

**PLANNING COMMISSION  
SITE PLAN – COMPATIBILITY VARIANCES ONLY**

**CASE NUMBER:** SP-2021-0102C      **PC HEARING DATE:** April 26th, 2022

**PROJECT NAME:** 1400 Cedar Ave

**ADDRESS:** 1400 Cedar Ave

**COUNCIL DISTRICT:** 1

**OWNER/APPLICANT:** Urban Gravity (512) 259-6877  
5110 Lancaster Ct  
Austin, TX 78723

**ENGINEER:** Civiltude LLC (Alejandra Flores) (512) 761-6161  
5110 Lancaster Ct  
Austin, TX 78723

**CASE MANAGER:** Zack Lofton (512) 978-1735  
[zack.lofton@austintexas.gov](mailto:zack.lofton@austintexas.gov)

**NEIGHBORHOOD PLAN:** Chestnut Neighborhood Plan Area

**PROPOSED DEVELOPMENT:**

The applicant is proposing to redevelop 2 lots with commercial land uses zoned CS-MU-V-CO-NP into a 5-unit Condominium Residential land use with parking, bike parking and public sidewalk improvements.

**DESCRIPTION OF WAIVER:**

This item was a discussion item at the April 12<sup>th</sup> Planning Commission meeting, and the applicant has made adjustments to their proposed site plan based on the Planning Commission and community feedback. The applicant is requesting a waiver from § 25-2-1063. This site is subject to a 25' compatibility setback and the proposed development is encroaching into the 25' setback on the north and west property lines. Additionally, a portion of the site is subject to compatibility height limitations that start at 30' and the two westernmost proposed units would exceed their 30' limit at 36'. The west property line abuts an alley with an SF-3 property with a 5' rear setback on the opposite side of the alley and the north property line abuts an SF-3 property with a 5' interior side yard setback. After the previous meeting's discussion, the applicant is now proposing to reorient their site with 5 units (36' height) being setback 20' from the north and west property lines. If approved, this waiver will not impact sightlines at the intersection of 14<sup>th</sup> Street and Cedar Avenue.

**COMPATIBILITY:**

Section 25-2-1051 states that Article 10 Compatibility Standards apply if a use in a SF-6 or less restrictive zoning district is located on a property across the street from or adjoining a property on which is zoned SF-5 or more restrictive or a use is permitted in a SF-5 or more restrictive zoning district is located.

**§ 25-2-1063 - HEIGHT LIMITATIONS AND SETBACKS FOR LARGE SITES.**

(A) This section applies to a site that has:

- (1) an area that exceeds 20,000 square feet; or
- (2) a street frontage that exceeds 100 feet.

(B) In this section, the term "structure" excludes a rain garden using no concrete that is designed in accordance with the Environmental Criteria Manual. A person may not construct a structure 25 feet or less from property:

- (1) in an urban family residence (SF-5) or more restrictive zoning district; or
- (2) on which a use permitted in an SF-5 or more restrictive zoning district is located

### **SUMMARY STAFF RECOMMENDATION:**

Staff recommends approval of the compatibility setback and height waiver request *AND* the site complies with all other compatibility standard requirements.

### **PROJECT INFORMATION**

PROJECT INFORMATION			
TOTAL SITE AREA	12,095 sq. ft.	0.2777 acres	
EXISTING ZONING	CS-MU-V-CO-NP		
WATERSHED	Boggy Creek (Urban)		
WATERSHED ORDINANCE	Comprehensive Watershed Ordinance		
TRAFFIC IMPACT ANALYSIS	Not required		
CAPITOL VIEW CORRIDOR	None		
PROPOSED ACCESS	Cedar Avenue		
	Allowed/Required	Existing	Proposed
FLOOR-AREA RATIO	2:1	0.35:1	1.12:1
BUILDING COVERAGE	95%	4,270 sf / 35.3%	5,933 sf / 49.1%
IMPERVIOUS COVERAGE	80%	11,788 sf / 97.46%	8,748 sf / 72.3%
PARKING	11	6	11

\*A 20% parking reduction is permitted in the urban core and Subchapter E permits parking reductions.

### **EXISTING ZONING AND LAND USES**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	CS-MU-V-CO-NP	Commercial
<i>North</i>	SF-3-NP	Single-family residential
<i>South</i>	SF-3-NP	14 <sup>th</sup> Street then single-family residential with accessory dwelling unit
<i>East</i>	CS-MU-V-CO-NP	Cedar Avenue then Commercial
<i>West</i>	SF-3-NP	Alley then single-family residential with accessory dwelling unit

### **ABUTTING STREETS**

<b>Street</b>	<b>Right-of-Way Width</b>	<b>Pavement Width</b>	<b>Classification</b>
Cedar Avenue	50 feet	30 feet	Local City Street
14 <sup>th</sup> Street	50 feet	30 feet	Local City Street

### **NEIGHBORHOOD ORGANIZATIONS:**

Austin Independent School District  
 Austin Lost and Found Pets  
 Austin Neighborhoods Council  
 Chestnut Addition Neighborhood Assn. (C.A.N.A.)  
 Chestnut Neighborhood Plan Contact Team  
 Chestnut Neighborhood Revitalization Corporation (CNRC)

1400 Cedar Ave

1400 Cedar Ave

SP-2021-0102C

Del Valle Community Coalition  
East Austin Conservancy  
Friends of Austin Neighborhoods  
Homeless Neighborhood Association  
Neighborhood Empowerment Foundation  
Neighbors United for Progress  
Preservation Austin  
SELTexas  
Sierra Club, Austin Regional Group



# CIVILITUDE

ENGINEERS & PLANNERS

5110 Lancaster Court  
Austin, Texas 78723  
Firm Registration #12469

Phone 512 761 6161  
Fax 512 761 6167  
info@civiltude.com  
www.civiltude.com

February 16, 2022

**To: Zack Lofton**  
**Development Services Department**

**Re: Compatibility Setback Waiver**  
**1400 Cedar Ave (SP-2021-0102C)**  
1400 Cedar Ave, Austin, TX 78702

Dear Mr. Lofton,

On behalf of our client, Urban Gravity LLC, we are submitting a waiver request for the 1400 Cedar Ave project. We are requesting the following waiver to the Land Development Code to make the project feasible:

**Request: Allow to reduce the 25' no build setback to 5' [LDC 25.2.1063].**

The site is composed of 2 tracts of land adding up to 0.28 acres zoned CS-MU-V-CO-NP, surrounded by SF-3-NP properties. If it were to comply with compatibility standards, this site would be forced to be developed within 0.16-acres. To achieve this density, the unit configuration would be forced to be denser in a more compact layout. Constructing townhomes within these standards is not feasible.

We would like to request that the compatibility standards are modified to reduce the no build zone from 25' to 5' and keeping the 30' or 2 stories height limitation from 5' to 50' from the properties triggering compatibility, and so forth. Attached to this letter is the proposed building elevations sheet.

We believe this request does not disrupt the neighborhood's feel and meets the intent of the code, such that no high density or commercial developments occur in a near proximity to a single family lot.

Please accept this letter as our official request. If you have any questions, please call us at 512-761-6161.  
Sincerely,

Alejandra Flores  
Project Engineer





5110 Lancaster Court Phone 512 761 6161  
Austin, Texas 78723 Fax 512 761 6167  
Firm Registration #12469 hello@civiltitude.com  
www.civiltitude.com

March 19, 2021

Denise Lucas  
City of Austin Permitting and Development Center  
6310 Wilhelmina Delco Dr.  
Austin, TX 78752

Re: Engineer's Summary Letter  
Site Plan Application  
1400 Cedar Avenue  
Austin, Texas 78702

Dear Mr. Gonzales,

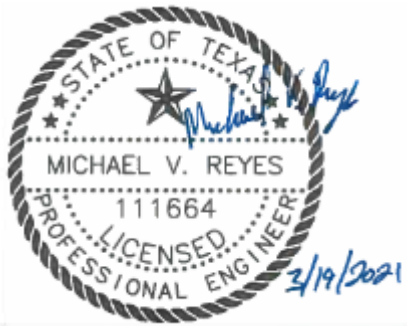
On behalf of our client, we are submitting an enclosed Site Plan Development Permit application package for 1400 Cedar Ave. The project proposes 7 single-family detached condominium units on a 0.2776-acre property located within the Full-Purpose jurisdiction of the City of Austin. No portion of the site is within the 100-year floodplain, and the site is outside Edwards Aquifer Recharge Zone.

The site contains two legal lots (TCAD Parcels 0210111413 and 0210111412) and is platted under Vol. 2 Page 154. The property is located in Boggy Creek Watershed, classified as Urban. The site is zoned CS-MU-V-CO-NP and is within the City of Austin's Chestnut Neighborhood Planning Area. The maximum allowable impervious cover is 95% and the net proposed IC is within this limit at 75.3%, reduced from the existing impervious cover of 97.46%. An RSMP application is not required since the impervious cover onsite seems to be dated back in the 1950s-1960s. A request for fee in-lieu of water quality will be submitted with the formal submittal, since the site is less than 0.5 acres. Drainage pattern remains the same as existing conditions and runoff intensity will be reduced by the proposed development.

The site is currently developed with a single-family house on each lot. The site has frontage and an existing driveway on Cedar Avenue, which will not be modified. All parking requirements are met on site. Proposed building and improvements will be served by the existing City of Austin's Utility.

If you have any questions, please do not hesitate to contact us and inquire at 512-761-6161.

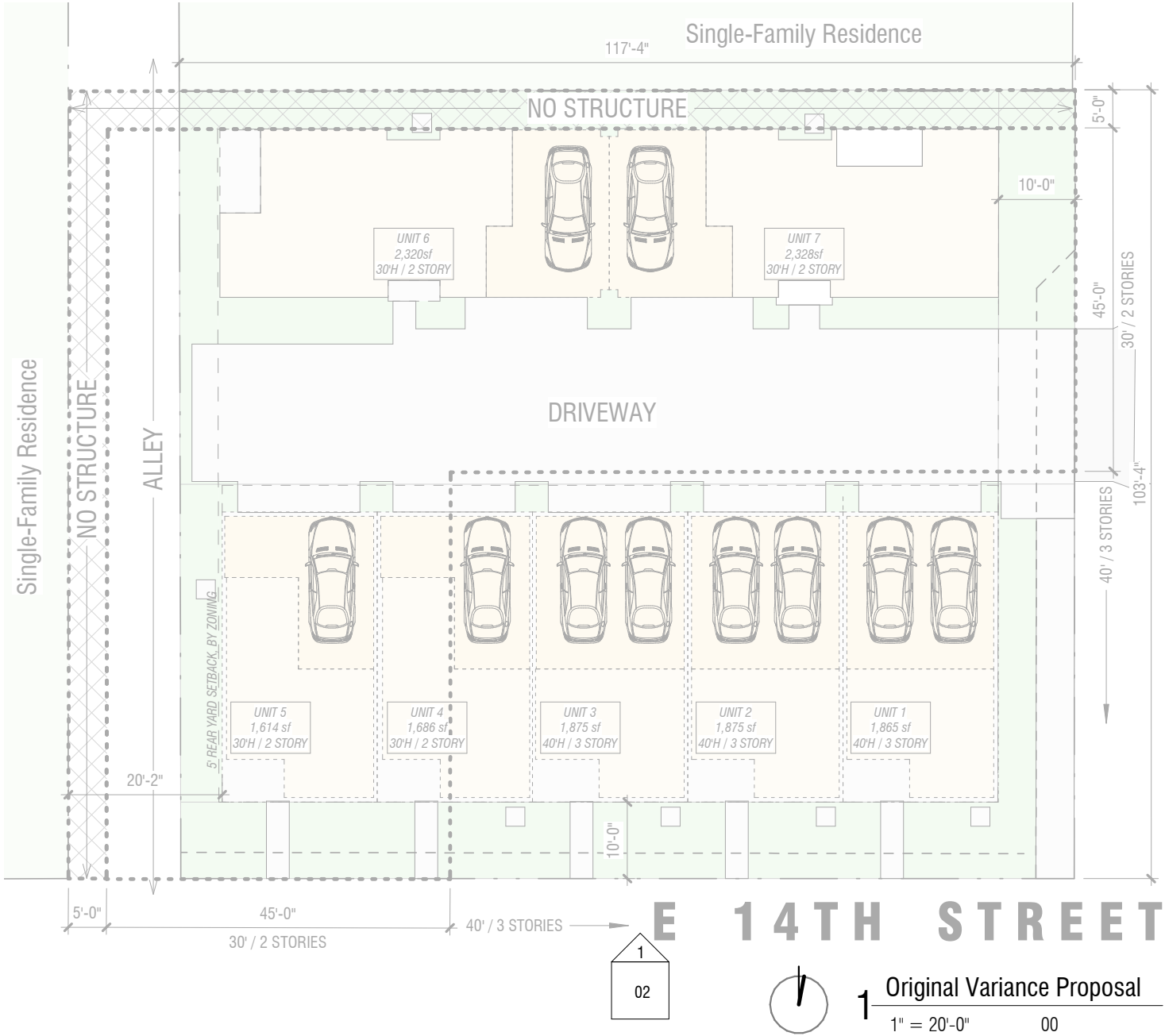
Sincerely,



CURRENT PROPOSAL

REVISED PROPOSAL

ORIGINAL



SUMMARY

- ELIMINATE 2 UNITS (5 INSTEAD OF 7): REDUCE DENSITY, IMPERVIOUS COVER, AND TRAFFIC IMPACT
  - (EXISTING IMPERVIOUS @ 90-95%, 95% ALLOWED BY ZONING, 75%-80% ANTICIPATED)
- ADDED DISTANCE & IMPROVED SIGHTLINES FROM THE DRIVEWAY TO 14TH & CEDAR INTERSECTION
- INCREASED PARKING PER UNIT (2 EACH)
- 24' FRONT SETBACK WITH PRIVATE YARDS, IN KEEPING WITH NEIGHBORHOOD RESIDENTIAL CHARACTER
- NO VERTICAL STRUCTURE WITHIN 25' OF NORTH PROPERTY LINE (ON-GRADE IMPROVEMENT ONLY)
- 20' SETBACK FROM WEST NEIGHBOR ACROSS THE ALLEY
- 35' & 3 STORIES ALLOWED WITHIN THE BUILDABLE AREA

4/20/2022 3:35:36 PM

LLVLL  
DESIGN BUILD INFO@LLVLL.WORK  
512.565.0016

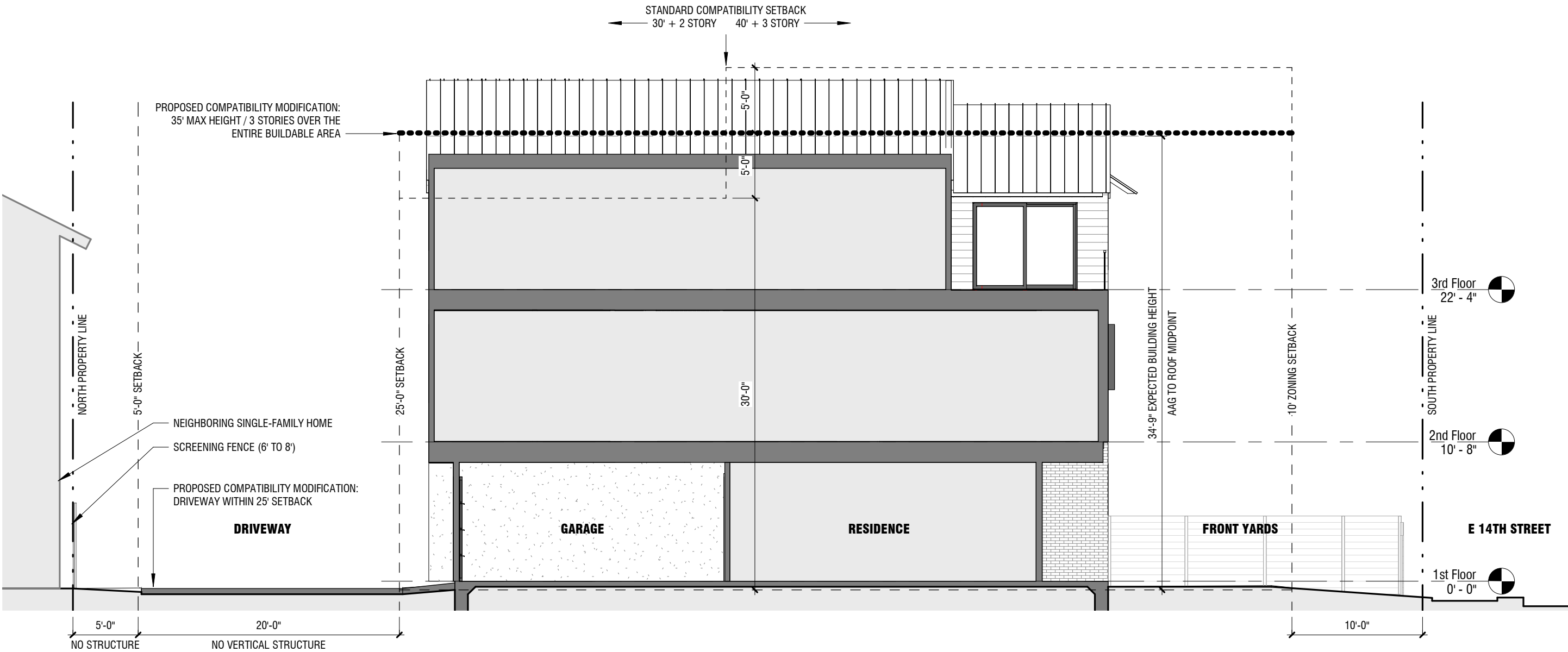
PRELIMINARY  
Not for regulatory approval,  
permitting, or construction.  
W Travis Lucy TX 21664  
04/19/22

1400 Cedar Avenue

Revision Summary

00

CURRENT PROPOSAL



1 Site Section N/S  
1/8" = 1'-0" 01

4/20/2022 3:35:36 PM

**LLVLL**  
DESIGN BUILD INFO@LLVLL.WORK  
512.565.0016

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W Travis Lucy TX 21664  
**04/19/22**

**1400 Cedar Avenue**

Site Section  
**01**

CURRENT PROPOSAL



1 South Elevation (Facing East 14th)  
1/8" = 1'-0" 02

4/20/2022 3:35:40 PM

**LLVLL**  
DESIGN BUILD INFO@LLVLL.WORK  
512.565.0016

PRELIMINARY  
Not for regulatory approval,  
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W Travis Lucy TX 21664  
**04/20/22**

1400 Cedar Avenue

South Elevation  
**02**





# Property Profile



1: 2,400



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.

## Legend

### Zoning

- Lake Austin, Rural Residence (LA;
- Single Family (SF-1; SF-2; SF-3; SI
- Mobile Home (MH)
- Multi-family (MF-1; MF-2; MF-3; MF
- Commercial (CH; CR; CS; CS-1; G
- Office (GO; LO; NO)
- Industrial (IP; LI; MI; R&D; W/LO)
- CBD; Downtown Mixed Use (DMU)
- ERC; NBG; TND; TOD
- Planned Unit Development (PUD)
- Agriculture, Development Reserve
- Aviation, Public, Unzoned (AV; P; U
- Unclassified

☐ Zoning Text

## Notes





# Property Profile



## Legend

### Zoning

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☐ Zoning Text

## Notes

0.0 0 0.01 0.0 Miles

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

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## EXISTING CONDITIONS





SITE INFORMATION TABLE			
Gross Site Area (GSA)	12,095	SF	0.2777 Acres
Net Site Area (NSA)	12,095	SF	0.2777 Acres
Existing Land Use	Single Family or Duplex		
Proposed Land Use	Condominium Residential		
Zoning	CS-MU-V-CO-NP		
Gross Floor Area	13,562	SF	112.1% GSA
Building Coverage	5,933	SF	49.1% GSA
Impervious Cover (See IC Table)	8,748	SF	72.3% GSA
Open Space Area	1,190	SF	9.8%
Floor-To-Area Ratio	1.12 : 1		
Building Height	(Varies) Refer to Building Elevations Sheets		
Foundation Type	Slab on Grade		

BUILDING SUMMARY TABLE							
Unit No.	Building Footprint SF	# Stories	Height	FFE	Sprinkler System	Foundation Type	Gross Floor Area
1	760	3	36' 9.2"	546.3	NFPA 13D	Slab on Grade	1,867
2	773	3	36' 9.2"	546.2	NFPA 13D	Slab on Grade	1,875
3	773	3	36' 9.2"	546.1	NFPA 13D	Slab on Grade	1,875
4	773	2	29' 10.5"	543.0	NFPA 13D	Slab on Grade	1,686
5	773	2	29' 10.5"	545.9	NFPA 13D	Slab on Grade	1,614
6	1,042	2	29' 5.6"	545.6	NFPA 13D	Slab on Grade	2,320
7	1,039	2	29' 5.6"	546.3	NFPA 13D	Slab on Grade	2,328
TOTAL				13,565			100.0%

IMPERVIOUS COVER SUMMARY TABLE				
Gross Site Area (GSA)	12,095	SF	0.278	A.C.
Net Site Area (NSA)	12,095	SF	0.278	A.C.
ERC	Existing to Remain	Existing to be Removed	Proposed	Proposed Net
	-	4,270	5,933	5,933
Building Footprint (SF and % GSA)		0.00%	35.30%	49.05%
Main Driveway (SF)		-	1,629	2,201
Sidewalk & Others (SF)		-	5,889	615
Total IC (SF)		-	11,788	8,748
Total IC (AC)		-	0.271	0.201
Total (% GSA)		0.00%	97.46%	72.33%

PARKING SUMMARY TABLE			
Land Use	Quantity	Parking Ratio	Required Spaces
Townhome	7	2/Unit	14
Base Parking Requirement			14
Urban core reduction 20% per 25-6-478			2.8
Total Parking Required			11
Total Parking Provided			11
Total Bike Parking Provided (5 or 5% total)			6

GENERAL NOTES:

- APPROVAL OF THESE PLANS BY THE CITY OF AUSTIN INDICATES COMPLIANCE WITH APPLICABLE CITY REGULATIONS ONLY. COMPLIANCE WITH ACCESSIBILITY STANDARDS SUCH AS THE 2010 STANDARDS FOR ACCESSIBLE DESIGN OR THE 2012 TEXAS ACCESSIBILITY STANDARDS WAS NOT VERIFIED. THE APPLICANT IS RESPONSIBLE FOR COMPLIANCE WITH ALL APPLICABLE ACCESSIBILITY STANDARDS.
- TRASH CONTAINERS SHALL NOT BE LEFT AT CURB SIDE UNATTENDED. SIGNS MUST BE POSTED ON THE BUILDING OR AT A LOCATION THAT IS PUBLICLY VISIBLE INDICATING THAT TRASH CONTAINERS MAY NOT BE LEFT AT CURBSIDE. THE SIGN SHALL INDICATE THE CITY OF AUSTIN'S CODE ENFORCEMENT PHONE NUMBER FOR THE PUBLIC TO REPORT VIOLATIONS.
- SERVICE COMMITMENT FROM A COMMERCIAL TRASH SERVICE MUST BE PROVIDED INDICATING THEY CAN PROVIDE SERVICE. THE LETTER SHOULD ADDRESS THE MINIMUM CLEARANCE REQUIREMENT FOR THE SERVICE VEHICLES.
- NO ACCESSIBLE UNITS, ADAPTABLE UNITS, PUBLIC ACCOMMODATIONS OR AMENITIES ARE PROPOSED ON SITE.
- EXISTING SIDEWALKS TO REMAIN HAVE BEEN VERIFIED TO COMPLY WITH THE APPLICABLE VERSION OF THE TEXAS ACCESSIBILITY STANDARDS, FEDERAL ADA REQUIREMENTS, AND CITY OF AUSTIN STANDARDS.
- APPROVAL OF THESE PLANS BY THE CITY OF AUSTIN INDICATES COMPLIANCE WITH APPLICABLE CITY REGULATIONS ONLY. COMPLIANCE WITH ACCESSIBILITY STANDARDS SUCH AS THE 2010 STANDARDS FOR ACCESSIBLE DESIGN OR THE 2012 TEXAS ACCESSIBILITY STANDARDS WAS NOT VERIFIED. THE APPLICANT IS RESPONSIBLE FOR COMPLIANCE WITH ALL APPLICABLE ACCESSIBILITY STANDARDS.
- ACCESSIBLE ROUTES MUST HAVE A CROSS-SLOPE NO GREATER THAN 1:50. ACCESSIBLE PARKING SPACES MUST BE LOCATED ON A SURFACE WITH A SLOPE NOT EXCEEDING 1:50.
- SLOPES ON ACCESSIBLE ROUTES MAY NOT EXCEED 1:20 UNLESS DESIGNED AS A RAMP.
- THE MAXIMUM SLOPE OF A RAMP IN NEW CONSTRUCTION IS 1:12. THE MAXIMUM RISE FOR ANY RAMP RUN IS 30 IN. THE MAXIMUM HORIZONTAL PROJECTION IS 30 FEET FOR A RAMP WITH A SLOPE BETWEEN 1:12 AND 1:15, AND 40 FEET FOR A RAMP WITH A SLOPE BETWEEN 1:16 AND 1:20.
- EXISTING SIDEWALKS TO REMAIN HAVE BEEN VERIFIED TO COMPLY WITH THE APPLICABLE VERSION OF THE TEXAS ACCESSIBILITY STANDARDS, FEDERAL ADA REQUIREMENTS, AND CITY OF AUSTIN STANDARDS.
- EACH LOT REPRESENTS THE MAXIMUM POTENTIAL DEVELOPMENT. ACTUAL DEVELOPMENT MAY BE THE SAME OR LESS THAN WHAT IS SHOWN.

AUSTIN FIRE DEPARTMENT NOTES:

- SIGNS AND IDENTIFICATION MARKERS DESIGNATING FIRE ZONES/FIRE LANES. AFTER DESIGNATION OF A FIRE ZONE OR FIRE LANE UNDER THIS ARTICLE, THE FIRE CHIEF SHALL GIVE NOTICE OF THE DESIGNATION TO THE OWNER OF THE PROPERTY, DIRECTING THE OWNER TO CAUSE, AT THE EXPENSE OF THE OWNER, MARKINGS TO BE PAINTED ON ANY AREAS DESIGNATED AS A FIRE ZONE OR FIRE LANE. THE MARKINGS MUST BE RED WITH WHITE STENCILING READING "FIRE ZONE/ TOW AWAY ZONE" OR "FIRE LANE/ TOW AWAY ZONE" IN LETTERING AT LEAST THREE INCHES IN HEIGHT. THE STENCILING SHALL BE AT INTERVALS OF 35 FEET OR LESS. IN ADDITION, THE OWNER SHALL CAUSE SIGNS TO BE POSTED AT BOTH ENDS OF A FIRE ZONE OR FIRE LANE. ALTERNATIVE MARKINGS OF FIRE ZONES AND FIRE LANES MAY BE APPROVED BY THE FIRE CHIEF PROVIDED FIRE ZONES OR FIRE LANES ARE CLEARLY IDENTIFIED AT BOTH ENDS AND AT INTERVALS NOT TO EXCEED 35 FEET AND ARE CLEARLY MARKED "TOW AWAY ZONES" AT LEAST EVERY 35 FEET. THE SIGNS SHALL BE INSTALLED WITH THE TOP OF THE SIGN NO HIGHER THAN EIGHT FEET ABOVE GRADE AND NO LESS THAN FIVE FEET ABOVE THE GRADE.
- DUMPSTERS AND CONTAINERS WITH AN INDIVIDUAL CAPACITY OF 1.5 CUBIC YARDS OR MORE SHALL NOT BE STORED IN BUILDINGS OR PLACED WITHIN TEN FEET OF COMBUSTIBLE WALLS, OPENINGS, OR COMBUSTIBLE ROOF EAVE LINES.

SUBCHAPTER E NOTES:

- ALL EXTERIOR LIGHTING SHALL BE HOODED OR SHIELDED SO THAT THE LIGHT SOURCE IS NOT DIRECTED AT THE ADJACENT ZONED AND USED SF-5 OR MORE RESTRICTIVE USE (ORD. 910620-C, EXHIBIT B § VIII.10.K).

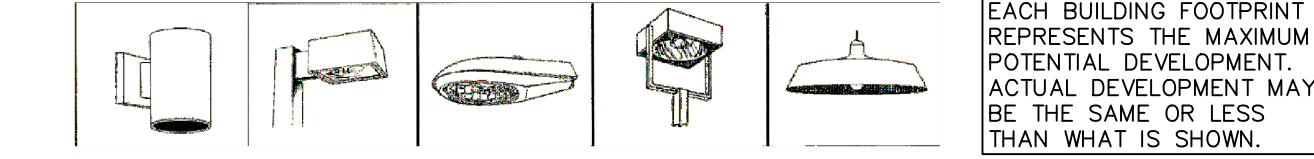


Figure 34: Examples of fully-shielded light fixtures.

COMPATIBILITY STANDARD NOTES:

- ALL EXTERIOR LIGHTING WILL BE FULL CUT-OFF AND FULLY SHIELDED FROM IN COMPLIANCE WITH SUBCHAPTER E 2.5 AND WILL BE REVIEWED AT BUILDING PLAN REVIEW. ANY CHANGE OR SUBSTITUTION OF LAMP/LIGHT FIXTURES SHALL BE SUBMITTED TO THE DIRECTOR FOR APPROVAL IN ACCORDANCE WITH SECTION 2.5.2.E.
- ALL DUMPSTERS AND ANY PERMANENTLY PLACED REFUSE RECEPTACLES WILL BE LOCATED AT A MINIMUM OF TWENTY (20) FEET FROM A PROPERTY USED OR ZONED AS SF-5 OR MORE RESTRICTIVE.
- THE USE OF HIGHLY REFLECTIVE SURFACES, SUCH AS REFLECTIVE GLASS AND REFLECTIVE METAL ROOFS, WHOSE PITCH IS MORE THAN A RUN OF SEVEN (7) TO A RISE OF TWELVE (12), WILL BE PROHIBITED.
- THE NOISE LEVEL OF MECHANICAL EQUIPMENT WILL NOT EXCEED 70 DBA AT THE PROPERTY LINE ADJACENT TO RESIDENTIAL USES.
- EXTERIOR LIGHTING ABOVE THE SECOND FLOOR IS PROHIBITED.

DOWNSPOUTS NOTE:  
ALL ROOFS MUST DRAIN TOWARD THE PROPOSED DRIVE ISLE.

SCREENING NOTE:  
SCREENING FOR SOLID WASTE COLLECTION AND LOADING AREAS SHALL BE THE SAME AS, OR OF EQUAL QUALITY TO, PRINCIPAL BUILDING MATERIALS.

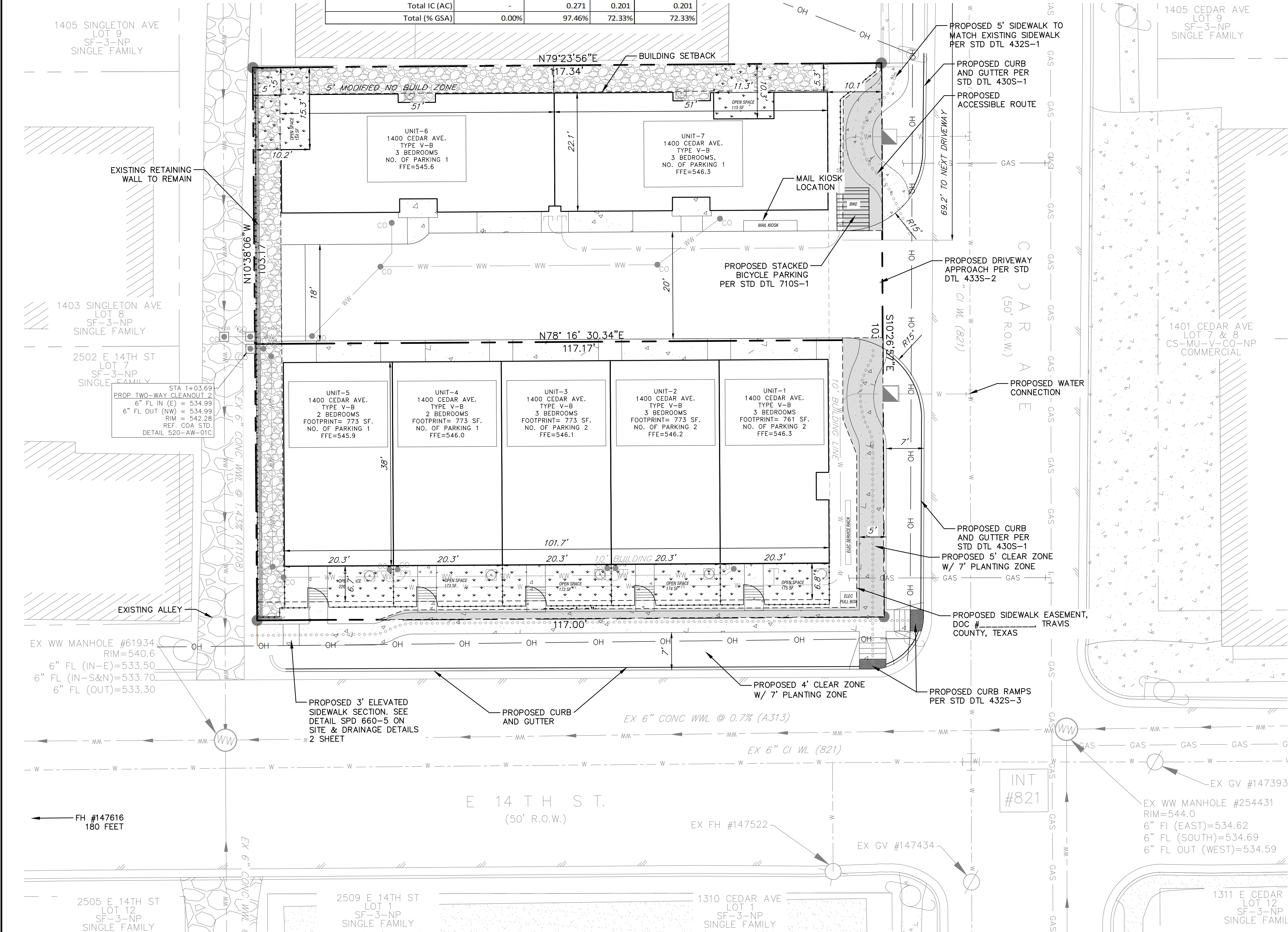
EXISTING LEGEND

- WATERLINE W/ GATE VALVE
- WASTEWATER W/ MANHOLE
- GROUND CONTOUR
- HYDRANT W/ GATE VALVE
- WATERLINE W/ GATE VALVE
- WASTEWATER W/ MANHOLE
- GROUND CONTOUR
- ACCESSIBLE ROUTE
- CONCRETE PAVEMENT



0' 5' 10' 20'  
SCALE: 1"=10'

NO.	DATE	REVISIONS	SHEET
THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.			
1400 CEDAR 1400 CEDAR AVE, AUSTIN, TEXAS 78702			
SITE PLAN			
5110 LANCASTER CT. AUSTIN, TX 78723 FIRM REG # F12469 PHONE 512 761 6161 FAX 512 761 6167 INFO@CIVILITUDE.COM			
SCALE:	1"=10'		
JOB NO:	A474		
DGN BY:	PB		
DWN BY:	PB		
RVW BY:	MVR		
SITE PLAN APPROVAL SHEET 07 OF 21 FILE NUMBER: SP-2021-0102C APPLICATION DATE: 03/23/2021 APPROVED BY COMMISSION ON UNDER SECTION 112 ON CHAPTER 25-5 OF THE CITY OF AUSTIN CODE EXPIRATION DATE (25-5-81, LDC) CASE MANAGER ROSEMARY AVILA PROJECT EXPIRATION DATE (ORD.#970905-A) DWFZ DDZ			
Director, DEVELOPMENT SERVICES DEPARTMENT RELEASED FOR GENERAL COMPLIANCE: ZONING: CS-MU-V-CO-NP Rev. 1 Correction 1 Rev. 2 Correction 2 Rev. 3 Correction 3			
Final plan must be recorded by the Project Expiration Date, if applicable. Subsequent Site Plans which do not comply with the Code current at the time of filing, and all required Building Permits and/or a notice of construction of a Building permit is not required, must also be approved prior to the Project Expiration Date.			
SHEET NO.			07
			OF 21







4 Building A&B West Elevation  
1/8" = 1'-0" A2.00

2 Building A North Elevation  
1/8" = 1'-0" A2.00



3 Building A&B East Elevation  
1/8" = 1'-0" A2.00



1 Building A South Elevation  
1/8" = 1'-0" A2.00

PRELIMINARY  
Not for regulatory approval,  
permitting, or construction.

W Travis Lucy  
TX 21664

2/28/22

LLVLL

INFO@LLVLLWORK  
512.565.0016

1400 Cedar  
Avenue  
Urban Gravity LLC  
1400/1402 Cedar Ave  
Austin, Texas  
78702

Site Development

No.	note	Date
1	Site Dev R1	2/8/22
2	Site Dev R2	2/28/22

Exterior Elevations

SITE PLAN APPROVAL SHEET \_\_\_\_ OF \_\_\_\_  
FILE NUMBER: \_\_\_\_ APPLICATION DATE: \_\_\_\_  
APPROVED BY COMMISSION ON \_\_\_\_ UNDER SECTION \_\_\_\_ ON \_\_\_\_  
CHAPTER \_\_\_\_ OF THE CITY OF AUSTIN CODE  
EXPIRATION DATE (25-5-61, LDC) \_\_\_\_ CASE MANAGER \_\_\_\_  
PROJECT EXPIRATION DATE (ORD.#970905-A) \_\_\_\_ DWPZ \_\_\_\_ DDZ \_\_\_\_

Director, DEVELOPMENT SERVICES DEPARTMENT  
RELEASED FOR GENERAL COMPLIANCE: \_\_\_\_ ZONING: \_\_\_\_  
Rev. 1 \_\_\_\_ Correction 1 \_\_\_\_  
Rev. 2 \_\_\_\_ Correction 2 \_\_\_\_  
Rev. 3 \_\_\_\_ Correction 3 \_\_\_\_

Final plat must be recorded by the Project Expiration Date, if applicable.  
Subsequent Site Plans which do not comply with the Code current at the time of  
filing, and all required Building Permits and/or a notice of construction (if a  
Building permit is not required), must also be approved prior to the Project  
Expiration Date.

SHEET NO.

OF



PRELIMINARY  
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W Travis Lucy  
TX 21664

2/28/22



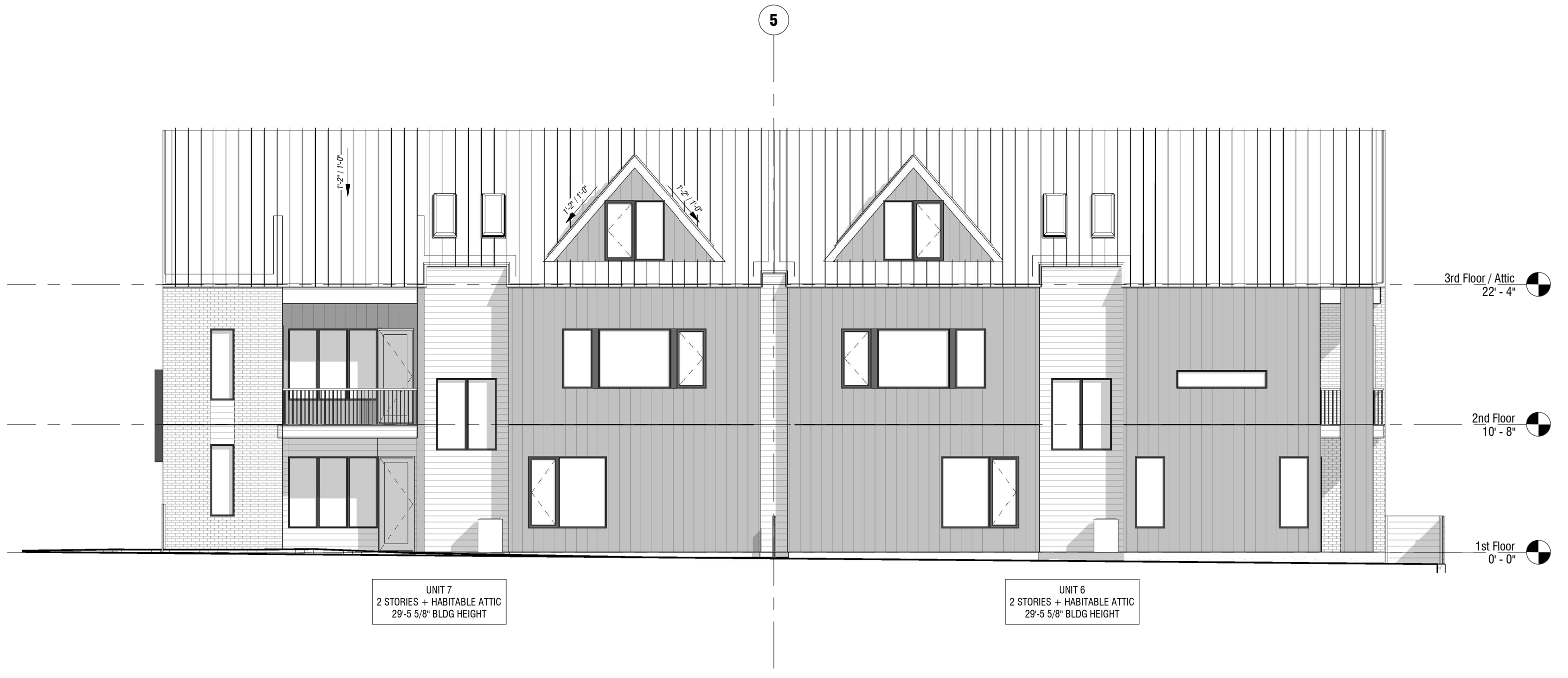
INFO@LLVLL.WORK  
512.565.0016

1400 Cedar  
Avenue

Urban Gravity LLC  
1400/1402 Cedar Ave  
Austin, Texas  
78702



2 Building B South Elevation  
1/8" = 1'-0" A2.01



1 Building B North Elevation  
1/8" = 1'-0" A2.01

Site Development

No.	note	Date
Site Dev R1		2/8/22
Site Dev R2		2/28/22

Exterior Elevations

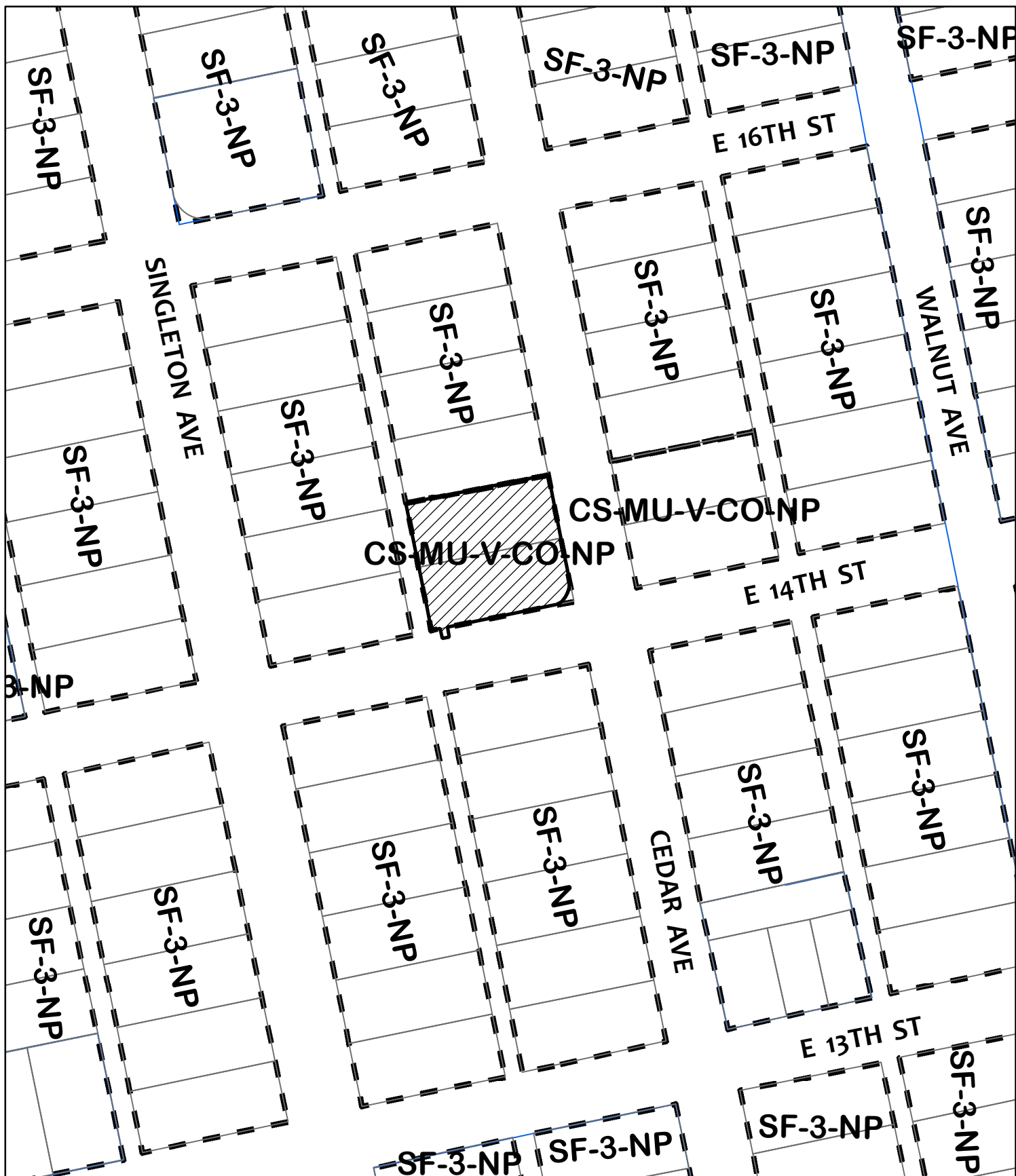
SITE PLAN APPROVAL SHEET \_\_\_\_\_ OF \_\_\_\_\_  
FILE NUMBER: \_\_\_\_\_ APPLICATION DATE: \_\_\_\_\_  
APPROVED BY COMMISSION ON \_\_\_\_\_ UNDER SECTION \_\_\_\_\_ ON \_\_\_\_\_  
CHAPTER \_\_\_\_\_ OF THE CITY OF AUSTIN CODE \_\_\_\_\_  
EXPIRATION DATE (25-5-81, LDC) \_\_\_\_\_ CASE MANAGER \_\_\_\_\_  
PROJECT EXPIRATION DATE (ORD.#970905-A) \_\_\_\_\_ DWFZ \_\_\_\_\_ DDZ \_\_\_\_\_

Director, DEVELOPMENT SERVICES DEPARTMENT \_\_\_\_\_  
RELEASED FOR GENERAL COMPLIANCE: \_\_\_\_\_ ZONING: \_\_\_\_\_  
Rev. 1 \_\_\_\_\_ Correction 1 \_\_\_\_\_  
Rev. 2 \_\_\_\_\_ Correction 2 \_\_\_\_\_  
Rev. 3 \_\_\_\_\_ Correction 3 \_\_\_\_\_

Final plat must be recorded by the Project Expiration Date, if applicable.  
Subsequent Site Plans which do not comply with the Code current at the time of  
filing, and all required Building Permits and/or a notice of construction (if a  
Building permit is not required), must also be approved prior to the Project  
Expiration Date.

SHEET NO.

OF



0 50 100 200 Feet

CASE#: SP-2021-0102C  
 ADDRESS: 1400 Cedar Avenue  
 CASE NAME: 1400 Cedar Ave  
 MANAGER: Zack Lofton



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 the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

OPERATOR: R. Avila

March 25, 2022

City of Austin Planning Commission

**Re: Compatibility Setback Waiver for 1400 Cedar Avenue**

Dear Planning Commissioners,

This letter is to inform the Commission that the Chestnut Neighborhood Plan Contact Team does not support the requested compatibility waiver for 1400 Cedar Avenue to reduce the setback from 25 feet to 5 feet.

The Chestnut Neighborhood has a long history of supporting density in our neighborhood, as seen by our adoption of all the neighborhood infill tools as well as working with the city to create the MLK TOD. That said, we believe a 5-foot setback is inappropriate in this location and unnecessary for the success of this project. As seen in the attached exhibit, even with the current building footprint sizes, a 15-foot setback appears doable. With more thoughtful design, the 25-foot setback might be doable as well. Despite repeated requests by the neighborhood, the applicant did not meet with the Neighborhood Plan Contact Team to discuss this project. This is very unfortunate, as we believe there is a solution here that provides the desired density and better aligns with our neighborhood plan.

Thank you for your consideration.

Respectfully,

Chestnut Neighborhood Plan Contact Team





## Lofton, Zack

---

**From:** Lofton, Zack  
**Sent:** Tuesday, March 1, 2022 4:49 PM  
**To:** Ian Zurzolo  
**Subject:** RE: Case Number: SP-2021-0102C

Great. We don't necessarily have concerns about the project. The site plan actually proposes reducing impervious cover from about 97% to about 72%. The city has also recommended the site connect access to the alley but not required it.

**Zack Lofton, AICP, CNU-A**

*Senior Planner, Land Use Review*

City of Austin Development Services Department

PDC Bldg, 6310 Wilhelmina Delco Lane – 2<sup>nd</sup> Floor 2109.20

**Office:** 512-978-1735



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*For kudos or immediate concerns, please contact my supervisor Rosemary Avila at [rosemary.avila@austintexas.gov](mailto:rosemary.avila@austintexas.gov) or Christine Barton-Holmes at [christine.barton-holmes@austintexas.gov](mailto:christine.barton-holmes@austintexas.gov). Thank you for your patience and understanding, and we look forward to serving you in the near future.\**

**From:** Ian Zurzolo [REDACTED]  
**Sent:** Tuesday, March 1, 2022 4:01 PM  
**To:** Lofton, Zack <[Zack.Lofton@austintexas.gov](mailto:Zack.Lofton@austintexas.gov)>  
**Subject:** Re: Case Number: SP-2021-0102C

Thanks that was helpful.

Are there any remaining concerns that the city has about the proposed plan?

It seems like there could be a impermeable coverage issue as well as no entry/exit facing the alley.

On Tue, Mar 1, 2022 at 3:57 PM Lofton, Zack <[Zack.Lofton@austintexas.gov](mailto:Zack.Lofton@austintexas.gov)> wrote:

Hi there, Ian:

Please see my comments below in red.

- Will there be sidewalks surrounding the property on both Cedar Ave and 14th street? **Yes, they are proposing sidewalks on both streets.**
- Will there be a minimum of 2 on-site parking spaces per unit? If not, is it allowed by the city to have less? **There is not a minimum of 2 on-site parking spaces per unit and yes it is allowed that they have**

less. They will have 11 spaces which meets the City's requirement without any waivers or variances. They will also have bike parking spaces as well.

- Is the height of any of the proposed units above city allowances? No, they are within all height limits.
- How long is the proposed construction timeline? I do not have an answer to that, since this is just the site plan stage and so early in the process. That would be a question for the contractor but likely can't be determined until the plans are finalized they know exactly what they are building.

Please let me know if you have any other questions.

Sincerely,

**Zack Lofton, AICP, CNU-A**

*Senior Planner, Land Use Review*

City of Austin Development Services Department

PDC Bldg, [6310 Wilhelmina Delco Lane](#) – 2<sup>nd</sup> Floor 2109.20

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**From:** Ian Zurzold [REDACTED]  
**Sent:** Tuesday, March 1, 2022 3:07 PM  
**To:** Lofton, Zack <[Zack.Lofton@austintexas.gov](mailto:Zack.Lofton@austintexas.gov)>  
**Subject:** Re: Case Number: SP-2021-0102C

Hello Zack,

I am an interested party for the proposed development at 1400 Cedar Ave. I have a couple questions:

- Will there be sidewalks surrounding the property on both Cedar Ave and 14th street?
- Will there be a minimum of 2 on-site parking spaces per unit? If not, is it allowed by the city to have less?



- Is the height of any of the proposed units above city allowances?
- How long is the proposed construction timeline?

Thanks,

Ian Zurzolo

On Tue, Mar 1, 2022 at 7:03 AM Edmond, Cindy <[Cindy.Edmond@austintexas.gov](mailto:Cindy.Edmond@austintexas.gov)> wrote:

Please email the case manager regarding your questions. thanks

---

**From:** Ian Zurzolo [REDACTED]  
**Sent:** Monday, February 28, 2022 5:48 PM  
**To:** Edmond, Cindy <[Cindy.Edmond@austintexas.gov](mailto:Cindy.Edmond@austintexas.gov)>  
**Subject:** Case Number: SP-2021-0102C

\*\*\* External Email - Exercise Caution \*\*\*

Hi Cindy,

I am an interested party for the proposed development at 1400 Cedar Ave. I have a couple questions:

- Will there be sidewalks surrounding the property on both Cedar Ave and 14th street?
- Will there be a minimum of 2 on-site parking spaces per unit? If not, is it allowed by the city to have less?
- Is the height of any of the proposed units above city allowances?
- How long is the proposed construction timeline?

Thanks,

Ian Zurzolo

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## Lofton, Zack

---

**From:** Lofton, Zack  
**Sent:** Thursday, March 3, 2022 9:20 AM  
**To:** Pati Fisher  
**Subject:** RE: Case No: SP-2021-0102C  
**Attachments:** FINAL Background Materials - Compatibility Waiver - 1400 Cedar Ave - SP-2021-0102C.pdf

Good morning, Pati:

Yes, there are 7 units being proposed on these two lots. The background materials for the Planning Commission meeting are attached and show the site plan and elevations, in addition to a few other things. Please let me know if you have any more questions.

Sincerely,

**Zack Lofton, AICP, CNU-A**  
*Senior Planner, Land Use Review*  
City of Austin Development Services Department  
PDC Bldg, 6310 Wilhelmina Delco Lane – 2<sup>nd</sup> Floor 2109.20  
**Office:** 512-978-1735



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---

**From:** Pati Fisher [REDACTED]  
**Sent:** Thursday, March 3, 2022 8:54 AM  
**To:** Lofton, Zack <Zack.Lofton@austintexas.gov>  
**Subject:** Fwd: Case No: SP-2021-0102C

Hi Zack:

Please see the forwarded email below.

Thanks in advance.

Kind regards,  
Pati Fisher

Sent from my iPad

Begin forwarded message:

**From:** "Edmond, Cindy" <[Cindy.Edmond@austintexas.gov](mailto:Cindy.Edmond@austintexas.gov)>  
**Date:** March 3, 2022 at 7:30:50 AM CST  
**To:** Pati Fisher [REDACTED]  
**Subject:** RE: Case No: SP-2021-0102C

Please email the case manager regarding your question. Thanks

-----Original Message-----

From: Pati Fisher [REDACTED]  
Sent: Wednesday, March 02, 2022 5:49 PM  
To: Edmond, Cindy <[Cindy.Edmond@austintexas.gov](mailto:Cindy.Edmond@austintexas.gov)>  
Subject: Case No: SP-2021-0102C

\*\*\* External Email - Exercise Caution \*\*\*

**Hi Cindy:**

**Regarding the case number above for project 1400 Cedar Ave. Can you tell me how many units are proposed for this site? Also, do you have any elevations or renderings of the project available for my husband and I to see? We will be unable to attend the meeting next week.**

Sincerely,  
Pati Fisher

Sent from my iPad

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## Lofton, Zack

---

**From:** Lofton, Zack  
**Sent:** Friday, March 4, 2022 8:30 AM  
**To:** Anita  
**Subject:** RE: Background Materials - 1400 Cedar Ave

Good morning, Anita:

If the Planning Commission does not approve the waiver, the applicant will not be able to build within 25 feet of the north and west property lines. If they intend to continue with the same development, they'd just need to reorient it so it doesn't go into the setbacks.

Sincerely,

**Zack Lofton, AICP, CNU-A**  
*Senior Planner, Land Use Review*  
City of Austin Development Services Department  
PDC Bldg, 6310 Wilhelmina Delco Lane – 2<sup>nd</sup> Floor 2109.20  
**Office:** 512-978-1735



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*For kudos or immediate concerns, please contact my supervisor Rosemary Avila at [rosemary.avila@austintexas.gov](mailto:rosemary.avila@austintexas.gov) or Christine Barton-Holmes at [christine.barton-holmes@austintexas.gov](mailto:christine.barton-holmes@austintexas.gov). Thank you for your patience and understanding, and we look forward to serving you in the near future.\**

---

**From:** Anita [REDACTED]  
**Sent:** Thursday, March 3, 2022 4:43 PM  
**To:** Lofton, Zack <[Zack.Lofton@austintexas.gov](mailto:Zack.Lofton@austintexas.gov)>  
**Subject:** Re: Background Materials - 1400 Cedar Ave

\*\*\* External Email - Exercise Caution \*\*\*

Hi Zack  
Anita here. If the do not approve the wavier. What will happen?  
Thanks Anita

[Sent from the all new AOL app for iOS](#)

On Thursday, March 3, 2022, 1:53 PM, Lofton, Zack <[Zack.Lofton@austintexas.gov](mailto:Zack.Lofton@austintexas.gov)> wrote:

Hi Anita:

Attached are the background materials that are available to the public. Please let me know if you have any questions or comments.

Sincerely,

**Zack Lofton, AICP, CNU-A**

*Senior Planner, Land Use Review*

City of Austin Development Services Department

PDC Bldg, 6310 Wilhelmina Delco Lane – 2<sup>nd</sup> Floor 2109.20

**Office:** 512-978-1735



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## Lofton, Zack

---

**From:** Lofton, Zack  
**Sent:** Tuesday, March 29, 2022 2:47 PM  
**To:** David Carroll  
**Subject:** RE: Item B24- 1400 Cedar

Hi David:

Yes, Alejandra is the contact. Her information is below. Have you tried contacting her?

Engineer:  
Alejandra Flores  
[REDACTED]  
Civiltude LLC

**Zack Lofton, AICP, CNU-A**  
*Senior Planner, Land Use Review*  
City of Austin Development Services Department  
PDC Bldg, 6310 Wilhelmina Delco Lane – 2<sup>nd</sup> Floor 2109.20  
**Office:** 512-978-1735



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---

**From:** David Carroll [REDACTED]  
**Sent:** Tuesday, March 29, 2022 2:44 PM  
**To:** Lofton, Zack <[Zack.Lofton@austintexas.gov](mailto:Zack.Lofton@austintexas.gov)>  
**Subject:** Re: Item B24- 1400 Cedar

\*\*\* External Email - Exercise Caution \*\*\*

Hi Zack- Are you talking about the civil engineer? I have reached out to them and am happy to do so again. I know them well.

---

**From:** Lofton, Zack <[Zack.Lofton@austintexas.gov](mailto:Zack.Lofton@austintexas.gov)>  
**Sent:** Tuesday, March 29, 2022 10:59 AM  
**To:** David Carroll [REDACTED]  
**Subject:** RE: Item B24- 1400 Cedar

Good morning, David:

I've heard from the engineer that they still haven't hear from you. Can you share a phone they can reach you on? Thanks.

**Zack Lofton, AICP, CNU-A**

## Lofton, Zack

---

**From:** David Carroll [REDACTED]  
**Sent:** Friday, April 1, 2022 10:08 AM  
**To:** Lofton, Zack  
**Subject:** Re: Item B24- 1400 Cedar

\*\*\* External Email - Exercise Caution \*\*\*

Hi Zack- Thanks for the follow up. Yes, we have touched base and the engineer and developer have agreed to meet with the contact team next week.

Thanks,  
David

---

**From:** Lofton, Zack <Zack.Lofton@austintexas.gov>  
**Sent:** Friday, April 1, 2022 9:26 AM  
**To:** David Carroll <[REDACTED]>  
**Subject:** RE: Item B24- 1400 Cedar

Good morning David:

Hope your week is going well. Not sure if you've contacted the engineer yet but I'm happy to share your contact info with them if you like. If so, please let me know how they can contact you by phone since we don't share interested party email addresses.

Thanks,  
Zack

**Zack Lofton, AICP, CNU-A**  
Senior Planner, Land Use Review  
City of Austin Development Services Department  
PDC Bldg, 6310 Wilhelmina Delco Lane – 2<sup>nd</sup> Floor 2109.20  
Office: 512-978-1735



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---

**From:** David Carroll [REDACTED]  
**Sent:** Tuesday, March 29, 2022 2:44 PM  
**To:** Lofton, Zack <Zack.Lofton@austintexas.gov>  
**Subject:** Re: Item B24- 1400 Cedar

\*\*\* External Email - Exercise Caution \*\*\*

Hi Zack- Are you talking about the civil engineer? I have reached out to them and am happy to do so again. I know them well.

---

**From:** Lofton, Zack <[Zack.Lofton@austintexas.gov](mailto:Zack.Lofton@austintexas.gov)>  
**Sent:** Tuesday, March 29, 2022 10:59 AM  
**To:** David Carroll [REDACTED]  
**Subject:** RE: Item B24- 1400 Cedar

Good morning, David:

I've heard from the engineer that they still haven't hear from you. Can you share a phone they can reach you on? Thanks.

**Zack Lofton, AICP, CNU-A**  
Senior Planner, Land Use Review  
City of Austin Development Services Department  
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---

**From:** Lofton, Zack  
**Sent:** Friday, March 25, 2022 3:53 PM  
**To:** David Carroll [REDACTED]  
**Subject:** RE: Item B24- 1400 Cedar

Thanks for sending this over David. And yes, the only catch is that many times they are already in the process when they beginning asking to do more than what is permitted by right. But I understand what you're saying. Thanks.

**Zack Lofton, AICP, CNU-A**  
Senior Planner, Land Use Review  
City of Austin Development Services Department  
PDC Bldg, 6310 Wilhelmina Delco Lane – 2<sup>nd</sup> Floor 2109.20  
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---

**From:** David Carroll [REDACTED]  
**Sent:** Friday, March 25, 2022 12:18 PM  
**To:** Lofton, Zack <[Zack.Lofton@austintexas.gov](mailto:Zack.Lofton@austintexas.gov)>  
**Subject:** Re: Item B24- 1400 Cedar

\*\*\* External Email - Exercise Caution \*\*\*



Thanks for the clarification, Zack. Please see attached letter from the contact team.

As an aside, it would help if developers met with contact teams early in the process. As it builds mistrust that is hard to undo. There is also a lot of bad information out there, since neighbors don't understand codes and ordinances. Maybe the city can encourage developers to do so?

Thanks again,  
David

---

**From:** Lofton, Zack <[Zack.Lofton@austintexas.gov](mailto:Zack.Lofton@austintexas.gov)>  
**Sent:** Thursday, March 24, 2022 1:52 PM  
**To:** David Carroll [REDACTED]  
**Subject:** RE: Item B24- 1400 Cedar

Gosh, sorry it's 25-1-21(49).

**Zack Lofton, AICP, CNU-A**  
*Senior Planner, Land Use Review*  
City of Austin Development Services Department  
PDC Bldg, 6310 Wilhelmina Delco Lane – 2<sup>nd</sup> Floor 2109.20  
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---

**From:** Lofton, Zack  
**Sent:** Thursday, March 24, 2022 1:52 PM  
**To:** David Carroll [REDACTED]  
**Subject:** RE: Item B24- 1400 Cedar

Hey David:

I was just talking with a colleague and she mentioned where we get our height measures. Before I told you it was Sub F but it's actually 25-1-121. It basically says the same things (it is the exact same for this particular case) but just wanted to let you know that's our authority not Sub F.

Zack

**Zack Lofton, AICP, CNU-A**  
*Senior Planner, Land Use Review*  
City of Austin Development Services Department  
PDC Bldg, 6310 Wilhelmina Delco Lane – 2<sup>nd</sup> Floor 2109.20  
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---

**From:** Lofton, Zack  
**Sent:** Monday, March 14, 2022 9:02 AM  
**To:** David Carroll [REDACTED]  
**Subject:** RE: Item B24- 1400 Cedar

No problem, David. Hope you had a great weekend.

**Zack Lofton, AICP, CNU-A**  
Senior Planner, Land Use Review  
City of Austin Development Services Department  
PDC Bldg, 6310 Wilhelmina Delco Lane – 2<sup>nd</sup> Floor 2109.20  
**Office:** 512-978-1735



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For kudos or immediate concerns, please contact my supervisor Rosemary Avila at [rosemary.avila@austintexas.gov](mailto:rosemary.avila@austintexas.gov) or Christine Barton-Holmes at [christine.barton-holmes@austintexas.gov](mailto:christine.barton-holmes@austintexas.gov). Thank you for your patience and understanding, and we look forward to serving you in the near future.\*

---

**From:** David Carroll [REDACTED]  
**Sent:** Friday, March 11, 2022 3:45 PM  
**To:** Lofton, Zack <[Zack.Lofton@austintexas.gov](mailto:Zack.Lofton@austintexas.gov)>  
**Subject:** Re: Item B24- 1400 Cedar

Thanks Zack, I knew that was allowable for SubChapter F, but didn't realize you could penetrate the compatibility tent like that.

---

**From:** Lofton, Zack <[Zack.Lofton@austintexas.gov](mailto:Zack.Lofton@austintexas.gov)>  
**Sent:** Friday, March 11, 2022 3:38 PM  
**To:** David Carroll [REDACTED]  
**Subject:** RE: Item B24- 1400 Cedar

No problem, David. Height is measured differently for different types of roofs. Since these are gabled, it's measured from the average of the highest and lowest points of the roof or the highest and lowest points of the dormer, whichever is higher. The part of code that outlines how height is measured is 25-2-SubF - Article 3.4.1. So even though the highest point of the roof may be higher than the regulation height, it can still comply as long as the average is below the regulation height. Let me know if you have any more questions.

**Zack Lofton, AICP, CNU-A**  
Senior Planner, Land Use Review  
City of Austin Development Services Department  
PDC Bldg, 6310 Wilhelmina Delco Lane – 2<sup>nd</sup> Floor 2109.20  
**Office:** 512-978-1735

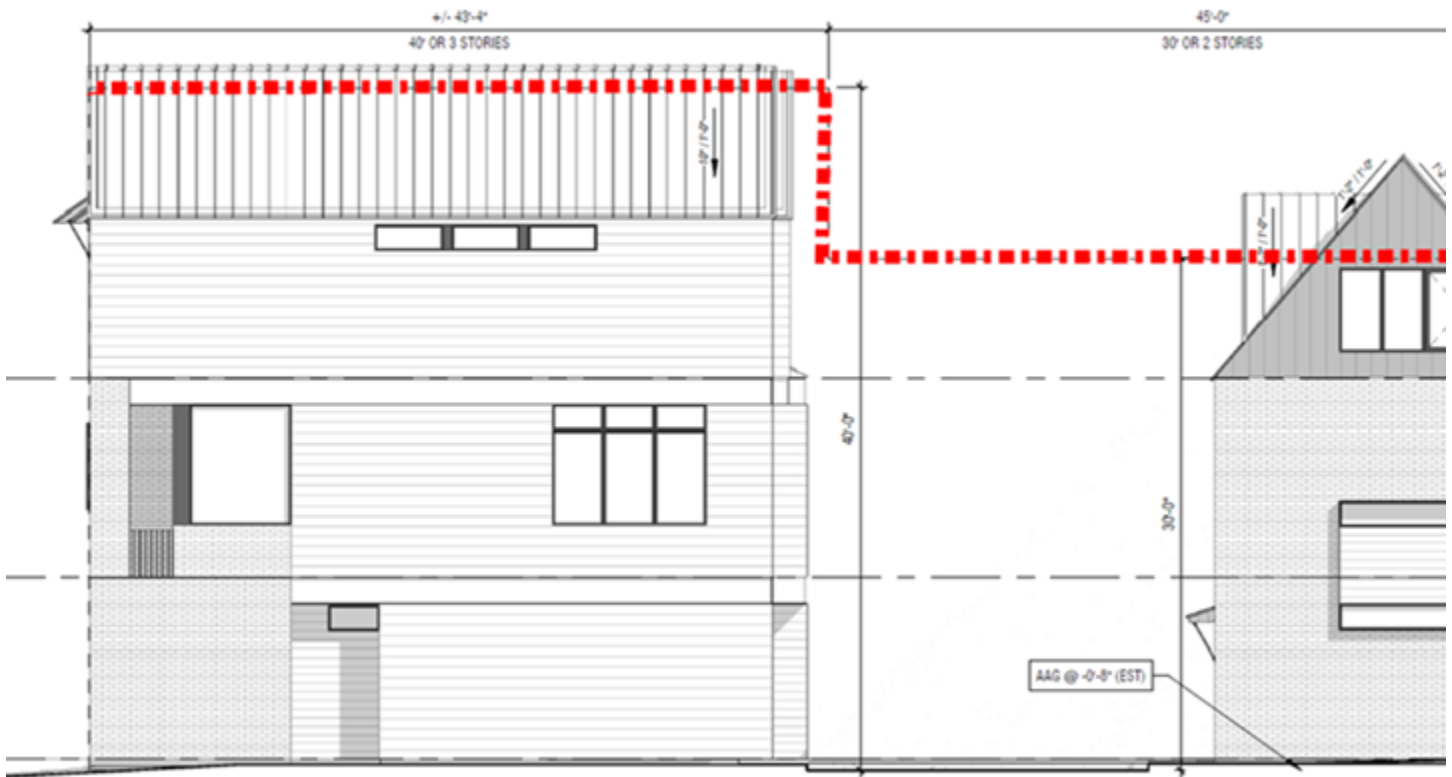


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*For kudos or immediate concerns, please contact my supervisor Rosemary Avila at [rosemary.avila@austintexas.gov](mailto:rosemary.avila@austintexas.gov) or Christine Barton-Holmes at [christine.barton-holmes@austintexas.gov](mailto:christine.barton-holmes@austintexas.gov). Thank you for your patience and understanding, and we look forward to serving you in the near future.\**

**From:** David Carroll [REDACTED]  
**Sent:** Friday, March 11, 2022 2:55 PM  
**To:** Lofton, Zack <[Zack.Lofton@austintexas.gov](mailto:Zack.Lofton@austintexas.gov)>  
**Subject:** Re: Item B24- 1400 Cedar

Hi Zack- Thanks for the explanation. As for the height, the exhibit seems to clearly show that they are exceeding the compatibility tent- see below. What am I missing? Thanks,



Thanks,  
David

**From:** Lofton, Zack <[Zack.Lofton@austintexas.gov](mailto:Zack.Lofton@austintexas.gov)>  
**Sent:** Friday, March 11, 2022 1:15 PM  
**To:** David Carroll [REDACTED]  
**Subject:** RE: Item B24- 1400 Cedar

Hi there, David:

Staff is recommending this compatibility waiver to be approved because the site plan is proposing a "missing middle" housing product that contributes to the housing diversity the City needs and the implications of the waiver are reasonable. In addition, this site plan is in compliance with all other compatibility regulations and zoning regulations.

You are correct that this waiver is only for compatibility setbacks. The proposed development complies with the compatibility height regulations - this is shown in the background materials. I do realize that it's fairly nitty-gritty so let me know if you'd like to have a call to discuss it in more detail.

Sincerely,

**Zack Lofton, AICP, CNU-A**

Senior Planner, Land Use Review

City of Austin Development Services Department

PDC Bldg, 6310 Wilhelmina Delco Lane – 2<sup>nd</sup> Floor 2109.20

Office: 512-978-1735



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---

**From:** David Carroll [REDACTED]  
**Sent:** Friday, March 11, 2022 10:23 AM  
**To:** Lofton, Zack <[Zack.Lofton@austintexas.gov](mailto:Zack.Lofton@austintexas.gov)>  
**Subject:** Re: Item B24- 1400 Cedar

Zack - Looking at this closer, the waiver looks to be just for the compatibility setback, but this project is also violating the allowable compatibility height of 2 stories/30 feet high within 50 feet of triggering property as well as the 3 stories/40 feet within 100 feet of triggering property. How is this being addressed?

Thanks,  
David

---

**From:** David Carroll [REDACTED]  
**Sent:** Friday, March 11, 2022 10:09 AM  
**To:** Lofton, Zack <[Zack.Lofton@austintexas.gov](mailto:Zack.Lofton@austintexas.gov)>  
**Subject:** Re: Item B24- 1400 Cedar

Hi Zack- Could you please explain staff's reasoning for supporting the compatibility waiver on this case? I know that will be a question from the Contact Team. Is there a hardship that we don't know about it?

Thanks for your help,  
David

---

**From:** Lofton, Zack <[Zack.Lofton@austintexas.gov](mailto:Zack.Lofton@austintexas.gov)>  
**Sent:** Tuesday, March 8, 2022 9:23 AM  
**To:** [REDACTED]  
**Subject:** FW: Item B24- 1400 Cedar

Good morning, Dave:

I am the case manager for the 1400 Cedar site plan and wanted to share the contact information for the applicant, both the engineer and the developer. They asked for your contact info, but instead I asked them to share theirs. They welcome you to contact them to discuss the project.

Engineer:  
Alejandra Flores

[REDACTED]  
Civiltude LLC

Developer:  
Zach Savage

[REDACTED]  
Zach Savage Homes

Please let me know if you have any questions.

Sincerely,

**Zack Lofton, AICP, CNU-A**

*Senior Planner, Land Use Review*

City of Austin Development Services Department

PDC Bldg, 6310 Wilhelmina Delco Lane – 2<sup>nd</sup> Floor 2109.20

**Office:** 512-978-1735



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---

**From:** Rivera, Andrew

**Sent:** Monday, March 7, 2022 1:06 PM

**To:** David Carroll [REDACTED]

**Subject:** RE: Item B24- 1400 Cedar

Hello Mr. Carroll:

Thank you for your email. Please provide a desired postponement date:

- April 12, 2022
- April 26, 2022

In the scenario this is a postponement discussion case, please register using the link below.

[March 8, 2022 Planning Commission Speaker Registration \(office.com\)](#)

Thank you,  
Andrew

---

**From:** David Carroll [REDACTED]

**Sent:** Monday, March 7, 2022 12:59 PM

**To:** Rivera, Andrew <[Andrew.Rivera@austintexas.gov](mailto:Andrew.Rivera@austintexas.gov)>; Shaw, Todd - BC <[BC-Todd.Shaw@austintexas.gov](mailto:BC-Todd.Shaw@austintexas.gov)>; Hempel, Claire - BC <[BC-Claire.Hempel@austintexas.gov](mailto:BC-Claire.Hempel@austintexas.gov)>

**Subject:** Item B24- 1400 Cedar

\*\*\* External Email - Exercise Caution \*\*\*

Dear Chair Shaw and Vice Chair Hempel,

The Chestnut Neighborhood Plan Contact Team respectfully requests that this item be postponed until April to allow the Contact Team to weigh in on this.

We reached out the applicant months ago to ask about this project and he has ignored repeated requests to meet with us. Further, we just found out about the compatibility waiver request last week and have not been able to organize a quorum in time to discuss before your meeting tonight. With another month, we feel we could weigh in on this issue properly.

Thank you for your consideration,

David Carroll

Chair, Chesnut Neighborhood Plan Contact Team

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## Lofton, Zack

---

**From:** Rivera, Andrew  
**Sent:** Tuesday, April 12, 2022 5:02 PM  
**To:** Lofton, Zack  
**Subject:** FW: April 12, 2022 Planning Commission Meeting Information

Hi Zack,

Please see email below.

Thank you,  
Andrew

---

**From:** Ian Zurzolo [REDACTED]  
**Sent:** Tuesday, April 12, 2022 4:34 PM  
**To:** Rivera, Andrew <Andrew.Rivera@austintexas.gov>  
**Subject:** Re: April 12, 2022 Planning Commission Meeting Information

\*\*\* External Email - Exercise Caution \*\*\*

Hi Andrew,

Is there a way to add this signed opposition petition to the official documents related to the 1400 Cedar Ave case?



To: The City of Austin

From: Community stakeholders at Cedar Avenue and 14<sup>th</sup> Street

March 2, 2022

Regarding: SP-2021-0102C Compatibility Variances

We are responding to the proposed development on 1400 Cedar Avenue, a seven-unit condominium structure. We understand that the hearing on March 8<sup>th</sup>, 2022 is regarding a waiver to move the building to 5' instead of the 25' setback requirement on the North and West sides of the property, leaving the building entrance on Cedar Avenue.

As residents in this immediate area, some for two decades, we strongly disagree with the developers that this waiver would not disrupt the neighborhood's feel and that it meets the intent of the Land Ordinance Code.

First, in terms of the neighborhood's feel:

- The majority of the nearby residential properties have significant setbacks—many beyond 25 feet—so this proposed waiver would absolutely change the feel of the neighborhood. Beyond the subjective feel, this is true from a logistic standpoint as well. This relates to the second issue, elaborated below, regarding how it violates the intent of the code.

Second, in terms of the intent of the code:

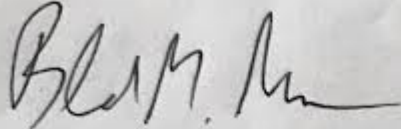
- Because the development does not include an alley entrance/exit on the West side of the property, dramatically increasing the use of Cedar Avenue this will only magnify the problem of congestion associated with the increased motor vehicle traffic and reduced visibility it will bring. This both impacts the neighborhood's feel and violates the intent of the code.
- The proposed waiver to allow a decreased setback would significantly obscure visibility from the street, creating a danger to residents. It would effectively make an increasingly congested street, which would only increase as visitors to the condominium utilize street parking, narrower.
- This decreased visibility and congestion would also make it more difficult for emergency vehicles to navigate the area and access residents. The proposed development is encroaching into the compatibility 25' setback on the north and west property lines. Decreased setbacks make for tighter corners that large vehicles cannot manage. Additionally, because emergency medical services (EMS) drivers are constrained by time, they need to make quick judgments about access. We experienced this last summer after the resident who shares alley access directly behind the proposed development constructed a fence on the edge of their property, making it impossible for EMS to reach another resident through the south entrance to the alley. The EMS drivers had to quickly judge access and so they assumed that the north entrance would also be too narrow, and



ended up parking the EMS vehicle on 16<sup>th</sup> Street, and personnel walked through the alley to the house. This delayed critical care in a life-threatening situation. Any further decrease in the setback creates a problem that will only compound over time, reducing residents' safety in the process.

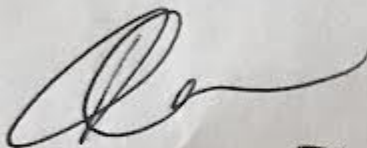
For all of these reasons, we are asking that you deny this proposed waiver.

Thank you.



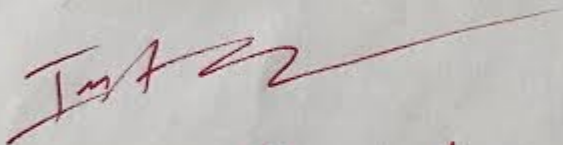
Blake M. McLean

1407 Singleton Ave. 78702



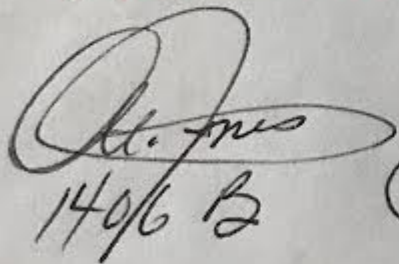
Dawna Ballard

1406 Cedar Ave 78702



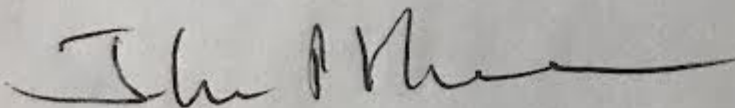
Ian Zurzolo

1408 Cedar Ave 78702



1406 B

Cedar Ave 78702



John Humphreys

1404 Cedar Ave 78702

On Tue, Apr 12, 2022 at 3:46 PM Rivera, Andrew <[Andrew.Rivera@austintexas.gov](mailto:Andrew.Rivera@austintexas.gov)> wrote:

All:

Thank you for taking the time to participate in the meeting this evening. If you are not speaking during public communication or the first discussion case, you will not have to remain in chambers (or call in at the beginning of the meeting). An e-mail will be sent when the commission is about 15 minutes away from taking up the next item.

Commission is scheduled to first hear Public Communication followed by item B-11.

Please see disposition of cases below, subject to change.

Current disposition of cases:

<u>NPA-2020-0015.02.SH - 2011 &amp; 2015 E. M. Franklin; District 1</u>	Neighborhood Postponement, Apr. 26th
<u>B-02 C14-2022-0008.SH - 2011 &amp; 2015 E. M. Franklin; District 1</u>	Neighborhood Postponement, Apr. 26th
<u>B-03 NPA-2021-0010.01 - 2400 E. Cesar Chavez Parking Expansion; District 3</u>	Applicant Indef. Postponement
<u>B-04 C14-2021-0121 - 2400 E. Cesar Chavez Parking; District 3</u>	Applicant Indef. Postponement
<u>B-05 NPA-2021-0015.02 - 3101 Hibbetts Road; District 1</u>	Consent
<u>B-06 C14-2021-0134 - 3101 Hibbetts Road; District 1</u>	Consent
<u>B-07 NPA-2021-0015.01 - Austin Sports Facility; District 3</u>	Withdrawn by Applicant
<u>B-08 C14-2021-0125 - Austin Sports Facility; District 3</u>	Withdrawn by Applicant
<u>B-09 NPA-2021-0016.05.SH - Live Make Apartments; District 3</u>	Consent
<u>B-10 C14-2021-0172 - Live Make Apartments; District 3</u>	Consent
<u>B-11 C14-85-244, Part 7 (RCA #3) - 10001 N. Capital of Texas Highway RCA; District 7</u>	Discussion
<u>B-12 C14-2021-0183 - 4303 and 4307 Speedway; District 9</u>	Applicant Indef. Postponement
<u>B-13 C814-2021-0175 - 614 S. 1st Street PUD; District 9</u>	Staff Indef. Postponement
<u>B-14 C814-97-0001.15 - Leander Rehabilitation PUD Amendment #16; District 6</u>	Staff Indef. Postponement
<u>B-15 C14-2022-0003 - Clayton Lane Residences, District 4</u>	Consent
<u>B-16 SP-2021-0102C - 1400 Cedar Ave; District 1</u>	Discussion

B-17 C8J-2009-0142.05.1A - Estancia West	Consent
B-18 C8-2020-0188.0A - 1940 Webberville Road Subdivision; District 1	Consent

Current registered speakers:

Anmol Mehra	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - <a href="#">2011</a> & <a href="#">2015 E. M. Franklin</a> ; District 1
Dianna Dean	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - <a href="#">2011</a> & <a href="#">2015 E. M. Franklin</a> ; District 1
Sir. Chase Wright	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - <a href="#">2011</a> & <a href="#">2015 E. M. Franklin</a> ; District 1
Alan Powell	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - <a href="#">2011</a> & <a href="#">2015 E. M. Franklin</a> ; District 1
Bethany Cheng	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - <a href="#">2011</a> & <a href="#">2015 E. M. Franklin</a> ; District 1
Sarah Welch	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - <a href="#">2011</a> & <a href="#">2015 E. M. Franklin</a> ; District 1
Matthew Welch	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - <a href="#">2011</a> & <a href="#">2015 E. M. Franklin</a> ; District 1
Sean Garretson	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - <a href="#">2011</a> & <a href="#">2015 E. M. Franklin</a> ; District 1
Conor Kenny	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - <a href="#">2011</a> & <a href="#">2015 E. M. Franklin</a> ; District 1
Leyla Shams	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - <a href="#">2011</a> & <a href="#">2015 E. M. Franklin</a> ; District 1
Ivan La Frinere-Sandoval	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - <a href="#">2011</a> & <a href="#">2015 E. M. Franklin</a> ; District 1
Lauren Stanley	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - <a href="#">2011</a> & <a href="#">2015 E. M. Franklin</a> ; District 1
Rob Schuwerk	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - <a href="#">2011</a> & <a href="#">2015 E. M. Franklin</a> ; District 1
Liz Johnson	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - <a href="#">2011</a> & <a href="#">2015 E. M. Franklin</a> ; District 1
John Osmon	B-01 and B-02 NPA-2020-0015.02. SH and C14-2022-0008. SH - <a href="#">2011</a> & <a href="#">2015 E. M. Franklin</a> ; District 1
David Hartman	B-11 C14-85-244, Part 7 (RCA #3) - <a href="#">10001 N. Capital of Texas Highway</a> RCA; District 7
John Wilkinson	B-11 C14-85-244, Part 7 (RCA #3) - <a href="#">10001 N. Capital of Texas Highway</a> RCA; District 7
Karen Saadeh	B-12 C14-2021-0183 - 4303 and 4307 Speedway; District 9
Marina Bollinger	B-12 C14-2021-0183 - 4303 and 4307 Speedway; District 9
Steven Ward	B-12 C14-2021-0183 - 4303 and 4307 Speedway; District 9
Susan Moffat	B-12 C14-2021-0183 - 4303 and 4307 Speedway; District 9
Maury Sullivan	B-12 C14-2021-0183 - 4303 and 4307 Speedway; District 9
Todd Pruner	B-12 C14-2021-0183 - 4303 and 4307 Speedway; District 9
Alice Glasco	B-15 C14-2022-0003 - Clayton Lane Residences, District 4
Alice Glasco	B-15 C14-2022-0003 - Clayton Lane Residences, District 4

Ian Zurzolo	B-16 SP-2021-0102C - 1400 Cedar Ave; District 1
Anita Jones	B-16 SP-2021-0102C - 1400 Cedar Ave; District 1
Denise Villa-Urban Gravity	B-16 SP-2021-0102C - 1400 Cedar Ave; District 1
Grant Geissinger	B-18 C8-2020-0188.0A - <a href="#">1940 Webberville Road</a> Subdivision; District 1
Alberto Gutierrez	B-18 C8-2020-0188.0A - <a href="#">1940 Webberville Road</a> Subdivision; District 1
Enge Xing	B-18 C8-2020-0188.0A - <a href="#">1940 Webberville Road</a> Subdivision; District 1
Eric Paulus	Public Communication

Discussion items will be conducted as follows:

Staff Presentation

Applicant Presentation

Public Testimony

Applicant Rebuttal

Close Public Hearing

Commission Q & A

Deliberation and Vote

The agenda and backup may be found at the link below:

[Meetings of the Planning Commission - Page 1 | AustinTexas.gov](#)

I will be available via email during the meeting. Please feel free you reach out to me if I can be of assistance.

Thank you,

Andrew

**Andrew D. Rivera**

Land Use Commissions Liaison

City of Austin - Housing and Planning Department

P.O. Box 1088

Austin, Texas 78767

512-974-6508

[www.austintexas.gov](http://www.austintexas.gov)

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