

BOA GENERAL REVIEW COVERSHEET

CASE: C15-2023-0029

BOA DATE: August 14th, 2023

ADDRESS: 74 Trinity St

COUNCIL DISTRICT: 9

OWNER: Austin Rowing Club

AGENT: Stephen Hawkins

ZONING: DMU, P

LEGAL DESCRIPTION: .1494A OF LOT 2 SAN JACINTO CENTER

VARIANCE REQUEST: increase the dock length from 30 feet to 120 feet.

SUMMARY: expand floating dock and storage racks

ISSUES: expansive wetland, gentle slopes, and massive erosion

	ZONING	LAND USES
<i>Site</i>	DMU, P	Downtown Mixed Use; Public
<i>North</i>	CBD	Central Business
<i>South</i>	P	Public
<i>East</i>	CBD	Central Business
<i>West</i>	DMU	Downtown Mixed Use

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District

Austin Lost and Found Pets

Austin Neighborhoods Council

City of Austin Downtown Commission

Downtown Austin Alliance

Downtown Austin Neighborhood Association (DANA)

Friends of Austin Neighborhoods

Homeless Neighborhood Association

Neighborhood Empowerment Foundation

Preservation Austin

SELTexas

Waterloo Greenway



July 26, 2023

Stephen Hawkins
6504 Betty Cook Dr
Austin TX, 78723

Property Description: .1494A OF LOT 2 SAN JACINTO CENTER

Re: C15-2023-0029

Dear Stephen,

Austin Energy (AE) has reviewed your application for the above referenced property, requesting that the Board of Adjustment consider a variance request from LDC Section 25-2-1176(A)(1) at 74 Trinity Street.

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.

Cody Shook, Planner II

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



Board of Adjustment General/Parking Variance Application

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

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 # **C15-2023-0029** ROW # **13151792** Tax # **0205020815**

Section 1: Applicant Statement

Street Address: 74 Trinity Street, Austin, Texas 78701

Subdivision Legal Description:

.1494A OF LOT 2 SAN JANCINTO CENTER

Lot(s): 2 Block(s): _____

Outlot: _____ Division: _____

Zoning District: DMU, P District: **9**

I/We Stephen Hawkins on behalf of myself/ourselves as
authorized agent for Austin Rowing Club affirm that on
Month May, Day 17, Year 2023, 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: expansion of a floating boat dock and storage racks for personal watercraft.

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

25-2-1176 A (1): A dock may extend up to 30 feet from the shoreline, except that the director may require a dock to extend a lesser or greater distance from the shoreline if deemed necessary to ensure navigation safety. We are requesting a variance to extend 120' which is no further than the original site plan from 2009.

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 15-30' buffer of mud and wetland coupled with a gentle slope into the water prohibits comfortable navigation. Furthermore, PARD, the Watershed Department and Trail Conservatory have requested for the storage of kayaks and SUPs be removed from the shoreline and onto the docks. In order to add the extra storage, demolish the existing unpermitted dock, and give the thriving wetland the proper space to expand, we are asking for 120' max distance from the shoreline which is 7' further than the original site plan from 2009.

Hardship

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

No other dock on Lady Bird Lake has the expansive wetland coupled with gentle slopes into the lake along the hike and bike trail. Reestablishing this shoreline in coordination with the watershed department, PARD and Trail Conservancy is essential to slowing the massive amounts of erosion that is occurring. Having a dock that you can safely store and launch watercraft beyond the wetland will be crucial for it's development.

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

The location of Austin Rowing Club is at a bend of Lady Bird Lake that collects more sediment along the shore than an average point on the lake. There is a large buffer of mud along the shoreline that requires the dock extend further than what would normally be necessary.

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:

The variance will enable the expansion of the wetland along the shoreline in and out of the water. All of the proposed construction will occur on the water from a barge and no impact will occur on the property, shoreline, or around the hike and bike trail. The property is 28 acres from the waller creek tunnel to the Congress Bridge and the proposed reorientation of the dock occurs within 262 linear feet.

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: 07/13/2023

Applicant Name (typed or printed): STEPHEN HAWKINS

Applicant Mailing Address: 6504 BETTY COOK DRIVE

City: AUSTIN State: TEXAS Zip: 78723

Phone (will be public information): 

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: SEE OWNER AUTHORIZATION Date: 07/13/2023

Owner Name (typed or printed): AUSTIN ROWING CLUB

Owner Mailing Address: 74 TRINITY STREET

City: AUSTIN State: TEXAS Zip: 78701

Phone (will be public information):

Email (optional – will be public information):

Section 5: Agent Information

Agent Name: STEPHEN HAWKINS

Agent Mailing Address: 6504 BETTY COOK DRIVE

City: AUSTIN State: TEXAS Zip: 78723

Phone (will be public information): 

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).



6504 Betty Cook Dr. • Austin, TX 78723 • [REDACTED]

Date: February 3, 2022

Subject: 74 Trinity St., Austin, Texas 78701

City of Austin Development Services Department
PO BOX 1088
Austin, TX 78716

To Whom It May Concern:

The City of Austin owns the property at 74 Trinity St., Austin, Texas and has retained Stephen Hawkins of Aqua Permits, LLC as our authorized agent for the City of Austin applications and permitting needed for the subject property.

Thank you,

A handwritten signature in black ink, appearing to read "Kira A. Rin".

Executive Director,
Austin Rowing Club

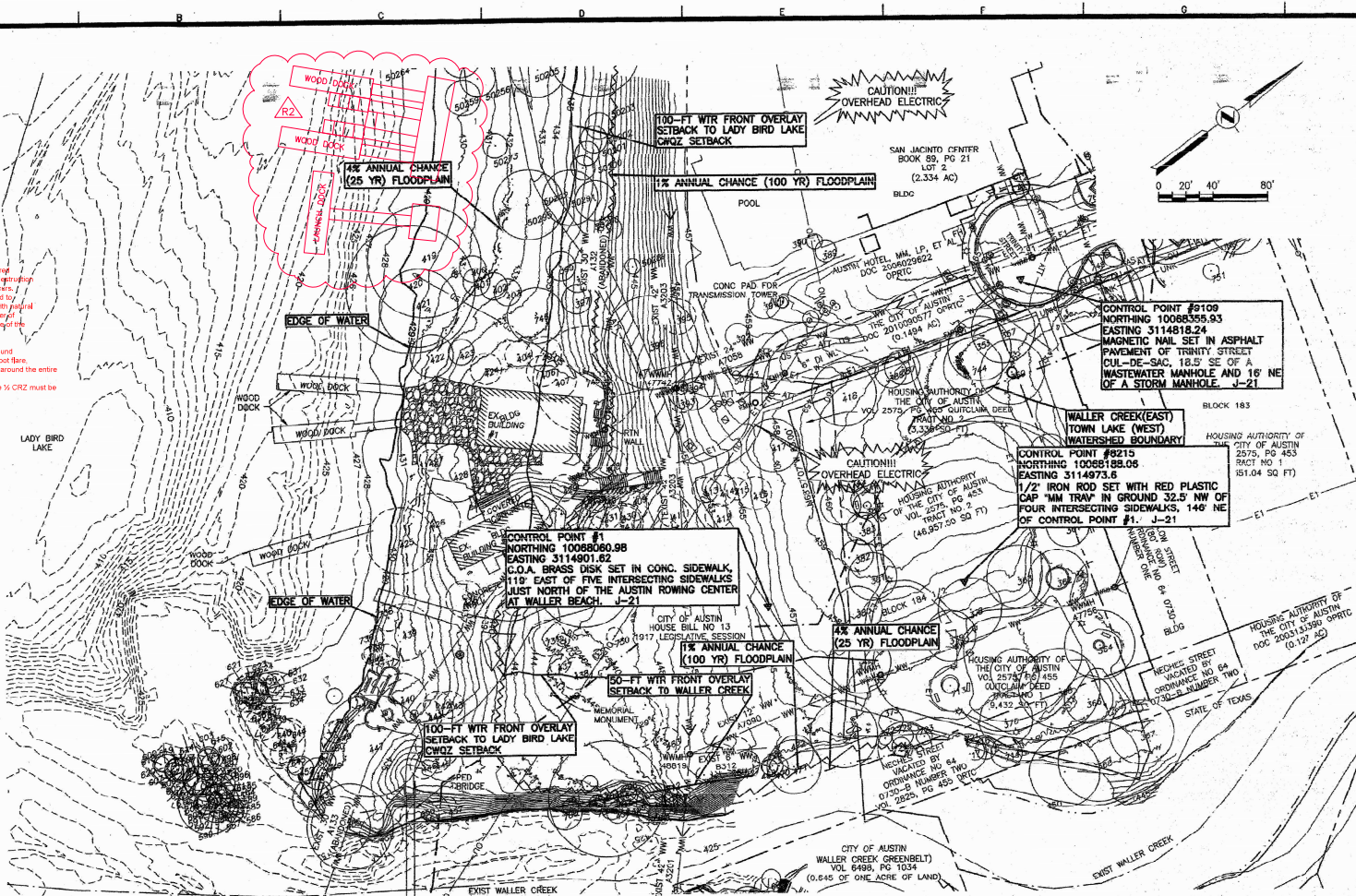
City of Austin-Austin Rowing Club, Authorized Person

NUMBER	BEARING
L1	N73°28'02"W
L5	N53°06'39"E

Tree protection fencing is required for all trees within the limits of destruction on site BEFORE demolition occurs. Where fencing cannot be placed to protect the extent of the CRZ with natural ground cover, provide an 8" layer of organic hardwood mulch outside of the fencing.


2x4 or thicker lumber (to match height of building) securely around tree trunk, buttress roots, and root flare, is required if fencing cannot go around the entire 1/3 CRZ

Any demolexexcavation within the 1/3 CRZ must be done by hand.



BENCHMARKS:			
THE COORDINATES AND BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE - 4203, NAD83(CORS).			
CONTROL POINT	GRID NORTHING	GRID EASTING	ELEVATION
1	10068060.08	1314901.62	455.56
CDA BRASS DISK SET IN CONC SIDEWALK, 119' EAST OF FIVE INTERSECTING SIDEWALKS JUST NORTH OF THE AUSTIN ROWING CENTER AT WALLER BRIDGE, J-21			
8215	10068188.06	1314973.36	457.14
1/2" IRON ROD SET WITH RED PLASTIC CAP "AM TRAY" IN GROUND 32.5' NW OF FOUR INTERSECTING SIDEWALKS, 145' NE OF CONTROL POINT #1 - J-21			
9109	10068355.93	1314818.24	464.41
MAGNETIC NAIL SET IN ASPHALT PAVEMENT OF TROPHY STREET CURB-DE-SAC, 18.5' SE OF A WASTEWATER MANHOLE AND 19' NE OF A STORM MANHOLE, J-21			

- | | | | |
|--|--------------------------|-------|----------------------|
| | SURVEY BENCHMARK | ----- | WALLER CREEK |
| | | ----- | WATERSHED BOUNDARY |
| | EXIST TREE | ----- | CW02/WO/NORTHSHORE |
| | WASTEWATER MANHOLE | ----- | CENTRAL SUBSTATION |
| | STORM DRAIN MANHOLE | ----- | DISTRICT |
| | UTILITY FLOW ARROW | ----- | 100 YR LBL FLOOD-AP |
| | EXIST CONTOURS (WATER) | ----- | 25 YR LBL FLOODPLAIN |
| | EXIST CONTOURS (LAND) | ----- | PROPERTY LINE |
| | WATERS EDGE (ELEV 429.0) | ----- | OU |
| | | ----- | AUTM ENERGY |
| | | ----- | 0/H POWER LINE |

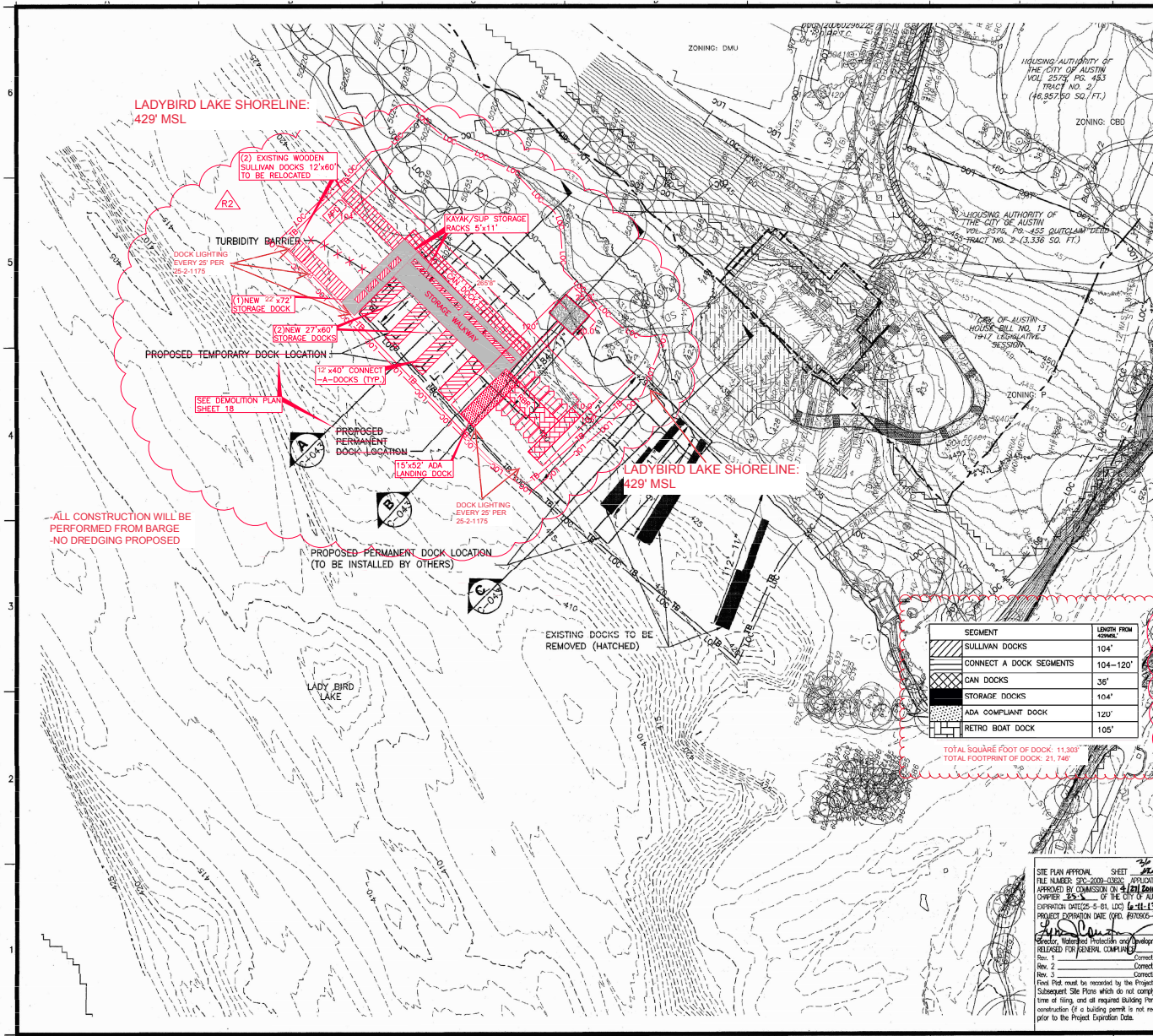
SITE PLAN APPROVAL SHEET B of 16
 FILE NUMBER SPC-2009-00836 APPLICATION DATE 12-14-2009
 APPROVED BY COMMISSION ON 12-16-10 UNDER SECTION
 CHAPTER 15-2 OF THE CITY OF ALBUQUERQUE
 EXPIRATION DATES 12-15-11, 12-16-12, 12-17-13 ASSESSOR INDIA COUNTY
 PROJECT EXPIRATION DATE (CITY) 12-15-2014 CHRGY. 102

 Director, Watershed Protection and Development Review
 REQUESTED FOR GENERAL COMPLIANCE YES ZONING P
 Rev. 1 2 Correction 1
 Rev. 2 2 12-16-10
 Rev. 3 3 Correction 3
 Final Plot must be recorded by the Project Expiration Date, if applicable.
 Subsequent Site Plans which do not comply with this 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.

Espey Consultants, Inc.
4801 SOUTHWEST PARKWAY
PARKWAY 2, SUITE 150
AUSTIN, TEXAS 78735
(512) 326-5659
TBPB #F-293

Sheet
Reference
Number: **C-008**
Sheet 008 of 91

REPLACEMENT SHEET

ITEM04/8



NOTES:

- EXISTING DOCKS SHALL BE REMOVED AND SALVAGED. CONTRACTOR TO COORDINATE WITH OWNER FOR FINAL LOCATION OFFSITE.
- CONTRACTOR TO INSTALL TURBIDITY CURTAIN AROUND PROPOSED DOCK LOCATION PRIOR TO INSTALLATION OF DOCKS; TURBIDITY CURTAIN TO BE REMOVED ONCE DOCKS ARE INSTALLED.
- NAVIGATION LIGHTS SHALL BE SELF-CONTAINED HIGH PERFORMANCE SOLAR POWERED MARINE GRADE LIGHT.
- EACH TWO-BULB NAVIGATION LIGHT STATION WILL NOT BE LESS THAN 7.5 WATTS AND NOT EXCEED A MAXIMUM OF 25 WATTS FOR BOTH BULBS.
- ALL LIGHT BULBS OR COVERS SHALL BE AMBER IN COLOR. WHITE LIGHT SHALL NOT RADIATE FROM THE FIXTURE.
- FLOATING DOCKS SHALL BE PER SPECIAL SPECIFICATION 35001.

LEGEND

- 100 YEAR FLOODPLAIN
- CWQZ/ WTR FRONT OVERLAY SETBACK
- LOC LIMITS OF CONSTRUCTION
- TB TURBIDITY BARRIER

SITE TABULATIONS

EXISTING LOT AREA = 1,249,736.4 SF
 EXISTING SHORELINE LENGTH = 1808.46 LF
 ALLOWABLE DOCK LENGTH = 361.69 LF
 PROPOSED DOCK LENGTH = 435.00 LF 205'8" LF

EXISTING DOCK LENGTH INTO WATERWAY:
 (MEASURED FROM THE 429' ELEVATION LINE)
 ROWING = 93'-11"
 ROWING = 92'-11"
 MOTOR BOAT = 112'-11"

PROPOSED DOCK LENGTH INTO WATERWAY:
 (MEASURED FROM THE 420' ELEVATION LINE)
 PERMANENT ROWING = 413'-7" 120'
 PERMANENT MOTOR BOAT = 84'-14" 120'
 TEMPORARY ROWING = 410'-3"

ALL RESPONSIBILITY FOR THE ADEQUACY OF THESE PLANS REMAINS WITH THE ENGINEER/DESIGNER WHO PREPARED THEM. IN APPROVING THESE PLANS, THE CITY OF AUSTIN MUST RELY ON THE ADEQUACY OF THE WORK OF THE ENGINEER/DESIGNER. ALL SITE WORK MUST COMPLY WITH THE APPLICABLE ENVIRONMENTAL REQUIREMENTS.

SITE PLAN APPROVAL SHEET 26 OF 51
 FILE NUMBER: SPC-2009-0362C-R2 APPLICATION DATE: 12-14-2009
 APPROVED BY: JOSHUA F. HENKE, P.E. CHIEF ENGINEER
 OF THE CITY OF AUSTIN CODE
 EXPIRATION DATE: 12-14-2014
 PROJECT EXPIRATION DATE: 12-14-2014
 PROJECT NO.: 13-06-01
 SHEET NO.: 26 OF 51
 REVISIONS:
 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.

THIS SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY JOSHUA F. HENKE P.E. NO. 92601 ON 6-1-10



Espey Consultants, Inc.
 4801 SOUTHWEST PARKWAY
 PARKWAY 2, SUITE 150
 AUSTIN, TEXAS 78735
 (512) 326-5859
 TPE #F-293

 CITY OF AUSTIN WATERSHED PROTECTION DEPARTMENT KBRISPEY JOINT VENTURE 4801 SOUTHWEST PARKWAY SUITE 150 AUSTIN, TEXAS 78735	Drawn by: J. Henke Checked by: K. M. G. O'R. Designated by: J. Henke Reviewed by: K. M. G. O'R. WCTB-C41-C-P-DOCKING APRIL 19, 2010 AS NOTED
	Decision: _____ Date: _____
WALLER CREEK TUNNEL PROJECT WALLER BEACH SITE PLAN IMPROVEMENTS PAID BOAT FACILITY	BOAT DOCK LAYOUT
Sheet Reference Number: 36 of 51	ITEM04/9

Variance Request
74 Trinity Rd
Austin Rowing Club



ITEM04/10

**74 Trinity Rd
Austin Rowing Club
Summary**



We are seeking a variance to reconfigure an existing dock beyond 30' from Lady Bird Lake shoreline (429' MSL). The original site plan was approved in 2010, revised in 2011, and built in 2013 as part of the Waller Creek Tunnel plan and no variance were requested at that time.

25-2-1176 A (1): A dock may extend up to 30 feet from the shoreline, except that the director may require a dock to extend a lesser or greater distance from the shoreline if deemed necessary to ensure navigation safety.

**74 Trinity Rd Austin
Rowing Club
Context**



The shoreline has 15-45' of wetland and shallow mud. There is an established wetland that we are working with the city Wetland Biologist, Environmental, Watershed, PARD, and Nature Conservancy to redevelop so that it can thrive to its fullest potential.

Navigation has not improved within 30-45' of the shoreline since 2010. The main reason for the need to construct a dock at this distance is because of the wetland and shallow water from 428 to 429' MSL. If we are able to move the watercraft storage off of the shoreline and onto the docks, we can ensure safe navigation and help develop the natural wetland further.

Other docks along Lady Bird Lake have approved variances to build beyond 30'. Texas Rowing Center, Capital Cruises, Lone Star Riverboat Cruises and Rowing Dock all operate beyond 30' from 429' MSL.

Without the variance, we can't move our boat storage onto the docks and will not be able to further develop the wetland along the shoreline. Having personal watercraft storage on the docks will be a great convenience for the customers and will keep the hike and bike trail clear of traffic.

**74 Trinity Rd
Austin Rowing Club
Wetland**

15 - 45' of Wetland along the shoreline



ITEM04/13

**74 Trinity Rd
Austin Rowing Club
Wetland**

15 - 45' of Wetland along the shoreline



**74 Trinity Rd
Austin Rowing Club
Wetland**

We are working with Wetland Biologist
to replenish these area with the
plantings from the original site plan.

