ZONING REVIEW SHEET

CASE: C14-2007-0092 **P. C. DATE:** September 11, 2007

ADDRESS: 300 San Jacinto Boulevard

OWNER: Brazos REI POE, LLC (Matthew Hooks) **AGENT:** Drenner & Golden Stuart Wolff, LLP (Michele Rogerson)

REZONING FROM: CBD (Central Business District)

TO: CBD-CURE (Central Business District - Central Urban Redevelopment) combining district

AREA: 0.811 Acres (35,327.16 square feet)

SUMMARY PLANNING COMMISSION RECOMMENDATION:
September 11, 2007:
APPROVED STAFF'S RECOMMENDATION FOR CBD-CURE-CO ZONING; BY CONSENT. [M.DEALEY, T.ATKINS 2ND] (8-0)

SUMMARY STAFF RECOMMENDATION:

Staff recommends CBD-CURE-CO (Central Business District - Central Urban Redevelopment Conditional Overlay) combining district with conditions. The CURE combining district shall modify the floor to area ratio (FAR) from 8:1 to 20:1. The recommended conditional overlay shall restrict the daily vehicle trips to less than 3,787 unadjusted trips per day and implement recommendations from the Traffic Impact Analysis (TIA) as described in the attached TIA Memo from the Watershed Protection and Development Review Department dated September 5, 2007 (Please see Attachment A). Furthermore, under a public restrictive covenant, the applicant, at owner's expense, shall participate in the Great Streets Program for portions of public right-of-way fronting the subject site that have not been improved to Great Streets standards.

The Staff recommendation is based on the following considerations:

1.) The proposed land uses and zoning classification are compatible with existing CBD and commercial, office, retail, and mixed-use development along San Jacinto Boulevard and East 3rd Street;
2.) The underlying zoning district is not proposed to change, retaining consistency in zoning classifications in the area;
3.) The subject site lies within the designated Core Downtown District as identified by the Downtown Austin Design Guidelines which recommend providing a dense, multi-tenant, pedestrian-oriented developments at street level while encouraging the densification of the downtown core;
4.) The subject property lies within the downtown CURE district;
5.) Great Streets Program participation via a public restrictive covenant, at owner's expense, has been recommended and approved by the City Council on CURE projects in the downtown core..

DEPARTMENT COMMENTS:

The subject property consists of a 0.811 Acres (35,327.16 square feet) site zoned CBD fronting San Jacinto Boulevard, Brazos Street, and East 3rd Street. The property is currently the site an office/paper

company. The site lies within the designated Core Downtown District as identified by the Downtown Austin Design Guidelines recommending providing a dense, multi-tenant, pedestrian-oriented development at street level while encouraging the densification of the downtown core and within the Central Urban Redevelopment (CURE) overlay district. Redevelopment on this site will be subject to Subchapter E, Design and Mixed Use Standards and the Parkland Dedication Ordinance. Vehicular access is proposed off San Jacinto Boulevard, Brazos Street, and East 3rd Street.

The application of the CURE combining district is proposed to modify the FAR from 8:1 to 20:1, yielding an approximate maximum height of 580 feet. The proposed redevelopment of the site is a mixed-use project consisting of a hotel with approximately 220 rooms, approximately 214 residential condominiums, and 2,250 square feet of café/restaurant area.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	CBD	Warehousing / office
North	CBD	Apartments / Condominiums
South	CBD	Retail / Parking / Restaurant
East	CBD	Warehousing / office
West	CBD	Offices / Bank

WATERSHED: Town Lake, Waller Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

CURE DISTRICT: Yes

HISTORIC DISTRICT: No

TIA: Yes (See Transportation comments)

NEIGHBORHOOD ORGANIZATIONS:

789--Friends of Las Manitas and Escuelita del Alma
300--Terrell Lane Interceptor Assn.
511--Austin Neighborhoods Council
402--Downtown Austin Neighborhood Assn. (DANA)
438--Downtown Austin Alliance
623--City of Austin Downtown Commission
742--Austin Independent School District
744--Sentral Plus East Austin Koalition (SPEAK)
767--Downtown Austin Neighborhood Coalition
786--Home Builders Association of Greater Austin
1037--Homeless Neighborhood Organization

SCHOOLS:
Austin Independent School District

- Matthews Elementary School
- O. Henry Middle School
- Austin High School

CASE HISTORIES: N/A

RELATED CASES:

NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14H-98-0005	CBD to CBD-H	07/21/98: APVD CBD-H BY CONSENT (8-0)	08/20/98: APVD CBD-H (4-0); 1ST RDG 12/03/98: APVD CBD-H (6-0) 2ND/3RD RDGS
C14-00-2207	CBD to CBD-CURE	11/14/00: APVD STAFF REC OF CBD-CURE (6-1-1, JM-NAY, RC-ABSTAIN)	11/30/00: APVD CBD-CURE W/CONDS (6-0); ALL 3 RDGS
C14-00-2208	CBD to CBD-CURE	11/14/00: APVD STAFF REC OF CBD-CURE (6-1-1, JM-NAY, RC-ABSTAIN) 05/21/01: HISTORIC LANDMARK COMMISSION: APVD DEMOLITION PERMITS FOR 401, 413, & 415-417 CONGRESS (9-0-1, LAKY-ABSTAIN) CONTINGENT UPON SDP FOR COUSINS STONE 4TH & CONGRESS PROJECT	11/30/00: APVD CBD-CURE W/CONDS (6-0); ALL 3 RDGS
C14-05-0165	CBD to CBD-CURE	10/18/05: ZAP APVD CBD-CURE-CO W/CONDS (7-1-1, JP-NO, MH-ABSTAIN).	11/17/05: APVD CBD-CURE (7-0); ALL 3 RDGS.
C14-06-0118	MF-4 to CBD	10/24/06: APVD DMU-CO W/ CONDITIONS	12/14/06: APVD DMU-CO (6-0); ALL 3 RDGS
C14-06-0183	GR to CBD-CURE	12/12/06: APVD DMU-CO (6-2, MF/CG-NO)	3/01/07: APVD CBD-CURE-CO WITH CONDS. (6-0-1); ALL 3 RDGS
C14-06-0187	MF-4 to CBD	11/14/06: APVD STAFF ALT REC OF DMU-H-CO (8-0)	12/14/06: APVD DMU-H-CO (5-1, BD/-NO); ALL 3 RDGS
C14-07-0012	CBD to CBD-CURE	03/13/07: Apvd staff rec of CBD-CURE-CO with Conditions (8-0)	03/22/07: Apvd Ord 20070322-062 for CBD-CURE-CO (6-0); all 3 rdgs
C14-07-0013	CBD to CBD-CURE	03/13/07: Apvd staff rec of CBD-CURE-CO with Conditions (8-0)	03/22/07: Apvd Ord 20070322-063 for CBD-CURE (6-0)

CITY COUNCIL DATE:
November 1, 2007

ACTION:
This item was postponed to December 13, 2007 at the applicant's request.

December 13, 2007

This item was postponed to January 31, 2008 at the applicant's request.

January 31, 2008

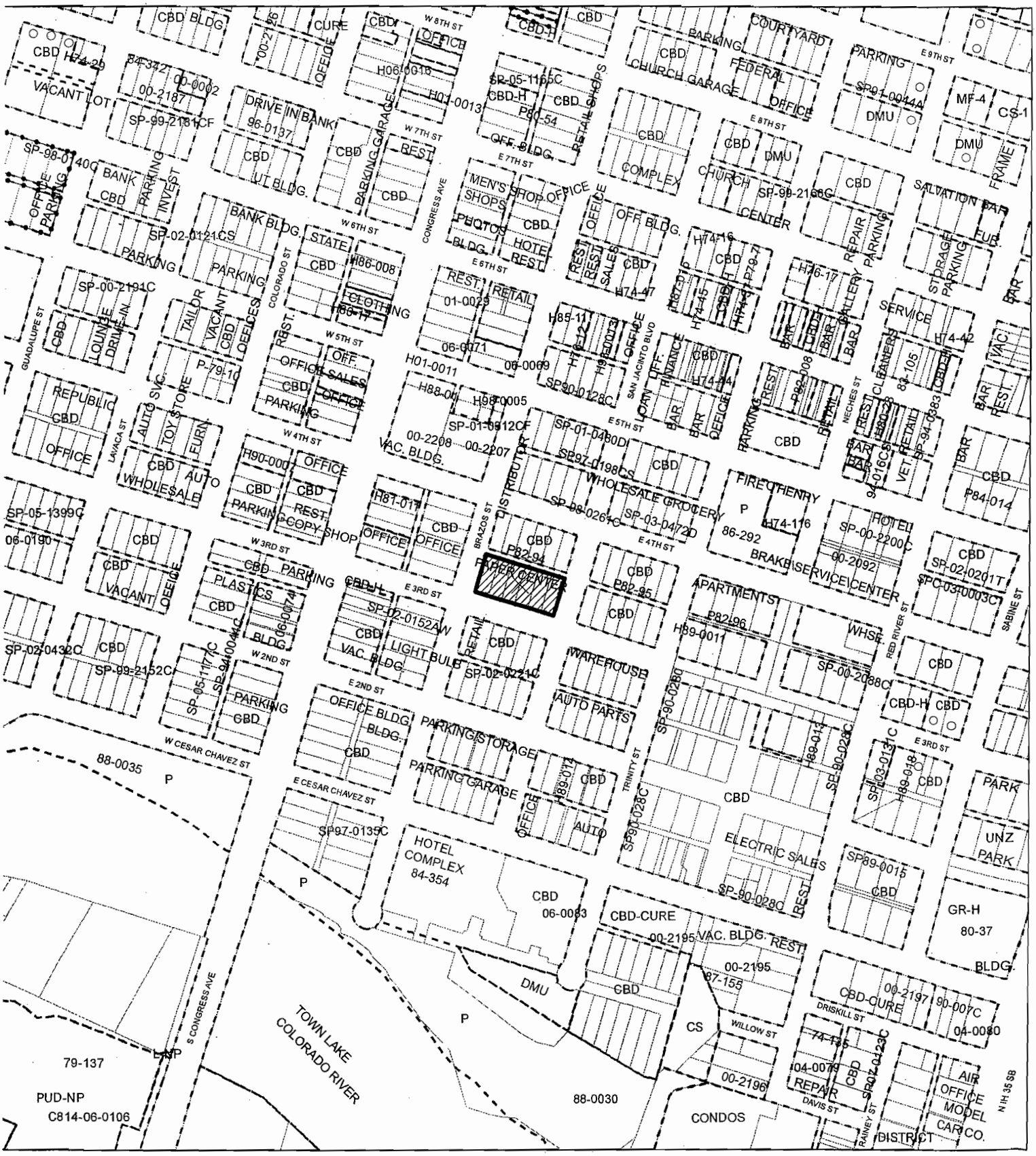
ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Jorge E. Rousselin, NPZD

PHONE: 974-2975

E-MAIL: jorge.rousselin@ci.austin.tx.us



N

Subject Tract

Zoning Boundary

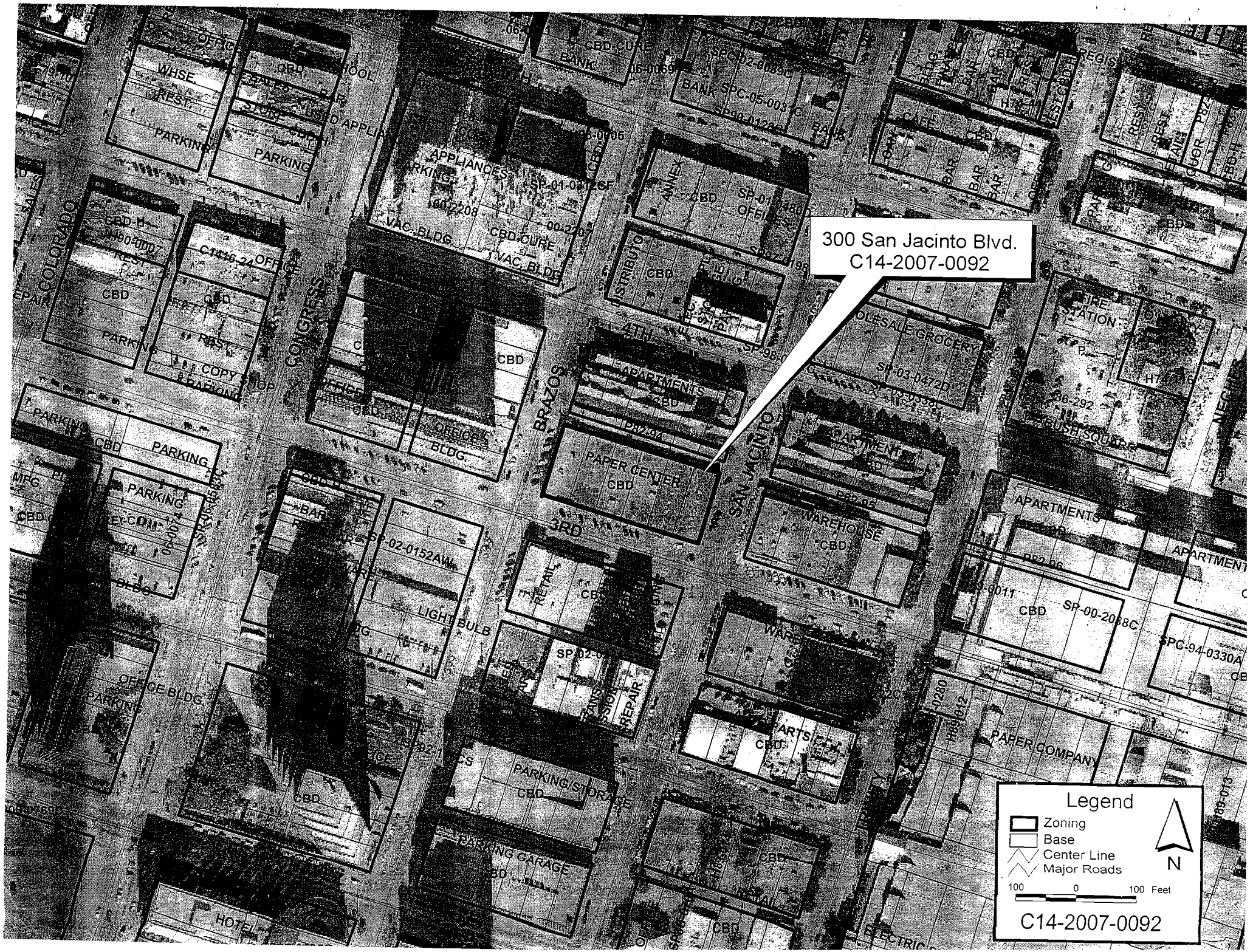
Pending Cases

1" = 400' OPERATOR: SM

ZONING CASE#: C14-2007-0092
ADDRESS: 300 SAN JACINTO BLVD
SUBJECT AREA: 0.811 ACRES
GRID: J22
MANAGER: J. ROUSSELIN

This map has been produced by G.I.S. Services for the sole purpose of geographic reference.
No warranty is made by the City of Austin regarding specific accuracy or completeness.

CITY OF AUSTIN FOUNDED 1839


300 San Jacinto Blvd.
C14-2007-0092
Legend
Zoning
Base
Center Line
Major Roads
N
100 0 100 Feet
C14-2007-0092

STAFF RECOMMENDATION

Staff recommends CBD-CURE-CO (Central Business District - Central Urban Redevelopment Conditional Overlay) combining district with conditions. The CURE combining district shall modify the floor to area ratio (FAR) from 8:1 to 20:1. The recommended conditional overlay shall restrict the daily vehicle trips to less than 3,787 unadjusted trips per day and implement recommendations from the Traffic Impact Analysis (TIA) as described in the attached TIA Memo from the Watershed Protection and Development Review Department dated September 5, 2007 (Please see Attachment A). Furthermore, under a public restrictive covenant, the applicant, at owner's expense, shall participate in the Great Streets Program for portions of public right-of-way fronting the subject site that have not been improved to Great Streets standards.

BASIS FOR RECOMMENDATION

1. The proposed zoning should promote consistency, and orderly planning.

The proposed zoning change and recommended conditional overlay with conditions is compatible with the surrounding area as it is surrounded by CBD zoning and adjacent to mixed-use and commercial development compatible to the proposed uses. Furthermore, the underlying base zoning shall not be changed and thus will not infringe in the consistency of zoning in the area.

2. The proposed zoning should be consistent with the purpose statement of the district sought.

LDC 25-2-311:
(A) The purpose of a central urban redevelopment (CURE) combining district is to promote the stability of neighborhoods in the central urban area.

(B) A CURE combining district may be used:
(1) for sustainable redevelopment of homes, multifamily housing, and small businesses;
(2) to accommodate high priority projects that enhance the stability of urban neighborhoods including the development of affordable housing and small businesses along principal transportation routes that serve a neighborhood;
(3) to improve the natural environment; and
(4) to encourage high quality development with architectural design and proportion compatible with the neighborhood.

The proposed rezoning meets the purpose statement set forth in the Land Development Code. The subject property is located within the designated CURE District and lies within the Core Downtown District as identified by the Downtown Austin Design Guidelines. The proposed redevelopment of the site will not infringe on the character of the surrounding properties.

EXISTING CONDITIONS

Site Characteristics

The subject property consists of a 0.811 Acres (35,327.16 square feet) site zoned CBD fronting San Jacinto Boulevard, Brazos Street, and East 3rd Street. The property is currently the site an office/paper company. The site lies within the designated Core Downtown District as identified by the Downtown Austin Design Guidelines recommending providing a dense, multi-tenant, pedestrian-oriented development at street level while encouraging the densification of the downtown core and within the Central Urban Redevelopment (CURE) overlay district. Redevelopment on this site will be subject to

Subchapter E, Design and Mixed Use Standards and the Parkland Dedication Ordinance. Vehicular access is proposed off San Jacinto Boulevard, Brazos Street, and East 3rd Street.

Transportation

1. A TIA is required and has been received. Additional comments will be issued separately. (Please see TIA memo under Attachment A).

Environmental

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Waller Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

3. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

4. According to flood plain maps, there is no flood plain within the project area.

5. This site is located in the downtown area and is fully developed. There are no apparent environmental features.

6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Water and Wastewater

1. The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocation, and abandonment. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Site Plan

1. This site is within the Convention Center Overlay. This site will also be required to meet Subchapter E, Design and Mixed Use Standards and the Parkland Dedication Ordinance.

Date: September 25, 2007 (Revised)

To: Jorge Rousselin, Case Manager

CC: Anna Martin, P.E., HDR|WHM Transportation Eng

Reference: 3rd and San Jacinto (Block 21) TIA: C14-2007-0092

The Transportation Review Section has reviewed the Traffic Impact Analysis for 3rd and San Jacinto rezoning, dated July 2007, prepared by Anna Martin of HDR|WHM Transportation Engineering.

The 3rd and San Jacinto (also known as Block 21) is a 0.8 acre site located in downtown Austin. The property is currently developed with office / warehouse building. The applicant has requested a zoning change to CBD – CURE. The estimated completion of the project is expected in the year 2010.

TRIP GENERATION

Based on the standard trip generation rates established by the Institute of Transportation Engineers (ITE), the development will generate approximately 5,024 unadjusted average daily trips (ADT).

The table below shows the adjusted trip generation by land use for the proposed development:

Table 1. Trip Generation

			AM Peak		PM Peak	
LAND USE	**Size**	**ADT**	**Enter**	**Exit**	**Enter**	**Exit**
Hotel	220 Rooms	1,771	78	56	68	71
High rise Condominium	214 DU	930	15	67	50	31
Quality Restaurant	10,500 SF	477	0	0	27	13
Coffee / Bread / Sandwich shop	2,250 SF	609	132	117	21	24
Total		**3,787**	**225**	**240**	**158**	**139**

ATTACHMENT "A"

ASSUMPTIONS

1) Traffic growth rates for the area were assumed at 4 percent annually.
2) In addition to these growth rates, background traffic volumes for Year 2010 included estimated traffic volumes for the following projects:
    - 200 Congress Ave Condominiums (SP-06-0583C)
    - 3rd Street and Trinity Street Restaurants (SP-05-1222C)
    - 5th Street and Brazos Parking Garage (SP-05-0031C)

3) Reductions were taken for pass-by for the following uses:

Table 2. Summary of Pass-By, Internal Capture and Transit Reductions

Land Use	Transit Reductions %	Pass-By Reductions %		Internal Capture Reduction %
		AM	PM	
Hotel	5	0	0	10
High rise Condominium	5	0	0	10
Quality Restaurant	5	0	44	10
Coffee / Bread / Sandwich shop	5	43	33	10

EXISTING AND PLANNED ROADWAYS

3rd Street – This roadway is currently a two-lane undivided roadway east of Brazos Street. It serves as a one-way road for westbound traffic west of Brazos Street. The 2007 tube counts conducted indicate a volume of 2,500 vehicles per day (vpd). Plans are currently underway to convert 3rd Street from the existing one-way configuration to a two-lane undivided roadway west of Brazos Street by 2010.

San Jacinto Blvd – This is a four-lane roadway serving southbound traffic in the vicinity of the proposed development. Twenty-four hour counts show daily volumes of approximately 5,800 vpd. CAMPO 2030 Mobility Plan recommends upgrading San Jacinto Boulevard to a four-lane divided major roadway between Martin Luther King Boulevard and Cesar Chavez Street by 2030.

Brazos Street – This roadway is classified as a four-lane undivided major arterial between 11th Street and Cesar Chavez Street in downtown Austin. The 2007 traffic volumes for this roadway north of 3rd Street were 5,900 vpd. The CAMPO 2030 Mobility Plan has not recommended any upgrades for Brazos Street from its current configuration.

INTERSECTION LEVEL OF SERVICE (LOS)

The TIA analyzed 3 intersections all of which are unsignalized. Existing and projected levels of service are as follows:

Table 4. Level of Service

Intersection	2007 Existing		2010 Site + Forecasted	
	AM	PM	AM	PM
San Jacinto Boulevard and 3rd Street	A	A	A	B
Brazos Street and 3rd Street	A	B	B	B
Brazos Street and Driveway A	-	-	A	A

RECOMMENDATIONS

1) Prior to 3rd reading at City Council, pro rated share of fiscal is required to be posted for the following improvements:

Table 5. Recommended Improvements

Intersection	Improvement	Cost	Pro Rata Share %	Pro Rata Share $
3rd St and San Jacinto Blvd	Install traffic Signal	$145,000	28%	$40,600
3rd St and San Jacinto Blvd	Restripe WB to provide one left turn lane and one through lane	$1,730	28%	$484
3rd St and Brazos St	Install traffic Signal	$145,000	18%	$26,100
3rd St and Brazos St	Restripe EB to provide one left turn lane and one through lane	$1,730	18%	$311
TOTAL		**$293,459**		**$67,496**

2) Two copies of the final TIA are required to be provided prior to 3rd Reading at City Council.

3) Department of Public Works and Transportation has approved this TIA.
4) Development of this property should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions, and other traffic related characteristics.

If you have any questions or require additional information, please contact me at 974-2219.



Sangeeta Jain, AICP
Senior Planner Transportation Review Staff, WPDR

AUSTIN DESIGN COMMISSION

ELEANOR MCKINNEY
CHAIR
GIRARD KINNEY
VICE CHAIR
JUAN COTERA
JOAN HYDE
CALVIN CHEN
PHILIP REED
PERRY LORENZ
RICHARD WEISS
JEANNIE WIGINTON

ERICA LEAK
STAFF LIAISON

August 27, 2007

Mayor Will Wynn
Council Member Sheryl Cole
Council Member Betty Dunkerley
Council Member Jennifer Kim
Council Member Lee Leffingwell
Council Member Brewster McCracken
Council Member Mike Martinez

Re: Review of the proposed 21C Austin Project at 301 Brazos Street.

Dear Mayor and Members of the City Council,

The Design Commission recently reviewed the above referenced project as presented by representatives of 21C Austin who were requesting CBD CURE Zoning and 20:1 FAR. We support this request and offer the following comments for your consideration.

The Design Commission commends the project team for its serious and comprehensive response to the spirit and the letter of the Design Guidelines. Especially appreciated are the inclusion of full underground parking (with no at-grade parking), thoughtful job on the curb entrance/drop off area, sustainable elements including green roofs, water capture and reuse and a design that facilitates an environmentally friendly pedestrian thoroughfare. While the Museum Store provides the only retail space, the ground floor café and restaurant with patios on the sidewalks, and a generous compliment of entrances along the streets encourage pedestrian interaction along the entire street. The Commission suggests further consideration be given to a more extensive use of awnings along street fronts, particularly along 3rd Street where there is southern exposure. Awnings in addition to trees would provide protection to pedestrians from sun and rain, and more transparency in the glass facades by preventing reflection of afternoon sun.

Going forward, as the streetscape design is developed, the Commission recommends continued adherence to the Downtown Austin Design Guidelines, adherence to Great Streets Standards, and adherence to the recently adopted Commercial Design Standards. These guidelines and standards include the provision of curbside and clear zones, use of pedestrian-friendly materials at street level, and streetscape & entry enhancements. The Commission has no objection to the proposed one way alley in order to accommodate loading/unloading in the alley as suggested by the project team.

It is also our understanding that the affordable housing provision will exceed the goals set by the Task force (10% of the additional square footage exceeding the 8:1 FAR) with 20,000 square feet designated for affordable Artist Lofts. While this commendable effort is entirely voluntary on the part of the project team, it is responsive to providing an important identified community benefit downtown. It is our understanding that this voluntary effort will be subject to the affordability periods outlined in the Affordable

Neighborhood Planning & Zoning Department
P.O. Box 1088
Austin, Texas 78767-8810

Housing Incentives Task Force Report. In general, the project is an excellent example of a well balanced mixed use downtown project.

The Design Commission requests that the project be brought to the Commission for additional reviews as the design is further developed.

Sincerely,

Eleanor H. McKinney

Eleanor McKinney, Chair
Austin Design Commission

Cc:
Austin Planning Commission
Laura Huffman, Assistant City Manager
Greg Guernsey, Director, Neighborhood Planning and Zoning
File

Neighborhood Planning & Zoning Department
P.O. Box 1088
Austin, Texas 78767-8810

M E M O R A N D U M

TO: Mayor Will Wynn and City Council Members

FROM: Jeb Boyt, Chair
Downtown Commission

DATE: August 21, 2007

RE: 21C Hotels and Condos - Case No. C14-2007-0092 (Proposed Rezoning to CBD-CURE with 20:1 FAR)

At their Wednesday, July 18, 2007 meeting, the Downtown Commission received a presentation on the proposed 21C Hotel and Condo project. After discussion at their August 15, 2007 meeting, the Commission approved, by a 10-0 vote, the following resolution:

> "The Downtown Commission supports the zoning change to CBD-CURE with 20:1 FAR as requested by the applicant."

Jeb Boyt, Chair
Downtown Commission

cc: Greg Guernsey, Director, Neighborhood Planning and Zoning Department
Jorge Rousselin, Neighborhood Planning and Zoning Department

DOWNTOWN
AUSTIN
ALLIANCE
A Vision and a Voice for Downtown

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Kent Collins, Chair
Centro Partners
Nancy Burns, Vice Chair
Norwood Tower
Amy Shaw Thomas, Secretary
University of Texas
Charles Heimsath, Treasurer
Firehouse No. 1 Corporation

Board of Directors
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Tracy Atkins
Community Volunteer
Taylor Bowen
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Hayden Brooks
American Realty Corporation
Cathy Coneway
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Eric DeJernett
CB Richard Ellis
Travis Dunaway
Endeavor Real Estate Group
Tim Finley
The Finley Company
Dana Friis-Hansen
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Treaty Oak Bank
Eva Munoz
AT&T
Paul Noetzel
CB Richard Ellis
Gaye Polan
State Preservation Board
John Rosato, Chair Emeritus
Southwest Strategies Group
Rob Roy Jr.
Crescent Real Estate Group
Joel Sher
Congress Holdings Group
Andy Smith
Equity Office Properties Trust
Tom Stacy
T. Stacy & Associates
Don Tait
Stream Realty
Lee Walker
Capital Metro
Mayor Will Wynn
City of Austin

Charles Betts, Executive Director
Downtown Austin Alliance

211 East Seventh Street, Suite 100-L
Austin, TX 78701
Phone: (512) 469-1766
Fax: (512) 477-7456
Website: www.downtownaustin.com
E-Mail: daa@downtownaustin.com

August 8, 2007

Mr. John Philip Donisi
Drenner & Golden Stuart Wolff, LLP
301 Congress, Suite 1200
Austin, Texas 78701

Mr. Donisi,

Thank you for presenting the plans for the 21c mixed-use project to the Downtown Austin Alliance Economic Development Committee. At its August 8, 2007 meeting, the Board of Directors of the Downtown Austin Alliance voted to support the requested zoning change to CBD-CURE with an FAR of 20:1.

The Alliance is pleased to support this project that will bring new residents, hotel guests, artists, and patrons to enliven a site that is currently underutilized.

Sincerely,

Kent Collins
Chair