



C11

ENVIRONMENTAL BOARD MOTION 092111 4a

Date: September 21, 2011

Subject: **Carriage Crossing C8J-2010-0117.0A**

Motioned By: James Schissler

Seconded By: Bob Anderson

RECOMMENDATION The Environmental Board recommends approval with conditions of variances:

- 1) Land Development Code 30-5-453 (C) To allow 2 lots that each lie partially within the Critical Water Quality Zone to have less than 2 acres in the Water Quality Transition Zone [LDC 30-5-453(C)], and
- 2) Land Development Code [30-5-301(A)] – to allow construction of driveways on slopes in excess of 15%.

Staff Conditions: The proposed driveway alignment shown in Exhibit 4 will be added to the re-subdivision plat and shown as the only driveway alignment allowed for the property..

Vote 6-0-0-1

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

Against: None

Abstain: None

Absent: Gary

DRAFT

Approved By:

Mary Gay Maxwell, Environmental Board Chair



ITEM FOR ENVIRONMENTAL BOARD AGENDA

BOARD MEETING

DATE REQUESTED: September 21, 2011

NAME & NUMBER OF PROJECT: Carriage Crossing Section 2 Lot 1 Resubdivision
C8J-2010-0117.0A

NAME OF APPLICANT OR ORGANIZATION: Megan Wanek (Bury Partners)
328-0011

LOCATION: 8510 Galeana Trace Cove

PROJECT FILING DATE: October 19, 2010

PDR/ENVIRONMENTAL STAFF: Mike McDougal, 974-6380
mike.mcdougal@austintexas.gov

PDR/ CASE MANAGER: David Wahlgren, 974-6455
david.wahlgren@austintexas.gov

WATERSHED: Cuernavaca Creek, Water Supply Rural
Drinking Water Protection Zone

ORDINANCE: Comprehensive Watershed Ordinance (Current Code)

REQUEST: Variance requests as follows:
1) To allow 2 lots that each lie partially within the Critical Water Quality Zone to have less than 2 acres in the Water Quality Transition Zone [LDC 30-5-453(C)]
2) To allow construction of a driveway on slopes in excess of 15% [LDC 30-5-301(A)]

STAFF

RECOMMENDATION: Variance One is recommended.
Variance Two is recommended.

REASONS FOR

RECOMMENDATION: Findings of fact have been met for Variance One and for Variance Two.



MEMORANDUM

TO: Betty Baker, Chairperson
Members of the Zoning & Platting Commission

FROM: Mike McDougal, Environmental Review Specialist Senior
Planning and Development Review Department

DATE: September 27, 2011

SUBJECT: Carriage Crossing Section 2 Lot 1 Resubdivision
C8J-2010-0117.0A

Variance Requests

The applicant has requested two variances (Exhibit 1 – Applicant Variance Request Letters). The first request is a variance from LDC 30-5-453(C) to allow 2 lots that each lie partially within the Critical Water Quality Zone to have less than 2 acres in the Water Quality Transition Zone; the second request is a variance from LDC 30-5-301(A) to allow construction of a driveway on slopes in excess of 15%.

Proposed Development

The applicant is seeking City of Austin approval to resubdivide Carriage Crossing Section 2, Lot 1. The current Lot 1 is an 11.4 acre single family subdivision located at 8510 Galeana Trace near River Hills Drive (Exhibit 2 – Driving Directions and Vicinity Map). The applicant proposes to resubdivide this current Lot 1 into 3 single family lots consisting of 2.8 acres, 4.8 acres, and 3.8 acres (Exhibit 3 – Current Final Plat and Exhibit 4 – Proposed Resubdivision). This will require two variances to the Section 30-5 of the Land Development Code.

Variance One

Lot 1 of the proposed Resubdivision would lie completely within the Uplands Zone. However, Lots 2 and 3 of the proposed resubdivision would each lie partially over the Critical Water Quality Zone (CWQZ), partially over the Water Quality Transition Zone (WQTZ), and partially within the Uplands Zone. In accordance with LDC 30-5-453(C),

Water Quality

The northern property line of the current Lot 1 is defined by an unnamed minor waterway located approximately 2 river miles upstream of Lake Austin (Exhibit 7 – Aerial Photo). There is no 100 year floodplain located within the property. A 50 foot Critical Water Quality Zone and a 100 foot Water Quality Transition Zone is located on the property.

The Cuernavaca Creek Watershed has not been studied by the City of Austin. Water quality information for this watershed is not available. However, Cuernavaca Creek is a subwatershed of Lake Austin. Water quality information for Lake Austin has been provided (Exhibit 8 – Watershed Quality Data).

Critical Environmental Features

On September 15, 2010, ACI Consulting scientists conducted a field investigation within the property in accordance with the City of Austin Land Development Code to locate Critical Environmental Features. Critical Environmental Features are defined by the Land Development Code as features that are of critical importance to the protection of environmental resources, and include bluffs, canyon rimrocks, caves, sinkholes, springs, and wetlands. Two Critical Environmental Features were identified (Exhibit 6 – Site Photographs). One seep (Critical Environmental Feature - CEF 1) and one wetland (Critical Environmental Feature - CEF 2) were identified. Both are located within the Critical Water Quality Zone and Water Quality Transition Zone setbacks. In accordance with Land Development Code Section 30-5-281(C)(1)(a), a 150 foot buffer zone from the edge of each Critical Environmental Feature has been established (Exhibit 4 – Proposed Resubdivision).

Water and Wastewater

The site lies within the Lower Colorado River Authority water service area, and wastewater will be provided on site by private septic systems.

Variance Requests and Recommendations

Variance Request One

Land Development Code Section 30-5-453(C) states that a lot that lies within a Critical Water Quality Zone must also include at least two acres in a Water Quality Transition Zone. The applicant has requested a variance to allow Lots 2 and 3 of the proposed resubdivision to have approximately 0.9 acres and 1.0 acres, respectively, within the Water Quality Transition Zone. No proposed resubdivided lot configuration is possible that would provide at least 2 acres located in a Water Quality Transition Zone.

Variance Request Two

Land Development Code Section 30-5-301(A) states that a person may not construct a roadway or driveway on a slope with a gradient of more than 15% unless the construction

List of Exhibits

- Exhibit 1:** Applicant Variance Request Letters
- Exhibit 2:** Driving Directions and Vicinity Map
- Exhibit 3:** Current Final Plat
- Exhibit 4:** Proposed Resubdivision (includes Critical Environmental Features, Critical Environmental Feature Setbacks, Proposed Driveway Alignment, Slopes, Critical Water Quality Zone, and Water Quality Transition Zone)
- Exhibit 5:** Tree Survey
- Exhibit 6:** Site Photographs
- Exhibit 7:** Aerial Photograph
- Exhibit 8:** Watershed Quality Data
- Exhibit 9:** Applicant and Staff Findings of Fact

August 23, 2011

Mr. Mike McDougal
City of Austin
Planning and Development Review Department
505 Barton Springs Road, 4th Floor
Austin, Texas 78704

RE: Environmental Variance - LDC 30-5-453 (C)
Replat of Lot 1, Section 2, Carriage Crossing Subdivision
8510 Galeana Trace Cove
Austin, Travis County, Texas
C8J-2010-0117.0A

Dear Mr. McDougal:

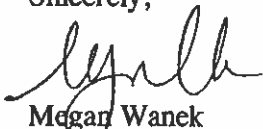
On behalf of our client, Bury+Partners, Inc. is submitting this letter and the attached exhibits as our formal request for an environmental variance to LDC Section 30-5-453 (C) to subdivide the proposed property into three (3) proposed single family lots located at 8510 Galeana Trace Cove.

The existing site is approximately 11.58 acres with 0.99 acres located in the critical water quality zone and 1.92 acres in the water quality transition zone. With the proposed subdivision of the property, two (2) of the three (3) lots will be located within the critical water quality zone and water quality transition zones. The two (2) lots will have between .93 acres in Lot 2 and .99 acres in Lot 3 within the water quality transition zone. We are requesting a variance to LDC Section 30-5-453 (C) to subdivide the property into lots with less than two (2) acres in the water quality transition zone.

Each of the three (3) proposed lots has a developable area of at least 0.8 acre, and can easily accommodate a single family home. Each of the lots has a large developable area upstream of onsite water quality transition zone and development of each lot for single family use will not disturb the critical water quality zone or water quality transition zone.

We appreciate your review and comment on the attached application. Should you require any additional information for approval of this variance, please feel free to contact us.

Sincerely,



Megan Wanek



Dwayne Shoppa, P.E.
Project Manager

TBPE Reg. No. F-1048
I:\109048\10001\Admin\Letters\2011\August\082311 McDougal.doc\sv

BURY+PARTNERS, INC.
221 West Sixth Street, Suite 600
Austin, Texas 78701

TEL (512) 328-0011
FAX (512) 328-0325

Austin • Dallas • Houston • San Antonio • Temple, Texas
Fairfax • Williamsburg, Virginia

www.burypartners.com
TBPE No. F-1048



Exhibit 1

August 31, 2011

Mr. Mike McDougal
City of Austin
Planning and Development Review Department
505 Barton Springs Road, 4th Floor
Austin, Texas 78704

RE: Environmental Variance - LDC 30-5-301(A)
Replat of Lot 1, Section 2, Carriage Crossing Subdivision
8510 Galeana Trace Cove
Austin, Travis County, Texas
C8J-2010-0117.0A

Dear Mr. McDougal:

On behalf of our client, Bury+Partners, Inc. is submitting this letter and the attached exhibits as our formal request for an environmental variance to construct a private shared access drive to serve three (3) proposed single-family lots located at 8510 Galeana Trace Cove.

Because of the existing topography of the site, we are requesting a variance to LDC Section 30-5-301(A) to construct the proposed private access drive on slopes over 15% and up to a maximum of 38%. The 11.58 acre property has a large number of areas with slopes over 15%, therefore access to the rear lot will require some construction over these slopes.

Each of the three (3) proposed lots has a developable area of at least 0.8 acre with slopes under 15%, and can easily accommodate a single-family home per the minimum assumed developable area requirements of LDC Section 30-5-64. An exhibit showing the site slopes and 0.8 acre of developable area per lot has been attached with this application.

We appreciate your review and comment on the attached application. Should you require any additional for approval of this variance, please feel free to contact us.

Sincerely,


Megan Wanek


Dwayne Shoppa, P.E.
Project Manager

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Exhibit 2 - Driving Directions and Vicinity Map

Carriage Crossing Resubdivision

C8J-2010-0117.0A

Beginning on Mopac southbound at 15th St:

Drive south on Mopac for 1.5 miles

Exit FM 2244 / Bee Caves Rd

Turn right on FM 2244 / Bee Caves Rd and drive for 5.9 miles

Turn right on River Hills Rd and drive for 0.3 miles

Take the first left onto Galeana Trace Cove and drive 0.1 miles

The proposed resubdivision will be on your right

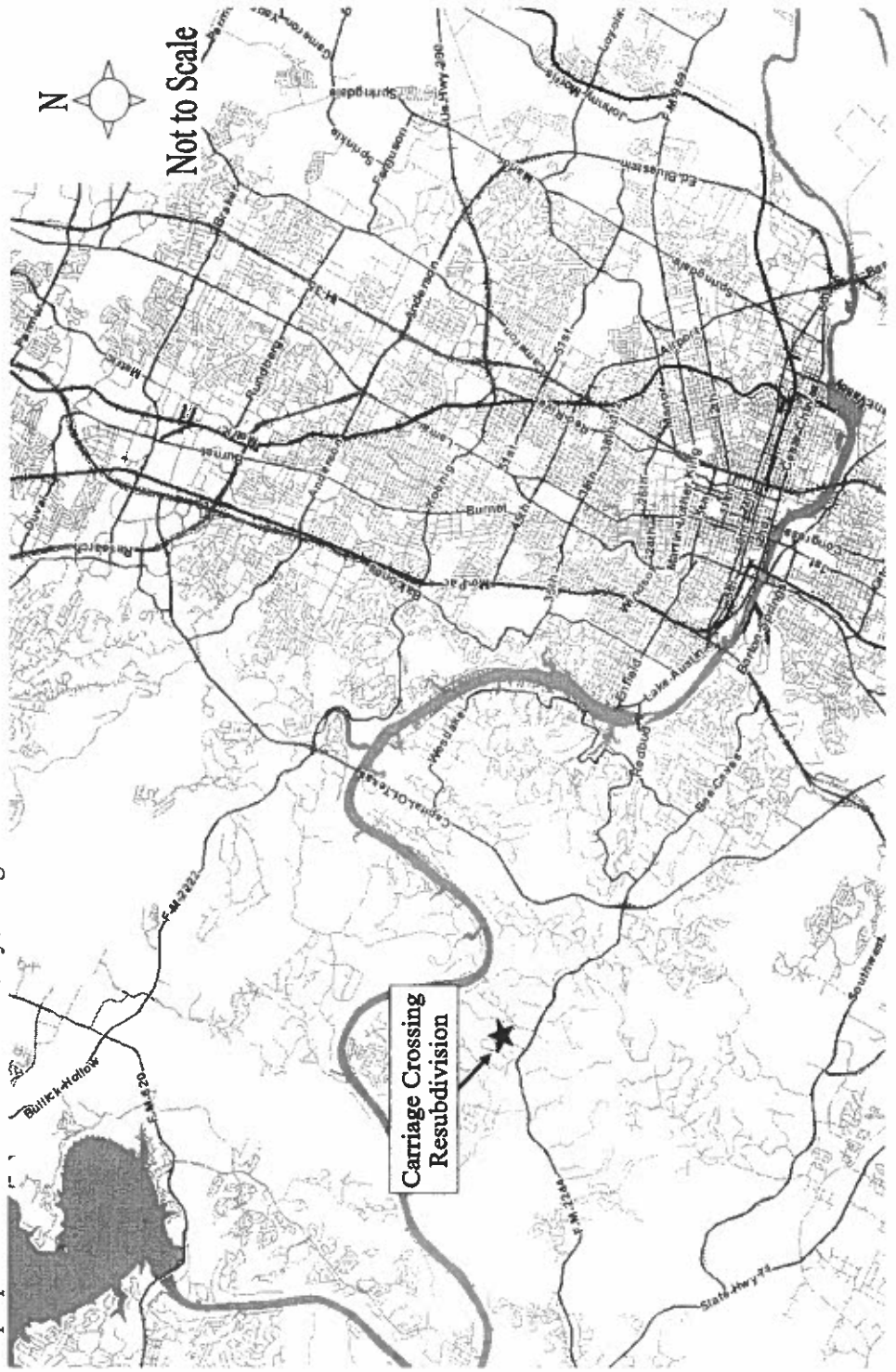
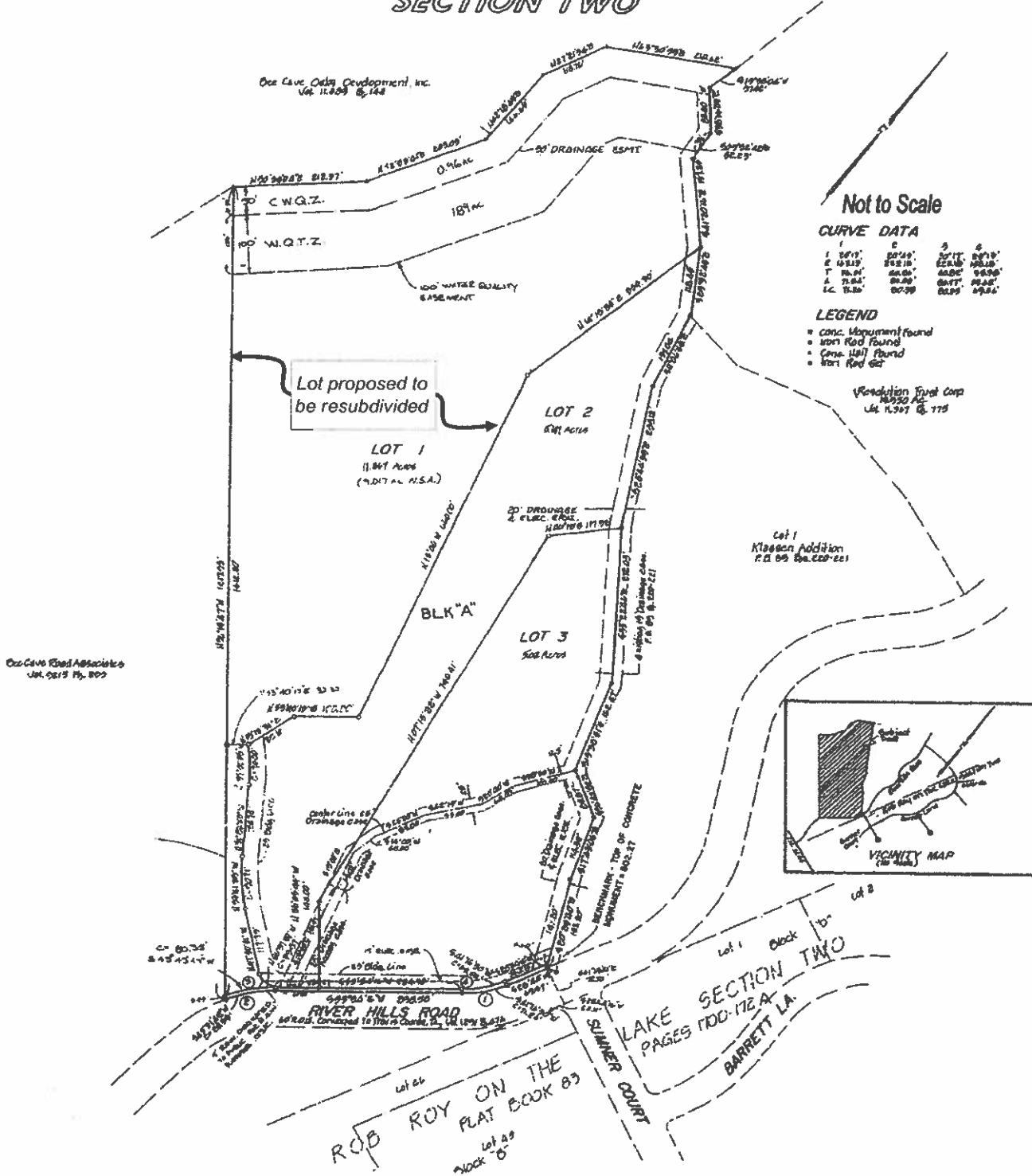


Exhibit 3 - Current Final Plat
Carriage Crossing Section 2

CARRIAGE CROSSING SECTION TWO



Not to Scale

CURVE DATA

1	2	3	4
1 20°11'	20°10'	20°11'	20°10'
2 10°11'	20°10'	20°11'	20°10'
3 10°11'	20°10'	20°11'	20°10'
4 10°11'	20°10'	20°11'	20°10'

LEGEND

- Conc. Monument found
- Iron Rod found
- Conc. Wall found
- Iron Rod Set

Production Final Plat
 11.207 16.775

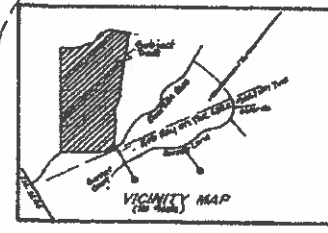
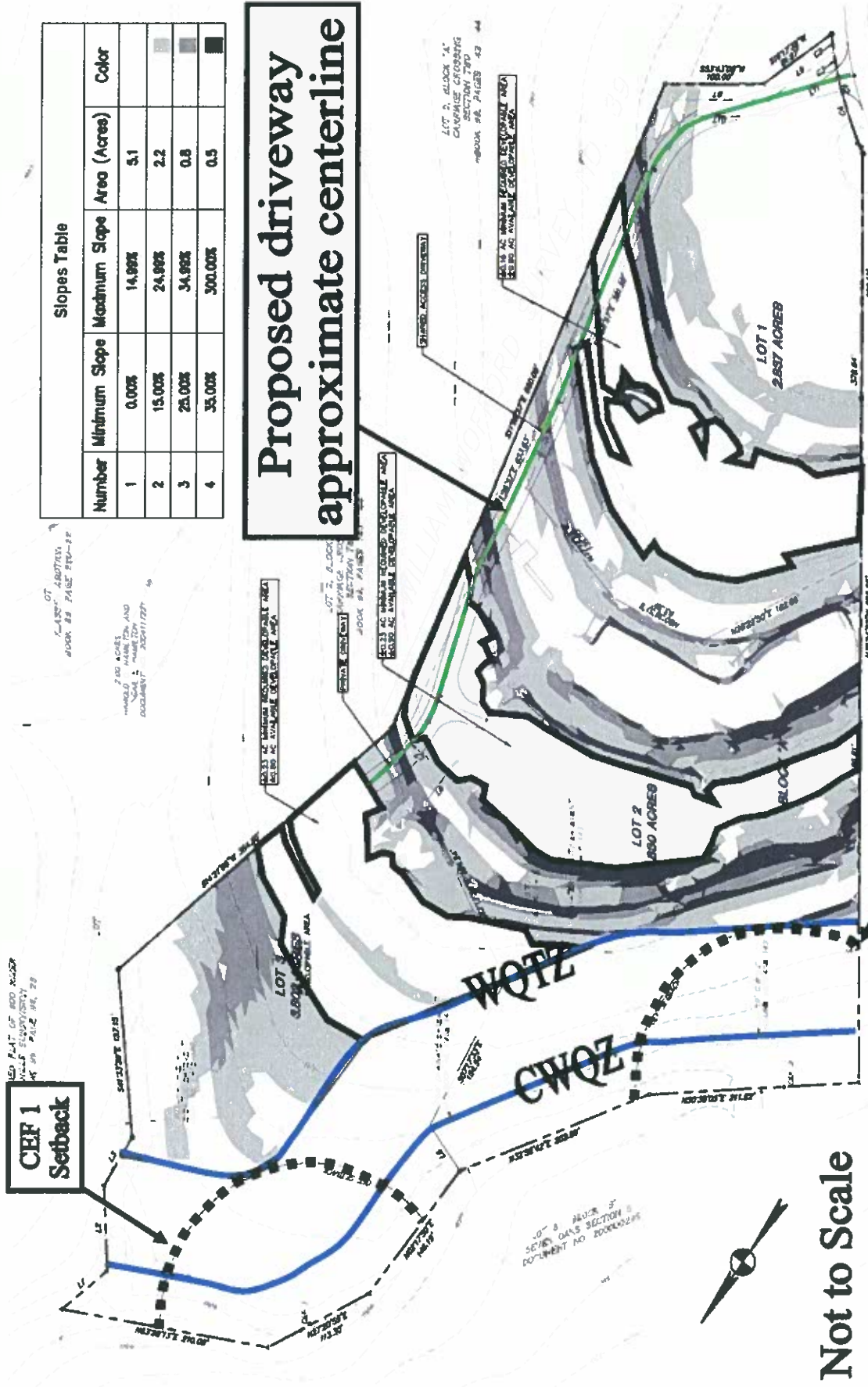


Exhibit 4 - Proposed Resubdivision

Map of CEFs, CEF Setbacks, Proposed Driveway Alignment, Slopes, CWQZ, and WQTZ



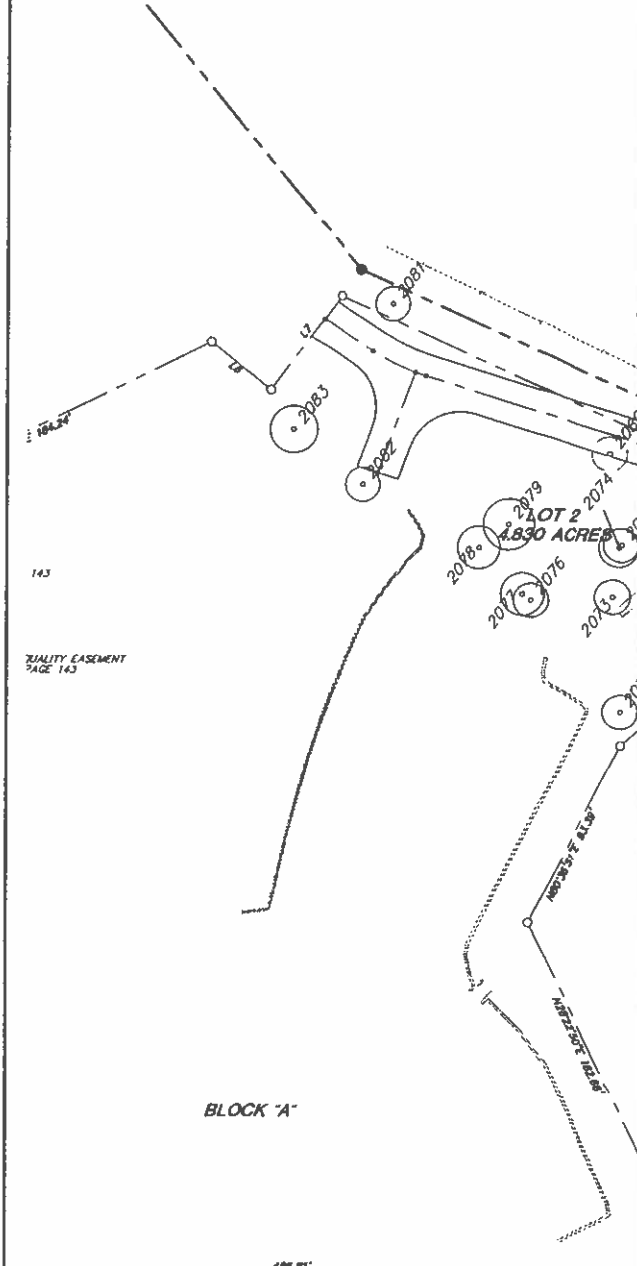
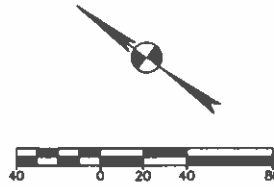
Slopes Table				
Number	Minimum Slope	Maximum Slope	Area (Acres)	Color
1	0.00%	14.99%	5.1	
2	15.00%	24.99%	2.2	
3	25.00%	34.99%	0.8	
4	35.00%	300.00%	0.5	

**Proposed driveway
approximate centerline**

**CEF 2
Setback**

Not to Scale

Exhibit 5



LEGEND

EXISTING	PROPOSED	DESCRIPTION
---	---	PROPERTY (R.O.S.) LINE
---	---	RECORD INFORMATION
○	○	LIGHT POLE
○	○	POWER POLE
○	○	DOWN CUT
○	○	TRANSFORMER (SIZE VARIES)
○	○	FIRE HYDRANT
○	○	WATER VALVE
○	○	WATER METER
○	○	WATER METER VAULT
○	○	WATER MANHOLE
○	○	TELEPHONE RISER
○	○	CABLE TV RISER
○	○	ELECTRIC BOX
○	○	ELECTRIC METER
○	○	GAS METER
○	○	GAS VALVE
○	○	TRAFFIC CONTROL BOX
○	○	TRAFFIC SIGNAL POST
○	○	GRATE INLET
○	○	CURB INLET (SIZE VARIES)
○	○	GREASE TRAP (SIZE VARIES)
○	○	WIRE FENCE
○	○	CHAIN LINK FENCE
○	○	OVERHEAD ELECTRIC
○	○	ELECTRIC MANHOLE (SIZE VARIES)
○	○	WASTEWATER MANHOLE (SIZE VARIES)
○	○	STORMSEWER MANHOLE (SIZE VARIES)
○	○	TELEPHONE MANHOLE (SIZE VARIES)
○	○	DUMPSTER
○	○	FRASH COMPACTOR
○	○	CURB & GUTTER
○	○	EDGE OF PAVEMENT
○	○	FIRE LANE DESIGNATION
○	○	HANDICAP ACCESS ROUTE
○	○	CONCRETE SIDEWALKS
○	○	WALL
○	○	WHEELSTOP
○	○	BOLLARD
○	○	PARKING COUNT (REGULAR SPACES)
○	○	PARKING COUNT (HANDICAP SPACES)
○	○	HANDICAP SPACE
○	○	TREE TO BE REMOVED
○	○	TREE TO BE SAVED

Bury+Partners
ENGINEERING SOLUTIONS
221 West Sixth Street, Suite 600
Austin, Texas 78701
Tel: (817)558-0811 Fax: (817)558-0825
TWS Registration Number P-1048
BuryPartners, Inc. 000019161 2011

**RESUBDIVISION OF LOT 1,
CARRIAGE CROSSING
SECTION 2**

**GALEANA TRACE COVE
8510 GALEANA TRACE COVE
RSS OFFICE
PARTNERS, LLC**

DRAWN BY: RHM
DESIGNED BY: MSW
REVIEWED BY: DMS
PROJECT NO.: 109048-001

SHEET
EXH

REVISION	NO.	DATE	APPROVAL

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Exhibit 6 - Site Photographs



CEF 1



CEF 2



Vegetation at the northeast portion of the property, looking east.



Vegetation approx. 100 feet east of the western boundary, looking south.



Vegetation approx. 100 feet east of the western boundary, looking west.

Exhibit 7 - Aerial Photograph

Carriage Crossing Proposed Resubdivision Proximity to Lake Austin

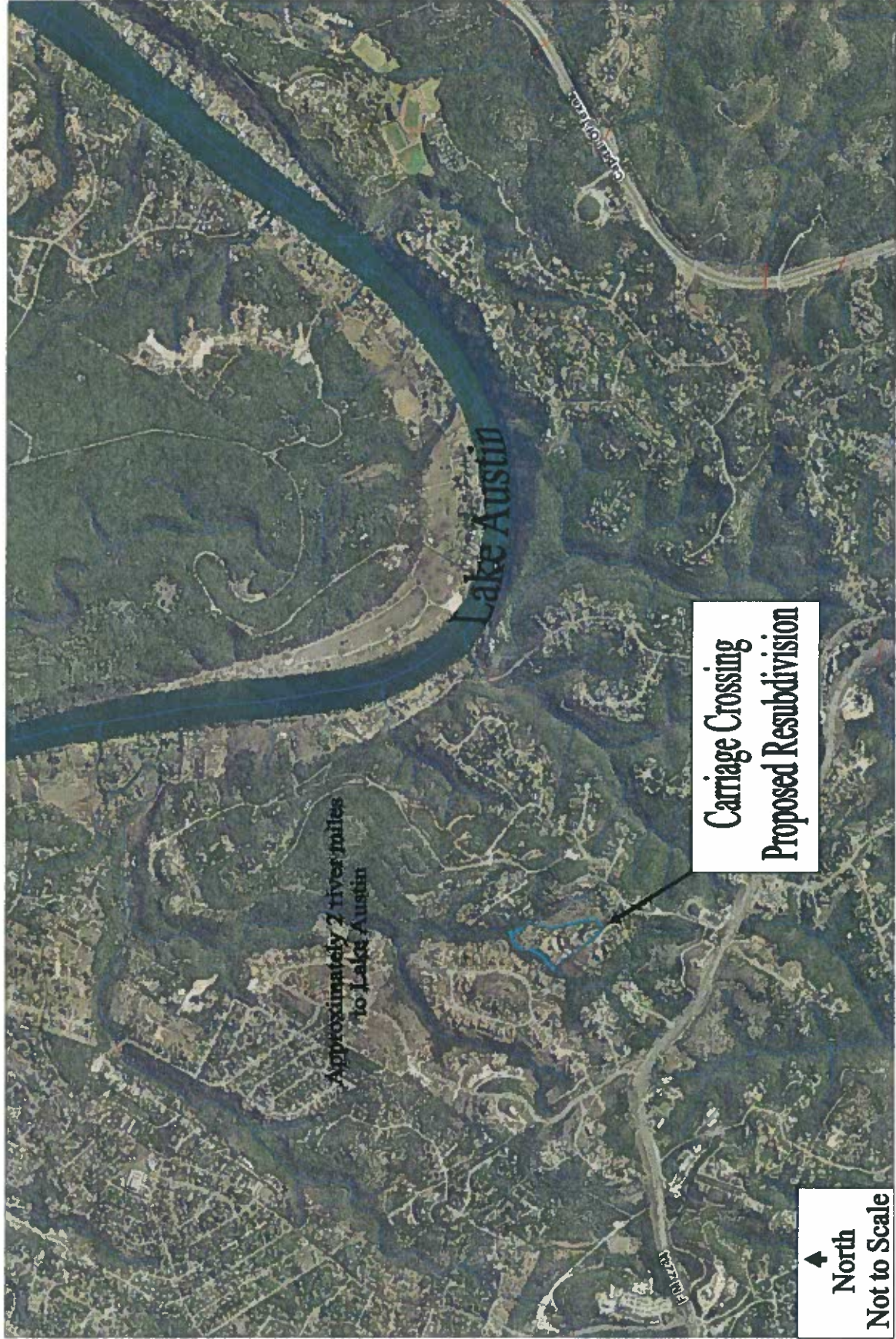


Exhibit 8



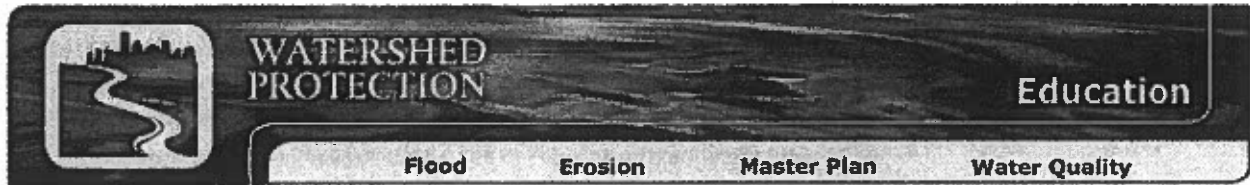
Search

Find!

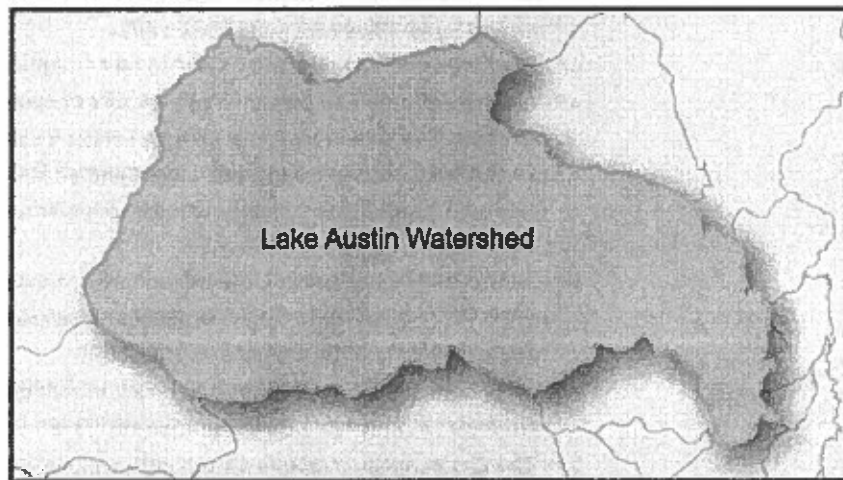
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Austin's Watersheds



[Fast Facts](#)

[Environmental Creek Assessments](#)

[Photo Gallery](#)

[Hydrilla | Lake Austin Update](#)

Fast Facts

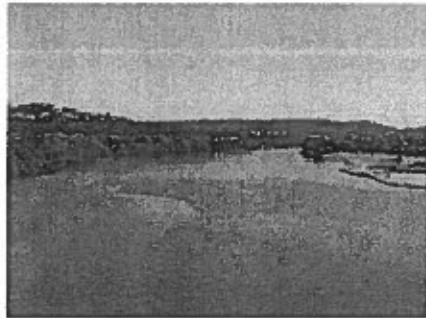
Population	2000: 23,303 2030 78,558
Creek Length	26 miles
Drainage Area	24 square miles
Drains To	The Gulf of Mexico
Well Known Sites	Steiner Ranch Elementary School, Bridge Point Elementary School, Commons Ford Ranch Park, Emma Long Park, Steiner Ranch
Land Use	Residential 14% Business 1% Civic 1% Parks 23% Roadways 5% Undeveloped 52%

Habitat	76	Very Good	Some sediment deposition
Aquatic Life	73	Good	Benthic macroinvertebrate community is good, diatom community is excellent

- The Lake Austin tributaries are characterized by high gradient Hill Country streams common on the Edwards Plateau with varying levels of development but generally healthy riparian corridors.

[Learn More](#)

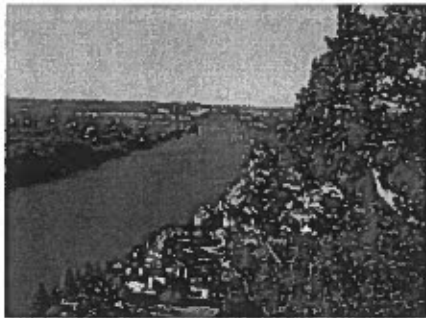
Photo Gallery



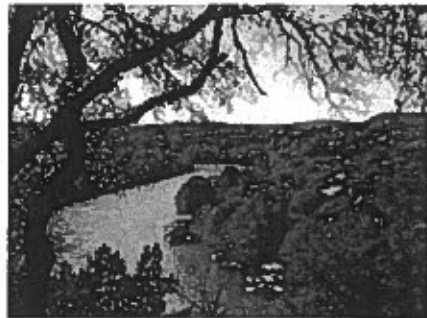
Lake Austin at 360 bridge



Lake Austin



Lake Austin at Mt Bonnell



Lake Austin at FM 2222

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Watershed Variances - Findings of Fact

As required in LDC Section 30-5-41, in order to grant a variance the Planning Commission must make the following findings of fact: Include an explanation with each applicable finding of fact.

Project: Replat of Lot 1, Section 2 Carriage Crossing

Ordinance Standard: LDC Section 30-5-453(c)

JUSTIFICATION:

1. Are there special circumstances applicable to the property involved where strict application deprives such property owner of privileges or safety enjoyed by other similarly situated property with similarly timed development?

Yes. The existing lot does not comply with the regulations of Section 30-5-453(c) of the LDC, so it is unreasonable that any subdivision of this lot would comply with the regulations. Other neighboring lots in the area have similar acreage within the CWQZ and WQTZ that are not in direct compliance with this code section.

2. Does the project demonstrate minimum departures from the terms of the ordinance necessary to avoid such deprivation of privileges enjoyed by such other property and to facilitate a reasonable use, and which will not create significant probabilities of harmful environmental consequences?

Yes. The existing lot does not comply with the regulations of Section 30-5-453(c) of the LDC. Other neighboring lots in the area have similar acreage within the CWQZ and WQTZ that are not in direct compliance with this code section.

3. The proposal does not provide special privileges not enjoyed by other similarly situated properties with similarly timed development, and is not based on a special or unique condition which was created as a result of the method by which a person voluntarily subdivided land.

Yes. The proposed subdivision is requesting to subdivide the property into lot sizes with similar developable areas to adjacent lots in the neighborhood, and it not requesting any special circumstances be applied that were not allowed on other properties.

4. Does the proposal demonstrate water quality equal to or better than would have resulted had development proceeded without the variance?

Yes. The proposed subdivision will provide an equal amount of water quality as the existing lot does, and no development is proposed within any environmentally sensitive areas. The CWQZ and WQTZ setbacks will be maintained and all storm water discharge will flow across the setback areas prior to discharging into the creek.

Exhibit 9 by
Applicant

Watershed Variances - Findings of Fact

As required in LDC Section 30-5-41, in order to grant a variance the Planning Commission must make the following findings of fact: Include an explanation with each applicable finding of fact.

Project: Carriage Crossing Replat

Ordinance Standard: LDC Section 30-5-301(A)

JUSTIFICATION:

1. Are there special circumstances applicable to the property involved where strict application deprives such property owner of privileges or safety enjoyed by other similarly situated property with similarly timed development?

Yes. There are slopes greater than 15% which surround approximately 4 acres of developable area on an 11.5 acre lot. Access to these lots is only possible with approval of driveway construction on slopes over 15%.

2. Does the project demonstrate minimum departures from the terms of the ordinance necessary to avoid such deprivation of privileges enjoyed by such other property and to facilitate a reasonable use, and which will not create significant probabilities of harmful environmental consequences?

Yes. The proposed driveway imposes no harmful environmental consequences and allows property owners to access their property. No other more preferable driveway route is available which does not require construction over the slopes as requested.

3. The proposal does not provide special privileges not enjoyed by other similarly situated properties with similarly timed development, and is not based on a special or unique condition which was created as a result of the method by which a person voluntarily subdivided land.

Yes. The proposed driveway simply provides access to the proposed lots similar to driveways on other neighboring properties and does not request any special privileges.

4. Does the proposal demonstrate water quality equal to or better than would have resulted had development proceeded without the variance?

Yes. The variance will allow water quality equal to development proceeded without it.

5. For a variance from the requirements for development within the Critical Water Quality Zone and/or Water Quality Transition Zone: Does the application of restrictions leave the property owner without any reasonable, economic use of the entire property?

Exhibit 9 by Staff



Planning and Development Review Department Environmental Criteria Manual Appendix U

Project: Carriage Crossing Section Two, Lot 1
C8J-2010-0117.0A

Ordinance Standard: Land Development Code Section 30-5-453(C)

Variance Request: To allow 2 lots that each lie partially within the CWQZ to have less than 2 acres in the WQTZ Development within the Critical Water Quality Zone

Justification:

1. Are there special circumstances applicable to the property involved where strict application deprives such property owner of privileges or safety enjoyed by other similarly situated property with similarly timed development?

Yes - Based on COA GIS data, property within adjacent subdivisions have lot line configurations designed to exclude the CWQZ from developable property; avoiding the need to demonstrate compliance with this requirement. This is not feasible with the proposed resubdivision of Lot 1. The current Lot 1 lies partially within the CWQZ but contains less than 2 acres of WQTZ. If the WQTZ area within the existing Lot 1 were at least 2 acres, it would be possible to create a Resubdivision with a lot that would include CWQZ and at least 2 acres of WQTZ.

2. Does the project demonstrate minimum departures from the terms of the ordinance necessary to avoid such deprivation of privileges enjoyed by such other property and to facilitate a reasonable use, and which will not create significant probabilities of harmful environmental consequences?

Yes - Currently, one lot is located partially within the CWQZ and has less than 2 acres within the WQTZ. The proposed resubdivision would have 2 lots located partially within the CWQZ and with each lot having less than 2 acres within the WQTZ. The proposed resubdivision complies with other single family development density requirements of the Land Development Code and would not create significant probabilities of harmful environmental consequences.

Exhibit 9 by Staff



Planning and Development Review Department
Environmental Criteria Manual Appendix U

Project: Carriage Crossing Section Two, Lot 1
C8J-2010-0117.0A

Ordinance Standard: Land Development Code Section 30-5-301(A)

Variance Request: To allow construction of a driveway on slopes in excess of 15%

Justification:

1. Are there special circumstances applicable to the property involved where strict application deprives such property owner of privileges or safety enjoyed by other similarly situated property with similarly timed development?

Yes – Each of the proposed lots has a developable area in accordance with the Land Development Code. Due to construction on slopes restrictions, a driveway can not be built in compliance with the Land Development Code to access the developable area of each of the proposed lots.

2. Does the project demonstrate minimum departures from the terms of the ordinance necessary to avoid such deprivation of privileges enjoyed by such other property and to facilitate a reasonable use, and which will not create significant probabilities of harmful environmental consequences?

Yes – The three proposed lots would use a single joint driveway rather than using three separate driveways, reducing the amount of construction on slopes over 15%. Erosion / sedimentation control in accordance with the Land Development Code and the Environmental Criteria manual is required for driveway construction. The proposed driveway alignment does not create significant probabilities of harmful environmental consequences.