

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

CASE NUMBER: SPC-2011-0327C **WATERFRONT BOARD:** 06/11/12
PC COMMISSION: tentative 07/10/12

PROJECT NAME: Boardwalk Trail at Lady Bird Lake

ADDRESS: 1820 S. Lakeshore Blvd.

AREA: 7,000 feet of trail/boardwalk (approximately 7.3 acres for the limits of construction all within easements, COA property, or ROW)

EXISTING ZONING: P-NP, Public

NEIGHBORHOOD PLANNING AREAS: South River City and Riverside

PROPOSED USE: Public, Parks and Recreation Services

APPLICANT: City of Austin – Public Works (David Taylor)
P.O. Box 1088
Austin, TX 78767 (512) 974-7132

AGENT: Eclipse Environmental & Engineering, Inc. (Bill McCurley)
8705 Shoal Creek Blvd., Ste. 200
Austin, TX 78757 (512) 323-6350

ENGINEER: Jacobs Engineering Group, Inc. (Adam Koransky)
2705 Bee Caves Road, Ste. 300
Austin, TX 78746 (512) 314-3100

CASE MANAGER: Sue Welch Telephone: 974-3294
Sue.Welch@ci.austin.tx.us

EXISTING ZONING: P-NP (Public) Because it is zoned "P"-Public and is greater than one acre in size, a Conditional Use Permit is required, according to the Land Development Code section 25-2-625.

PROPOSED DEVELOPMENT/REQUEST: The proposed Capital Improvement Project consists of approximately 7000 feet of hike and bike trail and associated amenities. The project passes through many separate properties consisting of private land (with easements) and City-owned property, including the river bed and right-of-way. The plan includes construction of one restroom and multiple shade structures. The applicant is requesting the following: Approval of a Conditional Use Permit for hike/bike trail improvements on property zoned P-Public and greater than one acre.

In accordance with the Land Development Code, § 25-2-721, (A) (3) & (4): The Land Use Commission shall request a recommendation from the Waterfront Planning Advisory Board and the Environmental Board before approving or denying a site plan within the Waterfront Overlay combining district and shall consider the recommendation provided by the board.

SUMMARY STAFF RECOMMENDATION: Staff recommends approval of the conditional use permit site plan. The site plan will comply with all requirements of the Land Development Code prior to its release.

DESIGN COMMISSION ACTION:

12/19/11: The Design Commission received a presentation and voted 5-0 to support the project as submitted with Alternative Equivalent Compliance for Building Placement and Building Design.

PARKS BOARD ACTION:

05/22/12: Parks Board approved Shoreline Modification by consent (7-0)

(5/14/12 Navigation Committee - approved)

12/06/11: Voted to approve the design of the Boardwalk at Lady Bird Lake.

The Parks Board approved a request for grading and modifications to the shoreline area in order to construct the abutments for the boardwalk to come onshore and to level the trail. The limits of construction are approximately 305,600 square feet. Parks Board approval was required in order to place fill in Lady Bird Lake, as per 25-8-652, but the ultimate decision regarding modification of the shoreline, LDC 25-8-651, falls under the purview of the City Council.

ENVIRONMENTAL BOARD ACTION:

06/06/12: Recommended approval for shoreline modification and floodplain variance (5-0)

(2009) Joint presentation to Parks Board and Environmental sub-committee

WATERFRONT PLANNING ADVISORY BOARD:

06/11/12: Pending recommendation on conditional use permit site plan per 25-2-721

11-14-2011: Briefing/presentation.

CITY COUNCIL:

06/28/12: There is a request is to approve a resolution authorizing the relocation of portions of the Lady Bird Lake shoreline between Tom Miller Dam and Longhorn Dam in order to complete abutments and level trails for the Boardwalk Trail at Lady Bird Lake project (SPC-2011-0327C) per 25-8-651/652. There is also a request for a floodplain variance per 25-7. City Council has the authority to approve these requests.

PLANNING COMMISSION:

07/12/12: Pending - Discussion and action on conditional use permit site plan

PROJECT INFORMATION: 7,000 feet of trail/boardwalk

ZONING: P, Public

PROPOSED USE: Parks and Recreational Services

LIMITS OF CONSTRUCTION: 10.24 Acres

PROPOSED BLDG. CVR: 425 sf (.29 FAR)

EXISTING PARKING: 200 on street (Lakeshore) **PROPOSED PARKING:** 2

WATERFRONT OVERLAY SUBDISTRICTS: South Shore Central, Travis Heights, Riverside, and Lakeshore

PRIMARY SETBACK IN WFO: Impervious Cover allowed: 15% Proposed: 0%

<u>Street</u>	<u>R.O.W.</u>	<u>Surfacing</u>	<u>Classification</u>
Lakeshore Blvd.	120'	35'	Collector

SUMMARY COMMENTS ON SITE PLAN:

Land Use: The applicant is requesting approval of a Conditional Use Permit for the Boardwalk Trail. Because it is zoned "P"-Public, and is greater than one acre in size, a Conditional Use Permit is required, according to the Land Development Code section 25-2-625. The proposed 7000 feet trail consists of a 14' wide boardwalk, and a connector trail will be 8' wide. The project includes signage, shade shelters, landscaping and other associated improvements.

The applicant is requesting approval from City Council under section 25-8-651 (Relocation of the Shoreline between Tom Miller Dam and Longhorn Dam) of the Land Development Code, in order to complete nine abutments and level trails in eight areas for the Boardwalk Trail at Lady Bird Lake project. City Council approval is required to modify the shoreline and relocate existing earth material in the Lady Bird Lake floodplain. The proposed relocations will all be within City property or easements.

Waterfront Overlay: This project is located within the Waterfront Overlay subdistricts of South Shore Central, Travis Heights, Riverside and Lakeshore. Each subdistrict has a primary setback and is limited to 15% impervious coverage. In the primary setback area, the trail use is allowed and is under the 15% limit. The project is consistent with the Goals and Policies of the Waterfront Overlay Combining District. The goals include providing the public visual and physical access to the Colorado River; and recognize the potential of the waterfront as an open space connector, form-shaper of urban development, and focal point for lively pedestrian-oriented mixed uses as defined by the subdistrict goals of the Town Lake Corridor Study.

The majority of the trail is located on City of Austin park property or lake, and is surrounded by the greenbelt area. The remaining sections of the trail will be located on Texas Department of Transportation (TxDOT) right-of-way (ROW) or within easements acquired for the project. TxDOT have reviewed and approved this use on their property. Reviews and approvals were obtained from multiple agencies and other City of Austin Departments and City Boards/Commissions. These included the Bicycle Advisory Committee (10/15/09 – Briefing; traffic control concerns), Art is Public Places (9/13/10 - Panel Briefing; Artist contract approved by Council 3/22/12), Urban Transportation Commission (12/13/2011 – Briefing, no action taken, some questions regarding safety), and the Mayor's Committee for People with Disabilities.

Transportation: The trail was designed to meet the American Association of State Highway and Transportation Officials (AASHTO) mixed use guidelines. It was also designed to meet Texas Accessibility Guidelines. The bicycle coordinator with Public Works has reviewed and approved this project. Right-of-Way Management has also approved the plans. The plan has been also reviewed and approved by Texas Department of Transportation. Parking will be available along S. Lakeshore Boulevard. Two new handicap spaces will be constructed. All transportation comments are cleared.

Environmental: The site is not located over the Edward's Aquifer Recharge Zone and is located in the Desired Development Zone. The site drains to Lady Bird Lake watershed (which is classified as Urban). The proposed alignment was walked numerous times by staff from City of Austin Public Works, Parks and Recreation Department and Planning & Development Review to determine the best route to avoid significant trees, riparian areas, and critical environmental features. There will be nine bridge abutments. The development around Critical Environmental Features (CEFs) along the trail layout have been reviewed and approved by the Environmental Resource Management staff.

NEIGHBORHOOD ORGANIZATIONS:

Austin Heritage Tree Foundation
Austin Independent School District
Austin Monorail Project
Austin Neighborhood Council
City of Austin Downtown Commission
Cristo Rey Neighborhood Association
Crossing Garden Home Association
Del Valle Community Coalition
Downtown Austin Neighborhood Association
Downtown Austin Neighborhood Coalition
East Cesar Chavez Neighborhood Association
East Cesar Chavez Neighborhood Plan Team
East Riverside/Oltorf Neighborhood Plan Team
El Concilio Coalition of Mexican American Neigh. Assn.
East Town Lake Citizens Neighborhood Association
Greater East Austin Neighborhood Association
Greater South River City Combined Neighborhood Team
Guadalupe Neighborhood Association
Holly Neighborhood Coalition
Homeless Neighborhood Association
Home Builders Association of Greater Austin
League of Bicycling Voters
PODER
Real Estate Council of Austin
Riverwalk Condo Association
Save Town Lake Organization
Sierra Club, Austin Regional Group
South Central Coalition
South River City Citizens
Southeast Austin Neighborhood Alliance
Super Duper Neighborhood Objectors and Appealers Organization
United East Austin Coalition
Waterfront Condos HOA
Waterfront Planning Advisory Board

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:

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 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 (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.
3. **Have building height, bulk, scale, setback, open space, landscaping, drainage, access, traffic circulation, and use that are compatible with the use of an abutting site;** Staff response: This application is compatible with the abutting sites in all of these cases.
4. **Provide adequate and convenient off-street parking and loading facilities;** Staff response: Approximately 200+ parking spaces will be available along S. Lakeshore Boulevard. Two new handicap spaces will be constructed.
5. **Reasonably protect persons and property from erosion, flood, fire, noises, glare, and similar adverse effects;** Staff response: The proposed project does not contribute to any of these adverse effects. There is minimal adverse flooding on other properties.
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: Not in the East Austin Overlay district.

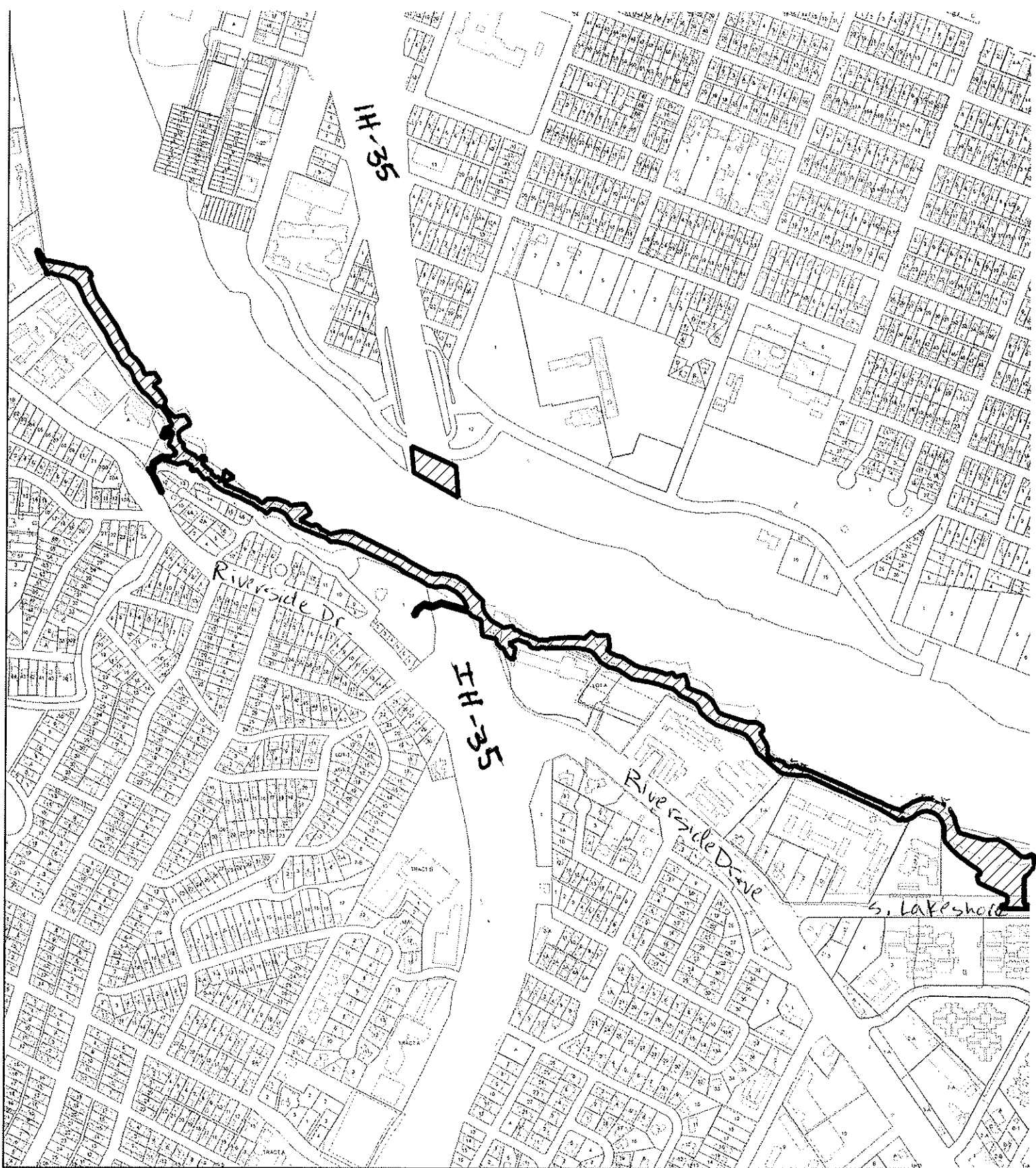
C. A Conditional Use Site Plan May Not:

1. **More adversely affect an adjoining site than would a permitted use;** Staff response: The site plan will conform to 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 permitted use.
2. **Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area;** Staff response: The site plan is not anticipated to have any detriment of safety or convenience. The site plan does not adversely affect the safety and convenience or vehicular and pedestrian circulation.
3. **Adversely affects an adjacent property or traffic control through the location, lighting, or type of signs;** Staff response: No signage or lighting is proposed that would affect adjacent properties or traffic control. Compatibility notes are required on the plans to regulate lighting to shield the adjacent property from adverse effects.

- 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.**

Section 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.



SITE PLAN



SUBJECT TRACT



ZONING BOUNDARY

CASE#: SPC-2011-0327C
ADDRESS: 1820 S. Lakeshore
GRID:
MANAGER: Sue Welch

OPERATOR:

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