

**CITY OF AUSTIN
Board of Adjustment
Decision Sheet**

DATE: Monday, August 14, 2017

CASE NUMBER: C15-2017-0042

Y Brooke Bailey
 Y William Burkhardt
 Y Christopher Covo
 Y Eric Goff
 - Melissa Hawthorne OUT
 Y Bryan King
 Y Don Leighton-Burwell
 - Rahm McDaniel OUT
 - Veronica Rivera OUT
 Y James Valadez
 Y Michael Von Ohlen
 N Kelly Blume (Alternate)
 Y Martha Gonzalez (Alternate)
 Y Pim Mayo (Alternate)

APPLICANT: Richard Suttle Jr.

OWNER: Washoe Company

ADDRESS: 414 W MLK Jr. Blvd and 1901 and 1903 SAN ANTONIO ST

VARIANCE REQUESTED: The applicant has requested variance(s) to Section 25-6, Appendix A (*Tables of Off-Street Parking and Loading Requirements*), Schedule C – Off-Street Loading Requirement, to reduce the number of required loading spaces from 3 loading spaces (required) to 1 loading space (requested) in order to erect a hotel with accessory uses in a “GR-NP”, Community Commercial -Neighborhood Plan and “CS-NP”, General Commercial Services – Neighborhood Plan zoning district. (West University, Inner West Campus Sub-District)

BOARD’S DECISION: The public hearing was closed on Board Member Bryan King motion to Grant one (1) loading space at 80 feet long with condition that the space be parallel to the alley and that the operation of a Hotel-Motel use on the Property be pursuant to conditions of SP-2016-0357C, and shall be subject to the following:

- a) Establishment of loading dock policies by the hotel to ensure that deliveries are scheduled by appointment;
- b) Deliveries to the loading dock are to be scheduled at off-peak times (peak hours are 7-9 AM and 4-6 PM Monday-Friday), to the maximum extent possible to minimize potential traffic, bike and pedestrian conflicts;
- c) A hotel employee/attendant must be present at all deliveries to guide truck on the loading dock to ensure safe maneuvering in the alley; and
- d) Hotel laundry (sheets, towels, etc.) shall be cleaned on the site except for off-site dry cleaning and specialty items, Board Member Michael Von Ohlen second on a 10-1 vote (Board member Kelly Blume nay); **GRANTED ONE (1) LOADING SPACE AT 80 FEET LONG WITH CONDITION THAT THE SPACE BE PARALLEL TO THE ALLEY AND**

THAT THE OPERATION OF A HOTEL-MOTEL USE ON THE PROPERTY BE PURSUANT TO CONDITIONS OF SP-2016-0357C, AND SHALL BE SUBJECT TO THE FOLLOWING:

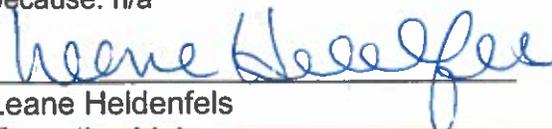
- A) ESTABLISHMENT OF LOADING DOCK POLICIES BY THE HOTEL TO ENSURE THAT DELIVERIES ARE SCHEDULED BY APPOINTMENT;
- B) DELIVERIES TO THE LOADING DOCK ARE TO BE SCHEDULED AT OFF-PEAK TIMES (PEAK HOURS ARE 7-9 AM AND 4-6 PM MONDAY-FRIDAY), TO THE MAXIMUM EXTENT POSSIBLE TO MINIMIZE POTENTIAL TRAFFIC, BIKE AND PEDESTRIAN CONFLICTS;
- C) A HOTEL EMPLOYEE/ATTENDANT MUST BE PRESENT AT ALL DELIVERIES TO GUIDE TRUCK ON THE LOADING DOCK TO ENSURE SAFE MANEUVERING IN THE ALLEY; AND
- D) HOTEL LAUNDRY (SHEETS, TOWELS, ETC.) SHALL BE CLEANED ON THE SITE EXCEPT FOR OFF-SITE DRY CLEANING AND SPECIALTY ITEMS.

FINDING:

- 1. The Zoning regulations applicable to the property do not allow for a reasonable use because: the project complies with the zoning and UNO regulations, the variance being sought is related to Transportation, Chapter 25-6, Appendix A, off-street loading
- 2. (a) The hardship for which the variance is requested is unique to the property in that: the off-street loading requirements should be evaluated based on the proposed use and demand of the project
(b) The hardship is not general to the area in which the property is located because: is specific to the proposed hotel and its operational demands
- 3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because: this project opted into the UNO District and complies with the zoning and design regulations of the UNO district

PARKING: (Additional criteria for parking variance only)

- 1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specified regulation because: the regulation is not based on project-specific criteria
- 2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because: the off street loading is located off the alley and allowing a loading dock, will not impact the free flow of traffic of the public streets
- 3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objective of this Ordinance because: n/a
- 4. The variance will run with the use or uses to which it pertains and shall not run with the site because: n/a



 Leane Heldenfels
 Executive Liaison



 William Burkhardt
 Chairman

Ramirez, Diana

From: Heldenfels, Leane
Sent: Wednesday, August 16, 2017 10:35 AM
To: Ramirez, Diana
Subject: FW: Marriott operations prior condition
Attachments: JW.pdf

HI D – for this ds include the email below and the pdf.
Thanks,
Leane

From: Melissa Neslund [REDACTED]
Sent: Wednesday, August 16, 2017 10:20 AM
To: Heldenfels, Leane; Richard Suttle, Jr.
Subject: RE: Marriott operations prior condition

Hi Leane,

A PDF of the site plan notes are attached for reference; there are minor changes since our loading is off the alley. The notes applicable to this project, as read into the record, are outlined below:

1. Operation of a Hotel-Motel use on the Property pursuant to SP-2016-0357C, shall be subject to the following:
 - a) Establishment of loading dock policies by the hotel to ensure that deliveries are scheduled by appointment;
 - b) Deliveries to the loading dock are to be scheduled at off-peak times (peak hours are 7-9 AM and 4-6 PM Monday-Friday), to the maximum extent possible to minimize potential traffic, bike and pedestrian conflicts;
 - c) A hotel employee/attendant must be present at all deliveries to guide truck on the loading dock to ensure safe maneuvering in the alley; and
 - d) Hotel laundry (sheets, towels, etc.) shall be cleaned on the site except for off-site dry cleaning and specialty items.

Please let me know if you have questions.

Also, can you please confirm the August 24th cut off to submit for reconsideration?

Thanks,

Melissa Neslund
Armbrust & Brown, PLLC
512.435.2378 (office)
512.568.1282 (cell)

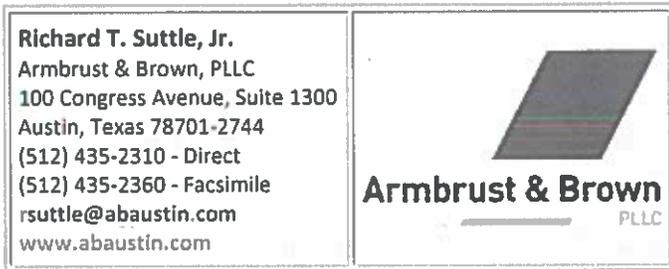
THE INFORMATION CONTAINED IN THIS E-MAIL MESSAGE IS CONFIDENTIAL AND IS INTENDED ONLY FOR THE NAMED ADDRESSEE(S). THIS MESSAGE MAY BE PROTECTED BY ATTORNEY/CLIENT PRIVILEGE. IF THE READER OF THIS E-MAIL MESSAGE IS NOT AN INTENDED RECIPIENT (OR THE INDIVIDUAL RESPONSIBLE FOR THE DELIVERY OF THIS E-MAIL MESSAGE TO AN INTENDED RECIPIENT), BE ADVISED THAT ANY REUSE, DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS E-MAIL MESSAGE IS PROHIBITED. IF YOU HAVE RECEIVED THIS E-MAIL MESSAGE IN ERROR, PLEASE NOTIFY THE SENDER AND DELETE THE MESSAGE. THANK YOU.

From: Heldenfels, Leane [mailto:Leane.Heldenfels@austintexas.gov]
Sent: Tuesday, August 15, 2017 5:33 PM
To: Richard Suttle, Jr.
Cc: Melissa Neslund
Subject: RE: Marriott operations prior condition

Thanks – I didn't see it in my items submitted at meeting folder that I keep, sorry.
Leane

From: Richard Suttle, Jr. [mailto:Richard.Suttle@armbrustandbrown.com]
Sent: Tuesday, August 15, 2017 5:31 PM
To: Heldenfels, Leane; Melissa Neslund
Cc: Ramirez, Diana
Subject: RE: Marriott operations prior condition

We will. Or at least Melissa will. ☺ I thought I left mine with you last night.



THE INFORMATION CONTAINED IN THIS E-MAIL MESSAGE IS CONFIDENTIAL AND IS INTENDED ONLY FOR THE NAMED ADDRESSEE(S). THIS MESSAGE MAY BE PROTECTED BY ATTORNEY/CLIENT PRIVILEGE. IF THE READER OF THIS E-MAIL MESSAGE IS NOT AN INTENDED RECIPIENT (OR THE INDIVIDUAL RESPONSIBLE FOR THE DELIVERY OF THIS E-MAIL MESSAGE TO AN INTENDED RECIPIENT), BE ADVISED THAT ANY REUSE, DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS E-MAIL MESSAGE IS PROHIBITED. IF YOU HAVE RECEIVED THIS E-MAIL MESSAGE IN ERROR, PLEASE NOTIFY THE SENDER AND DELETE THE MESSAGE. THANK YOU.

From: Heldenfels, Leane [mailto:Leane.Heldenfels@austintexas.gov]
Sent: Tuesday, August 15, 2017 5:30 PM
To: [Redacted], [Redacted]
Cc: Ramirez, Diana
Subject: Marriott operations prior condition

Hi Melissa and Richard – can you provide so we can include in the decision sheet for the 414 W. MLK case from last night.
Thanks -

Leane Heldenfels, Planner Senior
Board of Adjustment Liaison
City of Austin Development Services Department
One Texas Center, 1st Floor, Development Assistance Center
505 Barton Springs Road
Office: 512-974-2202



K01/7 WEST MALL UT



NOTIFICATIONS

CASE#: C15-2017-0042

LOCATION: 414 W MLK JR BLVD, 1901, 1903, 1907 San Antonio, St



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

1" = 250'

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.



ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300
AUSTIN, TEXAS 78701-2744
512-435-2300

FACSIMILE 512-435-2360

Richard T. Suttle, Jr.
(512) 435-2300

August 24, 2017

VIA HAND DELIVERY

Ms. Leane Heldenfels
Board of Adjustment Liaison
City of Austin Development Services Department
505 Barton Springs Rd., 1st floor
Austin, TX 78704

Re: Reconsideration of an Off-Street Parking and Loading Variance for Property located at 414 W. MLK Jr., Boulevard in the University Neighborhood Overlay District (C15-2017-0042)

Dear Leane:

Enclosed please find documentation supporting the requested reconsideration for an Off-Street Parking and Loading variance for property located at 414 W. MLK Jr., Boulevard.

At the Board's meeting on August 14, 2017, we received a recommendation to allow a twelve foot by eighty foot (12' X 80') parallel loading dock, in lieu of the requested twelve by forty-five foot (12' X 45') parallel loading dock. After analyzing the 12' X 80' loading dock, we believe the Board inadvertently erred in their recommendation.

At the hearing, we heard concern related to large trucks being able to access, maneuver and utilize the requested 12' X 45' loading dock. We also heard concern that multiple trucks could be trying to access the hotel at the same time and a single loading dock would be inadequate in those circumstances. We believe the new evidence presented herein meets the reconsideration requirements and provides additional information in response to the comments we received. We also intend to submit additional new evidence, including comparable hotel dock sizes and operational delivery examples, which will further substantiate the reconsideration request.

Stantec (civil engineer) and HKS (architect) evaluated three (3) delivery trucks with varying sizes, from an 18-wheeler to a typical delivery box truck. They evaluated truck access and movements into and through the alley, as well as truck maneuverability into the 12' X 80' loading dock.

The analysis and findings prove that 18-wheelers (8' X 73.5') and large delivery trucks (8' X 55') would be unable to exit the alley in either direction. If the large trucks were to take a right on 21st Street, they would be unable to straighten out prior to the light at Guadalupe Street. Furthermore, the turn radius and steering angle would require the large trucks maneuver in the oncoming traffic lane. If one of the large trucks were to take a left on to 21st Street, it would be necessary to jump the curb or clip the adjacent building. Additionally, neither of the large trucks could reasonably maneuver into the loading dock. Please refer to the attached truck turn exhibits (trucks WB-67 and WB-50). We believe the truck turn analysis serves as new evidence and refutes the feasibility of large trucks utilizing the loading dock for service in the alley.

As previously indicated, the large majority of deliveries to this hotel will be in box trucks. A typical box truck is eight (8) feet wide and thirty (30) feet long. The box trucks can safely and reasonably access the alley, maneuver into the requested 12' X 45' loading dock and exit the alley in both directions. Please refer to the attached truck turn exhibits (truck SU-30). We

Furthermore, the University Neighborhood Overlay (UNO) Design Guidelines acknowledges the service and delivery challenges within the UNO district. Specifically, the Building Section, Loading and Maneuvering (B.5), states that on-street maneuvering of service vehicles is allowed. It also states that loading docks must be designed to allow trucks, when loading to enter the site completely and not block the sidewalk, which this project complies with. Further, it states that vehicles may parallel park temporarily in the part of the ROW set aside for parallel parking of passenger cars. Albeit an undesirable scenario, the UNO design guidelines acknowledge the need to allow for realistic service delivery options in this urban, constrained environment.

Finally, at the hearing on August 14, 2017, we consented to the conditions outlined below to respond to the stated concerns regarding the potential for multiple trucks trying to serve the hotel at the same time.

Operation of a Hotel-Motel use on the Property pursuant to SP-2016-0357C, shall be subject to the following:

- a) *Establishment of loading dock policies by the hotel to ensure that deliveries are scheduled by appointment;*
- b) *Deliveries to the loading dock are to be scheduled at off-peak times (peak hours are 7-9 AM and 4-6 PM Monday-Friday), to the maximum extent possible to minimize potential traffic, bike and pedestrian conflicts;*
- c) *A hotel employee/attendant must be present at all deliveries to guide truck on the loading dock to ensure safe maneuvering in the alley; and*
- d) *Hotel laundry (sheets, towels, etc.) shall be cleaned on the site except for off-site dry cleaning and specialty items.*

ARMBRUST & BROWN, PLLC
Page 3

We contend the new truck turn exhibits and evidence attached herein substantiate the reconsideration request. We respectfully request your support to reconsider the off-street loading variance on the basis of new evidence, and we look forward to presenting the information to the Board at its next meeting.

Best Regards,

A handwritten signature in blue ink, appearing to read 'R. Suttle, Jr.', with a stylized flourish at the end.

Richard T. Suttle, Jr.

Enclosures

Cc: Mr. Deno Yiankes, White Lodging Services Corporation
Mr. Joe Isaja, P.E., Stantec
Mr. Paul Liptak, AIA, HKS

K01/11

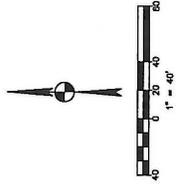
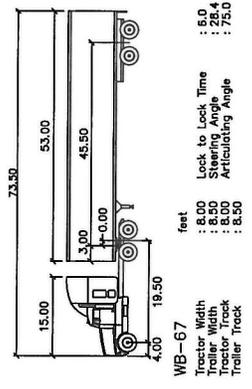
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| Date | |
| Scale | |
| Author | |
| Checker | |
| Engineer | |
| Project No. | |
| Project Name | |
| Client | |

Client/Project
AUSTIN 19 HOTEL, LLC.
AC-AUTOGRAF HOTEL
414 W. MARTIN LUTHER KING JR. BLVD.

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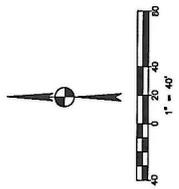
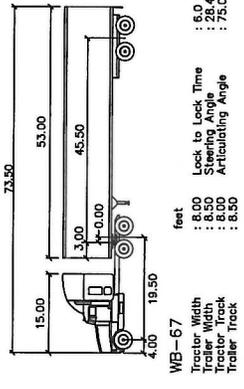
223 West 5th Street, Suite 600
Austin, TX 78703
Phone: 512.476.1000
Fax: 512.476.1001
www.stantec.com



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| Project No. | 22010007 |
| Sheet No. | EXH.1 |
| Revision | Sheet |

Client/Project
 Austin 19 Hotel, LLC.
 414 W. MARTIN LUTHER KING JR. BLVD.
 AC-AUTOGRAPH HOTEL
 TRUCK TURN EXHIBIT

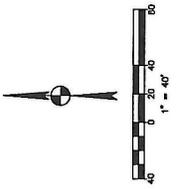
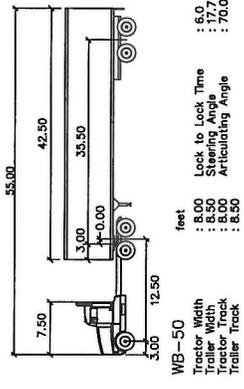
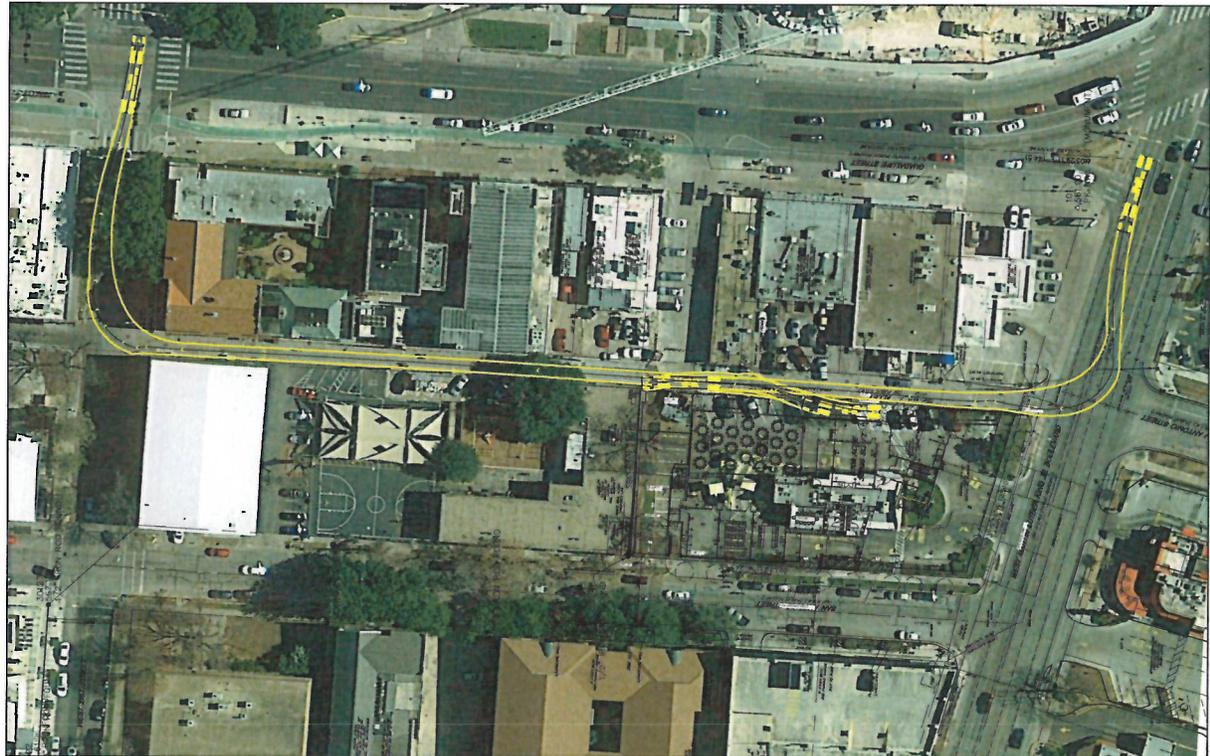
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| Drawing No. | EVI1 | Revision | Sheet |
| Project No. | 222010207 | Client | AC-AUTOCRAPH HOTEL |
| Client | AUSTIN 19 HOTEL, LLC. | Address | 414 W. MARTIN LUTHER KING JR. BLVD. |

Permit: Local
 Client: Project
 Austin 19 Hotel, LLC.
 414 W. Martin Luther King Jr. Blvd.
 Title: TUCK TURN EXHIBIT

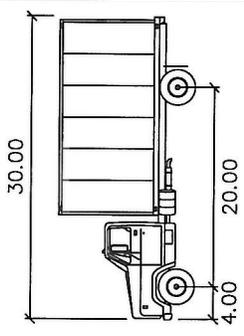
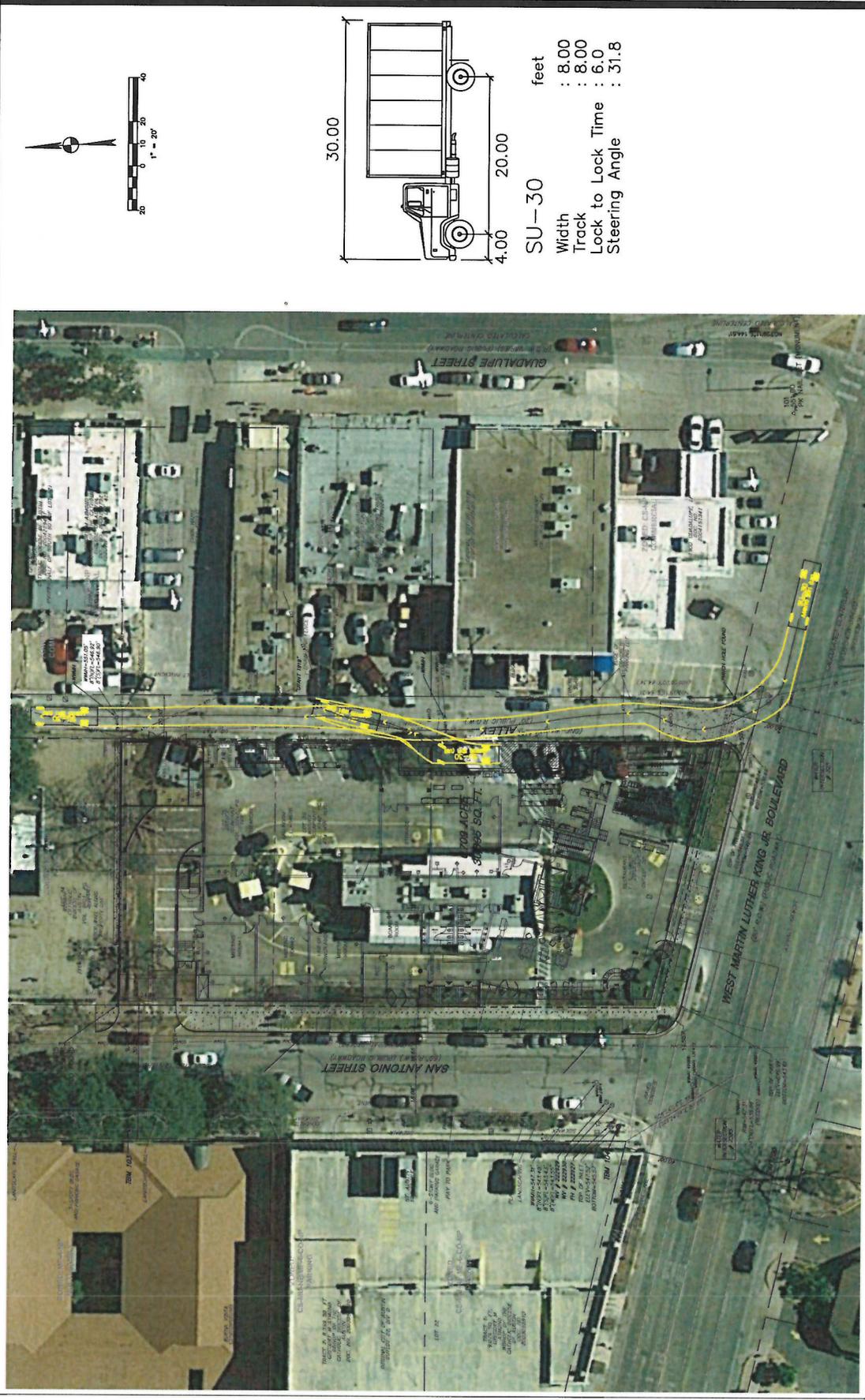
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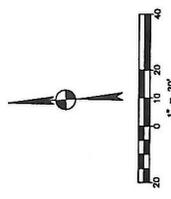
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| Project No. | 22010307 |
| Revision | 01 |
| Client/Project | AUSTIN 19 HOTEL, LLC. |
| Drawing No. | EXH. |
| Revision | Sheet |

TRUCK TURN EXHIBIT
 AC-AUTOGRAPH HOTEL
 414 W. MARTIN LUTHER KING JR. BLVD.
 AUSTIN 19 HOTEL, LLC.

| Revision | No. | Date | By | Check | App'd |
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SU-30 feet
 Width : 8.00
 Track : 8.00
 Lock to Lock Time : 6.0
 Steering Angle : 31.8

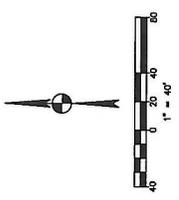
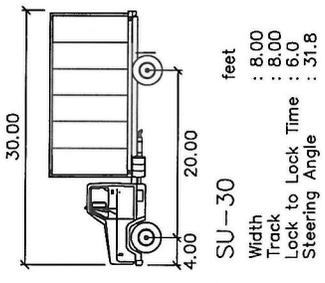
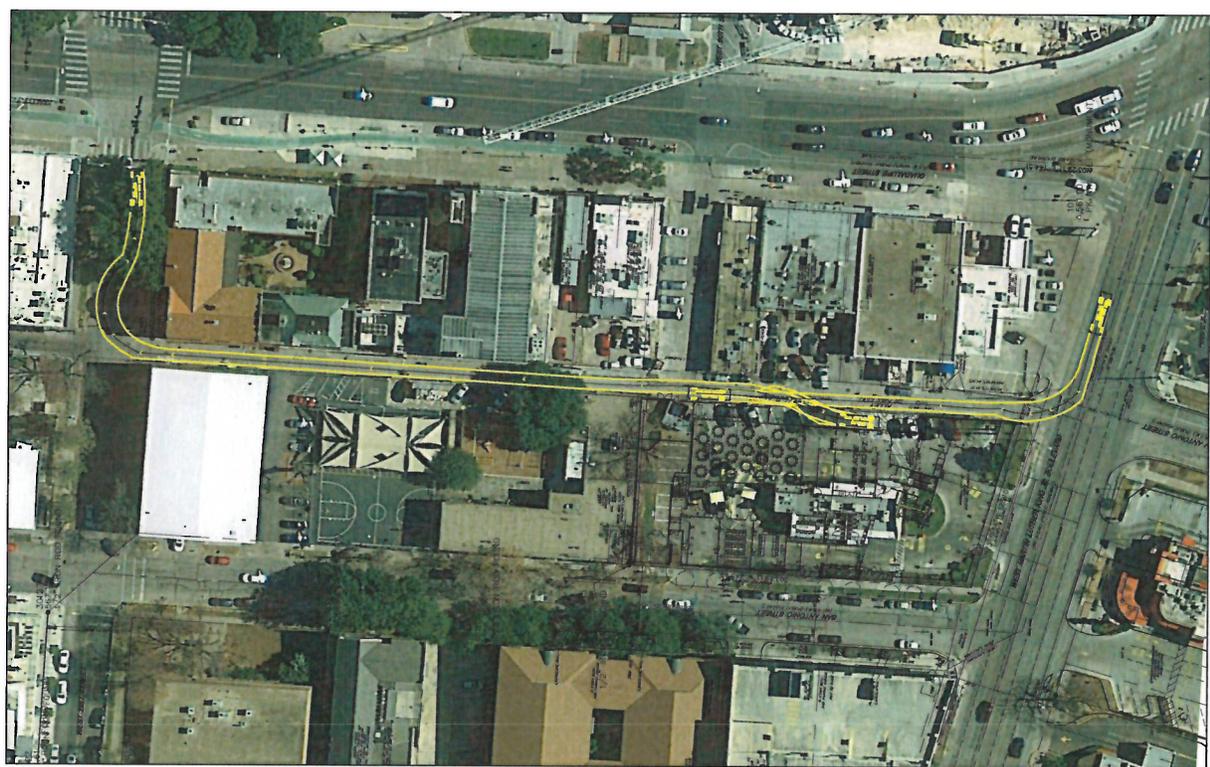


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| Project Number | 22010007 |
| Client Name | AC-AUTOGRAPH HOTEL |
| Address | 414 W. MARTIN LUTHER KING JR. BLVD. |
| City | AUSTIN, TEXAS |
| State | TX |
| Country | USA |
| Drawing No. | EXH. |
| Revision | Sheet |

Client/Project
 Austin 19 Hotel, LLC.
 AC-AutoGraph Hotel
 414 W. Martin Luther King Jr. Blvd.
 Austin, TX 78701

| Revision | By | Date | Description |
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221. The City Engineer shall certify that the proposed street layout complies with the applicable provisions of the City of Austin's Comprehensive Zoning Ordinance and the City of Austin's Street Design Manual. The City Engineer shall also certify that the proposed street layout complies with the applicable provisions of the City of Austin's Comprehensive Zoning Ordinance and the City of Austin's Street Design Manual.



AC Autograph Board of Adjustment Reconsideration (C15-2017-0042): Variance to Off-Street Loading

New Evidence Documentation

Board of Adjustment Meeting: September 18, 2017

SIZES OF COMPARABLE HOTEL LOADING DOCKS

| HOTEL | NUMBER OF ROOMS | MEETING & EVENT SPACE (SF) | BAR, RESTAURANT & RETAIL (SF) | NUMBER OF LOADING DOCKS | SIZE OF LOADING DOCKS |
|---|-----------------|----------------------------|-------------------------------|-------------------------|-----------------------|
| JW Marriott | 1,011 | 136,280 | 18,600 | 3 | 2 – 55' 1 – 30' |
| The Fairmont | 1,066 | 83,400 | 18,900 | 2 | 55' |
| ATT Executive Education and Conference Center | 297 | 80,000 | 4 restaurants | 2 | 30' |
| Hampton Inn | 222 | 1,700 | 2,100 | 1 | 40' |
| Aloft Element | 422 | 500 | 4,300 | 1 | 30' |
| The Westin | 366 | 15,000 | 4,000 | 1 | 40' |
| Hyatt Place | 296 | 3,000 | 2,400 | 1 | 20' |
| AC Autograph | 352 | 6,700 | 3,000 | Requested: 1 | Requested: 45' |

*Square footages are based on record site plan/permit information and rounded to the nearest hundred.

AC Autograph Board of Adjustment Reconsideration (C15-2017-0042): Variance to Off-Street Loading

New Evidence Documentation

Board of Adjustment Meeting: September 18, 2017

LOADING AND DELIVERY OPERATIONS FOR COMPARABLE HOTELS

Delivery Schedule for the Westin:

Monday, Wednesday and Friday:

- Average 2 trucks, takes approximately 30 minutes to unload and all done before 8 am

Daily Deliveries:

- Average 2 small box trucks per day, takes approximately 15 minutes to unload and typically done between 11 am to 4 pm
- Mail, UPS, Fedex, frequency is sporadic and typically takes less than 10 minutes

Delivery Schedule for Hyatt Place:

Weekly:

- Average 2 to 3 trucks per week, scheduled between 5 am and 6 am and all done before 7 am
- Average 3 to 4 small box trucks, takes approximately 15 minutes to unload and scheduled during the day
- Mail, UPS, Fedex, frequency is sporadic and unload is under 10 minutes

Westin & Hyatt Place:

*Deliveries are scheduled, with the exception of mail and shipping.



CITY OF AUSTIN
Development Services Department
One Texas Center | Phone: 512.978.4000
505 Barton Springs Road, Austin, Texas 78704

Board of Adjustment General/Parking Variance Application

WARNING: Filing of this appeal stops all affected construction activity.

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, [click here to Save](#) the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. ***If more space is required, please complete Section 6 as needed.*** All information is required (if applicable).

For Office Use Only

| | | |
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| Case # _____ | ROW # _____ | Tax # _____ |
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Section 1: Applicant Statement

Street Address: 414 W. MLK, Jr. Boulevard & 1901 San Antonio Street, Austin, TX 78705

Subdivision Legal Description:

Horsts Louis Subdivision

Lot(s): 35-37 Block(s): _____

Outlot: 22 Division: D

Zoning District: GR-NP and CS-NP, within the University Neighborhood Overlay District (UNO)

I/We Richard T. Suttle, Jr., Armbrust & Brown, PLLC, on behalf of myself/ourselves as authorized agent for Washoe Company affirm that on

Month: July , Day: 11 , Year: 2017 , hereby apply for a hearing before the

Board of Adjustment for consideration to (select appropriate option below):

Erect Attach Complete Remodel Maintain Other: _____

Type of Structure: A Hotel with accessory uses in the inner west campus sub-district of UNO

Portion of the City of Austin Land Development Code applicant is seeking a variance from:

Chapter 25-6. Transportation, Article 7, Off-Street Parking and Loading, Appendix A (Tables of Off-Street Parking and Loading Requirements, Schedule C (Off-Street Loading Requirement).

Request for a variance to the Off-Street Loading Requirement to reduce the requirement from (3) loading docks to one (1) loading dock. Request for a variance to allow City Staff to grant an administrative waiver to the off-street loading requirements for a hotel use in the UNO district, under the same provisions allowed in the Central Business District (CBD), under Section 25-6-592.

Section 2: Variance Findings

The Board must determine the existence of, sufficiency of, and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional supporting documents.

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

I contend that my entitlement to the requested variance is based on the following findings:

Reasonable Use

The zoning regulations applicable to the property do not allow for a reasonable use because:

The project complies with the zoning and UNO regulations.

The variance being sought is related to Transportation, specifically Chapter 25-6, Appendix A, Off-Street Loading.

The off-street loading requirements prevent reasonable use of the property for a hotel because operationally 3 loading docks are not necessary. This site is adjacent to Martin Luther King Jr. Boulevard (MLK, Jr. Blvd.), the northern boundary of the Central Business District (CBD). The Land Development Code, Section 25-6-592, Loading Facility Provisions for the Central Business District (CBD) and Downtown Mixed Use (DMU) and Public (P) Zoning Districts, (H) states "The Director may modify the number and size of spaces required after reviewing documentation provided by the applicant concerning the demand for loading facilities for similar developments." This site is adjacent to the CBD boundary and located in the UNO District which is intended to promote high density redevelopment. The required off-street loading (outside of the CBD) does not provide for Staff consideration of land use, demand, operations or site context, and therefore prevents reasonable use. Additionally, other similar and larger hotels are consistently granted loading dock waivers in the CBD; requiring 3 loading docks on the ground floor of a building this size will not allow for a reasonable use of the ground floor.

Hardship

a) The hardship for which the variance is requested is unique to the property in that:

The off-street loading requirements should be evaluated based on the proposed use, site context and demand of the project. The property is adjacent to the CBD boundary, but not within the boundary. Current code does not allow for Staff to approve an administrative waiver to reduce the required off-street loading due to operational demands for properties located outside of the CBD.

b) The hardship is not general to the area in which the property is located because:

The hardship is specific to the proposed hotel and its operational demands. The loading dock requirements should be based on actual project operational demand, and not solely based on gross building square footage. This project is 344 rooms; 3,000 SF of restaurant/bar; 3,200 SF ballroom space; 3,500 SF of breakout meeting room space; and 225 on-site parking spaces. The hotel will perform all laundry on-site, which significantly reduces truck deliveries.

Ballroom and event space is very low and will not allow for large events on the property, thereby reducing deliveries. The majority of deliveries will be food and beverage for the restaurant/bar space (also relatively small), and most food and beverage deliveries are scheduled, so the hotel staff can manage the unloading timeframes. See attached comparison projects to substantiate the request to provide 1 loading dock.

Area Character

The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

This project opted into the UNO District and complies with the zoning and design regulations. Further, the purpose of the UNO district is to promote high density redevelopment in the area generally west of the University of Texas campus, provide a mechanism for the creation of a densely populated but livable and pedestrian friendly environment, and protect the character of the predominantly single-family residential neighborhoods adjacent to the district. This project meets the goals and intent of UNO, and the project design complies with the UNO design guidelines within the Building Criteria Manual. The adjoining property will continue to have access and use of the alley, and a reduction in loading docks will not impede continued use of the alley.

Parking (additional criteria for parking variances only)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed in the City of Austin Land Development Code Chapter 25-6, Appendix A with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specific regulation because:

The regulation is not based on project-specific criteria, as is typically the case with required design criteria. The code requirement is based on gross floor area and does not account for the use of the floor area, i.e. a convention center hotel vs. an extended stay hotel vs. a traditional hotel. This project will reduce the amount and location of curb cuts from one (1) on MLK Jr., Blvd. and one (1) on San Antonio Street to a single entrance/exit on San Antonio Street. This project will also replace the existing high-turnover, drive-thru restaurant with a more pedestrian oriented use.

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

The off-street loading is located off the alley, and allowing a loading dock reduction will not impact the free flow of traffic of the public streets. Operationally, the hotel only needs one (1) loading dock. This hotel will perform all laundry on-site which significantly reduces the number of truck deliveries. The amount of ballroom and meeting space is very low (3,200 SF ballroom space and 3,500 SF of meeting space), so large events can't be accommodated. This also significantly reduces the number of deliveries. The majority of deliveries will be food and beverage for the restaurant/bar space; these types of deliveries tend to be small box trucks, and not large 18-wheelers. Further, most

food and beverage deliveries are scheduled and take place in the morning, so the hotel staff can manage the unloading.

- 3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

The loading will take place off the alley and away from bike and pedestrian foot traffic along San Antonio Street and MLK Jr., Blvd. The single, parallel loading dock provides for easier maneuvering for trucks and less potential for safety conflicts.

- 4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

This variance will apply to the AC-Autograph Hotel, currently under review SP-2016-0357C.

Section 3: Applicant Certificate

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Applicant Signature:  Date: 7-11-17

Applicant Name (typed or printed): White Lodging Services Corporation

Applicant Mailing Address: 701 E. 83rd Avenue

City: Merrillville State: IN Zip: 46410

Phone (will be public information): 219-472-2900

Email (optional – will be public information): _____

Section 4: Owner Certificate

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Owner Signature: _____ Date: _____

Owner Name (typed or printed): Washoe Company

Owner Mailing Address: PO Box 986

City: Reno State: NV Zip: 89504

Phone (will be public information): 512-435-2300

Email (optional – will be public information): _____

safety conflicts.

- 4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

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City: Merrillville State: IN Zip: 46410

Phone (will be public information): 219-472-2900

Email (optional – will be public information): _____

Section 4: Owner Certificate

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Owner Signature: Richard Finley PROJ COORDINATOR FOR WASHOE CO. Date: 7/11/2017

Owner Name (typed or printed): Washoe Company

Owner Mailing Address: PO Box 986

City: Reno State: NV Zip: 89504

Phone (will be public information): 512-435-2300

Email (optional – will be public information): _____

Section 5: Agent Information

Agent Name: Richard T. Suttle, Jr. Armbrust & Brown, PLLC

Agent Mailing Address: 100 Congress Avenue, Suite 1300

City: Austin State: TX Zip: 78701

Phone (will be public information): 512-435-2300

Email (optional – will be public information): rsuttle@abaustin.com and mneslund@abaustin.com

Section 5: Agent Information

Agent Name: Richard T. Suttle, Jr. Armbrust & Brown, PLLC

Agent Mailing Address: 100 Congress Avenue, Suite 1300

City: Austin State: TX Zip: 78701

Phone (will be public information): 512-435-2300

Email (optional – will be public information): rsuttle@abaustin.com and mneslund@abaustin.com

Section 6: Additional Space (if applicable)

Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

See attached letter and backup documentation.

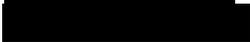
ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300
AUSTIN, TEXAS 78701-2744
512-435-2300

FACSIMILE 512-435-2360

Richard T. Suttle, Jr.
(512) 435-2300



July 31, 2017

VIA HAND DELIVERY

Ms. Leane Heldenfels
Board of Adjustment Liaison
City of Austin Development Services Department
505 Barton Springs Rd., 1st floor
Austin, TX 78704

Re: Off-Street Parking and Loading Variance for Property located
at 414 W. MLK Jr., Boulevard in the University Neighborhood Overlay District

Dear Leane:

BACKGROUND

Enclosed, please find the completed Board of Adjustment application and supporting documentation for an Off-Street Parking and Loading variance request for property located at 414 W. MLK Jr., Boulevard. The parcel is within the University Neighborhood Overlay (UNO), inner west campus sub-district and has opted into UNO.

The Property is planned for an eleven (11) story hotel development to include:

- 344 guest rooms
- 3,000 square feet (SF) of restaurant and bar
- 3,200 SF of ballroom space
- 3,500 SF of breakout meeting space
- 225 on-site parking spaces

The project is currently in site plan review (SP-2016-0357C), and has been designed with one (1) loading dock off the adjacent alley. Code requires three (3) loading docks and that is the basis of this variance request. The site plan was originally submitted on September 16, 2016, and the 3rd (and anticipated final) update was submitted July 14, 2017. Site plan sheets for each

loading dock scenario are included herein. The project is in compliance with the applicable zoning and UNO regulations.

The project is seeking a variance to Chapter 25-6, Transportation, Article 7, Off-Street Parking and Loading (specifically, a Loading variance), and the request is to reduce the number of required off-street loading spaces from three (3) to one (1). The off-street loading requirements prevent reasonable use of the property for a hotel because operationally 3 loading docks are not necessary and usable space is taken up to needless loading docks. The hardship is due to Code and UNO design guideline conflicts, and the fact that the Land Development Code (LDC) does not recognize or consider the type of hotel and its operations when determining required off-street loading requirements outside of the Central Business District (CBD). The off-street loading requirements should be evaluated based on the proposed use, site context and demand of a specific project. Outlined below are comparable projects, Land Development Code (LDC) backup and UNO design guidelines, which substantiate this variance request.

PRECEDENCE FOR REQUEST

White Lodging has developed, owns and operates five (5) hotels in downtown Austin. They understand the programmatic and functional needs of their hotels, including the off-street loading. To compare and provide additional context, the two (2) largest, convention center hotels have 1 and 3 loading docks, respectively, and each have more than 3 times the hotel rooms, meeting space and retail/restaurant/bar space than the AC Autograph hotel. The following is a summary of comparable urban hotels, including the convention center hotels, which further supports the hardship and this variance request.

| Hotel | Number of Rooms | Meeting & Event Space | Bar, Restaurant & Retail | Number of Loading Docks |
|---------------------|------------------------|----------------------------------|-------------------------------------|-------------------------------------|
| JW Marriott | 1,011 | 136,276 SF | 18,610 SF | 3 |
| The Fairmont | 1,066 | 86,387 SF | 18,883 SF | 1 |
| The Westin | 310 | 31,407 SF | 13,867 SF | 1 |
| Hampton Inn | 222 | 1,728 SF | 2,079 SF | 1 |
| Aloft Element | 422 | 467 SF | 4,282 SF | 1 |
| AC Autograph | 344 | 6,700 SF | 3,000 SF | Required: 3 Requested: 1 |

In addition to the facts outline above, the off-street loading requirements are based on total gross square footage of the hotel and do not consider any operational demands. This hotel has a total occupiable area of 200,766 square feet with only 344 guest rooms and a small amount of meeting and event space (6,700 square feet). The restaurant and bar space is also minimal and totals approximately 3,000 square feet. The hotel will also perform all laundry on-site, which significantly reduces truck deliveries. The majority of truck deliveries are food and beverage for the restaurant and bar, and those deliveries are scheduled. Based on the operational demands and size of this project, one (1) loading dock is necessary.

LDC & UNO SUMMARY

The LDC, Section 25-6-592, Loading Facility Provisions for the Central Business District (CBD) and Downtown Mixed Use (DMU) and Public (P) Zoning Districts, (H) allows the Director to modify the number and size of spaces required *after reviewing documentation provided by the applicant concerning the demand for loading facilities for similar developments*. This property is adjacent to W. MLK Jr., Blvd. and across the street from the CBD boundary. If this project were across W. MLK Jr., Blvd., the Director would have the authority to evaluate the operational needs and demands of similar projects. To the best of our knowledge, most if not all new hotel projects within the CBD, have been granted administrative waivers to reduce the LDC-required off-street loading spaces. In each case, demand for loading facilities for similar developments (under the LDC section detailed above) was considered. Until the most recent comment report from the City of Austin, we were under the impression the Director could grant an administrative waiver to the off-street loading requirements and had not been told otherwise by our site plan reviewer during the review.

When we received the City's response based on the CBD waiver provision, we replied requesting the waiver based on the UNO ordinance and UNO design guidelines. Specifically, Section 25-2-764, Design Guidelines of the UNO ordinance:

§ 25-2-764 - DESIGN GUIDELINES.

- (A) A site plan must comply with the design guidelines prescribed by administrative rule. An applicant shall file with the site plan drawings of all building elevations and streetscapes that demonstrates substantial compliance with the design guidelines.
- (B) The director of the Neighborhood Planning and Zoning Department shall determine whether a site plan substantially complies with the design guidelines.
- (C) **The director of the Neighborhood Planning and Zoning Department may waive a provision of the design guidelines if the director determines that the provision is unreasonable or impractical as applied to the site plan and that, with the waiver, the site plan will still substantially comply with the design guidelines. A waiver under this subsection must be the minimum departure from the provision necessary to avoid an unreasonable or impractical result.**

Section B(5), Loading and Maneuvering, of the UNO Design Guidelines (attached herein) recognizes the conflicts and challenges associated with the small size of blocks. The loading and maneuvering guidelines state, "depending on the site, this will generally require devoting a large portion of the ground level to trucks and their turning radius. Rather than displace uses with a more positive impact on the neighborhood, maneuvering in the street-essentially, backing into the dock, will be permitted". They further state that on-street maneuvering of service vehicles is allowed. The guidelines clearly acknowledge the need to evaluate projects on a site-by-site basis and we believe in consort with Section 25-2-764(C), the Director should be allowed to administratively waive provisions of the design guidelines.

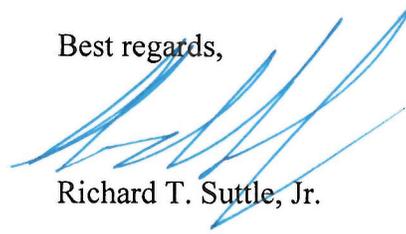
Staff disagreed with our interpretation of the waiver provisions; while they agreed that three (3) loading docks should not be required for this project, they claimed the Code does not grant them administrative discretion to approve the waiver. Staff indicated the Board of Adjustment is the appropriate body to review and grant the variance to off-street loading.

ARMBRUST & BROWN, PLLC
Page 4

Though, we still contend the Director should have administrative authority under the LDC and UNO design guidelines to approve the waiver.

We believe the facts outlined above establish a significant hardship, and we respectfully request your support of this variance to allow a reduction from three (3) loading docks to one (1) loading dock for this project.

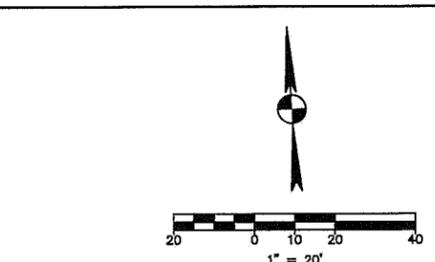
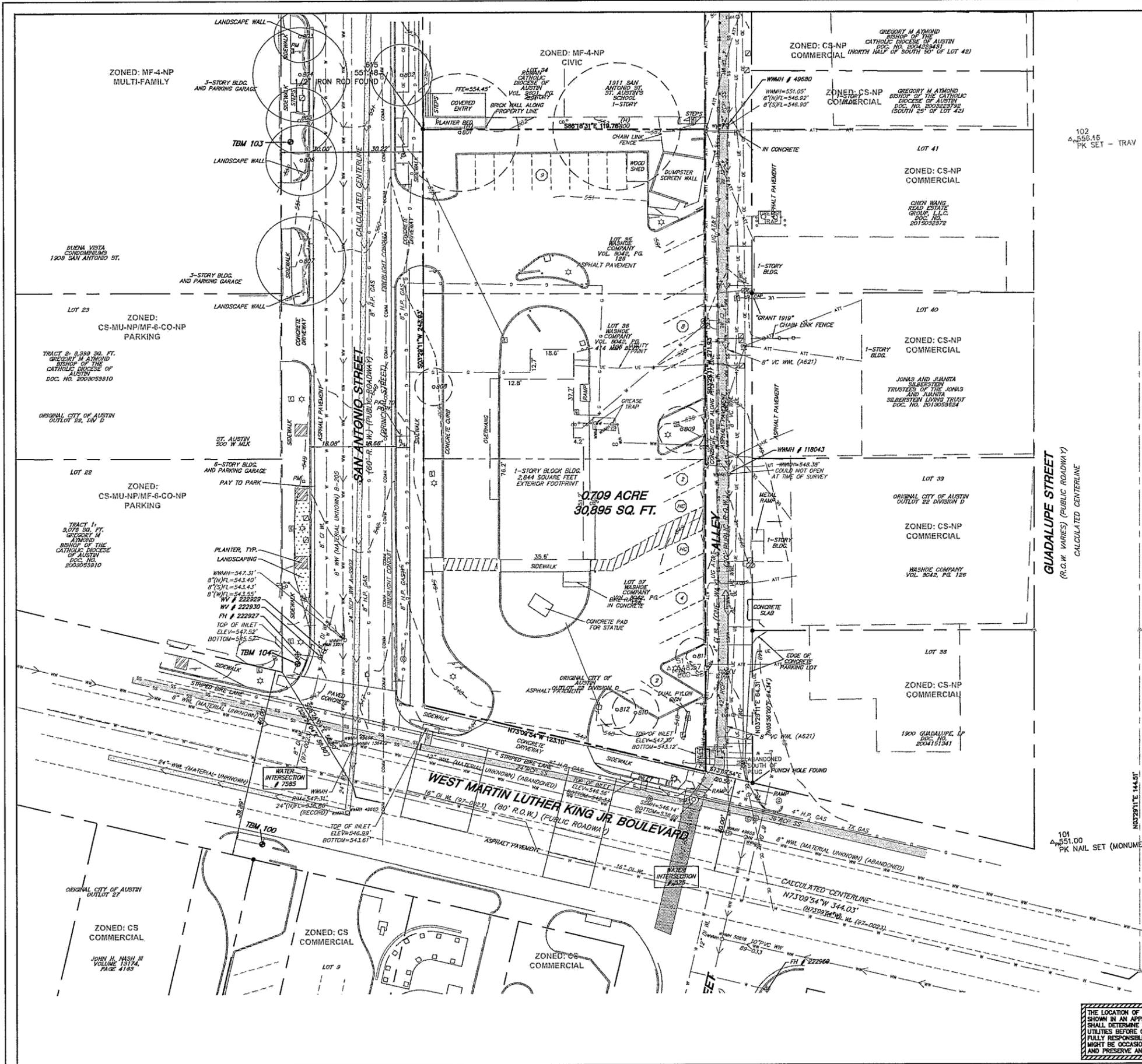
Best regards,



Richard T. Suttle, Jr.

Enclosures

Cc: Mr. Deno Yiankes, White Lodging Services Corporation



LEGEND

- 1/2" IRON ROD FOUND (UNLESS NOTED)
- △ PK P.K. NAIL WITH WASHER SET
- △ CALCULATED CORNER
- ELECTRIC MANHOLE
- WASTEWATER MANHOLE
- STORMSEWER MANHOLE
- FIBER OPTIC MANHOLE
- ELECTRIC METER
- GROUND LIGHT
- LIGHT POLE
- POWER POLE
- WATER VALVE
- WATER METER
- SIGN
- SOLARD
- WASTEWATER CLEANOUT
- GAS METER
- OVERHEAD ELECTRIC LINE
- UNDERGROUND ELECTRIC
- REGULAR PARKING
- HANDICAP PARKING
- PARKING METER
- RECORD DEED INFORMATION
- CITY OF AUSTIN HERITAGE TREE

TREE LIST

R - INDICATES TREE TO BE REMOVED

| NO. | DESCRIPTION |
|-------|----------------------------|
| R 800 | 27' PECAN (H) |
| R 801 | 25' PECAN |
| R 802 | 13' SYCAMORE |
| R 803 | 11' LIVE OAK |
| R 804 | 20' LIVE OAK |
| R 805 | 14' LIVE OAK |
| R 806 | 15' LIVE OAK |
| R 807 | 19' LIVE OAK |
| R 808 | 5' CEDAR ELM |
| R 809 | 10' CEDAR ELM |
| R 810 | 10' MOUNTAIN LAUREL(5,5,4) |
| R 811 | 8' GRAPE MYRTLE(5,3,3) |
| R 812 | 8' GRAPE MYRTLE(4,3,2,2) |

IMPROVEMENTS AND TOPOGRAPHIC INFORMATION SHOWN HEREON ARE BASED UPON AN ON THE GROUND TOPOGRAPHIC SURVEY BY STANTEC CONSULTING SERVICES, INC. IN JANUARY 2016.

BENCHMARK INFORMATION:

ELEVATIONS HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88) UTILIZING WESTERN DATA SYSTEMS CONTINUALLY OPERATING REFERENCE STATION (CORS) NETWORK AT THE TIME OF THIS SURVEY.

TBM 100: PK NAIL WITH BURY WASHER SET IN THE SOUTHEASTERLY CORNER OF THE CURB INLET IN THE SOUTHERLY SIDE OF MLK BOULEVARD, ±10 FEET WEST OF ENTRANCE DRIVEWAY TO CHICK-FIL-A. ELEVATION = 546.88'

TBM 103: PK NAIL WITH BURY WASHER SET IN EASTERLY EDGE OF SIDEWALK ON THE WESTERLY SIDE OF SAN ANTONIO STREET, ±10 FEET SOUTHEAST OF ENTRANCE STAIRWAY TO BUENA VISTA CONDOMINIUMS. ELEVATION = 552.53'

TBM 104: PK NAIL WITH BURY WASHER SET IN THE CURB INLET NEAR THE INTERSECTION OF THE NORTHERLY R.O.W. LINE OF MLK BOULEVARD WITH THE WESTERLY R.O.W. OF SAN ANTONIO STREET, 4 FEET SOUTHEAST OF A FIRE HYDRANT. ELEVATION = 547.58'

811
Know what's below.
Call before you dig.

FOR CITY USE ONLY:

SITE PLAN APPROVAL Sheet 02 of 27
FILE NUMBER: 18-0118-0000 APPLICATION DATE: AUGUST 1, 2018
APPROVED ON: UNDER SECTION 112 OF CHAPTER 255 OF THE CITY OF AUSTIN CODE.
EXPIRATION DATE (05-5-81,DC) CASE MANAGER: M. WAMMER-SMITH
PROJECT EXPIRATION DATE (000-#970905-A) DWYZ DDZ X

Director, Development Services Department
RELEASED FOR GENERAL COMPLIANCE: ZONING: COMMERCIAL

Rev. 1 Correction 1
Rev. 2 Correction 2
Rev. 3 Correction 3

FINAL PLAN MUST BE RECORDED BY THE PROJECT EXPIRATION DATE. IF APPLICABLE, SUBSEQUENT SITE PLANS WHICH DO NOT COMPLY WITH THE CODE CURRENT AT THE TIME OF FILING AND ALL REQUIRED BUILDING PERMITS AND/OR A NOTICE OF CONSTRUCTION (IF A BUILDING PERMIT IS NOT REQUIRED), MUST ALSO BE APPROVED PRIOR TO THE PROJECT EXPIRATION DATE.

THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

Stantec
221 West Sixth Street, Suite 600
Austin, TX 78701
Tel: (512) 328-0325
Fax: (512) 328-0329
Toll Free: 1-800-392-7344
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107175
LICENSED PROFESSIONAL ENGINEER
STATE OF TEXAS
EXPIRES 12-31-17

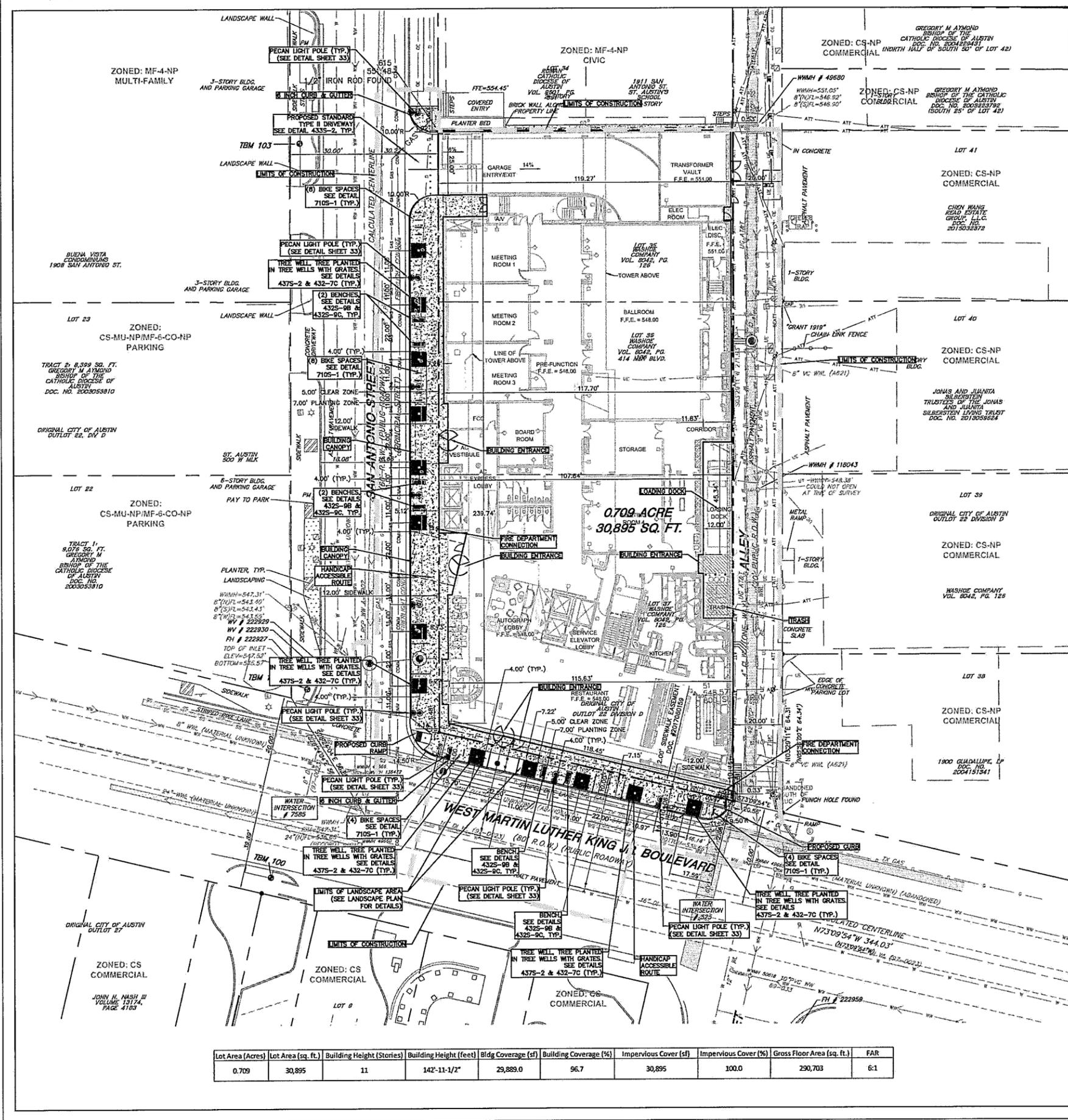
EXISTING CONDITIONS PLAN

AC - AUTOGRAPH HOTEL
1901 SAN ANTONIO STREET

AUSTIN 19 HOTEL, LLC

DRAWN BY: _____
DESIGNED BY: _____
QA / CC: _____
PROJECT NO.: 101649-10031

SHEET
02
OF 37



- SITE NOTES:**
- ALL DIMENSIONS TO CURBS ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
 - THE SITE IS COMPOSED OF 3 LOTS/TRACTS. IT HAS BEEN APPROVED AS ONE COHESIVE DEVELOPMENT. IF PORTIONS OF THE LOTS/TRACTS ARE SOLD, APPLICATION FOR SUBSEQUENT DEVELOPMENT PLAN APPROVAL MAY BE REQUIRED. A UNIFIED DEVELOPMENT AGREEMENT HAS BEEN RECORDED IN THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS AS DOCUMENT NO. 201600000.
 - ADEQUATE BARRIERS BETWEEN ALL VEHICULAR USE AREAS AND ADJACENT LANDSCAPE AREAS, SUCH AS A 6" CONCRETE CURB ARE REQUIRED. IF A STANDARD 6" CURB AND GUTTER ARE NOT PROVIDED FOR ALL VEHICULAR USE AREAS AND ADJACENT LANDSCAPE AREAS, COMPLY WITH E.C.M. SECTION 2.4.7, "PROTECTION OF LANDSCAPE AREAS."
 - CONTRACTOR TO SEE LANDSCAPE ARCHITECT AND BUILDING ARCHITECT PLANS FOR DETAILS AND SPECIFICATIONS FOR SIDEWALKS AND SIDEWALKS ADJACENT TO BUILDINGS.
 - WATER AND WASTEWATER SERVICE WILL BE PROVIDED BY AUSTIN WATER UTILITY.
 - FOR CONSTRUCTION WITHIN THE RIGHT-OF-WAY, A RIGHT-OF-WAY EXCAVATION PERMIT IS REQUIRED.
 - ALL PAVEMENT MARKINGS SHALL MEET CITY OF AUSTIN SPECIFICATION 8005.
 - ALL IMPROVEMENTS SHALL BE MADE IN ACCORDANCE WITH THE RELEASED SITE PLAN. ANY ADDITIONAL IMPROVEMENTS WILL REQUIRE SITE PLAN AMENDMENT AND APPROVAL OF THE PLANNING AND DEVELOPMENT REVIEW DEPARTMENT.
 - APPROVAL OF THIS SITE PLAN DOES NOT INCLUDE BUILDING AND FIRE CODE APPROVAL NOR BUILDING PERMIT APPROVAL.
 - ALL SIGNS MUST COMPLY WITH REQUIREMENTS OF THE LAND DEVELOPMENT CODE (CHAPTER 25-10).
 - A DEVELOPMENT PERMIT MUST BE ISSUED PRIOR TO AN APPLICATION FOR BUILDING PERMIT FOR NON-COMBODATED OR PLANNING COMMISSION APPROVED SITE PLANS.
 - ALL EXTERIOR LIGHTING WILL BE FULL CUT-OFF OR FULLY SHIELDED IN COMPLIANCE WITH SUBCHAPTER E.2.5. ALL SITE LIGHTING TO BE LOCATED ON THE BUILDING WILL BE IN COMPLIANCE WITH SUBCHAPTER E.2.5 AND WILL BE REVIEWED DURING BUILDING PLAN REVIEW. ANY CHANGES OR SUBSTITUTION OF LIGHTING FIXTURES SHALL BE SUBMITTED TO THE DIRECTOR FOR APPROVAL IN ACCORDANCE WITH SECTION 2.5.2.E. PER SECTION 2.5.2.F, ALL NON-COMPLYING LIGHTING MUST BE CHANGED TO CONFORM WITH THIS SECTION BY JANUARY 1, 2015.
 - CBD AND DMU DISTRICTS REQUIRE A BUILDING TO ACHIEVE AT LEAST A ONE STAR RATING UNDER THE GREEN BUILDING PROGRAM, [SEC 25-2-63(b)].
 - SCREENING FOR SOLID WASTE COLLECTION AND LOADING AREAS SHALL BE THE SAME AS, OR OF EQUAL QUALITY TO, PRINCIPAL BUILDING MATERIALS.
 - A CONDITIONAL LETTER OF APPROVAL IS REQUIRED BY AUSTIN ENERGY GREEN BUILDING PROGRAM PRIOR TO BUILDING PERMIT.
 - THIS ARE NO EXISTING OR PROPOSED EASEMENTS ON THIS SITE.
 - COMPLIANCE WITH THE COMMERCIAL AND MULTI-FAMILY RECYCLING ORDINANCE IS MANDATORY FOR MULTI-FAMILY COMPLEXES WITH 100 OR MORE UNITS AND BUSINESSES AND OFFICE BUILDINGS WITH 100 OR MORE EMPLOYEES ON CITE (AUSTIN CITY CODE, SEC. 15-6-91).
 - A MINIMUM VERTICAL CLEARANCE OF 11'4" MUST BE PROVIDED AT ACCESSIBLE PASSENGER LOADING ZONES AND ALONG VEHICLE ACCESS ROUTES TO SUCH AREAS FROM SITE ENTRANCES. A MINIMUM VERTICAL CLEARANCE OF 8' MUST BE PROVIDED FOR VAN-ACCESSIBLE PARKING SPACES AND ALONG THE VEHICLE ROUTE THERETO. [ANSI 503.5]
 - ALL SITE FURNITURE SHALL BE IN ACCORDANCE WITH GREAT STREETS STANDARDS.
 - ADDITIONAL ELECTRIC EASEMENTS MAY BE REQUIRED AT A LATER DATE.
 - SPOILS ARE TO BE REMOVED FROM THE SITE DAILY. NO CONSTRUCTION MATERIALS SHALL BE STORED ON SITE DURING THE ENTIRE DURATION OF DEMOLITION AND CONSTRUCTION ACTIVITIES.
 - APPROVAL OF THESE PLANS BY THE CITY OF AUSTIN INDICATES COMPLIANCE WITH APPLICABLE CITY REGULATIONS ONLY. COMPLIANCE WITH ACCESSIBILITY STANDARDS SUCH AS THE 2010 STANDARDS FOR ACCESSIBLE DESIGN OR THE 2012 TEXAS ACCESSIBILITY STANDARDS WAS NOT VERIFIED. THE APPLICANT IS RESPONSIBLE FOR COMPLIANCE WITH ALL APPLICABLE ACCESSIBILITY STANDARDS.
 - A CONDITIONAL LETTER OF APPROVAL IS REQUIRED BY AUSTIN ENERGY GREEN BUILDING PROGRAM PRIOR TO RELEASE OF THE BUILDING PERMIT.
 - EACH COMPACT PARKING SPACE/ISLE WILL BE SIGNED "SMALL CAR ONLY."

LEGEND

| EXISTING | PROPOSED | DESCRIPTION |
|----------|----------|----------------------------------|
| --- | --- | PROPERTY LINE / (R.O.W.) LINE |
| ○ | ○ | LIGHT POLE |
| ○ | ○ | GROUND LIGHT |
| ○ | ○ | POWER POLE |
| ○ | ○ | DOWN CUY |
| ○ | ○ | TELEPHONE MANHOLE |
| ○ | ○ | WATER MANHOLE |
| ○ | ○ | UNDERGROUND CABLE MARKER |
| ○ | ○ | UNDERGROUND GAS LINE MARKER |
| ○ | ○ | UNDERGROUND TELEPHONE MARKER |
| ○ | ○ | CAS RISER |
| ○ | ○ | TELEPHONE RISER |
| ○ | ○ | SPRINKLER CONTROL BOX |
| ○ | ○ | SWITCH GEAR & PAD |
| ○ | ○ | TRANSFORMER (SIZE VARIES) |
| ○ | ○ | FIRE HYDRANT |
| ○ | ○ | WATER VALVE |
| ○ | ○ | WATER METER |
| ○ | ○ | WATER METER VAULT (SIZE VARIES) |
| ○ | ○ | CABLE TV RISER |
| ○ | ○ | ELECTRIC BOX |
| ○ | ○ | ELECTRIC METER |
| ○ | ○ | GAS METER |
| ○ | ○ | GAS VALVE |
| ○ | ○ | TRAFFIC CONTROL BOX |
| ○ | ○ | TRAFFIC SIGNAL POST |
| ○ | ○ | GRATE INLET |
| ○ | ○ | CURB INLET (SIZE VARIES) |
| ○ | ○ | GREASE TRAP (SIZE VARIES) |
| ○ | ○ | OVERHEAD ELECTRIC |
| ○ | ○ | ELECTRIC MANHOLE (SIZE VARIES) |
| ○ | ○ | WASTEWATER MANHOLE (SIZE VARIES) |
| ○ | ○ | STORMSEWER MANHOLE (SIZE VARIES) |
| ○ | ○ | TELEPHONE MANHOLE (SIZE VARIES) |
| ○ | ○ | WASTEWATER CLEANOUT |
| ○ | ○ | WIRE FENCE |
| ○ | ○ | WOOD FENCE |
| ○ | ○ | CHAIN LINK FENCE |
| ○ | ○ | DUMPSTER |
| ○ | ○ | CURB & GUTTER |
| ○ | ○ | EDGE OF PAVEMENT |
| ○ | ○ | FIRE LANE DESIGNATION |
| ○ | ○ | HANDICAP ACCESS ROUTE |
| ○ | ○ | CONCRETE SIDEWALKS |
| ○ | ○ | WALL |
| ○ | ○ | WHEELSTOP |
| ○ | ○ | BOLLARD |
| ○ | ○ | FINISH FLOOR ELEVATION |
| ○ | ○ | PARKING COUNT (RESEAL SPACES) |
| ○ | ○ | PARKING COUNT (HANDICAP SPACES) |
| ○ | ○ | PARKING COUNT (PARALLEL SPACES) |
| ○ | ○ | HANDICAP SPACE |
| ○ | ○ | BIKE PARKING |
| ○ | ○ | BARRICADE |

- ACCESSIBILITY NOTES:**
- SLOPES ON ACCESSIBLE ROUTES MAY NOT EXCEED 1:20 UNLESS DESIGNED AS A RAMP. [TAS 4.3.7]
 - GROUND SURFACES ALONG ACCESSIBLE ROUTES MUST BE STABLE, FIRM, AND SLIP RESISTANT. [TAS 4.5.1]
 - THE MAXIMUM SLOPE OF A RAMP IN NEW CONSTRUCTION IS 1:12. THE MAXIMUM RISE FOR ANY RAMP RUN IS 30 IN. [TAS 4.8.2]
 - ACCESSIBLE ROUTES MUST HAVE A CROSS-SLOPE NO GREATER THAN 1:50. [TAS 4.3.7]

FOR CITY USE ONLY:

811
Know what's below. Call before you dig.

SITE PLAN APPROVAL Sheet 02 of 37
 FILE NUMBER: 16-0016-0000 APPLICATION DATE: August 1, 2016
 APPROVED ON: _____ UNDER SECTION 113 OF CHAPTER 25-5 OF THE CITY OF AUSTIN CODE.
 EXPIRATION DATE (25-5-61.DC) _____ CASE MANAGER: MANDRA-SMITH
 PROJECT EXPIRATION DATE (ORD.#700005-A) DWFP: _____

Director, Development Services Department
 RELEASED FOR GENERAL COMPLIANCE: _____ ZONING: COMMERCIAL

Rev. 1 _____ Correction 1
 Rev. 2 _____ Correction 2
 Rev. 3 _____ Correction 3

FILE PLAN MUST BE RECORDED BY THE PROJECT EXPIRATION DATE, IF APPLICABLE. SUBSEQUENT SITE PLANS WHICH DO NOT COMPLY WITH THE CODE CURRENT AT THE TIME OF FILING, AND ALL REQUIRED BUILDING PERMITS AND/OR A NOTICE OF CONSTRUCTION (IF A BUILDING PERMIT IS NOT REQUIRED), MUST ALSO BE APPROVED PRIOR TO THE PROJECT EXPIRATION DATE.

| Lot Area (Acres) | Lot Area (sq. ft.) | Building Height (Stories) | Building Height (feet) | Bldg Coverage (sf) | Building Coverage (%) | Impervious Cover (sf) | Impervious Cover (%) | Gross Floor Area (sq. ft.) | FAR |
|------------------|--------------------|---------------------------|------------------------|--------------------|-----------------------|-----------------------|----------------------|----------------------------|-----|
| 0.709 | 30,895 | 11 | 142'-11-1/2" | 29,889.0 | 96.7 | 30,895 | 100.0 | 290,703 | 6.1 |

THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

Stantec
221 West Sten Street, Suite 600
Tel: (512) 328-0111 Fax: (512) 328-0235
TBE# F-4324 TBA.S # F-1019420
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SITE PLAN

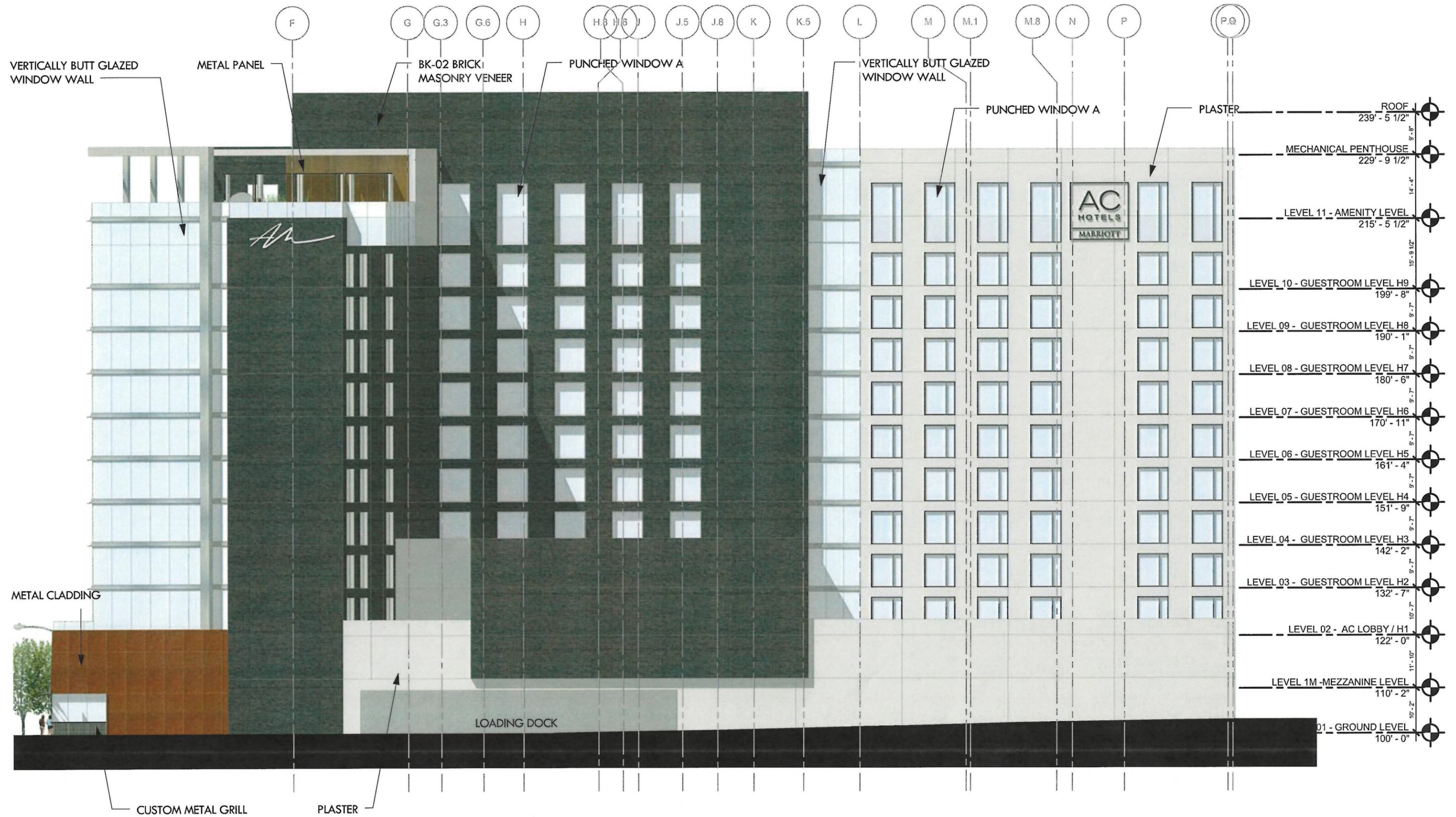
AC - AUTOGRAPH HOTEL
1901 SAN ANTONIO STREET
AUSTIN 19 HOTEL, LLC

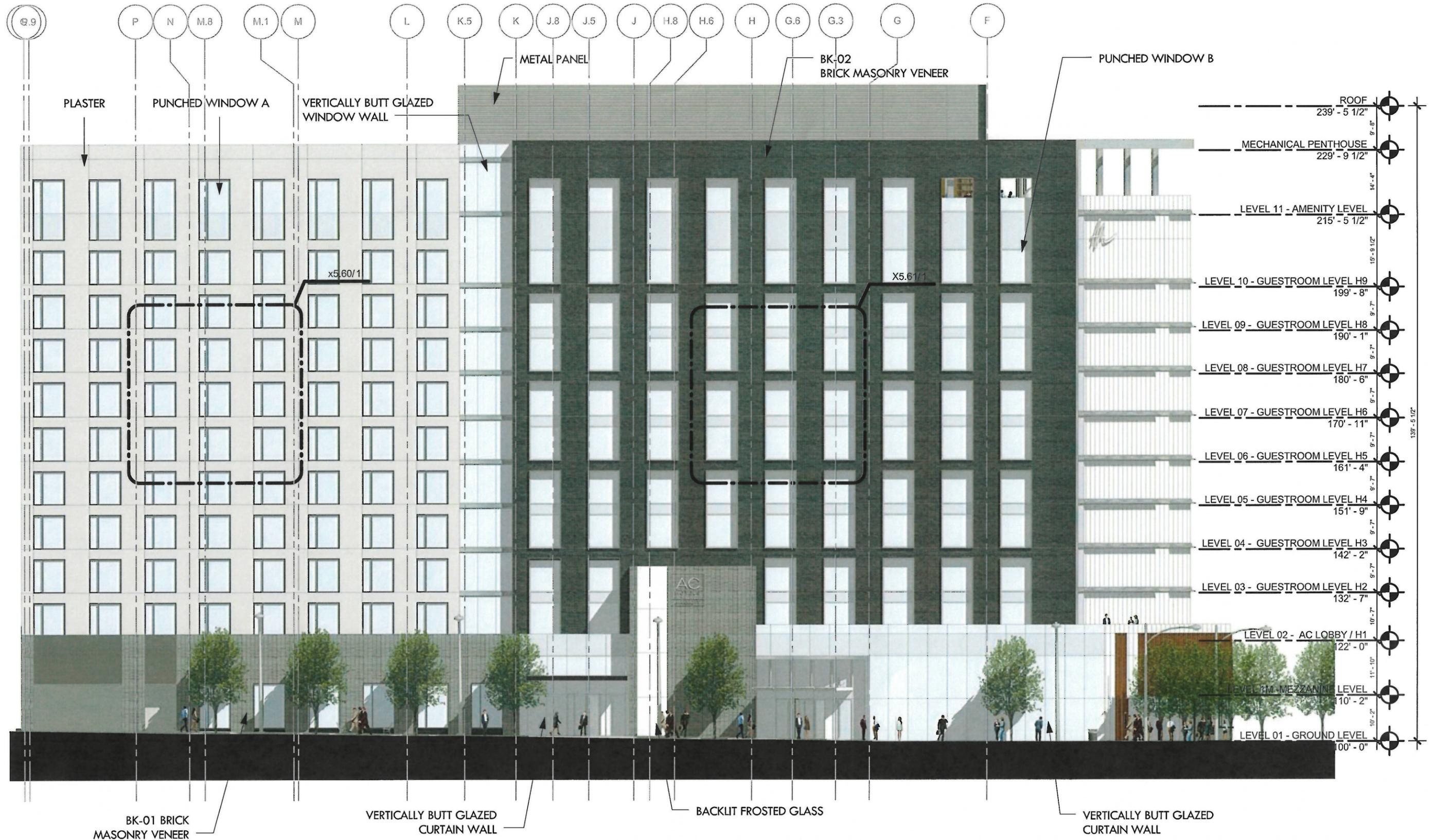
DRAWN BY: _____
DESIGNED BY: _____
QA / QC: _____
PROJECT NO.: 101649-10031

SHEET
05
OF 37

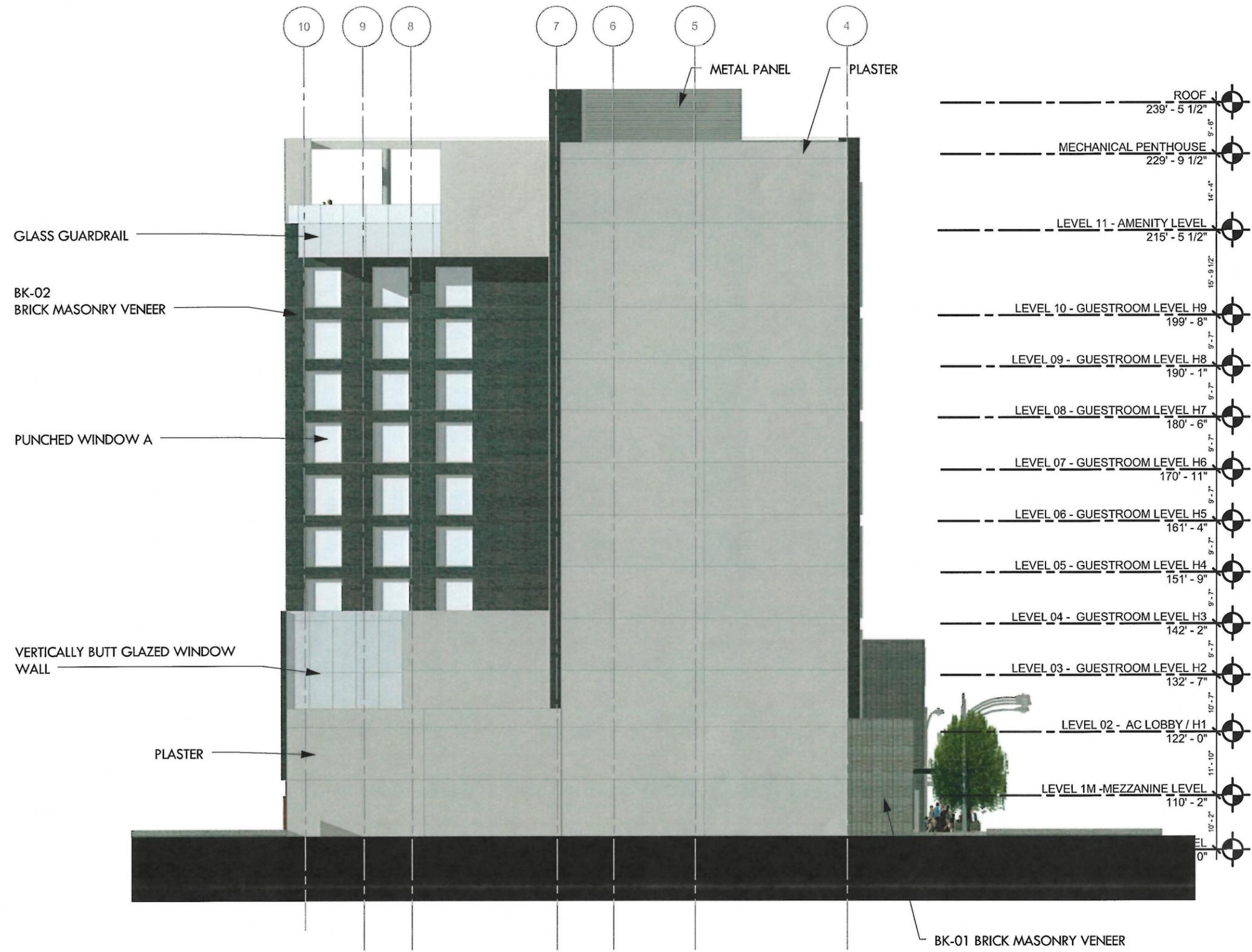












REVISIONS/CORRECTIONS

Table with 8 columns: Number, Description, Revise (R) Add (A) Void (V) Sheet No.'s, Total # Sheets in Plan Set, Net Change Imp. Cover (sq. ft.), Total Site Imp. Cover (sq.ft.)%, City of Austin Approval-date, Date Imaged. Contains 4 rows of revision details.

SITE DEVELOPMENT PLANS FOR FAIRMONT AUSTIN HOTEL

101 RED RIVER STREET AUSTIN, TEXAS 78702

DEVELOPER: MANCHESTER TEXAS FINANCIAL GROUP, LLC. ONE MARKET PLACE, 33RD FLOOR SAN DIEGO, CALIFORNIA 92101

PROPERTY OWNER: WALLER CREEK ELEVEN, LTD. 1311-A EAST 6TH STREET AUSTIN, TEXAS 78702 (512) 478-8774

Submittal Date: October 3, 2012

Site Planning, Engineering, & Landscape Architecture

OWNER CONTACT: ENRIQUE SERNA CONSORT, INC. 1646 E. CESAR CHAVEZ AUSTIN, TEXAS 78702 512-469-0500

ENGINEER: CONSORT, INC. 1646 E. CESAR CHAVEZ AUSTIN, TEXAS 78702 512-469-0500

ARCHITECT: GENSLER 212 LAVACA ST. SUITE 390 AUSTIN, TEXAS 78701 512-867-8100

LANDSCAPE ARCHITECT: CONSORT, INC. 1646 E. CESAR CHAVEZ AUSTIN, TEXAS 78704 512-469-0500

NOTE: NO PORTION OF THIS TRACT IS WITHIN THE BOUNDARIES OF THE 100 YEAR FLOOD PLAIN OF ANY WATERWAY THAT IS WITHIN THE LIMITS OF STUDY OF THE FEDERAL FLOOD INSURANCE ADMINISTRATION FIRM PANEL NO. 48453C-0465H DATED MARCH 3, 2010, FOR TRAVIS COUNTY, TEXAS.

RETAINING WALLS OVER FOUR FEET IN HEIGHT (MEASURED FROM THE BOTTOM OF THE FOOTING TO THE TOP OF THE WALL) OR THAT SUPPORT A SURCHARGE SHALL BE DESIGNED BY A REGISTERED TEXAS PROFESSIONAL ENGINEER AND REQUIRE A SEPARATE BUILDING PERMIT. (UNIFORM BUILDING CODE 106.2.5)

THIS PROJECT IS LOCATED IN THE WALLER CREEK WATERSHED WHICH IS CLASSIFIED UNDER THE COMPREHENSIVE WATERSHED ORDINANCE AS AN URBAN WATERSHED.

THIS SITE IS NOT LOCATED OVER THE EDWARDS AQUIFER RECHARGE ZONE.

COMPLIANCE WITH THE COMMERCIAL AND MULTI-FAMILY RECYCLING ORDINANCE IS MANDATORY FOR MULTI-FAMILY COMPLEXES AND BUSINESSES AND OFFICE BUILDINGS.

THIS SITE PLAN REQUIRES THE CITY OF AUSTIN APPROVAL OF A TRAFFIC IMPACT ANALYSIS/ACCESS MANAGEMENT PLAN PRIOR TO ITS FINAL RELEASE.

ALL FIRE HYDRANTS THAT ARE TO BE ABANDONED SHALL BE REMOVED, SALVAGED AND RETURNED TO AUSTIN WATER UTILITY. NOTICE MUST BE GIVEN 48 HOURS PRIOR TO RETURN. CONTACT FRED CLEVELAND AT 972-1133 OR CHARLIE HARRIS AT 972-1188

THE SITE IS COMPOSED OF EIGHT (8) LOTS/TRACTS. IT HAS BEEN APPROVED AS ONE COHESIVE DEVELOPMENT. IN PORTIONS OF THE LOTS/TRACTS ARE SOLD, APPLICATION FOR SUBDIVISION AND SITE PLAN APPROVAL MAY BE REQUIRED. DOCUMENT NUMBER 2013169523.

THIS PLAN WAS REVIEWED UNDER THE WATERSHED RULES AND REGULATIONS IN EFFECT ON AUGUST 24, 2012.

ALL RESPONSIBILITY FOR THE ADEQUACY OF THESE PLANS REMAINS WITH THE ENGINEER WHO PREPARED THEM. IN APPROVING THESE PLANS, THE CITY OF AUSTIN MUST RELY UPON THE ADEQUACY OF THE WORK OF THE DESIGN ENGINEER.

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 THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY CITY ENGINEERS.

LICENSE AGREEMENT HAS BEEN REVIEWED AND APPROVED. LICENSE AGREEMENT MUST BE RECORDED PRIOR TO ISSUANCE OF THE BUILDING PERMIT BY THE CITY OF AUSTIN. LICENSE AGREEMENT RECORDATION DOCUMENT NO. 2013168784.

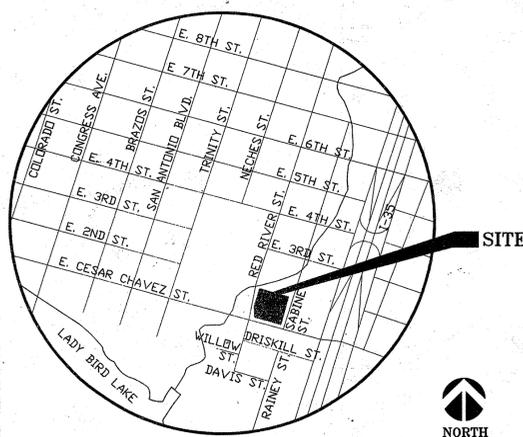
ATD NOTE: PRIOR TO THE APPROVAL OF BUILDING PERMIT AND THE ISSUE OF CERTIFICATE OF OCCUPANCY, A PUBLIC ACCESS EASEMENT FROM RED RIVER ST. TO EAST 2ND ST. WILL BE RECORDED AT THE TRAVIS COUNTY DEED OF RECORDS.

THE CITY OF AUSTIN CITY COUNCIL ON AUGUST 22, 2013 GRANTED A VARIANCE FROM THE FOLLOWING CITY CODE SECTIONS (SEE ORDINANCE 20130822119):

- (A) THE REQUIREMENT THAT THE APPLICANT PROVIDE A DRAINAGE STUDY UPON THE DIRECTOR'S REQUEST, PRESCRIBED BY CITY CODE SECTION 25-7-31 (DIRECTOR AUTHORIZED TO REQUIRE DRAINAGE STUDIES);
(B) THE REQUIREMENT THAT A SITE PLAN MAY NOT BE APPROVED UNLESS THE DEVELOPMENT WILL NOT RESULT IN ADDITIONAL IDENTIFIABLE ADVERSE FLOODING ON OTHER PROPERTY, PRESCRIBED BY CITY CODE SECTION 25-7-81 (CRITERIA FOR APPROVAL OF PLATS, CONSTRUCTION PLANS, AND SITE PLANS), SUBSECTION (A) (5) (A);
(C) THE REQUIREMENT THAT THE FLOOR OF A PROPOSED BUILDING IN THE CENTRAL BUSINESS AREA BE AT LEAST TWO FEET ABOVE THE 100-YEAR FLOODPLAIN, PRESCRIBED IN CITY CODE SECTION 25-7-94 (EXCEPTIONS IN CENTRAL BUSINESS AREA) SUBSECTION (C) (1);
(D) THE REQUIREMENT THAT THE APPLICANT DEMONSTRATE THE DEVELOPMENT WILL NOT INCREASE THE DESIGN FLOOD ELEVATION AT ANY POINT THAT RESULTS IN ADDITIONAL ADVERSE FLOODING ON OTHER PROPERTY, PRESCRIBED IN CITY CODE SECTION 25-12-3 BUILDING CODE APPENDIX G, SECTION G103.4 (ACTIVITIES IN RIVERINE FLOOD HAZARD AREAS);
(E) THE REQUIREMENT THAT THE APPLICANT SUBMIT A CERTIFICATION BY A PROFESSIONAL ENGINEER THAT DEMONSTRATES THE DEVELOPMENT WILL NOT CAUSE ANY INCREASE OF THE LEVEL OF THE DESIGN FLOOD, PRESCRIBED BY CITY CODE SECTION 25-12-3 BUILDING CODE APPENDIX G, SECTION G103.5 (FLOODWAY ENCROACHMENT);
(F) THE REQUIREMENT THAT VARIANCES BE CONSIDERED ONLY AFTER THE APPLICANT HAS APPLIED FOR A CONDITIONAL FLOOD INSURANCE RATE MAP (FIRM) REVISION AND RECEIVED APPROVAL OF THE PROPOSED FIRM REVISION FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY, PRESCRIBED IN CITY CODE SECTION 25-12-3 BUILDING CODE APPENDIX G, SECTION G103.5 (FLOODWAY ENCROACHMENT); AND
(G) THE REQUIREMENT THAT THE APPLICANT PROVIDE AN ENGINEERING ANALYSIS DEMONSTRATING THE FLOOD-CARRYING CAPACITY OF THE ALTERED OR RELOCATED PORTION OF THE WATERCOURSE, PRESCRIBED IN CITY CODE SECTION 25-12-3 BUILDING CODE APPENDIX G, SECTION G103.6 (ENGINEERING ANALYSIS).
THE VARIANCES GRANTED IN THIS ORDINANCE ARE EFFECTIVE ONLY IF THE APPLICANT SUBMITS A COMPLETED ELEVATION CERTIFICATE CERTIFYING THE ELEVATION OF THE FINISHED FLOOR OF THE BUILDING, SIGNED BY A PROFESSIONAL LAND SURVEYOR, ENGINEER OR ARCHITECT AUTHORIZED BY LAW TO CERTIFY ELEVATIONS, BEFORE THE CITY MAY ISSUE A CERTIFICATE OF OCCUPANCY FOR THE BUILDING. PLEASE CONTACT HENRY PRICE, 512-974-1275 IN THE FLOODPLAIN OFFICE TO CONFIRM RECEIPT OF ELEVATION CERTIFICATE.
THIS VARIANCE EXPIRES IF THE PROJECT FOR WHICH THIS VARIANCE IS GRANTED DOES NOT RECEIVE A BUILDING PERMIT BEFORE SEPTEMBER 2, 2014.

WATERSHED: WALLER CREEK CLASS: URBAN PRINCIPAL STREET: URBAN ROADWAY RELATED CASES: SP-2014-0354C ZONING: C14-2011-0113 WATER PRESSURE ZONE: CENTRAL

Consort, Inc. 1646 E. Cesar Chavez St., Austin, TX 78702 (512) 469-0500 T.B.P.E. Firm Registration No. F-859



LOCATION MAP MAPSCO PAGE #: 585 CITY GRID: J-21, J-22 ZONING: CBD-CURE

Table with 2 columns: Building Type/Requirement and Value. Includes: BUILDING TYPE (A), BUILDING SIZE (1,156,135 SQ.FT.), REQUIRED MINIMUM FIRE FLOW DEMAND PER I.F.C. (8000 GPM), 75% REDUCTION FOR FULLY SPRINKLERED BLDG. (1500 GPM), 6" WATER METER DOMESTIC FLOW (770 GPM), STATIC WATER PRESSURE (120 PSI), WATER FIXTURE UNITS (9,300 WFU).

LICENSE AGREEMENT NOTE: LICENSE AGREEMENT MUST BE AMENDED TO INCLUDE FILTERRA AND BIOCLEAN UNITS PRIOR TO INSTALLATION OF UNITS AND ISSUANCE OF CERTIFICATE OF OCCUPANCY.

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2. NOTE SHEET
3. DEMOLITION PLAN
4. SITE PLAN
5. OVERALL UTILITY PLAN
6. UTILITY PLAN DETAILS
7. DIMENSION CONTROL PLAN
8. GRADING PLAN
9. EROSION / SEDIMENTATION CONTROL AND TREE PROTECTION PLAN
10. EXISTING DRAINAGE PLAN
11. PROPOSED DRAINAGE PLAN
12. WATER QUALITY PLAN
13. STORM DRAIN LINE PROFILES
14. LANDSCAPE PLAN
15. LANDSCAPE NOTES, DETAILS, AND PLANT LIST
16. GREAT STREETS SECTIONS
17. IRRIGATION PLAN
18. IRRIGATION NOTES AND DETAILS
19. DETAIL SHEET
20. DETAIL SHEET
21. DETAIL SHEET
22. DETAIL SHEET
23. DETAIL SHEET
24. DETAIL SHEET
25. DETAIL SHEET
26. DETAIL SHEET
27. BUILDING FLOOR PLAN
28. PARKING GARAGE LEVEL P1
29. PARKING GARAGE LEVEL P2
30. PARKING GARAGE LEVEL P3
31. PARKING GARAGE LEVEL P4
32. BUILDING ELEVATIONS
33. BUILDING SECTIONS
34. ROOF PLAN AND BUILDING OVERHANG SECTIONS
35. STRIPING PLAN
36. TRAFFIC CONTROL NOTES
37. TRAFFIC CONTROL PLAN - CESAR CHAVEZ CLOSURE
38. TRAFFIC CONTROL PLAN - PHASE 'A'
39. TRAFFIC CONTROL PLAN - PHASE 'B'
40. TRAFFIC CONTROL PLAN - PHASE 'C'
41. TRAFFIC CONTROL PLAN - PHASE 'D'
42. TRAFFIC CONTROL PLAN - PHASE 'E'
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45. TRAFFIC CONTROL PLAN - RED RIVER WATER LINES
46. TRAFFIC CONTROL DETAILS
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48. TRAFFIC CONTROL DETAILS
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51. RETAINING WALL SECTIONS
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54. RETAINING WALL SECTIONS
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56. RETAINING WALL DETAILS

ALL RESPONSIBILITY FOR THE ADEQUACY OF THESE PLANS REMAINS WITH THE ENGINEER. APPROVAL OF THESE PLANS BY THE CITY OF AUSTIN DOES NOT REMOVE THESE RESPONSIBILITIES.

AUSTIN WATER UTILITY EXPIRATION DATE AUG 23 2016

REVIEWED BY THE AUSTIN WATER UTILITY APPLIES ONLY TO FACILITIES WITHIN PUBLIC STREETS OR PUBLIC UTILITY EASEMENTS. ALL OTHER WATER AND WASTEWATER FACILITIES INSIDE PRIVATE PROPERTY ARE UNDER THE JURISDICTION OF BUILDING INSPECTION

Inspection Notice: Please call Watershed Protection and Development Review, Construction Inspection Division at 512-974-6800 for arrangements for payment of inspection fees and job assignment for inspection of the public utilities related to this site. Inspection fees must be paid before any pre-construction meeting can be held.

LEGAL DESCRIPTION: LOT 1-8 LESS SW TRI OF LOT 1 & VAC ALLEY BLOCK 011 ORIGINAL CITY

- BENCHMARK LIST: VERTICAL DATUM-NAVD88
1/2" IRON ROD W/ CAP STAMPED 'LOOMIS' SET AT THE SOUTHEAST CORNER OF SITE (NORTHWEST CORNER OF SABINE & CESAR CHAVEZ) ELEVATION = 463.43'
1/2" IRON ROD W/ CAP STAMPED 'LOOMIS' SET AT THE SOUTHWEST CORNER OF SITE (NORTHEAST CORNER OF RED RIVER & CESAR CHAVEZ) ELEVATION = 458.63'
TOP OF 1-1/4" IRON PIPE FOUND (INSIDE DIAMETER) AT THE NORTHWEST CORNER OF SITE (SOUTHWEST CORNER OF RED RIVER & 2ND) ELEVATION = 458.02'
MAG-NAIL SET IN CURB AT THE NORTHEAST CORNER OF SITE (SOUTHWEST CORNER OF SABINE & 2ND) ELEVATION = 459.20'

APPROVED BY: [Signature] Date: 9/13/13 For Director, Planning and Development Review Department
Site Plan/Development Permit Number: [Signature] Folom Date: 08/23/2013
Austin Water Utility Date: 08/22/2013
Fire Department Date: 8/15/2013
Industrial Waste Date: [Signature]

SITE PLAN RELEASE Form with fields for File Number, Case Manager, Application Date, Review Date, and Release Date. Includes a signature line for the Director of Planning and Development Review Department.

I, Bryan E. Moore, a professional engineer, do hereby certify that these plans are complete, accurate and in compliance with Chapter 25-8 Subchapter A of the Land Development Code.

[Signature] Date: 08-15-2013

