






-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY



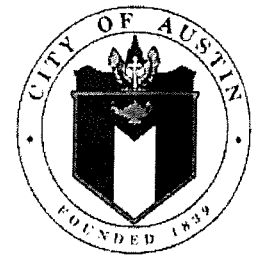
1" = 292'

NOTIFICATIONS

CASE#: C15-2015-0141
1402, 1412, 1414 W OLTORF &
2043 S LAMAR

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.



3/2

CASE # _____
ROW # _____

**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: 1404, 1412, 1414 West Oltorf & 2043 South Lamar Boulevard

LEGAL DESCRIPTION: Subdivision – See Attached.
Lot(s) _____ Block _____ Outlot _____ Division _____

I/We Michele Rogerson Lynch on behalf of myself/ourselves as authorized agent for
Jstrain, LLC affirm that on _____, _____,

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

X ERECT _____ ATTACH _____ COMPLETE _____ REMODEL _____ MAINTAIN

A commercially mixed use building that consists of uses related to a market-style-development that includes a brew pub, local food purveyors and offices with structured parking.

in a CS-MU-V-CO and CS-CO district (Note: Pending Zoning Case on file to change to CS-MU-CO and CS-1-CO).
(zoning district)

The specific variances are:

A) From CS Lot with SF Use (1416 West Oltorf):

1. 25-2-1063(B): Allow for a driveway to be less than 25', but not less than 5' from property zoned CS on which a use permitted in an SF-5 or more restrictive zoning district (single family rent house) is located. The variance area in Blue on the attached exhibit represents a request of a 5' setback;
2. 25-2-1063(c)(1)(b): Allow for a 45'6" 1 story building (instead of 30' and 2 story) that is located 50' or less from property zoned CS on which a use permitted in an SF-5 or more restrictive zoning district (single family rent house)

is located. The variance area in Pink on the attached exhibit represents a request of an additional 15'6" in height; and

3. 25-2-1063(c)(2)(b): Allow for a 55'6" 2 story building (instead of 40' and 3 stories) that is located 50'-100' from property zoned CS on which a use permitted in an SF-5 or more restrictive zoning district (single family rent house) is located. The variance area in Orange on the attached exhibit represents a request of an additional 15'6" in height.

B) From CS Lot with SF Use (1400 and 1402 West Oltorf):

1. 25-2-1063(B): Allow for a driveway to be less than 25', but not less than 5' from property zoned CS on which a use permitted in an SF-5 or more restrictive zoning district (single family rent house) is located. The variance area in Blue on the attached exhibit represents a request of a 5' setback;
2. 25-2-1063(c)(1), (b): Allow for a 55'6" 4 story structured parking garage (instead of 30' and 2 story) that is located 50' or less from property zoned CS on which a use permitted in an SF-5 or more restrictive zoning district (single family rent house) is located. The variance area in Pink on the attached exhibit represents a request of an additional 25'6" in height, 2 additional stories; and
3. 25-2-1063(c)(2)(b): Allow for a 55'6" 4 story structured parking garage (instead of 40' and 3 story) from property zoned CS on which a use permitted in an SF-5 or more restrictive zoning district (single family rent house) is located. The variance area in Orange on the attached exhibit represents a request of an additional 15'6" in height, 1 additional story.

C) From SF-3 City of Austin Owned Lot (West Oltorf):

1. 25-2-1063(c)(3): to allow for portions of a structured parking garage and building to be 55'6" (instead of 48') to be located 100-300' away from property zoned as SF-5 or more restrictive [City of Austin owned (and in floodplain)]. The variance areas shown in Red on the attached exhibit represent a request of an additional 7'6" in height.

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):

mg
4/1

REASONABLE USE:

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

The compatibility restrictions relate mostly to commercially zoned properties on a major thoroughfare that are currently occupied by single family uses, and a City of Austin owned undeveloped parcel in the floodplain that unnecessarily limit development on the Property.

HARDSHIP:

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

Two commercially zoned properties are triggering compatibility due to existing single family uses that will eventually vacate and by a City of Austin owned SF-3 undeveloped parcel that is within the floodplain next to a railroad track that may be slated for future ROW and not for single family development.

Additionally, the site is encumbered by significant floodplain and trees, which leaves a smaller footprint for development of a desired mixed-use project that includes structured parking to help assist with the area's existing parking issues. Inherently, the project must go more vertical, which is hindered by the subject properties unnecessarily triggering compatibility. Similarly, the lot configuration is such that the standard size for structured parking cannot fit on the remaining portion of the lot that is not affected by the lots triggering compatibility.

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

The majority of the area is zoned commercial, but not all properties are affected as significantly by the triggering properties. It is also the understanding from the owners of the two triggering properties that the single family uses are short term rentals, which could easily convert to commercial use in the future, due to the existing commercial zoning (see attached support letters from these owners).

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:

PARKING: (Additional criteria for parking variances only.)

2/26
5/16

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:

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

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

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

mg
6

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 _____ Mail Address 221 W. 6th Street, Ste.1300
City, State & Zip Austin, TX 78701

Printed Michele Rogerson Lynch, Metcalfe Williams, LLP Phone 512.404.2251 Date _____

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 _____ Mail Address 900 Blue Bonnet Lane

City, State & Zip Austin, Texas 78704

Printed Scott Trainer, Managing (Member for Jstrain, LLC) Phone 512.965.1369
Date _____

H W Real Estate LP
3915 North Hills Drive
Austin, Texas 78731
June 24, 2015

36
7

City of Austin
Board of Adjustment and Planning Commission
Austin, Texas

Ladies and Gentlemen:

I am writing concerning variance and rezoning for 1404, 1412, and 1414 West Oltorf Street and 2043 Lamar Boulevard in Austin, Texas. Scott Trainer the owner and developer of the property wishes to create a market, retail, and office development project in this location.

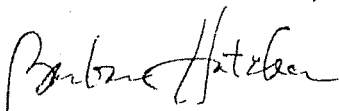
My Mother and I own the property at 1416 West Oltorf Street in the partnership of H W Real Estate LP next to the proposed project. My family has owned the property for many years. It is zoned CS, but we have always leased it as a single family dwelling. We currently have a tenant in the property.

I met with Mr. Scott Trainer recently at my property, and he showed me the plans he has for the property adjacent to mine. He also explained the encumbrances that my property at 1416 West Oltorf creates for the planned development because of a resident living at the property. This includes the compatibility issues of the 25 foot set-back for the proposed driveway, and the height restrictions associated with the buildings. He also explained the re-zoning requirements for the property in order to achieve the development.

In my opinion the proposed development will provide a community environment for the benefit of the neighborhood. I am in general agreement with the development he has proposed. I do not plan to protest the variance and zoning requests proposed.

If you have questions concerning my letter, please contact me at (512) 557-3067.

With heartfelt best wishes,



Barbara Hatcher, President
HW Real Estate LP

M4
8

July 8, 2015

Re: Variance & rezoning request for 1404-1412-1414 Oltorf 78704

To Whom It May Concern:

My name is Kary Aycock and I own 1402 and 1400 Oltorf, adjacent to the east of the land described above. My property is zoned CS but we currently have residential use (and tenants) there.

I have met with Mr. Scott Trainer about his plans for the property and **I am in agreement that his proposed development is compatible with the area and will provide community benefit. I am not opposed to granting the requested zoning and variance requests to these parcels.**

Further, the current residential use at 1404 Oltorf is inhibiting my ability to develop my property within its current zoning, as reflected in our previous variance request. I would hope that any changes granted to Mr. Trainer's property would also encourage the board to grant our variance (if still required) and remove our residential use compatibility setback at 1402 and 1400 West Oltorf.

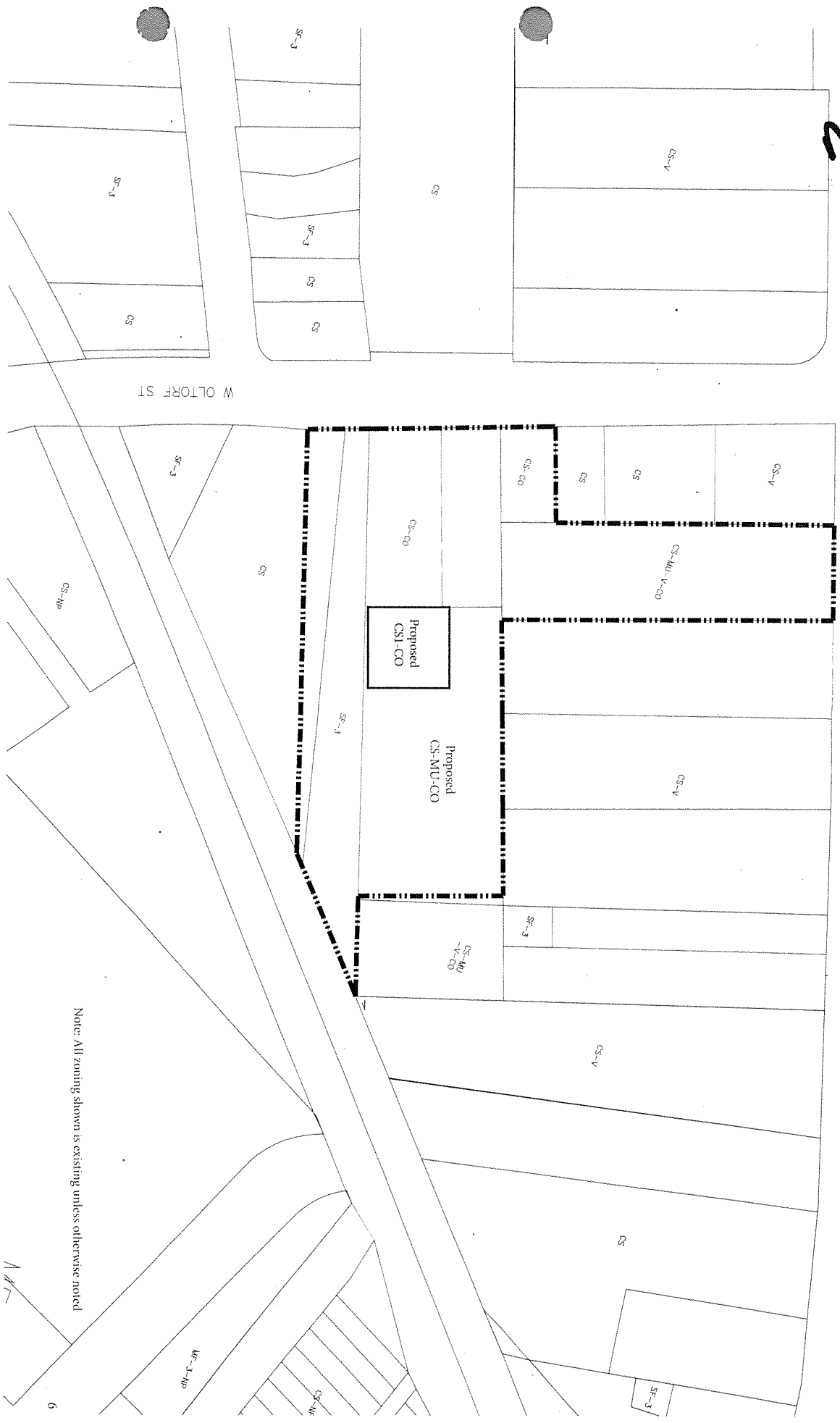
Cheers,



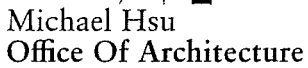
Kary Aycock
Managing Member, 1402 West Oltorf LLC
512-619-7131

216

S LAMAR BLVD



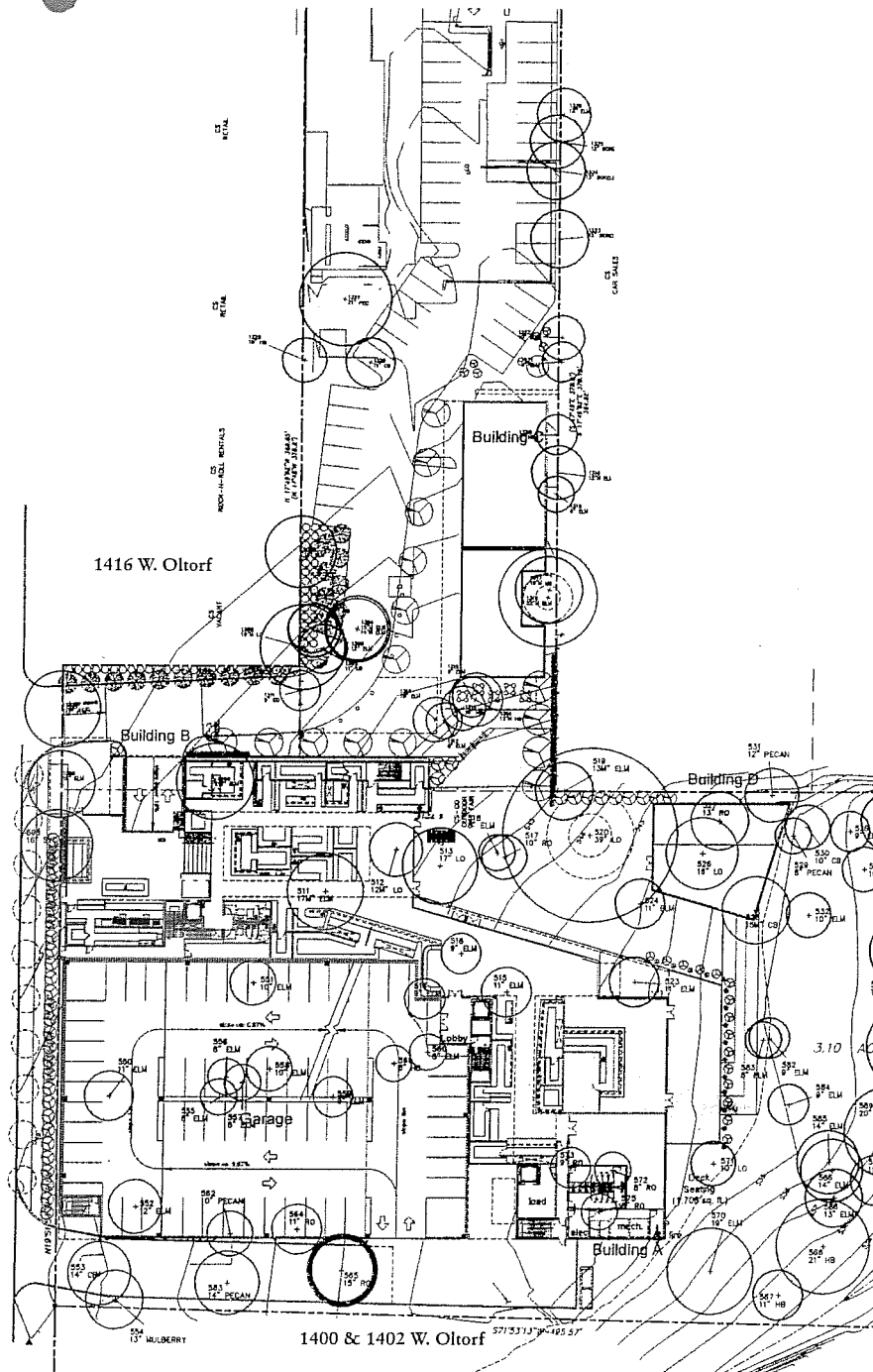
Note: All zoning shown is existing unless otherwise noted



3/6

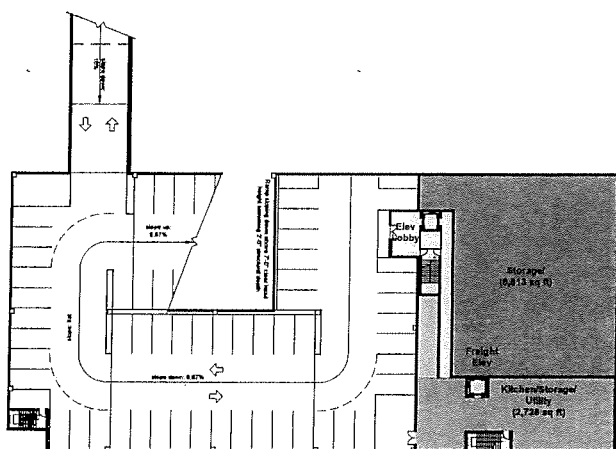
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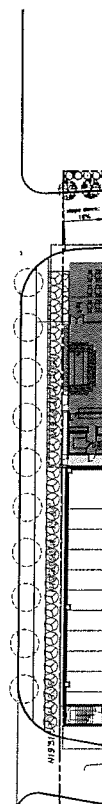


Michael Hsu
Office Of Architecture

12/13



Program Plan: LVL 0
scale: 1/64" = 1'-0"



Contact

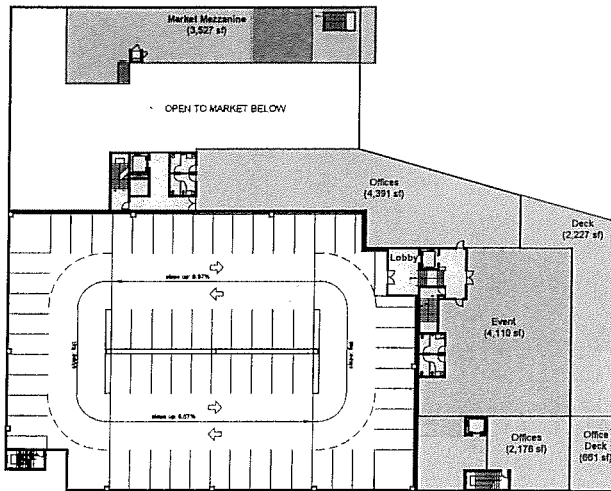
Client

Michael Hsu
Office Of Architecture

4910 Burnet Road
Austin, Texas 78756
(512) 706.4303

Market

13/3



Program Plan: LVL 2
scale: 1/64" = 1'-0"

Contact

Close

Michael Hsu
Office Of Architecture

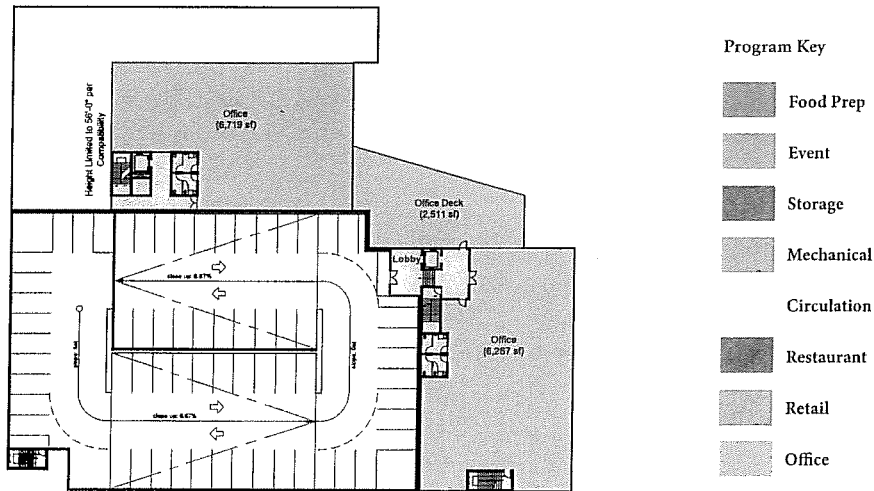
4910 Burnet Road
Austin, Texas 78756
(512) 706.4303

Market

PARKING ANALYSIS

Total Required Parking	547.2
Required parking with 20% Discount	437.725
Required parking with 30% Discount	383.01
Required Parking with 40% Discount	328.3
On Site Parking Provided	43
Garage:	383
Level0 (underground)	69
Level1	62
Level2	68
Level3	68
Level 4	68
Rooftop Parking	48
Total Parking Provided	426

12/5



Program Plan: LVL 4
scale: 1/64" = 1'-0"

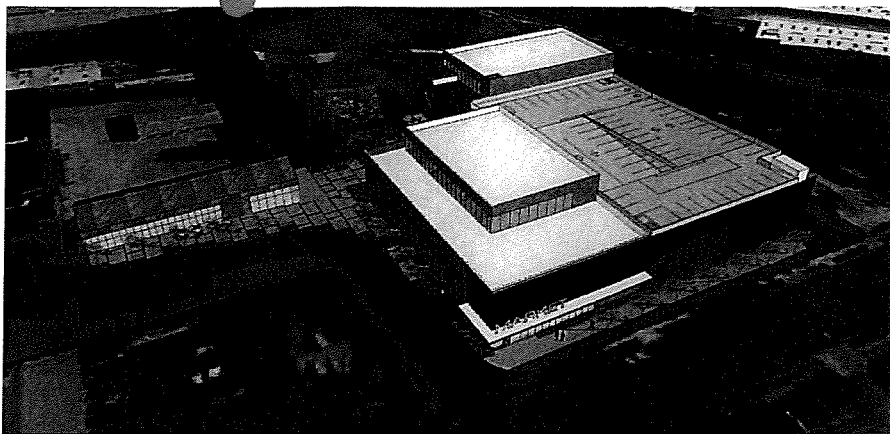
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Michael Hsu
Office Of Architecture

4910 Burnet Road
Austin, Texas 78756
(512) 706.4303

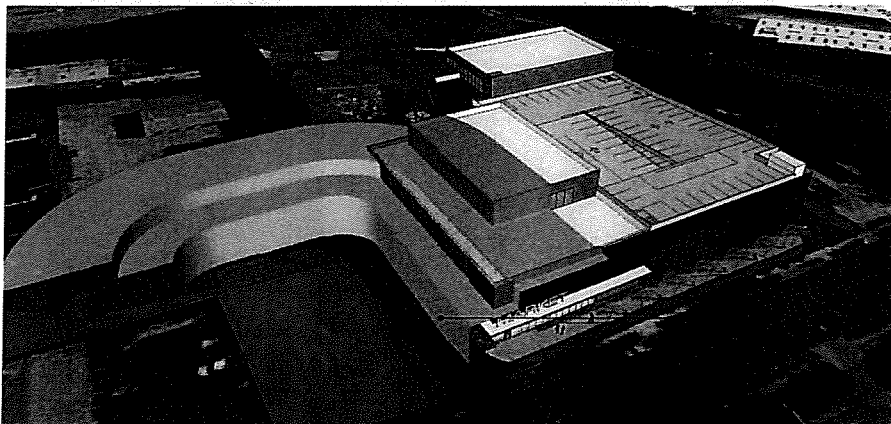
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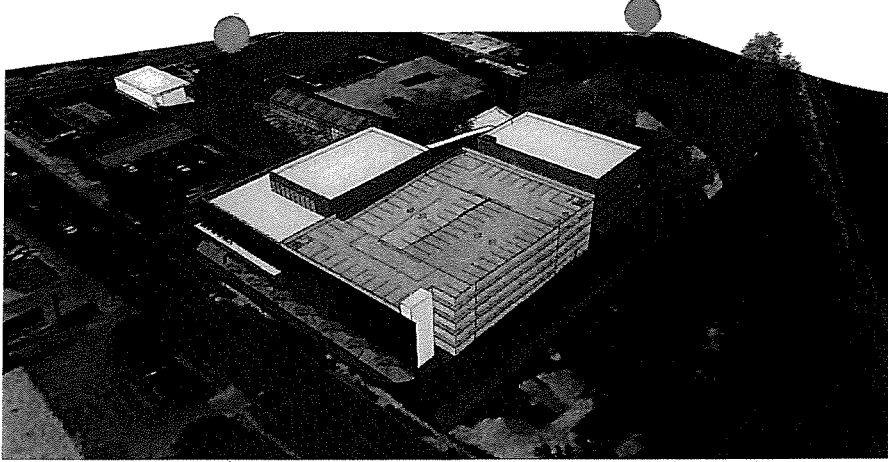
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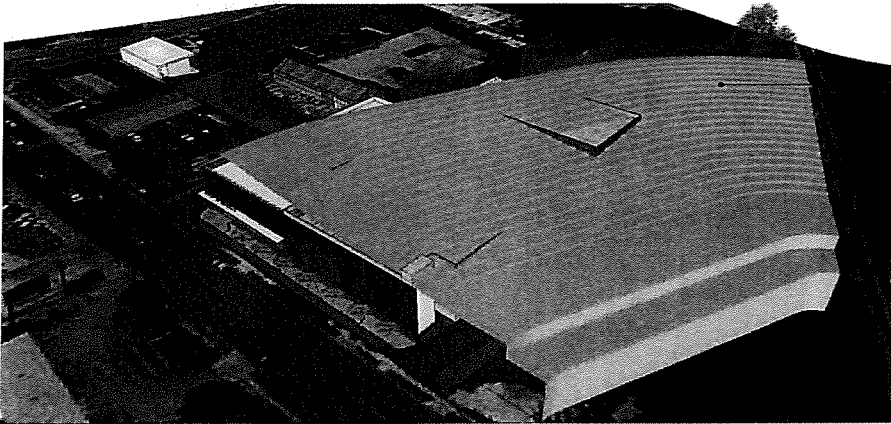
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Michael Hsu
Office Of Architecture

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1/6



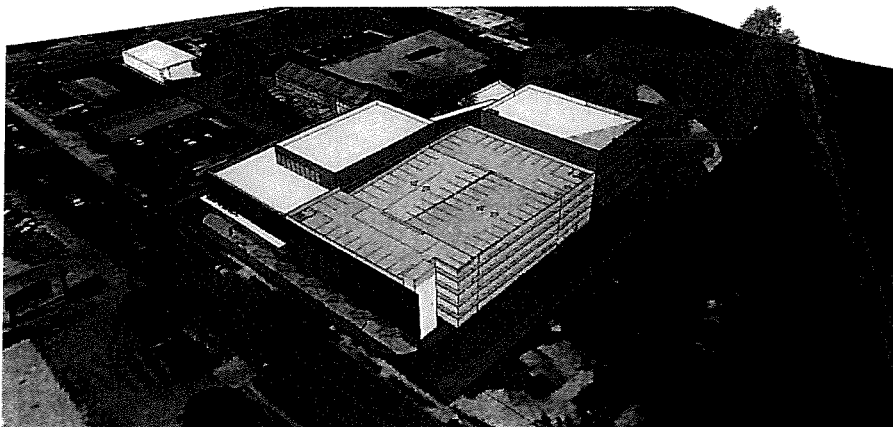
Fourth Story
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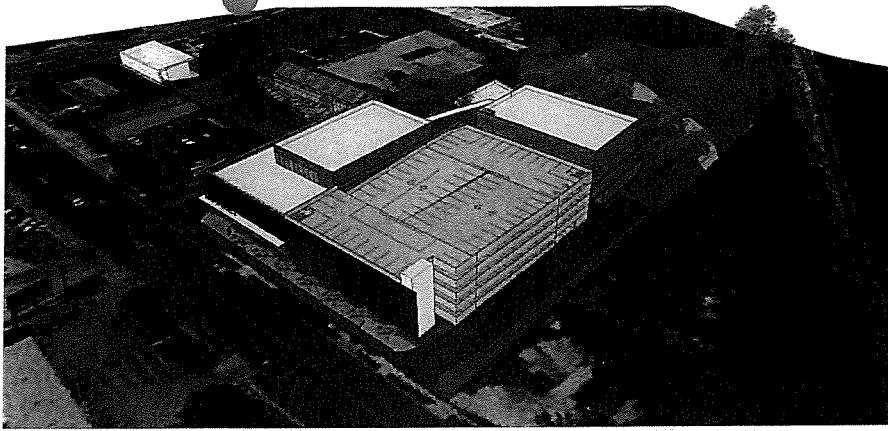
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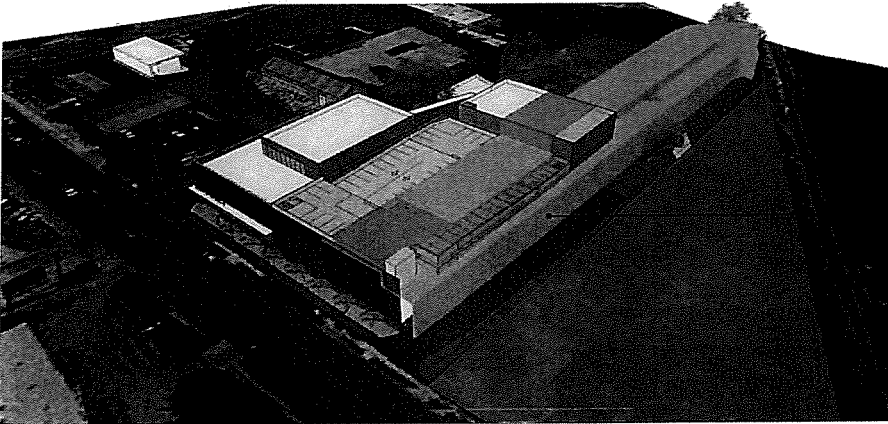


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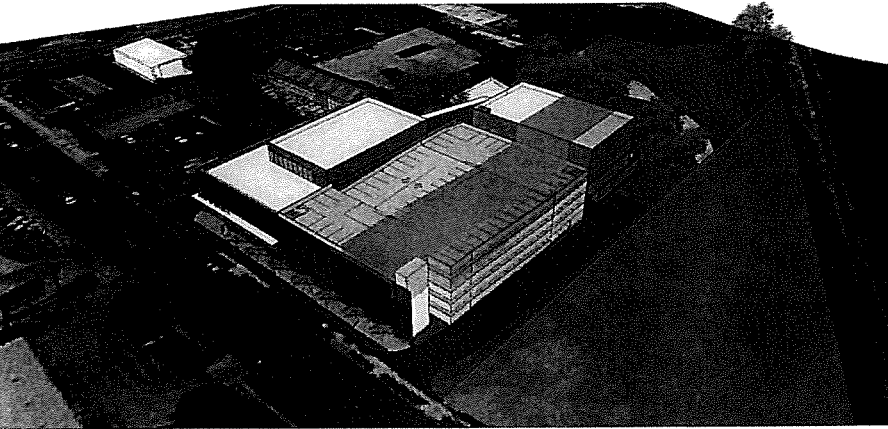
Fourth Story
building sho



Compatibilit

All portions
property line

100 year Floo



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Contact

Client

Michael Hsu
Office Of Architecture

4910 Burnet Road
Austin, Texas 78756
(512) 706.4303

Market

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19



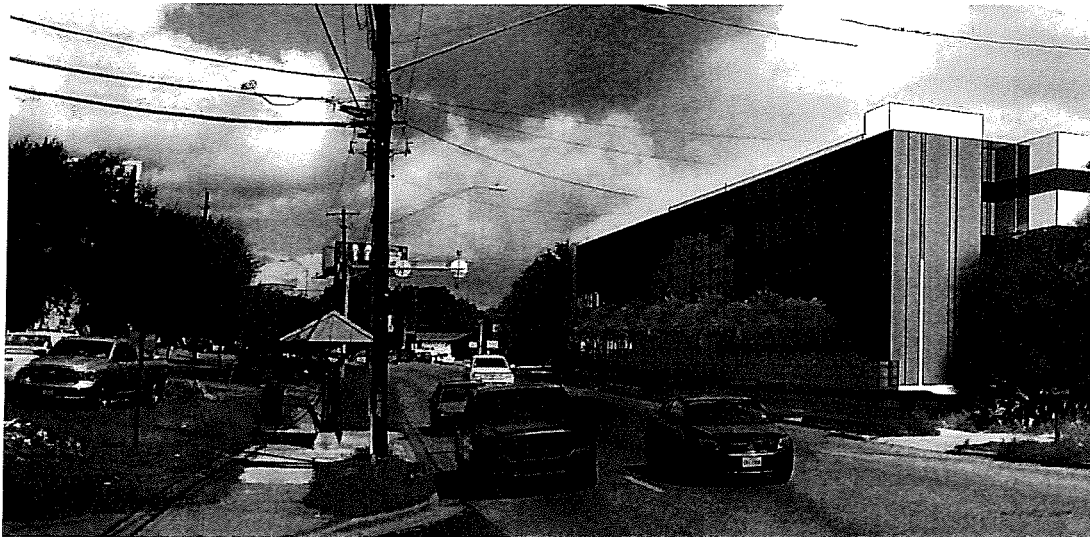
Contact

Client

Michael Hsu
Office Of Architecture

4910 Burnet Road
Austin, Texas 78756
(512) 706.4303

Market



Contact

Client

Michael Hsu
Office Of Architecture

4910 Burnet Road
Austin, Texas 78756
(512) 706.4303

Market

See Revised

CASE # C15-2015 0141

ROW # 11412717 +

ROLL 0401061304 + 314 + 307
+ 306

*m4
31*

**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: 1404, 1412, 1414 West Oltorf & 2043 South Lamar Boulevard

LEGAL DESCRIPTION: Subdivision – See Attached.

Lot(s) _____ Block _____ Outlot _____ Division _____

I/We Michele Rogerson Lynch on behalf of myself/ourselves as authorized agent for

Jstrain, LLC affirm that on _____, _____,

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

X ERECT _____ ATTACH _____ COMPLETE _____ REMODEL _____ MAINTAIN

A commercially mixed use building that consists of uses related to a market-style-development that includes a brew pub, local food purveyors and offices with structured parking.

in a CS-MU-V-CO and CS-CO district (Note: Pending Zoning Case on file to change to CS-MU-CO and CS-1-CO).

(zoning district)

The specific variances are:

A) From CS Lot with SF Use (1416 West Oltorf):

1. 25-2-1063(B): Allow for a driveway to be less than 25', but not less than 5' from property zoned CS on which a use permitted in an SF-5 or more restrictive zoning district (single family rent house) is located. The variance area in Blue on the attached exhibit represents a request of a 5' setback;
2. 25-2-1063(c)(1)(b): Allow for a 45'6" 1 story building (instead of 30' and 2 story) that is located 50' or less from property zoned CS on which a use permitted in an SF-5 or more restrictive zoning district (single family rent house)

3/4
22

is located. The variance area in Pink on the attached exhibit represents a request of an additional 15'6" in height; and

3. 25-2-1063(c)(2)(b): Allow for a 55'6" 2 story building (instead of 40' and 3 stories) that is located 50'-100' from property zoned CS on which a use permitted in an SF-5 or more restrictive zoning district (single family rent house) is located. The variance area in Orange on the attached exhibit represents a request of an additional 15'6" in height.

B) From CS Lot with SF Use (1400 and 1402 West Oltorf):

1. 25-2-1063(B): Allow for a driveway to be less than 25', but not less than 5' from property zoned CS on which a use permitted in an SF-5 or more restrictive zoning district (single family rent house) is located. The variance area in Blue on the attached exhibit represents a request of a 5' setback;
2. 25-2-1063(c)(1), (b): Allow for a 55'6" 4 story structured parking garage (instead of 30' and 2 story) that is located 50' or less from property zoned CS on which a use permitted in an SF-5 or more restrictive zoning district (single family rent house) is located. The variance area in Pink on the attached exhibit represents a request of an additional 15'6" in height and 2 stories; and
3. 25-2-1063(c)(2)(b): Allow for a 55'6" 4 story structured parking garage (instead of 40' and 3 story) from property zoned CS on which a use permitted in an SF-5 or more restrictive zoning district (single family rent house) is located. The variance area in Orange on the attached exhibit represents a request of an additional 15'6" in height and 1 story.

C) From SF-3 City of Austin Owned Lot (West Oltorf):

1. 25-2-1063(c)(3): to allow for portions of a structured parking garage and building to be 53'6" (instead of 43') to be located 100-300' away from property zoned as SF-5 or more restrictive [City of Austin owned (and in floodplain)]. The variance areas shown in Red on the attached exhibit represent a request of an additional 12'6" in height.

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):

MC
23

REASONABLE USE:

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

The compatibility restrictions relate mostly to commercially zoned properties on a major thoroughfare that are currently occupied by single family uses, and a City of Austin owned undeveloped parcel in the floodplain that unnecessarily limit development on the Property.

HARDSHIP:

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

Two commercially zoned properties are triggering compatibility due to existing single family uses that will eventually vacate and by a City of Austin owned SF-3 undeveloped parcel that is within the floodplain next to a railroad track that may be slated for future ROW and not for single family development.

Additionally, the site is encumbered by significant floodplain and trees, which leaves a smaller footprint for development of a desired mixed-use project that includes structured parking to help assist with the area's existing parking issues. Inherently, the project must go more vertical, which is hindered by the subject properties unnecessarily triggering compatibility. Similarly, the lot configuration is such that the standard size for structured parking cannot fit on the remaining portion of the lot that is not affected by the lots triggering compatibility.

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

The majority of the area is zoned commercial, but not all properties are affected as significantly by the triggering properties. It is also the understanding from the owners of the two triggering properties that the single family uses are short term rentals, which could easily convert to commercial use in the future, due to the existing commercial zoning (see attached support letters from these owners).

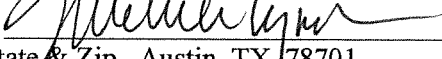
AREA CHARACTER:

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:

my
24

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  Mail Address 221 W. 6th Street, Ste.1300
City, State & Zip Austin, TX 78701

Printed Michele Rogerson Lynch, Metcalfe Williams, LLP Phone 512.404.2251 Date 7-31-15

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  Mail Address 900 Blue Bonnet Lane
City, State & Zip Austin, Texas 78704

Printed Scott Trainer, Managing (Member for Jstrain, LLC) Phone 512.965.1369
Date 7-29-15

my
25

Property Description	
Tract #	Subdivision Reference
303111	1.0790 AC OF LOT 13 BLK 1 FREDERICKSBURG ROAD ACRES
303121	1.6580 AC OF LOT 12 BLK 1 FREDERICKSBURG ROAD ACRES
303120	0.3790 AC OF LOT 12 BLK 1 FREDERICKSBURG ROAD ACRES
303113	S 56 FT LOT 11 BLK 1 FREDERICKSBURG ROAD ACRES
303112	LOT 10 *LESS N 15FT BLK 1 FREDERICKSBURG ROAD ACRES



2-21/28

Market Austin, Texas

Michael Hsu
Office Of Architecture

4910 Burnett Road
Austin, Texas 78756
(512) 706-4303

Market

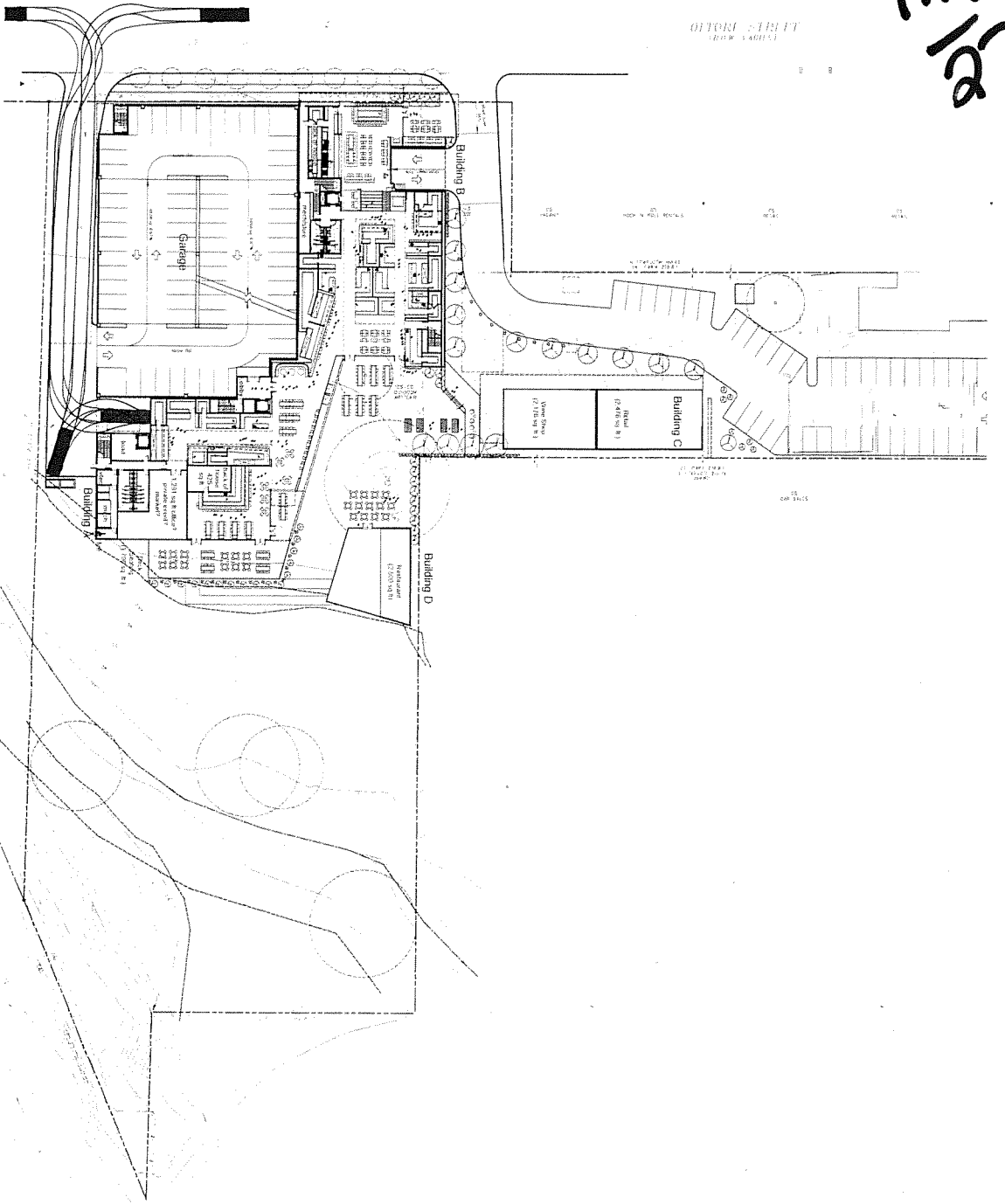
Austin, Texas

13 July 2015

cover

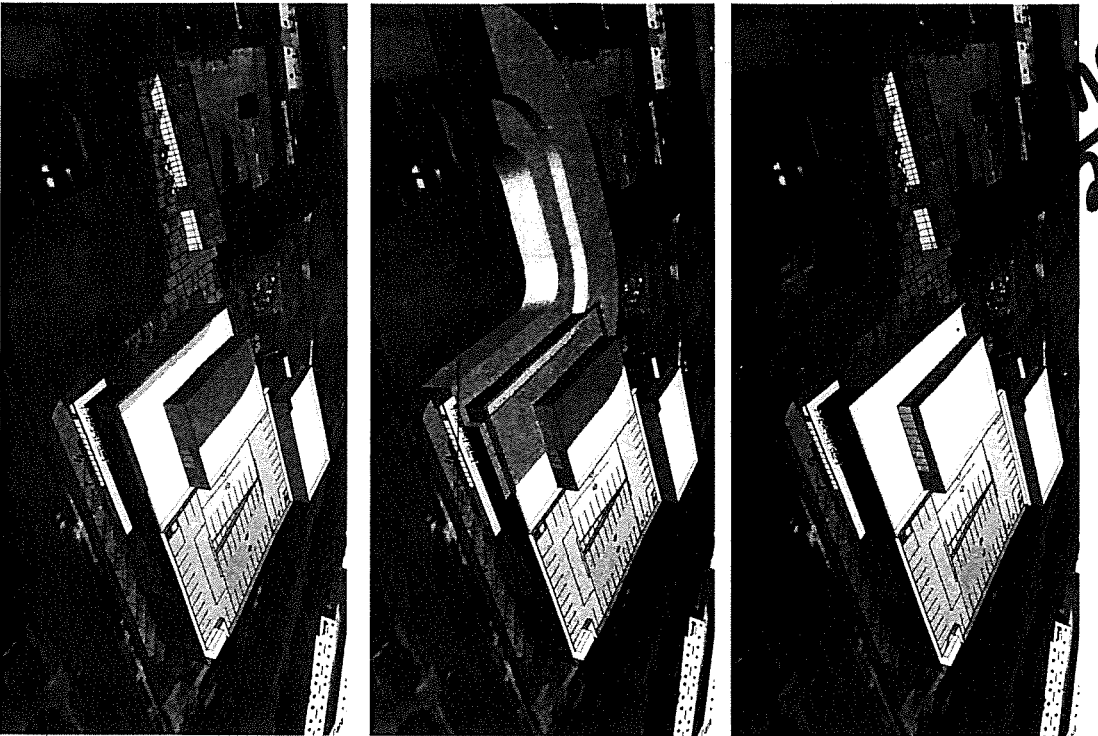


2/1/20



Michael Hsu
Office Of Architecture

Site Plan
scale: 1/8" = 1'-0"



Triggering Lot:
Zoning: CS
Current Use: Residential

Triggering Lot:
Zoning: CS
Current Use: Residential

All portions of driveway are 5'-0" away from property line

>25'-0" (no build)

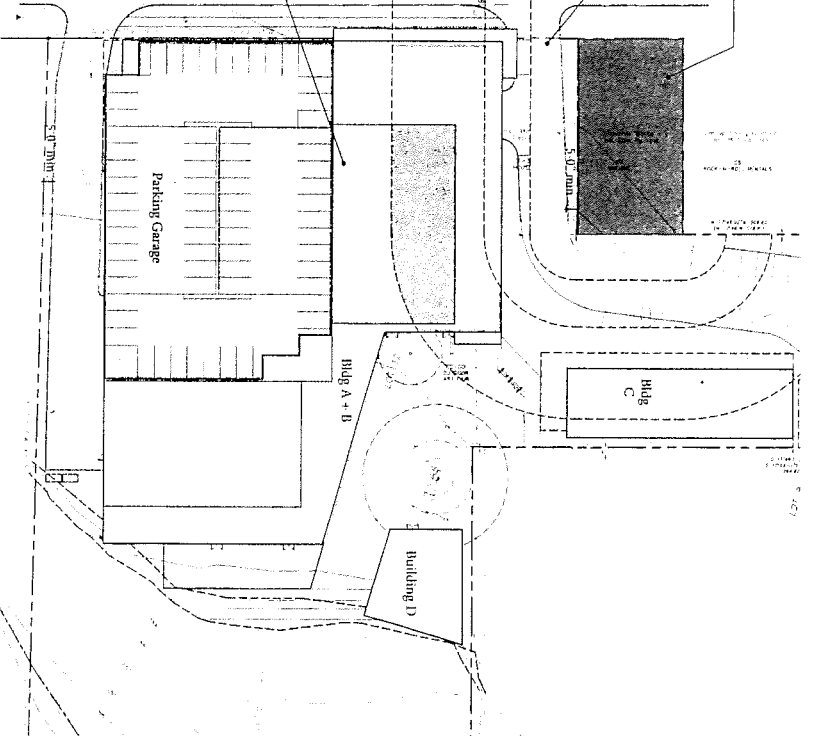
>50'-0" (30'-0" max two story limit)

>100'-0" (40'-0" max three story limit)

Fourth story portion of the building shown in darker tone for reference

Compatibility Envelope (shown in yellow)

Site Roof Plan
scale: 1/64" = 1'-0"



LEGEND

Building Area Requesting Variance From 25-2-1063(C)(2)
Allowed Height: 3 stories and 40'-0"

Proposed Height: 2 stories and 55'-6"

Variance Request: 15'-6"

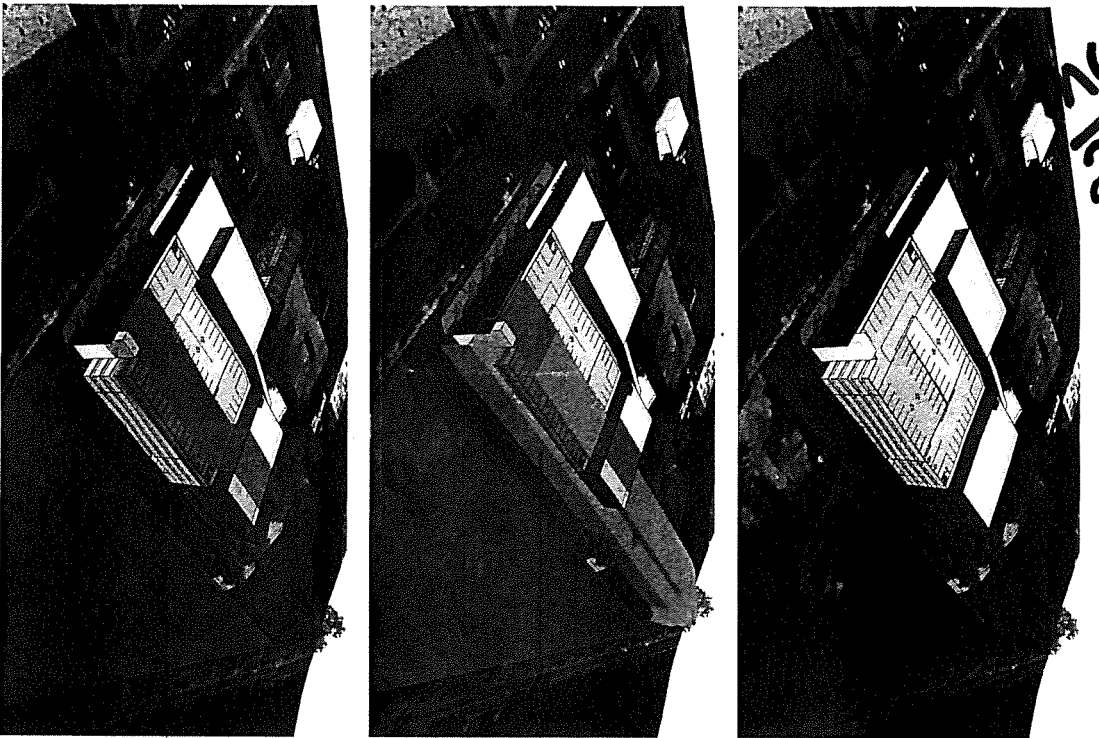
Building Area Requesting Variance From 25-2-1063(C)(1)
Allowed Height: 2 stories and 30'-0"

Proposed Height: 1 story and 45'-6"

Variance Request: 15'-6"

Requesting encroachment for at grade internal street from 5' to 25' from 25-2-1063(B)

*(Note: The above legend pertains to this sheet only, all heights based off of average grade of building)



Fourth story portion of the building shown in darker tone for reference

Compatibility envelope (shown in yellow)

All portions of driveway are 5'-0" away from property line

Triggering Lot:
Zoning: CS
Current Use: Residential

Site Roof Plan
scale: 1/64" = 1'-0"

Triggering Lot:
Zoning: CS
Current Use: Residential

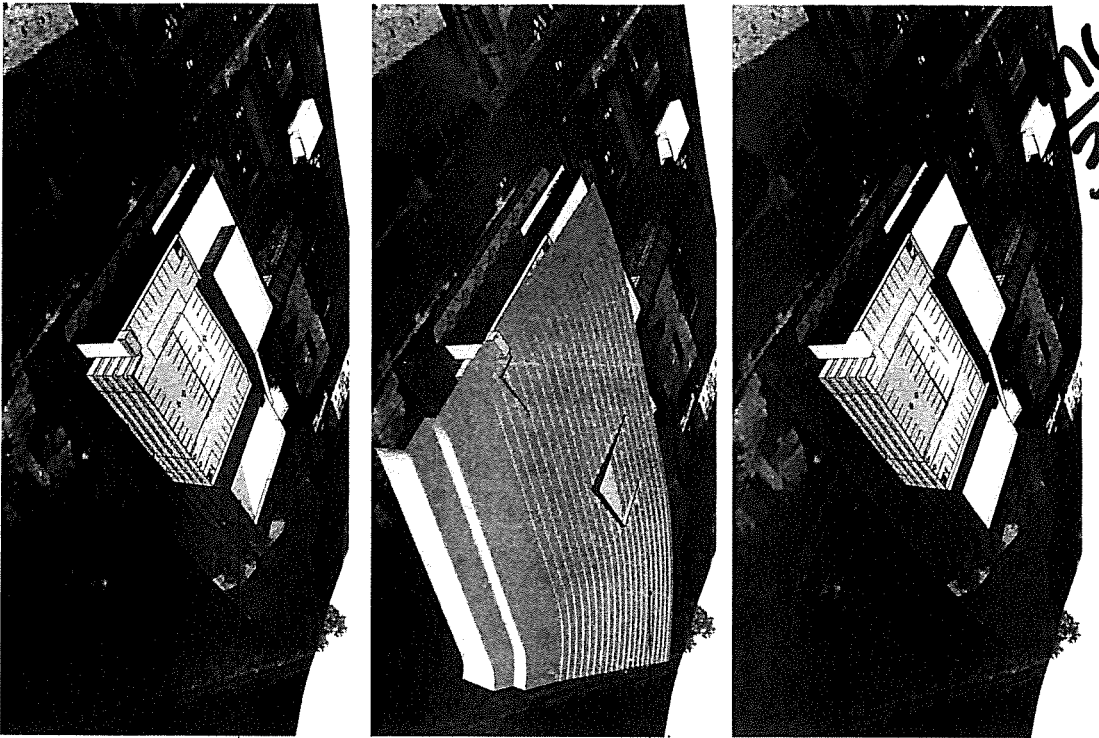
LEGEND

Building Area Requesting Variance From 25-2-1063(C)(2)
Allowed Height: 3 stories and 40'-0"
Proposed Height: 4 stories and 55'-6"
Variance Request: 15'-6" additional height, 1 additional story

Building Area Requesting Variance From 25-2-1063(C)(1)
Allowed Height: 2 stories and 30'-0"
Proposed Height: 4 stories and 55'-6"
Variance Request: 25'-6" additional height, 2 additional stories

Requesting encroachment for at grade internal street from 5' to 25' from 25-2-1063(B)

** (Note: the above legend pertains to this sheet only; all heights based off of average grade of building)

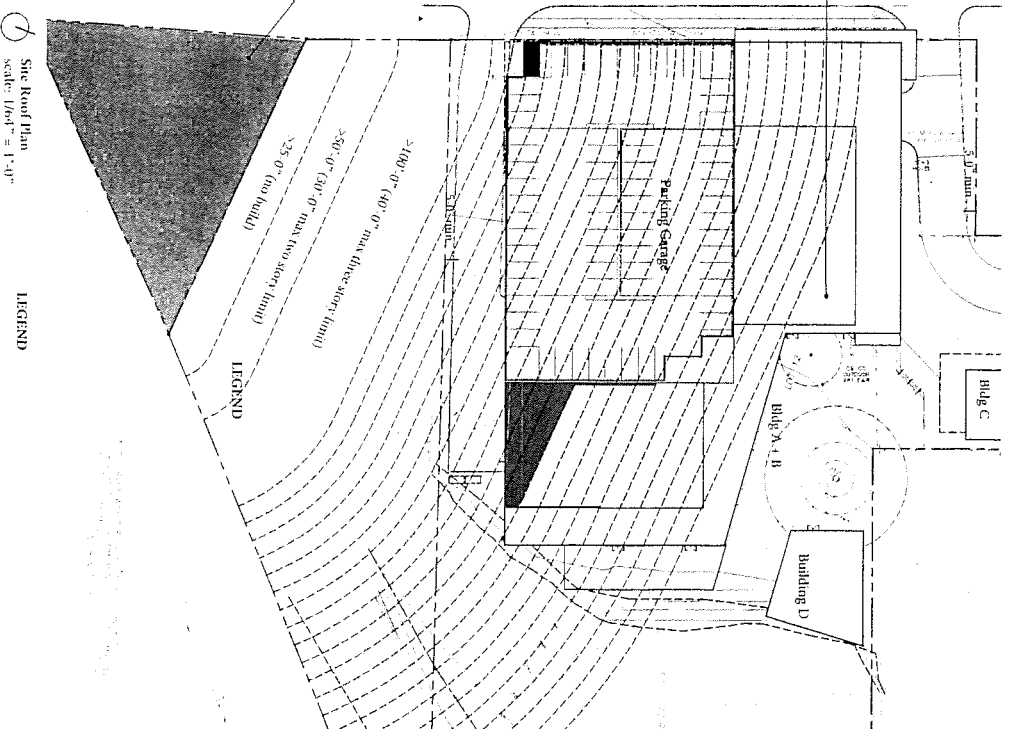


Fourth Story portion of the building shown in darker tone for reference

Compatibility Envelope (shown in yellow)

Portion of building violating compatibility height limitations (shown in pink)

Triggering Lot:
Zoning: SF-3
Current Use: Vacant
Note: This lot is city owned and the majority is covered in 100 year floodplain

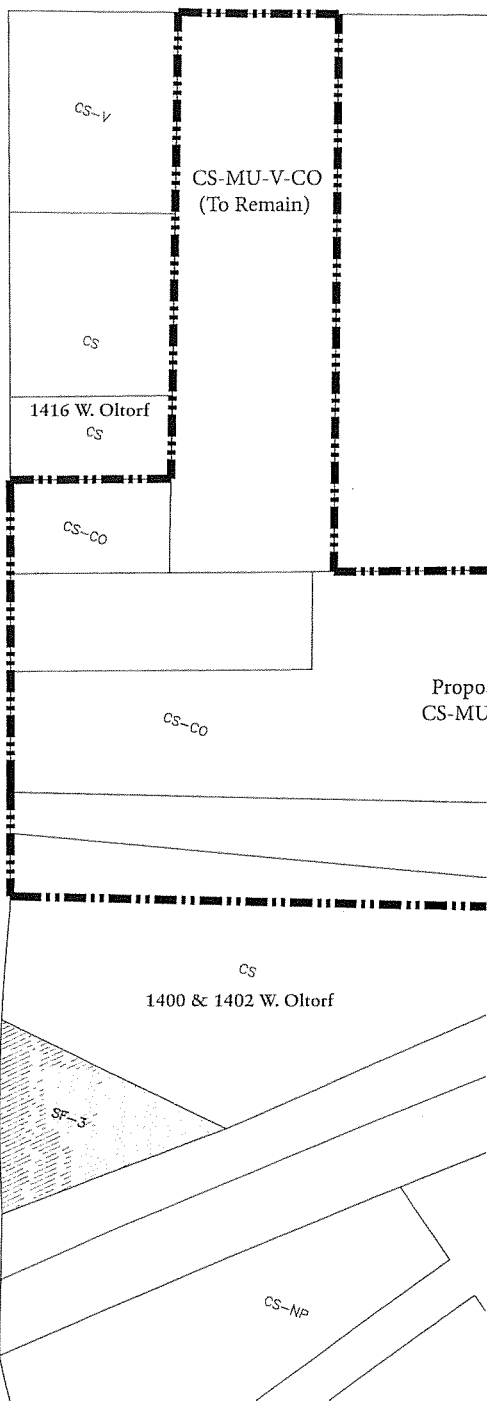
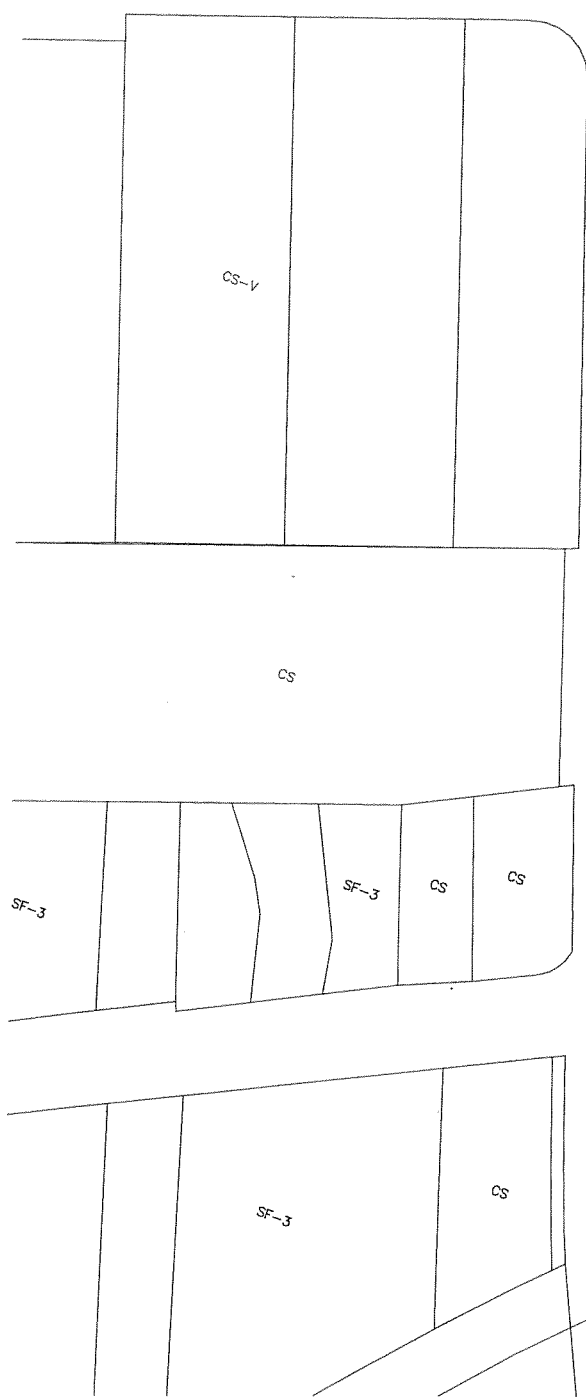


Site Roof Plan
scale: 1/64\" = 1'-0"

LEGEND
Building Area Requesting Variance From 25-2.106(C)(3)
Allowed Height: 40'-0" + 1'-0" for each 10' 0" of distance
Proposed Height: 55'-6"
Variance Request: 12'-6"

*(Note: The above legend pertains to this sheet only, all heights based off of average grade of building)

S LAMAR BLVD



W OLTORF ST

CS-MU-V-CO
(To Remain)

Propo
CS-MU

CS
1400 & 1402 W. Oltorf

3/15

