

CITY OF AUSTIN
Board of Adjustment
Decision Sheet
E-2

DATE: Monday October 11, 2021

CASE NUMBER: C15-2021-0096

____ Thomas Ates
____ Brooke Bailey
____ Jessica Cohen
____ Melissa Hawthorne
____ Barbara McArthur
____ Rahm McDaniel
____ Darryl Pruett
____ Agustina Rodriguez
____ Richard Smith
____ Michael Von Ohlen
____ Nicholl Wade
____ Kelly Blume (Alternate)
____ Carrie Waller (Alternate)
____ Vacant (Alternate)

APPLICANT: David Hartman

OWNER: Family Sport Inc, a Texas Corporation

ADDRESS: 5700 GROVER AVE and 5617 ROOSEVELT AVE

VARIANCE REQUESTED: The applicant is requesting a variance(s) from the Land Development Code:

a) Section 25-2-899 (Fences as Accessory Uses) (D) & (E) to increase the fence height from an average of six feet or a maximum of seven feet (maximum allowed) to an average of eight feet (requested) on western property line only.

b) Article 10, Compatibility Standards, Division 2 –Development Standards, Section 25-2-1063 (Height Limitations and Setbacks for Large Sites) (C) (2) to increase height limit from three (3) stories and 40 feet (maximum allowed) to four (4) stories and 45 feet (requested)

c) Article 10, Compatibility Standards, Division 2 –Development Standards, Section 25-2-1063 (Height Limitations and Setbacks for Large Sites) (C) (3) to increase allowed height from 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive (maximum allowed) to 45 feet (requested) on eastern property line only in order to erect a four (4) story Apartment Building in a “MF-6-CO-NP”, Multi-Family Residence Highest Density-Conditional Overlay – Neighborhood Plan zoning district. (Brentwood Neighborhood Plan)

***Note:** The Land Development Code Section 25-2-899 (Fences as Accessory Uses) (D) Except as otherwise provided in this section, a solid fence constructed along a property line may not exceed an average height of six feet or a maximum height of seven feet.*

(E) A solid fence along a property line may be constructed to a maximum height of eight feet if each owner of property that adjoins a section of the fence that exceeds a height of six feet files a written consent to the construction of the fence with the building official, and...

Section 25-2-1063 Height Limitations and Setbacks for Large Sites (C) (2) three stories and 40 feet, if the structure is more than 50 feet and not more than 100 feet from property. (C) (3) for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.

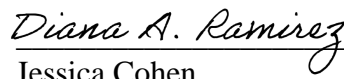
BOARD'S DECISION: BOA Meeting Oct 11, 2021-POSTPONED TO NOVEMBER 8, 2021 BY BOARD MEMBERS (Due to not enough Board Members present at the meeting)

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:


Elaine Ramirez
Executive Liaison

 for
Jessica Cohen
Madam Chair



October 5, 2021

Effy Anderson
5700 Grover Ave
Austin TX, 78756

Property Description: ABS 697 SUR 7 * 3.81 AC SPEAR G W W 184.10 FT OF LOT 10 BLK 15 BROADACRES

Re: C15-2021-0096

Dear Effy,

Austin Energy (AE) has reviewed your application for the above referenced property, requesting that the Board of Adjustment consider a variance(s) from LCD 25-2-1063 (C)(2), 25-2-1063 (C)(3), and 25-2-899 (D) & (E).

Austin Energy does not oppose the request, provided that any proposed or existing improvements follow Austin Energy's Clearance & Safety Criteria, the National Electric Safety Code, and OSHA requirements. Any removal or relocation of existing facilities will be at the owner's/applicant's expense.

Please use this link to be advised of our clearance and safety requirements which are additional conditions of the above review action:

https://library.municode.com/tx/austin/codes/utilities_criteria_manual?nodeId=S1AUENDECR_1.10.0CLSARE

If you require further information or have any questions regarding the above comments, please contact our office. Thank you for contacting Austin Energy.

Joseph Beeler, Planner II

Austin Energy
Public Involvement | Real Estate Services
2500 Montopolis Drive
Austin, TX 78741
(512) 322-6602

BOA GENERAL REVIEW COVERSHEET

CASE: C15-2021-0096

BOA DATE: October 11th, 2021

ADDRESS: 5700 Grover Ave &
5612 Roosevelt Ave

COUNCIL DISTRICT: 7

OWNER: Family Sports, Inc.,
a Texas Corporation

AGENT: David Hartmann

ZONING: MF-6-CO-NP (Brentwood NP)

LEGAL DESCRIPTION: ABS 697 SUR 7 * 3.81 AC SPEAR G W W 184.10 FT OF LOT 10 BLK 15 BROADACRES

VARIANCE REQUEST: increase the maximum allowable Compatibility Height requirements from three stories and 40 feet (maximum allowed) to four stories and 45 feet (requested)

SUMMARY: erect Multi-Family with voluntary affordable housing units

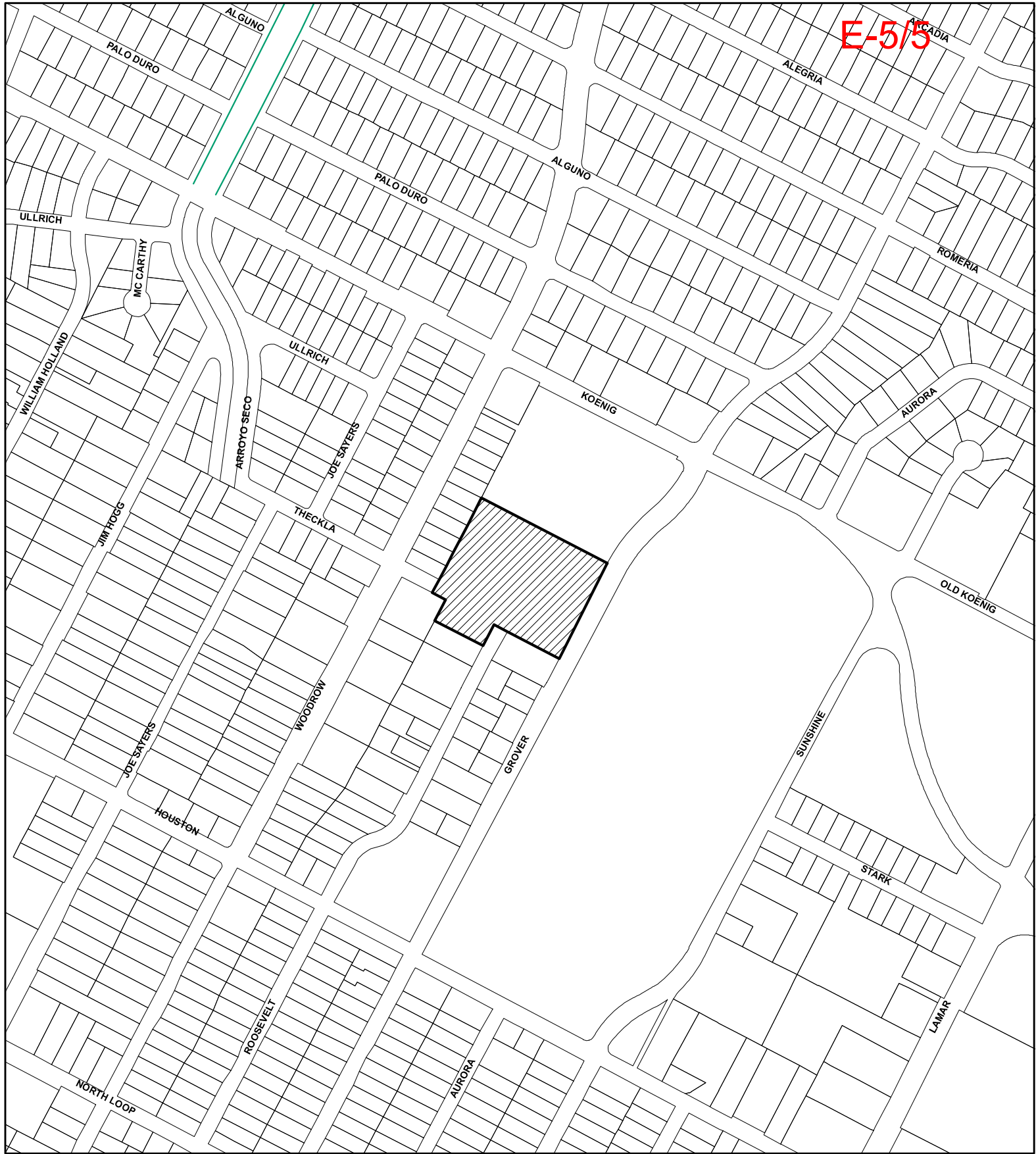
ISSUES: Critical Water Quality zone, easements, floodplain, fire lane constraints, enhanced 40 ft. building setback




	ZONING	LAND USES
<i>Site</i>	MF-6-CO-NP	Multi-Family
<i>North</i>	MF-6-CO-NP	Multi-Family
<i>South</i>	SF-3-NP; MF-3-NP	Single-Family; Multi-Family
<i>East</i>	SF-3-NP	Single-Family
<i>West</i>	SF-3-NP	Single-Family

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
 Austin Lost and Found Pets
 Austin Neighborhoods Council
 Brentwood Neighborhood Assn.
 Brentwood Neighborhood Plan Contact Team
 Central Austin Community Development Corporation
 Friends of Austin Neighborhoods
 Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 North Austin Neighborhood Alliance
 Preservation Austin
 SELTexas
 Shoal Creek Conservancy
 Sierra Club, Austin Regional Group

E-5/5



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 417'

NOTIFICATIONS
CASE#: C15-2021-0096
LOCATION: 5700 GROVER AVENUE &
5612 ROOSEVELT AVENUE



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

Development Services Department

Permitting & Development Center

Phone: 512.978.4000

6310 Wilhelmina Delco Dr, Austin, Texas 78752

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 # _____ ROW # _____ Tax # _____

Section 1: Applicant Statement

Street Address: 5700 Grover Avenue and 5612 Roosevelt Avenue, Austin, Texas 78756

Geo ID# 0228060319

Subdivision Legal Description:

See Exhibit A

Lot(s): _____ Block(s): _____

Outlot: _____ Division: _____

Zoning District: MF-6-CO-NP

I/We David Hartman on behalf of myself/ourselves as authorized agent for Family Sports, Inc., a Texas corporation affirm that on Month September, Day Select, Year 2021, hereby apply for a hearing before the Board of Adjustment for consideration to (select appropriate option below):

☒ Erect ☐ Attach ☐ Complete ☐ Remodel ☐ Maintain ☐ Other: _____

Type of Structure: Multifamily project including voluntary onsite affordable housing units.

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

1. LDC Section 25-2-1063 Compatability Height requirements of Article 10, Compatability Standards, Division 2 -- Development Standards, (C)(2) (Height Limitations and Setbacks for Large Sites) to increase the height limit from 3 stories and 40 feet (required/permitted) to 4 stories and 45 feet (requested) in order to erect a 4 story apartment building.
2. LDC Section 25-2-1063 Compatability Height requirements of Article 10, Compatability Standards, Division 2 -- Development Standards, (C)(3) (Height Limitations and Setbacks for Large Sites) to increase the allowed height of a structure more than 100 feet but not more than 300 feet from property in an SF-5 or more restrictive zoning district, from 40 feet plus one foot for each 10 feet of distance in excess of 100 feet of distance from the property zoned SF-5 or more restrictive (required/permitted), to a maximum 45 feet (requested) in order to erect a 4 story apartment building.
3. LDC Section 25-2-899(D)&(E)(Fences as Accessory Uses) to increase the fence height permitted from an average of 6 feet or a maximum of 7 feet (required/permitted) to 8 feet average height (requested) on the western property line only.

Section 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

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

The property is located along along Grover Avenue, a Level 2/Local Mobility Street per the ASMP, and the Project Connect Orange Line Koenig Station is proposed roughly 1/3 mile to the east. The proposed multifamily development is bounded by single-family uses to the west/southwest part of the property, and McCallum High School tennis courts/running track/sport field zoned SF-3 to the east which triggers compatibility limitations thereby significantly limiting redevelopment of the property. Hardships related to the site (described below) have significant negative impact on the site. The variance will help provide much needed housing consistent with City goals for housing, including affordable housing.

Hardship

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

Critical water quality zone, easements, floodplain, enhanced 40' building setback along the west property line, and firelane location constraints uniquely encumber the property and reduce the geometric footprint for the proposed multifamily development. Multiple easements exist along the southern and western property line. These numerous site constraints are not common to other properties, and limit the ability for an alternative configuration of the proposed apartment building.

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

The property constraints listed above are unique to the property. Existing tracts in the vicinity are zoned multifamily that have more room to construct as they are not limited by site constraints described above, and are not affected by McCallum High zoned SF-3 to the east. The property is uniquely constrained by CWQZ, easements, floodplain, and other on-site constraints not general to the area.

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:

(i) Will not alter character of area adjacent to the property: The proposed development is similar to other "peer" proposed apartments in the area that are also located adjacent to single family. The requested variances to compatibility height restrictions are applicable only to the eastern property line adjacent to McCallum High School tennis courts/running track/sport field and are not requested along the western property line adjacent to single family residences.

(ii) Will not impair the use of adjacent conforming property: The proposed development incorporates buffering per agreement with Brentwood Neighborhood Association via an enhanced 40' building setback from west property line, and screening per LDC (*continued in Sec. 6*)

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:

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 specific regulation because:

N/A

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:

N/A

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

N/A

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

N/A

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:  Date: 9/9/2021

Applicant Name (typed or printed): David Hartman

Applicant Mailing Address: 1717 W 6th St., Suite 295

City: Austin State: Texas Zip: 78703

Phone (will be public information): (512) 225-1704

Email (optional – will be public information): 

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:  Date: 9/8/2021

Owner Name (typed or printed): Family Sports, Inc., a Texas corporation

Owner Mailing Address: 5700 Grover Avenue

City: Austin State: Texas Zip: 78756

Phone (will be public information): (512) 422-0487

Email (optional – will be public information):

Section 5: Agent Information

Agent Name: David Hartman

Agent Mailing Address: 1717 W 6th St., Suite 295

City: Austin State: Texas Zip: 78703

Phone (will be public information): (512) 225-1704

Email (optional – will be public information): 

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).

Continued from Section 2, "Area Character:"

compatibility requirements. The requested variance to increase height of fence along the western property line of single family residences adjacent to Woodrow Avenue provides additional buffering/screening and ensures design that is sensitive to existing residential neighbors.

Additional Space (continued)

Continued from Section 2, "Area Character:"

(iii) Will not impair the purpose of the regulations of the zoning district in which the property is located: The maximum height of MF-6 zoning district are higher than under the proposed development as authorized pursuant the variance. The proposed development, with the approved variance, would be less intense than allowed pursuant to development intensity authorized pursuant to development standards under MF-6 zoning.

SAVE

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

Tract 1: 3.807 acres of land (approximately 165,821 square feet), more or less, located in Travis County, Texas, as more particularly described by metes and bounds in Exhibit A-1 attached hereto and incorporated herein for all purposes.

Tract 2: 0.329 acres of land (approximately 14,320 square feet), more or less, located in Travis County, Texas, as more particularly described by metes and bounds in Exhibit A-2 attached hereto and incorporated herein for all purposes.

Tract 1 and Tract 2 collectively, the “Property.”

Exhibit A-1

Professional Land Surveying, Inc.
Surveying and Mapping

Office: 512-443-1724
Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

3.807 ACRES**T.J. CHAMBERS SURVEY, ABSTRACT 7
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS**

A DESCRIPTION OF 3.807 ACRES OF LAND (APPROXIMATELY 165,821 SQ. FT.) MORE OR LESS, OUT OF THE T.J. CHAMBERS SURVEY, ABSTRACT NO. 7, IN TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 3.81 ACRE TRACT, CONVEYED BY C.H. CARPENTER AND WIFE REBA CARPENTER TO FAMILY SPORTS, INC. IN ASSUMPTION DEED DATED JANUARY 14, 1983, RECORDED IN VOLUME 7964, PAGE 193, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 3.807 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch rebar found in the westerly right-of-way line of Grover Ave (a variable width, dedicated public right-of-way) for the southeasterly corner hereof, same being the northeasterly corner of Lot 1 Block 16, Broadacres, a subdivision of recorded in Book 3, Page 135 of the Plat Records of Travis County, Texas;

THENCE along the southwesterly line of said 3.81 acre tract and the northeasterly line of said Broadacres, North 62°30'01" West passing at a distance of 186.74 feet a 1/2-inch rebar found for the northwest corner of said Lot 1, Block 16, same being the northeast terminus of Roosevelt Avenue (50' R.O.W.), continuing for a total distance of 236.76 feet to a 1/2-inch rebar with a "CHAPARRAL BOUNDARY" cap set for the northwest terminus of said Roosevelt Avenue, same being the northeast corner of the westerly 184.1 feet of Lot 10, Block 15 of said Broadacres from which a 1/2-inch rebar found for the southeast corner of said westerly 184.1 feet of Lot 10, Block 15 bears South 27°11'41" West, a distance of 77.39 feet;

THENCE, North 62°24'54" West, with the common line of said westerly 184.10 feet of Lot 10, Block 15 and said called 3.81 acre tract, a distance of 184.60 feet to a 1/2-inch rebar found for the northwesterly corner of said westerly 184.10 feet of Lot 10, Block 15, same being the northeasterly corner of Lot 1A, Resubdivision of Lot 1 and 2, Block 15, Broadacres, a subdivision recorded in Volume 52, Page 27 of the Plat Records of Travis County, Texas from which a 1/2-inch rebar found for the southwesterly corner of said westerly 184.1 feet of Lot 10, Block 15 bears South 27°11'41" West, a distance of 77.39 feet;

THENCE North 62°42'39" West, with the common line of said called 3.81 acre tract and said Lot 1A, a distance of 50.33 feet to a 1/2-inch rebar found for the southwesterly corner of said called 3.81 acre tract, same being the southeasterly corner of Wilder Addition Section 1, a subdivision of record in Book 5, Page 19 of the Plat Records of Travis County, Texas;

THENCE North 27°30'39" East, with the common line of said called 3.81 acre tract and said Wilder Addition Section 1, a distance of 352.99 feet to a 1/2-inch iron pipe found for the northwesterly corner of said called 3.81 acre tract, same being the northeasterly corner of Lot 21 of said Wilder Addition Section 1, also being the southwesterly corner of Lot 1 Resubdivision of Lot 1, Wilder Addition Section 2 and Lots 13, 14, and 15 Wilder Section 1 a subdivision recorded in Document Number 201800202 of the Official Public Records of Travis County, Texas;

THENCE South 62°09'19" East, with the common line of said called 3.81 acre tract and said Lot 1, passing at a distance of 467.13 feet a 1/2-inch rebar with a "CHAPARRAL BOUNDARY" cap

Page 2 of 2

found for the southeasterly corner of said Lot 1 and continuing a total distance of 471.98 feet to a ½" rebar with a "CHAPARRAL BOUNDARY" cap set for the northeasterly corner of said called 3.81 acre tract and being in the westerly right-of-way of said Grover Avenue, same being in a point of curvature for a curve to the left;

THENCE with the common line of said called 3.81 acre tract and said Grover Avenue, the following two (2) courses and distances:

1. With said curve to the left, having a radius of 624.27 feet, a delta angle of 2°03'06", an arc length of 22.35 feet, and a chord which bears South 28°32'27" West, a distance of 22.35 feet to a ½- rebar found, and
2. South 27°29'21" West, a distance of 327.89 feet to the **POINT OF BEGINNING**, containing 3.807 acres of land, more or less.

Surveyed on the ground July 23, 2020. Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on GPS Solutions from The National Geodetic Survey (NGS) On-Line Positioning User Service (OPUS).

Attachments: 1665-001-TR 1

Paul J. Flugel 7-14-2021

Paul J. Flugel
Registered Professional Land Surveyor
State of Texas No. 5096
TBPLS Firm No. 10124500



SKETCH TO ACCOMPANY A DESCRIPTION OF 3.807 ACRES OF LAND (APPROXIMATELY 165,821 SQ. FT.) MORE OR LESS, OUT OF THE T.J. CHAMBERS SURVEY, ABSTRACT NO. 7, IN TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 3.81 ACRE TRACT CONVEYED BY C.H. CARPENTER AND WIFE REBA CARPENTER TO FAMILY SPORTS, INC. IN ASSUMPTION DEED DATED JANUARY 14, 1983, RECORDED IN VOLUME 7964, PAGE 193, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

LEGEND

- 1/2" REBAR FOUND
- ^{CH} 1/2" REBAR WITH "CHAPARRAL" CAP FOUND
- ⊙ 1/2" IRON PIPE FOUND
- () RECORD INFORMATION

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	BEARING	CHORD
C1	624.27'	2°03'06"	22.35'	S28°32'27"W	22.35'

LINE TABLE

LINE	BEARING	DISTANCE
L1	S27°11'41"W	77.39'
L2	S26°58'50"W	77.89'
L3	N62°42'39"W	50.33'



Paul J. Flugel
7-14-2021

DATE OF SURVEY: 07/23/2020
PLOT DATE: 07/14/2021
DRAWING NO.: 1665-001-TR 1
PROJECT NO.: 1665-001
T.B.P.E.L.S. FIRM NO. 10124500
DRAWN BY: RGH
SHEET 1 OF 2

Chaparral

BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS)

ATTACHMENTS: METES AND BOUNDS DESCRIPTION 1665-001-TR 1

Exhibit A-2



Professional Land Surveying, Inc.
Surveying and Mapping

Office: 512-443-1724
Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

0.329 ACRE

**T.J. CHAMBERS SURVEY, ABSTRACT 7
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS**

A DESCRIPTION OF 0.329 ACRE OF LAND (APPROXIMATELY 14,320 SQ. FT.) MORE OR LESS, OUT OF THE T.J. CHAMBERS SURVEY, ABSTRACT NO. 7, IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT PROPERTY DESCRIBED AS THE WESTERLY 184.1 FEET OF LOT 10, BLOCK 15, OF BROADACRES, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, RECORDED IN BOOK 3, PAGE 135, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS CONVEYED TO FAMILY SPORTS, INC. IN GENERAL WARRANTY DEED DATED JANUARY 26, 1996, RECORDED IN VOLUME 12611, PAGE 1008, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.329 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2-inch rebar found in the westerly right-of-way line of Grover Ave (a variable width, dedicated public right-of-way) for the southeasterly corner hereof, same being the northeasterly corner of Lot 1 Block 16, Broadacres, a subdivision of recorded in Book 3, Page 135 of the Plat Records of Travis County, Texas, also being the southeasterly corner of that certain 3.81 acre tract of land conveyed by Assumption Deed to Family Sports Inc. recorded in Volume 7964, Page 193 of the Deed Records of Travis County, Texas;

THENCE along the southwesterly line of said 3.81 acre tract and the northeasterly line of said Broadacres, North 62°30'01" West passing at a distance of 186.74 feet a 1/2-inch rebar found for the northwest corner of said Lot 1, Block 16, same being the northeast terminus of Roosevelt Avenue (50' R.O.W.), continuing for a total distance of 236.76 feet to a 1/2-inch rebar with a "CHAPARRAL BOUNDARY" cap set for the northwest terminus of said Roosevelt Avenue, same being the northeast corner of the said westerly 184.1 feet of Lot 10, Block 15;

THENCE South 27°11'41" West, with the common line of said Roosevelt Avenue and said westerly 184.1 feet of Lot 10, a distance of 77.39 feet to a 1/2-inch rebar found for the southeasterly corner of said west 184.10 feet, same being the northeasterly corner of the westerly 184.10 feet of Lot 11, Block 15 of said Broadacres;

THENCE, North 62°34'08" West, with the common line of said westerly 184.10 feet of Lot 10, Block 15 and said westerly 184.10 feet of Lot 11, Block 15, a distance of 184.30 feet to a 1/2-inch rebar found for the southwesterly corner of said westerly 184.10 feet of Lot 10, Block 15, same being the northwesterly corner of said 184.10 feet of Lot 11, Block 15, also being in the easterly line of Lot 1A, Resubdivision of Lot 1 and 2, Block 15, Broadacres, a subdivision recorded in Volume 52, Page 27 of the Plat Records of Travis County, Texas;

THENCE North 26°58'50" East, with the common line of said westerly 184.10 feet of Lot 10, Block 15 and said Lot 1A, a distance of 77.89 feet to a 1/2-inch rebar found for the northwesterly corner of said westerly 184.10 feet of Lot 10, Block 15 and the northeasterly corner of said Lot 1A, also being in the southwesterly line of said 3.81 acre tract from which a 1/2-inch rebar found for the southwesterly corner of said 3.81 acre tract bears North 62°42'39" West, a distance of 50.33 feet;

Page 2 of 2

THENCE South 62°24'54" East, with the common line of said westerly 184.10 feet of Lot 10, Block 15 and said 3.81 acre tract, a distance of 184.60 feet to the **POINT OF BEGINNING**, containing 0.329 acre of land, more or less.

Surveyed on the ground July 23, 2020. Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on GPS Solutions from The National Geodetic Survey (NGS) On-Line Positioning User Service (OPUS).

Attachments: 1665-001-TR 2

Paul J. Flugel 7/14/2021

Paul J. Flugel
Registered Professional Land Surveyor
State of Texas No. 5096
TBPLS Firm No. 10124500



SKETCH TO ACCOMPANY A DESCRIPTION OF 0.329 ACRE OF LAND (APPROXIMATELY 14,320 SQ. FT.) MORE OR LESS, OUT OF THE T.J. CHAMBERS SURVEY, ABSTRACT NO. 7, IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT PROPERTY DESCRIBED AS THE WESTERLY 184.1 FEET OF LOT 10, BLOCK 15, OF BROADACRES, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, RECORDED IN BOOK 3, PAGE 135, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS CONVEYED TO FAMILY SPORTS, INC. IN GENERAL WARRANTY DEED DATED JANUARY 26, 1996, RECORDED IN VOLUME 12611, PAGE 1008, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

LEGEND

- 1/2" REBAR FOUND
- 1/2" REBAR WITH "CHAPARRAL" CAP SET
- () RECORD INFORMATION

LINE TABLE

LINE	BEARING	DISTANCE
L1	S27°11'41"W	77.39'
L2	N26°58'50"E	77.89'
L3	N62°42'39"W	50.33'



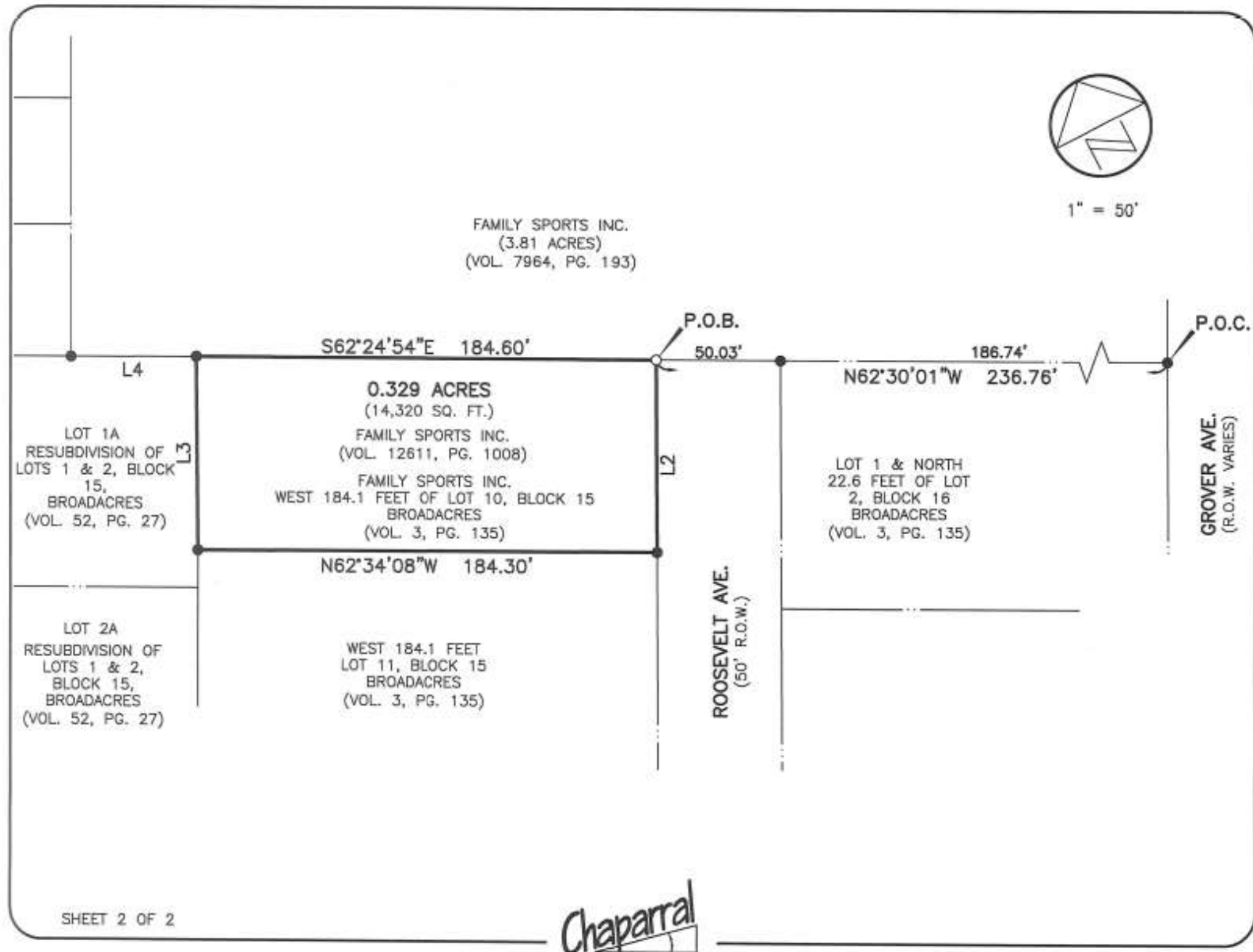
Paul J. Flugel
7-14-2021

DATE OF SURVEY: 07/23/2020
PLOT DATE: 07/14/2021
DRAWING NO.: 1665-001-TR 2
PROJECT NO.: 1665-001
T.B.P.E.L.S. FIRM NO. 10124500
DRAWN BY: RGH
SHEET 1 OF 2

Chaparral

BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS)

ATTACHMENTS: METES AND BOUNDS DESCRIPTION 1665-001-TR 2





David Hartman
PARTNER

Direct Line 512.225.1704 • Direct Fax 512.225.1714
Email: [REDACTED]

September 24, 2021

Elaine Ramirez
Board of Adjustment Liaison
City of Austin Development Services Department
6310 Wilhelmina Delco Dr
Austin, TX 78752

Re: **ADVANCED PACKET** – 5700 Grover Avenue and 5612 Roosevelt Avenue, comprising approximately 4.135 acres (the “Property”) – Board of Adjustment General Variance Application (Permit 2021-000081 BA, the “Variance Application”)

Dear Ms. Ramirez:

On behalf of the applicant, owner of the Property in the above-referenced matter, we submitted the Variance Application requesting variances pertaining to the following: (i) maximum fence height along the western Property line adjacent to single family housing along Woodrow Avenue per agreement with Brentwood Neighborhood Association, and (ii) compatibility standards related to adjacent McCallum High School tennis courts/running track/sports field located to the east of the Property along Grover Avenue. See attached Exhibit A “Variance Requests.”

The Property is located south of West Koenig Lane, between Woodrow Avenue and Grover Avenue, and was previously occupied by Dart Bowl bowling alley. Property zoned SF-3 adjacent to the subject tract -- McCallum High School to the east, and single family lots to the west – trigger Article 10 (Compatibility Standards) of Subchapter A, Chapter 25-2, of the Austin Land Development Code with respect to the Property.

On August 26, 2021 the City Council approved rezoning Ordinance No. 20210826-099 that zoned the Property MF-6-CO-NP to authorize multifamily development located on 3.81 acres at 5700 Grover Avenue (Tract 1), and 0.32 acres at 5612 Roosevelt Avenue (Tract 2). See attached Exhibit B “Zoning Ordinance No. 20210826-099.” A preliminary concept plan illustrating the proposed multifamily development is attached as Exhibit C “Preliminary Concept Plan.” The conditional overlays to the zoning ordinance provide as follows:

- 1) Development of the Property is limited to 300 dwelling units.
- 2) A 6-foot high solid wooden fence shall be provided along the west Property line.
- 3) The following applies to Tract 1:
 - a. Maximum height of a building or structure shall not exceed 45 feet and 4 stories.
 - b. A 40-foot wide building setback shall be established and maintained along the west Property line where the Property abuts a residential property. Note: The foregoing 40-foot wide building setback exceeds City Code Compatibility requirements, which requires only a minimum 25-foot wide building setback along the west property line.
- 4) The following applies to Tract 2:
 - a. Maximum height of a building or structure shall not exceed 35 feet and 3 stories.
 - b. Development of Tract 2 is limited to 20 dwelling units.
 - c. Development may not exceed impervious coverage of 65%.

The Property is located along Grover Avenue, a Level 2/Local Mobility Street per the Austin Strategic Mobility Plan, and the Project Connect Orange Line Koenig Station is proposed roughly 1/3 mile to the east. The proposed multifamily development is bounded by single-family uses to the west/southwest part of the property, and McCallum High School tennis courts/running track/sport field zoned SF-3 to the east which triggers compatibility limitations thereby significantly limiting redevelopment of the property. Hardships {002.00229710.2}

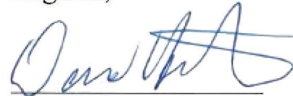
related to the site detailed in the Variance Application and summarized below have significant negative impact on the site. The variances will help provide much needed housing consistent with City goals for housing, including affordable housing.

Critical water quality zone, easements, floodplain, enhanced 40' building setback along the west property line per agreement with Brentwood Neighborhood Association, and location of parkland recreational trail and firelane constraints uniquely encumber the property and reduce the geometric footprint for the proposed multifamily development. See Exhibit D "Property Constraints" and Exhibit E "Parkland Exhibit." Multiple easements exist along the southern and western property line. These numerous site constraints are not common to other properties, and limit the ability for an alternative configuration of the proposed apartment building.

Finally, the Variance Requests are supported by the Brentwood Neighborhood Association Steering Committee (See Exhibit F).

We look forward to providing additional detail to Board of Adjustment Commissioners at their October 11, 2021, meeting.

Regards,

A handwritten signature in blue ink, appearing to read "David Hartman", written over a horizontal line.

David Hartman

EXHIBIT A
Variance Requests

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

1. LDC Section 25-2-1063 Compatibility Height requirements of Article 10, Compatibility Standards, Division 2 – Development Standards, (C)(2) (Height Limitations and Setbacks for Large Sites) to increase the height limit from 3 stories and 40 feet (required/permitted) to 4 stories and 45 feet (requested) in order to erect a 4 story apartment building. Request is applicable to east property line only.
2. LDC Section 25-2-1063 Compatibility Height requirements of Article 10, Compatibility Standards, Division 2 – Development Standards, (C)(3) (Height Limitations and Setbacks for Large Sites) to increase the allowed height of a structure more than 100 feet but not more than 300 feet from property in an SF-5 or more restrictive zoning district, from 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive (required/permitted by LDC), to a maximum 45 feet (requested) in order to erect a 4 story apartment building. Request is applicable to the east property line only.
3. LDC Section 25-2-899(D)&(E)(Fences as Accessory Uses) to increase the fence height permitted from an average of 6 feet or a maximum of 7 feet (required/permitted) to 8 feet average height (requested) on the western property line only.

EXHIBIT BZoning Ordinance No. 20210826-099**ORDINANCE NO. 20210826-099**

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 5700 GROVER AVENUE AND 5612 ROOSEVELT AVENUE IN THE BRENTWOOD/HIGHLAND COMBINED NEIGHBORHOOD PLAN AREA FROM GENERAL COMMERCIAL SERVICES-MIXED USE-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-MU-CO-NP) COMBINING DISTRICT (TRACT 1) AND MULTIFAMILY RESIDENCE MEDIUM DENSITY-NEIGHBORHOOD PLAN (MF-3-NP) COMBINING DISTRICT (TRACT 2) TO MULTIFAMILY RESIDENCE HIGHEST DENSITY - CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (MF-6-CO-NP) COMBINING DISTRICT.

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

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district (Tract 1) and multifamily residence medium density-neighborhood plan (MF-3-NP) combining district (Tract 2) to multifamily residence highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district on the property described in Zoning Case No. C14-2021-0019, on file at the Housing and Planning Department, as follows:

Tract 1:

3.807 acres of land (approximately 165,821 square feet), more or less, out of the T.J. Chambers Survey, Abstract No. 7, in Travis County, Texas, being all of a 3.81 acre tract conveyed to Family Sports, Inc., in an Assumption Deed recorded in Volume 7964, Page 193, Deed Records of Travis County, Texas, said 3.807 acres of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance, and

Tract 2:

0.329 acre of land (approximately 14,320 square feet), more or less, out of the T.J. Chambers Survey, Abstract No. 7, in Travis County, Texas, being all of that property described as the westerly 184.1 feet of Lot 10, Block 15 of BROADACRES, a subdivision in Travis County, Texas, recorded in Book 3, Page 135, Plat Records of Travis County, Texas, said 0.329 acre being more particularly described by metes and bounds in **Exhibit "B"** incorporated into this ordinance (Tract 1 and Tract 2 are cumulatively referred to as the "Property"),

locally known as 5700 Grover Avenue and 5612 Roosevelt Avenue in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit "C"**.

Page 1 of 3

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- (A) Development of the Property is limited to 300 dwelling units.
- (B) A 6-foot high solid fence shall be provided and maintained along the west property line.
- (C) The following applies to Tract 1 of the Property:
 - 1. The maximum height of a building or structure shall not exceed 45 feet and 4 stories.
 - 2. A 40-foot wide building setback shall be established and maintained along the west property line where the Property abuts a residential property.
- (D) The following applies to Tract 2 of the Property:
 - 1. The maximum height of a building or structure shall not exceed 35 feet and 3 stories.
 - 2. Development of the Tract is limited to 20 dwelling units.
 - 3. Development may not exceed an impervious coverage of 65%.

PART 3. Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the multifamily residence highest density (MF-6) base district and other applicable requirements of the City Code.

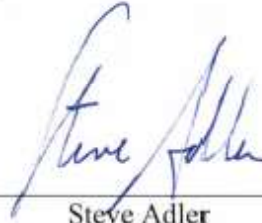
PART 4. Except as specifically modified by this ordinance, the Property is subject to Ordinance No. 040513-33A that established zoning for the Brentwood Neighborhood Plan.

PART 5. This ordinance takes effect on September 6, 2021.

PASSED AND APPROVED

_____, August 26 _____, 2021

§
§
§



Steve Adler
Mayor

APPROVED:  **ATTEST:** 

Anne L. Morgan
City Attorney

Jannette S. Goodall
City Clerk



Professional Land Surveying, Inc.
Surveying and Mapping

Office: 512-443-1724
Fax: 512-369-0943

3500 McCall Lane
Austin, Texas 78744

3.807 ACRES

T.J. CHAMBERS SURVEY, ABSTRACT 7 CITY OF AUSTIN, TRAVIS COUNTY, TEXAS

A DESCRIPTION OF 3.807 ACRES OF LAND (APPROXIMATELY 165,821 SQ. FT.) MORE OR LESS, OUT OF THE T.J. CHAMBERS SURVEY, ABSTRACT NO. 7, IN TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 3.81 ACRE TRACT, CONVEYED BY C.H. CARPENTER AND WIFE REBA CARPENTER TO FAMILY SPORTS, INC. IN ASSUMPTION DEED DATED JANUARY 14, 1983, RECORDED IN VOLUME 7964, PAGE 193, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 3.807 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch rebar found in the westerly right-of-way line of Grover Ave (a variable width, dedicated public right-of-way) for the southeasterly corner hereof, same being the northeasterly corner of Lot 1 Block 16, Broadacres, a subdivision of recorded in Book 3, Page 135 of the Plat Records of Travis County, Texas;

THENCE along the southwesterly line of said 3.81 acre tract and the northeasterly line of said Broadacres, North 62°30'01" West passing at a distance of 186.74 feet a 1/2-inch rebar found for the northwest corner of said Lot 1, Block 16, same being the northeast terminus of Roosevelt Avenue (50' R.O.W.), continuing for a total distance of 236.76 feet to a 1/2-inch rebar with a "CHAPARRAL BOUNDARY" cap set for the northwest terminus of said Roosevelt Avenue, same being the northeast corner of the westerly 184.1 feet of Lot 10, Block 15 of said Broadacres from which a 1/2-inch rebar found for the southeast corner of said westerly 184.1 feet of Lot 10, Block 15 bears South 27°11'41" West, a distance of 77.39 feet;

THENCE, North 62°24'54" West, with the common line of said westerly 184.10 feet of Lot 10, Block 15 and said called 3.81 acre tract, a distance of 184.60 feet to a 1/2-inch rebar found for the northwesterly corner of said westerly 184.10 feet of Lot 10, Block 15, same being the northeasterly corner of Lot 1A, Resubdivision of Lot 1 and 2, Block 15, Broadacres, a subdivision recorded in Volume 52, Page 27 of the Plat Records of Travis County, Texas from which a 1/2-inch rebar found for the southwesterly corner of said westerly 184.1 feet of Lot 10, Block 15 bears South 27°11'41" West, a distance of 77.39 feet;

THENCE North 62°42'39" West, with the common line of said called 3.81 acre tract and said Lot 1A, a distance of 50.33 feet to a 1/2-inch rebar found for the southwesterly corner of said called 3.81 acre tract, same being the southeasterly corner of Wilder Addition Section 1, a subdivision of record in Book 5, Page 19 of the Plat Records of Travis County, Texas;

THENCE North 27°30'39" East, with the common line of said called 3.81 acre tract and said Wilder Addition Section 1, a distance of 352.99 feet to a 1/2-inch iron pipe found for the northwesterly corner of said called 3.81 acre tract, same being the northeasterly corner of Lot 21 of said Wilder Addition Section 1, also being the southwesterly corner of Lot 1 Resubdivision of Lot 1, Wilder Addition Section 2 and Lots 13, 14, and 15 Wilder Section 1 a subdivision recorded in Document Number 201800202 of the Official Public Records of Travis County, Texas;

THENCE South 62°09'19" East, with the common line of said called 3.81 acre tract and said Lot 1, passing at a distance of 467.13 feet a 1/2-inch rebar with a "CHAPARRAL BOUNDARY" cap

Page 2 of 2

found for the southeasterly corner of said Lot 1 and continuing a total distance of 471.98 feet to a ½" rebar with a "CHAPARRAL BOUNDARY" cap set for the northeasterly corner of said called 3.81 acre tract and being in the westerly right-of-way of said Grover Avenue, same being in a point of curvature for a curve to the left;

THENCE with the common line of said called 3.81 acre tract and said Grover Avenue, the following two (2) courses and distances:

1. With said curve to the left, having a radius of 624.27 feet, a delta angle of 2°03'06", an arc length of 22.35 feet, and a chord which bears South 28°32'27" West, a distance of 22.35 feet to a ½- rebar found, and
2. South 27°29'21" West, a distance of 327.89 feet to the **POINT OF BEGINNING**, containing 3.807 acres of land, more or less.

Surveyed on the ground July 23, 2020. Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on GPS Solutions from The National Geodetic Survey (NGS) On-Line Positioning User Service (OPUS).

Attachments: 1665-001-TR 1

Paul J. Flugel 7-14-2021

Paul J. Flugel
Registered Professional Land Surveyor
State of Texas No. 5096
TBPLS Firm No. 10124500



SKETCH TO ACCOMPANY A DESCRIPTION OF 3.807 ACRES OF LAND (APPROXIMATELY 165,821 SQ. FT.) MORE OR LESS, OUT OF THE T.J. CHAMBERS SURVEY, ABSTRACT NO. 7, IN TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 3.81 ACRE TRACT CONVEYED BY C.H. CARPENTER AND WIFE REBA CARPENTER TO FAMILY SPORTS, INC. IN ASSUMPTION DEED DATED JANUARY 14, 1983, RECORDED IN VOLUME 7964, PAGE 193, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

LEGEND

- 1/2" REBAR FOUND
- ^{CH} 1/2" REBAR WITH "CHAPARRAL" CAP FOUND
- ⊙ 1/2" IRON PIPE FOUND
- () RECORD INFORMATION

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	BEARING	CHORD
C1	624.27'	2°03'06"	22.35'	S28°32'27"W	22.35'

LINE TABLE

LINE	BEARING	DISTANCE
L1	S27°11'41"W	77.39'
L2	S26°58'50"W	77.89'
L3	N62°42'39"W	50.33'



Paul J. Flugel
7-14-2021

DATE OF SURVEY: 07/23/2020
PLOT DATE: 07/14/2021
DRAWING NO.: 1665-001-TR 1
PROJECT NO.: 1665-001
T.B.P.E.L.S. FIRM NO. 10124500
DRAWN BY: RGH
SHEET 1 OF 2

BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS)

ATTACHMENTS: METES AND BOUNDS DESCRIPTION 1665-001-TR 1

Chaparral



Professional Land Surveying, Inc.
Surveying and Mapping

Office: 512-443-1724
Fax: 512-389-0943

3500 McCall Lane
Austin, Texas 78744

0.329 ACRE

**T.J. CHAMBERS SURVEY, ABSTRACT 7
CITY OF AUSTIN, TRAVIS COUNTY, TEXAS**

A DESCRIPTION OF 0.329 ACRE OF LAND (APPROXIMATELY 14,320 SQ. FT.) MORE OR LESS, OUT OF THE T.J. CHAMBERS SURVEY, ABSTRACT NO. 7, IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT PROPERTY DESCRIBED AS THE WESTERLY 184.1 FEET OF LOT 10, BLOCK 15, OF BROADACRES, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, RECORDED IN BOOK 3, PAGE 135, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS CONVEYED TO FAMILY SPORTS, INC. IN GENERAL WARRANTY DEED DATED JANUARY 26, 1996, RECORDED IN VOLUME 12611, PAGE 1008, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.329 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2-inch rebar found in the westerly right-of-way line of Grover Ave (a variable width, dedicated public right-of-way) for the southeasterly corner hereof, same being the northeasterly corner of Lot 1 Block 16, Broadacres, a subdivision of recorded in Book 3, Page 135 of the Plat Records of Travis County, Texas, also being the southeasterly corner of that certain 3.81 acre tract of land conveyed by Assumption Deed to Family Sports Inc. recorded in Volume 7964, Page 193 of the Deed Records of Travis County, Texas;

THENCE along the southwesterly line of said 3.81 acre tract and the northeasterly line of said Broadacres, North 62°30'01" West passing at a distance of 186.74 feet a 1/2-inch rebar found for the northwest corner of said Lot 1, Block 16, same being the northeast terminus of Roosevelt Avenue (50' R.O.W.), continuing for a total distance of 236.76 feet to a 1/2-inch rebar with a "CHAPARRAL BOUNDARY" cap set for the northwest terminus of said Roosevelt Avenue, same being the northeast corner of the said westerly 184.1 feet of Lot 10, Block 15;

THENCE South 27°11'41" West, with the common line of said Roosevelt Avenue and said westerly 184.1 feet of Lot 10, a distance of 77.39 feet to a 1/2-inch rebar found for the southeasterly corner of said west 184.10 feet, same being the northeasterly corner of the westerly 184.10 feet of Lot 11, Block 15 of said Broadacres;

THENCE, North 62°34'08" West, with the common line of said westerly 184.10 feet of Lot 10, Block 15 and said westerly 184.10 feet of Lot 11, Block 15, a distance of 184.30 feet to a 1/2-inch rebar found for the southwesterly corner of said westerly 184.10 feet of Lot 10, Block 15, same being the northwesterly corner of said 184.10 feet of Lot 11, Block 15, also being in the easterly line of Lot 1A, Resubdivision of Lot 1 and 2, Block 15, Broadacres, a subdivision recorded in Volume 52, Page 27 of the Plat Records of Travis County, Texas;

THENCE North 26°58'50" East, with the common line of said westerly 184.10 feet of Lot 10, Block 15 and said Lot 1A, a distance of 77.89 feet to a 1/2-inch rebar found for the northwesterly corner of said westerly 184.10 feet of Lot 10, Block 15 and the northeasterly corner of said Lot 1A, also being in the southwesterly line of said 3.81 acre tract from which a 1/2-inch rebar found for the southwesterly corner of said 3.81 acre tract bears North 62°42'39" West, a distance of 50.33 feet;

Exhibit B

1665-001-TR 2.docx

Page 2 of 2

THENCE South 62°24'54" East, with the common line of said westerly 184.10 feet of Lot 10, Block 15 and said 3.81 acre tract, a distance of 184.60 feet to the **POINT OF BEGINNING**, containing 0.329 acre of land, more or less.

Surveyed on the ground July 23, 2020. Bearing Basis: The Texas Coordinate System of 1983 (NAD83), Central Zone, based on GPS Solutions from The National Geodetic Survey (NGS) On-Line Positioning User Service (OPUS).

Attachments: 1665-001-TR 2

Paul J. Flugel 7/14/2021
Paul J. Flugel
Registered Professional Land Surveyor
State of Texas No. 5096
TBPLS Firm No. 10124500



1665-001-TR 2.docx

SKETCH TO ACCOMPANY A DESCRIPTION OF 0.329 ACRE OF LAND (APPROXIMATELY 14,320 SQ. FT.) MORE OR LESS, OUT OF THE T.J. CHAMBERS SURVEY, ABSTRACT NO. 7, IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT PROPERTY DESCRIBED AS THE WESTERLY 184.1 FEET OF LOT 10, BLOCK 15, OF BROADACRES, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, RECORDED IN BOOK 3, PAGE 135, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS CONVEYED TO FAMILY SPORTS, INC. IN GENERAL WARRANTY DEED DATED JANUARY 26, 1996, RECORDED IN VOLUME 12611, PAGE 1008, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

LEGEND

- 1/2" REBAR FOUND
- 1/2" REBAR WITH "CHAPARRAL" CAP SET
- () RECORD INFORMATION

LINE TABLE

LINE	BEARING	DISTANCE
L1	S27°11'41"W	77.39'
L2	N26°58'50"E	77.89'
L3	N62°42'39"W	50.33'



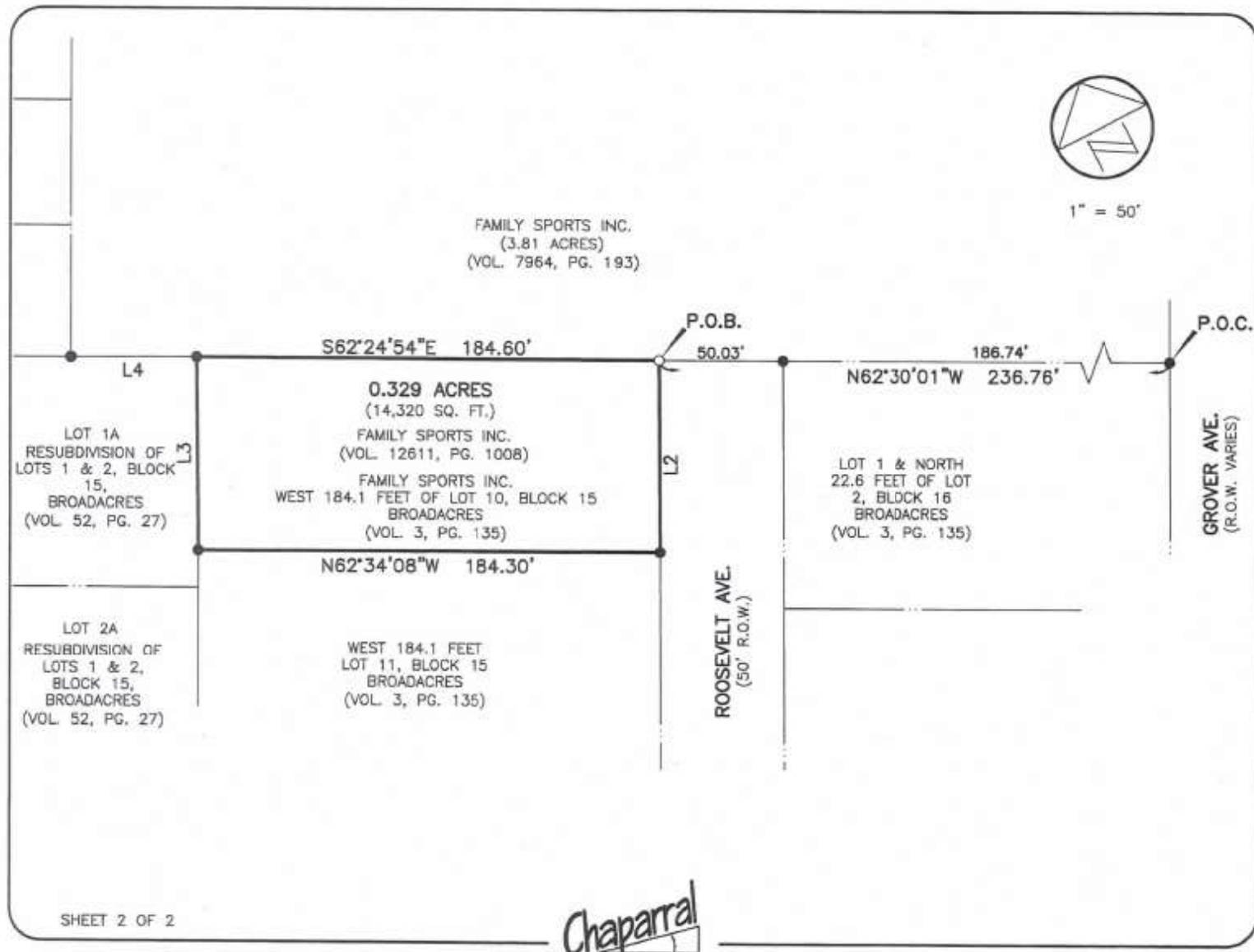
Paul J. Flugel
7-14-2021

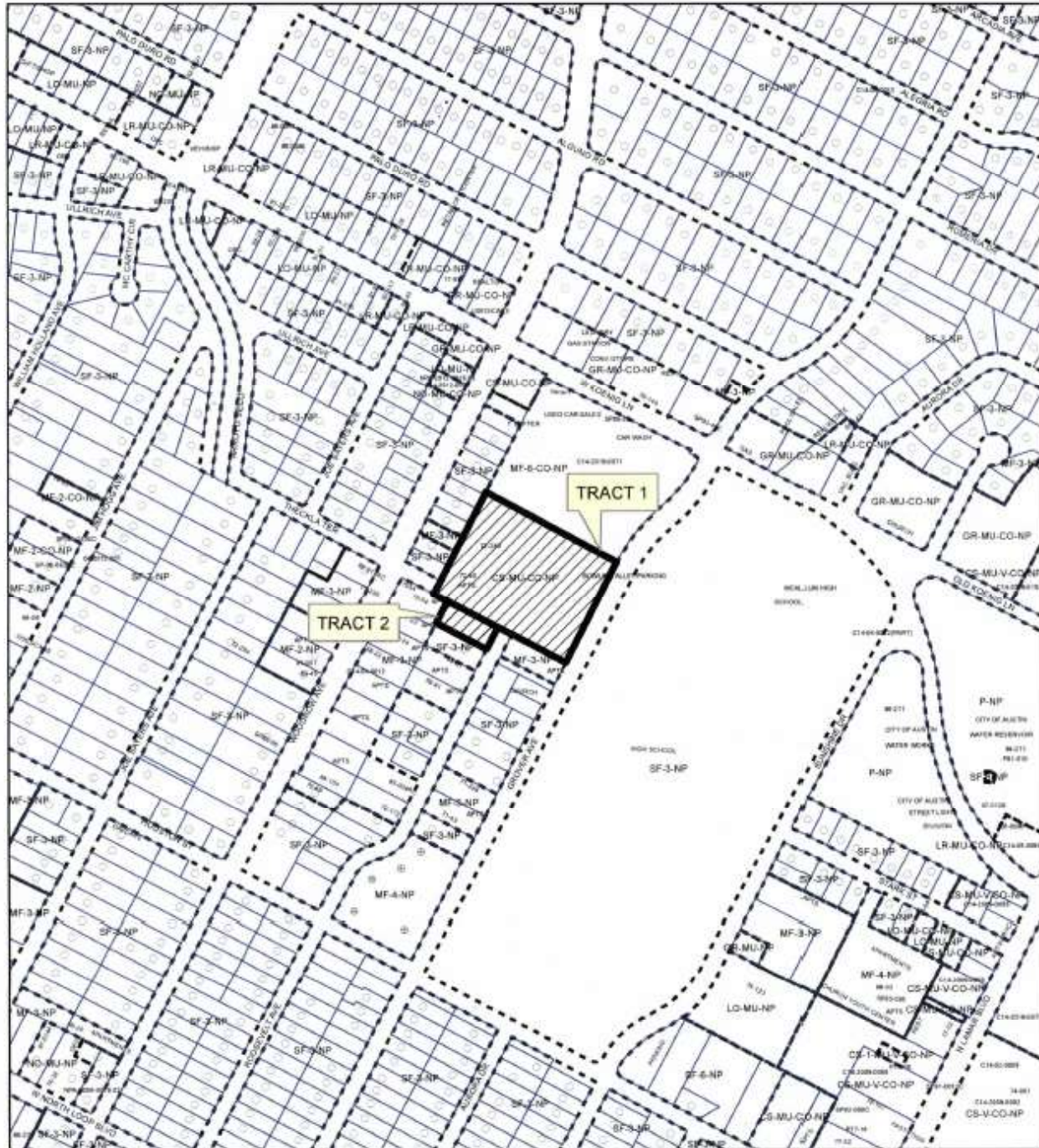
DATE OF SURVEY: 07/23/2020
PLOT DATE: 07/14/2021
DRAWING NO.: 1665-001-TR 2
PROJECT NO.: 1665-001
T.B.P.E.L.S. FIRM NO. 10124500
DRAWN BY: RGH
SHEET 1 OF 2

Chaparral




BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (OPUS)

ATTACHMENTS: METES AND BOUNDS DESCRIPTION 1665-001-TR 2





1" = 400'

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING**ZONING CASE#: C14-2021-0019****Exhibit C**

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

**Created: 6/7/2021**

EXHIBIT C

Preliminary Concept Plan

5700 Grover Ave.
Preliminary Concept Plan - Option



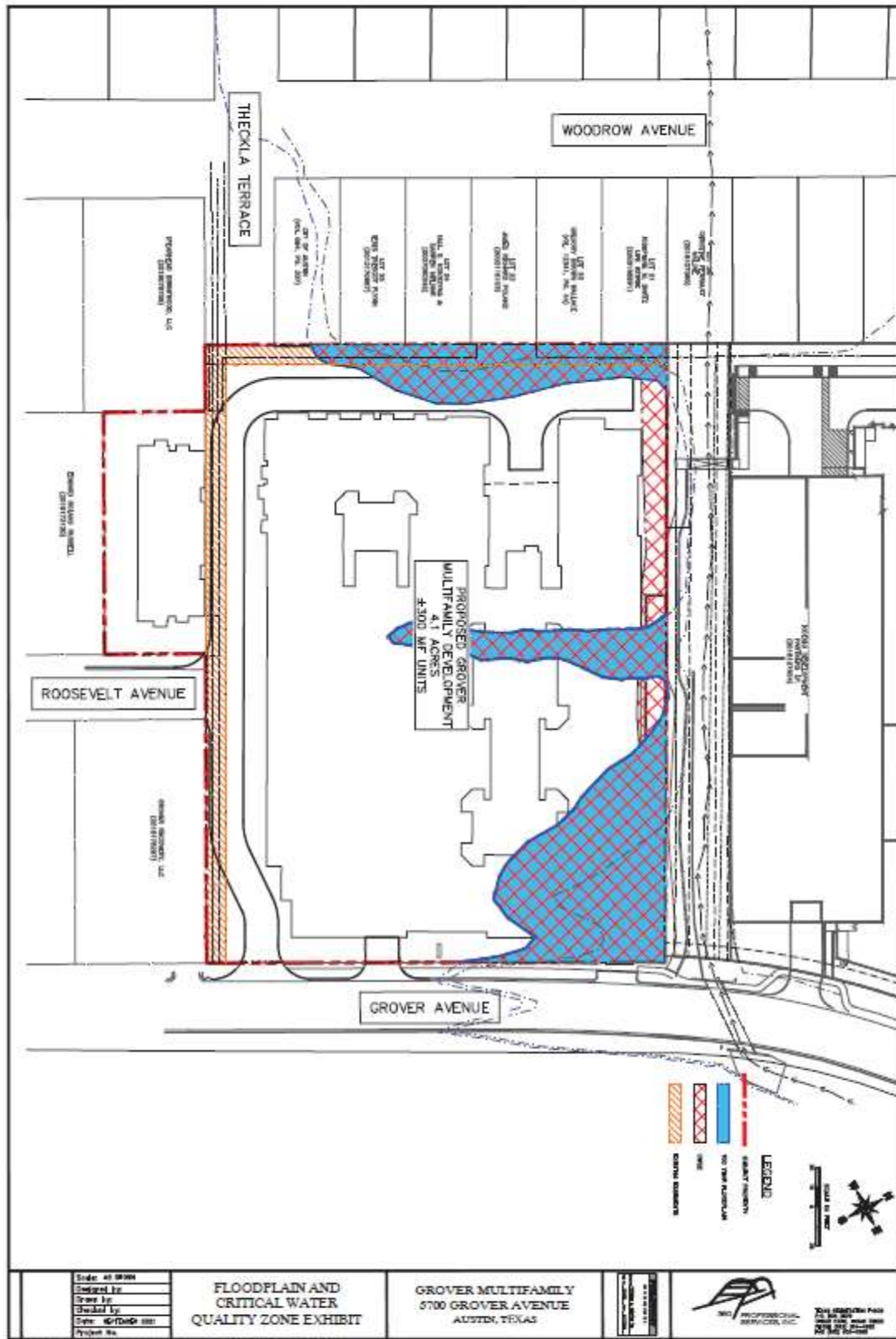
EXHIBIT D**Property Constraints**

EXHIBIT F

BNA Letter of Support



Brentwood Neighborhood Association

Serving Our Neighborhood from 45th St. to Justin Lane and North Lamar to Burnet Road

September 23, 2021

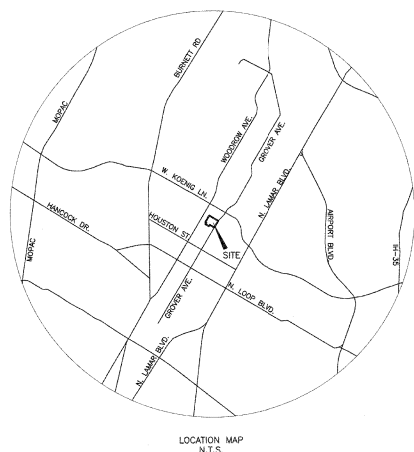
Re: Board of Adjustment Case C15-2021-0096, 5700 Ave. and 5612 Roosevelt Ave.

The Brentwood Neighborhood Association Steering Committee supports the following specific variance requests set forth in the above-reference Board of Adjustment Case application pertaining to the redevelopment at 5700 Ave. and 5612 Roosevelt Ave.:

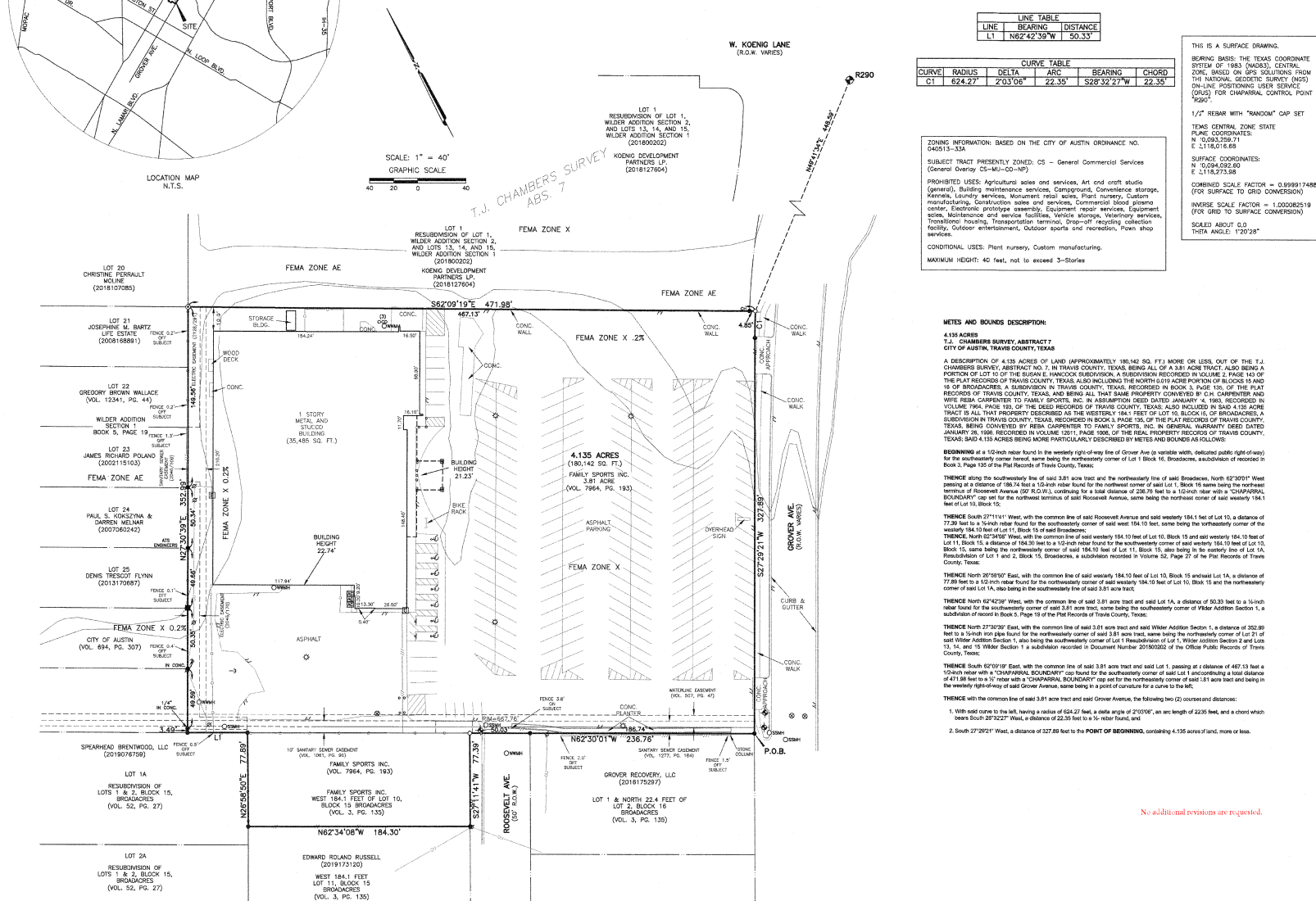
1. The compatibility setback along the eastern property line adjacent to Grover Avenue, which is across the street from the McCallum High School (zoned SF-3, which is triggering setback). No waivers for the western property line adjacent to Woodrow Avenue are requested by the applicant or supported.
2. We support the height variance increase to 45' because of unique property constraints.
3. We support the variance to build higher fencing along the western property line adjacent to the single-family housing on Woodrow Avenue.

A handwritten signature in black ink, appearing to read 'Kristine Poland'.

Kristine Poland
President, Brentwood Neighborhood Association



AN ALTA/NSPS LAND TITLE SURVEY OF 4.135 ACRES OF LAND (APPROXIMATELY 180,142 SQ. FT.) MORE OR LESS, OUT OF THE T.J. CHAMBERS SURVEY, ABSTRACT NO. 7, IN TRAVIS COUNTY, TEXAS, BEING ALL OF A 3.81 ACRE TRACT, ALSO BEING A PORTION OF LOT 10 OF THE SUSAN E. HANCOCK SUBDIVISION, A SUBDIVISION RECORDED IN VOLUME 2, PAGE 143 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, ALSO INCLUDING THE NORTH 0.019 ACRE PORTION OF BLOCKS 15 AND 16 OF BROADACRES, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, RECORDED IN BOOK 3, PAGE 135, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING ALL THAT SAME PROPERTY CONVEYED BY C.H. CARPENTER AND WIFE REBA CARPENTER TO FAMILY SPORTS, INC. IN ASSUMPTION DEED DATED JANUARY 14, 1983, RECORDED IN VOLUME 7964, PAGE 193, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; ALSO INCLUDED IN SAID 4.135 ACRE TRACT IS ALL THAT PROPERTY DESCRIBED AS THE WESTERLY 184.1 FEET OF LOT 10, BLOCK 15, OF BROADACRES, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, RECORDED IN BOOK 3, PAGE 135, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, BEING CONVEYED BY REBA CARPENTER TO FAMILY SPORTS, INC. IN GENERAL WARRANTY DEED DATED JANUARY 26, 1996, RECORDED IN VOLUME 12611, PAGE 1008, OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N62°42'39"W	50.33'

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	BEARING	CHORD
C1	624.27'	2°03'06"	22.35'	S28°32'27"W	22.35'

THIS IS A SURFACE DRAWING

BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (NAD83), CENTRAL ZONE, BASED ON GPS SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS) ON-LINE POSITIONING USER SERVICE (ORUS) FOR CHAPARRAL CONTROL POINT "R290".

TEXAS CENTRAL ZONE STATE
PLANE COORDINATES:
N 10,093,259.71
E 2,118,016.68

SURFACE COORDINATES:
N 0,094,092.60
E 2,118,273.98

COMBINED SCALE FACTOR = 0.99991748E
(FOR SURFACE TO GRID CONVERSION)

INVERSE SCALE FACTOR = 1.000082519
(FOR GRID TO SURFACE CONVERSION)

SCALED ABOUT 0.0
PLANE: none, origin: 0

THEIA ANGLE: 120.28

LEGEND	
● 1/2" REBAR FOUND (OR AS NOTED)	☐ GAS UTILITY
⊙ 1/2" REBAR WITH "CHAPARRAL" CAP FOUND	☐ GAS PAD
⊙ 1/2" REBAR WITH "CHAPARRAL" CAP SET	000 CLEANTU
⊙ 1/2" IRON PIPE FOUND	ORHAK WASTEWATER MANHOLE
⊙ BOLT FOUND	ORHAK STORMSEWER MANHOLE
⊙ CONTROL POINT/BENCHMARK LOCATION	⊙ HANDCAP PARKING SPACE
⊙ WATER METER	Y SIGN
⊙ WATER VALVE	⊙ DIRT DRUM
⊙ FIRE HYDRANT	⊙ BOLLARD
⊙ UTILITY POLE	—/—/— EDGE OF ASPHALT PAVEMENT
— GUY WIRE	— CHAIN LINK FENCE
— OVERHEAD UTILITIES	— WROUGHT IRON FENCE
⊙ ELECTRIC UTILITY	— WOOD FENCE
⊙ LIGHT POLE	() RECORD INFORMATION

PARKING SPACE TOTAL COUNT	
TOTAL -	226
HANDICAP -	7
REGULAR -	219

TITLE COMMITMENT NOT

COMMITMENT FOR TITLE INSURANCE PREPARED BY:

Prominent Title, LLC Title Insurance Company
Old Republic National Title Insurance Company

The surveyor has relied upon the referenced Commitment for Title regarding easements, restrictions, and other matters affecting this property. No additional research was done for the purpose of this

Schedule "B" items contained therein and re-listed below were considered:

f. Easement exacted by K. P. Barton, to the City of Austin, recorded in/under 507/47, of the Deed Records of Travis County, Texas. -- subject to, as shown

i. Ennelement executed by Harry S. Wilder, Jr. and wife, Alice Ann Wilder, to the City of Austin, 1999.

j. Easement executed by Harry S. Wilder, Jr. and wife, Alice Ann Wilder, to the City of Austin, record in/under 1061/90, of the Deed Records of Travis County, Texas. -- subject to, as shown

l. Encumbrance recorded by Modern Building, Inc. to the City of Austin, recorded in Under 00466400.

m. Easement executed by Modern Bowling, Inc. to the City of Austin, recorded in/under 2045/170, of the Deed Records of Travis County, Texas. -- subject to, as shown

n. Easement executed by Modern Bowling, Inc. to the City of Austin, recorded in/under 2128/291, of the Deed Records of Travis County, Texas. -- subject to, as shown

FLOOD-PLAIN NOTE:

A portion of tract shown hereon lies within Zone "X" (0.2% annual chance flood hazard, areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile) and Zone "AE", as identified by the Federal Emergency Management Agency, National Flood Insurance Program, as shown on map no. 48453C04551, dated January 8, 2016, for Tomlin County.

Texas and incorporated areas. If this site is not within an identified special flood hazard area, this flood statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. This flood statement shall not create liability on the part of the surveyor.

ALTA/NSPS SURVEY NOTES:
(Table A, item 6a and 6b)

The information shown hereon (if any) regarding zoning and/or parking requirements, was provided to the surveyor by others and is shown hereon for reference only. The surveyor does not warrant or certify as to its completeness or accuracy. Zoning and parking requirements are subject to change and should be verified with the City before relying on this information.

(Table A, Item 7b1)
 Square footage of buildings, if shown, is based on the outside, ground floor footprint. Unless noted otherwise, the surveyor has not accessed the inside of the building for measurement purposes.

GENERAL SURVEY NOTES:

ATTACHMENTS:

SURVEYOR'S CERTIFICATE:

CERTIFIED TO:

3423 Holdings, LLC, a Texas limited liability partnership
Family Sports, Inc.
Prominent Title, LLC

This is to certify that this map or plot and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly

The Gold work was completed on July 23, 2020.

[illegible]

Paul J. Flugel Date _____
Registered Professional Land Surveyor
State of Texas No. 5096


		PROJECT NO.:
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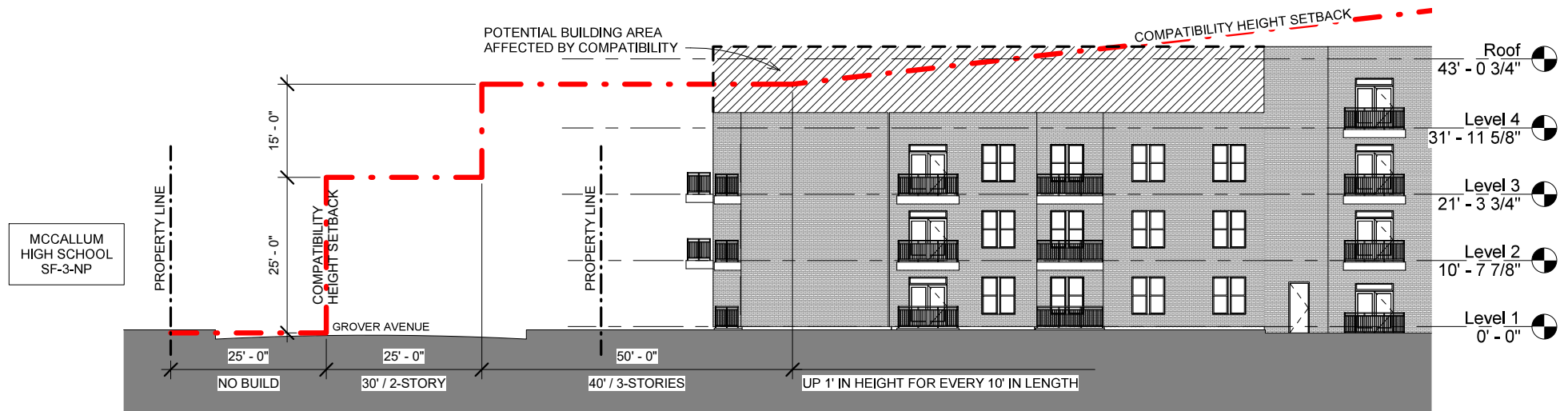
1665-001

DRAWING NO.:
1665-002-T

 PLOT DATE: 08/31/2020
 PLOT SCALE:


Professional Land Surveying, Inc.
Surveying and Mapping
3500 McGill Lane
PLOT SCALE:
1"=40'
DRAWN BY:
RCH

Paul J. Flugel R.P.L.S. No. 5096	5300 Meacham Lane Austin, Texas 78744 512-443-1724 Firm No. 10124500	SHEET 01 OF 0
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1 North Elevation - Variance Exhibit Existing
1/16" = 1'-0"

Height Exhibit

01

Oden Hughes Taylor

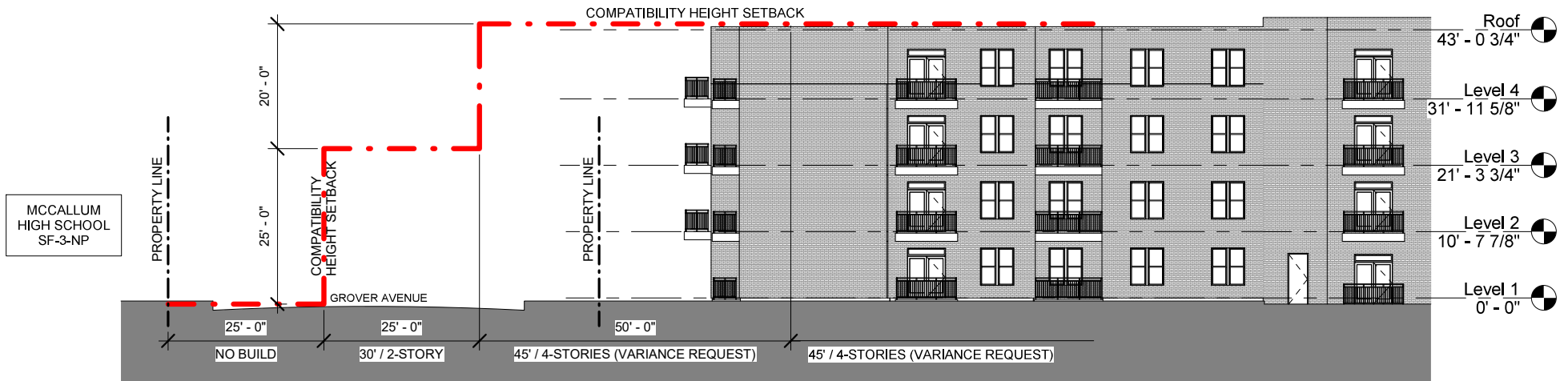
DAVIES
COLLABORATIVE

Grover Multifamily

21026

September 9, 2021

1/16" = 1'-0"



1 North Elevation - Variance Exhibit Proposed
1/16" = 1'-0"

Height Exhibit

02

Oden Hughes Taylor

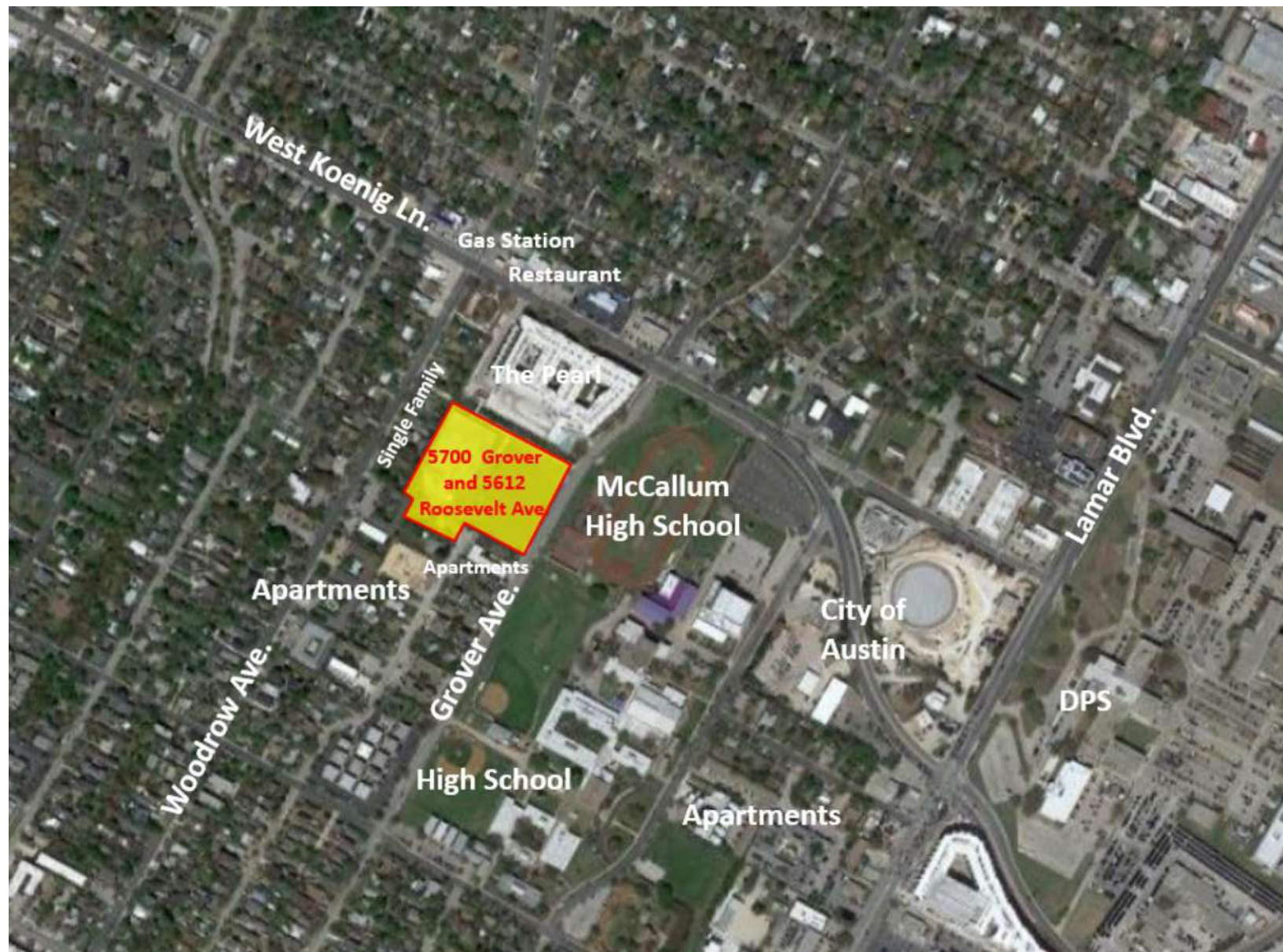
DAVIES
COLLABORATIVE

Grover Multifamily

21026

September 9, 2021

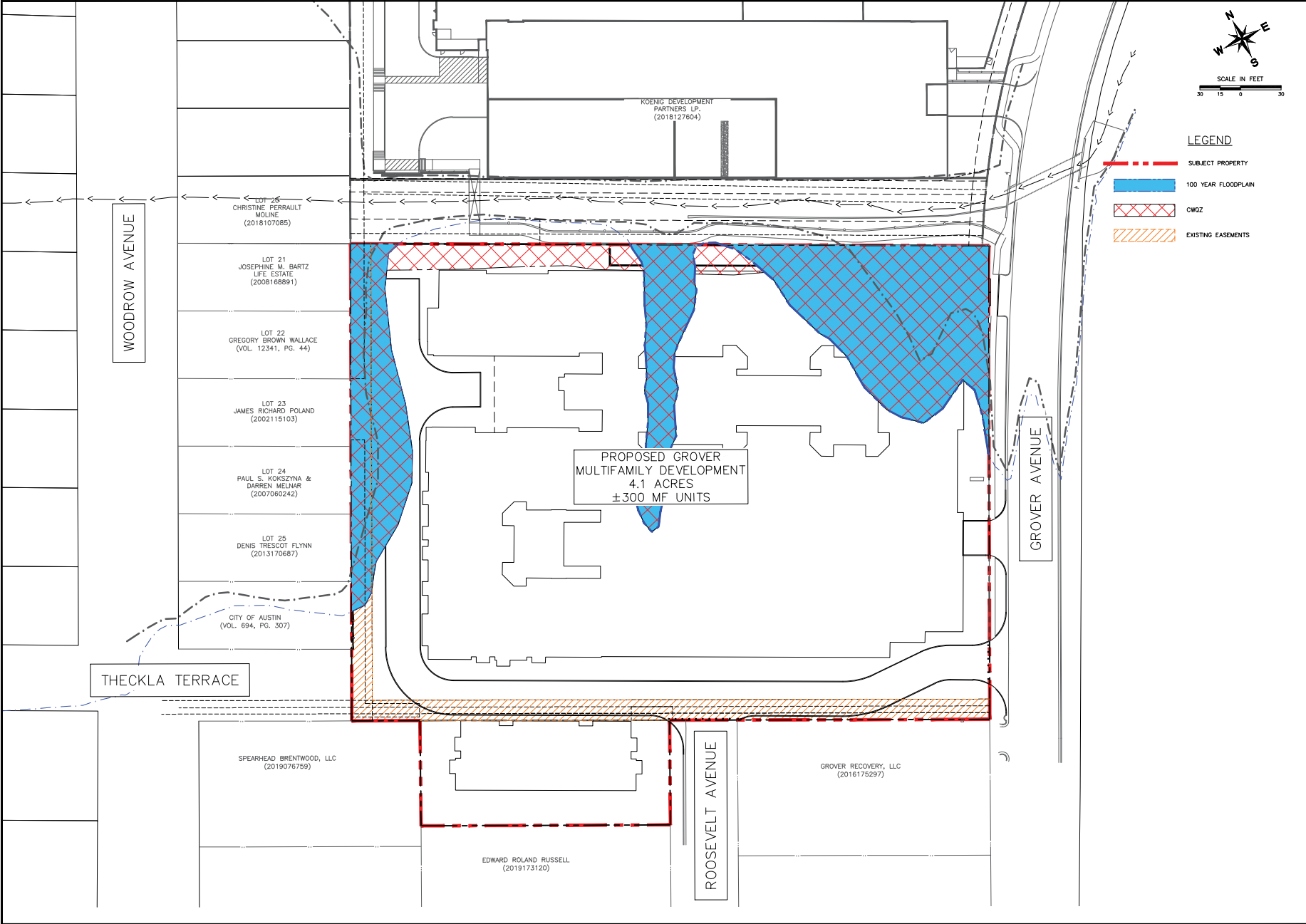
1/16" = 1'-0"













Property Profile

E-5/47

Legend

- Addresses



0.0 0 0.02 0.0 Miles

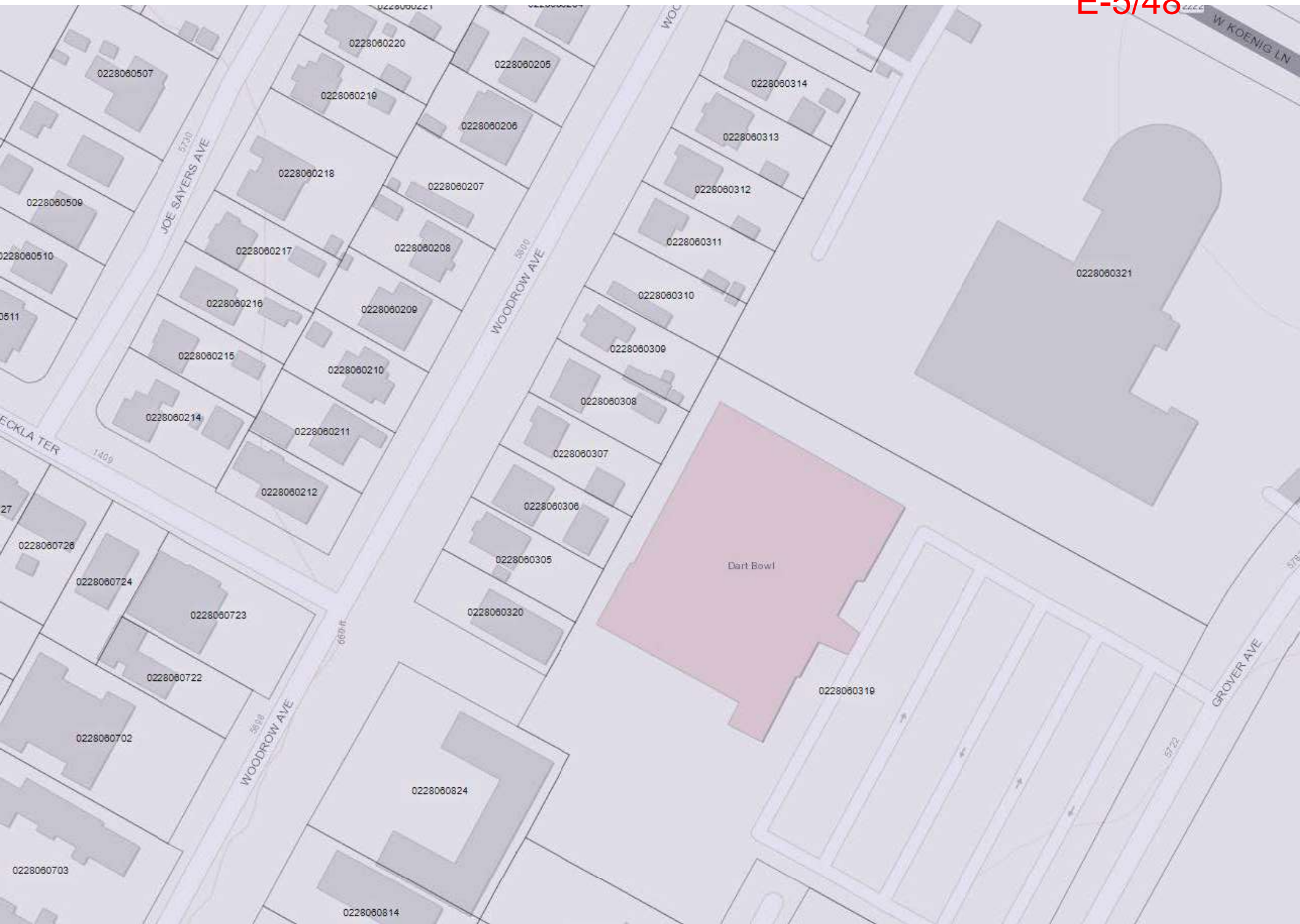
NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet

Date Printed:

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



Notes



Ramirez, Elaine

From: Jhadira Saucedo [REDACTED]
Sent: Sunday, October 10, 2021 8:14 PM
To: Ramirez, Elaine
Cc: Aaron Saucedo
Subject: Case Number: C15-2021-0096
Attachments: Scanned Documents.pdf

*** External Email - Exercise Caution ***

Elaine Ramirez,

This email pertains to the Notice of Public Hearing Land Development Code Variance for Case Number: C15-2021-0096. Scheduled hearing to be conducted by the Board of Adjustment on Monday, October 11, 2021, beginning at 5:30 PM.

I have attached our written comments regarding our objection to these variance requests as they would directly impact our property value and privacy for our 8-year old daughter.

We are willing to be in favor of the variance request for the 8ft fence as it would provide privacy from tenants in the erected apartment building but object to the development of a four (4) story building.

Thank you,
Jhadira Saucedo
714-471-7463
5705 Woodrow Ave, Austin, TX 78756

CAUTION: This email was received at the City of Austin, from an EXTERNAL source. Please use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please forward this email to cybersecurity@austintexas.gov.

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, **you are not required to attend**. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

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.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
 - appearing and speaking for the record at the public hearing;
- and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
 - is the record owner of property within 500 feet of the subject property or proposed development; or
 - 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.

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.

For additional information on the City of Austin's land development process, visit our web site: www.austintexas.gov/devservices.

Written comments must be submitted to the contact person listed on the notice before 9 a.m. the day of the public hearing to be added to the Late Back-up and viewed by the Board the night of the meeting. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. All comments received will become part of the public record of this case.

Case Number: C15-2021-0096

Contact: Elaine Ramirez; elaine.ramirez@austintexas.gov

Public Hearing: Board of Adjustment; October 11th, 2021

Jhadira Saucedo

Your Name (please print)

5705 Woodrow Ave

Your address(es) affected by this application

J Saucedo

Signature

10-10-2021

Date

Daytime Telephone: 714-471-4463

Comments: It would impact our privacy therefore we are in favor of a higher fence height to keep from people pecking into our property.

I object the development of a (4) story Apartment building as it would impact privacy and sunlight into our yard.

If you will be using this form to comment, please return it via e-mail to:

Elaine Ramirez

Scan & Email to: elaine.ramirez@austintexas.gov

Written comments must be submitted to the contact person listed on the notice before 9 a.m. the day of the public hearing to be added to the Late Back-up and viewed by the Board the night of the meeting. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. All comments received will become part of the public record of this case.

Case Number: C15-2021-0096

Contact: Elaine Ramirez; elaine.ramirez@austintexas.gov

Public Hearing: Board of Adjustment; October 11th, 2021

Daniel Blomdahl

Your Name (please print)

☒ I am in favor
☐ I object

5600 Grover Ave

Your address(es) affected by this application

[Signature]

Signature

10/10/2021

Date

Daytime Telephone: 360-269-7383

Comments: I am in favor of this project.

This will help bring more desperately-
needed housing units to central Austin.

~~The 337 bus~~ In an effort to
reduce the traffic on Grover Ave, I

ask that (a) the 337 bus route
is increased (currently only 30 minute) to allow

for public transit to MetroRail and (b) traffic
calming measures (pedestrian crossings, tree

medians, chicanes, and placed on Grover from Koenig

If you will be using this form to comment, please return it via e-mail
to: to Houston. Thank you!!

Elaine Ramirez

Scan & Email to: elaine.ramirez@austintexas.gov