

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

**DATE: Monday August 12, 2019**

**CASE NUMBER: C15-2019-0033**

\_\_\_\_ Brooke Bailey  
 \_\_\_\_ Jessica Cohen  
 \_\_\_\_ Ada Corral  
 \_\_\_\_ Melissa Hawthorne  
 \_\_\_\_ William Hodge  
 \_\_\_\_ Don Leighton-Burwell  
 \_\_\_\_ Rahm McDaniel  
 \_\_\_\_ Darryl Pruett  
 \_\_\_\_ Veronica Rivera  
 \_\_\_\_ Yasmine Smith  
 \_\_\_\_ Michael Von Ohlen  
 \_\_\_\_ Kelly Blume (Alternate)  
 \_\_\_\_ Martha Gonzalez (Alternate)  
 \_\_\_\_ Denisse Hudock (Alternate)

**APPLICANT: Melissa Brown**

**OWNER: Bryan Cumby**

**ADDRESS: 3219 MANOR RD**

**VARIANCE REQUESTED:** The applicant is requesting a variance(s) from the maximum allowable Compatibility Height requirements of Article 10, Compatibility Standards, Division 2 –Development Standards, Section 25-2-1063 (C) (2) and (3) (Height Limitations and Setbacks for Large Sites) in order to construct a 60 foot Multi-Family use in a “CS-V-CO-NP”, General Commercial Services – Vertical Mixed Use – Conditional Overlay –Neighborhood Plan zoning district. (MLK Neighborhood Plan)

**a. The Land Development Code Section 25-2-1063 (C) (2) allows a height limit of three stories or 40 feet, if the structure is more than 50 feet and not more than 100 feet from property (a) in an "SF-5" or more restrictive zoning district, or (b) on which a use permitted in an "SF-5" or more restrictive zoning district is located.**

**b. The Land Development Code Section 25-2-1063 (C) (3) allows a height limit for a structure more than 100 feet but not more than 300 feet from property zoned "SF-5" or more restrictive, 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.**

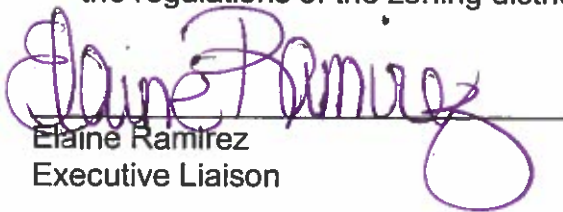
**Note: This variance will allow for a uniform height of 60 ft. for the entire project. 60 ft. is currently allowed in portions of the project and graduating down to 40 ft. in other portions of the project.**

**BOARD'S DECISION: June 10, 2019 The public hearing was closed by Chair William Burkhardt, Board Member Michael Von Ohlen motion to Postpone to July 8, 2019, Board Member Don Leighton-Burwell second on a 10-0 vote; POSTPONED TO JULY 8, 2019. July 8, 2019 POSTPONED TO AUGUST 12, 2019 BY APPLICANT; Aug 12, 2019 POSTPONED TO SEPTEMBER 9, 2019 BY APPLICANT**

**EXPIRATION DATE:**

**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

  
Don Leighton-Burwell  
Chairman

# A Proposal for Variances

at *3219 Manor*

Updated Packet for  
September 9<sup>th</sup>, 2019  
BOA Meeting

P-1/4

# 3219 Manor Rd. Design With Variances Updated









# Mid-City DEVELOPMENT

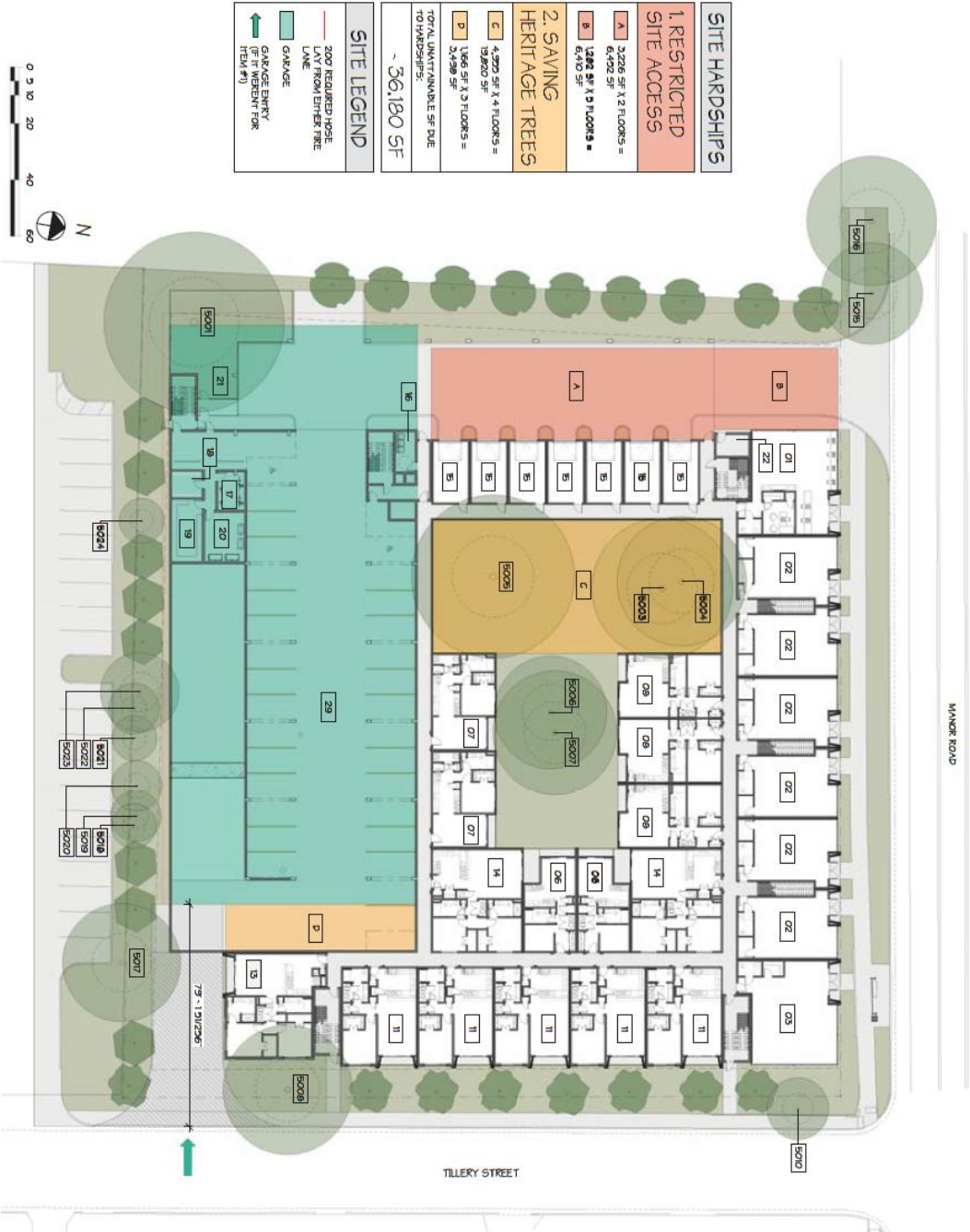
This architectural site plan shows a school campus with various buildings and outdoor spaces. Green circles highlight specific areas: a large circle in the top left corner, a circle in the top right corner, a circle in the middle left corner, a circle in the middle right corner, a circle in the bottom left corner, and a circle in the bottom right corner. A red line runs along the bottom edge of the plan, and a blue line runs along the right edge. The plan includes labels for buildings (e.g., 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661

Ordinance restriction of no vehicular access from Tillery

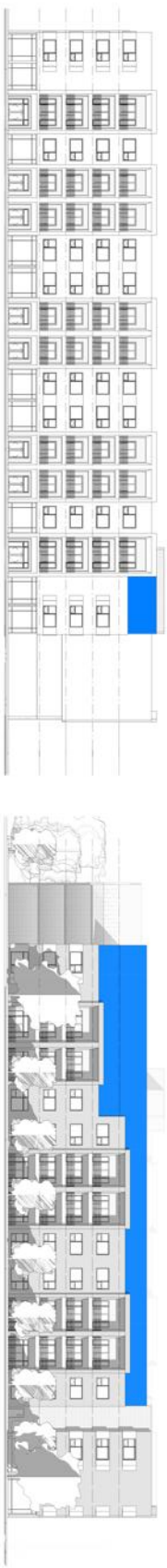
**\*\*All information is subject to change\*\***

	EXISTING TREES SEE BELOW
	CEDAR ELM (NEW) 3" CAL. 10-12 HT. MIN.
	SHUMARD OAK (NEW) 12" CAL. MIN 8 HT. MIN.
	CHINQUAPIN OAK (NEW) 3" CAL. 10-12 HT. MIN.
EXISTING TREE LEGEND	
5001	32" POST OAK
5003	25" POST OAK
5004	23" POST OAK
5005	29" POST OAK 20-18
5006	20" POST OAK
5007	22" POST OAK
5008	23" POST OAK
5010	11" CEDAR ELM
5017	21" LIVE OAK
5018	8" CHINABERRY
5019	9" CHINABERRY
5020	9" CHINABERRY
5021	8" CHINABERRY
5022	9" CHINABERRY
5023	14" CHINABERRY 10-8
5024	8" HACKBERRY

# Tree Size and Location

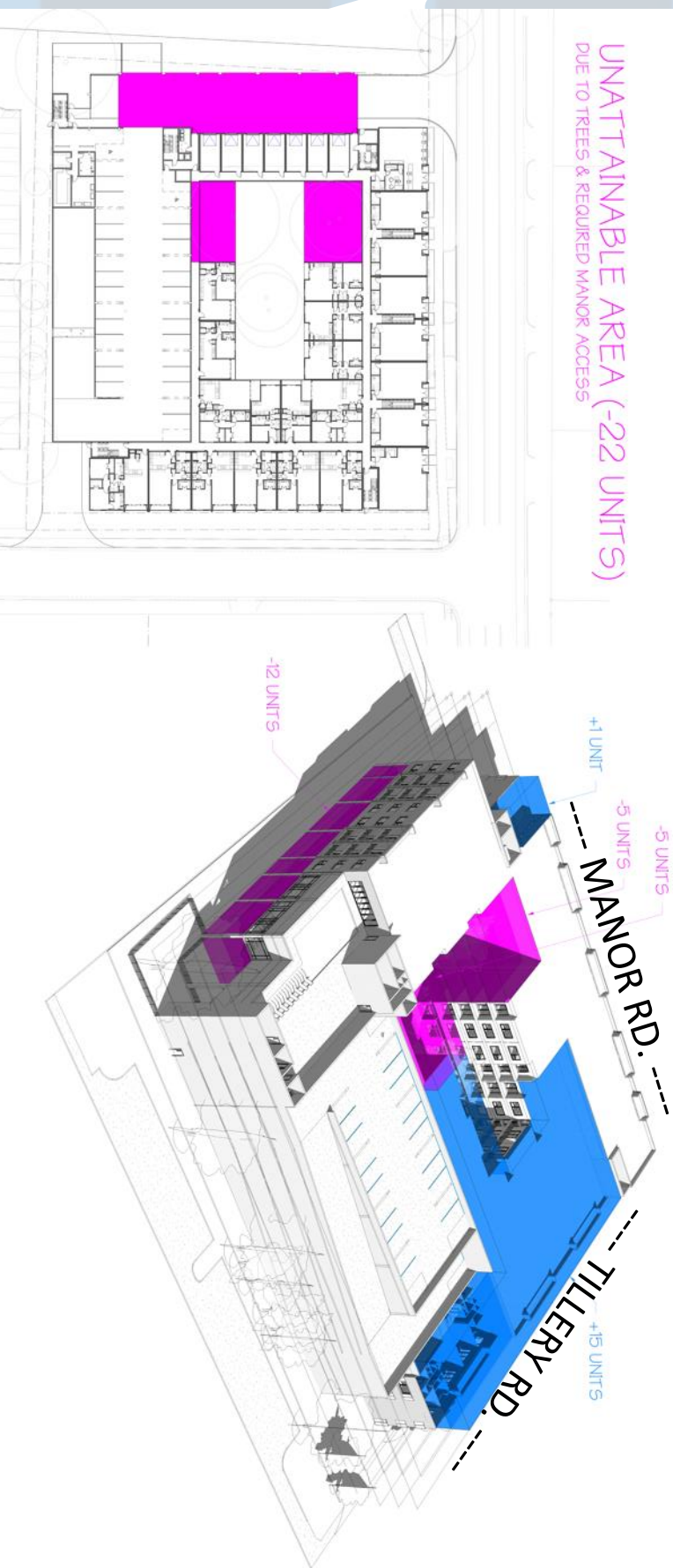


\*\* All information is subject to change \*\*



REQUESTED AREA (+16 UNITS)  
COMPATIBILITY RELEASE

UNATTAINABLE AREA (-22 UNITS)  
DUE TO TREES & REQUIRED MANOR ACCESS



\*\* All information is subject to change \*\*





NW

**Redesign Following  
Neighborhood in-put.  
Increasing unit count, adding an  
underground garage and lowering  
a portion of the building.**

**Mid·City**  
DEVELOPMENT

Updated Packet for  
September 9<sup>th</sup>, 2019  
BOA Meeting

P-1/9

Closest section to  
triggering property  
brought 17 feet  
below approved  
height

Compatibility Waived: N and W sides shown  
Garage Underground Option

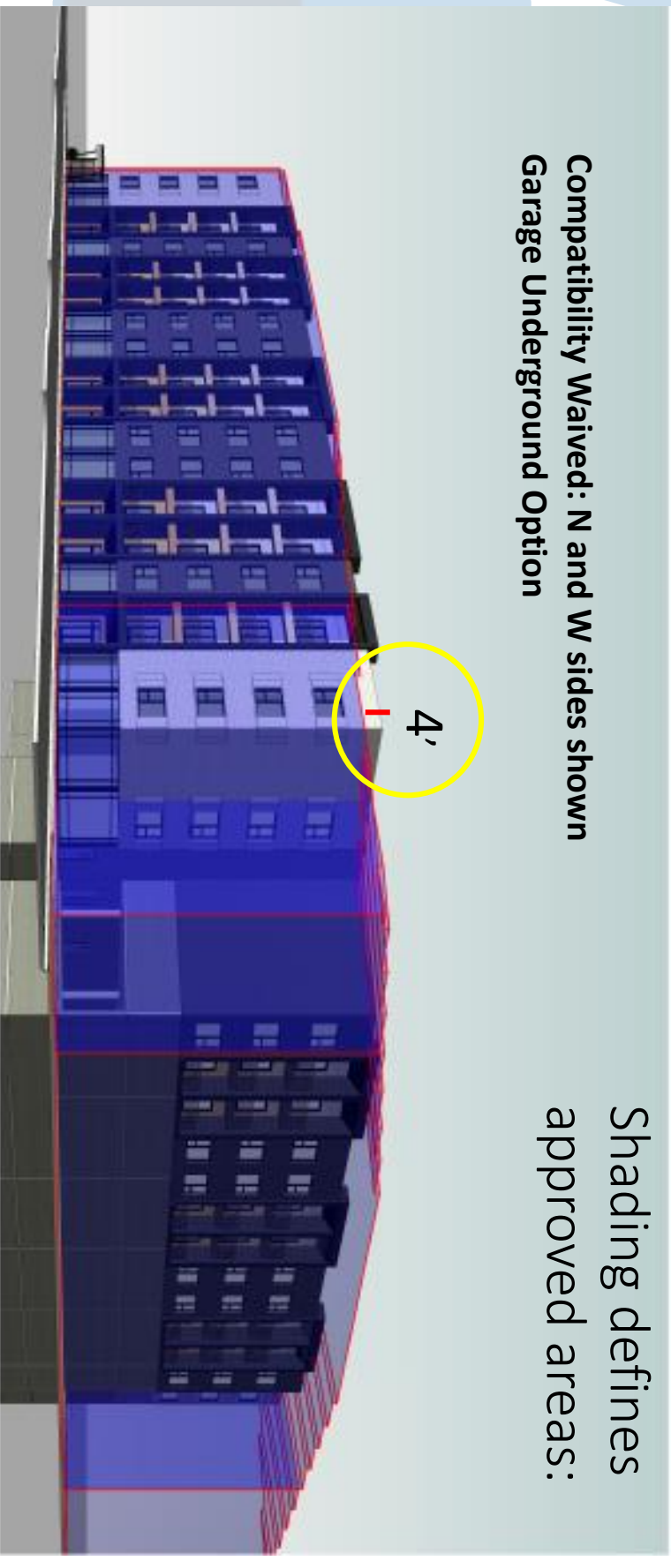
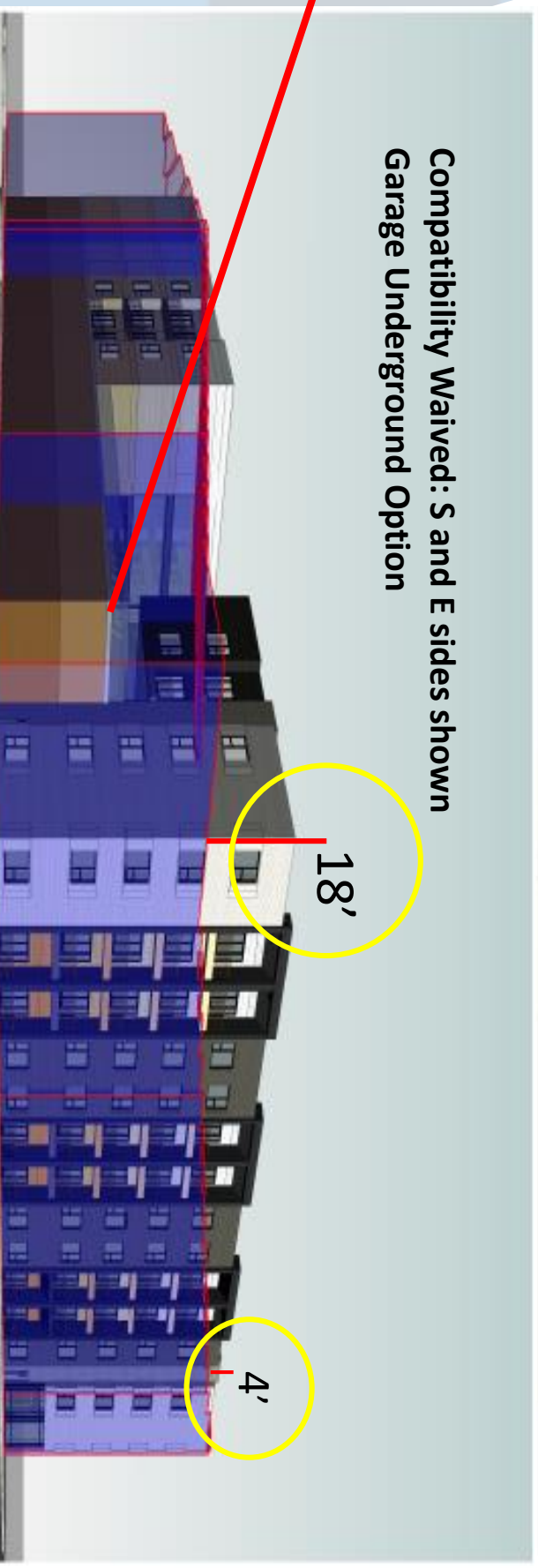
Shading defines  
approved areas:

4'

Compatibility Waived: S and E sides shown  
Garage Underground Option

18'

4'





Updated Packet for  
September 9<sup>th</sup> , 2019  
BOA Meeting

COMPATIBILITY DESIGN



NW



SE

DESIGN WITH VARIANCE  
GARAGE UNDERGROUND

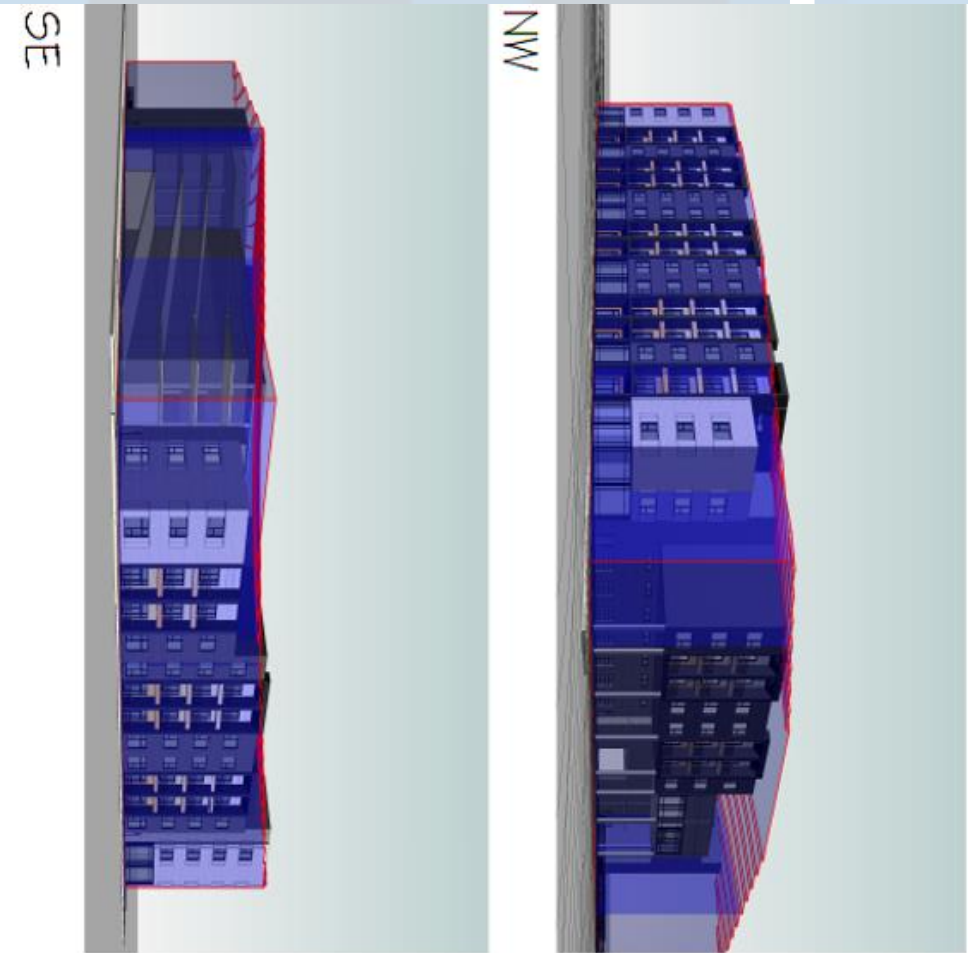


NW



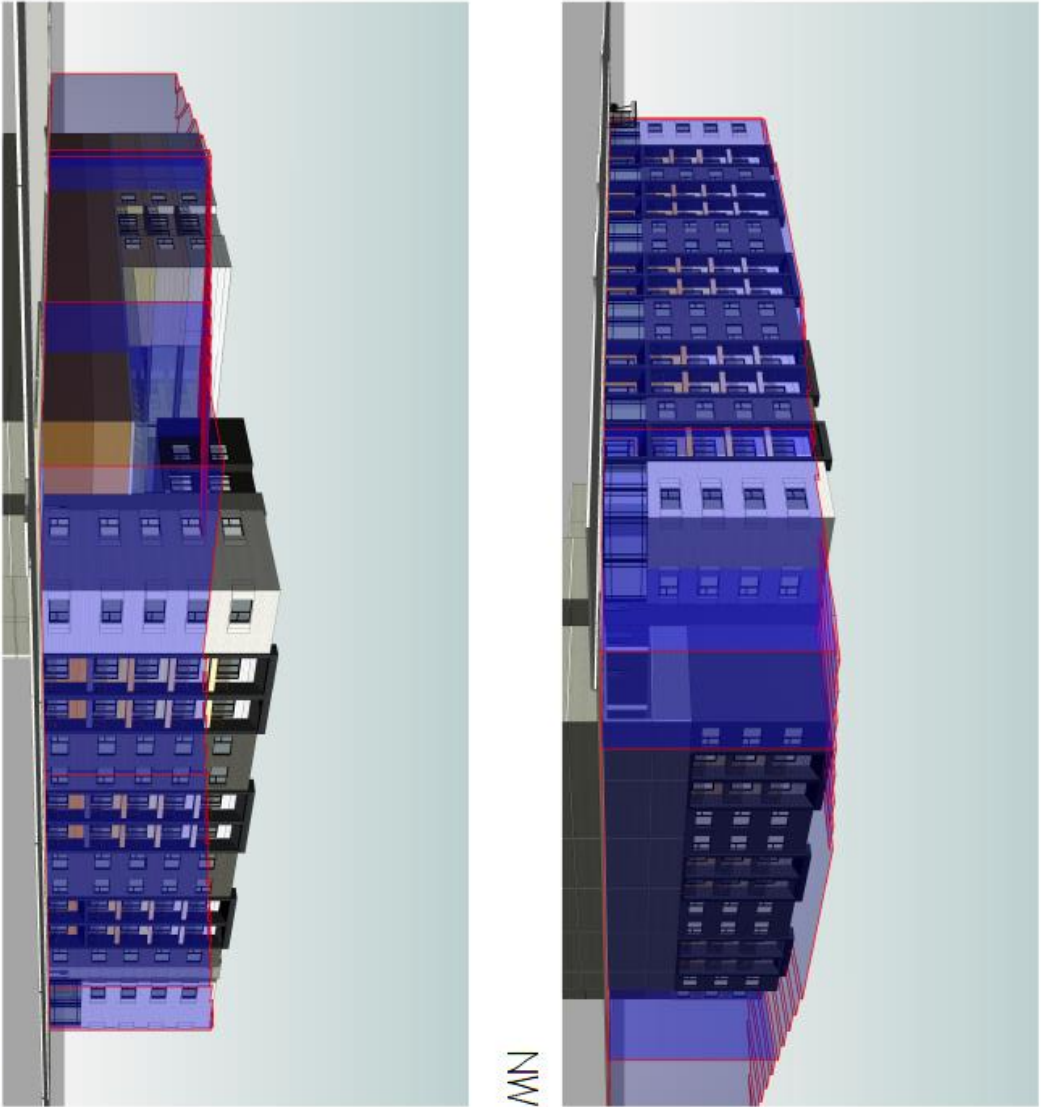
SE

COMPATIBILITY DESIGN



DESIGN WITH VARIANCE

GARAGE UNDERGROUND



Updated Packet for  
September 9<sup>th</sup> , 2019  
BOA Meeting

# Increasing Available Housing

	Restricted Development	Proposed Development Update Design Option	Difference	Notes
Total Stories	5	5	0	
Roof Height	56'5"	56'5"	0	
Height Allowed Per Zoning	60'	60'	0	
Total Live/Work	7	7	0	
Total Unit Qty	107	146	39	More Homes
Affordable Unit Qty	12	15 - 20	3 - 8	Affordable Homes
Parking Required	119	155	37	More Spaces Required
Parking Provided	156	210	54	More Spaces Provided
Parking Over Requirement	37	55	18	More Spaces over Requirement



Updated Packet for  
September 9<sup>th</sup> , 2019  
BOA Meeting

P-1/13

# Thank You



Mid·City  
DEVELOPMENT

\*\* All information is subject to change \*\*

## **Neighborhood Outreach by Mid- City Development July 2019 – September 2019**

Please note – there are future meetings set with neighbors and the Neighborhood Association throughout the month of August and beginning of September to hopefully come to a full agreement and understanding prior to the Board of Adjustments meeting scheduled for 9/9/2019.

Please see Exhibit 1 and outline below

### **JJ Seabrook Neighborhood Monthly Meeting – 7/09/2019**

We (Mid-City Development) presented approved design and reviewed the design with a variance approval to the neighbors in attendance.

Neighbors Feedback and Concerns:

- Overflow Parking
- Making affordable units available to individuals in the neighborhood
- Increasing affordable units
- Cutting down trees / adding trees
- View of the back of property facing the music school
- Impact on the neighborhood, how we can help support the park efforts or other areas in the community

### **Kensington Apartment – 8/22/2019**

Mid-City met with the head of the Kensington Apartment Tenants Council to review the proposed project and hear the tenant's concerns.

- Following the meeting along with the concerns of the JJ Seabrook Neighborhood Association we redesigned the proposed building and will be implementing a leasing preference policy.

### **JJ Seabrook Neighborhood Monthly Meeting – 8/13/2019**

Mid-City presents updates to design and addressed concerns brought up in the meeting on 7/09/2019 to neighbors in attendance.

- Overflow Parking – Added underground parking to provide a new design and maintain over 50 parking spaces above the required amount
- Making affordable units available to individuals in the neighborhood – implementing a preference policy to our leasing efforts to review applications from local residents first, while still comply with fair housing requirements
- Increasing affordable unit – by increasing available units the number of affordable units increases. The affordable unit count will now be anywhere from 15 to 20 units at 60% MFI.



**JJ Seabrook Neighborhood Monthly Meeting – 8/13/2019 cont.**

- Cutting down trees / adding trees – Reviewed tree survey and landscape plan with the neighbors in attendance. Our goal ultimately is to preserve the 3 heritage trees on the property as well as the additional 13 trees on the property and add 23 new trees to the perimeter.
- View of the back of property facing the music school – by taking parking underground Mid-City is able to redesign the building to allow for a more diverse building, changing the view from the back of the property.
- Impact on the neighborhood, how we can help support the park efforts or other areas in the community – Met with the Parks Foundation to help understand how we can support the neighborhood and the areas the neighborhood has expressed interest in or concern with. We are looking at multiple areas within the park to contribute to and will continue to work with the Neighborhood Association to focus our efforts and help meet their desired outcome.

Updated Packet for  
September 9th , 2019  
BOA Meeting

Exhibit 1

Manor Outreach Log July 2019 - August 2019

Name	Date	Type	Outcome	Roll in the Neighborhood
	Monday, July 8, 2019	NHA Meeting	Attended and Presented at Meeting 7:00p - 8:30p	Neighborhood Association
	Tuesday, August 13, 2019	NHA Meeting	Attended and Presented at Meeting 7:00p - 8:30p	Neighborhood Association
Roger Taylor	Friday, July 12, 2019	Email	To schedule a follow up meeting following the NHA meeting on 7/09	Neighborhood Association
Roger Taylor	Thursday, July 18, 2019	Email	Follow up on trying to schedule a meeting To confirm attending the NHA meeting on 8/13/2019	Neighborhood Association
Roger Taylor	Monday, August 5, 2019	Email	Scheduled Meeting at the Batch for any neighbors that would like to attend	Neighborhood Association
Roger Taylor	Friday, August 23, 2019	Email	8/27/2019	Neighborhood Association
Roger Taylor	Tuesday, July 9, 2019	Phone Call	Left Voice Mail (LVM )	Neighborhood Association
Roger Taylor	Tuesday, July 9, 2019	Phone Call	Spoke 4 mins - to introduce myself and confirm attendance at NHM	Neighborhood Association
Roger Taylor	Tuesday, July 9, 2019	Phone Call	Spoke 26 mins - Reviewed project and content for NHM that evening	Neighborhood Association
Roger Taylor	Friday, July 19, 2019	Phone Call	Left Voice Mail (LVM )	Neighborhood Association
			Spoke 16 mins - to see how we could possibly get neighbors out to a meeting that had not attended the NHM	Neighborhood Association
Roger Taylor	Friday, July 19, 2019	Phone Call	Scheduled Meeting at the Batch for any neighbors that would like to attend	Neighborhood Association
Roger Taylor	Tuesday, August 20, 2019	Phone Call	8/21/2019	Neighborhood Association

Dan Daniels	Wednesday, July 10, 2019	Email	Email to request a meeting following the NHA meeting on 7/09	Homeowner
Dan Daniels	Friday, July 12, 2019	Email	Follow up and sending of presentation	Homeowner
Dan Daniels	Monday, August 5, 2019	Email	Requesting a meeting	Homeowner
Dan Daniels			Spoke 6 mins - To introduce myself, try to schedule one on one meeting to learn more about concerns with proposed project and get NH Presidents contact. (never received contact info)	
Dan Daniels	Monday, July 8, 2019	Phone Call	Left Voice Mail (LVM )	Homeowner
Dan Daniels	Tuesday, July 9, 2019	Phone Call	Left Voice Mail (LVM )	Homeowner
Dan Daniels	Thursday, July 18, 2019	Phone Call	Developer spoke to Dan and scheduled meeting for 8/26/2019	Homeowner
Dan Daniels	Monday, August 19, 2019	Phone Call	Meeting is scheduled for 8/26/2019	Homeowner
Dan Daniels	Monday, August 26, 2019	Meeting	Review of proposed project	Head Kensington Apartments
Nailah Sankofa	Monday, July 22, 2019	Meeting	Requesting feed back from first meeting held on 7/22/19	Tenant Council
Nailah Sankofa	Wednesday, August 7, 2019	Email		
Amanda Embleton	Tuesday, August 20, 2019	Phone Call	Call to schedule one on one meeting. Spoke for 4mins. Briefly reviewed our presentation at the NHM as she had not attended either. Amanda does not wish to meet to go over the changes to the project. Will oppose variance	Homeowner (triggering property)
Ben Heimsath	Wednesday, August 21, 2019	Meeting	Attended open meeting at Batch	Homeowner
Neighborhood	Tuesday, August 27, 2019	Meeting	Meeting is scheduled for 8/27/2019	Neighborhood Association
Parks Foundation	Friday, August 23, 2019	Meeting	Meeting with Kathleen to review options for the JJ Seabrook Park and ways we can contribute as a neighbor and owner of the property.	Kathleen Mannello - Senior Programs Manager for the Austin Parks Foundation

**To:** Melissa Brown  
**Subject:** RE: NEW PROJECT 3219 MANOR RD.

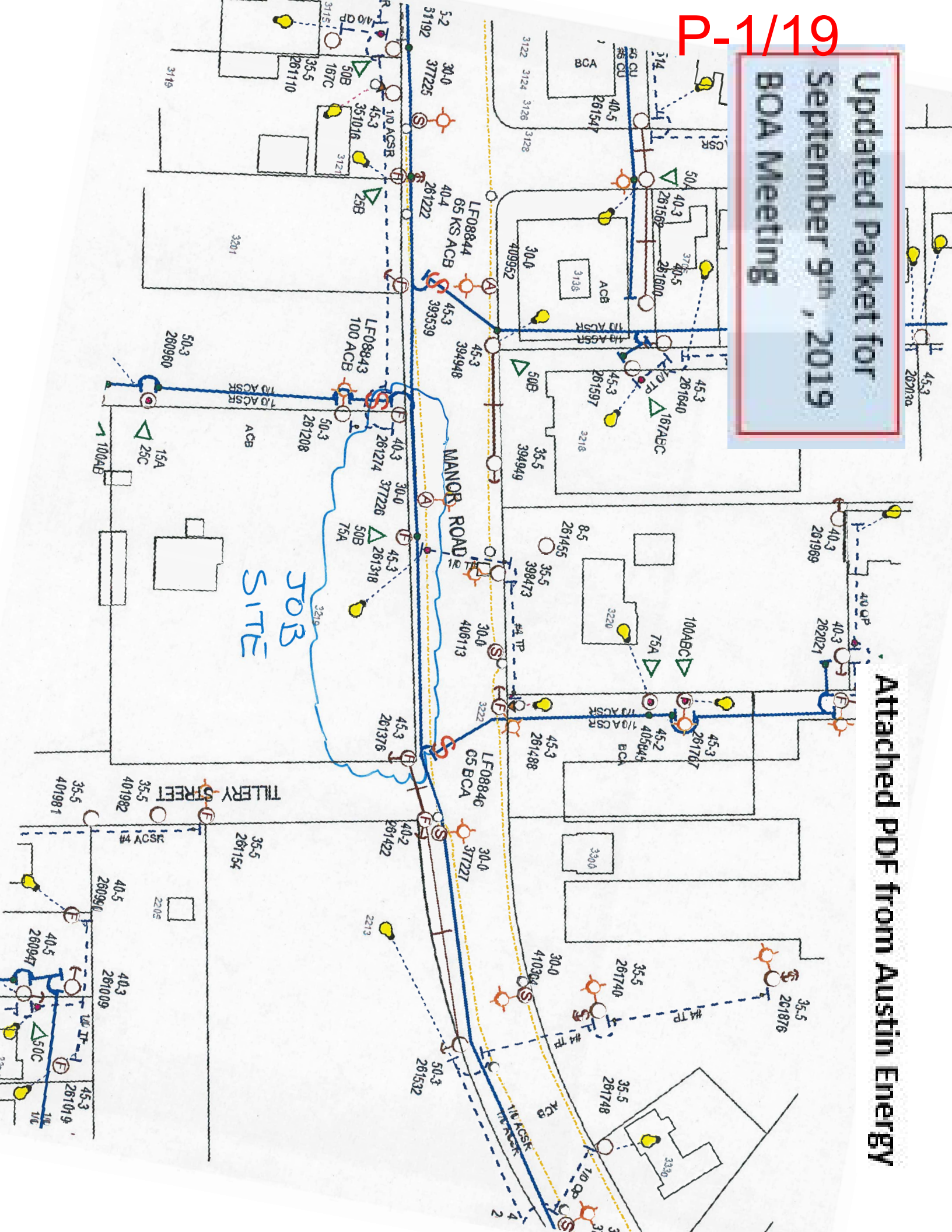
From: **Martinez, Reynaldo (Ray)** <[REDACTED]>  
Date: Thu, Aug 22, 2019 at 11:07 AM  
Subject: RE: NEW PROJECT 3219 MANOR RD.  
To: Ernie Salinas <[REDACTED]>

To whom It may concern.

This email is to verify Mid City Deployment and Austin Energy is currently work together on converting an existing Overhead power line to underground along the north portion of 3219 Manor Road.

Please Attachment.

Attached PDF from Austin Energy





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

**DATE: Monday July 8, 2019**

**CASE NUMBER: C15-2019-0033**

<input checked="" type="checkbox"/>	William Burkhardt
<input checked="" type="checkbox"/>	Jessica Cohen
<input checked="" type="checkbox"/>	Ada Corral
<input checked="" type="checkbox"/>	Melissa Hawthorne
<input checked="" type="checkbox"/>	William Hodge
<input checked="" type="checkbox"/>	Don Leighton-Burwell
<input type="checkbox"/>	Rahm McDaniel
<input checked="" type="checkbox"/>	Darryl Pruett
<input type="checkbox"/>	Veronica Rivera
<input checked="" type="checkbox"/>	Yasmine Smith
<input checked="" type="checkbox"/>	Michael Von Ohlen
<input checked="" type="checkbox"/>	Kelly Blume (Alternate)
<input type="checkbox"/>	Martha Gonzalez (Alternate)
<input checked="" type="checkbox"/>	Denisse Hudock (Alternate)

**APPLICANT: Emily Jones**

**OWNER: Bryan Cumby**

**ADDRESS: 3219 MANOR RD**

**VARIANCE REQUESTED:** The applicant is requesting a variance(s) from the maximum allowable Compatibility Height requirements of Article 10, Compatibility Standards, Division 2 –Development Standards, Section 25-2-1063 (C) (2) and (3) (Height Limitations and Setbacks for Large Sites) in order to construct a 60 foot Multi-Family use in a "CS-V-CO-NP", General Commercial Services – Vertical Mixed Use – Conditional Overlay –Neighborhood Plan zoning district. (MLK Neighborhood Plan)

a. The Land Development Code Section 25-2-1063 (C) (2) allows a height limit of three stories or 40 feet, if the structure is more than 50 feet and not more than 100 feet from property (a) in an "SF-5" or more restrictive zoning district, or (b) on which a use permitted in an "SF-5" or more restrictive zoning district is located.


b. The Land Development Code Section 25-2-1063 (C) (3) allows a height limit for a structure more than 100 feet but not more than 300 feet from property zoned "SF-5" or more restrictive, 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.

**Note:** This variance will allow for a uniform height of 60 ft. for the entire project. 60 ft. is currently allowed in portions of the project and graduating down to 40 ft. in other portions of the project.


**BOARD'S DECISION:** June 10, 2019 The public hearing was closed by Chair William Burkhardt, Board Member Michael Von Ohlen motion to Postpone to July 8, 2019, Board Member Don Leighton-Burwell second on a 10-0 vote; **POSTPONED TO JULY 8, 2019. July 8, 2019 POSTPONED TO AUGUST 12, 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

**From:** [REDACTED]  
**To:** [Ramirez, Elaine](#)  
**Subject:** RE: C15-2019-0033 / 3219 Manor Rd postponed until Aug. 12  
**Date:** Thursday, July 18, 2019 12:19:06 PM  
**Attachments:** [image002.png](#)

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Hi Elaine,

Happy almost Friday!

Could we please postpone this case to the September 9<sup>th</sup> meeting. We will make sure someone is present for the August 12<sup>th</sup> meeting incase there are any questions. What is the deadline for packet submittal for the September 9<sup>th</sup> meeting?

Thank you for your help and have a wonderful day!

Best,



**Melissa Brown**

**C. 512-688-9611**

**O. 512-637-6941**

9229 Waterford center Blvd, suite 100 C

Austin TX 78758

[MIDCITYDEVELOPMENT.COM](http://MIDCITYDEVELOPMENT.COM) |

[FACEBOOK](#)

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**From:** Ramirez, Elaine <Elaine.Ramirez@austintexas.gov>  
**Sent:** Monday, July 15, 2019 10:15 AM  
**To:** Melissa Brown [REDACTED]  
**Subject:** RE: C15-2019-0033 / 3219 Manor Rd postponed until Aug. 12

Hi Melissa,

Because this is an existing case presented and postponed already you can let me know any time before the meeting Aug. 12 mtg. Please keep in mind that someone will have to be at the Aug. 12 mtg. in case the Board members have questions on the postponement. If you decide to postpone to the Sept. 9 mtg. just send me an e-mail stating you want to postpone and the date you want to postpone to.

**Respectfully,**

**Elaine Ramirez**

*Board of Adjustment Liaison*

*Planner Senior*

[City of Austin Development Services Department](#)

One Texas Center, 1<sup>st</sup> 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:** Melissa Brown [REDACTED]  
**Sent:** Monday, July 15, 2019 8:55 AM  
**To:** Ramirez, Elaine <[Elaine.Ramirez@austintexas.gov](mailto:Elaine.Ramirez@austintexas.gov)>  
**Subject:** RE: C15-2019-0033 / 3219 Manor Rd postponed until Aug. 12

Hi Elaine,

I hope you had a wonderful weekend! I have a quick question. Not that we need to at this time, but should we need to postpone this request to the September meeting, when would we need to let you know by?

We are working with the neighborhood and look at a few other design options and if we do not have everything ready by August 12<sup>th</sup> it might be better to push to September.

Thank you for your help!

Best,

**Melissa Brown**  
**Marketing Manager**



C. 512-688-9611

O. 512-637-6941

9229 Waterford center Blvd, suite 100 C

Austin TX 78758

[MIDCITYDEVELOPMENT.COM](http://MIDCITYDEVELOPMENT.COM) |

[FACEBOOK](#)

---

**From:** Ramirez, Elaine <[Elaine.Ramirez@austintexas.gov](mailto:Elaine.Ramirez@austintexas.gov)>

**Sent:** Monday, July 8, 2019 2:54 PM

**To:** Melissa Brown <[REDACTED]>

**Subject:** RE: C15-2019-0033 / 3219 Manor Rd postponed until Aug. 12

Hi Melissa,

Yes you will be speaking if the Board has questions as to why it is postponed. Be ready once this case is called in case he asks why it is postponed. He may ask Elaine what is the reason and you can then go up and chime in. You will need to state your name first and who you are prior to speaking.

It will actually be the very 1<sup>st</sup> items to go as soon as the meeting starts. The Chair will ask me if there are any postponed cases and/or Withdrawn cases. I will call out the two cases that I have as of now...1 Withdrawn and 1 Postponed and then they may ask about your case...the Postponed case.

**Respectfully,**

**Elaine Ramirez**

*Board of Adjustment Liaison*

*Planner Senior*

[City of Austin Development Services Department](#)

One Texas Center, 1<sup>st</sup> Floor

505 Barton Springs Rd

Office: 512-974-2202



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***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](#)*

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**From:** Melissa Brown [[mailto:](#) [REDACTED]]  
**Sent:** Monday, July 08, 2019 2:21 PM  
**To:** Ramirez, Elaine <[Elaine.Ramirez@austintexas.gov](mailto:Elaine.Ramirez@austintexas.gov)>  
**Subject:** RE: C15-2019-0033 / 3219 Manor Rd postponed until Aug. 12

Hi Elaine,

I apologize for my delay in getting this to you. I wanted to confirm I would be the one speaking tonight.

Attached is the application with my name (Melissa Brown) in place of Emily's name on page 4 of the application.

Please let me know if there is anything else we need to send over prior to the meeting tonight.

I look forward to meeting you tonight, fingers cross it goes ok

Best,



**Melissa Brown**  
**Marketing Manager**  
C. 512-688-9611  
O. 512-637-6941  
9229 Waterford center Blvd, suite 100 C  
Austin TX 78758  
[MIDCITYDEVELOPMENT.COM](http://MIDCITYDEVELOPMENT.COM) |  
[FACEBOOK](#)

---

**From:** Ramirez, Elaine <[Elaine.Ramirez@austintexas.gov](mailto:Elaine.Ramirez@austintexas.gov)>  
**Sent:** Monday, July 8, 2019 8:49 AM  
**To:** Melissa Brown <[REDACTED]>  
**Subject:** C15-2019-0033 / 3219 Manor Rd postponed until Aug. 12

Hi Melissa,

You have until Friday, July 26 before 3p.m. to submit any new evidence whether it be any maps, surveys, drawings, photos and any additional documentation you want included as part of your

Advanced Packet for your postponed BOA variance case. This will need to be submitted to me via e-mail in PDF format.

If you choose to do a presentation at the meeting, make sure and submit that to me via e-mail in PDF format the day after the meeting, Tues. 8/13.

**Respectfully,**

**Elaine Ramirez**

*Board of Adjustment Liaison*

*Planner Senior*

[City of Austin Development Services Department](#)

One Texas Center, 1<sup>st</sup> Floor

505 Barton Springs Rd

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

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**From:** Emily Jones [REDACTED]  
**Sent:** Monday, July 01, 2019 2:43 PM  
**To:** Ramirez, Elaine <[Elaine.Ramirez@austintexas.gov](mailto:Elaine.Ramirez@austintexas.gov)>  
**Subject:** August BOA Hearing Supplementals

Hi Elaine,

What is the date that we need to turn in supplemental packets for the August BOA hearing?

Thanks,  
Emily

**Emily Jones (Hoes), Vice President  
of Product Development**

T. 512-637-6932

C. 512-587-4581

9229 Waterford Centre Blvd

Building C Suite 100

Austin, TX 78758

[MIDCITYDEVELOPMENT.COM](http://MIDCITYDEVELOPMENT.COM) |

[FACEBOOK](#)



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

**DATE: Monday June 10, 2019**

**CASE NUMBER: C15-2019-0033**

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

**APPLICANT: Emily Jones**

**OWNER: Bryan Cumby**

**ADDRESS: 3219 MANOR RD**

**VARIANCE REQUESTED:** The applicant is requesting a variance(s) from the maximum allowable Compatibility Height requirements of Article 10, Compatibility Standards, Division 2 –Development Standards, Section 25-2-1063 (C) (2) and (3) (Height Limitations and Setbacks for Large Sites) in order to construct a 60 foot Multi-Family use in a “CS-V-CO-NP”, General Commercial Services – Vertical Mixed Use – Conditional Overlay –Neighborhood Plan zoning district. (MLK Neighborhood Plan)

a. The Land Development Code Section 25-2-1063 (C) (2) allows a height limit of three stories or 40 feet, if the structure is more than 50 feet and not more than 100 feet from property (a) in an "SF-5" or more restrictive zoning district, or (b) on which a use permitted in an "SF-5" or more restrictive zoning district is located.

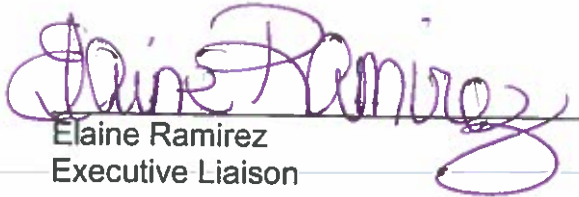
b. The Land Development Code Section 25-2-1063 (C) (3) allows a height limit for a structure more than 100 feet but not more than 300 feet from property zoned "SF-5" or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned "SF-5" or more restrictive.

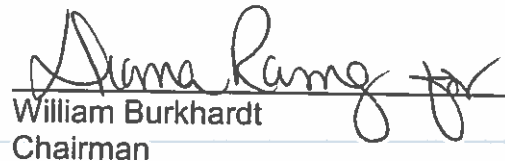
**Note:** This variance will allow for a uniform height of 60 ft. for the entire project. 60 ft. is currently allowed in portions of the project and graduating down to 40 ft. in other portions of the project.

**BOARD'S DECISION:** June 10, 2019 The public hearing was closed by Chair William Burkhardt, Board Member Michael Von Ohlen motion to Postpone to July 8, 2019, Board Member Don Leighton-Burwell second on a 10-0 vote;  
**POSTPONED TO JULY 8, 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

**From:** [REDACTED]  
**To:** [Ramirez, Elaine](#)  
**Subject:** RE: July 8 mtg for postponed case c15-2019-0033 / 3219 Manor Rd  
**Date:** Wednesday, June 19, 2019 9:59:20 AM  
**Attachments:** [image001.png](#)

---

Hi Elaine,

Please official postpone the 3219 Manor Rd BoA hearing to the August 12<sup>th</sup> date.

Thank you,

**Emily Jones (Hoes), Vice President  
of Product Development  
MidCity Development**  
T. 512-637-6932  
C. 512-587-4581

---

**From:** Ramirez, Elaine <Elaine.Ramirez@austintexas.gov>  
**Sent:** Monday, June 17, 2019 8:38 AM  
**To:** Emily Jones [REDACTED]  
**Subject:** RE: July 8 mtg for postponed case c15-2019-0033 / 3219 Manor Rd

Good morning Emily,  
You will need to e-mail me a request to postpone and to what meeting date you would like to postpone to.

BOA Mtg. Schedule 2019  
(BOA meets on the 2<sup>nd</sup> Monday of the Month)  
Aug. 12  
Sept. 9  
Oct. 14  
Nov. 7 (Thurs) **due to Veteran's Day Holiday**  
Dec. 9

**Respectfully,**  
**Elaine Ramirez**  
*Board of Adjustment Liaison  
Planner Senior*  
[City of Austin Development Services Department](#)

One Texas Center, 1<sup>st</sup> Floor  
505 Barton Springs Rd  
Office: 512-974-2202





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

---

**From:** Emily Jones [REDACTED]  
**Sent:** Friday, June 14, 2019 1:03 PM  
**To:** Ramirez, Elaine <[Elaine.Ramirez@austintexas.gov](mailto:Elaine.Ramirez@austintexas.gov)>  
**Subject:** RE: July 8 mtg for postponed case c15-2019-0033 / 3219 Manor Rd

Hi Elaine,

If we need to, can we ask to postpone this case until the following month?

**Emily Jones (Hoes), Vice President  
of Product Development  
MidCity Development**  
T. 512-637-6932  
C. 512-587-4581

---

**From:** Ramirez, Elaine <[Elaine.Ramirez@austintexas.gov](mailto:Elaine.Ramirez@austintexas.gov)>  
**Sent:** Wednesday, June 12, 2019 7:36 AM  
**To:** Emily Jones <[REDACTED]>  
**Subject:** July 8 mtg for postponed case c15-2019-0033 / 3219 Manor Rd

Good morning Emily,

**Friendly Reminder:** You have until Friday, June 21 before 3p.m. to submit any new evidence whether it be any maps, surveys, drawings, photos and any additional documentation you want included as part of your Advanced Packet for your postponed BOA variance case. This will need to be submitted to me via e-mail in PDF format.

If you choose to do a presentation at the meeting, make sure and submit that to me via e-mail in PDF format the day after the meeting, Tues. 7/9.

**Respectfully,**

**Elaine Ramirez**

*Board of Adjustment Liaison*

*Planner Senior*

[City of Austin Development Services Department](#)

One Texas Center, 1<sup>st</sup> Floor

505 Barton Springs Rd

Office: 512-974-2202



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*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.*

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June 3, 2019

Emily Jones  
3219 Manor Rd  
Austin TX, 78723

Property Description: 1.658AC OLT 50 DIVISION B

**Re: C15-2019-0033**

Dear Emily,

Austin Energy (AE) has reviewed your application for the above referenced property, requesting that the Board of Adjustment consider a variance(s) from the maximum allowable Compatibility Height requirements of - Article 10, Compatibility Standards, Division 2 – Development Standards, Section 25-2-1063 (C) (2) and (3) (Height Limitations and Setbacks for Large Sites) in order to construct a 60 foot Multi-Family use in a "CS-V-CO-NP", General Commercial Services – Vertical Mixed Use – Conditional Overlay –Neighborhood Plan zoning district. (MLK Neighborhood Plan)

The above request for variance is **DENIED BY AUSTIN ENERGY (AE)**, the proposed structure is in conflict with existing AE facilities and clearance requirements. The layout of building will need to meet clearances. Owner/applicant must obtain written approval of conflict resolution from Eben Kellogg, Austin Energy - Public Involvement/Real Estate Services, prior to BOA approval.

In order for the above application to comply with our requirements, It is recommended that owner/applicant contact Austin Energy Electric Design North, Team Lead, Brian Van Dyke, at 512-505-7247 or [brian.vandyke@austinenergy.com](mailto:brian.vandyke@austinenergy.com) for site specific recommendations to proposed structure to comply with AE clearances and how to remove and relocate the current existing electric facilities.

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](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.

**Eben Kellogg, Property Agent**

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




## BOA CASE REVIEW SHEET

**CASE:** C15-2019-0033**BOA DATE:** June 10, 2019**ADDRESS:** 3219 Manor Rd**COUNCIL DISTRICT:** 1**OWNER:** Bryan Cumby**AGENT:** Emily Jones**ZONING:** CS-V-CO-NP**LEGAL DESCRIPTION:** 1.658AC OLT 50 DIVISION B**VARIANCE REQUEST:** Height increase from 40 ft. to 60 ft.**SUMMARY:** to erect Multi-Family**ISSUES:** zoning ordinance 021107-Z-12C limits development

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	CS-V-CO-NP	Multi-Family
<i>North</i>	CS-MU-V-NP	Commercial, Multi-Family
<i>South</i>	CS-MU-CO-NP	Commercial, Single-Family
<i>East</i>	CS-V-CO-NP	Commercial
<i>West</i>	GR-V-NP	Commercial

**NEIGHBORHOOD ORGANIZATIONS:** Anaberly Airport Association, Austin Independent School District, Austin Neighborhoods Council, Bike Austin, Black Improvement Association, Claim Your Destiny Foundation, Del Valle Community Coalition, East Austin Conservancy, East MLK Combined Neighborhood Plan Contact Team, Friends of Austin Neighborhoods, Hill Country Conservancy, Homeless Neighborhood Association, J.J. Seabrook Neighborhood Assn., Neighborhood Empowerment Foundation, Neighbors United for Progress, Preservation Austin, SEL Texas, Sierra Club – Austin Regional Group



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

### NOTIFICATIONS

CASE#: C15-2019-0033  
LOCATION: 3219 MANOR RD



1" = 333'

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.



**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: 3219 Manor Road

Subdivision Legal Description:

1.658 acres out of Outlot 50, Division B, of the Original City of Austin, Travis County, as  
recorded in the General Land Office of the State of Texas

Lot(s): \_\_\_\_\_ Block(s): \_\_\_\_\_

Outlot: 50 Division: BZoning District: CS-V-CO-NP

I/We Melissa Brown, Mid-City Development on behalf of myself/ourselves as  
authorized agent for 3219 Manor MU, Ltd. affirm that on  
Month May, Day 14, 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: Multi-Family

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

25-2-1063(C)(2) and (C)(3)

Height required under Code to graduated up from 40 feet depending on distance from triggering property. The variance request is for a uniform 60 feet for the entire project.

## 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 zoning ordinance for this property (Ord. 021107-Z-12c) limits development by prohibiting vehicular access to Tillery Street and requiring a 15-foot wide vegetative buffer along the property line adjacent to Tillery Street. Combined with the trees located in the middle of the property, the buildable area is constrained. These restrictions push the structure towards the triggering properties. Therefore, a uniform height at the zoning district's standard height of 60 feet along this corridor is not possible under Compatibility Standards causing a significant reduction in both market rate and affordable units.

### Hardship

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

This is the only property along Tillery Street prohibited from taking access to/from Tillery Street, forcing the only access on Manor Road. The complications resulting from the location of overhead lines, the vegetative buffer, the access prohibition, and the cluster of Heritage trees make this property unique. Section 25-8-646(A) requires a variance be sought to eliminate the need to remove heritage trees.

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

The vegetative buffer required by the zoning ordinance essentially creates a setback larger than that required by the City Code for the CS zoning district. Of the 3 properties which trigger compatibility standards, 2 are behind other commercial buildings. The only property with visual of the subject tract is diagonal across Tillery Street and facing away. Restricting the development based on these properties does not further the purpose of the Compatibility Standards.

**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:

See Section 6 (Additional Space) below.

**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:

n/a

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

n/a

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

n/a

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

n/a



**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: 07/23/2019

Applicant Name (typed or printed): Melissa Brown, Mid-City Development

Applicant Mailing Address: 9229 Waterford Center Blvd, Bldg - C Ste.100

City: Austin State: TX Zip: 78758

Phone (will be public information): (512) 637-1598

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: [Signature] Date: 07/23/2019

Owner Name (typed or printed): Bryan Cumby, 3219 Manor MU, Ltd

Owner Mailing Address: 9229 Waterford Center Blvd, Bldg - C Ste.100

City: Austin State: TX Zip: 78758

Phone (will be public information): (512) 637-1598

Email (optional – will be public information):

**Section 5: Agent Information**

Agent Name:

Agent Mailing Address:

City:  State:  Zip:

Phone (will be public information):

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).

→  
 →  
 →



## Additional Space (continued)

This area is on an Imagine Austin Activity Corridor. With apartments, commercial, and single family residences, this area is thriving with a mix of uses. Considering mass transit is available in front of the proposed development and the property is within walking distance of park and open space, the location is perfect for much needed housing. This proposed project will not alter the character of the area. In fact, by waiving the height limitation under 25-2-1063, more quality rental units with more affordable housing will be constructed on this urban infill without existing residents to be displaced.

**SAVE**



## 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

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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: 3219 Manor Road

Subdivision Legal Description:

1.658 acres out of Outlot 50, Division B, of the Original City of Austin, Travis County, as  
recorded in the General Land Office of the State of Texas

Lot(s): \_\_\_\_\_ Block(s): \_\_\_\_\_

Outlot: 50 Division: B

Zoning District: CS-V-CO-NP

I/We Emily Jones, Mid-City Development on behalf of myself/ourselves as  
authorized agent for 3219 Manor MU, Ltd. affirm that on  
Month May, Day 14, 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: Multi-Family

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

25-2-1063(C)(2) and (C)(3)

Height required under Code to graduated up from 40 feet depending on distance from triggering property. The variance request is for a uniform 60 feet for the entire project.

## 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 zoning ordinance for this property (Ord. 021107-Z-12c) limits development by prohibiting vehicular access to Tillery Street and requiring a 15-foot wide vegetative buffer along the property line adjacent to Tillery Street. Combined with the trees located in the middle of the property, the buildable area is constrained. These restrictions push the structure towards the triggering properties. Therefore, a uniform height at the zoning district's standard height of 60 feet along this corridor is not possible under Compatibility Standards causing a significant reduction in both market rate and affordable units.

### Hardship

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

This is the only property along Tillery Street prohibited from taking access to/from Tillery Street, forcing the only access on Manor Road. The complications resulting from the location of overhead lines, the vegetative buffer, the access prohibition, and the cluster of Heritage trees make this property unique. Section 25-8-646(A) requires a variance be sought to eliminate the need to remove heritage trees.

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

The vegetative buffer required by the zoning ordinance essentially creates a setback larger than that required by the City Code for the CS zoning district. Of the 3 properities which trigger compatibilty standards, 2 are behind other commercial buidings. The only property with visual of the subject tract is diagonal across Tillery Street and facing away. Restricting the development based on these properties does not further the purpose of the Compatibility Standards.



**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:

See Section 6 (Additional Space) below.

**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:

n/a

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

n/a

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

n/a

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

n/a



**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:  Date: 5/14/19

Applicant Name (typed or printed): Emily Jones, Mid-City Development

Applicant Mailing Address: 9229 Waterford Centre Blvd, Bldg C, Ste 100

City: Austin State: TX Zip: 78758

Phone (will be public information): (512) 637-6932

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: 5/14/19

Owner Name (typed or printed): Bryan Cumby, 3219 Manor MU, Ltd.

Owner Mailing Address: 9229 Waterford Centre Blvd., Bldg C, Ste 100

City: Austin State: TX Zip: 78757

Phone (will be public information): \_\_\_\_\_

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

**Section 5: Agent Information**

Agent Name: Emily Jones, Mid-City Development

Agent Mailing Address: 9229 Waterford Centre Blvd, Bldg C, Ste 100

City: Austin State: TX Zip: 78758

Phone (will be public information): (512) 637-6932

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).

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Additional Space (continued)

This area is on an Imagine Austin Activity Corridor. With apartments, commercial, and single family residences, this area is thriving with a mix of uses. Considering mass transit is available in front of the proposed development and the property is within walking distance of park and open space, the location is perfect for much needed housing. This proposed project will not alter the character of the area. In fact, by waiving the height limitation under 25-2-1063, more quality rental units with more affordable housing will be constructed on this urban infill without existing residents to be displaced.

**SAVE**

**MEMORANDUM**

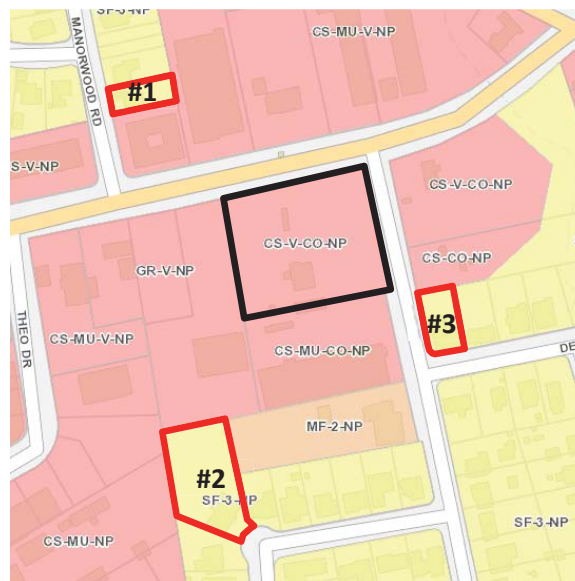
**TO:** William Burkhardt, Chair of the Board of Adjustments  
Members of the Board of Adjustments

**DATE:** May 24, 2019

**SUBJECT:** Variance Request for 3219 Manor Road, Austin, Texas 78723 (the “Property”)  
Case File No. C15-2019-0033

The purpose of this Memorandum is to provide supplemental information for the application filed to request a variance from Section 25-2-1063(C)(2) and (C)(3) of the City of Austin (“City”) Code of Ordinances (“Code”). This section of the Code is also known as “Compatibility Standards.” The request is for a variance from the graduated height limitations outlined in the Compatibility Standards to allow for a single, uniform height of sixty (60) feet as allowed under the assigned zoning designation of CS-V-CO-NP. Approval of the variance will allow for the placement of the new multifamily residential building in a location that fully complies with the zoning ordinance for the Property, saves a cluster of trees located in the middle of the Property, and allows for additional housing supply and affordable housing units in this proposed vertical mixed use building. Additional information about the Property is included in **Exhibit A**. Please note, that this project is NOT at the building permit stage, so the applicant does not have signed and sealed architectural drawings of the proposed building at this time. The exhibits provided with this memorandum, while not signed and sealed, do meet the requirements of the BOA Community Guidebook.

Pursuant to the Compatibility Standards, an SF-6 or less restrictive zoned property within 540 feet or less from a property in an SF-5 or more restrictive zoning district must comply with the height limitations outlined in Section 25-2-1063. As shown on the graphic below and **Exhibit B**, three (3) properties satisfy that criteria and trigger the Property’s compliance (“Triggering Property”). None of the Triggering Properties are adjacent to the Property.



Between the Property and the Triggering Property identified as #1 above is a two story multifamily residential complex. Between the Property and the Triggering Property identified as #2 is a 20,000 square foot building that houses the Motion Media Arts Center and a structure used to store tires. The Triggering Property identified as #3 faces Denver Avenue and is separated from the Property by Tillery Street.

This request for a variance from the height limitations in Section 25-2-1063(C)(2) and (C)(3) of the Code should respectfully be approved for the following reasons:

### **Reasonable Use**

Although the existing structures on the Property will be demolished, resulting in a vacant property for the development of the multifamily project, the Property is burdened with serious site constraints that constitute hardships. Specifically, the limitations imposed by Zoning Ordinance No. 021107-Z-12c (“Zoning Ordinance”) and the existing protected and heritage trees create hardships that affect the location, layout, and size of the proposed building. By accommodating the hardships, the additional limitations of the Compatibility Standards do “not allow for a *reasonable use* of property”. It is important to note that Section 25-2-474 of the City Code allows for the granting of variances for the redevelopment of land. In addition, Section 25-2-474(A)(1) does not require a finding that the regulations deprive the property of “all use” but only that a “reasonable use” is disallowed. Section 25-2-1081(E) of the Austin City Code expressly allows Board of Adjustment (“BOA”) variances of Compatibility Standards. Therefore, the standard is not whether a Compatibility Standard compliant use could be developed, but instead whether the Compatibility Standards here, given the hardships on this site, do not allow for a “reasonable use.”

The variance from the height limitations would allow for a “reasonable use” by allowing development that meets the established zoning regulations for property and provide additional units (including additional affordable housing units) for much needed housing in this Imagine Austin Activity Corridor.

The Zoning Ordinance prohibits access from the Property to Tillery Street, requiring that access only be allowed from Manor Road. To appropriately comply with driveway spacing requirements and considering only one side of the Property may have an access point, the location of the access drive is forced to the northwest corner of the Property as shown on **Exhibit C**. Additionally, to conform with the City Fire Code regulations, the development must also be configured in a manner that permits fire hose accessibility to all sides of the building. As a result, the multifamily development must shift toward the eastern portion of the Property for the construction of parking and fire access in the rear of the Property as shown on **Exhibit C**. This shift not only reduces the size of the building, but also pushes the building closer to the Triggering Property on Denver Street.

In the center of the Property, as shown on **Exhibit C**, are several existing protected trees, including two heritage trees. A “super heritage” is located in the southwest corner of the Property. The



intent is to design the building in a manner that not only saves these trees, but also effortlessly incorporates them into the project. The solution is to form an enhanced courtyard around the trees in the center to provide a resident amenity, and to take advantage of the large shade tree in the southwest corner for a dog park. Section 25-8-646 of the City Code requires an applicant to seek a BOA variance before seeking to remove any heritage trees. This requirement inherently makes heritage trees a hardship for BOA variance purposes.

As a result of the restrictions in the Zoning Ordinance and the constraints from existing trees, the configuration options for the project are limited. The Zoning Ordinance forces the structure toward the eastern portion of the Property and reduces the square footage of the project. To save the trees in this area, the project must reduce the number of units and overall square footage to accommodate a courtyard. Compliance with the access restriction and the tree preservation requirements results in a loss of 36,180 square feet of otherwise allowable development, even under Compatibility Standards. Approval of the requested variance from the height restrictions of the Compatibility Standards would allow that lost square footage to be mitigated, compliance with neighborhood required access limitations, preserve heritage trees, while avoiding the denial of this reasonable use and allowing for optimal development potential.

The City Council has recently expressed a policy determination that uses, such as that proposed for this site, along this corridor should *not* be subject to Compatibility Standards. Accordingly, Council has by official action determined that such use unencumbered by Compatibility Standards is a “reasonable use”.

### **Hardship – Unique to the Property**

As stated above, the hardships are the neighborhood zoning access limitation and presence of protected and heritage trees. This is the only Property with frontage on Tillery Street prohibited from accessing that roadway. The Zoning Ordinance does not limit any other properties in a similar fashion. In fact, the property directly across Tillery Street from the Property does not have the same prohibition, and a similarly situated property at the corner of Tillery Street and Martin Luther King Jr Boulevard with a zoning designation of CS-MU-NP is afforded two (2) access point to Tillery Street in addition to two (2) access drives to Martin Luther King Jr Boulevard. In addition, the protected and heritage trees located centrally on this site are also unique to this site. Therefore, the combination of the access prohibition and the arrangement of protected trees makes this Property unique.

### **Hardship – Not General to the Area**

The area along Manor Road between Airport Boulevard and Tillery Street is not generally burdened with such hardships. In addition, this proposed urban infill property which will not displace any existing residents and will provide a vertical mixed use project with affordable housing is a project not generally found in this area. This Property is ideal for the vision outlined by the Council - mass transit is available in front of the Property on Manor Road; park and open space are within walking distance; and the area is need of housing, especially affordable housing. Not general to the area is Property ripe for a new housing development on urban infill that would substantially benefit the community with the addition of affordable housing options.



### **Area Character**

With apartments, commercial, and single family residences, the character of the area is a healthy mixture of uses. However, as an Imagine Austin Activity Corridor, it is also an area that needs to focus on more housing options and opportunities and transit supportive densities. This proposed project will not alter the character of the area “adjacent to the property” but will instead enhance the area and provide much needed housing, including affordable housing, without displacing any current residents. The area “adjacent to the property” is commercial and the proposed project will provide a suitable buffer and transition to other residential uses in the area and also be consistent with the goals for this area and corridor.

The purpose of the Compatibility Standards is to minimize the impact of new construction on existing residential neighborhoods. Strict adherence to the standards based on the Triggering Properties identified above does not further the purpose of the Compatibility Standards. Triggering Properties #1 and #2 are located behind other buildings, blocking much of the visibility to this Property. Increased height will have little impact on the character of these single family homes. The only property with direct visual of the Property is Triggering Property #3 which is diagonal across Tillery Street and facing away from the Property. With the configuration of the building on the Property adjusted to north and with trees in the southeast corner, an additional buffer is provided between the Property and Triggering Property #3 reducing any impact created by the height of the multifamily building.

### **Conclusion**

In preparation for this request, we are making significant efforts to communicate with neighbors and interested organizations. Meetings will be held to inform the neighbors of the project and information about the implications of the requested variance will be made readily available.

The height requested is the height typically allowed for the assigned zoning designation. The only other approach to avoid the denial of reasonable use and the resulting hardships is to seek a tree variance and request a removal of the access limitation contrary to the express neighborhood zoning ordinance limitations adopted specifically for this tract. Section 25-8-646(A) requires that a variance, such as this one, be sought to eliminate the need to remove trees, and a rezoning is a time-consuming endeavor. The proposed multifamily project would be able to provide more benefit to the community with the approval of the requested variance; therefore, an application for a variance from the height limitations under Section 25-2-1063(C)(2) and (C)(3) was respectfully submitted. We appreciate your consideration of this request.

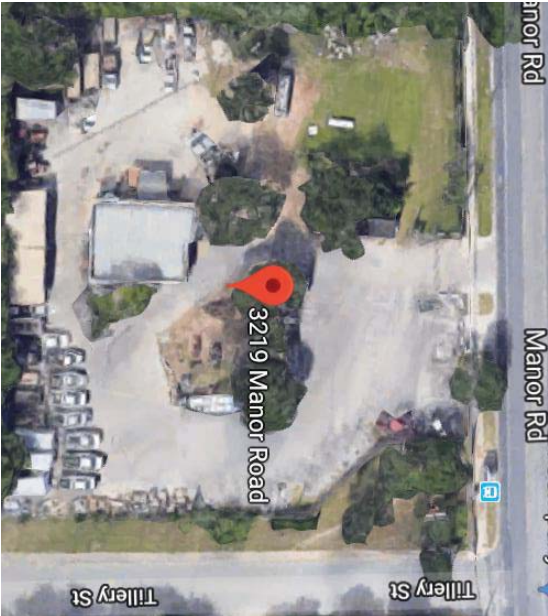
# 3219 Manor Project Info

Exhibit A

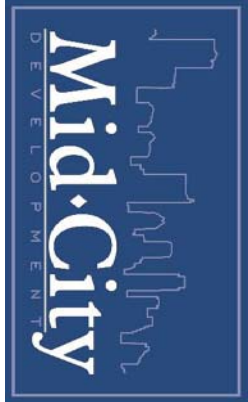


## Site conditions:

- |                        |   |
|------------------------|---|
| <b>Size and Shape:</b> | This rectangular parcel of land is approximately 1.6 acres  |
| <b>Topography:</b>     | The land parcel has almost flat topography and has a few groupings of large trees.  |
| <b>Flood Plain:</b>    | Does not fall into the Greater Austin FEMA floodplain   |
| <b>Zoning:</b>         | The land parcel is currently zoned CS-V-CO-NP with an MU option. Zoning allows for 2.0 FAR with 72,222.50 sf resulting in 144,444.96 sf maximum FAR |



# 3219 Manor RD: Triggering Properties Setbacks



**SE:** Southeastern compatibility setback due to SF3 across street and diagonal from subject property



**NW:** Northwestern compatibility setback due to SF3 across street, diagonal, and behind another building from subject property



**SW:** Southwestern compatibility setback due to SF3 diagonal and behind another building(s) from subject property








**Combined SE, NW, and SW:** Three triggering properties on almost all sides of the subject property





MANOR ROAD  
LEVEL 1 FLOOR PLAN



TREE LEGEND	
	EXISTING TREES 100% OK
	EXISTING TREES 100% OK
	SHAVED TREES 100% OK
	NEW TREES 100% OK
	NEW/ REPLANT 100% OK

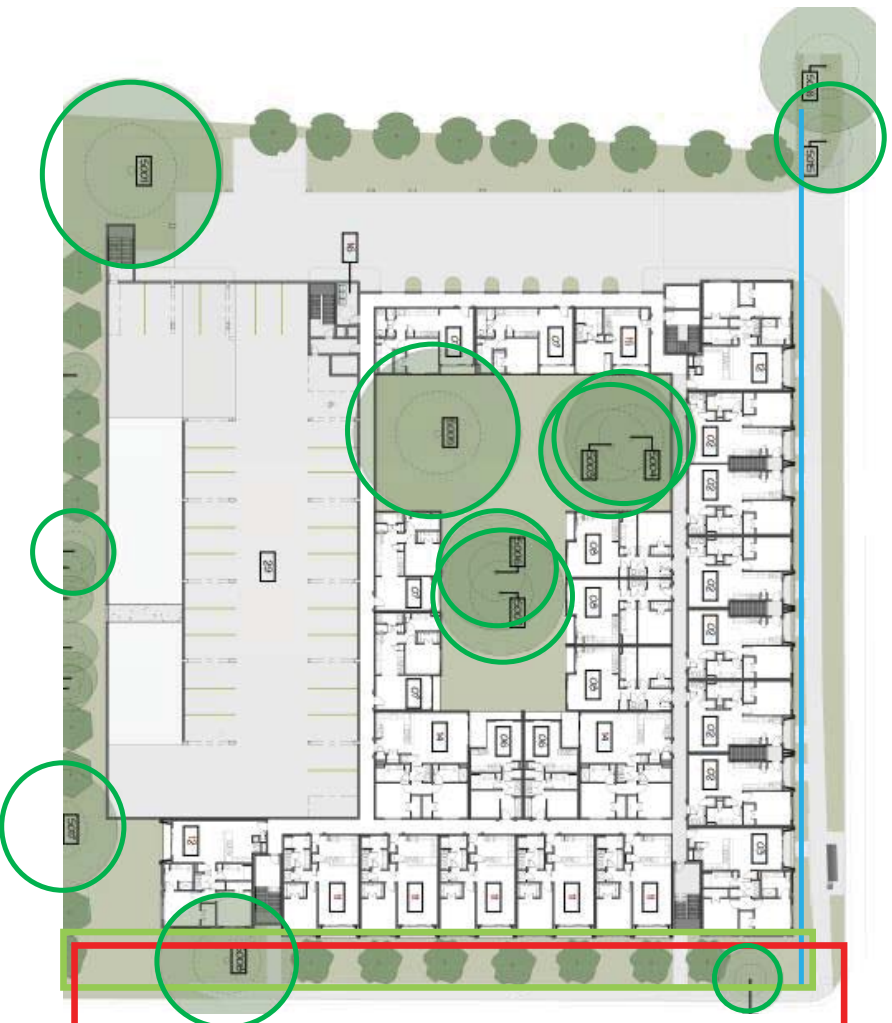
  

EXISTING TREE LEGEND	
0001	SP. 100% OK
0002	SP. 100% OK
0003	SP. 100% OK
0004	SP. 100% OK
0005	SP. 100% OK
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# 3219 Manor RD: Other Property Specific Hardships














- Overhead lines in front of property
- Ordinance required vegetative buffer on Tillery
- Ordinance restriction of no vehicular access from Tillery
- Large and Heritage trees on property, including in main build pad location



# MANOR ROAD

## SITE HARDSHIPS

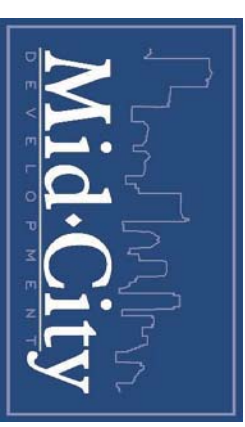


TREE LEGEND	
	FULLING GEAR BLM 150' x 100'
	GEAR BLM 150' x 100'
	GEAR BLM 150' x 100'
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	GEAR BLM 150' x 100'
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ECONOMIC	
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# P-1/55 3219 Manor RD: Scenarios Chart

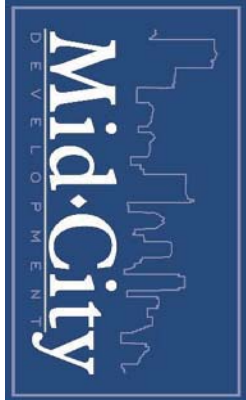
3219 Manor Rd	Current	Trees	Trees/Tilley	Trees/Tilley	Compatibility
Scenario	Current Restrictions in place	If Tilley Access Allowed	If Western Trees Non-Existant	If W Trees Non Exist & Tilley access allowed	SE & NW Compatibility Waived
Total Stories	5	5	5	5	56'5"
Highest Roof	56'5"	56'5"	56'5"	56'5"	60'
Height Allowed Per Zoning	60'	60'	60'	60'	130
Unit Qty	114	129	141	156	16
Units Gained		15	27	42	13
Affordable Unit Qty	12	13	15	16	1
Affordable Units Gained		1	3	4	
Total Unit SF	99,092	111,954	122,410	135,272	113,971
Unit SF Gained		12,862	23,318	36,180	14,879
Restrictions in place:	1) Graduating set back and height limit due to SF across Tilley and diagonal from property. 2) Graduating set back and height limit NW due to SF use across Manor and behind another building 3) Graduating set back and height limit SW due to SF use diagonal from property and behind another building 4) Oak trees in center of building area 5) No property access from Tilley				
Current property specific hardships	Vegetative buffer along Tilley. No property access along Tilley. Large and Heritage trees in middle of property/prime building zone. 3 triggering property compatibility set backs. OH lines at street front.				
Added benefits of waiving compatibility	Additional units in an area in need, including more affordable units.				



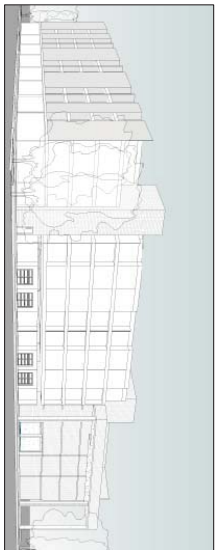
Waiving setbacks will add additional quality rental units, including some affordable housing, in a growing area of town.



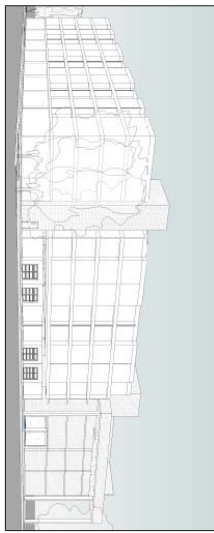
# 3219 Manor RD: Scenario Elevations



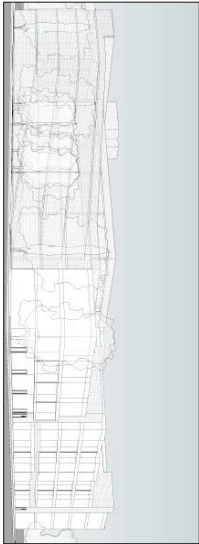
Current Restrictions: N and W sides shown



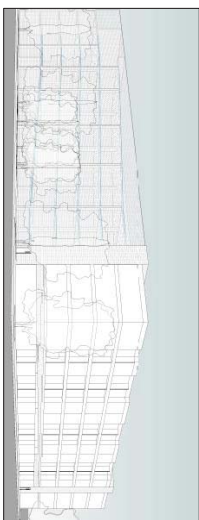
Compatibility Waived: N and W sides shown



Current Restrictions: S and E sides shown



Compatibility Waived: S and E sides shown





THE STATE BAR OF TEXAS  
1.215 AC.  
10008/438

CITY OF AUSTIN, TRACT  
FOR STREET PURPOSES  
3458/1647

5/15/2019  
5:15:21 PM



Manor Road  
3219 Manor Road, Austin, TX 78723

Midcity Development  
9229 Waterford Centre Blvd, Bldg C, Suite 100, Austin, TX  
78758

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ARCHITECTS, PLLC  
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① NORTH ELEVATION - WEST  
WP = 110'



② EAST ELEVATION - WEST  
WP = 110'



③ WEST ELEVATION - WEST  
WP = 110'

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P-1/60

Year	Number of cases	Number of deaths	Number of cases per 100,000 population	Number of deaths per 100,000 population	Number of cases per 100,000 population (95% CI)	Number of deaths per 100,000 population (95% CI)
2010	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2011	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2012	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2013	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2014	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2015	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2016	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2017	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2018	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2019	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2020	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2021	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2022	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2023	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2024	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2025	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2026	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2027	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2028	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2029	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2030	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2031	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2032	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2033	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2034	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2035	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2036	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2037	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2038	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2039	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2040	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2041	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2042	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2043	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2044	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2045	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2046	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2047	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2048	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2049	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2050	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2051	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2052	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2053	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2054	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2055	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2056	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2057	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2058	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2059	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2060	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2061	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2062	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2063	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2064	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2065	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2066	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2067	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2068	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2069	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2070	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2071	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2072	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2073	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2074	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2075	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2076	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2077	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2078	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2079	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2080	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2081	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2082	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2083	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2084	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2085	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2086	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2087	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2088	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2089	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2090	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2091	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2092	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2093	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2094	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2095	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2096	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2097	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2098	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2099	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)
2100	50	0	0.0	0.0	0.0 (0.0-0.0)	0.0 (0.0-0.0)

P-1/6

[illegible]

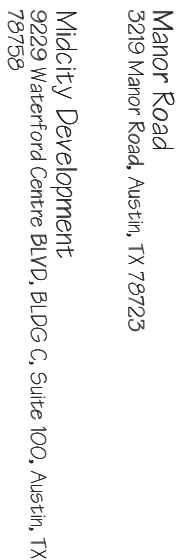
P-1/62

[illegible]



Category	Count	Percentage
Male	14	11.30%
Female	67	70.77%
Total	81	100.00%

BEST PAPER/PICTURE	
LOCATION	NUMBER OF PAGES
GRAND	12
TOTAL	12





P-1/64

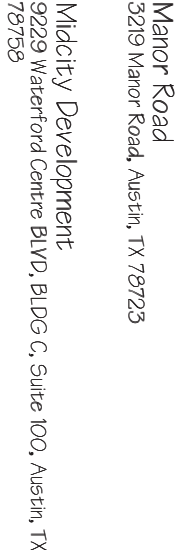
Category	#	%
Male	14	11.38%
Female	47	70.77%
Total	22	17.67%
Total	129	100.00%

MATERIAL PROVIDED			
DATE	STANDARD	M.L.	TOTAL PROVIDED
12/15/13	24	3	25
12/15/13	33	1	34
12/15/13	33	3	34
12/15/13	33	1	34
12/15/13	36	1	37
12/15/13	36	3	39
TOTAL MATERIAL PROVIDED			
			171

MATERIAL PROVIDED			
DATE	STANDARD	M.L.	TOTAL PROVIDED
12/15/13	25	1	26
TOTAL MATERIAL PROVIDED			
			26

BEST PAPERWORK AWARD	
LOCATION	NUMBER OF SPACES
CARAGE	12
TOTAL	12



**ORDINANCE NO. 021107-Z-12c**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICTS ON APPROXIMATELY 990 ACRES OF LAND GENERALLY KNOWN AS THE MLK NEIGHBORHOOD PLAN AREA ("MLK") AND TO CHANGE THE BASE ZONING DISTRICTS ON 63 TRACTS OF LAND IN MLK.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to add a neighborhood plan (NP) combining district to each base zoning district within the property and to change the base zoning districts on 63 tracts of land within the property described in Zoning Case No. C14-02-0142.003, on file at the Neighborhood Planning and Zoning Department, as follows:

Approximately 990 acres of land, in the City of Austin, Travis County, Texas, that includes the Oak Springs Subdistrict more particularly described and identified in the attached Exhibits "A" and "B" incorporated into this ordinance, (the "Property"), and, as follows,

Oak Springs Subdistrict bounded by East 12<sup>th</sup> Street on the north, Springdale Road on the south and east, and Airport Boulevard on the west,

generally known as the MLK neighborhood plan (NP) combining district, locally known as the property bounded by Anchor Lane, East 38 ½ Street and Manor Road on the north, East 51st Street on the east, Springdale Road on the south, and Airport Boulevard on the west, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "C".

**PART 2.** The base zoning districts for the 63 tracts of land are changed from family residence (SF-3) district, multifamily residence low density (MF-2) district, multifamily residence medium density (MF-3) district, neighborhood office (NO) district, limited office (LO) district, neighborhood commercial (LR) district, community commercial (GR) district, general commercial services (CS) district, general commercial services-conditional overlay (CS-CO) combining district, commercial-liquor sales (CS-1) district, and limited industrial services (LI) district, to family residence-neighborhood plan (SF-3-NP) combining district, single family residence small lot-neighborhood plan (SF-4A-NP) combining district, townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district, multifamily residence low density-neighborhood plan (MF-2-NP)

combining district, neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district, limited office-mixed use-neighborhood plan (LO-MU-NP) combining district, neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district, community commercial-neighborhood plan (GR-NP) combining district, community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district, community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district, community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district, general commercial services-neighborhood plan (CS-NP) combining district, general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district, general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district, commercial-liquor sales-mixed use-neighborhood plan (CS-1-MU-NP) combining district, and public-neighborhood plan (P-NP) combining district, as more particularly described and identified in the chart below.

TRACT	ADDRESS	FROM	TO
201	5005 & 5029 Manor Road	GR, MF-2	GR-MU-NP
202	2909 & 2913 E 51st Street, 5000, 5001, 5002, 5003, 5004, & 5005 Blue Spruce Circle, 5000, 5001, 5003, 5005, & 5007 Cottonwood Circle	MF-2	NO-MU-NP
203	2967, 2989, 3005, & 3007 E 51st Street (LOT 2 SEFCIK SUBD SEC 2, LOTS 1A & 1B SEFCIK SUBD NO 3 & LOT 1 LONGFELLOW SUBD)	MF-2	MF-2-NP
204	4700 Pecan Springs Road (11.82 ACRES OF ABS 793 SUR 20 WARNELL H ACR 11.82)	SF-3	SF-4A-NP
205	3015-3107 E 51st Street & 4806-4912 Pecan Springs Road (LOTS 1-3 ROSEN ED ADDN, LOTS 1A & 2A PFAEFFLIN SUBD RESUB, LOTS 1-2 JOHNSON HELEN SUBD, LOTS 1-4 POEHLMAN ACRES & 4.12 ACRES OF ABS 793 SUR 20 WARNELL H ACR 4.12)	SF-3	SF-3-NP
206	5000 Pecan Springs Road	MF-2	MF-2-NP
207	4809, 4813, 4905, 5001, 5003, 5005B, 5007 & 5009 Pecan Springs Road, 4926 Springdale Road (S & W OF FORT BRANCH CREEK)	SF-3, MF-3	SF-3-NP
208	0 Springdale Road (ABS 793 SUR 20 WARNELL H ACR 2.059)	SF-3	GR-MU-CO-NP
209	4900 Springdale Road, 4926 Springdale Road (N & E OF FORT BRANCH CREEK)	GR, LO, MF-3	GR-MU-CO-NP
210	3811, 3823, & 3839 Airport Boulevard	CS	CS-MU-NP
211	3701 & 3737 Airport Boulevard	CS	CS-MU-NP
212	3737 Airport Boulevard	CS-1	CS-1-MU-NP
213	3101-3111 Manor Road, 2115-2215 Airport Boulevard, 2101-2199 Theo Drive (LOTS 1-10 OLT 50 DIV B AIRPORT & MANOR RD SUBD NO 3)	CS, GR	CS-MU-NP

TRACT	ADDRESS	FROM	TO
214	1901-2101 Airport Boulevard, 3200-3298 E MLK Boulevard, 2100-2198 Theo Drive ( LOT 1 OLT 50 DIV B AIRPORT & MANOR RD SUBD NO 2, LOT 11-13 AIRPORT & MANOR RD SUBD NO 3, LOTS C & D TRINITY SUBD, LOT 31 OLT 50 DIV A ENCINO TERRACE, LOTS 2-3, 3A, 11-14 & 19-22 OLT 50 DIV A DELORES SUBD, LOT A THEO DR & MANOR RD SUBD, LOT 1 OLT 50 DIV B HENRY JIM ADDN, LOT 1 AIRPORT BUSINESS PARK SUBD)	CS, CS-CO, CS-1	CS-MU-NP
215	1805, 1809, 1815 & 1823 Airport Boulevard, 3223 & 3235 E MLK Boulevard	GR, SF-3	GR-MU-NP
216	1400 Tillery Street & 3205 E 14 ½ Street	NO, SF-3	LR-MU-NP
217	1181, 1191 & 1199 Airport Boulevard	CS-1	CS-1-MU-NP
218	1153, 1165, 1181, 1191 & 1199 Airport Boulevard, 3300, 3306, & 3312 Oak Springs Drive, 3301, 3311, & 3313 E 12th St, 0 Airport Boulevard (.322 AC OF OLT 15 DIVISION B)	LI, CS, GR, LO	CS-MU-NP
219	3404 Oak Springs Drive	LR	LR-MU-NP
220	1137-1149 Airport Boulevard, 1142 & 1144 Gunter Street, 3301- 3399 Oak Springs Drive (LOTS 3 & 4 BURKE C O ADDN, LOTS 1-3 HIRSH ARRAH NEAL SUBD NO 3, LOTS 1, 2, 3A & 4 OLT 58 DIV A HIRSH ARRAH NEAL SUBD, LOT 2 OLT 57 & 60 ROBERTSON-MCCULLOUGH ADDN, LOT 1 FREEDOM HOME BAPTIST CHURCH ADDN & .5 AC OF OLT 57 & 60 DIV A)	CS	CS-MU-NP
221	1131, 1133 & 1135 Airport Boulevard, 1137 Gunter St, 3706 & 3716 Goodwin Avenue	CS	CS-MU-NP
222	1119 Airport Boulevard, 3703 Goodwin Avenue	CS	CS-MU-NP
223	1921, 1923, 1925, 1927 & 1929 E 38 ½ St, 3808 Manorwood Road (LOTS 24-29 BLK A OLT 35 & 36 DIV C MANOR HILL & LOT 1 MANOR HILL ADDN RESUB OF BLK F & PART OF BLK A)	SF-3	GR-MU-CO-NP
224	2011 & 2027 Anchor Lane, 3138, 3200, 3220, 3300, & 3330 Manor Road	CS	CS-MU-NP
225	3112-3128 Manor Road (LOT 8 BLK D OLT 35 & 36 DIV C & PART OF SERVICE WAY MANOR HILL)	CS, CS-1, GR	CS-NP
226	3121, 3207 & 3313 Manor Road	GR	GR-NP
227	3219 Manor Road	CS-CO	CS-CO-NP
228	3303 Manor Road, 2205 Tillery Street	CS-CO	CS-CO-NP
229	2200 Tillery Street	LO	LO-MU-NP
230	3317 Manor Road, 2212 Palo Pinto Drive	LR	GR-CO-NP
231	3401 & 3403 Manor Road	LO, SF-3	GR-CO-NP
232	3501 Manor Road	LO	LO-NP
233	3511 & 3515 Manor Road, 0 Manor Road (.48 ACR OF LOT 2-3 & 14 BLK 1 OLT 51-52 DIV B CREST HAVEN ADDN)	GR, LO	GR-NP
234	2215 & 2263 EM Franklin Avenue, 3607 Manor Road	GR	GR-NP
235	2211 & 2213 EM Franklin Avenue	LI	CS-MU-CO-NP
236	2210 & 2220 EM Franklin Avenue, 2226 Pershing Drive	CS, GR, SF-3	LO-MU-NP
237	2101, 2107 & 2109 EM Franklin Avenue	LO, CS, CS-1	LO-MU-NP
238	0 Pershing Drive (PT OF LTS 1-2 & 46-47 BLK D & APPROX 1.00 AC OLT 51 DIV B MANOR RD ADDN, ADJ VAC PALO PINTO DR)	SF-3	P-NP
239	0 Palo Pinto Drive (APPROX 1.00 AC OF OLT 51 DIV B MANOR RD ADDN)	SF-3	P-NP



TRACT	ADDRESS	FROM	TO
240	1904 EM Franklin Avenue	GR	SF-3-NP
241	3510-3520 E MLK Boulevard (LOT 1 OLT 51-52 DIV B RAOCH MAUDE E SUBD)	GR	SF-6-NP
243	1704, 1706, 1710, 1804 & 1812 EM Franklin Avenue, 3417 & 3515 E MLK Boulevard, 0 E MLK Boulevard (ACR 2.40 OLT 23 DIVISION B), 0 EM Franklin Avenue (1.375 ACR OLT 23 DIVISION B), 0 E 17th Street (96 x 104 FEET OLT 23 DIVISION B, .33 AC OF OLT 23 DIVISION B)	SF-3, MF-3	SF-3-NP
244	1812 EM Franklin Avenue	CS	GR-NP
245	3601 & 3609 E MLK Boulevard, 1807 EM Franklin Avenue	GR	GR-NP
246	3707 E MLK Boulevard	NO, SF-3	LO-MU-NP
247	1707, 1801 & 1803 Overhill Drive, 1800, 1802 & 1806 Springdale Road	LR, LO	LO-MU-NP
248	1808 & 1810 Springdale Road, 4501, 4505, 4507 & 4509 E MLK Boulevard	LR, CS	GR-NP
249	1801 EM Franklin Avenue	MF-3	SF-6-NP
253	0 E 12th Street (EVERGREEN CEMETERY)	SF-3	P-NP
254	3317 E 12th Street	SF-3	LR-MU-NP
255	4000 & 4008 E 12th Street	CS	SF-6-NP
256	4104 E 12th Street	LR	SF-6-NP
257	4112-4122 E 12th Street	SF-3	SF-3-NP
258	1308 Springdale Road	SF-3	P-NP
259	1200, 1202 & 1204 Springdale Road, 4122 E 12th Street	CS-1, LR, MF-3, SF-3	GR-MU-NP
260	4121-4127 E 12th St (More specifically identified in exhibit "D")	SF-3	GR-MU-NP
261	4013-4119 E 12th St (More specifically identified in exhibit "D")	SF-3	SF-6-NP
262	1152 Springdale Road, 3703 & 4003 E 12th St	SF-3	P-NP
263	3500-3612 Oak Springs Drive (LOTS 1-9 NUEVA VIDA I-A, LOT 15 NUEVA VIDA II, LOT 3 HOBBS ADDN SEC 2 & 5.439 AC OUT OF OLT 17 DIV B)	MF-2	SF-6-NP
264	3301 Pennsylvania Avenue (LOT 17 & ADJ 31.4 FEET OF VACATED TILLERY STREET OLT 16 DIV B HUSTON SAM HEIGHTS)	LO, GR	SF-6-NP
265	1144 Gunter Street	MF-3, CS	SF-3-NP
266	1143, 1145, & 1147 Gunter Street, 1144 Wayneroy Drive, 3603 & 3605 Abbate Circle	MF-3	SF-3-NP
267	1076 Springdale Road (LOT 2 OLT 57 & 60 DIV A SPRINGDALE PARK)	GR	GR-NP

**PART 3.** The following applies to an existing legal lot with single-family residential use within the boundaries of the NP combining district:

1. The minimum lot area is 2,500 square feet.
2. The minimum lot width is 25 feet.
3. For a lot with an area of 3,500 square feet or less, the impervious coverage may not exceed 65 percent.

**PART 4.** Cottage special use is permitted on lots in residential districts within the boundaries of the Oak Springs Subdistrict as set forth in Sections 25-2-1442 through 25-2-1444 of the Code.

**PART 5.** Urban home special use is permitted on lots in residential districts within the boundaries of the Oak Springs Subdistrict as set forth in Sections 25-2-1422 through 25-2-1424 of the Code.

**PART 6.** Tracts 203, 205, 206, 207, 243, 257 and 263 may be developed as a residential infill special use as set forth in Sections 25-2-1532 through 25-2-1534 of the Code.

**PART 7.** Tracts 201, 208 through 237, 244 through 248, 254, 259, 260 and 267 may be developed as a neighborhood mixed use building special use as set forth in Sections 25-2-1502 through 25-2-1504 of the Code.

**PART 8.** Tracts 222 and 233 may be developed as a neighborhood urban center special use as set forth in Sections 25-2-1521 through 25-2-1524 of the Code.

**PART 9.** The Property within the boundaries of the conditional overlay-combining district established by this ordinance is subject to the following conditions.

1. The following conditions apply to Tract 227:

A. Vehicular access from the Property to Tillery Street is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.

B. A 15-foot wide vegetative buffer shall be provided and maintained along the east property line adjacent to Tillery Street. Improvements permitted within the buffer zone are limited to drainage, underground utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.

2. The following conditions apply to Tract 228:

A 15-foot wide vegetative buffer shall be provided and maintained along the west property line adjacent to Tillery Street and along the south property line adjacent to the property developed or zoned residential. Improvements permitted within the buffer zone are limited to drainage, underground utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.

3. The following uses are prohibited uses on Tracts 223, 230 and 231:

Automotive rentals	Automotive repair services
Automotive washing (of any type)	Automotive sales
Drop-off recycling collection facility	Exterminating services
Funeral services	Outdoor entertainment
Outdoor sports and recreation	Pawn shop services

4. The following uses are prohibited uses on Tract 227:

Adult oriented businesses	Agricultural sales and services
Automotive sales	Campground
Convenience storage	Drop-off recycling collection facility
Equipment repair services	Exterminating services
Funeral services	Kennels
Outdoor entertainment	Outdoor sports and recreation
Pawn shop services	

5. The following uses are prohibited uses on Tract 228:

Adult oriented businesses	Agricultural sales and services
Automotive sales	Building and maintenance services
Campground	Convenience storage
Drop-off recycling collection facility	Electronic prototype assembly
Equipment repair services	Equipment sales
Exterminating services	Funeral services
Kennels	Laundry services
Limited warehousing and distribution	Maintenance and service facilities
Monument retail sales	Outdoor entertainment
Outdoor sports and recreation	Pawn shop services
Transitional housing	Vehicle storage
Veterinary services	

6. The following uses are prohibited uses on Tract 235:

Adult oriented businesses	Agricultural sales and services
Automotive washing (of any type)	Campground
Commercial blood plasma center	Commercial off-street parking
Construction sales and services	Convenience storage
Custom manufacturing	Equipment repair services
Equipment sales	Drop-off recycling collection facility
Laundry services	Limited warehousing and distribution
Maintenance and service facilities	Pawn shop services
Service station	Vehicle storage

7. Drive-in service as an accessory use to commercial uses is a prohibited use on Tracts 208, 209 and 235.

8. The following uses are conditional uses on Tract 235:

Automotive sales	Exterminating services
Guidance services	Hotel-motel
Kennels	Monument retail sales
Outdoor sports and recreation	Residential treatment

9. The following uses are prohibited uses on Tracts 208 and 209:

Automotive rentals	Automotive washing (of any type)
Automotive repair services	Pawn shop services
Automotive sales	Service station

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

**PART 10.** The Council waives the requirements of Sections 2-2-3 and 2-2-7 of the City Code for this ordinance.



**PART 11.** This ordinance takes effect on November 18, 2002.

**PASSED AND APPROVED**

November 7, 2002

§  
§  
§

Gustavo L. Garcia

Gustavo L. Garcia  
Mayor

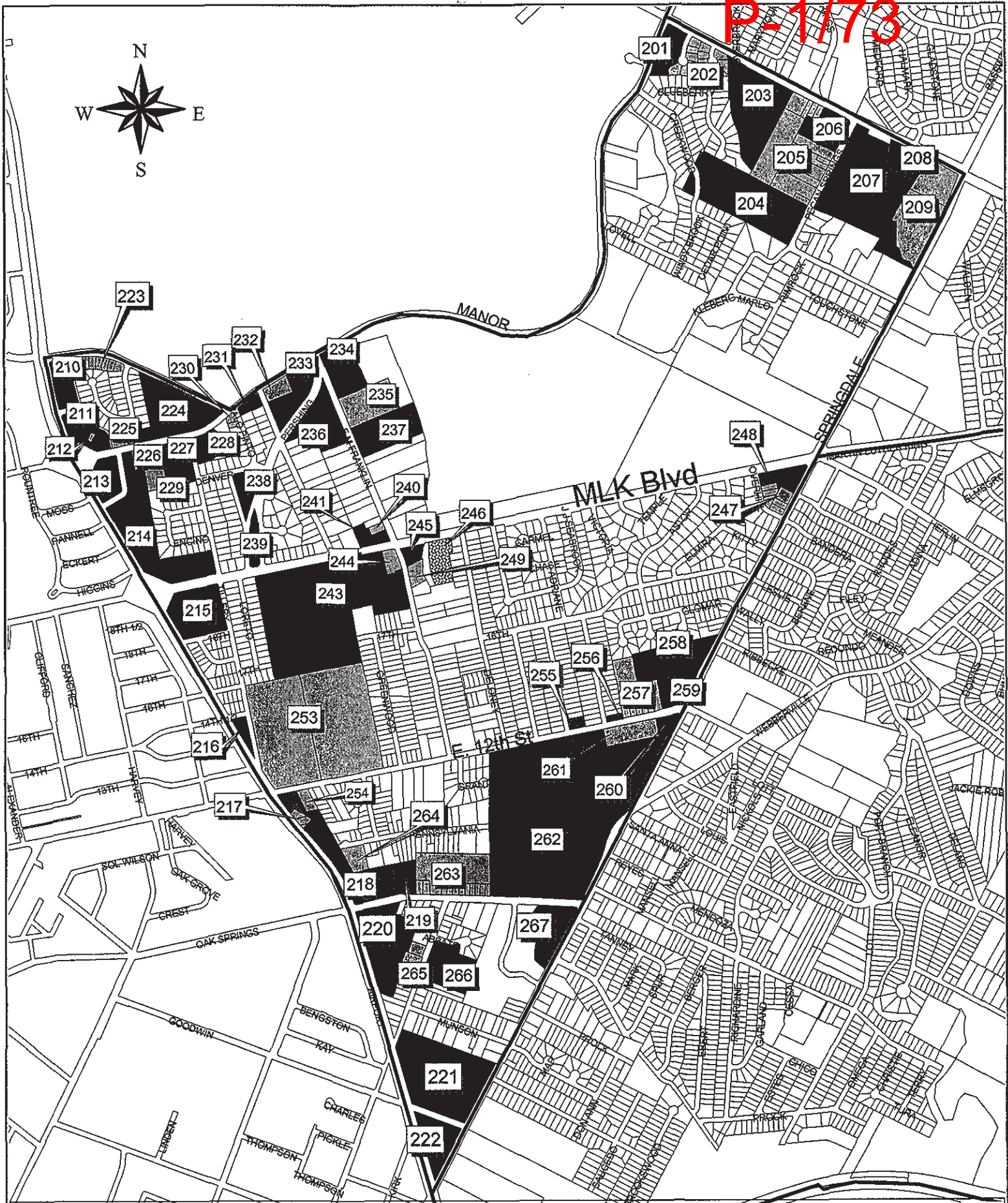
**APPROVED:**

Sedora Jefferson  
Sedora Jefferson  
City Attorney

**ATTEST:**

Shirley A. Brown

Shirley A. Brown  
City Clerk



MLK Neighborhood Plan Combining District  
Case # C14-02-0142.003 EXHIBIT A

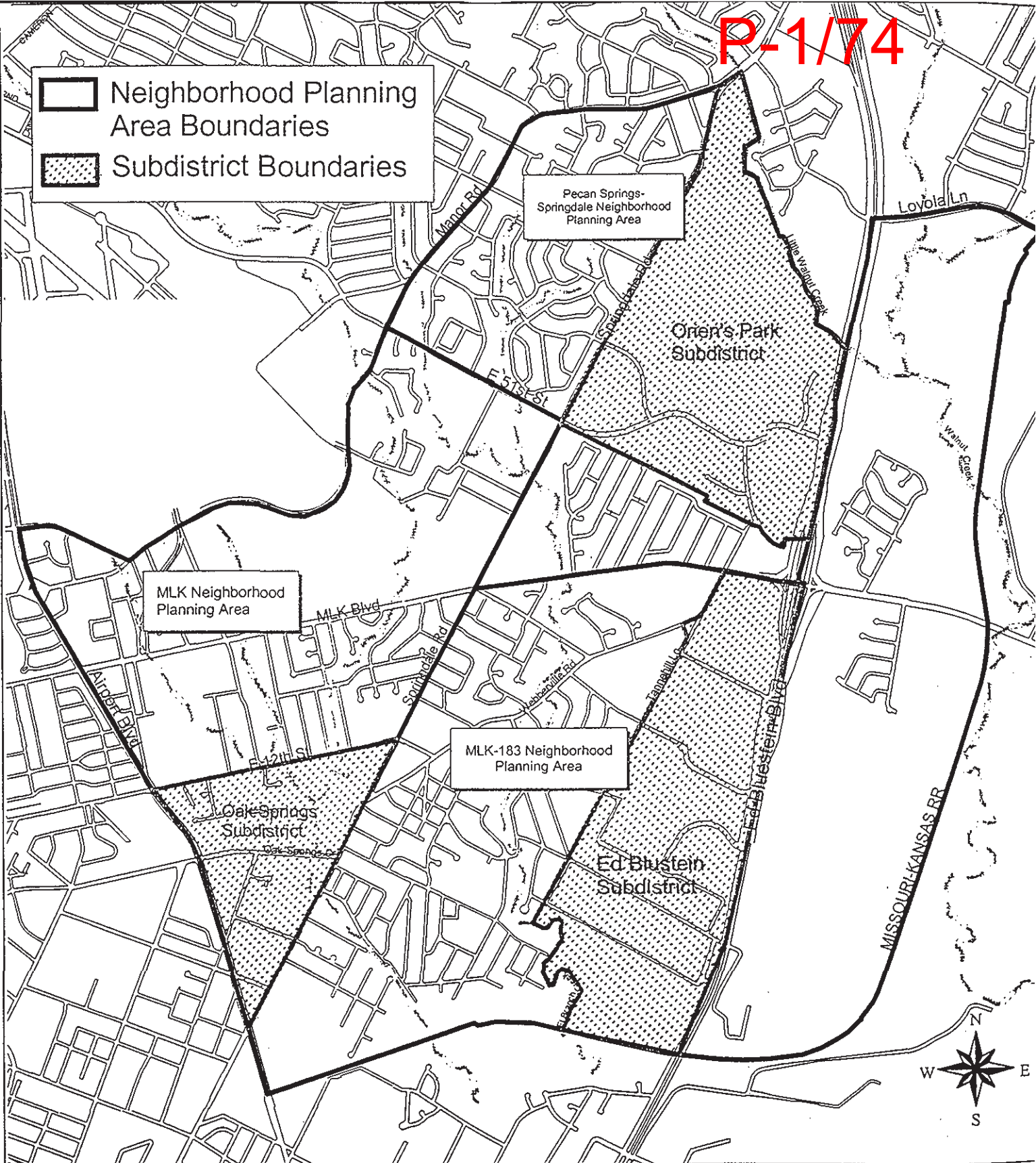


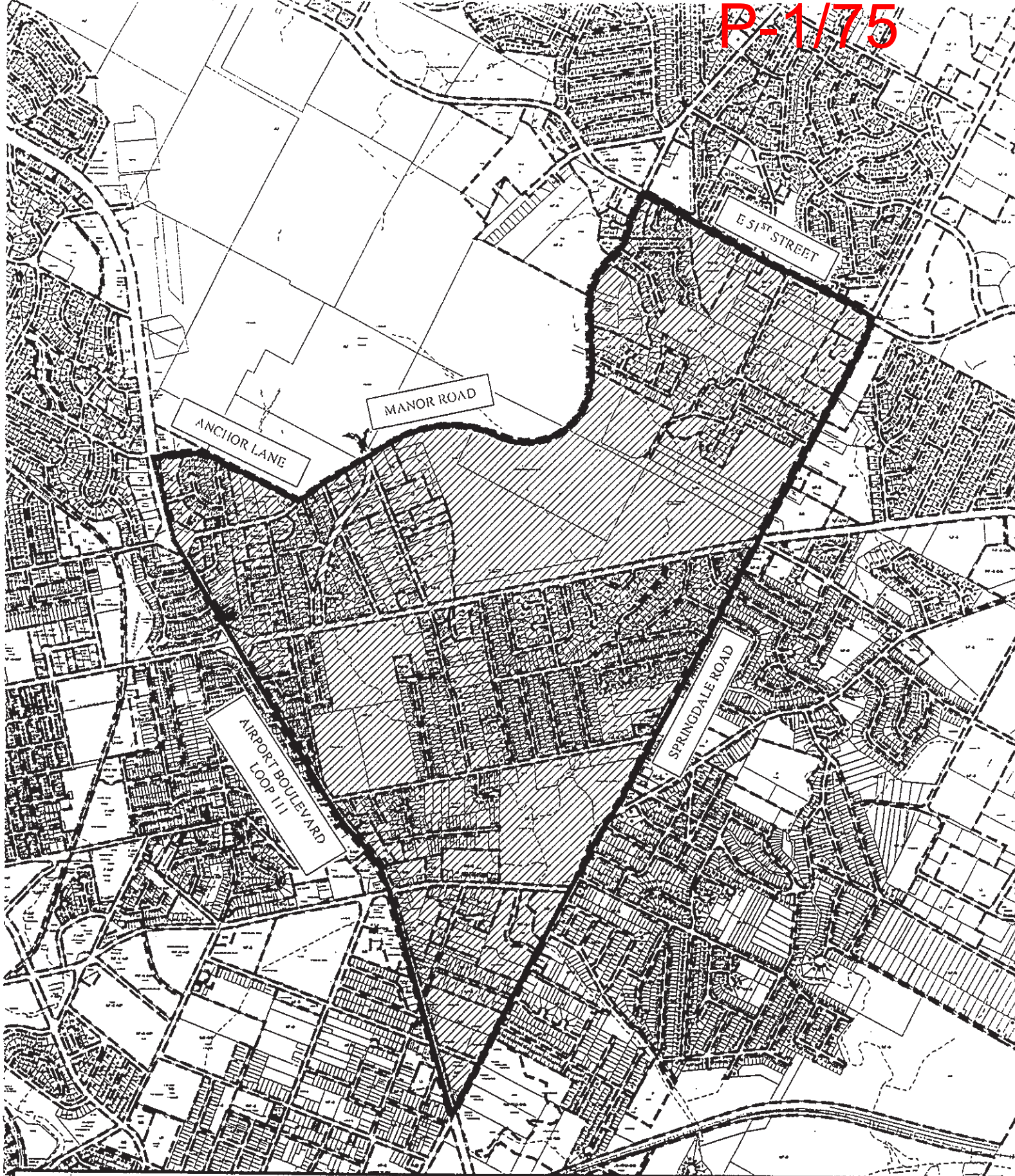
EXHIBIT B







# East MLK Combined Planning Area Neighborhood Planning Area and Subdistrict Boundaries

This map has been produced by the City of Austin and is a working staff map and is not warranted for any other use. No warranty is made by the City regarding its accuracy or completeness. Reproduction is not permitted without written permission from the Neighborhood Planning and Zoning Department.

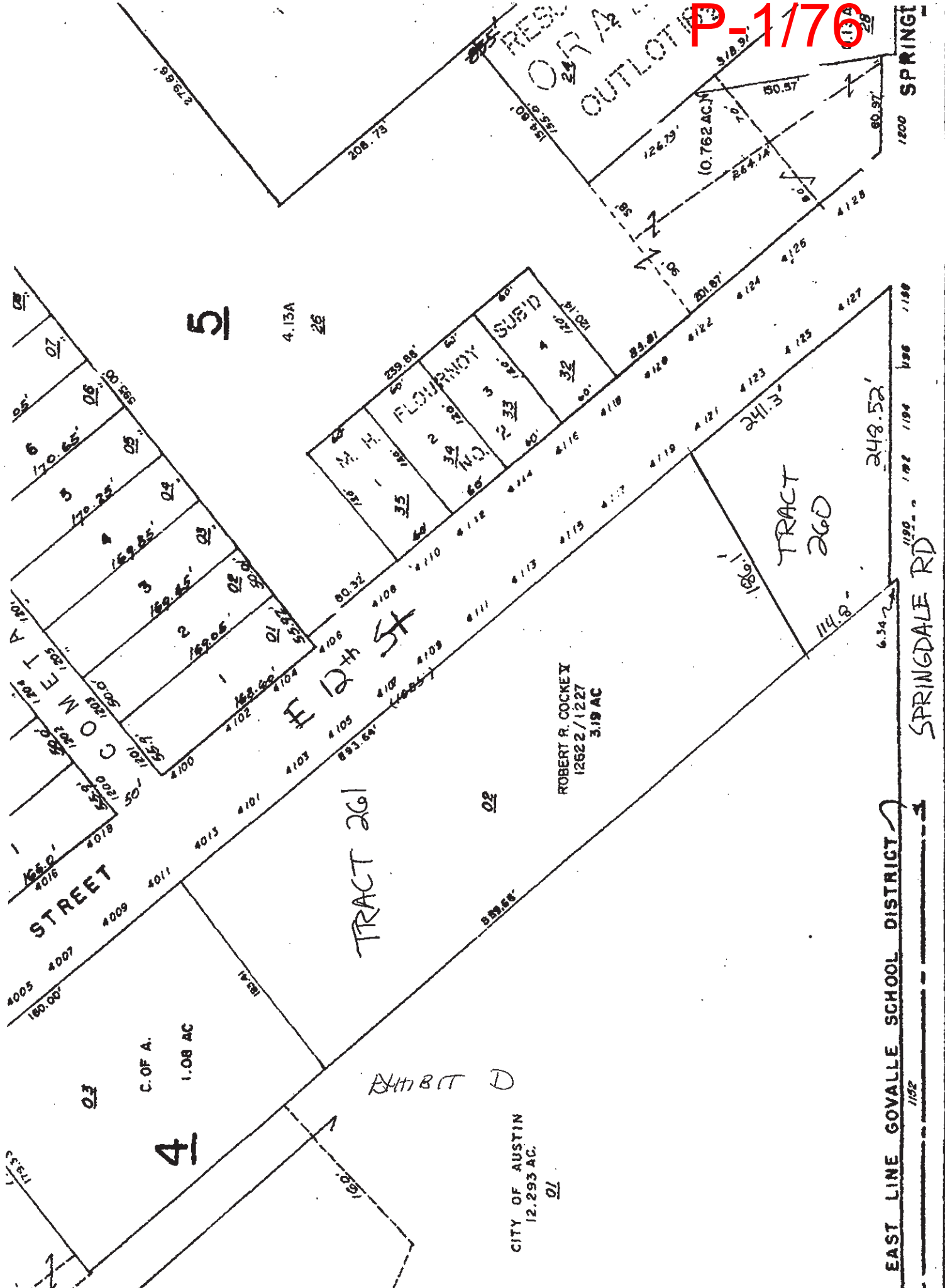




 1" = 1600'	SUBJECT TRACT		ZONING <i>EXHIBIT C</i>		CITY GRID REFERENCE NUMBER M21-25
	PENDING CASE				
	ZONING BOUNDARY				
	CASE #: C14-02-0142.003				
	ADDRESS: MLK NPCD				
CASE MGR: T. BOLT		SUBJECT AREA (acres): N/A		DATE: 02-09	
				INTLS: SM	



P-1776



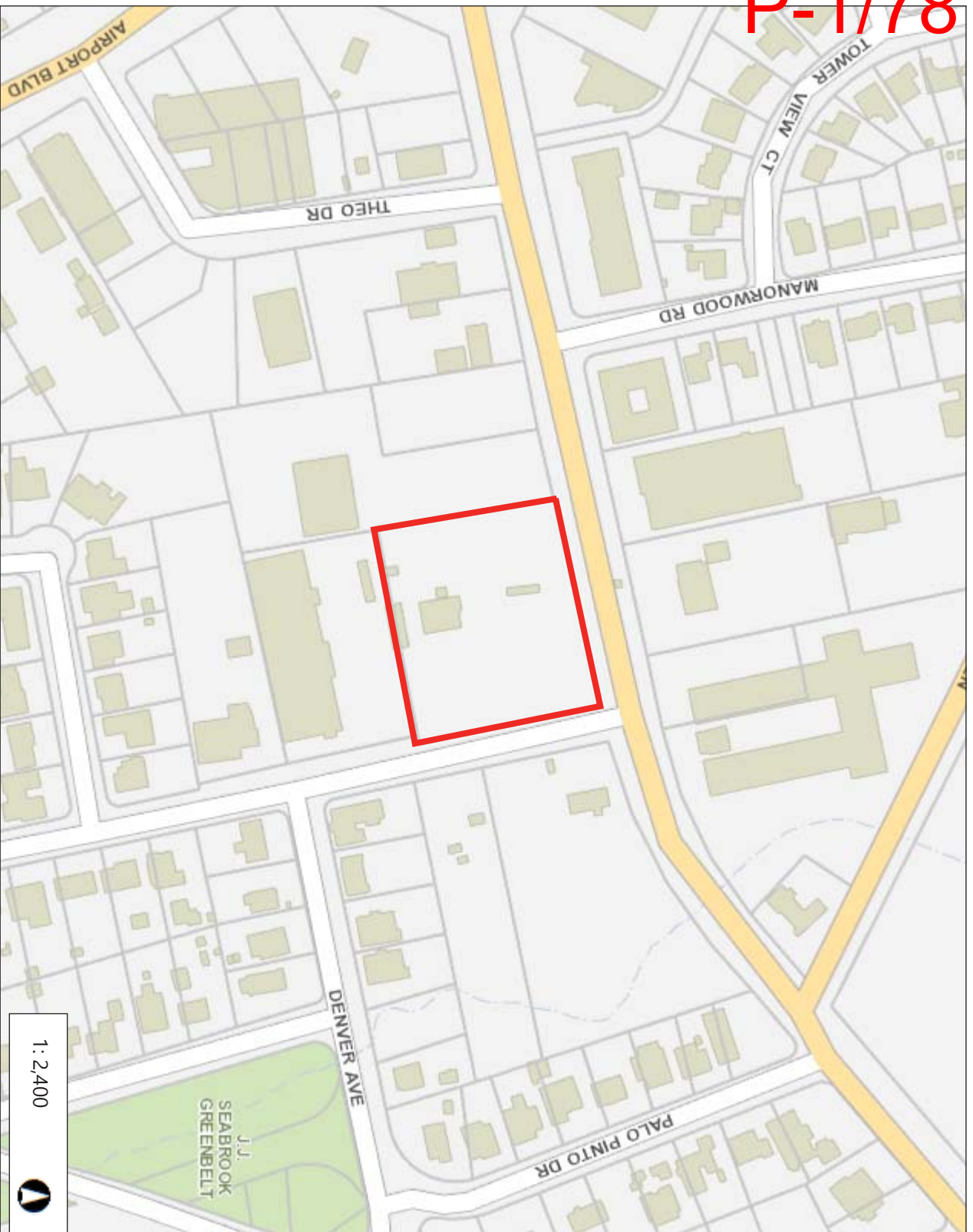




# Property Profile

## Legend

P-1/78



1: 2,400



## Notes

0.1  
0  
0.04  
0.1 Miles

NAD\_1983\_StatePlane\_Texas\_Central\_FIPS\_4203\_Feet

Date Printed:

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

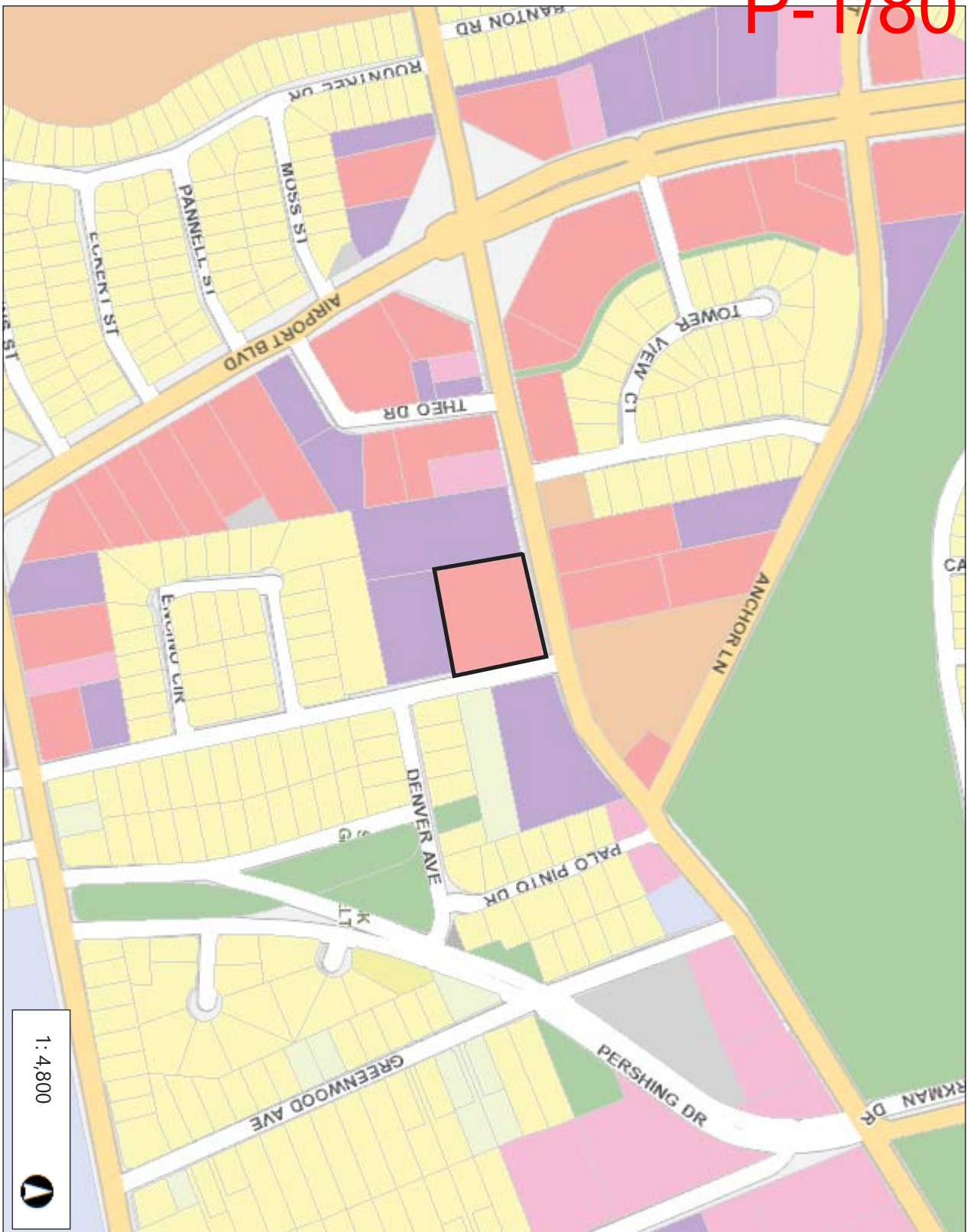








# Property Profile



1: 4,800



- Land Use Inventory**
- Single Family
  - Mobile Home
  - Large Lot Single Family
  - Multi-family
  - Commercial
  - Mixed Use
  - Office
  - Industrial
  - Resource Extraction
  - Civic
  - Open Space
  - Transportation
  - Roads
  - Utilities
  - Undeveloped
  - Water
  - Unknown

## Legend

## Notes

NAD\_1983\_StatePlane\_Texas\_Central\_FIPS\_4203\_Feet

Date Printed:

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**PUBLIC HEARING INFORMATION**

Although applicants and/or their agent(s) are expected to attend a public hearing, **you are not required to attend**. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

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

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

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:

- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

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

For additional information on the City of Austin's land development process, visit our web site: [www.austintexas.gov/devservices](http://www.austintexas.gov/devservices).

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: C15-2019-0033**  
**Contact: Elaine Ramirez, 512-974-2202**  
**Public Hearing: Board of Adjustment, June 10th, 2019**

*Steven Emberton*  
Your Name (please print) ☐ I am in favor  
☒ I object

*3301 Dorte are Austin # 78723*  
Your address(es) affected by this application

*[Signature]* Signature \_\_\_\_\_ Date \_\_\_\_\_

Daytime Telephone: *512-565-8278*

Comments: *We do not support the change.*

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**If you use this form to comment, it may be returned to:**  
City of Austin-Development Services Department/ 1st Floor  
Elaine Ramirez  
P. O. Box 1088  
Austin, TX 78767-1088  
Fax: (512) 974-6305  
Scan & Email to: [elaine.ramirez@austintexas.gov](mailto:elaine.ramirez@austintexas.gov)



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- and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
  - is the record owner of property within 500 feet of the subject property or proposed development; or
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**Case Number: C15-2019-0033**

**Contact: Elaine Ramirez, 512-974-2202**

**Public Hearing: Board of Adjustment, June 10th, 2019**

*Aminda Embaleto*

Your Name (please print)

*3301 Denver Ave Austin TX 78723*

Your address(es) affected by this application

Signature

Date

Daytime Telephone:

*512-769-9352*

Comments: *We are concerned it will*

*Negatively effect our neighborhood and*

*home. I*

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

**City of Austin-Development Services Department/ 1st Floor**

**Elaine Ramirez**

**P. O. Box 1088**

**Austin, TX 78767-1088**

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

**Scan & Email to: [elaine.ramirez@austintexas.gov](mailto:elaine.ramirez@austintexas.gov)**

☐ I am in favor  
☒ I object