

**PLANNING COMMISSION SITE PLAN
CONDITIONAL USE PERMIT REVIEW SHEET**

CASE NUMBER: SPC-2011-0008D **PLANNING COMMISSION DATE:** 12-13-2011

ADDRESS: 615 ½ E. 9th Street

PROJECT NAME: Waller Creek Tunnel, 8th Street Side Inlet Facility

WATERSHED: Waller Creek (Urban)

LEGAL: Lot 1A Austin Police garage

AREA: 1.6 Acres

NPA: Downtown (in Process)

EXISTING ZONING: P, Public

PROPOSED USE: Major Utility Facilities

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

AGENT: Kellogg Brown and Root/ Espey Consultants(Brian Reis)
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
511- Austin Neighborhood Council
966-Organization of Central East Austin Neighborhoods (OCEAN)
744- Sentral Plus East Austin Koalition (SPEAK)
402- Downtown Austin Neighborhood Assn. (DANA)
477-El Concilio Coalition of Mexican American Neighborhood Assn.
1037-Homeless Neighborhood Assn
7972- PODER
438- Downtown Austin Alliance
1200- Super Duper Neighborhood Objectors and Appeals Organization
452-Guadalupe Assoc. for an Improved Neighborhood
Greater East Austin Neighborhood Assn.

AREA STUDY: N/A

APPLICABLE WATERSHED ORDINANCE: Comprehensive

CAPITOL VIEW: Located in view corridor, but has no impact

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: 12-13-2011

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

PROJECT INFORMATION:

EXIST. ZONING: P, Public

EXISTING & PROPOSED USE: Major Utility facilities

LIMITS OF CONSTRUCTION: 2.35 Acres **OVERALL SITE:** 2.35 Acres

EXIST. BLDG. COVERAGE: NA

PROP. BLDG. CVR: NA

EXISTING IMPERV. CVRG.: NA

PROPOSED IMP. CVR: NA

EXISTING PARKING: 0

PROPOSED PARKING: 0

PROPOSED F.A.R.: .NA

SUMMARY COMMENTS ON SITE PLAN:

Land Use Background: The applicant is requesting approval of a Conditional Use Permit to allow the construction of a side inlet facility, an underground storm water facility, as part of the overall improvements for the Waller Creek Tunnel project. The limits of construction are approximately 2.35 acres. 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 8th Street Side Inlet site plan consists of engineering drawings to show drainage improvements for flood diversion of storm water, proposed in two phases. The first phase will involve the construction of hydraulic structures and stream bank improvements, and the second phase will involve the rerouting of a 72" storm drain to discharge into a screening facility to catch debris, bypassing Waller Creek.

Environmental: This site is located in the Waller Creek watershed, Urban in classification. Erosion and sedimentation controls are proposed during construction, and no storage of spoils will be placed in the 100 year flood plain. Restoration and revegetation are proposed for disturbed areas, and all code requirements are shown to be addressed.

SURROUNDING CONDITIONS:

Zoning/ Land use: P-Public, Major utility Facilities

North: 9th Street

East: P-Public, Offices, CS-Commercial Services, Parking lot

South: 8th Street

West: CBD-CURE-Central Business District with CURE overlay, Restaurant/Cocktail lounge

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.

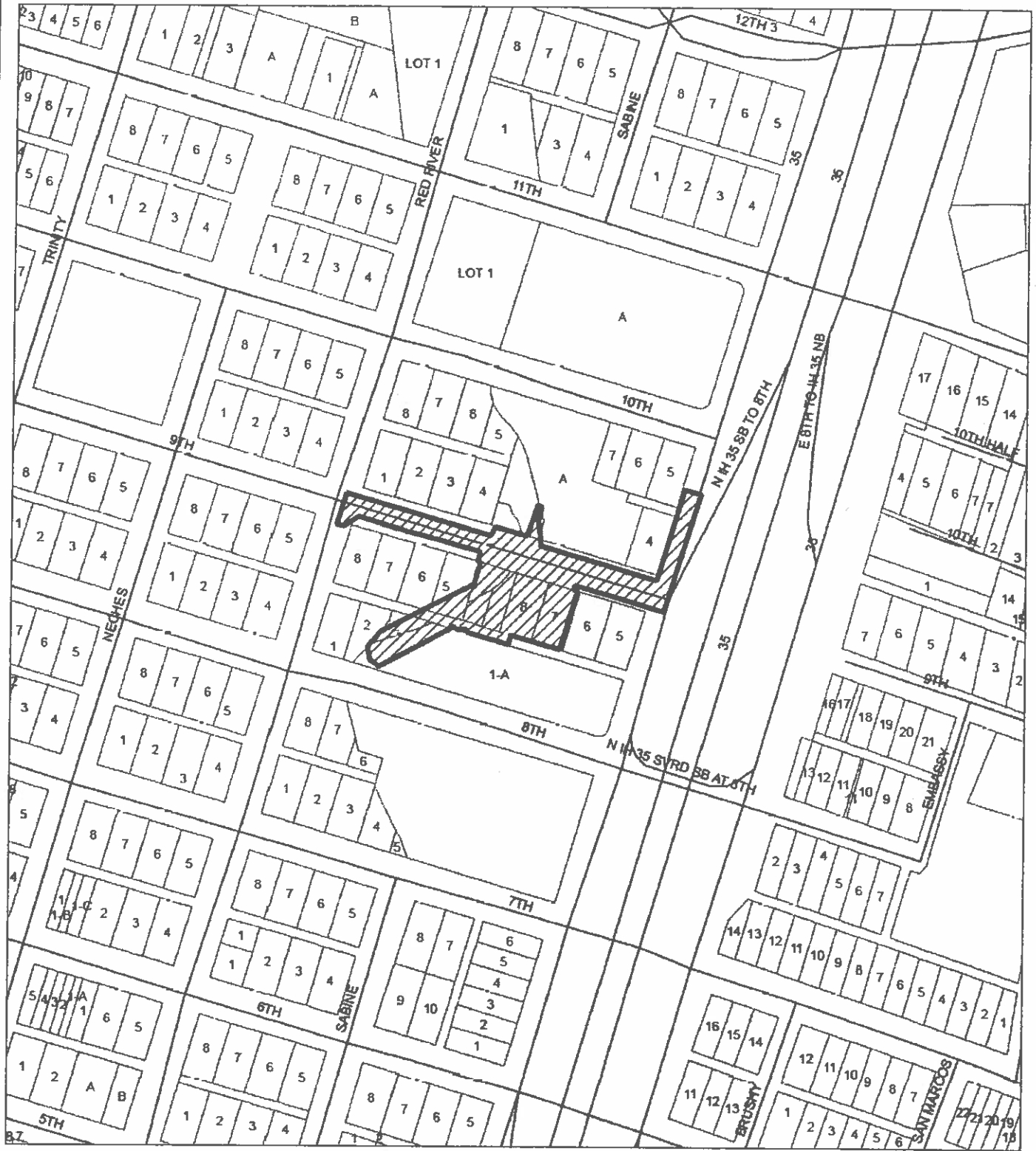
A conditional use site plan must:

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. Public flood control and drainage facilities are consistent with this zoning district.
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. This site is compatible with surrounding uses.
4. **Provide adequate and convenient off-street parking and loading facilities;** Staff response: No parking and loading is required or provided for this project.
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, and meets or exceeds all code requirements.
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 drainage and flood control will allow property to be removed from the 100 year floodplain.
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. End use will have pedestrian traffic only.



 Subject Tract

 Base Map

**WALLER CREEK TUNNEL PROJECT
8TH STREET CREEK SIDE INLET**

CASE#: SPC-2011-0008D
ADDRESS: 615 1/2 E 9TH STREET
MANAGER: LYNDA COURTNEY

OPERATOR: R. CERVANTES

This map has been produced by Notification Services for the sole purpose of geographic reference.
No warranty is made by the City of Austin regarding specific accuracy or completeness.



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

Brown & Root / Espey Padden Joint Venture

January 07, 2011

Mr. Greg Guernsey, AICP, Director
City of Austin
Planning and Development Review Department
505 Barton Springs Road
Austin, Texas 78704

RE: Engineer's Summary Letter
Waller Creek Tunnel Project
8th Street Creek Side Inlet Facility Site Plan Application
COA Project No: 6521.006 Waller Creek Tunnel – 8th Street Creek Side Inlet Facility
EC Project No. 6030.03.107a

Dear Mr. Guernsey:

The 8th Street Creek Side Inlet Facility site plan is for the construction of the 8th Street creek side inlet facility of the overall Waller Creek Tunnel project for the City of Austin. The 8th Street creek side inlet will be constructed after all the other elements of the Waller Creek Tunnel Project are operational. The creek side inlet consists of an underground facility on the east side of Waller Creek that will serve as an inlet to divert storm water during flood conditions into the Waller Creek Tunnel. There are no changes to the existing land use as a result of these proposed drainage improvements and therefore a review of the construction element is all that is being requested with this application.

The proposed drainage improvements include construction of a low flow in-channel dam, a side overflow weir, flume, screening facility, drop shaft, and channel restoration and stabilization improvements. The design of the subsurface structures including the screening facility and drop shaft are detailed under separate cover. However, surface elements necessary for the construction of these structures, such as modifications to the creek and stream banks, erosion and sedimentation control and traffic control, are included with this submittal.

The 8th Street Creek Side Inlet site is located entirely within the City of Austin, Travis County, Texas. All of the permanent drainage elements of this project will be contained within property that is owned by the City of Austin. No subdivision of land (platting) is proposed.

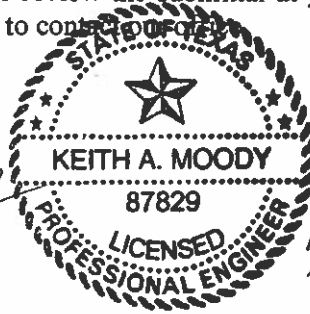
The proposed project is located in the Waller Creek watershed, which is classified as an urban watershed by the City of Austin Land Development Code. This site is not located within the Edwards Aquifer Recharge Zone as defined by either the Texas Commission on Environmental Quality (TCEQ) or the City of Austin. A portion of this site lies within the 1% annual chance floodplain as per the effective FEMA flood insurance rate maps (FIRMS).

Mr. Guernsey, AICP
January 7, 2011

Page 2 of 2

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 me.

Sincerely,



1/6/11

Keith Moody, P.E., C.F.M
JV Task Manager – Espey Consultants, Inc.

P:\Active\6030_WCT_Design_B2\107a_Creek_Side_Inlet_8th\Deliverables\Site Plan Submittal\110107_G.Guernsey_8thCSI Eng Summary
ltr.doc

SCANNED