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

CASE NUMBER: SP-2012-0338CT

PC DATE: February 26, 2013

PROJECT NAME: TPPF (Texas Public Policy Foundation)

ADDRESS: 901 Congress Avenue

APPLICANT/AGENT: Big Red Dog Engineering (Bob Brown)
815-A Brazos Street, #319
Austin, Texas 78701
Telephone: (512) 669-5560

OWNER: Texas Public Policy Foundation (Arlene Wohlgemuth)
900 Congress Avenue
Austin, Texas 78701

OFF-SITE OWNER: Capital Plains Bank
c/o Tim Wright, Vice President
900 Congress Avenue
Austin, Texas 78701

PROPOSED DEVELOPMENT: The applicant is requesting a conditional use permit for an off-site parking facility to serve a proposed six-story, 39,564 sq. ft. office building. The applicant is also requesting a variance from the requirement to provide a trash receptacle location and a loading space for vehicles to empty a trash receptacle, and from providing an off-street loading facility.

EXISTING ZONING: The site is zoned CBD (Central Business District) and commercial off-street parking is a conditional use in this zoning district.

NEIGHBORHOOD ORGANIZATIONS:

Downtown Austin Neighborhood Coalition
Homeless Neighborhood Organization
Austin Independent School District
Beyond2ndNature
Austin Heritage Tree Foundation
Sierra Club, Austin Regional Group
City of Austin Downtown Commission
SEL Texas
Downtown Austin Neighborhood Association
League of Bicycling Voters
Austin Parks Foundation
Austin Neighborhoods Council
Downtown Austin Alliance
The Real Estate Council of Austin, Inc.
Austin Monorail Project
Super Duper Neighborhood Objectors and Appealers Organization

T.I.A.:

Not required

**APPLICABLE WATERSHED ORDINANCE:
WATERSHED:**Comprehensive Watershed Ordinance
Lady Bird Lake Watershed (Urban)**SURROUNDING SITE CONDITIONS:**Zoning/ Land Use:

North: CBD/Office building

South: Ninth Street

East: Alley

West: Congress Avenue

SUMMARY COMMENTS ON SITE PLAN: Off-site Parking - The proposed office building will provide no on-site vehicle parking. Twenty-nine (29) parking spaces are required, and twenty-nine (29) spaces will be provided at the off-site parking garage facility located at 816 Colorado Street. This facility is 692 linear feet from the building entrance of the proposed office building, and the path from the parking garage to the proposed building will be ADA-compliant.

Variance Request – Based upon the site plan, the applicant has provided insufficient site area to comply with Land Development Code Section 25-6-592(B)(1) & (B)(2) requirements, which states:

(B) The following must be located on-site in accordance with this section:

- (1) A trash receptacle location, including space for a vehicle to empty the receptacle; and*
- (2) An off-street loading facility*

The site has approximately 46 feet of street frontage along the alley to the east of the property, and the proposed building will be constructed to the full extents of the property. Along the alley, Austin Energy requires a 25.5-foot transformer vault to be constructed within the building. Also, an 8-foot wide stairwell and an 8-foot wide electrical room are required by building code, leaving no space to provide a trash receptacle. The variance request also includes that no off-street loading facility be provided.

For garbage pickup, the applicant proposes to continue to use an existing dumpster located in the alley. This single dumpster is currently being shared by the existing building on this site, and by the Austin Club located along the east side of the alley. Staff has pointed out to the applicant that this arrangement is not acceptable for the proposed building.

In response, the applicant has indicated that if continued use of the shared dumpster is not allowed, they would procure the services of a “valet”-type refuse service, which would collect trash from within the building on a pre-arranged schedule

SUMMARY STAFF RECOMMENDATION: Staff recommends approval of the conditional use permit for off-site parking.

Staff recommends approval with conditions for the variance from providing a trash receptacle, vehicle space for trash pickup, and off-street loading facility, as long as the applicant provides an agreement with a refuse service that will collect trash from within the building. The conditions also include discontinuing use of the shared dumpster in the alley.

CASE MANAGER: Michael Simmons-Smith

Telephone: 974-1225

michael.simmons-smith@austintexas.gov

13

CONDITIONAL USE PERMIT REVIEW AND EVALUATION CRITERIA

The following evaluation is included to provide staff position on each point of the conditional use permit criteria. Section 25-5-145 of the Land Development Code states:

A. "The Land Use Commission shall determine whether the proposed development or use of a conditional use site plan complies with the requirements of this section.

B. A conditional use site plan must:

- 1. Comply with the requirements of this title;** Staff Response: This site plan complies with all regulations and requirements of the Land Development Code.
- 2. Comply with the objectives and purposes of the zoning district;** Staff Response: The proposed uses are a permitted use in the CS-MU-CO-V-NP zoning district.
- 3. Have building height, bulk, scale, setback, open space, landscaping, drainage, access, traffic circulation, and use that is compatible with the use of an abutting site;** Staff Response: The structures are currently existing, but comply with all requirements of the CS-MU-CO-V-NP zoning district. In addition, the building complies with setback, height, and compatibility screening requirements.
- 4. Provide adequate and convenient off-street parking and loading facilities; and** Staff Response: The site plan complies with off-street parking and loading facility requirements.
- 5. Reasonably protect persons and property from erosion, flood, fire, noise, glare, and similar adverse effects.** Staff Response: The site plan will comply with all requirements of the Land Development Code including compatibility standards, and reasonably protects the health, safety, and welfare of persons and property.
- 6. For conditional use located within the East Austin Overlay district, comply with the goals and objectives of a neighborhood plan adopted by the City Council for the area in which the use is proposed.** Staff response: The proposed project is within the Old West Austin neighborhood plan.

C. A Conditional Use Site Plan May Not:

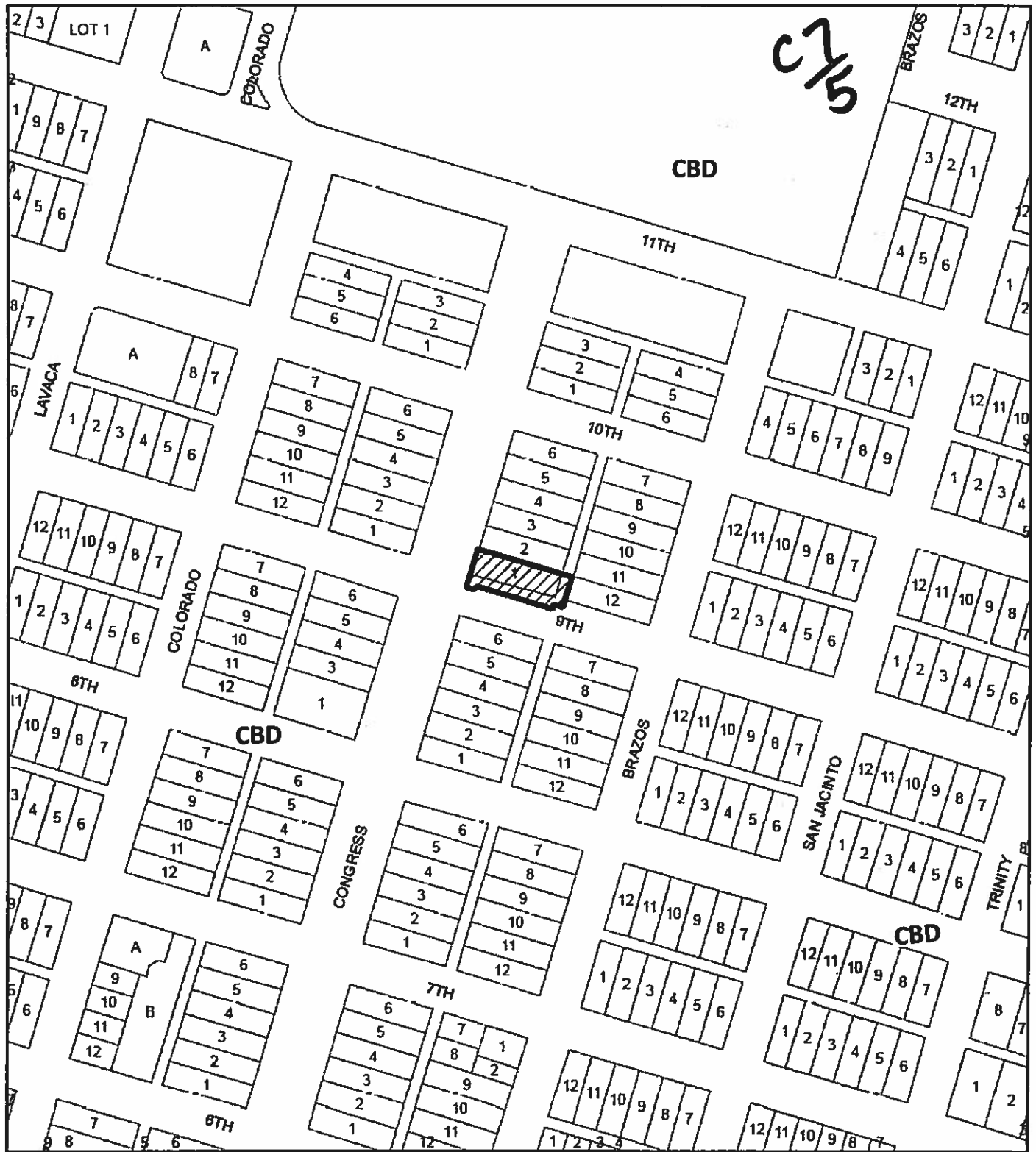
- 1. More adversely affect an adjoining site than would a permitted use;** Staff response: The site plan will conform to all regulations and standards established by the Land Development Code. This proposed site plan does not more adversely affect an adjoining site than would a permitted use.
- 2. Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area;** Staff response: The site plan is not anticipated to have any detriment of safety or convenience. The site plan does not adversely affect the safety and convenience or vehicular and pedestrian circulation. No construction is proposed.
- 3. Adversely affects an adjacent property or traffic control through the location, lighting, or type of signs;** Staff response: No signage or lighting is proposed that would affect adjacent properties or traffic control. Compatibility notes are required on the plans to regulate lighting to shield the adjacent property from adverse effects.



C1/4

- D.** A site plan may not adversely affect the public health, safety, or welfare, or materially injure property. If the Land Use Commission determines that a site plan has an adverse effect or causes a material injury under this subsection, the Land Use Commission shall identify the adverse effect or material injury.

Section 25-5-146 Conditions of Approval of the Land Development Code states:

- (A) 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 & 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.



-  Subject Tract
-  Base Map

CASE#: SP-2012-0338C
ADDRESS: 901 Congress Avenue



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. No warranty is made by the City of Austin regarding specific accuracy or completeness.

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2/13

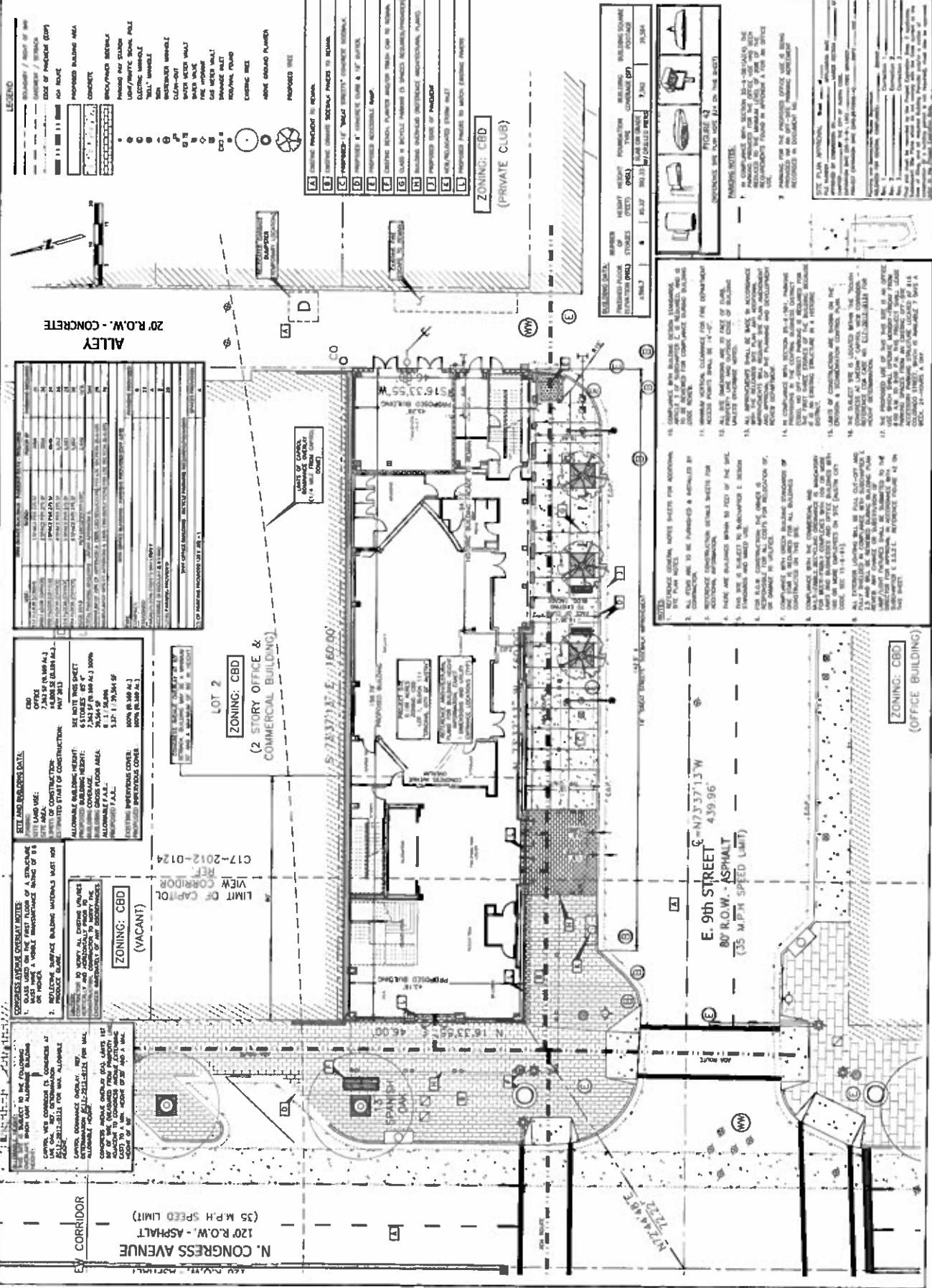
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8 of 30

TEXAS PUBLIC POLICY FOUNDATION BUILDING
901 S. CONGRESS AVE.
AUSTIN, TRAVIS COUNTY, TEXAS 78701



BIG RED DOG
512.466.5500
WWW.BIGREDDOG.COM

ENGINEERING & CONSULTING
142 E. 11TH AVE. SUITE 100
AUSTIN, TEXAS 78701
142 E. 11TH AVE. SUITE 100
AUSTIN, TEXAS 78701



ZONING: CBD
(OFFICE BUILDING)

LOT 2
ZONING: CBD
(2 STORY OFFICE & COMMERCIAL BUILDING)

ZONING: CBD
(VACANT)

SIZE AND BUILDING DATA
LAND USE: OFFICE
SUBMITTAL DATE: MAY 2013
ALLOWABLE BUILDING HEIGHT: 6 STORIES 48' 0"
PROPOSED BUILDING HEIGHT: 6 STORIES 48' 0"
ALLOWABLE GROSS FLOOR AREA: 120,000 SF
PROPOSED GROSS FLOOR AREA: 120,000 SF
PERMITTED PERCENTAGE COVER: 100%
PERMITTED BUILDING COVER: 100%

CONGRESS AVENUE OVERLAY NOTES
1. GLASS USED ON THE FIRST FLOOR OF A STRUCTURE SHALL BE LIMITED TO A MAXIMUM HEIGHT OF 10' 0" FROM THE STREET LEVEL.
2. REFLECTIVE SURFACE BUILDING MATERIALS MUST NOT BE USED ON THE FIRST FLOOR OF A STRUCTURE.
3. BUILDING MATERIALS MUST BE SUBMITTED FOR REVIEW AND APPROVAL BY THE CITY OF AUSTIN.

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TABLE 1: BUILDING MATERIALS

ITEM	DESCRIPTION	UNIT	QUANTITY
1	CONCRETE	CU YD	1,200
2	STEEL	TON	100
3	BRICK	SQ YD	500
4	GLASS	SQ FT	10,000
5	PAINT	GA	1,000
6	CEILING	SQ YD	1,000
7	FLOORING	SQ YD	1,000
8	MECHANICAL	TON	100
9	ELECTRICAL	TON	100
10	PLUMBING	TON	100

NOTES:
1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF AUSTIN'S ZONING ORDINANCE.
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF AUSTIN'S SUBDIVISION MAP ACT.
3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF AUSTIN'S PLANNING AND ZONING COMMISSION.
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LEGEND

SYMBOL	DESCRIPTION
1	PROPOSED BUILDING
2	PROPOSED PARKING LOT
3	PROPOSED DRIVEWAY
4	PROPOSED SIDEWALK
5	PROPOSED STREET LIGHT
6	PROPOSED LANDSCAPE
7	PROPOSED FENCE
8	PROPOSED SIGN
9	PROPOSED UTILITY
10	PROPOSED EROSION CONTROL
11	PROPOSED DRAINAGE
12	PROPOSED RETENTION BASIN
13	PROPOSED STORMWATER MANAGEMENT
14	PROPOSED BIOTROPIC ZONE
15	PROPOSED OPEN SPACE
16	PROPOSED RECREATION AREA
17	PROPOSED CULTURAL RESOURCE
18	PROPOSED HISTORIC RESOURCE
19	PROPOSED ARCHITECTURAL RESOURCE
20	PROPOSED SCULPTURAL RESOURCE
21	PROPOSED LANDMARK
22	PROPOSED MONUMENT
23	PROPOSED MEMORIAL
24	PROPOSED MUSEUM
25	PROPOSED GALLERY
26	PROPOSED THEATRE
27	PROPOSED CONCERT HALL
28	PROPOSED AUDITORIUM
29	PROPOSED LIBRARY
30	PROPOSED MUSEUM

20' R.O.W. - CONCRETE
ALLEY

TABLE 2: CONSTRUCTION SCHEDULE

ITEM	DESCRIPTION	START DATE	END DATE
1	FOUNDATION	05/01/2013	05/31/2013
2	FRAME	06/01/2013	06/30/2013
3	ROOF	07/01/2013	07/31/2013
4	MECHANICAL	08/01/2013	08/31/2013
5	ELECTRICAL	09/01/2013	09/30/2013
6	PLUMBING	10/01/2013	10/31/2013
7	PAINT	11/01/2013	11/30/2013
8	CEILING	12/01/2013	12/31/2013
9	FLOORING	01/01/2014	01/31/2014
10	MECHANICAL	02/01/2014	02/28/2014
11	ELECTRICAL	03/01/2014	03/31/2014
12	PLUMBING	04/01/2014	04/30/2014
13	PAINT	05/01/2014	05/31/2014
14	CEILING	06/01/2014	06/30/2014
15	FLOORING	07/01/2014	07/31/2014
16	MECHANICAL	08/01/2014	08/31/2014
17	ELECTRICAL	09/01/2014	09/30/2014
18	PLUMBING	10/01/2014	10/31/2014
19	PAINT	11/01/2014	11/30/2014
20	CEILING	12/01/2014	12/31/2014

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