

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

CASE NUMBER: SPC-2016-0260C **PLANNING COMMISSION DATE:** 09/12/2017

COUNCIL DISTRICT: 9

PROJECT NAME: 4th and Colorado Office

PROPOSED USE: Professional Office building with offstreet parking

ADDRESS OF APPLICATION: 405 Colorado Street

AREA: 18,439 sq. ft.

APPLICANT: Michele Haussmann
Land Use Solutions, LLC
1001 Congress Ave, Ste. 250
Austin, TX 78701

AGENT: Nick Brown
Stantec, Inc.
221 W 6th St, Ste. 600
Austin, TX 78701

CASE MANAGER: Christine Barton-Holmes, CNUa, LEED AP Telephone: 974-2788
christine.barton-holmes@austintexas.gov

EXISTING ZONING: CBD.

PROPOSED DEVELOPMENT:

The applicant is proposing a 26-story tall professional office building with offstreet parking to be made available to the public. Commercial offstreet parking is a conditional use under 25-2-581.

SUMMARY STAFF RECOMMENDATION: Staff recommends approval of the Conditional Use Permit. The site plan will comply with all requirements of the Land Development Code prior to its release.

PREVIOUS PLANNING COMMISSION ACTION: None

AREA STUDY: Downtown

WATERSHED: Town Lake (Urban)

APPLICABLE WATERSHED ORDINANCE: Current/ Comprehensive watershed ordinance

CAPITOL VIEW: Not within View Corridor

T.I.A.: Not Required

PROJECT INFORMATION:

ZONING: CBD

MAX. BLDG. CVRG: 100%

MAX. IMPERV. CVRG.: 100%

MAX HEIGHT: NA

REQUIRED PARKING: surface parking

PARKING AREA: 13 floors

PROPOSED BLDG CVRG: 18,439 sq.ft/100%

PROPOSED IMP. CVRG: 18,439 sq. ft/100%

PROPOSED HEIGHT: 362.9'/26 stories

PROPOSED USE: Office/Commercial parking

SUMMARY COMMENTS ON SITE PLAN:

Land Use: The applicant is requesting a Conditional Use Permit to allow commercial off-street parking in more than 50% of the proposed professional office building. The project received a density bonus to construct up to a 15:1 FAR, and is proposing a 12:1 FAR. The building will be 26 stories tall, with 13 of those offered for parking. The site plan will comply with all requirements of the Land Development Code prior to its release, and is not in proximity to any uses that would trigger Compatibility, such as single-family residential. Staff recommends approval of the conditional use permit.

Environmental: The site is in the Town Lake watershed, which is an Urban Watershed. There is no increase in impervious coverage and no known Critical Environmental Features are located onsite.

Transportation: Garage entry will be from Colorado Street and the loading dock will be accessed from the east alley. All transportation-related comments will be cleared prior to permit release.

SURROUNDING CONDITIONS: Zoning/ Land use

North: CBD (mixed use and office)

East: CBD (mixed use and office, and surface parking)

South: CBD (mixed use and office)

West: CBD (mixed use and office)

Street	R.O.W.	Surfacing	Classification
Colorado St	80'	65'	Major Arterial
W 4 th St	80'	50'	City Collector

NEIGHBORHOOD ORGANIZATIONS:

- Austin Heritage Tree Foundation
- Austin Independent School District
- Austin Neighborhoods Council
- Bike Austin
- Downtown Austin Alliance
- Downtown Austin Neighborhood Association
- Friends of Austin Neighborhoods
- Homeless Neighborhood Association
- Old Pecan Street Association
- Preservation Austin
- SEL Texas
- Shoal Creek Conservancy
- Sierra Club, Austin Regional Group
- West Downtown Alliance, Inc.
- Sixth Street Association

CONDITIONAL USE PERMIT REVIEW AND EVALUATION CRITERIA

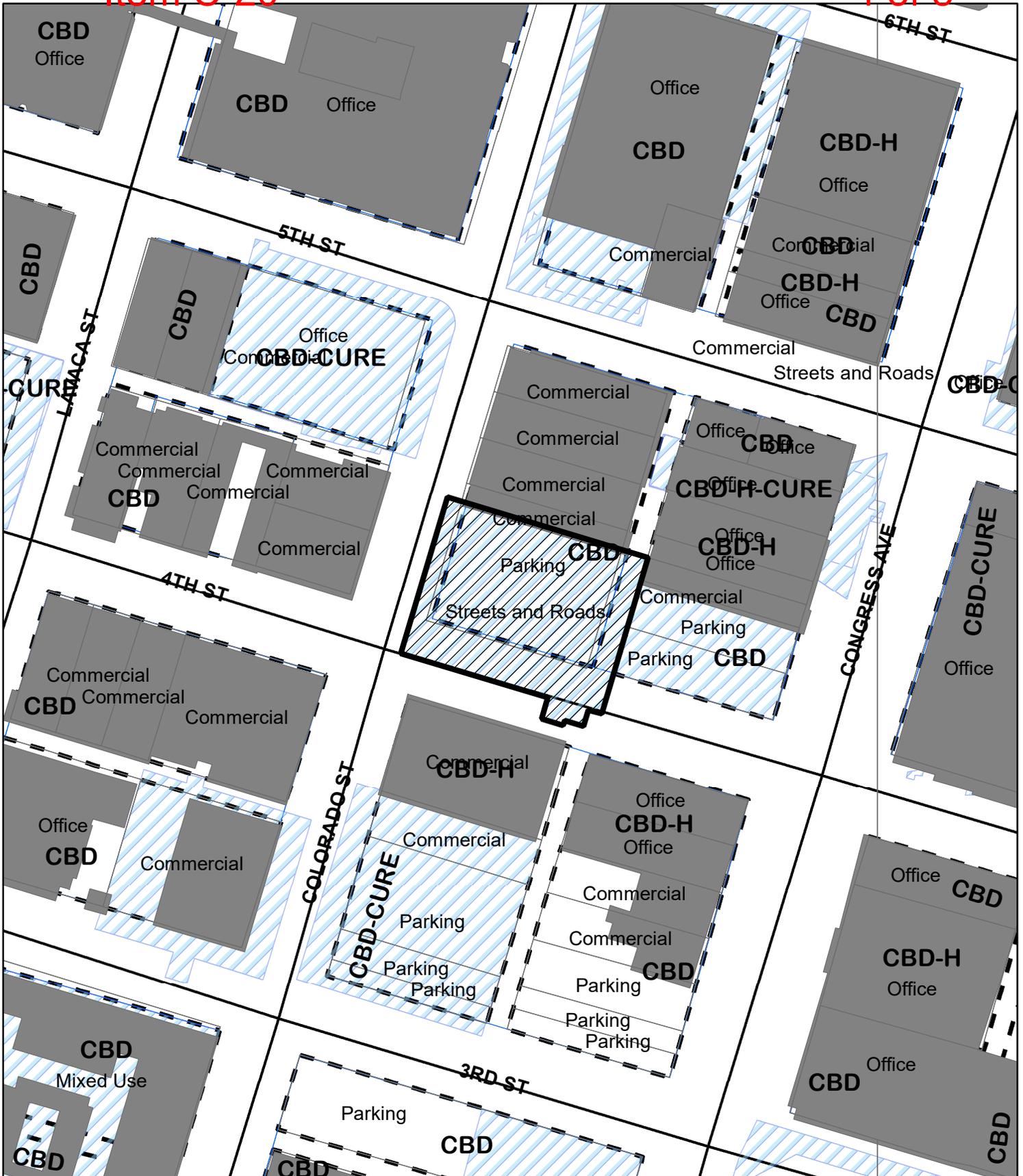
The following evaluation is included to provide staff position on each point of the conditional use permit criteria. Section 25-5-145 of the Land Development Code states: “The Commission shall determine whether the proposed development or use of a conditional use site plan complies with the requirements of this section.

A conditional use site plan must:

1. **Comply with the requirements of this title;** Staff response: This application complies with the requirements of this title.
2. **Comply with the objectives and purposes of the zoning district;** Staff response: This application complies with the objectives and purposes of the zoning district.
3. **Have building height, bulk, scale, setback, open space, landscaping, drainage, access, traffic circulation, and use that are compatible with the use of an abutting site;** Staff response: This application is compatible with the abutting sites.
4. **Provide adequate and convenient off-street parking and loading facilities;** Staff response: Adequate parking and loading has been provided.
5. **Reasonably protect persons and property from erosion, flood, fire, noises, glare, and similar adverse effects;** Staff response: The proposed project does not contribute to any of these adverse effects.
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 district.

A Conditional Use Site Plan May Not:

1. **More adversely affect an adjoining site than would a permitted use;** Staff response: The proposed building would replace a surface parking lot and provide additional parking, and is surrounded by similar office and commercial uses.
2. **Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area;** Staff response: Safety and convenience of vehicular and pedestrian circulation will not be adversely impacted.
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.



SITE PLAN



-  SUBJECT TRACT
-  ZONING BOUNDARY



CASE#: SPC-2016-0260C
 ADDRESS: 405 Colorado St
 CASE NAME: 4th & Colorado Office
 MANAGER: Christine Barton-Holmes



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.

OPERATOR: Christine Barton-Holmes

Note to be added to Site Plan Cover Page:

The process required to permit Commercial Off-Street Parking use in the Central Business District, is a conditional use if constituting more than 50% of the parking spaces in the parking structure. On 9-12-2017, the Planning Commission approved a conditional use permit to allow more than 50% of the parking spaces in the parking structure to be routinely be made available to the public on a temporary basis. The following outlines the requirement:

25-2-581 – CENTRAL BUSINESS DISTRICT (CBD) DISTRICT REGULATIONS.

(D) Commercial off-street parking is permitted use when it constitutes less than 50 percent of the parking spaces in a parking structure.



City of Austin

Founded by Congress, Republic of Texas, 1839
Planning and Development Review Department
One Texas Center, 505 Barton Springs Road 5th Floor
P.O. Box 1088, Austin, Texas 78767
(512)974-3207

May 21, 2015

Ms. Michele Haussmann
Land Use Solutions
1717 West 6th Street
Austin, Texas 78703
VIA ELECTRONIC MAIL

Re: Commercial Off-Street Parking in the Central Business District

Dear Ms. Haussmann:

Please let this letter serve as a confirmation, on behalf of the City of Austin (City) Planning and Zoning Department, of the process required to permit Commercial Off-Street Parking use in the Central Business District, described as a permitted use if constituting less than 50% of the parking spaces in a parking structure and as a conditional use if constituting more than 50% of the spaces in a structure. A conditional use permit is required if more than 50% of the parking spaces in the structure are to routinely be made available to the public on a temporary basis. The following outlines this requirement:

§ 25-2-581 - CENTRAL BUSINESS DISTRICT (CBD) DISTRICT REGULATIONS.

(D) Commercial off-street parking is a permitted use when it constitutes less than 50 percent of the parking spaces in a parking structure.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jerry Rusthoven'.

Jerry Rusthoven, AICP
Manager
Current Planning Division



East Sixth Street Public Improvement District
www.austintexas.gov/department/downtown-public-improvement-districts

April 13, 2017

Ms. Michele Haussmann
Principal, Land Use Solutions
1001 Congress Ave., Ste. 250
Austin, TX 78701
Via Electronic Mail

Dear Ms. Haussmann,

We, the board of Sixth Street Austin (Pecan Street Owners Association), have reviewed Brandywine's proposed office project at 4th and Colorado.

We support Brandywine's request for the following:

- A conditional Use Permit to allow more than 50% of the associated parking to be available to the public.
- An Encroachment Agreement to allow an architectural feature that extends five feet into the right-of-way.
- A Density Bonus to allow a Floor to Area (FAR) increase to 13:1.

Furthermore, as retail, commercial, bar, entertainment and restaurant professionals, we recognize the need for downtown parking for industry workers. We collectively believe that this project will help mitigate downtown's parking and transportation concerns.

Please contact this board if you have any further questions or comments regarding our support.

Respectfully,

David DeSilva
Chair, Sixth Street Austin

512-947-3283

January 17, 2017

Ms. Michele Haussmann
Land Use Solutions
1001 Congress Avenue, Ste. 250
Austin, Texas 78701

Ms. Haussmann,

The Downtown Austin Alliance supports the following for Brandywine's proposed office project at 4th and Colorado:

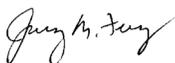
- A Conditional Use Permit to allow more than 50% of the associated parking to be available to the public.
- An Encroachment Agreement to allow an architectural feature that extends five feet into the right-of-way.
- A Density Bonus to allow a Floor to Area (FAR) increase to 13:1.

In 2013, when the City of Austin amended its parking requirements for CBD zoning, the intent was to allow commercial off-street parking as a permitted use so that private parking garages could open excess parking spaces to the public without a hearing. Because Brandywine intends to actively manage its parking by making excess daytime and nighttime parking available to the public, they may exceed the threshold of more 50% of the parking supply being used by people who are not office tenants.

The Downtown Austin Alliance is currently conducting a downtown parking strategy, and one of the key findings to date is that about 13,000 parking spaces (21% of the total downtown off-street supply) are never open to the public. It may be possible to unlock some of this excess supply if owners and operators consider the approach that Brandywine is proposing.

We also support the Encroachment Agreement to allow for an interesting architectural addition to our skyline. Because the feature is so high above the ground, this would not limit access to streets, sidewalks, or utilities in the right-of-way.

Sincerely,



Jerry Frey, Chair