

# AGENDA



## Recommendation for Council Action

Austin City Council	Item ID	43194	Agenda Number	40.
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Meeting Date:	5/7/2015	Department:	Development Services
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### Subject

Conduct a public hearing and consider an appeal by Daniel Llanes, regarding the Planning Commission's approval of a variance from City Code Section 25-2-721(B)(1), which prohibits the construction of a building or parking area within the primary setback of the Waterfront Overlay in the Red Bluff Subdistrict (District 3).

### Amount and Source of Funding

### Fiscal Note

Purchasing Language:	
Prior Council Action:	
For More Information:	Andrew Linseisen, Development Services Department, (512) 974-2239
Council Committee, Boards and Commission Action:	January 13, 2015 – Approved (two variances) by the Planning Commission on an 8-0-1 vote with Commissioner Oliver absent. A third variance request to construct a building in the primary setback was denied on 5-3-1 vote with Commissioners Hatfield, Roark and Nortey voting against the item and Commissioner Oliver absent. February 24, 2015 – Planning Commission approved a variance to allow construction within the primary setback during reconsideration on a vote of 7-1-1 Commissioner Chimenti voting against and Commissioner Varghese absent.
MBE / WBE:	
Related Items:	

### Additional Backup Information

Daniel Llanes, an interested party representing the Govalle/Johnston Terrace Neighborhood Contact Team/Riverbluff Neighborhood Association, is appealing the Planning Commission's decision to approve a variance to allow construction of a building within the primary setback of the Waterfront Overlay in the Red Bluff Subdistrict.

The associated site plan case number is SP-2014-0175A. The site is in District 3. Staff recommends denial of the appeal, and approval of the variance request.