

SECOND/THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-2009-0079 Austin Hotel Holdings, L.L.C.

REQUEST:

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code rezoning the property locally known as 201, 205 & 207 West 5th Street (Town Lake Watershed) from Central Business District (CBD) district zoning to Central Business District – Central Urban Redevelopment District (CBD-CURE) district zoning.

DEPARTMENT COMMENTS:

The conditions imposed by City Council on 1st reading have been incorporated into the ordinance and attachments.

OWNER/APPLICANT: Austin Hotel Holdings, LLC.

AGENT: Drenner & Golden Stuart Wolff, LLP. (Michele Haussmann)

DATE OF FIRST READING: December 10th, 2009, The public hearing was closed and the first reading of the ordinance for central business district-central urban redevelopment (CBD-CURE) combining district zoning was approved with the following additional conditions on consent on Council Member Morrison's motion, Council Member Shade's second on a 6-0 vote. Mayor Pro Tem Martinez was absent. The property use would be restricted to hotel-motel only with the following conditions proposed by the applicant:

1. Development of the property may not exceed a floor-to-area (FAR) ratio of 12.0 to 1.0.
2. If the FAR exceeds 8.0 to 1.0, the following applies:
 - a. Modifications to loading and unloading requirements outlined in the staff recommendation.
 - b. Modifications to maneuvering requirements outlined in the staff recommendation.
 - c. Reduction in parking spaces outlined in the staff recommendation.
 - d. Above-ground parking structures are not permitted. All parking provided on the property shall be underground.
 - e. Design of the sidewalks on Colorado and 5th Streets shall (a) meet the Great Streets Program criteria and (b) ensure that the pedestrian pathway is prominent in curb cut areas;
 - f. Design of the project shall ensure that a pool and amenity deck is located on all or a portion of the southern edge of the project at a height no higher than 60 feet above grade;
 - g. Design of the project shall ensure that the northern façade of the project contains an architectural delineation between the podium and the tower at approximately 40 feet above grade. Such architectural delineation (a) may contain columns and (b) extend vertically approximately 20 feet;

- h. The project shall be designed, built and operated to achieve a LEED Silver certification; provided, however, if the project does not achieve a LEED Silver certification within 18 months from the date of issuance of a certificate of occupancy for the project, the project must be certified to meet the City's 2-Star Green Builder program within three months from the expiration of the 18-month deadline; and**
- i. Bicycle parking shall be provided in the hotel-motel parking garage.**

CITY COUNCIL HEARING DATE: January 14th, 2010

ORDINANCE NUMBER:

CITY COUNCIL ACTION:

ASSIGNED STAFF: Clark Patterson

ZONING CHANGE REVIEW SHEET

CASE: C14-2009-0079

Austin Hotel Holdings, LLC.

P. C. DATE: 10-10-2009

ADDRESS: 201, 205, & 207 W. 5th St.

AREA: 0.5406 acres

APPLICANT: Austin Hotel Holdings, LLC.

AGENT: Drenner & Golden Stuart Wolff, LLP.
(Michele Haussmann)

NEIGHBORHOOD PLAN AREA: Downtown

CAPITOL VIEW: No

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

HILL COUNTRY ROADWAY: No

WATERSHED: Town Lake

DESIRED DEVELOPMENT ZONE: Yes

ZONING FROM: CBD – Central Business 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 with the applicant entering into a Restrictive Covenant that is outlined below. The CURE overlay would modify the following 1. Allow a floor to area ratio of 12-1. 2. "The loading requirements subject to Section 25-6-592(C)(2) of the Austin City Code are modified to allow for loading and unloading within the alley located between Lavaca Street and Colorado Street adjacent to the Property." 3. "The loading requirements subject to Section 9.3.0 #3 (Loading) of the Transportation Criteria Manual are modified to allow for maneuvering within the public right-of-way." 4. "Section 26-6-591 (Parking Provisions for Development in the Central Business District (CBD) and a Downtown Mixed Use (DMU) Zoning District) is modified to reduce the parking requirements from 60 spaces to 48 spaces."

The Restrictive Covenant would ensure that the applicant participate in the City of Austin Great Streets program for any new development on the property.

DEPARTMENT COMMENTS:

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 case was heard by the Downtown Commission on October 21st and the Commission recommended approval of the request. This case was heard by the Design Commission on October 26th and the Commission recommended approval of the request. (letter attached)

PLANNING COMMISSION RECOMMENDATION:

The motion to approve staff's recommendation for CBD-CURE zoning **FAILED** on a vote of 4-4; with Commissioners Danette Chimenti, Kathryne Tovo, Saundra Kirk and Mandy Dealey voting against the motion (nay) & 1 vacancy. [Jay Reddy 1st, Clint Small 2nd]

No action taken by the Planning Commission; Forward to City Council with no recommendation from PC.

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	Office Building
NORTH	CBD	Parking Garage
SOUTH	CBD	Night Club
EAST	CBD	Restaurant
WEST	CBD	Office Building

CASE HISTORIES:

CASE NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C14-2008-0143	From CBD to CBD-CURE	Approved CBD-CURE [Vote: 7-0]	Approved CBD-CURE [Vote: 7-0]
C14-2008-0144	From CBD-CURE to CBD-CURE	Approved CBD-CURE [Vote: 7-0]	Approved CBD-CURE [Vote: 7-0]
C14-00-2208	From CBD to CBD-CURE	Approved CBD-CURE [Vote: 6-1-1]	Approved CBD-CURE [Vote: 7-0]

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

SCHOOLS:

Matthews Elementary School
O' Henry Middle School
Austin High School

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. No trees are located on this property. At this time, site specific information is unavailable regarding 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:

TR1. No additional right-of-way is needed at this time.

TR2. A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

TR3. Existing Street Characteristics:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
5th Street	80'	MAU 4	Arterial	Yes	Yes	Yes
Colorado Street	80'	MAU 4	Arterial	Yes	Yes	Yes

SITE PLAN:

1. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

CITY COUNCIL DATE: December 10th, 2009

ACTION:

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

CASE MANAGER: Clark Patterson
Clark.patterson@ci.austin.tx.us

PHONE: 974-7691



MEMORANDUM

TO: Mayor Lee Leffingwell and City Council Members

FROM: Mandy Dealey, Chair
Downtown Commission

DATE: October 27, 2009

RE: Austin Hotel Holdings – C14-2009-0079 – Rezoning from CBD to CBD-CURE
with 12:1 FAR

At the Wednesday, October 21, 2009 meeting, the Downtown Commission heard a presentation on the proposed Austin Hotel Holdings rezoning from CBD to CBD-CURE with 12:1 FAR (C14-2009-0079). After the presentation, the Downtown Commission voted to support rezoning on 12-0-1 vote.


Mandy Dealey, Chair
Downtown Commission

cc: Dave Sullivan, Chair, Planning Commission



AUSTIN DESIGN COMMISSION

BART WHATLEY

CHAIR

JUAN COTERA

DAVID KNOLL

ELEANOR

MCKINNEY

JAMES SHIEH

RICHARD WEISS

JEANNIE

WIGINTON

JORGE E. ROUSSELYN

STAFF LIAISON

Re: Austin Holdings LLP Hotel project at 201 W. 5th Street

Dear Mayor and Members of the City Council,

This letter is regarding the Austin Holdings LLP project at 201 W. 5th Street, a 17 story hotel project which was presented to the Design Commission on Sept 29th 2009. The project is seeking CURE zoning to go from 8:1 to 12:1 FAR. While the Design Commission believes that the Interim Density Bonus program should be used in lieu of CURE Zoning, we appreciate the applicant's continuing dialogue on the project and support the project with the following input.

- **Step-back on 5th Street and Colorado-** The 5th Street elevation was originally presented as a 17 story tower flush with the property line with no step-back. The Design Commission received a revised sketch (dated 10-23-09) with a 25' tall "Wellness" balcony/setback that provides relief between the podium and the tower. The Design Commission supports the inclusion of this design component.
- **Conflict between Porte Cochere and Pedestrian access-** We appreciate that the developer is committed to great streets on the 5th and Colorado portions of the project, however we do want to insure that the pedestrian is the most protected and comfortable traveler along both streets. We therefore request that the material used on the vehicular access portions of the streetscape (on both 5th Street and Colorado) are pedestrian friendly and are designed to make pedestrians the priority. We also request that the project team meet with the Great Streets Coordinator to insure that program guidelines are being met.
- **Demolition-** While there are no regulations to prohibit demolition of a building immediately prior to commencing new construction, downtown has lost several structures that remain vacant with no immediate redevelopment plans. The Design Commission requests that exterior demolition not take place until the construction schedule has been firmly established.
- **Landscape and Streetscape plans-** these plans have not yet been fully developed. The Design Commission requests an update once these plans have been articulated.

The Design Commission applauds the fact that that the project will meet a high threshold in terms of sustainability (LEED Silver) including a green roof on the lounge level, that the street level contains active pedestrian uses, and that all of the on-site parking is below grade. We appreciate the design and scale of the podium level, which is consistent with the scale of the surrounding warehouses. We would also like to use this project as an example of how the parking authority could take parking pressure off small projects like this with regional parking facilities, which would benefit both project and the city as a whole. This is an exciting project that will contribute positively to the fabric of Downtown, and we hope that our few concerns can be addressed. We look forward to seeing the next iteration of the design.

Sincerely,

Bart Whatley
Chair, City of Austin Design Commission



