

CITY OF AUSTIN
Board of Adjustment
Decision Sheet
E-3

DATE: Monday July 12, 2021

CASE NUMBER: C15-2021-0048

Y Thomas Ates
 N Brooke Bailey
 Y Jessica Cohen
 - Melissa Hawthorne RECUSING
 N Barbara Mcarthur
 - Rahm McDaniel (OUT)
 N Darryl Pruett
 Y Agustina Rodriguez
 - Richard Smith (OUT)
 Y Michael Von Ohlen
 Y Nicholl Wade
 Y Kelly Blume (Alternate)
 Y Carrie Waller (Alternate)
 - Vacant (Alternate)

APPLICANT: Stephen Drenner

OWNER: Austin Hedge 35 Borrower, LLC

ADDRESS: 8300 IH 35 SVRD SB

VARIANCE REQUESTED: The applicant is requesting a variance(s) from the Land Development Code, Section 25-6-472 (*Parking Facility Standards*) Appendix A (*Tables of Off-Street parking and Loading Requirements*) to reduce the number of required parking spaces from 1.5 spaces and 1.5 spaces + 0.5 spaces per bedroom (required) to 1 spaces (requested) in order to complete a Multi-Family residential structure providing 226 units of significantly Affordable housing in a “CS-MU-CO-NP”, General Commercial Services-Mixed Use-Conditional Overlay-Neighborhood Plan zoning district. (Georgian Acres Neighborhood Plan)

BOARD’S DECISION: **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 Rahm McDaniel motions to postpone to July 12, 2021; Board Member Don Leighton-Burwell seconds on a 9-0 vote (Board Member Melissa Hawthorne recused); POSTPONED TO JULY 12, 2021. July 12, 2021 The public hearing was closed by Chair Jessica Cohen, Board Member Jessica Cohen motions to Grant with conditions that owners construct and maintain a trail, and obtain a 2 year parking agreement from the neighbors; Board Member Nicholl Wade seconds on a 7-3-1 vote**

(Board members Brooke Bailey, Barbara McArthur, and Darryl Pruett nays; Melissa Hawthorne recused); DENIED.

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the desired use of this property is a conversion from a hotel use to a deeply affordable multifamily use, the parking requirements exceed the necessary parking for this particular use, and to provide such parking would reduce the density of the affordable project.
2. (a) The hardship for which the variance is requested is unique to the property in that: the hardship is incurred by the conversion of a hotel building into a dense affordable multifamily use, thereby necessitating use of the existing structures on site, accommodating current parking requirements would require a reduction in deeply affordable housing units
(b) The hardship is not general to the area in which the property is located because: the conversion of an existing hotel building of this area into Affordable multifamily residences
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: the buildings footprint and parking configuration will remain the way it has existed since 1981, the adjacent property to the north, and that warps to the west of the property is a multifamily use and the property adjacent to the south is a hotel use.

PARKING: (Additional criteria for parking variance only)

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 specified regulation because: by providing the project with the requested variance, 226 parking spaces will be provided which is adequate for a deeply Affordable housing project located less than ½ mile to bus transit
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: the granting of this variance will not result in the parking or loading of vehicles on public streets, the site is designed in a manner that allows for pickup and drop off to happen on the site and no cars are able to be parked adjacent to the site
3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objective of this Ordinance because: the granting of this variance will not create any safety hazards due to the reduction of vehicle circulation and the restoration of the sidewalk and driveway aprons at the entrance and exit of the site
4. The variance will run with the use or uses to which it pertains and shall not run with the site because: this parking variance is only needed for the conversion of a hotel structure into a dense Affordable multifamily use and therefore the request is only being made in conjunction with the conversion of the structure.


Elaine Ramirez
Executive Liaison

Diana Ramirez for

Jessica Cohen
Chair