

**CITY OF AUSTIN  
Board of Adjustment  
Decision Sheet**

**DATE: Monday, August 14, 2017**

**CASE NUMBER: C15-2017-0034**

<input checked="" type="checkbox"/>	Y	Brooke Bailey
<input checked="" type="checkbox"/>	Y	William Burkhardt
<input checked="" type="checkbox"/>	Y	Christopher Covo
<input checked="" type="checkbox"/>	Y	Eric Goff
<input type="checkbox"/>	-	Melissa Hawthorne OUT
<input checked="" type="checkbox"/>	Y	Bryan King
<input checked="" type="checkbox"/>	Y	Don Leighton-Burwell
<input type="checkbox"/>	-	Rahm McDaniel OUT
<input type="checkbox"/>	-	Veronica Rivera OUT
<input checked="" type="checkbox"/>	Y	James Valadez
<input checked="" type="checkbox"/>	Y	Michael Von Ohlen
<input checked="" type="checkbox"/>	Y	Kelly Blume (Alternate)
<input checked="" type="checkbox"/>	Y	Martha Gonzalez (Alternate)
<input checked="" type="checkbox"/>	Y	Pim Mayo (Alternate)

**APPLICANT: Casey Giles**

**OWNER: Ryan Diepenbrock**

**ADDRESS: 1600 1ST ST**

**VARIANCE REQUESTED:** The applicant has requested variance(s) to Article 10, Compatibility Standards, Section 25-2-1063 (Height Limitations and Setbacks for Large Sites) to:

A. (B) to allow a concrete or equivalent pedestrian walkway structure up to the south property line within the 25 foot setback from property in an urban family residence SF-5 or more restrictive zoning district or on which a use permitted in an SF-5 or more restrictive zoning district is located; and to

B. (C) (1) to increase the allowed height of a structure that is 50 feet or less from property along the south property line that is either in an SF-5 or more restrictive zoning district or on which a use permitted in an SF-5 or more restrictive zoning district is located from 2 stories and 30 feet (required, permitted) to 4 stories and 55' (requested); and to

C. (C) (2) to increase the allowed height of a structure that is more than 50 feet and not more than 100 feet or less from property along the south property line that is either in an SF-5 or more restrictive zoning district or on which a use permitted in an SF-5 or more restrictive zoning district is located from 3 stories and 40 feet (required, permitted) to 4 stories and 55' (requested); and to

D. (C) (3) to increase the allowed height of a structure that is more than 100 feet but not more than 300 feet from property along the south and west property lines that is zoned SF-5 or more restrictive, from 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more

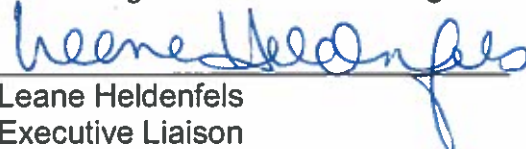
restrictive from 3 stories and 40 feet (required, permitted) to 4 stories and 55 feet (requested)


in order to construct a 4-story mixed use structure in a "CS-MU-V-CO-NP", General Commercial Services – Mixed Use – Vertical Mixed Use - Conditional Overlay - Neighborhood Plan zoning district. (Bouldin)

**BOARD'S DECISION:** Aug 14, 2017 The public hearing was closed on Board Member Michael Von Ohlen motion to postpone to September 18, 2017, Board Member Bryan King second on an 11-0 vote; POSTPONED TO SEPTEMBER 18, 2017.

**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

  
William Burkhardt  
Chairman



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

## NOTIFICATIONS

CASE#: C15-2017-0034

LOCATION: 1600 & 1606 S 1ST ST



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" = 250'



## CITY OF AUSTIN

## Development Services Department

One Texas Center | Phone: 512.978.4000

505 Barton Springs Road, Austin, Texas 78704

## Board of Adjustment General/Parking Variance Application

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

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, [click here to Save](#) the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. ***If more space is required, please complete Section 6 as needed.*** All information is required (if applicable).

### For Office Use Only

Case # C15-2017-0034 ROW # 11739 280 Tax # 0101011207

### Section 1: Applicant Statement

Street Address: 1606 south first street, 78704

Subdivision Legal Description:

1.438 acres of the Deleon Resubdivision (Vol 94, Page 281, C8-94-0098.0A)

Lot(s): 1 Block(s): A

Outlot: \_\_\_\_\_ Division: \_\_\_\_\_

Zoning District: CS-MU-V-CO-NP (Bouldin)

I/We Casey Giles on behalf of myself/ourselves as  
authorized agent for PSW/1600 S. 1st Street, LP affirm that on  
Month May, Day 26, Year 2017, hereby apply for a hearing before the  
Board of Adjustment for consideration to (select appropriate option below):

☒ Erect ☐ Attach ☐ Complete ☐ Remodel ☐ Maintain ☐ Other: \_\_\_\_\_

Type of Structure: MU

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

25-2-1063 (C) Compatibility tent

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## Section 2: Variance Findings

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

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

I contend that my entitlement to the requested variance is based on the following findings:

### Reasonable Use

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

The site constrained by a number of heritage and non-heritage trees, so in an attempt to save as many as possible, the building has been pushed west, away from 1st street and towards the SF-3. This causes the top edge of the elevator shaft at the 4th floor (but no other part of the building) to breach the tent by about 5', approximately 125' from the SF-3 properties. There is also an SF-5 lot that is adjacent to the SW corner of our lot, and it protrudes farther to the east, causing the tent from that location to encroach into a small portion of our 3rd floor and 4th floor. This irregularly shaped lot pushes the tent much farther to the east. They support the variance.

### Hardship

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

The trees we are saving, and the deep, irregularly shaped SF5 lot cuase the tents to be so restrictive that the development is limited so much that it cannot meet the needs of the area, or the goals of the BCNA neighborhood plan.

\_\_\_\_\_

\_\_\_\_\_

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

The sf-5 lot is abnormally shaped and creates a unique and awkward situation. And the trees along the road that were planted with the original site plan (unlike other lots in this area) are valuable but push the development towards the more restrictive portion of the tent.

\_\_\_\_\_

\_\_\_\_\_

**Area Character**

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

The variance will allow more trees to be saved, and allow for a more complete development that aligns with the goals of the neighborhood plan. For example, the goals of the NP are to provide adequate green space and buffers - we are complying with the 25' setback on the entire west and south property lines, as well as increased front and side setback to save trees....Limit height to 60' - we are under 50'.....improve pedestrian experience - the saved trees and setback will do this.

**Parking** (additional criteria for parking variances only)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed in the City of Austin Land Development Code Chapter 25-6, Appendix A with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

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

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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:

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

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

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### Section 3: Applicant Certificate

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

Applicant Signature: [Signature] Date: 05/26/2017

Applicant Name (typed or printed): Casey Giles

Applicant Mailing Address: 2003 S 1st

City: austin State: tx Zip: 78704

Phone (will be public information): (512) 294-3609

Email (optional – will be public information): casey.giles@pswrealestate.com

### Section 4: Owner Certificate

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

Owner Signature: [Signature] Date: 5/31/17

Owner Name (typed or printed): Ryan Diepenbrock

Owner Mailing Address: 2003 S 1st

City: austin State: tx Zip: 78704

Phone (will be public information): (512) 326-3905

Email (optional – will be public information): \_\_\_\_\_

### Section 5: Agent Information

Agent Name: casey giles

Agent Mailing Address: 2003 S 1st

City: austin State: tx Zip: 78704

Phone (will be public information): (512) 294-3609

Email (optional – will be public information): same as above

### Section 6: Additional Space (if applicable)

Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

We are in negotiations with the neighborhood to address concerns and gain support. We already have a letter of support from the SF-5 property owner and have worked with them to make this a win-win development (via pedestrian access to south 1st for their home owners).

Austin, TX 78704  
P. 512.326.3905  
F. 888.866.8175  
www.pswrealstate.com  
**TBPE FIRM # 15189**



26/2017

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REV	QTY	REVISION TITLE	DATE
1	1	2011.03.15	

PROJECT NAME:  
1600 MIXED USE  
1600 S. 1ST STREET

DRAWN BY: RM  
CHECKED BY: JC

PAGE NUMBER

10 of 24

SP-2017-XXXXC



EXIST BOUNDARY  
EXIST RIGHT OF WAY  
EXIST LOT LINE  
EXIST EASEMENT  
PROP EASEMENT  
PROP CURB AND GUTTER  
PROP. SUBCHAPTER E  
EXIST CHAIN LINK FENCE  
EXIST WOOD FENCE  
EXIST WATER LINE  
EXIST FIRE HYDRANT  
EXIST WATER GATE VALVE  
EXIST WATER METER  
EXIST WASTEWATER LINE  
EXIST WW CLEANOUT  
EXIST WASTEWATER MANHOLE  
EXIST STORM SEWER  
EXIST GAS LINE  
EXIST GAS METER  
EXIST FIBER OPTIC CABLE  
EXIST OVERHEAD ELECTRIC  
EXIST ELECTRIC PULL BOX  
EXIST ELECTRIC MH  
EXIST GUY WIRE  
EXIST POWER POLE  
EXIST UNDER GROUND  
PROP. WATER LINE  
PROP. FIRE HYDRANT  
PROP. WATER GATE VALVE  
PROP. WASTEWATER LINE  
PROP. WASTEWATER MANHOLE  
PROP. STORM SEWER  
PROP. STORM SEWER  
PROP. GAS LINE  
  
TREES TO REMAIN  
  
PROP. TRANSFORMER  
  
PROP. PLANTER W/ WALL  
  
PROP. STRIPED WALKWAY

**811**  
 CAUTION  
 CONTRACTOR TO VERIFY ALL EXISTING UTILITIES  
 VERTICALLY AND HORIZONTALLY PRIOR TO  
 CONSTRUCTION. CONTRACTOR TO NOTIFY THE  
 ENGINEER IMMEDIATELY OF ANY DISCREPANCIES.

SITE PLAN APPROVAL SHEET \_\_\_\_\_  
FILE NUMBER SP-2017-XXXXX APPLICATION DATE XXXX XX, 2017  
APPROVED BY COMMISSION ON \_\_\_\_\_ UNDER SECTION 112 OF  
CHAPTER 25-5 OF THE CITY OF AUSTIN CODE.  
EXPIRATION DATE (25-5-81, LDC) CASE MANAGER XXXXXXXXX  
PROJECT EXPIRATION DATE (ORD #970905) DWPZ DDZ \_\_\_\_\_

Director, Watershed Protection and Development Review  
RELEASED FOR GENERAL COMPLIANCE. \_\_\_\_\_ ZONING CS-MU-V-CO-NP

Rev 1 \_\_\_\_\_ Correction 1 \_\_\_\_\_  
Rev 2 \_\_\_\_\_ Correction 2 \_\_\_\_\_  
Rev 3 \_\_\_\_\_ Correction 3 \_\_\_\_\_

FINAL PLAN MUST BE RECORDED BY THE PROJECT EXPIRATION DATE, IF APPLICABLE. SUBSEQUENT SITE PLANS WHICH DO NOT COMPLY WITH THE CURRENT AT THE TIME OF FILING, AND ALL REQUIRED BUILDING PERMITS AND/OR NOTICE OF CONSTRUCTION (IF A BUILDING IS NOT REQUIRED), MUST ALSO BE APPROVED PRIOR TO THE PROJECT EXPIRATION DATE.

1. ALL EXTERIOR LIGHTING WILL BE CUT-OFF OR FULLY SHIELDED IN COMPLIANCE WITH SUBCHAPTER E-2.5 AND WILL BE REVIEWED DURING THE BUILDING PLAN REVIEW, ANY CHANGE OR SUBSTITUTION OF LAMP/LIGHT FIXTURES SHALL BE SUBMITTED TO THE DIRECTOR FOR APPROVAL IN ACCORDANCE WITH SECTION 25-2-2.
2. ALL FOUNDATIONS TO BE SLAB ON GRADE.
3. PER IFC TABLE R302.1(2), 1 HOUR FIRE RATED EXTERIOR WALL ASSEMBLIES TO BE PROVIDED AT ALL BUILDING WITH SEPARATION LESS THAN 10 FEET ASSEMBLY TO MEET REQUIREMENTS OF IBC TABLE 721.1(2) #15-114
4. THERE ARE NO FULLY ACCESSIBLE UNITS NOR ADAPTABLE UNITS (TYPE A OR TYPE B) ON THE SITE.
5. THE BUILDING OFFICIAL MAY NOT ISSUE A CERTIFICATE OF OCCUPANCY UNTIL THE OWNER OF THE PROPERTY HAS COMPLIED WITH STATE REQUIREMENTS CONCERNING CONDOMINIUMS.
6. EXTERIOR LIGHTING ABOVE THE SECOND FLOOR IS PROHIBITED IN THE GO LR, GR CS, OR CS-1 ZONING DISTRICTS, WHEN ADJACENT TO AN SF-5 OR MORE RESTRICTIVE ZONING DISTRICT (SECTION 25-2-5b5).

7. UNDERGROUND MAINS FEEDING PRIVATE HYDRANTS MUST BE INSTALLED AND TESTED IN ACCORDANCE WITH NFPA42, AND THE FIRE DEPARTMENT BY A LICENSED CONTRACTOR WITH A PLUMBING PERMIT. THE ENTIRE MAIN MUST BE HYDROSTATICALLY TESTED AT ONE TIME, UNLESS ISOLATION VALVES ARE PROVIDED BETWEEN TEST SECTIONS.
8. APPROVAL OF THESE PLANS BY THE CITY OF AUSTIN INDICATES COMPLIANCE WITH APPLICABLE CITY REGULATIONS ONLY. COMPLIANCE WITH ACCESSIBILITY STANDARDS SUCH AS THE 2012 STANDARDS FOR ACCESSIBLE DESIGN OR THE 2012 TEXAS ACCESSIBILITY STANDARDS WAS NOT VERIFIED. THE APPLICANT IS RESPONSIBLE FOR COMPLIANCE WITH ALL APPLICABLE ACCESSIBILITY STANDARDS.

PROPOSED VERTICAL MIXED USE AND GROSS FLOOR AREA		
FLOOR	USE	SF
GROUND	COMMERCIAL/OFFICE	29,284
FL2	CONDO	28,752
FL3	CONDO	26,274
FL4	CONDO	9,746
TOTAL		94,056

UNIT TYPE / USE	AREA (SF)	BDRMS	BATHS	QUANTITY
COMMERCIAL/OFFICE	22,585			
CONDO/A1	780	1	1	25
CONDO/B2	1,240	2	2	16
CONDO/C3	1,700	3	2	5
CONDO/S1	495	Studio	1	8

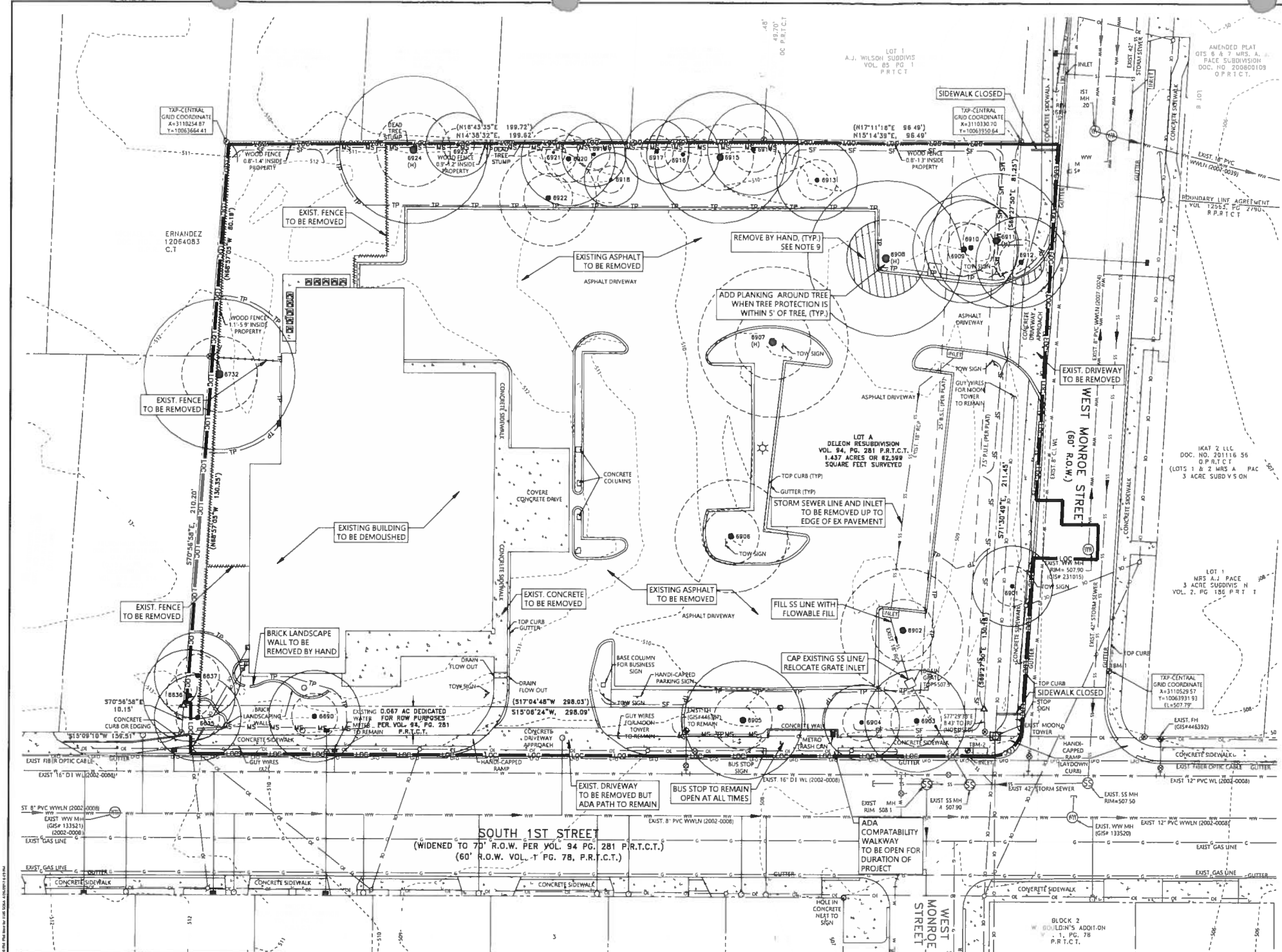
TOTAL UNITS	54
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SITE CHARACTERISTICS			
	ft <sup>2</sup>	ac	%
Total Project Site	62,596	1.437	
Building Cover	29,284	0.67	46.78
Impervious Cover	43,191	0.99	69.00
	GFA (ac)	Site Area (ac)	Ratio

	GFA (ac)	Site Area (ac)	Ratio
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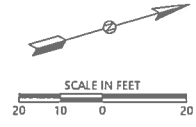
FILE DATA: London P 1581 1403 8 1ST STREET CHL PROCECHOCLOSTE PLANNING JITE PLAN CHOCLOSTER LONDON A26/2017 7 00 PM Pub Proj by LUS ROMA 4/08/2017 7 00 PM





LEGEND	
EXIST. CONTOUR	6.10
BOUNDARY	
RIGHT OF WAY	
EXIST. LOT LINE	
EXIST. EASEMENT	
EXIST. CHAIN LINK FENCE	
EXIST. WOOD FENCE	
IRON PIPE FOUND	
IRON ROD FOUND	
IRON ROD SET	
CALCULATED POINT	
EXIST. SIGN	
EXIST. ELECTRIC PULL BOX	
EXIST. ELECTRIC MH	
EXIST. GUY WIRE	
EXIST. OVERHEAD ELECTRIC	
EXIST. UNDERGROUND FIBER OPTIC CABLE	
EXIST. POWER POLE	
EXIST. UNDER GROUND CABLE	
EXIST. GAS LINE	
EXIST. GAS METER	
EXIST. FIRE HYDRANT	
EXIST. WATER GATE VALVE	
EXIST. WATER METER	
EXIST. WATER LINE	
EXIST. VVV CLEANOUT	
EXIST. WASTEWATER LINE	

EXIST. WASTEWATER MANHOLE	
EXIST. STORMSEWER MANHOLE	
EXIST. STORM SEWER LINE	
TREES TO REMAIN	
TREES TO BE REMOVED	
EROSION CONTROL LEGEND	
TREE PROTECTION	TP
SILT FENCE	SF
SILT FENCE	MS



- NOTES:
- IF DISTURBED AREA IS NOT TO BE WORKED ON FOR MORE THAN 14 DAYS, DISTURBED AREA NEEDS TO BE STABILIZED BY REVEGETATION, MULCH, TARP OR REVEGETATION MATTING. [ECM 1.4.4.3, SECTION 5.1]
  - ENVIRONMENTAL INSPECTOR HAS THE AUTHORITY TO ADD AND/OR MODIFY EROSION/SEDIMENTATION CONTROLS ON SITE TO KEEP PROJECT IN-COMPLIANCE WITH THE CITY OF AUSTIN RULES AND REGULATIONS. [LDC 25-8-183]
  - CONTRACTOR SHALL UTILIZE DUST CONTROL MEASURES DURING SITE CONSTRUCTION SUCH AS IRRIGATION TRUCKS AND MULCHING AS PER ECM 1.4.5(A), OR AS DIRECTED BY THE ENVIRONMENTAL INSPECTOR.
  - THE CONTRACTOR WILL CLEAN UP SPOILS THAT MIGRATE ONTO THE ROADS A MINIMUM OF ONCE DAILY. [ECM 1.4.4.D.4]
  - J-HOOK SPACING SHALL NOT EXCEED 100 FEET THE UP-GRADIENT SILT FENCE AND J-HOOK SHALL BE ONE CONTINUOUS LINE, WITH THE DOWN-GRADIENT SILT FENCE LINE STARTED AS CLOSE AS POSSIBLE TO THE UP-GRADIENT J-HOOK.
  - ALL DEMOLITION WITHIN THE 50% CRITICAL ROOT ZONE OF PRESERVE TREES WILL BE DONE BY HAND.
  - ESC AND TREE PROTECTION REQUIREMENTS [LDC 25-7-61, 65, 25-8-181, 182, 183, 184]
  - A PRECONSTRUCTION MEETING WITH THE ENVIRONMENTAL INSPECTOR IS REQUIRED PRIOR TO ANY SITE DISTURBANCE.
  - DEMO BY HAND ON 1/2 CRITICAL ROOT ZONE, (TYP)
  - ALL IMPERVIOUS ON SITE TO BE REMOVED
  - NO PART OF MOONTOWER OR ASSOCIATED ASSEMBLY TO BE TOUCHED AT ANYTIME.

TREE SURVEY						
TAG#	DIA"	MULTI-STEMS	TYPE	REMOVE	ROW	COMMENTS
6635	16		ELM		X	
6636	17		PECAN			
6637	16		CHINABERRY			
6690	17		LIVE OAK		X	
6732	28	8,4,6,7,5,6,7,5	LIGUSTRUM			
6901	15		HACKBERRY		X	
6902	23		LIVE OAK	X		
6903	19		LIVE OAK		X	
6904	14		LIVE OAK		X	
6905	22		LIVE OAK		X	
6906	21		PECAN	X		
6907	28		PECAN(H)	X		
6908	29		PECAN(H)			
6909	20		PECAN			
6910	18		PECAN			
6911	25		PECAN(H)			
6912	17		PECAN		X	
6913	15		LIVE OAK			
6914	17		PECAN			
6915	24.5	17,15	CHINABERRY			
6916	13.5	6,5,5,5	LIGUSTRUM			
6917	12		HACKBERRY			
6918	10		LIVE OAK			
6919	12		LIGUSTRUM		X	
6920	17.5	7,6,5,5,5	LIGUSTRUM			
6921	9		CHINABERRY	X		DEAD
6922	18		LIVE OAK	X		
6923	12		HACKBERRY			
6924	27.5	19,17	ASH(H)			
TOTAL TREE INCHES (IN)				533		
TREES REMAINING (IN):				434		
TREES REMOVED (IN):				99		
DATE SURVEY: / JANUARY 2016, BY: AT						

ALL RESPONSIBILITY FOR THE ADEQUACY OF THESE PLANS REMAINS WITH THE ENGINEER WHO PREPARED THEM. IN APPROVING THESE PLANS THE CITY OF AUSTIN MUST REPLY UPON THE ADEQUACY OF THE WORK OF THE DESIGN ENGINEER.

**811** CAUTION: CONTRACTOR TO VERIFY ALL EXISTING UTILITIES VERTICALLY AND HORIZONTALLY PRIOR TO CONSTRUCTION. CONTRACTOR TO NOTIFY THE ENGINEER IMMEDIATELY OF ANY DISCREPANCIES.

FOR CITY USE ONLY

SITE PLAN APPROVAL SHEET  
FILE NUMBER: SP-2017-XXXXX APPLICATION DATE: XXXX XX, 2017  
APPROVED BY COMMISSION ON \_\_\_\_\_ UNDER SECTION 112 OF CHAPTER 25-5 OF THE CITY OF AUSTIN CODE  
EXPIRATION DATE (25-5-81, LDC) \_\_\_\_\_ CASE MANAGER XXXXXXXXX  
PROJECT EXPIRATION DATE (ORD #970905) DWPZ \_\_\_\_\_ DDZ \_\_\_\_\_

Director, Watershed Protection and Development Review  
RELEASED FOR GENERAL COMPLIANCE: \_\_\_\_\_ ZONING CS-MU-V-CO-NP  
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 NOTICE OF CONSTRUCTION (IF A BUILDING IS NOT REQUIRED), MUST ALSO BE APPROVED PRIOR TO THE PROJECT EXPIRATION DATE.  
CASE NUMBER: SP-2017-XXXXX

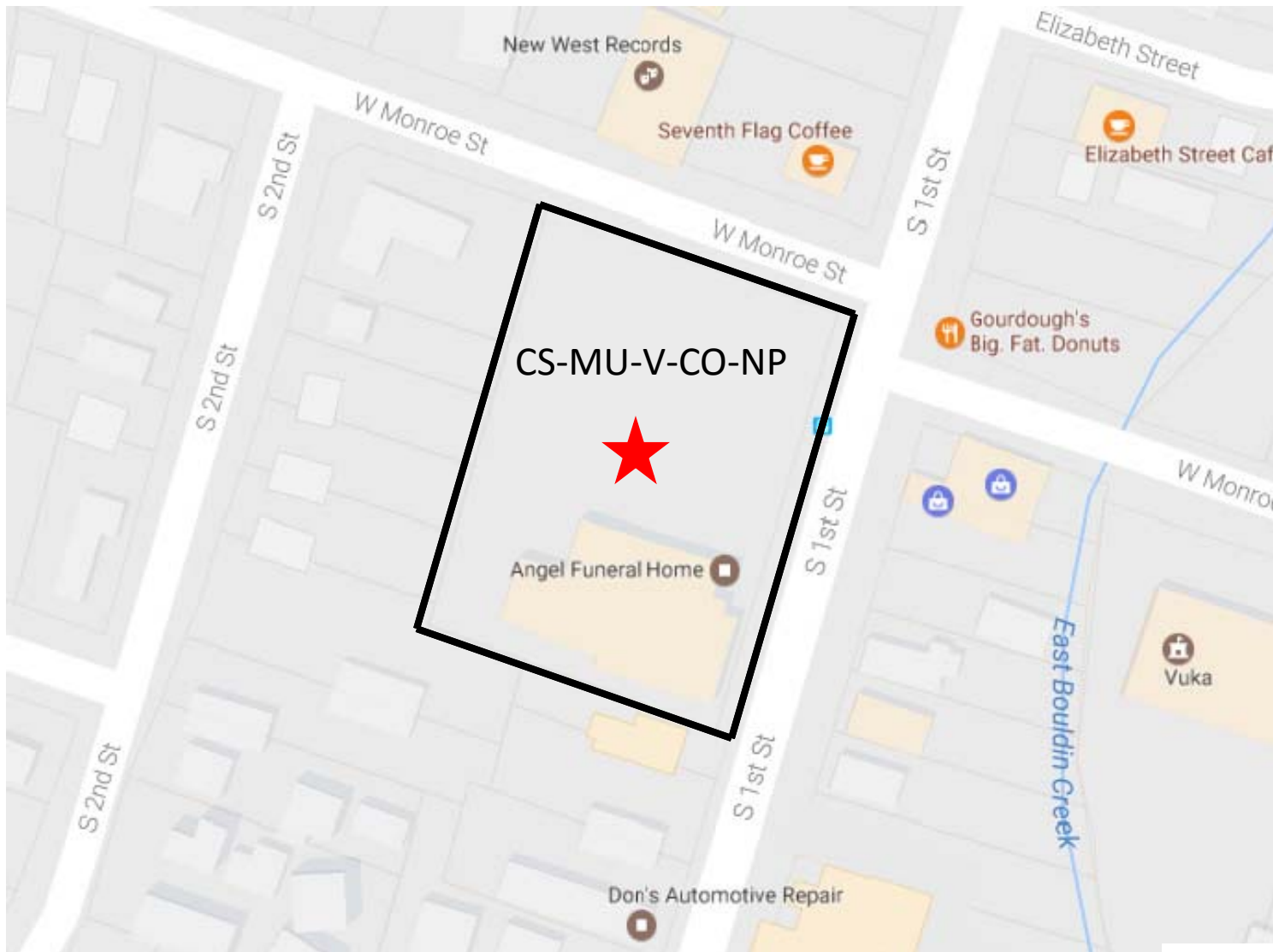
PSW HOMES LLC  
2003 S. 1st Street  
Austin, Texas 78704  
P: 512.222.3905  
F: 512.222.3905  
www.pswhomes.com  
TBP# FIRM # 15189  
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4/26/2017

1600 MIXED USE  
1600 S. 1ST STREET, AUSTIN TEXAS 78704  
CONSOLIDATED ADMINISTRATIVE PLAN  
EXISTING CONDITIONS &  
DEMOLITION PLAN  
ISSUED FOR REVIEW - NOT FOR CONSTRUCTION

PROJECT NUMBER: PSW 1601  
PROJECT NAME: 1600 MIXED USE  
1600 S. 1ST STREET  
Austin, Texas 78704  
SCALE: VARIOUS  
DRAWN BY: RM  
CHECKED BY: JC  
PAGE NUMBER: 6 of 24

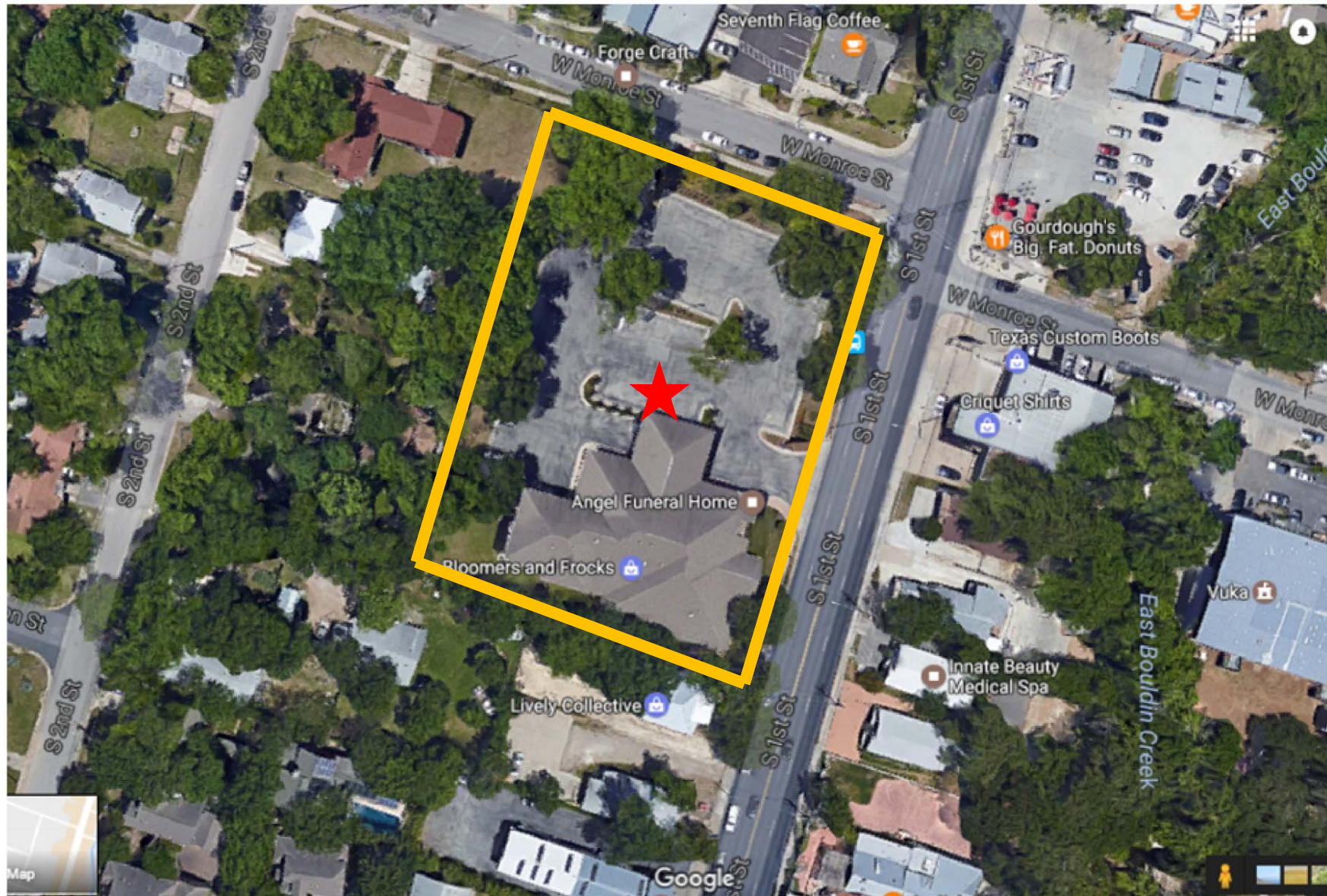
## 1600 S 1<sup>ST</sup> STREET REDEVELOPMENT



1600 Mixed Use Development

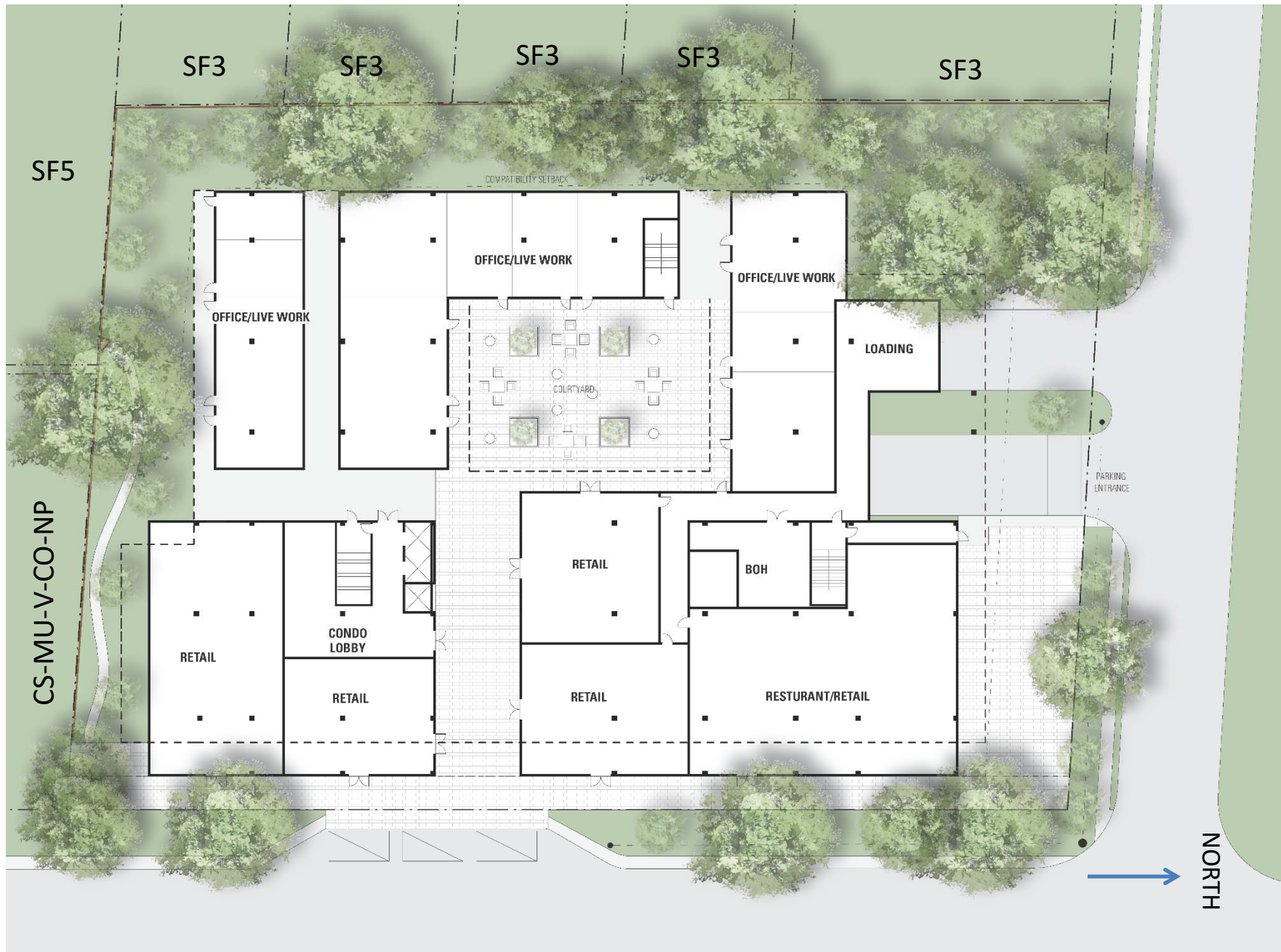


## EXISTING FUNERAL HOME SITE





## PROPOSED SITE LAYOUT

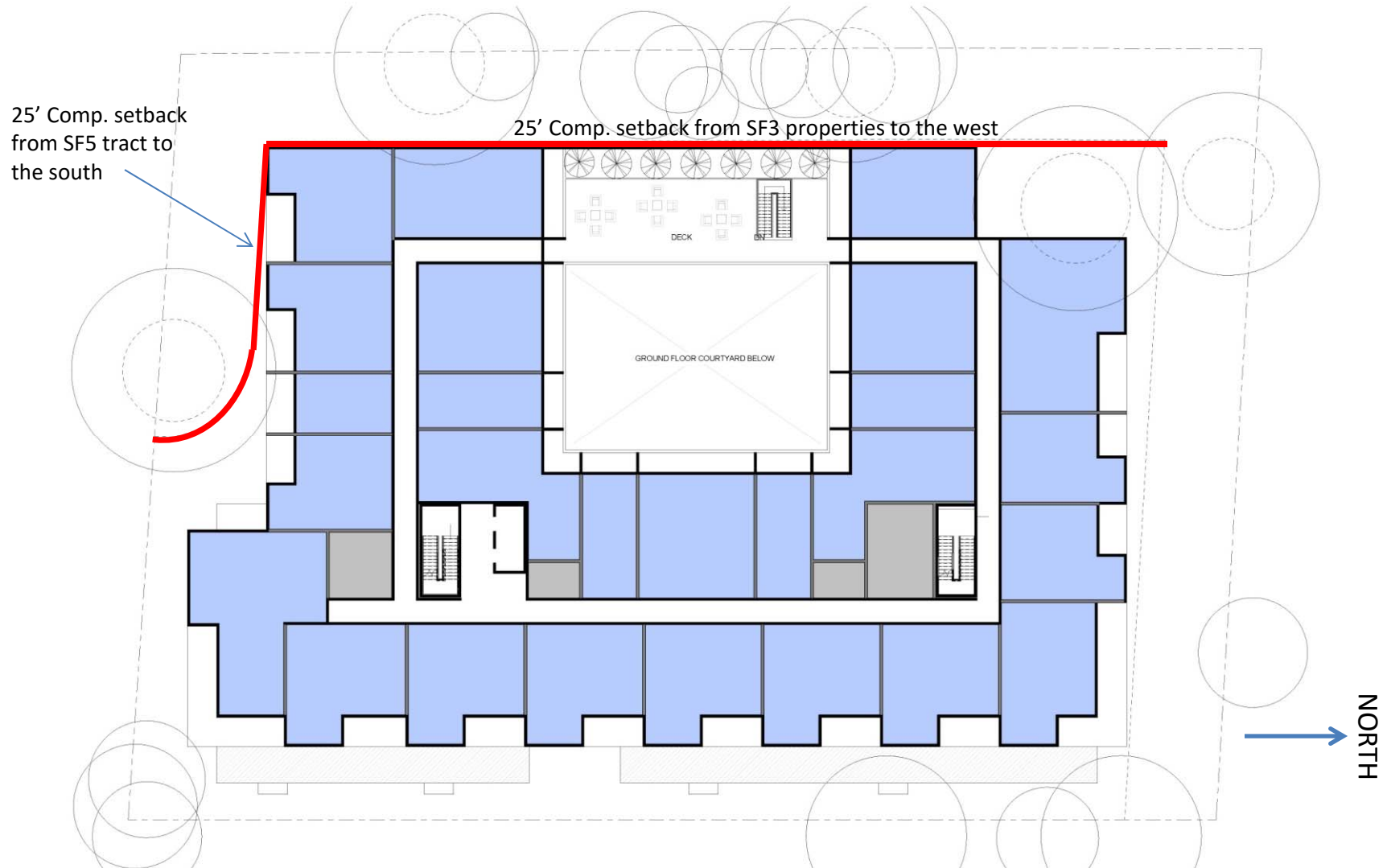




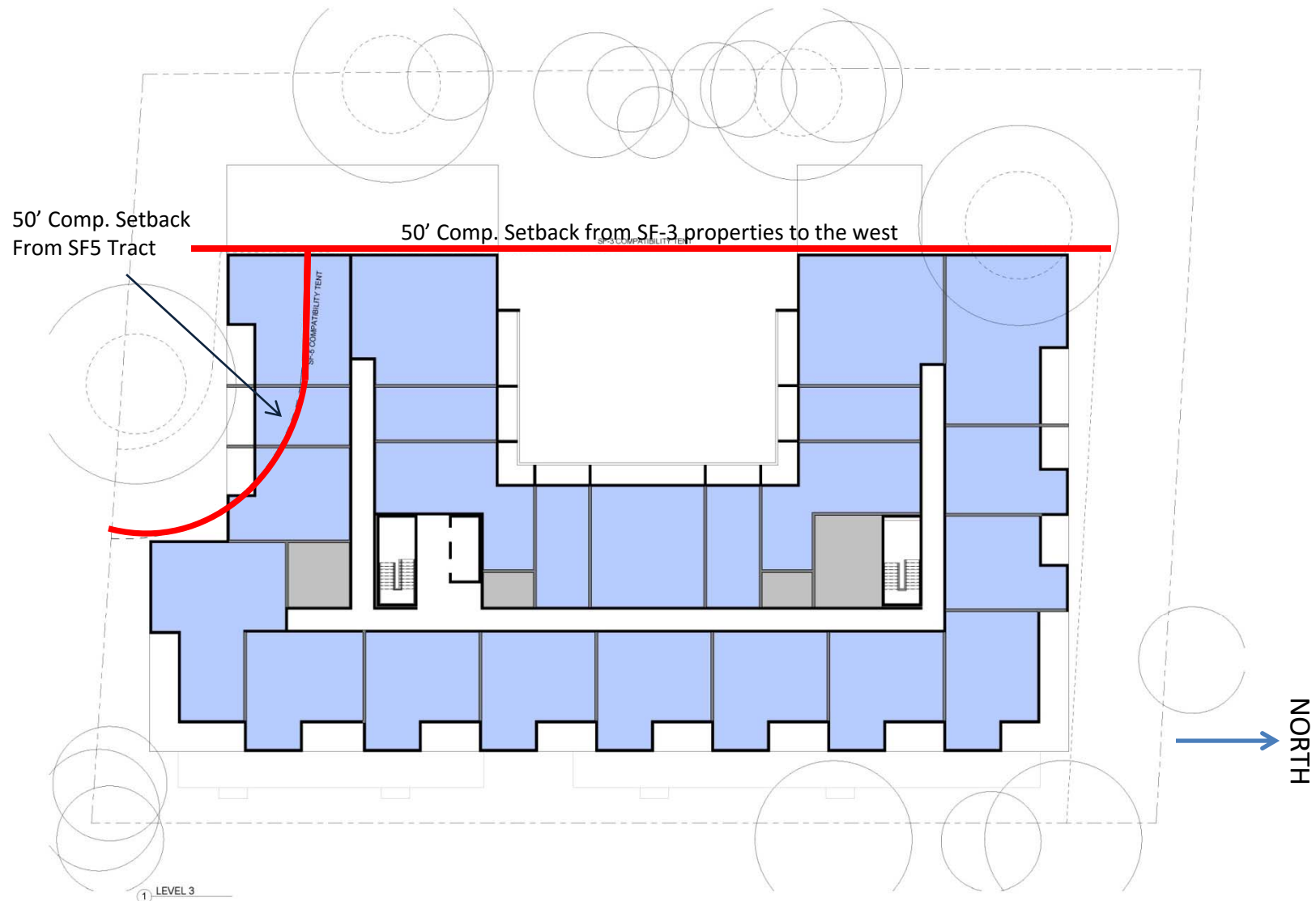
## PROPOSED MIXED USE DEVELOPMENT



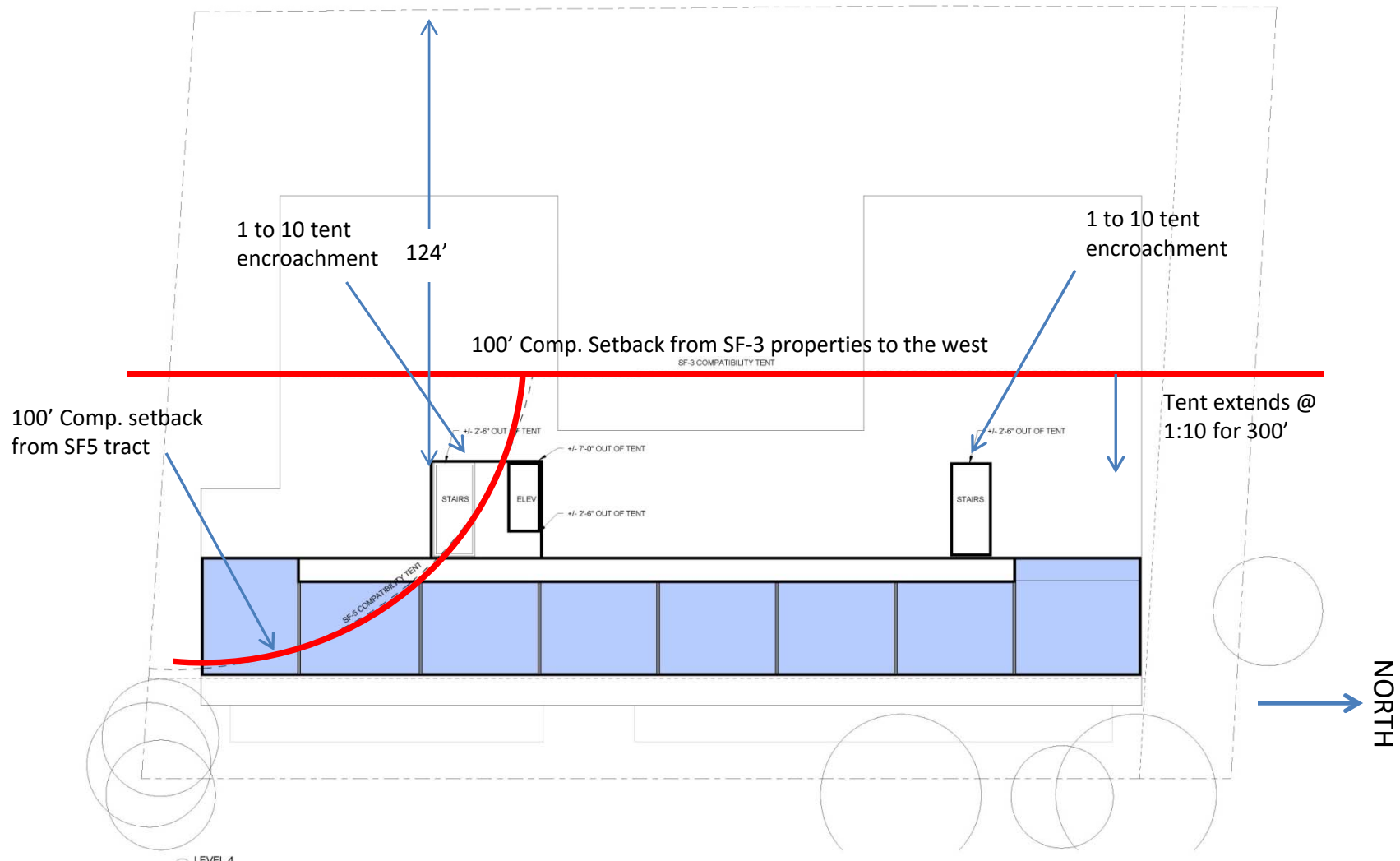
## SECOND FLOOR



# THIRD FLOOR

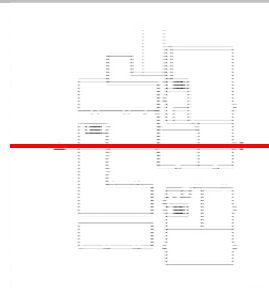
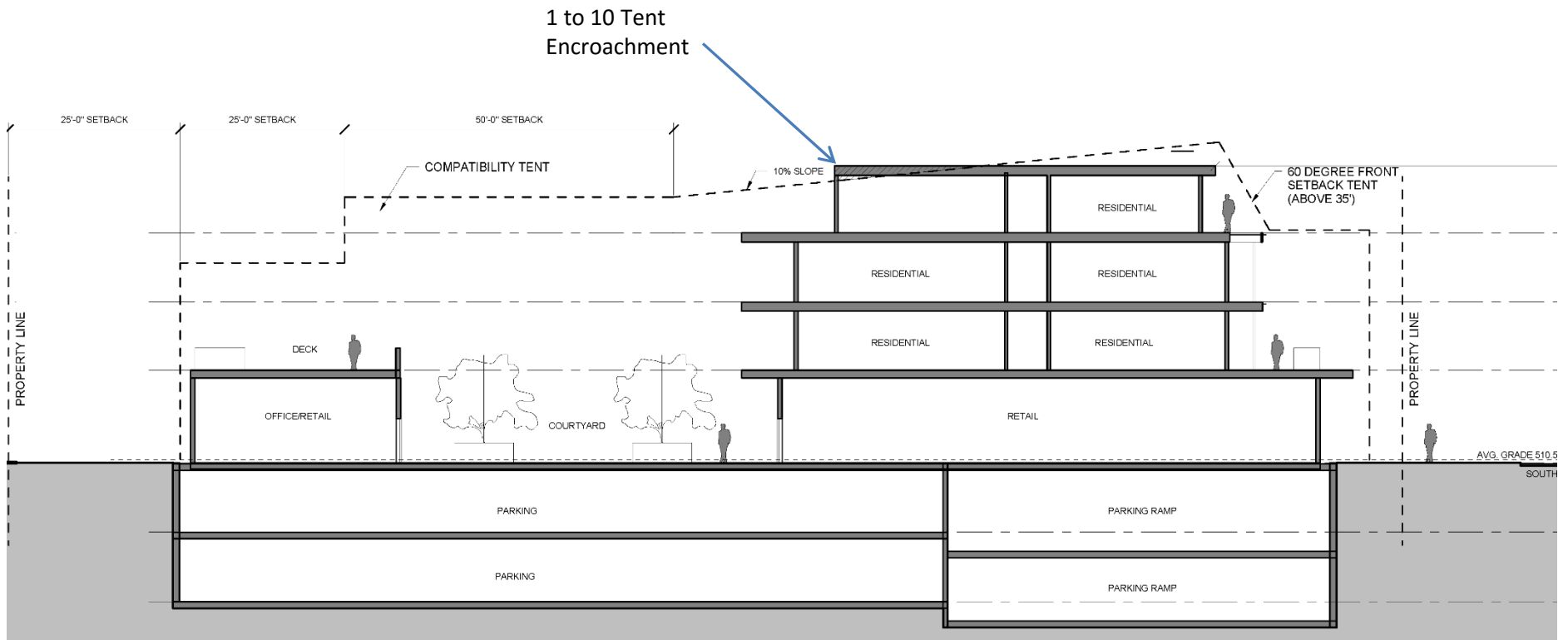


## FOURTH FLOOR



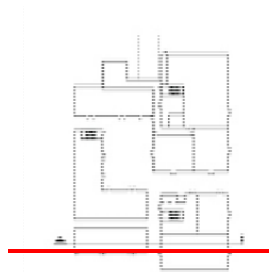
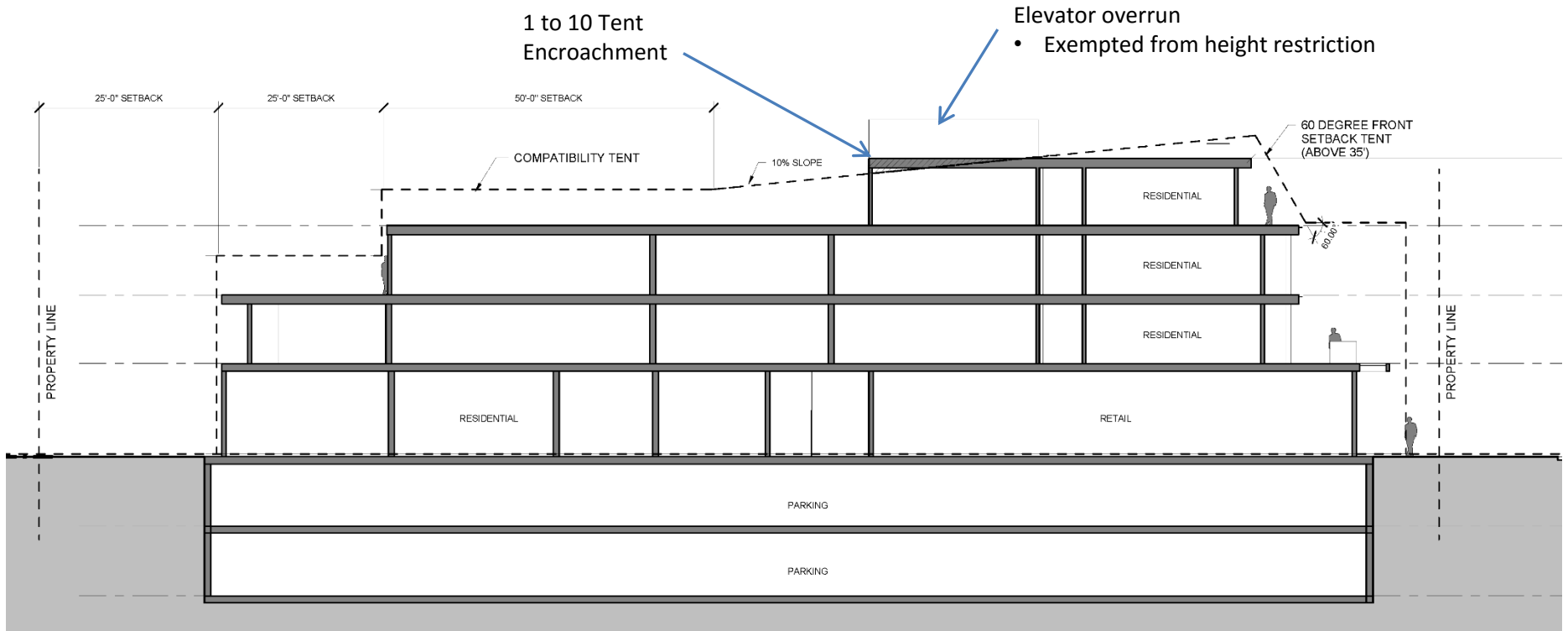


# Cross Sections



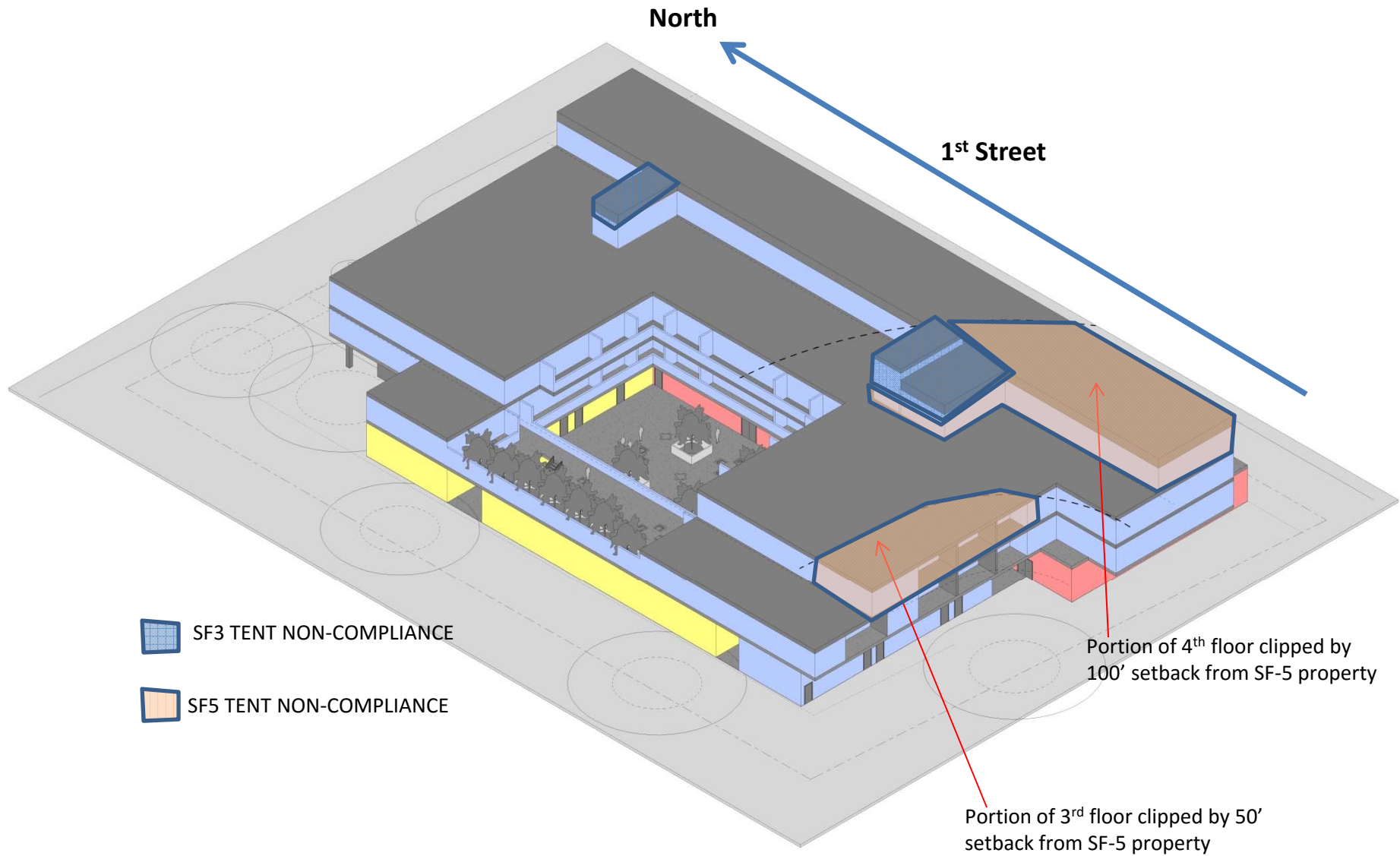
Looking North Thru Middle of Bldg

## Cross Sections



**Looking North at South End of Bldg**

# Compatibility Variance



## SUPPORT LETTER



March 20, 2017

Board of Adjustment Members,

As the manager of the ownership entity of 1615-1617 South Second Street, we support the variance request by PSW to waive the compatibility tent triggered by our property on their subject property at 1600 South First Street.

We are supportive of this request because we feel any impact created by the additional massing would be appropriately mitigated by the 25' setback and vegetated screening as agreed upon between the two property owners. It is our understanding LDC 25-2-1051 (A)(1) is the specific piece of code for which PSW is seeking a variance.

In addition, it is our opinion the project at 1600 South First Street would be an amenity to our future home-owners as it would provide additional neighborhood retail/commercial space, and provide an agreement for direct access from our property to South First Street. We believe the pedestrian connection to South First Street will be a genuine benefit, not only to us but also to the neighborhood, since we will allow the public to use our private drive for access.

Sincerely,

Pegalo Inc.

501 North I-35 • Austin, Texas • 512-485-3000



**From:**



**Subject:**

Please add to backup for Case # C15-2017-0034 (1600, 1606 S.1st Street)

**Date:**

Monday, August 14, 2017 11:37:42 AM

**Attachments:**

[BCNA PSW 1600 S. First BOA Ltr 170812.docx](#)

---

Hello Leane

Could you please add the attached letter from the Bouldin Creek Neighborhood Association (BCNA) to backup materials for this case? We're working with PSW as we speak, to get the memorandum of understanding with exhibits signed and hope to have that to you shortly.

Best regards,

Cory Walton President, BCNA

Date: 12 August 2017

To: City of Austin Board of Adjustment

Re: Variance Request, Case # C15-2017-0034 (1600, 1606 S.1<sup>st</sup> Street)

Board of Adjustment Members,

The Bouldin Creek Neighborhood Association (BCNA) collaborated with the developer for several months along with City Planning and Development and Traffic Department Review Staff, in an effort to arrive at a mixed use project development plan that:

- Respects Neighborhood Plan compatibility between residential and commercial properties,
- Addresses the plan's goal to preserve the neighborhood's historic ethnic and economic diversity,
- Produces additional residential infill and density on a principal transit corridor
- Comports with City traffic objectives
- Ameliorates to the extent possible negative traffic and parking impacts on adjacent residents and residential streets.

In consideration of the above, BCNA by vote of its general association on August 8, 2017 supports the requested variances conditional on the following:

1. Memorialize PSW's August 7, 2017 presentation addressing BCNA steering and zoning committee requests/concerns in a Memorandum of Understanding signed by both parties prior to BOA hearing, (Attached)
2. Inclusion by the Board of Adjustment of as many as possible of the 10 conditions outlined in the Memorandum of Understanding as conditions to the variances, if granted.

Thank you for your attention and consideration

A handwritten signature in dark ink, appearing to read "Cory Walton", with a stylized, flowing script.

Cory Walton, President  
Bouldin Creek Neighborhood Association

Date: 12 August 2017

To: City of Austin Board of Adjustment

Re: Variance Request, Case # C15-2017-0034 (1600, 1606 S.1<sup>st</sup> Street)

Board of Adjustment Members,

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1. Memorialize PSW's August 7, 2017 presentation addressing BCNA steering and zoning committee requests/concerns in a Memorandum of Understanding signed by both parties prior to BOA hearing, (Attached)
2. Inclusion by the Board of Adjustment of as many as possible of the 9 conditions outlined in the Memorandum of Understanding as conditions to the variances, if granted.

Thank you for your attention and consideration

A handwritten signature in dark ink, appearing to read "Cory Walton", with a stylized, flowing script.

Cory Walton, President  
Bouldin Creek Neighborhood Association

**Memorandum of Understanding (MOU)**  
**Between**  
**PSW Real Estate and the Bouldin Creek Neighborhood Association**

**August 2017**

PSW Real Estate (PSW) and the Bouldin Creek Neighborhood Association (BCNA) have worked cooperatively to come to agreement on issues and concerns regarding PSW's proposed project at 1600 South 1<sup>st</sup> Street. This MOU commits PSW to the following conditions/resolutions agreed upon and outlined below as "Conditions," in exchange for support from the BCNA Steering Committee, Zoning Committee, and General Association at the Board of Adjustments case for the following variance:

Variance Request:

PSW has requested variance(s) to Article 10, Compatibility Standards, Section 25-2-1063 (Height Limitations and Setbacks for Large Sites) to:

- A. (B) to allow a concrete or equivalent pedestrian walkway structure up to the south property line within the 25 foot setback from property in an urban family residence SF-5 or more restrictive zoning district or on which a use permitted in an SF-5 or more restrictive zoning district is located; and to
- B. (C) (1) to increase the allowed height of a structure that is 50 feet or less from property along the south property line that is either in an SF-5 or more restrictive zoning district or on which a use permitted in an SF-5 or more restrictive zoning district is located from 2 stories and 30 feet (required, permitted) to 4 stories and 55' (requested); and to
- C. (C) (2) to increase the allowed height of a structure that is more than 50 feet and not more than 100 feet or less from property along the south property line that is either in an SF-5 or more restrictive zoning district or on which a use permitted in an SF-5 or more restrictive zoning district is located from 3 stories and 40 feet (required, permitted) to 4 stories and 55' (requested); and to
- D. (C) (3) to increase the allowed height of a structure that is more than 100 feet but not more than 300 feet from property along the south and west property lines that is zoned SF-5 or more restrictive, from 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive from 3 stories and 40 feet (required, permitted) to 4 stories and 55 feet (requested)



in order to construct a 4-story mixed use structure in a “CS-MU-V-CO-NP”, General Commercial Services – Mixed Use – Vertical Mixed Use - Conditional Overlay - Neighborhood Plan zoning district. (Bouldin)

Conditions:

1. “Project must meet AEGB Multi-family rating of 1 star prior to issuance of final Certificate of Occupancy.”
  - a. Stipulation to be required site development permit (SDP) coversheet note. 1 star compliance will be required to receive final Certificate of Occupancy.
  - b. No star rating was given, but 1 star was mutually agreed upon because it is much more difficult to meet on MF than on SF, and is a good expectation.
2. Vehicular access point—Per COA determination, the entrance/exit is required to be off Monroe. Lee Austin at the City of Austin has confirmed approval and funding for installation of a stop light at Monroe and South 1<sup>st</sup>.
  - a. Site Development Permit will reflect access to Monroe.
3. “Employees of onsite businesses are required to park in garage while at work.”
  - a. Stipulation of Board of Adjustments (BOA) variances.
  - b. Stipulation to be included in lease agreement
4. “Owner to provide free parking for customers of onsite businesses and guests of residents.”
  - a. Stipulation of Board of Adjustments (BOA) variances.
5. “Owner to provide controlled access, paid public parking for all parking spaces provided that are in addition to that required by the City of Austin.”
  - a. Stipulation of BOA variances.
  - b. The goal of both parties is to get as many cars off the streets and into the garage as possible.
6. Project will have no adverse impacts on drainage/flooding.
  - a. Strict COA requirements do not allow discharge rate to be increased leaving the site. Runoff rates from the site will not increase and no adverse impacts from the development will be allowed, as stipulated by the City of Austin during SDP review.
7. “Owner agrees to incorporate 5 affordable units in the project, 80% MFI for 40 years. With the 5 affordable units, the project will be capped at 62 units. The unit cap of 62 units, will not apply to any residential space on the ground floor. Residential space on the ground floor is limited to a maximum of 4000sf.”
  - a. Stipulation of the BOA variances.

- b. If 5 affordable units are provided to the specs above, PSW will be allowed to build a 4<sup>th</sup> floor, and associated elevator and stairwell, up to but not beyond, a line offset from the Western property line by 100', as described in the variance request.
  - c. It is understood by all that not all additional square footage will be allocated to the 5 affordable units.
- 8. "Building to be 80% masonry (including stucco), glass, and heavy metal panel, excluding facades facing into the courtyard."
  - a. Stipulation of BOA variances
  - b. Originally requested at 95%, but further discussions led us to agree that the outside of the building, not including the facades facing the courtyard, would be subject to this requirement and this would achieve the look the neighborhood desired.
- 9. "Owner will record a Public access easement along its Southern property line from S 1<sup>st</sup> to a gate accessing the adjacent SF-5 property."
  - a. Stipulation of BOA variances.

This MOU will be effective August 13<sup>th</sup>, 2017, and can only be dissolved with approval from both parties.

Signed:

---

Ross Wilson, Division President  
PSW Real Estate

---

Cory Walton, President  
BCNA



March 20, 2017

Board of Adjustment Members,

As the manager of the ownership entity of 1615-1617 South Second Street, we support the variance request by PSW to waive the compatibility tent triggered by our property on their subject property at 1600 South First Street.

We are supportive of this request because we feel any impact created by the additional massing would be appropriately mitigated by the 25' setback and vegetated screening as agreed upon between the two property owners. It is our understanding LDC 25-2-1051 (A)(1) is the specific piece of code for which PSW is seeking a variance.

In addition, it is our opinion the project at 1600 South First Street would be an amenity to our future home-owners as it would provide additional neighborhood retail/commercial space, and provide an agreement for direct access from our property to South First Street. We believe the pedestrian connection to South First Street will be a genuine benefit, not only to us but also to the neighborhood, since we will allow the public to use our private drive for access.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Keady".

Pegalo Inc.

501 North I-35 • Austin, Texas • 512-485-3000

## PUBLIC HEARING INFORMATION

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**Case Number: C15-2017-0034, 1606 South 1<sup>st</sup> St.**

**Contact:** Leane Heldenfels, 512-974-2202, [leane.heldenfels@austintexas.gov](mailto:leane.heldenfels@austintexas.gov)

**Public Hearing: Board of Adjustment, August 14, 2017**

*Merrick Ungar*

Your Name (please print)

1607 S 3rd St Unit B

Your address(es) affected by this application

*[Signature]*

Signature

Daytime Telephone:

512-422-9064

Date

8/6/17

Comments: As a resident and real estate agent in the Bouldin Creek neighborhood for the past 12 years I feel this lot should not be allowed to change the compatibility standards set by the city. It will have a huge negative impact on the local community.

**Comments must be returned by 10 am the day of the hearing to be seen by the Board at this hearing. They may be sent via:**

**Mail:** City of Austin-Development Services Department/ 1st Floor  
Leane Heldenfels  
P. O. Box 1088  
Austin, TX 78767-1088

**(Note: mailed comments must be postmarked by the Wed prior to the hearing to be received timely)**

**Fax:** (512) 974-6305

**Email:** [leane.heldenfels@austintexas.gov](mailto:leane.heldenfels@austintexas.gov)

L02/28

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**Contact: Leane Heldenfels, 512-974-2202, [leana.heldenfels@austintexas.gov](mailto:leana.heldenfels@austintexas.gov)**

**Public Hearing: Board of Adjustment, August 14, 2017**

John & Carol Brejet

*Your Name (please print)*

1607 S. 3<sup>rd</sup> St. Unit A

*Your address(es) affected by this application*

[Signature]

*Signature*

713-501-6935

*Daytime Telephone:*

*Date*

8/7/17

*Comments: This will have a negative impact*

*on our local neighborhood if you change the ~~scope of the project~~ compatibility standards for this lot!*

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Leane Heldenfels  
P. O. Box 1088  
Austin, TX 78767-1088

**(Note: mailed comments must be postmarked by the Wednesday prior to the hearing to be received timely)**

**Fax:** (512) 974-6305

**Email:** [leana.heldenfels@austintexas.gov](mailto:leana.heldenfels@austintexas.gov)

L02/29



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**Contact:** Leane Heldenfels, 512-974-2202, [leaneheldenfels@austintexas.gov](mailto:leaneheldenfels@austintexas.gov)

**Public Hearing: Board of Adjustment, August 14, 2017**

*Reed Duke*

Your Name (please print)

*705 W. Milton*

Your address(es) affected by this application

*Reed Duke*

Signature

Daytime Telephone: *512-441-7248*

Date

*8/7/17*

Comments:

*Please - No more Mission Creek - don't let the developers destroy what's left of the neighborhood.*

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**Fax:** (512) 974-6305

**Email:** [leaneheldenfels@austintexas.gov](mailto:leaneheldenfels@austintexas.gov)

L02/30



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**Public Hearing: Board of Adjustment, August 14, 2017**

*Oathy Collins*

Your Name (please print)

*Cell West Annee*

Your address(es) affected by this application

*512 791-4256*

Signature

Date

Daytime Telephone:

Comments:

*I believe that South 1st has already been affected enough by all the building bores and has enough and 3rd story residential's w/ the speed - too slow thing down*

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L02/31