

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2010-0053  
2<sup>nd</sup> & Congress – East

**P. C. DATE:** 06-08-2010

**ADDRESS:** 106 East 2<sup>nd</sup> Street

**AREA:** 1.0138 acres

**APPLICANT:** Finley Company  
(Tim Finley)

**AGENT:** Graves, Dougherty, Hearon &  
Moody, P. C. (Michael Whellan)

**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. The CURE overlay would allow a floor to area ratio of 16-1 for a structure with a hotel/motel use with more than 700 rooms and to modify Section 25-6-592(C)(2) of the Austin City Code to allow for loading and unloading within the alley located between East 3<sup>rd</sup> Street and East 2<sup>nd</sup> Street adjacent to the property. The applicant has also agreed to enter into a Public Restrictive Covenant with the City of Austin.

The Restrictive Covenant would have four parts - 1. That the project complies with the City of Austin Great Streets Master Plan Streetscape Standards for any new development on the property. 2. That the applicant submit a Limited Traffic Impact Analysis to the Transportation Review Section of Planning & Development Review Department for any proposed project on the property. 3. That the applicant agree to submit a vehicle access study to Transportation Review staff at least 60 days prior to submitting a formal site plan application and 4. Applicant agrees that all service vehicles (including delivery trucks, trash collection, etc.) will access the site only from 3<sup>rd</sup> Street.

### **PLANNING COMMISSION RECOMMENDATION:**

### **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 May 19th and the Commission recommended approval of the request. 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:**

	<b>ZONING</b>	<b>LAND USES</b>
<b>SITE</b>	CBD	Parking Lot
<b>NORTH</b>	CBD	Office building
<b>SOUTH</b>	CBD	Office Building
<b>EAST</b>	CBD	Office Building
<b>WEST</b>	CBD	Retail/Restaurant

**CASE HISTORIES:**

<b>CASE NUMBER</b>	<b>REQUEST</b>	<b>PLANNING COMMISSION</b>	<b>CITY COUNCIL</b>
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

### **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.

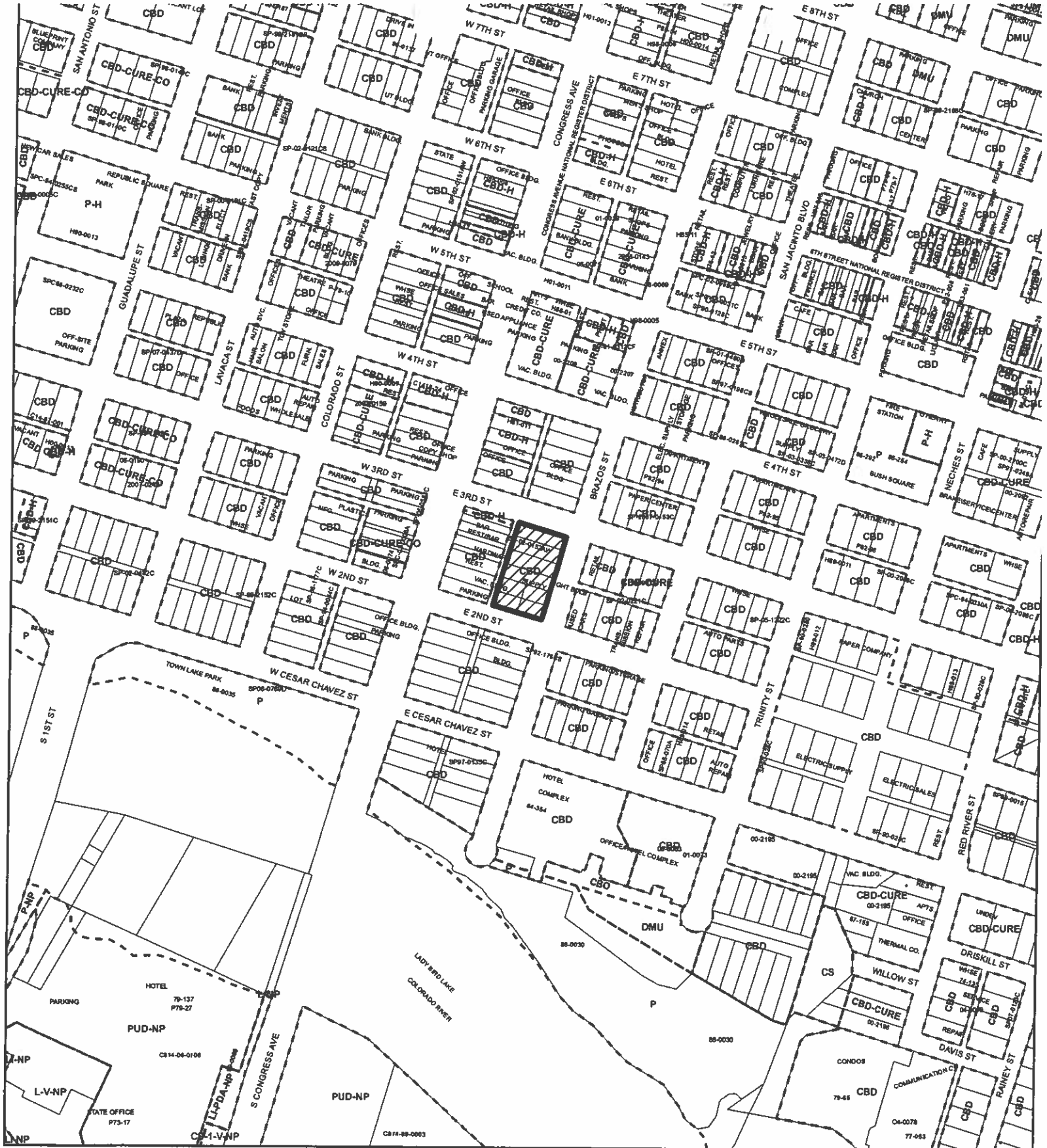
### **ENVIRONMENTAL:**




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:**

1. No additional right-of-way is needed at this time.
2. Applicant has agreed to submit a vehicle access management study to staff at least 60 days prior to submitting a formal site plan application.
3. Applicant has agreed that all service vehicles (including delivery trucks, trash collection, etc.) will access the site only from 3<sup>rd</sup> Street.

**CITY COUNCIL DATE:** June 24, 2010**ACTION:****ORDINANCE READINGS:** 1<sup>ST</sup> 2<sup>ND</sup> 3<sup>RD</sup> **ORDINANCE NUMBER:****CASE MANAGER:** Clark Patterson  
[Clark.patterson@ci.austin.tx.us](mailto:Clark.patterson@ci.austin.tx.us)**PHONE:** 974-7691



-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE

### ZONING

ZONING CASE#: C14-2010-0053  
 ADDRESS: 106 E 2ND ST, 208 BRAZOS ST  
 SUBJECT AREA: 1.0138 ACRES  
 GRID: J22  
 MANAGER: C. PATTERSON



1" = 400'

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SUBJECT TRACT