

ZONING CHANGE REVIEW SHEET

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CASE: C14-2012-0130 4th & Guadalupe Rezoning **P. C. DATE:** 12/11/12

ADDRESS: 401 Guadalupe Street **AREA:** 0.811 acres

APPLICANT: LG Guadalupe, L.P. (Ben Pisklak), Austin Trust Company (Ann Graham & Susan Harris)

AGENT: Armbrust & Brown, PLLC (Richard Suttle)

NEIGHBORHOOD PLAN AREA: Downtown **CAPITOL VIEW:** No

T.I.A.: Waived – See the Transportation Reviewer’s Comment’s and Restrictive Covenant. **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 the applicant participates in the City of Austin Great Streets program for any new development on the property. The CURE overlay would allow a floor to area ratio of 12-1 and to modify Section 25-6-592(B) & (C) (Loading Facility Provisions for the Central Business District (CBD) and a Downtown Mixed Use (DMU) Zoning District) is modified to not require on-site space for a vehicle to empty the trash receptacle and to allow maneuvering within the alley to service the off-street loading facility and the trash receptacle.

PLANNING COMMISSION RECOMMENDATION:

DEPARTMENT COMMENTS:

The subject property is currently developed with a surface parking lot and one structure. The applicant has indicated that the property now has prospective buyer that wants to develop the property as a hotel/multifamily project and needs additional floor to area ratio to achieve the desired height. The applicant is proposing a mixed use building with a restaurant on the seventh floor and luxury apartments and hotel suites on the top floors. The project is proposed to consist of the following uses: 226 multifamily units, 160 hotel rooms, 7,300 square feet of restaurant, 4,300 square feet of retail, and 2,200 square feet of cocktail lounge. The proposed structure is to be approximately 24 stories. The applicant is also requesting to modify provisions of the Code related to loading. The applicant will be required to participate in the City of Austin Great Streets Program. The subject property is located in the Core/Waterfront District of the Downtown Austin Plan. The subject tract is located on Guadalupe and 4th Streets which are designated as Downtown Mixed Use Streets, which calls for sixty percent (60%) of the parcel frontage to be active commercial or a civic use. 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 mixed use development. This site is located within the “desired development zone” where development is encouraged to locate. Note: Single family, multifamily and commercial uses on properties zoned CBD or DMU are required to meet a 1-star rating under Austin Energy's Green Building Program.

This case was reviewed by the Downtown Commission on October 17th and the Commission recommended approval of the project with conditions. This case will reviewed by the Design Commission on December 19th.

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	Parking Lot/Single Structure
NORTH	CBD	Condominiums
SOUTH	CBD	Office
EAST	CBD	Restaurant/Bar
WEST	P-H	Republic Park

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:

- Downtown Austin Neigh. 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 Assoc.
- Original Austin Neighborhood Assoc.

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SCHOOLS:

Matthews Elementary School, O' Henry Middle School, Austin High School

SITE PLAN:

SP 1. Participation in the Austin Energy Green Building Program is mandatory for any new building construction on this site.

SP 2. This site is subject to Subchapter E Commercial Design Standards. Please note that Guadalupe Street is classified as a Core Transit Corridor and 4th Street and Lavaca Street are classified as Urban Roadways.

SP 3. A portion of this site is within the Downtown Parks combining district, which requires that: (1) glass used on the first floor of a structure must have a visible transmittance rating of 0.6 or higher; (2) reflective surface building materials must not produce glare [Section 25-2-64.3]. Compliance for this section will be reviewed during building permit review.

SP 4. For information about Great Streets (boundaries are 11th, Lamar, Town Lake and IH35), please contact Humberto Rey, with Urban Design Division of Neighborhood Planning and Zoning, at 974-7288. If any work is proposed within the right-of-way in the downtown area or any of the City of Austin's designated Core Transit Corridors, please also contact Andy Halm with ROW Management, at 974-7185.

SP 5. For the proposed site plan, please record a Unified Development agreement that clearly ties each of the lots in this development together for the purposes of construction, use, and maintenance of the stormwater facilities. For any legal document questions, please contact Annette Bogusch – WPDRD Legal Liaison (974-6483).

SP 6. Additional comments will be provided when the site plans are 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.

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- 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. The traffic impact analysis (TIA) has been waived for the following reason: At the time of site plan application, the applicant will submit a limited TIA for the purpose of analyzing and determining if intersection or traffic improvements are recommended for the following intersections: E. 4th Street/Guadalupe Street, E. 4th Street/Lavaca Street, E. 5th Street/Guadalupe Street, and E. 5th Street/Lavaca Street. The applicant will be responsible for pro-rata share cost-participation at such intersections that demonstrate a need for traffic improvements. In addition, an access management study will be required.
- TR3. Guadalupe Street and Lavaca Street are classified in the Bicycle Plan as Bike Route # 33.
- TR4. Capital Metro bus service (Routes No. 171, 486, 935, 970, 982, 983, 985, and 987) are available along E. 4th Street, Guadalupe Street, and Lavaca Street.
- TR5. There are existing sidewalks along E. 4th St., E. 5th St., Guadalupe St., and Lavaca St.
- TR6. Existing Street Characteristics:

Name	ROW	Pavement	Classification	ADT
E. 4 th Street	80'	60'	Collector	5,510
Guadalupe Street	80'	60'	Arterial	14,380
Lavaca Street	80'	60'	Arterial	10,723

CITY COUNCIL DATE: November 1st, 2012

ACTION:




ORDINANCE READINGS: 1ST 2ND 3RD

ORDINANCE NUMBER:

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

PHONE: 974-7691



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2012-0130



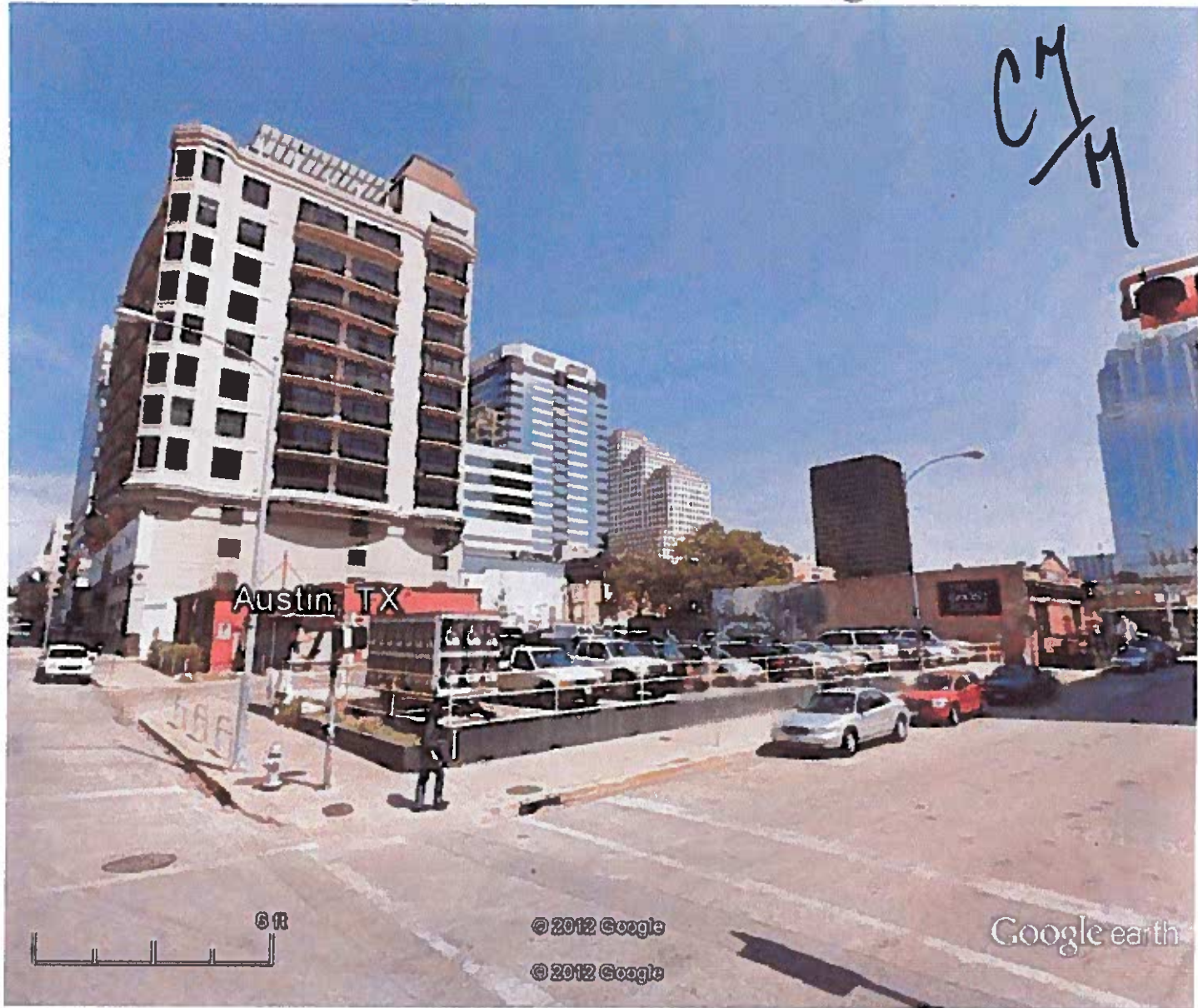
1" = 300'

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.



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Austin, TX

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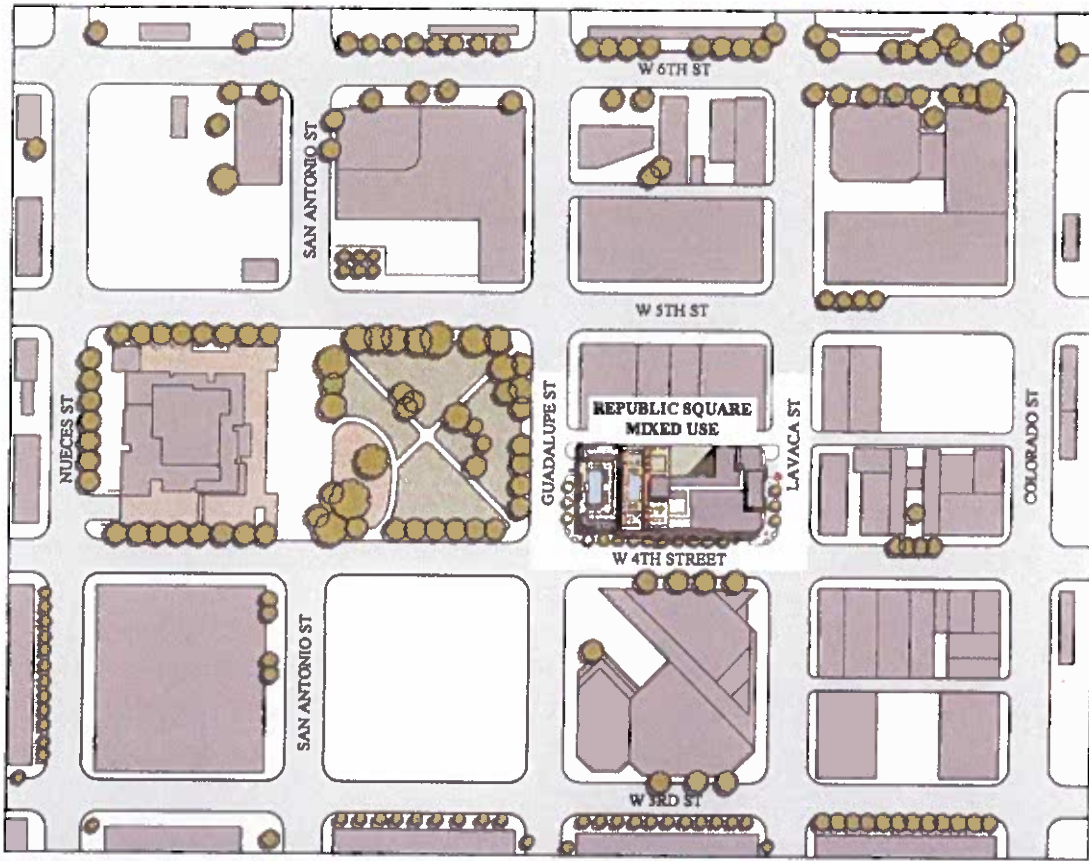
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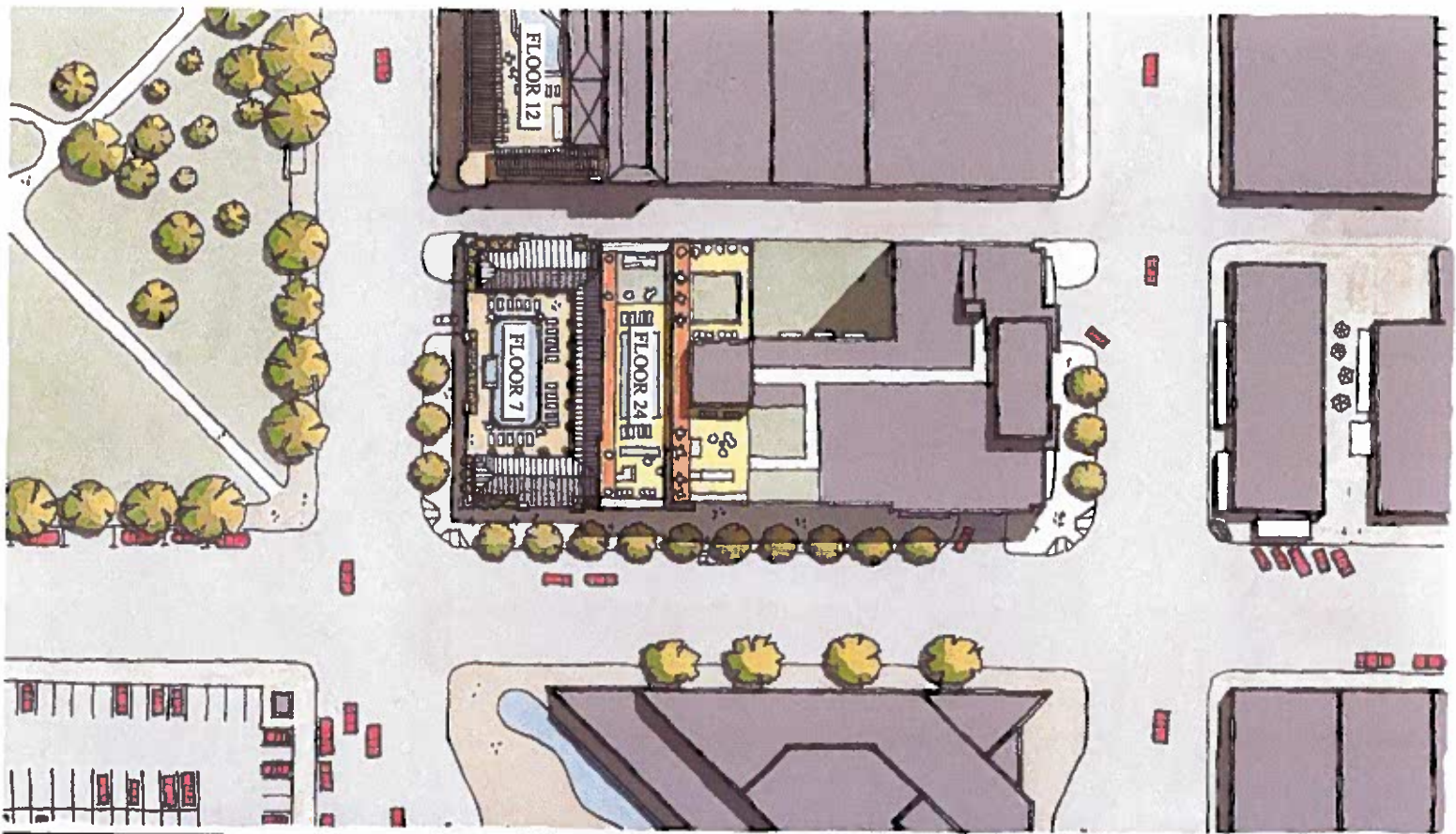
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REPUBLIC SQUARE MIXED-USE APARTMENT & HOTEL



C7/g



REPUBLIC SQUARE MIXED-USE APARTMENT & HOTEL



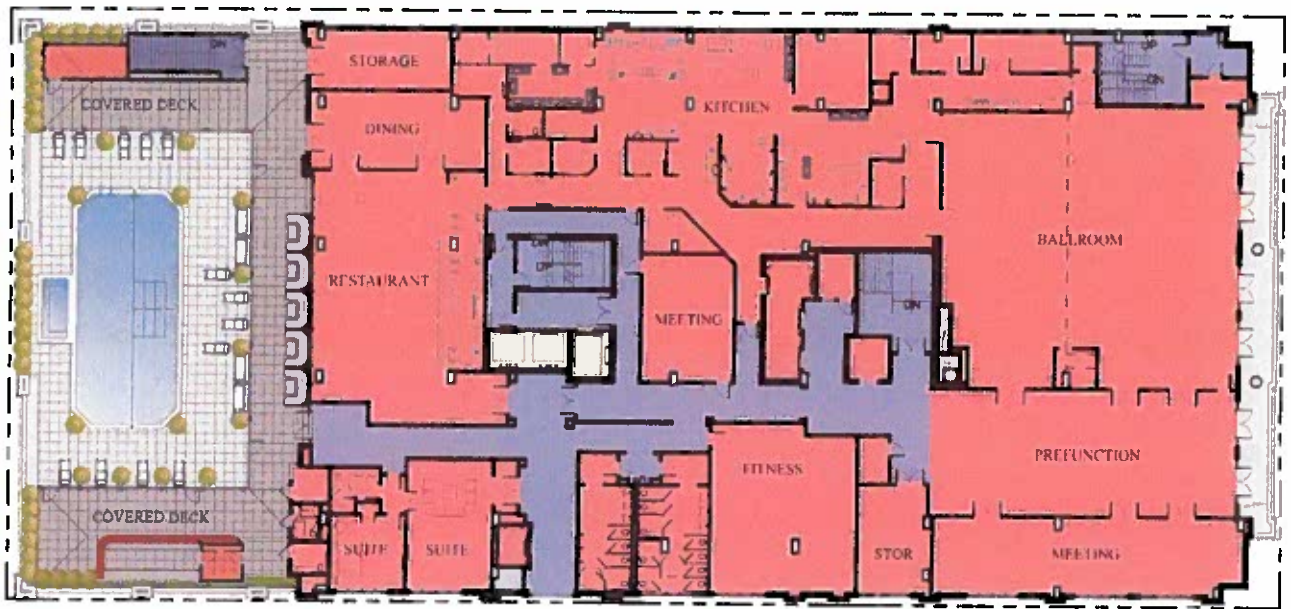
C7/10



REPUBLIC SQUARE

MIX-USE APARTMENT & HOTEL

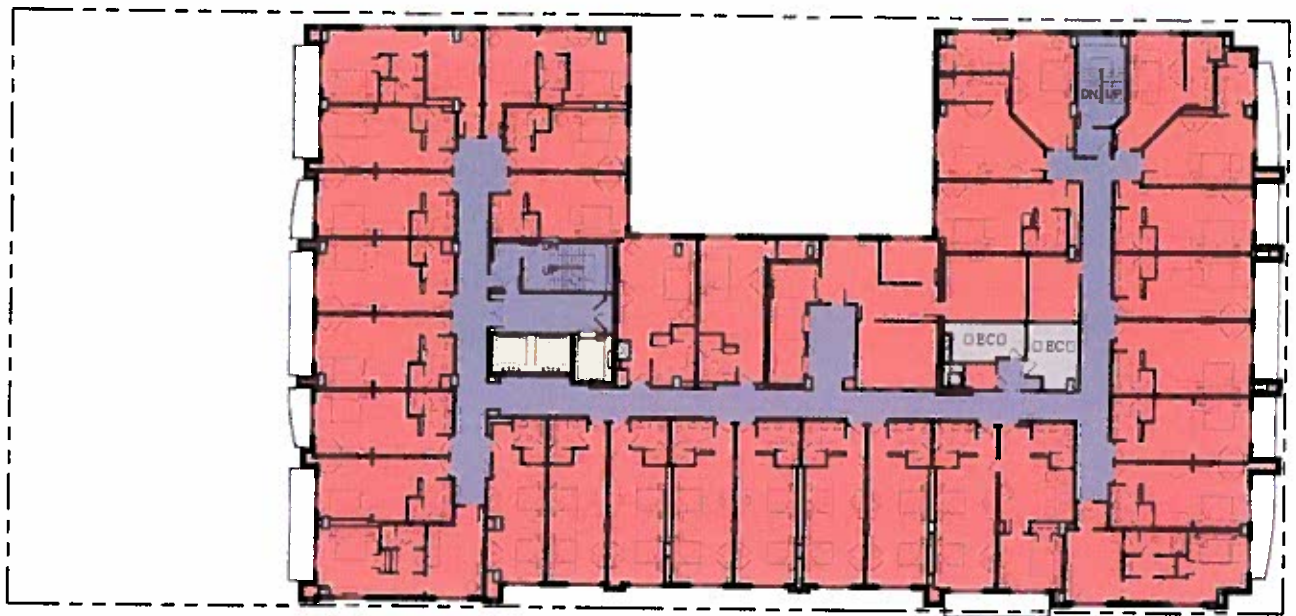
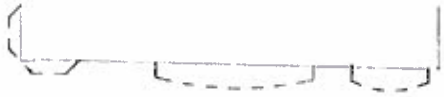
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REPUBLIC SQUARE MIXED-USE APARTMENT & HOTEL



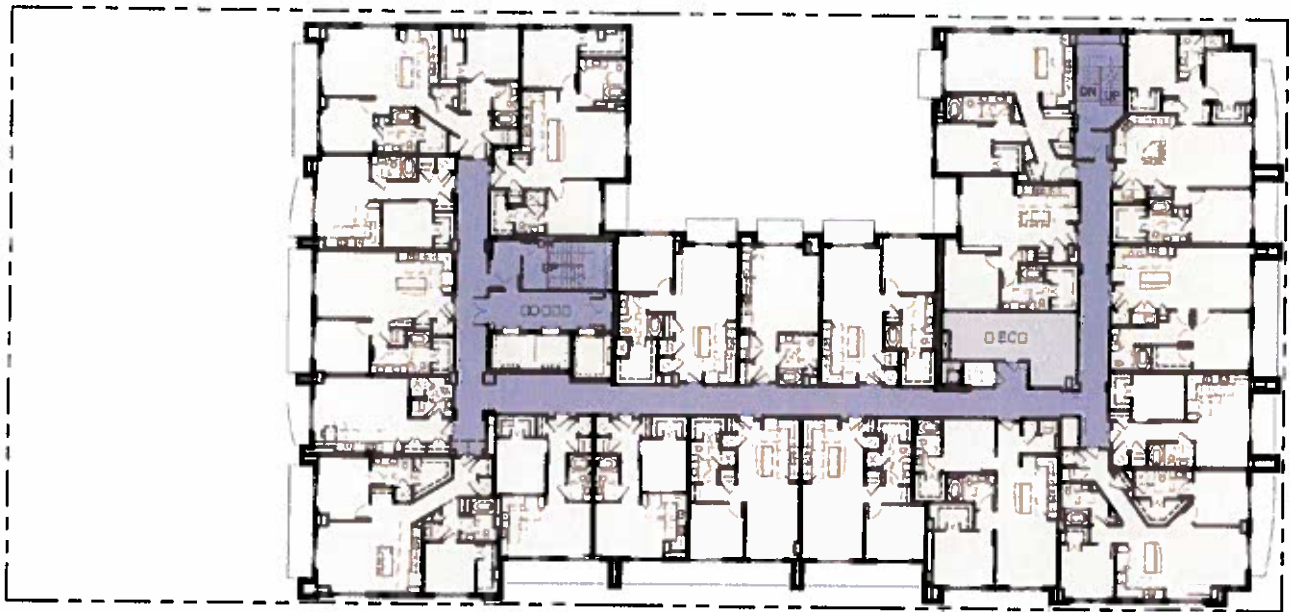
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12



LEVEL 10
0 5 10 15

REPUBLIC SQUARE MIXED-USE APARTMENT & HOTEL

C1
13



LEVEL 14
0 5 10 20



REPUBLIC SQUARE

MIXED-USE
APARTMENT & HOTEL



C1
/14



LEVEL 04
0 5 10 20

REPUBLIC SQUARE

MIXED-USE
APARTMENT & HOTEL



C17/15



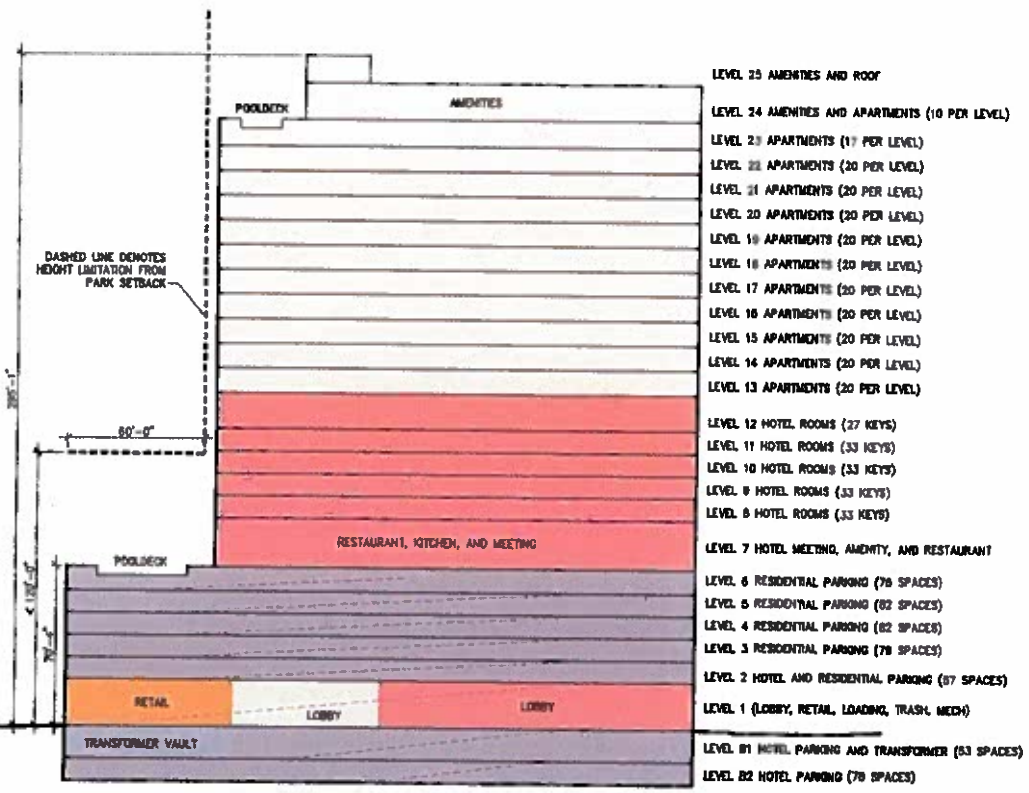
REPUBLIC SQUARE MIXED-USE APARTMENT & HOTEL

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1/16

SYNOPSIS:
 TOTAL PARKING: 507 SPACES
 TOTAL HOTEL KEYS: 150
 TOTAL UNITS: 220

LEGEND:

- HOTEL █
- RESIDENTIAL █
- PARKING █
- RETAIL █
- MECHANICAL █



BUILDING SECTION

REPUBLIC SQUARE MIXED-USE APARTMENT & HOTEL

C17
17



REPUBLIC SQUARE

MIXED-USE
APARTMENT & HOTEL



C7/18



REPUBLIC SQUARE

MIXED-USE
APARTMENT & HOTEL





EDUCATIONAL IMPACT STATEMENT

Austin Independent School District

Prepared for the City of Austin



PROJECT NAME: Republic Square

ADDRESS/LOCATION: 401 Guadalupe Street, 304 W. 4th Street, 400 Lavaca Street

CASE #: C14-2012-0130

CITY COUNCIL DATE: _____

NEW SINGLE FAMILY

DEMOLITION OF MULTIFAMILY

NEW MULTIFAMILY

TAX CREDIT

SF UNITS: _____

STUDENTS PER UNIT ASSUMPTION: _____

MF UNITS: 226

STUDENTS PER UNIT ASSUMPTION: 0.1

ELEMENTARY SCHOOL: Mathews

RATING: Exemplary

ADDRESS: 906 W. Lynn Street

PERMANENT CAPACITY: 397

% QUALIFIED FOR FREE/REDUCED LUNCH: 42%

MOBILITY RATE: 28.5%

ELEMENTARY SCHOOL STUDENTS	Current Population	5-Year Projected Population	5-Year Projected Population (w/ proposed development)
Number	253	319	330
% of Permanent Capacity	64%	80%	83%

INCREASE

DECREASE

NO IMPACT

MIDDLE SCHOOL: O. Henry

RATING: Academically Acceptable

ADDRESS: 2610 W. 10th Street

PERMANENT CAPACITY: 945

% QUALIFIED FOR FREE/REDUCED LUNCH: 36%

MOBILITY RATE: 19.8%

MIDDLE SCHOOL STUDENTS	Current Population	5-Year Projected Population	5-Year Projected Population (w/ proposed development)
Number	883	930	935
% of Permanent Capacity	93%	98%	99%

INCREASE

DECREASE

NO IMPACT

HIGH SCHOOL: Austin

RATING: Recognized

ADDRESS: 1715 W. Cesar Chavez

PERMANENT CAPACITY: 2,394

% QUALIFIED FOR FREE/REDUCED LUNCH: 67%

MOBILITY RATE: 15.2%

HIGH SCHOOL STUDENTS	Current Population	5-Year Projected Population	5-Year Projected Population (w/ proposed development)
Number	3,208	3,530	3,537
% of Permanent Capacity	134%	147%	148%

INCREASE

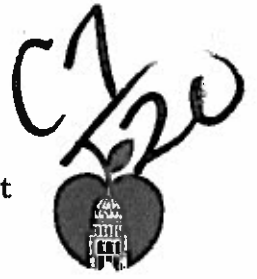
DECREASE

NO IMPACT

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin Independent
School District



IMPACT ON SCHOOLS

At the rate of 0.1 students per unit, the 226 unit multi-family development is projected to add approximately 23 students over all grade levels to the current projected student population. It is estimated that of the 23 students, 11 will be assigned to Mathews Elementary School, five to O. Henry Middle School, and seven to Austin High School. Even with the high rate of transfers into Mathews ES (28.5%) and O. Henry MS (19.8%) the existing permanent capacity at the schools will be able to accommodate the additional student population.

Assuming Austin High School retains the same number of portable classrooms currently on campus, the percent of functional capacity (by enrollment) at Austin High School would remain unchanged at 99%, which is within the target range for functional capacity.

TRANSPORTATION IMPACT

The proposed development is within two miles of Mathews Elementary School; therefore, students would not qualify for transportation unless a hazardous route was identified. Students attending O. Henry Middle School and Austin High School would qualify for bus transportation. Due to the low number of projected students, the number of bus routes should not be affected.

SAFETY IMPACT

There are no safety concerns identified at this time. Adequate sidewalks and bike routes are available in the area.

Date Prepared: _____

Director's Signature: Paul Turner

Patterson, Clark

From: Ranae Pettijohn [redacted]
Sent: Tuesday, November 06, 2012 3:26 PM
To: Patterson, Clark
Subject: Case Number C14-2012-0130

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For the record, I am against the current plan for the high rise at 401 Guadalupe Street. The height of the current application will have a STRONG negative effect on all of the owners in The Plaza Lofts, and specifically the owners on the south side of the building. When will the public have an opportunity to discuss the plan and get involved in the process for the proposed zoning change?

Ranae Pettijohn, REALTOR
512-422-1526 cell, 512-327-4800 office
[redacted]

Amelia Bullock
REALTOR

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Patterson, Clark

From: [REDACTED]
Sent: Thursday, November 01, 2012 2:34 PM
To: Patterson, Clark
Subject: Case number C14-2012-0130

01/22

Mr. Patterson,

I'm writing to you in regard to case number C14-2012-0130. As a resident of Plaza Lofts, I'm directly impacted by the rezoning and development plans. It concerns me greatly since I live on the south-facing unit and will bear the brunt of any changes that are forthcoming. Here are some of my main concerns and I hope that you'll be able to take that in to consideration and offer further discussions and solutions:

- 1) Privacy is a huge concern for me. I only have views to the south and the proposed development pretty much puts up a wall in front of me. The 15ft of alleyway doesn't provide enough of a buffer and will dramatically diminishes the amount of light as well as impact privacy for me. How is this good for Austin property owners when eagerness to rezone and develop will forego sensibilities?
- 2) Construction noise and distractions. I've endured many many constructions around me ever since living at the Plaza Lofts since 2004. Particularly, the noise from W Hotel and Federal Courthouse pretty much forced me to seek an office away from my home office. In addition, the construction lights from W Hotel were incredibly hard to shut out at nights. With the impending construction of the ZaZa Hotel, my place will be pretty much inhabitable during the day!
- 3) Traffic increases. I'm puzzled as to why the traffic survey was waived. I park in the garage accessible through the alleyway and it's frequently jammed with service trucks. I have no doubt that it's going to be hellish to park my car once the new hotel is complete. The curbs will be littered with valets or waiting patrons along which will cause havoc for the neighboring businesses and residents. That's on top of the service trucks going in and out of the alleyways.
- 4) Property values will sink. The exact impact will be hard to determine but, for sure, nobody is going to want to live at the Plaza Lofts due to construction in the short term. Once finished, I'm pretty sure my property values will be dramatically lower and whether I sell or rent, I'll hit my pocketbooks. I'm very concerned...

Thank you for taking the time to listen to my concerns and feel free to contact me via email or phone if further discussions are warranted. I do hope that you'll make fair assessment and make decisions that are good for growth but also keeping the existing property owners happy.

Warmest regards,
Gabe Ahn

Gabe H. Ahn | 512.553.6246 | <http://scedev.net>
Sony Computer Entertainment America

Patterson, Clark

From: Anguiano, Dora
Sent: Thursday, November 01, 2012 10:12 AM
To: Patterson, Clark
Subject: FW: Email from austintexas.gov: Gables Republic Square Park rezoning

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Clark is this your case?

-----Original Message-----

From: Cindy Taylor [mailto: [REDACTED]]
Sent: Thursday, November 01, 2012 9:22 AM
To: Anguiano, Dora
Cc: Cecilia Tapia
Subject: Re: Email from austintexas.gov: Gables Republic Square Park rezoning

Thank you again Dora for your help.

The Case is C14-2012-0130.

The Gables/Hotel ZaZa project is 401 Guadalupe St, 304 W 4th, and 400 Lavaca St.

Can you please confirm that there will definitely be a public hearing that all next door Plaza Lofts residents can attend? What is the date scheduled for the hearing. It is important since I face south with only an alley between me and their building. I will look at a brick wall and all my light will be eliminated since I have only one window.

Many thanks,

Cindy Taylor

Plaza Lofts resident

Sent from my EYEPad

On Oct 29, 2012, at 11:32 AM, "Anguiano, Dora" <Dora.Anguiano@austintexas.gov> wrote:

- > Ms. Taylor,
- > Do you have a case # for this project?
- > Or can you tell me what area of town this project is, so that I can
- > forward to the appropriate planner?
- >

> Dora Anguiano

> 974-2104

>

> -----Original Message-----

> **From:** Cindy Taylor [mailto: [REDACTED]]
> **Sent:** Sunday, October 28, 2012 9:26 AM

- > To: Anguiano, Dora; anguiad@comcast.net
- > Subject: Email from austintexas.gov: Gables Republic Square Park
- > rezoning
- >
- > This message is from Cindy Taylor. From this week's (10/26/12)
- > Austin American Statesman article, the new Gables Residential and
- > Hotel ZaZa building was announced. It completely obstructs the Plaza
- > Lofts with only an alley in between buildings and all residents on the
- > South side looking out on a brick wall. Plaza Lofts residents would
- > like to attend the rezoning meeting related to that project. Can you
- > tell me when it is on the Zoning and Platting Commission agenda? Many thanks!

CJ
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