

## ZONING CHANGE REVIEW SHEET

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

**P.C. DATE:** December 13, 2011

**ADDRESS:** 801 ½ South 1<sup>st</sup> 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 ft<sup>2</sup>)

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

**PLANNING COMMISSION RECOMMENDATION:** 12/13/11 – The Planning Commission approved the staff recommendation of NO-NP on consent (8-0; Anderson absent).

**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:**

	<b><u>ZONING</u></b>	<b><u>LAND USES</u></b>
<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

**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 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. 1<sup>st</sup> 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. 1<sup>st</sup> Street.

There are existing sidewalks along both sides of S. 1<sup>st</sup> Street.

#### **Existing Street Characteristics:**

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>	<b>ADT</b>
S. 1 <sup>st</sup> 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 1<sup>st</sup> 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:** January 12, 2012

**ACTION:**

**ORDINANCE READINGS:** 1<sup>st</sup>

2<sup>nd</sup>

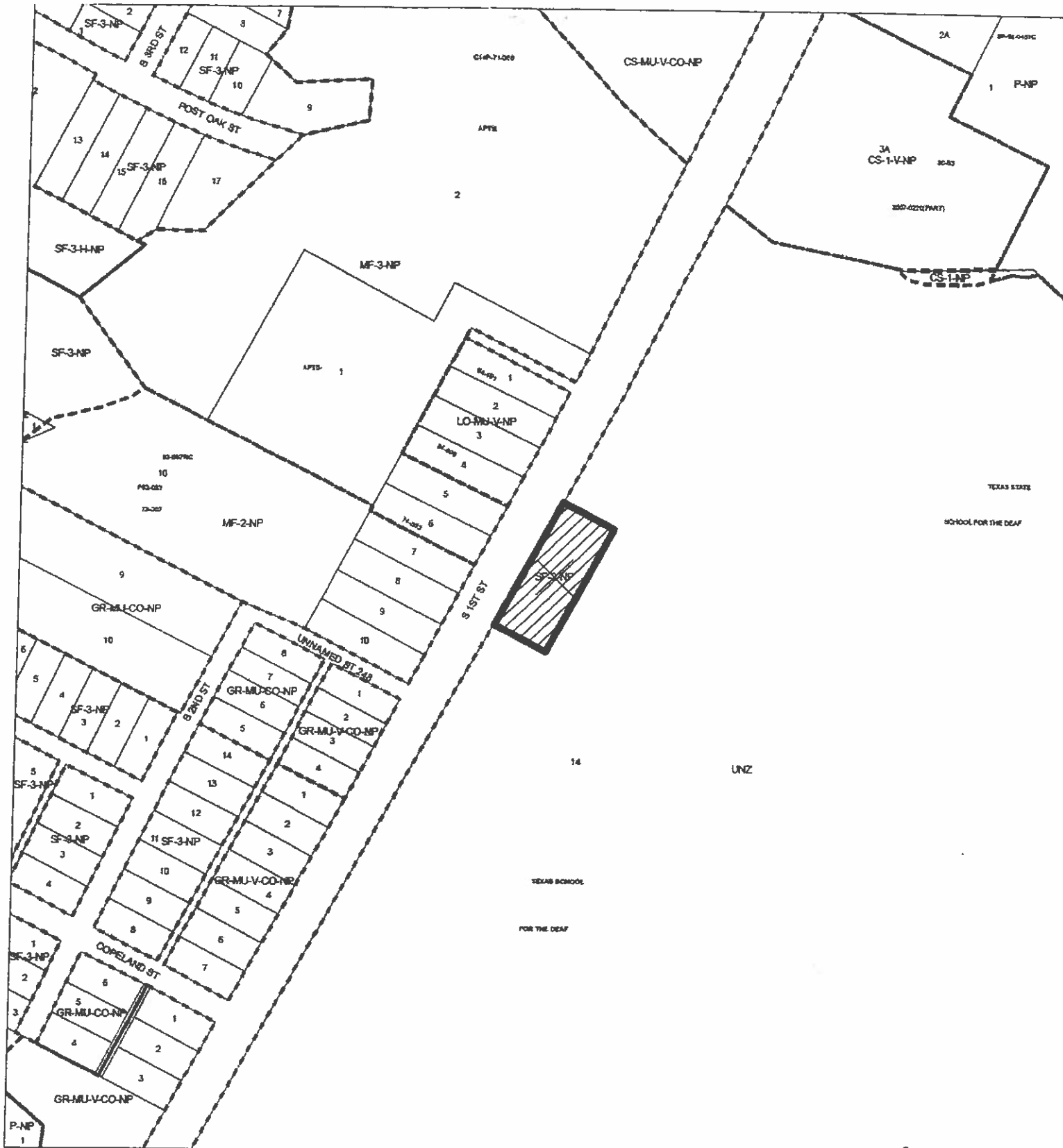
3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Stephen Rye

**PHONE:** 974-7604

[stephen.rye@ci.austin.tx.us](mailto:stephen.rye@ci.austin.tx.us)



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.











## 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](http://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)

☐ I am in favor  
☒ I object

700 South First Street

Your address(es) affected by this application

Murray Harvel 12/5/2011

Signature

Date

Daytime Telephone: (512) 344-5468

Comments:

South First Street has NO  
traffic light in the 700-800 blocks  
at a very high traffic congested  
street. No more driveways or  
other access points to S. 1st St.  
should be allowed unless or  
until a traffic signal is installed  
at the 700 block or 800 block  
unnamed streets. No stoplight, no

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 Neighborhood  
Office should  
be allowed.



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