

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



CASE NUMBER: **SPC-2010-0092D**  
REVISION #: **00** UPDATE: **U3**  
CASE MANAGER: **Cesar Zavala** PHONE #: **974-3404**

PROJECT NAME: **3106 Edgewater**  
LOCATION: **3112 Edgewater Dr. Bldg - Dock**

SUBMITTAL DATE: **July 30, 2010**  
REPORT DUE DATE: **August 13, 2010**  
FINAL REPORT DATE: **August 11, 2010**

**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 27, 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 3 copies of the plans and 3 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)  
Parks : Gregory Montes  
Site Plan : Cesar Zavala  
Wetlands Biologist : Andrew Clamann

## Site Plan Review - Cesar Zavala - 974-3404

SP 1. This use is considered a conditional use in SF-2 zoning and an expansion to the existing use, therefore Land Use Commission review and approval is required. This application must be a conditional use site plan application and requires an SPC case number. Contact the Intake Department to coordinate any additional fees, notices and changes to the case number.

Once all comments have been cleared, please contact this reviewer to schedule on a Zoning & Platting Commission agenda. Additional fees are required for the hearing notice and must be paid prior to the mailing date.

Update 1: Please provide the additional fees upon submittal of the next update for notification purposes and to have the case number changed to an SPC case number.

**Update 3: F.Y.I.** - Once all comments have been cleared, please contact this reviewer to schedule on a Zoning & Platting Commission agenda. Additional fees are required for the hearing notice and must be paid prior to the mailing date.

### **Zoning:**

SP 2. Comment Cleared.

SP 3. An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining property used or zoned as SF-5 or more restrictive. [Sec. 25-2-1067(F)]. Delineate proposed boat dock/boardwalk from property line.

Update 1: Site plan sheet demonstrates the boat dock to extend within 50 feet of the neighboring SF-3 lot and is not allowed under Section 25-2-1067(F). Update plans to show the boat dock with a setback of 50 ft. from the SF-3 lot or provide information how this requirement will be addressed.

Update 2: The request for a Land Use Commission waiver to Section 25-2-1067(F) has been received, additional information is need to provide a recommendation on the waiver to commission. Provide a letter from the utilities acknowledging the proximity of the fishing deck to the utility lines or any part of the water intake supply equipment. Approval for the proposed fishing dock may be required from the AWU, Water District 18, LCR and TCEQ.

**Update 3:** Provide letter from Water District #18 acknowledging the proposed dock and to verify that TCEQ requirements do not apply to the site.

SP 4. Comment Cleared.

SP 5. Approval of the Park and Recreation Board is required for a boat dock: [LDC 25-2-1176(D)(2)]

a. greater than 20 percent of the shoreline width of the lot

**Update 3: F.Y.I.** - Please notify this reviewer once the Park and Recreation Board action has been provided.

- SP 6. Land Development Code (LDC) Section 25-2-1176(B) requires that a dock or other structure must be constructed so that it is not a hazard to navigation or safety:  
(1) The director of Parks and Recreation Department shall determine, after recommendation of the Parks and Recreation Board, the distance that a proposed dock may extend into a body of water without constituting a hazard.

**Update 3: F.Y.I.** - Please notify this reviewer once the Park and Recreation Board action has been provided.

SP 7. Comment Cleared.

SP 8. Comment Cleared.

**Administrative:**

- SP 9. Include permitting documentation for the existing six wood boat docks. Provide dimensions of the existing wood boat docks on the site plan.

**Update 3: F.Y.I.** - Site will require Park and Recreation Board approval for the number of docks at the site, refer to Parks comments. Please notify this reviewer once the Park and Recreation Board action has been provided.

- SP 10. Clarify total number of boat dock proposed. The plan shown two additional boat slips proposed on the plans but the summary letter does not include information on new slips.

Update 1: Will buoys or other means be used on the east section of the fishing pier to deter boats from using the pier for docking? What is proposed appears to be boat docks and not a fishing pier. Note that as proposed the fishing pier is not permitted within 50 ft. of a neighboring single family lot and may require reducing the length of the east portion of the dock.

Update 2: How will the designated no swim area on the east side of the proposed fishing dock remain as a no swim area, are signs or other items proposed to maintain area a fishing zone? It appears that additional buoys may be required to deter boats from docking on the fishing dock. Note that the Utilities Co. and TCEQ requirements may not allow the proposed proximity to the utility lines.

**Update 3:** Comment pending acknowledgement letter from appropriate municipality (see SP 3)

SP 11. – SP 13. Comments Cleared.

- SP 14. **F.Y.I.** - Show all existing and future dedicated easements, including joint access, drainage, conservation, utility, communication, etc? Indicate volume and page or document number, or dedication by plat. All buildings, fences, landscaping, patios, flatwork and other uses or obstructions of a drainage easement are prohibited, unless expressly permitted by a license agreement approved by the City of Austin authorizing use of the easement.

SP 15. – SP 19. Comments Cleared.

**New Comment:**

SP 20. On the cover sheet, remove the second sentence in the Site Plan Release Notes that states Some of these notes pertain to related permits.....

**Update 3:** Correct notes on the cover sheet. Remove strikethrough from Note #2. As well as, remove the second sentence in the Site Plan Release Notes that states Some of these notes pertain to related permits.....

## Wetlands Biologist Review - Andrew Clamann - 974-2694

Concerns for the proposed site plan include the wetland, length of the structure, the type of structure, the encroachment into the critical root zone, the potential additional boat dock slips and variances to be approved by the Parks Board. As proposed, I do not recommend the unnecessary extent of fill material and coffer dams in the lake, i.e. the boulders and the sand beach should be located in the same footprint as the existing bulkhead. In addition, if variances are granted for the extent of proposed docks, I recommend the addition of an irregular, sloped rock approach to the existing bulkhead beneath the proposed dock as part of a condition for a variance. Alternatively, the applicant may choose to eliminate the dock on the “designated no swim side” and provide a more environmentally friendly design sloped rock or bioengineered approach. Applicant has chosen not to update plans as per recommendations, therefore, Comments 4, 5, and 6 are maintained.

**WB1update2. Comment cleared.** (Wetland CEF identified)

**WB2update2. Comment cleared.** (Tree fencing provided as per Keith Mars recommendation)

**WB3update2. Comment cleared.** (LOC shown, 609S seeding shown, tree protection shown)

WB4 update0. The smooth vertical bulkhead is existing non-compliant, for which I recommend a non-vertical approach in the form of boulders or riprap in front of the existing section of bulkhead.

WB4 update1. Applicant response “So noted” is unclear and does not address comment. Existing non-compliant bulkhead will reflect waves downward exacerbating erosion of the lake bed. Please clarify if a non-vertical approach such as riprap will be provided.

WB4 update2. Note: Although I do not require the additional placement of rock to provide a non-vertical approach to existing bulkhead, I do recommend that the placement of a non-vertical rock approach be required as a condition for any variances considered for this project.

**WB4 update3. Repeat Comment. Although I do not require the additional placement of rock to provide a non-vertical approach to existing bulkhead, I do recommend that the placement of a non-vertical rock approach be required as a condition for any variances considered for this project.**

WB5 update0. FYI, it appears that the proposed extent of dock exceeds the allowable limit (in addition, it does not appear that the existing dock in the swim area has been included in the percentage of lake frontage). This extent may be required to be reduced, therefore, I recommend a sloped approach (ie. growgabion/MSE/riprap/boulders/soillift/bioengineering/etc) with some vegetation on the downstream side (near no-swim area) to provide a more environmentally friendly shoreline stabilization strategy. Beneficially, this

slope can also provide emergency egress from the water without encouraging human entrance near the intake side.

WB5 update1. Applicant response “So noted”. Comment maintained: I recommend a sloped approach on the downstream side (near no-swim area) for bulkhead area in which proposed dock will be reduced in size to provide code compliance (as described in update 0). Please verify if extent of dock will be reduced to determine if this recommendation is applicable.

WB5 update2. Comment maintained. Project plans propose docks to exceed 20% of the shoreline (proposed total is approximately 40% of the shoreline). Cumulative environmental impacts such as this degrade the natural resources. Therefore, I maintain my recommendations to either reduce the extent of proposed dock to a total 20% maximum, or provide a sloped, environmentally-friendly shoreline stabilization strategy as stated in earlier recommendations. One method which might be considered is to eliminate the fishing decks on the “designated no swim side”, remove the failing concrete bulkhead in this section, and stabilize this section of shoreline with boulders and bioengineering. This enhancement of existing conditions could offset the negative impacts of some of the proposed additional development.

**WB4 update3. Repeat Comment. Project plans propose docks to exceed 20% of the shoreline (proposed total is approximately 40% of the shoreline). Cumulative environmental impacts such as this degrade the natural resources. Therefore, I maintain my recommendations to either reduce the extent of proposed dock to a total 20% maximum, or provide a sloped, environmentally-friendly shoreline stabilization strategy as stated in earlier recommendations. One method which might be considered is to eliminate the fishing decks on the “designated no swim side”, remove the failing concrete bulkhead in this section, and stabilize this section of shoreline with boulders and bioengineering. This enhancement of existing conditions could offset the negative impacts of some of the proposed additional development.**

WB6 update0. The activities in the beach area are unclear. Please provide adequate information to clearly describe how the beach area will be constructed. For example: How will it tie in with the existing bulkhead, how will it transition to land, what will the profile look like, how will sand be stabilized from chronically depositing into the lake?

WB6 update1. Applicant provided beach details. Profile on Sheet 2 of 3 appears to indicate approximately 45 linear feet of “select fill” to be deposited from the shoreline to 10ft out into the lake, in addition to 45 linear feet of “sand” to be deposited from the shoreline to over 30ft out into the lake. This proposes an estimated 58 cubic yards of fill material in the lake. This extent of fill material in the lake is not an acceptable method of stabilizing the beach area. Please remove proposed extent of “select fill” and “sand” from the lake bed and propose a code-compliant method to stabilize the beach area such as a simple line of stone at the shoreline.

WB6 update2. Recommendation partially addressed. Please locate boulders at beach front at the shoreline as previously requested and contain beach sand within shoreline (instead of in the lake).

**WB6 update3. Repeat Comment. Please relocate the proposed boulders at beach front to the existing shoreline as previously requested and contain all beach sand within shoreline (instead of in the lake). Remove proposed coffer dams.**

WB7 update2. Additional comments may be generated as proposed project plans change.

## Parks Review - Gregory Montes - 974-9458

PA 1. I recommend that the fishing dock be reduced in size & redesigned in order to eliminate the need for the 20% of the shoreline width variance. As currently proposed, the fishing dock could also function as a boat dock, which is why I have made the following comment on updates 0 & 1.

*The building official may not approve an application for a permit for the construction of more than two residential docks or other similar structures on a single lot zoned MF-1 or more restrictive [Section 25-2-1173]. The subject property currently has LA and SF-2 zoning.*

**Applicant acknowledges comment and requests to proceed to the Parks Board.**

PA 2. It has been determined that the Navigation Committee and Parks Board will review and approve the location of the proposed buoys per 25-7-63(C)(1)(D)(1).

*The city manager shall place navigation buoys in Lake Austin, Town Lake, and Lake Long to serve as navigation aids or mark navigation control zones [Section 8-5-3]. After the approval, if granted, the city manager will be notified.*

**Applicant acknowledges comment and requests to proceed to the Parks Board.**

PA 3. Per TCEQ regulations, the following comments are mentioned regarding the Public Water Supply Intake located along the eastern boundary of the property. This directly affects the proposed fishing deck and beach.

Raw water intakes shall not be located within 1,000 feet of boat launching ramps, marinas, docks, or floating fishing piers which are accessible by the public. 2(B)

A restricted zone of 200 feet radius from the raw water intake works shall be established and all recreational activities and trespassing shall be prohibited in this area. Regulations governing this zone shall be in the city ordinances or the rules and regulations promulgated by a water district or similar regulatory agency. The restricted zone shall be designated with signs recounting these restrictions. The signs shall be maintained in plain view of the public and shall be visible from all parts of the restricted area. In addition, special buoys may be required as deemed necessary by the executive director. Provisions shall be made for the strict enforcement of such ordinances or regulations. 2(C)

**Applicant acknowledges comment and requests to proceed to the Parks Board.**

PA 4. The following requires Parks Board approval and Navigation Committee recommendation.

- a. The proposed fishing deck will require approval from Parks Board for exceeding 20% of shoreline width [Section 25-2-1176(D)(2)].
- b. The building official may not approve an application for a permit for the construction of more than two residential docks or other similar structures on a single lot zoned MF-1 or more restrictive [Section 25-2-1173]. This applies to the existing boat docks and 10' x 10' dock since it has been stated that permits do not exist for their construction.

- c. 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]. This applies to the new beach area.
- d. The Board shall review, comment, and may develop specific criteria for the navigational safety of the proposed development (regarding the proposed buoys) [Section 25-7-63(C)(1)(D)(1)].

**Applicant acknowledges comment and requests to proceed to the Parks Board.**

End of Report