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**ZONING AND PLATTING COMMISSON SITE PLAN
CONDITIONAL USE PERMIT
REVIEW SHEET**

CASE NUMBER: SPC-2010-0350C **ZONING AND PLATTING COMMISSION
HEARING DATE:** April 5, 2011

PROJECT NAME: Central Texas Rehabilitation Hospital

ADDRESS: 700 W 45th St.

APPLICANT: Prevarian Austin Rehab, LP (Allan Brown)- (214) 736-7003
5949 Cherry Ln, Suite 835
Dallas, TX 75225

AGENT: Bury & Partners, Inc (Jonathan Neslund) – (512) 328-0011
221 W 6th St., Suite 600
Austin, TX 78701

CASE MANAGER: Donna Galati Phone: 974-2733
donna.galati@ci.austin.tx.us

PROPOSED DEVELOPMENT:

The applicant is requesting a conditional use permit for a Hospital in CS-CO zoning district. Hospital Services (General) is a Conditional Use in CS zoning. The proposed development consists of two 3-story buildings: building one with a gross floor area of 59,115 sq. ft. and building two with a gross floor area of 43,974 sq. ft. The applicant also proposes parking, drives, drainage, and water quality. Hospital Services (General) is the use of a site for the provision of medical, psychiatric, or surgical services on an in-patient basis, and includes ancillary facilities for out-patient and emergency treatment, diagnostic services, training, research, administration, and services to patients, employees, and visitors.

SUMMARY STAFF RECOMMENDATION:

Staff recommends approval with conditions of the Conditional Use Permit for a hospital. The site plan will comply with all requirements of the Land Development Code prior to its release.

CONDITIONS:

Staff recommends approval with the condition that all remaining staff comments are cleared prior to site plan approval and release, in accordance with the attached Master Comment Report.

PROJECT INFORMATION

SITE AREA	3.8 Acres	
EXISTING ZONING	CS-CO	
WATERSHED	Waller Creek (Urban)	
WATERSHED ORDINANCE	Comprehensive Watershed Ordinance (Urban)	
TRAFFIC IMPACT ANALYSIS	Not required	
CAPITOL VIEW CORRIDOR	None	
PROPOSED ACCESS	W 45 th St. & Triangle Avenue	

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	Allowed	Existing	Proposed
FLOOR-AREA RATIO	2:1	0	0.68:1
BUILDING COVERAGE	95%	0	21.6%
IMPERVIOUS COVERAGE	95%	0	82.6%
PARKING	70 required		153

SUMMARY COMMENTS ON SITE PLAN:

The applicant is requesting a Conditional Use Permit for Hospital Services (general) in CS-CO zoning. The project complies with all zoning ordinance conditional overlays.

ZONING CONDITIONAL OVERLAY

Zoning ordinance 20101014-045 (Zoning Case number **C14-2010-0132**) for Central Texas Rehabilitation places the following conditions on the property:

- The site is limited to 2,000 trips per day
- The following uses are conditional: Indoor Entertainment & Day care services (commercial)
- The following uses are prohibited: Agricultural sales & service, Automotive rentals, Automotive repair services, Automotive washing (of any kind), Automotive sales, Building maintenance services, campground, construction sales & services, Drop-off recycling collection facility, Convenience storage, Electronic prototype assembly & testing, Equipment repair services & sales, Exterminating services, Funeral services, Kennels, Laundry services, Monument retail sales, Pawn shop services, Plan nursery, Service station, Software development, Vehicle storage, Bail bond services, Outdoor entertainment, Custom manufacturing, Limited warehousing & distribution, Congregate living, Counseling services, Guidance services, Maintenance & services facilities, Residential treatment, Club or lodge, Transitional housing, Transportation terminal, & Telecommunication tower.
- Except as specifically related to a hospital services (general) use and its accessory uses, a drive-in service is prohibited.

COMPATIBILITY

Compatibility is not applicable to this site.

TRANSPORTATION: A traffic impact analysis was not required because the Hospital does not generate more than 2000 vehicle trips per day.

ENVIRONMENTAL: The site is in the Waller Creek watershed, which is classified as urban. The site is not located over the Edward's Aquifer Recharge Zone. The redevelopment is required and is providing water quality.

EXISTING ZONING AND LAND USES

	ZONING	LAND USES
<i>Site</i>	CS-CO	Proposed Hospital (general)
<i>North</i>	UNZ	Multi-family
<i>South</i>	W 45 th St, then UNZ	Texas Health & Human Services
<i>East</i>	UNZ	Water Quality pond for multi-family development to North
<i>West</i>	Triangle Ave, then UNZ	Children's health services

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3**ABUTTING STREETS**

Street	Right-of-Way Width	Pavement Width	Classification
W 45 th St.	92—156 ft	60 ft	MAD4
Triangle Ave.	30 ft	25 ft.	Commercial Collector

NEIGHBORHOOD ORGNIZATIONS:

34—Hyde Park Neighborhood Assn.
 283—North Austin Neighborhood Alliance
 511—Austin Neighborhoods Council
 742—Austin Independent School District
 786—Home Builders Association of Greater Austin
 1037—Homeless Neighborhood Assn
 1075—League of Bicycling Voters
 1113—Austin Parks Foundation
 1194—45th St. Concerned Citizens
 1200—Super Duper Neighborhood Objectors and Appealers Organization
 1224—Austin Monorail Project
 1228—Sierra Club, Austin Regional Group
 1236—The Real Estate Council of Austin, Inc
 1254—Hyde Park Neighborhood Plan Contact Team

CONDITIONAL USE PERMIT REVIEW AND EVALUTATION CRITERA

The following evaluation is included to provide staff's position on each point of the conditional use permit criteria. Section **25-5-145** of the Land Development Code (**EVALUATION OF CONDITIONAL USE SITE PLAN**) states:

A. The Land Use Commission shall determine whether the proposed development or use of a conditional use site plan complies with the requirements of this section.

B. A conditional use site plan must:**1. Comply with the requirements of this title;**

Staff Response: This site plan complies with all regulations and requirements of the Land Development Code.

2. Comply with the objectives and purposes of the zoning district;

Staff Response: The proposed hospital (general) is a conditional use in CS zoning. The CS zoning district is the designation for a commercial or industrial use of a service nature that has operating characteristics or traffic service requirements that are incompatible with residential environs. The site is located on W 45th St. and is surrounded by other commercial uses including health related uses. Zoning case C14-2010-0132 proposed this Central Texas Rehabilitation Hospital with the rezoning request and included several Conditional Overlays to further protect the area character.

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: The site plan will comply with all requirements of the Land Development Code. Compatibility does not apply.

4. Provide adequate and convenient off-street parking and loading facilities; and

Staff Response: Off-street parking is provided in accordance with Land Development Code requirements.

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5. Reasonably protect persons and property from erosion, flood, fire, noise, glare, and similar adverse effects.

Staff Response: The site plan will comply with all requirements of the Land Development Code and reasonably protects the health, safety, and welfare of persons and property.

C. In addition, a conditional use site plan may not:

6. More adversely affect an adjoining site than would a permitted use;

A hospital (general) use will have no more impact on adjoining properties than other permitted uses in the area which could operate with similar hours.

7. Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area; or

Staff Response: The site plan does not adversely affect the safety and convenience of vehicular and pedestrian circulation.

8. Adversely affect an adjacent property or traffic control through the location, lighting, or type of a sign. Staff Response: All signs and lighting will comply with the Land Development Code.

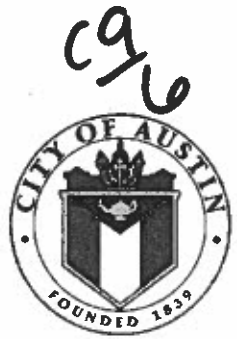
D. A site plan may not adversely affect the public health, safety, or welfare, or materially injure property. If the Land Use Commission determines that a site plan has an adverse effect or causes a material injury under this subsection, the Land Use Commission shall identify the adverse effect or material injury.

In addition, Sec. 25-5-146 (CONDITIONS OF APPROVAL) states:

(A) To make a determination required for approval under Section 25-5-145 (Evaluation Of Conditional Use Site Plan), the Land Use Commission may require that a conditional use site plan comply with a condition of approval that includes a requirement for:

- (1) a special yard, open space, buffer, fence, wall, or screen;
- (2) landscaping or erosion;
- (3) a street improvement or dedication, vehicular ingress & egress, or traffic circulation;
- (4) signs;
- (5) characteristics of operation, including hours;
- (6) a development schedule; or
- (7) other measures that the Land Use Commission determines are required for compatibility with surrounding uses or the preservation of public health, safety, or welfare.

CITY OF AUSTIN – PLANNING AND DEVELOPMENT REVIEW DEPARTMENT
SITE PLAN APPLICATION – MASTER COMMENT REPORT



CASE NUMBER: **SPC-2010-0350C**
REVISION #: **00** UPDATE: **U2**
CASE MANAGER: **Donna Galati** PHONE #: **974-2733**

PROJECT NAME: **Central Texas Rehabilitation Hospital**
LOCATION: **700 W 45TH ST**

SUBMITTAL DATE: **March 23, 2011**
REPORT DUE DATE: **April 6, 2011**
FINAL REPORT DATE: **March 30, 2011**

STAFF REPORT:

This report includes all staff comments received to date concerning your most recent site plan submittal. The comments may include requirements, recommendations, or information. The requirements in this report must be addressed by an updated site plan submittal.

The site plan will be approved when all requirements from each review discipline have been addressed. However, until this happens, your site plan is considered disapproved. Additional comments may be generated as a result of information or design changes provided in your update.

If you have any questions, problems, concerns, or if you require additional information about this report, please do not hesitate to contact your case manager at the phone number listed above or by writing to the City of Austin, Watershed Protection and Development Review Department, P.O. Box 1088, Austin, Texas 78704.

UPDATE DEADLINE (LDC 25-5-113):

It is the responsibility of the applicant or his/her agent to update this site plan application. **The final update to clear all comments must be submitted by the update deadline, which is June 9, 2011.** Otherwise, the application will automatically be denied. If this date falls on a weekend or City of Austin holiday, the next City of Austin workday will be the deadline.

EXTENSION OF UPDATE DEADLINE (LDC 25-1-88):

You may request an extension to the update deadline by submitting a written justification to your case manager on or before the update deadline. Extensions may be granted for good cause at the Director's discretion.

UPDATE SUBMITTALS:

A formal update submittal is required. You must make an appointment with the Intake Staff (974-2689) to submit the update. Please bring a copy of this report with you upon submittal to Intake.

Please submit 4 copies of the plans and 5 copies of a letter that address each comment for distribution to the following reviewers. Clearly label information or packets with the reviewer's name that are intended for specific reviewers. No distribution is required for the Planner 1 and only the letter is required for Austin Water Utility.

REVIEWERS:

Planner 1 : Elsa Garza (No Distribution)
Drainage Construction : Leslie Daniel
Water Quality : Leslie Daniel
Environmental : Mike McDougal
Site Plan : Donna Galati
Transportation : Candace Craig
Austin Water Utility : Bradley Barron

Drainage Construction Review - Leslie Daniel - 974-6316

DATE REVIEWED: March 30, 2011

UPDATE #: 2

FORMAL UPDATE REQUIRED

Release of this application does not constitute a verification of all data, information and calculations supplied by the applicant. The engineer of record is solely responsible for the completeness, accuracy and adequacy of his/her submittal, whether or not the application is reviewed for Code compliance by City engineers.

A formal update is required. Please address all comments; provide a letter that addresses each of the review comments along with plans. All engineering representations must be signed by the responsible engineer. ***Additional comments may be generated as additional information is provided.***

DC1: It appears that the plans submitted are not complete. Please include information that shows how the parking lot over the proposed ponds will be supported. Will this decrease the volume of the ponds?

Update1: Will there be any vertical support? Have those supports been included in the volume calculations? Please provide a copy of calculations that demonstrate that the support for the parking lot has been considered.

Update2: Permit may not be approved until after structural plans are reviewed, however, it is apparent that the volume of the pond will not be impacted to a degree that makes it inadequate. **This comment is cleared.**

DC2: Please provide information regarding access to the ponds for maintenance and inspection purposes. OSHA requirements for ingress and egress are required when the facility is located in a confined space above or below ground. Please provide details of the ingress, egress and standard operating procedures used to comply with this requirement when access for maintenance and inspection is required. [DCM 1.2.4(E) (16)]

Update1: Please describe proposed maintenance procedures in detail. If the proposal includes a person going into the pond underneath the parking lot, adequate height (6-feet minimum) must be provided between the top of the sand bed and the underneath surface of the parking lot. Please show enough information on cross sections of the pond to demonstrate compliance.

Update2: This comment has not been adequately addressed and remains. Please address maintenance procedures for the proposed underground detention pond. Please provide details of the ingress, egress and standard operating procedures used to comply with this requirement when access for maintenance and inspection is required. [DCM 1.2.4(E) (16)]

DC3: Please provide structural and construction details for curbs, walls, inlet and outlet controls, and other structures.

Update1: Please be aware that retaining walls over four feet in height, measured from the bottom of the footing to the top of the wall, shall be engineered and will require a separate permit. Concrete walls shall be built to COA Standards Specifications and

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expansion joints on free-standing walls shall have water tight seals as needed. Since the walls for the pond are greater than four feet in height (including the footing) they must be reviewed by City of Austin Engineering Services for structural integrity. Please contact Ms. Jessica Bryant at 974-5628 to coordinate that review. Please place the following note on the site plan cover sheet: *Retaining walls over four feet in height, measured from the bottom of the footing to the top of the wall, shall be engineered and will require a separate permit (Uniform Building Code 106.2.5)*

Update2: Structural details are required for walls greater than 4-feet in height. Several walls on the site plan appear to be over 4-feet in height including required footings. Please provide structural details and add the required note to the cover sheet.

DC4: --DC 6. This comment is cleared.

DC7: The construction plans can not be approved until an approved final plat has been recorded. This comment can be cleared by the case manager upon final plat approval.

Update1: Comment remains.

Update2: This comment remains. Please include a copy of the recorded plat in the site plan set.

DC8: Show drainage easements on the storm drainage plan. [LDC 25-7-152] It appears that a 15-foot (minimum) drainage easement for the proposed storm drain will be required near the west edge of Lot 1. Please address with either an easement on the plat or by separate document.

Update1: The minimum width of the drainage easement required is 15-feet, however, it appears that given the size and depth of the culvert proposed a wider easement may be necessary.

Update2: Show all drainage easements on plans. Please remove the references to a document number for the drainage easement shown on Sheet 16.

DC9: Please demonstrate that adequate capacity exists downstream of the site. "Runoff is then released at a controlled rate which cannot exceed the capacities of the existing downstream drainage systems, or the pre-developed peak runoff rate of the site, whichever is less." [DCM 8.1.0]

Upadte1: Comment cleared.

DC10: Please clarify the material that is to be used for the pond bottom.

Update1: Please add a note to the plan that specifies that all pond bottom, side slopes and earthen embankments shall be compacted to 95% of maximum density in accordance with COA Standard Specification and that adequate capacity will remain in the pond once top-soil is added to a depth required to sustain vegetative growth. Please specify on the plans what materials are to be used.

Update2: Please add the required note.

DC11 – DC13: These comments were previously cleared.

DC14: This comment is cleared.

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DC15(NEW): Manholes are required so that there is a maximum of 300-feet between access points and must provide a maintenance path within the storm drain that has no more than one horizontal bend, with that bend having a deflection of no more than forty-five (45) degrees in the direction of the maintenance path, and no vertical bend with a deflection of greater than five (5) degrees. [DCM 5.6.0] Please add manholes to meet this requirement.

DC16(NEW): Manholes shall be placed at locations where changes in pipe size occur. [DCM 5.6.0] Please add manholes to meet this requirement.

Environmental Review - Mike McDougal - 974-6380

Update #2 – Monday, March 28, 2011

EV 01 through EV 04 Update #2 Comments cleared.

EV 05 Update #2 The fiscal surety estimate has been approved. This comment is pending posting of fiscal surety.

EV 06 through EV 42 Update #2 Comments cleared.

Fire For Site Plan Review - James Reeves - 974-0193

Approved

Site Plan Review - Donna Galati - 974-2733

SP 1. –SP 21. Cleared.

ADMINISTRATIVE

SP 22. Note on the cover sheet and site plan sheet: The site is composed of 2 lots/tracts. It has been approved as one cohesive development. If portions of the lots/tracts are sold, application for subdivision and site plan approval may be required. Once recorded add the document number for the UDA to the note.

Update #1 & 2: Pending the review, approval, and recordation of the UDA.

SP 23. For the proposed site plan, please record a Unified Development agreement that clearly ties these lots together for the construction, use, and maintenance of the proposed Detention facility. Please submit this document to this reviewer. This reviewer will coordinate with the Legal Department for review and approval. For any legal document questions please contact Annette Bogusch – PDRD Legal Liaison (974-6483). Please be aware this process takes some time and now requires lien-holders information/consent.

Update #1 & 2: Pending the review, approval, and recordation of the UDA.

SP 24. Cleared.

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SP 25. Fire, Water Utility, and Industrial Waste must sign the cover sheet prior to site plan approval.

Update #1 & 2: Pending signatures on the cover sheet.

FLASH DRIVE REQUIREMENT

SP 26. All applications submitted for completeness check after 5/10/10 for Administrative Site Plan Revision, Consolidated Site Plan, Non-Consolidated Site Plan, CIP Streets and Drainage, Major Drainage/Regional Detention, and Subdivision Construction Plans will require the additional items listed in Exhibit VII of the application packet on a USB flash drive prior to release of permit. For more information, contact the Intake Staff.

Update #1 & 2: Another flash drive is required after approval (see Exhibit VII). (Required at time of site plan approval/release)

SP 27. -SP 29. Cleared.

Traffic Control Review - Javier Martinez - 974-1584

03-24-2011

All comments received may not be all of the deficiencies in the plan set. It is not the responsibility of this reviewer to identify every individual deficiency. The sealing engineer is responsible for ensuring that not only my comments are addressed, but any and all issues of safety are addressed as well

All deficiencies that I've identified on this plan set have been corrected by the engineer. Traffic control plans are approved.

Transportation Review - Candace Craig - 974-2788

TR1-3: Cleared.

TR3: U2: Cleared.

TR4: Where required, the sidewalk shall extend onto private property to fulfill the 12-foot minimum requirement, with a sidewalk easement provided (§ 2.2.3.B, p. 27).

U1: Comment remains

U2: Comment will remain until the recorded sidewalk easement is provided and the document number is added on the site plan

TR5-15: Cleared.

TR16: For medical care facilities specializing in the treatment of persons with mobility impairments, 20 percent of the parking spaces provided must be accessible. For

other medical care facilities, 10 percent of the parking spaces provided must be accessible. [IBC 1106.3, 1106.4]

U1: Please clarify parking provided for employees and parking provided for patients and visitors .

U2: Signage indicating employee or patient/visitor parking may be required. Reviewer will coordinate with department ADA coordinator for determination.

TR17: U1: Cleared.

TR18: Passenger loading zones must provide an access aisle at least 5 ft. wide and 20 ft. long adjacent and parallel to the vehicle pull-up space. Loading zones must be at the same level as the roadway and must be located on a surface with a slope not exceeding 1:50. [ANSI 503.2 - 503.4, Fig. 503.3]

U1: Please mark the passenger loading zone in accordance with ANSI 503.2 - 503.4, Fig. 503.3

U2: Show the passenger loading zone on the grading plan and provide spot elevations and/or notes as necessary to demonstrate that maximum allowable slope is not exceeded.

TR19-20: U1: Cleared.

TR21: U2: Cleared. (addressed in TR4).

TR22: U2: Cleared.

TR23: U2: Cleared. As per e-mail from George Adams dated 3/15/2011, 5' additional right-of-way will be dedicated with the subdivision in process.

TR24-25: U1: Cleared.

TR26: U2: Cleared. (addressed in TR16).

TR27-32: Cleared.

TR33: Undivided two-way driveway approaches on arterials must be between 30 and 45 feet wide, measured at the property line. Show dimensions on the site plan. TCM, Table 5-2.

U1: Waiver request is being considered. Response will be provided as soon as possible.

U2: Waiver for minimum driveway width is approved with the following conditions and considerations:

- 1. The applicant requested a waiver for driveway width of 25' on West 45th Street to reduce impacts to heritage trees adjacent to the driveway.**
- 2. The driveway shall be striped to provide a 11-foot wide exit lane and a 14-foot wide entry lane**

TR34-35: Cleared.

TR36: Please meander the sidewalk around the luminaire located in the middle of the sidewalk on Triangle Avenue.

TR37: Accessible parking spaces must be located on a surface with a slope not exceeding 1:50. [ANSI 502.5]

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WW1. The review comments will be satisfied once the Austin Water Utility/Pipeline Engineering has approved the water and wastewater utility plan. For plan review status, contact Alfredo Torres at 972-0238. Response comments and corrections, along with the original redlines, must be returned to the assigned Pipeline Engineering reviewer at the Waller Creek office, 625 E 10th St., 3rd floor.

Water Quality Review - Leslie Daniel - 974-6316

DATE REVIEWED: March 30, 2011

UPDATE #: 1

FORMAL UPDATE REQUIRED

Release of this application does not constitute a verification of all data, information and calculations supplied by the applicant. The engineer of record is solely responsible for the completeness, accuracy and adequacy of his/her submittal, whether or not the application is reviewed for Code compliance by City engineers.

A formal update is required. Please provide a letter that addresses each of the review comments. All engineering representations must be signed by the responsible engineer.
Additional comments may be generated as additional information is provided.

WQ1: Please provide structural and construction details for the water quality pond.

Update1: Please demonstrate that adequate capacity will be provided after subtracting volume to provide for structural support.

Update2: Provide structural and construction details for the walls in the splitter box and water quality pond.

WQ2: Comment was previously cleared.

WQ3: Update2: Since the water quality pond is no longer proposed to be covered, this comment is cleared.

WQ4: Update2: This comment is cleared.

WQ5(NEW): A removable PVC cap with an appropriately sized orifice at the end of the underdrain pipe is required to provide a forty-eight hour drawdown time is required. [ECM 1.6.5A4] Please show.

End of Report

PUBLIC HEARING INFORMATION

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 a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. 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.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

A zoning ordinance amendment may include a conditional overlay which would include conditions approved by the Land Use Commission or the City Council. If final approval is by a City Council's action, there is no appeal of the Land Use Commission's action.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact listed on a notice*); or
- appearing and speaking for the record at the public hearing;

- and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 14 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: 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 name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: SPC-2010-0350C

Contact: Donna Galati, 512-974-2733 or Elsa Garza, 512-974-2308

Public Hearing: Zoning and Platting Commission, Apr 5, 2011

Charles Sawtelle

Your Name (please print)

4406 Avenue A #2

Your address(es) affected by this application

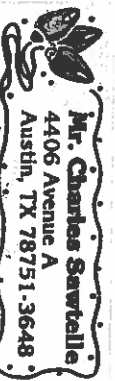
Signature

Date

Daytime Telephone: 512-436-9290

Comments: The agreement for the Triangle was originally for a larger park and

dwell pond. I object to this development and am disappointed the developer continues to put his own bank account above the wishes of the community.



CS

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

City of Austin
Planning and Development Review - 4th floor
Donna Galati
P. O. Box 1088
Austin, TX 78767-8810

☐ I am in favor
☒ I object