

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

DATE: Monday June 10, 2019

CASE NUMBER: C15-2019-0022

____ William Burkhardt
____ Jessica Cohen
____ Ada Corral
____ Eric Goff
____ Melissa Hawthorne
____ Don Leighton-Burwell
____ Rahm McDaniel
____ Darryl Pruet
____ Veronica Rivera
____ Yasmine Smith
____ Michael Von Ohlen
____ Kelly Blume (Alternate)
____ Martha Gonzalez (Alternate)
____ Vacant (Alternate)

APPLICANT: Jason Asbury

OWNER: Travis County

ADDRESS: 5501 AIRPORT BLVD

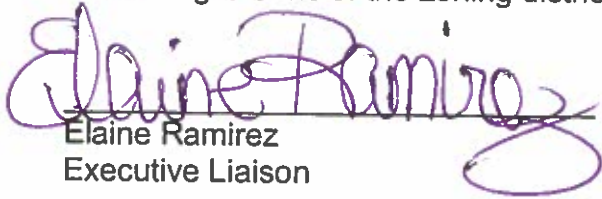
VARIANCE REQUESTED: The applicant has requested variance(s) to Section 25-2-492 (D) (Site Development Regulations) to Section 25-6 Appendix A (Tables of Off-Street parking and Loading Requirements) to reduce the number of required parking spaces from 360 spaces (required) to 339 spaces (requested, 271 spaces existing) in order to add 6,000 square feet office space for 240 employees in a "CS-V-CO-NP", General Commercial Services – Vertical Mixed Use building – Conditional Overlay – Neighborhood Plan zoning district. (North Loop)

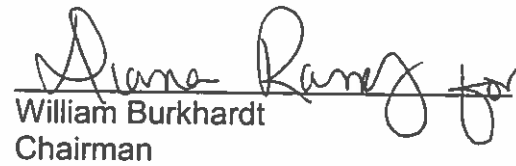
BOARD'S DECISION: May 13, 2019 The public hearing was closed by Chair William Burkhardt, Board Member Eric Goff motion to Postpone to June 10, 2019, Board Member Michael Von Ohlen second on an 11-0 vote; POSPTONED TO JUNE 10, 2019. June 10, 2019 POSTPONED TO JULY 8, 2019 BY APPLICANT

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:


Elaine Ramirez
Executive Liaison


William Burkhardt
Chairman



May 6, 2019

Jason Asbury
5501 Airport Blvd
Austin TX, 78751

Property Description: LOT 5 RESUB NO 2 OF BLK 1-2 HILL LOU H MRS SUBD

Re: C15-2019-0022

Dear Jason,

Austin Energy (AE) has reviewed your application for the above referenced property, requesting that the Board of Adjustment consider a variance(s) from Section 25-2-492 (D) (*Site Development Regulations*) to Section 25-6 Appendix A (*Tables of Off-Street parking and Loading Requirements*) to reduce the number of required parking spaces from 360 spaces (required) to 339 spaces (requested, 271 spaces existing);

In order to add 6,000 square feet office space for 240 employees in a "CS-V-CO-NP", General Commercial Services – Vertical Mixed Use building – Conditional Overlay – Neighborhood Plan zoning district. (North Loop)

Austin Energy does not oppose the requested parking space variance, provided that all proposed and existing improvements are in compliance with AE clearance criteria requirements, the National Electric Safety Code and OSHA. Any removal or relocation of existing electric facilities will be at owners/applicants expense.

Please use this link to be advised of our clearance and safety requirements which are additional conditions of the above review action:

https://library.municode.com/tx/austin/codes/utilities_criteria_manual?nodeId=S1AUENDECR_1_10.0CLSARE

If you require further information or have any questions regarding the above comments, please contact our office. Thank you for contacting Austin Energy.

Eben Kellogg, Property Agent

Austin Energy
Public Involvement | Real Estate Services
2500 Montopolis Drive
Austin, TX 78741
(512) 322-6050

CITY OF AUSTIN

Board of Adjustment

Decision Sheet

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CASE NUMBER: C15-2019-0022

☒	Ada Corral
☒	William Burkhardt
☒	Darryl Pruett
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☐	Martha Gonzalez (Alternate)
☒	Veronica Rivera
☒	Jessica Cohen
☒	Michael Von Ohlen
☐	Kelly Blume (Alternate)
☐	Alternate (Vacant)

APPLICANT: Jason Asbury

OWNER: Travis County

ADDRESS: 5501 AIRPORT BLVD

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BOARD'S DECISION: May 13, 2019 The public hearing was closed by Chair William Burkhardt, Board Member Eric Goff motion to Postpone to June 10, 2019, Board Member Michael Von Ohlen second on an 11-0 vote; POSPTONED TO JUNE 10, 2019.

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:


Elaine Ramirez
Executive Liaison


William Burkhardt
Chairman

Elaine,

Can I postpone it? I need more time to work with the City to make sure I am clear.

From: Ramirez, Elaine <Elaine.Ramirez@austintexas.gov>

Sent: Tuesday, May 28, 2019 11:37 AM

To: Jason Asbury <[REDACTED]>

Subject: RE: C15-2019-0022 / 5501 Airport Blvd possible Variance withdrawl

Hi Jason,

Are you wanting to postpone to the July 8 mtg.? or are you wanting to Withdraw the variance application completely?

Respectfully,

Elaine Ramirez

Board of Adjustment Liaison

Planner Senior

[City of Austin Development Services Department](#)

One Texas Center, 1st Floor

505 Barton Springs Rd

Office: 512-974-2202



Follow us on [Facebook](#), [Twitter](#) & [Instagram](#) @DevelopmentATX

Scheduled Meeting Disclosure Information:

In accordance with City of Austin Ordinance 20160922-005, responsibility of written disclosure is required by visitors when attending a scheduled meeting with a City Official regarding a municipal question as defined within City Code 4-8-2 for compensation on behalf of another person.

Development Services Department has elected to implement an electronic survey as the methodology to provide the opportunity to record information as required of the department under Section 4-8-8 (E) of the City Code. Individuals scheduling or accepting a meeting invitation with a City Official are requested to provide responses to the questions included in the department survey available at the following link: [DSD Survey](#). Please note that all information provided is subject to public disclosure via DSD's open data portal.

For more information please visit: [City Clerk's website](#)

From: Jason Asbury [REDACTED]
Sent: Tuesday, May 28, 2019 11:17 AM
To: Ramirez, Elaine <Elaine.Ramirez@austintexas.gov>
Subject: RE: C15-2019-0022 / 5501 Airport Blvd possible Variance withdrawal

Elaine,

I have not gotten the confirmation from the City on the new sidewalk. Can I cancel on June 10?

From: Ramirez, Elaine <Elaine.Ramirez@austintexas.gov>
Sent: Tuesday, May 28, 2019 11:10 AM
To: Jason Asbury <[REDACTED]>
Subject: RE: C15-2019-0022 / 5501 Airport Blvd possible Variance withdrawal
Importance: High

Hi Jason,
I am just following up from an e-mail I sent you a couple of weeks ago. This was supposed to be sent to me on Friday, May 24, if you still wish to withdraw please e-mail me the letter A.S.A.P please see below...

For your information this case was postponed to the June 10 mtg. I understand that you may be withdrawing, if you do please let us know by May 24th by e-mailing me a letter of Withdrawal to notify the Board Members.

Please note: Any late support that will be accepted after this deadline date of May 24, 2019 will be Opposition and Favor letters for this case.

Respectfully,
Elaine Ramirez
Board of Adjustment Liaison
Planner Senior
[City of Austin Development Services Department](#)
One Texas Center, 1st Floor
505 Barton Springs Rd
Office: 512-974-2202



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For more information please visit: [City Clerk's website](#)

From: Ramirez, Elaine

Sent: Tuesday, May 14, 2019 3:50 PM

To: Jason Asbury <[REDACTED]>

[REDACTED] Variance withdrawl

Hi Jason,

For your information this case was postponed to the June 10 mtg. I understand that you may be withdrawing, if you do please let us know by May 24th by e-mailing me a letter of Withdrawl to notify the Board Members.

Respectfully,

Elaine Ramirez

Board of Adjustment Liaison

Planner Senior

[City of Austin Development Services Department](#)

One Texas Center, 1st Floor

505 Barton Springs Rd

Office: 512-974-2202



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BOA CASE REVIEW SHEET

CASE: C15-2019-0022**BOA DATE:** May 13, 2019**ADDRESS:** 5501 Airport Blvd.**COUNCIL DISTRICT:** 4**OWNER:** Travis County**AGENT:** Jason Asbury**ZONING:** CS-V-CO-NP (North Loop)**AREA:** Lot 5, Re-subdivision No. 2 of Block 1-2, Mrs. Lou H Hill Subdivision**VARIANCE REQUEST:** Parking reduction of 21 spaces (339 provided, 360 required)**SUMMARY:** To accommodate remodel**ISSUES:** Additional 6,000 sf of space for total of 240 employees

	ZONING	LAND USES
<i>Site</i>	CS-V-CO-NP (North Loop)	Travis County Offices
<i>North</i>	CS-MU-CO-NP (North Loop)	Commercial, Multifamily Residential
<i>South</i>	CS-CO-NP and LR-CO-NP (North Loop)	Commercial
<i>East</i>	SF-3-NP and MF-3-NP (North Loop)	Commercial
<i>West</i>	CS-V-CO-NP (North Loop)	Single Family and Multifamily Residential

NEIGHBORHOOD ORGANIZATIONS: Austin Independent School District; Austin Neighborhoods Council; Bike Austin; Central Austin Community Development Corporation; Friends of Austin Neighborhoods; Homeless Neighborhood Association; Neighborhood Empowerment Foundation; North Austin Neighborhood Alliance; North Loop Neighborhood Plan Contact Team; Preservation Austin; Ridgetop Neighborhood Association; SEL Texas; Sierra Club, Austin Regional Group; The Midtown Alliance

P-2/11



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2019-0022

LOCATION: 5501 AIRPORT 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" = 333'



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 # _____ ROW # _____ Tax # _____

Section 1: Applicant Statement

Street Address: 5501 Airport Blvd

Subdivision Legal Description:

LOT 5 RESUB NO 2 OF BLK 1-2 HILL LOU H MRS SUBD

Lot(s): 5 Block(s): 1-2

Outlot: _____ Division: hill lou h

Zoning District: CS; CS1

I/We Jason Asbury on behalf of myself/ourselves as
authorized agent for Travis County affirm that on
Month March, Day 28, 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: 6000 sq ft 2 story office space to 5501 Airport Blvd.

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

With the addition of the 6000 sqft of new office space the parking space requirment became 360 total spaces. After reconfiguring every space as shown on the plan the total will be 339 total spaces. The total number of employees at the location is 240 employees. Which should leave well over 100 spaces for the visitors to the tax office.

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:

According to the parking lot regulations the site giving the square foortage is to have had 360 spaces. At this time even with the reconfiguration adding the compact car spaces the site is short 21spaces.

Hardship

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

A new multi-use building will be constructed next door to the tax office. Currently there is only an empty lot where the old structures use to be. Every possibe space has been used to provide parking for the structure.

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

There is very little left over space to construct additional parking. The need to increase the square footage of the Tax office to support the citizens of Travis County is what is driving this modification. After the addition to the building there will still be approximately 100 spaces for the visitors to the Tax Office.

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 character of the area will not be altered by the Tax office due to the nature of the area close to 290 and adjacent Travis County offices.

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:

The current layout of the building would not change the off-street parking. While there are some on street parking available this parking is typically not used due to the location of the on street parking is to the rear of the structure along the rear fencing. Also there is no parking on the street along Airport.

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:

There is an existing bus stop on Airport and no on street parking is allowed.

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

Granting of this variance will not create a safety hazard.

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

The customers that park in the lot know that the parking is in short supply. We are actually adding more spaces that should help with the parking issue which will be done by modifying the existing flow through the lot. However there is no reasonable way to get the total number of spaces for the population.

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: Jason Asbury Digitally signed by Jason Asbury
Date: 2019.04.07 22:06:00 -05'00' Date: 03/28/2019

Applicant Name (typed or printed): Jason Asbury

Applicant Mailing Address: 500 VFW Rd.

City: Austin State: Texas Zip: 78758

Phone (will be public information): (512) 339-3707

Email (optional – will be public information): _____

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: _____ Date: _____

Owner Name (typed or printed): _____

Owner Mailing Address: 5501 Airport Blvd.

City: Austin State: Tx Zip: 78751

Phone (will be public information): _____

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: Jason Asbury

Agent Mailing Address: 500 VFW Rd

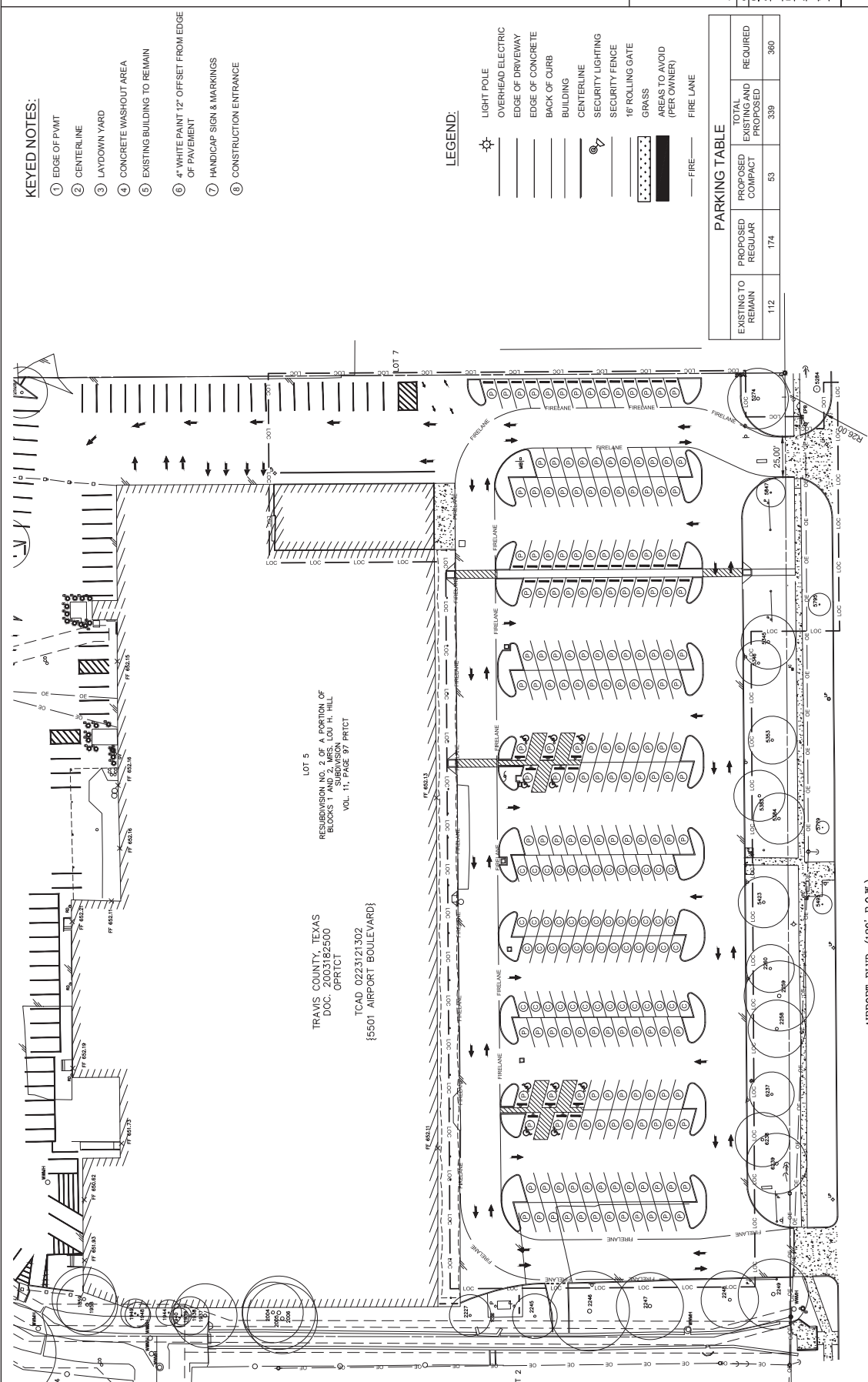
City: Austin State: TX Zip: 78758

Phone (will be public information): (523) 339-3707

Email (optional – will be public information): _____

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).



KEYED NOTES:

- 1 EDGE OF PAVT
- 2 CENTERLINE
- 3 LAYDOWN YARD
- 4 CONCRETE WASHOUT AREA
- 5 EXISTING BUILDING TO REMAIN
- 6 4" WHITE PAINT 12" OFFSET FROM EDGE OF PAVEMENT
- 7 HANDICAP SIGN & MARKINGS
- 8 CONSTRUCTION ENTRANCE

TRAVIS COUNTY TAX OFFICE NEW BUILDING
PROPOSED SITE PLAN B

ARIZPE
500 VIEW RD. AUSTIN, TX 78753
www.arizpe.com
TX FIRM REGISTRATION #F000553

LEGEND:

- LIGHT POLE
- OVERHEAD ELECTRIC
- EDGE OF DRIVEWAY
- EDGE OF CONCRETE
- BACK OF CURB
- BUILDING
- CENTERLINE
- SECURITY LIGHTING
- SECURITY FENCE
- 16" ROLLING GATE
- GRASS
- AREAS TO AVOID (PER OWNER)
- FIRE LANE

PARKING TABLE

EXISTING TO REMAIN	PROPOSED REGULAR	PROPOSED COMPACT	TOTAL EXISTING AND PROPOSED	REQUIRED
112	174	53	339	360

A1 PROPOSED SITE PLAN B
SCALE: 1" = 30'
NORTH

0 15' 30' 60' 90'
SCALE: 1" = 30'

C-100B
5 OF 10

PROPOSED SITE PLAN B

Travis Registered Engineering Firm # F-0000553
date: 05.29.18
ARIZPE
WORK ORDER: 44000363
MARK REGAN
JASON ASBURY
TODD BROWN/WORKING
ISSUED FOR: 05.29.18
date: 05.29.18
ARIZPE
WORK ORDER: 44000363
MARK REGAN
JASON ASBURY
TODD BROWN/WORKING

7-2-17

From: Patricia Borowicz [REDACTED]
Sent: Sunday, April 28, 2019 7:57 PM
To: Ramirez, Elaine <Elaine.Ramirez@austintexas.gov>
Subject: C15-2019-0022, 5501 Airport

Written comments must be submitted to the contact person listed on the notice before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice. **All comments received will become part of the public record of this case.**

Case Number: C15-2019-0022, 5501 Airport Blvd.

Contact: Elaine Ramirez, 512-974-2202, Elaine.ramirez@austintexas.gov

Public Hearing: Board of Adjustment, May 13, 2019

Patricia Borowicz

Your Name (please print)

☐ I am in favor
☒ I object

905 EAST 55th St.

Your address(es) affected by this application

Borowicz

Signature

4/28/2019

Date

Daytime Telephone: 512-517-1532

Comments: Travis Flats is already going to reduce the number of parking spaces available for 5501 Airport employees, and employees already park on Helen.

Do they have incentives to use alternate modes of transportation?

Comments must be returned by 10am Monday to be seen by the Board at this hearing. They may be returned via:

Mail: City of Austin-Development Services Department/ 1st Floor
Elaine Ramirez

P. O. Box 1088

Austin, TX 78767-1088

(Note: mailed comments must be postmarked by the Wed prior to the hearing to be received in time for this hearing)

Fax: (512) 974-6305

Email: elaine.ramirez@austintexas.gov