

BOA GENERAL REVIEW COVERSHEET

CASE: C15-2022-0002

BOA DATE: June 13th, 2022

ADDRESS: 5413 Guadalupe St

COUNCIL DISTRICT: 4

OWNER: 5413 Guadalupe LLC

AGENT: Rao Vasamsetti

ZONING: MF-4-CO-NP (North Loop)

LEGAL DESCRIPTION: LOT 16&21 BLK 1 NORTHFIELD ANNEX NO 2

VARIANCE REQUEST: decrease the minimum Interior Side Yard Setback from 5 feet to 4 feet

SUMMARY: erect three story condominiums and associated improvements

ISSUES: existing adjacent buildings have similar setbacks

	ZONING	LAND USES
<i>Site</i>	MF-4-CO-NP	Multi-Family
<i>North</i>	CS-CO-NP	General Commercial Services
<i>South</i>	SF-3-NP	Single-Family
<i>East</i>	MF-3-NP; SF-3-NP	Mutli-Family; Single-Family
<i>West</i>	MF-3-NP; SF-3-NP	Mutli-Family; Single-Family

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
 Austin Lost and Found Pets
 Austin Neighborhoods Council
 Central Austin Community Development Corporation
 Friends of Austin Neighborhoods
 Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 North Austin Neighborhood Alliance
 North Loop Neighborhood Association
 North Loop Neighborhood Plan Contact Team
 Preservation Austin
 SELTexas
 Sierra Club, Austin Regional Group



May 25, 2022

Lendy Capital Group
26603 Circle Mill Ln
Katy, TX 77494

Property Description: LOT 16&21 BLK 1 NORTHFIELD ANNEX NO 2

Re: C15-2022-0002

Dear Rao,

Austin Energy (AE) has reviewed your application for the above referenced property, requesting that the Board of Adjustment consider a variance(s) from LDC 25-2-492/25-2-65 at 5413 Guadalupe St.

Austin Energy does not oppose the request, provided that any proposed or existing improvements follow Austin Energy's Clearance & Safety Criteria, the National Electric Safety Code, and OSHA requirements. **Any removal or relocation of existing facilities will be at the owner's/applicant's expense.**

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

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

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

Cody Shook, Planner II

Austin Energy
Public Involvement | Real Estate Services
2500 Montopolis Drive
Austin, TX 78741
(512) 322-6881
Cody.Shook@austinenergy.com



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

NOTIFICATIONS

CASE#: C15-2022-0002

LOCATION: 5413 GUADALUPE STREET



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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

1" = 250'



Board of Adjustment General/Parking Variance Application

DevelopmentATX.com | Phone: 311 (or 512-974-2000 outside Austin)
For submittal and fee information, see austintexas.gov/digitaldevelopment

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 # C15-2022-0002 ROW # 12839535 Tax # 0225090731

Section 1: Applicant Statement

Street Address: 5413 Guadalupe st (TCAD:0225090731) & ~~508 Nelray (TCAD:0225090729)~~

Subdivision Legal Description:

LOT 16&21 BLK 1 NORTHFIELD ANNEX NO 2

Lot(s): 15,16 & 21 Block(s): 1

Outlot: Division:

Zoning District: MF-4-CO-NP, ~~SF-3-NP~~ (North Loop) Council District: 4

I/We Rao Vasamsetti C/ Rao's Consulting Engineers on behalf of myself/ourselves as authorized agent for 5413 Guadalupe, LLC affirm that on Month October, Day 12, Year 2021, hereby apply for a hearing before the Board of Adjustment for consideration to (select appropriate option below):

☐ Erect ☐ Attach ☐ Complete ☐ Remodel ☐ Maintain ☐ Other: reduced Setbacks

Type of Structure: Three story Condominiums and associated improvements

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

25-2-492 - SITE DEVELOPMENT REGULATIONS or 25-2-65 - MULTIFAMILY RESIDENCE
MODERATE - HIGH DENSITY (MF-4) DISTRICT DESIGNATION. To reduce the side setback /
interior setback required 5-ft to 4-6'

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:

As per the zoning requirements the building should be 30-ft from the existing residential building
based on the current zoning use property allowed to use for proposed condominium
development. we are maintaining 21.5' from the existing building.

Hardship

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

majority of this area of the city will be transferring into MF or Commercial and these setbacks
may not applicable in future, without these reduced setbacks number of units will be reduced
significantly

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

The existing adjacent buildings have similar setbacks

Area Character

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

The proposed development may not change the character of the area adjacent to the property.
it is well fit in with the exsiting zoning

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: A. Madhe Date: 12-6-2021

Applicant Name (typed or printed): Lendi Capital Group

Applicant Mailing Address: 26603 Circle Mill Lane

City: Katy State: Texas Zip: 77494

Phone (will be public information): [REDACTED]

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: [Signature] Date: 10/11/21

Owner Name (typed or printed): 5413 GUADALUPE LLC

Owner Mailing Address: 119 E 6TH ST #705

City: Austin State: TX Zip: 78701

Phone (will be public information): _____

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

Section 5: Agent Information

Agent Name: Rao's Consulting Engineers

Agent Mailing Address: 1908 Yaupon Trail Unit 206

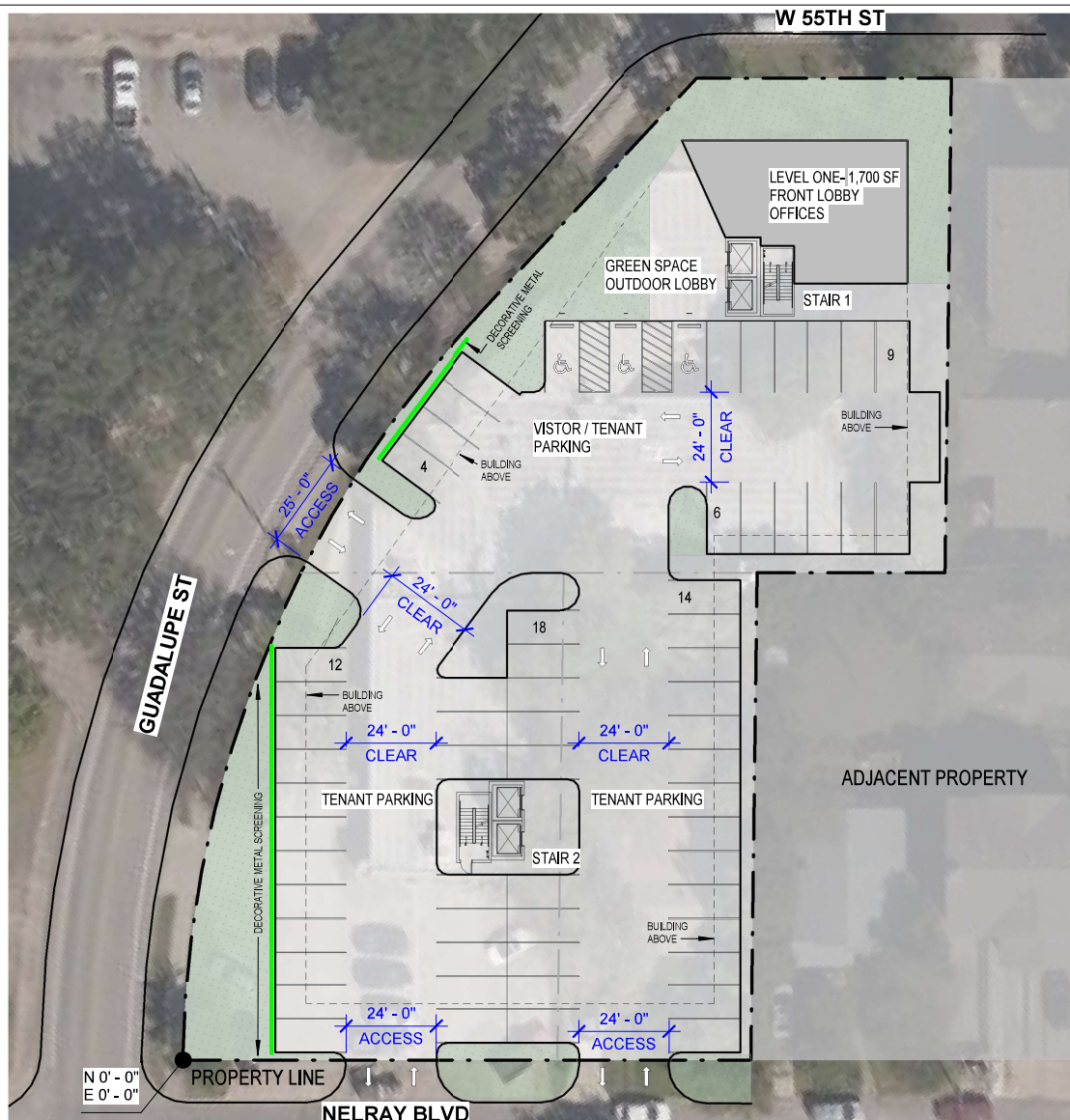
City: Cedar Park State: TX Zip: 78613

Phone (will be public information): (210) 549-7557

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).



DEVELOPMENT SYNOPSIS	
LEVEL 1	WELCOME CENTER VISITOR / RESIDENT PARKING (63 PARKING)
LEVEL 2	16 UNITS
LEVEL 3	16 UNITS

TOTAL UNITS : 32 UNITS
TOTAL PARKING: 63 PARKINGS
FLOOR TO FLOOR HEIGHT : 13' - 6"

GUADALUPE CONDO

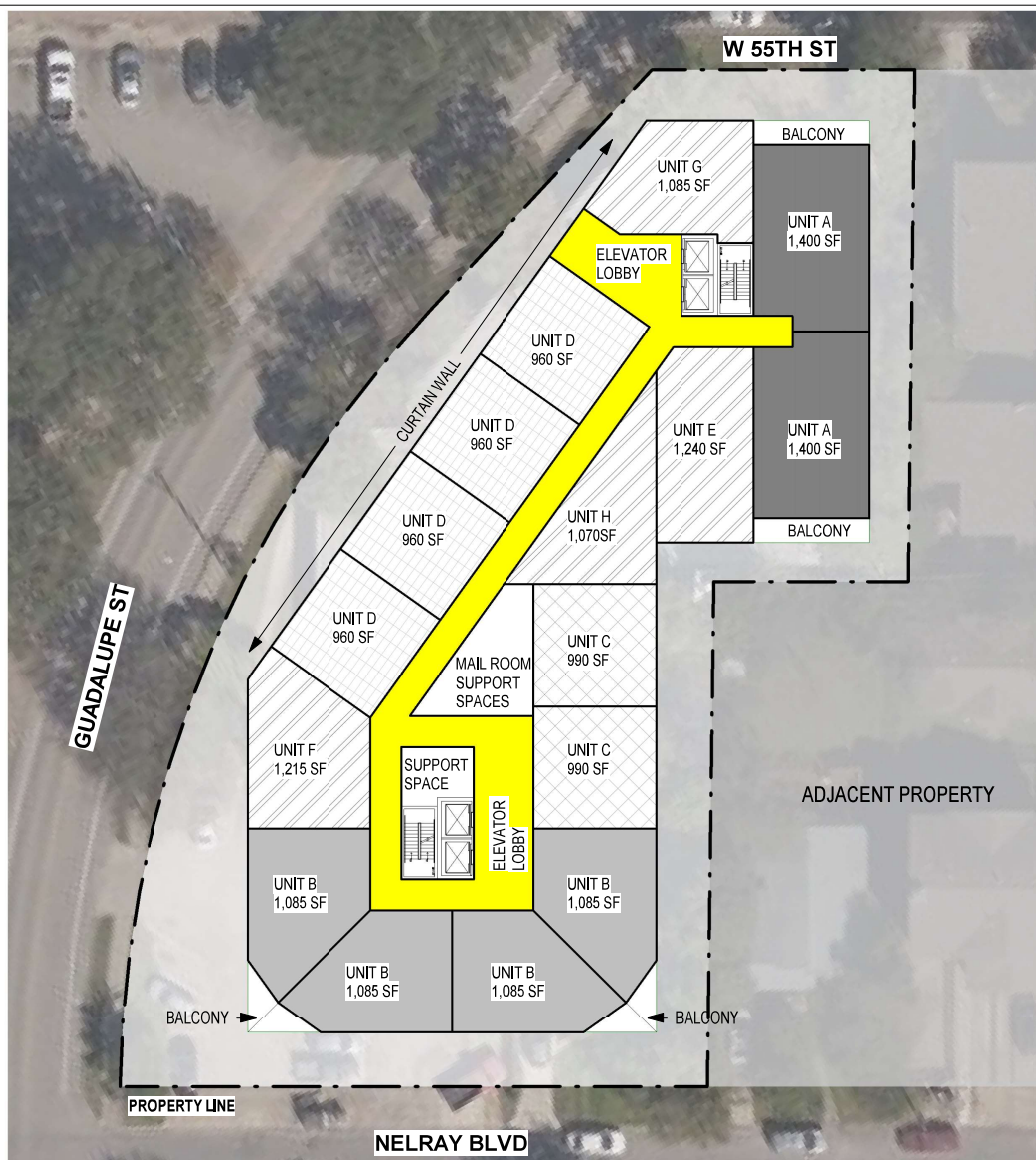


ELEMENT ARCHITECTS
1250 Wood Branch Park Drive Ste 480 Houston, TX 77079
Office Phone: (713) 874-0775 | www.elementarchitects.com

SITE PLAN



DATE: 11/15/2021



GUADALUPE CONDO

TYPICAL UNIT LAYOUT

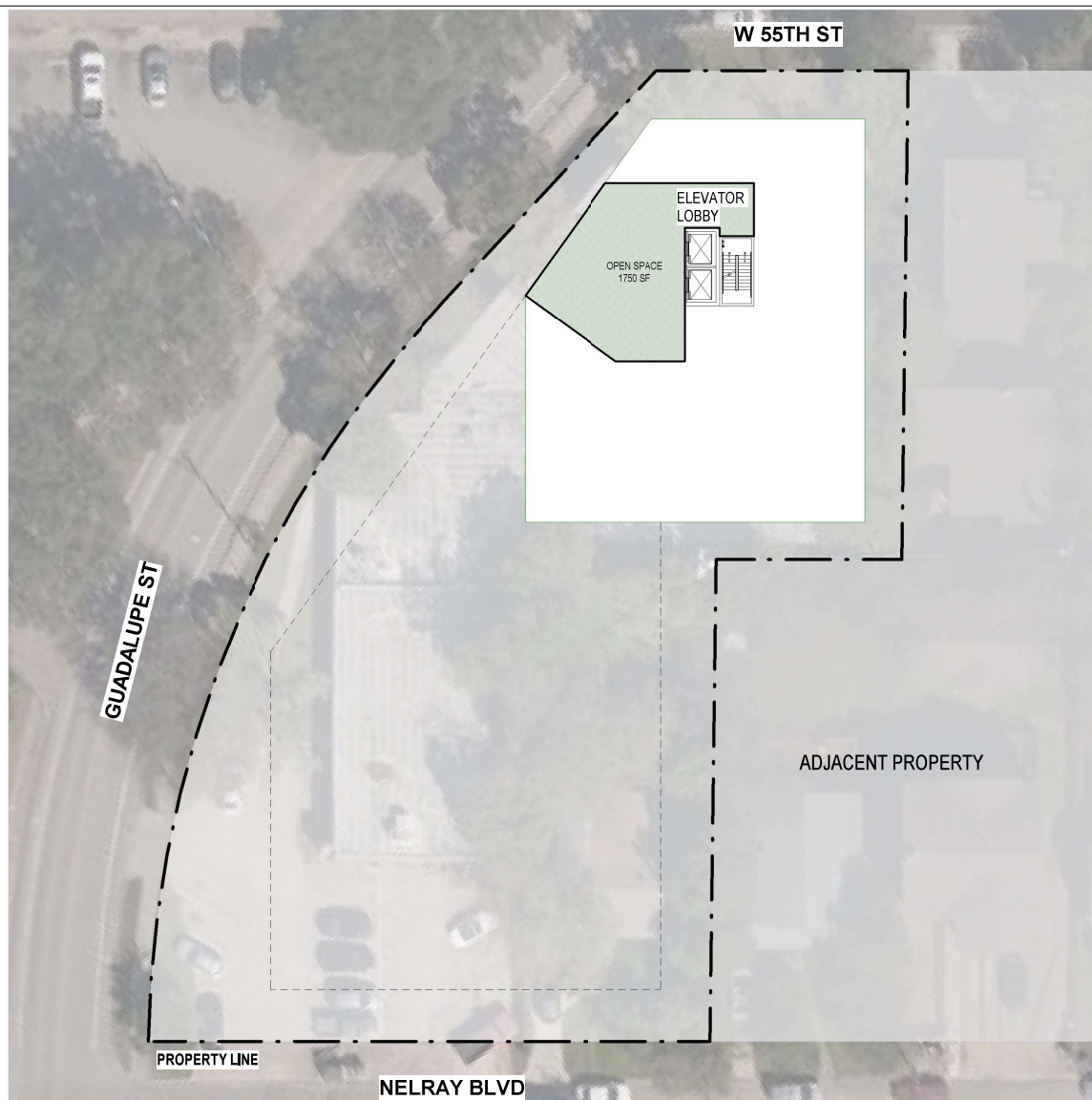


DATE: 11/15/2021



ELEMENT ARCHITECTS

1250 Wood Branch Park Drive Ste 480 Houston, TX 77079
Office Phone: (713) 874-0775 | www.elementarchitects.com



GUADALUPE CONDO



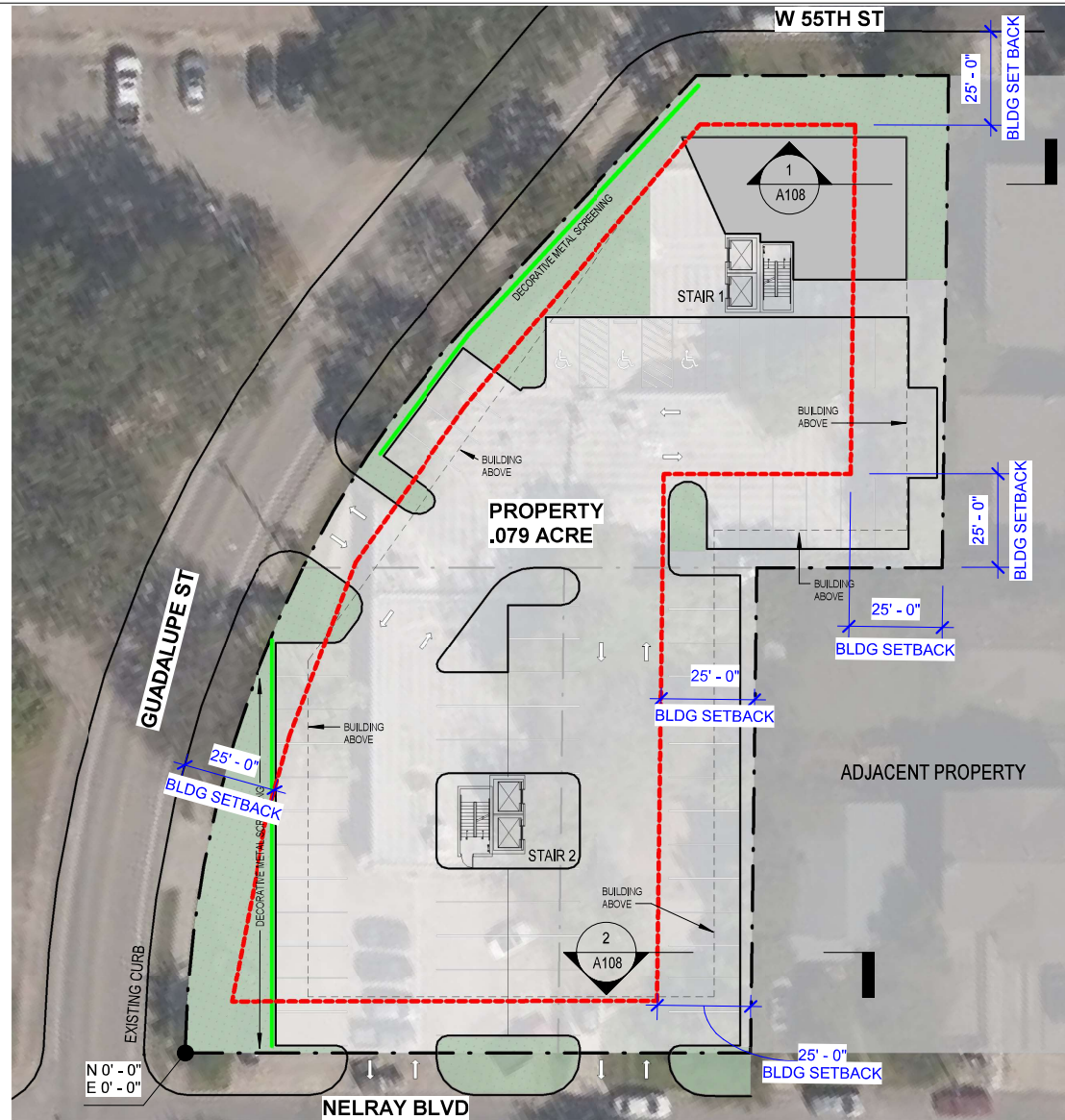
ELEMENT ARCHITECTS

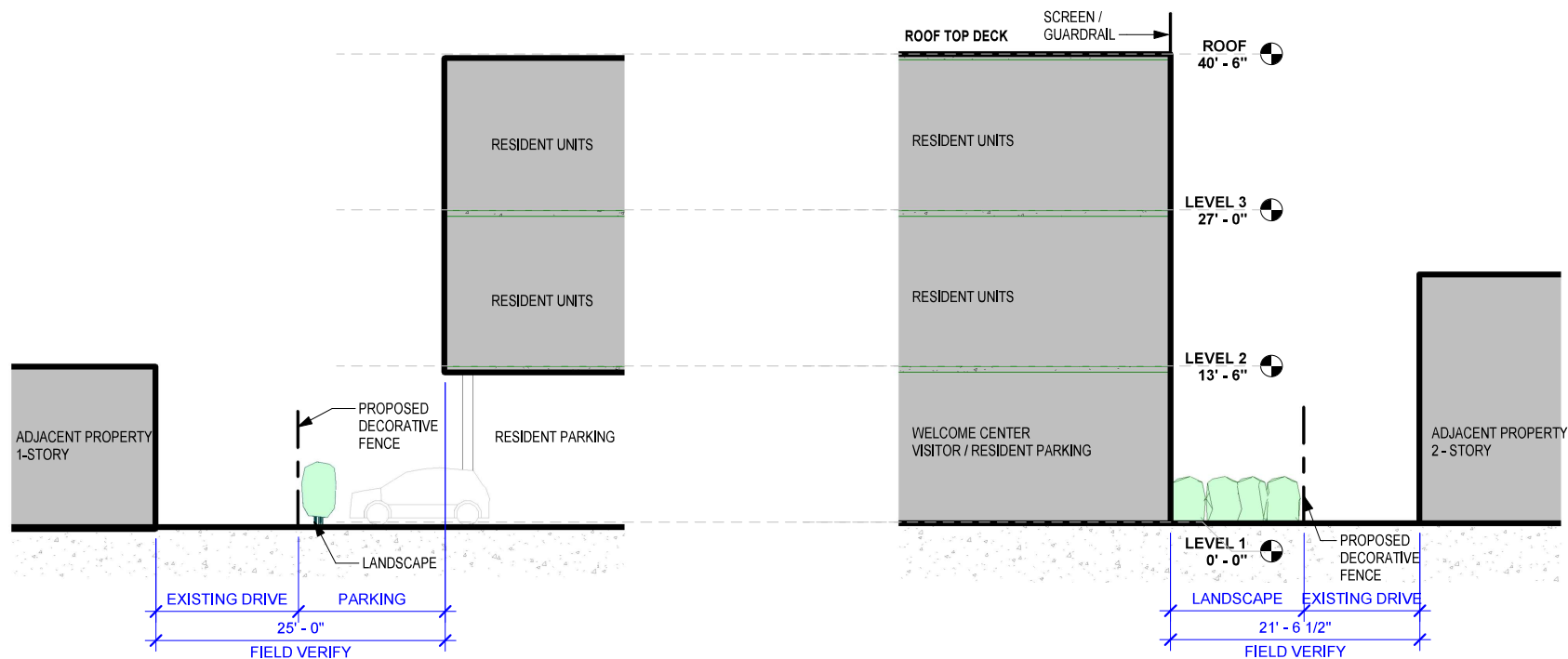
1250 Wood Branch Park Drive Ste 480 Houston, TX 77079
Office Phone: (713) 874-0775 | www.elementarchitects.com

ROOF LAYOUT



DATE: 11/15/2021





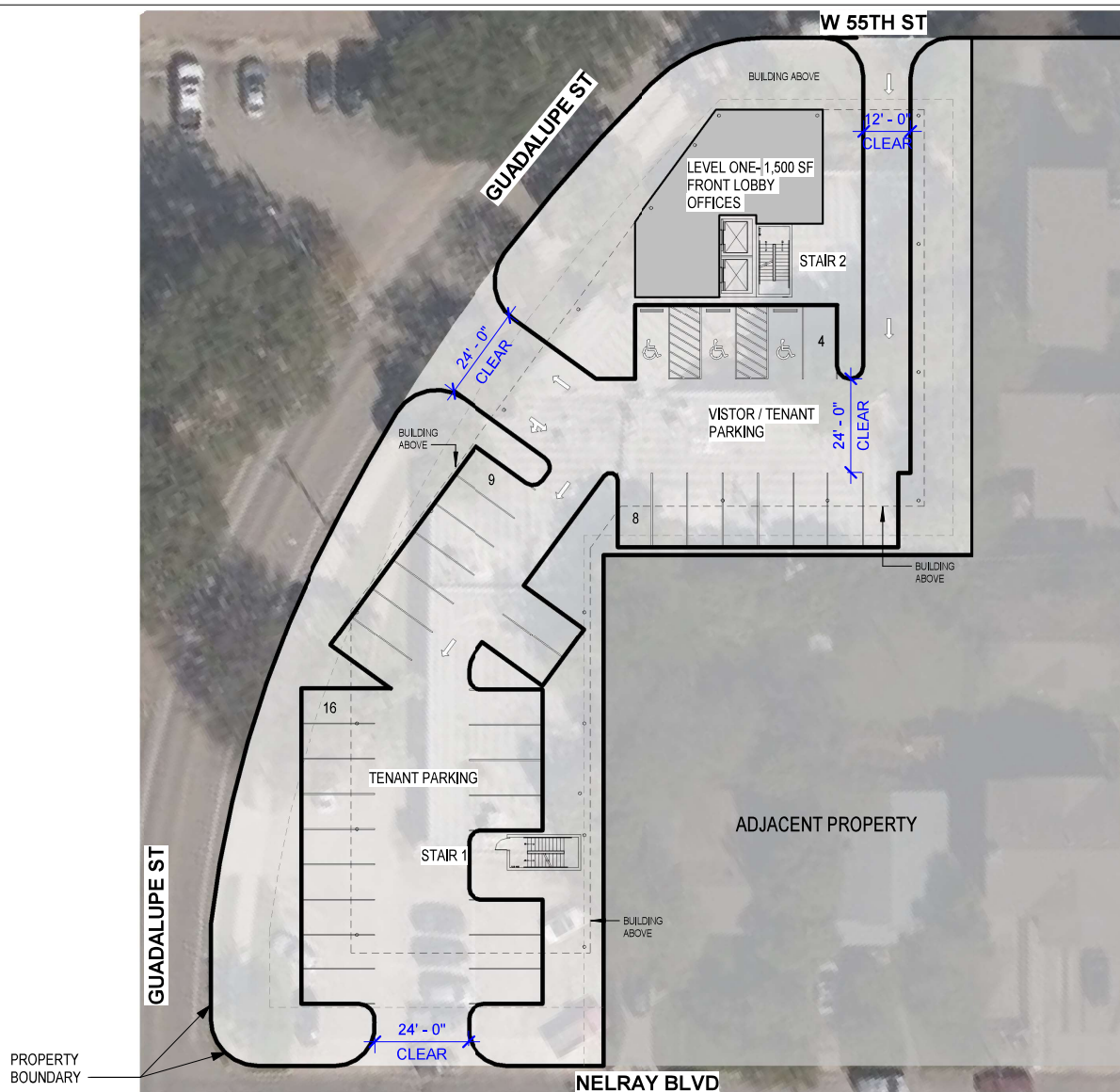
ELEMENT ARCHITECTS
1250 Wood Branch Park Drive Ste 480 Houston, TX 77079
Office Phone: (713) 874-0775 | www.elementarchitects.com

GUADALUPE CONDO

BUILDING SECTIONS



DATE: 11/15/2021



DEVELOPMENT SYNOPSIS	
LEVEL 1	WELCOM CENTER VISITOR / RESIDENT PARKING (37 PARKING)
LEVEL 2	10 UNITS
LEVEL 3	10 UNITS

TOTAL UNITS : 20 UNITS
 TOTAL PARKING: 37 PARKINGS
 FLOOR TO FLOOR HEIGHT : 13' - 6"

GUADALUPE CONDO



ELEMENT ARCHITECTS
 1250 Wood Branch Park Drive Ste 480 Houston, TX 77079
 Office Phone: (713) 874-0775 | www.elementarchitects.com

SITE PLAN OPT 2

0 15 30
 DATE: 09/21/2021

RAO'S CONSULTING ENGINEERS
5413 GUADALUPE STREET
AUSTIN, TEXAS

LEGEND

These hand-drawn symbols will be found in the platting.

- 1/2" Iron Rod Set
- PK Nail Set
- 1/2" Iron Rod Found
- 1/2" Iron Pipe Found
- 2" Steel Post Found
- Gas Meter
- Gate
- Mailbox
- Road Sign
- Clearcut
- Sanitary Sewer Mainline
- Water Valve
- Water Meter
- Light Pole
- Electric Box
- Down Guy
- Utility Pole
- Overhead Utilities
- Underground Cables & Fiber Optics Lines
- Chainlink Fence
- Wood Fence
- 2' Concrete Retainer
- Back of Curb
- Gutter
- Edge of Asphalt
- Gas Line



LOT 16, BLOCK 1
NORTHFIELD ANNEX NO. 2
VOL. 4 PG. 232
OFFICIAL PUBLIC RECORDS
HAYES COUNTY TEXAS

0.79 Acres

LOT 21, BLOCK 1
NORTHFIELD ANNEX NO. 2
VOL. 4 PG. 232
OFFICIAL PUBLIC RECORDS
HAYES COUNTY TEXAS

55TH STREET (50' R.O.W.)

LOCATION MAP (N.T.S.)

LOT 24,
BLOCK 1

LOT 22,
BLOCK 1

LOT 23,
BLOCK 1

LOT 14,
BLOCK 1

LOT 13,
BLOCK 1

LOT 12,
BLOCK 1

LOT 11,
BLOCK 1

LOT 15, BLOCK 1
NORTHFIELD ANNEX NO. 2
VOL. 4 PG. 232
OFFICIAL PUBLIC RECORDS
HAYES COUNTY TEXAS

Scale: 1" = 16'



ALTA/NSPS LAND TITLE SURVEY OF LOTS 16, AND 21, BLOCK 1, NORTHFIELD ANNEX NO. 2, ACCORDING TO PLAT RECORDED IN VOLUME 4, PAGE 232, PLAT RECORDS, TRAVIS COUNTY, TEXAS, AND DESCRIBED IN DEED TO 5413 GUADALUPE, LLC, OF RECORD IN DOCUMENT NO. 2016014900, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS,

AND

LOT 15, BLOCK 1, NORTHFIELD ANNEX NO. 2, ACCORDING TO PLAT RECORDED IN VOLUME 4, PAGE 232, PLAT RECORDS, TRAVIS COUNTY, TEXAS, AND DESCRIBED IN DEED TO 5413 GUADALUPE, LLC, OF RECORD IN DOCUMENT NO. 2019064853, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.

Survey Notes:

1. Bearings Based on NAD83, Texas Central Zone (4203).
2. Surveyor has not investigated the existence of Design Guidelines or other unrecorded documents as may be promulgated by an Architectural Control Committee.

COMMITMENT FOR TITLE INSURANCE: (Lot 15, Block 1)

Alliant National Title Insurance Company, Inc.
EFFECTIVE DATE: October 16, 2020

GF NO. 202003201
ISSUED DATE: October 26, 2020

1. The following restrictive covenants: Volumes 4, Page 232, Plat Records, Travis County, Texas.

10a. Public Utility Easement 3' in width along the rear property line of all lots per Plat; DOES AFFECT.

COMMITMENT FOR TITLE INSURANCE: (Lot 16 & Lot 21, Block 1)

Commonwealth Land Title Insurance Company
EFFECTIVE DATE: June 01, 2021

GF NO. 202102036
ISSUED DATE: June 14, 2021

10a. Public Utility Easement 3' in width along the rear property line of all lots per Plat, and partially released by Volume 3138, Page 2316, Deed Records, Travis County, Texas; DOES AFFECT. (Portion released is west 66.75 feet of northeast line of Lot 16 and the southwest line of Lot 21.

TABLE A ITEMS

1. Monuments placed are as shown on the survey.
2. The address assigned to the subject tract per Travis County Appraisal District is "5413 Guadalupe Street, Austin, Texas", for Lots 16 and 21, and "508 Nelray Blvd., Austin, Texas" for Lot 15.
3. According to the Flood Insurance Rate Map (FIRM) No. 48453C0455J, dated January 06, 2016, this property is located in Zone X: Areas determined to be outside the 0.2% annual chance floodplain.
4. Gross Land Area is 0.79 Acres, more or less.
5. Vertical relief with the source of information, contour interval, and datum are as shown on the survey.
- 6(a). Zoning Report not provided to Surveyor.
- 6(b). Zoning Report not provided to Surveyor.
- 7(a). Exterior dimensions of all buildings is shown on the survey.
8. All substantial features observed during the process of conducting the field work are shown on the survey.
9. There are 9 Parking Spaces, none of which are designated as Handicapped Only Parking Spaces.
- 11(a). Location of underground utilities shown is based on visible evidence and Texas 811 locate request No. 2180025490. All utilities marked as a result of this request by October 27, 2021, are shown hereon.
16. Any recent earth moving work, building construction, or building additions observed in the process of conducting the fieldwork are shown on survey.

To RAO'S Consulting Engineers, and its successors and/or assigns, and Alliant National Title Insurance Company, Inc.:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 5, 6(a), 6(b), 7(a), 8, 9, 11(b), and 16 of Table A thereof. The fieldwork was completed on November 02, 2021.

Date of Plat or Map: November 03, 2021

Amil M. Baker

Amil M. Baker, Jr.
Registered Professional Land Surveyor No. 1469



RICKMAN
LAND SURVEYING, LLC

TBPLS FIRM NO. 101913-00
419 BIG BEND
CANYON LAKE, TEXAS 78133
PHONE (830) 935-2457
WWW.RICKMANLANDSURVEYING.COM