



## Legislation Text

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**File #:** Res. 2019-120R (b), **Version:** 1

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### **AGENDA CAPTION:**

Receive a Staff presentation and consider Resolution 2019-120R, approving a request for a Conditional Use Permit (CUP-19-11) to allow a Purpose Built Student Housing Development in the 100 Block of South Guadalupe Street between West San Antonio Street and West MLK Drive; authorizing City Staff to Issue a Conditional Use Permit Consistent with this Resolution; and declaring an effective date; and consider approval of Resolution 2019-120R.

**Meeting date:** September 30, 2019

**Department:** Planning and Development Services

### **Amount & Source of Funding**

**Funds Required:** N/A

**Account Number:** N/A

**Funds Available:** N/A

**Account Name:** N/A

### **Fiscal Note:**

**Prior Council Action:** N/A

**City Council Strategic Initiative:** [Please select from the dropdown menu below]

Choose an item.

Choose an item.

Choose an item.

**Comprehensive Plan Element (s):** [Please select the Plan element(s) and Goal # from dropdown menu below]

☐ Economic Development - Choose an item.

☐ Environment & Resource Protection - Choose an item.

☒ Land Use - High Density Mixed Use Dev. & Infrastructure in the Activity Nodes & Intesity Zones (supporting walkability and integrated transit corridors)

☒ Neighborhoods & Housing - Housing Opportunities for Texas State Students in appropriate areas

☐ Parks, Public Spaces & Facilities - Choose an item.

☒ Transportation - Multimodal transportation network to improve accessibility and mobility, minimize congestion and reduce pollution

☐ Not Applicable

**Master Plan:**

Downtown Master Plan

**Background Information:**

The properties included in this request are currently owned by multiple individuals and consists of retail, restaurant, office, and commercial uses. The applicant currently has these properties under contract.

**Council Committee, Board/Commission Action:**

The Planning and Zoning Commission voted 7-1 to recommend denial of the request with Commissioner Moore dissenting. Because the Commission recommended denial of the request, the affirmative vote of six members of the City Council is required to approve the request.

City Council voted 7-0 at their regular meeting on June 18, 2019 to postpone the decision in order to create a Council Committee to review the project.

The City Council Committee met July 22, 2019 and discussed issues including the possibility of the project being a Low Income Housing Tax Credit project, the project design, the possibility that the applicant purchase additional property within the Historic District in order to develop the entire block, and if the applicant would be amenable to developing the project as a standard multifamily project with all the requested CUP conditions instead of as a Purpose Built Student Oriented Housing project. There was no resolution.

**Alternatives:**

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**Recommendation:**

Staff reviewed the request against the criteria from Sections 2.8.3.4 and 5.1.4.9 and recommended **approval** with the following conditions:

1. Approval of this request for "Purpose Built Student Housing" does not waive any development code regulations, whether or not they are represented in the submitted back up material;
2. Any proposed building must meet the requirements of all City Codes and Ordinances;
3. Streetscape improvements shall be required to extend to the intersection of San Antonio and Guadalupe Street;
4. There shall be no balconies or patios permitted on the building facing Telephone Alley;
5. The Pedestrian Passage shall be a minimum of two stories in height, with pedestrian level entrances on both sides, sufficient internal lighting, and a minimum glazing requirement of 70% on the club house and lobby walls facing the Pedestrian Passage;
6. The applicant shall work with the City to mitigate noise and light nuisances associated with the parking garage;
7. There shall be a minimum of one operable building entrance / exit every 100 feet (on average) along the street

frontage;

8. Smoke barriers shall be provided to subdivide every story that contains R-2 occupancies, into no fewer than two smoke compartments. Such stories shall be divided into smoke compartments of not more than 22,500 square feet;
9. A means of egress shall be provided from each smoke compartment created by smoke barriers without having to return through the smoke compartment from which means of egress originated;
10. All plans shall be reviewed, at the expense of the permit applicant, by a third party, as approved by the COSM, for compliance with the fire codes as adopted by the COSM. Any expenses for the plans review shall be the responsibility of the permit applicant and paid directly to the third party. The cost of these expenses are in addition to any permit fees required by the COSM. Final approval of the submitted plans shall remain the authority of the COSM;
11. Full dedication and construction of Telephone Alley adjacent to this project shall be required at the time of development;
12. All perimeter roadways shall be fully repaired after construction;
13. Double occupancy of bedrooms shall be prohibited;
14. The project will construct a minimum parking ratio of .75 spaces per bedroom, and pay the fee in-lieu for the remaining parking space per bedroom requirement in order to meet the full 1.05 parking spaces per bedroom requirement;
15. The project will provide an annual report of the number of students vs the number of non-student residents by ratio of bedrooms; and
16. The project shall meet the Green Building Standard Silver Program.