

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

DATE: Monday, January 13, 2020

CASE NUMBER: C15-2019-0061

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

APPLICANT: Jarred Corbell

OWNER: PSW – Springdale, LLC

ADDRESS: 735 SPRINGDALE RD

VARIANCE REQUESTED: The applicant is requesting a variance(s) to increase the maximum allowable Compatibility Height requirements of Article 10, Compatibility Standards, Division 2 –Development Standards, Section 25-2-1063 (C)(2) (*Height Limitations and Setbacks for Large Sites*) from 40 feet (maximum allowed) to 48 feet (requested) in order to erect a 48 ft. foot Commercial Office use in a “CS-MU-CO-NP”, General Commercial Services –Mixed Use – Conditional Overlay –Neighborhood Plan zoning district. (Govalle Neighborhood Plan)

Note: 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.

BOARD’S DECISION: BOA MEETING NOV 7, 2019 The public hearing was closed by Chair Don Leighton-Burwell, Board Member Veronica Rivera motions to Postpone to January 13, 2020, Board Member Jessica Cohen seconds on a 10-0 vote; POSTPONED TO JANUARY 13, 2020. Jan 5, 2020 Board Member Jessica Cohen motions to Postpone to February 5, 2020, Board Member Melissa Hawthorne seconds on a 10-0 vote; POSTPONED TO FEBRUARY 5, 2020 – APPLICANT NO SHOW

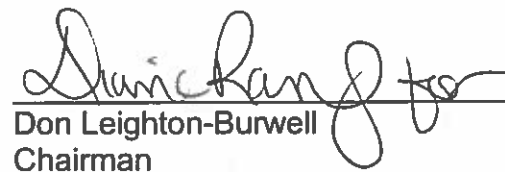
FINDING:

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

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

DATE: Thursday November 07, 2019

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_____**Brooke Bailey**
_____**Jessica Cohen**
_____**Ada Corral**
_____**Melissa Hawthorne**
_____**William Hodge**
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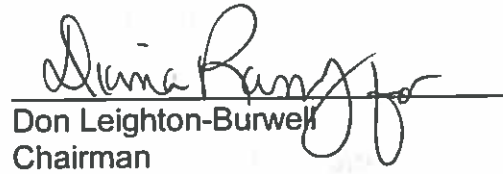
BOARD’S DECISION: BOA MEETING NOV 7, 2019 The public hearing was closed by Chair Don Leighton-Burwell, Board Member Veroncia Rivera motions to Postpone to January 13, 2020, Board Member Jessica Cohen seconds on a 10-0 vote; POSTPONED TO JANUARY 13, 2020.

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

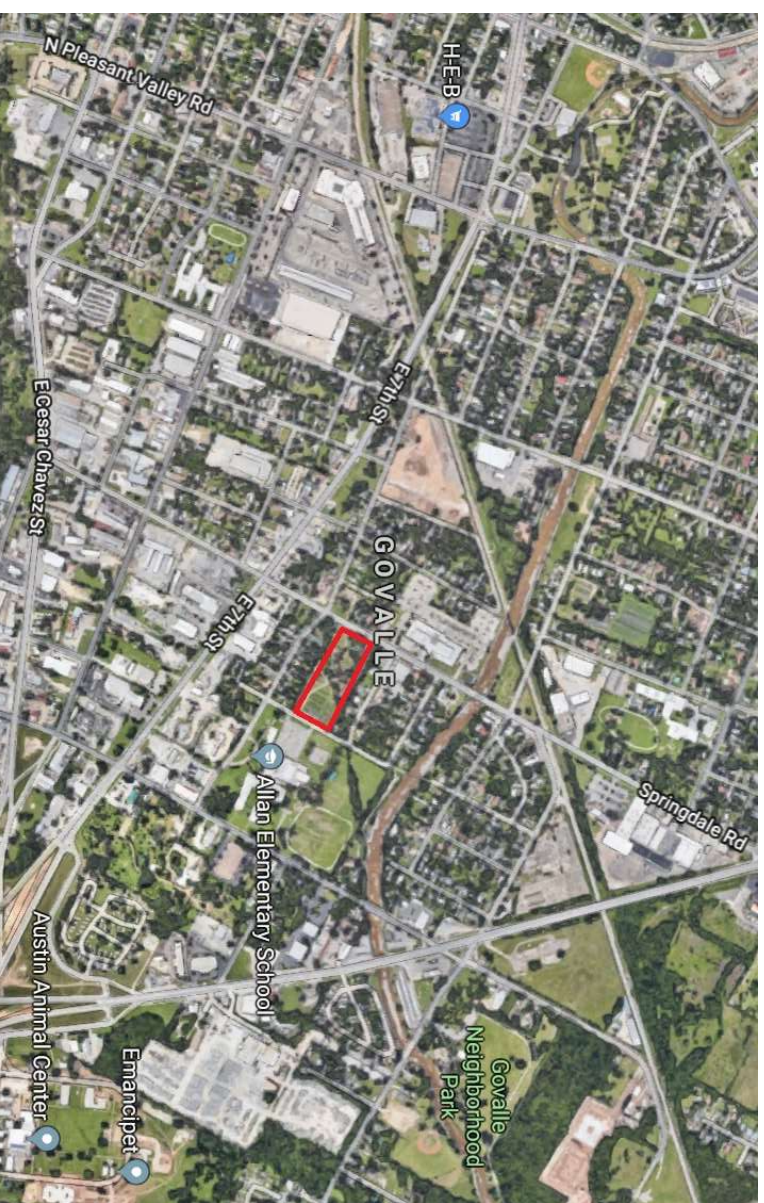
Springdale Farms

11/7/2019

Board of Adjustments

2/6 Site Location

- Area: 4.85 acres
- Zoning: CS-MU-CO-NP
- Along Imagine Austin Corridor
- 2 Blocks from Transit priority (in both directions)
- Activity Corridor



2/7 d Neighborhood Outreach

- Held community meetings to:
 - Understand from our future neighbors what the Farm has meant to the community
 - Get a sense of what future uses could be beneficial to the community
- Introduce StoryBuilt and discuss overall design strategy
 - Preservation (trees, existing features important to the site)
 - Sustainability
 - Green infrastructure
 - Neighborhood fabric
 - Mixed Use (residential for sale and commercial)

2/8 Community Feedback and Goals

Feedback from community meetings:

- Keep some level of farming and farm-stand operational
- Mixed use (residential and commercial)
- Open space
- Independent grocery
- Coffee shop/cafe
- Affordable housing component
- Welcoming environment
- Pedestrian oriented

2/9 What did we do with the Feedback..

- Developed numerous site plans and programming options trying to incorporate all the feedback
- Formed a working group with the Neighborhood Planning Contact Team to better identify pros and cons for the project, what agreements we could come to and identify our steps moving forward
- Developed a site plan, working around the numerous constraints on the property to bring to life the best project possible.
- Continued direct neighbor outreach during process to inform everyone of progress with the NPCT

P-2/10 Neighborhood Conclusions

- Conditional Overlay Zoning change supported to allow for restaurant and general convenience/retail uses
- Support for 48-ft commercial building
- Executed LOI with the Guadalupe Neighborhood Development Corporation to formalize partnership for affordable units to be conveyed at 60% MFI. A Missing middle for the GNDC will be filled due to unit sizes being conveyed.
- Heritage Tree preservation
- Maintain Urban Farming component: worked with Eden East, who is currently managing the farm and onsite restaurant, to determine necessary requirements for future needs.

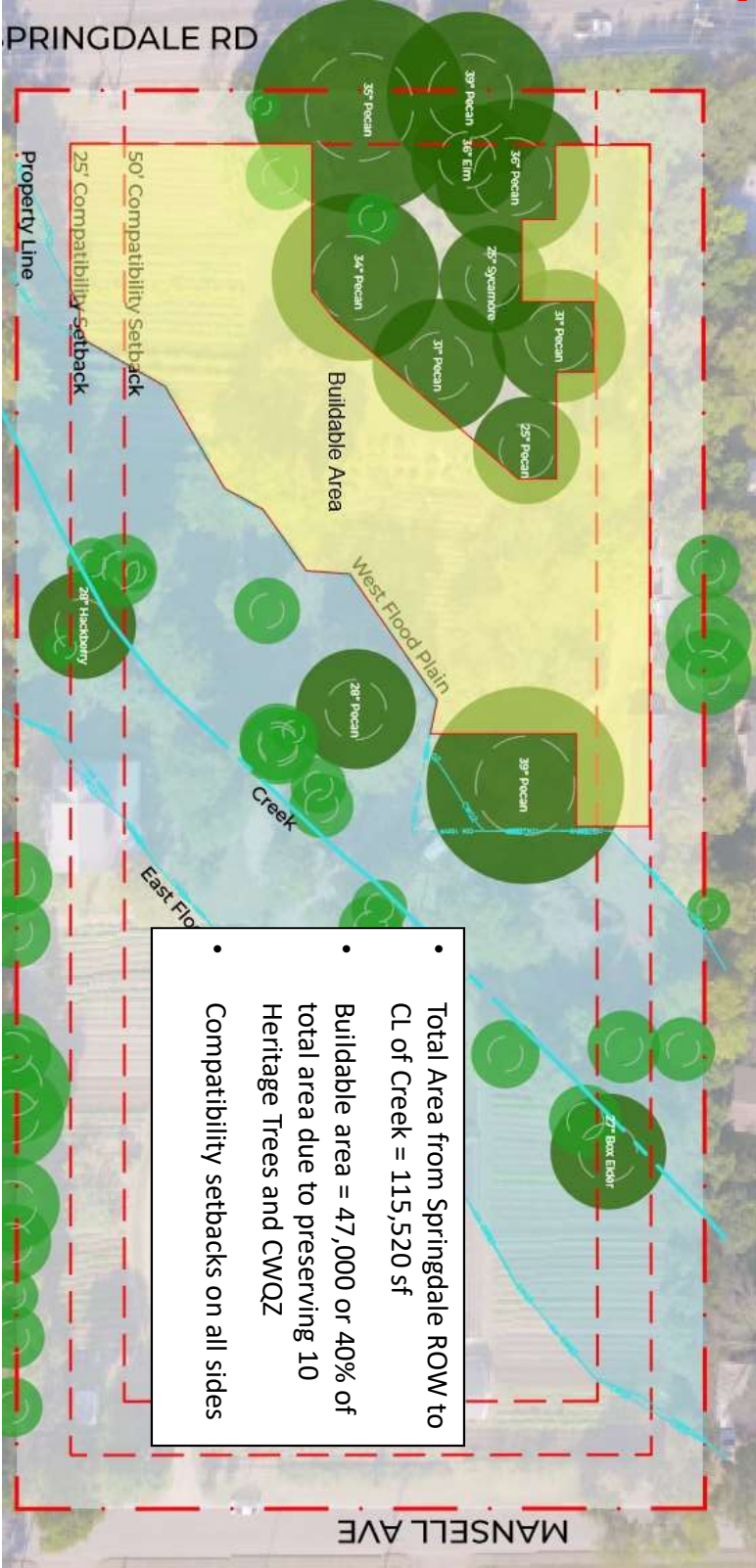
P-2/11 Site Plan

Site Plan:

- 88 For sale Units
- +/- 50,000 sf of commercial
- Open Space: 2.25 ac (includes 25k sf of Urban Farm
- 50% Imp cover
- FAR: 0.7:1
- Tree Preservation
- Residential units 30-ft from property line
- Collaboration of StoryBuilt and the NPCT to accomplish the goals:
 - Mixed Use
 - Farming
 - Sub-grade parking
 - Pedestrian Oriented



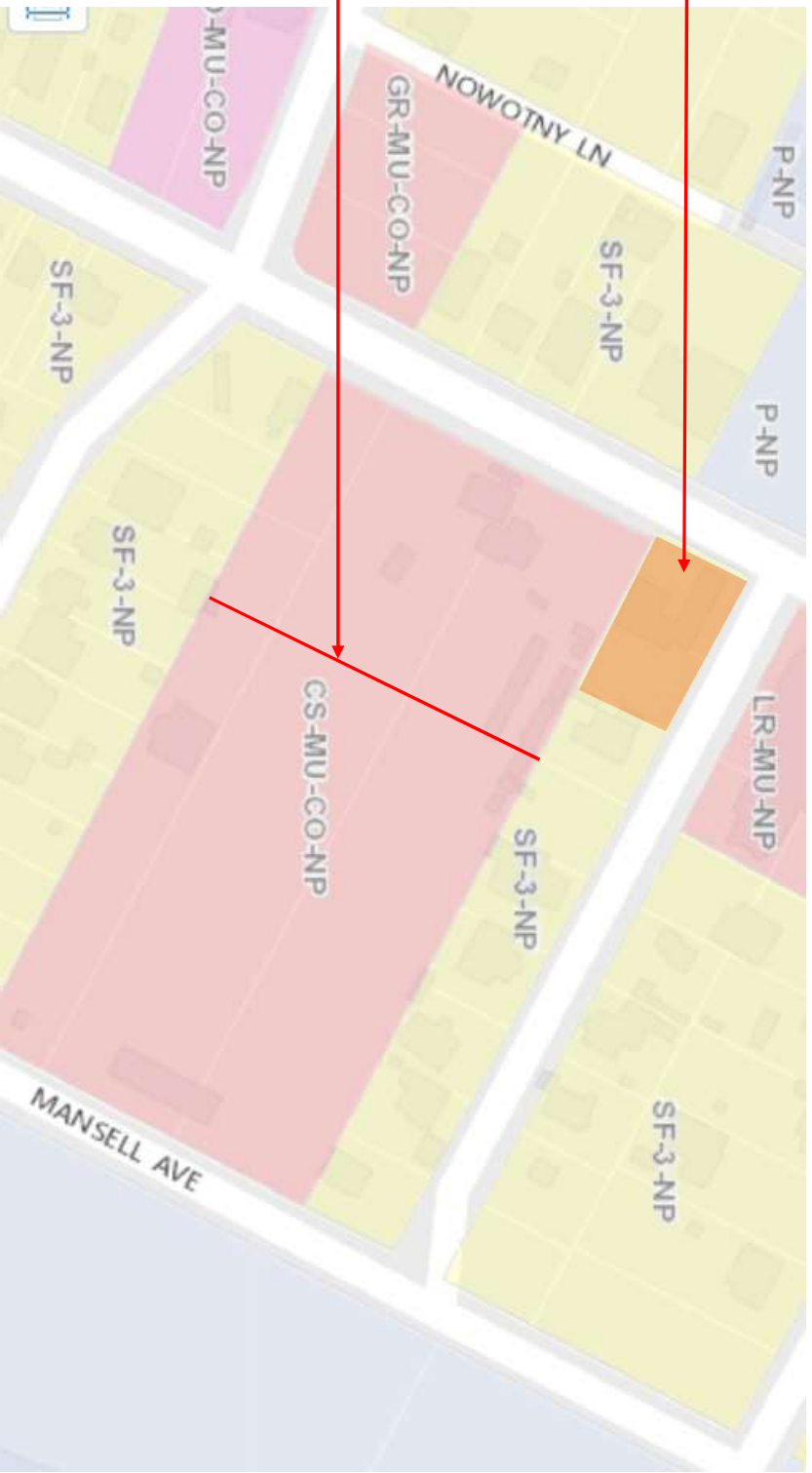
Site Overview



P-2-13 Triggering Properties

Single Family
Zoning but
commercial use

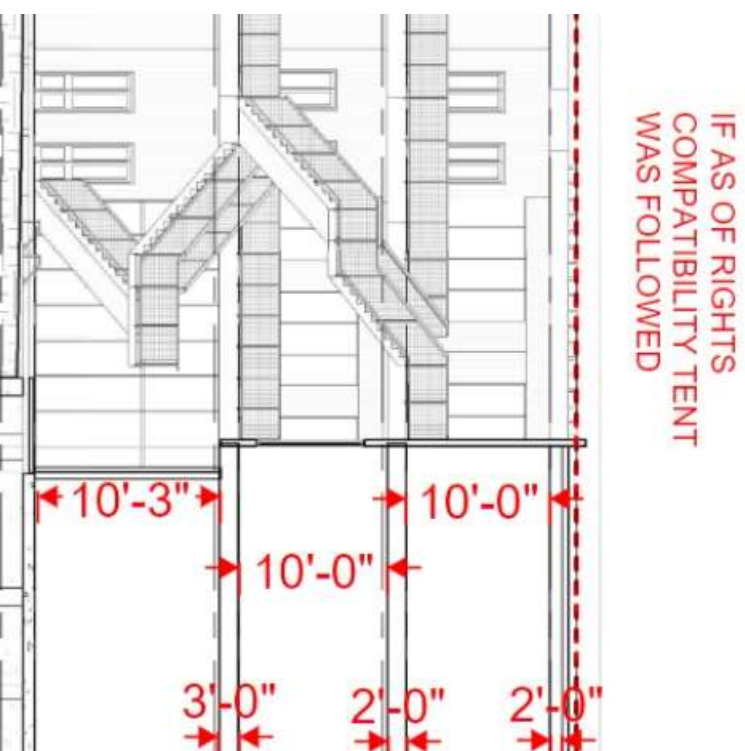
Limits of
triggering
properties



P-2/14 As of Rights – 40-feet

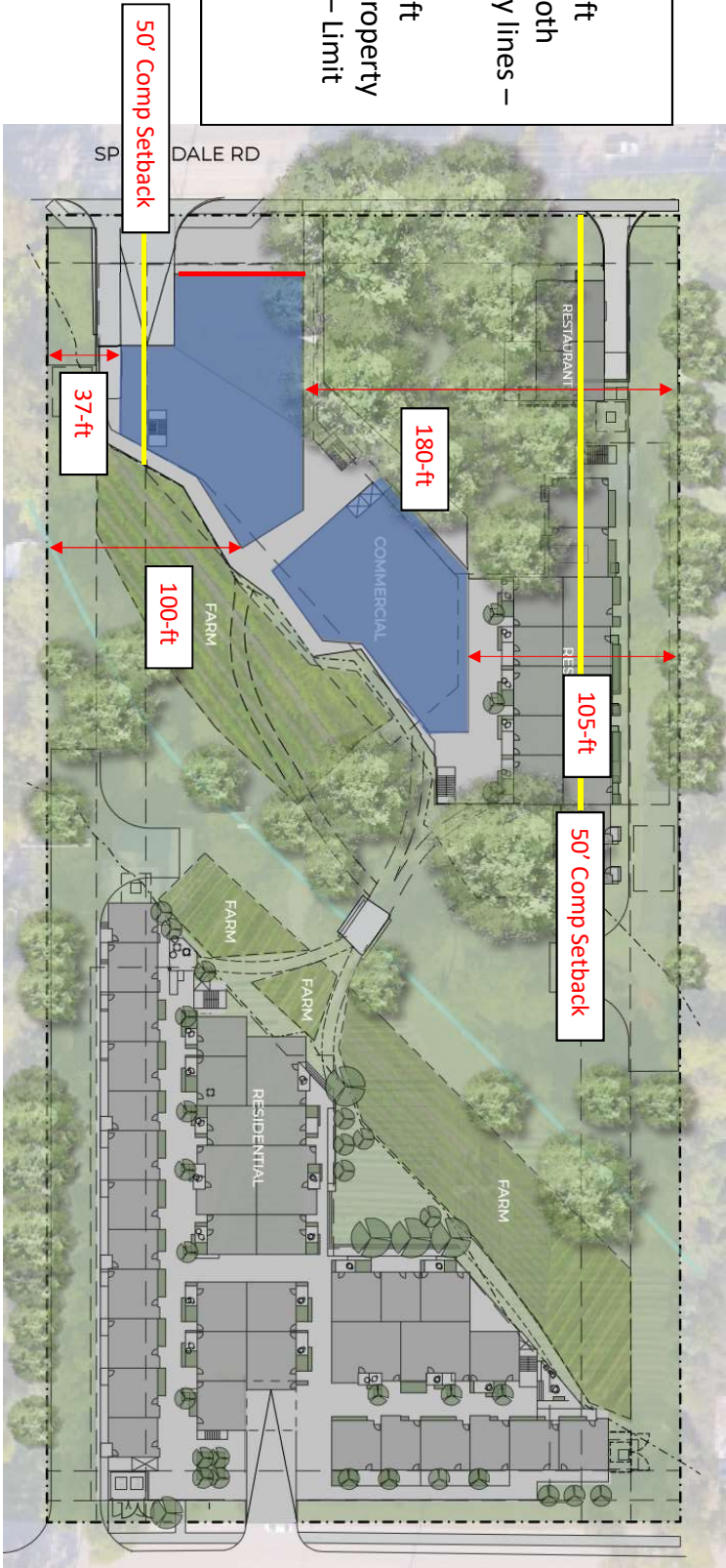
Commercial Height:

- 3 stories at 40-ft yields approx. 12 - 13' floor to floor which yields an unmarketable and unviable commercial space
- Floodplain requires FFE to be raised an additional 2-3ft above average grade further limiting height

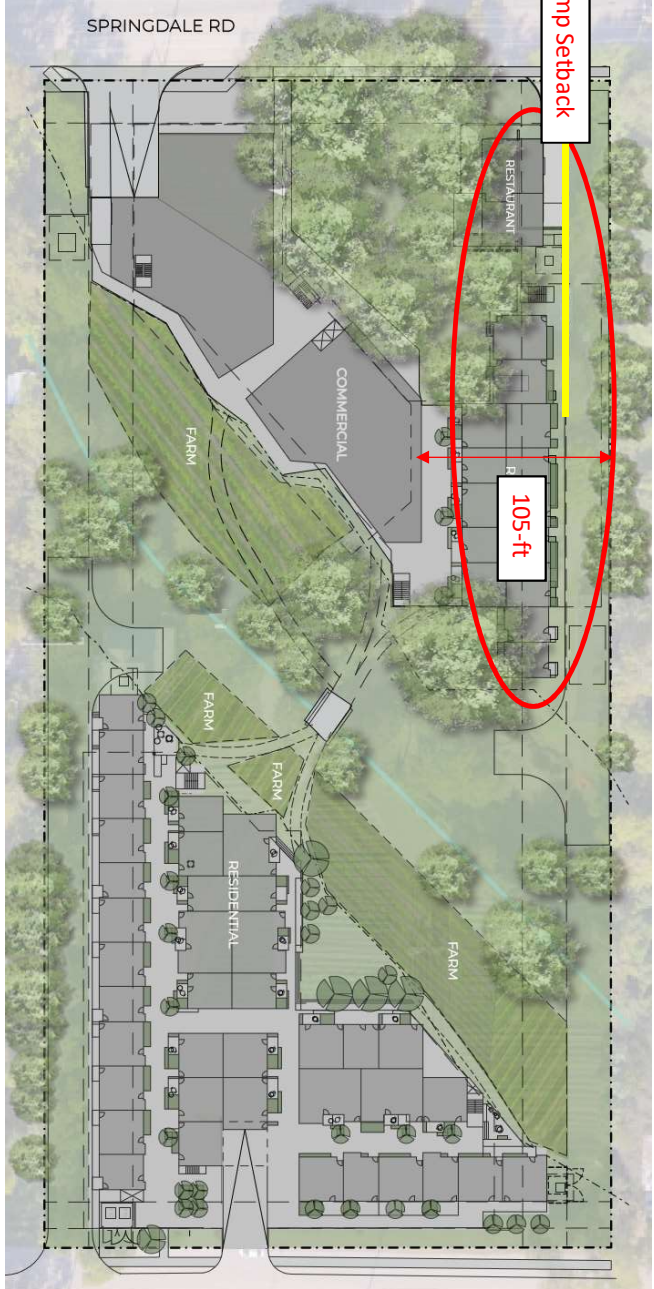
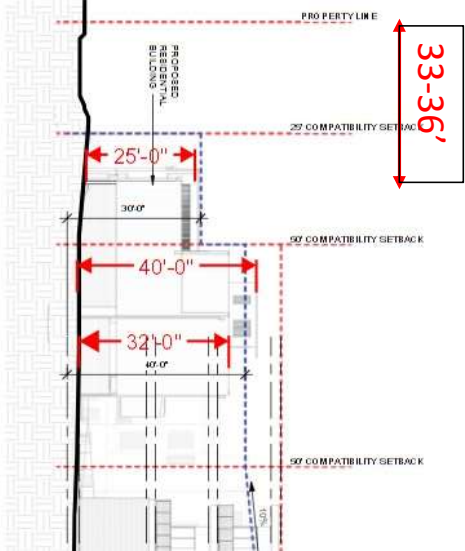
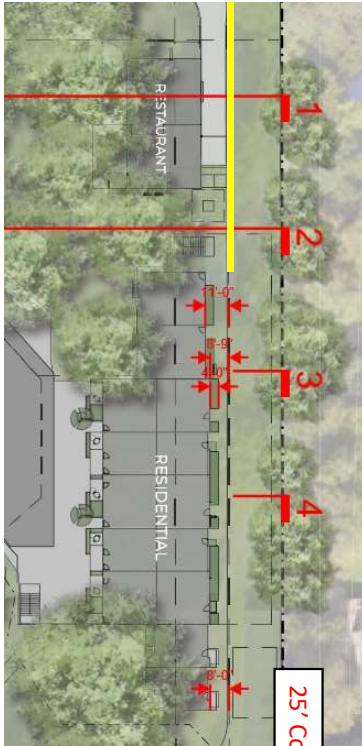


P-2/15 Proposed Height

- Commercial Height:
- Variance to allow for 48-ft structure at 50-ft from both north and south property lines – Limit to 3 stories
 - Variance to allow for 48-ft structure at 25-ft from property line along Springdale Rd – Limit to 3 stories

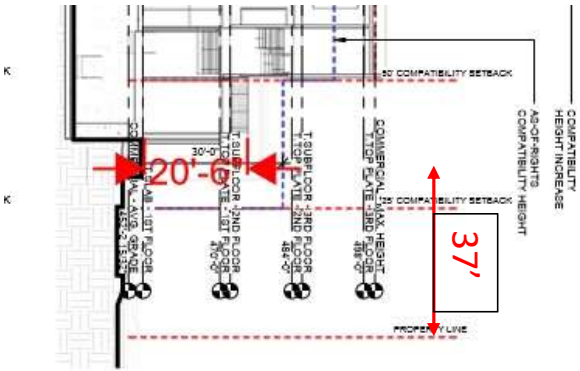


P-2/16 Northwest Section

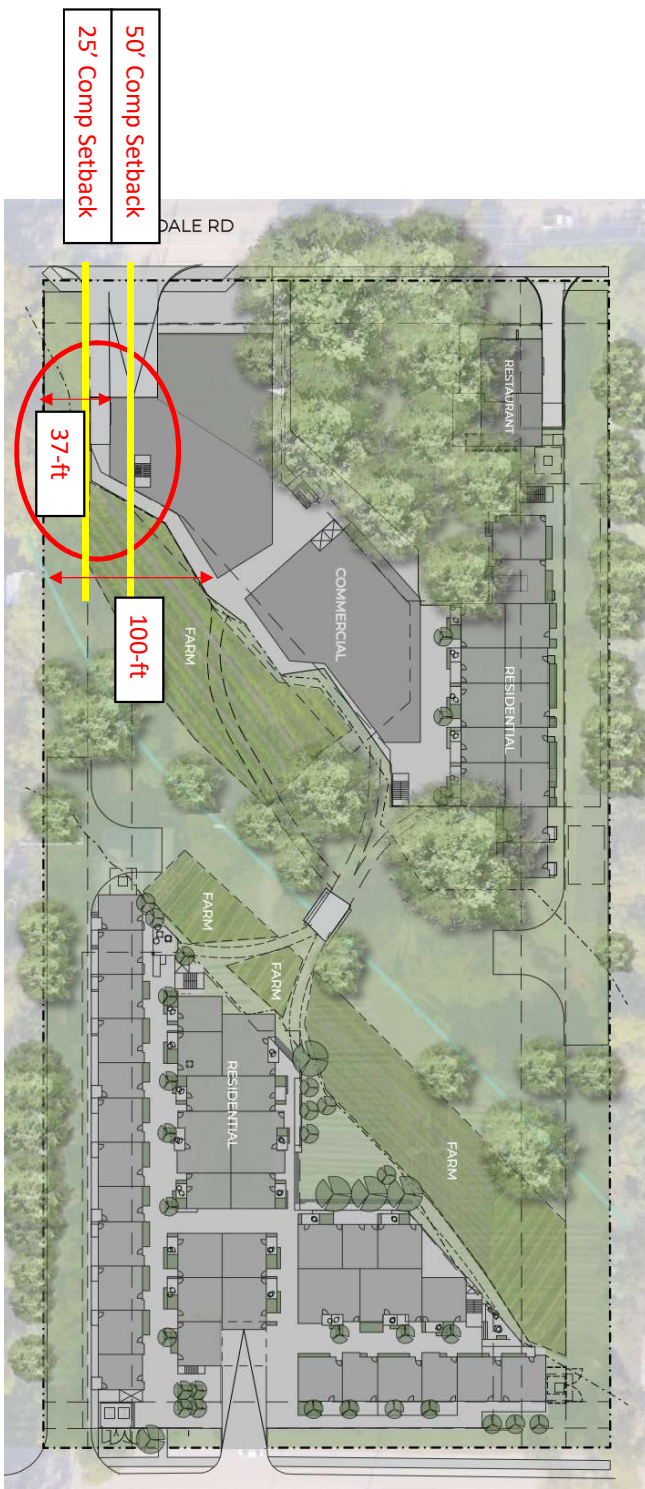


- Residential units approximately 8 – 11ft beyond 25ft comp setback
- Residential height at approx. 25-ft (5' below allowable)

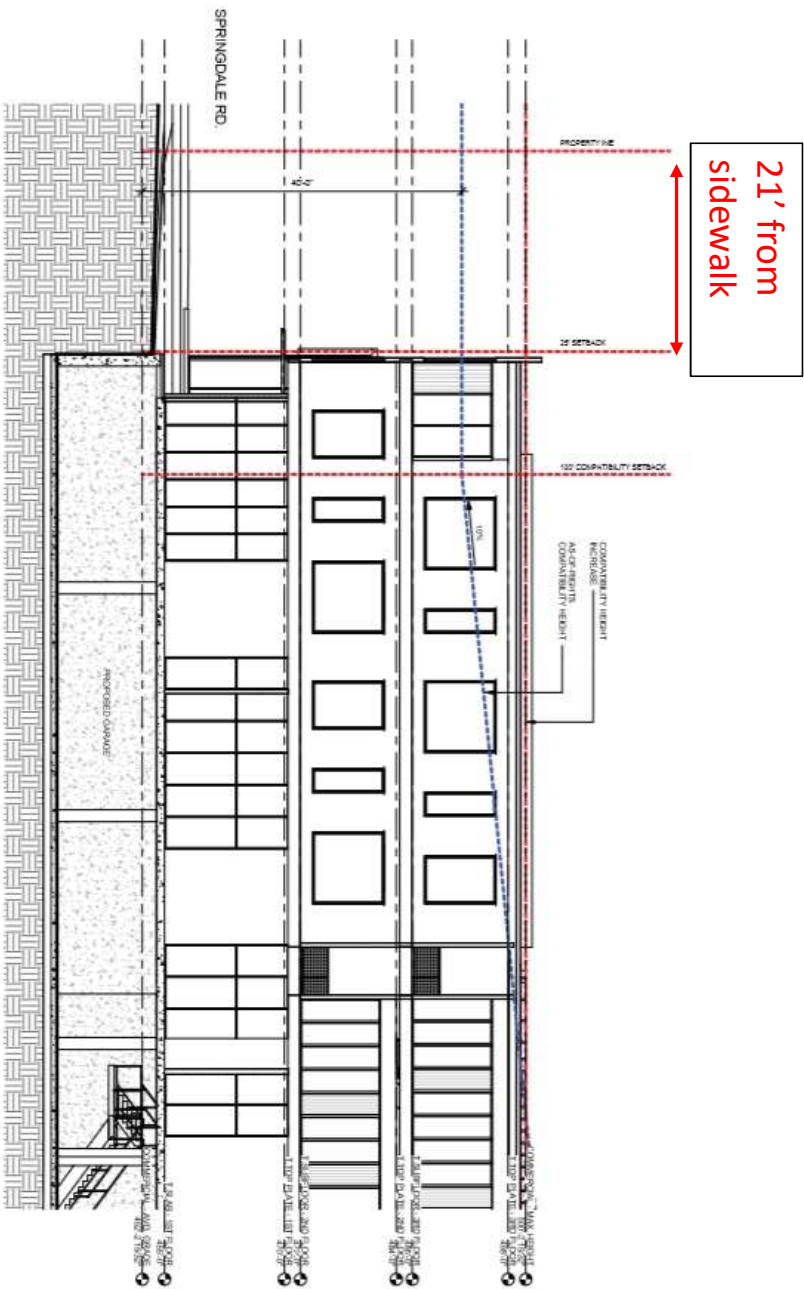
P-2/17 Southwest Section



- Commercial height approx 9'-6" below allowable height within 25 - 50ft comp setback
- No structure within 37' from PL



Commercial Building-Springdale Section



P-2/19 Neighborhood Support

Govalle/Johnston Terrace Neighborhood Plan Contact Team *"Strength Through Unity"*

To: Austin Planning Commission, City Council and Board of Adjustment
From: G/TNP Contact Team
RE: **NPA-2018-0016.04_Springdale Farms**

Commissioners and Council members,

Please accept this letter on behalf of the **Govalle/Johnston Terrace Neighborhood Plan Contact Team**. After approximately nine (9) months of talks and negotiations with the developer, we have come up with and agreement for:

Support for case # NPA-2018-0016.04_Springdale, **with the following conditions:**

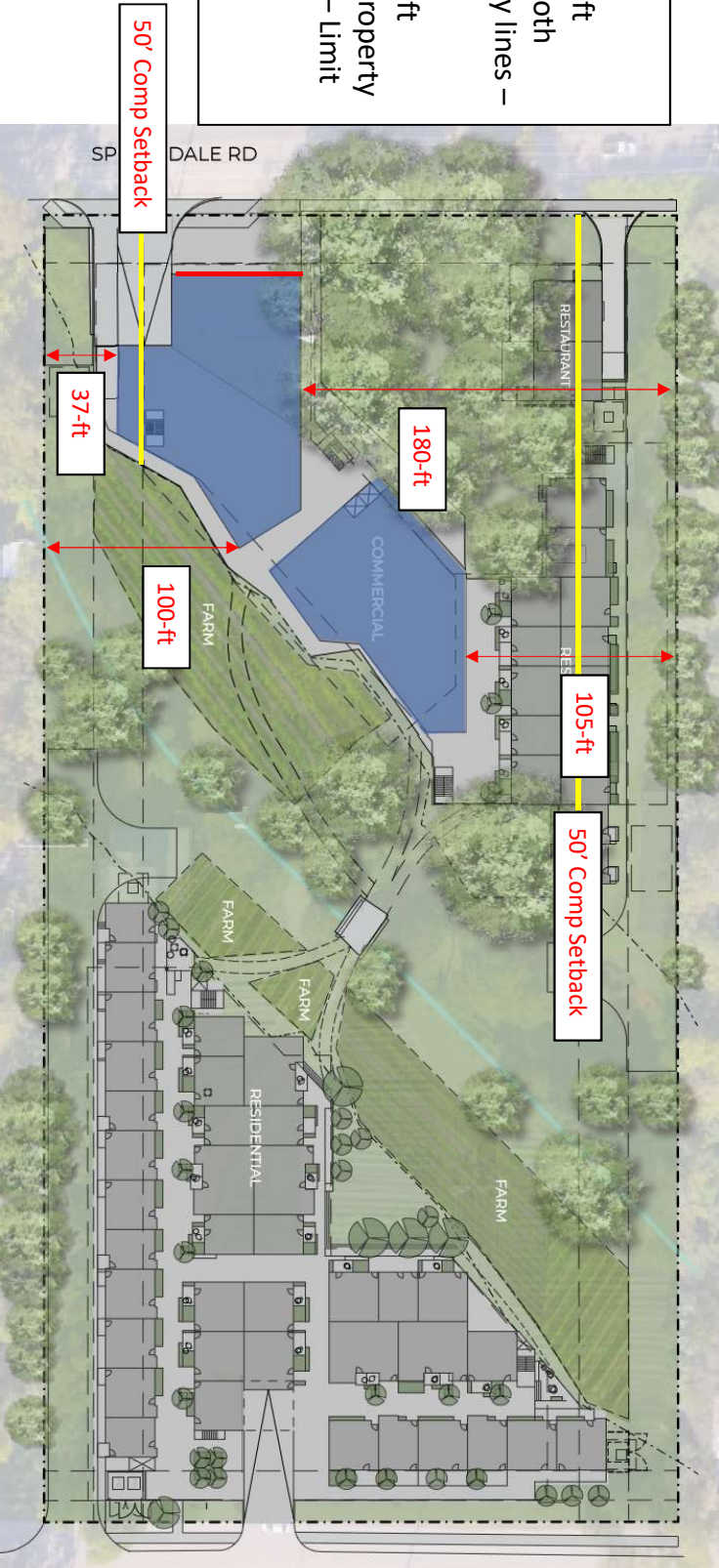
- *Conditional Overlay – change to include restaurant, general retail sales (convenience) & artisan workshop uses
- *Keep PLUM SF3 (no change)
- *Limit of 20 unit per acre
- *Housing - 90 units, five affordable unit sold to (GNDc) @ 60% MFI
- *Height – no more than 3 stories (48' on commercial, 40' on residential) 2 story on street with 3rd story stair-stepped back into the interior of the site at compatibility set-backs
- *Parking – on site and below ground parking
- *Removal of one heritage tree as outline in the project proposal

Please feel free to contact me with any questions or comments you may have regarding this case.

Thank you,

P-2/20 Proposed Height

- Commercial Height:
- Variance to allow for 48-ft structure at 50-ft from both north and south property lines – Limit to 3 stories
 - Variance to allow for 48-ft structure at 25-ft from property line along Springdale Rd – Limit to 3 stories



BOA GENERAL REVIEW COVERSHEET**CASE:** C15-2019-0061**BOA DATE:** November 7, 2019**ADDRESS:****COUNCIL DISTRICT:** 3**OWNER:** PSW-Springdale LLC**AGENT:** Jarred Corbell**ZONING:** CS-MU-CO-NP**LEGAL DESCRIPTION:** LOT 6-8 OLT 29-30 DIV A LESS W 17.88 FT JONES J GODWIN SUBD (1-D-1)**VARIANCE REQUEST:** a 48 ft. tall Commercial Office Building**SUMMARY:** erect a commercial office building at 50 ft. from property line**ISSUES:** critical water quality zone and floodplain

	ZONING	LAND USES
<i>Site</i>	CS-MU-CO-NP	General Commercial Services
<i>North</i>	SF-3-NP	Single-Family
<i>South</i>	SF-3-NP	Single-Family
<i>East</i>	P-NP	Public
<i>West</i>	GR-MU-CO-NP	Community Commercial

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
 Austin Lost and Found Pets
 Austin Neighborhoods Council
 Bike Austin
 Del Valle Community Coalition
 East Austin Conservancy
 El Concilio Mexican-American Neighborhoods
 Friends of Austin Neighborhoods
 Govalle Neighborhood Association
 Govalle/Johnston Terrace Neighborhood Plan Contact Team
 Guadalupe Neighborhood Development Corporation
 Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 Neighbors United for Progress
 Preservation Austin
 SEL Texas
 Sierra Club, Austin Regional Group



October 30, 2019

Jarred Corbell
735 Springdale Rd
Austin TX, 78702

Property Description: LOT 6-8 OLT 29-30 DIV A LESS W 17.88 FT JONES J GODWIN SUBD (1-D-1)

Re: C15-2019-0061

Dear Jarred,

Austin Energy (AE) has reviewed your application for the above referenced property, requesting that the Board of Adjustment consider a variance(s) from the following section(s) from the Land Development Code;

Article 10, Compatibility Standards, Division 2 –Development Standards, Section 25-2-1063 (C)(2) (*Height Limitations and Setbacks for Large Sites*) To increase the maximum allowable Compatibility Height requirements; **from 40 feet (maximum allowed) to 48 feet (requested)** ;

in order to erect a 48 ft. foot Commercial Office use in a "CS-MU-CO-NP", General Commercial Services – Mixed Use – Conditional Overlay –Neighborhood Plan zoning district. (Govalle Neighborhood Plan)

Austin Energy does not oppose the above request for a height variance, provided all proposed and existing improvements follow Austin Energy's clearance criteria requirements, the National Electric Safety Code and OSHA. Any existing electric facilities and easements that are affected by the proposed development, will need to be relocated, released or replaced at the expense of the owner/applicant.

I encourage you to contact Darren Vicknair, Austin Energy Design – South
Darren.Vicknair@austinenergy.com or (512) 505-7636, to discuss the any removal and relocation of existing facilities for the proposed electric design and electric service for this development.

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

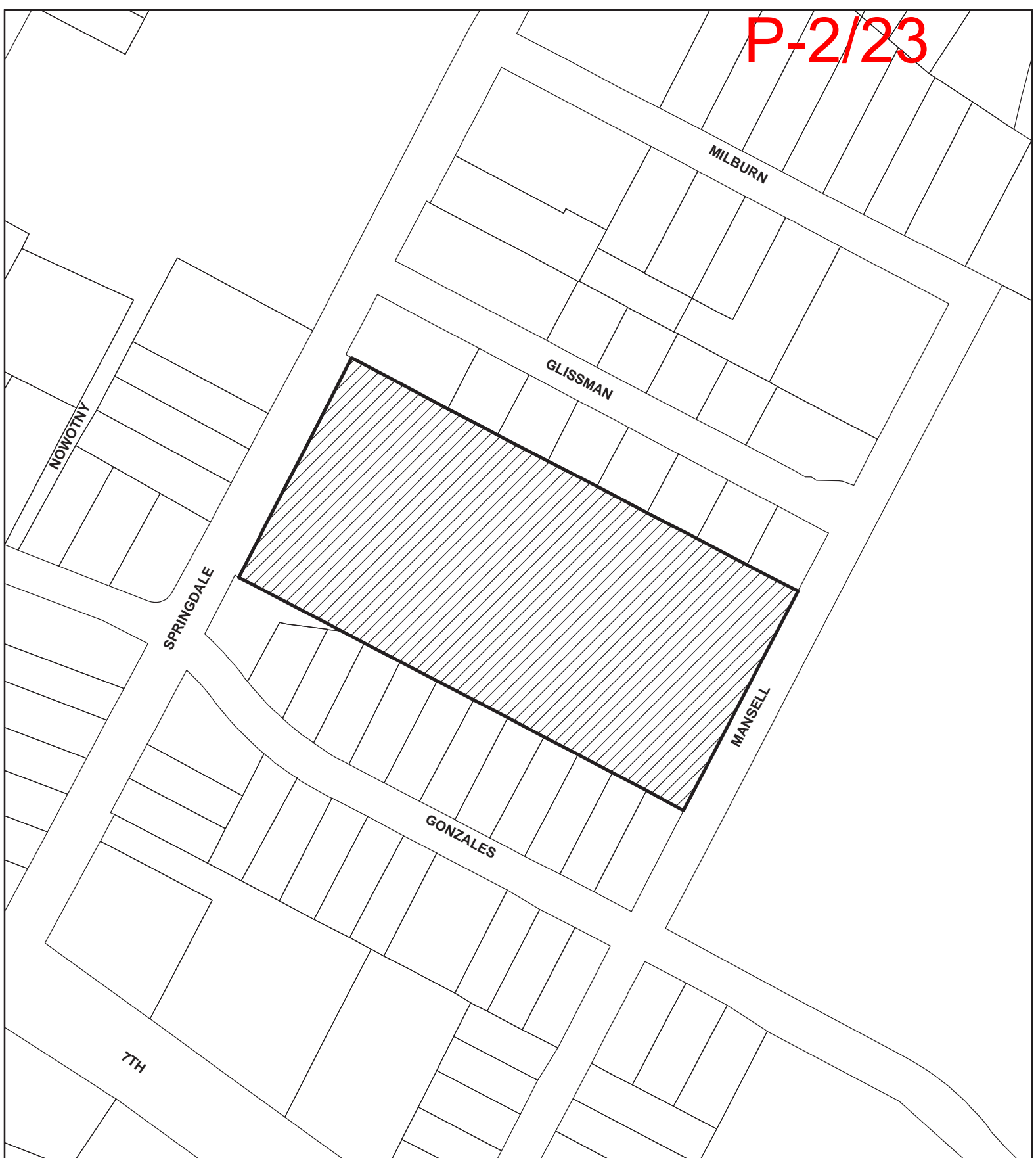
https://library.municode.com/tx/austin/codes/utilities_criteria_manual?nodeId=S1AUENDECR_1.10.0CLSA_RE




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

Eben Kellogg

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

P-2/23



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2019-0061
LOCATION: 735 Springdale Road



1" = 165'

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

P-2/24

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: 735 SPRINGDALE RD. AUSTIN, TX 78702

Subdivision Legal Description:

LOT 6-8 OLT 29-30 DIV A LESS W 17.88 FT JONES J GODWIN SUBD

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

Outlot: _____ Division: _____

Zoning District: CS-MU-CO-NP

I/We JARRED CORBELL on behalf of myself/ourselves as
authorized agent for PSW - SPRINGDALE LLC affirm that on
Month October, Day 8, 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: 48-ft Commercial Office Building at 50-ft from property line

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

LDC 25-2-1063 (C) (2) - three stories and 40-ft, if the structure is more than 50-ft and not more than 100-ft from property

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:

CS-MU Zoning allows for 60-ft height and per Compatibility standards of outdated LDC, the site only realizes a 40-ft height along a commercial corridor. We are requesting 48-ft tall building

Hardship

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

There are several environmental features that limit the property to be developed to the highest and best use. This site is bordered to the east by Critical Water Quality Zone and Floodplain, totaling approx. 0.88 acres. Due to desire for site preservation, there are 10 heritage trees to remain which equate to 0.25 ac of undevelopable. In total, of the 2.65 ac of land on which the commercial will be constructed, only 58% is developable.

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

The property contains numerous environmental constraints.

Area Character

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

The drainage channel that intersects the site creates a natural barrier to the properties to the south. The project is bordered by an active church to the north. The existing vegetation also creates a natural barrier. With existing zoning typically allowing 60-ft in height, our requested 48-ft will not alter the character.

Parking (additional criteria for parking variances only)

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

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

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

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

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

Section 3: Applicant Certificate

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

Applicant Signature: _____ Date: 10/3/2019

Applicant Name (typed or printed): JARRED CORBELL

Applicant Mailing Address: 2003 S 1ST ST

City: AUSTIN State: TX Zip: 78704

Phone (will be public information): (318) 230-4084

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: _____ Date: 10/3/2019

Owner Name (typed or printed): PSW-SPRINGDALE LLC

Owner Mailing Address: 2003 S 1ST ST.

City: AUSTIN State: TX Zip: 78704

Phone (will be public information): (318) 230-4084

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: Jarred Corbell

Agent Mailing Address: 900 South 1st St

City: Austin State: TX Zip: 78704

Phone (will be public information): 318-230-4084

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

Section 6: Additional Space (if applicable)

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

During discussion with the Neighborhood Planning Contact Team and our desire to preserve natural features as well as create urban farming space, we have received support to construct a 48-ft commercial structure. Base zoning allows for 60-ft but due to compatibility standards, we are limited to 40-ft. Seeking an 8-ft variance.

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City: AUSTIN State: TX Zip: 78704

Phone (will be public information): (318) 230-4084

Email (optional – will be public information):

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Agent Name: Jarred Corbell

Agent Mailing Address: 900 South 1st St

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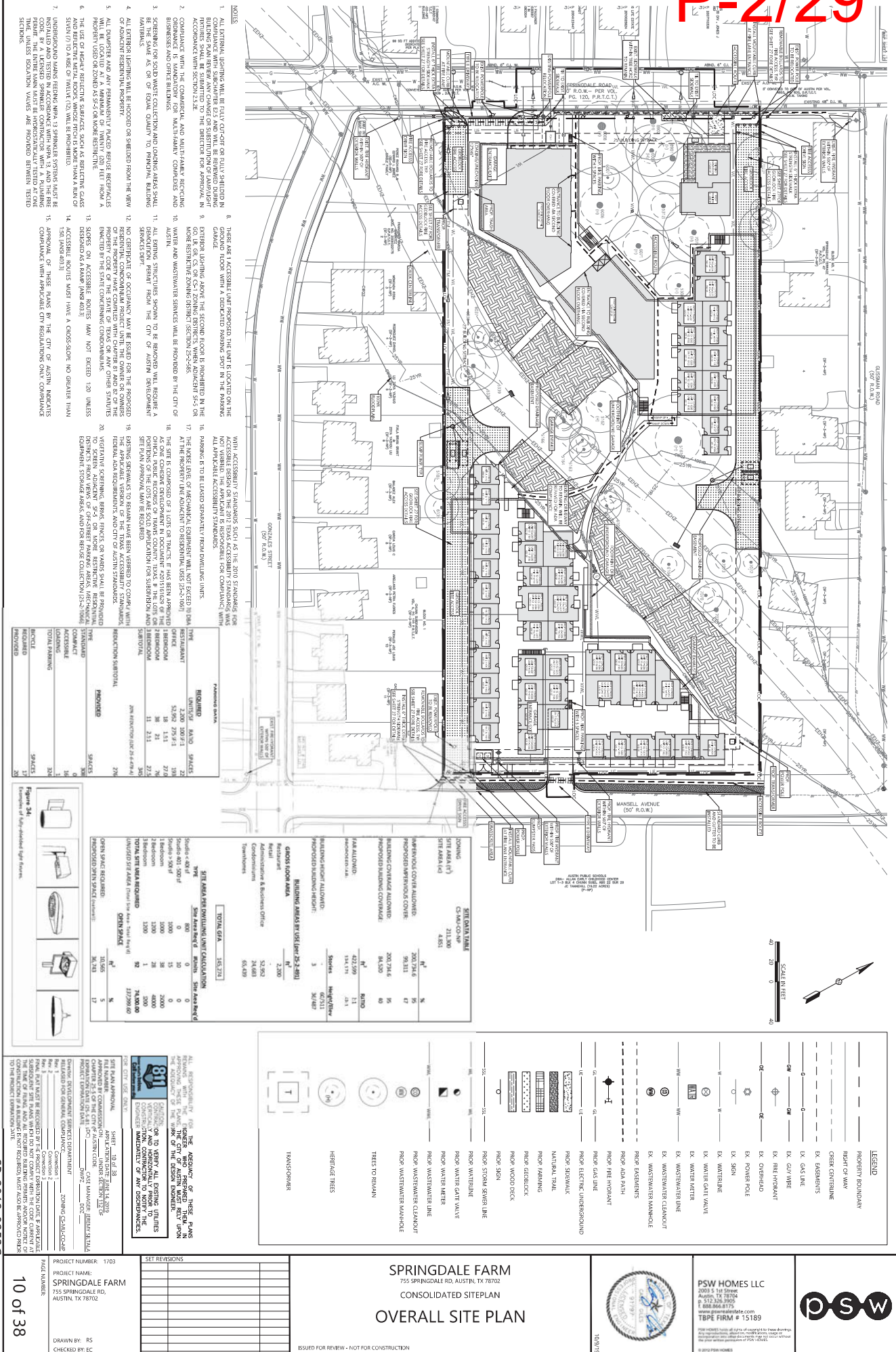
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Email (optional – will be public information): [REDACTED]

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SCALE: 1"=50'

GRAPHIC SCALE

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1" = 50'

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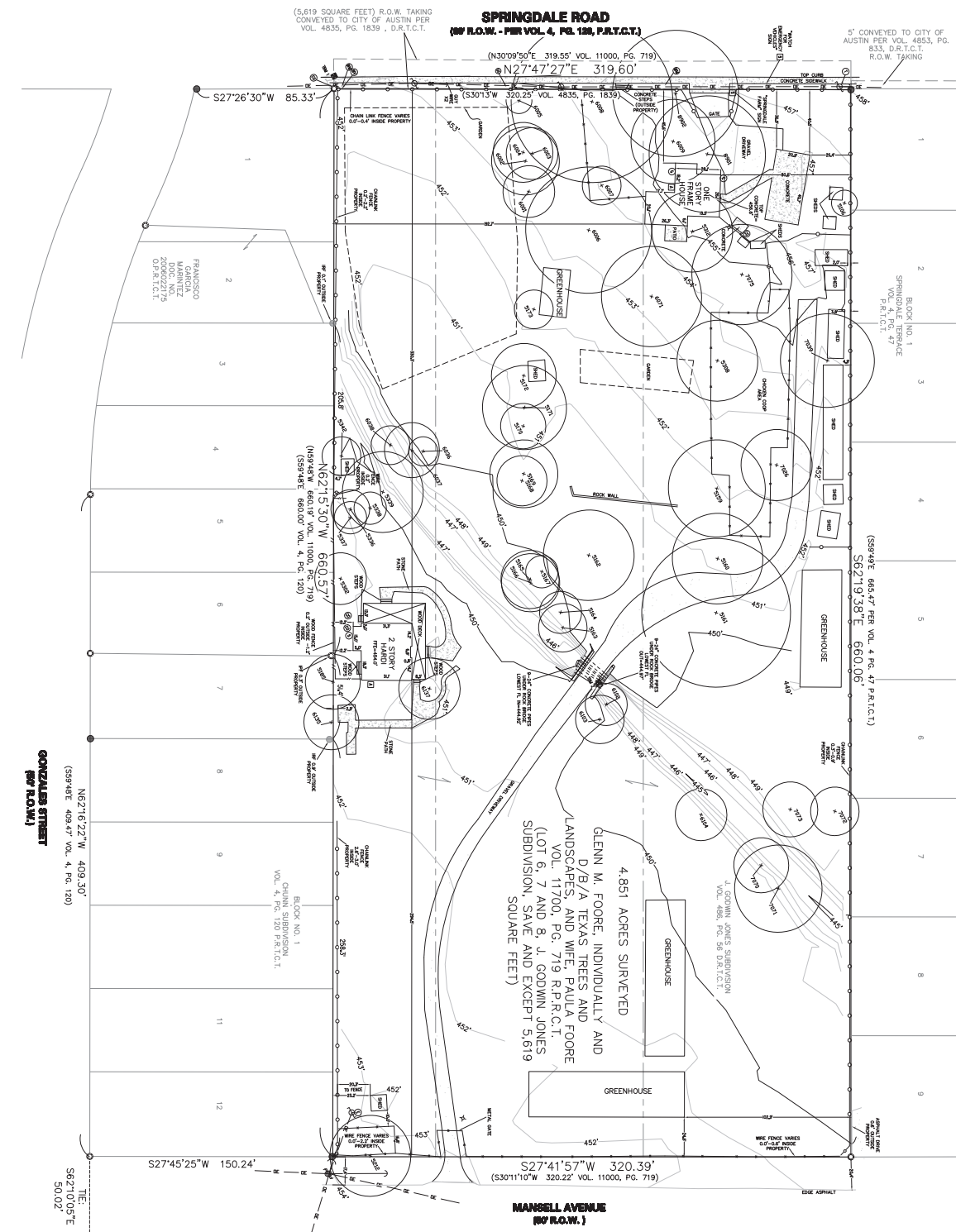
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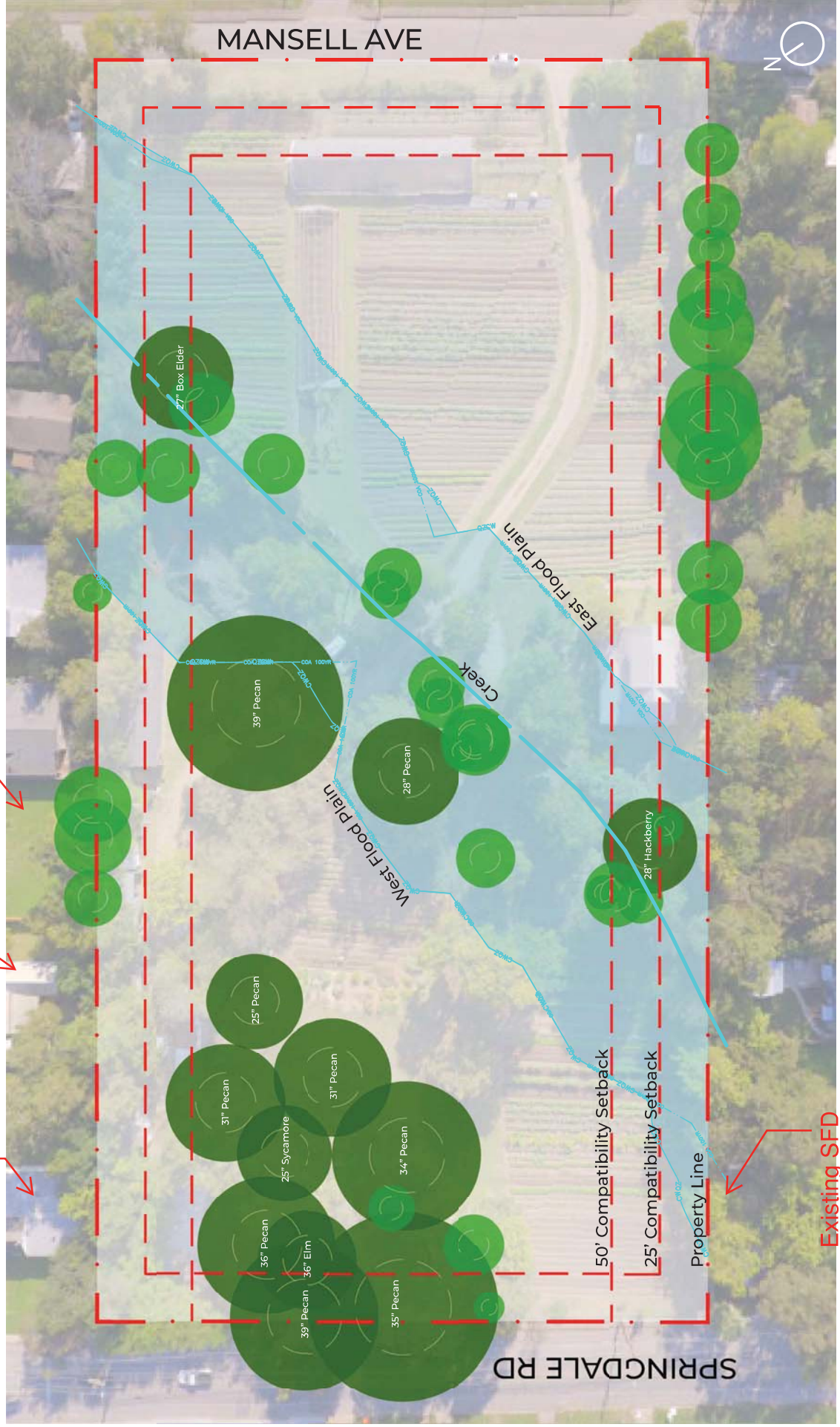
SITE CONDITIONS

Existing SFD

Existing church

Vacant Lot

Constraints



P-2/31

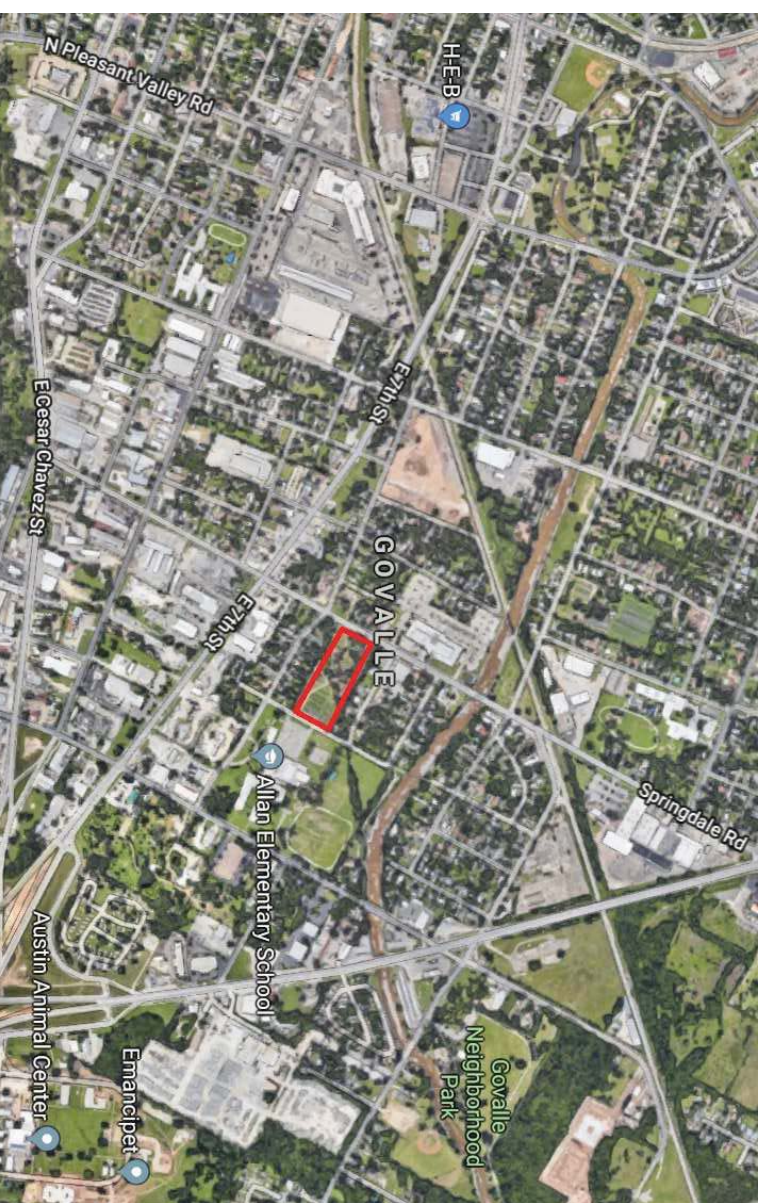
Springdale Farms

11/7/2019

Board of Adjustments

P-2/33 Site Location

- Area: 4.85 acres
- Zoning: CS-MU-CO-NP
- Along Imagine Austin Corridor
- 2 Blocks from Transit priority (in both directions)
- Activity Corridor



P-2/34 Neighborhood Outreach

- Held community meetings to:
 - Understand from our future neighbors what the Farm has meant to the community
 - Get a sense of what future uses could be beneficial to the community understanding that existing Conditional Overlay restricts site to residential and office uses
- Introduce PSW and discuss overall design strategy
 - Preservation (trees, existing features important to the site)
 - Sustainability
 - Green infrastructure
 - Neighborhood fabric
 - Mixed Use (residential for sale and commercial)

P-2/35 Community Feedback and Goals

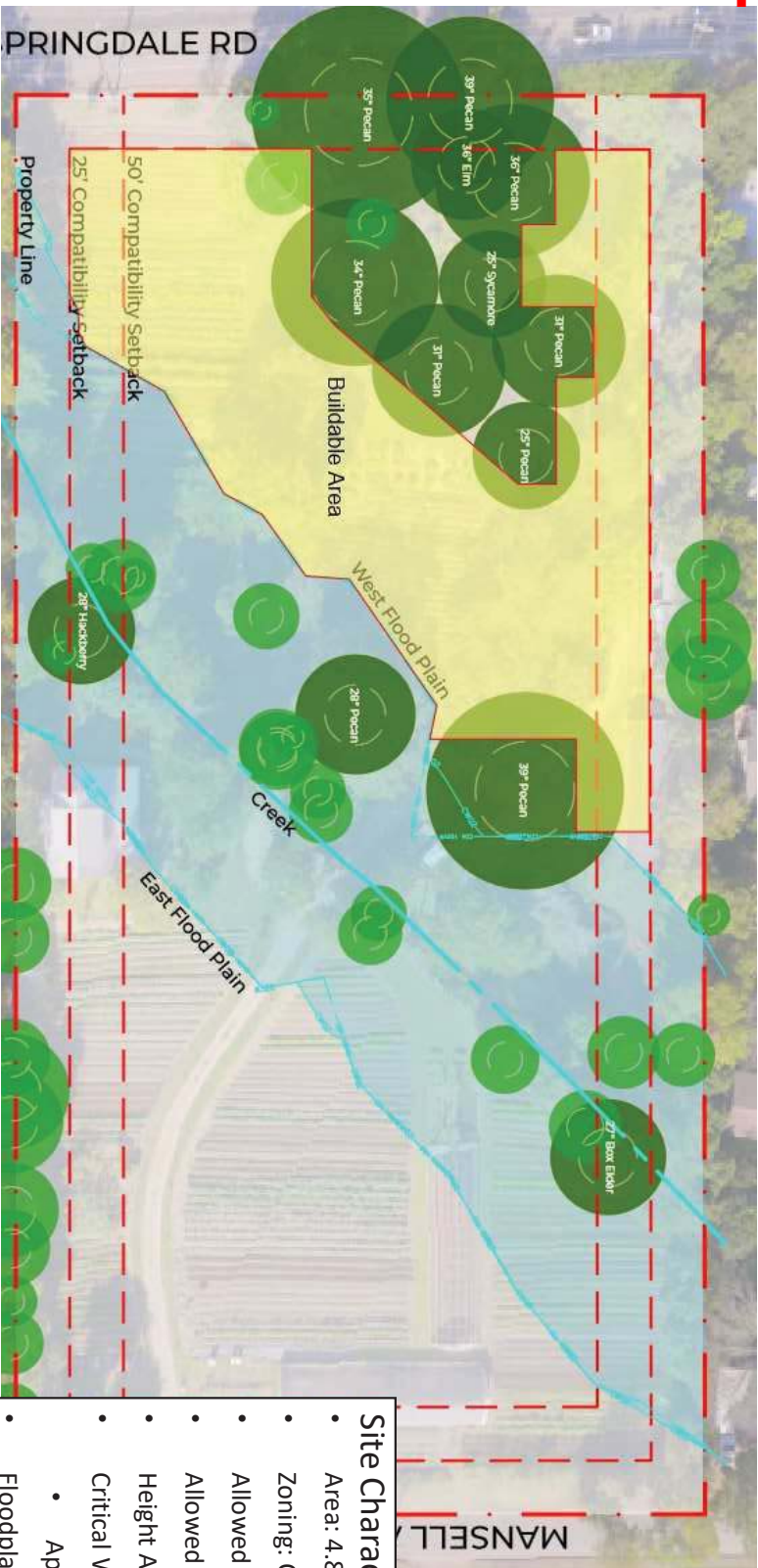
Feedback from community meetings:

- Keep some level of farming and farm-stand operational
- Mixed use (residential and commercial)
- Open space
- Independent grocery
- Coffee shop/cafe
- Affordable housing component
- Welcoming environment
- Pedestrian oriented

What did we do with the Feedback..

- Developed numerous site plans and programming options trying to incorporate all the feedback
- Formed a working group with the Neighborhood Planning Contact Team to better identify pros and cons for the project, what agreements we could come to and identify our steps moving forward
- Developed a site plan, working around the numerous constraints on the property to bring to life the best project possible.

Site Overview



Site Characteristics:

- Area: 4.85 acres
- Zoning: CS-MU-CO-NP
- Allowed Imp Cover: 95% (200,000 sf)
- Allowed FAR: 2:1 (422,000 sf)
- Height Allowance: 60-ft
- Critical Water Quality Zone
 - Approx 1 acre of No Build
- Floodplain
- Compatibility Setbacks
- Heritage Trees

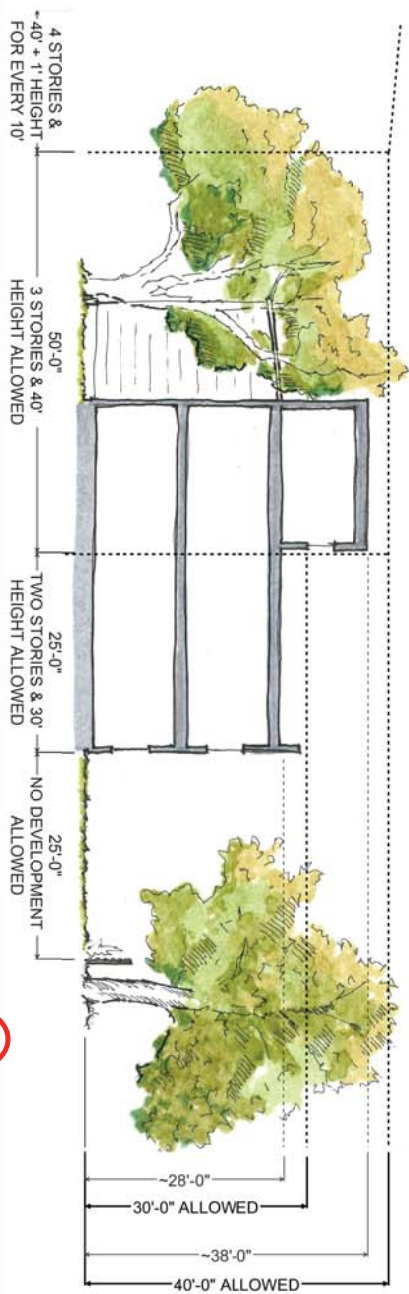
P-2/38 Site Plan

Site Plan:

- 88 For sale Units
- +/- 50,000 sf of commercial
- Open Space: 2.25 ac (includes 25k sf of Urban Farm
- 50% Imp cover
- FAR: 0.7:1
- Tree Preservation
- For sale units 30-ft from property line



Northwest Section



section 1
not to scale



P-2/40 Proposal

Commercial Height:

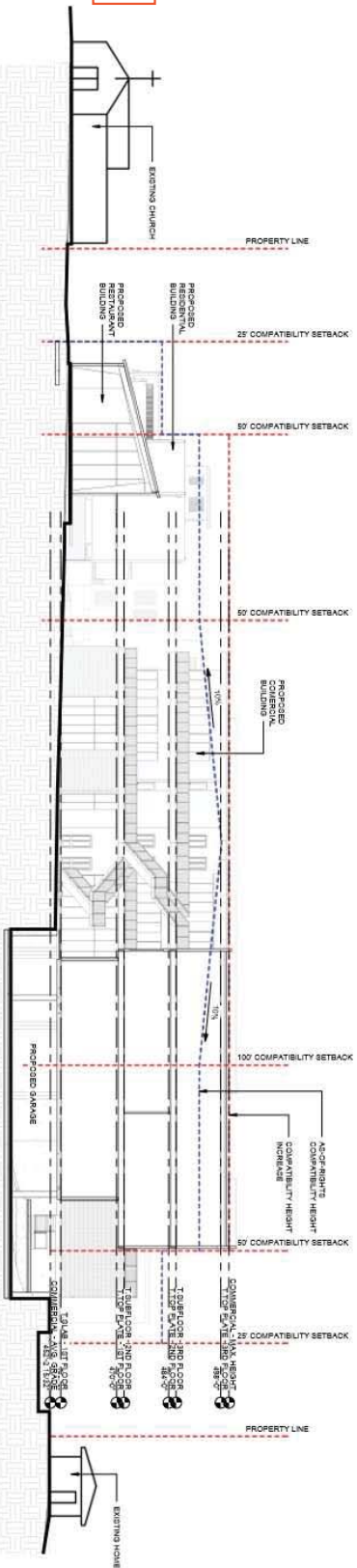
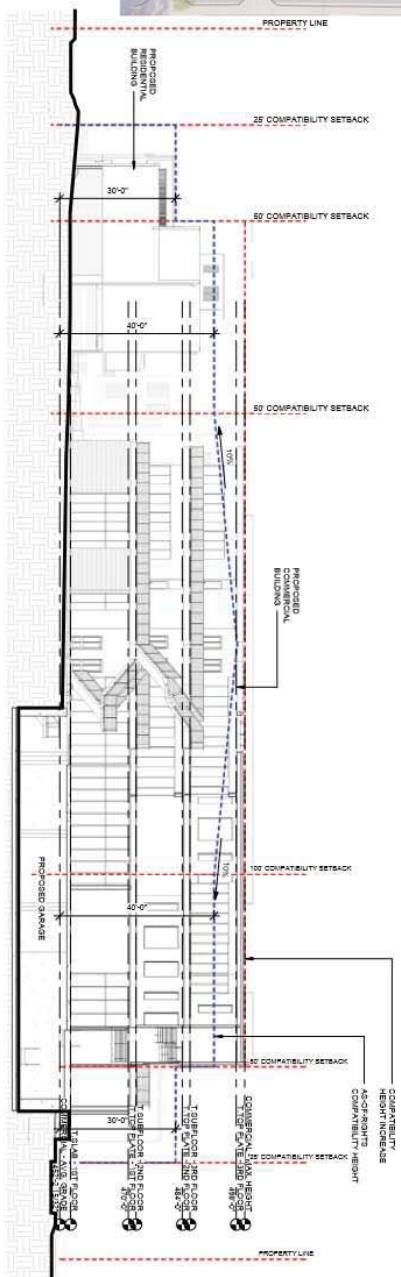
- Variance to allow for 48-ft structure at 50-ft from property line on both south and north property lines – Limit to 3 stories
- Variance to allow for 48-ft structure along Springdale – Limit to 3 stories
- Additional height allows for typical heights and more viable use of commercial space



P-2/41 Commercial Building Tent

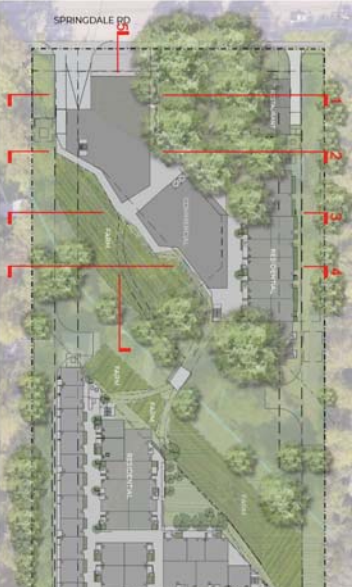
Note: Per new equivalent zoning for this existing base zoning, 60-ft height limit would be allowed at 50-ft from Property Line.



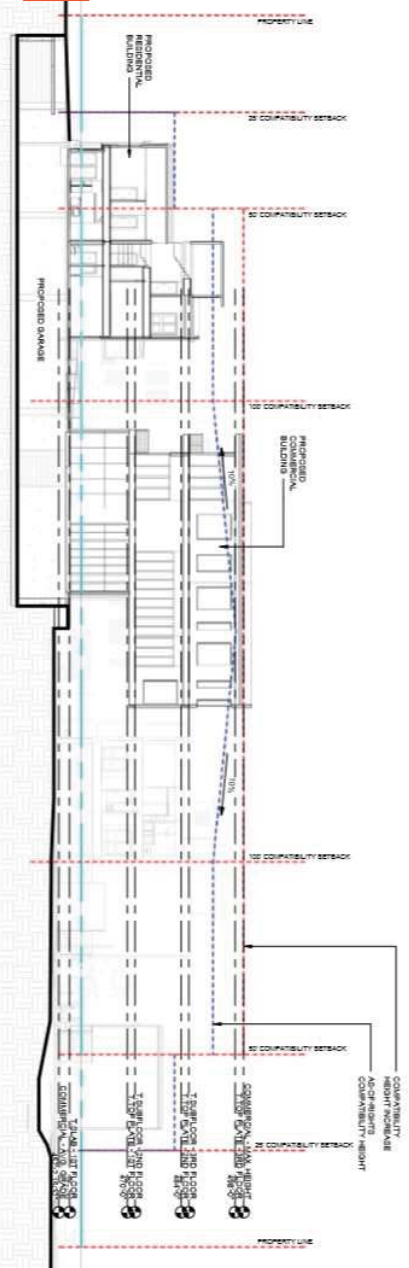


P-2/43

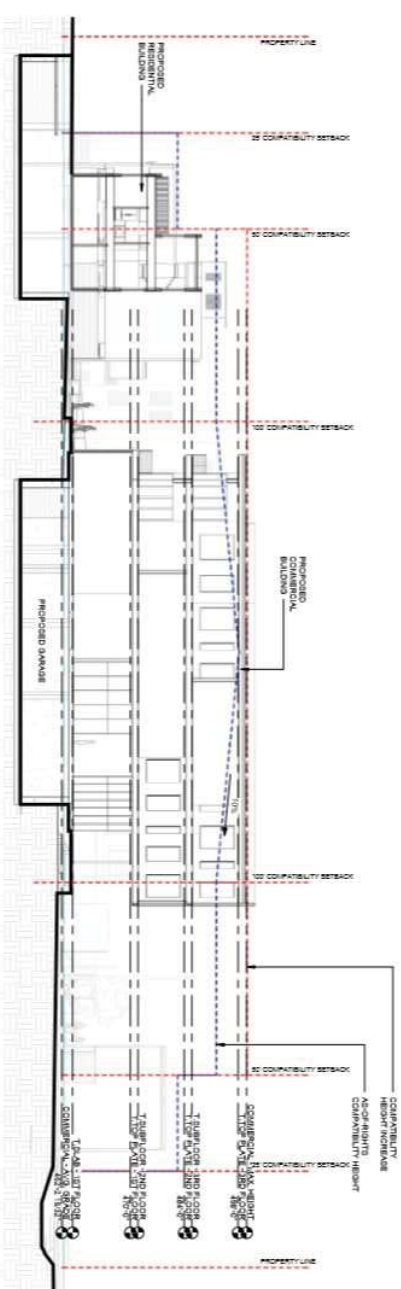
Commercial Building



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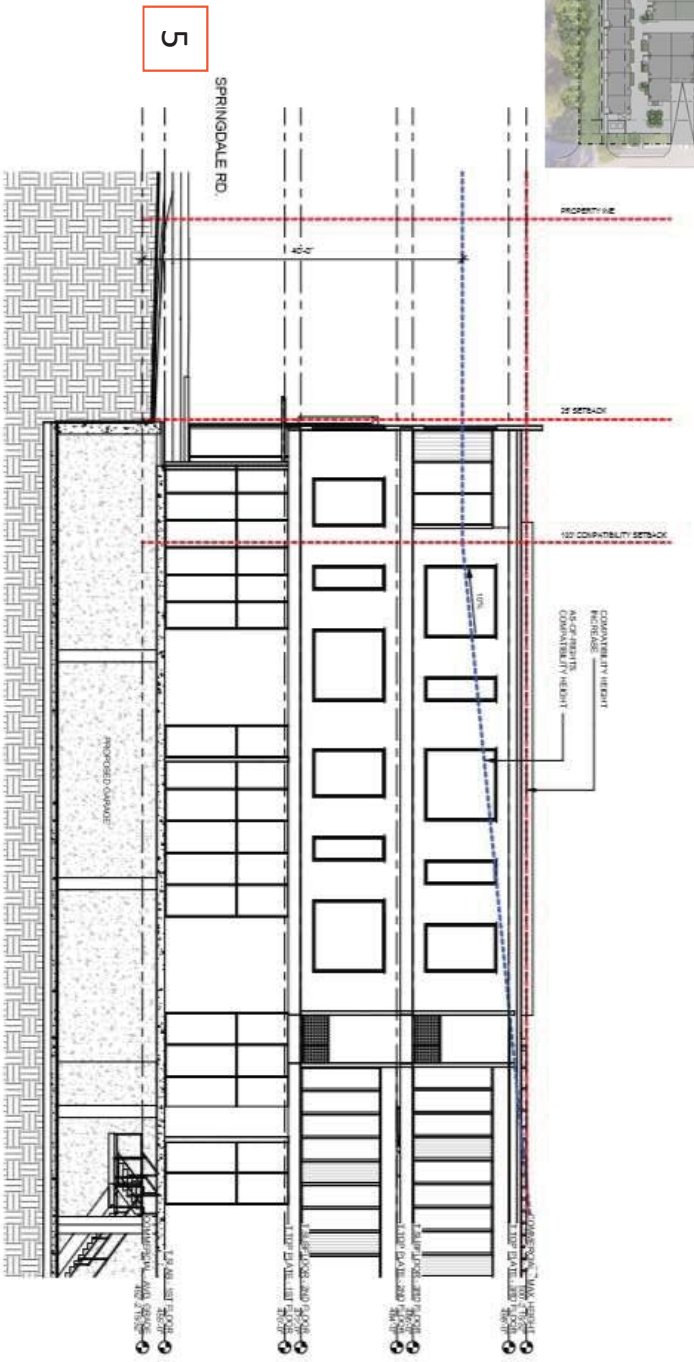
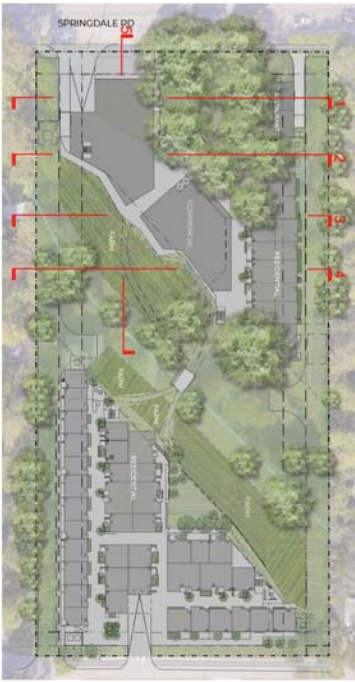


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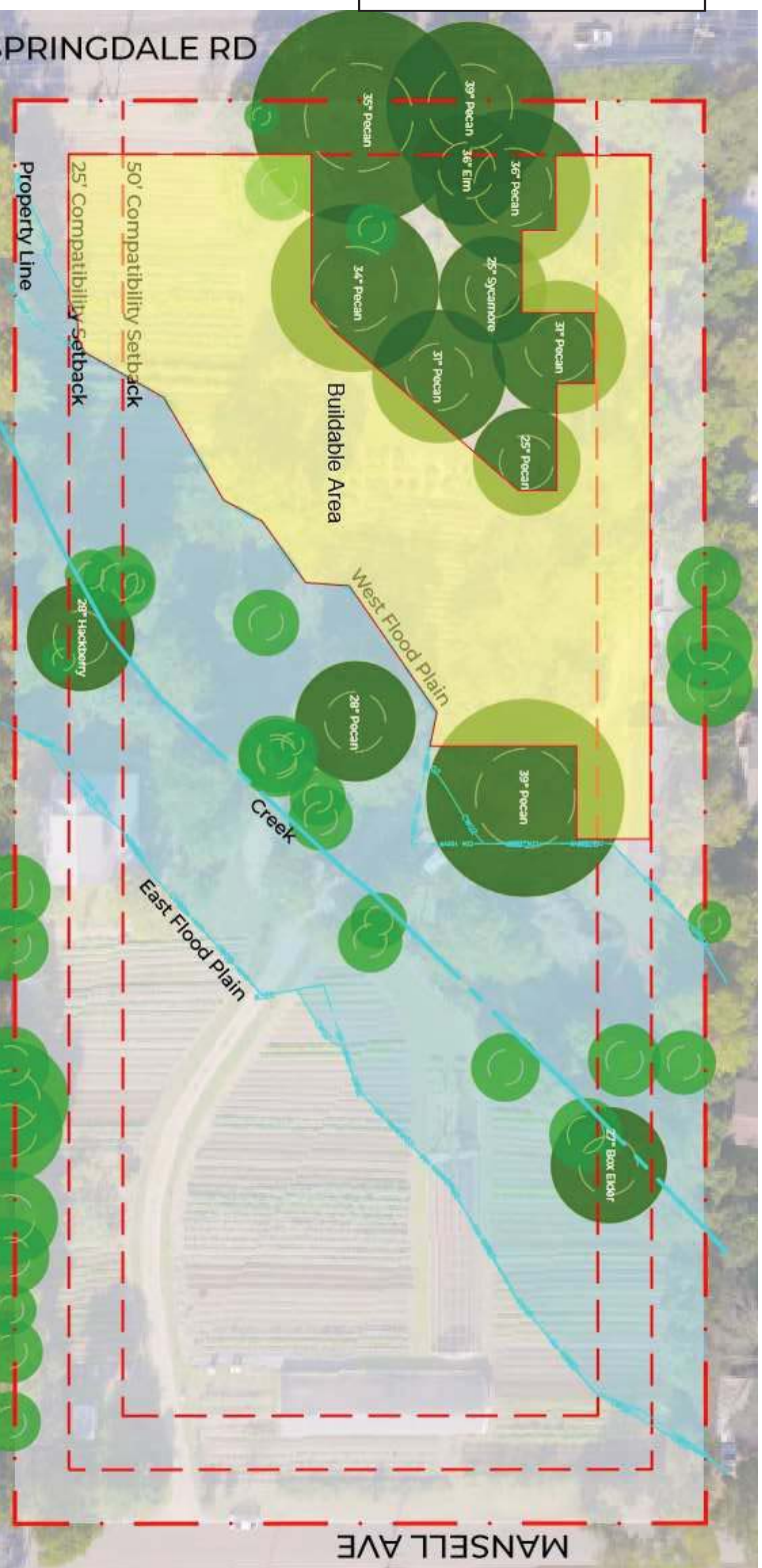
P-2/44

Commercial Building-Springdale Section



P-2/45 Hardship

- Total Area from Springdale ROW to CL of Creek = 115,520 sf
- Buildable area = 47,000 or 40% of total area due to working around trees
- 9 Heritage trees to be preserved



Neighborhood Support

P-2/46

Govalle/Johnston Terrace Neighborhood Plan Contact Team *"Strength Through Unity"*

To: Austin Planning Commission, City Council and Board of Adjustment
From: G/TNP Contact Team
RE: **NPA-2018-0016.04_Springdale Farms**

Commissioners and Council members,

Please accept this letter on behalf of the **Govalle/Johnston Terrace Neighborhood Plan Contact Team**. After approximately nine (9) months of talks and negotiations with the developer, we have come up with and agreement for:

Support for case # NPA-2018-0016.04_Springdale, **with the following conditions:**

- *Conditional Overlay – change to include restaurant, general retail sales (convenience) & artisan workshop uses
- *Keep PLUM SF3 (no change)
- *Limit of 20 unit per acre
- *Housing - 90 units, five affordable unit sold to (GNDc) @ 60% MFI
- *Height – no more than 3 stories (48' on commercial, 40' on residential) 2 story on street with 3rd story stair-stepped back into the interior of the site at compatibility set-backs
- *Parking – on site and below ground parking
- *Removal of one heritage tree as outline in the project proposal

Please feel free to contact me with any questions or comments you may have regarding this case.

Thank you,