

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



CASE NUMBER: **SP-2010-0123D**
REVISION #: **00** UPDATE: **U2**
CASE MANAGER: **Cesar Zavala** PHONE #: **974-3404**

PROJECT NAME: **3107 and 3109 Westlake Drive**
LOCATION: **3107 WESTLAKE DR**

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 November 6, 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 4 copies of the plans and 4 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
Environmental : Jeb Brown
Parks : Gregory Montes
Site Plan : Cesar Zavala
Wetlands Biologist : Andrew Clamann

Environmental Review – Jeb Brown - 974-2716

3rd Review 8-9-10

2nd Review 7-9-10

EV 1 All trees need to be numbered on the site plan.

Comment Cleared.

EV 2 The sand beach is encroaching into the critical root zone of the tree north of the proposed beach.

Not Addressed, Second Review, 7-9-10. The plan shows sand within the ½ Critical Root Zones of trees 57 & 59.

Not Addressed, Third Review, 8-9-10. The beach “cut” detail, not labeled on sheet 3 of 3, shows a centerline natural grade of 492.8” and a proposed – (labeled cut) to 495.3. This effectively translates to approximately of 2.5 feet of fill, or in keeping with the spirit of the plans, “cut”. The 2.5 feet of fill or “cut” does not meet with ECM 3.5.2. In addition, please contact Keith Mars in the City Arborist Program if you have questions regarding heritage tree compliance.

EV 3 Tree preservation and mitigation cannot be assessed until individual trees are numerically identified on the site plan.

Comment Cleared.

EV 4 Please provide details on cantilevered dock.

Comment was not addressed 7-9-10.

Comment Cleared – 3rd Review.

EV 5 Provide details on settling lagoon, including grading plan.

Details were completely removed from the plan, comment not addressed.

Comment Cleared – 3rd Review.

EV 6 Include demolition statement in the sequence of construction.

Comment Cleared.

EV 7 Is the proposed landscaping shown for compliance with tree mitigation? If so, none of the proposed species are acceptable as they are not native woody species. Provide native alternatives that are appropriate for riparian areas. These plants include Bald Cypress (*Taxodium distichum*), yaupon or possumhaw holly (*Ilex vomitoria* and *Ilex decidua*, respectively), roughleaf dogwood (*Cornus drummondii*), little walnut (*Juglans minor*), and pecan (*Carya illinoensis*).

Comment was not addressed, second review, 7-9-10.

Comment not completely addressed, third review, 8-9-10 Show on the plan specific location, species, container size and spacing of new shrubs, ground covers and grasses (ECM 2.4). Show on the plan specific location, species, size and quantities of new trees. New trees to be planted shall be at least six feet height and 1 1/2 caliper inch (ECM 2.4.1(D)). Graphically distinguish from other required landscape trees.

EV 8 Please provide a tree table categorizing proposed removed inches in the following format: Class I and II Trees 19”+; Class I and II Trees 8” – 18”; Class III and IV

Trees 19"+; and Class III and IV Trees 8" – 18". Provide a sum for each category's inches. ECM 3.5.0

Comment was not addressed, second review, 7-9-10.

Comment was not addressed, third review, 8-9-10.

EV 9 For urban forest accounting purposes, please provide the following information after all Landscaping and/or tree-related comments are cleared.

1. Total tree inches surveyed
2. Total tree inches removed, Class 1 & 2
3. Total tree inches removed, Class 3 & 4
4. Total tree inches planted on site

E-mail copy this reviewer. This comment pending receipt of e-mail copy. ECM 3.5.0

Comment pending upon receipt of E-mail, second review, 7-9-10.

Comment not addressed third review, 8-9-10.

EV 10 Sheet 2 of 3 (Site Plan) is very difficult to read due to the many overlapping details at the boat dock area. Please provide an enlarged detail of that area of construction.

Comment Added-2nd Review.

Comment Cleared – 3rd Review.

EV 11 Please distinguish or provide clarification between the dots for the sandy beach (which appears to wrap the entire lake shore) from the (CEF?) dots.

Comment Added-2nd Review.

Comment Cleared – 3rd Review.

EV 12 Please provide the estimated range of sizes for the natural boulders shown on the plan.

Comment Added- 2nd Review.

Comment Cleared- 3rd Review.

EV 13 Please provide a detail showing the amount of cut/fill necessary to construct the boat dock, if any. If there is less than 4 feet, then a statement to that effect under General Notes on Sheet 1 is acceptable.

Comment Added-2nd review.

Comment Addressed 3rd Review. A statement was added to the plans stating that the cut/fill would be less than 4 feet for the proposed boat dock. However, during the course of a site visit on 8-9-10, it was noticed that the topography lines shown for the proposed boat dock area do not appear correct-as it relates to the approximately 3-3.5' of mounded dirt along the bank from roughly the proposed boat dock to the NE corner near tree 2953. Please provide a cut detail for the proposed boat dock elevation utilizing a recent survey of the highest point of the existing grade to be excavated to the lowest point. Please be advised that all areas on plans that will require cut/fill in excess of 4 feet must be identified.

EV 14 The proposed site plan shows impacts to a heritage tree (#59) that are not code compliant. Tree number 59, a multiple stem cypress, was measured on 8-9-10 and appears to be a heritage tree, with a computed total of approximately 43" in diameter. (ECM 3.3.2). Unfortunately the tree survey appears to be incorrect, as the tree is listed with a trunk diameter of 21". Please redesign or demonstrate that no impacts will occur in the 1/2 critical root zone, 50% of the entire critical root zone will be preserved, and no more than 30% of the crown will be removed. In addition, the scale of the tree canopies shown on sheet 2 of 3 for tree numbers 59 & 57 appear to be slightly undersized which affects the CRZ as it relates to the proposed sandy beach on sheet 2 of 3. Please

contact Keith Mars in the City Arborist Program if you have questions regarding heritage tree compliance.

Comment Added – 3rd Review.

EV 15 Provide a fiscal estimate for erosion/sedimentation controls and revegetation based on Appendix S-1 of the Environmental Criteria Manual. The approved amount must be posted with the City prior to permit/site plan approval. [LDC 25-7-65, ECM 1.2.1.]

Comment Added – 3rd Review.

Parks Review - Gregory Montes - 974-9458

- PA 1. 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 proposed dredging for the boat dock. Variance required. **Applicant acknowledges required Parks Board approval.**
- PA 2. The building official may not approve an application for a permit for the construction of more than two residential docks on a single lot zoned MF-1 or more restrictive, unless the Parks Board has approved a site plan that clusters the boat docks on one or more lots in the subdivision. [Section 25-2-1173(2)]. Variance required since the current zoning is on the property is LA and the design of the proposed boat dock has room for 3 boats. **Applicant acknowledges the comment and will proceed forward as proposed.**
- PA 3. The proposed boat dock will require approval from the Parks Board for a structure constructed or altered within 10 feet of a side lot line [Section 25-2-1176(D)(1)]. The proposed boat dock encroaches on lot 78, therefore a variance is required. **Applicant acknowledges required Parks Board approval.**
- PA 4. Any application that exhibits shoreline modification in or along the lake must be recommended by the Parks Board [Section 25-7-63]. This applies to the proposed shoreline modifications located along the lake and slough (Cantilevered Dock). **Applicant acknowledges required Parks Board approval.**
- PA 5. Approval by the Parks and Recreation Board is required to place fill in Lake Austin, Town Lake, or Lake Walter E. Long. [Section 25-8-652]. This applies to the fill that is proposed along the lake and slough (Cantilevered Dock and new shoreline that crosses the property line). **Applicant acknowledges required Parks Board approval.**
- PA 6. Please provide a note stating that no living quarters will be provided within the boat dock and that if living quarters were proposed, it would comply with Section 25-2-1176(H).

Site Plan Review - Cesar Zavala - 974-3404

SP 1. – SP 2. Comment Cleared.

SP 3. A residential boat dock is considered an accessory use to a primary residence [LDC 25-2-893(G)]. Each lot should show a valid residential building permit on the site plan.

Update 1: Provide an approved residential permit for Lot 77 on the plans. This reviewer did not find a residential permit for Lot 77 in the Amanda database.

Update 2: Comment pending residential permitting release of permit.

SP 4. Approval of the Park and Recreation Board is required for a boat dock: [LDC 25-2-1176(D)(1)&(2)]

a. to be constructed within 10 feet of a side property line

Update 2: F.Y.I. - Provide Park Board action on the variance to encroach on the 10 ft. setback from the neighboring property.

SP 5. – SP 7. Comments Cleared.

SP 8. Provide information on the label proposed dock next the shown proposed four boat dock. Are additional docks proposed in this area?

Update 1: Clarify what the blocks along the shoreline represent and if a walkway is proposed along the shoreline.

Update 2: The proposed shoreline modifications and cantilevered dock encroach on the Lot 78 and require an easement. Initiate the easement process as soon as possible, the easement will be reviewed by the Legal Department prior to recording and the Legal Dept. does not follow site plan review timelines. Also provide acknowledgement from the owner of Lot 76 for the shoreline improvements and modifications.

SP 9. – SP 11. Comments Cleared.

SP 12. F.Y.I - Verify with residential permitting the Lake Austin zoning requirements that apply to the construction of the proposed residential house on Lot 77.

Update 2: Verify with Residential Permitting the proposed building, the building is demonstrated to be on the existing shoreline on the plans. Or correct site plan to accurately show the existing shoreline and the 492.8 contour line.

New comments

SP 13 Correct address on the cover sheet notes, the listed address shows Edgewater as the street name. Also verify address of Lot 77 and show on plans.

Update 2: Verify address with the Addressing Dept., the boat dock application shows 3107 Westlake and the building permit shows 3105.

SP 14. 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 2: Repeat comment. On the cover sheet, remove the second sentence in the Site Plan Release Notes that states Some of these notes pertain to related permits.....

SP 15. Verify that only electrical utilities are proposed and no plumbing will be provided on the boat dock. Include a note on the cover sheet that no living quarter will be provided on the boat dock.

Update 2: Repeat Comment.

Wetlands Biologist Review - Andrew Clamann - 974-2694

. Wetlands identified on site plan. Applicant proposes an irregular, sloped natural rock armoring for the shoreline protection on the eastern shoreline and a vertical bulkhead within the narrow channel. Persisting concerns include, extent of structures within CWQZ, slope/stability of sand beach, proposed fill into lake beyond the existing shoreline, cut for beach area in critical root zones, removal of riparian shoreline trees, lack of clarity of mitigation for impacts to wetlands, proposed impacts to riparian integrity of cantilevered dock over bank/channel, infringement of shoreline setback, land capture in a narrow channel in addition to exceeding the allowable number of residential docks (including cantilevered dock). In order to resolve these issues, I recommend a meeting with applicant and review team (Env Review, Parks, ERM, Case manager).

WB1update0. Site plan currently indicates the standard 150ft wetland CEF setback. Since proposed structures are not permitted within a CEF setback, a reduced setback will be granted with mitigation (ECM 1.3.0) in the form of native and adapted wetland mitigation plantings. Please remove setback notes and provide the species, quantity, size and location of wetland mitigation.

WB1.update1. Repeat Recommendation. Applicant response "concur" does not address recommendation. Please address original comment.

provide the species, quantity, size and location of wetland mitigation.

WB1.update2. Repeat Recommendation. The wetland mitigation plan on Sheet 2 proposes native vegetation, and describes general intentions of the plan but does not provide information which clearly indicates what is being approved with this site plan. In order to approve mitigation, it is imperative that the proposed mitigation clearly describe the quantity and specific locations of plantings. Current plan is unclear, please provide the requested details.

WB2update0. Proposed plans indicate extensive structures within the CWQZ and 75ft Shoreline Setback (LA District). The proximity of development to the shoreline does not appear to be consistent with code language or policy. Please either provide documentation of a reduction of these setbacks to the extent proposed or reduce proximity of structures to the shoreline to reasonable and approved distance.

WB2.update1. Repeat Recommendation. Awaiting documentation of setback reduction.

WB2.update2. Repeat Recommendation. Awaiting documentation of setback reduction to 5'. FYI, the current proposed footprint of the building infringes on this minimum 5ft.

WB3update0. Please provide details, contours and cross sections of the beach area to demonstrate that the slope of the beach results in stable material in this environment.

WB3.update1. Recommendation partially addressed. Although the low slope with boulders promotes stability, the boulders should be placed at the shoreline to deter wave action from pulling sand out. Please located boulders and sand on the landward side of shoreline.

WB3.update2. Plan view (Sheet 2) now shows boulders and sand to be located at the shoreline appropriately, however the profile detail on Sheet 3 is contradictory. Please change the profile detail to concur with the plan view.

WB4.update0. Proposed plans appear to indicate sand fill material to be located beyond the existing shoreline. Please remove this fill material and confine any sand fill material to be located on the landward side of the shoreline.

WB4.update1. Repeat Recommendation. Applicant response "concur" does not address recommendation.

WB4.update2. Plan view (Sheet 2) now shows sand to be located at the shoreline appropriately, however the profile detail on Sheet 3 is contradictory. Please change the profile detail to concur with the plan view.

WB5.update0. Proposed plans indicate grading within the critical root zone of trees. Please remove any grading within the critical root zone of trees and provide tree fencing to protect critical root zone of remaining trees.

WB5.update1. Repeat Recommendation. Grading is proposed in critical root zone of two heritage sized trees. At the least, please re-shape beach to eliminate any grading within the half-critical root zone of heritage sized trees. A variance may apply otherwise.

WB5.update2. Repeat Recommendation. Grading is proposed in critical root zone of two heritage sized trees. At the least, please re-shape beach to eliminate any grading within the half-critical root zone of heritage sized trees. A variance may apply otherwise.

WB6.update0. LDC 25-2-551(B)(3) prohibits removal of more than 30% of woody vegetation within the shoreline setback. Sheet 2 of 2 indicates removal of over 85% of shoreline trees of lot 77. Please reduce number of shoreline trees proposed to be removed to not exceed 30%.

WB6.update1. Site plans still indicate removal of approximately 72% of shoreline trees (trees 2949, 46 and 49 do not appear to be on this lot). It is unclear which trees are to be removed for house and which are to be removed for bulkhead, however tree 2951 is a 21" tree to be removed that is far from the house.

WB6.update2. Applicant has indicated which trees are to be removed for the house and which are to be removed for the bulkhead and dock. FYI: LDC 25-2-551(B)(3) prohibits removal of more than 30% of woody vegetation within the shoreline setback. Most trees to be removed are within the reduced shoreline setback which may impact the building permit of the house since a significant percentage of the trees are proposed to be removed with this site plan.

WB7.update1. Comment cleared. Proposed settling lagoon removed.

WB8.update2. Comment cleared. Mitigation planting list composed of native species.

WB9.update0. The westward extension of the proposed boat dock and the cantilevered dock will permanently cover and remove the riparian vegetation and wetland fringe reducing the riparian integrity. FYI, in addition, these extra dock structures appear to exceed the two residential dock limit as per LDC 25-2-1173(D).

WB9.update1. Repeat Recommendation. Applicant response does not address recommendation; cantilevered dock is still shown, indicating exceeding of 25-2-1173(D)

WB9.update2. Repeat Recommendation. Applicant response does not address recommendation; cantilevered dock is still shown, indicating exceeding of 25-2-1173(D)

WB10update1. FYI, project plans appear to indicate a closed-wall boat dock with plumbing. It is my understanding that boat docks should not be closed on all sides. Please verify.

WB10.update2. Applicant has verified that the boat dock will have closed sides. It is my understanding that an enclosed structure is considered living quarters, and living quarters are not permitted extending into or above Lake Austin unless approved by Council as per 25-2-1176(H). Please correct.

WB 11.update 2. During site visit, applicant described the bulkhead to be located along the shoreline, however, the site plan proposes some areas of up to 10ft land capture of the narrow channel. In addition, the majority of the proposed bulkhead within the channel proposes to capture additional land unnecessarily. Please conform the location of the proposed bulkhead to the shoreline of the channel. Also, the locations for detail C-C and E-E are not shown on plan view. Please identify the proposed cross section location of the details.

End of Report