


 **จุฬาลงกรณ์มหาวิทยาลัย**
Chulalongkorn University
Pillar of the Kingdom


Parking Variance: New Legal Paradigm for Bangkok Hotel Development


Ponn VIRULRAK, Thailand

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Chulalongkorn University


Chulalongkorn University is Thailand's first institution of higher education founded nearly a century ago. As a national intellectual center, the university produces the finest quality graduates with a high level of knowledge and skills in the arts and sciences that they can use to contribute to society.






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International Outlook

- Chulalongkorn University is Thailand's top ranked university and 171 in the THE-QS World University Ranking 2011.
- Chulalongkorn University is cooperating with a large number of universities worldwide.
- Activities under the agreements cover research collaboration, information sharing, and faculty and student exchange.
- The university is a member of higher educational institutions networks such as the International Association of Universities (IAU), the Association of Pacific Rim Universities (APRU), and ASEAN University Network (AUN).





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Chulalongkorn University is

- Thailand's oldest and one of the country's most prestigious universities.
- Officially established on March 26, 1917 by King Vajiravudh (Rama VI) and named after his father King Chulalongkorn (Rama V).



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CU Facts & Figures

- Chulalongkorn University consists of 18 faculties, three schools, three colleges and six institutes.
- The university has a total of 32,511 students. The undergraduate student body numbers 20,419.
- Currently, there are 9,740 students studying for their Master degree and 1,737 studying for their Doctorate.
- Faculty and staff, including government officials and university personnel is numbering at 7,851.

Ponn Virulrak, Arch.D, AIA, LEED AP(BD+C)

- Licensed Architect, State of Nevada
- Licensed Architect, Thailand
- Lecturer at Chulalongkorn University
- Member of *Building Law Advisory Committee* of the *Architect Council of Thailand*.
- Field of Research: Professional Practice, Building Law

Thailand Economy

- Agricultural Based
- Industrial Based
- Tourism Based



Thai Food,
Thai Hospitality
Service Mind

“Strong Hospitality Industry”



<http://www.lonelyplanet.com/thailand/travel-tips-and-articles/68552>



<http://khunbaobao.blogspot.com/2011/04/hotel-tips-3-tipping-staff.html>

In 2009
Thai hotels is 47.8 million guests
22.5 million are foreigners.
18.4 Million guests in Bangkok

Thai Entrepreneur Path

- Waiter
- Chef
- Food Vendors,
- Restaurant
- + Rooms

“Hotel Parliamentary Act of 1935”.

- Registration
- Hygienic Standard
- Guest Safety
- National Security

“Hotel Parliamentary Act of 2004”.

- Business Practice
- Service Standards
- Building Standards
- “Hotel Business Permit” Procedures

Obtaining “Hotel Business Permit”

- Construction Drawings
- Siteplan
- Permit for Occupation
- Environmental Impact Assessment Report

Two common grounds for Denial of “Hotel Business Permit”

- Not comply with regulations for “Hotel Business Operations”
- Not comply with regulations for “Built Environment related Law OR Health related Law”

In order to obtain the
“Hotel Business Permit”,
the project building
construction must be
“Completed”

Outlawed Hotel

โรงแรมเถื่อน

“Closing One Eye”

Gray Area

Business as usual

Guest House

- Backpackers Heavan
- Affordable Price, Great Services
- Way to do: Obtain “General Business License”, “Negotiate with local authority”
- Kaosarn Road: almost all of the guesthouses has no hotel permit.
- Phuket: 60% of rooms on the island is under operation without hotel permit.



Outlawed Hotel Problems

- Owner Unable to obtain proper financial source for business expansion
- Deficient Design and construction works which can lead to safety and hygienic hazards
- Part of institutionalized corruption

The hotel owners do not want their properties to be outlawed.

Bangkok Metropolitan and Public Transportation Evolution

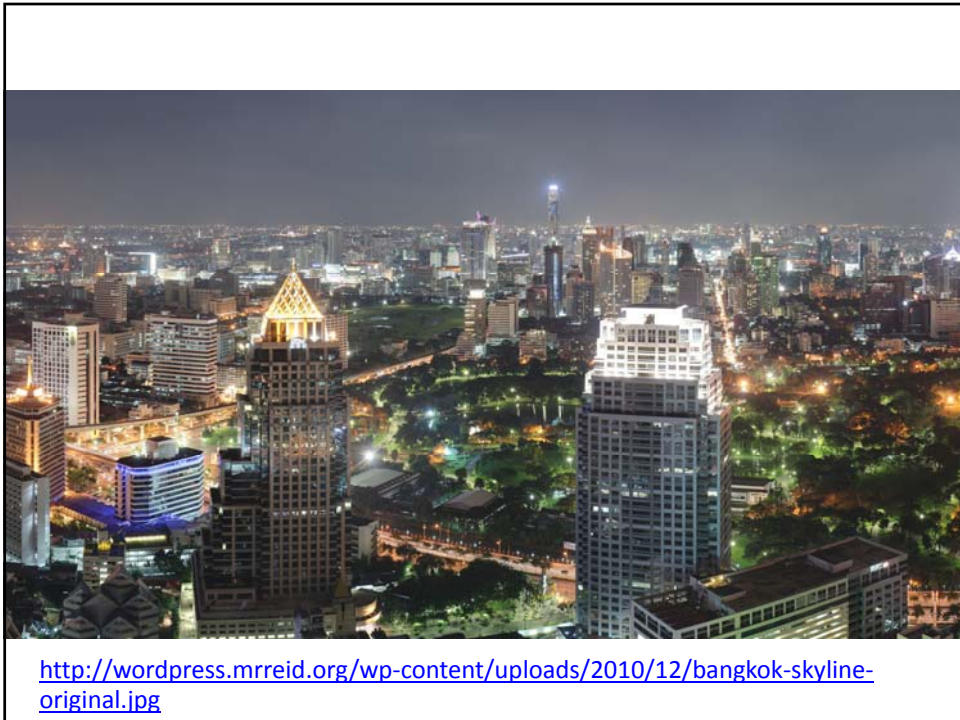




http://primeurtravel.nl/?page_id=42&lang=en

Bangkok

- Water Based
- Land Based
- Car as Pride
- Car as Liability
- Citylife Quality
- The available land for high rise construction become “scarce”



Bangkok

- Public Transportation Infrastructure reduces the desire use of automobiles.
- Citizens start to accept the norm of high rise condominium lifestyle.
- “Urbanization” → Hotel investment in public transportation node.

Shop House Hotel



Problem

Building Code
“Minimum Parking Stall
Requirement”

“Minimum Parking Stall Requirement”

- Based on building typology only
- No factor regarding distance from public transportation access OR zoning density.

In other parts of the world

- Minimum Parking Stall Requirement depends on
- Planning Law
- Zoning
- Pollution Control Law

Scenario

- 200 Rooms Hotel
 - First 30 Rooms 10 Stalls
 - Room 31-100 14 Stalls
 - Room 101-200 10 Stalls
- | | | |
|-------------------|----|--------|
| Total Requirement | 34 | Stalls |
|-------------------|----|--------|

Four Types of Hotel

- Type 1: Only guest room services & less than 50 rooms
- Type 2: Guest room + food services
- Type 3: A Hotel that has guest rooms, food services, and entertainment venues OR a conference facilities.
- Type 4: A Hotel that has guest rooms, food services, and entertainment venues OR a conference facilities.

Argument:

Certain type of hotels does not require substantial amount of parking per building code.

Solution:
Parking Variance

Case Studies

- Las Vegas, Nevada, USA
- Vancouver, British Columbia, Canada

Las Vegas

- Open Process through *Planning Commission and City Council*
- Not for personal financial gain.
- Must be for public benefit.
- Can not erect the structure before permit granted.

15. VAR-17741 - VARIANCE RELATED TO ZON-17740 - PUBLIC HEARING - APPLICANT/OWNER LARRY AND PATRICIA SCHEUSNER FAMILY TRUST, POULOS FAMILY TRUST, AND ASHTON BOYD FAMILY TRUST - Request for a Variance TO ALLOW 150 PARKING SPACES WHERE 425 SPACES ARE REQUIRED IN CONJUNCTION WITH A PROPOSED APARTMENT DEVELOPMENT on 1.38 acres on the north side of Bridger Avenue between 9th Street and 10th Street (APNs 139-34-712-026 through 028 and 041 through 043), R-4 (High Density Residential) Zone [PROPOSED: R-5 (Apartment) Zone], Ward 5 (Weekly).

Vancouver

- *Open Process through “The Board Of Variance & Parking Variance Board”*
- Both are “appeal board”
- Regular Scheduled Hearing process Monthly.

Recommendation:
**Implementation of
Parking Variance Policy
in Bangkok**

“Potential” Bangkok Parking Variance with Hotel - Type

- Principles & Practicality
- Urban Planning VS Building Control Law
- Committee
- Transparency
- Project Qualification
- Trade Offs

Conclusion

Conclusion

- Win-Win Situation
- Practical solution must be a mix of different ideas
- Potential implementation for other building types
- Potential implementation for other planning issues

