

ZONING CHANGE REVIEW SHEET

C2

CASE: C814-2009-0139 Bull Creek PUD

Z. P. C. DATE: 07-06-2010

ADDRESS: 4909 FM 2222 Rd

AREA: 53.8741 Acres

APPLICANT: Booth Family Living Trust
(David Booth)

AGENT: Armbrust & Brown, LLP
(David Armbrust)

NEIGHBORHOOD PLAN AREA: None

CAPITOL VIEW: No

WATERSHED: Lake Austin/Bull Creek

T.I.A.: No.

HILL COUNTRY ROADWAY: Yes

DESIRED DEVELOPMENT ZONE: No

ZONING FROM: SF-2 - Single Family Residence - Standard Lot, SF-6 - Townhouse & Condominium Residence and LA - Lake Austin Residence.

ZONING TO: PUD - Planned Unit Development

SUMMARY STAFF RECOMMENDATION:

Staff recommends Planned Unit Development – PUD with the conditions listed in the Department Comments.

BASIS FOR RECOMMENDATION:

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

The Bull Creek PUD is comprised of approximately fifty four (54) acres and fronts on Lake Austin and Bull Creek. The requested Planned Unit Development (PUD) zoning district is in keeping with the purpose statement of a PUD district designation is to preserve the natural environment, encourage high quality development and innovative design.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

ENVIRONMENTAL BOARD RECOMMENDATION:

The Environmental Board at their regularly scheduled meeting of June 2nd, voted to approve the Bull Creek Planned Unit Development. Please see the attached Environmental Board Motion Sheet.

PARKS AND RECREATION BOARD RECOMMENDATION:

The Parks and Recreation Board at their regularly scheduled meeting of March 23rd, voted to approve the Bull Creek Planned Unit Development. Please see the attached Parks and Recreation Board minutes.

DEPARTMENT COMMENTS:

The Planned Unit Development (PUD) district is the designation for a large or complex single or multi-use development that is planned as a single contiguous project and that is under unified control. The purpose of a PUD district designation is to preserve the natural environment, encourage high quality development and innovative design, and ensure adequate public facilities and services for development within a PUD. A PUD district designation provides greater design flexibility by permitting modifications of site development regulations. Development under the site development regulations applicable to a PUD must be superior to the development that would occur under conventional zoning and subdivision regulations. A PUD district must include at least 10 acres of land, unless the property is characterized by special circumstances, including unique topographic constraints.

The Bull Creek PUD proposes one single family residence with accessory structures located on 53.8741 acres of land in the City's Full Purpose jurisdiction. Additional structures with proposed accessory uses will include: a guest house, family recreation building, security/storage building, barn, skyspace art piece, cabana, and pool. In addition, an olive orchard, gardens, multiple deck areas, terraces, boardwalks, a constructed habitat for migratory birds, native prairie and forest restoration areas, and pedestrian trails are proposed on the site. Currently there is one single family structure, a stone terrace area along Bull Creek, swimming area, and three boat docks all to remain. The project is located on the south side of RM 2222, approximately one mile east of the intersection of Capitol of Texas Highway, (360) and RM 2222, in the Drinking Water Protection Zone.

The proposed Bull Creek PUD is located in the Bull Creek and Lake Austin Watersheds; both are classified as water supply suburban. The PUD includes six tracts of land with only one currently developed with a single family structure and pool located on it. The remaining five tracts are relatively undeveloped with the exception of two boat docks and an existing swim area boardwalk along the Bull Creek outfall into Lake Austin. Bull Creek is adjacent to the west portion of the property, while Lake Austin is adjacent to the south portion of the property.

Prior to the submittal of the Bull Creek PUD, a 21 lot preliminary subdivision plan, (C8-04-0164, Attachment "A") and a four dwelling unit condominium zoning site plan (C14-85-003.25, Attachment "B") had been approved on two of the tracts. Three existing land status determinations would have allowed three residences on the remaining respective lots. In addition to the existing single family residence, all of these prior entitlements would have allowed 28 total residences on the site. The subdivision plat has been withdrawn and the condominium zoning site plan has been deleted. The Bull Creek PUD will consist of one single family residence with accessory structures.

Staff from the Planning and Development Review department has worked with the applicant to provide additional benefits in site development as support for the proposed PUD:

The Bull Creek PUD significantly reduces the overall allowable density for the site. Previously, approximately 23 single family residences and four condo units had been approved on a portion of this site. This project seeks to construct one single family residence with accessory structures on the 53.8741 acres.

- Impervious cover for the entire PUD development will be limited to 14 percent of the net site area. This is significantly less than the 30% allowable impervious cover under current code.
- An ecological preservation and conservation plan has been included as guidance for the removal of invasive species. To allow for a landscape recover effort to transform the land back into a more

diverse woodland, prairie/wildflower meadow and riparian/stream bank plant community. The following efforts have already started and will continue:

- Meadow rehabilitation
 - Removal of invasive tree species
 - Native hardwood tree planting – Over the last year, 188 trees have been planted. Additional trees are proposed over the next several years.
 - Slope stabilization to control areas of erosion.
 - Organic fertilization and inoculation of micro-organisms.
 - Construction of wildlife water features to provide water during drought periods.
 - Ongoing consultation with the U.S. Fish and Wildlife Service, the Ladybird Johnson Wildflower Center, Texas A&M range ecologists, and the Natural Resource and Conservation Service on restoration projects for the property.
 - Annual bird and mammal surveys to assess the health and wildlife population.
- A seasonal habitat for migratory birds has been proposed for approximately three acres bordering Bull Creek and Lake Austin. This will consist of two shallow basins that will allow each area to be filled to provide forage area for these migratory birds. Installation of this constructed habitat is contingent upon obtaining the appropriate permits from all applicable jurisdictions, as well as the results of ongoing studies that the size, location, and depth will have a positive impact on migratory birds.
 - The project currently proposes to comply with the Austin Energy PUD Green Building Program in effect when the PUD application was submitted. Items presently being studied, include but are not limited to the following:
 - - A. Water Conservation:
 1. Reuse of gray water – Pending permitting and feasibility issues, the project intends to incorporate reuse water systems into the building design.
 2. Irrigation from Lake Austin – The owners currently have a permit to draw water for irrigation onsite. The overall percentage of the site that is covered with vegetation which requires irrigation is relatively low and the dominant planting strategy involves using drought tolerant native plant material.
 3. Water conservation, low flow fixtures – Water efficient plumbing fixtures are planned to be used wherever possible in the project.
 - B. Energy Use:
 1. Green roof- A portion of the main house roof will incorporate a green roof with vegetation.
 2. Photovoltaic's – Subject to appropriate metering, the roof of the barn is planned to be covered with solar PV panels to generate electricity. The applicant envisions the barn as an energy center with panels consolidated for power generation across the site to all buildings.
 3. Commissioning – A commissioning agent has been retained to ensure that the building systems are running at their intended design criteria.
 4. Green energy subscription – The Owners will purchase Green Energy through Austin Energy, as needed.
 5. Geothermal – The proposed geothermal heat exchange system is a central plant system.

6. Reduced lighting loads - A building management system will be installed to allow for lights to be dimmed and controlled from any point in house.
7. Energy use efficiency through glass performance - High performance glazing will be used throughout the project to achieve energy-efficient envelope design.
8. Maximize vegetated areas - The majority of the site will remain vegetated, thus reducing the site's contribution to an urban "heat island" effect.

C. Environmental Impact:

1. Storm water runoff and water quality for watershed protection - Roof and area drainage will be collected and redistributed on site via non-erosive devices.
2. Reduced site disturbance - The guesthouse design is a free span over a natural ravine to reduce site disturbance.
3. Recycling storage - Each building will have facilities for recycling.
4. Bicycle storage for staff - The barn will have bicycle racks for house staff and grounds crew.
5. Certified wood - Certified wood will be used wherever possible on interior finishes and millwork.
6. Construction waste management - The contractor will recycle waste materials and excavated dirt as part of Austin Energy's Green Building program.
7. Utilizing existing site features - Re-grading of the site is minimal. It is primarily limited to building and parking areas.
8. Restore or protect open areas - Much of the site has been impacted by overgrazing. At project completion there will be more plant material per acre than currently.
9. An integrated pest management plan shall be established.

The project presently proposes to incorporate at least two art installations which may be seen from Lake Austin or Bull Creek.

1. All land uses within the Lake Austin (LA) Residence zoning district are permitted. In addition, the following land uses will now be a permitted use.

- Urban Farm
- Crop Production

2. The following are Site Development Regulations that will be modified for the Bull Creek PUD:

CODE MODIFICATIONS

CODE SECTION	DESCRIPTION	PROPOSED CODE MODIFICATION
Section 25-1-535(B)(4)	Describes how long project duration applies to projects within the Drinking Water Protection Zone	Modifies project duration expiration date of site plans completed for the PUD to ten years after the date of approval of each individual site plan.
Section 25-2, Subchapter B, Article 2, Division 5, 2.3.1	Describes Tier One minimum requirements that PUDs must adhere to	Modifies Tier One requirements consistent with this PUD.
Section 25-2, Subchapter B, Article 2, Division 5, 3.1	Describes land use plan amendment and expiration requirements	Clarifies that including additional accessory uses and structures may be approved administratively by the Director, and does not constitute a substantial amendment.

Section 25-2-492	Describes the permitted, conditional, and prohibited uses for the LA zoning district, as well as site development regulations.	1) Modifies the permitted land uses allowed on the property, and 2) Modifies the interior side yard setbacks to zero within the PUD.
Section 25-2-551(B)(2)	Describes shoreline setback requirements for LA zoning	Modifies the LA district regulations to allow a proposed constructed habitat for migratory waterfowl, decks, trails, impervious walks, boardwalk, terraces, skyspace structure, site electrical, weir system, berms, swimming area, and related improvements to be located within the shoreline setback. Also allows maintenance and remodel of existing swimming area, boat docks, walkways, and associated facilities. Related cut/fill required for the improvements listed above shall be allowed in accordance with PUD Exhibit J.
Section 25-2-551(B)(5)	Describes shoreline setback requirements for LA zoning	Modifies the LA district regulations to allow development on limited gradients that exceed 35 percent. This modification would be applicable to the guest house and recreation building, as shown on Exhibit K.
Section 25-2-863(C)	Describes urban farm requirements	Modifies the requirements to allow an urban farm on a site greater than five acres.
Section 25-2-893(D)	Describes accessory uses for principal residential uses	Modify the accessory use regulations to allow two guest houses.
Section 25-2-900	Describes home occupations	Modifies the home occupation requirements so that only the following home occupation regulations apply: 1) a home occupation may occur within the primary residence or accessory structures and 2) a home occupation may include the occupant of the primary residence and staff assisting with property and household management, domestic service household maintenance (interior and exterior), landscaping, security, bookkeeping, and personnel working for the owner or owner's nonprofit foundation.
Section 25-2, Subchapter F: Residential Design and Compatibility Standards	Describes residential design standards for new homes to ensure compatibility within existing neighborhoods	Modifies Section 2.5 so that the interior side yard setbacks are zero within the PUD and modifies Section 2.6 so that the interior lot line setback planes do not apply within the PUD.
Section 25-5-81(B)	Describes site plan expiration	Modifies the expiration date of site plans for the PUD to ten years after each individual site plan.
Section 25-7-152	Describes dedication to the public of an easement or right-of-way for a drainage facility and stormwater flow	Modify this requirement so that a drainage easement dedicated to the public is not required for the arroyo within the property. An easement for the FEMA floodplain will be dedicated along Bull Creek.
Section 25-8-64	Describes impervious cover assumptions	Modify the requirement to allow impervious cover to be calculated over the entire property and not on a lot by lot basis.
Section 25-8-261(C)	Describes requirements within the Critical Water Quality Zone	Modify the requirements to allow a proposed migratory bird habitat, birdbath facilities, decks, trails, sidewalks, boardwalk, remnant foundation, terraces, skyspace structure, security equipment, wiring, swimming area, and related facilities to be located within the CWQZ, as shown in Exhibit C. Also allows maintenance and remodel of existing swimming area, boat docks, walkways, and terraces. Related cut/fill required for the improvements listed above shall be allowed in accordance with PUD Exhibits J.

Section 25-8-281(B)	Describes critical environmental features (CEF)	Modify the requirements to allow CEFs to be located on this residential lot, since access to this area will be restricted due to its minimal use as a single family residence, as well as ongoing ecological preservation and restoration efforts.
Section 25-8-281(C)	Describes CEF buffers	Modify the requirements to allow a 50 foot buffer for Rimrocks 1 and 2, and a 150 foot buffer for the emergent wetland fringe located within Bull Creek. For the emergent wetland fringe located within Bull Creek, the following items may be located within the buffer area: trails, existing retaining wall, proposed trees, stone stairs, regraded slope, migratory habitat for waterfowl, raised wood boardwalk, native plant garden, security equipment, wiring, and related facilities.
Section 25-8-302(A)(1) & (2)	Describes construction of a building or parking area	Modify the requirements of this section to allow small portions of building and parking area proposed near the guest house to be constructed on slopes greater than 25 percent, as shown on Exhibit K.
Section 25-8-302(B)	Describes construction of a building or parking area	Modify the requirements to this section to incorporate construction on gradients greater than 25 percent. This will be applicable to portions of the property shown in Exhibit K.
Section 25-8-302(B)(2)	Describes construction of a building or parking area	Modify the requirement for terracing construction uphill or downhill of a slope with a gradient of more than 15 percent, so that it is optional for the guest house structure, as shown in Exhibit K. Terracing shall be optional for the portion of the slopes that are not constructed on, but merely spanned by the building.
Section 25-8-321	Describes when clearing of vegetation is allowed and prohibited	Modify the requirements of this section to allow clearing of vegetation and clearing of trees under 19 inches in diameter for the planting of an olive orchard approximately four (4) acres in size, as shown approximately on Exhibit C.
Section 25-8-341	Outlines cut requirements	Modify the requirements of this section to allow cuts to exceed four feet in depth at the following locations: adjacent to the skyspace structure, near the main house and for a small portion of the driveway, adjacent to and near the guest house, and the entryway for the recreation building, as shown in Exhibit J.
Section 25-8-342	Outlines fill requirements	Modify the requirements of this section to allow fills to exceed four feet in depth at the following locations: adjacent to the skyspace structure, around the main house, for portions of the driveway and culvert, and adjacent to the guest house, as shown in Exhibit J.
Transportation Criteria Manual Section 5.3.P. and COA Standard 433S-1	Describes driveway grade breaks	Modify this requirement to allow a driveway apron to slope away from the street and to exceed a two (2) percent grade for the entire driveway apron, as shown in Exhibit M.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
SITE	LA, SF-2 & SF-6	Residential/Agricultural
NORTH	PUD	Single Family Residential
SOUTH	LA	Agricultural/undeveloped
EAST	SF-2	Single Family Residential
WEST	SF-2	Agricultural

CASE HISTORIES:

CASE NUMBER	REQUEST	PLANNING COMMISSION	CITY COUNCIL
C814-75-002 The Courtyard	From I-SF-3 to PUD	Approved PUD [Vote: 7-0]	Approved PUD [Vote: 7-0]
C814-74-005 Cat Mountain Villas	From SF-3 to PUD	Approved PUD [Vote: 7-0]	Approved PUD [Vote: 7-0]

NEIGHBORHOOD ORGANIZATION:

- Homeless Neighborhood Assoc.
- Austin Neighborhoods Council
- League of Bicycling Voters
- North Austin Neighborhood Alliance
- 2222 Property Owners Assoc.
- Long Canyon HOA
- Glen Lake Neighborhood Assoc.
- 2222 Coalition of Neighborhoods
- Courtyard HOA
- Middle Bull Creek Neigh. Assoc.
- Steiner Ranch Comm. Assoc.
- Comanche Trail Comm. Assoc.
- River Place Residential Assoc.
- Canyon Creek HOA

SCHOOLS:

Highland Park Elementary School
Lamar Middle School
McCallum High School

PARKS COMMENTS RECIEVED:

Applicant will need to go before the Navigation Committee then the Parks and Recreation Board regarding the boat dock(s).

SITE PLAN COMMENTS RECEIVED:

All Site Plan comments have been cleared.

TRANSPORTATION COMMENTS RECEIVED:

Please provide approval from COA Fire Department regarding driveway. All other Transportation comments are cleared.

ENVIRONMENTAL COMMENTS RECEIVED:

All Environmental comments are cleared, applicant to appear before the Environmental Board on June 2nd.

CITY COUNCIL DATE: July 29th, 2010

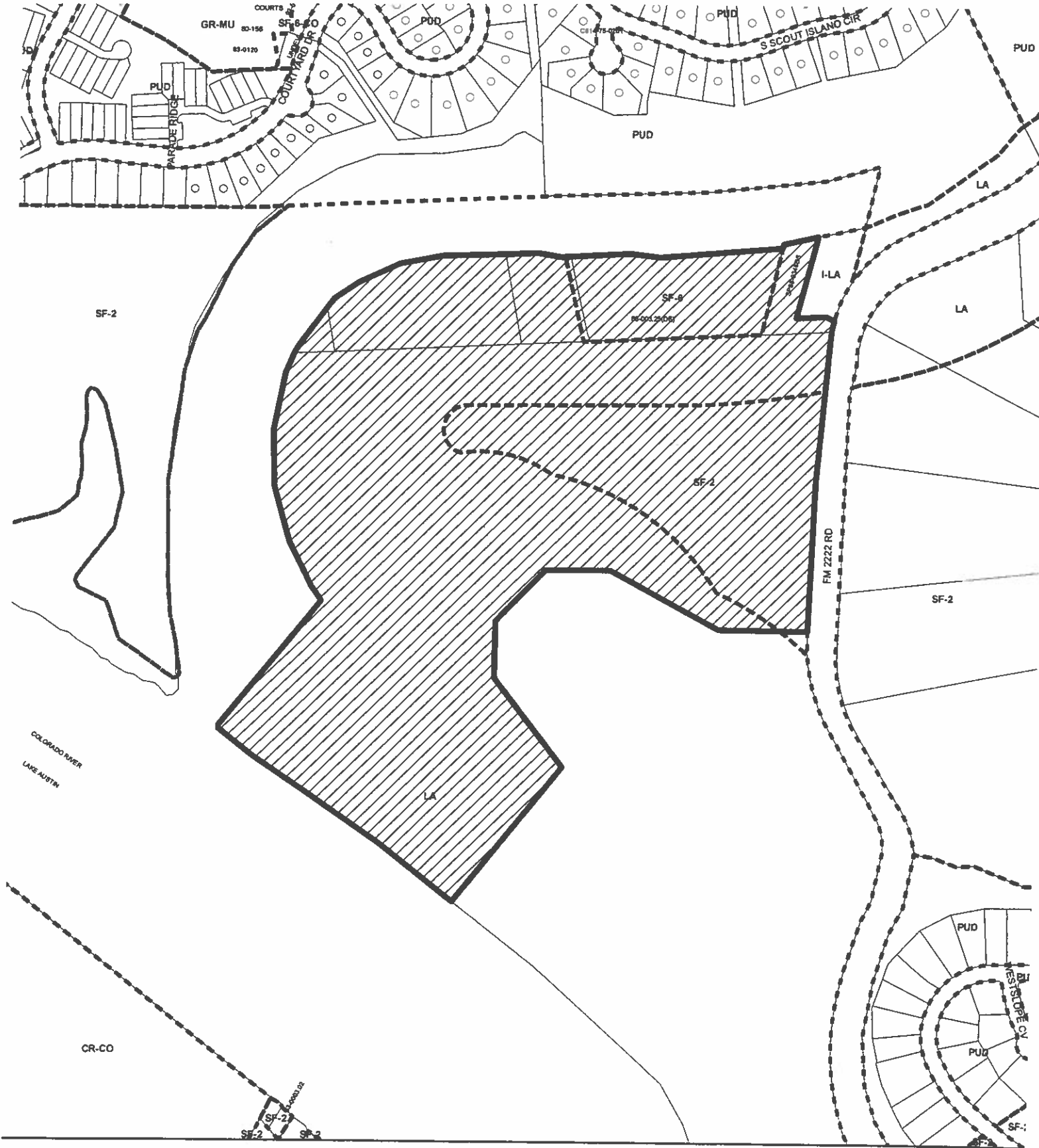
ACTION:

ORDINANCE READINGS: 1ST 2ND 3RD

ORDINANCE NUMBER:

CASE MANAGER: Clark Patterson
Clark.patterson@ci.austin.tx.us

PHONE: 974-7691

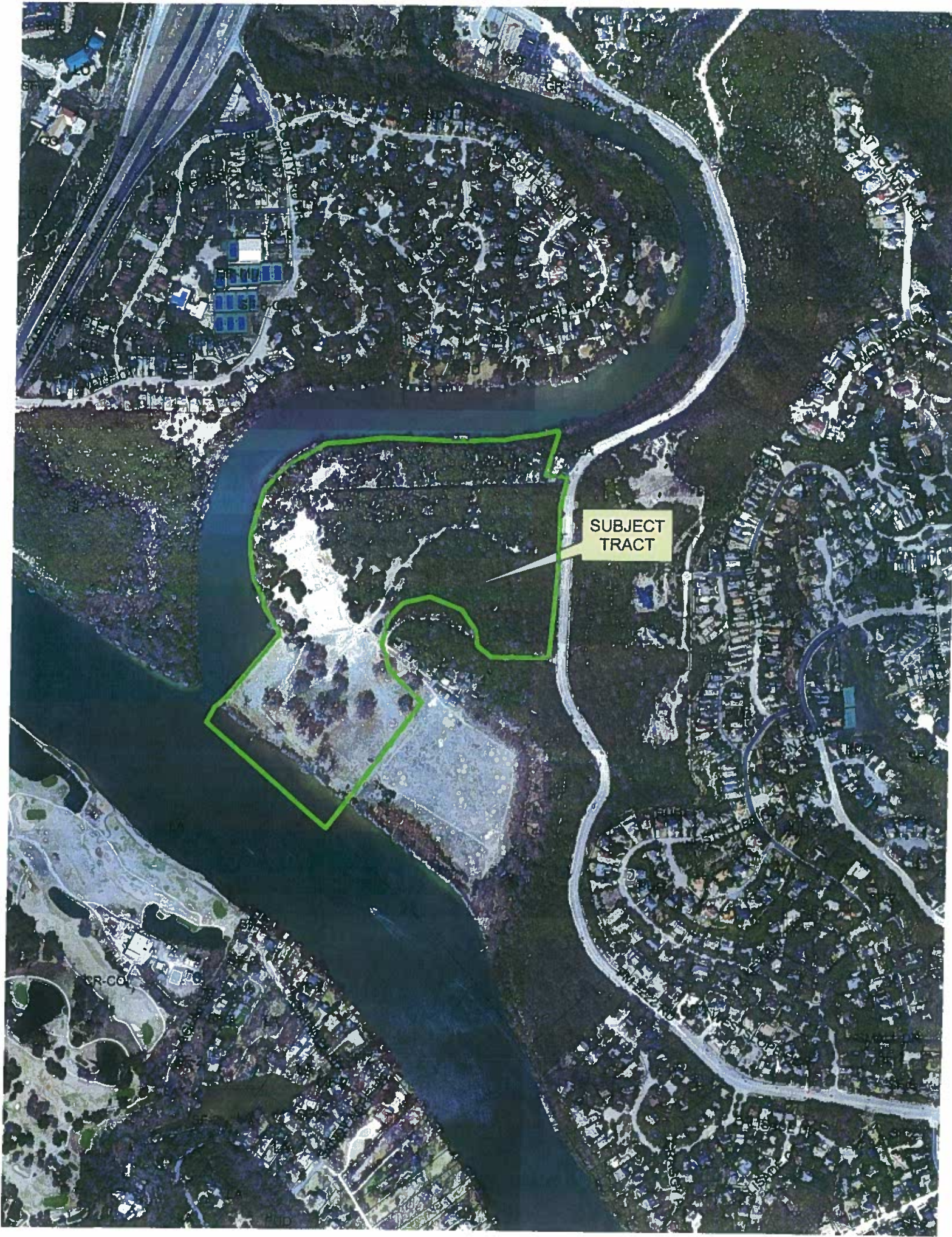


PLANNED UNIT DEVELOPMENT

ZONING CASE#: C814-2009-0139
 LOCATION: 4909, 4923 & 4925 FM 2222
 SUBJECT AREA: 53.8741 ACRES
 GRID: G29
 MANAGER: C. PATTERSON



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



SUBJECT
TRACT

CR-CO

RND



ENVIRONMENTAL BOARD MOTION 060210-3a

Date: June 2, 2010

Subject: Bull Creek PUD C814-2009-0139

Motioned By: Phil Moncada

Seconded by: Bob Anderson

Recommended Action:

The Environmental Board recommends approval with conditions to Land Development Codes:

- (1) LDC 25-8-64 (Impervious Cover Calculations) Allow impervious cover to be calculated over the entire property and not on a lot by lot basis;
- (2) LDC 25-8-261(C) (Critical Water Quality Zone Development – Along Lake Travis, Lake Austin, or Town Lake) Allow a proposed migratory bird habitat, birdbath facilities, decks, levees, trails, sidewalks, boardwalks, remnant foundation, terraces, skyspace structure, security equipment, wiring, swimming area, and related facilities to be located within the CWQZ, as shown in Exhibit C. Also, allows the remodel of the existing swimming area, boat docks, walkways, and terraces;
- (3) LDC 25-8- 281(B) (Critical Environmental Features) Allow CEF's to be located on a residential lot;
- (4) LDC 25-8- 281(C) (Critical Environmental Features) Allow for a reduction in the 150 standard buffer to a 50 foot buffer for Rimrocks 1 and 2. Allow for no additional CEF buffer along the two sections of very narrow Cypress fringe wetland sections bordering Lake Austin and the mouth of Bull Creek, Allows within the emergent wetland CEF 150 buffer and the narrow Cypress fringe wetland, the following items: pedestrian trails, an existing retaining wall, proposed trees, stone stairs, re-graded slope, migratory bird habitat, raised wood boardwalk, native plant garden, security equipment, wiring, and related facilities;
- (5) LDC 25-8-302(A) (1), (A) (2), (B), and (B) (2) (Construction of a building or parking area) Allow small portions of the guest house building and parking area to be constructed on slopes greater than 25 percent as shown on Exhibit K. To allow terracing on the uphill and downhill sides of these slopes for the portion of these slopes that will not be directly constructed on, but merely spanned by the guest house building;
- (6) LDC 25-8-321 (Clearing of Vegetation) Allow for the clearing of vegetation and the clearing of trees under 19 inches in diameter for the planting of an olive orchard approximately four acres in size as shown approximately on Exhibit C; (7) LDC 25-8-341 (Cut Requirements) Allow cut to exceed four feet, not to exceed 16.402 feet in depth at the following locations: around the main house, for the driveway to the main house, adjacent to the guest house, adjacent to the skyspace structure, and at the entry to the recreation building as shown in Exhibit J; and (8) LDC 25-8-342 (Fill Requirements) Allow fill to exceed four feet, not to exceed 11.551 feet in depth at the following locations: adjacent to the skyspace structure,

around the main house, for portions of the driveway and culvert, adjacent to the guest house, and at the entry to the recreation building as shown in Exhibit J.

The City of Austin's Environmental Resource Management Department determined that this project will allow development of this single family project while providing protection to (CEF's) Critical Environmental Features located on this site. The applicant has reduced impervious cover by 50%.

Board condition:

Applicant will adhere to the Hill Country Roadway Ordinance even though they have SF designation zoning per PUD.

Rationale:

Staff recommendations and this project has only requested 14% impervious to the entire site.

Vote 5-0-0-1-1

For: Anderson, Gary, Maxwell, Moncada and Neely

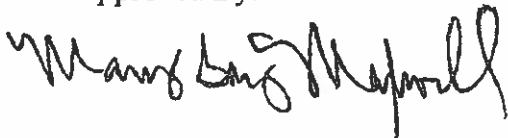
Against:

Abstain:

Absent: Beall

Vacant:

Approved By:

A handwritten signature in black ink, appearing to read "Mary Gay Maxwell". The signature is fluid and cursive, with the first name "Mary" and last name "Maxwell" being clearly legible.

Mary Gay Maxwell
Environmental Board Chair



Parks and Recreation Board
Regular Meeting
March 23, 2010

Board Chair Guerrero called the board meeting to order at 6:16 p.m.

Board Members in Attendance:

Board Chair Linda Guerrero, Vice-Chair Sara Marler, Hill Abell, Jeff Francell, Carol Lee Jerry Perales and Jane Rivera.

Staff in Attendance:

Sara Hensley, Ricardo Soliz, Marty Stump, Chris Yanez and Tino Garcia.

1. Approval of Minutes – Amended

The minutes for the regular meeting of 03/23/10 were approved with the following amendment on Board Member Perales motion, seconded by Board Member Rivera. Motion carried on a vote of 7-0. The amendment was to edit page four, paragraph D. replacing a nay vote from Board Member Hill to Board Member Lee.

2. Citizen Communication – General

After Board Chair Guerrero announced that Item # 9 was being pulled: (a recommendation to the Director regarding the construction and management of the future North Austin Recreation Center), the following was read into the record:

“The North Austin Civic Association Members present are in opposition to the City of Austin partnering with the YMCA for the construction and management of the new North Austin Civic Center”. The members were: Martha Dempsey, Doris Williams, Jocelin Fontenot, Angela Barker, Robert Baker, Lloyd Langsdorf and Elenor Langsdorf.

Gavino Fernandez, East Town Lake Citizens, spoke about the lack of accessible programs at east side recreation centers.

Paul Hernandez, East Town Lake Citizens, expressed concern about the lack of accessible programs for low income kids at the Camacho Recreation Center.

Danny Perez, East Town Lake Citizens, expressed concern about the swimming schedule at Metz, Palm and Martin pools.

Charlie McCabe, Austin Parks Foundation, reported on It's My Park Day.

3. Briefs

a. Mayfield Park Community Project:

The brief was presented by Karen Cannatti, Chair of the Mayfield Park Community Project.

b. Turkey Creek Update

The brief was presented by Sheila Holbrook White.

c. Bull Creek Restoration

The brief was presented by Chris Herrington and Mike Kelly from Watershed Protection Department.

d. ZACH Scott New Theatre Project

The brief was presented by Arthur Andersson, Andersson Wise Architects.

e. Update on the Festival Beach Community Gardens

The brief was presented by Marty Stump, Planning, Design and Construction Division.

D. Director's Report

Director Hensley reported on the following:

- Assistant Director Farhad Madani announced his retirement after 27 years of service with the department. A farewell reception will be held on Wednesday, April 14th from 3-6 p.m. at Zilker Clubhouse. Rick Ramirez was announced as the new Acting Assistant Director.
- No bids were received on the Request for Proposal (RFP) for the upcoming Trail of Lights. Questions remain on how to proceed.
- The Board will be briefed on Private Gain on Public Properties at the next Parks Board meeting.
- The Board will soon receive memos regarding: 1) trees and pool fees at Barton Spring Pool and; 2) qualifications for lifeguards at SARC and Camacho Recreation Center.
- The Board, staff and citizens will be invited to attend a public meeting to meet the finalists and to provide input for the two vacant Assistant Director positions.

- The Central Park Conservancy Workshop will be held Thursday, March 25th at the Mexican American Cultural Center.

E. NEW BUSINESS AND ACTION ITEMS

- a. Make a recommendation to the City Council regarding land development code modifications for the Bull Creek PUD.

The motion to recommend to the City Council land development code modifications regarding the Bull Creek PUD was made by Board Member Francell. The motion stipulates that the swimming area footprint be approved upon submission of a site plan which details design and construction as well as an agreement by the applicant on the number of restrictions for future development of the shoreline of the property to include: 1) limiting the number of boat slips that are existing currently and; 2) agree not to use the boat slips for commercial purposes and; 3) for the Environmental Resource Management division of Watershed Protection Department to review and comment on shoreline strategies. **The request must come back to the Board for approval.** Seconded by Board Member Rivera. Motion carried 5-1-1.

Vote count: Members voting aye: Board Vice-Chair Marler, Hill, Perales, Francell and Rivera.

Members voting nay: Board member Lee

Members abstaining: Board Chair Guerrero.

- b. Make a recommendation to the Director regarding future alcohol designation for the west end of Fiesta Gardens (a rental facility).

Gavino Fernandez, East Town Lake Citizens, requested that the Board support a ban on the sale of alcohol on the west end of Fiesta Gardens.

Paul Hernandez, East Town Lake Citizens, also requested that the Board support a ban on the sale of alcohol on the west end of Fiesta Gardens.

Marcos De Leon, President East Town Lake Citizens, also requested a ban on alcohol on the west end of Fiesta Gardens.

Danny Perez, East Town Lake Citizens, also requested a ban on alcohol on the west end of Fiesta Gardens.

The motion to recommend to the Director not to change the alcohol designation at the west end of Fiesta Gardens was made by Board member Francell, seconded by Board Member Lee. Motion carried 4-2.

Vote count: Members voting aye: Guerrero, Perales, Francell and Lee.

Members voting nay: Hill and Rivera.

Members abstaining: None.

c. Make a recommendation to the Director regarding the construction and management of the future North Austin Recreation Center.

This item was pulled by Board Chair Guerrero.

d. Make a recommendation to the City Council regarding the Parks and Recreation Department's current concessions in Town Lake Park.

The motion to recommend to the City Council the approval of the Parks and Recreation Department's concession report for current concessions in Town Lake Park was made by Board Member Francell, seconded by Board Member Perales. Motion carried 6-0.

Vote count: Members voting aye: Guerrero, Hill, Francell, Rivera, Lee and Perales.

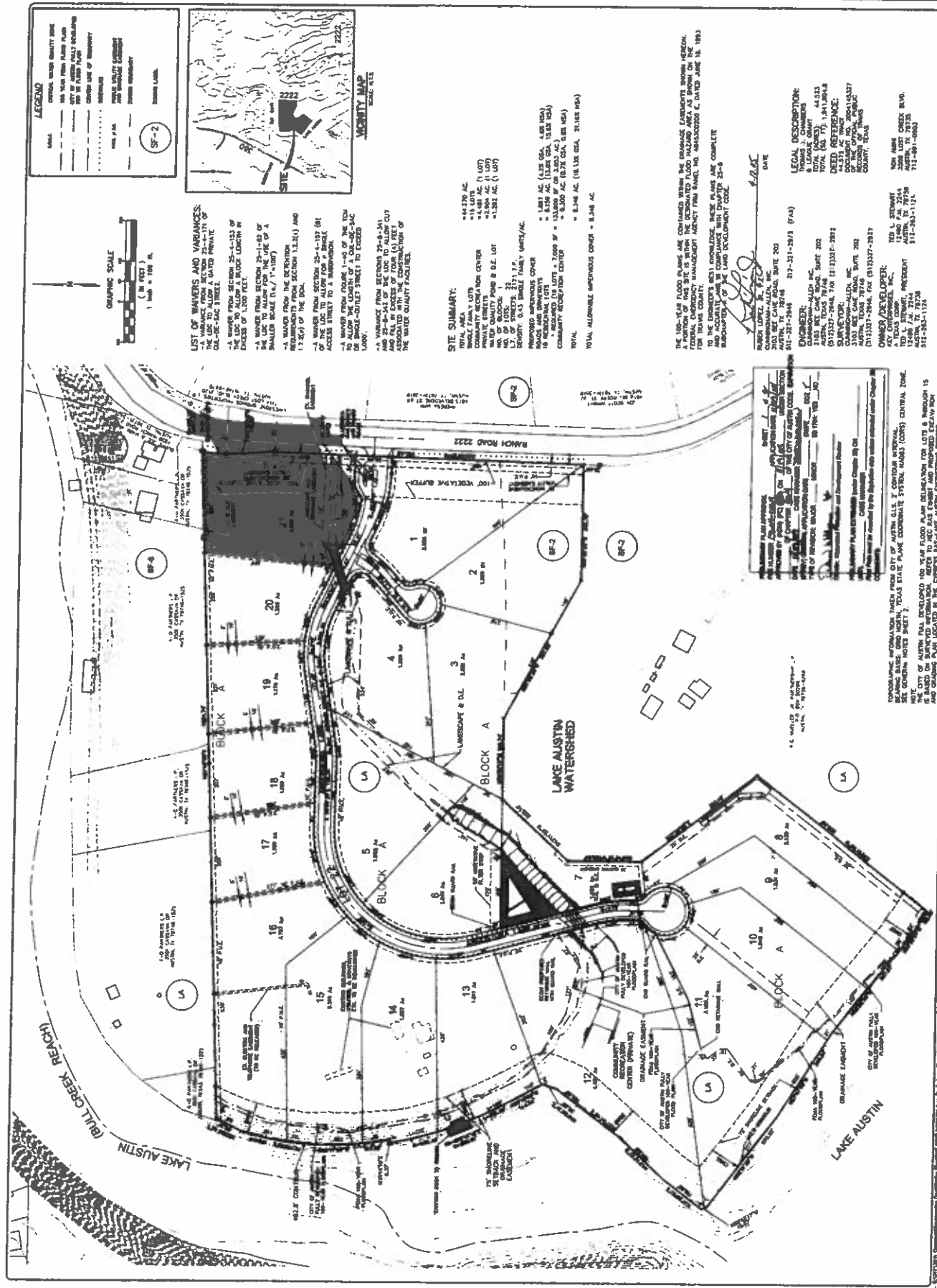
Members voting nay: None

Members abstaining: None

F. Future Items From the Board

A template complete with guidelines for community gardens requests will be forthcoming. Board Member Perales requested revisiting the concessions contracts so fees can go to the department budget rather than the general fund. Board Chair Guerrero announced that she would be appointing a three member committee to draft a supporting resolution to the Mayor and Council.

With no further business, the meeting was adjourned at 9:25 p.m.



045037

[illegible]

LIST OF VIOLATIONS AND VIOLANCES

1. A VIOLANCE FROM SECTION 25-1-13 OF THE TOLC TO ALLOW A VEHICULAR TURN OF THE TOLC TO ENTER A PRIVATE DRIVE.

2. A VIOLANCE FROM SECTION 25-1-13 OF THE TOLC TO ALLOW A VEHICULAR TURN IN EXCESS OF 1,200 FEET.

3. A VIOLANCE FROM SECTION 25-1-43 OF THE TOLC TO ALLOW A VEHICULAR TURN OF A SMALLER SIZE 116' / 10' / 10' / 10'.

4. A VIOLANCE FROM THE DETENTION REQUIREMENTS FROM SECTION 1.2.3(1) AND 1.2.3(2) OF THE BOA.

5. A VIOLANCE FROM SECTION 25-4-197 (8) OF THE TOLC TO ALLOW A VEHICULAR TURN ACCESS STREET TO A RESIDENCE.

6. A VIOLANCE FROM ARTICLE 1-4.0 OF THE TOLC TO ALLOW THE ENTRY OF A CAR-OR-TRUCK INTO THE CUL-DE-SAC STREET TO EXCEED 1,600'.

7. A VIOLANCE FROM SECTIONS 25-9-410 AND 25-9-411 OF THE TOLC TO ALLOW OUT OF THE TOLC TO ENTER A DRIVEWAY ASSOCIATED WITH THE CONSTRUCTION OF THE WIDE QUALITY FACILITIES.

SITE SUMMARY:

[illegible]

THE 100-YEAR FLOOD PLAINS ARE CONTAINED WITHIN THE DRAINAGE (LANDMENTS) SHOWN HEREON. A PORTION OF THE SITE IS WITHIN THE DESIGNATED FLOOD HAZARD AREA AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FIRM (FIRM NO. 44453-00000) E, DATED JUNE 18, 1993 FOR TULSA COUNTY.

TO THE DEPARTMENT'S KNOWLEDGE, THESE PLANS ARE COMPLETE AND ACCURATE AND CONFORM WITH CHAPTER 25-B SUBCHAPTER 2 OF THE TULSA COUNTY CODE.

LEGAL DESCRIPTION:
 DUTY FREE
 CHAMBERS

TRACTS 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840,

ROCK AHEAD
 2308 LOST CREEK BLVD.
 AUSTIN, TX 78725
 712-881-0503

08-04-0164



MEMORANDUM

FROM: Sylvia R. Pope, P.G.
Environmental Resources Management
Watershed Protection Department

TO: Environmental Board Members

DATE: June 2, 2010

SUBJECT: Recommendations for canyon rimrock Critical Environmental Features identified on the Bull Creek Planned Unit Development (PUD) site. Case No. C814-2009-0139.

This tract, located on the shores of Lake Austin and the mouth of Bull Creek, contains two canyon rimrock Critical Environmental Features (CEFs). The applicant's environmental consultant; Horizon Environmental Services, Inc.; and I identified the canyon rimrock CEFs on December 7, 2009. The locations and descriptions of Rimrock 1 and Rimrock 2 CEFs are included in the PUD application as Exhibit N.

The canyon rimrock CEFs are outcrops of the Glen Rose Formation. Rimrock 1 is 400 feet long by 8 feet in height. Rimrock 2 is 133 feet long by 6 feet in height. This stratigraphic horizon forms canyon rimrock CEFs at multiple locations along the northern and eastern shoreline of Lake Austin. No seeps or springs are associated with either rimrock.

Canyon rimrock was first identified and regulated as a Critical Environmental Feature with the implementation of the Comprehensive Watersheds Ordinance in 1986. The reason for their designation as a CEF was to reduce sedimentation in creeks originating as erosion from construction. Water quality problems had resulted from the disturbance of vegetation and soils in close proximity to vertical rock faces along canyonheads. In order to reduce the impacts to receiving waters, canyon rimrock was defined and an upslope buffer was required. This buffer establishes a no disturbance area that allows any sediment that bypasses erosion and sedimentation controls to settle out within a vegetated area prior to reaching a vertical rock face adjacent to a waterway. The Comprehensive Watersheds Ordinance also established a standard CEF buffer distance of 150-foot width. This width was determined from predictive models of the overland distance traveled by sediment particles from construction sites.

The Bull Creek PUD proposes 50-foot wide CEF Buffers for Rimrock 1 and Rimrock 2. The 50-foot wide buffer for Rimrock 1 will remain undisturbed during any future construction projects. Construction of the guest house will temporarily reduce the buffer for Rimrock 2 to 40 feet but the disturbed area will be revegetated in accordance with City of Austin Standard Specification Item No. 609S.

I am in agreement with the proposed 50-foot wide CEF buffers for the following reasons:

- 1.) The hydrogeologic characteristics and aesthetic integrity of Rimrock 1 and Rimrock 2 will be preserved.
- 2.) Where the area upslope of a canyon rimrock has gentle to moderate slopes, it is vegetated and the proposed development is not high density; a reduction of the standard 150-foot width CEF buffer may be warranted. In this case, Exhibit L shows that most of the area upslope of Rimrock 1 and Rimrock 2 is less than 15% slope.
- 3.) 50-foot wide CEF buffers adjacent to similar canyon rimrock have been granted for other tracts such as in the Steiner Agreement for Steiner Ranch and other subdivision, multi-family and commercial tracts.
- 4.) The previous plat for a portion of this tract proposed construction of condominium units directly on or near Rimrock 1. That plat was vacated prior to submittal of this PUD application. The PUD application will not result in disturbance to Rimrock 1 or Rimrock 2.
- 5.) The applicant has adjusted their land use plan to eliminate direct disturbance to the canyon rimrock CEFs. The PUD proposal protects the canyon rimrock CEFs while allowing the owner reasonable use of this extraordinary property.

cc: Clark Patterson, Planning and Development Review Department
James Dymkowski, Planning and Development Review Department
Ingrid McDonald, Planning and Development Review Department
Andrew Clamann, Watershed Protection Department
Patrick Murphy, Watershed Protection Department



BULL CREEK RESIDENCE
AUSTIN, TEXAS

C814-2009-0139