



## BOARD OF ADJUSTMENT RECOMMENDATION 20211108-F-4

Date: 11/08/2021

Subject: Resolution for Board of Adjustment hearings/meetings to continue at Austin City Hall

Motioned By: Board Member Thomas Ates

Seconded By: Vice-Chair Melissa Hawthorne

### **Recommendation**

On 11/8/2021 the Board of Adjustment unanimously approved a resolution for board meetings to continue to be held at City Hall.

### **Description of Recommendation to Council**

Please see accompanying Resolution

### **Rationale:**

In the interest of transparency, equity, and accessibility for all Austinites to the Board of Adjustment, the Board is in unanimous agreement that future hearings and meetings should continue to be held at Austin City Hall.

### **Vote**

For: 11

Against: 0

Abstain: 0

Absent: 0

Attest:

A handwritten signature in black ink, appearing to be "JC", written over a horizontal line.

Chair Jessica Cohen

City Council & City Manager,

**WHEREAS**, since the opening of City Hall it has hosted the meetings of the Board of Adjustment; and

**WHEREAS**, the Board of Adjustment is a quasi-judicial sovereign board only appealable to state district court rather than city council that has an impact on the development and growth of the City of Austin; and

**WHEREAS**, sovereign boards are held to a higher standard than advisory boards and commissions; and

**WHEREAS**, land use board and commission public hearings take place outside normal business hours; and

**WHEREAS**, the Board of Adjustment is not a city department or service; and

**WHEREAS**, City management has decided to move the meetings of the Board of Adjustment, the Planning Commission, and the Zoning and Platting Commission to the City of Austin Permitting and Development Center (PDC) at Highland Mall without informing the Board or the public; and

**WHEREAS**, moving the Board of Adjustment public hearings to the PDC places an undue burden on the public, the staff and the board members; and

**WHEREAS**, public hearings for variances, special exceptions, and administrative appeals by the Board of Adjustment should be in the same location as city council and other land use commissions to avoid confusing the public; and

**WHEREAS**, PDC signage is lacking, with only small signs on the glass doors facing Wilhelmina Delco Drive, the PDC's official address, making it easy for participants to miss, yet the public entrance is on Thomas Hatfield Way; and

**WHEREAS**, seven high-frequency bus routes serve City Hall including two MetroRapid, yet only two high-frequency bus routes – the 7 and the 337 – and the Red Line serve the PDC, and the bus stops are closer to City Hall than they are to the PDC; and

**WHEREAS**, the safety and security of participants is paramount and City Hall has metal detectors, security immediately outside the chamber and secure parking; and

**WHEREAS**, Highland Mall is a construction zone so pedestrians and transit riders will have to walk past empty lots at night including a vacated lot used for surface parking across the street from the PDC, while City Hall is in the middle of an active, walkable downtown; and

**WHEREAS**, City Hall has a dais, computers on the dais, work tables for staff and comfortable, permanent chairs for the public while the PDC facility at Highland Mall is a multi-purpose room; and

**WHEREAS**, there is no reason operationally to move the Board of Adjustment meetings to the PDC because support staff does not all work at that location; and

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ADJUSTMENT OF THE CITY OF AUSTIN:**

The Board of Adjustment hereby respectfully requests that its meeting location continue to be Austin City Hall.