

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



CASE NUMBER: **SP-2010-0082D**
REVISION #: **00** UPDATE: **U1**
CASE MANAGER: **Cesar Zavala** PHONE #: **974-3404**

PROJECT NAME: **2700 Edgewater**
LOCATION: **2700 EDGEWATER DR**

SUBMITTAL DATE: **May 10, 2010**
REPORT DUE DATE: **May 24, 2010**
FINAL REPORT DATE: **May 25, 2010**
1 DAY HAS BEEN ADDED TO THE UPDATE DEADLINE

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 September 23, 2010.** 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 6 copies of the plans and 6 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 Engineering : Beth Robinson
Environmental : Keith Mars
Flood Plain : David Marquez
Parks : Chris Yanez
Site Plan : Cesar Zavala
ERM : Andrew Clamann

Environmental Review - Keith Mars - (512) 974-2755

Update #1: 05/24/2010

- EV 1 It appears the comment box stating “shoreline bulkhead permit SPX-2007-0032” references the location of the recently built non-code compliant bulkhead, rather than the preexisting bulkhead that was to be repaired under said permit. Please revise.
Update #1: Comment pending.
- EV 2 Please submit plans detailing what has occurred between the issuance of SPX-2007-0032 to repair the preexisting bulkhead and the construction of the new bulkhead. This information will be needed to determine what code compliant options exist, including removal of the recently build bulkhead and if variances need to be requested for issues such as, construction in the CWQZ, floodplain modification, and cut/fill exceeding 4'.
Update #1: Comment pending.
- EV 3 Thank you for sending copies of the tree removal applications. The reviewer understands there are ongoing tree permit issues outside of this site plan through the tree ordinance review application process. The reviewer will consult with Michael Embesi, City Arborist, to address these issues.
Update #1: Comment pending.

Parks Review - Chris Yanez - 974-9455

UPDATE #1:

- PR1. A City Council decision concerning the ruling by the Building and Fire Code Board of Appeals to uphold a Stop Work Order will not negate the need for the following requirements.

The exemption SPX-07-0032 was for replacement of existing failing bulkhead. It appears that an atypical replacement took place where the bulkhead was placed 10-15 feet out into the lake and additional fill was placed modifying the shoreline significantly which was beyond the scope of the exemption.

1. Approval by the Parks and Recreation Board is required to place fill in Lake Austin [25-8-652].
2. Any application that exhibits dredging in or along the lake **or** is considered to be a shoreline modification must be approved by the Parks Board [Section 25-7-63].
3. Provide Army Corps of Engineer waiver or approved application for amount of fill placed in the lake.

- PR2. The shoreline width of the lot (**as measured in the scaled drawings**) is 96 feet allowing 19.2 feet boat dock width. Also, the measurement of the proposed boat dock as measured in the scaled drawings is 20 feet while the written dimension leader specifies 19 feet 6 inches. Please explain or provide an accurately scaled/dimensioned drawing. The proposed boat dock will require approval from Parks Board for exceeding 20% of shoreline width [Section 25-2-1176(D)(2)].

Site Plan Review - Cesar Zavala - 974-3404

- SP 1. Width of shoreline length is 96 feet. A maximum 20% boat dock width of 19 feet is allowed. Approval of the Park and Recreation Board is required for the proposed 20 foot width of the boat dock: LDC 25-2-1176(D)(2)]
2. greater than 20 percent of the shoreline width of the lot

Update 1: Correct shoreline and boat dock widths. The drawing measure a proposed shoreline width of 96 ft. and not a 97.5 shoreline width as stated in the response letter and shown on the plans. The boat dock measures 20 ft and not 19.5 ft. The maximum allowed width of the boat dock without Parks Board approval is 19.2 ft.

- SP 2. Exemption granted under SPX-2007-0032 was for repair of the existing bulkhead, correct the note SPX-2007-0032 to demonstrate shoreline information provided with the exemption. Note should reference the June 22, 2004 shoreline survey on the site plan.
Comment Cleared.

- SP 3. Label existing and proposed shoreline.

Update 1: The shoreline currently labeled as existing and proposed is what is currently proposed with this application and should be labeled as proposed shoreline. Remove existing from the label.

- SP 4. Limits-of-construction (L.O.C.) should be shown around all proposed improvements along the boat dock and shoreline modification. Revise L.O.C. to show all improvements.
Comment Cleared.

- SP 5. Show 492' contour line on lot.
Comment Cleared.

- SP 6. The extent of the proposed bulkhead improvements can not be process with a small project application and will require a "D" site plan. Contact the Intake department to submit additional fees to continue the site plan review and have notification initiated for the case. Verify if tax maps are required with the Intake Department. Submit additional amount and contact this reviewer when the fees have been provided to coordinate notice with the distribution department.
Comment Cleared.

- SP 7. Show the submittal date on the cover sheet, March 26, 2010.
Comment Cleared.

- SP 8. This site is in the Drinking Water Protection Zone and the Project Duration Date is three years from the submittal. Include the Project Duration Date of March 26, 2013 on the coversheet.
Comment Cleared.

- SP 9. Once additional fees are submitted, verify with the Intake Department the new case number and include case number on cover sheet and lower right margin of each plan sheet, SP-2010-0082D.
Comment Cleared.

SP 10. Provide information on the existing conditions of site and the red tag that has been placed on site. As well as on the proposed residential building shown over the original existing shoreline.

Update 1: F.Y.I. – It is this reviewers understanding that the Stop Work Order issues by Greg Guernsey remains on this site. Provide any new information relating to this case.

SP 11. **F.Y.I.** - Proposed residential building does not appear to meet the rear 10 foot setback for SF-2 zoning. Verify with building permit if section LDC 25-1-22(A)(2) applies.

SP 12. F.Y.I. – Provide distribution to Mapping, Flooding and ERM.
Comment Cleared.

NEW COMMENT:

SP 13. On the cover sheet, remove the second sentence in the Site Plan Release Notes that states Some of these notes pertain to related permits.....

Wetland Biologist – Andrew Clamann 974-2694

Although no wetland CEFs were observed on site, it is not known if wetland CEFs existed prior to the unauthorized extent of filling of the lake. Wetland plants and aquatic resources are often located in the shallow water habitat of Lake Austin. The elimination of shallow water habitat potentially reduces any water quality and aquatic resource benefits that may have been present in this area and is not consistent with the goal of maintaining the aquatic integrity of the lake and does not “preserve the natural and traditional character of the land and the waterway”. In addition, the unauthorized extent of fill material in the lake for the purpose of capturing land on which to build a residence does not appear to be consistent with policy, and I am not comfortable supporting a site plan which proposes it. I recommend removing the current extent of fill material and returning the shoreline to the June 22, 2004 location.

Based on a 97.5ft shoreline length, an average 13ft width and an estimated 4ft depth, the volume of fill material is estimated to be in excess of 187 cubic yards of fill material beyond the previous shoreline. This estimate indicates an average of 1.9 cubic yards of fill per linear foot. This does not appear to meet the criteria for activities covered under a USACE Nationwide 13 permit which requires that “no material is placed in excess of the minimum needed for erosion protection” and “the activity will not exceed an average of one cubic yard per running foot. As per ECM 1.7.3(D), a development application which proposes construction or alteration in a floodplain must show application for permit for activities in waterways under relevant state and federal statutes, including but not limited to Section 10 and/or Section 404 permit(s) from the U.S. Army Corps of Engineers.

The proposed 30 degree rip rap approach appears to be pursuant to Detail 4C Sheet Piling Alternative designed by the Department of Public Works.

WB1. I recommend removal the unpermitted extent of fill material and restoration of shoreline characteristics as per the June 22, 2004 survey.

WB2. I recommend demonstration of application for a USACE permit as per ECM 1.7.3(D)

Drainage Engineering Review - Beth Robinson - 974-6312

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.

EASEMENT COMMENTS

DE1. Show all existing drainage easements on plan. [LDC 25-7-152]

FLOODPLAIN REQUIREMENTS

It is my understanding that the project site has been red-tagged for un-permitted shoreline modification and the proposed site plan should address this issue prior to release of permit.

DE2. Please show the existing and proposed 100 year flood plains on Sheet 2.

DE3. Please provide a floodplain study demonstrating no adverse impacts will result from the development within the floodplain.

- Please provide a pre-developed (i.e. pre modified shoreline) conditions plan with contours. Please also include the location of the previous bulkhead on the plan.
- Please provide a developed (i.e. modified shoreline) conditions plan with contours including the location of the new bulkhead and wall elevations.
- Please provide cross-sections through the property showing existing (pre-shoreline modification) and proposed conditions (new bulkhead) 100 year water surface elevations.
- Please provide cut/fill calculations with respect to compensation of floodplain storage (pre-shoreline modification/proposed conditions).

Flood Plain Review - David Marquez - 974-3389

FP1 Please delineate the 25-year and 100-year floodplains.

FYI: Approval from the floodplain office is pending on no adverse impact determination from the drainage reviewer.