

**PLANNING COMMISISON
SITE PLAN – COMPATIBILITY VARIANCES ONLY**

CASE NUMBER: SP-2021-0102C **PC HEARING DATE:** May 10th, 2022

PROJECT NAME: 1400 Cedar Ave

ADDRESS: 1400 Cedar Ave

COUNCIL DISTRICT: 1

OWNER/APPLICANT: Urban Gravity (512) 259-6877
5110 Lancaster Ct
Austin, TX 78723

ENGINEER: Civiltude LLC (Alejandra Flores) (512) 761-6161
5110 Lancaster Ct
Austin, TX 78723

CASE MANAGER: Zack Lofton (512) 978-1735
zack.lofton@austintexas.gov

NEIGHBORHOOD PLAN: Chestnut Neighborhood Plan Area

PROPOSED DEVELOPMENT:

The applicant is proposing to redevelop 2 lots with commercial land uses zoned CS-MU-V-CO-NP into a 5-unit Condominium Residential land use with parking, bike parking and public sidewalk improvements.

DESCRIPTION OF WAIVER:

This item was a discussion item at the April 12th Planning Commission meeting, and the applicant has made adjustments to their proposed site plan based on the Planning Commission and community feedback. The applicant is requesting a waiver from § 25-2-1063. This site is subject to a 25' compatibility setback and the proposed development is encroaching into the 25' setback on the north and west property lines. Additionally, a portion of the site is subject to compatibility height limitations that start at 30' (and 2 stories) and the two westernmost proposed units would exceed their 30' limit at 36' (and 3 stories). The west property line abuts an alley with an SF-3 property with a 5' rear setback on the opposite side of the alley and the north property line abuts an SF-3 property with a 5' interior side yard setback. After the previous meeting's discussion, the applicant is now proposing to reorient their site with 5 units (36' height and 3 stories) being setback 20' from the west property line and 29' from the north property line. The driveway approach is being proposed 5' from the northern property line. If approved, this waiver will not impact sightlines at the intersection of 14th Street and Cedar Avenue.

COMPATIBILITY:

Section 25-2-1051 states that Article 10 Compatibility Standards apply if a use in a SF-6 or less restrictive zoning district is located on a property across the street from or adjoining a property on which is zoned SF-5 or more restrictive, or on which a use permitted in a SF-5 or more restrictive zoning district is located.

§ 25-2-1063 - HEIGHT LIMITATIONS AND SETBACKS FOR LARGE SITES.

(A) This section applies to a site that has:

- (1) an area that exceeds 20,000 square feet; or
- (2) a street frontage that exceeds 100 feet.

(B) In this section, the term "structure" excludes a rain garden using no concrete that is designed in accordance with the Environmental Criteria Manual. A person may not construct a structure 25 feet or less from property:

- (1) in an urban family residence (SF-5) or more restrictive zoning district; or
- (2) on which a use permitted in an SF-5 or more restrictive zoning district is located

SUMMARY STAFF RECOMMENDATION:

Staff does not recommend approval of the compatibility setback and height waiver request because the Planning Commission is not permitted to approve this waiver in this context. According to § 25-2-1081, the Planning Commission may approve a waiver of a height restriction imposed by § 25-2-1063 only if certain requirements are met, and the proposed site plan does not meet the listed requirements.

PROJECT INFORMATION

TOTAL SITE AREA	12,095 sq. ft.	0.2777 acres	
EXISTING ZONING	CS-MU-V-CO-NP		
WATERSHED	Boggy Creek (Urban)		
WATERSHED ORDINANCE	Comprehensive Watershed Ordinance		
TRAFFIC IMPACT ANALYSIS	Not required		
CAPITOL VIEW CORRIDOR	None		
PROPOSED ACCESS	Cedar Avenue		
	Allowed/Required	Existing	Proposed
FLOOR-AREA RATIO	2:1	0.35:1	1.05:1
BUILDING COVERAGE	95%	4,270 sf / 35.3%	5,085 sf / 42.1%
IMPERVIOUS COVERAGE	80%	11,788 sf / 97.46%	9,434 sf / 78%
PARKING	9	6	10

*A 20% parking reduction is permitted in the urban core and Subchapter E permits parking reductions.

EXISTING ZONING AND LAND USES

	ZONING	LAND USES
<i>Site</i>	CS-MU-V-CO-NP	Commercial
<i>North</i>	SF-3-NP	Single-family residential
<i>South</i>	SF-3-NP	14 th Street then single-family residential with accessory dwelling unit
<i>East</i>	CS-MU-V-CO-NP	Cedar Avenue then Commercial
<i>West</i>	SF-3-NP	Alley then single-family residential with accessory dwelling unit

ABUTTING STREETS

Street	Right-of-Way Width	Pavement Width	Classification
Cedar Avenue	50 feet	30 feet	Local City Street
14 th Street	50 feet	30 feet	Local City Street

NEIGHBORHOOD ORGANIZATIONS:

- Austin Independent School District
- Austin Lost and Found Pets
- Austin Neighborhoods Council

Chestnut Addition Neighborhood Assn. (C.A.N.A.)
Chestnut Neighborhood Plan Contact Team
Chestnut Neighborhood Revitalization Corporation (CNRC)
Del Valle Community Coalition
East Austin Conservancy
Friends of Austin Neighborhoods
Homeless Neighborhood Association
Neighborhood Empowerment Foundation
Neighbors United for Progress
Preservation Austin
SELTexas
Sierra Club, Austin Regional Group

B-14



CIVILITUDE
ENGINEERS & PLANNERS

5110 Lancaster Court
Austin, Texas 78723
Firm Registration #12469

Phone 512 761 6161
Fax 512 761 6167
info@civiltude.com
www.civiltude.com

April 22, 2022

To: Zack Lofton
Development Services Department

Re: Compatibility Setback Waiver
1400 Cedar Ave (SP-2021-0102C)
1400 Cedar Ave, Austin, TX 78702

Dear Mr. Lofton,

On behalf of our client, Urban Gravity LLC, we are submitting a waiver request for the 1400 Cedar Ave project. We are requesting the following waiver to the Land Development Code to make the project feasible:

Request: Allow to reduce the 25' no build setback to 5'
Allow to increase height from 30' or 2 stories to 36' or 3 stories within the 50' setback [LDC 25.2.1063].

The site is composed of 2 tracts of land adding up to 0.28 acres zoned CS-MU-V-CO-NP, surrounded by SF-3-NP properties. If it were to comply with compatibility standards, this site would be forced to be developed within 0.16-acres. To achieve this density, the unit configuration would be forced to be denser in a more compact layout. Constructing townhomes within these standards is not feasible.

We would like to request that the compatibility standards are modified to reduce the no build zone from 25' to 5' and increase the height limitation from 30' or 2 stories height limitation to 36' or 3 stories from 5' to 50' from the properties triggering compatibility, and so forth. Attached to this letter is the proposed building elevations sheet.

We believe this request does not disrupt the neighborhood's feel and meets the intent of the code, such that no high density or commercial developments occur in a near proximity to a single-family lot. The proposed density is 5 homes for two commercial lots.

Please accept this letter as our official request. If you have any questions, please call us at 512-761-6161.

Sincerely,

Alejandra Flores
Project Engineer

B-14



5110 Lancaster Court Phone 512 761 6161
Austin, Texas 78723 Fax 512 761 6167
Firm Registration #12469 hello@civiltude.com
www.civiltude.com

CIVILITUDE
ENGINEERS & PLANNERS

April 22, 2022

Denise Lucas
City of Austin Permitting and Development Center
6310 Wilhelmina Delco Dr.
Austin, TX 78752

Re: Engineer's Summary Letter
Site Plan Application
1400 Cedar Avenue, Austin, Texas 78702

Dear Ms. Lucas,

On behalf of our client, we are submitting an enclosed Site Plan Development Permit application package for 1400 Cedar Ave. The project proposes 5 single-family detached condominium units on a 0.2776-acre property located within the Full-Purpose jurisdiction of the City of Austin. No portion of the site is within the 100-year floodplain, and the site is outside Edwards Aquifer Recharge Zone.

The site contains two legal lots (TCAD Parcels 0210111413 and 0210111412) and is platted under Vol. 2 Page 154. The property is located within the Boggy Creek Watershed, classified as Urban. The site is zoned CS-MU-V-CO-NP and is within the City of Austin's Chestnut Neighborhood Planning Area. An RSMP application is not required since the impervious cover onsite seems to be dated back in the 1950s-1960s. A request for fee in-lieu of water quality will be submitted with the formal submittal, since the site is less than 0.5 acres. Drainage pattern remains the same as existing conditions and runoff intensity will be reduced by the proposed development.

The site is currently developed with single-family homes on both lots. The site has frontage and existing driveways on Cedar Avenue and 14th St. All parking requirements are met on site. Proposed building and improvements will be served by the existing City of Austin's Utility.

If you have any questions, please do not hesitate to contact us at 512-761-6161.

Sincerely,

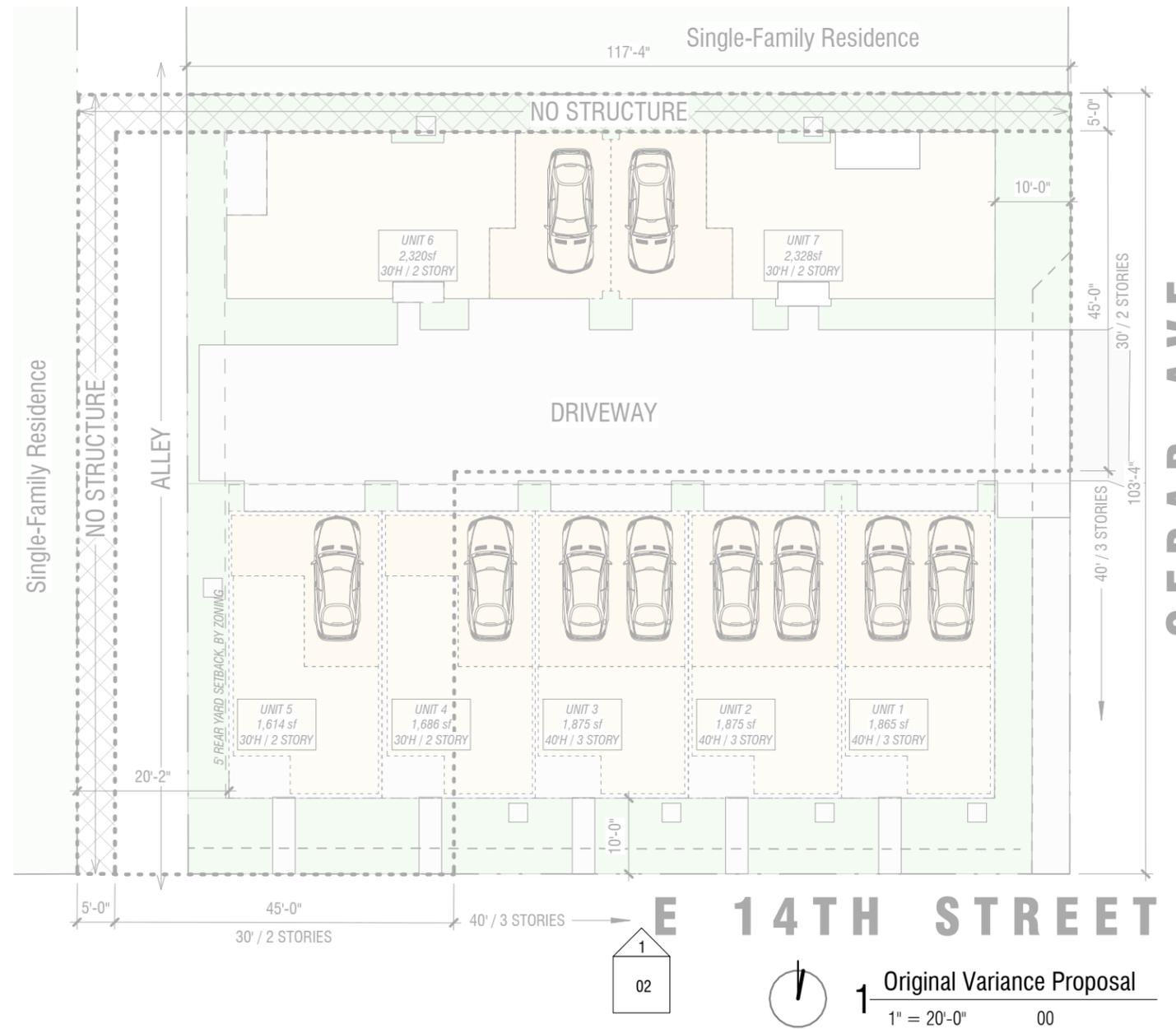


Nhat M. Ho
President

CURRENT PROPOSAL

REVISED PROPOSAL

ORIGINAL



SUMMARY

- ELIMINATE 2 UNITS (5 INSTEAD OF 7): REDUCE DENSITY, IMPERVIOUS COVER, AND TRAFFIC IMPACT
 - (EXISTING IMPERVIOUS @ 90-95%, 95% ALLOWED BY ZONING, 75%-80% ANTICIPATED)
- ADDED DISTANCE & IMPROVED SIGHTLINES FROM THE DRIVEWAY TO 14TH & CEDAR INTERSECTION
- INCREASED PARKING PER UNIT (2 EACH)
- 24' FRONT SETBACK WITH PRIVATE YARDS, IN KEEPING WITH NEIGHBORHOOD RESIDENTIAL CHARACTER
- **NO VERTICAL STRUCTURE WITHIN 25' OF NORTH PROPERTY LINE (ON-GRADE IMPROVEMENT ONLY)**
- **20' SETBACK FROM WEST NEIGHBOR ACROSS THE ALLEY**
- **35' & 3 STORIES ALLOWED WITHIN THE BUILDABLE AREA**

4/20/2022 3:35:36 PM

LLVLL
 DESIGN BUILD INFO@LLVLL.WORK
 512.565.0016

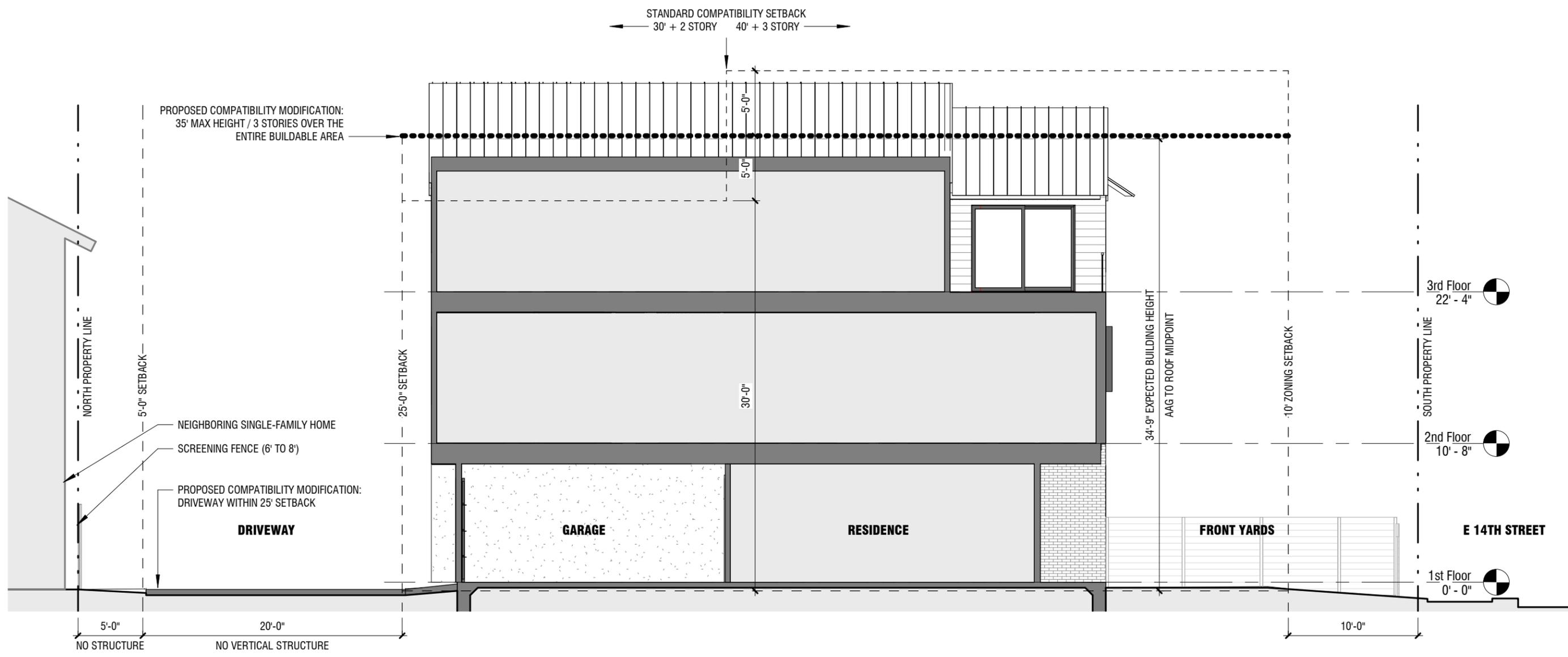
PRELIMINARY
 Not for regulatory approval,
 permitting, or construction.
 W Travis Lucy TX 21664
04/19/22

1400 Cedar Avenue

Revision Summary

00

CURRENT PROPOSAL



1 Site Section N/S
 1/8" = 1'-0" 01

4/20/2022 3:35:36 PM

LLVLL
 DESIGN BUILD INFO@LLVLL.WORK
 512.565.0016

PRELIMINARY
 Not for regulatory approval,
 permitting, or construction.
 W Travis Lucy TX 21664
04/19/22

1400 Cedar Avenue

Site Section
01

CURRENT PROPOSAL



1 South Elevation (Facing East 14th)
1/8" = 1'-0" 02

4/20/2022 3:35:40 PM

LLVLL
DESIGN BUILD INFO@LLVLL.WORK
512.565.0016

PRELIMINARY
Not for regulatory approval,
permitting, or construction.
W Travis Lucy TX 21664
04/20/22

1400 Cedar Avenue

South Elevation
02



B-14

Property Profile



Legend

Zoning

- Lake Austin, Rural Residence (LA;
- Single Family (SF-1; SF-2; SF-3; SI
- Mobile Home (MH)
- Multi-family (MF-1; MF-2; MF-3; MF
- Commercial (CH; CR; CS; CS-1; G
- Office (GO; LO; NO)
- Industrial (IP; LI; MI; R&D; W/LO)
- CBD; Downtown Mixed Use (DMU)
- ERC; NBG; TND; TOD
- Planned Unit Development (PUD)
- Agriculture, Development Reserve
- Aviation, Public, Unzoned (AV; P; U
- Unclassified

Zoning Text

1: 2,400



0.1 0 0.04 0.1 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



B-14

Property Profile



1: 600



0.0 0 0.01 0.0 Miles

NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet

Date Printed:

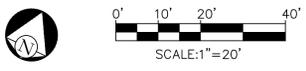
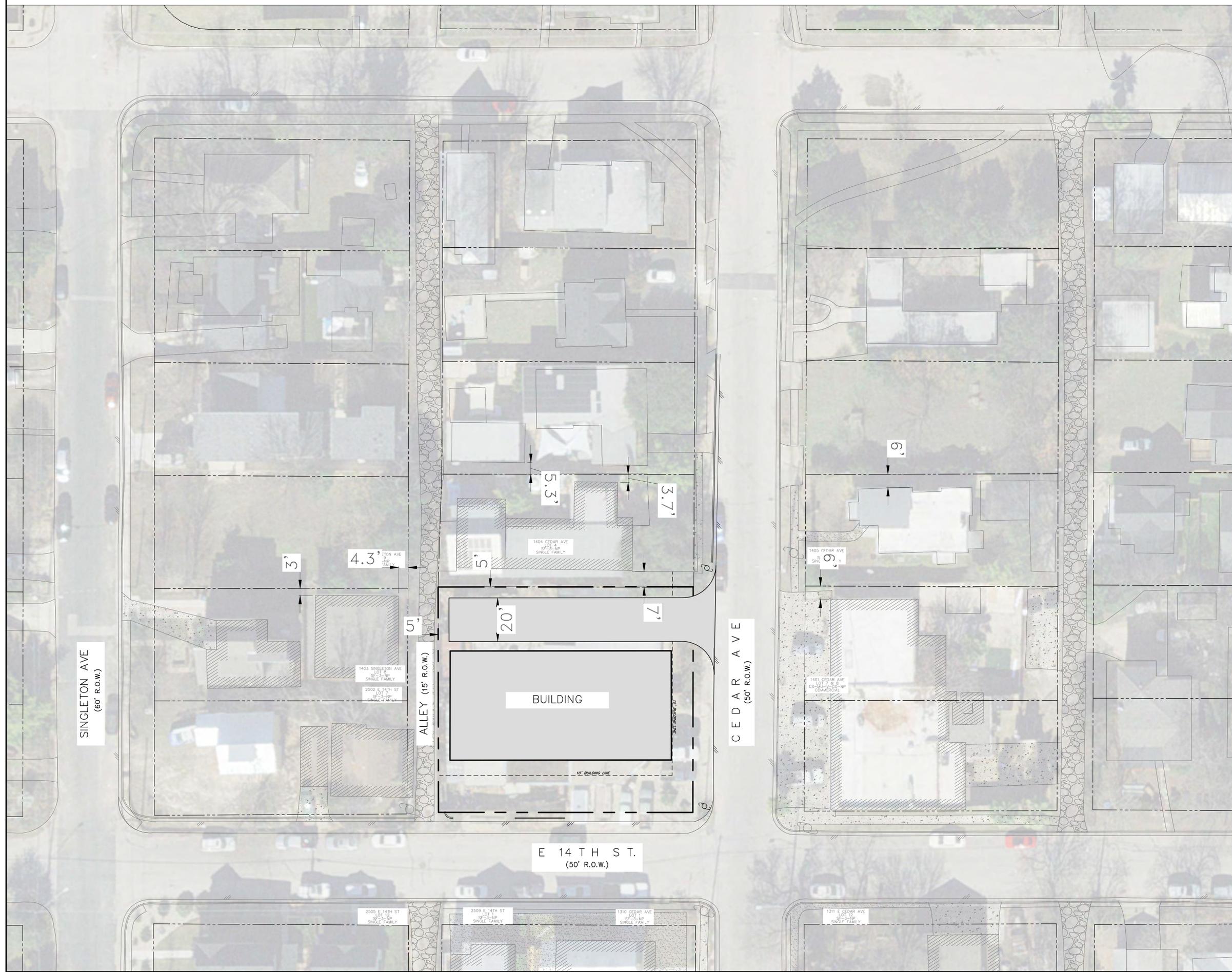
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Legend

Zoning

- Lake Austin, Rural Residence (LA);
- Single Family (SF-1; SF-2; SF-3; SI)
- Mobile Home (MH)
- Multi-family (MF-1; MF-2; MF-3; MF)
- Commercial (CH; CR; CS; CS-1; G)
- Office (GO; LO; NO)
- Industrial (IP; LI; MI; R&D; W/LO)
- CBD; Downtown Mixed Use (DMU)
- ERC; NBG; TND; TOD
- Planned Unit Development (PUD)
- Agriculture, Development Reserve
- Aviation, Public, Unzoned (AV; P; U)
- Unclassified
- Zoning Text

Notes



NO.	DATE	REVISIONS	SHEET

THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCURRED BY HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

1400 CEDAR
 1400 CEDAR AVE, AUSTIN, TEXAS 78702
SETBACK EXHIBIT

CIVILITUDE
 ENGINEERS & PLANNERS
 5110 LANCASTER CT. AUSTIN, TX 78723 FIRM REG # F12469
 PHONE 512 761 6161 FAX 512 761 6167 INFO@CIVILITUDE.COM

SCALE: _____
 JOB NO: **A474**
 DGN BY: **PB**
 DWN BY: **PB**
 RVW BY: **MVR**

SITE PLAN APPROVAL SHEET OF **21**
 FILE NUMBER: **SP-2021-0102C** APPLICATION DATE: **03/23/2021**
 APPROVED BY COMMISSION ON _____ UNDER SECTION **112** ON
 CHAPTER **25-5** OF THE CITY OF AUSTIN CODE
 EXPIRATION DATE (25-5-81, LDC) _____ CASE MANAGER **ROSEMARY AVILA**
 PROJECT EXPIRATION DATE (ORD.#970905-A) _____ DWFZ _____ DDZ _____

Director, DEVELOPMENT SERVICES DEPARTMENT _____
 RELEASED FOR GENERAL COMPLIANCE: _____ ZONING: **CS-MU-V-CO-NP**
 Rev. 1 _____ Correction 1 _____
 Rev. 2 _____ Correction 2 _____
 Rev. 3 _____ Correction 3 _____

Final plans must be recorded by the Project Expiration Date, if applicable. Subsequent Site Plans which do not comply with the Code current at the time of filing, and all required Building Permits and/or a notice of construction of a Building permit is not required, must also be approved prior to the Project Expiration Date. SHEET NO. OF **21**



SITE INFORMATION TABLE			
Gross Site Area (GSA)	12,095 SF	0.2777 Acres	
Net Site Area (NSA)	12,095 SF	0.2777 Acres	
Existing Land Use	Single Family or Duplex		
Proposed Land Use	Condominium Residential		
Zoning	CS-MU-V-CO-NP		
Gross Floor Area	13,562 SF	112.1% GSA	
Building Coverage	5,933 SF	49.1% GSA	
Impervious Cover (See IC Table)	8,748 SF	72.3% GSA	
Open Space Area	1,190 SF	9.8%	
Floor-To-Area Ratio	1.12 : 1		
Building Height	(Varies) Refer to Building Elevations Sheets		
Foundation Type	Slab on Grade		

BUILDING SUMMARY TABLE							
Unit No.	Building Footprint SF	# Stories	Height	FFE	Sprinkler System	Foundation Type	Gross Floor Area SF % of GFA
1	760	3	36' 9.2"	546.3	NFPA 13D	Slab on Grade	1,867 13.8%
2	773	3	36' 9.2"	546.2	NFPA 13D	Slab on Grade	1,875 13.8%
3	773	3	36' 9.2"	546.1	NFPA 13D	Slab on Grade	1,875 13.8%
4	773	2	29' 10.5"	543.0	NFPA 13D	Slab on Grade	1,686 12.4%
5	773	2	29' 10.5"	545.9	NFPA 13D	Slab on Grade	1,614 11.9%
6	1,042	2	29' 5.6"	545.6	NFPA 13D	Slab on Grade	2,320 17.1%
7	1,039	2	29' 5.6"	546.3	NFPA 13D	Slab on Grade	2,328 17.2%
				TOTAL			13,565 100.0%

PARKING SUMMARY TABLE			
Land Use	Quantity	Parking Ratio	Required Spaces
Townhome	7	2/Unit	14
Base Parking Requirement			
Urban core reduction 20% per 25-6-478			
Total Parking Required			
11			
Total Parking Provided			
11			
Total Bike Parking Provided (5 or 5% total)			
6			

IMPERVIOUS COVER SUMMARY TABLE				
Gross Site Area (GSA)	12,095 SF	0.278 Ac.		
Net Site Area (NSA)	12,095 SF	0.278 Ac.		
		Existing to be Remained	Existing to be Removed	Proposed
ERC				
Building Footprint (SF and % GSA)		-	4,270	5,933
		0.00%	35.30%	49.05%
Main Driveway (SF)		-	1,629	2,201
Sidewalk & Others (SF)		-	5,889	615
Total IC (SF)		-	11,788	8,748
Total IC (AC)		-	0.271	0.201
Total (% GSA)		0.00%	97.46%	72.33%

GENERAL NOTES:

- APPROVAL OF THESE PLANS BY THE CITY OF AUSTIN INDICATES COMPLIANCE WITH APPLICABLE CITY REGULATIONS ONLY. COMPLIANCE WITH ACCESSIBILITY STANDARDS SUCH AS THE 2010 STANDARDS FOR ACCESSIBLE DESIGN OR THE 2012 TEXAS ACCESSIBILITY STANDARDS WAS NOT VERIFIED. THE APPLICANT IS RESPONSIBLE FOR COMPLIANCE WITH ALL APPLICABLE ACCESSIBILITY STANDARDS.
- TRASH CONTAINERS SHALL NOT BE LEFT AT CURB SIDE UNATTENDED. SIGNS MUST BE POSTED ON THE BUILDING OR AT A LOCATION THAT IS PUBLICLY VISIBLE INDICATING THAT TRASH CONTAINERS MAY NOT BE LEFT AT CURBSIDE. THE SIGN SHALL INDICATE THE CITY OF AUSTIN'S CODE ENFORCEMENT PHONE NUMBER FOR THE PUBLIC TO REPORT VIOLATIONS.
- SERVICE COMMITMENT FROM A COMMERCIAL TRASH SERVICE MUST BE PROVIDED INDICATING THEY CAN PROVIDE SERVICE. THE LETTER SHOULD ADDRESS THE MINIMUM CLEARANCE REQUIREMENT FOR THE SERVICE VEHICLES.
- NO ACCESSIBLE UNITS, ADAPTABLE UNITS, PUBLIC ACCOMMODATIONS OR AMENITIES ARE PROPOSED ON SITE.
- EXISTING SIDEWALKS TO REMAIN HAVE BEEN VERIFIED TO COMPLY WITH THE APPLICABLE VERSION OF THE TEXAS ACCESSIBILITY STANDARDS, FEDERAL ADA REQUIREMENTS, AND CITY OF AUSTIN STANDARDS.
- APPROVAL OF THESE PLANS BY THE CITY OF AUSTIN INDICATES COMPLIANCE WITH APPLICABLE CITY REGULATIONS ONLY. COMPLIANCE WITH ACCESSIBILITY STANDARDS SUCH AS THE 2010 STANDARDS FOR ACCESSIBLE DESIGN OR THE 2012 TEXAS ACCESSIBILITY STANDARDS WAS NOT VERIFIED. THE APPLICANT IS RESPONSIBLE FOR COMPLIANCE WITH ALL APPLICABLE ACCESSIBILITY STANDARDS.
- ACCESSIBLE ROUTES MUST HAVE A CROSS-SLOPE NO GREATER THAN 1:50. ACCESSIBLE PARKING SPACES MUST BE LOCATED ON A SURFACE WITH A SLOPE NOT EXCEEDING 1:50.
- SLOPES ON ACCESSIBLE ROUTES MAY NOT EXCEED 1:20 UNLESS DESIGNED AS A RAMP.
- THE MAXIMUM SLOPE OF A RAMP IN NEW CONSTRUCTION IS 1:12. THE MAXIMUM RISE FOR ANY RAMP RUN IS 30 IN. THE MAXIMUM HORIZONTAL PROJECTION IS 30 FEET FOR A RAMP WITH A SLOPE BETWEEN 1:12 AND 1:15, AND 40 FEET FOR A RAMP WITH A SLOPE BETWEEN 1:16 AND 1:20.
- EXISTING SIDEWALKS TO REMAIN HAVE BEEN VERIFIED TO COMPLY WITH THE APPLICABLE VERSION OF THE TEXAS ACCESSIBILITY STANDARDS, FEDERAL ADA REQUIREMENTS, AND CITY OF AUSTIN STANDARDS.
- EACH LOT REPRESENTS THE MAXIMUM POTENTIAL DEVELOPMENT. ACTUAL DEVELOPMENT MAY BE THE SAME OR LESS THAN WHAT IS SHOWN.

AUSTIN FIRE DEPARTMENT NOTES:

- SIGNS AND IDENTIFICATION MARKERS DESIGNATING FIRE ZONES/FIRE LANES, AFTER DESIGNATION OF A FIRE ZONE OR FIRE LANE UNDER THIS ARTICLE, THE FIRE CHIEF SHALL GIVE NOTICE OF THE DESIGNATION TO THE OWNER OF THE PROPERTY, DIRECTING THE OWNER TO CAUSE, AT THE EXPENSE OF THE OWNER, MARKINGS TO BE PAINTED ON ANY AREAS DESIGNATED AS A FIRE ZONE OR FIRE LANE. THE MARKINGS MUST BE RED WITH WHITE STENCILING READING "FIRE ZONE" / "TOW AWAY ZONE" OR "FIRE LANE" / "TOW AWAY ZONE" IN LETTERING AT LEAST THREE INCHES IN HEIGHT. THE STENCILING SHALL BE AT INTERVALS OF 35 FEET OR LESS. IN ADDITION, THE OWNER SHALL CAUSE SIGNS TO BE POSTED AT BOTH ENDS OF A FIRE ZONE OR FIRE LANE. ALTERNATIVE MARKINGS OF FIRE ZONES AND FIRE LANES MAY BE APPROVED BY THE FIRE CHIEF PROVIDED FIRE ZONES OR FIRE LANES ARE CLEARLY IDENTIFIED AT BOTH ENDS AND AT INTERVALS NOT TO EXCEED 35 FEET AND ARE CLEARLY MARKED "TOW AWAY ZONES" AT LEAST EVERY 35 FEET. THE SIGNS SHALL BE INSTALLED WITH THE TOP OF THE SIGN NO HIGHER THAN EIGHT FEET ABOVE GRADE AND NO LESS THAN FIVE FEET ABOVE THE GRADE.
- DUMPSTERS AND CONTAINERS WITH AN INDIVIDUAL CAPACITY OF 1.5 CUBIC YARDS OR MORE SHALL NOT BE STORED IN BUILDINGS OR PLACED WITHIN TEN FEET OF COMBUSTIBLE WALLS, OPENINGS, OR COMBUSTIBLE ROOF EAVE LINES.

SUBCHAPTER E NOTES:

- ALL EXTERIOR LIGHTING SHALL BE HOODED OR SHIELDED SO THAT THE LIGHT SOURCE IS NOT DIRECTED AT THE ADJACENT ZONED AND USED SF-5 OR MORE RESTRICTIVE USE (ORD. 910620-C, EXHIBIT B § VIII.10.K).

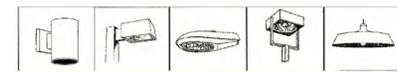


Figure 34: Examples of fully-shielded light fixtures.

EACH BUILDING FOOTPRINT REPRESENTS THE MAXIMUM POTENTIAL DEVELOPMENT. ACTUAL DEVELOPMENT MAY BE THE SAME OR LESS THAN WHAT IS SHOWN.

COMPATIBILITY STANDARD NOTES:

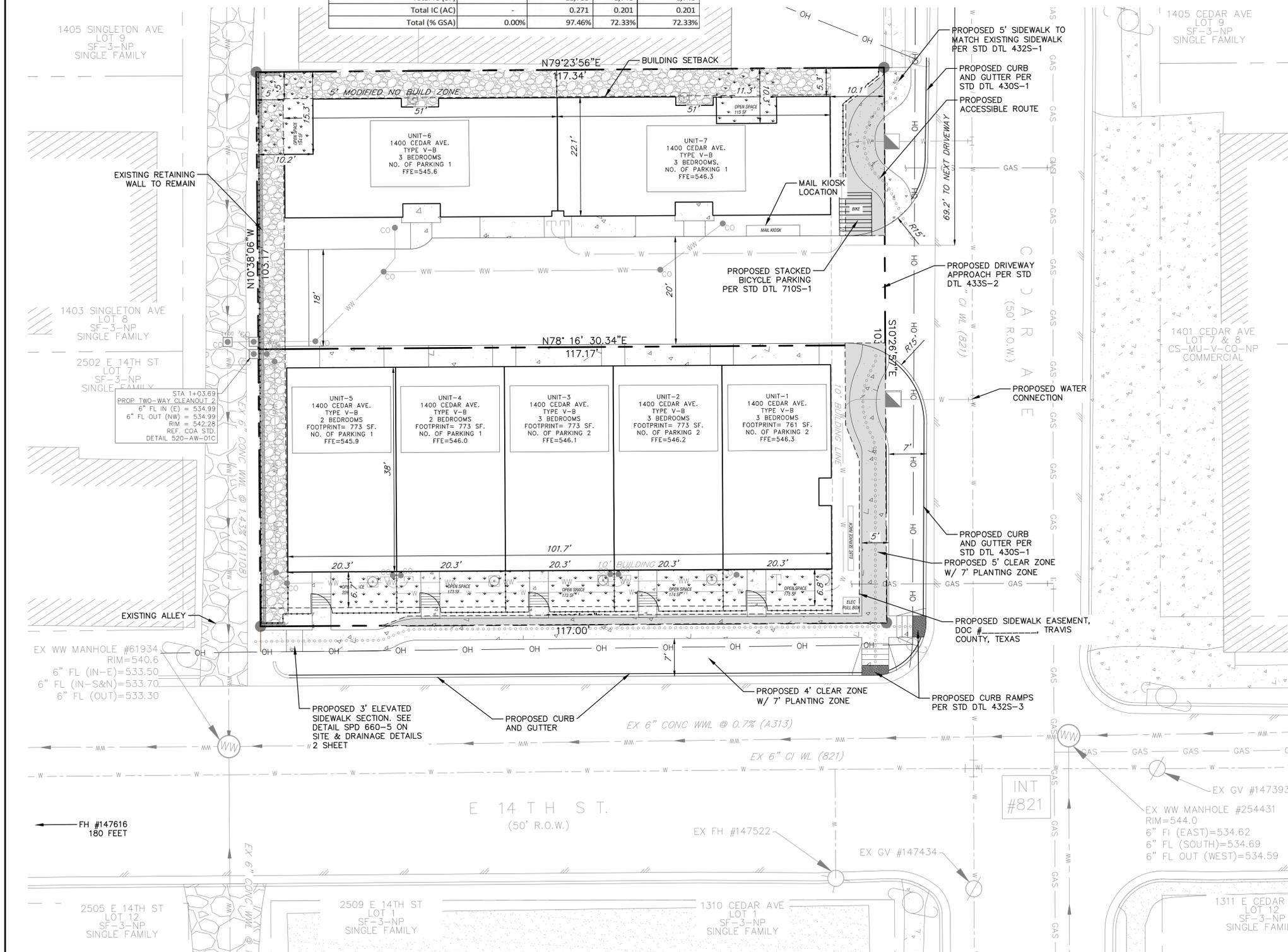
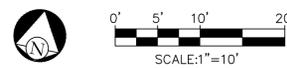
- ALL EXTERIOR LIGHTING WILL BE FULLY SHIELDED FROM IN COMPLIANCE WITH SUBCHAPTER E 2.5 AND WILL BE REVIEWED AT BUILDING PLAN REVIEW. ANY CHANGE OR SUBSTITUTION OF LAMP/LIGHT FIXTURES SHALL BE SUBMITTED TO THE DIRECTOR FOR APPROVAL IN ACCORDANCE WITH SECTION 2.5.2.E.
- ALL DUMPSTERS AND ANY PERMANENTLY PLACED REFUSE RECEPTACLES WILL BE LOCATED AT A MINIMUM OF TWENTY (20) FEET FROM A PROPERTY USED OR ZONED AS SF-5 OR MORE RESTRICTIVE.
- THE USE OF HIGHLY REFLECTIVE SURFACES, SUCH AS REFLECTIVE GLASS AND REFLECTIVE METAL ROOFS, WHOSE PITCH IS MORE THAN A RUN OF SEVEN (7) TO A RISE OF TWELVE (12), WILL BE PROHIBITED.
- THE NOISE LEVEL OF MECHANICAL EQUIPMENT WILL NOT EXCEED 70 DBA AT THE PROPERTY LINE ADJACENT TO RESIDENTIAL USES.
- EXTERIOR LIGHTING ABOVE THE SECOND FLOOR IS PROHIBITED.

EXISTING LEGEND

- WATERLINE W/ GATE VALVE
- WASTEWATER W/ MANHOLE
- GROUND CONTOUR
- 700
- HYDRANT W/ GATE VALVE
- WATERLINE W/ GATE VALVE
- WASTEWATER W/ MANHOLE
- GROUND CONTOUR
- 700
- ACCESSIBLE ROUTE
- CONCRETE PAVEMENT

DOWNSPOUTS NOTE: ALL ROOFS MUST DRAIN TOWARD THE PROPOSED DRIVE ISLE.

SCREENING NOTE: SCREENING FOR SOLID WASTE COLLECTION AND LOADING AREAS SHALL BE THE SAME AS, OR OF EQUAL QUALITY TO, PRINCIPAL BUILDING MATERIALS.



NO.	DATE	REVISIONS	SHEET

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1400 CEDAR
1400 CEDAR AVE, AUSTIN, TEXAS 78702

SITE PLAN

CIVILITUDE
ENGINEERS & PLANNERS

5110 LANCASTER CT. AUSTIN, TX 78723 FIRM REG # F12469
PHONE 512 761 6161 FAX 512 761 6167 INFO@CIVILITUDE.COM

SCALE: 1"=10'

JOB NO: A474

DGN BY: PB

DWN BY: PB

RVW BY: MVR

STATE OF TEXAS
Professional Engineer
No. 11194
Exp. 02/08/2022

SITE PLAN APPROVAL SHEET 07 OF 21

FILE NUMBER: SP-2021-0102C APPLICATION DATE: 03/23/2021

APPROVED BY COMMISSION UNDER SECTION 112 ON

CHAPTER 25-5 OF THE CITY OF AUSTIN CODE

EXPIRATION DATE (25-5-B1, LDC) CASE MANAGER ROSEMARY AVILA

PROJECT EXPIRATION DATE (ORD.#970905-A) DWP# DDZ

Director, DEVELOPMENT SERVICES DEPARTMENT
RELEASED FOR GENERAL COMPLIANCE: ZONING-CS-MU-V-CO-NP

Rev. 1 Correction 1

Rev. 2 Correction 2

Rev. 3 Correction 3

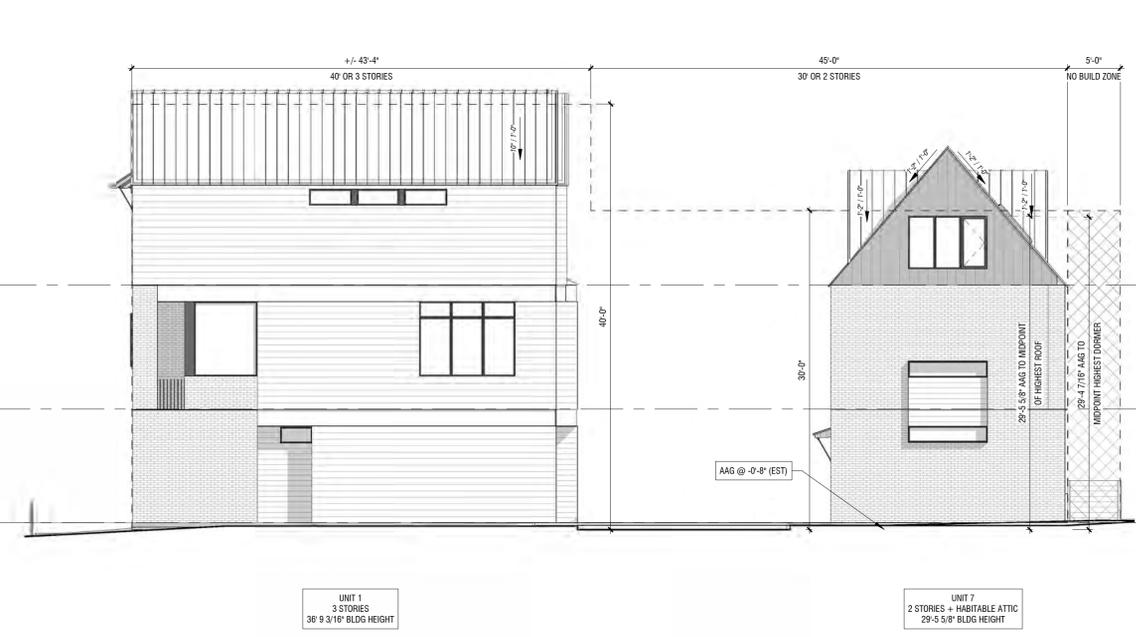
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SHEET NO. 07 OF 21



4 Building A&B West Elevation
1/8" = 1'-0" A2.00

2 Building A North Elevation
1/8" = 1'-0" A2.00



3 Building A&B East Elevation
1/8" = 1'-0" A2.00

1 Building A South Elevation
1/8" = 1'-0" A2.00

PRELIMINARY
Not for regulatory approval,
permitting, or construction.

W Travis Lucy
TX 21664

2/28/22



INFO@LLVLLWORK
512.565.0016

1400 Cedar Avenue
Urban Gravity LLC
1400/1402 Cedar Ave
Austin, Texas
78702

Site Development

No.	note	Date
1	Site Dev R1	2/8/22
2	Site Dev R2	2/28/22

Exterior Elevations

SITE PLAN APPROVAL SHEET _____ OF _____
 FILE NUMBER: _____ APPLICATION DATE: _____
 APPROVED BY COMMISSION ON _____ UNDER SECTION _____ ON _____
 CHAPTER _____ OF THE CITY OF AUSTIN CODE _____ CASE MANAGER _____
 EXPIRATION DATE (25-5-81, LDC) _____ PROJECT EXPIRATION DATE (ORD.#970905-A) _____ DWFZ _____ DDZ _____
 PROJECT EXPIRATION DATE (ORD.#970905-A) _____ DWFZ _____ DDZ _____

Director, DEVELOPMENT SERVICES DEPARTMENT
 RELEASED FOR GENERAL COMPLIANCE: _____ ZONING: _____
 Rev. 1 _____ Correction 1 _____
 Rev. 2 _____ Correction 2 _____
 Rev. 3 _____ Correction 3 _____

Final plan must be recorded by the Project Expiration Date, if applicable. Subsequent Site Plans which do not comply with the Code current at the time of filing, and all required Building Permits and/or a notice of construction if a Building permit is not required, must also be approved prior to the Project Expiration Date.

SHEET NO. _____
 OF _____

PRELIMINARY
Not for regulatory approval,
permitting, or construction.

W Travis Lucy
TX 21664

2/28/22



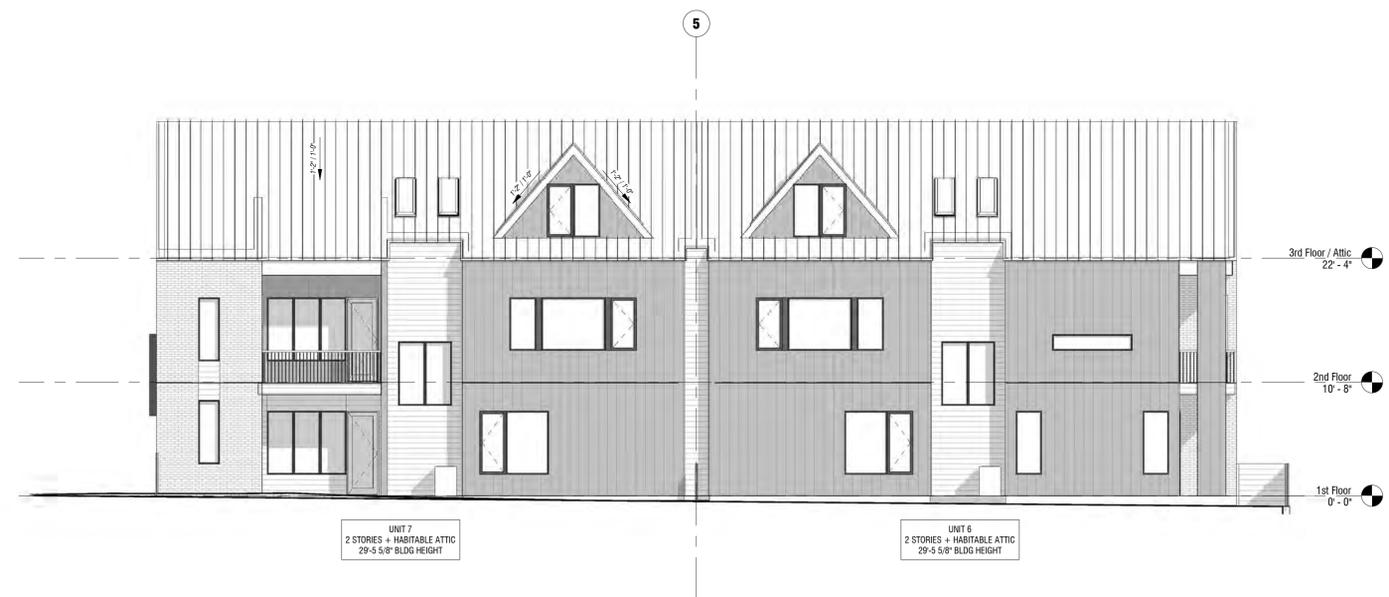
INFO@LLVLLWORK
512.565.0016

1400 Cedar Avenue

Urban Gravity LLC
1400/1402 Cedar Ave
Austin, Texas
78702



2 Building B South Elevation
1/8" = 1'-0" A2.01



1 Building B North Elevation
1/8" = 1'-0" A2.01

Site Development

No.	note	Date
Site Dev R1		2/8/22
Site Dev R2		2/28/22

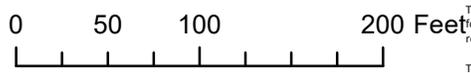
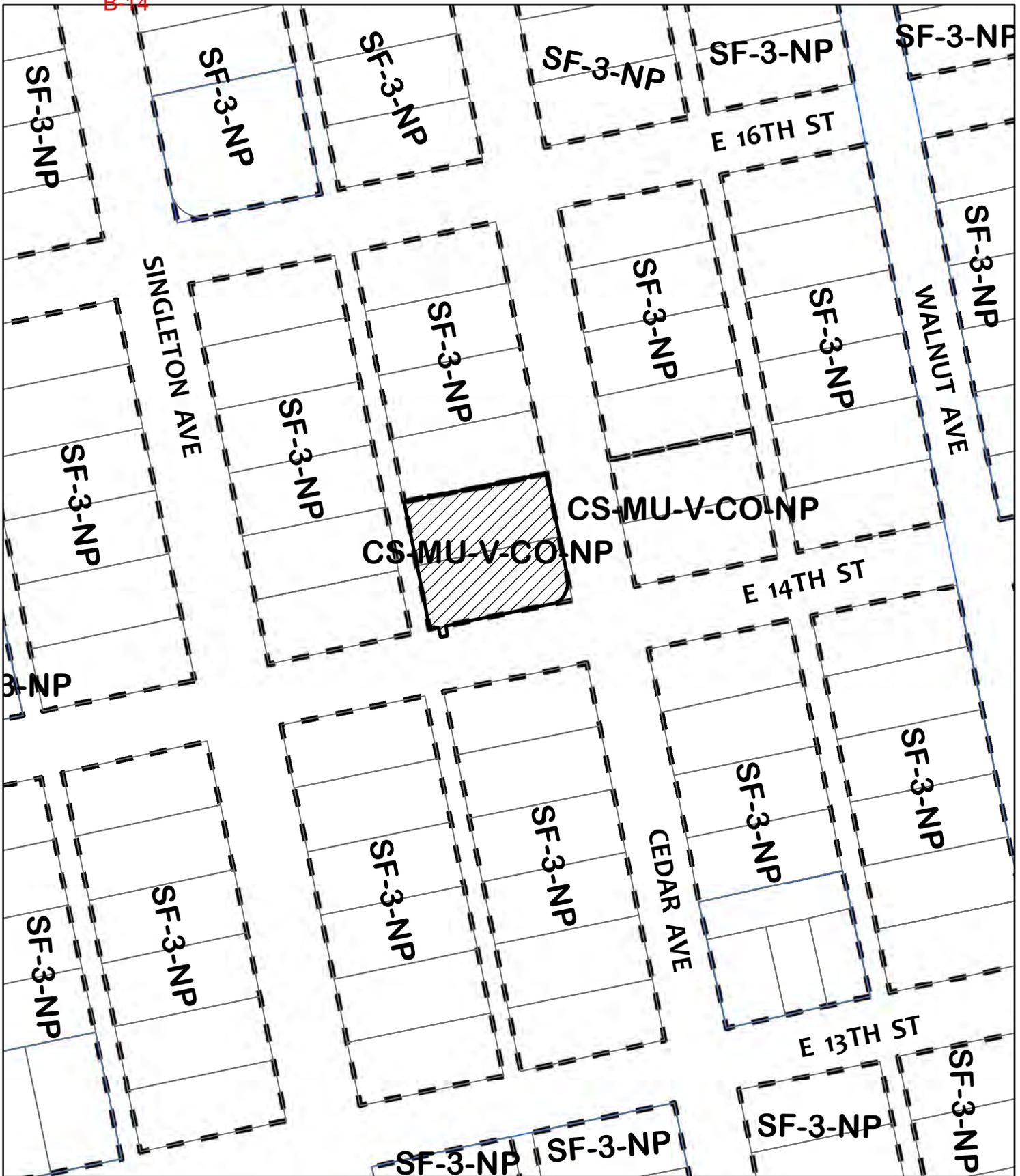
Exterior Elevations

SITE PLAN APPROVAL SHEET _____ OF _____
 FILE NUMBER: _____ APPLICATION DATE: _____
 APPROVED BY COMMISSION ON _____ UNDER SECTION _____ ON _____
 CHAPTER _____ OF THE CITY OF AUSTIN CODE _____ CASE MANAGER _____
 EXPIRATION DATE (25-5-81, LDC) _____ PROJECT EXPIRATION DATE (ORD.#070905-A) _____ DWFZ _____ DDZ _____

Director, DEVELOPMENT SERVICES DEPARTMENT
 RELEASED FOR GENERAL COMPLIANCE: _____ ZONING: _____
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SHEET NO. _____ OF _____



CASE#: SP-2021-0102C
 ADDRESS: 1400 Cedar Avenue
 CASE NAME: 1400 Cedar Ave
 MANAGER: Zack Lofton



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

March 25, 2022

City of Austin Planning Commission

Re: Compatibility Setback Waiver for 1400 Cedar Avenue

Dear Planning Commissioners,

This letter is to inform the Commission that the Chestnut Neighborhood Plan Contact Team does not support the requested compatibility waiver for 1400 Cedar Avenue to reduce the setback from 25 feet to 5 feet.

The Chestnut Neighborhood has a long history of supporting density in our neighborhood, as seen by our adoption of all the neighborhood infill tools as well as working with the city to create the MLK TOD. That said, we believe a 5-foot setback is inappropriate in this location and unnecessary for the success of this project. As seen in the attached exhibit, even with the current building footprint sizes, a 15-foot setback appears doable. With more thoughtful design, the 25-foot setback might be doable as well. Despite repeated requests by the neighborhood, the applicant did not meet with the Neighborhood Plan Contact Team to discuss this project. This is very unfortunate, as we believe there is a solution here that provides the desired density and better aligns with our neighborhood plan.

Thank you for your consideration.

Respectfully,

Chestnut Neighborhood Plan Contact Team

Lofton, Zack

From: Lofton, Zack
Sent: Tuesday, March 1, 2022 4:49 PM
To: Ian Zurzolo
Subject: RE: Case Number: SP-2021-0102C

Great. We don't necessarily have concerns about the project. The site plan actually proposes reducing impervious cover from about 97% to about 72%. The city has also recommended the site connect access to the alley but not required it.

Zack Lofton, AICP, CNU-A

Senior Planner, Land Use Review

City of Austin Development Services Department

PDC Bldg, 6310 Wilhelmina Delco Lane – 2nd Floor 2109.20

Office: 512-978-1735



Building a Better and Safer Austin Together

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*For kudos or immediate concerns, please contact my supervisor Rosemary Avila at rosemary.avila@austintexas.gov or Christine Barton-Holmes at christine.barton-holmes@austintexas.gov. Thank you for your patience and understanding, and we look forward to serving you in the near future.**

From: Ian Zurzolo [REDACTED]
Sent: Tuesday, March 1, 2022 4:01 PM
To: Lofton, Zack <Zack.Lofton@austintexas.gov>
Subject: Re: Case Number: SP-2021-0102C

Thanks that was helpful.

Are there any remaining concerns that the city has about the proposed plan?

It seems like there could be a impermeable coverage issue as well as no entry/exit facing the alley.

On Tue, Mar 1, 2022 at 3:57 PM Lofton, Zack <Zack.Lofton@austintexas.gov> wrote:

Hi there, Ian:

Please see my comments below in red.

- Will there be sidewalks surrounding the property on both Cedar Ave and 14th street? **Yes, they are proposing sidewalks on both streets.**
- Will there be a minimum of 2 on-site parking spaces per unit? If not, is it allowed by the city to have less? **There is not a minimum of 2 on-site parking spaces per unit and yes it is allowed that they have**

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less. They will have 11 spaces which meets the City's requirement without any waivers or variances. They will also have bike parking spaces as well.

- Is the height of any of the proposed units above city allowances? **No, they are within all height limits.**
- How long is the proposed construction timeline? **I do not have an answer to that, since this is just the site plan stage and so early in the process. That would be a question for the contractor but likely can't be determined until the plans are finalized they know exactly what they are building.**

Please let me know if you have any other questions.

Sincerely,

Zack Lofton, AICP, CNU-A

Senior Planner, Land Use Review

City of Austin Development Services Department

PDC Bldg, [6310 Wilhelmina Delco Lane](#) – 2nd Floor 2109.20

Office: 512-978-1735



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From: Ian Zurzold [REDACTED]
Sent: Tuesday, March 1, 2022 3:07 PM
To: Lofton, Zack <Zack.Lofton@austintexas.gov>
Subject: Re: Case Number: SP-2021-0102C

Hello Zack,

I am an interested party for the proposed development at 1400 Cedar Ave. I have a couple questions:

- Will there be sidewalks surrounding the property on both Cedar Ave and 14th street?
- Will there be a minimum of 2 on-site parking spaces per unit? If not, is it allowed by the city to have less?

B-14

- Is the height of any of the proposed units above city allowances?
- How long is the proposed construction timeline?

Thanks,

Ian Zurzolo

On Tue, Mar 1, 2022 at 7:03 AM Edmond, Cindy <Cindy.Edmond@austintexas.gov> wrote:

Please email the case manager regarding your questions. thanks

From: Ian Zurzolo [REDACTED]
Sent: Monday, February 28, 2022 5:48 PM
To: Edmond, Cindy <Cindy.Edmond@austintexas.gov>
Subject: Case Number: SP-2021-0102C

*** External Email - Exercise Caution ***

Hi Cindy,

I am an interested party for the proposed development at 1400 Cedar Ave. I have a couple questions:

- Will there be sidewalks surrounding the property on both Cedar Ave and 14th street?
- Will there be a minimum of 2 on-site parking spaces per unit? If not, is it allowed by the city to have less?
- Is the height of any of the proposed units above city allowances?
- How long is the proposed construction timeline?

Thanks,

Ian Zurzolo

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Lofton, Zack

From: Lofton, Zack
Sent: Thursday, March 3, 2022 9:20 AM
To: Pati Fisher
Subject: RE: Case No: SP-2021-0102C
Attachments: FINAL Background Materials - Compatibility Waiver - 1400 Cedar Ave - SP-2021-0102C.pdf

Good morning, Pati:

Yes, there are 7 units being proposed on these two lots. The background materials for the Planning Commission meeting are attached and show the site plan and elevations, in addition to a few other things. Please let me know if you have any more questions.

Sincerely,

Zack Lofton, AICP, CNU-A
Senior Planner, Land Use Review
City of Austin Development Services Department
PDC Bldg, 6310 Wilhelmina Delco Lane – 2nd Floor 2109.20
Office: 512-978-1735



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*For kudos or immediate concerns, please contact my supervisor Rosemary Avila at rosemary.avila@austintexas.gov or Christine Barton-Holmes at christine.barton-holmes@austintexas.gov. Thank you for your patience and understanding, and we look forward to serving you in the near future.**

From: Pati Fisher [REDACTED]
Sent: Thursday, March 3, 2022 8:54 AM
To: Lofton, Zack <Zack.Lofton@austintexas.gov>
Subject: Fwd: Case No: SP-2021-0102C

Hi Zack:

Please see the forwarded email below.

Thanks in advance.

Kind regards,
Pati Fisher

Sent from my iPati

Begin forwarded message:

B-14

From: "Edmond, Cindy" <Cindy.Edmond@austintexas.gov>

Date: March 3, 2022 at 7:30:50 AM CST

To: Pati Fisher [REDACTED]

Subject: RE: Case No: SP-2021-0102C

Please email the case manager regarding your question. Thanks

-----Original Message-----

From: Pati Fisher [REDACTED]

Sent: Wednesday, March 02, 2022 5:49 PM

To: Edmond, Cindy <Cindy.Edmond@austintexas.gov>

Subject: Case No: SP-2021-0102C

*** External Email - Exercise Caution ***

Hi Cindy:

Regarding the case number above for project 1400 Cedar Ave. Can you tell me how many units are proposed for this site? Also, do you have any elevations or renderings of the project available for my husband and I to see? We will be unable to attend the meeting next week.

Sincerely,
Pati Fisher

Sent from my iPati

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Lofton, Zack

From: Lofton, Zack
Sent: Friday, March 4, 2022 8:30 AM
To: Anita
Subject: RE: Background Materials - 1400 Cedar Ave

Good morning, Anita:

If the Planning Commission does not approve the waiver, the applicant will not be able to build within 25 feet of the north and west property lines. If they intend to continue with the same development, they'd just need to reorient it so it doesn't go into the setbacks.

Sincerely,

Zack Lofton, AICP, CNU-A
Senior Planner, Land Use Review
City of Austin Development Services Department
PDC Bldg, 6310 Wilhelmina Delco Lane – 2nd Floor 2109.20
Office: 512-978-1735



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*For kudos or immediate concerns, please contact my supervisor Rosemary Avila at rosemary.avila@austintexas.gov or Christine Barton-Holmes at christine.barton-holmes@austintexas.gov. Thank you for your patience and understanding, and we look forward to serving you in the near future.**

From: Anita [REDACTED]
Sent: Thursday, March 3, 2022 4:43 PM
To: Lofton, Zack <Zack.Lofton@austintexas.gov>
Subject: Re: Background Materials - 1400 Cedar Ave

*** External Email - Exercise Caution ***

Hi Zack
Anita here. If the do not approve the wavier. What will happen?
Thanks Anita

[Sent from the all new AOL app for iOS](#)

On Thursday, March 3, 2022, 1:53 PM, Lofton, Zack <Zack.Lofton@austintexas.gov> wrote:

Hi Anita:

Attached are the background materials that are available to the public. Please let me know if you have any questions or comments.

Sincerely,

Zack Lofton, AICP, CNU-A

Senior Planner, Land Use Review

City of Austin Development Services Department

PDC Bldg, 6310 Wilhelmina Delco Lane – 2nd Floor 2109.20

Office: 512-978-1735



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Lofton, Zack

From: Lofton, Zack
Sent: Tuesday, March 29, 2022 2:47 PM
To: David Carroll
Subject: RE: Item B24- 1400 Cedar

Hi David:

Yes, Alejandra is the contact. Her information is below. Have you tried contacting her?

Engineer:
Alejandra Flores
[REDACTED]
Civiltude LLC

Zack Lofton, AICP, CNU-A
Senior Planner, Land Use Review
City of Austin Development Services Department
PDC Bldg, 6310 Wilhelmina Delco Lane – 2nd Floor 2109.20
Office: 512-978-1735



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From: David Carroll [REDACTED]
Sent: Tuesday, March 29, 2022 2:44 PM
To: Lofton, Zack <Zack.Lofton@austintexas.gov>
Subject: Re: Item B24- 1400 Cedar

*** External Email - Exercise Caution ***

Hi Zack- Are you talking about the civil engineer? I have reached out to them and am happy to do so again. I know them well.

From: Lofton, Zack <Zack.Lofton@austintexas.gov>
Sent: Tuesday, March 29, 2022 10:59 AM
To: David Carroll [REDACTED]
Subject: RE: Item B24- 1400 Cedar

Good morning, David:

I've heard from the engineer that they still haven't hear from you. Can you share a phone they can reach you on? Thanks.

Zack Lofton, AICP, CNU-A

Lofton, Zack

From: David Carroll [REDACTED]
Sent: Friday, April 1, 2022 10:08 AM
To: Lofton, Zack
Subject: Re: Item B24- 1400 Cedar

*** External Email - Exercise Caution ***

Hi Zack- Thanks for the follow up. Yes, we have touched base and the engineer and developer have agreed to meet with the contact team next week.

Thanks,
David

From: Lofton, Zack <Zack.Lofton@austintexas.gov>
Sent: Friday, April 1, 2022 9:26 AM
To: David Carroll <[REDACTED]>
Subject: RE: Item B24- 1400 Cedar

Good morning David:

Hope your week is going well. Not sure if you've contacted the engineer yet but I'm happy to share your contact info with them if you like. If so, please let me know how they can contact you by phone since we don't share interested party email addresses.

Thanks,
Zack

Zack Lofton, AICP, CNU-A
Senior Planner, Land Use Review
City of Austin Development Services Department
PDC Bldg, 6310 Wilhelmina Delco Lane – 2nd Floor 2109.20
Office: 512-978-1735



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From: David Carroll [REDACTED]
Sent: Tuesday, March 29, 2022 2:44 PM
To: Lofton, Zack <Zack.Lofton@austintexas.gov>
Subject: Re: Item B24- 1400 Cedar

*** External Email - Exercise Caution ***

B-14

Hi Zack- Are you talking about the civil engineer? I have reached out to them and am happy to do so again. I know them well.

From: Lofton, Zack <Zack.Lofton@austintexas.gov>
Sent: Tuesday, March 29, 2022 10:59 AM
To: David Carroll [REDACTED]
Subject: RE: Item B24- 1400 Cedar

Good morning, David:

I've heard from the engineer that they still haven't hear from you. Can you share a phone they can reach you on? Thanks.

Zack Lofton, AICP, CNU-A
Senior Planner, Land Use Review
City of Austin Development Services Department
PDC Bldg, 6310 Wilhelmina Delco Lane – 2nd Floor 2109.20
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From: Lofton, Zack
Sent: Friday, March 25, 2022 3:53 PM
To: David Carroll [REDACTED]
Subject: RE: Item B24- 1400 Cedar

Thanks for sending this over David. And yes, the only catch is that many times they are already in the process when they beginning asking to do more than what is permitted by right. But I understand what you're saying. Thanks.

Zack Lofton, AICP, CNU-A
Senior Planner, Land Use Review
City of Austin Development Services Department
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From: David Carroll [REDACTED]
Sent: Friday, March 25, 2022 12:18 PM
To: Lofton, Zack <Zack.Lofton@austintexas.gov>
Subject: Re: Item B24- 1400 Cedar

*** External Email - Exercise Caution ***

B-14

Thanks for the clarification, Zack. Please see attached letter from the contact team.

As an aside, it would help if developers met with contact teams early in the process. As it builds mistrust that is hard to undo. There is also a lot of bad information out there, since neighbors don't understand codes and ordinances. Maybe the city can encourage developers to do so?

Thanks again,
David

From: Lofton, Zack <Zack.Lofton@austintexas.gov>
Sent: Thursday, March 24, 2022 1:52 PM
To: David Carroll [REDACTED]
Subject: RE: Item B24- 1400 Cedar

Gosh, sorry it's 25-1-21(49).

Zack Lofton, AICP, CNU-A
Senior Planner, Land Use Review
City of Austin Development Services Department
PDC Bldg, 6310 Wilhelmina Delco Lane – 2nd Floor 2109.20
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From: Lofton, Zack
Sent: Thursday, March 24, 2022 1:52 PM
To: David Carroll [REDACTED]
Subject: RE: Item B24- 1400 Cedar

Hey David:

I was just talking with a colleague and she mentioned where we get our height measures. Before I told you it was Sub F but it's actually 25-1-121. It basically says the same things (it is the exact same for this particular case) but just wanted to let you know that's our authority not Sub F.

Zack

Zack Lofton, AICP, CNU-A
Senior Planner, Land Use Review
City of Austin Development Services Department
PDC Bldg, 6310 Wilhelmina Delco Lane – 2nd Floor 2109.20
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From: Lofton, Zack
Sent: Monday, March 14, 2022 9:02 AM
To: David Carrol [REDACTED]
Subject: RE: Item B24- 1400 Cedar

No problem, David. Hope you had a great weekend.

Zack Lofton, AICP, CNU-A
Senior Planner, Land Use Review
City of Austin Development Services Department
PDC Bldg, 6310 Wilhelmina Delco Lane – 2nd Floor 2109.20
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From: David Carrol [REDACTED]
Sent: Friday, March 11, 2022 3:45 PM
To: Lofton, Zack <Zack.Lofton@austintexas.gov>
Subject: Re: Item B24- 1400 Cedar

Thanks Zack, I knew that was allowable for SubChapter F, but didn't realize you could penetrate the compatibility tent like that.

From: Lofton, Zack <Zack.Lofton@austintexas.gov>
Sent: Friday, March 11, 2022 3:38 PM
To: David Carroll [REDACTED]
Subject: RE: Item B24- 1400 Cedar

No problem, David. Height is measured differently for different types of roofs. Since these are gabled, it's measured from the average of the highest and lowest points of the roof or the highest and lowest points of the dormer, whichever is higher. The part of code that outlines how height is measured is 25-2-SubF - Article 3.4.1. So even though the highest point of the roof may be higher than the regulation height, it can still comply as long as the average is below the regulation height. Let me know if you have any more questions.

Zack Lofton, AICP, CNU-A
Senior Planner, Land Use Review
City of Austin Development Services Department
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B-14

For kudos or immediate concerns, please contact my supervisor Rosemary Avila at rosemary.avila@austintexas.gov or Christine Barton-Holmes at christine.barton-holmes@austintexas.gov Thank you for your patience and understanding, and we look forward to serving you in the near future.*

From: David Carroll [REDACTED]
Sent: Friday, March 11, 2022 2:55 PM
To: Lofton, Zack <Zack.Lofton@austintexas.gov>
Subject: Re: Item B24- 1400 Cedar

Hi Zack- Thanks for the explanation. As for the height, the exhibit seems to clearly show that they are exceeding the compatibility tent- see below. What am I missing? Thanks,



Thanks,
David

From: Lofton, Zack <Zack.Lofton@austintexas.gov>
Sent: Friday, March 11, 2022 1:15 PM
To: David Carroll [REDACTED]
Subject: RE: Item B24- 1400 Cedar

Hi there, David:

Staff is recommending this compatibility waiver to be approved because the site plan is proposing a “missing middle” housing product that contributes to the housing diversity the City needs and the implications of the waiver are reasonable. In addition, this site plan is in compliance with all other compatibility regulations and zoning regulations.

B-14

You are correct that this waiver is only for compatibility setbacks. The proposed development complies with the compatibility height regulations - this is shown in the background materials. I do realize that it's fairly nitty-gritty so let me know if you'd like to have a call to discuss it in more detail.

Sincerely,

Zack Lofton, AICP, CNU-A

Senior Planner, Land Use Review

City of Austin Development Services Department

PDC Bldg, 6310 Wilhelmina Delco Lane – 2nd Floor 2109.20

Office: 512-978-1735



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From: David Carroll [REDACTED]
Sent: Friday, March 11, 2022 10:23 AM
To: Lofton, Zack <Zack.Lofton@austintexas.gov>
Subject: Re: Item B24- 1400 Cedar

Zack - Looking at this closer, the waiver looks to be just for the compatibility setback, but this project is also violating the allowable compatibility height of 2 stories/30 feet high within 50 feet of triggering property as well as the 3 stories/40 feet within 100 feet of triggering property. How is this being addressed?

Thanks,
David

From: David Carroll [REDACTED]
Sent: Friday, March 11, 2022 10:09 AM
To: Lofton, Zack <Zack.Lofton@austintexas.gov>
Subject: Re: Item B24- 1400 Cedar

Hi Zack- Could you please explain staff's reasoning for supporting the compatibility waiver on this case? I know that will be a question from the Contact Team. Is there a hardship that we don't know about it?

Thanks for your help,
David

From: Lofton, Zack <Zack.Lofton@austintexas.gov>
Sent: Tuesday, March 8, 2022 9:23 AM
To: [REDACTED]
Subject: FW: Item B24- 1400 Cedar

Good morning, Dave:

I am the case manager for the 1400 Cedar site plan and wanted to share the contact information for the applicant, both the engineer and the developer. They asked for your contact info, but instead I asked them to share theirs. They welcome you to contact them to discuss the project.

Engineer:
Alejandra Flores

B-14

[REDACTED]
Civiltude LLC

Developer:
Zach Savage

[REDACTED]
Zach Savage Homes

Please let me know if you have any questions.

Sincerely,

Zack Lofton, AICP, CNU-A

Senior Planner, Land Use Review

City of Austin Development Services Department

PDC Bldg, 6310 Wilhelmina Delco Lane – 2nd Floor 2109.20

Office: 512-978-1735



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For kudos or immediate concerns, please contact my supervisor Rosemary Avila at rosemary.avila@austintexas.gov or Christine Barton-Holmes at christine.barton-holmes@austintexas.gov Thank you for your patience and understanding, and we look forward to serving you in the near future.**

From: Rivera, Andrew

Sent: Monday, March 7, 2022 1:06 PM

To: David Carroll [REDACTED]

Subject: RE: Item B24- 1400 Cedar

Hello Mr. Carroll:

Thank you for your email. Please provide a desired postponement date:

- April 12, 2022
- April 26, 2022

In the scenario this is a postponement discussion case, please register using the link below.

[March 8, 2022 Planning Commission Speaker Registration \(office.com\)](#)

Thank you,
Andrew

From: David Carroll [REDACTED]

Sent: Monday, March 7, 2022 12:59 PM

To: Rivera, Andrew <Andrew.Rivera@austintexas.gov>; Shaw, Todd - BC <BC-Todd.Shaw@austintexas.gov>; Hempel, Claire - BC <BC-Claire.Hempel@austintexas.gov>

Subject: Item B24- 1400 Cedar

*** External Email - Exercise Caution ***

Dear Chair Shaw and Vice Chair Hempel,

The Chestnut Neighborhood Plan Contact Team respectfully requests that this item be postponed until April to allow the Contact Team to weigh in on this.

We reached out the applicant months ago to ask about this project and he has ignored repeated requests to meet with us. Further, we just found out about the compatibility waiver request last week and have not been able to organize a quorum in time to discuss before your meeting tonight. With another month, we feel we could weigh in on this issue properly.

Thank you for your consideration,

David Carroll
Chair, Chesnut Neighborhood Plan Contact Team

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Lofton, Zack

From: Rivera, Andrew
Sent: Tuesday, April 12, 2022 5:02 PM
To: Lofton, Zack
Subject: FW: April 12, 2022 Planning Commission Meeting Information

Hi Zack,

Please see email below.

Thank you,
Andrew

From: Ian Zurzoldo [REDACTED] >
Sent: Tuesday, April 12, 2022 4:34 PM
To: Rivera, Andrew <Andrew.Rivera@austintexas.gov>
Subject: Re: April 12, 2022 Planning Commission Meeting Information

*** External Email - Exercise Caution ***

Hi Andrew,

Is there a way to add this signed opposition petition to the official documents related to the 1400 Cedar Ave case?

To: The City of Austin

From: Community stakeholders at Cedar Avenue and 14th Street

March 2, 2022

Regarding: SP-2021-0102C Compatibility Variances

We are responding to the proposed development on 1400 Cedar Avenue, a seven-unit condominium structure. We understand that the hearing on March 8th, 2022 is regarding a waiver to move the building to 5' instead of the 25' setback requirement on the North and West sides of the property, leaving the building entrance on Cedar Avenue.

As residents in this immediate area, some for two decades, we strongly disagree with the developers that this waiver would not disrupt the neighborhood's feel and that it meets the intent of the Land Ordinance Code.

First, in terms of the neighborhood's feel:

- The majority of the nearby residential properties have significant setbacks—many beyond 25 feet—so this proposed waiver would absolutely change the feel of the neighborhood. Beyond the subjective feel, this is true from a logistic standpoint as well. This relates to the second issue, elaborated below, regarding how it violates the intent of the code.

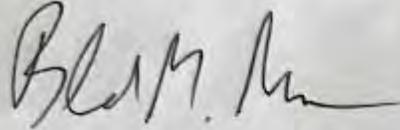
Second, in terms of the intent of the code:

- Because the development does not include an alley entrance/exit on the West side of the property, dramatically increasing the use of Cedar Avenue this will only magnify the problem of congestion associated with the increased motor vehicle traffic and reduced visibility it will bring. This both impacts the neighborhood's feel and violates the intent of the code.
- The proposed waiver to allow a decreased setback would significantly obscure visibility from the street, creating a danger to residents. It would effectively make an increasingly congested street, which would only increase as visitors to the condominium utilize street parking, narrower.
- This decreased visibility and congestion would also make it more difficult for emergency vehicles to navigate the area and access residents. The proposed development is encroaching into the compatibility 25' setback on the north and west property lines. Decreased setbacks make for tighter corners that large vehicles cannot manage. Additionally, because emergency medical services (EMS) drivers are constrained by time, they need to make quick judgments about access. We experienced this last summer after the resident who shares alley access directly behind the proposed development constructed a fence on the edge of their property, making it impossible for EMS to reach another resident through the south entrance to the alley. The EMS drivers had to quickly judge access and so they assumed that the north entrance would also be too narrow, and

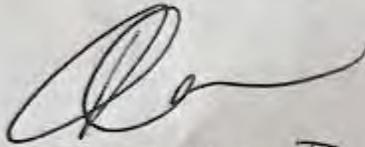
ended up parking the EMS vehicle on 16th Street, and personnel walked through the alley to the house. This delayed critical care in a life-threatening situation. Any further decrease in the setback creates a problem that will only compound over time, reducing residents' safety in the process.

For all of these reasons, we are asking that you deny this proposed waiver.

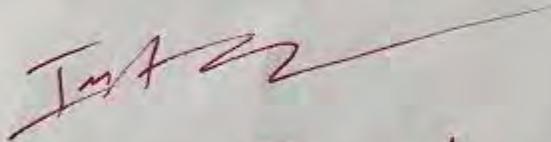
Thank you.



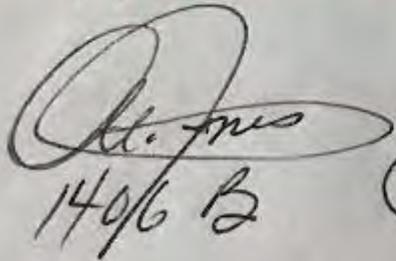
Blake M. McLean
1407 Singleton Ave. 78702



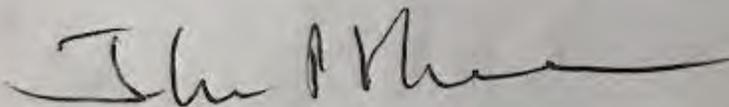
Dawna Ballard
1406 Cedar Ave 78702



Ian Zurzolo
1408 Cedar Ave 78702



1406 B Cedar Ave 78702



John Anuphus
1404 Cedar Ave 78702

On Tue, Apr 12, 2022 at 3:46 PM Rivera, Andrew <Andrew.Rivera@austintexas.gov> wrote:

All:

Thank you for taking the time to participate in the meeting this evening. If you are not speaking during public communication or the first discussion case, you will not have to remain in chambers (or call in at the beginning of the meeting). An e-mail will be sent when the commission is about 15 minutes away from taking up the next item.

Commission is scheduled to first hear Public Communication followed by item B-11.

Please see disposition of cases below, subject to change.

Current disposition of cases:

<u>NPA-2020-0015.02.SH - 2011 & 2015 E. M. Franklin; District 1</u>	Neighborhood Postponement, Apr. 26th
<u>B-02 C14-2022-0008.SH - 2011 & 2015 E. M. Franklin; District 1</u>	Neighborhood Postponement, Apr. 26th
<u>B-03 NPA-2021-0010.01 - 2400 E. Cesar Chavez Parking Expansion; District 3</u>	Applicant Indef. Postponement
<u>B-04 C14-2021-0121 - 2400 E. Cesar Chavez Parking; District 3</u>	Applicant Indef. Postponement
<u>B-05 NPA-2021-0015.02 - 3101 Hibbetts Road; District 1</u>	Consent
<u>B-06 C14-2021-0134 - 3101 Hibbetts Road; District 1</u>	Consent
<u>B-07 NPA-2021-0015.01 - Austin Sports Facility; District 3</u>	Withdrawn by Applicant
<u>B-08 C14-2021-0125 - Austin Sports Facility; District 3</u>	Withdrawn by Applicant
<u>B-09 NPA-2021-0016.05.SH - Live Make Apartments; District 3</u>	Consent
<u>B-10 C14-2021-0172 - Live Make Apartments; District 3</u>	Consent
<u>B-11 C14-85-244, Part 7 (RCA #3) - 10001 N. Capital of Texas Highway RCA; District 7</u>	Discussion
<u>B-12 C14-2021-0183 - 4303 and 4307 Speedway; District 9</u>	Applicant Indef. Postponement
<u>B-13 C814-2021-0175 - 614 S. 1st Street PUD; District 9</u>	Staff Indef. Postponement
<u>B-14 C814-97-0001.15 - Leander Rehabilitation PUD Amendment #16; District 6</u>	Staff Indef. Postponement
<u>B-15 C14-2022-0003 - Clayton Lane Residences, District 4</u>	Consent
<u>B-16 SP-2021-0102C - 1400 Cedar Ave; District 1</u>	Discussion

B-14

B-17 C8J-2009-0142.05.1A - Estancia West	Consent
B-18 C8-2020-0188.0A - 1940 Webberville Road Subdivision; District 1	Consent

Current registered speakers:

Anmol Mehra	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - 2011 & 2015 E. M. Franklin ; District 1
Dianna Dean	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - 2011 & 2015 E. M. Franklin ; District 1
Sir. Chase Wright	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - 2011 & 2015 E. M. Franklin ; District 1
Alan Powell	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - 2011 & 2015 E. M. Franklin ; District 1
Bethany Cheng	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - 2011 & 2015 E. M. Franklin ; District 1
Sarah Welch	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - 2011 & 2015 E. M. Franklin ; District 1
Matthew Welch	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - 2011 & 2015 E. M. Franklin ; District 1
Sean Garretson	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - 2011 & 2015 E. M. Franklin ; District 1
Conor Kenny	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - 2011 & 2015 E. M. Franklin ; District 1
Leyla Shams	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - 2011 & 2015 E. M. Franklin ; District 1
Ivan La Frinere-Sandoval	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - 2011 & 2015 E. M. Franklin ; District 1
Lauren Stanley	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - 2011 & 2015 E. M. Franklin ; District 1
Rob Schuwerk	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - 2011 & 2015 E. M. Franklin ; District 1
Liz Johnson	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - 2011 & 2015 E. M. Franklin ; District 1
John Osmon	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - 2011 & 2015 E. M. Franklin ; District 1
David Hartman	B-11 C14-85-244, Part 7 (RCA #3) - 10001 N. Capital of Texas Highway RCA; District 7
John Wilkinson	B-11 C14-85-244, Part 7 (RCA #3) - 10001 N. Capital of Texas Highway RCA; District 7
Karen Saadeh	B-12 C14-2021-0183 - 4303 and 4307 Speedway; District 9
Marina Bollinger	B-12 C14-2021-0183 - 4303 and 4307 Speedway; District 9
Steven Ward	B-12 C14-2021-0183 - 4303 and 4307 Speedway; District 9
Susan Moffat	B-12 C14-2021-0183 - 4303 and 4307 Speedway; District 9
Maury Sullivan	B-12 C14-2021-0183 - 4303 and 4307 Speedway; District 9
Todd Pruner	B-12 C14-2021-0183 - 4303 and 4307 Speedway; District 9
Alice Glasco	B-15 C14-2022-0003 - Clayton Lane Residences, District 4
Alice Glasco	B-15 C14-2022-0003 - Clayton Lane Residences, District 4

B-14

Ian Zurzolo	B-16 SP-2021-0102C - 1400 Cedar Ave; District 1
Anita Jones	B-16 SP-2021-0102C - 1400 Cedar Ave; District 1
Denise Villa-Urban Gravity	B-16 SP-2021-0102C - 1400 Cedar Ave; District 1
Grant Geissinger	B-18 C8-2020-0188.0A - 1940 Webberville Road Subdivision; District 1
Alberto Gutierrez	B-18 C8-2020-0188.0A - 1940 Webberville Road Subdivision; District 1
Enge Xing	B-18 C8-2020-0188.0A - 1940 Webberville Road Subdivision; District 1
Eric Paulus	Public Communication

Discussion items will be conducted as follows:

Staff Presentation

Applicant Presentation

Public Testimony

Applicant Rebuttal

Close Public Hearing

Commission Q & A

Deliberation and Vote

The agenda and backup may be found at the link below:

[Meetings of the Planning Commission - Page 1 | AustinTexas.gov](#)

I will be available via email during the meeting. Please feel free you reach out to me if I can be of assistance.

Thank you,

B-14

Andrew

Andrew D. Rivera

Land Use Commissions Liaison

City of Austin - Housing and Planning Department

P.O. Box 1088

Austin, Texas 78767

512-974-6508

www.austintexas.gov

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Lofton, Zack

From: Lofton, Zack
Sent: Monday, April 25, 2022 5:14 PM
To: Ian Zurzolo
Cc: Rivera, Andrew
Subject: RE: PC April 26th Agenda

Hey Ian:

The applicant would need to be approved for the waiver before they could get a site plan permit but I don't have any details about when that could be scheduled. The applicant will have to decide if that's the route they will take and then proceed. You can see when the upcoming meetings are though on their website below.

<https://www.austintexas.gov/content/board-adjustment>

Zack

Zack Lofton, AICP, CNU-A

Senior Planner, Land Use Review

City of Austin Development Services Department

PDC Bldg, 6310 Wilhelmina Delco Lane – 2nd Floor 2109.20

Office: 512-978-1735



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*For kudos or immediate concerns, please contact my supervisor Rosemary Avila at rosemary.avila@austintexas.gov or Christine Barton-Holmes at christine.barton-holmes@austintexas.gov. Thank you for your patience and understanding, and we look forward to serving you in the near future.**

From: Ian Zurzolo [REDACTED]
Sent: Monday, April 25, 2022 12:54 PM
To: Lofton, Zack <Zack.Lofton@austintexas.gov>
Cc: Rivera, Andrew <Andrew.Rivera@austintexas.gov>
Subject: Re: PC April 26th Agenda

*** External Email - Exercise Caution ***

Thanks. Can you please share details on the Board of Zoning Adjustment process and timelines?

On Mon, Apr 25, 2022 at 11:05 AM Lofton, Zack <Zack.Lofton@austintexas.gov> wrote:

Good morning Ian:

No problem. There's no precedence other than the other properties that've been upzoned to more intense uses. Related to if there is a precedent, I can't say for sure because each waiver is reviewed independently and takes into consideration the specific context. It's worth mentioning that the Planning Commission will not be able to approve a height waiver for this case as it stands – it would need to go to the Board of Zoning Adjustment, which is a whole other process.

Hope this helps.

Zack

Zack Lofton, AICP, CNU-A

Senior Planner, Land Use Review

City of Austin Development Services Department

PDC Bldg, [6310 Wilhelmina Delco Lane](#) – 2nd Floor 2109.20

Office: 512-978-1735



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*For kudos or immediate concerns, please contact my supervisor Rosemary Avila at rosemary.avila@austintexas.gov or Christine Barton-Holmes at christine.barton-holmes@austintexas.gov. Thank you for your patience and understanding, and we look forward to serving you in the near future.**

From: Ian Zurzolo [REDACTED]
Sent: Friday, April 22, 2022 6:35 PM
To: Lofton, Zack <Zack.Lofton@austintexas.gov>
Cc: Rivera, Andrew <Andrew.Rivera@austintexas.gov>
Subject: Re: PC April 26th Agenda

*** External Email - Exercise Caution ***

Thanks for the reply.

The developer has David's phone number and email because they spoke with us once in March (after months of ignoring us). But you can share mine too: [REDACTED]

B-14

I just reviewed the revised plans. Is there precedence in our neighborhood for the amount of height restriction waiver they are asking for? To my knowledge there is not, therefore not keeping with the neighborhood aesthetic.

Also, the developer still has not included an alley access in the driveway even though it would not affect the design of the proposed buildings in any way. This was one of the important safety concerns (eg. Ambulance, and traffic going into Cedar Ave). They have yet to give any reason at all, let alone a good one, for why they are not including an alley access.

Thanks and happy earth day,

Ian

On Fri, Apr 22, 2022 at 5:18 PM Lofton, Zack <Zack.Lofton@austintexas.gov> wrote:

Hi Ian,

Yes, you can see the updated proposal in the background materials posted on the Planning Commission webpage.

Related to the applicant not communicating with the neighborhood, I don't have any insight on that other than to say that when David mentioned that previously, I asked for a phone number to relay to the applicant (because we don't give out emails for people from the public) and I was never provided one. That said, please share a good contact phone number and I'm happy to pass it on to the applicant. Of course that doesn't mean they will necessarily call you, but it may be helpful.

Let me know.

Zack

Obtener [Outlook para iOS](#)

B-14

De: Ian Zurzolo [REDACTED]
Enviado: Friday, April 22, 2022 4:42:48 PM
Para: Lofton, Zack <Zack.Lofton@austintexas.gov>; Rivera, Andrew <Andrew.Rivera@austintexas.gov>
Asunto: Re: FW: PC April 26th Agenda

*** External Email - Exercise Caution ***

Hi,

Is there an update on if the applicant has changed their setback waiver request or altered their proposed design plan in any way? On the last call there was discussion of having a larger setback that the commission was interested in seeing.

Also, I would like to state for the record that the applicant/developer has not responded to the neighborhood since the last call despite their claims of listening to local neighbor feedback. It seems that they are trying to find loopholes in the zoning code to take advantage of maximum square footage and number of units, and don't care for respecting the neighborhood.

Thanks for your response,

Ian

On Fri, Apr 22, 2022 at 4:36 PM Ian Zurzolo [REDACTED] wrote:

Sign up to speak this Tuesday ASAP

----- Forwarded message -----

From: Lofton, Zack <Zack.Lofton@austintexas.gov>
Date: Fri, Apr 22, 2022 at 11:22 AM
Subject: FW: PC April 26th Agenda
To: Ian Zurzolo [REDACTED]

Hi Ian:

If you'd like to speak on Tuesday at the Planning Commission meeting, you can sign up at the speaker registration link below. Please let me know if you have any questions.

Sincerely,

Zack Lofton, AICP, CNU-A

Senior Planner, Land Use Review

City of Austin Development Services Department

PDC Bldg, [6310 Wilhelmina Delco Lane](#) – 2nd Floor 2109.20

Office: 512-978-1735

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*For kudos or immediate concerns, please contact my supervisor Rosemary Avila at rosemary.avila@austintexas.gov or Christine Barton-Holmes at christine.barton-holmes@austintexas.gov. Thank you for your patience and understanding, and we look forward to serving you in the near future.**

From: Rivera, Andrew

Sent: Friday, April 22, 2022 10:15 AM

To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Rhoades, Wendy <Wendy.Rhoades@austintexas.gov>; Chaffin, Heather <Heather.Chaffin@austintexas.gov>; Sirwaitis, Sherri <Sherri.Sirwaitis@austintexas.gov>; Lofton, Zack <Zack.Lofton@austintexas.gov>; Johns, Renee <Renee.Johns@austintexas.gov>; Sarah Sumner <Sarah.Sumner@traviscountytexas.gov>; Bennett, Jennifer <Jennifer.Bennett@austintexas.gov>

Subject: PC April 26th Agenda

All:

Please forward the attached agenda and speaker registration link below to applicants and interested parties.

<https://forms.office.com/Pages/ResponsePage.aspx?id=9hleXKumRUux0L5GCKmmf-rCcM0VJ45NoBmTPGEWfEdURjVJU0RZND3WE1TMEhHTFk1N1RBSDiCVi4u>

For staff participating via videoconference, link will be sent Tuesday afternoon (same link as for commissioners).

Thank you,

Andrew

Andrew D. Rivera

Land Use Commissions Liaison

City of Austin - Housing and Planning Department

P.O. Box 1088

Austin, Texas 78767

512-974-6508

www.austintexas.gov

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PER CITY ORDINANCE: All individuals scheduling or accepting a meeting invitation with a City Official are requested to provide responses to the questions at the following link: <https://bit.ly/HPDLobbyingForm>

Please note that all information provided is subject to public disclosure. For more information please visit: [City of Austin Ordinance 2016-0922-005](#) | [City Clerk's website](#) | [City Clerk's FAQ's](#)

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B-14

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Lofton, Zack

From: Lofton, Zack
Sent: Tuesday, April 26, 2022 10:52 AM
To: Dawna I Ballard
Subject: RE: 1400 Cedar Avenue Project

Good morning Dawna:

Thanks for sending this in. I will include it in the background materials.

Zack

Zack Lofton, AICP, CNU-A
Senior Planner, Land Use Review
City of Austin Development Services Department
PDC Bldg, 6310 Wilhelmina Delco Lane – 2nd Floor 2109.20
Office: 512-978-1735



**The Site Plan team within DSD's Land Use Review Division is committed to maintaining a high level of review and customer service. Currently, we are experiencing review delays and slower response to customer emails and phone calls. Progress of a review can be tracked online via the following website: <https://abc.austintexas.gov/web/permit/public-search-other?reset=true>*

*For kudos or immediate concerns, please contact my supervisor Rosemary Avila at rosemary.avila@austintexas.gov or Christine Barton-Holmes at christine.barton-holmes@austintexas.gov. Thank you for your patience and understanding, and we look forward to serving you in the near future.**

From: Dawna I Ballard [REDACTED]
Sent: Tuesday, April 26, 2022 8:42 AM
To: Lofton, Zack <Zack.Lofton@austintexas.gov>
Subject: 1400 Cedar Avenue Project

*** External Email - Exercise Caution ***

Hi Zack:

I'm attaching a letter about the project at 1400 Cedar Avenue. Please include it in the file for discussion tonight.

many thanks,
Dawna

--

Dawna I. Ballard, Ph.D., Associate Professor
Department of Communication Studies
Moody College of Communication
University of Texas at Austin

If you want to reach me...

In person: <https://dawna.youcanbook.me/>

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Postal Mail: 2504 Whitis Avenue (A1105), Austin, TX 78712-1075

Faster: @dawnaballard on Twitter; @iteachtime on Instagram

Slower: dballard@austin.utexas.edu

"Time isn't the main thing. It's the only thing." --Miles Davis

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To: City of Austin Planning Commissioners
From: Stakeholders of 1400 Cedar Avenue Project
Regarding: SP-2021-0102C Compatibility Variances
April 22, 2022

We are responding to the proposed development on 1400 Cedar Avenue, a seven-unit three-story condominium structure between 1600-2000 square feet per unit on 0.277 acres of property (amounting to 19 bedrooms plus 7 habitable lofts).

We were pleased to see the changes to the structure made to address our safety concerns. The revised plans to increase the setbacks and decrease the number of units help to reduce the overall flow of traffic on the street, and we appreciate these changes.

We would like the builders to also consider another related point that we raised—i.e., alley access to and from the structure. There is currently only one entrance and exit (on Cedar Avenue) for all units.

Here are a few reasons we think an alley egress and Cedar Avenue ingress will make this a safer and more successful (including a more sought-after) development. Directing some traffic away from Cedar will help manage the following safety concerns:

- The proposed building is a high-density structure on the corner of a street that has no four-way stops, and visibility is often decreased by the number of cars already parked on the street by existing residents.
- Cedar Avenue serves as a primary artery east of Pleasant Valley so visitors are prone to drive over the residential speed limit
- One corner away from 1400 Cedar Avenue (at Cedar Avenue and 16th Street) is a school bus stop for Kealing Junior High School and McCallum High School so children walk to and from school in close proximity of the only proposed entrance of the structure. Additionally, children who attend Campbell Elementary as well as those who are bused to Ann Richards School (picked up at Campbell) also walk past 1400 Cedar Avenue twice a day on their way to and from school. All of this would occur while residents of 1400 Cedar Avenue are likely to be travelling to work. Therefore, anything that we can do to reduce traffic on the Cedar Avenue side of the structure is ideal.
- Finally, in the case of an emergency such as fire, how will all of these residents exit safely? At the same time, there will be no access for emergency vehicles except via Cedar Avenue.