

CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: Monday, May 12, 2014

CASE NUMBER: C15-2014-0069

☒ Y _____ Jeff Jack
☒ Y _____ Michael Von Ohlen **Motion to PP to June 9, 2014**
☒ Y _____ Ricardo De Camps
☒ Y _____ Bryan King **2nd the Motion**
☒ Y _____ Fred McGhee
☒ Y _____ Melissa Hawthorne
☒ Y _____ Sallie Burchett

APPLICANT: Julie Hastings

OWNER: Robert Chavez

ADDRESS: 11423 LAMAR BLVD

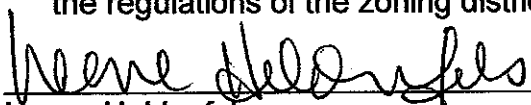
VARIANCE REQUESTED: The applicant is requesting a variance to Section 25-2-1067 (G) (1) of the Design Regulations in Article 10, Compatibility Standards to decrease the compatibility setback for construction next to an "SF-1", Family Residence zoned property from 25 feet to 0 feet in order to construct 9 new parking spaces in an "LR", Local Retail zoning district.

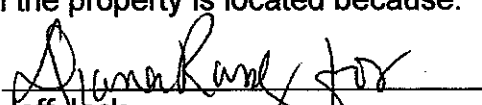
The Land Development Code states that unless a parking area or driveway is on a site that is less than 125 feet wide, a parking area or driveway may not be constructed 25 feet or less from a lot that is: (1) in an SF-5 or more restrictive zoning district; or (2) on which a use permitted in an SF-5 or more restrictive zoning district is located.

BOARD'S DECISION: The public hearing was closed on Board Member Michael Von Ohlen motion to Postpone to June 9, 2014, Board Member Bryan King second on a 7-0 vote; **POSTPONED TO JUNE 9, 2014.**

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:
(b) The hardship is not general to the area in which the property is located because:
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:


Leane Heldenfels
Executive Liaison


Jeff Jack
Chairman

[illegible]

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.

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

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

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

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

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

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Case Number: C15-2014-0069, 11423 North Lamar Blvd.

Contact: Leane Heldenfels, 512-974-2202, leana.heldenfels@austintexas.gov

Public Hearing: Board of Adjustment, May 12th, 2014

Affected Property:

Owner Name (please print):

Address (please print):

838 North Bend Drive

☐ I am in favor
☒ I object

Your address(es) affected by this application

Michaela Helen J. Walker *May 4, 2014*
Signature Date

Daytime Telephone: (512) 836-0203

Comments: *there has been a attempt to down grade the neighborhood on both sides of North Lamar Blvd. for years. with the changes requested in the past for CR from LR and this request for parking will begin the process of turning this part of North Lamar to a strip of development looking like the area to our south.*

Note: Any responses received will become part of the record of this case which is open to public review.

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

City of Austin-Planning & Development Review Department/ 1st Floor

Leane Heldenfels

P. O. Box 1088

Austin, TX 78767-1088

Or fax to (512) 974-2934

Or scan and email to leana.heldenfels@austintexas.gov

Revised 05-2014-006

If you need assistance completing this application (general inquiries only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2nd Floor (One Texas Center).

ROW

CASE # 05-2014-0069
1123402
02 50201103

**CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE**

WARNING: Filing of this appeal stops all affected construction activity.

**PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED
INFORMATION COMPLETED.**

STREET ADDRESS: 11423 North Lamar Boulevard

LEGAL DESCRIPTION: Subdivision - Eubank Acres Sec 1

Lot(s) 1 & 2 Block C Outlot --- Division ---

I/We Julie Hastings on behalf of myself/ourselves as authorized agent for
AT&T affirm that on April 16, 2014

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

☒ X ERECT ☐ ATTACH ☐ COMPLETE ☐ REMODEL ☐ MAINTAIN

Construct a parking area for approximately nine parking spaces for AT&T employee vehicles along the east property line of 11423 North Lamar Boulevard. The parking area is replacing an existing building slab that was constructed prior to current LDC. Current LDC Section 25-2-1067 requires a 25' setback from the property line for parking areas and driveways when an LR is adjacent to an SF-5 or more restrictive use or district.

in a LR district.
(zoning district)

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

REASONABLE USE:

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

AT&T purchased the property approximately 15 years ago in anticipation of expanding their existing Central Office (CO) Building adjacent to this tract. The purchase was made with the reasonable expectation that the property could be developed in similar manner as existing conditions at the time. At the time of purchase, two buildings existed on the site. A front larger building and a smaller rear building 5' from the eastern (rear) property line, which is adjacent to SF-1 zoning. AT&T demolished the rear building approximately 10 years ago but the foundation remains.

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

AT&T initially planned for using the full site for expanding their operations. However, their need to expand their CO building changed. AT&T now does not require the building expansion; they only need additional parking. Rather than leave a vacant building or lot, AT&T endeavored to sell the property to perpetuate the beneficial use of the warehouse and lot and obtained an easement from the new buyer to expand AT&T parking. This proposed 9 space parking area is the subject of this variance request. It is proposed in the same location as the existing rear building slab and the drive aisle will be parallel to the side property line of the adjacent single family lot and within the 25' setback. AT&T requires the additional parking for staff vehicles. The space provided by the easement is the maximum available from the new tenor to accommodate the site development requirements for the existing warehouse building with respect to loading docks, drive aisles, parking, etc. The AT&T parking area cannot be reduced due to the space requirements for the vehicles to park. The new parking area will not be as invasive to the neighbor as the rear of the building that existed previously. In addition, to provide additional screening, AT&T is building an 8' privacy fence along the property line.

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

AT&T is providing a service to the community and needs additional parking for staff vehicles. Due to an increase in service demand in this area, AT&T requires the place for additional technicians to work and park in support of the services AT&T provides to the general public. The employees driving these vehicles report to the CO for work and equipment and the office is landlocked with no room for additional parking. This hardship is not general to the area as there is not a lot of off-site parking adjacent to residential in the area.

AREA CHARACTER:

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

The variance allowing the parking area to be constructed within the 25' setback will not alter the character of the area or the adjacent property. The project will improve the existing condition by removing the existing building slab, replacing it with parking, and installing an 8' tall privacy fence. The project is not increasing the impervious cover on the property. The parking area will be an improvement over the building that existed previously and will not be as invasive or obstructive as the previous appurtenance.

PARKING: (Additional criteria for parking variances only.) N/A

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

N/A

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

N/A

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

N/A

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

N/A

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Julie Hastings Mail Address 505 E. Huntland, Ste 485

City, State & Zip Austin, Texas 78752

Printed Julie Hastings Phone 512-834-9798 Date 4/9/14




OWNERS CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Robert Chavez Mail Address 7159 SAN PEDRO #B21

City, State & Zip SAN ANTONIO, TEXAS 78216

Printed Robert Chavez Phone 210-351-8330 Date 4/9/14



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

CASE#: C15-2014-0069
Address: 11423 NORTH LAMAR BLVD

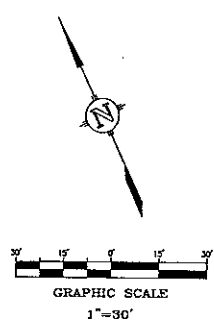
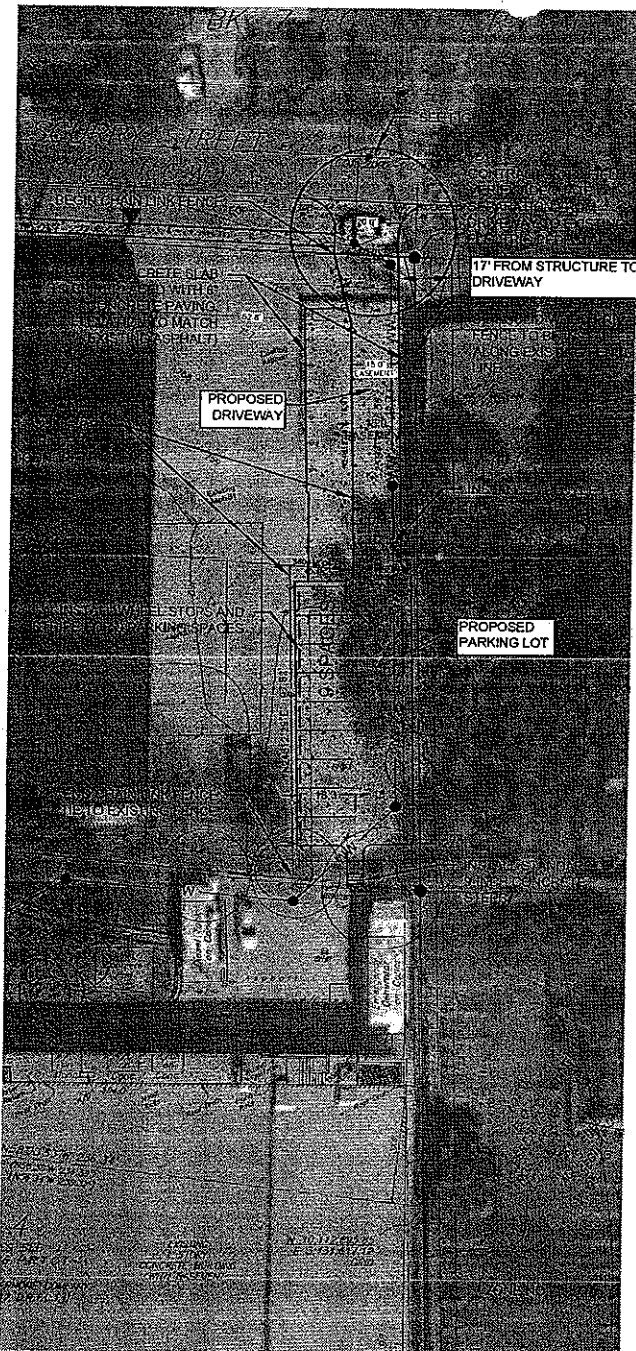


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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

1" = 167'

C15-2013-0069



- LEGEND**
- ⊙ 1/2" IRON ROD SET
 - POWER POLE GUY WIRE
 - ⌒ TC TOP CURB
 - TW TOP WALL
 - TELEPHONE PEDESTAL
 - 0 — 0 CHAIN LINK FENCE
 - X — X WIRE FENCE
 - E — E ELECTRICAL
 - GAS — GAS
 - W — W WATER
 - WW — WW WASTEWATER
 - ⊕ FIRE HYDRANT
 - ⊗ GATE VALVE
 - ⊠ METER
 - TREE TO REMAIN
 - TREE TO REMOVE
 - 665 --- EXISTING CONTOURS
 - FL --- EXISTING FIRE STRIPING
 - FIRE --- NEW FIRE STRIPING
 - ... ACCESSIBLE ROUTE

REV. NO.	REVISION DESCRIPTION	APPROVED BY:	DATE

CobbFendley
 505 East Huntland Drive, Suite 485
 Austin, Texas 78752
 512.834.9798 | fax 512.834.9553
 www.cobbfendley.com
 TBPE FIRM #274

AT&T TENNYSON
 11423 NORTH LAMAR BLVD
 AUSTIN, TEXAS
SITE PLAN

SITE PLAN APPROVAL SHEET _____ OF _____

FILE NUMBER: SP-2013-0247D APPLICATION DATE: July 2, 2013

APPROVED BY COMMISSION ON: _____ UNDER SECTION _____

CHAPTER _____ OF THE CITY OF AUSTIN CODE.

EXPIRATION DATE (25-1-88, LDC) _____ CASE MANAGER: Brad Jackson

PROJECT EXPIRATION DATE (ORD.#970905-A) _____ DWPZ: DDZ

Director, Planning and Development Review

RELEASE FOR GENERAL COMPLIANCE: _____ ZONING: _____

Rev. 1 _____ Correction 1 _____

Rev. 2 _____ Correction 2 _____

Rev. 3 _____ Correction 3 _____

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

DESIGNED BY: _____

CHECKED BY: _____

DRAWN BY: _____

DATE: 04/30/2014

SHEET NUMBER

EXHIBIT

APPROVED BY
AUSTIN ENERGY
FOR BOA

APR 15 2014

DATE: APR 12 1967
Per [Signature]
GPO : 1967 O - 291-747

COA 2002-0024

FIGURE 2

Figure A is a hand-drawn map of the area around the USS Johnston (DD-557). The map shows a coordinate grid with latitude and longitude markings. The USS Johnston is marked with a large black dot at approximately 13° 15' N, 155° 15' W. The map also shows the location of the aircraft carrier USS Essex (CV-9) and the aircraft carrier USS Yorktown (CV-5). The map includes a coordinate grid with latitude and longitude markings. The USS Johnston is marked with a large black dot at approximately 13° 15' N, 155° 15' W. The USS Essex is marked with a smaller black dot at approximately 13° 15' N, 155° 15' W. The USS Yorktown is marked with a smaller black dot at approximately 13° 15' N, 155° 15' W. The map also shows the location of the aircraft carrier USS Essex (CV-9) and the aircraft carrier USS Yorktown (CV-5). The map includes a coordinate grid with latitude and longitude markings. The USS Johnston is marked with a large black dot at approximately 13° 15' N, 155° 15' W. The USS Essex is marked with a smaller black dot at approximately 13° 15' N, 155° 15' W. The USS Yorktown is marked with a smaller black dot at approximately 13° 15' N, 155° 15' W. The map also shows the location of the aircraft carrier USS Essex (CV-9) and the aircraft carrier USS Yorktown (CV-5).

[illegible]


ACTIVITY CLASSIFICATION	NO SPEC. FUNDING REQUESTED
NO FUNDING REQUESTED	
FUNDING SOURCE: <u>STATE OF ALABAMA</u> FUND NUMBER: <u>00000000000000000000</u> FUND TYPE: <u>GENERAL</u> FUNDING YEAR: <u>2014-2015</u> FUNDING PERIOD: <u>01/01/2014 - 12/31/2015</u> OR THE CITY OF ALABAMA ALABAMA DEPARTMENT OF REVENUE PROJECT DESCRIPTION: <u>STATE OF ALABAMA</u> PROJECT: <u>STATE OF ALABAMA</u>	FUND: <u>00000000000000000000</u> FUND TYPE: <u>GENERAL</u> FUNDING YEAR: <u>2014-2015</u> FUNDING PERIOD: <u>01/01/2014 - 12/31/2015</u> OR THE CITY OF ALABAMA ALABAMA DEPARTMENT OF REVENUE PROJECT DESCRIPTION: <u>STATE OF ALABAMA</u> PROJECT: <u>STATE OF ALABAMA</u>

DESIGNED BY
CHECKED BY
DRAWN BY
DATE

[illegible]

AT&T TENNYSON
11423 NORTH LAMAR BLVD
AUSTIN, TEXAS
SITE PLAN

[illegible]

 **CobbFendley**
505 East Huntland Drive, Suite 485
Austin, Texas 78752
512.834.9709 | fax 512.834.9553
www.cobb-fendley.com

LEAD
4-17-72 2ND SET

TO TOP CABLE
IN WIP WALL

① TELEPHONE POCKET
② CHAIR LAMP FIXTURE
③ FURNACE - BATHROOM
④ C.S. - BATHROOM
⑤ W. HALL
⑥ HALL
⑦ FIRE PROTECTOR
⑧ FIRE ALARM
⑨ LECTER

WALL TO REMAIN
WALL TO REMOVE

GENUINE CARPETS

8' FENCE

GENUINE SCALE
1" = 4'-0"

1" = 4'-0"

GENUINE SCALE

8' FENCE

GENUINE CARPETS

WALL TO REMAIN

WALL TO REMOVE

1 TELEPHONE POCKET

2 CHAIR LAMP FIXTURE

3 FURNACE - BATHROOM

4 C.S. - BATHROOM

5 W. HALL

6 HALL

7 FIRE PROTECTOR

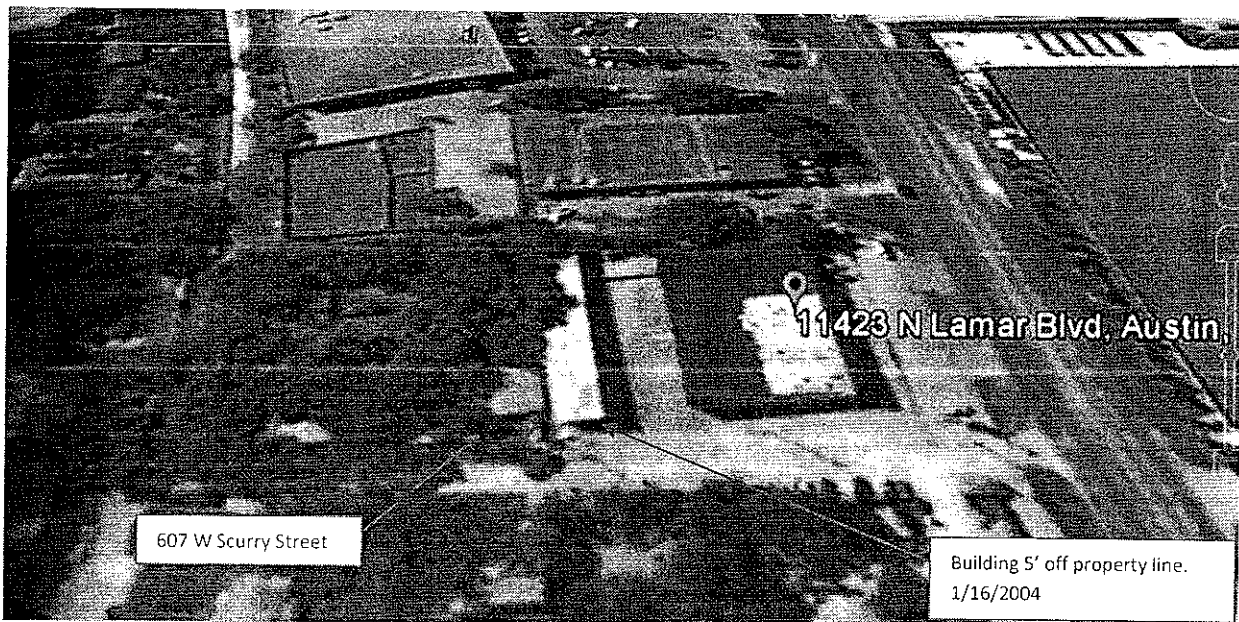
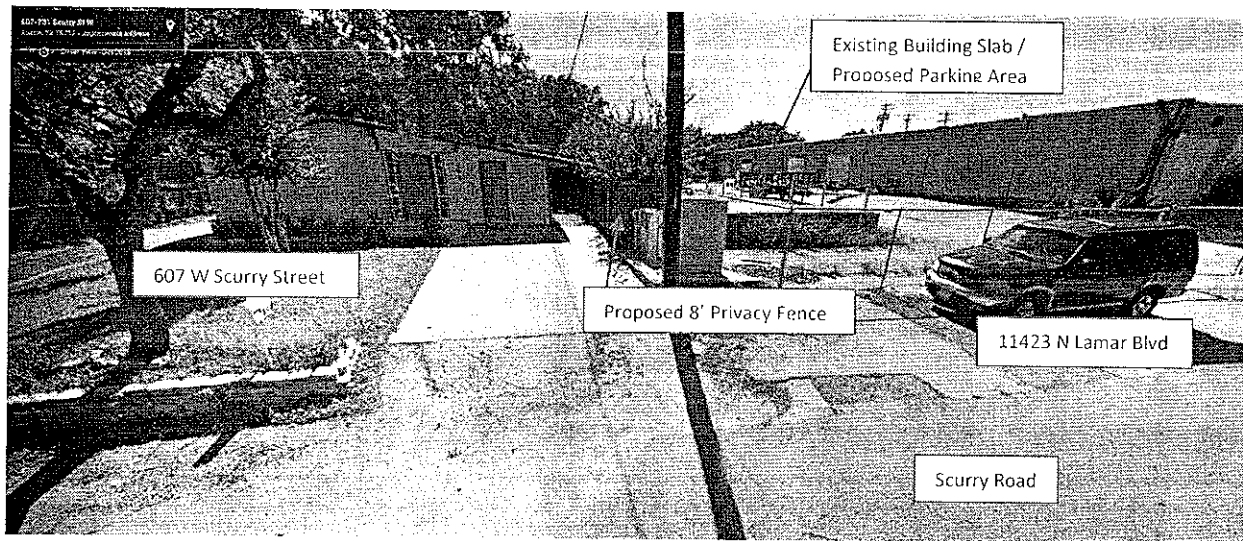
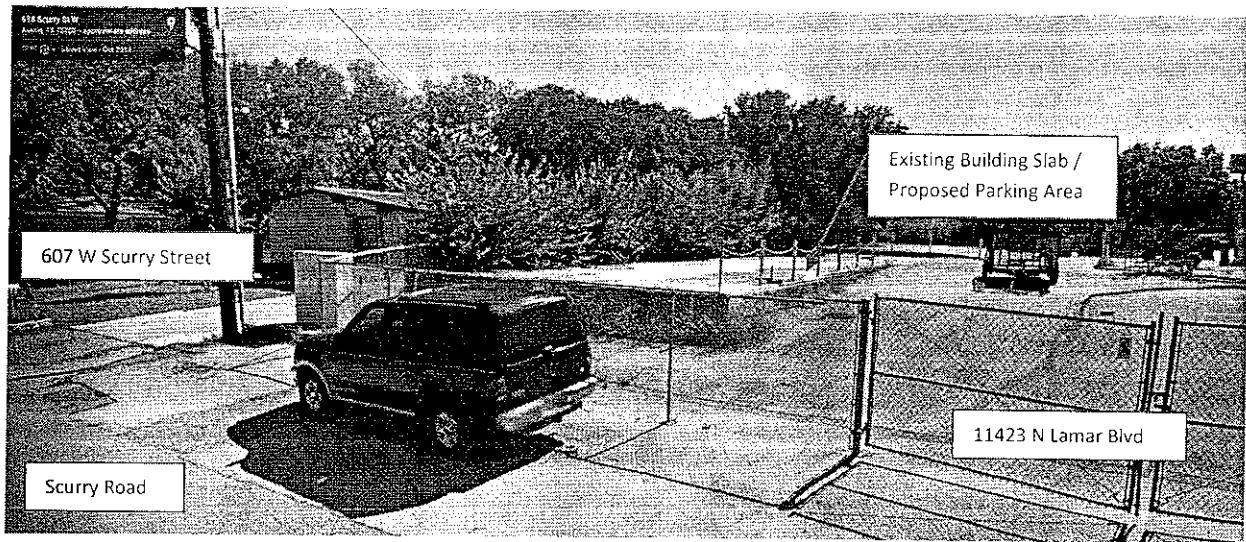
8 FIRE ALARM

9 LECTER

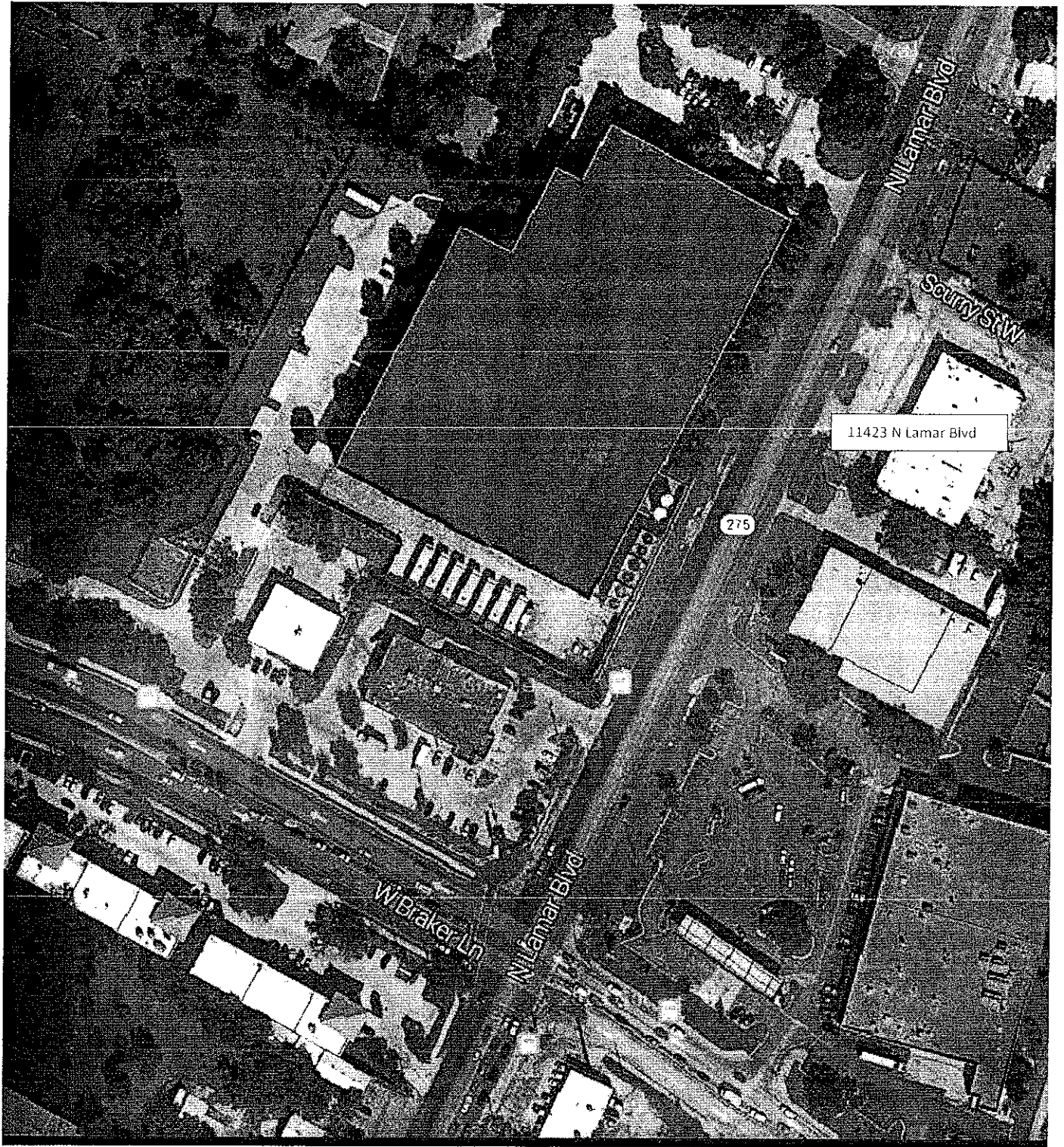
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C15-2014-0069





Walnut Creek Neighborhood Association

Walnut Creek Neighborhood

A Hidden Jewel in North Austin

P.O. Box 82746, Austin, TX 78708

WCNANews.com

28 April 2014

Ms. Julie Hastings, PE
Department Manager, Cobb, Fendley & Associates
505 E. Huntland Drive, Suite 485
Austin, Texas 78759

Re: ATT Tennyson Variance Request at the
City of Austin Board of Adjustments

Dear Ms. Hastings:

The Walnut Creek Neighborhood Association, Inc., would like to submit its support of the request for a variance at 11423 North Lamar Boulevard, Eubank Acres Sec 1, Lots 1 & 2, Block C. The Association understands that the request is for a variance to the 25 foot compatibility setback required in Section 25-2-1067 of the Land Development Code of the City of Austin. AT&T is requesting to replace an existing concrete building slab with a parking area for approximately 9 work vehicles. The parking area will be screened from the adjacent lot to the east with an 8' wood privacy fence. We have agreed to support the request for the variance with the following requests:

- 1 - AT&T will mitigate the improvements as much as possible, as evidenced by the 8' wood privacy fence;
- 2 - AT&T will direct the employees that no vehicles will travel on Tedford Street for access to the site. Robert Chavez with AT&T has agreed to communicate this desire to the employees using the parking area; and
- 3 - AT&T will exhibit good will and support improvements to Braker Lane and North Lamar should the issue arise. Robert Chavez with AT&T agreed to forward this request to AT&T's External Affairs Department for consideration.

Given AT&T's willingness to grant these requests, and the limited use and increase in vehicle traffic anticipated as a result of these improvements, the Walnut Creek Neighborhood Association grants its support for approval of this variance request.

Sincerely,

Robert L. Meadows

2013-2014 President, Walnut Creek Neighborhood Association, Inc.

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Case Number: C15-2014-0069, 11423 North Lamar Blvd.
Contact: Leane Heldenfels, 512-974-2202, leana.heldenfels@austintexas.gov
Public Hearing: Board of Adjustment, May 12th, 2014

CAVH Tran
Your Name (please print)

11507 N. Lamar

Your address(es) affected by this application

Signature

Date

Daytime Telephone:

512.626.5226

Comments:

*Professor Office at
NO is OK. Metro will
send me much traffic so
the area of housing kids.
There are vacant L.R. just
on Baker & Janner. We have
vacant shopping center on Lamar &
Baker already. House close to school*

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Leane Heldenfels

P. O. Box 1088

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CITY OF AUSTIN DEVELOPMENT WEB MAP


Surrounding Zoning





Legend

 Lot Lines


 Streets

 Building Footprints

 Named Creeks

 Lakes and Rivers

 Parks

 County

Zoning (Large Map Scale)

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 CITY OF AUSTIN FOR THE SOLE PURPOSE OF GEOGRAPHIC REFERENCE. NO WARRANTY IS MADE BY THE CITY OF AUSTIN REGARDING SPECIFIC ACCURACY OR COMPLETENESS.



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ROW

CASE # C15-2014-0069
11123402

TAXROLL# 0250201103

CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.

STREET ADDRESS: 11423 North Lamar Boulevard

LEGAL DESCRIPTION: Subdivision - Eubank Acres Sec 1

Lot(s) 1 & 2 Block C Outlot --- Division ---

I/We Julie Hastings on behalf of myself/ourselves as authorized agent for
AT&T affirm that on _____, _____,

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

☒ ERECT ☐ ATTACH ☐ COMPLETE ☐ REMODEL ☐ MAINTAIN

Nine parking spaces.

in a LR district.
(zoning district)

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AT&T is providing a service to the community and needs additional parking for staff vehicles. Due to an increase in service demand in this area, AT&T requires the place for additional technicians to work and park in support of the services AT&T provides to the general public. The employees driving these vehicles report to the CO for work and equipment and the office is landlocked with no room for additional parking. This hardship is not general to the area as there is not a lot of off-site parking adjacent to residential in the area.

AREA CHARACTER:

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

The variance allowing the parking area to be constructed within the 25' setback will not alter the character of the area or the adjacent property. The project will improve the existing condition by removing the existing building slab, replacing it with parking, and installing an 8' tall privacy fence. The project is not increasing the impervious cover on the property. The parking area will be an improvement over the building that existed previously and will not be as invasive or obstructive as the previous appurtenance.

PARKING: (Additional criteria for parking variances only.) N/A

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

N/A
