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ZONING CHANGE REVIEW SHEET

CASE: C14-2011- 0159 – Time Warner Cable Hub - K Station

P.C. DATE: December 13, 2011

ADDRESS: 801 ½ South 1st Street

OWNER/APPLICANT: Texas School for the Deaf (Gary Bego)

AGENT: Axiom Engineers, Inc. (Nicole Folta Findeisen)

ZONING FROM: SF-2-NP **TO:** NO-NP

AREA: .45 acres (19,800 ft²)

SUMMARY STAFF RECOMMENDATION: Staff recommends approval of NO-NP (Neighborhood Office – Neighborhood Plan) district zoning.

DEPARTMENT COMMENTS: This 0.45 acre tract is currently a portion of the existing Texas School for the Deaf property. The state of Texas has granted a ground lease to Time Warner for the placement of a cable hub station on the area to be rezoned. Staff supports the rezoning request to NO-NP.

ISSUES: This property was rezoned to SF-2-NP in 2011 under zoning case C14-2011-0159. The use was determined to be communication service facility and is permitted under single family zoning categories. However, during site planning for the proposed structure, it was found that the design did not conform to the site development regulations for Communication Service Facilities (§ 25-2-804) under SF-2 zoning:

(F) A structure may not exceed 12 feet in height and must be set back from at least 23 feet from a front or side street if the structure is located:

(1) in an SF-6 or more restrictive zoning district;

The design for the structure is 27 feet, which necessitates a rezoning for the property to an office district category to meet code requirements.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2-NP	State of Texas Public Education
<i>North</i>	MF-3-NP, CS-MU-V- CO-NP, CS-1-V-NP	Multifamily, Restaurant, Hotel
<i>South</i>	CS-MU-V-CO-NP, SF-3-NP	Restaurant, Single-Family
<i>East</i>	CS-MU-V-NP	Retail, Restaurant, Office
<i>West</i>	LO-MU-V-NP, GR-MU-V-CO-NP, MF-2-NP	Retail, Office, Mutltifamily

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NEIGHBORHOOD PLAN: Bouldin Creek Neighborhood Plan

TIA: Waived

WATERSHED: East Bouldin Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

Austin Neighborhoods Council
South Central Coalition
Bouldin Creek Neighborhood Association
Viewpoint Condominium Homeowners Association

BASIS FOR RECOMMENDATION

1. ***Zoning should allow for reasonable use of the property.***

The recommended zoning will allow for a communication services facility use to be allowed for a ground lease for a cable hub for the surrounding community.

2. ***Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.***

The recommended zoning will promote a transition between nearby commercial and multi-family zoned properties and will facilitate utility service availability to the surrounding area.

EXISTING CONDITIONS

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the East Bouldin Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.

This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the

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two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

According to flood plain maps, there is no flood plain within the project area.

Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

Water and Wastewater

If the landowner intends to serve the site with City of Austin water and wastewater utilities, the landowner, at own expense will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocations and or abandonments required. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program if available.

Transportation:

No additional right-of-way is needed at this time.

A traffic impact analysis is not required for this case because the traffic generated by the proposed land use will not exceed the threshold of 2,000 vehicle trips per day. LDC, 25-6-113.

S. 1st Street is classified in the Bicycle Plan as Bike Route No. 33.

Capital Metro bus service (Routes No. 10, 110, and 484) is available along S. 1st Street.

There are existing sidewalks along both sides of S. 1st Street.

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Existing Street Characteristics:

Name	ROW	Pavement	Classification	ADT
S. 1 st Street	Varies	MNR-4	Minor Arterial	24,650

Site Plan:

Any new development is subject to Subchapter E. Design Standards and Mixed Use, and South 1st Street is a core transit corridor.

Please be aware of the height restrictions and other requirements of § 25-2-839 Telecommunication Towers.

This property is within 500 ft. of property used as single family and compatibility is therefore triggered.

Direct view and reflective glare from any site lighting must be minimized from adjacent single-family residential views.

This site plan is NOT subject to Subchapter E of the Land Development Code (Commercial Design Standards) per exemption 1.2.3.A.7 (data center use).

CITY COUNCIL DATE: June 9, 2011

ACTION:

ORDINANCE READINGS: 1st

2nd

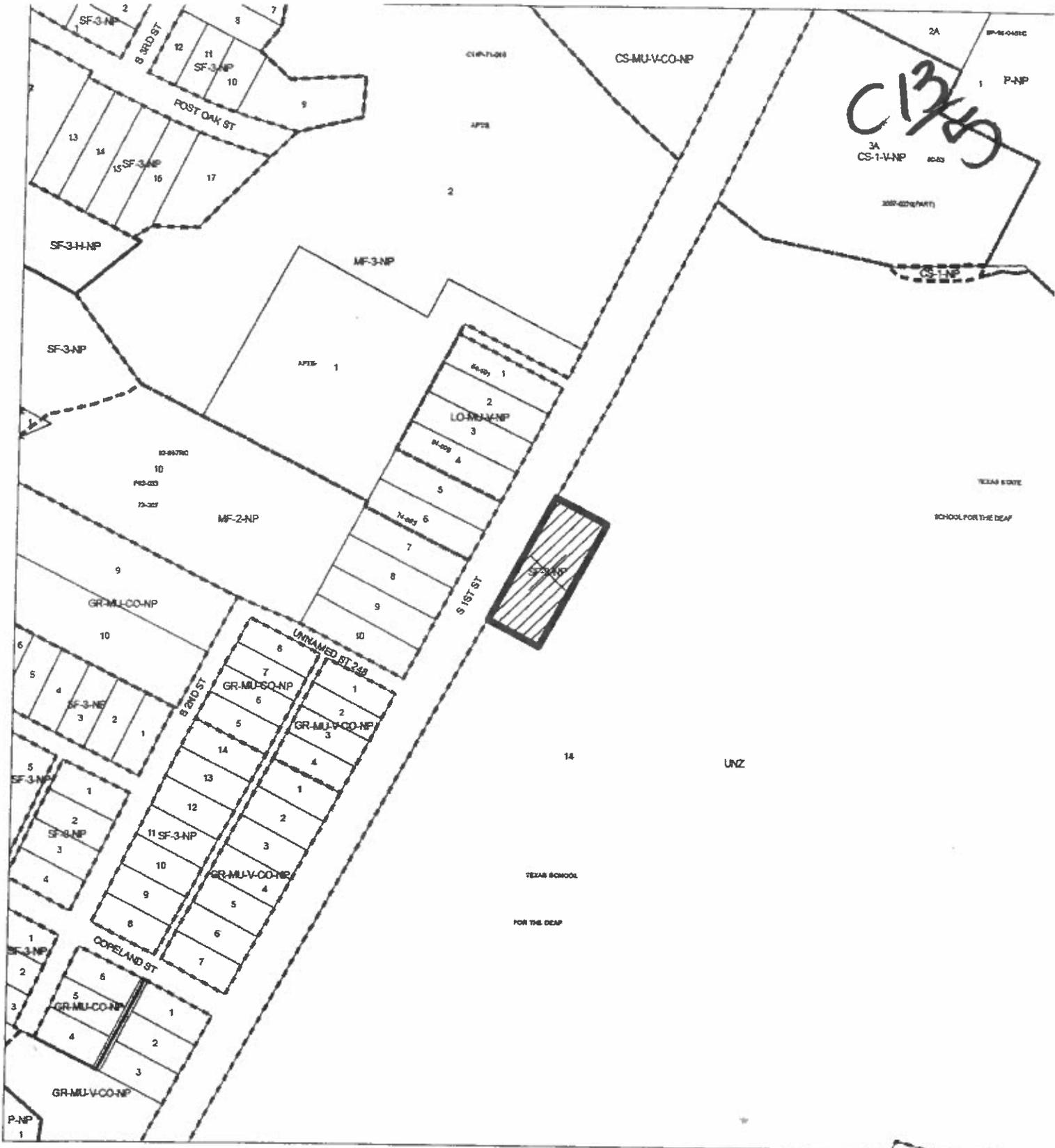
3rd

ORDINANCE NUMBER:

CASE MANAGER: Stephen Rye

PHONE: 974-7604

stephen.rye@ci.austin.tx.us



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 3A
 CS-1-V-NP
 2005-0219(1411)

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING

ZONING CASE#: C14-2011-0159



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.



CS-1-V-NP

CS-V-NP

SF-3-NP

MF-3-NP

CS-1-V-NP

PUD-NP

BARTON SPRINGS RD

CS-1-NP

P-NP

CS-1-V-NP

L-NP

CS-1-V-NP

PUD-NP

SF-3-NP

SF-3-NP

CS-1-V-NP

CS-1-V-NP

CS-1-V-NP

POST OAK ST

SF-3-NP

SF-3-NP

CS-MU-V-CO-NP

P-NP

CS-1-V-NP

CS-1-V-NP

RETAMA ST

SF-3-NP

SF-3-NP

SF-3-NP

MF-3-NP

CS-1-V-NP

CS-1-NP

CS-1-V-NP

SF-3-NP

SF-3-H-NP

LO-MU-V-NP

CS-1-NP

SF-3-NP

MF-2-NP

GR-MU-CO-NP

UNNAMED ST 246

GR-MU-CO-NP
GR-MU-V-CO-NP



CHRISTOPHER ST

SF-3-NP

S 2ND ST

COLUMBUS ST

SF-3-NP

SF-3-NP

SF-3-NP

SF-3-NP

GR-MU-V-CO-NP

UNZ

S CONGRESS AVE

CS-MU-V-NP

SF-3-NP

SF-3-NP

SF-3-NP

GR-MU-CO-NP

SF-3-NP

GR-MU-V-CO-NP

S 3RD ST

SF-3-NP

P-NP

SF-3-NP

GR-MU-V-CO-NP

SF-3-NP

CS-MU-V-CO-NP

CS-MU-V-CO-NP

NEWTON ST

SF-4A-NP

SF-3-NP

CS-V-CO-NP

NELLIE ST

CS-NCCD-NP

ACADEMY DR

SF-3-NP

NO-MU-NP

CS-1-V-NP

SF-3-NP

CS-MU-V-CO-NP

CS-MU-V-CO-NP

W JAMES ST

CS-1-CO-NP

CS-1-V-CO-NP

CS-1-MU-V-NCCD-NP

CS-MU-V-NCCD-NP

SF-3-NP

CS-MU-V-CO-NP

CS-MU-V-CO-NP

SF-3-NP

CS-1-CO-NP

CS-1-V-CO-NP

CS-1-MU-V-NCCD-NP

CS-MU-V-NCCD-NP

CS-MU-V-CO-NP

CS-V-NCCD-NP

CS-V-CO-NP

CS-1-MU-V-NCCD-NP

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C14-2011-0159
Contact: Stephen Rye, (512) 974-7604
Public Hearing: Dec 13, 2011, Planning Commission
Jan 12, 2012, City Council

MURRAY HARVEL
Your Name (please print)

700 South First Street
Your address(es) affected by this application

Murray Harvel
Signature
12/5/2011
Date

Daytime Telephone: (512) 344-5468

Comments: South First Street has NO traffic light in the 700-800 blocks of a very high traffic congested street. No more driveways or other access points to S. J. St. Should be allowed unless CR until a traffic signal is installed at the 700 block sp 800 block unnamed streets. No stoplight, NO

I am in favor
 I object

If you use this form to comment, it may be returned to:

City of Austin
Planning & Development Review Department
Stephen Rye
P. O. Box 1088
Austin, TX 78767-8810

New Neighbor
Office should be allowed.