

BOA GENERAL REVIEW COVERSHEET

CASE: C15-2022-0066 **BOA DATE:** October 10th, 2022

ADDRESS: 1116, 110, 1112, **COUNCIL DISTRICT**: 9

1114, 1118-1124, 1128-1130 W 6th St

605, 607 Blanco St

OWNER: Clarks Village, LP **AGENT:** Richard Suttle

ZONING: CS-MU-CO-NP; CS-MU-V-CO-NP

LEGAL DESCRIPTION: LOT 19 BLK B OLT 2 DIV Z RAYMOND SUBD

VARIANCE REQUEST: LDC 25-2-1063 ARTICLE 10 Compatibility Standards

SUMMARY: erect a Mixed-Use project

<u>ISSUES</u>: protected trees, on-site historical structures, significant grade change from northeast to southwest across the site

	ZONING	LAND USES
Site	CS-MU-CO-NP; CS-MU-V-CO-NP	General Commercial Services-Mixed Use-Conditional
		Overlay-Neighborhood Plan; General Commercial Services-
		Mixed Use-Vertical Mixed Use-Conditional Overlay-
		Neighborhood Plan
North	MF-4-HD-NP	Multi-Family-High Density-Historic Designation
South	CS-MU-V-CO-NP	General Commercial Services-Mixed Use-Vertical Mixed
2011111		Use-Conditional Overlay-Neighborhood Plan
East	CS-MU-V-CO-NP	General Commercial Services-Mixed Use-Vertical Mixed
		Use-Conditional Overlay-Neighborhood Plan
West	CS-1-MU-CO-HD-NP	Commercial-Liquor Sales-Mixed Use-Conditional Overlay-
		Historic Designation-Neighborhood Plan

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District

Austin Lost and Found Pets

Austin Neighborhoods Council

Friends of Austin Neighborhoods

Homeless Neighborhood Association

Neighborhood Empowerment Foundation

Old West Austin Neighborhood Association

Old West Austin Neighborhood Plan Contact Team

Preservation Austin

SELTexas

Save Historic Muny District

Shoal Creek Conservancy

Sierra Club, Austin Regional Group



September 9, 2022

Andrew Linseisen 100 Congress Ave, Suite 1300 Austin TX, 78701

Property Description: LOT 19 BLK B OLT 2 DIV Z RAYMOND SUBD

Re: C15-2022-0066

Dear Andrew,

Austin Energy (AE) has reviewed your application for the above referenced property, requesting that the Board of Adjustment consider variances from LDC Sections 25-2-1063(B), 25-2-1063(C)(1), 25-2-1063(C)(2), and 25-2-1063(C)(3) at 607 Blanco St, 1110, 1112, 1114, 1116, 1118-20, 1122-24, and 1128 W 6th St.

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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. Specifically, any proposed construction on this site must meet 15' radial clearance from any existing overhead electrical facilities (lines, poles, etc.).

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.

Cody Shook, Planner II

Austin Energy
Public Involvement | Real Estate Services
2500 Montopolis Drive
Austin, TX 78741
(512) 322-6881
Cody.Shook@austinenergy.com



Board of Adjustment General/Parking Variance Application

<u>DevelopmentATX.com</u> | Phone: 311 (or 512-974-2000 outside Austin) For submittal and fee information, see <u>austintexas.gov/digitaldevelopment</u>

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, <u>click here to Save</u> 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

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Case #C15-2022-0066 ROW #12990379	Tax # <mark>0108010622,0108010619,</mark>
Section 1: Applicant Statement	0108010625, 0108010626,0108010601
Street Address: 605-607 Blanco St, 1110 - 1130 W 6th St	
Subdivision Legal Description:	
Lots 14, 15, 16, 17, 18, 19, 20, 21, and 22, Block B, Out	lot 2 Division Z Raymond Subdivision
	·
Lot(s): 14, 15, 16, 17, 18, 19, 20, 21, and 22 Block((s): <u>B</u>
Outlot: 2 Division	on: Z Raymond Subdivision
Zoning District: <u>cs-1-Mu-co-HD-NP, cs-Mu-co-HD-NP, cs-Mu-c</u>	O-NP, CS-MU-V-CO-NP
/We Andrew J. Linseisen	on behalf of myself/ourselves as
authorized agent for <u>Clarks Village, LP</u>	affirm that on
Month September , Day 19 , Year 2022	, hereby apply for a hearing before the
Board of Adjustment for consideration to (select appropria	ate option below):
● Erect	○ Maintain ○ Other:
Type of Structure: <u>Mixed-use project</u>	
• •	



Portion of the City of Austin Land Development Code applicant is seeking a variance from:
We request a variance from Sections 25-2-1063(B), 25-2-1063(C)(1), 25-2-1063(C)(2), and
25-2-1063(C)(3). See "Additional Space" below for more information.
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: See additional information attached.
Hardship a) The hardship for which the variance is requested is unique to the property in that:
a)The constraints described above uniquely impact the property, undermining its reasonable use. However, the requested variances would provide the property exceptions to compatibility restrictions impacting the site. The relief provided by the variances directly addresses the constraints identified above and would allow a project that saves large trees, retains the on-site historic structures in the manner approved by the Historic Landmark Commission, and maintains a character and scale appropriate for the neighborhood.
b) The hardship is not general to the area in which the property is located because:
The limitations to reasonable use of the property are related to the unique physical characteristics of the property described above and are not general to the area. The topographic constraints experienced by the subject property are unique as there are no similarly zoned properties along the W 5th St or W 6th St corridors that are burdened with the same combination of topography and upgradient, compatibility-triggering properties.
b) The hardship is not general to the area in which the property is located because: The limitations to reasonable use of the property are related to the unique physical characteristics of the property described above and are not general to the area. The topographic constraints experienced by the subject property are unique as there are no similarly zoned properties along the W 5th St or W 6th St corridors that are burdened with the same

ITFM5/5

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:

a a p	the variances will grant relief from compatibility standards trigger by the unique site constraints llowing the project to utilize the full entitlements envisioned by the zoning district. The scale and massing of the proposed project preserve the character of the existing neighborhood. The roject as proposed has recieved support from the surrounding property owners, the Old West sustin Neighborhood Association, and the Historic Landmark Commission.
Reque a varia Apper	ng (additional criteria for parking variances only) est for a parking variance requires the Board to make additional findings. The Board may grant ance to a regulation prescribed in the City of Austin Land Development Code Chapter 25-6, adix A with respect to the number of off-street parking spaces or loading facilities required if it is 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:
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:
3.	The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:
4.	The variance will run with the use or uses to which it pertains and shall not run with the site because:
_	

Section 3: Applicant Certificate

my knowledge and belief.	application are true	and correct to the best of
Applicant Signature:		Date: <u>09/19/2022</u>
Applicant Name (typed or printed): Andrew J. Linsei	sen	
Applicant Mailing Address: 100 Congress Avenue, S	uite 1300	
City: Austin	State: TX	Zip: 78701
Phone (will be public information): (512) 435-2100		
Email (optional – will be public information):		
Section 4: Owner Certificate		
I affirm that my statements contained in the complete my knowledge and belief.		
Owner Signature:		Date: <u>09/19/2022</u>
Owner Name (typed or printed): Andrew J. Linseisen		
Owner Mailing Address: 100 Congress Avenue, Suit	e 1300	
City: Austin	State: <u>TX</u>	Zip: <u>78701</u>
Phone (will be public information):		
Email (optional – will be public information):		
Section 5: Agent Information		
Agent Name: Richard Suttle		
Agent Mailing Address: 100 Congress Avenue, Suit	e 1300	
City: Austin	State: TX	Zip: 78701
Phone (will be public information): (512) 435-2100		
Email (optional – will be public information):		
Section 6: Additional Space (if applica	ıble)	
Please use the space below to provide additional information referenced to the proper item, include the Section and		



Additional Space (continued)

Section 2: Reasonable Use

The city has designated this site as being on a Core Transit Corridor with a combination of MU and VMU zoning marking it as an appropriate location for achieving a mixed-use development. However, this reasonable use is undermined by site constraints including preservation of on-site historical structures, preservation of large trees and a significant (+/-35') grade change from southwest to northeast across the site.

The 'by right' compatibility setbacks in the Land Development Code encourage a project where density allowed under the property's base zoning is stacked along the W 6th Street frontage with lesser height and density on the northern portions of the property. Contrarily, the proposed mixed-use project is envisioned with more reasonably distributed density that focuses height in the inner portions of the property and implements stepped setbacks along all property edges — including those facing the triggering properties. Further, the mass of the building and intensity of use decrease at each vertical floor to provide a project with size and scale fitting the character of the neighborhood and its adjacent properties. This design approach and the compatibility waivers sought by this application have been extensively discussed with, and are supported by, the Old West Austin Neighborhood Association (OWANA).

Description of variances requested:

The applicant is request a variance to increase the maximum allowable height requirements of Article 10, Compatibility Standards, Division 2 – Development Standards, Section 25-2-1063 (Height Limitations and Setbacks for Large Sites)

For the triggering property located at 608 Baylor Street

- (B) A person may not construct a structure 25 feet or less from property: to decrease the setback from "25 feet" to 15 feet (requested)
- (C)(1) to increase the height limit from "two stories and 30 feet, if the structure is 50 feet or less from property:" (maximum allowed) to 60 feet with no limitation on the number of stories (requested)
- (C)(2) to increase the height limit from "three stories and 40 feet, if the structure is more than 50 feet and not more than 100 fee from property:" (maximum allowed) to 60 feet with no limitation on the number of stories (requested)
- (C)(3) to increase the height limit for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, from "40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 of more restrictive" to 60 feet (requested)

See attached Page 9 of 9 for continuation of variances requested for the triggering properties at

611 Blanco Street and 612 Blanco Street.			

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- (C)(2) to increase the height limit from "three stories and 40 feet, if the structure is more than 50 feet and not more than 100 fee from property:" (maximum allowed) to 60 feet with no limitation on the number of stories (requested)
- (C)(3) to increase the height limit for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, from "40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 of more restrictive" to 60 feet (requested)

For the triggering property located at 611 Blanco Street

- (C)(2) to increase the height limit from "three stories and 40 feet, if the structure is more than 50 feet and not more than 100 fee from property:" (maximum allowed) to 45 feet with no limitation on the number of stories (requested)
- (C)(3) to increase the height for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, to 100 feet but not more than 200 feet from property zoned SF-5 or more restrictive to 50 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 of more restrictive feet (requested)
- (C)(3) to increase the height for a structure more than 200 feet but not more than 300 feet from property zoned SF-5 or more restrictive, to 60 feet (requested)

For the triggering property located at 612 Blanco Street

- (C)(3) to increase the height limit from "40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 of more restrictive", to 45 feet one foot for each 10 feet of distance in excess of 100 feet but not more than 250 feet from the property zoned SF-5 of more restrictive (requested)
- (C)(3) to increase the height limit from "40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 of more restrictive", to 60 feet for property in excess of 250 feet but not more than 300 feet from the property zoned SF-5 of more restrictive (requested)

in order to erect a mixed use project within a "CS-MU-V-CO-NP", General Commercial Services – Mixed Use – Vertical Mixed Use – Conditional Overlay – Neighborhood Plan zoning district.

Variances

June 16, 2022

City of Austin P.O. Box 1088 Austin, Texas 78767

Re:

Agent authorization letter for property located at 605-607 Blanco Street, 1110-1130 W. 6th Street, Austin, Texas, 78703, also known as TCAD Parcel No.'s 0108010601, 0108010619, 0108010621, 0108010622, 0108010623, 0108010625, and 0108010626 (the "Property")

Dear City of Austin:

Please accept this letter appointing Armbrust & Brown, PLLC as authorized agent for the undersigned in connection with the submittal of any development applications for the abovereferenced Property. This appointment includes complete authority for Armbrust & Brown, PLLC to handle all aspects of the entitlement process for the Property. All correspondence and contact should be directed to thereto. Thank you for your assistance in connection with this matter.

Sincerely,

Clarks Village, LP, a Texas limited partnership

By:

Clarks Village GP, LP a Texas limited partnership

its general partner

By:

Clarks Village Master GP, LLC a Texas limited liability company, its general partner





Page/

HERZOG & DE MEURON

Page Southerland Page, Inc.Herzog & de Meuron400 W. Cesar Chavez St. 5th FL.Rheinschanze 6Austin, TX 787014056 Basel, Switzerlandpagethink.comherzogdemeuron.com

TEL 512.472.6721 TEL 41 61 385 5757 FAX 512.477.3211

CONSULTANT TEAM

STRUCTURAL FAST + EPP 300-397 W 7th Ave Vancouver, BC V5Y 1M2 604 731 7412

BAY & ASSOCIATES
8217 Shoal Creek Blvd
#100
Austin, TX 78757
512 407 9011

LANDSCAPE

WGI INC. TEN EYCK LANDSCAPE ARCHITECTS

2021 East 5th St. 1224 E 12th St.
Suite 200 Suite 323

Austin, TX 78702 Austin, TX 78702
512 669 5560 000-000-0000

 PARKING
 EXTERIOR ENVELOPE

 HWA PARKING
 FRONT INC.

 9600 Great Hills Trail
 100 E Broadway

 Suite 150 W.
 Suite 501

 Austin, TX 78759
 New York, NY 10002

 512 306 8722
 212 242 2220

SUSTAINABILITY
ATELIER TEN
104 W 29th St.
8th Floor
New York, NY 10001
212 254 4500

New York, NY 10002 212 242 2220 VERTICAL TRANSPORTATION PERSOHN/HAHN ASSOC. 8612 Broad Meadow Lane

McKinney, TX 75071 972 832 4232

(EYPLAN

REVISION HISTORY

REVISION DESCRIPTION DATE

PROFESSIONAL SEALS

THIS DOCUMENT IS
RELEASED FOR THE PURPOSE
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CLIENT
Clarks Village LP

100 Congrss Avenue - Suite 1450
Austin, TX 78701

DJECT

1110 W 6th
Mixed Use Development

1110-1130 West 6th St, Austin, Texas

PROJECT NUMBER
121065
DATE
08/18/22

DRAWN BY
Author
CHEKED BY
Checker

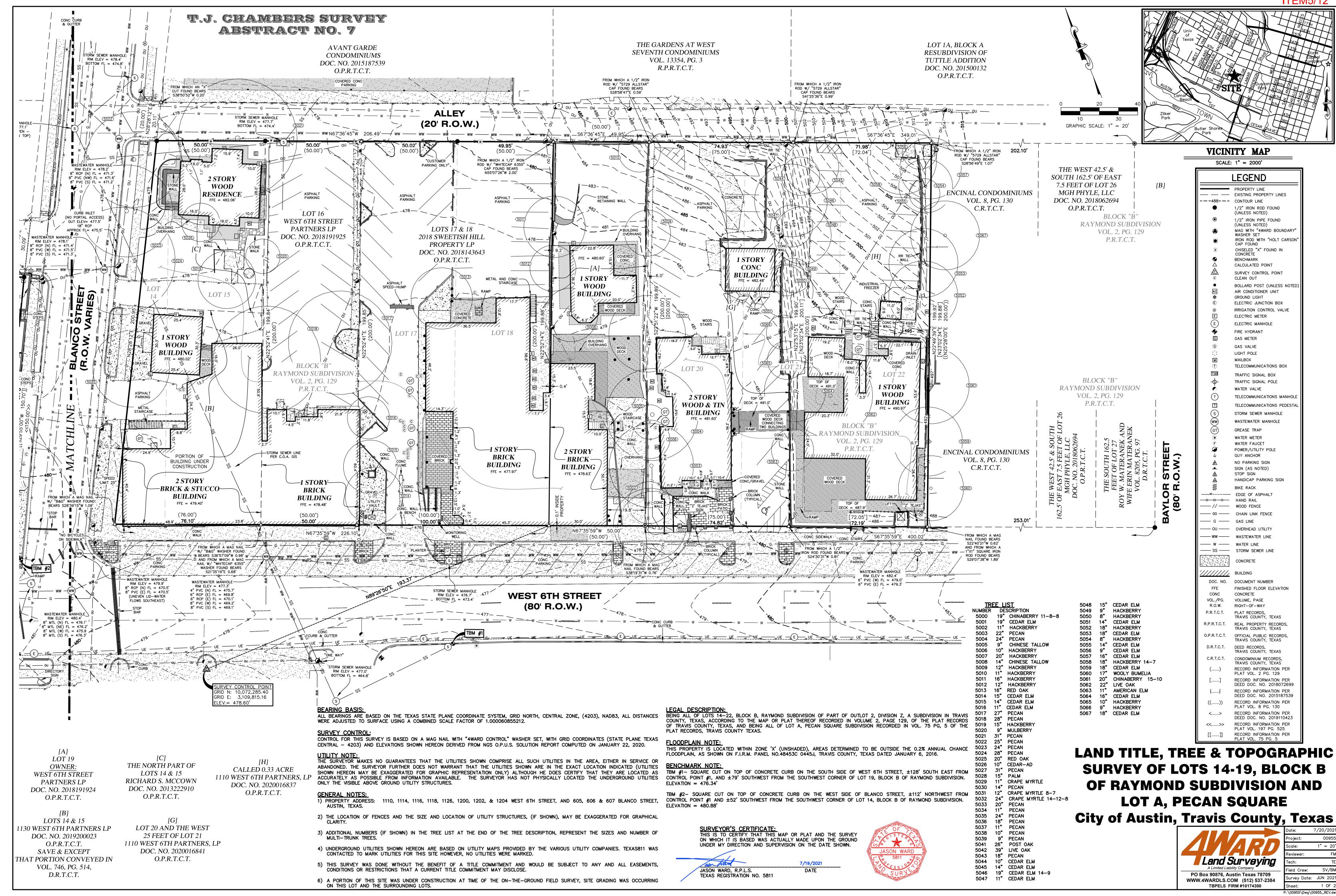
ORIGINAL ISSUE

SHEET NAME

Ground L1 Plan

SHEET NUMBER

PR-101



From: Ramirez, Elaine
To:
Cc: Ramirez, Diana

Subject: RE: BOA Case C15-2022-0066 / 1116 W 6th St **Date:** Monday, August 22, 2022 1:45:00 PM

Attachments: image001.png

Thank you Andy for the e-mail. The above case has been "pulled" and will be put on the October 10 BOA meeting Agenda.

Please make sure you have the correct variance verbiage request to me before 10a.m. on Monday, 9/19/22. Thank you!

Respectfully,

Elaine Ramirez

Planner Senior / Board of Adjustment Liaison City of Austin Development Services Department 6310 Wilhelmina Delco Dr, Austin, Texas 78752

Office: 512-974-2202



Building a Better and Safer Austin Together

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: **DSD Visitor Log.**Please note that all information provided is subject to public disclosure via DSD's open data portal. For more information please visit: City of Austin Ordinance 2016-0922-005 | City Clerk's website | City Clerk's FAQ's

From:

Sent: Monday, August 22, 2022 11:36 AM

To: Ramirez, Elaine < Elaine.Ramirez@austintexas.gov> **Cc:** Ramirez, Diana < Diana.Ramirez@austintexas.gov>

Subject: BOA Case C15-2022-0066

*** External Email - Exercise Caution ***

Elaine,

On behalf of our client, please postpone the Board of Adjustment Case C15-2022-0066 from the September agenda to the October meeting. Thank you for your assistance, please let me know if you require any additional information. Thanks

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607 Blanco

TCAD Parcels: 0108010601

Property ID: 106511

0.1081AC OF LOT 14-15 BLK B OLT 2 DIV Z RAYMOND SUBD

1128 W 6th

TCAD Parcels: 0108010626

Property ID: 106554

S 116.47 FT AV LOT 14-15 BLK B OLT 2 DIV Z RAYMOND SUBD

1122 W 6th

TCAD Parcels: 0108010625

Property ID: 106553

LOT 16 BLK B OLT 2 DIV Z RAYMOND SUBD

1120 W 6th

TCAD Parcels: 0108010623

Property ID: 106551

LOT 17-18 BLK B OLT 2 DIV Z RAYMOND SUBD

1114 / 1116 W 6th

TCAD Parcels: 0108010622

Property ID: 106550

LOT 19 BLK B OLT 2 DIV Z RAYMOND SUBD

1112 W 6th

TCAD Parcels: 0108010621

Property ID: 106549

LOT 20 *&W 25 FT OF LOT 21 BLK B OLT 2 DIV Z RAYMOND SUBD

1110 W 6th

TCAD Parcels: 0108010619

Property ID: 106548

LOT 22 & E 25 FT OF LOT 21 BLK B OLT 2 DIV Z RAYMOND SUBD