

**PLANNING COMMISSION**  
**APPEAL OF ADMINISTRATIVE DENIAL OF A WAIVER OF DESIGN GUIDELINES**

**CASE NUMBER:** SP-2022-0218C.SH      **PC DATE:** March 11, 2025

**PROJECT NAME:** Avalon Pointe

**ADDRESS:** 2610 Hume Place  
**COUNCIL DISTRICT:** 9  
**NEIGHBORHOOD PLAN:** Central Austin Combined

**APPLICANT:** Sudhakar Allada, 2602 Hume Place LLC

**AGENT:** Leah Bojo, Drenner Group

**CASE MANAGER:** Jorge E. Rousselin. (512) 974-2975  
[Jorge.rousselin@austintexas.gov](mailto:Jorge.rousselin@austintexas.gov)

**AREA:** 0.225 Acres (9,801SF)  
**WATERSHED:** Shoal Creek (Urban)

**REQUEST:**

The applicant is requesting to appeal the denial of administrative waiver requests under [LDC Section 25-2-764\(C\)](#) for University Neighborhood Overlay Zoning District Design Regulations under [Building Criteria Manual \(BCM\) Section 12](#).

**STAFF RECOMMENDATION:**

Staff recommends **DENIAL** of the appeal based on the project not meeting the minimum departure from the provision necessary to avoid an unreasonable or impractical result as outlined in LDC Section 25-2-764 (C).

**STAFF FINDINGS AND RATIONALE:**

The subject project, titled Avalon Pointe, is a 126-unit multifamily development within the University Neighborhood Overlay (UNO), of which 13 units are reserved at 50% Austin Median Family Income (MFI) and 13 units reserved at 60% MFI. This project was approved on January 29, 2024, via Site Plan No. SP-2022-0218C.SH (the "Project"). As the Project lies within the boundaries of UNO and within the Outer West Campus subdistrict, it is subject to the design guideline provisions as outlined below:

LDC Section 25-2-764, Design Guidelines:

- (A) A site plan must comply with the design guidelines prescribed by administrative rule. An applicant shall file with the site plan drawings of all building elevations and streetscapes that demonstrates substantial compliance with the design guidelines.*
- (B) The director of the Neighborhood Planning and Zoning Department shall determine whether a site plan substantially complies with the design guidelines.*
- (C) The director of the Neighborhood Planning and Zoning Department may waive a provision of the design guidelines if the director determines that the provision is unreasonable or impractical as applied to the site plan and that, with the waiver, the site plan will still substantially comply with the design guidelines. A waiver under this subsection must be the minimum departure from the provision necessary to avoid an unreasonable or impractical result.*

(D) An interested party may appeal to the land use commission:

- (1) a determination by the director of the Neighborhood Planning and Zoning Department that a site plan substantially complies with the design guidelines; or
- (2) a decision by the director of the Neighborhood Planning and Zoning Department granting or denying a waiver under Subsection (C).

The design guidelines “prescribed by administrative rule” referenced in Section A, are described in Section 12, University Neighborhood Overlay Zoning District Design Regulations of the BCM. Amongst many design criteria, the BCM outlines Streetscape Design Standards including Pedestrian Scale Street Lighting (Section 12.1.7.11), Pedestrian Clear Zone (Section 12.1.7.I(g)), and Street Tree Spacing (Section 12.1.7.I(e)).

Prior to the issuance of a site development plan and building permits, on July 13, 2022, the applicant was made aware by Urban Design Staff of required compliance with City Code provisions governing streetscape infrastructure. (See Attachment “A”). In a response by the applicant, dated December 7, 2022, (See Page 6, Attachment “B” under Urban Design Review) the applicant stated:

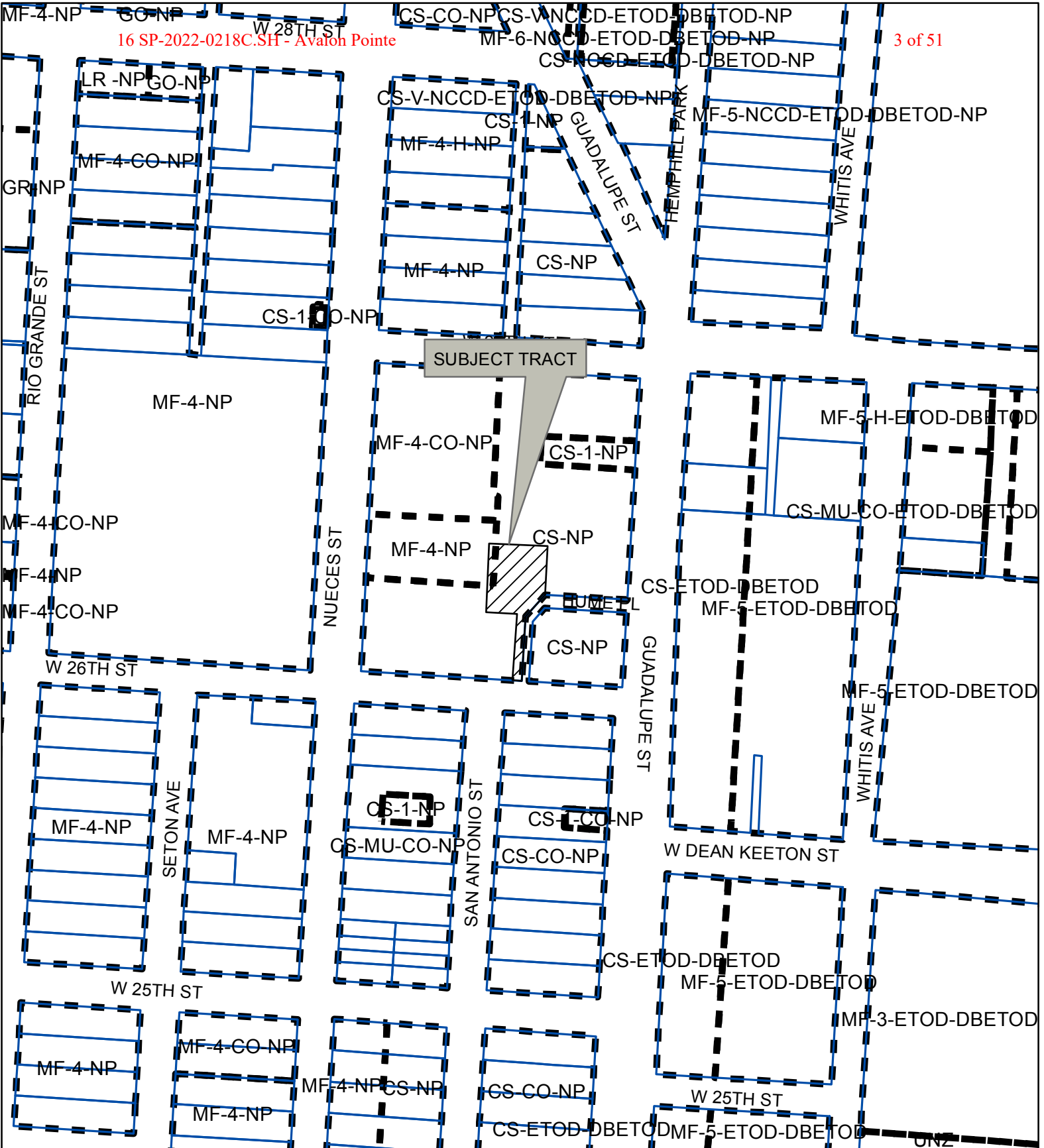
*“As discussed with this reviewer during a virtual meeting, and as noted previously in this comment response letter, the entire right-of-way (ROW) of Hume Place in front of the subject property is paved, as is the ROW in front of the adjacent sites. There is no ROW area available to provide landscaping. In addition, almost the entire site is being redeveloped with building or paving. The proposed site drive takes up the property frontage on Hume Place. There is no area available to provide landscaping other than narrow areas that are to be left with grass.”*

In a subsequent round of formal review, Urban Design Division staff acknowledged that the applicant’s redevelopment proposal did not meet UNO streetscape standards based on design choices made for the Project. Given this, Urban Design staff determined “no review required” for streetscape compliance under the UNO streetscape standards, as the project does not meet the necessary criteria for voluntary participation in the density bonus program based on design choices made for the Project.

On October 23, 2024, city staff was made aware by interested parties in the area that the approved site plan lacked required streetscape elements as well as a license agreement depicting required streetscape infrastructure. Upon further review, it was determined that the site development permit, as well as building permits were approved without the required UNO streetscape elements described in Section 12 of the BCM, nor was a license agreement filed to depict the same improvements.

On February 12, 2025, the applicant submitted three (3) waiver requests to the Director of Planning seeking waiver of various provisions of Section 12 of the BCM: Streetscape Design Standards including Pedestrian Scale Street Lighting (Section 12.1.7.11), Pedestrian Clear Zone (Section 12.1.7.I(g)), and Street Tree Spacing (Section 12.1.7.I(e)). (See Attachment “C”). The Director of Planning reviewed the waiver requests and denied the waivers based on staff’s analysis, and the applicant was informed of their appeal rights to the Land Use Commission under LDC 25-2-764 (D)(2). (See Attachment “D”).

On February 25, 2025, the applicant formally submitted an appeal to the denial by the Director of Planning of the three waivers. (See Attachment “E”).



### Legend

- PROJECT BOUNDARY
- LOT BOUNDARIES
- ZONING DISTRICTS

### Appeal Of Administrative Waiver Denial

Site Plan Case#: SP-2022-0218C.SH

Address: 2610 Hume Place



1" = 200'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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

Created: 2/26/2025







16 SP-2022-0218C.SH - Avalon Pointe

Project Name: Avalon Pointe  
Address: 2610 HUME PL  
File Number: SP-2022-0218C.SH

Urban Design Review - Nolan Stone - [Nolan.Stone@austintexas.gov](mailto:Nolan.Stone@austintexas.gov)  
512-974-7691

7/13/2022 – REJECTED.

1. Please comply to UNO Streetscape Standards (BCM Ch. 12). Received review beyond due date, and need adequate time to review. Please include Urban Design on the next review update.

## **RIVERA ENGINEERING TX PE FIRM REGISTRATION NO. F-11492**

P.O. Box 90485 – Austin, Texas 78709-0485 – Telephone (512) 899-3310 – Email: michaelriveraengineering@gmail.com

December 7, 2022

Ms. Clarissa E. Davis  
Development Services Dept.  
City of Austin  
6310 Wilhelmina Delco Drive  
Austin, Texas 78752

via Electronic Submittal  
LURintake@austintexas.gov

**Re: Avalon Pointe Site – 2602 (2610) Hume Place  
Administrative Site Plan Case No. SP-2022-0218C.SH  
Site Plan Application Update Submittal**

Dear Clarissa:

Attached please find the revised Site Plan drawings for the Avalon Pointe site plan application (city of Austin case number SP-2022-0218C.SH). The subject property address is 2602 Hume Place, although the site plan comment report indicates that it is 2610 Hume Place.

The enclosed site plans have been modified to address the staff's review comments. The following information is provided in order to address staff's specific comments:

### **AUSTIN WATER OWB REVIEW**

Information noted. We are working to complete the benchmarking application. We will reach out to the contact email provided if we have any question.

### **DRAINAGE ENGINEERING REVIEW**

DE 1 – The location of all existing drainage structures on or adjacent to the project have been shown. There is no drainage infrastructure being proposed.

DE 2 – The existing impervious cover on the property is 9,150 S.F. (93%). This information has been included on the site plan sheet (sheet 5).



Ms. Clarissa E. Davis  
December 7, 2022  
Page 2

DE 3 – As communicated via email with this reviewer, there are no offsite flows coming to the subject property. An additional review and evaluation of the site conditions was conducted. The site drainage area maps were updated and now reflect these site conditions which show that the offsite flows pass to the east of the property.

DE 4 – As discussed with this reviewer during a virtual meeting and as communicated with this reviewer via email, the site currently surface drains to the Hume Place right-of-way. These surface flow drainage conditions are to be continued under developed conditions.

DE 5 – An updated electronic copy of the model used for the hydrologic engineering and planning for the site will be submitted directly to this reviewer.

DE 6 – Information noted.

## ENVIRONMENTAL REVIEW

EV 1 – The required note has now been added to the site plan cover sheet.

EV 2 – The current ECM Appendix P-4: Sequence of Construction Notes have now been added to the General Notes sheet as was requested.

EV 3 – We have now provided silt fence along the entire upslope of the LOC boundary.

EV 4 – The entire right-of-way (ROW) of Hume Place in front of the subject property is paved, as is the ROW in front of the adjacent sites. There is no ROW area available to provide landscaping. In addition, almost the entire site is being redeveloped with building or paving. The proposed site drive takes up the property frontage on Hume Place. There is no area available to provide landscaping other than narrow areas that are to be left with grass.

EV 5 – The landscape inspection fee will be paid prior to site plan approval.

EV 6 – The environmental inspection fee will be paid prior to site plan approval.

EV 7 – An erosion control fiscal estimate is being provided with this update. Once the estimate is approved, the fiscal will be posted.

Ms. Clarissa E. Davis  
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Page 3

#### LAND DEVELOPMENT ENGINEERING REVIEW

LDE 1 A parking table has been provided on sheet 5; however, with the site being located in the UNO area, no parking is required by the city.

#### PARD / PLANNING & DESIGN REVIEW

PR 1 – Information noted. The number of units is correct (65 proposed units with seven being affordable units). Once the required fee amount is provided, the fee will be paid.

PR 2 – The required note has now been added to the site plan cover sheet.

#### SITE PLAN REVIEW

SP 1 – The footprint of the building has now been clearly shown as was requested.

SP 2 – The letter of intent for participation in the Austin Green Builder Program will be provided via email directly to this reviewer. The required note has now been added to the site plan cover sheet.

SP 3 – The exhibit showing the minimum distance between the ground floor of the building and the structural portion of the ceiling being ten feet will be emailed directly to this reviewer.

SP 4 – The right-of-way (ROW) for Hume Place adjacent to the subject property is entirely paved. There are no public sidewalks adjacent to the site. The grade of the ground floor of the building is not more than five feet higher than the Hume Place ROW.

SP 5 – The building setbacks noted in this comment were reviewed by the owner and project architect. Their interpretation of the setbacks have been incorporated into the enclosed site plan drawings.

SP 6 – We have now removed the UDA notation from the site plan sheet.

SP 7 – A north arrow has been provided on each site plan sheet as well as on the location map.



Ms. Clarissa E. Davis  
December 7, 2022  
Page 4

SP 8 – The land use and zoning have now been shown on the site plan sheet as was requested.

SP 9 – Information noted. All required signatures on the cover sheet will be obtained prior to final approval.

#### AUSTIN WATER DEVELOPMENT SERVICES REVIEW

AW 1 – An 8-inch water main is now being proposed which is consistent with the recently approved Water Service Extension Request (SER) for this project.

AW 2 – As noted in the previous response, a Water SER for this project was recently approved. A copy of the approved SER has been included on the Austin Water Standard sheet in the site plan set.

AW 3 – We confirmed with Austin Water Utility Development Services that a wastewater SER is not required for this project. A copy of their email confirmation is being provided with this update submittal.

AW 4 – Information noted.

#### WATER QUALITY REVIEW

WQ 1 – This proposed building is qualified as a type I building per ECM 1.6.4. Please accept my statement in this comment response letter as my verification of the building type.

WQ 2 – Information noted.

#### AUSTIN WATER PIPELINE ENGINEERING REVIEW

As communicated via email with this reviewer, and as stated previously in this comment response letter, a Water SER for the project has been approved. A copy of the approved SER has been included on the Austin Water Standard sheet in the site plan set Austin Water Utility Development Services has confirmed via email that a wastewater SEER is not required for this project.

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## TRAFFIC CONTROL REVIEW

Information noted. The proposed temporary traffic control plan will be submitted after site plan approval.

## ELECTRIC REVIEW

EL 1 – We are continuing to work with the AE designer, Jose Alvarez, on the preliminary electric design.

EL 2 – As noted previously in this comment response letter, the entire right-of-way (ROW) of Hume Place in front of the subject property is paved, as is the ROW in front of the adjacent sites. There is no ROW area available to provide landscaping. In addition, almost the entire site is being redeveloped with building or paving. The proposed site drive takes up the property frontage on Hume Place. There is no area available to provide landscaping other than narrow areas that are to be left with grass.

## SITE PLAN PLUMBING REVIEW

1. – We are working with the project MEP engineer to obtain the detailed water supply fixture unit analysis. This information will be provided when available.
- 2.a. – The private fire line material is now labeled on the Water and Wastewater Service Plan (site plan sheet 10).
- 2.b. – The required details for the private water piping are now labeled on the Water and Wastewater Service Plan (site plan sheet 10).
- 2.c. – The required details for the private wastewater piping are now labeled on the Water and Wastewater Service Plan (site plan sheet 10).



Ms. Clarissa E. Davis  
December 7, 2022  
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## URBAN DESIGN REVIEW

1. As discussed with this reviewer during a virtual meeting, and as noted previously in this comment response letter, the entire right-of-way (ROW) of Hume Place in front of the subject property is paved, as is the ROW in front of the adjacent sites. There is no ROW area available to provide landscaping. In addition, almost the entire site is being redeveloped with building or paving. The proposed site drive takes up the property frontage on Hume Place. There is no area available to provide landscaping other than narrow areas that are to be left with grass.

## INDUSTRIAL WASTE REVIEW

IW 1 – We have removed the Industrial Waste signature line from the site plan cover sheet as was requested.

IW 2 – Information noted.

## ATD ENGINEERING REVIEW

ATD 1 – The required note has been added to the site plan cover sheet as was requested.

ATD 2 – As communicated via email with this reviewer, a waiver from the ROW dedication requirement was submitted and approved via email. A copy of the waiver request letter and email exchanges is being provided with this update.

ATD 3 – As communicated with this reviewer, and as noted previously in this comment response letter, the entire right-of-way (ROW) of Hume Place in front of the subject property is paved, as is the ROW in front of the adjacent sites. There is no ROW area available to provide sidewalks. In addition, the proposed site drive takes up the property frontage on Hume Place.

ATD 4 – As noted in the previous comment response, there is no room to provide sidewalks.

ATD 5 – All proposed parking will be provided as required. Parking space dimensions are now shown on the site plan sheet (sheet 5).

ATD 6 – We have now added the required table to the site plan sheet (sheet 5).

Ms. Clarissa E. Davis  
December 7, 2022  
Page 7

ATD 7 – The location of the proposed bicycle spaces has now been identified on the site plan sheet (sheet 5).

ATD 8 – Raised Curbs, wheel stops, and/or fencing are to be used around the perimeter of the parking and circulation areas. A note has been added to the site plan sheet.

ATD 9 – The parking and loading facilities will be surfaced and maintained with portland cement concrete or asphaltic cement concrete.

ATD 10 – Parking will be provided only on the first floor and will have a clearance of over seven feet.

ATD 11 – Information noted.

ATD 12 – The parking lot is not proposed to be gated.

ATD 13 – The required note has been added to the site plan sheet (Note j on sheet 5).

ATD 14 – Use of roll out garbage cans is being proposed with this project.

#### FIRE FOR SITE PLAN REVIEW

We have worked directly with this reviewer via email to address their review comments. A Fire Hose Lay Exhibit was provided via email. A copy of that exhibit is being submitted with this update.

F 1 – As noted previously, we have worked directly with this reviewer. The Fire Hose Lay Exhibit provided addresses the Fire Department access roads.

F 2 – As noted previously, the Fire Hose Lay Exhibit provided addresses the Fire Department access roads.

F 3 – As noted previously, the Fire Hose Lay Exhibit provided addresses the Fire Department access roads.

F 4 – As noted previously, the Fire Hose Lay Exhibit provided addresses the Fire Department access roads. The dead ends are less than 150 feet.

F 5 – The fire lane to the site is Hume Place, which is a public road (public ROW).



Ms. Clarissa E. Davis  
December 7, 2022  
Page 8

- F 6 – The Fire Hose Lay Exhibit provided includes fire hydrant spacing information. In addition, a new fire hydrant is being proposed near the site.
- F 7 – The proposed FDC location has been noted on the site plan sheet (sheet 5).
- F 8 – The results from a fire hydrant flow test were obtained from AFD. The test results have been included on the Austin Water Standard sheet (sheet 11).
- F 9 – Information noted. Dumpsters are not being proposed for this project. Roll out trash bins are to be used.
- F 10 – Information noted. The site fire line is proposed to run directly to the fire riser room.
- F 11 – We have now added the required table to the site plan cover sheet.

#### CITY ARBORIST REVIEW

- CA 1 We have now removed ECM Appendix P-2 from the general notes sheet (site plan sheet 2) and have replaced it with the modified tree and natural area protection standard ECM note.
- CA 2 – A tree survey has been provided. The tree information has been included in the site plan drawings.
- CA 3 – The required notes have now been added to the demolition plan sheet (sheet 3). In addition, the required call outs have also been added to the same sheet.
- CA 4 – Triangular filter controls are now shown and labeled as required.
- CA 5 – We have now shown the location of the tree protection fencing as required. The tree protection fencing has been extended to the tree driplines, where possible. Where not possible, call outs have been added. In addition, Detail 610S-4 has been added to the site plans.
- CA 6 – Information noted. We have added tree exhibits as illustrated in this review comment. The exhibits have been added to the erosion/sedimentation control plan (site plan sheet 6).

Ms. Clarissa E. Davis  
December 7, 2022  
Page 8

CA 7 – The site layout has been modified to address various review comments by the city staff. The changes address this comment regarding impacts on the existing tree on the adjacent site.

CA 8 – The existing building that currently impacts the existing trees in the NE corner of the property is to be demolished as reflected on the demolition plan (site plan sheet 3). The proposed building is to be located within the existing footprints.

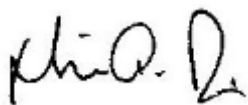
#### PLANNER 1 REVIEW

P 1 – Information noted. The approval blocks have been completed.

P 2 – Information noted. The additional electronic submittal items that are required will be provided with the final PDF site plan set that is to be approved and permitted.

We believe the site plan drawings and support documents that have now been provided address almost all of the staff review comments. Should you have any questions about the site plans, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael A. Rivera".

Michael A. Rivera, P.E.  
President  
Rivera Engineering  
TX PE Firm Registration No. F-11492

Attachments

**RIVERA ENGINEERING TX PE FIRM REGISTRATION NO. F-11492**

P.O. Box 90485 – Austin, Texas 78709-0485 – Telephone (512) 899-3310 – Email: michaelriveraengineering@gmail.com

February 12, 2025

Ms. Lauren Middleton-Pratt  
Director of Planning  
Planning Department  
City of Austin  
6310 Wilhelmina Delco Drive  
Austin, Texas 78752

via Electronic Submittal  
Lauren.Middleton-Pratt@austintexas.gov

Re: **Avalon Pointe site – 2610 Hume Place**  
**Consolidated Administrative Site Plan (Case No. SP-2022-0218C.SH)**  
**Waiver Request Under LDC Section 25-2-764(C) for BCM**  
**Section 12 Provision 12.1.7.11 – Pedestrian Scale Street Lighting**

Dear Ms. Middleton-Pratt,

Please accept this letter as our formal request for a waiver under the city Land Development Code (LDC) Section 25-2-764(C) concerning the pedestrian scale street lighting requirements outlined in Building Criteria Manual (BCM) Section 12 Provision 12.1.7.II for the Avalon Pointe site (city site plan case SP-2022-0218C.SH located at 2610 Hume Place). Below is the detailed narrative and accompanying site plan exhibits that support our request.

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**1. Identification of Specific Provision of Section 12 for Waiver:**

We request a waiver from Provision 12.1.7.II, which mandates pedestrian scale street lighting along adjacent street rights-of-way, including:

- (c) Light poles shall be installed 4'-0" O.C. back from the face of the curb, aligned with street trees.
- (d) A minimum spacing of 11'-0" O.C. shall be maintained between a light pole and a street tree.
- (e) The "Pecan Street Light Pole" is designated as the required University Neighborhood Overlay (UNO) fixture.

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**2. Explanation of Why the Provision Is Unreasonable or Impractical as Applied to the Site Plan:**

Several site-specific factors make strict compliance with the pedestrian lighting requirements impractical:



Ms. Lauren Middleton-Pratt  
February 12, 2025  
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- The project has a limited frontage of 46.5 feet that includes 30 ft of driveway and curb, restricting the space available for proper placement of light poles per the specified spacing requirements.
- The irregular shape of the Right-of-Way (ROW) along Hume Place complicates the alignment of light poles with street trees, as required by the code.
- Hume Place lacks sidewalks and pedestrian connectivity, which reduces the necessity for traditional pedestrian-scale lighting infrastructure.
- Hume Place is a substandard street within the University Neighborhood Overlay (UNO) and is not classified as a major pedestrian corridor, lessening the impact of conventional lighting standards in this context.
- Maximizing the highest and best use of the existing space is essential for this project, and the required light pole placements would unnecessarily restrict functional use of the limited frontage.

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### **3. Proposed Alternative and Justification for Minimum Departure:**

In lieu of full compliance, we propose installing three (3) city-selected light fixtures attached directly to the building façade. This solution offers the following benefits:

- Provides substantial pedestrian lighting that ensures safety and visibility along the project frontage.
- Maintains visual harmony with city standards by using approved fixtures while respecting the spatial limitations of the site.
- The building-mounted fixtures represent the minimum departure necessary to avoid an unreasonable result while still achieving the goals of pedestrian-scale lighting.

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### **4. Substantial Compliance with Design Guidelines Despite the Waiver:**

Despite the requested waiver, the site plan will continue to substantially comply with the design guidelines by:

- Ensuring adequate pedestrian lighting through the use of strategically placed, city-approved fixtures that offer equivalent illumination to traditional light poles.
- Enhancing pedestrian safety and comfort without compromising the functional use of the limited frontage or interfering with existing site infrastructure.
- Maintaining the character and aesthetic consistency of the surrounding neighborhood, even though the lighting solution differs from the standard fixture placement.

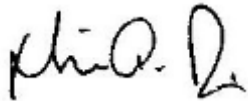
Ms. Lauren Middleton-Pratt  
February 12, 2025  
Page 3

Attached are site plan exhibits that illustrate the proposed lighting placements and demonstrate how the project will continue to meet the spirit and intent of the design guidelines.

We appreciate your consideration of this waiver request and are ready to provide additional details or discuss further if needed.

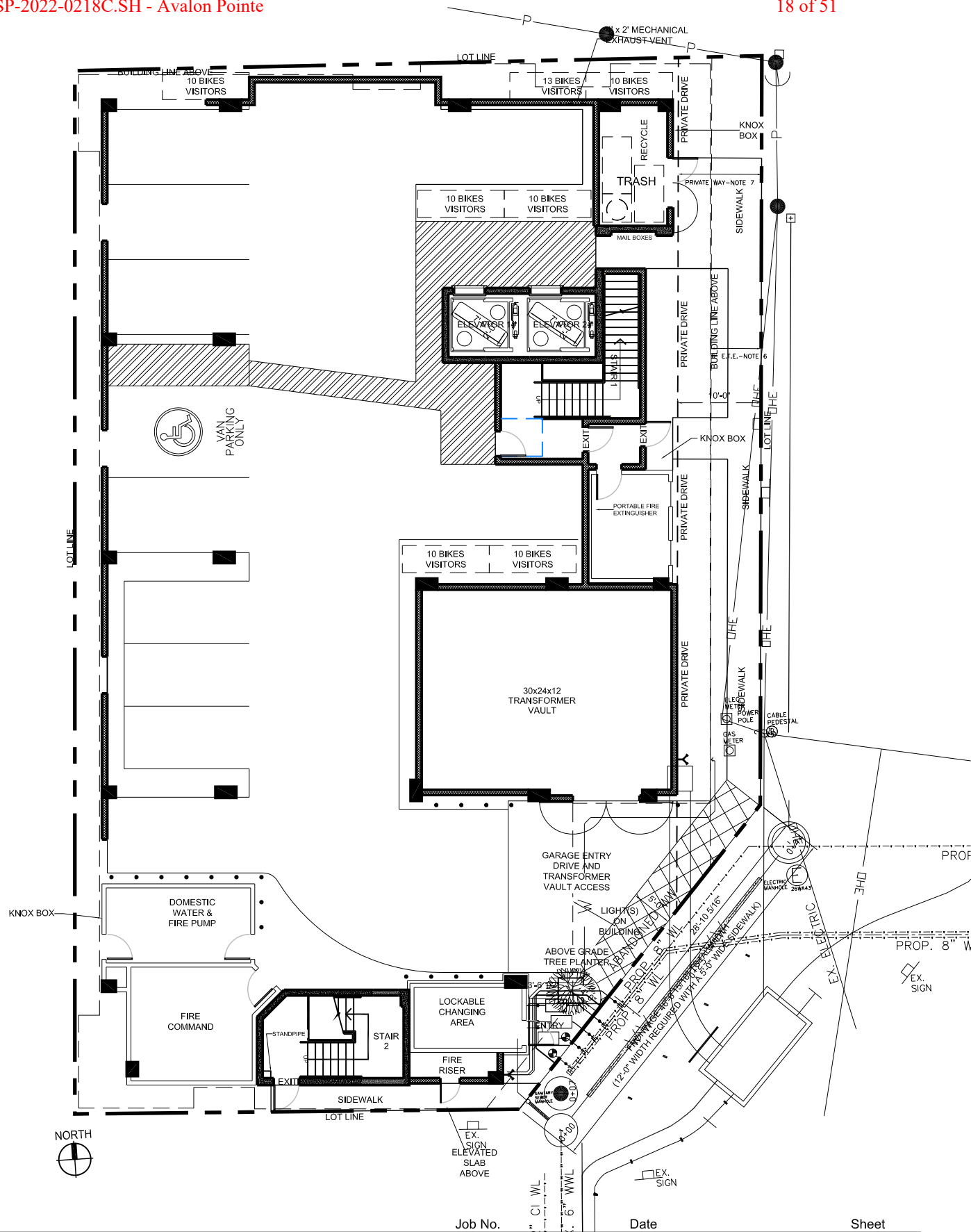
Should you have any questions about this waiver request, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael A. Rivera".

Michael A. Rivera, P.E.  
President  
Rivera Engineering  
TX PE Firm Registration No. F-11492

Attachments



Project

Job No.

Date

Sheet

## FIRST FLOOR PLAN

02/12/25 OPT. 5 Util.

AVALON POINTE ON HUME PLACE  
AUSTIN, TEXAS

Robert Boyd ARCHITECTS Incorporated

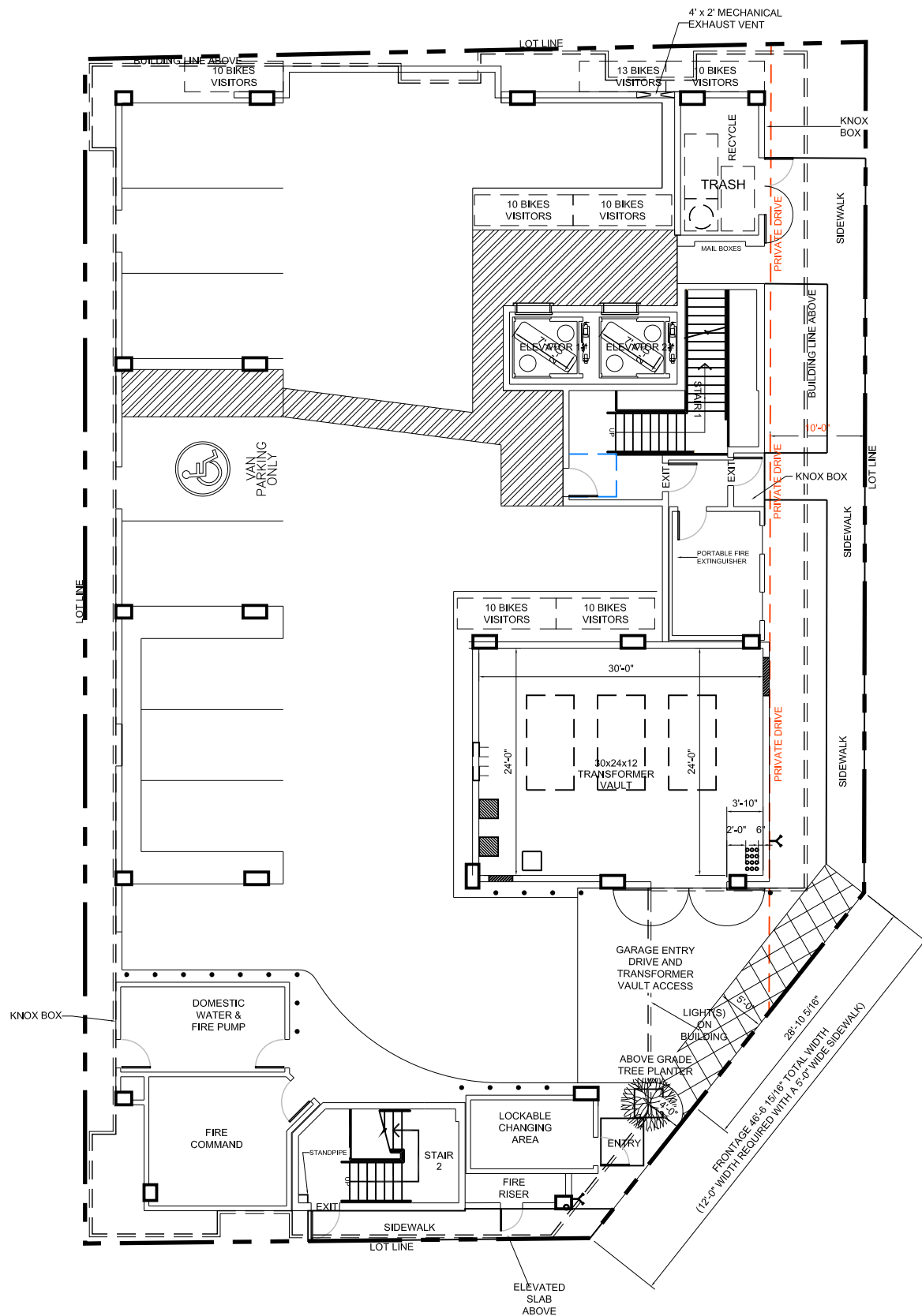
4004 Beltline Road, Ste. 220

Addison Texas 75001

(214) 969-7000

Fax (214) 481-9816

L1



Project

Job No.

Date

Sheet

## FIRST FLOOR PLAN

02/08/25 **OPTION 5**

**AVALON POINTE ON HUME PLACE**  
**AUSTIN, TEXAS**

**L1**

Robert Boyd ARCHITECTS Incorporated

4004 Beltline Road, Ste. 220

Addison Texas 75001

(214) 969-7000

Fax (214) 481-9816



**RIVERA ENGINEERING TX PE FIRM REGISTRATION NO. F-11492**

P.O. Box 90485 – Austin, Texas 78709-0485 – Telephone (512) 899-3310 – Email: michaelriveraengineering@gmail.com

February 12, 2025

Ms. Lauren Middleton-Pratt  
Director of Planning  
Planning Department  
City of Austin  
6310 Wilhelmina Delco Drive  
Austin, Texas 78752

via Electronic Submittal  
Lauren.Middleton-Pratt@austintexas.gov

Re: **Avalon Pointe site – 2610 Hume Place**  
**Consolidated Administrative Site Plan (Case No. SP-2022-0218C.SH)**  
**Waiver Request Under LDC Section 25-2-764(C) for BCM**  
**Section 12 Provision 12.1.7.I(g) – Pedestrian Clear Zone**

Dear Ms. Middleton-Pratt,

Please accept this letter as our formal request for a waiver under the city Land Development Code (LDC) Section 25-2-764(C) concerning the pedestrian clear zone requirements outlined in Building Criteria Manual (BCM) Section 12 Provision 12.1.7.I(g) for the Avalon Pointe site (city site plan case SP-2022-0218C.SH located at 2610 Hume Place). Below is the detailed narrative and accompanying site plan exhibits that support our request.

**1. Identification of Specific Provision of Section 12 for Waiver:**

We are requesting a waiver from Provision 12.1.7.I(g), which requires a minimum pedestrian clear zone width of 5 feet between the edge of a tree grate/planting bed and any walls/planters or other vertical elements associated with development (as per COA Detail 710S-6A). In cases where above-grade planters are used, a minimum clear zone of 6 feet is required (as per COA Detail 432S-7D).

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**2. Explanation of Why the Provision Is Unreasonable or Impractical as Applied to the Site Plan:**

- The project frontage along Hume Place is limited to 46.5 feet that includes 30 ft of driveway and curb, restricting available space for pedestrian pathways.

Ms. Lauren Middleton-Pratt  
February 12, 2025  
Page 2

- The irregular shape of the Right-of-Way (ROW) creates additional spatial constraints that make strict compliance impractical.
- Hume Place lacks existing sidewalks and pedestrian connectivity, reducing the necessity for a wider pedestrian clear zone.
- Hume Place is a substandard street within the University Neighborhood Overlay (UNO) and does not function as a major pedestrian thoroughfare.
- The ROW from 26th Street to the project site is only 10 feet wide, with no foreseeable opportunities to accommodate future sidewalks.
- The ROW from Guadalupe Street to the project site is only 20 feet wide, with no foreseeable opportunities to accommodate future sidewalks due to fire access requirements.
- Placement of proposed water utility meters, waste water infrastructure, and electrical duct bank infrastructure, further restricts the available pedestrian pathway, adding to the complexity of maintaining the required clear zone.

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### **3. Proposed Alternative and Justification for Minimum Departure:**

In lieu of full compliance, we propose reducing the pedestrian clear zone to 3.5 ft. This reduction represents the minimum departure necessary to address the site-specific constraints while still ensuring safe pedestrian passage.

- This adjustment will accommodate the irregular ROW, maintain functional pedestrian access, and preserve necessary utility placements without compromising safety or accessibility.
- The proposal is sensitive to the context of Hume Place, considering its lack of current pedestrian infrastructure and minimal foot traffic.

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### **4. Substantial Compliance with Design Guidelines Despite the Waiver:**

Despite the requested waiver, the project will continue to substantially comply with the applicable design guidelines by:

- Ensuring unobstructed pedestrian pathways that meet safety standards within the space constraints.
- Maintaining consistent visual and functional alignment with the surrounding developments and public infrastructure.

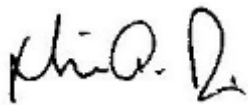
Ms. Lauren Middleton-Pratt  
February 12, 2025  
Page 3

Attached are relevant site plan exhibits that illustrate the proposed adjustments and demonstrate continued compliance with the overall design intent.

We appreciate your consideration of this waiver request and are ready to provide additional details or discuss further if needed.

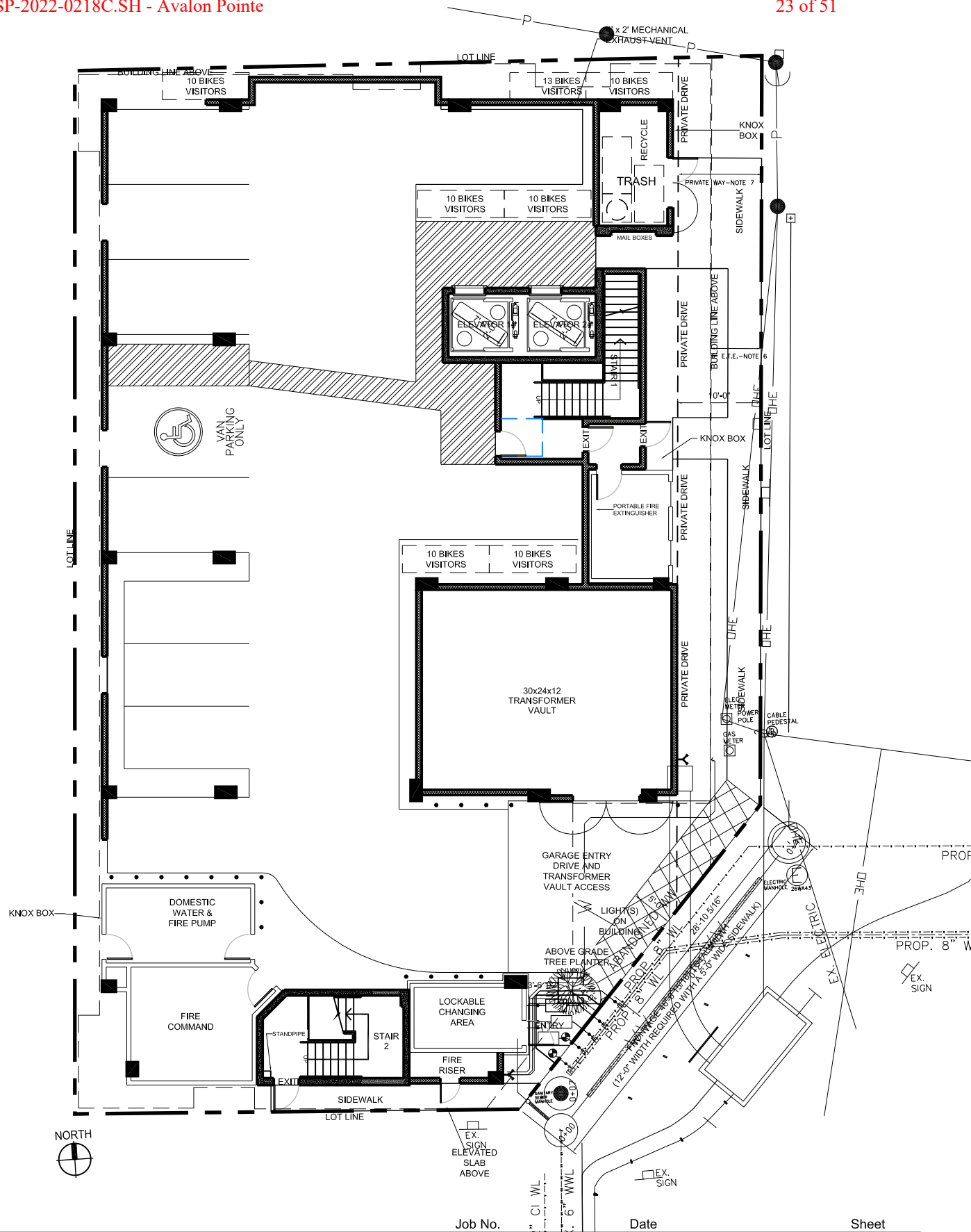
Should you have any questions about this waiver request, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael A. Rivera". The signature is stylized with a large initial "M" and a long, sweeping underline.

Michael A. Rivera, P.E.  
President  
Rivera Engineering  
TX PE Firm Registration No. F-11492

Attachments



Project

Job No.

Date

Sheet

## FIRST FLOOR PLAN

02/12/25 OPT. 5 Util.

AVALON POINTE ON HUME PLACE  
AUSTIN, TEXAS

Robert Boyd ARCHITECTS Incorporated

4004 Beltline Road, Ste. 220

Addison Texas 75001

(214) 969-7000

Fax (214) 481-9816

L1



02/08/25      **OPTION 5**

# L1

**RIVERA ENGINEERING TX PE FIRM REGISTRATION NO. F-11492**

P.O. Box 90485 – Austin, Texas 78709-0485 – Telephone (512) 899-3310 – Email: michaelriveraengineering@gmail.com

February 19, 2025

Ms. Lauren Middleton-Pratt  
Director of Planning  
Planning Department  
City of Austin  
6310 Wilhelmina Delco Drive  
Austin, Texas 78752

via Electronic Submittal  
Lauren.Middleton-Pratt@austintexas.gov

Re: **Avalon Pointe site – 2610 Hume Place**  
**Consolidated Administrative Site Plan (Case No. SP-2022-0218C.SH)**  
**Waiver Request Under LDC Section 25-2-764(C) for BCM**  
**Section 12 Provision 12.1.7.I(e) – Street Tree Spacing**

Dear Ms. Middleton-Pratt,

Please accept this letter as our formal request for a waiver under the city Land Development Code (LDC) Section 25-2-764(C) concerning the street tree spacing requirements outlined in Building Criteria Manual (BCM) Section 12 Provision 12.1.7.I(e) for the Avalon Pointe site (city site plan case SP-2022-0218C.SH located at 2610 Hume Place). Below is the detailed narrative that support our request.

**1. Identification of Specific Provision of Section 12 for Waiver:**

We are requesting a waiver from Provision 12.1.7.I(e), which requires a minimum street tree spacing of 22'-0" on center.

---

**2. Explanation of Why the Provision Is Unreasonable or Impractical as Applied to the Site Plan:**

- Due to the site-specific constraints, strict compliance to this requirement is unreasonable and impractical as applied to the subject property. The project frontage along Hume Place is limited to 46.5 feet that includes 30 ft of driveway and curb, leaving only 16.5 feet for streetscape improvements, including street trees.
- The irregular shape of the Right-of-Way (ROW) and property frontage creates additional spatial constraints and unreasonable challenges to provide the street tree spacing.
- Placement of proposed water utility meters, wastewater infrastructure, and electrical duct bank infrastructure, further restricts the available streetscape and street tree area, adding to the complexity of providing street trees.

Ms. Lauren Middleton-Pratt  
February 19, 2025  
Page 2

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**3. Proposed Alternative and Justification for Minimum Departure:**

In lieu of providing 22'-0" street tree spacing, we propose the following:

- Implementing alternative streetscape enhancements, such as low-impact landscaping or shrubs to maintain aesthetic and environmental benefits.
- Exploring to possibility of adjusting the tree placement where feasible to maximize canopy coverage while avoiding conflicts with existing and proposed infrastructure.
- If necessary, contributing to the tree mitigation fund or proposing alternative off-site plantings in accordance with city policy.

---

**4. Substantial Compliance with Design Guidelines Despite the Waiver:**

Despite the requested waiver, the project will continue to substantially comply with the applicable design guidelines by:

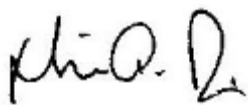
- Enhancing pedestrian aesthetics through alternative landscaping.
- Ensuring that tree plantings, where feasible, align with safety and infrastructure requirements.
- Maintaining environmental benefits to the extent possible with the site constraints.

Attached are relevant site plan exhibits that illustrate the proposed street tree placement and demonstrate continued compliance with the overall design intent.

We appreciate your consideration of this waiver request and are ready to provide additional details or discuss further if needed.

Should you have any questions about this waiver request, please feel free to contact me.

Sincerely,



Michael A. Rivera, P.E.  
President  
Rivera Engineering  
TX PE Firm Registration No. F-11492

---

**Subject:** 2610 Hume Place - UNO Zoning District Design Regulations  
**Date:** Monday, February 24, 2025 at 4:15:15 PM Central Standard Time  
**From:** Middleton-Pratt, Lauren  
**To:** [REDACTED], Leah Bojo  
**CC:** Rousselin, Jorge, Bates, Andrea, Amezcua, Jill  
**Attachments:** image001.png, Avalon Pointe Waiver Request Memo\_UDD\_2.24.25.pdf

Mr. Allada and Ms. Bojo,

After careful review and consideration, as the Director of Planning Department, I accept the recommendation of the Urban Design division to deny the requested waivers – see attached for details. It is my duty to align with the standards and procedures regulated by the City of Austin and in this case the Building Criteria Manual – Section 12.1.7 – Streetscape Design Standards for all projects located within the UNO District.

Based on the Urban Design staff's evaluation and recommendation, I am unable to grant the requested waivers for the following reasons:

1. Streetscape Standards Compliance – The proposed design does not meet the required streetscape elements outlined in the Building Criteria Manual's Streetscape Design Standards, which are essential for projects voluntarily participating in the UNO Density Bonus Program.
2. Driveway Location Conflicts – The current placement of the driveway to the parking garage conflicts with the required streetscape elements. Staff recommends its relocation or removal to accommodate these requirements.
3. Interdepartmental Conflicts – Granting waivers for the three streetscape requirements as proposed would create conflicts with multiple departments, including utility departments and the Transportation and Public Works Department. These departments must review the proposal to determine compliance before a waiver can be considered.
4. Failure to Meet Waiver Threshold – The proposed design does not meet the threshold for granting the following waivers:
  - Pedestrian Scale Street Lighting
  - Pedestrian Clear Zone
  - Street Tree Spacing

Due to the concerns listed above, I am unable to support the requested waivers. I encourage you to explore design alternatives that align with the established streetscape standards. Should you choose, per the Code Section 25-2-764(D)(2), you can appeal this decision to the Land Use Commission.



**Lauren Middleton-Pratt**

Director of Planning  
Planning Department  
512-974-1827

[Lauren.Middleton-Pratt@austintexas.gov](mailto:Lauren.Middleton-Pratt@austintexas.gov)

---

**From:** Middleton-Pratt, Lauren



**Sent:** Wednesday, February 12, 2025 8:17 AM

**To:** [REDACTED]; Leah Bojo <[lbojo@drennergroupp.com](mailto:lbojo@drennergroupp.com)>

**Cc:** Rousselin, Jorge <[Jorge.Rousselin@austintexas.gov](mailto:Jorge.Rousselin@austintexas.gov)>; Bates, Andrea <[Andrea.Bates@austintexas.gov](mailto:Andrea.Bates@austintexas.gov)>; Amezcua, Jill <[Jill.Amezcua@austintexas.gov](mailto:Jill.Amezcua@austintexas.gov)>

**Subject:** 2610 Hume Place - UNO Zoning District Design Regulations

Dear Mr. Allada and Ms. Bojo,

As Ms. Bates explained in her email on Friday, the City of Austin has determined that the director's waiver referenced in Section 25-2-764(C) applies to any provision in Section 12 – University Neighborhood Overlay (UNO) Zoning District Design Regulations of the Building Criteria Manual.

Therefore, the director may waive a provision in Section 12 upon determining:

1. The provision is unreasonable or impractical as applied to the site plan;
2. With the waiver, the site plan will still substantially comply with the design guidelines; and
3. The waiver is the minimum departure from the provision necessary to avoid an unreasonable or impractical result.

To request a waiver under Section 25-2-764(C), please provide Staff with a detailed narrative and appropriate site plan exhibits that:

1. Identify the specific provision(s) of Section 12 for which you are seeking a waiver;
2. Explain why each provision is “unreasonable or impractical as applied to the site plan;”
3. Identify what you propose in lieu of compliance with the provision, if anything, and why the waiver “is the minimum departure from the provision necessary to avoid an unreasonable or impractical result;” and
4. Explain how, with the requested waiver, the site plan “will still substantially comply with the design guidelines.”

Please ensure that the submitted site plan exhibits include the location of existing and proposed utilities, so Staff can ensure there are no conflicts with the proposed streetscape elements.

Once received and determined to be complete, Staff will evaluate the waiver request, and then I will decide based on the material presented and the provisions of Section 25-2-764. Please coordinate with Jill Amezcua and Jorge E. Rousselin to submit your information.

We look forward to working with your team.



**Lauren Middleton-Pratt**

Director of Planning  
Planning Department  
512-974-1827

[Lauren.Middleton-Pratt@austintexas.gov](mailto:Lauren.Middleton-Pratt@austintexas.gov)



## Planning Department



### MEMORANDUM

**TO:** Lauren Middleton-Pratt, Director  
Planning Department

**FROM:** Jill Amezcua, Program Manager II  
Planning Department, Urban Design Division

**DATE:** February 24, 2025

**SUBJECT:** Administrative Waiver Requests for (1) Waiver Request Under LDC Section 25-2-764(C) for Building Criteria Manual Section 12 Provision 12.1.7.11 – Pedestrian Scale Street Lighting, (2) Waiver Request Under LDC Section 25-2-764(C) for BCM Section 12 Provision 12.1.7.1(g) – Pedestrian Clear Zone, and (3) Waiver Request Under LDC Section 25-2-764 (C) for BCM Section 12 Provision 12.1.7.1(e) – Street Tree Spacing, for the Avalon Pointe Project, Located at 2610 Hume Place, Austin, Texas; Consolidated Administrative Site Plan (Site Plan No. SP-2022-0218C.SH)

The engineering consultant (Applicant) for the Avalon Pointe project (Project), located at 2610 Hume Place (Property), in the west campus area of Austin, Texas, has submitted three (3) separate waiver requests in light of the constraints on the Property that are affecting the Project's ability to meet University Neighborhood Overlay (UNO) streetscape design standards and requirements. This project has the Site Plan Number of SP-2022-0218C.SH. These three requests are to waive the requirements within the UNO streetscape design standards for (1) pedestrian scale street lighting requirements, (2) pedestrian clear zone requirements, and (3) street tree spacing requirements.

During the formal review of the site plan submitted for this project, the Urban Design Division rejected the site plan on July 22, 2022, with the following comment:

*"Please comply to UNO Streetscape Standards (BCM Ch. 12). Received review beyond due date, and need adequate time to review. Please include Urban Design on the next review update".*

The applicant submitted formal comment response letter for this round of review dated December 7, 2022, stating in the comment response to the Urban Design Division:

*"As discussed with this reviewer during a virtual meeting, and as noted previously in this comment response letter, the entire right-of-way (ROW) of Hume Place in front of the subject property is paved, as is the ROW in front of the adjacent sites. There is no ROW area available to provide landscaping. In addition, almost the entire site is being redeveloped with building or paving. The proposed site drive takes up the property frontage on Hume Place. There is no area available to provide landscaping other than narrow areas that are to be left with grass."*

In the subsequent round of formal review, Urban Design Division staff acknowledged that the applicant's redevelopment proposal did not meet UNO streetscape standards. As participation in the UNO Density Bonus Program is contingent upon compliance with UNO streetscape standards, the applicant would not be eligible to pursue the density bonus program.

Given this, staff determined "no review required" for streetscape compliance under the UNO streetscape standards, as the project does not meet the necessary criteria for voluntary participation in the density bonus program.

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*Details of Streetscape Requirements for Subject Elements of Waiver Requests*

The detailed requirements for the above standards that the Applicant is requesting a waiver from are as follows, per the *Building Criteria Manual – Section 12.1.7 – Streetscape Design Standards*, required by all projects voluntarily participating in the UNO Density Bonus Program to meet UNO Zoning District Design Regulations:

For the pedestrian scale street lighting requirements, the standards state that, "All development shall provide pedestrian scale street lighting along an adjacent street right-of-way. Light poles shall be installed 4'-0" on-center ("O.C.") back from the face of the curb, aligned with street trees." Additionally, the Building Criteria Manual standards state that "the Pecan Street Light Pole is the University Neighborhood Overlay fixture", and that "A minimum spacing of 11'-0" O.C. shall be maintain between a light pole and a street tree".

For pedestrian clear zones, the standards state that, "A minimum pedestrian clear zone width of five feet will be provided between the edge of a tree grate/planting bed and any walls/planters and/or other vertical element associated with a development." This pedestrian clear zone is required to be maintained along the entire length of the property's streetscape frontage to abide by the UNO Streetscape Design Standards.

For street tree spacing requirements, the standards state that the "Owner shall install, irrigate and maintain street trees along an adjacent street right-of-way". These trees must abide by the following design regulations, per the *Building Criteria Manual – Section 12.1.7 – Streetscape Design Standards, (I) Street Trees*:

- a) all new trees shall be shade trees (non-utility compatible), unless conflict with utilities exist; see I (f).
- b) street trees must be in scale with adjacent buildings and must be placed so as to create a continuous canopy at maturity.
- c) trees shall have a minimum of 5-inch caliper (measured 12" above the root ball) at installation, with a typical canopy height of 14 to 16 feet for Class I Shade trees. Minimum clearance for tree limbs and branches must be 7'-6" above the level of the sidewalk to avoid potential conflict with pedestrians. Trees shall be trimmed proportionally to an ultimate clearance height of 14'-0" above the sidewalk and street at maturity.
- d) trees shall be installed 4'-0" O.C. back from face of curb, parallel to the curb.
- e) the standard tree spacing is 22'-0" O.C. If existing conditions preclude the standard spacing, shade trees may be planted at a distance not to exceed 30'-0" O.C.; utility compatible trees spacing shall

not exceed 24'-0" O.C.

f) where **existing** utilities are in conflict with in-ground planting of shade trees, applicant shall:

- plant utility compatible trees in above grade planters if both overhead and underground utilities are in place;
- plant utility compatible trees in-ground, if conflict is with overhead lines;
- plant shade trees in above grade planters, if conflict is with underground utilities.

g) a minimum pedestrian clear zone width of five feet will be provided between the edge of a tree grate/planting bed and any walls/planters and/or other vertical element associated with a development (refer to COA Detail 710S-6A). If above grade planters are used, the minimum pedestrian clear zone shall be six feet (as per COA Detail 432S-7D).

h) a new tree planted in a sidewalk must have a 6 feet x 6 feet tree grating which shall comply with COA Standard Detail 437S-2. A different plant bed configuration with or without a tree grate, may be approved by the Planning and Development Review Department, based on specific needs and an alternative form of equivalent compliance.

---

*Urban Design Division Findings of Fact*

The Urban Design Division has found the following facts to be true regarding this matter:

- (1) According to the waiver requests submitted by the Applicant, "the project frontage along Hume Place is limited to 46.5 feet that includes 30 ft of driveway and curb, restricting available space for pedestrian pathways". **The length of this streetscape frontage requires two (2) street trees based on the spacing requirements in the Building Criteria Manual.** In the current design proposed by the Applicant, there is only one (1) street tree proposed for the project.
- (2) Placement of proposed water utility meters, wastewater infrastructure, and electrical duct bank infrastructure restricts the available pedestrian pathway, adding to the complexity of maintaining the required clear zone based on the design choices made by the Applicant in the design of the building, driveway, and streetscape frontage. **A pedestrian clear zone is required per the Building Criteria Manual.**
- (3) Public safety is a top priority of the UNO district, and the Pecan Street Light Pole provides pedestrian scale lighting to ensure the safety of all pedestrians. **Alternative pedestrian scale lighting is not specified in the Building Criteria Manual.** Using an alternative light source other than the Pecan Street Light Pole deviates from the code creating an inconsistent design with all other properties in the University Neighborhood Overlay.
- (4) There is flexibility built into the UNO Streetscape Design Standards to accommodate sites with constrained project areas in the Outer West Campus sub-district, within which the Project resides. In this sub-district, only developments with greater than 150 linear feet of cumulative street frontage shall be required to provide street furnishings such as trash receptacles, bike racks and benches. The street frontage for this project is less than 150 linear feet and is not required to provide all street

furnishings, thus providing the applicant with flexibility to accommodate necessary streetscape requirements per UNO standards.

- (5) **There is no known precedent for a waiver being granted for the requirements laid out in the Building Criteria Manual – SECTION 12.1.7 – Streetscape Design Standards governing projects that participate in the UNO Density Bonus Program.**

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*Urban Design Division Recommendations*

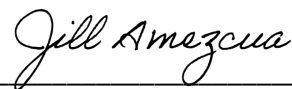
The Urban Design Division must remain consistent in the application of *Building Criteria Manual – Section 12.1.7 – Streetscape Design Standards* for all projects located within the boundaries of the UNO District.

The Urban Design Division recommends that the driveway to the parking garage is relocated or removed to provide room for the streetscape elements that are required per the Building Criteria Manual's Streetscape Design Standards for projects that voluntarily participate in the UNO Density Bonus Program.

A waiver granted by the Planning Department for the three streetscape requirements of the Avalon Pointe project as proposed by the applicant will create conflicts with all applicable utility departments as well as the Transportation and Public Works Department. These departments need to review this proposal to determine code compliance before a waiver can be considered from the Planning Department.

The proposed design does not meet the threshold to grant any of the three waivers requested by the applicant.

Due to the concerns listed above, the Urban Design Division is recommending the denial of each of: (1) the Waiver Request Under LDC Section 25-2-764(C) for BCM Section 12 Provision 12.1.7.11 – Pedestrian Scale Street Lighting, (2) the Waiver Request Under LDC Section 25-2-764(C) for BCM Section 12 Provision 12.1.7.1(g) – Pedestrian Clear Zone, and (3) the Waiver Request Under LDC Section 25-2-764 (C) for BCM Section 12 Provision 12.1.7.1(e) – Street Tree Spacing.



Jill Amezcua, Program Manager II  
Planning Department



**City of Austin Development Services Department**  
**6310 Wilhemina Delco Drive / P.O. Box 1088 / Austin, Texas 78767-8835**

**SITE PLAN APPEAL**

If you are an applicant and/or property owner or interested party, and you wish to appeal a decision on a site plan application, the following form must be completed and filed with the Director of Watershed Protection and Development Review Department, City of Austin, at the address shown above. The deadline to file an appeal is 14 days after the decision of the Land Use Commission (ZAP or PC), or 20 days after an administrative decision by the Director. If you need assistance, please contact the assigned City contact at (512) 974-2680.

CASE NO. \_\_\_\_\_

DATE APPEAL FILED \_\_\_\_\_

PROJECT NAME \_\_\_\_\_

YOUR NAME \_\_\_\_\_

PROJECT ADDRESS \_\_\_\_\_

SIGNATURE Jed M. My

YOUR ADDRESS \_\_\_\_\_

APPLICANT'S NAME \_\_\_\_\_

YOUR PHONE NO. (512) \_\_\_\_\_ WORK

CITY CONTACT \_\_\_\_\_

( ) \_\_\_\_\_ HOME

**INTERESTED PARTY STATUS:** Indicate how you qualify as an interested party who may file an appeal by the following criteria: (Check one)

- ☐ I am the record property owner of the subject property
- ☐ I am the applicant or agent representing the applicant
- ☐ I communicated my interest by speaking at the Land Use Commission public hearing on (date) \_\_\_\_\_.
- ☐ I communicated my interest in writing to the Director or Land Use Commission prior to the decision (attach copy of dated correspondence).

**In addition to the above criteria,** I qualify as an interested party by one of the following criteria: (Check one)

- ☐ I occupy as my primary residence a dwelling located within 500 feet of the subject site.
- ☐ I am the record owner of property within 500 feet of the subject site.
- ☐ I am an officer of a neighborhood or environmental organization whose declared boundaries are within 500 feet of the subject site.

**DECISION TO BE APPEALED\*:** (Check one)

- |   |                         |
|---|-------------------------|
| <input type="checkbox"/> Administrative Disapproval/Interpretation of a Site Plan | Date of Decision: _____ |
| <input type="checkbox"/> Replacement site plan                                    | Date of Decision: _____ |
| <input type="checkbox"/> Land Use Commission Approval/Disapproval of a Site Plan  | Date of Decision: _____ |
| <input type="checkbox"/> Waiver or Extension                                      | Date of Decision: _____ |
| <input type="checkbox"/> Planned Unit Development (PUD) Revision                  | Date of Decision: _____ |
| <input type="checkbox"/> Other: _____   | Date of Decision: _____ |

\*Administrative Approval/Disapproval of a Site Plan may only be appealed by the Applicant.

**STATEMENT:** Please provide a statement specifying the reason(s) you believe the decision under appeal does not comply with applicable requirements of the Land Development Code:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(Attach additional page if necessary.)

Applicable Code Section: \_\_\_\_\_



# DRENNER GROUP

February 25, 2025

Ms. Lauren Middleton-Pratt  
City of Austin  
Planning Department  
6310 Wilhelmina Delco Drive  
Austin, Texas 78752

*Via Electronic Mail*

Re: Avalon Pointe – Notice of appeal related to the administrative denial of waiver requests under LDC § 25-2-764(D) for the development located at 2610 Hume Place (the “Property”).

Dear Ms. Middleton-Pratt,

We respectfully submit this appeal on behalf of 2602 Hume Place, LLC (the “Owner”). The project is titled Avalone Pointe, a 126-unit multifamily development, of which 13 units are reserved at 50% Austin Median Family Income (MFI) and 13 units reserved at 60% MFI, was approved on January 29, 2024, via Site Plan No. SP-2022-0218C.SH (the “Project”). The purpose of this letter is to request an appeal to the Planning Commission pursuant to Land Development Code (LDC) § 25-2-764(D) and in accordance with the provisions of LDC § 25-1-190. This appeal relates to the Urban Design Division’s recent denial of waiver requests related to specific streetscape design requirements for the Project issued by Jill Amezcua on February 24, 2025, and attached to this letter as “EXHIBIT A.” We respectfully request the Planning Commission consider our appeal at their March 11, 2025 meeting.

We maintain that the rationale provided in the variance request letter by Michael Rivera on February 19, 2025, attached to this letter as “EXHIBIT B,” demonstrates that strict compliance with the UNO Streetscape Design Guidelines is unreasonable and impractical due to the Property’s unique shape, location, and substandard right-of-way width.

The following Building Criteria Manual (BCM) Section 12 requirements are the subject of this appeal:

- Pedestrian Scale Street Lighting (BCM 12.1.7.11): Requires the installation of lighting fixtures four (4) feet from the back of curb, with a minimum spacing of 11 feet on center from street trees.
- Pedestrian Clear Zone (BCM 12.1.7.1(g)): Requires a 5-foot pedestrian clear zone along the entire streetscape frontage.
- Street Tree Spacing (BCM 12.1.7.1(e)): Requires street trees to be spaced 22 feet on center, or 30 feet on center if site conditions prohibit standard spacing.

The unique characteristics of the Property present significant challenges to adhering to these standards. The Property’s irregular 130-degree intersection with Hume Place, combined with the required 20-foot fire access driveway and curb radii occupies 30 feet of the total 46.5 feet of frontage, severely restricting space for UNO streetscape elements. The remaining 16.5 feet for implementing the required streetscape elements

is further constrained by fire riser room access, electrical duct banks, and below-grade water and wastewater easements. Additionally, the right-of-way is entirely paved because of this infrastructure, making it impractical to implement street in-ground tree plantings. The site plan illustrating these elements is attached to this letter as "EXHIBIT C."

In light of these constraints, we propose the following alternative compliance measures:

- Pedestrian Scale Street Lighting: Instead of the standard lighting fixtures, we suggest integrating alternative pedestrian-scale lighting fixtures into the building façade. This approach would ensure adequate illumination while accommodating the limited space.
- Pedestrian Clear Zone: Recognizing the spatial limitations, we propose narrowing the driveway curb radius to extend the clear zone width to the maximum feasible dimension, thereby enhancing pedestrian accessibility without compromising essential infrastructure and life safety access.
- Street Tree Spacing: Given the conflicts below grade prohibiting in-ground plantings, we propose an above grade street tree planter as well as off-site tree plantings or a fee contribution to the City's Tree Mitigation Fund.

These proposed alternative measures aim to uphold the intent of the UNO design standards while accommodating the Property's physical limitations. We believe that the denial of these waiver requests does not adequately consider the unique site challenges and imposes requirements that are impractical for the redevelopment of the Property.

Thank you for your attention to this matter. We are available to discuss this appeal further and please do not hesitate to reach out if additional information or clarification is needed.

Sincerely,



Leah M. Bojo

CC: Jill Amezcua, Planning Department (*via electronic delivery*)  
Jorge Rousselin, Planning Department (*via electronic delivery*)

**EXHIBIT A**

[SEE ATTACHED]



## Planning Department



### MEMORANDUM

**TO:** Lauren Middleton-Pratt, Director  
Planning Department

**FROM:** Jill Amezcua, Program Manager II  
Planning Department, Urban Design Division

**DATE:** February 24, 2025

**SUBJECT:** Administrative Waiver Requests for (1) Waiver Request Under LDC Section 25-2-764(C) for Building Criteria Manual Section 12 Provision 12.1.7.11 – Pedestrian Scale Street Lighting, (2) Waiver Request Under LDC Section 25-2-764(C) for BCM Section 12 Provision 12.1.7.1(g) – Pedestrian Clear Zone, and (3) Waiver Request Under LDC Section 25-2-764 (C) for BCM Section 12 Provision 12.1.7.1(e) – Street Tree Spacing, for the Avalon Pointe Project, Located at 2610 Hume Place, Austin, Texas; Consolidated Administrative Site Plan (Site Plan No. SP-2022-0218C.SH)

The engineering consultant (Applicant) for the Avalon Pointe project (Project), located at 2610 Hume Place (Property), in the west campus area of Austin, Texas, has submitted three (3) separate waiver requests in light of the constraints on the Property that are affecting the Project's ability to meet University Neighborhood Overlay (UNO) streetscape design standards and requirements. This project has the Site Plan Number of **SP-2022-0218C.SH**. These three requests are to waive the requirements within the UNO streetscape design standards for (1) pedestrian scale street lighting requirements, (2) pedestrian clear zone requirements, and (3) street tree spacing requirements.

During the formal review of the site plan submitted for this project, the Urban Design Division rejected the site plan on July 22, 2022, with the following comment:

*"Please comply to UNO Streetscape Standards (BCM Ch. 12). Received review beyond due date, and need adequate time to review. Please include Urban Design on the next review update".*

The applicant submitted formal comment response letter for this round of review dated December 7, 2022, stating in the comment response to the Urban Design Division:

*"As discussed with this reviewer during a virtual meeting, and as noted previously in this comment response letter, the entire right-of-way (ROW) of Hume Place in front of the subject property is paved, as is the ROW in front of the adjacent sites. There is no ROW area available to provide landscaping. In addition, almost the entire site is being redeveloped with building or paving. The proposed site drive takes up the property frontage on Hume Place. There is no area available to provide landscaping other than narrow areas that are to be left with grass."*

In the subsequent round of formal review, Urban Design Division staff acknowledged that the applicant's redevelopment proposal did not meet UNO streetscape standards. As participation in the UNO Density Bonus Program is contingent upon compliance with UNO streetscape standards, the applicant would not be eligible to pursue the density bonus program.

Given this, staff determined "no review required" for streetscape compliance under the UNO streetscape standards, as the project does not meet the necessary criteria for voluntary participation in the density bonus program.

---

*Details of Streetscape Requirements for Subject Elements of Waiver Requests*

The detailed requirements for the above standards that the Applicant is requesting a waiver from are as follows, per the *Building Criteria Manual – Section 12.1.7 – Streetscape Design Standards*, required by all projects voluntarily participating in the UNO Density Bonus Program to meet UNO Zoning District Design Regulations:

For the pedestrian scale street lighting requirements, the standards state that, "All development shall provide pedestrian scale street lighting along an adjacent street right-of-way. Light poles shall be installed 4'-0" on-center ("O.C.") back from the face of the curb, aligned with street trees." Additionally, the Building Criteria Manual standards state that "the Pecan Street Light Pole is the University Neighborhood Overlay fixture", and that "A minimum spacing of 11'-0" O.C. shall be maintain between a light pole and a street tree".

For pedestrian clear zones, the standards state that, "A minimum pedestrian clear zone width of five feet will be provided between the edge of a tree grate/planting bed and any walls/planters and/or other vertical element associated with a development." This pedestrian clear zone is required to be maintained along the entire length of the property's streetscape frontage to abide by the UNO Streetscape Design Standards.

For street tree spacing requirements, the standards state that the "Owner shall install, irrigate and maintain street trees along an adjacent street right-of-way". These trees must abide by the following design regulations, per the *Building Criteria Manual – Section 12.1.7 – Streetscape Design Standards, (I) Street Trees*:

- a) all new trees shall be shade trees (non-utility compatible), unless conflict with utilities exist; see I (f).
- b) street trees must be in scale with adjacent buildings and must be placed so as to create a continuous canopy at maturity.
- c) trees shall have a minimum of 5-inch caliper (measured 12" above the root ball) at installation, with a typical canopy height of 14 to 16 feet for Class I Shade trees. Minimum clearance for tree limbs and branches must be 7'-6" above the level of the sidewalk to avoid potential conflict with pedestrians. Trees shall be trimmed proportionally to an ultimate clearance height of 14'-0" above the sidewalk and street at maturity.
- d) trees shall be installed 4'-0" O.C. back from face of curb, parallel to the curb.
- e) the standard tree spacing is 22'-0" O.C. If existing conditions preclude the standard spacing, shade trees may be planted at a distance not to exceed 30'-0" O.C.; utility compatible trees spacing shall

not exceed 24'-0" O.C.

f) where **existing** utilities are in conflict with in-ground planting of shade trees, applicant shall:

- plant utility compatible trees in above grade planters if both overhead and underground utilities are in place;
- plant utility compatible trees in-ground, if conflict is with overhead lines;
- plant shade trees in above grade planters, if conflict is with underground utilities.

g) a minimum pedestrian clear zone width of five feet will be provided between the edge of a tree grate/planting bed and any walls/planters and/or other vertical element associated with a development (refer to COA Detail 710S-6A). If above grade planters are used, the minimum pedestrian clear zone shall be six feet (as per COA Detail 432S-7D).

h) a new tree planted in a sidewalk must have a 6 feet x 6 feet tree grating which shall comply with COA Standard Detail 437S-2. A different plant bed configuration with or without a tree grate, may be approved by the Planning and Development Review Department, based on specific needs and an alternative form of equivalent compliance.

---

*Urban Design Division Findings of Fact*

The Urban Design Division has found the following facts to be true regarding this matter:

- (1) According to the waiver requests submitted by the Applicant, "the project frontage along Hume Place is limited to 46.5 feet that includes 30 ft of driveway and curb, restricting available space for pedestrian pathways". **The length of this streetscape frontage requires two (2) street trees based on the spacing requirements in the Building Criteria Manual.** In the current design proposed by the Applicant, there is only one (1) street tree proposed for the project.
- (2) Placement of proposed water utility meters, wastewater infrastructure, and electrical duct bank infrastructure restricts the available pedestrian pathway, adding to the complexity of maintaining the required clear zone based on the design choices made by the Applicant in the design of the building, driveway, and streetscape frontage. **A pedestrian clear zone is required per the Building Criteria Manual.**
- (3) Public safety is a top priority of the UNO district, and the Pecan Street Light Pole provides pedestrian scale lighting to ensure the safety of all pedestrians. **Alternative pedestrian scale lighting is not specified in the Building Criteria Manual.** Using an alternative light source other than the Pecan Street Light Pole deviates from the code creating an inconsistent design with all other properties in the University Neighborhood Overlay.
- (4) There is flexibility built into the UNO Streetscape Design Standards to accommodate sites with constrained project areas in the Outer West Campus sub-district, within which the Project resides. In this sub-district, only developments with greater than 150 linear feet of cumulative street frontage shall be required to provide street furnishings such as trash receptacles, bike racks and benches. The street frontage for this project is less than 150 linear feet and is not required to provide all street



furnishings, thus providing the applicant with flexibility to accommodate necessary streetscape requirements per UNO standards.

- (5) **There is no known precedent for a waiver being granted for the requirements laid out in the Building Criteria Manual – SECTION 12.1.7 – Streetscape Design Standards governing projects that participate in the UNO Density Bonus Program.**

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*Urban Design Division Recommendations*

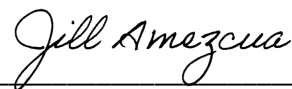
The Urban Design Division must remain consistent in the application of *Building Criteria Manual – Section 12.1.7 – Streetscape Design Standards* for all projects located within the boundaries of the UNO District.

The Urban Design Division recommends that the driveway to the parking garage is relocated or removed to provide room for the streetscape elements that are required per the Building Criteria Manual's Streetscape Design Standards for projects that voluntarily participate in the UNO Density Bonus Program.

A waiver granted by the Planning Department for the three streetscape requirements of the Avalon Pointe project as proposed by the applicant will create conflicts with all applicable utility departments as well as the Transportation and Public Works Department. These departments need to review this proposal to determine code compliance before a waiver can be considered from the Planning Department.

The proposed design does not meet the threshold to grant any of the three waivers requested by the applicant.

Due to the concerns listed above, the Urban Design Division is recommending the denial of each of: (1) the Waiver Request Under LDC Section 25-2-764(C) for BCM Section 12 Provision 12.1.7.11 – Pedestrian Scale Street Lighting, (2) the Waiver Request Under LDC Section 25-2-764(C) for BCM Section 12 Provision 12.1.7.1(g) – Pedestrian Clear Zone, and (3) the Waiver Request Under LDC Section 25-2-764 (C) for BCM Section 12 Provision 12.1.7.1(e) – Street Tree Spacing.



Jill Amezcua, Program Manager II  
Planning Department

**EXHIBIT B**

[SEE ATTACHED]

**RIVERA ENGINEERING TX PE FIRM REGISTRATION NO. F-11492**

P.O. Box 90485 – Austin, Texas 78709-0485 – Telephone (512) 899-3310 – Email: michaelriveraengineering@gmail.com

February 19, 2025

Ms. Lauren Middleton-Pratt  
Director of Planning  
Planning Department  
City of Austin  
6310 Wilhelmina Delco Drive  
Austin, Texas 78752

via Electronic Submittal  
Lauren.Middleton-Pratt@austintexas.gov

Re: **Avalon Pointe site – 2610 Hume Place**  
**Consolidated Administrative Site Plan (Case No. SP-2022-0218C.SH)**  
**Waiver Request Under LDC Section 25-2-764(C) for BCM**  
**Section 12 Provision 12.1.7.I(e) – Street Tree Spacing**

Dear Ms. Middleton-Pratt,

Please accept this letter as our formal request for a waiver under the city Land Development Code (LDC) Section 25-2-764(C) concerning the street tree spacing requirements outlined in Building Criteria Manual (BCM) Section 12 Provision 12.1.7.I(e) for the Avalon Pointe site (city site plan case SP-2022-0218C.SH located at 2610 Hume Place). Below is the detailed narrative that support our request.

**1. Identification of Specific Provision of Section 12 for Waiver:**

We are requesting a waiver from Provision 12.1.7.I(e), which requires a minimum street tree spacing of 22'-0" on center.

---

**2. Explanation of Why the Provision Is Unreasonable or Impractical as Applied to the Site Plan:**

- Due to the site-specific constraints, strict compliance to this requirement is unreasonable and impractical as applied to the subject property. The project frontage along Hume Place is limited to 46.5 feet that includes 30 ft of driveway and curb, leaving only 16.5 feet for streetscape improvements, including street trees.
- The irregular shape of the Right-of-Way (ROW) and property frontage creates additional spatial constraints and unreasonable challenges to provide the street tree spacing.
- Placement of proposed water utility meters, wastewater infrastructure, and electrical duct bank infrastructure, further restricts the available streetscape and street tree area, adding to the complexity of providing street trees.

Ms. Lauren Middleton-Pratt  
February 19, 2025  
Page 2

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**3. Proposed Alternative and Justification for Minimum Departure:**

In lieu of providing 22'-0" street tree spacing, we propose the following:

- Implementing alternative streetscape enhancements, such as low-impact landscaping or shrubs to maintain aesthetic and environmental benefits.
- Exploring to possibility of adjusting the tree placement where feasible to maximize canopy coverage while avoiding conflicts with existing and proposed infrastructure.
- If necessary, contributing to the tree mitigation fund or proposing alternative off-site plantings in accordance with city policy.

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**4. Substantial Compliance with Design Guidelines Despite the Waiver:**

Despite the requested waiver, the project will continue to substantially comply with the applicable design guidelines by:

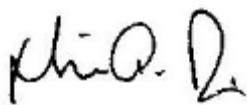
- Enhancing pedestrian aesthetics through alternative landscaping.
- Ensuring that tree plantings, where feasible, align with safety and infrastructure requirements.
- Maintaining environmental benefits to the extent possible with the site constraints.

Attached are relevant site plan exhibits that illustrate the proposed street tree placement and demonstrate continued compliance with the overall design intent.

We appreciate your consideration of this waiver request and are ready to provide additional details or discuss further if needed.

Should you have any questions about this waiver request, please feel free to contact me.

Sincerely,



Michael A. Rivera, P.E.  
President  
Rivera Engineering  
TX PE Firm Registration No. F-11492

**EXHIBIT C**

[SEE ATTACHED]



CONTRACTOR WARNING:

THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATIONS AND/OR ELEVATIONS OF EXISTING UTILITIES AS INDICATED ON THESE PLANS IS BASED PARTIALLY ON RECORDS OF THE CITY OF AUSTIN. WHERE POSSIBLE, MEASUREMENTS WERE TAKEN IN THE FIELD TO VERIFY LOCATIONS OF WATER, WASTEWATER AND STORM SEWER LINES. THE INFORMATION IS NOT SPECIFICALLY ACCURATE. THE CONTRACTOR MUST CONTACT THE APPROPRIATE UTILITY AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST THE EXACT FIELD LOCATIONS AS REQUIRED. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE LOCATION OF PROPOSED UTILITIES AS SHOWN ON THE PLANS. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ADJUST THE PROPOSED UTILITIES AS REQUIRED TO ALLOW THE DESIGN TO BE CONSTRUCTED.

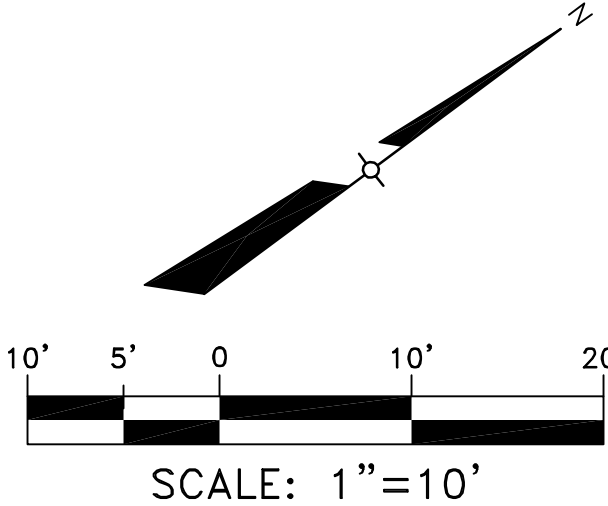
NOTE:

BOUNDARY, TOPOGRAPHIC AND IMPROVEMENT SURVEY PROVIDED BY WINDROSE LAND SERVICES. CONTOUR INFORMATION SUPPLEMENTED BY CITY OF AUSTIN TOPOGRAPHIC DATA.

TREE SURVEY DATED MAY 25, 2022.

NOTES:

- a) All improvements shall be made in accordance with the released site plan. Any additional improvements will require site plan amendment and approval of the Development Services Department.
  - b) Approval of this Site Plan does not include Building and Fire Code approval nor building permit approval.
  - c) All signs must comply with requirements of the Land Development Code (Chapter 25-10).
  - d) Additional electric easements may be required at a later date.
  - e) Water and wastewater service will be provided by the City of Austin [or identify the service provider if other than the City of Austin].
  - f) All existing structures shown to be removed will require a demolition permit from the City of Austin Development Services Department.
  - g) A development permit must be issued prior to an application for building permit for non-consolidated or Planning Commission approved site plans.
  - h) No certificate of occupancy may be issued for the proposed residential condominium project until the owner or owners of the property have complied with Chapter 81 and 82 of the Property Code of the State of Texas or any other statutes enacted by the State concerning condominiums.
  - i) For driveway construction: The owner is responsible for all costs for relocation of, or damage to utilities.
  - j) Type III driveways must be reconstructed as concrete approaches by the owner within 60 days after construction of the abutting street to permanent grade with curbs and gutters.
2. Any fire lines installed as a supply for a full 13 sprinkler system must also be installed by a licensed sprinkler contractor. The following note should be required on the utility plan: Underground mains supplying NFPA 13 sprinkler systems must be installed and tested in accordance with NFPA 13, and the Fire Code, by a licensed sprinkler contractor with a plumbing permit. The entire main must be hydrostatically tested at one time, unless isolation valves are provided between tested sections.
3. For fire lines supplying private hydrants only, the following note must be on the utility plan: Underground mains supplying private hydrants must be installed and tested in accordance with NFPA 24, and the Fire Code, by a licensed contractor with a plumbing permit. The entire main must be hydrostatically tested at one time, unless isolation valves are provided between tested sections.



SCALE: 1"=10'

SITE LEGEND

- BOUNDARY LINE
- EXISTING CONTOURS
- EXIST. STORM SEWER MANHOLE
- EXIST. WASTEWATER MANHOLE
- EXIST. WATER VALVE
- EXIST. FIRE HYDRANT
- PROP. FIRE HYDRANT
- PROP. HANDICAP SPACE
- TRAVIS COUNTY PLAT RECORDS
- FIRE LANE
- ACCESSIBILITY ROUTE
- TRAFFIC ARROWS

SITE NOTES:

- 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 RAISE OF TWELVE (12), WILL BE PROHIBITED. [SECTION 25-2-1067]
- THE NOISE LEVEL OF MECHANICAL EQUIPMENT WILL NOT EXCEED 70 DBA AT THE PROPERTY LINE ADJACENT TO RESIDENTIAL USES. [SECTION 25-2-1067]
- SLOPES ON ACCESSIBLE ROUTES MAY NOT EXCEED 1:20 UNLESS DESIGNED AS A RAMP. ACCESSIBLE PARKING MUST HAVE A CROSS-SLOPE NO GREATER THAN 1:50.
- EVERY ACCESSIBLE PARKING SPACE MUST BE IDENTIFIED BY A SIGN, CENTERED AT THE HEAD OF THE PARKING SPACE. THE SIGN MUST INCLUDE THE INTERNATIONAL SYMBOL OF ACCESSIBILITY AND STATE RESERVED OR EQUIVALENT LANGUAGE. CHARACTERS AND SYMBOLS ON SUCH SIGNS MUST BE LOCATED 60" MINIMUM ABOVE GROUND SO THAT THEY CANNOT BE OBSCURED BY A VEHICLE PARKED IN THE SPACE.
- WATER AND WASTEWATER SERVICE WILL BE PROVIDED BY THE CITY OF AUSTIN.
- FIRE LANES SHALL BE PAINTED RED AND LABELED "FIRE LANE" "NO PARKING ZONE"
- FOR CONSTRUCTION WITHIN THE RIGHT-OF-WAY, A CONCRETE PERMIT IS REQUIRED.
- ALL LANDSCAPED AREAS TO BE PROTECTED BY SIX-INCH WHEEL CURBS, WHEELSTOPS OR OTHER APPROVED BARRIERS AS PER ECM 2.4.7
- ALL ACTIVITIES WITHIN CEF'S SETBACK MUST COMPLY WITH LAND DEVELOPMENT CODE 25-8-281(C)(2), WHICH STATES THAT THE NATURAL VEGETATIVE COVER MUST BE RETAINED TO THE MAXIMUM EXTENT PRACTICABLE. CONSTRUCTION IS PROHIBITED, AND WASTEWATER DISPOSAL AND IRRIGATION IS PROHIBITED.
- NO SWIMMING POOL, TENNIS COURT, BALL COURT, OR PLAYGROUND WILL BE CONSTRUCTED WITHIN 50 FEET OR LESS FROM ADJOINING PROPERTY USED OR ZONED AS SF-5 OR MORE RESTRICTIVE ZONING.
- NO SOLID FENCE ALONG THE PROPERTY LINE WILL EXCEED AN AVERAGE OF SIX FEET OR A MAXIMUM OF SEVEN FEET.
- EACH COMPACT PARKING SPACE/ASLE WILL BE SIGNED "SMALL CAR ONLY".
- AN EXTERIOR DOOR MUST BE PROVIDED FOR THE RISER ROOM.
- A MINIMUM VERTICAL CLEARANCE OF 11'4" MUST BE PROVIDED AT ACCESSIBLE PARKING ZONES AND ALONG VEHICLE ACCESS ROUTES TO SUCH AREAS FROM SITE ENTRANCES.
- A MINIMUM OF 98" MUST BE PROVIDED FOR VAN ACCESSIBLE PARKING SPACES AND ALONG THE VEHICULAR ROUTE THERETO, THIS APPLIES TO THE PARKING GARAGE.
- EACH PARKING SPACE IS TO BE LEASED SEPARATELY FROM THE RESIDENTIAL UNIT.
- LIFT PARKING SPACES TO BE LEASED TO SAME RESIDENTIAL UNIT AS THE PARKING SPACE BELOW THE LIFT PARKING SPACE.
- HOLDING SPACE WILL BE SIGNED "NO PARKING ALLOWED, TEMPORARY HOLDING ONLY."

NOTES:

- 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.
- A restrictive covenant may be required for enforcement purposes.
- 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.
- Public Works will recommend the appropriate signage for the loading space. A fee may be required by Public Works to pay for the required signage.
- 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.
- All ground-floor-level units or units accessible by elevator must be adaptable (a Fair Housing Act federal requirement)
- 10% of all multi-family units must be accessible, but grab bars do not need to be installed until a prospective or current resident requests installation
- An accessible route is required to connect the accessible parking spaces to the accessible and adaptable first floor units and common areas
- Accessible entrances, doorways, and bathrooms are required in the first floor units
- Safe refuge areas are required for accessible units that are located above the first floor (particularly in buildings with elevators)
- The Building Code and Fair Housing Act require 2% of total parking spaces to be accessible. If tenants request additional accessible parking spaces, owners must install signage and restripe at no cost to the tenant. Applicants are not required to make more than 10% of spaces accessible.

NOTE:

IN ACCORDANCE WITH LDC SECTION 25-2-756 (B) THIS PROJECT SHALL RESERVE AT LEAST 10% OF THE UNITS TO HOUSE PERSONS WITH HOUSEHOLD INCOMES LESS THAN 80% OF THE MEDIAN INCOME IN THE AUSTIN STATISTICAL METROPOLITAN AREA, AND AT LEAST 10% OF THE UNITS TO HOUSE PERSONS WITH HOUSEHOLD INCOMES LESS THAN 50% OF THE MEDIAN INCOME (PER UNO ORDINANCE, ALLOWS FOR A 65 FOOT BUILDING HEIGHT).

SCHEMATIC UNIT MIX

INIT MIX	No.	% MIX	SIZE (SF)	SUB (SF)
EFFICIENCIES	51	36%	(240-365)	13,763
ONE (1) BEDROOMS	45	32%	(450-485)	20,565
TWO (2) BEDROOMS	46	32%	(505-727)	29,185
TOTAL/AVG	142	100%	504	63,513

PARKING SUMMARY

TOTAL REQUIRED WITH UNO REDUCTION (100%) PER CITY ORDINANCE	0
ACCESSIBLE SPACES REQUIRED	1
ACCESSIBLE SPACES PROVIDED	1
REGULAR SPACES PROVIDED	17
COMPACT SPACES PROVIDED	0
TOTAL PARKING SPACES PROVIDED	18
BICYCLE PARKING REQUIRED (5% OR 5 MINIMUM)	5
BICYCLE PARKING PROVIDED*	5

BUILDING SUMMARY

	EXISTING BUILDING A	PROPOSED BUILDING 1 AREA		
EXISTING USE	HOSTEL	N/A		
PROPOSED USE	TO BE DEMOLISHED	MULTI-FAMILY		
NUMBER OF STORIES	TWO	TEN		
FIRST FLOOR/GARAGE	1,228 S.F.	2,374 S.F.	FFE	599.50
SECOND FLOOR	848 S.F.	7,057 S.F.	FFE	613.00
THIRD FLOOR	NONE	7,057 S.F.	FFE	622.75
FOURTH FLOOR	NONE	7,057 S.F.	FFE	632.50
FIFTH FLOOR	NONE	7,057 S.F.	FFE	642.25
SIXTH-TENTH FLOOR	NONE	7,057 S.F./FLR.	FFE	652.00/661.75/671.50/681.25/691.00
GROSS FLOOR AREA*	2,076 S.F.	65,887 S.F.	100% OF BUILDINGS (1 BUILDING)	
FAR	0.26 : 1	4.5 : 1		
BUILDING COVERAGE	15%	7927 S.F. (81%)		
BUILDING HEIGHT	25'	100' (10 STORIES)		
MAX. BUILDING HEIGHT	UNKNOWN	100'		
BUILDING MATERIAL	UNKNOWN	PLASTER & MASONRY		
BUILDING TYPE	UNKNOWN	TYPE IIIA ON A TYP. IA STRUCTURE - SLAB ON GRADE		
TOTAL SITE AREA: 0.225 AC. (9,801 SF)		NET SITE AREA: 0.225 AC. (9,801 SF)		
IMPERVIOUS COVER: EXISTING = 9,150 SF (93%) / PROPOSED = 8,712 SF (89%)				
EX. ZONING: CS-NP (COMMERCIAL)		PROP. ZONING: UNO (MULTI-FAMILY)		
BUILDING COVERAGE ALLOWED: N/A				
F.A.R. PERMITTED: N/A				

\*GROSS FLOOR AREA AND TOTAL GROSS FLOOR AREA ARE THE SAME AS THERE IS ONLY ONE BUILDING.

AVALON POINTE

2610 HUME PLACE

AUSTIN, TEXAS 78705

SITE PLAN

DWG DATE  
02/20/25



SHEET 5 OF 18



**PUBLIC HEARING INFORMATION**

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

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

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

A zoning ordinance amendment may include a conditional overlay which would include conditions approved by the Land Use Commission or the City Council. If final approval is by a City Council's action, there is no appeal of the Land Use Commission's action.

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

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact listed on a notice*); or
- appearing and speaking for the record at the public hearing;

and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

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

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

**Case Number:** SP-2022-0218C.SH

**Contact:** Jorge Rousselin, (512) 974-2975

**Public Hearing:** Planning Commission, March 11, 2025

2604 Guadalupe Series

Tim Finley

Your Name (please print)

2604 & 2604 1/2 Guadalupe St.

Your address(es) affected by this application

Tim Finley

Signature

3-5-2025

Date

Daytime Telephone: 512-478-0885 x-216

Comments: We object to granting waivers to this applicant. In our opinion the applicant submitted plans that contained a gross error because they did not honor the existing easement that part of their proposed building would sit on top of. The easement was shown on their early submittals please see the attached "page 5 of 16" where the "Private Way" is noted. Somehow, the "Private Way" disappeared from their plans. They also show an incorrect location for the sewer line that serves 2606 Guadalupe. The 2606 sewer line is in the Private Way, not on our land as shown by the applicant.

If you use this form to comment, it may be returned to:

City of Austin

Planning Department

Jorge Rousselin

P. O. Box 1088

Austin, TX 78767-1088

[Jorge.rousselin@austintexas.gov](mailto:Jorge.rousselin@austintexas.gov)

Don't give waivers to a project that should not have been approved.

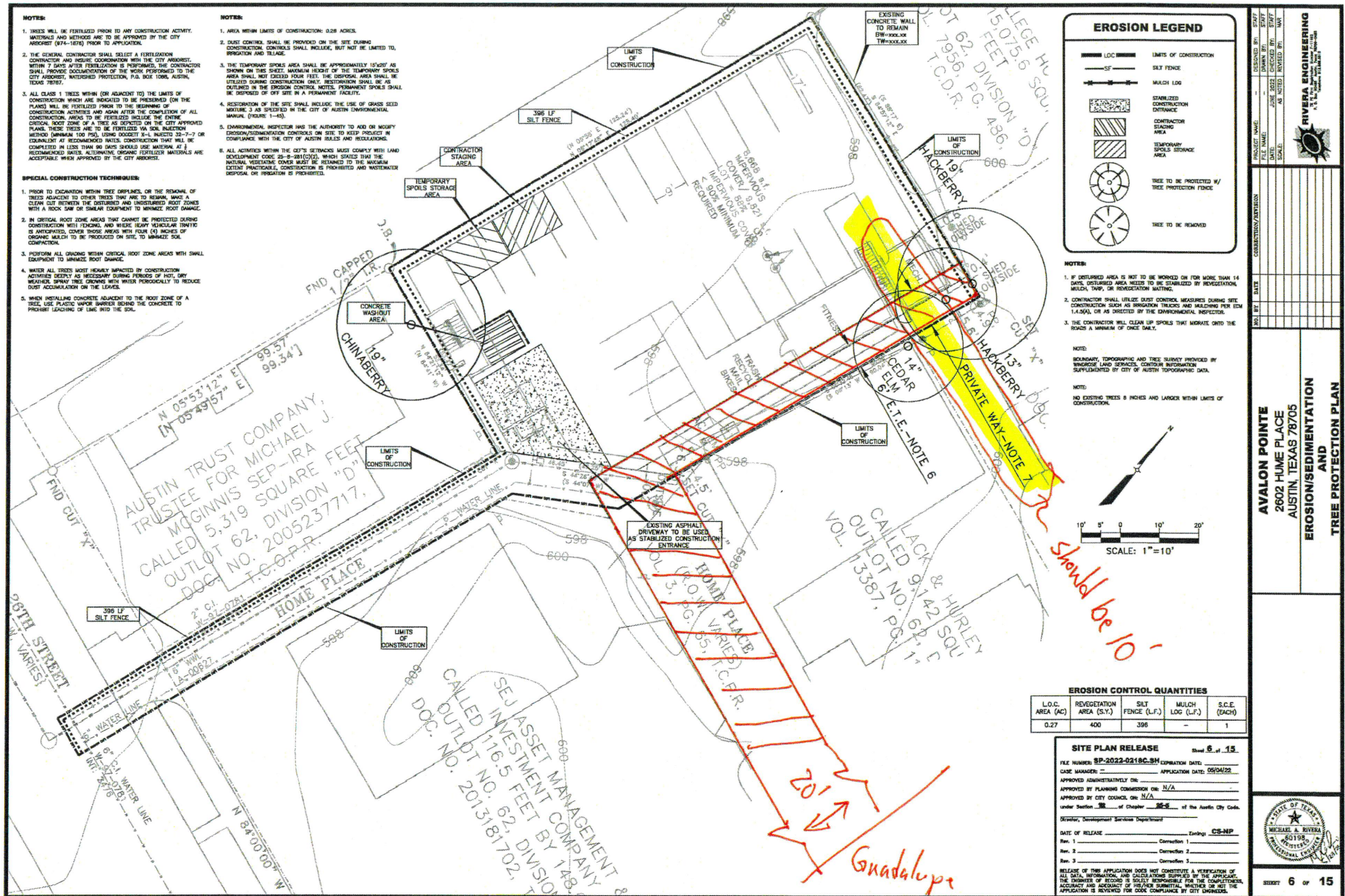
June 2022

Missing from their later submittals. Why? How?



January 2024 Where did the "Private Way" go? (Recorded in Vol. 261 Page 410)





"Private Way" Vol. 261 Page 410 Recorded 12-19-2013

June 2012



## INTERESTED PARTY INFORMATION

Interested parties are specifically defined in section 25-1-131 of the City Code. To view the Code on-line, go to this link:  
<https://www.municode.com/library/tx/austin>

Besides the applicant or owner listed in an application, a person can become an interested party if they communicate an interest to the City through the Case Manager and if they satisfy at least one of the following criteria: 1) they occupy a primary residence that is within 500 feet of the site of the proposed development; 2) they are the record owner of property within 500 feet of the site of the proposed development; or 3) they are an officer of an environmental or neighborhood organization that has an interest in the site of the proposed development or whose declared boundaries are within 500 feet of the site of the proposed development.

If a person satisfies the criteria to become an interested party, they must communicate an interest by delivering a written statement to the Case Manager. The communication must: 1) generally identify the issues of concern; 2) include the person's name, telephone phone number, and mailing address; 3) be delivered before the earliest date on which action on the application may occur; and 4) if the communication is by telephone, be confirmed in writing not later than seven days after the earliest date on which action on the application may occur.

This proposed development needs to honor and accomodate the Easement rights • set out in instrument recorded in Volume 261, Page 410 of the Deed Records of Travis County, Texas.  
 There are utilities in the easement that serve third parties.

Written comments concerning the site plan application may be submitted to the case manager on this form. Comments on a separate form should include the case number and the contact person listed on the notice.

**Case Number: SP-2022-0218C.SH**

**Contact: Clarissa E. Davis, 512-974-1423 or  
 Chima Onyia, 512-974-3103**

☒ I meet the requirements for and request to be an interested party

Note: All contact information is mandatory.

2604 Guadalupe Series 512 478 0885 x216

Name (please print)

Telephone number

2604 Guadalupe St., Austin, TX 78705

Address(es) affected by this application (Street, City, ZIP Code)

P.O. Box 2086 Austin, TX 78768

Mailing address (Street, City, ZIP Code)

*Jim Smiley*  
 Signature

7-6-2022

Date

Comments: We are concerned about access to both this proposed development and our property now and in the future via Hume Place to BOTH Guadalupe Street and West 26<sup>th</sup> St. If Project Connect takes away Guadalupe St. Access both this proposed building and our property will have to rely on

Mail comment forms to:

City of Austin

Development Services Department

Attn: Clarissa E. Davis

P. O. Box 1088

Austin, TX 78767-1088

the 10' wide Hume Place that extends south to 26<sup>th</sup> St. Where is street access for fire safety?, etc.

**From:** [Davis, Clarissa](#)  
**To:** [Tim Finley](#); [Onyia, Chima](#)  
**Subject:** RE: Case Number SP-2022-0218C.SH  
**Date:** Monday, July 11, 2022 9:57:57 AM  
**Attachments:** [image001.png](#)

---

Tim,

I have forwarded this to our pipeline engineering reviewer. They will take a look at the easement. Thanks for bringing this up!

**Clarissa Davis**

Planning Officer, *Site Plan / Land Use Review*  
City of Austin Development Services Department  
Planning & Development Center, 6310 Wilhelmina Delco Drive  
**Office:** 512-974-1423



---

**From:** Tim Finley [<mailto:timfinley@avenueview.com>]  
**Sent:** Friday, July 8, 2022 4:56 PM  
**To:** Davis, Clarissa <[Clarissa.Davis@austintexas.gov](mailto:Clarissa.Davis@austintexas.gov)>; Onyia, Chima <[Chima.Onyia@austintexas.gov](mailto:Chima.Onyia@austintexas.gov)>  
**Subject:** RE: Case Number SP-2022-0218C.SH

\*\*\* External Email - Exercise Caution \*\*\*

Thank you.

Please make sure the review team looks at the easement at Vol. 261, Page 410 that burdens the property proposed for development. I believe the sewer line for Kerbey Lane café at 2606 Guadalupe runs from 2606 Guadalupe, through the Vol. 261, Page 410, easement, to the Hume Place ROW. Meaning, the Kerby Lane sewer pipe is on the proposed development site at 2610 Hume Place.

Sincerely,  
Tim Finley

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**From:** Davis, Clarissa <[Clarissa.Davis@austintexas.gov](mailto:Clarissa.Davis@austintexas.gov)>  
**Sent:** Friday, July 8, 2022 4:39 PM  
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