ZONING CHANGE REVIEW SHEET

CASE: C14-2012-0048 J.W. Marriott Rezoning

P. C. DATE: 05/22/12, 06/12/12

ADDRESS: 106 & 110 E. 2nd Street,
203 Congress Ave. &
111 E. 3rd St.

AREA: 1.83 acres

APPLICANT: Finley Company
(Tim Finley)

AGENT: Armbrust & Brown, PLLC
(Richard Suttle)

NEIGHBORHOOD PLAN AREA: Downtown

CAPITOL VIEW: No

T.I.A.: Waived – See the Transportation Reviewer's memorandum.

HILL COUNTRY ROADWAY: No

WATERSHED: Town Lake

DESIRED DEVELOPMENT ZONE: Yes

ZONING FROM: CBD-CURE – Central Business District – Central Urban Redevelopment District.

ZONING TO: CBD-CURE – Central Business District – Central Urban Redevelopment District.

SUMMARY STAFF RECOMMENDATION:

Staff recommends CBD-CURE – Central Business District – Central Urban Redevelopment District. The CURE overlay would modify the following Code sections:

1. Section 25-6-592(F) - To modify the number of off-street loading spaces from six to three spaces, such that two off-street loading space is 10' x 55' and one off-street loading spaces are 10' x 30'.
2. Section 25-6-592 - To clarify that access for the off-street loading facility is allowed from 3rd Street.
3. Section 25-6-592(B)(1), Sections 25-6-592(C)(1) and (2), Section 25-6-592(D)(2) and Section 9.3.0 #3 (*Loading*) of the Transportation Criteria Manual - To allow maneuvering in a public right-of-way for an off-street loading facility and trash receptacle location.
4. Section 25-6-592(D)(1) - To allow a curb cut for an off-street loading facility or trash receptacle location to exceed 30 feet in width.
5. Section 25-6-591 – To allow tandem parking spaces and to modify the parking requirement to 438 parking spaces, including tandem parking spaces.

The applicant has also agreed to the additional modifications from the previous two zoning cases that will be carried over into the new ordinance.

PLANNING COMMISSION RECOMMENDATION:

To be reviewed on June 12th.

DEPARTMENT COMMENTS:

This parcel of property received CBD-CURE zoning with case numbers C14-2010-0053 & C14-2010-0054. The nature of the request was to increase the Floor-to-area-ratio (FAR) from 8-1 to 16-1, to modify the Congress Avenue Overlay from the required sixty feet to forty feet and to allow for loading and unloading in the alley. The applicant also entered into a Public Restrictive Covenant that would ensure that the applicant participate in the City's Great Streets Program. The property owner then submitted a site plan for a hotel under case number SP-2011-0334C. Review of the site plan revealed that the proposed hotel would need eight loading docks to meet code. The applicant went to the Board of Adjustment (BOA) on March 12th to request a reduction in the number of loading docks from eight to three. The case was postponed from March 12th to April 9th at which time the BOA voted to reduce the required number of loading docks from eight to five. The applicant requested a reconsideration of the BOA action and was put on the BOA agenda of May 14th. The applicant cited new information including a memorandum from city staff to the BOA (see attached) that clarified that the hotel would actually need six loading docks and not eight. The BOA at their regularly scheduled meeting of May 14th voted to reduce the required number of loading docks from six to four.

This request is similar to other requests in the Central Business District to add the "CURE" overlay to properties located in the urban core to allow for additional height for vertical development. The applicant is proposing a hotel with some mixed use on the ground floor. This site is located within the "desired development zone" where development is encouraged to locate. This property lies within the Convention Center Overlay District (CC).

BASIS FOR RECOMMENDATION:

1. Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.

Granting the "CURE" overlay would be in keeping with recent requests for the "CURE" overlay in the Central Business District.

2. The proposed zoning should be consistent with the goals and objectives of the City Council.

Granting the "CURE" overlay would be in keeping with the policy of the City Council to densify the Central Business District, especially with vertical development.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
SITE	CBD-CURE	Parking Lot
NORTH	CBD	Office building
SOUTH	CBD	Office Building
EAST	CBD	Office Building
WEST	CBD-CURE	Retail/Restaurant

CASE HISTORIES:

CASE NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-01-0029	From CBD to CBD-CURE	Approved CBD-CURE [Vote: 8-1]	Approved CBD-CURE [Vote: 7-0]
C14-06-0071	From CBD-CURE to CBD-CURE	Approved CBD-CURE [Vote: 8-0]	Approved CBD-CURE [Vote: 5-0]
C14-06-069	From CBD to CBD-CURE	Approved CBD-CURE [Vote: 8-0]	Approved CBD- CURE [Vote: 5-0]
C14-08-0143	From CBD to CBD-CURE	Approved CBD-CURE [Vote: 8-1]	Approved CBD-CURE [Vote: 7-0]
C14-08-0144	From CBD to CBD-CURE	Approved CBD-CURE [Vote: 8-0]	Approved CBD-CURE [Vote: 5-0]
C14-09-0079	From CBD to CBD-CURE	Approved CBD-CURE [Vote: 8-0]	Approved CBD- CURE [Vote: 5-0]

NEIGHBORHOOD ORGANIZATION:

- Homeless Neighborhood Assn.
- Downtown Austin Neighborhood Coalition
- Pecan Street Owner's Association
- Downtown Austin Alliance
- Austin Warehouse District Association
- Old Pecan Street Association
- Sentral Plus East Austin Koalition
- Austin Neighborhood Council
- Downtown Austin Neighborhood Association
- Original Austin Neighborhood Assoc.

SCHOOLS:

Matthews Elementary School
O' Henry Middle School
Austin High School

SITE PLAN:

1. This site is located within the Convention Center Overlay district (LDC 25-2-163), which serves to protect the historic character and symbolic significance of Congress Avenue and to enhance the pedestrian environment of the area.

2. Any new development is subject to Subchapter E. Design Standards and Mixed Use, except where Great Streets regulations would supersede. Additional comments will be made when the site plan is submitted.

ENVIRONMENTAL:

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Town Lake 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. At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

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

TRANSPORTATION:

See attached memorandum.

CITY COUNCIL DATE: June 14, 2011 **ACTION:**

ORDINANCE READINGS: 1ST 2ND 3RD **ORDINANCE NUMBER:**

CASE MANAGER: Clark Patterson **PHONE:** 974-7691
Clark.patterson@ci.austin.tx.us

MEMORANDUM

TO: Clark Patterson, Case Manager

FROM: George Zapalac, Development Services Manager
Planning and Development Review Department

DATE: May 18, 2012

SUBJECT: C14-2012-0048
J W Marriott

Applicant is requesting modification of following code sections:

1) Sec 25-6-592 (F) – To modify the number of off-street loading spaces from eight to three spaces, such that one off-street loading space is 10' x 55' and two off-street loading spaces are 10' x 30'.

   Staff Response: The minimum number of loading spaces for development in the CBD or a DMU zoning district is listed under Sec25-6-592 of LDC. Based on the square footage of various land uses as proposed on the site plan under review (SP-2011-0334C), applicant is required to provide 8 loading spaces. However, based on the mix of uses at the hotel, staff could administratively allow for a reduction if the hotel, restaurant, and ballroom facilities could all share the loading spaces. In this case, the minimum number of spaces required would be based on the use with the highest demand, which would be the hotel; therefore, they would still have to provide 6 off-street loading spaces.

   Staff would support the request for three loading spaces with the following conditions:
   - ***Establish dock policies to ensure that the deliveries are scheduled by appointment.***
   - ***Schedule deliveries at off-peak times to the maximum extent possible in order to minimize potential traffic, bike, and pedestrian conflicts.***
   - ***Keep an employee/ attendant to guide delivery trucks in the loading docks to ensure safe maneuvering in the right-of-way.***

2) Section 25-6-592 – To clarify that access for the off-street loading facility is allowed from 3rd Street.

   Staff Response: Staff is agreeable to this request as this was based on access management study and the request was supported by Austin Transportation Department.

3) Section 25-6-592(B)(1), (C)(1) , (C)(2), and (D)(2) – To allow maneuvering in a public right-of-way for an off-street loading facility and trash receptacle location.

Staff Response: Staff is agreeable to this request if the loading dock policies have been established as mentioned above.

4) Section 25-6-592(D)(1) – To allow a curb cut for an off-street loading facility or trash receptacle location to exceed 30 feet in width.

   Staff Response: This provision of the Code applies to a site that is not adjacent to an alley. Therefore staff does not feel that it applies to this case. However, staff would support a wider curb cut of up to 40 feet to provide access to the off-street loading spaces.

5) Section 25-6-591 – To allow tandem parking spaces and to modify the parking requirements to 438 parking spaces, including tandem parking spaces.

   Staff Response: Staff supports the use of tandem spaces (one space located behind another) as long as they are used only for valet parking. The overall parking requirement for the hotel and associated uses under City regulations is 1047 spaces, of which 781 are attributable to the ballroom, meeting rooms, and exhibit space. Staff concurs that the City Code does not take into account the shared use of these facilities and is greater than other cities require for similar facilities. Staff therefore supports the request.

George Zapalac
Planning and Development Review Department

cc:

MEMORANDUM

TO: Jeff Jack, Chair, and
Members of the Board of Adjustment

FROM: George Zapalac, Development Services Manager
Planning and Development Review Department

DATE: May 14, 2012

SUBJECT: JW Marriott Hotel
2nd & Congress
SP-2011-0334C

I am providing the following information as an update to the report presented by staff at the last meeting of the Board of Adjustment concerning required loading spaces for the J W Marriott Hotel.

Staff has re-reviewed the Land Development Code Sec 25-6-532 (Off Street Loading Standards) and has determined that we could apply mixed use standards for loading zones to the Marriott even though it is in the CBD.

§ 25-6-532 OFF-STREET LOADING STANDARDS.

(B) Multiple uses or occupancies located in a single building or on one site may be served by a common loading space if the director determines that the loading space can adequately serve each use.

(C) For a common loading space, described under Subsection (B), the director shall apply Appendix A (Tables Of Off-Street Parking And Loading Requirements) to the combination of buildings and uses served by the loading space instead of to each individual building and use. The schedule applicable to the use with the greatest load requirement shall be used.

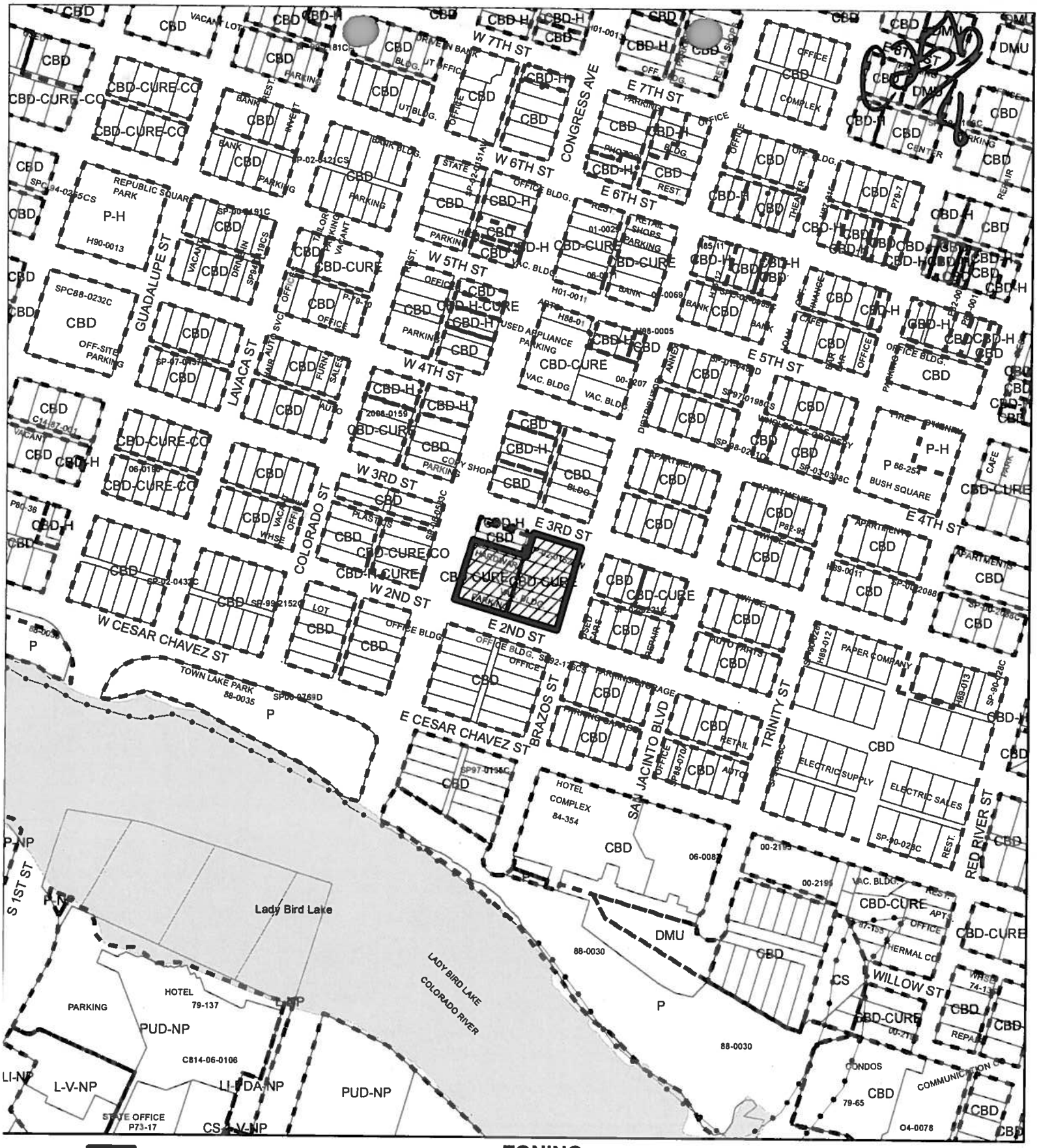
Based on the mix of uses at the hotel, staff could administratively allow for a reduction if all the hotel, restaurant, and ballroom facilities could share the loading spaces. The minimum number of spaces required would be based on the use with the highest demand, which would be the hotel; therefore, a minimum of 6 off-street loading spaces would be required, instead of 8 as previously discussed.

Staff also learned that the City of San Diego, CA, recently made amendments to their code regarding Off-Street Loading requirements in the 'City Centre' planning district. The new code states:

For developments containing over 100,000 square feet of commercial space, one off-street loading bay shall be provided, with the bay measuring a minimum of 35 feet deep, 14 feet wide, and 14 feet tall.

Please let me know if you have any questions.

cc: Richard Suttle



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SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

1" = 400'

ZONING

ZONING CASE#: C14-2012-0048

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM 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

E 6TH ST
W 5TH ST
E 5TH ST
W 4TH ST
W 3RD ST
E 3RD ST
W 2ND ST
E 2ND ST
CONGRESS AVE
SAN JACINTO BLVD
NUECES ST
COLORADO ST
BRAZOS ST
TRINITY ST
W CESAR CHAVEZ ST
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CBD
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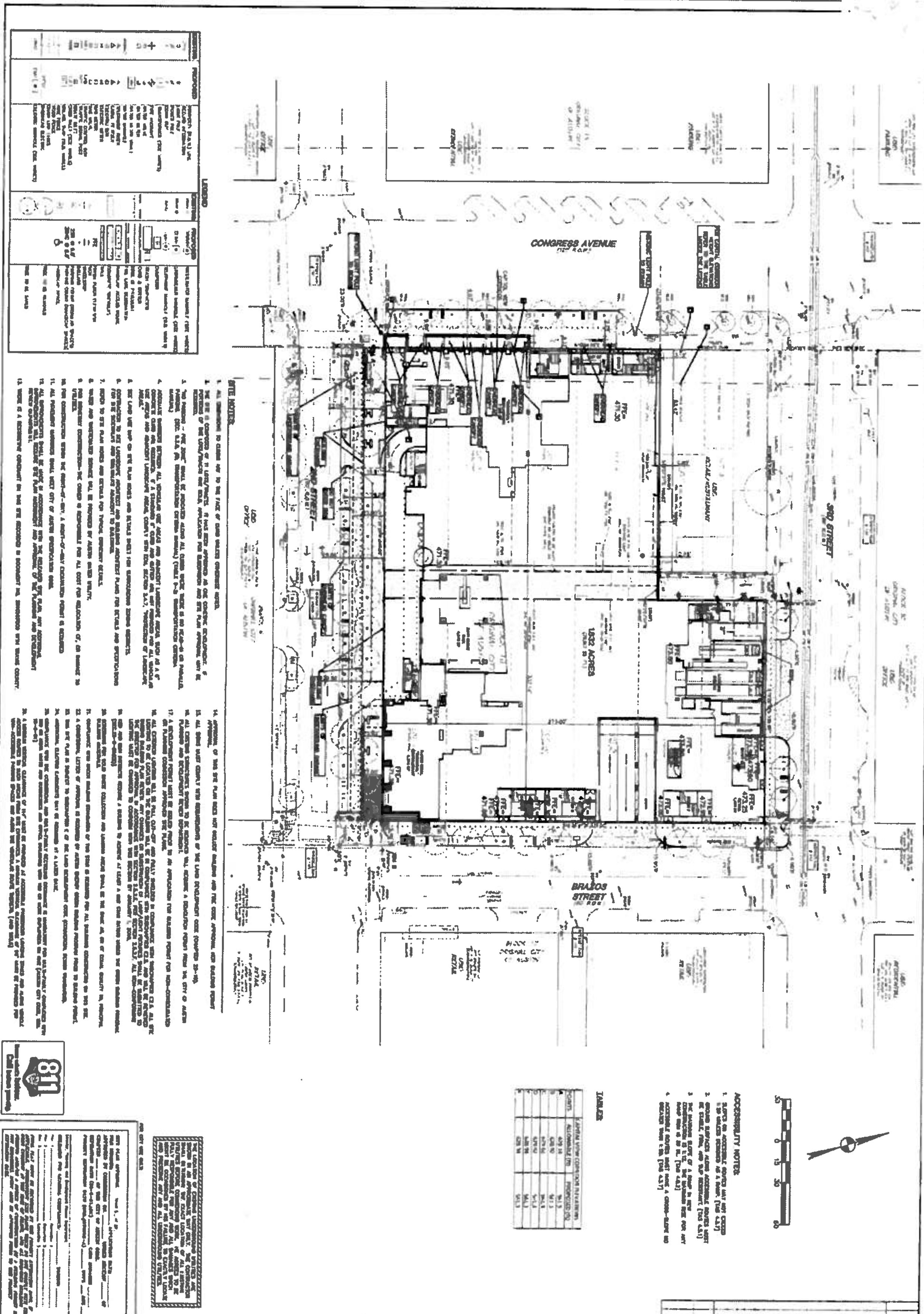
DMU
SUBJECT TRACT



SP-2011-0534C

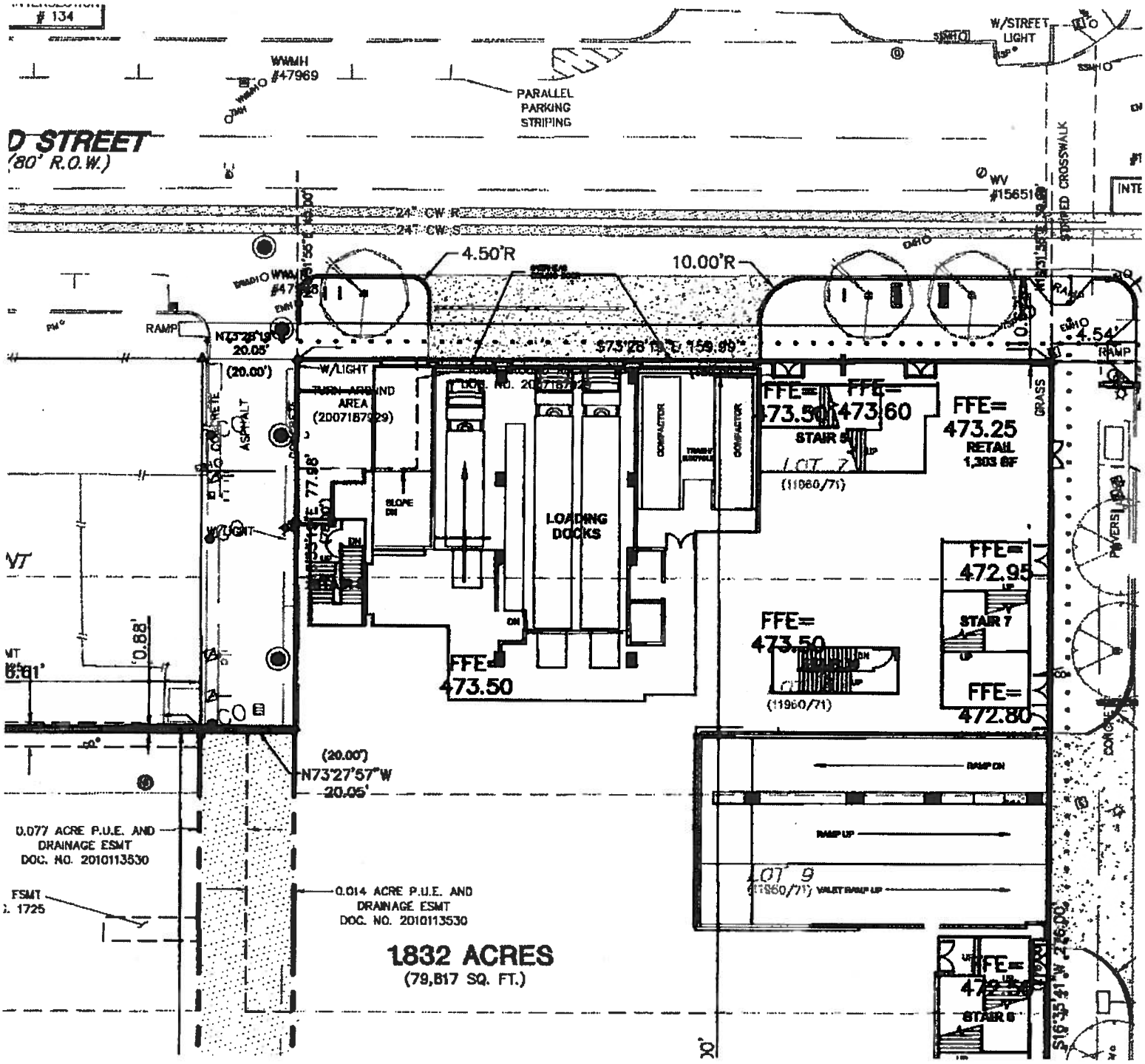
SHEET 5 OF 69	DRAWN BY: ML
	DESIGNED BY: ML/KME/JAJ
	REVIEWED BY: JAJ
	PROJECT NO.: 103998-10001

JW MARRIOTT
110 E. 2ND STREET

AUSTIN 18 HOTEL, LLC

MASTER SITE PLAN

Bury+Partners



134
WWMH #47969
PARALLEL PARKING STRIPING
W/STREET LIGHT
D STREET
(80' R.O.W.)
WV #156516
STRIPED CROSSWALK
24" CW R
24" CW S
4.50'R
10.00'R
RAMP
N73°28'19"E 20.05'
(20.00')
S73°28'19"E 159.99'
4.54'
W/LIGHT
TURN AROUND AREA (2007187929)
DOC. NO. 2007187929
COMPACTOR
COMPACTOR
FFE= 473.50
FFE= 473.60
FFE= 473.25
RETAIL 1,303 SF
STAIR 5
LOT 7
(11960/71)
GRASS
ASPHALT
SLOPE DN
LOADING DOCKS
W/LIGHT
FFE= 472.95
STAIR 7
FFE= 473.50
FFE= 473.50
(11960/71)
FFE= 472.80
0.88'
(20.00')
N73°27'57"W 20.05'
RAMP DN
RAMP UP
LOT 9
(11960/71)
VALET RAMP UP
0.077 ACRE P.U.E. AND DRAINAGE ESMT DOC. NO. 2010113530
0.014 ACRE P.U.E. AND DRAINAGE ESMT DOC. NO. 2010113530
1.832 ACRES
(79,817 SQ. FT.)
FFE= 472.50
STAIR 6
S16°35'41"W 276.00'