

**ENVIRONMENTAL BOARD MEETING MINUTES WEDNESDAY  
SEPTEMBER 15, 2010**



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**The Environmental Board convened in a public hearing meeting on Wednesday, September 15, 2010, City Council Chambers, at 301 W. Second Street, Austin, Texas 78701**

**Board Members in Attendance:**

Bob Anderson, Mary Gay Maxwell, Phil Moncada, Mary Ann Neely, & James Schissler

**Staff in Attendance:**

Matt Hollon, Erin Wood, Pat Murphy Marilla Shepherd, Keith Mars, Nick Naccarato, Nico Hauwert, Nancy McClintock, Jean Drew, Michael Embesi, and David Johns

**CALL TO ORDER**

**The Environmental Board meeting was called to order at 6:06 P. M.**

**1. CITIZEN COMMUNICATIONS: GENERAL**

Speaker should sign up to speak prior to the meeting called to order; you will receive a three-minute allotment to address your concerns regarding items not posted on the agenda.

- **Krista Saeger signed up to speak on agenda item 4a 4709 Highland Terrace**
- **Peter Saeger signed up but did not wish to speak.**

**2. Approve the minutes of the Environmental Board meeting for 09/01/10.**

**The minutes for the Environmental Board regular meeting on September 1, 2010 approved on Board member Phil Moncada's motion, and Board Member James Schissler' second. [Vote 5-0] Board member Jon Beall and Board member Robin Gary were absent.**

**3. 10 MINUTES OF CONTINUING EDUCATION**

Heritage Tree Ordinance implementation – Michael Embesi, Planning and Development Review Department

**This item was conducted as posted.**

**4. PUBLIC HEARINGS**

- a. **Applicant:** David Weekly Homes

**Contact:** Jim Einhaus

**Location:** 4709 Highland Terrace

**Staff Person:** Keith Mars, Planning Development Review Department

**Request:** Retroactive variance request from Land Development Code:

1) 25-8-641 to remove/impact a Heritage Tree.

**Recommendation:** Not Recommended

**Recommendation Approved:** [VOTE 4-1]

**Motioned by Board member Phil Moncada, and seconded by Board member Mary Ann Neely. Board members Jon Beall and Robin Gary were absent. See attached motion.**

**5. STAFF BRIEFINGS AND POSSIBLE ACTION**

- a. Briefing on the Green Roof Advisory Group (GRAG) Final Report to Council regarding incentives and credits for Green Roofs in Austin. Matt Hollon, Watershed Protection Department.

**The Environmental Board recommends approval with conditions.**

**RECOMMENDATION APPROVED: [VOTE 5-0]**

**Motioned by Board member Bob Anderson and seconded by Board member James Schissler. Board member Jon Beall and Robin Gary were absent. See attached motion.**

- b. Briefing on Zacchary Scott Theater- Nick Naccarato, Economic Growth and Redevelopment Department. The Environmental Board motioned recommends approval

**The Environmental Board recommends approval with conditions.**

**RECOMMENDATION APPROVED: [VOTE 4-1]**

**Motioned by Board member Bob Anderson and seconded by Board member James Schissler. Board member Phil Moncada voted against. Board members Jon Beall and Robin Gary were absent. See attached motion.**

- c. Briefing on the Blanco River flows and Barton Springs Discharge – Nico Hauwert, Watershed Protection Department

**This item was conducted as posted.**

## 6. OLD BUSINESS AND REPORTS

- 1) Update on the Joint Environmental/Parks Board Subcommittee –Mary Gay Maxwell, Jon Beall & Mary Ann Neely  
**No report this week.**
- 2) Urban Growth Policy subcommittee – Phil Moncada, Chair, Mary Gay Maxwell, & James Schissler, P. E.  
**Board member Phil Moncada will convene a subcommittee with staff to review the draft summary.**
- 3) Water Treatment Plant #4 subcommittee – Mary Gay Maxwell, Chair, Jon Beall & Mary Ann Neely  
**Board member Mary Gay Maxwell reported on this item.**
- 4) Development Subcommittee – Bob Anderson, Chair, Mary Gay Maxwell & James Schissler.  
**Board member Bob Anderson reported on this item. The next Development subcommittee is scheduled for September 27, 2010 at 10:00 a.m. OTC**
- 5) Water Quality Regulations subcommittee – Mary Ann Neely, Chair, Robin Gary and Phil Moncada  
**No report this week.**
- 6) Reports from other committees.

## 7. NEW BUSINESS - Future agenda items:

- a. **Staff requested to convene a subcommittee of the Urban Growth Policy to have a Total Maximum Daily Load presentation and to finalization of the Desired Development Zone imitative. Board member Mary Ann Neely requested to have a joint meeting with the Urban Growth.**

## 8. ADJOURNMENT

- . **Meeting adjourned at 9:45 p.m.**



## ENVIRONMENTAL BOARD MOTION 091510-4a

Date: September 15, 2010

Subject: 4709 Highland Terrace

Motioned By: Phil Moncada

Seconded By: Mary Ann Neely

### **Recommendation**

The Environmental Board recommends **disapproval** of the proposed removal and impact of a Heritage Tree and variances from Land Development Code 25-8-641.

### **City of Austin Tree Arborist conditions:**

1. For the 40" Live Oak (Tree #1), 100% diameter (i.e., 40") of mitigation is required at the time of permitting in the form of payment into the Urban Forest Replenishment Fund for a total of \$3,000. 200% mitigation (i.e., 80") of mitigate is required to be held in a bond plus 15% administrative cost for a total of \$6,000 for the bond and \$900 for administrative cost. The bond will be returned after five years if the tree has sustained the impacts determined by the City Arborist.
2. A five-year tree maintenance plan prepared and implemented by a certified arborist for the 40" Live Oak (Tree #1) prepaid by the builder and transferred to the owner. The plan is to be administered semi-annually and reported to the City Arborist.
3. A three year maintenance plan prepared and implemented by a certified arborist for the 26" and 36" Live Oaks (Trees #2 and 3, respectively), prepaid by the Builder and transferred to the owner. The plan is to be administered semi-annually and reported to the City Arborist.

### **Rationale**

The findings of fact have not been met. The applicant did not follow conditions of the tree permit. The Environmental Board does not want to set precedence on Heritage Trees since all trees impacted were heritage.

**Vote** 4-1-0-2

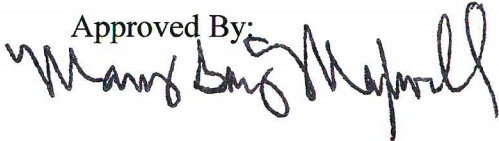
**For:** Anderson, Maxwell, Moncada, and Neely

**Against:** Schissler

**Abstain:** None

**Absent:** Beall and Gary

Approved By:

A handwritten signature in black ink, appearing to read "Mary Gay Maxwell". The signature is written in a cursive, flowing style with a large initial "M".

Mary Gay Maxwell, Chair



## ENVIRONMENTAL BOARD MOTION 091510-5a

Date: September 15, 2010

Subject: Presentation on the Zacchary Scott Theater

Motioned By: Bob Anderson

Seconded By: James Schissler

### Recommendation

The Environmental Board **recommends** approval with conditions for the Zacchary Scott Theater project, and the use of City of Austin Parkland.

### Board Conditions

1. Include maximum educational and pedestrian usage in out door grounds program.

### Rationale

This is a valuable piece of Austin history; it includes City efforts to increase downtown density. It provides a wonderful venue for excitement for a theater and especially community use.

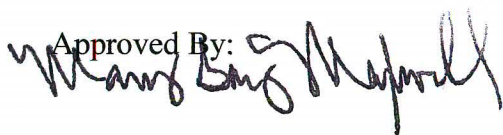
**Vote** 5-0-0-2

For: Anderson, Maxwell, Neely and Schissler

Against: Moncada

Abstain: None

Absent: Beall and Gary

Approved By: 

Mary Gay Maxwell  
Environmental Board Chair



## ENVIRONMENTAL BOARD MOTION 091510-5b

Date: September 15, 2010

Subject: Presentation on Green Roofs (RESOLUTION NO. 20090827-057)

Motioned By: Phil Moncada

Seconded By: Mary Ann Neely

### Recommendation

The Environmental Board **recommends** that City Council extend, and continue the Green Roof Advisory funding and part of the City of Austin's long term plans and goals.

The Board recommends that City Council continue supporting Resolution No. 20090827-057 for another year and support of the five year plan.

### Rationale

The rationale is based on an opportunity to address heat island effect, water conservation, water quality, reduction in electricity use, and xeriscaping.

Vote 5-0-0-2

For: Anderson, Maxwell, Moncada, Neely and Schissler

Against: None

Abstain: None

Absent: Beall and Gary

Approved By:

Mary Gay Maxwell  
Environmental Board Chair