

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

DATE: Monday July 9, 2018

CASE NUMBER: C15-2018-0017

<input checked="" type="checkbox"/>	Brooke Bailey
<input checked="" type="checkbox"/>	William Burkhardt
<input checked="" type="checkbox"/>	Christopher Covo
<input checked="" type="checkbox"/>	Eric Golf
<input type="checkbox"/>	Melissa Hawthorne (ABSTAINED)
<input type="checkbox"/>	Bryan King
<input checked="" type="checkbox"/>	Don Leighton-Burwell
<input type="checkbox"/>	Rahm McDaniel OUT
<input checked="" type="checkbox"/>	Martha Gonzalez (Alternate)
<input checked="" type="checkbox"/>	Veronica Rivera
<input checked="" type="checkbox"/>	James Valdez
<input checked="" type="checkbox"/>	Michael Von Ohlen
<input checked="" type="checkbox"/>	Kelly Blume (Alternate)
<input type="checkbox"/>	Pim Mayo (Alternate)

APPLICANT: Richard Suttle

OWNER: Seamless 290 West DE LTD AND SEAMLESS GCW LTD

ADDRESS: 1303,1307,1311 AND 1401 S LAMAR BLVD

VARIANCE REQUESTED: The applicant has requested variance(s) to Article 10, Compatibility Standards, Section 25-2-1063 (*Height Limitations and Setbacks for Large Sites*) (C) (3) to increase the allowed height of a structure that is more than 100 feet but not more than 300 feet from property along the south and west property lines that is zoned SF-5 or more restrictive, from 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive from 50 feet (required, permitted) to 60 feet (requested) in order to construct a mixed use structure in a "CS-V", General Commercial Services - Vertical Mixed Use and "CS-V-CO", General Commercial Services – Vertical Mixed Use - Conditional Overlay zoning district.

BOARD'S DECISION: May 14, 2018 POSTPONED TO JUNE 11, 2018 BY APPLICANT; June 11, 2018 The public hearing was closed on Board Member Michael Von Ohlen motion to Postpone to July 9, 2018, Board Member Veronica Rivera second on a 10-0 vote; POSTPONED TO July 9, 2018; July 9, 2018 The public hearing was closed on Board Member Michael Von Ohlen motion to Grant with two conditions that were not opposed by the applicant:
1) There will be no rooftop amenity; and

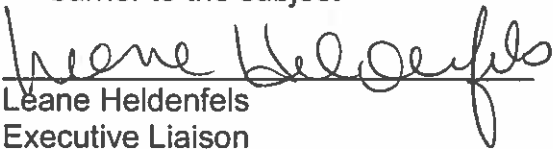
2) the proposed structure will be limited in height, stories as illustrated in exhibits 3A and 3B (attached), Board Member Christopher Covo second on a 10-1 vote (Board member Bryan King nay); GRANTED WITH TWO CONDITIONS :

- 1) THERE WILL BE NO ROOFTOP AMENITY; AND
- 2) THE PROPOSED STRUCTURE WILL BE LIMITED IN HEIGHT, STORIES AS ILLUSTRATED IN EXHIBITS 3A AND 3B (ATTACHED).

EXPIRATION DATE: JULY 9, 2019

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: Ordinance No 20081016-049 added the V combining district allowing owners to construct VMU buildings along Core Transit Corridors such as Lamar Boulevard.
2. (a) The hardship for which the variance is requested is unique to the property in that: a heritage tree is being preserved on the property which reduces density on the site, compatibility setback and height restriction requirements are being triggered from properties to the east of the site that are separated by a railroad and located in a 25 year floodplain/Critical Water quality Zone/Erosion Hazard Zone. All triggered properties except two are owned by the City of Austin (lots 1& 2) are currently undeveloped and because of their location in the CWQZ, they cannot be developed, the other triggering properties are 1108 Jewell Street (Lot 3) a boarded up single family home
(b) The hardship is not general to the area in which the property is located because: most of the other VMU zoned properties along the east of Lamar are not in close proximity to similar triggering single family zoned properties to the east, additionally they are not in close proximity to single family triggering properties located in floodplain, the critical water quality zone or the erosion hazard zone.
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: having slightly greater distance setback will allow for the development of the proposed Vertical Mixed use project along a Core Transit Corridor while complying with the compatibility setback guidelines, VMU zoning for this property limits height to 60 feet, the project will comply with this height limit. Additionally, the floor plain /CWQZ between the railroad and 7th Street is densely wooded providing a natural visual barrier to the subject


Leane Heldenfels
Executive Liaison


William Burkhardt
Chairman

Exhibit 3A

Area limited to 4
Stories in Height

**Triggering
Parcels**
-1108 Jewell St.
Demolition Permit
#2018-104776

LOT 4
1108
Jewell St.
FLOODPLAIN
NO CONSTRUCTION

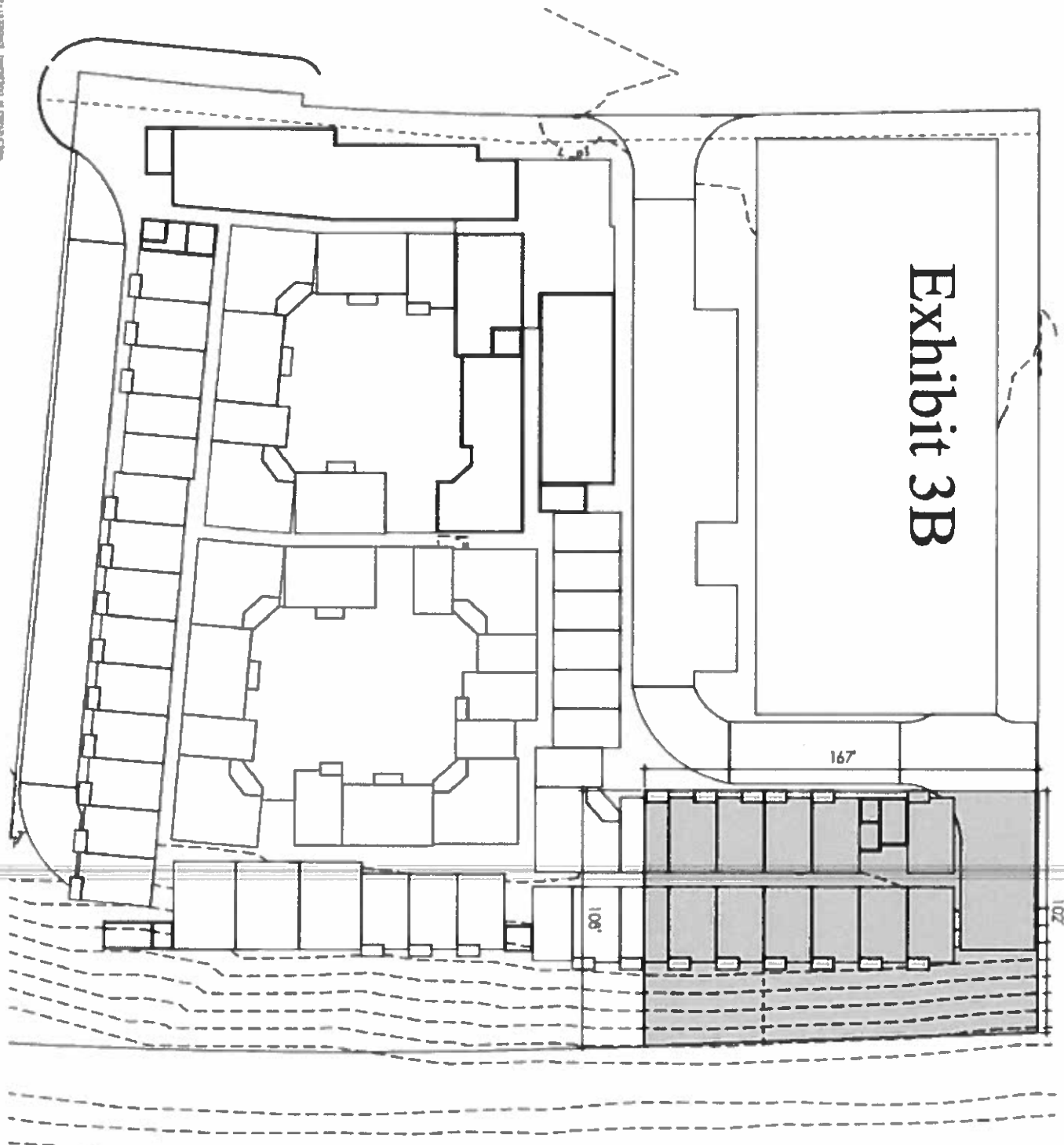
**Jewell Street, LP
Estate**

LOT 1
CITY OF
AUSTIN
LOT 1

LOT 2
CITY OF
AUSTIN
LOT



Exhibit 3B



█ = 4 STORY LIMIT



NO. 15 PLANNING BOARD - PLANNING & CONSTRUCTION
Application No. 07000718

1311 SOUTH LAMAR | SCHEMATIC SITE PLAN | 07000718

