ZONING CHANGE REVIEW SHEET

CASE: C14-2008-0242 / Mueller Austin Energy Substation

P.C. DATE: March 24, 2009
February 24, 2009
February 10, 2009

ADDRESS: 2403 E 51st Street

OWNER: Austin Energy (Dorthy Kester), 512-505-7000

AGENT: Stanley Consultants, Inc. (Charles Steinman), 512-427-3600

ZONING FROM: GR-NP **TO:** P-NP

SITE AREA: 4.426 acres (192,796.56 sq. ft.)

SUMMARY STAFF RECOMMENDATION: The staff recommendation is to grant the change from GR-NP (Community Commercial – Neighborhood Plan) district zoning to P–NP (Public – Neighborhood Plan) zoning district.

SUMMARY PLANNING COMMISSION RECOMMENDATION: Pending. This case is scheduled for the Planning Commission meeting of March 24, 2009. (This case was postponed by the Neighborhood and Applicant on February 12, 2009 and by the Neighborhood on February 24, 2009).

ISSUES: Austin Energy is meeting with the Windsor Park Contact Team on February 9, Robert Mueller Municipal Airport Plan Implementation Advisory Committee on March 10, and with the Mueller New Construction Council Team on March 11.

DEPARTMENT COMMENTS: The 4.42-acre site is currently zoned GR-NP (Community Commercial – Neighborhood Plan) district and is located at the northeast corner of Old Manor Road and E 51st Street. The proposed development will have driveway access from both streets, to which both ingress and egress access will be taken. The site lies within the University Hills/Windsor Park Combined Neighborhood Plan and is surrounded by Private Secondary Educational Facilities to the north, Communication Services to the south and multifamily to the east and west.

The subject property is currently undeveloped. Austin Energy, the property owner, is requesting P-NP, Public-Neighborhood Plan zoning to build a 138 kV substation by the summer of 2010. This substation is necessary to serve the redevelopment of Mueller (which includes the Dell Children's Hospital, offices, retail, and residential) and to solve other reliability issues in the surrounding area. The proposed substation will serve load within the 720 acre Mueller Redevelopment and the surrounding residential Windsor Park area. The applicant states that there will be a 10' tall concrete masonry wall and landscaping around the substation. Less than two acres will be used for the substation and the remainder will be left in its natural state.

The staff recommendation is to approve the requested zoning change because the proposed substation is 1) considered a civic use, and will provide electric service to the Mueller redevelopment and to the surrounding residential area of Windsor Park; 2) access is taken to an arterial and a collector street; and 3) it is the City Council's general policy that all City-owned or leased land be zoned Public (P) district.

In the P zoning district, any use on a site larger than one acre requires a conditional use site plan. The purpose of this requirement is to establish site development regulations such as building height, scale, setbacks and drainage. It also allows public comment at a hearing to ensure compatibility in terms of access, traffic circulation, bulk, open space and landscaping.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	GR-NP	Undeveloped
North	CS-V-CO-NP	Private Educational Facilities (Austin Peace Academy)
South	GO-NP / GO-MU-V-CO-NP	Detention pond / Communication Services (Trouble Maker Studio)
East	MF-3-NP	Multifamily – Apartments
West	LR-MU-V-NP	Multifamily – Apartments

NEIGHBORHOOD PLAN AREA: University Hills/Windsor Park Combined

TIA: A traffic impact analysis was not required for this case.

WATERSHED: Tannehill Branch **DESIRED DEVELOPMENT ZONE:** Yes

CAPITOL VIEW CORRIDOR: No **SCENIC ROADWAY:** No

NEIGHBORHOOD ORGANIZATIONS:
Austin Parks Foundation
PODER People Organized in Defense of Earth & Her Resources
Anberly Airport Assn.
League of Bicycling Voters
Windsor Park Neighborhood Plan Contact Team
University Hills/Windsor Park NPA Staff Liaison
Mueller Property Owners Association
Mueller Neighborhoods Coalition
Mueller Community Association
Mueller Master Community Inc
Austin Neighborhoods Council
Homeless Neighborhood Organization
Home Builders Association of Greater Austin
Keep the Land

SCHOOLS:
Blanton Elementary School Pearce Middle School Reagan High School

RELATED CASES:
The University Hills/Windsor Park Combined rezonings were approved on August 9, 2007. (C14-2007-0006).

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2008-0044 – City Initiated for Multiple Tracts	The applicant is requesting Vertical Mixed Use Zoning.	4/9/2008 PC Apvd V (9-0); see PC minutes for additional details	5/27/2008 Apvd Ord. 20080522-041 for V excluding Tr 15-16, 26 (& 30); (7-0); 2nd/3rd rdgs
C14-2007-0070 - 4800 Manor Road	From PUD to GO-MU.	6/22/2007 PC APVD staff rec of GO-MU by consent (9-0)	Apvd Ord 20070621-133 for GR-MU (7-0); all 3 rdgs
C14-07-0003 – 4611 Manor Road	from PUD-NP to GR-MU-CO-NP	5/15/2007 PC APVD staff rec of GR-MU-CO-NP (8-0)	6/11/2007 Apvd Ord 20070524-045 for GR-MU-CO-NP (6-0); all 3 rdgs

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Bus Routes
Old Manor Rd	85'	25'	Collector	No	No	No
E 51st St	80'	44'	Arterial	No	PR 1	Yes

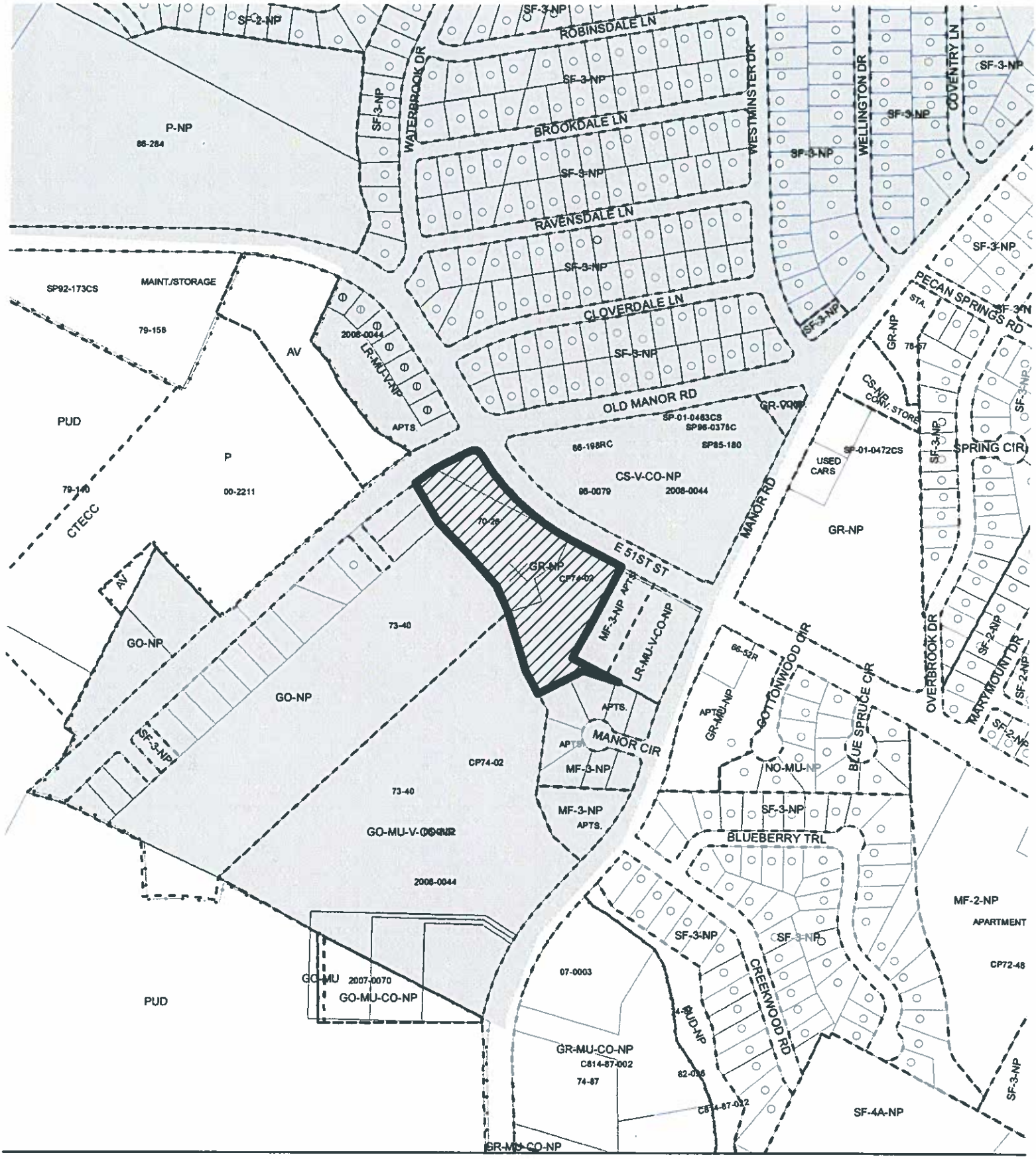
CITY COUNCIL DATE: March 12, 2009 **ACTION:** N/A

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Joi Harden **PHONE:** 974-2122

E-MAIL: joi.harden@ci.austin.tx.us;



N

SUBJECT TRACT

ZONING BOUNDARY

PENDING CASE

OPERATOR: S. MEEKS

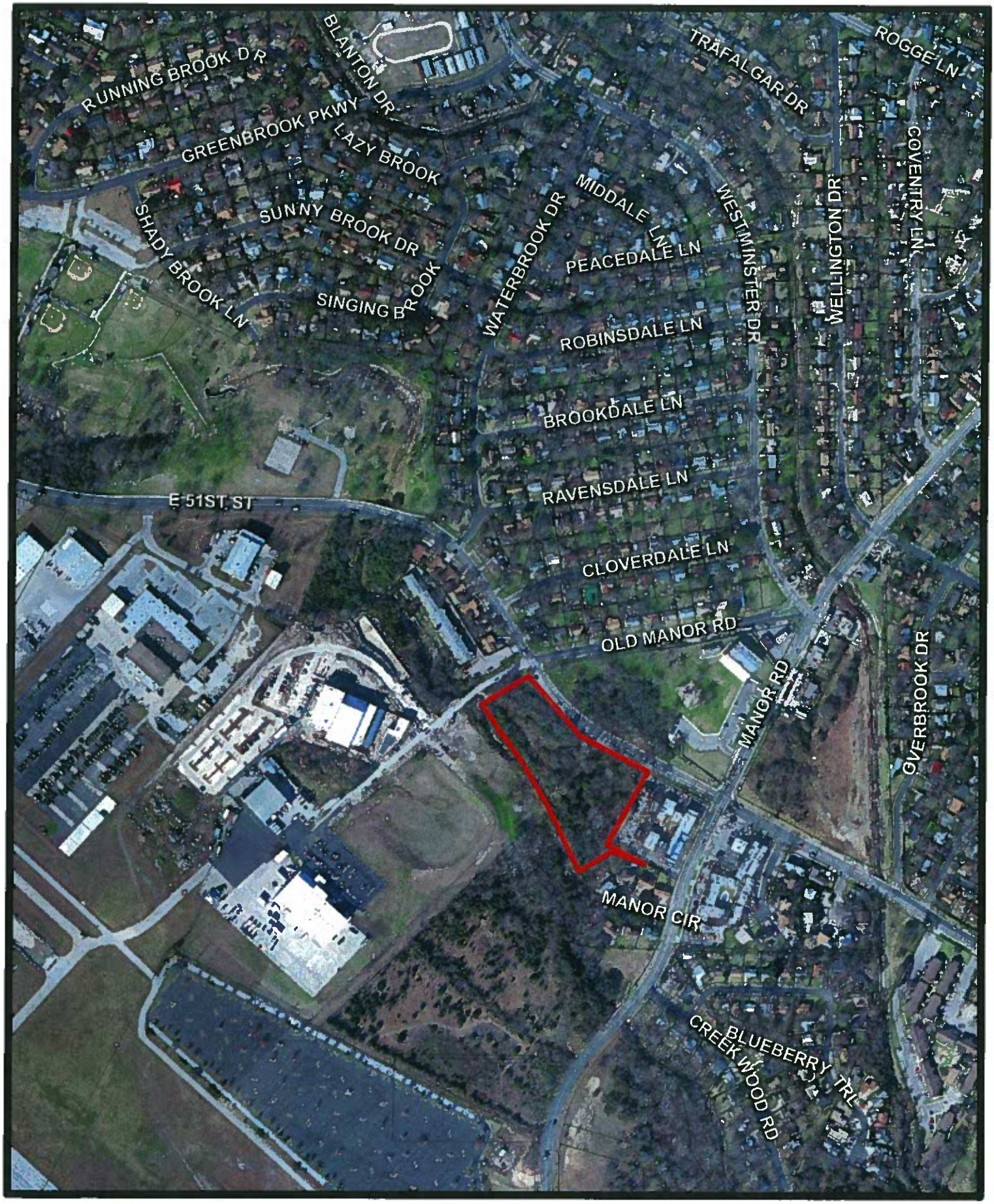
1" = 400'

ZONING

ZONING CASE#: **C14-2008-0242**
ADDRESS: **2403 E 51ST ST**
SUBJECT AREA: **4.426 ACRES**
GRID: **L25**
MANAGER: **J. HARDEN**

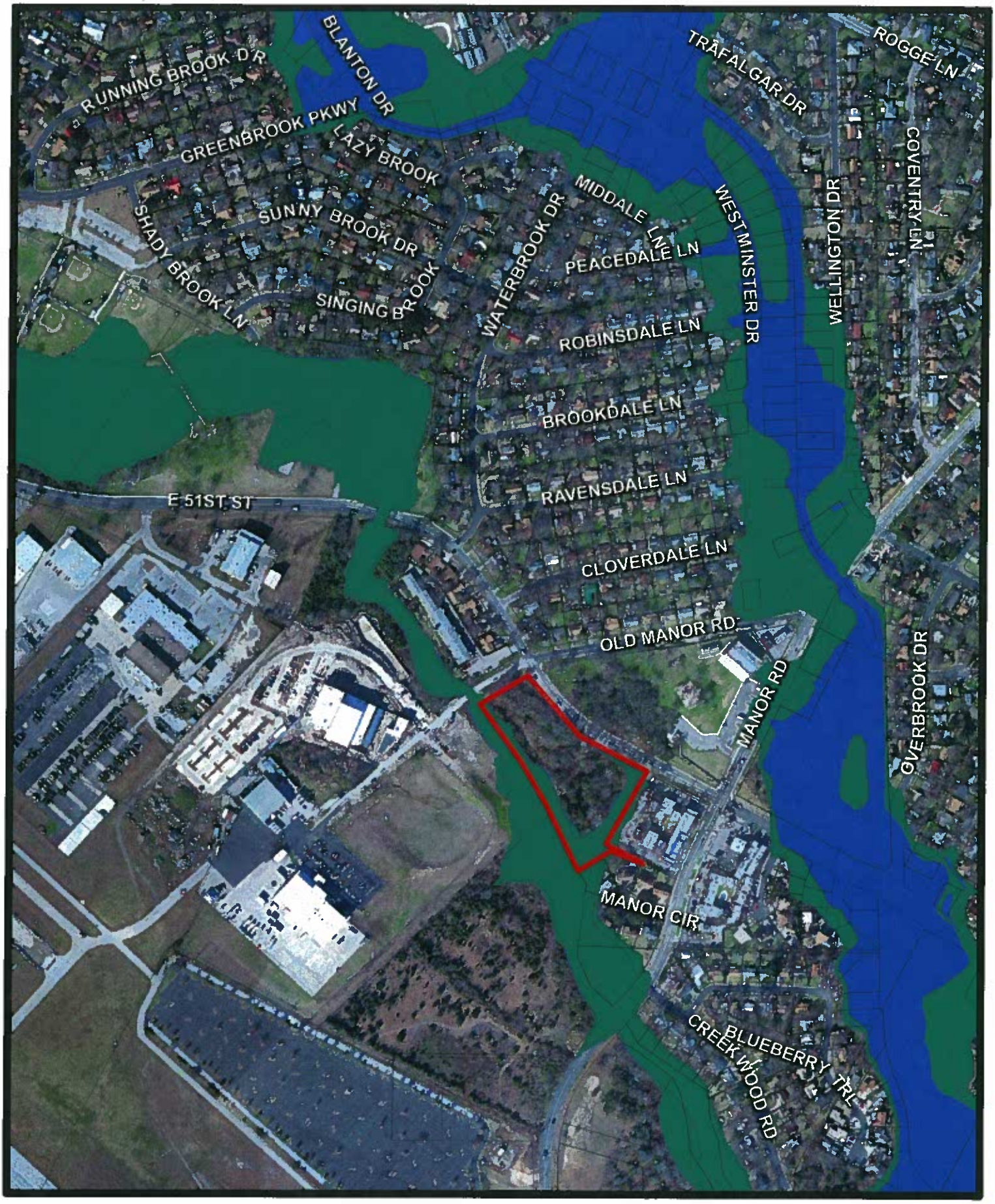
CITY OF AUSTIN
FOUNDED 1839

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C14-2008-0242 2403 E. 51st ST.

From Community Commercial - Neighborhood Plan (GR-NP)
to Public-Neighborhood Plan (P-NP) District Zoning



C14-2008-0242 2403 E. 51st ST.

From Community Commercial - Neighborhood Plan (GR-NP)
to Public-Neighborhood Plan (P-NP) District Zoning

100 Year Flood Plain

SUMMARY STAFF RECOMMENDATION

The staff recommendation is to grant the change from GR-NP (Community Commercial – Neighborhood Plan) district zoning to P-NP (Public – Neighborhood Plan) zoning district.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

   P- Public district is the designation for a governmental, civic, public service, or public institution use. A P zoning 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 proposed Mueller Austin Energy substation is consistent with this purpose statement.

2. *Zoning should be consistent with the proposed Future Land Use Map (FLUM) or adopted neighborhood plan.*

   The property lies within the University Hills/Windsor Park Combined Neighborhood Plan adopted on August 9, 2007. The current land use on the Future Land Use Map (FLUM) shows the subject property is designated as "Utilities" which is for land used or dedicated for public or private utilities including pipelines, utility lines, water and wastewater facilities, substation and telephone facilities consistent with the proposed zoning request and development.

EXISTING CONDITIONS

Site Characteristics

The site is currently undeveloped and heavily wooded. The property slopes from 51st Street toward the rear of the property where there is a floodplain.

Impervious Cover

The maximum impervious cover allowed by the P zoning district is established by a conditional use site plan. The maximum impervious cover allowed by the GR zoning district is 90%.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Tannehill Branch 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 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 a 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.

Transportation

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

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at his own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility for compliance with City criteria. 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.

Site Plan Review

This site is over 1 acre. Any development of land on "P" public zoning over 1 acre requires a Conditional Use Permit. Once all site plan reviewers' comments are cleared, the site plan must then have a public hearing at Planning Commission, and can only be approved after Planning Commission approval.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.