

## AGENDA



Thursday, January 10, 2008

**Item(s) to Set Public Hearing(s)  
RECOMMENDATION FOR COUNCIL ACTION****Item No. 59**

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**Subject:** Set a public hearing to consider an appeal by CWS Capital Partners, LLC, of the Planning Commission's decision to deny requested Waterfront overlay variances, under Section 25-2-713(B) of the City Code for property located at 222 E. Riverside. (Suggested date and time: February 14, 2008 at 6:00 p.m., Austin City Hall, 301 W. Second Street, Austin, TX.)

**Fiscal Note:** There is no unanticipated fiscal impact. A fiscal note is not required.

**For More Information:** George Zapalac, 974-2725; Javier Delgado, 974-7648

**Boards and Commission Action:** The Planning Commission denied the requested Waterfront Overlay variances and site plan; The PARD Board recommended denial of the requested Waterfront Overlay variances.

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CWS Capital Partners, LLC is appealing the Planning Commission's decision to deny a requested Waterfront Overlay variance under 25-2-713(B) of the City Code.

The proposed development consists of 390 units of multi-family residential, parking garage, water quality pond, hike and bike trail and other associated improvements. The applicant requests approval of the site plan and a variance from the South Shore Central Sub-district of the Waterfront Overlay code requirements. City staff recommended denial of the requested Waterfront Overlay variance and disapproval of the site plan.

On October 9, 2007, the Planning Commission denied the variance and site plan. The requested variance was as follows:

1. Variance to Section 25-2-742 (C1): to reduce the secondary setback line of 50-feet from the primary setback line parallel to Town Lake shoreline to 0 feet.

The appeal is only applicable to the requested variance from the Waterfront Overlay. If the appeal is granted, the site plan will then have to address all other code requirements and will then be reviewed by the Planning Commission for its approval or denial.