PLANNING COMMISSION SITE PLAN CONDITIONAL USE PERMIT REVIEW SHEET

CASE NUMBER:

SPC-2014-0387C

PC DATE: June 9, 2015

PROJECT NAME:

East Side Hotel

ADDRESS OF APPLICATION: 1207 E Cesar Chavez Street

APPLICANT:

Robert and Daniel Vasquez 1209 E Cesar Chavez Street

Austin TX 78702

AGENT:

Big Red Dog Engineering (Kaitlin Redmon) (512) 669-5560

2021 E 5th Street, Ste 110

Austin, TX 78702

AREA:

0.841 acres

COUNCIL DISTRICT: 3

WATERSHED:

Lady Bird Lake & Waller Creek (urban)

WATERSHED ORDINANCE: Comprehensive Watershed Ordinance (urban)

C.I.P. STATUS: N/A

T.I.A.: N/A

CAPITOL VIEW: N/A

PROPOSED DEVELOPMENT:

The applicant is requesting a conditional use permit to allow hotel-motel use. The proposed Hotel building will be on the portion of the site that is zoned CS-MU-CO-NP.

EXISTING ZONING: The site is zoned CS-MU-CO-NP and SF-3-NP. The proposed hotel use is a conditional use in the East Cesar Chavez Neighborhood Plan (Ordinance No. 001214-20).

STAFF RECOMMENDATION:

Staff recommends approval of the conditional use permit for the proposed hotel. This site plan will comply with all Land Development Code requirements.

CASE MANAGER: Rosemary Avila

Telephone: 974-2784

Rosemary.avila@austintexas.gov

PROJECT INFORMATION: 0.841 acres EXIST. ZONING: CS-MU-CO-NP & SF-3-NP

ALLOWED F.A.R.: 2:1

PROPOSED F.A.R.: 1.26:1

MAX. BLDG. COVERAGE: 95% (CS-MU-CO-NP) PROPOSED BLDG. CVRG: 52.4%

40% (SF-3-NP)

MAX. IMPERVIOUS CVRG.: 95% (CS-MU-CO-NP) PROPOSED IMPERVIOUS CVRG: 73.3%

45% (SF-3-NP)

REQUIRED PARKING: 58

PROVIDED PARKING: 70

PROPOSED ACCESS: East Cesar Chavez



SUMMARY COMMENTS ON SITE PLAN:

Land Use: The proposed hotel use is a conditional use in the East Cesar Chavez Neighborhood Plan. The proposed hotel is three stories tall with 65 hotel rooms and an accessory restaurant space.

Environmental: All remaining Environmental comments can be seen in the attached Master Comment Report. Environmental comments will need to be addressed and cleared prior to permit issuance.

Transportation: The site has access to East Cesar Chavez Street.

PLANNING COMMISSION ACTION:

May 26, 2015 Planning Commission granted a postponement (to June 9, 2015) requested by the

applicant.

SURROUNDING CONDITIONS:

Zoning/ Land Use

North:

E. Cesar Chavez St, then CS-MU-CO-NP (commercial food trailer)

East:

CS-MU-CO-NP (office) & SF-3-NP, single family

South:

LO-CO (educational- El Buen Pastor Early Childhood Development Center)

& Willow St, then SF-3-NP (single family)

West:

CS-MU-CO-NP (commercial)

NEIGHBORHOOD ORGNIZATIONS:

Austin Heritage Tree Foundation

Austin Independent School District

Austin Neighborhood Council

Barrio Unido Neighborhood Assoc.

Bike Austin

Capital Metro

Del Valle Community Coalition

East Austin Conservancy

East Cesar Chavez Neighborhood Planning Team

East Town Lake Citizens Neighborhood Org.

El Concilio Mexican-American Neighborhoods

Friends of Emma Barrientos MACC

Guadalupe Neighborhood Development Corporation

Preservation Austin

SEL Texas

Sierra Club, Austin Regional Group

Tejano Town

The Real Estate Council of Austin, Inc.

United East Austin Coalition

Waller Creek Conservancy

Waterfront Planning Advisory Board

CONDITIONAL USE PERMIT

D. 25-5-145. 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.

§ 25-5-146 CONDITIONS OF APPROVAL.

- (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.

CONDITIONAL USE PERMIT REVIEW AND EVALUTATION CRITERA

A. 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: "The Planning 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:

B.

1. Comply with the requirements of this title;

Staff Response: This site plan must comply with all regulations and requirements of the Land Development Code prior to site plan release and approval. All remaining comments can be seen on the attached master comment report.

2. Comply with the objectives and purposes of the zoning district;

Staff Response: The proposed hotel use is a conditional use in the East Cesar Chavez Neighborhood Plan.

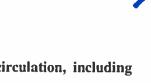
- 3. Have building height, bulk, scale, setback, open space, landscaping, drainage, access, traffic circulation, and use that is compatible with the use of an abutting site;
 - Staff Response: Yes. The site plan will comply with all requirements of the Land Development Code. In addition, the site plan will comply with setback and height requirements.
- 4. Provide adequate and convenient off-street parking and loading facilities; and

Staff Response: The site plan will comply 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 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 not in the East Austin Overlay.

C. In addition, a conditional use site plan may not:

7. More adversely affect an adjoining site than would a permitted use; Staff Response: No



- 8. Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area; or

 Staff Response: The site plan does not adversely affect the safety and convenience of vehicular and pedestrian circulation.
- 9. Adversely affect an adjacent property or traffic control through the location, lighting, or type of a sign. Staff Response: All signs and lighting will comply with the Land Development Code.

25-5-146 - CONDITIONS OF APPROVAL.



(A)

To make a determination required for approval under <u>Section 25-5-145</u> (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:

- a special yard, open space, buffer, fence, wall, or screen;
- (2) landscaping or erosion;
- 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
- other measures that the Land Use Commission determines are required for compatibility with surrounding uses or the preservation of public health, safety, or welfare.

(B)

As a condition of approval for a conditional use site plan, a parking area for a cocktail lounge or a restaurant with a late-hours permit must be separated from a property used or zoned townhouse and condominium residence (SF-6) district or more restrictive by not less than 200 feet unless:

- (1)
 the lounge or restaurant is located within an enclosed shopping center; or
- the Land Use Commission grants a variance from this requirement when the Land Use Commission approves the site plan.





April 20, 2015

Mr. Greg Guernsey Planning and Development Review Department 505 Barton Springs Road, Suite 400 Austin, Texas 78704

RE: Engineer's Summary Letter

East Side Hotel

1207 E Cesar Chavez Street Austin, Travis County, Texas

Dear Mr. Guernsey,

Please accept this Engineer's summary letter and report along with the accompanying site plan application materials as our formal submittal for the above referenced project, located at 1207 E Cesar Chavez Road. The project is located entirely within the Full Purpose limits of the City of Austin, in Travis County, Texas.

The proposed project will consist of a 3-story hotel with 65 rooms, an accessory restaurant space, and 2-levels of structural parking located below grade. Other necessary site improvements for access, utility services, grading and drainage improvements, and environmental protections will also be included. All proposed improvements will be developed in accordance with the provisions contained in the City of Austin Land Development Code.

This site is composed of five existing lots with existing single family residential on each. The five lots comprise a total of 0.841 acres. The proposed hotel falls within the three lots adjacent to E Cesar Chavez Street which are zoned CS-MU-CO-NP. All are part of the Canterbury Square Subdivision and the E Cesar Chavez Street Neighborhood Conservation Combining District (Ordinance No. 001214-20) which lists "Hotel-motel" as a conditional use.

No portion of the site is located within the Edwards Aquifer Recharge or Contributing Zone. Additionally, no portion of the subject site is located within the 100-year floodplain according to the FEMA Flood Insurance Map # 48453C0465H (dated September 26, 2008).

The project is located in the Lady Bird Lake Watershed, which is classified as an urban watershed, and is located in the desired development zone. Since the properties total less than one acre, a Fee in Lieu of Water Quality will be paid for this development. Detention is not anticipated to be required on this site as the proposed impervious cover will be less than that existing today. In the event that detention is required, improvements to the existing stormwater infrastructure in addition to paying the RSMP fee associated with this development will be proposed in place of a structural detention facility on site.





The water service will be provided from an existing waterline 12" DI waterline that is located in East Cesar Chavez Street. The wastewater service will be provided from an existing 8" PVC wastewater line, also located in East Cesar Chavez Street.

To our knowledge, the enclosed application materials are complete, correct, and in full compliance with the Land Development Code. Should you have any questions regarding this project or application, please do not hesitate to contact our office.

Sincerely,
BIG RED DOG Engineering | Consulting
Texas Engineering Firm No. F-15964

Bradley J. Lingvai, P.E. President - Austin



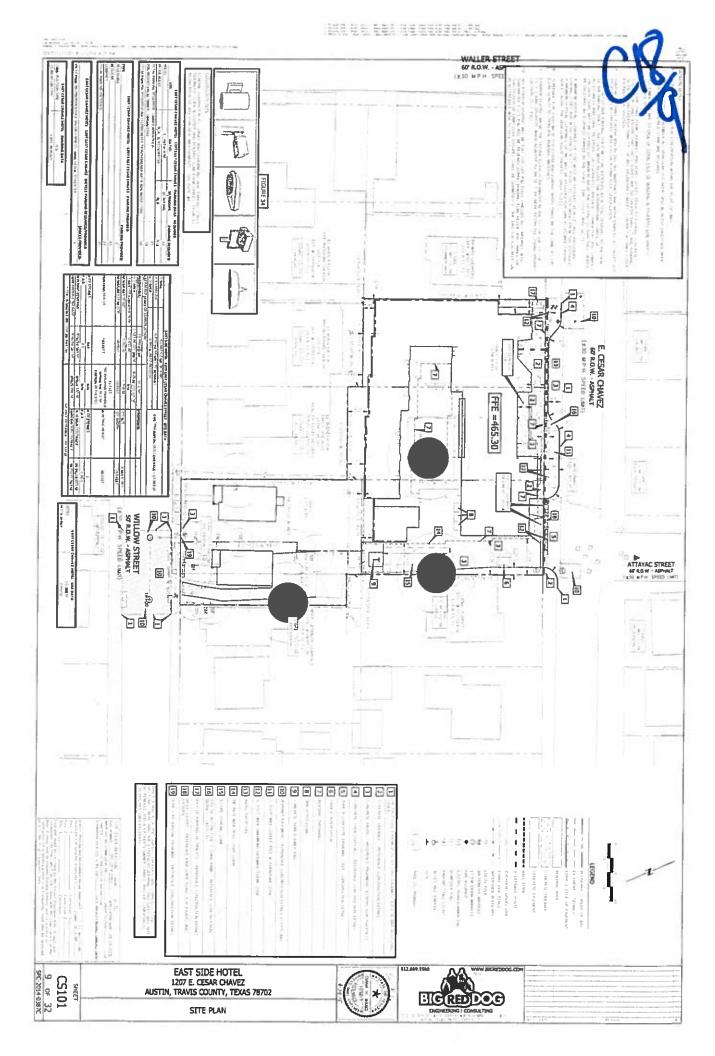
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CASE#: SPC-2014-0387C
ADDRESS: 1207 E Cesar Chavez St
CASE NAME: East Side Hotel
MANAGER: Rosemary Avila



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CITY OF AUSTIN - PLANNING AND DEVELOPMENT REVIEW DEPARTMENT SITE PLAN APPLICATION - MASTER COMMENT REPORT

CASE NUMBER:

SPC-2014-0387C

REVISION #:

CASE MANAGER:

Rosemary Avila

UPDATE: PHONE #: U3 512-974-2784

PROJECT NAME:

East Side Hotel

LOCATION:

1207 E CESAR CHAVEZ ST

SUBMITTAL DATE: REPORT DUE DATE: May 14, 2015

April 30, 2015 FINAL REPORT DATE: May 15, 2015

1 DAY HAS BEEN ADDED TO THE UPDATE DEADLINE

STAFF REPORT:

This report includes all staff comments received to date concerning your most recent site plan submittal. The comments may include requirements, recommendations, or information. The requirements in this report must be addressed by an updated site plan submittal.

The site plan will be approved when all requirements from each review discipline have been addressed. However, until this happens, your site plan is considered disapproved. Additional comments may be generated as a result of information or design changes provided in your update.

If you have any questions, problems, concerns, or if you require additional information about this report, please do not hesitate to contact your case manager at the phone number listed above or by writing to the City of Austin, Planning and Development Review Department, P.O. Box 1088, Austin, Texas 78704.

UPDATE DEADLINE (LDC 25-5-113):

It is the responsibility of the applicant or his/her agent to update this site plan application. The final update to clear all comments must be submitted by the update deadline, which is November 4, 2015. Otherwise, the application will automatically be denied. If this date falls on a weekend or City of Austin holiday, the next City of Austin workday will be the deadline.

EXTENSION OF UPDATE DEADLINE (LDC 25-1-88):

You may request an extension to the update deadline by submitting a written justification to your case manager on or before the update deadline. Extensions may be granted for good cause at the Director's discretion.

UPDATE SUBMITTALS:

An informal update submittal is required. You must submit the distribution to each reviewer listed below.

Please submit 4 copies of the plans and 5 copies of a letter that address each comment for distribution to the following reviewers. Clearly label information or packets with the reviewer's name that are intended for specific reviewers. No distribution is required for the Planner 1 and only the letter is required for Austin Water Utility.

REVIEWERS:

Planner 1 : Elsa Garza

Drainage Construction: Leslie Daniel

Environmental: Atha Phillips Site Plan: Rosemary Avila

DSD Transportation: Bryan Golden

AWU-Utility Development Service: Neil Kepple

Water Quality: Leslie Daniel



Drainage Construction Review - Leslie Daniel - 512-974-6316

Release of this application does not constitute a verification of all data, information and calculations supplied by the applicant. The engineer of record is solely responsible for the completeness, accuracy and adequacy of his/her submittal, whether or not City engineers review the application for Code compliance.

DC1 - DC6 Comments cleared.

DC7-U3 Comment remains pending <u>approval of drainage waiver</u>. Please be aware that if the RSMP or waiver is not approved, a formal update will be required.

DC8-U3 Comment cleared. (RSMP note on cover sheet)

DC9-U3 Comment cleared.

DC10-U2 Please include all required information in the <u>Q/V/d tables for the storm drain</u>. In addition, include details for the proposed storm inlets.

U3 - Comment remains.

DC11 Please contact Mr. Daren Duncan, P.E. at 512-974-8774 to seek approval from Street & Bridge for the proposed roadway repair. This comment may be cleared upon receipt of a memorandum of approval from Mr. Duncan.

U3 Please provide memo to clear this comment.

DC12-U3 Comment remains pending completion and recordation of UDA for this site.

DC13-U3 Comment cleared.

Environmental Review - Atha Phillips - 512-974-6303

Please be advised that additional comments may be generated as update information is reviewed. If an update has been rejected, reviewers are not able to clear comments based on phone calls, emails, or meetings, but must receive formal updates in order to confirm positive plan set changes.

EV 1 - EV8 Comments cleared.

Landscape Fees and ESC Fiscal Surety [LDC 25-1-82, 25-7-65, 25-8-234]

EV 9 Provide a fiscal estimate for erosion/sedimentation controls and revegetation based on Appendix S-1 of the Environmental Criteria Manual. For sites with a limit of construction greater than one acre, the fiscal estimate must include a \$3000 per acre of LOC clean-up fee. The approved amount must be posted with the City prior to permit/site plan approval. [LDC 25-8-186, ECM 1.2.1, ECM Appendix S-1]

Update 1 Fiscal is approved and this comment will be cleared once fiscal has been posted.

Update 2 Fiscal must be resubmitted since the LOC has changed along with erosion controls. Comment pending.

Update 3 Fiscal is approved and this comment will be cleared once fiscal has been posted.

EV 10 Payment of the landscape inspection fee is required prior to permit/site plan approval. Please obtain the invoice at Intake on the fourth floor. Payment of the fee is made at the first floor Cashier's Window. Upon payment, please forward a copy of the receipt to the environmental reviewer. The fee for this site is \$615.00 and a 4% surcharge of \$24.60. FYI: Landscape inspections that require re-inspection will be charged a fee of \$101.92. Update 1- 3 Comment pending.

EV 11-EV 20 Comments cleared.

EV 21 Please provide a tree care plan showing how the amount of \$12,300 will be spent and post a fiscal for this amount.

Fire For Site Plan Review - Sonny Pelayo @ AFD - 512-974-0194

- F1. Move the fire department connection to the front of the building to face the public street. This change will need to be present on the final mylar plan set that you bring in for fire department approval signoff.
- F2. Submit a signed copy of the UDA prior to scheduling an appointment with me to schedule mylar sign off.
- F3. Based on the fire hydrant flow test report, it appears that adequate fire flow is available to meet the 1,500 gpm fire flow demand for this project. However, impacts to the Austin Water Utility (AWU) piping system due to providing the required fire flow for a development project are evaluated by and resolved through the staff of AWU. The maximum allowable flow velocity permitted in the public fire mains is 10 feet/second. Contact me to schedule my signoff on the final mylar plan set once you have obtained approval signatures from the AWU.

5/14/2015 **Update 3- Approved**

Site Plan Review - Rosemary Avila - 512-974-2784

SP 1. According to Ordinance No. 001214-20, 1207 East Cesar Chavez Street is part of Tract 70 of the East Cesar Chavez Neighborhood Plan Combining District, and, as per Part 7, Section 5, hotel-motel land uses are considered a conditional use within this tract. Therefore, Planning Commission review and approval is required. Once all comments have been cleared, please contact this reviewer to schedule this case on the Planning Commission agenda. Update 1- 3- Comment Pending

SP 2. - SP3 Comments cleared.

- SP 4. If the properties are not subdivided into a single lot, and are considered by Land Status Determination to be exempted from platting:
- a. Record a Unified Development agreement that clearly ties these lots together for the construction, use, and maintenance of the proposed stormwater facility. Submit the document to this reviewer, who will coordinate with the Legal Department for review and approval; and
- b. Place the following note on the cover sheet and site plan sheet: "The site is composed of ____lots/tracts, and has been approved as one cohesive development. If portions of the lots/tracts are sold, application for subdivision and site plan approval may be required".

 Update 1-3 Comment pending recordation of UDA.
- SP 5. A new tax certificate showing all taxes paid will be required after February 1, 2015 (if the site plan is not yet approved). **Update 1-3– Comment pending, may be cleared informally.**
- SP 6. SP10. Comments cleared.
- SP 11. According to the Delinquent Tax Payment Schedule, the delinquent taxes were to be paid in full by October 31, 2014. Provide documentation that taxes are current on the properties. **Update 1-3– Comment pending, may be cleared informally.**
- SP 12. SP13. Comments cleared.
- SP 13. Confirm that all existing and future dedicated easements, including joint access, drainage, conservation, utility, communications, etc. are depicted on the site plans. Indicate volume/ page, document number, or dedication by plat. Update 1-3- Comment pending recordation of easements.
- SP 14. SP24. Comments cleared.
- SP 25. If any vertical improvements are planned for the right-of-way, such as trees, furniture, or irrigation, a license agreement is required. Please contact Andy Halm with the Right-of-Way Management Division at 974-7185. Update 1-3- Comment pending approval of License Agreement.
- SP 26. FLASH DRIVE REQUIREMENT All applications submitted for completeness check for Administrative Site Plan Revision, Consolidated Site Plan, Non-Consolidated Site Plan, CIP Streets and Drainage, Major Drainage/Regional Detention, and Subdivision Construction Plans will require the additional items listed in Exhibit VII of the application packet on a USB flash drive prior to release of permit. The flash drive must be taken directly to the Intake Division by the applicant after site plan approval. For more information, contact the Intake Staff. Update 1-3- Comment to remain until all comments are cleared.
- SP 27. Dimension the streetscape along Cesar Chavez to confirm compliance with Section 2.2.3 (*Urban Roadways: Sidewalks and Building Placement*). It appears that a sidewalk easement will be necessary along the building frontage in order to comply with the 7-foot planting zone and 5-foot clear zone requirement. We recommend an enlargement of this area in order to clearly depict the details and features of the

streetscape. Update #2- Please submit the proposed Sidewalk Easement to the Transportation Review. Pending document recordation. **Update 3- Comment Pending.**

- SP 28. Comment cleared.
- SP 29. Although the SF-3 zoned properties along Willow Street are proposed to be used for construction access and construction staging, such activity is not permitted in that residential zoning district. Update #1 This reviewer acknowledges that the applicant is considering other options to be presented in a subsequent update. Update #2- Comment pending. This will require a temporary construction easement.

Update 3- Comment Pending.

AWU-Utility Development Service Review - Neil Kepple - 512-972-0077

WW1. The review comments will be satisfied once Pipeline Engineering has approved the water and wastewater utility plan. For plan review status, contact Larry Williams with Pipeline Engineering at 972-0340. Response comments and corrections, along with the original redlines, must be returned to Larry at the Waller Creek office, 625 E 10th St., 3rd floor.

Water Quality Review - Leslie Daniel - 512-974-6316

Release of this application does not constitute a verification of all data, information and calculations supplied by the applicant. The engineer of record is solely responsible for the completeness, accuracy and adequacy of his/her submittal, whether or not City engineers review the application for Code compliance.

WQ1 - WQ4, WQ6 - WQ8 Comments cleared.

WQ5-U3 Please provide receipt for payment of fee-in-lieu of water quality.

Heritage Tree Review - Keith Mars - 512-974-2755

HT5 Comment cleared.

PDR Transportation Review - Bryan Golden - 512-974-3124

- TR1. Sidewalk easement is currently being reviewed by Legal.
- TR2. Additional comments may be provided when more complete information is obtained.

Planner 1 Review - Elsa Garza - 512-974-2308

THE FOLLOWING COMMENTS APPLY PRIOR TO THE RELEASE OF THE SITE DEVELOPMENT PERMIT.

- P1. FYI An appointment is required in order to receive the site development permit. The permit will be released <u>after</u> the flash drive has been submitted with the Intake Staff and the site plan approval blocks have been finished. Contact the Planner I listed above to set up an appointment to receive the site plan permit.
- P2. FYI Fill out the Site Plan Approval blocks with the following information in **bold**.
 - Sheet numbers
 - File number: SPC-2014-0387C
 - Application date: September 29, 2014
 - Under Section 142 of Chapter 25-5 of the City of Austin Code
 - Case Manager: Rosemary Avila
 - Zoning: Please add Zoning

If the Site Plan Approval Blocks are not filled out, the applicant will need to make an appointment to fill them out by hand. If the applicant wishes the Planner 1 to fill them out, there could be a delay in receiving the site development permit.

P3. FYI – FLASH DRIVE REQUIREMENT

All applications submitted for completeness check after 5/10/10 for Administrative Site Plan Revision, Consolidated Site Plan, Non-Consolidated Site Plan, CIP Streets and Drainage, Major Drainage/Regional Detention, and Subdivision Construction Plans will require the additional items listed in Exhibit VII of the application packet on a USB flash drive prior to release of permit. The flash drive must be taken directly to the Intake Department by the applicant after site plan approval. For more information, contact the Intake Staff.

End of Report