

**PLANNING COMMISSION SITE PLAN
CONDITIONAL USE PERMIT REVIEW SHEET**

CASE NUMBER: SPC-2020-0121C

PC DATE: 03/09/21

PROJECT NAME: 90 Rainey

COUNCIL DISTRICT: 9

ADDRESS OF APPLICATION: 90 Rainey St. (Cocktail Lounge)/610 Davis St. (Multi-Family)/ 612 Davis St. (Hotel)

AREA: 11,107 sf of enclosed cocktail lounge space located on ground floor of proposed new high rise, and 635 square feet of outdoor space located under a covered patio. A total of 11,742 square feet of cocktail lounge space is proposed. Total proposed gross floor area for high rise is 506,942 square feet.

APPLICANT: Urban Space (Kevin Burns)
800 5th W Unit 100 (512) 848-8722
Austin, TX 78703

AGENT: Kimley-Horn & Associates (Harrison Hudson)
2600 Via Fortuna Suite 300 (512) 646-2237
Austin, TX 78746

CASE MANAGER: Renee Johns Phone: (512) 974-2711
Renee.Johns@austintexas.gov

PROPOSED USE: Cocktail Lounge/ Hotel/ Multi-Family

EXISTING ZONING: CBD

NEIGHBORHOOD PLAN: NA

PROPOSED DEVELOPMENT: The applicant is proposing a mixed use high rise development in the Rainey District that will include the following uses: a cocktail lounge, hotel, and multi-family. The applicant is requesting a conditional use permit for the cocktail lounge use located on the first/ground floor. It will consist of 11,107 square feet of cocktail lounge space inside and 635 square feet outside located under a covered patio on the east elevation also on the first floor, for a total of 11,742 square feet. The hours of operation will be Monday – Sunday 10am to 2am.

SUMMARY STAFF RECOMMENDATION: Staff recommends approval of the conditional use permit. Cocktail lounge is a use allowed in a CBD zoning district, the Waterfront Overlay Rainey sub district triggers the conditional use for the cocktail lounge. Several cocktail lounge uses are already located within this sub district. The site plan will comply with all requirements of the Land Development Code prior to its release.

PROJECT INFORMATION

Gross Site Area	11,742 total sf (cocktail lounge: 11,107 inside and 635 outside) / 16,000 sf (gross site area)
Total Proposed Gross Floor Area	506,942 sf
Existing Zoning	CBD
Watershed	Waller Creek / Lady Bird Lake
Watershed Ordinance	Current Code
Traffic Impact Analysis	Yes Approved
Capitol View Corridor	Not applicable
Proposed Access	Alley
Proposed Impervious Cover	16000 sf / 100%
Proposed Building Coverage	16000 sf / 100%
Height	51 stories, 606'
Parking required: NA, CBD zoning	Parking proposed: 267 (off-site)

EXISTING ZONING AND LAND USES

	ZONING	LAND USES
<i>Site</i>	CBD	(proposed) Cocktail Lounge/ Hotel/ Multi-Family
<i>North</i>	CBD	Cocktail Lounge “Bungalow”
<i>South</i>	Davis St. then CBD	Cocktail Lounge
<i>East</i>	Rainey St. then CBD	Mixed use: Multi-Family/ Restaurant/Commercial
<i>West</i>	Alley then CBD	Mixed use building including Multifamily/Restaurant and Business Offices (currently under construction)

CONDITIONAL USE PERMIT REVIEW AND EVALUATION CRITERIA

The following evaluation is included to provide staff evaluation on each point of the conditional use permit criteria. Section 25-5-145 of the Land Development Code states: “The Commission shall determine whether the proposed development or use of a conditional use site plan complies with the requirements of this section.”

A conditional use site plan must:

- 1. Comply with the requirements of this title;** Staff response: This application complies with the requirements of this title.
- 2. Comply with the objectives and purposes of the zoning district;** Staff response: This application complies with the objectives and purposes of the zoning district. The CBD zoning district allows cocktail lounge use. The Waterfront Overlay Rainey sub district triggers the conditional use for the cocktail lounge. Several cocktail lounge uses are already located within this sub district
- 3. Have building height, bulk, scale, setback, open space, landscaping, drainage, access, traffic circulation, and use that are compatible with the use of an abutting site;** Staff response: Yes, there are no SF-5 or more restrictive zoning districts or permitted land uses abutting the site.
- 4. Provide adequate and convenient off-street parking and loading facilities;** Staff response: Proposed use complies with code.
- 5. Reasonably protect persons and property from erosion, flood, fire, noises, glare, and similar adverse effects;** Staff response: The proposed project does not contribute to any of the listed adverse effects.

A Conditional Use Site Plan May Not:

- 1. More adversely affect an adjoining site than would a permitted use;** Staff response: The proposed site plan does not appear to more adversely affect an adjoining site than would a permitted use.
- 2. Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area;** Staff response: The cocktail lounge land use will be located on an already developed site and is not anticipated to affect pedestrian or vehicular circulation.
- 3. Adversely affects an adjacent property or traffic control through the location, lighting, or type of signs;** Staff response: The site will comply with all applicable sign regulations in the Land Development Code.

COMMISSION ACTION:

The Commission may either; approve, approve with conditions or deny the conditional use site plan permit.

To make a determination required for approval under [Section 25-5-145](#) (Evaluation of Conditional Use Site Plan), the Land Use Commission may require that a conditional use site plan comply with a condition of approval that includes a requirement for:

- 1) A special yard, open space, buffer, fence, wall, or screen;
- 2) Landscaping or erosion;
- 3) A street improvement or dedication, vehicular ingress and egress, or traffic circulation;
- 4) Signs;
- 5) Characteristics of operation, including hours;
- 6) A development schedule; or
- 7) Other measures that the Land Use Commission determines are required for compatibility with surrounding uses or the preservation of public health, safety, or welfare.

SUMMARY COMMENTS ON SITE PLAN:

Land Use: The applicant is requesting a Conditional Use Permit for a Cocktail Lounge land use that will be fully contained in the proposed mixed use high rise. The existing building is within the historic Rainey Street District. There are no parking requirements for this site because the zoning district CBD does not require any parking.

The site plan complies with all requirements of the Land Development Code.

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District
 Austin Lost and Found Pets
 Austin Neighborhoods Council
 Del Valle Community Coalition
 Downtown Austin Alliance
 Downtown Austin Neighborhood Assn.
 (DANA)
 East Austin Conservancy
 East Cesar Chavez Neighborhood
 Association
 East Cesar Chavez Neighborhood Plan
 Contact Team
 El Concilio Mexican-American
 Neighborhoods
 Friends of Austin Neighborhoods
 Friends of the Emma Barrientos MACC
 Greater East Austin Neighborhood
 Association
 Guadalupe Neighborhood Development
 Corporation

Homeless Neighborhood Association
 Lower Waller Creek
 Neighborhood Empowerment Foundation
 Preservation Austin
 Rainey Neighbors Association, INC.
 SEL Texas
 The Shore Condominium Association, INC.
 Sierra Club, Austin Regional Group
 Town Lake Neighborhood Association
 Tejano Town
 Waller District Staff Liaison
 Waterloo Greenway
 Willow Spence Historic District
 Neighborhood Assn.



March 13, 2020

Completeness Check Review
City of Austin - Development Services Department
505 Barton Springs
Austin, Texas 78704

RE: *Summary Letter – 90 Rainey*
Consolidated Site Plan Application
610 Davis Street

To Whom It May Concern:

Please accept the attached Site Development application package for the proposed 90 Rainey mixed-use development. On behalf of our client, we are proposing improvements on a 0.3674-acre site located at 610 Davis Street. The proposed improvements include 53-story, mixed-use building and associated utility and streetscape improvements to support the development. The proposed building has 4 levels of below grade parking, 30 levels of hotel space, and 22 levels of residential apartments.

No portion of the site is located within the Federal Emergency Management Agency's 100-year floodplain according to Flood Insurance Rate Map number 48453C0465J, dated January 6, 2016 for Travis County, Texas and incorporated areas. The site is not located within the Edwards Aquifer Contributing Zone or Recharge Zones according to the Texas Commission on Environmental Quality (TCEQ). There are no critical water quality zones or water quality transition zones on-site. There are no critical environmental features located on-site.

The site is in both the Lady Bird Lake and Waller Creek (urban) watersheds. The total existing impervious cover on site is 89%, while the proposed site will have an impervious cover of 100%. The site is currently zoned as CBD; the impervious cover limit in this zoning classification is 100%. The development proposed on-site detention and water quality by implementing a detention vault within the garage. The detention vault will capture water from the building's downspouts, treat it, and use it within the building. Water from the detention vault will supply water for toilets located within the hotel component.

The project site is located within the Rainey Street District of the Downtown Austin Plan. The site proposes to exceed the primary entitlements of the base zoning district by participating in the Downtown Density Bonus Program. Further information is included in the site development plans and engineer's report.

Please contact me at (737)-202-3202 or harrison.hudson@kimley-horn.com should you have any questions.

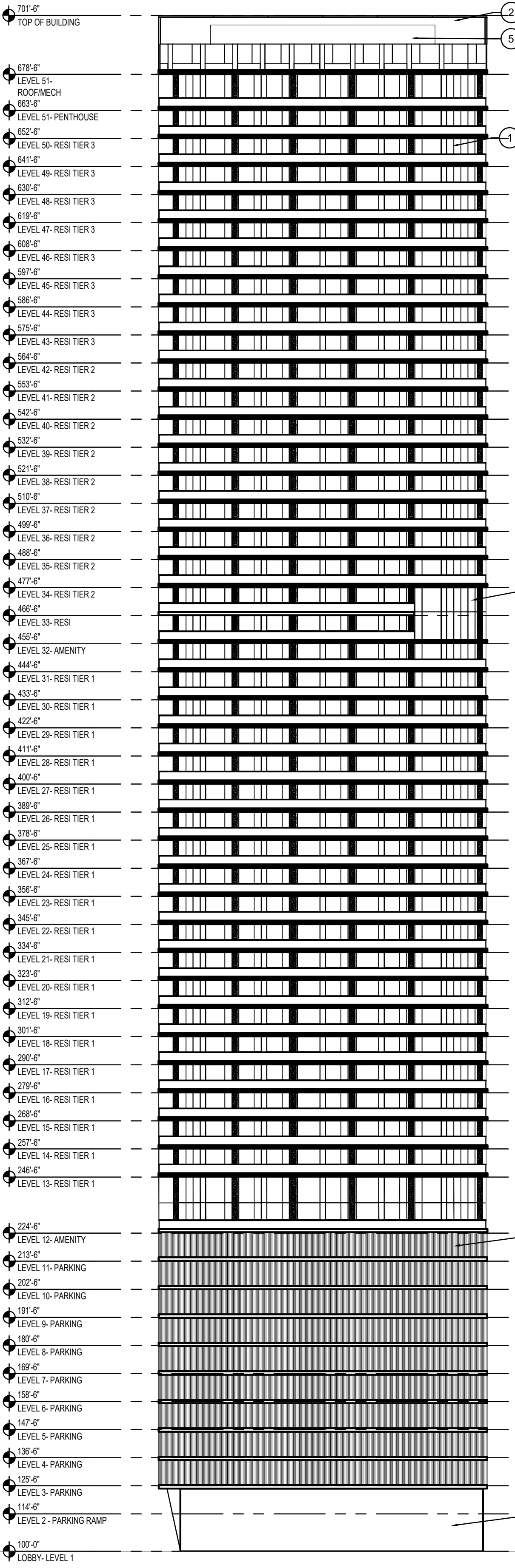
A handwritten signature in blue ink, appearing to read "H. Hudson".

Sincerely,
Harrison M. Hudson, P.E.

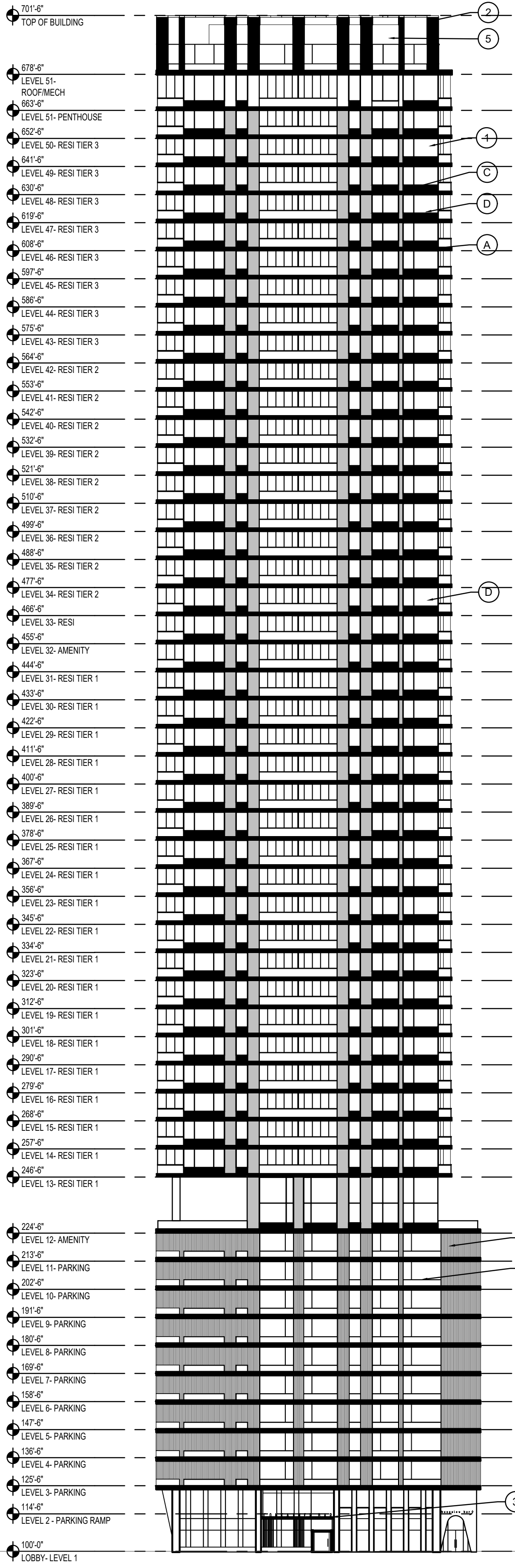


03/12/20
FIRM NO. 928

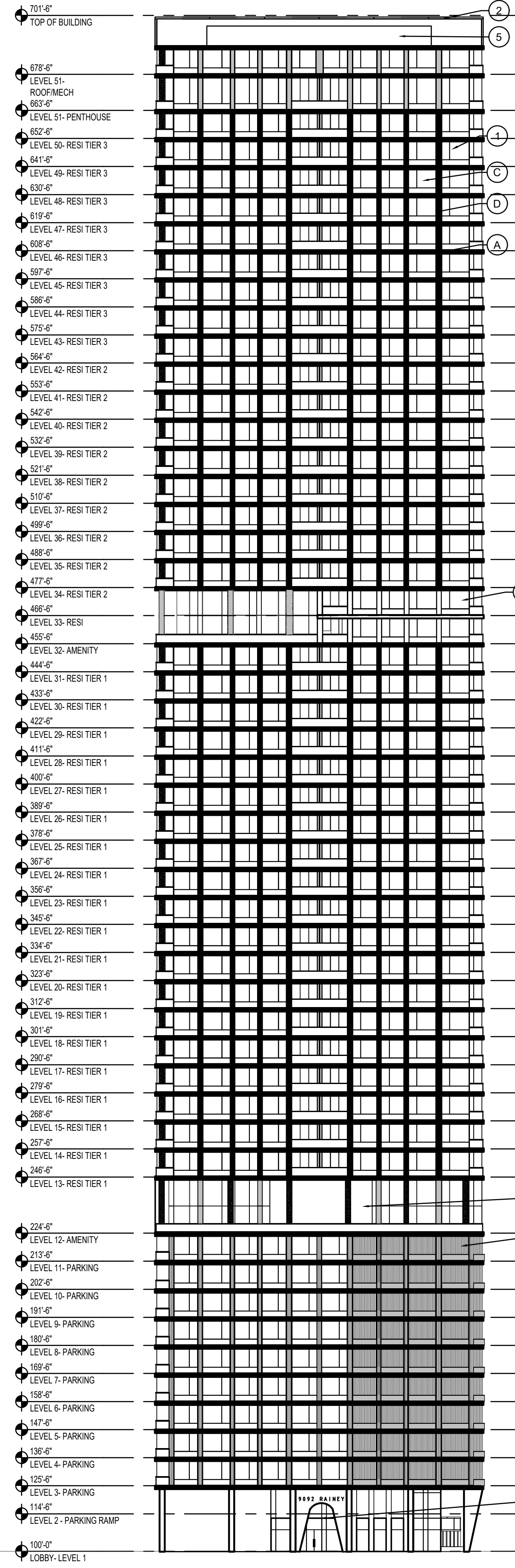
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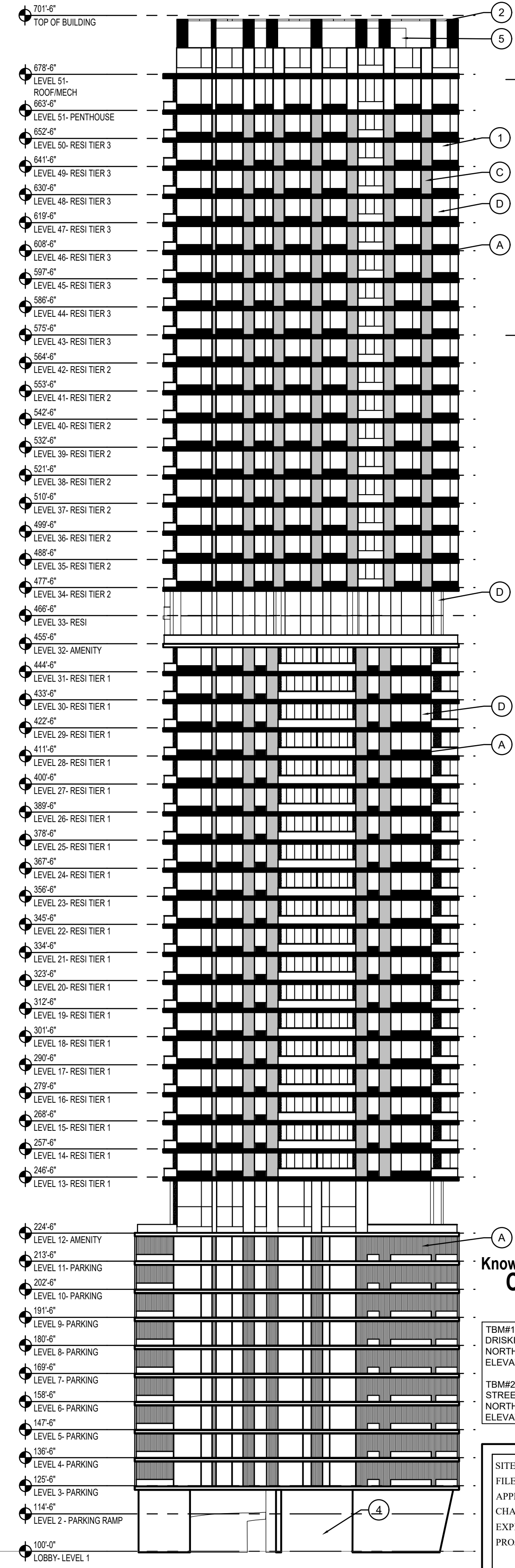
01 NORTH ELEVATION
SCALE: Scale 1/32"=1'



02 EAST ELEVATION
SCALE: Scale 1/32"=1'



03 SOUTH ELEVATION
SCALE: Scale 1/32"=1'



04 WEST ELEVATION
SCALE: Scale 1/32"=1'

- NOTES**
1. EXTERIOR MIRRORED GLASS AND GLARE PRODUCING GLASS SURFACE BUILDING MATERIALS ARE PROHIBITED. GLASS SELECTION COMPLIES WITH SECTION 25-2-721 E.1, REFLECTIVITY BELOW 20% AS DEFINED BY 25-2-21 (67).
 2. DISTINCTIVE BUILDING TOP REQUIRED BY CHAPTER 13-1, ARTICLE 3, STEP BACK TERRACE, AND SOLAR TERRACE SHOWN DASHED. SEE ATTACHED EXHIBIT FOR ADDITIONAL INFORMATION.
 3. CANOPY AT ENTRANCE
 4. TRASH RECEPTACLES AND LOADING AREA LOCATED IN ALLEY AND SCREENED FROM PUBLIC VIEW.
 5. HVAC EQUIPMENT LOCATED ON LEVEL 53 AND SCREENED FROM PUBLIC VIEW.

- MATERIAL KEY**
- A. METAL PANEL
 - B. CAST IN PLACE CONCRETE
 - C. SPANDREL GLAZING
 - D. CLEAR GLAZING
 - E. ARTIST MURAL
 - F. WOOD SIDING
 - G. SHIPPING CONTAINER
 - H. CONCRETE BENCH
 - I. GLASS RAILING
 - J. METAL AWNING

811

Know what's below.
Call before you dig.

BENCHMARKS

TBM#1 - SQUARE CUT ON TOP OF CONCRETE WALL ON THE NORTH SIDE OF DRISKILL STREET, BEING 34' SOUTHEAST OF A POWER POLE, AND BEING 47' NORTHWEST OF A FIRE HYDRANT. ELEVATION=467.76'

TBM#2 - TRIANGLE CUT ON TOP OF CONCRETE CURB ON THE SOUTH SIDE OF DAVIS STREET, BEING 119' SOUTHEAST OF AN ELECTRIC MANHOLE, AND BEING 22' NORTHWEST OF A VAULT. ELEVATION=469.70'

SITE PLAN APPROVAL SHEET 34 OF 39
FILE NUMBER SPC-2020-0121C APPLICATION DATE 03/13/2020
APPROVED BY COMMISSION ON UNDER SECTION 142 OF CHAPTER 25-5 OF THE CITY OF AUSTIN CODE.
EXPIRATION DATE (25-5-81.LDC) CASE MANAGER RENE JOHNS
PROJECT EXPIRATION DATE (ORD.#970905-A) DWPZ DDZ

Director, Development Services Department
RELEASED FOR GENERAL COMPLIANCE: ZONING CBD
Rev. 1 Correction 1
Rev. 2 Correction 2
Rev. 3 Correction 3

Final plat must be recorded by the Project Expiration Date, if applicable. Subsequent Site Plans which do not comply with the Code current at the time of filing, and all required Building Permits and/or a notice of construction (if a building permit is not required), must also be approved prior to the Project Expiration Date.

Kimley»Horn

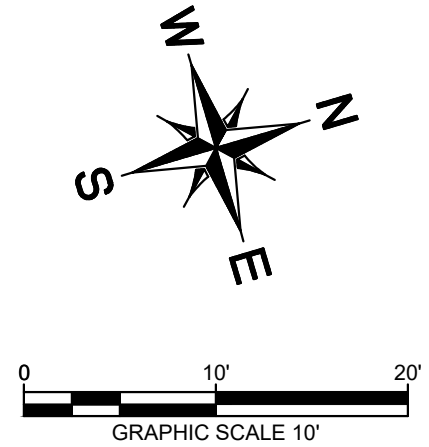
2600 VIA FORTUNA, TERRACE 1, SUITE 300
AUSTIN, TX 78746
PHONE: 512-261-7777 FAX: 512-261-7791
WWW.KIMLEY-HORN.COM
© ### KIMLEY-HORN AND ASSOCIATES, INC.
TBPE Firm No. 928

KHA PROJECT 069269400
DATE JULY 27 2020
SCALE: AS SHOWN
DESIGNED BY: ##
DRAWN BY: ##
CHECKED BY: ##

90 RAINEY
610 DAVIS STREET
CITY OF AUSTIN
TRAVIS COUNTY, TEXAS

SHEET NUMBER
34 OF 39

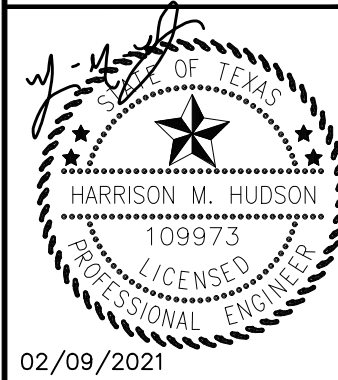
REVISIONS	DATE	BY
No.		



	PROPERTY LINE
	ROW DEDICATION
	LIMITS OF CONSTRUCTION AREA
	ACCESSIBLE PATH
	PAVERS
	SHADE STRUCTURE
(A)	TYPE 1 CURB RAMP. SEE CITY OF AUSTIN DETAILS ON SHEET 22.
(B)	TRAFFIC RATED BOLLARD
(C)	TREE GRATE. SEE DETAIL ON SHEET 30.
(D)	BIKE RACK. SEE DETAIL ON SHEET 30.
(E)	(2) BENCHES. SEE DETAIL ON SHEET 30.
(F)	AUSTIN ENERGY STANDARD 25' ROW ILLUMINATION POLE. SEE DETAIL ON SHEET 23.
(G)	TRASH RECEPTACLE. SEE DETAIL ON SHEET 22.
(H)	"NO PARKING" SIGN



2600 VIA FORTUNA; TERRACE I, SUITE 300
AUSTIN, TX 78746
PHONE: 512-418-1771 FAX: 512-418-1791
WWW.KIMLEY-HORN.COM
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02/09/202

KHA PROJECT 069269400	DATE FEBRUARY 2021	SCALE: AS SHOWN	DESIGNED BY: NG	DRAWN BY: NG
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SITE PLAN

90 RAINEY
610 DAVIS STREET
CITY OF AUSTIN
TRAVIS COUNTY, TEXAS

SHEET NUMBER
3 OF 39

SPC-2020-0121C

Plotted By: Coray, Natalia Date: February 09, 2021 05:08:39am
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Know what's below
Call before you dig

BENCHMARKS

TBM#1 - SQUARE CUT ON TOP OF CONCRETE WALL ON THE NORTH SIDE OF DRISKILL STREET, BEING ±4' SOUTHEAST OF A POWER POLE, AND BEING 47' NORTHWEST OF A FIRE HYDRANT.
ELEVATION=467.76'

TBM#2 - TRIANGLE CUT ON TOP OF CONCRETE CURB ON THE SOUTH SIDE OF STREET, BEING ±19' SOUTHEAST OF AN ELECTRIC MANHOLE, AND BEING ±22' NORTHWEST OF A VAULT.
ELEVATION=469.70'

SITE PLAN APPROVAL SHEET 8 OF 39

FILE NUMBER **SPC-2020-01212** APPLICATION DATE **03/31/2020**

APPROVED BY COMMISSION ON _____ UNDER SECTION **142 C**

CHAPTER **25-5** OF THE CITY OF AUSTIN CODE.

PROJECT DATE (25-5-81.LDC) _____ CASE MANAGER **RENEE JOHN**

PROJECTION EXPIRATION DATE (ORD.#970905-A) _____ DWPZ _____ DDZ _____

Director, Development Services Department

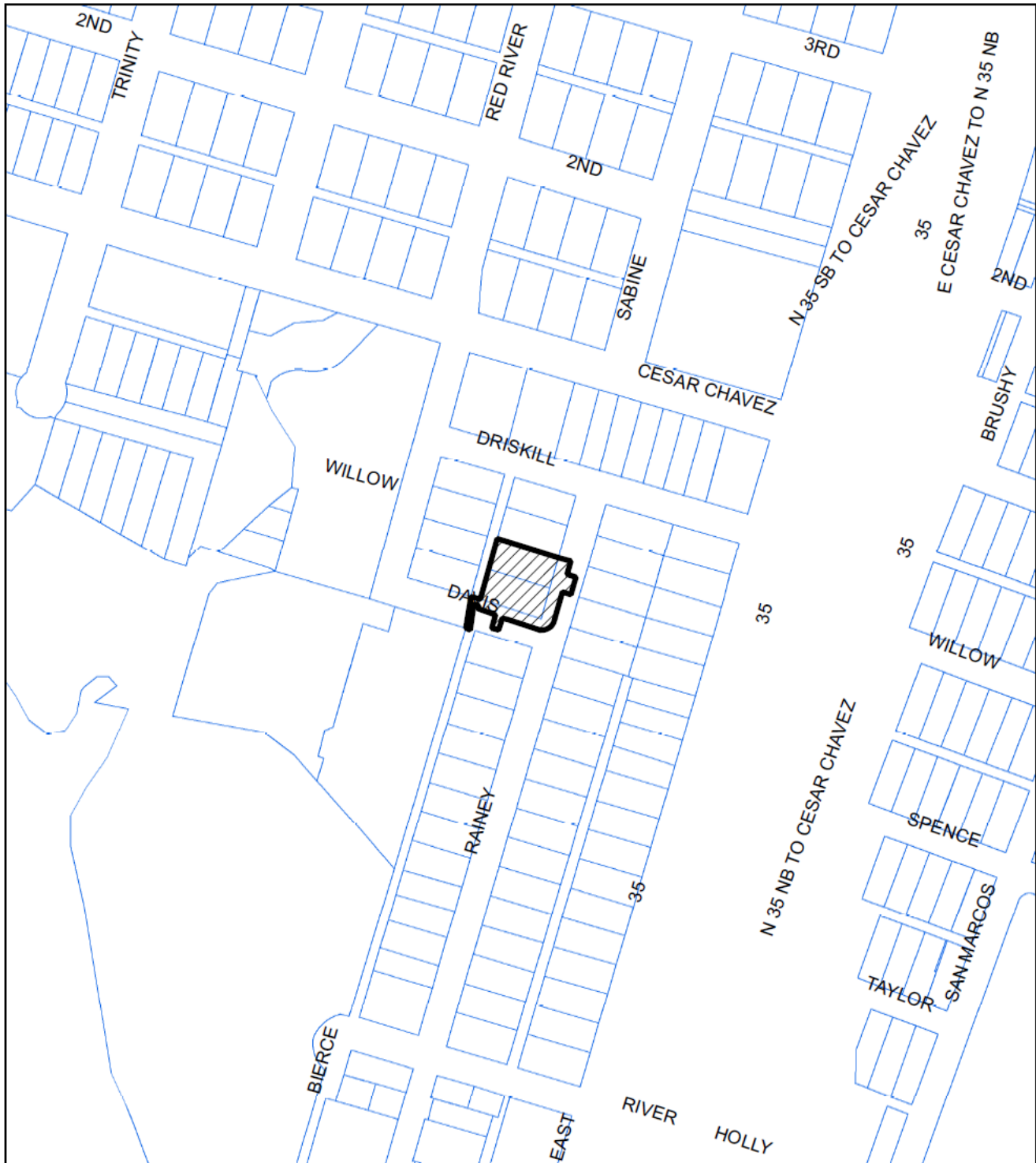
RELEASED FOR GENERAL COMPLIANCE: _____ ZONING **CBD**

Rev. 1 _____ Correction 1

Rev. 2 _____ Correction 2

Rev. 3 _____ Correction 3

Final plan must be recorded by the Project Expiration Date, if applicable. Subsequent Sitings which do not comply with the Code created at the time of filing, and all required Building Permits and/or a notice of construction (if a building permit is not required), must also be approved prior to the Project Expiration Date.



 Subject Tract
 Base Map

CASE NO: SPC-2020-0121C
 ADDRESS: 610 & 612 DAVIS ST., AND
 90 RAINEY STREET



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 the Planning and Development Review Department for the sole purpose of geographic reference.