



**Environmental Board
August 17, 2011 at 6:00 p.m.
City Hall Council Chambers
301 West Second Street
Austin, Texas 78701**

AGENDA

Bob Anderson
Place 1 Appointee

Vacant
Place 2 Appointee

Jennifer Walker
Place 3 Appointee

Dr. Mary Gay Maxwell, Chair
Place 4 Appointee

Robin Gary, Vice Chair
Place 5 Appointee

James Schissler, P. E., Secretary
Place 6 Appointee

Mary Ann Neely
Mayor's Appointee

CALL TO ORDER

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 to your concerns regarding items not posted on the agenda.
2. **APPROVAL OF MINUTES AND ACTION ITEMS**
 - a. Approve the minutes of the Environment Board regular meeting on August 3, 2011.
3. **10 MINUTES OF CONTINUING EDUCATION**
None.
4. **PUBLIC HEARINGS POSTPONED FROM THE July 20, 2011 REGULAR MEETING**
 - a. **Name: Block at 26th SP-2011-0032C.SH**
Applicant: Lynn Ann Carley, P. E. Armbrust and Brown, PLLC
Location: 900 West 26th Street
City Arborist: Keith Mars, Planning and Development Review Department
Ordinance: Heritage Tree Ordinance
Request: The variance request is as follows:
The applicant is requesting to remove a heritage tree with a stem greater than 30 inches as allowed under Land Development Code 25-8-643.
Recommendation: The request does not meet City Arborist approval criteria set forth in LDC 25-8-624(A).

8. NEW BUSINESS - Future agenda items

9. ADJOURNMENT

The Board may take items in any order, and may take action on any item except citizen's communication. The City of Austin is committed to compliance with the American with Disabilities ACT. Reasonable modifications and equal access to communications will be provided upon request. Meeting locations are planned with wheelchair access. If requiring Sign Language interpreters or alternative formats, please give notice at least 4 days before the meeting date. Please call Marilla Shepherd at the Watershed Protection Department, 512-974-3443 for additional information. TTY users route through Relay Texas at 711. Link to Meetings of the Environmental Board and more: http://www.ci.austin.tx.us/cityclerk/boards_commissions/meetings/28_1.htm



ENVIRONMENTAL BOARD MEETING MINUTES WEDNESDAY

August 17, 2011. The Environmental Board convened in a public hearing meeting on Wednesday, August 17, 2011, at City Hall Council Chambers. 301 W. Second Street, Austin, Texas 78701

Board Members in Attendance:

Bob Anderson, Robin Gary, Mary Gay Maxwell, Mary Ann Neely, James Schissler and Jennifer Walker

Staff in Attendance:

Keith Mars, Brad Jackson, Mtizi Cotton, Mike Personett, Jean Drew, Jay Baker, Chuck Lesniak, Jules Parrish and Marilla Shepherd.

Others in attendance:

Jose Portillo and Jesse McLean, from Bosse and Associates

CALL TO ORDER

Chair Mary Gay Maxwell called the meeting to order at 6:08 p.m.

Board member Jennifer Walker made a brief introduction to the Board.

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 to your concerns regarding items not posted on the agenda.

There were no citizens signed up to speak on item not posted on the agenda.

Zoila Vega signed up to speak on a specific agenda item 4a

Zoila Vega signed up to speak on item 4b

Anderw Hawkins signed up to speak on item 46

Dowe Gullat signed up to speak on item 5a

2. APPROVAL OF MINUTES AND ACTION ITEMS

- a. Approve the minutes of the Environment Board regular meeting on August 3, 2011.

The minutes of the Environmental Board meeting on August 3, 2011 approved on Board member James Schissler's motion and Board member Bob Anderson's second on a vote of [4-0.] Board members Robin Gary and Jennifer Walker was absent and one vacancy.

3. 10 MINUTES OF CONTINUING EDUCATION

None.

1. To allow up to 53% impervious cover for the site. [LDC Section 25-8-454(D) (1) (a)]

2. To eliminate the requirement that 40% of the site be restored to its natural state to serve as a buffer. [LDC Section 25-8-454(D) (2)]

Watershed: Running Deer Creek Watershed, Water Supply Rural Drinking Water Protection Zone

Recommendation: Not recommended.

The Environmental Board motioned to postpone the Texas Custom Choppers SP-2010-0335D to the September 21, 2011 Environmental Board meeting. Approved on Board member Mary Ann Neely's motion with Board member Robin Gary's second. Vote [6-0] with one vacancy.

6. STAFF BRIEFINGS AND POSSIBLE ACTION

a. Briefing on the Colorado River Corridor Plan – Jean Drew, Watershed Protection Department

The Environmental Board recommended approval.

Approved on Board member May Gay Maxwell's motion and Board member Mary Ann Neely's second. [Vote 6-0] one vacancy.

b. Update on Loop 360/Barton Creek Greenbelt landfill remediation – Chuck Lesniak, Watershed Protection Department

This item was conducted as posted.

c. Briefing on the Arundo Giant Cane control around Lady Bird Lake – Mary Gilroy, Watershed Protection Department

This item was conducted as posted.

7. OLD BUSINESS AND REPORTS

1) Update on the Joint Environmental/Parks Board Subcommittee – Mary Gay Maxwell, & Mary Ann Neely.

Board member Mary Gay Maxwell and Mary Ann Neely reported on this item. Mary Ann Neely will sent the Board a copy of the presentation that was made at the meeting.

2) Urban Growth Policy Committee – Mary Gay Maxwell, & James Schissler, P. E.,
Board Member Mary Ann Neely reported on the the next meeting will be held on August 26, 2011 at 11:00 a.m. to discuss the Watershed Protection Ordinance.

3) Water Treatment Plant #4 Committee – Mary Gay Maxwell, Chair, Bob Anderson, & Mary Ann Neely.

4) Development Committee – Bob Anderson, Chair, Mary Gay Maxwell & James Schissler.

Board member Bob Anderson will be scheduling the committee early September 2011.

5) Water Quality Regulations Committee – Mary Ann Neely, Chair, & Robin Gary.
Board Member Mary Ann Neely reported on the the next meeting will be held on August 26, 2011 at 11:00 a.m. to discuss the Watershed Protection Ordinance.



ENVIRONMENTAL BOARD MOTION 081711 4b

Date: August 17, 2011

Subject: 311, 313, and 315 Bowie Street Permit #10617196

Motioned By: Mary Gay Maxwell

Seconded by: Mary Ann Neely

Recommendation

The Environmental Board recommends a **no recommendation** to the request to remove a heritage tree with a stem greater than 30 inches as allowed under Land Development Code 28-8-643 on the case listed as 311, 313 and 315 Bowie Street Permit #10671796.

A no recommendation action by the Environmental Board will be forwarded to the Planning Commission.

Rationale

This case is the first in a potentially large number of similar variance requests that will come before the Environmental Board for our consideration. The issue is larger than Heritage Trees, including the goal of a densely populated downtown with the associated zoning already in place from former council actions.

The Downtown Plan does not adequately address Heritage Trees in the downtown area, and we urge the Planning Commission to initiate a process to consider ways to include heritage trees in the planning for a dense downtown.

The canopy of the area is in danger of being lost, and there needs to be an effort made to retain the canopy of the downtown area in ways that both allow for dense development and retain the cultural, aesthetic and environmental qualities necessary for a livable environment downtown.

For these reasons, we urge the Planning Commission to initiate changes to the Downtown Plan that will incorporate Heritage Trees into the plan.

Regarding this case, the Planning Commission has authority to place additional mitigation on the variance request that the Environmental Board does not have the authority to do. Suggestions for possible action by the Planning Commission could include increased mitigation for this tract, such as:

1) A mitigation amount that exceeds the staff mitigation of \$19,200 for the Heritage Pecan tree because the formula from which the amount is derived is inadequate;

2) Significant contribution toward the restoration of Shoal Creek along the border of the property where a hike and bike trail will be constructed in the near future.
Vote 5-0-0-1-1

For: Gary, Maxwell, Neely, Schissler, and Walker

Against:

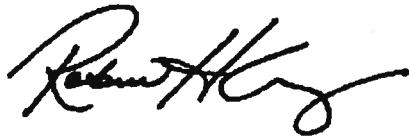
Abstain:

Recuse: Anderson

Vacancy: One

Absent:

Approved By:

A handwritten signature in black ink, appearing to read "Robin Gary", written in a cursive style.

Robin Gary
Environmental Board Vice Chair

Note: Board member Bob Anderson reused himself due to a potential conflict of interest.



ENVIRONMENTAL BOARD MOTION 081711 5a

Date: August 17, 2011

Subject: Texas Custom Choppers – SP-2010-0335D Postponement

Motioned By: Mary Ann Neely

Seconded By: Robin Gary

The Environmental Board motioned to postpone Texas Custom Choppers – SP-2010-0335D

RECOMMENDATION POSTPONEMENT:

Vote 6-0-0-0-1

For: Anderson, Gary, Maxwell, Neely, Schissler and Walker

Against: None

Abstain: None

Absent: None

Vacancy One

Approved By:

Mary Gay Maxwell, Environmental Board Chair



ENVIRONMENTAL BOARD MOTION 0871711-6a

Date: August 17, 2011

Subject: Presentation on the Colorado River Corridor Plan

Motioned By: Mary Gay Maxwell

Seconded By: Mary Ann Neely

Recommendation

The Environmental Board whole-heartily supports the Colorado River Corridor Plan.

Rationale

The approval implementation of the plan has great potential for providing a great community benefits in the future.

Vote 6-0-0-0-1

For: Anderson, Gary, Maxwell, Neely, Schissler and Walker

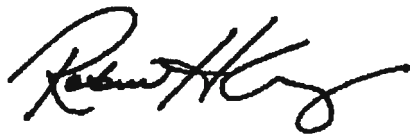
Against:

Abstain:

Absent:

Vacancy: 1

Approved By:

A handwritten signature in black ink, appearing to read "Robin Gary". The signature is fluid and cursive, with the first name "Robin" and the last name "Gary" clearly distinguishable.

Robin Gary
Environmental Board Vice Chair