

ZONING CHANGE REVIEW SHEET

CASE: C14-2022-0063 – Walnut Creek WWTP Expansion

DISTRICT: 1

ZONING FROM: SF-2

TO: P

ADDRESS: 8001 Delwau Lane

SITE AREA: 1.0226 acres (44,546 square feet)

PROPERTY OWNER: City of Austin – Water Department

AGENT: Rebecca Vento, P.E.

CASE MANAGER: Michael Dietz; michael.dietz@austintexas.gov; (512) 974-7617

STAFF RECOMMENDATION:

The Staff recommendation is to grant public (P) district zoning. *For a summary of the basis of Staff's recommendation, see the Case Manager Comments section of this report.*

ZONING AND PLATTING ACTION / RECOMMENDATION:

July 19, 2022

CITY COUNCIL ACTION:

September 1, 2022

ORDINANCE NUMBER:

ISSUES:

None at this time.

CASE MANAGER COMMENTS:

The subject rezoning area consists of one unplatted lot, which is located south of Delwau Lane, near the property at 8400 Delwau Lane, and is currently zoned as single family – standard lot (SF-2). It appears that access to the property was historically taken from an unpaved driveway off of Delwau Lane. However, it should also be noted that the 1995 field notes submitted by the applicant include a sketch that indicates the presence of an “apparent private right-of-way easement” on the west side of the property, near a house that no longer exists on-site, indicating that some site access may have been taken from the adjacent property to the west in the past, as well.

According to the agent, the existing property features existing infrastructure for the Walnut Creek Wastewater Treatment Plant (“WWTP”), although most of the infrastructure is located below the finished grade. In particular, the subject site features an outfall structure, where a 96” subterranean effluent pipe terminates and discharges into the Colorado River.

The subject site is mostly rectangular in shape and is currently undeveloped, aside from the aforementioned wastewater treatment infrastructure, most of which is underground. A 5-foot-wide electric easement bifurcates the site, running from the north property line to the east property line. Delwau Lane features a broad range of uses, including residential, commercial, industrial, and public land uses of varying intensities. There is a vehicular racetrack designed for motorsports, although the business operating the track has since closed, located primarily to the northeast. The parcels comprising the track feature different zoning designations (GO, LI, GR, and IP). To the east, more land is owned by the City of Austin and used for the Walnut Creek WWTP (P); this land is also to the northeast due to the unique shape of the lot, which effectively wraps around the racetrack. A vacant parcel intended for commercial uses and allowing mixed uses is located to the west (CS-MU-CO), while single-family residential uses are located further west (SF-2). The subject site abuts the shores of the Colorado River to the south. *Please refer to Exhibits A (Zoning Map) and A-1 (Aerial Exhibit).*

The applicant has requested public (P) district zoning. The existing WWTP outfall structure would be a non-conforming use under the current SF-2 zoning designation. The proposal would realign the zoning for the site to better suit the current use. The applicant has not proposed to alter the existing use. No new development has been proposed for the site.

BASIS OF RECOMMENDATION:

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

The public (P) district is the designation for a governmental, civic, public service, or public institution use. A P district designation may be applied to a use located on property used or reserved for a civic or public institutional purpose or for a major public facility, regardless of ownership of the land on which the use is located.

The proposal would be consistent with the purpose statement of the P zoning district.

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*

The requested P zoning would bring the existing WWTP infrastructure into conformity and allow for the expansion of said infrastructure. Staff recommends approval of the applicant’s request because the P district makes sense given the nature of the public-serving use. Furthermore, rezoning the subject parcel to P would eliminate the existing non-conformity of operating the outfall structure in a property zoned SF-2. The proposed rezoning would also add cohesion to the land use pattern in the vicinity of the subject property, as the parcel would be zoned P to match the other public uses in the area. The designation would not cause compatibility issues with the adjacent racetrack use, although the business appears to have

closed regardless. As such, the proposal would be compatible with the adjacent and nearby uses.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2	WWTP Infrastructure
<i>South</i>	N/A	Colorado River
<i>West</i>	CS-MU-CO	Vacant, partially finished commercial buildings
<i>North/East</i>	GO	Vehicular racetrack

NEIGHBORHOOD PLANNING AREA: None

TIA: Not Required

WATERSHED: Colorado River Watershed – Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS:

Ortega Elementary School

Martin Middle School

Eastside Memorial High School

COMMUNITY REGISTRY LIST:

- 511 – Austin Neighborhoods Council
- 742 – Austin Independent School District
- 774 – Del Valle Independent School District
- 1195 – Imperial Neighborhood Association
- 1197 – East MLK Combined Neighborhood Plan Contact Team
- 1228 – Sierra Club, Austin Regional Group
- 1258 – Del Valle Community Coalition
- 1363 – SEL Texas
- 1403 – Knollwood on the Colorado Neighborhood Association
- 1530 – Friends of Austin Neighborhoods
- 1550 – Homeless Neighborhood Association
- 1595 – Neighbors United for Progress
- 1616 – Neighborhood Empowerment Foundation

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2018-0002 – Delwau	SF-2 to CS-MU; CS-1-MU	To Grant CS-MU-CO; CS-1-MU-CO with requirements for a	Denied (08-23-2018).

Campgrounds – 7715 Delwau Lane		NTA and a prohibition on many different kinds of land uses; cocktail lounges were recommended to be permitted on the CS-1-MU-CO portion with a size restriction of 600 S.F.	
C14-2019-0137 – Delwau RV Park – 7715 Delwau Lane	SF-2 to CS-MU-CO	To Grant with additional prohibited uses	Approved as Commission recommended (06-01-2020).
C14-2016-0017 – Driveway Austin Zoning	GO to GR (amended from GO to LI)	To Grant	Approved (08-28-2017).
C14-03-0052 – Colorado River Intake Site	SF-2 to P	To Grant	Approved (05-08-2003).

RELATED CASES:

The property was annexed into the City limits in June 1976 (C7A-76-009, Ord. 760617). The property is not a platted lot, but is described by metes and bounds.

EXISTING STREET CHARACTERISTICS:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)	Urban Trail
Delwau Lane	1	50'	147'	20'	no	Yes	No	Colorado River Trail (Proposed)

ADDITIONAL STAFF COMMENTS:

Inclusive Planning

Yes	Imagine Austin Decision Guidelines
	Compact and Connected Measures
	Imagine Austin Growth Concept Map: Located close to, within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin

	Job Center as identified on the Growth Concept Map. Name(s) of Activity Center/Activity Corridor/Job Center:
	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station.
	Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane.
	Connectivity, Good and Services, Employment: Provides or is located within 0.50 miles to goods and services, and/or employment center.
	Connectivity and Food Access: Provides or is located within 0.50 miles of a grocery store/farmers market.
	Connectivity and Education: Is located within 0.50 miles from a public school or university.
Y	Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreational area, park or walking trail.
	Connectivity and Health: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, specialized outpatient care.)
	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
	Housing Choice: Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
	Mixed Use: Provides mixed use development (minimum 10% residential and 10% non-residential floor area).
	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
1	Total Number of "Yes's"

Environmental

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

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

According to floodplain maps there is a floodplain within or adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within the project location.

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

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the two-year storm on site.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Parks & Recreation Department (PARC) – Planning & Design Review

There are no parkland dedication requirements associated with this rezoning. Wastewater treatment plant expansion should neither negatively impact adjacent City parkland nor the Colorado River.

Site Plan and Compatibility Standards

Site plans will be required for any new development other than single-family, two-family or duplex residential.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

The site is located within Austin-Bergstrom Overlay Controlled Compatible Land Use Area. No use will be allowed that create electrical interference with navigational signals or radio communications between airport and aircraft, make it difficult for pilots to distinguish between the airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards or otherwise in any way endanger or interfere with the landing, taking off, or maneuvering of aircraft intending to use the Austin-Bergstrom Airport. Height limitations and incompatible uses with each Airport Overlay zone are established in the Airport Overlay Ordinance.

Transportation

No comments were issued by the Austin Transportation Department.

Austin Water Utility

No comments were issued by the Austin Water Department.

INDEX OF EXHIBITS TO FOLLOW:

A: Zoning Map

A-1: Aerial Map