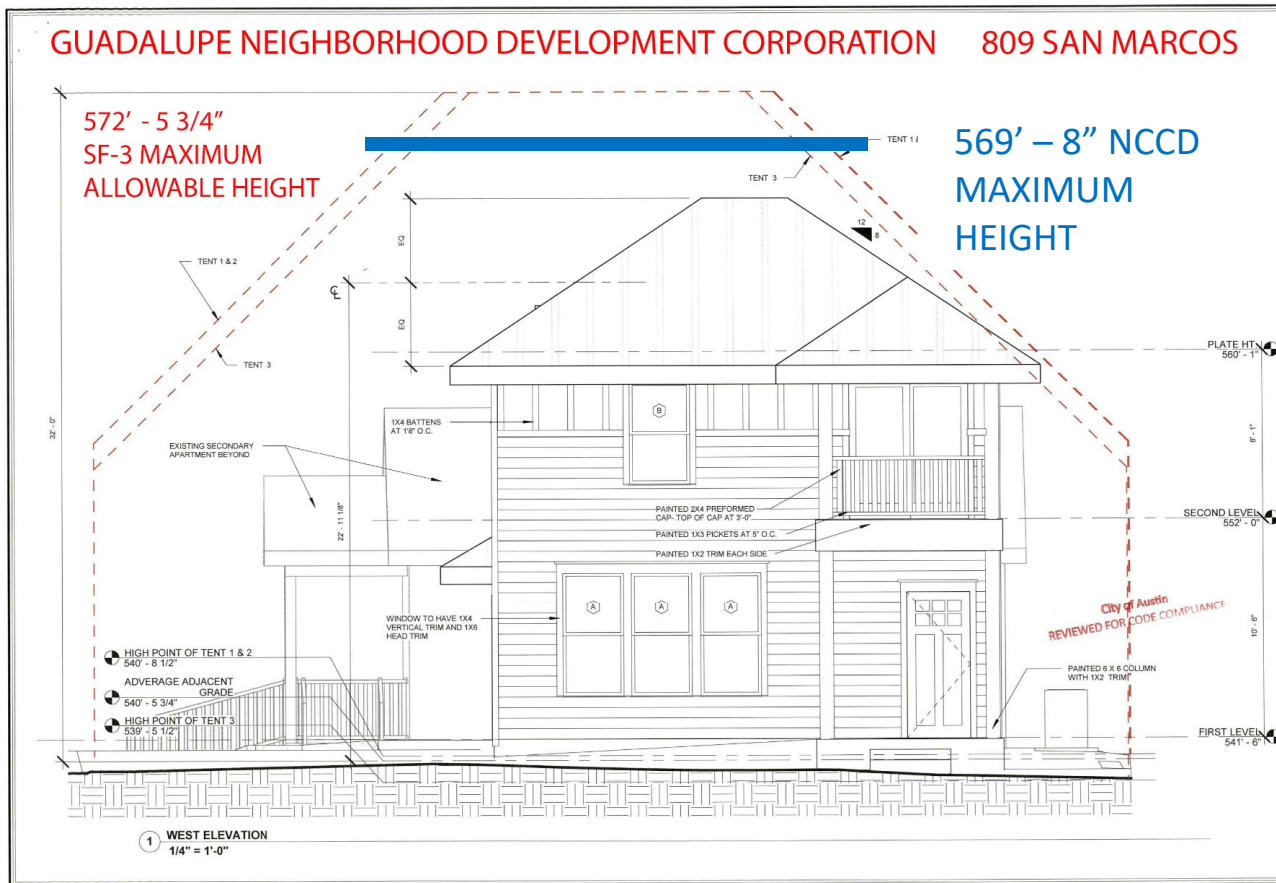
DRT 3-story design with one story below grade from around 2010.
16,000 square feet
"Design respects the historic nature of the East Austin neighborhood."
Hatch + Ulland Owen Architects



IT WAS SUGGESTED THAT THIS SKETCH SERVES AS **NEW MATERIAL EVIDENCE** THAT A VARIANCE IS NOT NECESSARY

- 2-DIMENSIONAL FAÇADE ON A FLAT SITE
- STREET / PEDESTRIAN ACCESS – HUMAN RELATIONSHIP
- NO RELATIONSHIP TO DRT PROGRAM REQUIREMENTS
- NO INDICATION OF HOW THE SITE WILL BE ACCESSED, PARKED, OR TREATED FOR WATER QUALITY
- IGNORES FAÇADE ARTICULATION REQUIREMENTS
- IGNORES MINIMUM GLAZING REQUIREMENTS
- DOES NOT ADDRESS STRUCTURAL NEEDS FOR HVAC EQUIPMENT FOR A COMMERCIAL BUILDING
- PROPOSES A SIMPLE ELEVATION THAT REQUIRES A HEIGHT VARIANCE BECAUSE OF THE NCCD BASE MEASUREMENT

WORKING WITH THE NEIGHBORHOOD ASSOCIATION
WILL NOT REMOVE THE EXISTING HARDSHIP OR OUR
NEED FOR A HEIGHT VARIANCE FROM THE NCCD BASE
ELEVATION THAT IS MEASURED DOWN THE STREET



L.S. Johnston
ARCHITECTS / AIA
ARCHITECTURE
PLANNING
1313 East Sixth Street
Austin, Texas 78702
phone 512 478-4992
fax 512 478-4972

809 SAN MARCOS STREET
AUSTIN, TEXAS 78702

DESIGNED BY L.S.J.
DRAWN BY J.M.
DATE 2/14/19

WEST ELEVATION

A-6

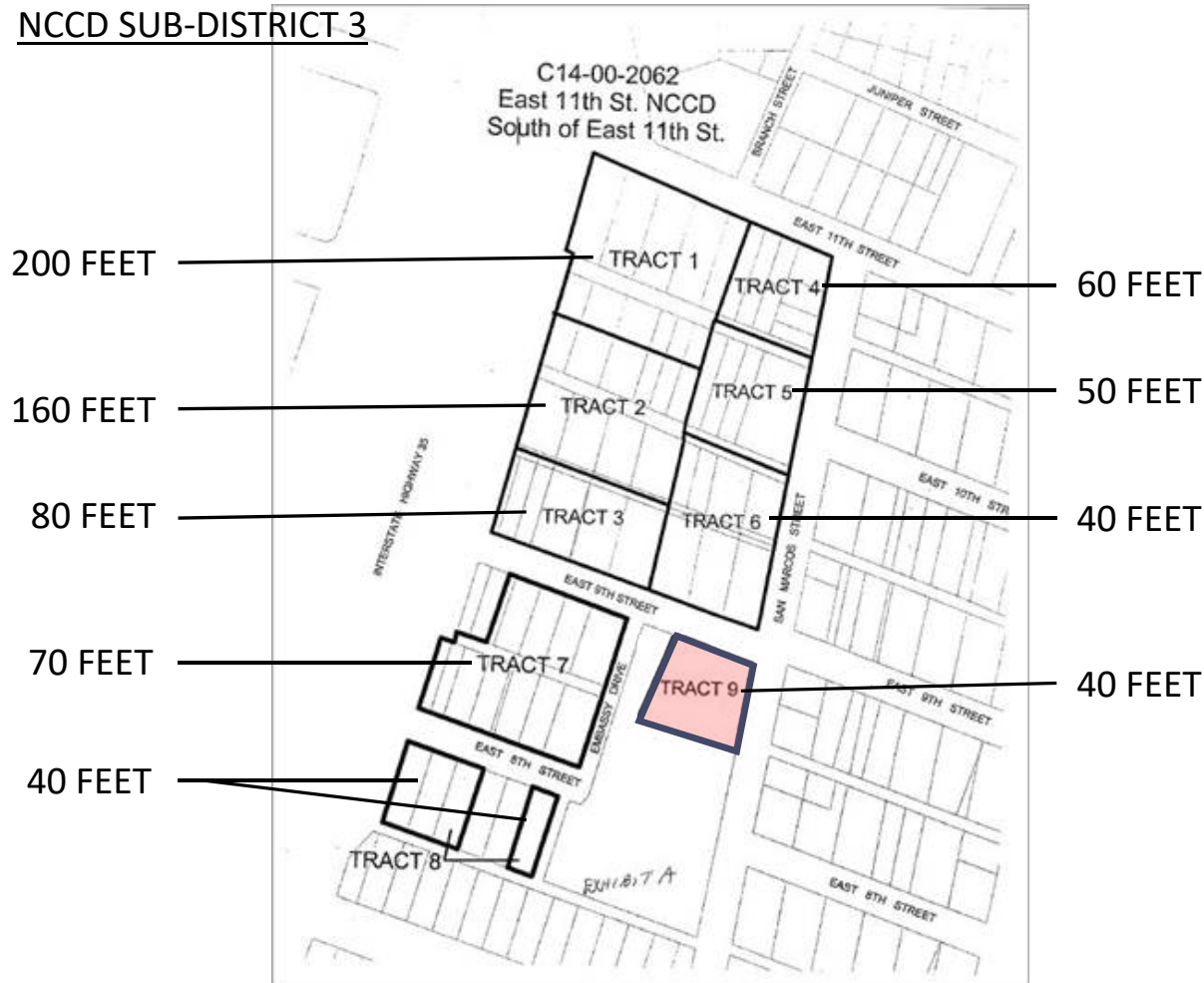
THE PRESIDENT OF G.A.I.N. IS ALSO THE VICE PRESIDENT OF **GUADALUPE NEIGHBORHOOD DEVELOPMENT CORPORATION** AND MARK ROGERS IS THEIR EXECUTIVE DIRECTOR

THE DAUGHTERS OF THE REPUBLIC OF TEXAS ARE BUILDING A TEXAS HISTORY MUSEUM AND CULTURAL CENTER TO WORK WITH AND SUPPORT THE HISTORIC FRENCH LEGATION AND THE TEXAS HISTORICAL COMMISSION

THE DRT IS NOT IN THE BUSINESS OF REDEVELOPING HISTORIC EAST AUSTIN RESIDENTIAL PROPERTIES



NCCD SUB-DISTRICT 3



NCCD GOALS

PRESERVE AND MAXIMIZE THE USE OF PUBLIC AND QUASI-PUBLIC HISTORICAL FACILITIES WITHIN AND ADJACENT TO THE DISTRICT

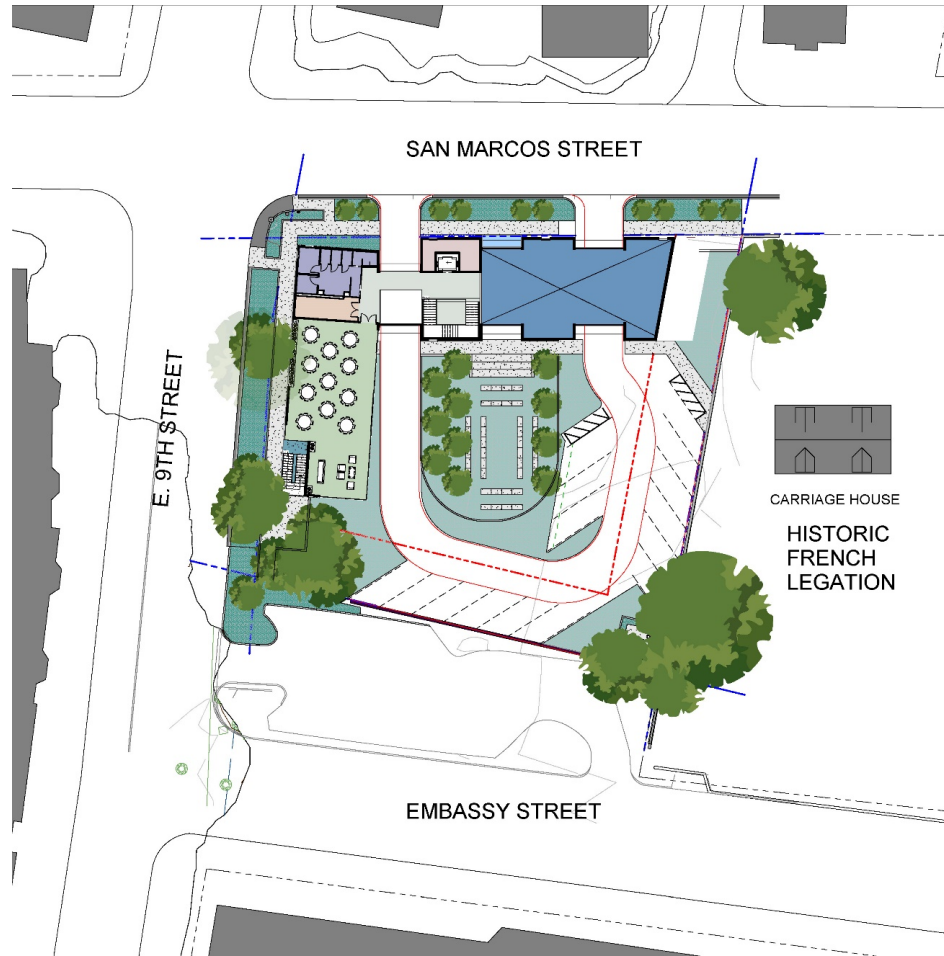
PROPERTIES WITHIN SUB-DISTRICT 3 (SHOWN TO THE LEFT) ARE INTENDED TO BE OF **MUCH HIGHER DENSITY** THAN THE REMAINDER OF THE CORRIDOR

NCCD URBAN DESIGN GUIDELINES

THE GROUND LEVEL OF ALL BUILDINGS, EXCEPT PARKING STRUCTURES, SHOULD RELATE TO PEDESTRIAN ACTIVITIES AND ACCESS

ALL FAÇADES ALONG SAN MARCOS SHALL BE BROKEN UP AND OFFSET





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THANK YOU

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