



AGENDA MEETING MINUTES

July 13, 2022

The Board of Adjustment -Special called meeting convened on Wednesday, July 13, 2022. Some members of the Board of Adjustment may be participating by videoconference. The meeting may be viewed online at: <http://www.austintexas.gov/page/watch-atxn-live>.

Madam Jessica Cohen (Chair) called the Board Meeting to order at 5:15 p.m.

Board Members in Attendance (in person): Madam Jessica Cohen (Chair), Brooke Bailey, Ryan Nill, Richard Smith, Michael Von Ohlen, Kelly Blume (Alternate), Marcel Gutierrez-Garza (Alternate)

Board Members in Attendance (virtually via teleconference): Thomas Ates, Agustina Rodriguez, Nicholl Wade, Carrie Waller (Alternate)

Board Members Absent: Melissa Hawthorne (Vice Chair) Recused, Barbara McArthur, Darryl Pruett

City Staff in Attendance: Elaine Ramirez (Board Liaison), Chad Shaw (Board Attorney) and Diana Ramirez (Board Secretary)

EXECUTIVE SESSION (No public discussion)

The Board of Adjustment will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel on matters specifically listed on this agenda. The Board of Adjustment may also announce it will go into Executive Session, if necessary, to receive advice from Legal Counsel regarding any other item on this agenda.

Private Consultation with Attorney – Section 551.071

CALL TO ORDER

A. INTERPRETATION NEW PUBLIC HEARINGS

**A-1 C15-2022-0051 Stuart Hersh (Appellant)
TDC Griffin Windsor Owner, LLC
5900 Westminster Drive**

On-Line Link: [Item A-1](#)

The appellant has filed an appeal challenging staff's interpretation of Chapter 25-2, Subchapter E (*Design Standards and Mixed Use*) of the Land Development Code in connection with approval of a Site Plan application for construction of a Vertical Mixed-Use (VMU) development at the above-referenced address. The appellant contends that the Site Plan does not meet the Land Development Code, Subchapter E Sections 1.1, 1.5, 2.1, 2.2, 2.8, 3.1, 4.1, and 4.3 in a "GR-V-CO-NP", Community Commercial-Vertical Mixed Use-Conditional Overlay-Neighborhood Plan zoning district (Windsor Park Neighborhood Plan).

Note: Subchapter E: Design Standards and Mixed Use, Article 1 – General Provisions, Article 2 – Site Development Standards, Article 3 – Building Design Standards, and Article 4 – Mixed Use:

Article 1 – General Provisions

- *1.1 General Intent*
- *1.5 Alternative Equivalent Compliance*

Article 2 – Site Development Standards

- *2.1 Intent*
- *2.2 Relationship of Buildings to Streets and Walkways*
- *2.8 Shade and Shelter*

Article 3 – Building Design Standards

- *3.1 Intent*

Article 4 – Mixed Use

- *4.1 Intent and*
- *4.3 Vertical Mixed Use Buildings*

The public hearing was closed by Madam Chair Jessica Cohen, Board member Michael Von Ohlen motions to deny the appeal request and uphold City staff's interpretation; Board member Marcel Gutierrez-Garza seconds on a 7-4 vote (Board members Brooke Bailey, Jessica Cohen, Ryan Nill, Richard Smith nay, Melissa Hawthorne recused); APPEAL DENIED-UPHELD STAFF'S INTERPRETATION.

B. ADJOURNMENT 8:46 PM

The City of Austin is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications *will be provided upon request*. Meeting locations are planned with wheelchair access. **If requiring Sign Language Interpreters or alternative formats, please give notice at least 2 days before the meeting date**. *Please call* or email Board Liaison Elaine Ramirez, Development Services, at 512-974-2202 / elaine.ramirez@austintexas.gov or Board Secretary Diana Ramirez, Development Services, at 512-974-2241 / diana.ramirez@austintexas.gov , for additional information; *TTY users route through Relay Texas at 711.*

For more information on the Board of Adjustment, please contact Board Liaison, Elaine Ramirez, Development Services, at 512-974-2202 / elaine.ramirez@austintexas.gov

The minutes were approved at the August 8, 2022 meeting on Melissa Hawthorne's motion, Jessica Cohen second on a (8-0) vote. Board member Melissa Hawthorne and Barbara McArthur abstained