

**APPEAL  
PLANNING COMMISSION (PC) SITE PLAN  
WATERFRONT OVERLAY VARIANCE  
REVIEW SHEET**

**CASE NUMBER:** SPC-2014-0175A

**CITY COUNCIL DATE:** September 10, 2015

**Council Action:** August 13, 2015 Postponed

**Council Action:** June 25, 2015 Postponed

**Council Action:** June 11, 2015 Postponed

**Council Action:** May 21, 2015 Postponed

**Council Action:** May 14, 2015 Postponed

**Council Action:** May 7, 2015 Postponed

**Planning Commission (PC):** January 13, 2015

**PC Reconsideration:** February 24, 2015

**CASE NAME:** Red Bluff Hotel

**DISTRICT #3:** Council Member Sabino Renteria

**ADDRESS OF APPLICATION:** 4701 Red Bluff Road

**APPELLANT:** Daniel Llanes

**APPLICANT:** Red Bluff Partners, LLC (William Steakley)

**AGENT:** Big Red Dog Engineering (Ricardo De Camps)

**NEIGHBORHOOD**

**PLAN:** Govalle/Johnson Terrace Combined Neighborhood Plan Area

**CITY COUNCIL ACTION:** May 7, 2015: Postponed by request of applicant.

**PLANNING COMMISSION ACTION:**

January 13, 2015: Denied variance to allow construction within the primary setback (5-3-1) and approved two variances allowing for construction and increased impervious cover in the secondary setback. (8-0-1).

February 24, 2014: Approved variance to allow construction within the primary setback during reconsideration (7-1-1).

**PROPOSED DEVELOPMENT:**

The applicant is proposing to construct a hotel and restaurant.

**APPEAL REQUEST:**

Daniel Llanes filed an appeal of the variance from Land Development Code 25-2-721(B)(1) to allow construction within the primary setback granted by Planning Commission.

**VARIANCE REQUEST:**

The applicant requested three (3) variances from the Waterfront Overlay zoning regulations.

Two variances related to construction in the secondary setback were approved by Planning Commission by an 8-0-1 vote on January 13, 2015. These variances are from the Land Development Code 25-2-721(C)(1) and (2):

“In a secondary setback area: (1) fountains, patios, terraces, outdoor restaurants, and similar uses are permitted; and (2) impervious cover may not exceed 30 percent.”

The variance to request the construction of a building in the primary setback was denied by a 5-3-1 vote on January 13, 2015. The variance is from the Land Development Code 25-2-721(B)(1):

“In a primary setback area except as otherwise provided in this subsection, parking areas and structures are prohibited.”

At the February 10, 2015 meeting, the Planning Commission voted 7-0-2 to rescind and reconsider the denial of the primary setback variance. On February 24, 2015, the Planning Commission, by a 7-1-1 vote, approved the variance from the Land Development Code Section 25-2-721(B)(1), permitting the construction of a building within the primary setback of the Waterfront Overlay with the following conditions:

1. The final site plan for this project must be fully compliant with the Govalle/Johnson Terrace Neighborhood Plan, and with Article 10 (Compatibility Standards) of the City of Austin Land Development Code.
2. The impervious cover within the primary setback of the Waterfront Overlay district is to be reduced from the existing level of 41.73 percent to 16 percent; specifically, nine percent (9%) of the proposed impervious cover will be attributed to the building within the primary setback, and seven percent (7%) will be attributed to the deck(s).
3. The final site plan is to be fully compliant with current City of Austin requirements for water quality; no fee-in-lieu of on-site water quality mitigation will be allowed.
4. The project is to comply with Subchapter E design standards, including Article 3 (Building Design Standards).
5. The project is to comply with current City of Austin requirements for off-site parking; no parking on the Red Bluff Hotel site south of Red Bluff Road will be permitted.
6. The proposed building within the primary setback of the Waterfront Overlay district will be limited to a height of 25 feet.
7. Bio-engineered erosion control structures will be used for stabilization of the bluff.
8. The project will be in full compliance with the goals of the Town Lake Corridor Study, including, but not limited to, environmental protection and aesthetic enhancement.
9. The developer, in coordination with the City of Austin, will repair the damaged drainage pipe and associated structures within the easement of the adjacent property to the west of the Red Bluff Hotel.

The site plan will require approval by Planning Commission prior to approval.

#### **EXISTING ZONING: GR-MU-CO-NP**

#### **CITY COUNCIL ACTION:**

City Council has two options, to either deny or uphold the appeal. If the appeal is denied, the variance to the primary setback will be approved as motioned by the Planning Commission. The developer will be able to proceed with the site plan application.

If the Council decides to uphold the appeal, the variance will be denied, and the site plan will require redesign.

**SUMMARY STAFF RECOMMENDATION:**

Staff recommends denial of the appeal; approval of the variance. The current location of the Waterfront Overlay primary setback does not allow the owner reasonable use or redevelopment of the property.

The Waterfront Planning Advisory Board (WPAB) recommended approval of the variance (4-2-1) on November 10, 2014 with the following conditions (1) The site plan must reduce the existing impervious cover by 50% and (2) A maximum of 50 hotel rooms will be provided. However, the WPAB conditions were not included among the Planning Commission conditions.

**PROJECT INFORMATION**

TOTAL SITE AREA	52,838.28 square feet	1.213 acres	
EXISTING ZONING	GR-MU-CO-NP		
WATERSHED	Colorado River (Urban)		
TRAFFIC IMPACT ANALYSIS	Not required		
CAPITOL VIEW CORRIDOR	None		
PROPOSED ACCESS	Red Bluff Road		
	Allowed	Existing	Proposed
FLOOR-AREA RATIO	1:1	0.41:1	0.92:1
BUILDING COVERAGE	75% in GR base zoning	20,203 sq. ft. (38.12%)	17,988 sq. ft. (33.94%)
IMPERVIOUS COVERAGE	Limit established by variance	34,577 sq. ft. (65.24%)	26,456 sq. ft. (49.91%)
HEIGHT	35'	22'	35', 3 story
PARKING	81 Required	0	155 Provided
NUMBER OF ROOMS		0	80

**SUMMARY COMMENTS ON SITE PLAN:**

**Land Use:** The 1.213 acre subject property is located along Red Bluff Road approximately 1600 feet east of the intersection of Pleasant Valley Road and Cesar Chavez Street. It was originally permitted in 1984, prior to the adoption of the Waterfront Overlay District, as a warehouse facility. The applicant proposes to construct a hotel and restaurant within the existing footprint of the current warehouse structure on the site, and to decrease the impervious cover as required by the Planning Commission condition.

At this time, the applicant is only requesting approval of the referenced variance. Approval of the variance will allow the applicant to proceed with detailed engineering and architectural design services. Before the site development permit can be released, the site plan must be reviewed and approved by the Planning Commission. Land Development Code Section 25-2-721 further requires recommendations from both the Waterfront Planning Advisory Board and the Environmental Board regarding whether to approve the site plan.

A traffic impact analysis was not required because the calculated vehicle trips did not generate over 2,000 vehicle trips per day, the triggering limit specified in the Land Development Code, Section 25-6-113.

The site plan will comply with all requirements of the Land Development Code prior to its release.

**SURROUNDING CONDITIONS:**

Zoning/ Land Use

North: Red Bluff, then CS-MU-CO-NP (Vacant)

South: SF-3-NP & GR-MU-CO-NP (Vacant)

East: SF-3-NP (Residential)

West: GR-MU-CO-NP (Residential)

**NEIGHBORHOOD ORGNIZATIONS:**

Austin Heritage Tree Foundation

Austin Independent School District

Austin Monorail Project

Austin Neighborhoods Council

Bike Austin

Buena Vista Neighborhood Assn.

Cristo Rey Neighborhood Association

Crossing Gardenhome Owners Assn (The)

Del Valley Community Coalition

Del Valley Independent School District

East Austin Conservancy

East River City Citizens

East Town Lake Citizens Neighborhood Org.

El Concilio Mexican-American Neighborhoods

Friends of Emma Barrientos MACC

Govalle/Johnston Terrace Plan TM of Neigh.

Greater East Austin Neighborhood Association

Guadalupe Neighborhood Development Corporation

Homeless Neighborhood Assn.

Montopolis Area Neighborhood Alliance

Montopolis Neighborhood Association – El Concilio

Pleasant Valley

PODER

Preservation Austin

River Bluff Neighborhood Assoc.

Save Town Lake.Org

SEL Texas

Sierra Club, Austin Regional Group

Southeast Austin Neighborhood Alliance

Super Duper Neighborhood Objectors and Appealers Organization

Tejano Town

The Real Estate Council of Austin, Inc.

United East Austin Coalition

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