## PLANNING COMMISSION SITE PLAN CONDITIONAL USE PERMIT REVIEW SHEET

CASE NUMBER: SPC-2010-0247C PLANNING COMMISSION DATE: 2-8-2011

ADDRESS: 500 E. 12<sup>th</sup> Street

**PROJECT NAME:** Waller Creek Tunnel Inlet Facility at Waterloo Park

WATERSHED: Waller Creek (Urban)

LEGAL: Waterloo Park, Section 1, Lot 2

AREA: 10.2 Acres, w/ Appx. 7.32 Acres Limits of Construction

NPA: Downtown (in Process)

**EXISTING ZONING:** P, Public

**PROPOSED USE:** Public, Parks and Recreation Services

APPLICANT: City of Austin (Gary Jackson) P.O. Box 1088 Austin, TX 78767 (512) 974-7115

AGENT: Kellogg Brown and Root/ Espey Consultants(Jason DeVaney) 4801 Southwest Pkwy., Parkway 2, Ste. 150 Austin, TX 78735 (512) 326-5659

# NEIGHBORHOOD ORGANIZATION:

1075- League of Bicycling Voters
767- Downtown Austin Neighborhood Coalition
786- Homebuilders Assn. Of Greater Austin
623- City of Austin Downtown Commission
511- Austin Neighborhood Council
744- Sentral Plus East Austin Koalition (SPEAK)
402- Downtown Austin Neighborhood Assn. (DANA)
1037-Homeless Neighborhood Assn.
74- South River City Citizens's Assn.
438- Downtown Austin Alliance

1200- Super Duper Neighborhood Objectors and Appeals Organization

AREA STUDY: N/A APPLICABLE WATERSHED ORDINANCE: Comprehensive CAPITOL VIEW: In view corridor; no conflict.



**SUMMARY STAFF RECOMMENDATION:** Staff recommends approval of the Conditional Use Permit which is required due to exceeding 1 acre in size in P-Public zoning, according to the requirements of LDC 25-2-625. The site will comply with all requirements of the Land Development Code prior to its release.

# PLANNING COMMISSION ACTION: 2-8-2011

CASE MANAGER: Lynda Courtney Telephone: 974-2810 Lynda.Courtney@ci.austin.tx.us

## **PROJECT INFORMATION:**

EXIST. ZONING: P, PublicEXISTING USE: Parks and Recreational Services PROPOSED USE: Parks, and Drainage(Pump Station)LIMITS OF CONSTRUCTION: 7.32 AcresOVERALL SITE: 10.2 AcresEXIST. BLDG. COVERAGE: 0PROP. BLDG. CVR: 21,709 sfEXISTING IMPERV. CVRG.: 57836sf (13.2%)PROPOSED IMP. CVR: 78827sf (18%)EXISTING PARKING: 0

Street	<u>R.O.W.</u>	Surfacing	<b>Classification</b>
12 <sup>th</sup> Street	Varies		Collector

#### SUMMARY COMMENTS ON SITE PLAN:

Land Use Background: The applicant is requesting approval of a Conditional Use Permit to allow the construction of the 21,709 square foot pump facility building with associated improvements, as part of the overall improvements for the Waller Creek Tunnel project. The limits of construction are approximately 7.3 acres within a 10.02 acre site plan. A Conditional Use permit is required to be approved by the Land Use Commission for any project exceeding 1 acre in size, located in P-Public zoning, according to LDC 25-2-625.

The Waller Creek Tunnel Inlet Facility site plan consists of one pump building with grading and infrastructure surrounding the inlet pond that is the beginning of the Waller Creek Tunnel, a major storm drainage and water quality facility.

This inlet facility building is a two-story industrial utility structure to house the debris handling and pump recirculatory processes. It is not intended for public occupancy. The roof of the facility will be integrated into the sculpted grading and is intended to be used as a 20,000 square foot venue space for park users. The existing restroom facility will remain on the park site.

**Transportation:** Complies with all transportation requirements with regards to the Land Development Code.

Environmental: This site is located in the Waller Creek watershed, Urban in classification.

#### **SURROUNDING CONDITIONS:**

0,35

Zoning/ Land use: P-Public, Parks and Recreational Services and Drainage/ water quality facilities

North: P- Public, Parkland East: P- Public, and CS-Commercial Services, Hospital, retail, restaurant South: P- Public, Parkland, and DMU. Downtown Mixed Use, Office and Religious Assembly West: MF-4, Multifamily and CS-Commercial Services, State Offices

#### 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. The Parks and Recreational use is maintained and enhanced.
- 3. Have building height, bulk, scale, setback, open space, landscaping, drainage, access, traffic circulation, and use that is compatible with the use of an abutting site; Staff response: This application is compatible with the requirements of the zoning district.
- 4. Provide adequate and convenient off-street parking and loading facilities; Staff response: Adequate and convenient off-street parking is provided in compliance with LDC standards for this site. Surrounding on-street and off-street parking is utilized for the parks use, and 5 additional spaces and loading areas are added for the use of the inlet facilities building.
- 5. Reasonably protect persons and property from erosion, flood, fire, noises, glare, and similar adverse effects; Staff response: The proposed project does not contribute additionally to any of these adverse effects. This application has been reviewed for erosion and drainage controls, fire access, and meets or exceeds all code requirements. Grading of the site provides safe access to the roof venue and the inlet facilities are protected from accidental access by rails and screens.
- 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. It is in the Downtown Neighborhood plan, which is underway.



A Conditional Use Site Plan May Not:

- 1. More adversely affect an adjoining site than would a permitted use; Staff response: The site plan will conform with all regulations and standards established by the Land Development Code. This proposed site plan does not more adversely affect an adjoining site than would a regularly permitted use in a P zoning district. The addition of this inlet facility building with trails, ponds and amenities enhances the public use of the site.
- 2. adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area; Staff response: Development of this site will not adversely affect the safety or convenience of vehicular or pedestrian circulation.
- 3. adversely affects an adjacent property or traffic control through the location, lighting, or type of signs; Staff response: The proposed project does not affect adjacent properties or traffic control through its location, lighting or type of signs. Lighting will be shielded and signs will comply with the sign ordinance.



KELLOGG BROWN & ROOT SERVICES, INC. ESPEY CONSULTANTS, INC.

Joint Venture



September 22, 2010

Greg Guernsey, ACIP, Director City of Austin Planning and Development Review Department 505 Barton Springs Road Austin, TX 78704

RE: Engineer's Summary Letter Waller Creek Tunnel Project Inlet Facility at Waterloo Park Site Plan Application COA Project No: 6521.002 Waller Creek Tunnel – Inlet Facility at Waterloo Park

Dear Mr. Guernsey:

The Inlet Facility at Waterloo Park site plan is for the construction of the inlet facility for the overall Waller Creek Tunnel project for the City of Austin. The Inlet Facility site is located within the City of Austin, Travis County, Texas. The limits of construction will be confined to approximately 7.32 acres within the 10.47-acre City of Austin owned park. The property is zoned Public (P). The property is currently platted under subdivision case number C8S-76-201. All of the permanent elements of this project will be contained within property that is to be owned by the City of Austin. No subdivision of land (platting) is proposed.

The proposed project is located in the Waller Creek watershed, which is classified as an urban watershed by the City of Austin Land Development Code. This site is not located within the Edwards Aquifer Recharge Zone as defined by either the Texas Commission on Environmental Quality (TCEQ) or the City of Austin. A portion of this proposed project lies within the 1% annual chance (100-year) floodplain as shown on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Map (FIRM) panel number 48453C0465H, dated 09/26/2008.

The project proposes demolition and abandonment of existing facilities and utilities within the project's Limits of Construction (LOC). The project will relocate an existing 36" sanitary sewer line running down Waller Creek by relocating this line east of the eastern lnlet pond embankment and reconnecting to the existing line downstream of the in-channel dam. An existing 15" sanitary sewer connecting to the existing 36" sanitary sewer will be relocated to connect to the beginning of the proposed 36" sanitary sewer relocation. The project will also abandon existing 48" and 60" storm drains northwest of the intersection of 12<sup>th</sup> St. and Red River St. and redirect the runoff via a 6'x5' box culvert to the lnlet pond. The project also proposes new underground electric, gas, telephone, cable, water, and sanitary sewer lines plus site storm inlets and drains.

The project proposes to safely divert the 100-year fully-developed peak flow rate of 8,250 cfs to the Waller Creek Tunnel. The project includes the following flood control elements: an in-channel concrete dam; a concrete approach channel with turning vanes; mechanical bar screens; a 20' diameter inlet shaft; and  $\pm 100$  linear feet of tunnel section to tie into the main tunnel project.

The project proposes the construction of a new  $\pm 21,709$  square foot, two-story facility to house debris handling and pump station recirculation functions. The facility includes an 8,420 square-foot (sf) debris handling and recirculation operations floor with 26' of vertical clearance. On the west side of the operations floor are two-stories of support facilities, which include a transformer vault an



Mr. Greg Guernsey, AICP August 25, 2010

Page 2 of

electrical/facilities room, storage rooms, and restrooms. On the north side of the operations floor is a 460 sf control room, an emergency standby natural gas generator and an open-air maintenance deck located above the spillway. A roof top deck available for park use is located above all of the facilities listed above.

The project proposes three permanent vehicular access locations with one entrance located on 12<sup>th</sup> St. for facility access, a second entrance located at the intersection of Trinity and 14<sup>th</sup> St. for periodic pond maintenance, and a third entrance for emergency access to the facility rooftop. A building access/loading zone with four parking spaces is provided adjacent to the facility at the 12<sup>th</sup> St. entrance. One of these parking spaces will be handicap accessible. Two additional handicap accessible parking spaces will be provided for park users along Trinity just north of the 12<sup>th</sup> St. / Trinity intersection.

The project provides approximately 6,800 square feet of wetland mitigation areas per the wetland mitigation plan approved by the USACE as a condition of the 404 Permit. The wetlands are mitigating for unavoidable impacts to approximately 2,300 square feet of in-channel wetlands within the site.

Described in the enclosed engineering report are the various aspects of this site plan as well as a detailed hydrologic and hydraulic analysis. Please review the submittal at your convenience.

Should you have any questions or concerns, please feel free to contact our office.

Sincerely,

Craig A. Stowell, P.E. Sr. Project Manager Brown & Gay Engineers, Inc. TBPE: F-1046





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# Waller Creek Tunnel Project Inlet Facility at Waterloo Park CIP ID No. 6521.003

Site Location Map







KELLOGG BROWN & ROOT SERVICES, INC. ESPEY CONSULTANTS, INC.

Joint Venture

December 1, 2010

Lynda Courtney City of Austin – Planning and Development Review Department 505 Barton Springs Road Austin, TX 78704

Subject: Waller Creek Tunnel Project – Inlet Facility at Waterloo Park Site Plan Application No: SPC-2010-0247C EC Project No. 6030.03.109

Dear Ms. Courtney:

On behalf of the City of Austin – Watershed Protection Department, we are pleased to submit this request for alternative compliance to Sub-Chapter E, Article 2 of the City of Austin Land Development Code for the Inlet Facility at Waterloo Park (SPC-2010-0247C). The Inlet Facility at Waterloo Park is a City of Austin Watershed Protection facility within City of Austin parkland. The facility use is classified as civic/industrial, is located within the Urban Roadway boundaries (within the Central Business District), and fronts 12<sup>th</sup> Street (the "principal street"). Per Section 1.2.3.A.7 of Sub-chapter E, industrial use facilities are exempt from the requirements of this Sub-chapter. However, per a City Council Resolution passed in 2007 (Resolution # 20071129-046) and reaffirmed in Resolution #20100923-086 passed on September 23, 2010, all City of Austin buildings are to meet the provisions of Sub-chapter E, with the enhancement that all projects within the urban roadway boundaries are to be built to Core Transit Corridor Streetscape Standards. This letter identifies the applicable portions of Sub-chapter E, Article 2, Site Development Standards, provides justification for the proposed alternative method of compliance, and illustrates that the proposed alternatives achieve the intent of this Article.

Alternative Equivalent Compliance

2.2.2 Core Transit Corridors: Sidewalks and Building Placement

B. Sidewalks: A minimum 15-foot wide sidewalk with an 8-foot wide minimum street/tree zone and a 7-foot wide minimum clear zone is required along all Core Transit Corridor streets.

This site plan is the first of multiple projects at Waterloo Park. A follow-on Capital Improvement Project, performed by a separate contractor, and funded by the overall Waller Creek Tunnel Project will include streetscape restoration on Trinity, and Red River Streets. Great Streets improvements on 12<sup>th</sup> street will be constructed as part of an existing CIP project, after the Inlet project is completed.

The owner requests to defer the construction of the sidewalks per the projects summarized above.

5/10 Page 3 of 3

#### 2.3.2 Improvements to Encourage Pedestrian, Bicycle, and Vehicular Connectivity

B. Standards: 2. Additional Measures to Improve Connectivity: "All sites or developments subject to this section shall select and comply with at least two of the options in the table below."

The owner requests approval of the following additional measures to improve connectivity within the proposed site plan:

- a. "Provide pedestrian and bicycle connections from adjacent parkland." Direct access, which is ADA accessible, is provided to the adjacent parkland from the building rooftop.
- b. "Internal utility lines should be located in drive aisles or Internal Circulation Routes, rather than under parking areas."
   Internal utility lines that serve the building are not located under parking areas.
   Furthermore, all utilities able to be relocated outside of the parkland property limits (i.e. electric, communication, and gas) have been re-routed to the adjacent rights of way.

The request for alternative equivalent compliance to the sections identified above is based on the Criteria set forth in Section 1.5.4.B.1. "Physical characteristics unique to the site make strict compliance with the subject standard Impracticable and unreasonable." The site and building are designed to achieve a flood protection goal, whereby building placement, access, and parking are strategically placed to optimize function and limit the developed area within parkland area. Alternative measures have been provided within the site plan to meet the intent of the subject sections within Article 2 of the Commercial Design Standards to the maximum extent practical.

If you have any questions or concerns, please feel free to contact us.

Sincerely,

Jason Devaney, LEED AP Espey Consultants, Inc.

cc: Brian Reis, P.E., Espey Consultants, Inc. Gary Jackson, P.M.P., City of Austin Stan Evans, P.E., City of Austin Joe Pantalion, P.E., City of Austin Jim Robertson, City of Austin George Adams, City of Austin

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Written comments concerning the site plan application may be submitted to the case manager on this form. Comments on a separate form should include the case number and the contact person listed on the notice.	Case Number: SPC-2010-0247C         Contact: Lynda Courtney, (512) 974-2024         Michelle Casillas, (512) 974-2024         Michelle Casillas, (512) 974-2024         I am in favor       I object         VI meet the requirements for and request to be an interested party         Shacker       UL         Maine (please print)       Telephone number         Maining advess(es) affected by this application (Street, Ch, ZP Code)       V/15/00         Signature       Date         Comments:       Signature	Mail comment forms to: City of Austin Planning and Development Review Department Attn: Lynda Courtney P. O. Box 1088 Austin, TX 78767-1088
INTERESTED PARTY INFORMATION Interested parties are specifically defined in section 25-1-131 of the City Code. To view the Code on-line, go to this link: http://www.amlegal.com/austin_tx/.	Besides the applicant or owner listed in an application, a person can become an interested party if they communicate an interest to the City and if they satisfy at least one of the following criteria: 1) they occupy a primary residence that is within 500 feet of the site of the proposed development; 2) they are the record owner of property within 500 feet of the proposed development; or 3) they are an officer of an environmental or neighborhood organization that has an interest in the site of the proposed development or whose declared boundaries are within 500 feet of the site of the proposed development. If a person satisfies the criteria to become an interested party, they must communicate an interest by either delivering a written statement to the Land Use Commission conducting the hearing or appearing and speaking for the record at the public hearing. A person may also provide a written statement to the Case Manager or by making telephone contact with the Case Manager. The communication must: 1) generally identify the issues of concern; 2) include the person's name, telephone phone number, and mailing address; and 3) if the communication is by telephone, be confirmed in writing.	



Parks and Recreation Department Board Tuesday, May 27, 2008 and Tuesday, June 24, 2008 Regular Meeting

# Item for Action

Make a recommendation to the City Council regarding permanent and temporary use of parkland at Waterloo Park. Note: Two different actions taken, the inlet on May 27, and the outlet on June 24, 2008.

1. Board Member Francell moved to approve the outflow only, seconded by Board Member Boyt. Motion passed 5-0. This action was taken on May 27, 2008.

2. Board Member Vane move to approve the request, seconded by Board member Chimenti. Motion carried 6-0. This action was taken on June 24, 2008.

Tino Garcia, Parks Board Liaison Parks and Recreation Department July 1, 2008



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