

**CITY OF AUSTIN**  
**Board of Adjustment**  
**Decision Sheet**  
**D-7**

**DATE: Monday June 14, 2021**

**CASE NUMBER: C15-2021-0035**

☐ Y ☐ Thomas Ates  
☐ Y ☐ Brooke Bailey  
☐ Y ☐ Jessica Cohen  
☐ Y ☐ Melissa Hawthorne  
☐ Y ☐ Don Leighton-Burwell  
☐ Y ☐ Rahm McDaniel  
☐ Y ☐ Darryl Pruet  
☐ Y ☐ Agustina Rodriguez  
☐ - ☐ Michael Von Ohlen  
☐ Y ☐ Nicholl Wade  
☐ - ☐ Vacant  
☐ - ☐ Kelly Blume (Alternate)  
☐ Y ☐ Carrie Waller (Alternate)  
☐ - ☐ Vacant (Alternate)

**APPLICANT:** Nikelle Meade

**OWNER:** Pressler RRI, LP

**ADDRESS:** 1409, 1501, 1505 W. 3<sup>rd</sup> St. and 300, 301 Pressler St.

**VARIANCE REQUESTED:** The applicant is requesting a variance(s) from the Land Development Code, Section 25-2-736 (D) (*Lamar Subdistrict Regulations*) to increase height limit from 60 feet (maximum allowed) to 75 feet (requested) in order to erect Multi-Family Residential Mixed Use in a “CS-CO-NP & LI-CO-NP”, General Commercial Services – Conditional Overlay - Neighborhood Plan and Limited Industrial – Conditional Overlay Neighborhood Plan zoning district. (Old West Austin Neighborhood Plan)

**BOARD’S DECISION:** **BOA April 12, 2021 cancelled; May 10, 2021 POSTPONED TO JUNE 14, 2021 DUE TO LACK OF BOARD MEMBERS/VOTES; June 14, 2021 The public hearing was closed by Chair Jessica Cohen, Board Member Brooke Bailey motions to Grant; Board Member Rahm McDaniel seconds on a 10-0 vote; GRANTED.**

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: they limit the number of people who have direct access to and views of adjacent parkland and Lady Bird Lake, which is a barrier to achieving the purpose of the Waterfront Overlay, this property is currently a former commercial and industrial site and approval would allow for the redevelopment of the property with a greater capacity for new housing supply than

otherwise possible, substantial parkland improvements, new pedestrian amenities, enhanced connectivity and access to public transit.

2. (a) The hardship for which the variance is requested is unique to the property in that: the property has a long and narrow configuration, the property is also a bluff, adjacent to parkland to the south and an active railroad to the north, with heritage trees, slopes, easements and a required setback from an erosion hazard zone and the planned public plaza, park entrance, railroad crossing arms, trail, required on-site fire lanes, firefighter walkway, and loading all present additional hardships.

(b) The hardship is not general to the area in which the property is located because: a property of this size and configuration is not typical of the area and there are few other properties that are enclosed by adjacent dedicated City owned parkland, active railroad tracks and sloped creek banks

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: approval will only enhance the area's character since the project would include substantial parkland improvements and pedestrian amenities and new connectivity between W Cesar Chavez St, public transit, and residents and employees to the north, and the Lamar Beach Park, Lady Bird Lake, Lance Armstrong Bikeway, Hike and Bike trail, and youth fields to the south, in addition construction would not impair the visibility of the lake due to the nature of surrounding uses and sloping topography and the Property is outside the overlay setback lines

  
Elaine Ramirez  
Executive Liaison

Diana Ramirez for  
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Jessica Cohen  
Chairman