

BOA CASE REVIEW SHEET

CASE: C15-2019-0027

BOA DATE: May 13, 2019

ADDRESS: 810 ½ San Marcos Street

COUNCIL DISTRICT: 1

OWNER: Barbara Stevens

AGENT: Bryan Lym

ZONING: GR-MU-CO-NCCD-NP (Central East Austin)

AREA: NE 145 x 158 feet of Outlot 1, Division B

VARIANCE REQUEST: Height




SUMMARY: Erect a Cultural Center – Republic of Texas History Museum

ISSUES: Base elevation

	ZONING	LAND USES
<i>Site</i>	GR-MU-CO-NCCD-NP (Central East Austin)	Vacant
<i>North</i>	CS-MU-NCCD-NP (Central East Austin)	Multifamily Residential
<i>South</i>	SF-3-H-NP (Central East Austin)	French Legation
<i>East</i>	SF-3-H-NP (Central East Austin)	Single Family
<i>West</i>	SF-3-NP (Central East Austin)	French Legation

NEIGHBORHOOD ORGANIZATIONS: ANT Artists and Neighbors Together; Austin Independent School District; Austin Neighborhoods Council; Bike Austin; Black Improvement Association; Claim Your Destiny; Del Valle Community Coalition; East Austin Conservancy; El Concilio Mexican-American Neighborhoods; Friends of Austin Neighborhoods; Guadalupe Neighborhood Association for an Improved Neighborhood; Guadalupe Neighborhood Development Corporation; Homeless Neighborhood Association; Neighborhood Empowerment Foundation; Neighbors United for Progress; Organization of Central East Austin Neighborhoods; Preservation Austin; SEL Texas; Sierra Club, Austin Regional Group; United East Austin Coalition; Waller Creek Conservancy



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2019-0027

LOCATION: 810 SAN MARCOS STREET



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" = 333'



CITY OF AUSTIN

Development Services Department

One Texas Center | Phone: 512.978.4000
505 Barton Springs Road, Austin, Texas 78704

I-4/3

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 # _____ ROW # _____ Tax # _____

Section 1: Applicant Statement

Street Address: 810 1/2 SAN MARCOS STREET AUSTIN, TX

Subdivision Legal Description:

NE 145X158 FT OLT 1 DIVISION B

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

Outlot: _____ Division: _____

Zoning District: GR-MU-CO-NCCD-NP

I/We LYM MILLER ARCHITECTURE on behalf of myself/ourselves as
authorized agent for THE DAUGHTERS OF THE REPUBLIC OF TEXAS affirm that on
Month May, Day 13, Year 2019, 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: CULTURAL CENTER - REPUBLIC OF TEXAS HISTORY MUSEUM

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

1991 11TH STREET NCCD ORDINANCE 910620-C, WITH RESPECT TO: (1) SECTION VIII.8.B EFFECTIVELY LOWERING THE BASE ELEVATION ALONG SAN MARCOS STREET, AND (2) SECTION VIII.10.B EXCEPTING THE FRENCH LEGATION PROPERTY FROM ALL OTHER AREA PUBLIC AND CIVIC USES NOT TRIGGERING COMPATIBILITY STANDARDS

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 lowered height restrictions in the NCCD sections noted above do not allow for reasonable development of this site when combined compliance with Subchapter E Design Requirements. This small 0.6 acre corner site has limited street frontage, and vehicle site access will be further restricted if SF-3 compatibility requirements are deemed to be triggered by the adjacent French Legation. The NCCD lowers the base elevation for measuring the allowable 40 ft height restriction over 12 feet below our site elevation and this lowered allowable height does not allow reasonable use.

Hardship

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

This small 0.6 acre corner site adjacent to the French Legation has limited street frontage and TCM requirements heavily restrict driveway access. Requiring the French Legation Museum site adjacent to two sides to trigger SF-3 compatibility requirements further restricts pedestrian and vehicular access. Height restrictions, when measured from a base elevation well below our site, will not allow for a reasonably sized multi-story cultural center and museum.

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

The recently developed Tyndall Multi-family building was granted a variance to the French Legation compatibility requirements and was allowed to be at least 70 feet tall. Our site is the only other GR-MU-CO-NCCD-NP adjacent to the French Legation. All other sites are afforded taller height restrictions and are at a lower elevation than this site.

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 proposed building will be a three-story cultural center that steps back from and respects the French Legation site, with the majority of the third story planned to be an open-air rooftop deck for public events that looks over the historic French Legation site with a view of the downtown skyline beyond.

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:

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:

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: Bryan L Lym Digitally signed by Bryan L Lym
Date: 2019.04.09 16:27:43 -05'00' Date: 04/09/2019

Applicant Name (typed or printed): Bryan L Lym, AIA

Applicant Mailing Address: 610 Brazos Street, Suite 400

City: Austin State: TX Zip: 78701

Phone (will be public information): (512) 476-7001

Email (optional – will be public information): [REDACTED]

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: Barbara Stevens Digitally signed by Barbara Stevens
Date: 2019.04.09 16:21:53 -05'00' Date: 04/09/2018

Owner Name (typed or printed): Daughters of the Republic of Texas

Owner Mailing Address: 510 E Anderson Ln

City: Austin State: TX Zip: 78752

Phone (will be public information): (512) 339-1997

Email (optional – will be public information): [REDACTED]

Section 5: Agent Information

Agent Name: Lym Miller Architecture, PLLC

Agent Mailing Address: 610 Brazos Street, Suite 400

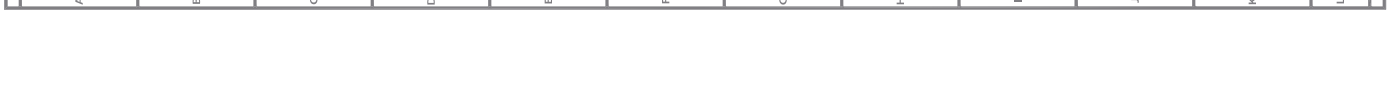
City: Austin State: TX Zip: 78701

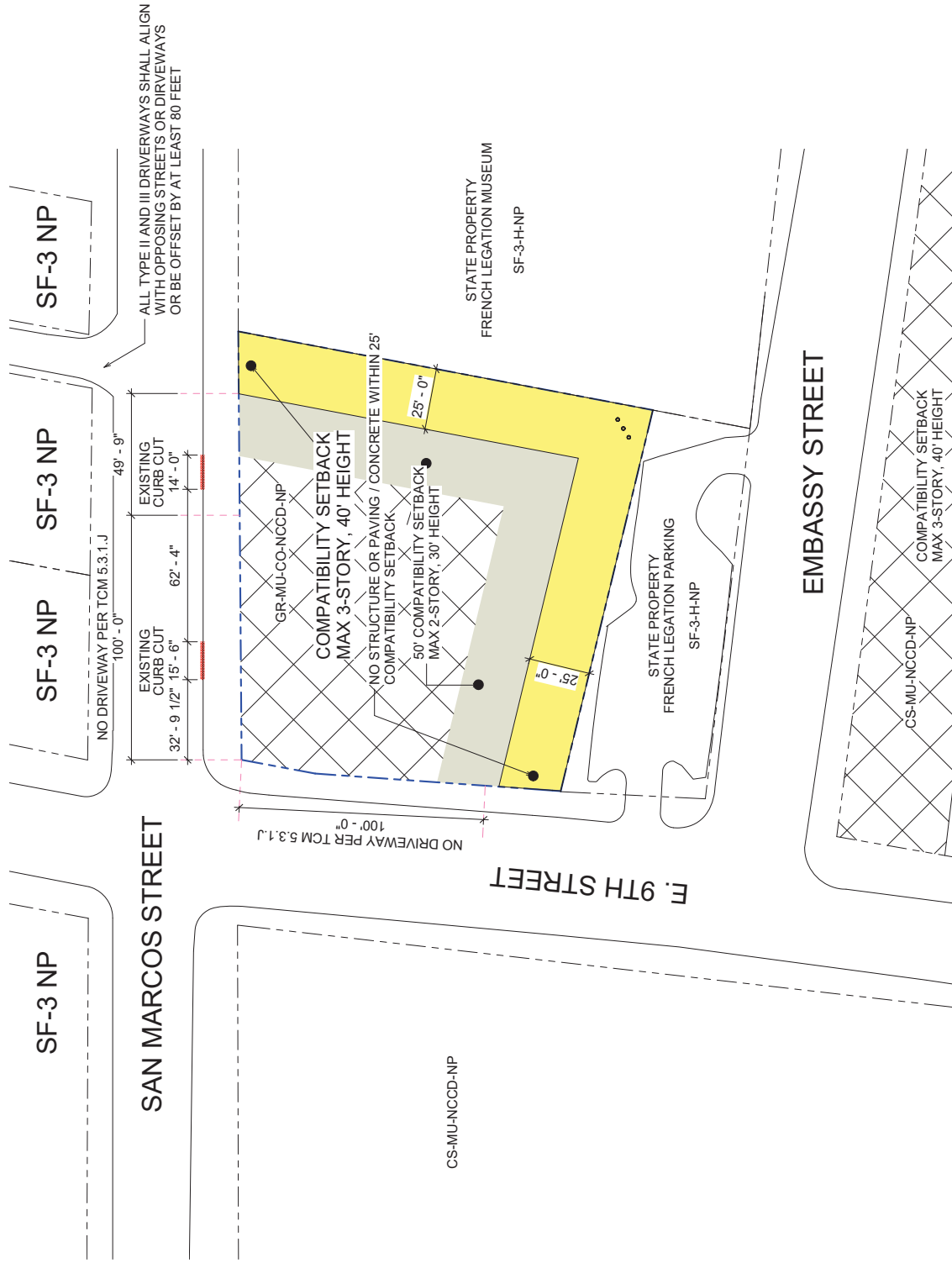
Phone (will be public information): (512) 476-7001

Email (optional – will be public information): [REDACTED]

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).





NCCD COMPATIBILITY REQUIREMENTS 04/09/2019

REPUBLIC OF TEXAS HISTORY CENTER
BOARD OF ADJUSTMENTS REVIEW APPLICATION
DAUGHTERS OF THE REPUBLIC OF TEXAS

810 SAN MARCOS ST. AUSTIN, TX 78702

PLANS ARE
GRANTED FOR
CONSTRUCTION
ONLY NOT FOR
REVISIONS
APPROVAL
PERMITTING
CONSTRUCTION



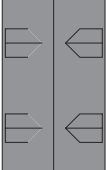
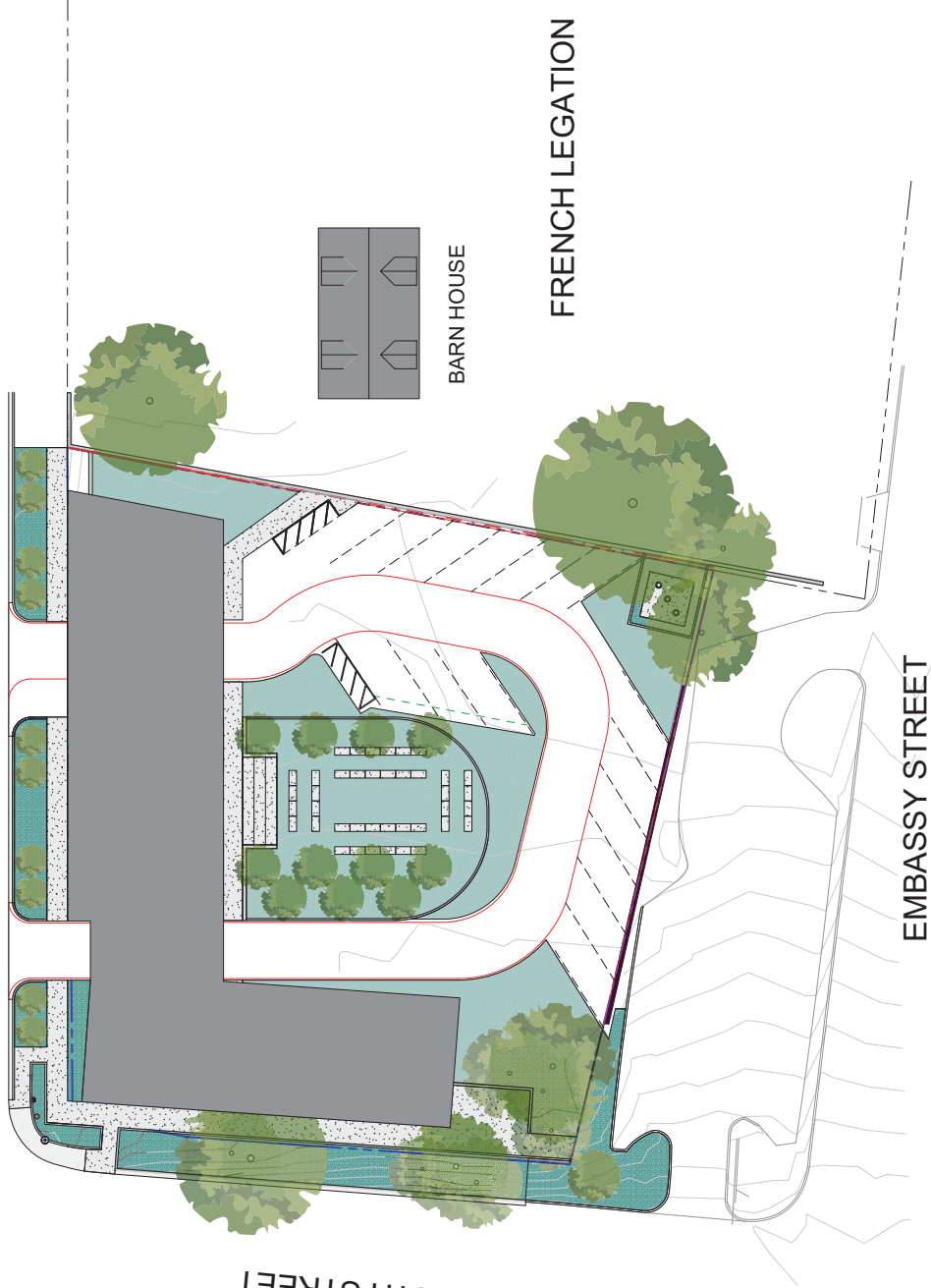
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SAN MARCOS STREET

E. 9TH STREET



BARN HOUSE

FRENCH LEGATION

EMBASSY STREET

PROPOSED SITE PLAN 04/09/2019
REPUBLIC OF TEXAS HISTORY CENTER
BOARD OF ADJUSTMENTS REVIEW APPLICATION
DAUGHTERS OF THE REPUBLIC OF TEXAS
810 SAN MARCOS ST. AUSTIN, TX 78702

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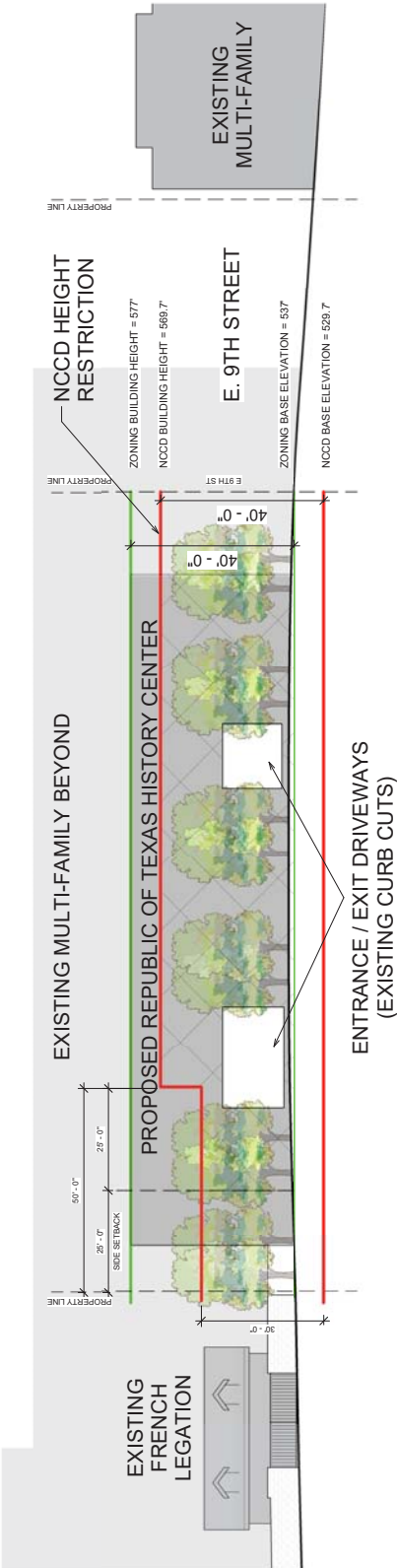


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LYNN MILLER
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EXISTING SAN MARCOS STREET PHOTOGRAPHS



SAN MARCOS STREET ELEVATION

PROPOSED SAN MARCOS STREET ELEVATION MASSING 04/09/2019

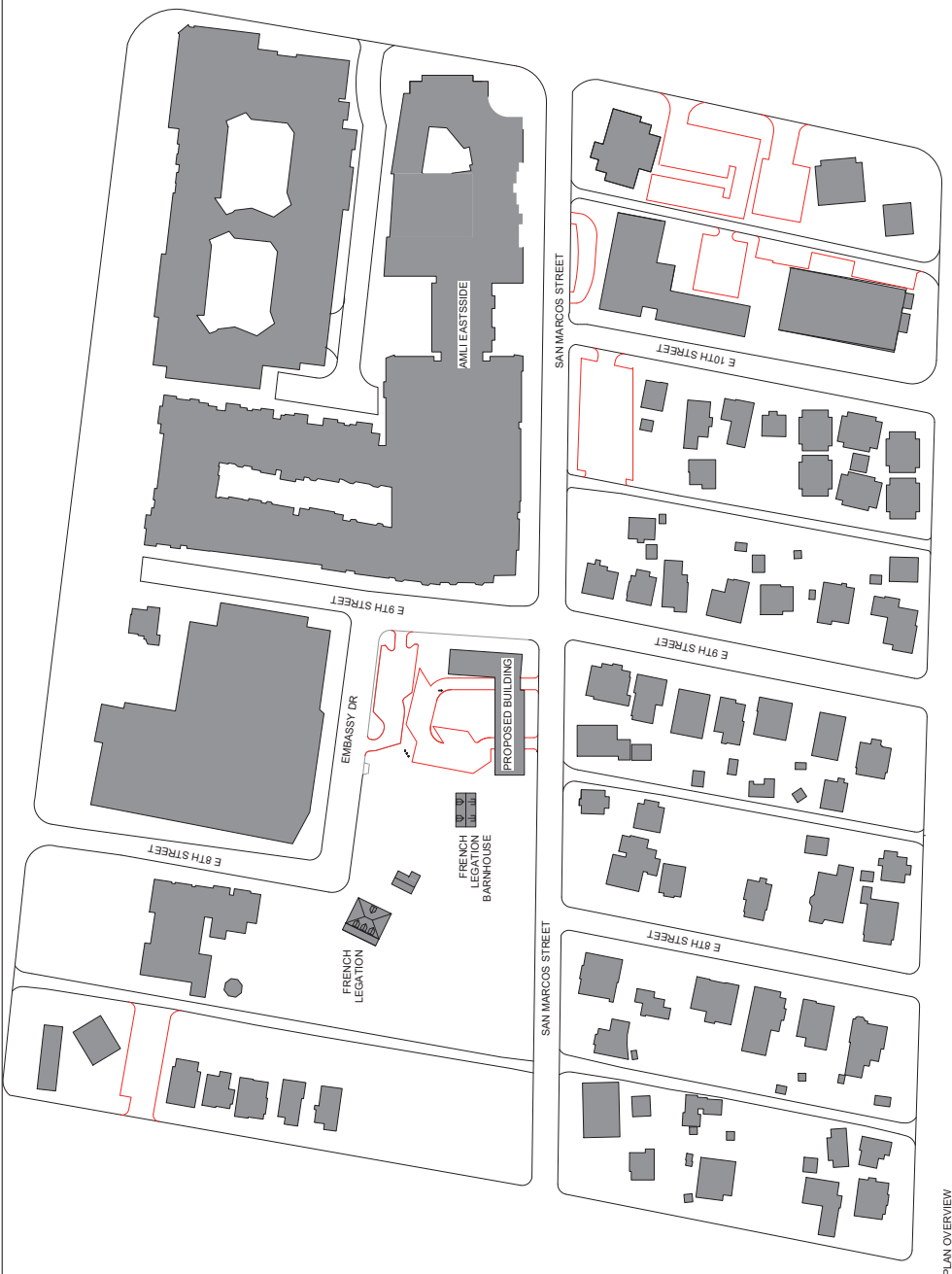
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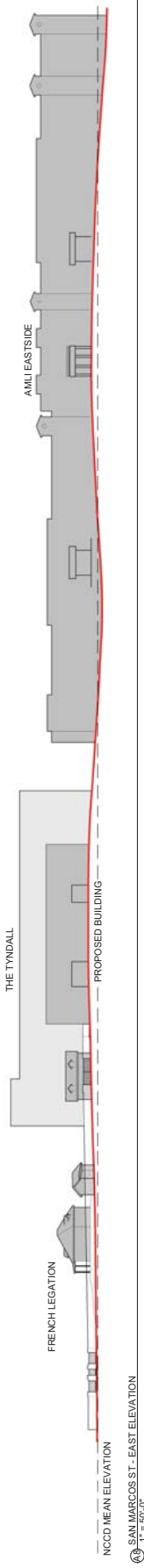


610 Brazos Street, Suite 400
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LYN MILLER
ARCHITECTURE



69 SITE PLAN OVERVIEW
1" = 80'-0"



70 SAN MARCOS ST - EAST ELEVATION
1" = 50'-0"

SITE - PLAN & ELEVATION VIEWS 04/09/2019
REPUBLIC OF TEXAS HISTORY CENTER
BOARD OF ADJUSTMENTS REVIEW APPLICATION
DAUGHTERS OF THE REPUBLIC OF TEXAS
 810 SAN MARCOS ST. AUSTIN, TX 78702



PLANS ARE
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 FOR CONSTRUCTION

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April 18, 2019

Barbara Stevens
DRT President General
510 E. Anderson Lane
Austin, TX 78752-1218

Dear Ms. Stevens,

I am pleased to write a letter of support for the Republic of Texas History Building Project to be built on San Marcos Street & East 9th Street.

The proposed Republic of Texas Museum will bring many community benefits to East Austin which has been a community and elected officials focus for several years if not decades. Not only will the Museum provide instructional and visual history for school children; it includes community benefits such as meeting spaces, beautification of the area and support for the economic vitality of East Austin.

I am confident that the Austin City Council through its land development code did not intentionally want to provide a barrier to such a community benefit project. In fact, I am as equally confident that the Austin City Council will be the first in line to celebrate the addition of Republic of Texas Museum in East Austin.

Again, I am pleased to write in support of the project and the work of the Daughters of the Republic of Texas, Inc.

Sincerely,

A handwritten signature in dark ink that reads 'Mike Rollins'. The signature is written in a cursive, flowing style.

Michael W. Rollins
President & CEO



City of Austin

Natasha Harper-Madison, Council Member
District 1

301 W. Second St., Austin, TX 78701

512-978-2101 • Fax 512-978-2111

natasha.madison@austintexas.gov

4.29.2019

Dear Ms. Stevens,

As I write this, it is another beautiful day in Austin, Texas, one of the most forward-thinking municipalities in the nation. For years, our growing city has shouldered a phenomenal amount of change and growth with an eager spirit of innovation and all eyes on a brighter future. However, despite the promise of Tomorrow's prosperity, it's absolutely critical to remember our rich Yesterdays, both as a city and as the seat of government for our great state.

To that end, I'm writing to you to today to express my enthusiastic support for the proposed Republic of Texas History Cultural Center aimed for 810 ½ San Marcos Street. As you may know, this property is in Austin City Council District 1, the district I am so fortunate enough to represent. This is a dynamic area loaded with cultural vitality that would further benefit from the offerings of the RTHC, including public meeting spaces, family research opportunities, and a museum that challenges visitors with the truths of history. I am also very interested in the opportunities for collaboration between the RTHC and other museums and cultural institutions in East Austin.

If there is any way my office can help, please do not hesitate to reach out.

Sincerely,

Council Member Natasha Harper-Madison
Austin City Council
District 1