



ITEM FOR ENVIRONMENTAL BOARD AGENDA

BOARD MEETING

DATE REQUESTED: August 6, 2008

**NAME & NUMBER
OF PROJECT:** WEBB ESTATES
C8J-2008-0082

**NAME OF APPLICANT
OR ORGANIZATION:** Longaro & Clarke, L.P.
(Contact: James McCann- 306-0228)

LOCATION: City Park Road

PROJECT FILING DATE: April 23, 2008

**WPDR/ENVIRONMENTAL
STAFF:** Craig Carson, 974-7690
craig.carson@ci.austin.tx.us

**WPDR/
CASE MANAGER:** Don Perryman, 974-2786
don.perryman@ci.austin.tx.us

WATERSHED: West Bull Creek Watershed (Water Supply Suburban)
Turkey Creek Watershed (Water Supply Rural)
Drinking Water Protection Zone

**ORDINANCE:
REQUEST:** Comprehensive Watershed Ordinance (current Code)
Variance requests are as follows:

1. To allow construction of roads and driveways on slopes greater than 15% [LDC Section 30-5-301(A), and,
2. To allow construction of buildings on slopes greater than 25% [LDC Section 30-5-302(B)], and,
3. To allow cut up to 18 feet and fill up to 20 feet [LDC Section 30-5-341/342].

STAFF RECOMMENDATION: Recommend approval.

**REASONS FOR
RECOMMENDATION:** Findings of fact have been met.



MEMORANDUM

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

FROM: Craig Carson, Senior Environmental Reviewer
Watershed Protection and Development Review Department

DATE: August 6, 2008

SUBJECT: Webb Estates C8J-2008-0082

Variance Request:

Variance from LDC 30-5-301(A)- Construction of Roadway/Driveway on slopes > 15%.

Variance from LDC 30-5-302(B) – Construction of buildings on slopes > 25%.

Variance from LDC 30-5-341/342- Cuts up to 18 feet and fill up to 20 feet.

The applicant is proposing to construct a 79 lot single family subdivision with roadways, utilities, and four detention ponds and three water quality ponds on approximately 167.49 acres. This project is located on the west side of City Park Road, approximately 1000 feet north of the intersection of City Park Road and Westminster Glen Avenue and is within the City of Austin's Limited Purpose Jurisdiction.

Approximately half of the tract drains south to the Turkey Creek Watershed, which is classified as Water Supply Rural and the other half drains north to the West Bull Creek Watershed, which is classified as Water Supply Suburban. This site is located on the Northern Edwards Aquifer. The topography of the tract is typical west Travis County hill country, with flatter and steeper sections on the hill sides and incised drainage ways.

This site is part of the Balcones Canyonland Preserve and is known to contain nesting ground for the Golden Cheeked Warbler. The conservation areas effectively divide the tract into two distinct sections. The owners of Webb Estates have provided 46.78 acres of preserve area, which represents approximately 28% of the entire tract. This preserve area will remain in a natural undisturbed state.

Through a transfer of development intensity [LDC 30-5-455(A)(5)], the applicant is allowed to transfer one single family residential housing unit for each acre located in a Critical Environmental Feature (CEF) buffer zone that the applicant leaves natural and undisturbed. In this case, the applicant has 11.03 acres of CEF buffer area in the Turkey Creek Watershed they are leaving in a natural state. As a result, the applicant has added five additional residential units in the Uplands area of the Turkey Creek Watershed portion of this tract.

August 9, 2007, City Ordinance No. 20070809-054 was passed by the City Council which zoned this subdivision rural residence (RR). This zoning restricts total impervious cover to 25%. A copy of the ordinance is attached as an exhibit.

In the Turkey Creek Watershed portion of the site, the applicant proposes a total impervious cover (including roads, homes, and driveways) of 13.39 acres (or 583,268.4 square feet, or 12.8% gross site area/ 19.8% net site area). This meets the density and lot size requirements allowed by City Code, as well as the RR zoning requirement.

In the West Bull Creek Watershed portion of this site to determine the most restrictive impervious cover limit one has to look at both zoning and watershed requirements. Zoning allows a maximum of 25% impervious cover of the gross site area. In this case, 25% of 63.30 acres (gross site area) is 15.825 acres. The Water Supply Suburban regulations allow for a maximum impervious cover limit of 30% of the net site area. In this case, 30% of 45.27 acres (net site area) is 13.58 acres. Therefore, the Water Supply Suburban impervious cover limit of 30% of the net site area is more restrictive and will be used for calculating impervious cover for the West Bull Creek Watershed portion of this site. The applicant is proposing a total impervious cover of 13.58 acres (591544.8 square feet, or 21.45% gross site area/29.99% net site area).

The applicant's subdivision complies with the density requirements and is below 20% impervious cover in the Turkey Creek Watershed (Water Supply Rural) and therefore will only meet detention requirements for storm water run-off. In the West Bull Creek Watershed the proposed impervious cover is over 20%, so detention and water quality controls are required. The applicant is proposing one detention pond in the Turkey Creek Watershed portion of the subdivision and three detention/water quality ponds in the West Bull Creek Watershed.

Description of Project Area

This is a 167.49 acre tract that is roughly bounded by the Westminster Glen Phase 1 Subdivision to the south, River Place Section 8 to the west, City Park Road to the east, and City owned conservation areas to the north. Existing development on this tract consists of one single family house with horse stables and related improvements.

This site is comprised of rolling terrain with incised drainage ways typical of the West Travis County Hill Country. Topographically the site ranges in elevation from approximately 770 feet to 1042 feet above mean sea level. The site is approximately divided by a ridgeline that defines the boundary between the Turkey Creek Watershed (Water Supply Rural) and the West Bull Creek Watershed (Water Supply Suburban). Due to naturally occurring rolling terrain, all slope categories can be found on site; 54.7% of the total site falls in the 0-15% slope category, 27.2% of the total site falls within the 15-25% slope category, and 18.1% of the site has slopes in excess of 25%. No portion of this site falls within the 100 year flood plain, however there is a critical water quality zone that is located in the conservation

easement along the west side of the property. This site is located on the Northern Edwards Aquifer.

Vegetation

The site is located within the Edwards Plateau vegetational area of Texas. The vegetation on this tract is predominately Ashe juniper, Live oak, Texas oak, Yaupon, Flame-leaf sumac, Evergreen sumac, Twisted-leave yucca, Texas prickly pear, Poison ivy, Texas mountain laurel and native grasses.

Typical wetland vegetation observed in existing drainage ways include: Spikerush, Cattail, black Willow, and Maiden Fern.

Critical Environmental Features

Nineteen Critical Environmental Features were identified in the Horizon Environmental Report. They identified 13 seeps, 3 rim rock features, 1 twenty foot diameter cave, 1 sinkhole, and 1 water well. The City's Environmental Resource Management staff reviewed the site and allowed 50 foot setbacks for one seep (Seep F5) and the 20 foot long solution fracture, and required 150 foot buffers for all of the other CEFs.

Water/Wastewater

Water service shall be provided by the River City Municipal Utility District. Wastewater for all lots will be individual on-site septic systems. Travis County will be the permitting authority for the on-site septic systems to be installed in this subdivision. Due to steep slopes and shallow soil profiles in the area, some on-site septic systems will be required to be constructed using terracing techniques to ensure the system works properly.

Variance Requests

The variances being requested by this project are as follows:

1. Variance from City Code Section 30-5-301(A)- Construction of roadway and driveways on slopes > than 15%.

This variance is required to allow construction of portions of the two roads accessing the subdivision and driveways on lots where the driveway must cross slopes over 15%.

Both of the proposed roads cross slopes greater than 35%. Since a watershed boundary literally traverses across this property, it is located at the very top of two watersheds. At the top of these Hill Country watersheds, most drainage ways are narrow steep sided ravines carved into the weathered limestone. Both of the proposed roads cross several of these narrow steep sided ravines to gain access to proposed lots. Additionally, the location of these roads is somewhat restricted due to topography of the land and the locations of the CEFs.

The applicant is also requesting this variance to allow for construction of driveways on lots where the driveways must cross slopes greater than 15% to access the building site. The

lots for which this variance is requested are Lots 1-5, 7-20, 22-25, 34, 36, 38, 39, 42, 43, 46-51, 53, 55-64, 66-76.

2. Variance from City Code Section 30-5-302(B)- Construction of a building on slopes greater than 25%.

This variance is requested to allow for homes to be constructed on Lots 1-5, 7-20, 22-25, 34, 36, 38, 39, 42, 43, 46-51, 53, 55-64, 66-76, all of which have building areas with slopes greater than 25%. Most of these lots are composed of the typical stair-step topography found in the western Travis County Hill Country, and have small areas with slopes greater than 25% in the areas best suited for building placement.

3. Variance from City Code Section 30-5-341- Cuts up to 18 feet.
Variance from City Code Section 30-5-342- Fill up to 20 feet.

This cut/fill variance is requested to allow the applicant to construct the detention ponds and roadways, and to later on allow the lot owners the ability to construct driveways and suitable building sites.

The applicant will need a maximum cut/fill of 9 feet to construct the four detention ponds and three water quality ponds.

The applicant will need this cut/fill variance to complete the central sections of both roads accessing the lots in this subdivision. On Webb Mountain Drive, the maximum proposed cut/fill is 12 feet. On Eula Gardens Cove, the maximum fill proposed is 20 feet.

Cut/fill will be necessary to construct driveways and/or single family residential buildings on individual lots where either the driveway must cross steep slopes, or on building sites which are located on the steeper bands of this Hill Country topography. Because home builders, not the applicant, will be locating and building the homes and associated driveways in this subdivision, the applicant is not certain of the exact location of each home. As a result, the applicant has estimated the cut/fill necessary for those lots that will require cut/fill to build the home. The applicant shows that Lots 2, 5, 7, 9-17, 22-24, 51, 53, 55-63, 66-76 need cut/fill greater than four feet to construct the home. The maximum cut/fill of 18 feet is requested for Lots 7, 22, 63, and 75.

Similar Cases

The following project had similar construction issues and received recommendations from the Environmental Board that were subsequently approved by the Zoning and Platting Commission:

Palisades West SP-02-0456D: Variance requests to:

1. Allow cut and fill over 4 feet (LDC 25-8-341 and 342); and
2. Allow construction on slopes (LDC 25-8-302(A)(1); and
3. To exclude approximately 6000 square feet of a fire lane from impervious cover calculations [LDC 25-8-454(D)(1)(a) and LDC 25-8-424(C)(1)].

The EV Board recommended approval 7-0-0-1 on September 20, 2006 with the following conditions:

1. Implementation of an IPM program; and
2. Green Building at 2 star level and/or LEEDs certification; and
3. Additional water conservation measures; and
4. Landscape screening of the water quality pond on FM 2244 with native species; and
5. Tree mitigation for Class 1 trees at the standard rate; and Utilize permeable pavers on the fire lane and gate area.

Recommendations

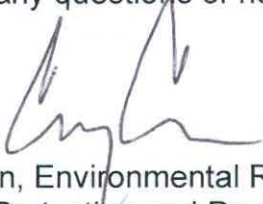
Staff recommends approval of the variance requests with conditions because the findings of fact have been met.

Conditions

Staff recommends granting the variances with the following conditions:

- 1 All slopes greater than 33% shall be stabilized with a permanent structure, unless it is a stable rock face;
- 2 Prior to subdivision plan permit, the applicant will retain a geotechnical engineer to determine rock stability and to make slope stabilization recommendations;
- 3 All disturbed areas shall be revegetated with City of Austin 609-S specification;
- 4 Provide enhanced erosion controls for the site. Including: sedimentation basins used off-line of the drainage channels; phased clearing and grading, with temporary stabilization; storing all spoils any concentrated flow of water; and enhanced perimeter controls;
- 5 Mitigate 100% for all 19 inch caliper trees taken down for construction of the road or utilities. All trees used for mitigation will be Class I native trees;
- 6 Implement a City approved Integrated Pest Management Plan;
- 7 Any fill greater than 4 feet will be structurally contained;
- 8 Provide slope related building setbacks on each lot to further protect the steeper portions of each property. These setbacks will be surveyed and shown on the plat prior to approval;
- 9 The applicant will work with staff to reduce construction on slopes further by looking at the use of joint access driveways on adjoining lots which have steep slopes;
- 10 For all lots in which construction occurs on slopes greater than 25%, flow spreaders will be used to ensure storm water leaves the site in sheet flow conditions. A note will be added requiring the use of flow spreaders on residential lots in areas of construction with slopes greater than 25%.

If you have any questions or need additional information, please feel free to contact me at 974-2711.

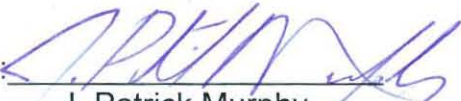


Craig Carson, Environmental Review Specialist
Watershed Protection and Development Review

Environmental Program Manager:


Ingrid McDonald

Environmental Officer:


J. Patrick Murphy



**Watershed Protection and Development Review Department
Staff Recommendations Concerning Required Findings
Water Quality Variances**

Application Name:	Webb Estates
Application Case No:	C8J-2008-0082
Code Reference:	Land Development Code Section 30-5-301(A) Construction of a roadway or driveway on slopes.
Variance Request:	To allow construction of roadways and driveways on slopes greater than 15%.

A. Land Use Commission variance determinations from Chapter 25-8, Subchapter A – Water Quality of the City Code:

1. The requirement will deprive the applicant of a privilege or the safety of property given to owners of other similarly situated property with approximately contemporaneous development.

Yes. The variance will not be providing a special privilege to the applicant. Due to the property's shape, overall "stair-step" topography, conservation tracts, and CEF setbacks, there are no continuous areas within the slope category of 0 to 15% that allow access to all lots. Additionally, the surrounding subdivisions (Westminster Glen, Phase 1 and River Place, Section 8) are built on the same type of topography and received similar considerations in their development.

2. The variance:

- a) Is not based on a condition caused by the method chosen by the applicant to develop the property, unless the development method provides greater overall environmental protection than is achievable without the variance;

Yes. Although the site's topography, shape, conservation tract dedication, and CEF and related setbacks partially drive the locations of the roads and driveways on slopes greater than 15%, constructing the roadway to properly drain storm run-off into detention ponds also requires the construction on slopes. Allowing these roads and driveways to be built on slopes greater than 15% ensures that run-off is held to pre-construction amounts, thus providing better environmental protection.

- b) Is the minimum change necessary to avoid the deprivation of a privilege given to other property owners and to allow a reasonable use of the property;

Yes. Although the applicant is requesting a variance to construct roads and driveways on slopes greater than 15%, they have minimized the areas where roadways and driveways cross over these slopes while still being able to provide access to all lots.

- c) Does not create a significant probability of harmful environmental consequences; and

Yes. The applicant's design has minimized the construction of the roadways and driveways on slopes greater than 15%. Additionally, enhanced temporary and permanent erosion controls will be in place to ensure the drainage ways are protected from erosion and sedimentation. All fill over 4 feet will be structurally contained, which will further protect the fill from erosion, while preserving more natural area by containing it instead of sloping it.

3. Development with the variance will result in water quality that is at least equal to the water quality achievable without the variance.

Yes. The applicant proposes to keep the total impervious cover well below 20%, provides the required buffers for all CEFs to provide protection from runoff, and proposes to establish building setbacks on each lot to ensure that construction on each lot takes place off of the steeper areas of the lot. Additionally, the applicant is proposing the installation of 4 detention ponds to ensure that storm water runoff leaves the site at pre-construction flow rates.

B. Additional Land Use Commission variance determinations for a requirement of Section 25-8-393 (Water Quality Transition Zone), Section 25-8-423 (Water Quality Transition Zone), Section 25-8-453 (Water Quality Transition Zone), or Article 7, Division 1 (Critical Water Quality Zone Restrictions):

1. The above criteria for granting a variance are met;

Not applicable.

2. The requirement for which a variance is requested prevents a reasonable, economic use of the entire property; and

Not applicable.

3. The variance is the minimum change necessary to allow a reasonable, economic use of the entire property.

Not applicable.

Reviewer Name: Craig Carson

Reviewer Signature: 

Date: July 7, 2008

Staff may recommend approval of a variance after answering all applicable determinations in the affirmative (YES).



**Watershed Protection and Development Review Department
Staff Recommendations Concerning Required Findings
Water Quality Variances**

Application Name:	Webb Estates
Application Case No:	C8J-2008-0082
Code Reference:	Land Development Code Section 30-5-302(B) Construction of a building or parking area on slopes.
Variance Request:	To allow construction of single family residential structures to be built on slopes greater than 25%.

A. Land Use Commission variance determinations from Chapter 25-8, Subchapter A – Water Quality of the City Code:

1. The requirement will deprive the applicant of a privilege or the safety of property given to owners of other similarly situated property with approximately contemporaneous development.

Yes. The variance will not be providing a special privilege to the applicant. Due to the property's steep nature and overall "stair-step" topography there are numerous bands of narrow, steep weathered limestone which run across most of the lots in this subdivision. On Lots 1-5, 7-20, 22-25, 34, 36, 38, 39, 42, 43, 46-51, 53, 55-64, 66-76, the areas planned to construct the homes have small areas of slopes greater than 25% located in them. Additionally, the surrounding subdivisions (Westminster Glen, Phase 1 and River Place, Section 8) are built on the same type of topography and received similar considerations in their development.

2. The variance:

- a) Is not based on a condition caused by the method chosen by the applicant to develop the property, unless the development method provides greater overall environmental protection than is achievable without the variance;

Yes. The roads were located on the flatter areas of the property to minimize construction impact to the site. This combined with the site's topography, shape, conservation tract dedication, and CEF and related setbacks leave some lots with small areas of slopes greater than 25% in the proposed building location. In an attempt to minimize impacts on steeper slopes, the applicant has agreed to building setbacks for the steeper slopes on each lot. In setting up these building setbacks, construction on the steepest slopes of each property will be avoided. These setbacks along with erosion and sedimentation controls will minimize impacts to the steepest slopes and prevent erosion and sedimentation occurring in the natural areas.

- b) Is the minimum change necessary to avoid the deprivation of a privilege given to other property owners and to allow a reasonable use of the property;

Yes. Although the applicant is requesting a variance to construct single family residential buildings on slopes greater than 25%, they have minimized these areas, while also avoiding construction on the steepest slopes of each property by establishing building setbacks.

- c) Does not create a significant probability of harmful environmental consequences; and

Yes. By establishing slope building setbacks for each property and requiring the use of properly installed erosion and sedimentation controls, the applicant is protecting the naturally undisturbed areas of each property from the probability of harm.

3. Development with the variance will result in water quality that is at least equal to the water quality achievable without the variance.

Yes. The combination of building setbacks to protect the steeper portions of each lot and the use of erosion and sedimentation controls should provide water quality protection that is equal to the water quality achievable without the variance.

B. Additional Land Use Commission variance determinations for a requirement of Section 25-8-393 (Water Quality Transition Zone), Section 25-8-423 (Water Quality Transition Zone), Section 25-8-453 (Water Quality Transition Zone), or Article 7, Division 1 (Critical Water Quality Zone Restrictions):

1. The above criteria for granting a variance are met;

Not applicable.

2. The requirement for which a variance is requested prevents a reasonable, economic use of the entire property; and

Not applicable.

3. The variance is the minimum change necessary to allow a reasonable, economic use of the entire property.

Not applicable.

Reviewer Name: Craig Carson

Reviewer Signature: _____

Date: July 7, 2008

Staff may recommend approval of a variance after answering all applicable determinations in the affirmative (YES).



**Watershed Protection and Development Review Department
Staff Recommendations Concerning Required Findings
Water Quality Variances**

Application Name:	Webb Estates
Application Case No:	C8J-2008-0082
Code Reference:	Land Development Code Section 30-5-341/342
Variance Request:	To allow cuts up to 12 for the road and 18 feet for building construction. To allow fill up to 20 feet for the road and 20 feet for building construction.

A. Land Use Commission variance determinations from Chapter 25-8, Subchapter A – Water Quality of the City Code:

1. The requirement will deprive the applicant of a privilege or the safety of property given to owners of other similarly situated property with approximately contemporaneous development.

Yes, Due to the property's shape, overall "stair-step" topography, conservation tracts, and CEF setbacks due to the site's topographic constraints, cut/fill over 4 feet will be required to construct; the roadways, the ponds, and on Lots 2, 5, 7, 9-17, 22-24, 51, 53, 55-63, 66-76, driveways and building foundations. The surrounding subdivisions (Westminster Glen, Phase 1 and River Place, Section 8) are built on the same type of topography and received similar considerations in their development.

2. The variance:

- a) Is not based on a condition caused by the method chosen by the applicant to develop the property, unless the development method provides greater overall environmental protection than is achievable without the variance;

Yes. Although the site's topography, shape, conservation tract dedication, and CEF and related setbacks partially drive the need for cut/fill greater than 4 feet, the grading necessary to properly drain storm run-off from a watershed divide into detention ponds and the construction of the detention ponds themselves require cut/fill over 4 feet.

- b) Is the minimum change necessary to avoid the deprivation of a privilege given to other property owners and to allow a reasonable use of the property;

Yes. The cut/fill related to the roadways is the minimum necessary to ensure the roadways are graded and constructed properly to ensure storm water run-off is properly controlled and detained. The cut/fill related to Lots 2, 5, 7, 9-17, 22-24, 51, 53, 55-63, 66-76 are the

maximums thought necessary to construct a single family residential building and associated driveway.

- c) Does not create a significant probability of harmful environmental consequences; and

Yes, by allowing the cut/fill variance, the roadways and driveways can be graded so that they properly drain into the detention ponds, thus ensuring that increased run-off causing increased erosion does not occur. During construction, enhanced erosion controls will be in place, such as sediment traps (not in drainages), continuous lower perimeter controls, and the use of mulch logs on longer steep slopes to further slow down storm water run-off. Additionally, all fill over 4 feet will be structurally contained, therefore minimizing erosion potential of the fill.

3. Development with the variance will result in water quality that is at least equal to the water quality achievable without the variance.

Yes, once the cut/fill is in place, the detention ponds will be built, and the roadways will be constructed to properly drain storm water run-off into them. Additionally, for Lots 2, 5, 7, 9-17, 22-24, 51, 53, 55-63, 66-76, the cut/fill requested will allow a lot owner access to the property to construct a single family residential building and associated driveway, while structurally containing it will minimize its impact on the native landscape. As a result storm water run-off will be collected and detained to pre-construction conditions in detention ponds which will result in water quality equal to quality achievable without the variance.

B. Additional Land Use Commission variance determinations for a requirement of Section 25-8-393 (Water Quality Transition Zone), Section 25-8-423 (Water Quality Transition Zone), Section 25-8-453 (Water Quality Transition Zone), or Article 7, Division 1 (Critical Water Quality Zone Restrictions):

1. The above criteria for granting a variance are met;

Not applicable.

2. The requirement for which a variance is requested prevents a reasonable, economic use of the entire property; and

Not applicable.

3. The variance is the minimum change necessary to allow a reasonable, economic use of the entire property.

Not applicable.

Reviewer Name: Craig Carson

Reviewer Signature: 

Date: July 7, 2008

Staff may recommend approval of a variance after answering all applicable determinations in the affirmative (YES).

July
2008

City of Austin
Watershed Protection & Development Review Department
505 Barton Springs Road
Austin, Texas 78704

RE: Webb Estates
Construction of Roadway or Driveway on Slopes in Excess of 15% (LDC §30-5-301)
Variance Request
L&C Job No. 257-01

To Whom It May Concern:

The above referenced project is located on the west side of City Park Road approximately 1000 feet north of the intersection of City Park Road and Westminster Glen Avenue. The site is approximately 167.49 acres and is within the City of Austin Limited Purpose Jurisdiction.

This variance request is for the construction of roadway and driveway improvements to serve a 79 lot single-family subdivision with a minimum lot size of one acre. The site is part of the Balcones Canyonland Preserve and known to contain nesting ground for the Golden Cheek Warbler. The conservation areas effectively divide the tract into two distinct sections. The typical topography found in west Travis County can be characterized as rolling terrain with incised drainage ways. To serve the western half of Webb Estates will require the crossing of two existing drainage ways, both with slopes in excess of 15%.

The Findings of Fact are as follows:

- The site is located in the hill country of West Travis County and bounded on two sides by existing subdivisions. Therefore granting of the variance would offer no greater entitlement than what has been given to the adjacent neighborhoods.
- LDC 30-5-301(1)(2) provides for the construction of roadways and driveways on slopes greater than 15% provided it is necessary for primary access to at least two contiguous acres with a gradient of 15% or less; or building sites for a least five residential units. In this case both criteria are satisfied.
- The surrounding subdivisions are built in the same areas of incised drainage ways found in the West Travis County Hill Country and have received similar consideration for their roadways and driveways. Greenshores on Lake Austin was granted the same variance request.
- There is no proposed development within a Critical Water Quality Zone, Water Quality Transition Zone or floodplain and all disturbed areas will be restored with vegetation or other erosion control measures.
- The project is not located within the Barton Springs Zone.

Based on this, we are requesting a variance, in accordance with LDC §30-5-301(A)(2)(3) and §30-5-301(B), from LDC §30-5-301(A) of the LDC, prohibiting construction of roadways and driveways on slopes in excess of 15%. We appreciate your review of this variance request. If you have any questions, or require any additional information, please do not hesitate to call.

Very Truly Yours,
LONGARO & CLARKE, L.P.


James R. McCann, P.E.
Project Manager

July
2008

City of Austin
Watershed Protection & Development Review Department
505 Barton Springs Road
Austin, Texas 78704

RE: Webb Estates
Construction of Building or Parking Area on Slopes in Excess of 25% (LDC §30-5-302)
Variance Request
L&C Job No. 257-01

To Whom It May Concern:

The above referenced project is located on the west side of City Park Road approximately 1000 feet north of the intersection of City Park Road and Westminster Glen Avenue. The site is approximately 167.49 acres and is within the City of Austin Limited Purpose Jurisdiction.

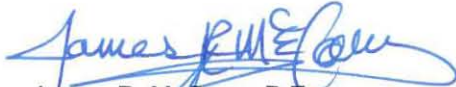
This variance request is for the construction of building and parking area improvements to serve a 79 lot single-family subdivision with a minimum lot size of one acre. The site is part of the Balcones Canyonland Preserve and known to contain nesting ground for the Golden Cheek Warbler. The conservation areas effectively divide the tract into two distinct sections. The typical topography found in west Travis County can be characterized as rolling terrain with incised drainage ways.

The Findings of Fact are as follows:

- The site is located in the hill country of West Travis County and bounded on two sides by existing subdivisions. Therefore granting of the variance would offer no greater entitlement than what has been given to the adjacent neighborhoods.
- Terracing techniques described in the Environmental Criteria Manual will be used for uphill and downhill areas greater than 15%. Cuts and fills will also be revegetated, or if the finished gradient is greater than 33% stabilized with a permanent structure except in areas of a stable cut.
- The surrounding subdivisions are built in the same areas of incised drainage ways found in the West Travis County Hill Country and have received similar consideration for their buildings and parking areas. Greenshores on Lake Austin was granted the same variance request.
- There is no proposed development within a Critical Water Quality Zone, Water Quality Transition Zone or floodplain and all disturbed areas will be restored with vegetation or other erosion control measures.
- The project is not located within the Barton Springs Zone.

Based on this, we are requesting a variance from LDC §30-5-302 prohibiting construction of buildings and parking areas on slopes in excess of 25%. We appreciate your review of this variance request. If you have any questions, or require any additional information, please do not hesitate to call.

Very Truly Yours,
LONGARO & CLARKE, L.P.



James R. McCann, P.E.
Project Manager

February 2008

City of Austin
Watershed Protection & Development Review Department
505 Barton Springs Road
Austin, Texas 78704

RE: Webb Estates C8J-07-0055
Cut and Fill (LDC §30-5-341; 30-5-342) Variance Request
L&C Job No. 257-01

To Whom It May Concern:

The above referenced project is located on the west side of City Park Road approximately 1000 feet north of the intersection of City Park Road and Westminster Glen Avenue. The site is approximately 167.49 acres and is within the City of Austin Limited Purpose Jurisdiction.


Approximately half of the tract drains south to the Turkey Creek Watershed with the remaining portions draining north to the West Bull Creek Watershed. The tract is currently developed with a single-family homestead with horse stables and related improvements. The proposed project consists of constructing roadway improvements to serve a 76 lot single-family subdivision with a minimum lot size of one acre. The site will include the construction of three detention ponds and will include large areas dedicated as conservation lots. Due to the typical topography found in west Travis County we anticipate exceeding the four foot cut/fill limit for the construction of the roadways, driveways, building sites and utility installations.

The Findings of Fact are as follows:

- The site is located in the hill country of West Travis County and bounded on two sides by existing subdivisions. Therefore granting of the variance would offer no greater entitlement than what has been given to the adjacent neighborhoods.
- LDC §30-5-341& §30-5-342 provides for cut and fill in excess of four feet for the construction of roadways within the right-of-way, building sites with sides perpendicular to the ground or on pier and beam foundations and for utility installations and wastewater drain fields. No construction activities outside of what is stipulated within the code are proposed.
- The surrounding subdivisions are built in the same areas of incised drainage ways found in the West Travis County Hill Country and have received similar considerations in their development. Greenshores on Lake Austin was granted the same variance request.
- There is no proposed development within a Critical Water Quality Zone, Water Quality Transition Zone or floodplain and all disturbed areas will be restored with vegetation or other erosion control measures.
- The project is not located within the Barton Springs Zone.

Based on this, we are requesting a variance from Sections 30-5-341 and 30-5-342, prohibiting cuts and fills greater than four feet. We appreciate your review of this variance request. If you have any questions, or require any additional information, please do not hesitate to call.

Very Truly Yours,
LONGARO & CLARKE, L.P.


James R. McCann, P.E.
Project Manager

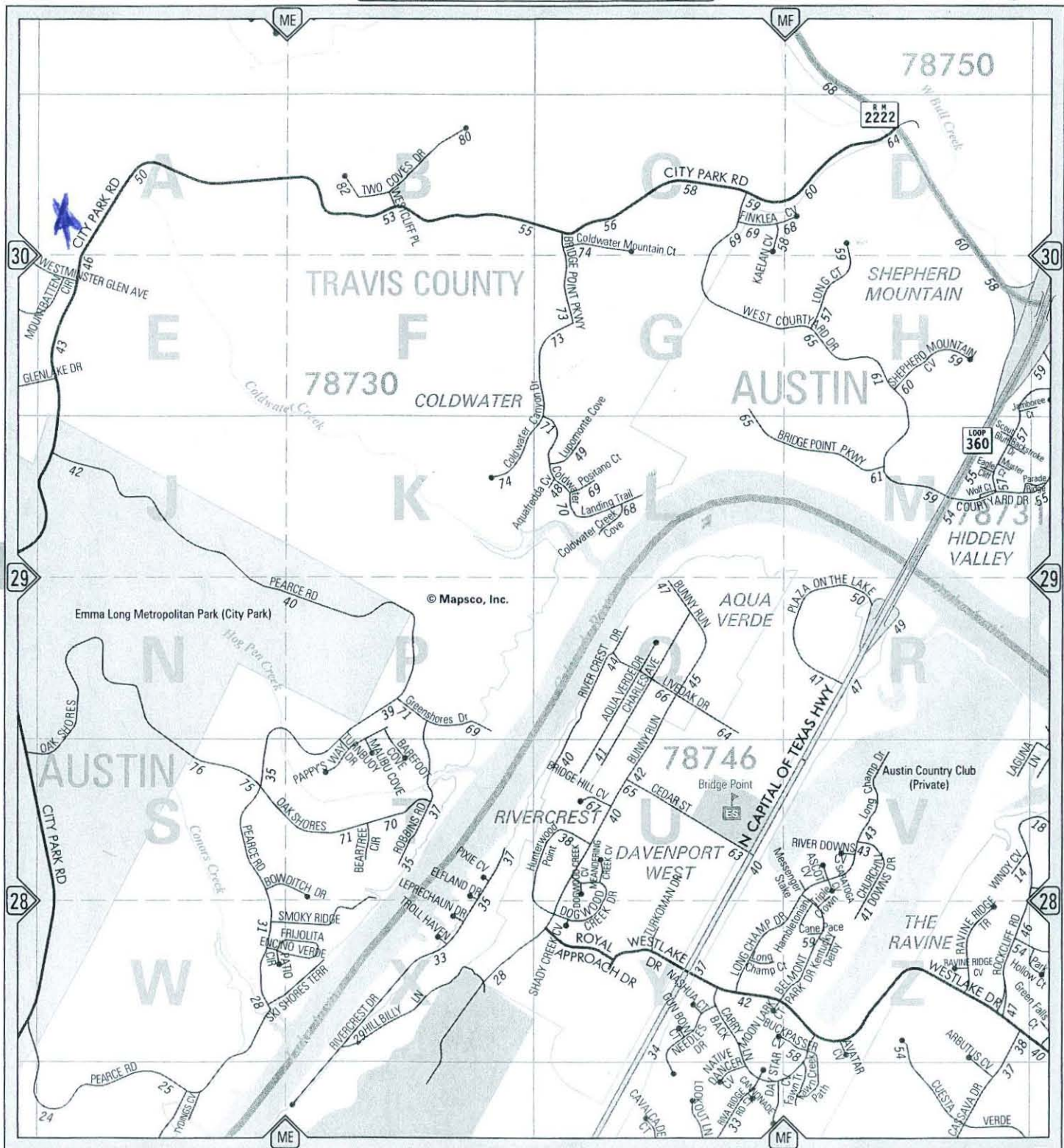
Directions to Webb Estates

Head west on R.R. 2222. Go west of the Capital of Texas Highway and turn left on City Park Road. Approximately 1000 feet before you reach Westminster Glen Avenue, the site will be on the right side (north side) of the road.

523



CONTINUED ON MAP 493



CONTINUED ON MAP 522

CONTINUED ON MAP 553

CONTINUED ON MAP 524



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ORDINANCE NO 20070809-054

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 4700 CITY PARK ROAD, NORTH OF THE INTERSECTION OF CITY PARK ROAD AND WESTMINSTER GLEN AVENUE, FROM DEVELOPMENT RESERVE (DR) DISTRICT TO RURAL RESIDENCE-CONDITIONAL OVERLAY (RR-CO) COMBINING DISTRICT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN

PART 1 The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from development reserve (DR) district to rural residence-conditional overlay (RR-CO) combining district on the property described in Zoning Case No C14-2007-0014, on file at the Neighborhood Planning and Zoning Department, as follows

A 167 499 acre tract of land, more or less, out of the James P Cole Survey 542, Abstract 165, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 4700 City Park Road, north of the intersection of City Park Road and Westminster Glen Avenue, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B"

PART 2 The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions

- A A driveway, street, street right-of-way, cul-de-sac, or cul-de-sac right-of-way shall be set back a minimum 15 feet from a residential lot within the adjacent Westminster Glen and River Place subdivisions. A vegetative buffer of native species shall be planted within the setback, if a vegetative buffer does not already exist.
- B A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

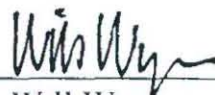
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the rural residence (RR) base district and other applicable requirements of the City Code

PART 3 This ordinance takes effect on August 20, 2007

PASSED AND APPROVED

August 9, 2007

§
§
§



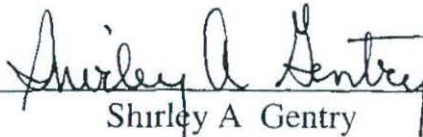
Will Wynn
Mayor

APPROVED



David Allan Smith
City Attorney

ATTEST



Shirley A. Gentry
City Clerk



**Professional Land Surveying, Inc.
Surveying and Mapping**

EXHIBIT A

Office: 512-443-1724
Fax: 512-441-6987

2807 Manchaca Road
Building One
Austin, Texas 78704

**167.499 ACRES
JAMES P. COLE SURVEY NO. 542, ABSTRACT NO. 165
TRAVIS COUNTY, TEXAS**

A SURVEY OF 167.499 ACRES (APPROXIMATELY 7,296,266 S.F.) OUT OF THE JAMES P. COLE SURVEY 542, ABSTRACT 165, TRAVIS COUNTY, TEXAS, CONSISTING OF:

ALL OF A 1.99 ACRE TRACT DESCRIBED IN A WARRANTY DEED TO LETHA WEBB DATED MAY 31ST, 1991, AND RECORDED IN VOLUME 11450, PAGE 902 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS;

ALL OF A 59.11 ACRE TRACT DESCRIBED IN A WARRANTY DEED TO BETTY WEBB FOSTER DATED AUGUST 17, 1988, AND RECORDED IN VOLUME 10757, PAGE 203 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS;

ALL OF A 2.00 ACRE TRACT DESCRIBED IN A DEED TO WILLIAM R. WEBB JR., DATED AUGUST 16, 1988, AND RECORDED IN VOLUME 10755, PAGE 38 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS;

A PORTION OF A 105.57 ACRE TRACT DESCRIBED IN A CORRECTION GENERAL WARRANTY DEED TO K&W WEBB FAMILY PARTNERSHIP DATED MAY 1, 2002, AND RECORDED IN DOCUMENT NO. 2002081961 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS;

ALL OF A 1.000 ACRE TRACT DESCRIBED IN A WARRANTY DEED TO LETHA WEBB DATED JANUARY 18TH, 2000, AND RECORDED IN DOCUMENT NO. 2001014063 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS;

AND ALL OF A 2.00 ACRE TRACT DESCRIBED IN A CORRECTION SPECIAL WARRANTY DEED TO GARY WEBB DATED MAY 1, 2002, AND RECORDED IN DOCUMENT NO. 2002081962, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS;

SAID 167.499 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar with cap set in the west right-of-way line of City Park Road (right-of-way width varies) for the most southerly corner of the said 59.11 acre tract;

THENCE North 42°57'26" West, with the southwest line of the 59.11 acre tract, and the

northeast line of Westminster Glen, Phase 1, a subdivision of record in Volume 85, Page 101B of the Plat Records of Travis County, Texas, a distance of 2777.00 feet to a 1/2" rebar found for the most northerly corner of Lot 16 of Westminster Glen, Phase 1, being also the easterly corner of Lot 17, Westminster Glen, Phase 1-C, a subdivision of record in Volume 101, Page 383 of the Plat Records of Travis County, Texas;

THENCE North 42°58'17" West, with the southwest line of the 59.11 acre tract, being also the northeast lines of said Lot 17 of Westminster Glen, Phase 1-C, and the northeast line of Lots 18-A and 19-A of the Replat of Lots 18, 19 and 20, Westminster Glen, Phase 1-C, a subdivision of record in Volume 103, Page 20 of the Plat Records of Travis County, Texas, a distance of 729.41 feet to a 1/2" rebar found for the most northerly corner of Lot 19-A, being also the easterly corner of Lot 43, Westminster Glen, Phase 1-D, a subdivision of record in Volume 101, Page 386 of the Plat Records of Travis County, Texas;

THENCE North 42°56'41" West, with the southwest line of the 59.11 acre tract and the 105.57 acre tract, being also the northeast lines of Westminster Glen, Phase 1-D, and the Replat of Lots 56, 57 and 58, Westminster Glen, Phase 1-D, a subdivision of record in Volume 103, Page 22 of the Plat Records of Travis County, Texas, a distance of 2097.14 feet to a 1/2" rebar found in the east line of Lot 61, River Place, Section 8, a subdivision of record in Volume 96, Page 208 of the Plat Records of Travis County, Texas, for the most westerly corner of the 105.57 acre tract, also being the most northerly corner of Lot 57-A, the Replat of Lots 56, 57 and 58, Westminster Glen, Phase 1-D;

THENCE with the northwest line of the 105.57 acre tract, being also the southeast line of River Place, Section 8, the following two (2) courses:

1. North 32°12'45" East, a distance of 4.23 feet to a 1/2" rebar found;
2. North 34°20'19" East, a distance of 1235.40 feet to a 1/2" rebar found for an angle point in the southeast line of Lot 40 of River Place Section 8;

THENCE North 34°09'20" East, continuing with the northwest line of the 105.57 acre tract, with the southeast line of River Place, Section 8, and continuing with the southeast line of a 30.494 acre tract described in Document No. 200205744 of the Official Public Records of Travis County, Texas, a distance of 443.02 feet to a 60D nail on a fence post for the most westerly corner of the 30.494 acre tract;

THENCE North 41°10'03" East, with the northwest line of the 105.57 acre tract and the southeast edge of an apparent gap in deed lines, a distance of 11.10 feet to a 1/2" rebar found for the most northerly corner of the 105.57 acre tract, also being the south corner of a 170.037 acre tract described in Volume 11848, Page 1718 of the Real Property Records of Travis County, Texas, also being the west corner of a 158.089 acre tract

described in Volume 13279, Page 2957 of the Real Property Records of Travis County, Texas;

THENCE South 51°35'02" East, with the northeast line of the 105.57 acre tract and the southwest line of the 158.089 acre tract, a distance of 2676.91 feet to a 1/2" rebar found in the northwest line of a 25.066 acre tract described in Volume 13198, Page 2549 of the Real Property Records of Travis County, Texas, for the south corner of the 158.089 acre tract, also being an angle point in the northeast line of the 105.57 acre tract;

THENCE with the common line of the 25.066 acre tract and the 105.57 acre tract, the following two (2) courses:

1. South 38°31'14" West, a distance of 460.16 feet to a 1/2" iron pipe found for the west corner of the 25.066 acre tract;
2. South 61°55'28" East, a distance of 944.73 feet to a 1/2" iron pipe found for the north corner of the said 2.00 acre Gary Webb tract;

THENCE South 61°52'09" East, with the southwest line of the 25.066 acre tract and the northeast line of the 2.00 acre tract, a distance of 330.14 feet to a 5/8" rebar found for the west corner of the 2.00 acre tract, for an angle point in the northeast line of the 105.57 acre tract;

THENCE South 61°58'59" East, with the northeast line of the 105.57 acre tract and the southwest line of the 25.066 acre tract, a distance of 207.77 feet to a 1" iron pipe found in the northwest line of a 292.00 acre tract described in Volume 12735, Page 646 of the Real Property Records of Travis County, Texas, for the south corner of the 25.066 acre tract, also being an angle point in the northeast line of the 105.57 acre tract;

THENCE with the common line of the 292.00 acre tract and the 105.57 acre tract, the following two (2) courses:

1. South 02°30'58" West, a distance of 999.81 feet to a 1/2" rebar found;
2. South 83°38'50" East, a distance of 246.13 feet to a 1/2" rebar found for the northwest corner of the said 2.00 acre William R. Webb, Jr. tract, also being an angle point in the east line of the 105.57 acre tract;

THENCE with the north line of the 2.00 acre William R. Webb, Jr. tract and the south line of the 292.00 acre tract, the following two (2) courses:

1. South 85°25'31" East, a distance of 84.88 feet to a 1/2" rebar found;
2. South 82°00'34" East, a distance of 88.06 feet to a 1/2" rebar found for the

northeast corner of the 2.00 acre tract, also being the northwest corner of a 13.076 acre tract described in Volume 11848, Page 1711 of the Real Property Records of Travis County, Texas, and an angle point in the south line of the 292.00 acre tract;

THENCE South 15°58'28" West, with the east line of the 2.00 acre tract and the west line of the 13.076 acre tract, a distance of 581.03 feet to a 1/2" rebar found for the southernmost corner of the 2.00 acre tract, for an angle point in the southeast line of the 105.57 acre tract;

THENCE South 16°00'28" West, with the common line of the 105.57 acre tract and the 13.076 acre tract, a distance of 279.60 feet to a 1/2" rebar with cap set in the apparent west right-of-way line of City Park Road;

THENCE South 27°46'47" West, with the southeast line of the 105.57 acre tract and the apparent west line of City Park Road, a distance of 92.36 feet to a 1/2" rebar with cap set for the southeast corner of the 105.57 acre tract;

THENCE with the south line of the 105.57 acre tract, the north line of Diamond Sky, a subdivision of record in Volume 90, Page 271 of the Plat Records of Travis County, Texas, and the westerly line of the said 1.99 acre tract, the following eight (8) courses:

1. North 61°33'20" West, passing at a distance of 14.89 feet a 1/2" rebar found for the northeast corner of Lot 1, Diamond Sky, for a total distance of 341.65 feet to a 1/2" rebar found;
2. North 36°42'46" West, a distance of 2576.43 feet to a 1/2" rebar found;
3. North 40°11'54" West, a distance of 145.93 feet to a 1/2" rebar found;
4. North 62°16'31" West, a distance of 295.05 feet to a 1/2" rebar found;
5. North 12°49'59" West, a distance of 241.32 feet to a 1/2" rebar found;
6. North 36°51'14" East, a distance of 360.55 feet to a 1/2" rebar found;
7. North 06°09'13" West, a distance of 167.01 feet to a 1/2" rebar found;
8. North 39°39'02" West, a distance of 729.93 feet to a 1/2" rebar found for the northwest corner of Lot 4, Diamond Sky, the southeast corner of the said 1.000 acre tract, and an angle point in an interior south line of the 59.11 acre tract;

THENCE with the common line of the 59.11 acre tract and the 1.000 acre tract continuing with the common line of the 59.11 acre tract and Diamond Sky, the following

three (3) courses:

1. South $32^{\circ}50'42''$ West, a distance of 1131.49 feet to a 1/2" rebar found;
2. South $45^{\circ}37'02''$ East, a distance of 1527.40 feet to a 1/2" rebar found;
3. South $39^{\circ}10'56''$ East, passing at a distance of 2781.18 feet a 1/2" rebar found for the southeast corner of Lot 1, Diamond Sky, also being an angle point in the apparent west right-of-way line of City Park Road, for a total distance of 2797.16 feet to a 1/2" rebar with cap set for the northeast corner of the 59.11 acre tract and an angle point in the apparent west right-of-way line of City Park Road;

THENCE with the apparent west right-of-way line of City Park Road and the east line of the 59.11 acre tract, the following three (3) courses:

1. With a curve to the left, having a radius of 413.37 feet, an arc length of 175.29 feet and a chord which bears South $18^{\circ}15'28''$ West, a distance of 173.98 feet to a 1/2" rebar with cap set;
2. South $06^{\circ}13'34''$ West, a distance of 199.22 feet to a 1/2" rebar with cap set ;
3. With a curve to the left, having a radius of 1249.26 feet, an arc length of 2.75 feet and a chord which bears South $05^{\circ}57'34''$ West, a distance of 2.75 feet to the **POINT OF BEGINNING**, containing an area of 167.499 acres of land, more or less.

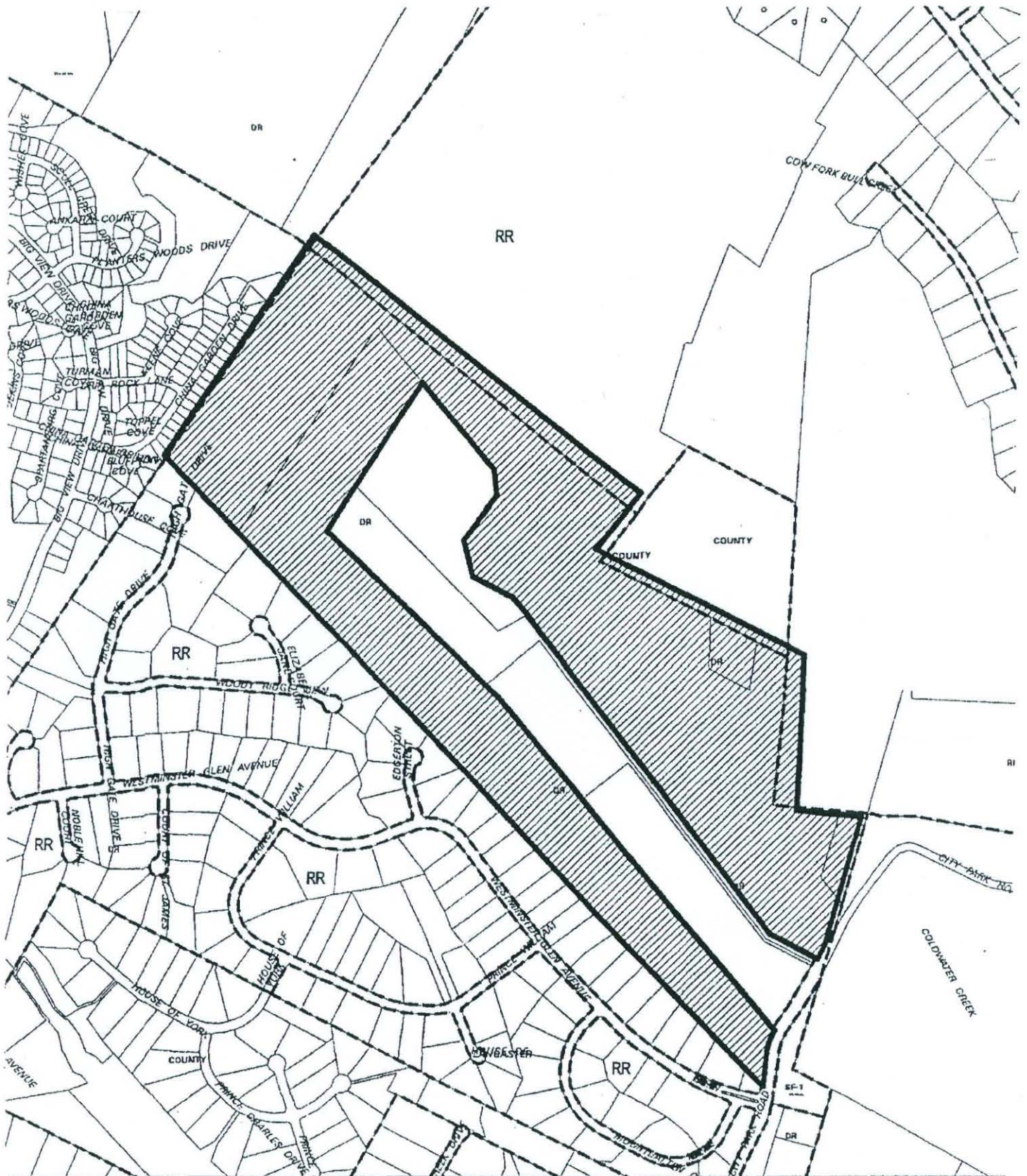
Surveyed on the ground April, 2005. Revised February 14, 2007 to include additional 2.00 acre tracts. Bearing basis is Grid Azimuth for Texas Central Zone, 1983/93 HARN values from LCRA control network. Attachments: Survey Drawing No. 477-001-BD1.

Robert C. Watts, Jr.

Robert C. Watts, Jr.
Registered Professional Land Surveyor
State of Texas No. 4995

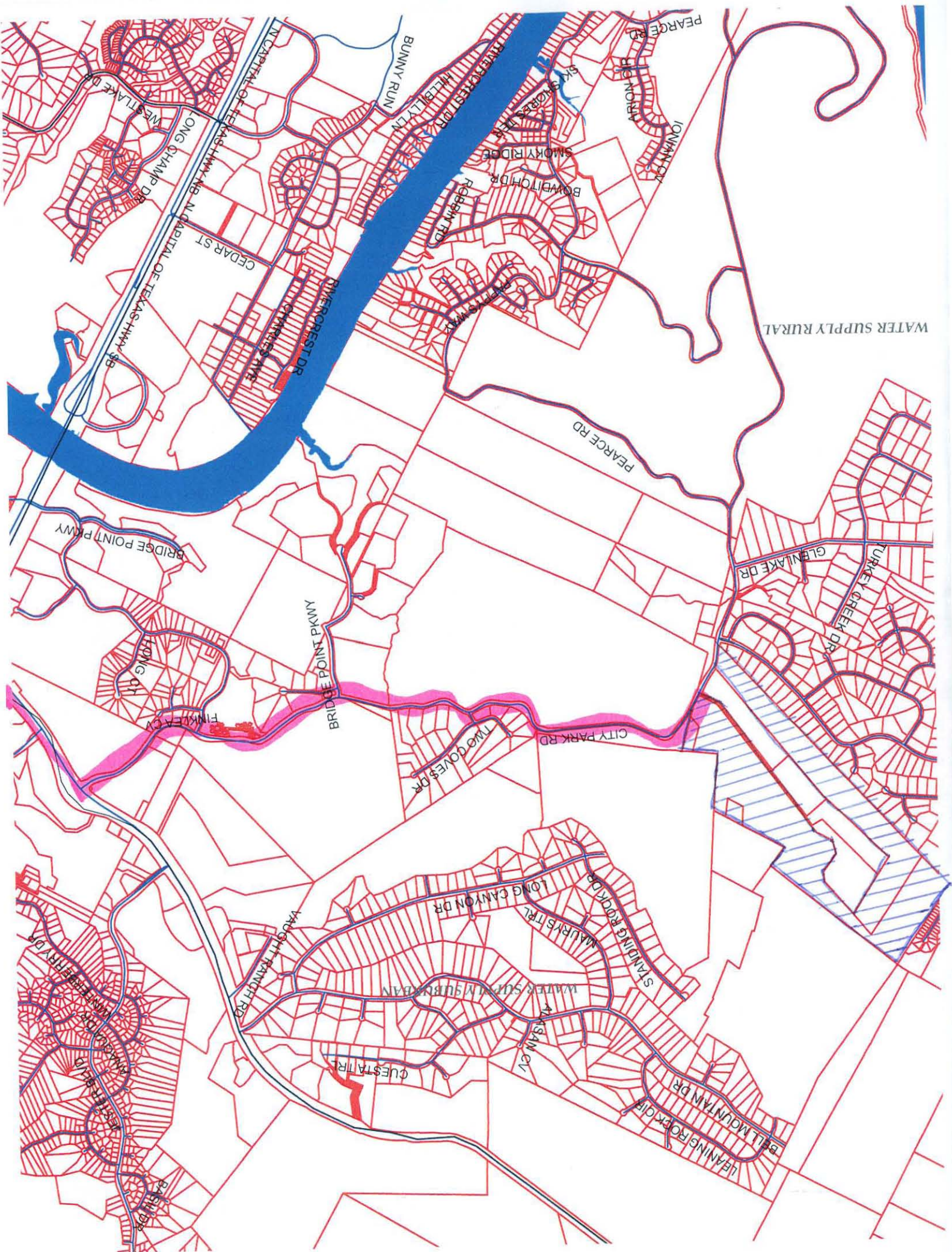


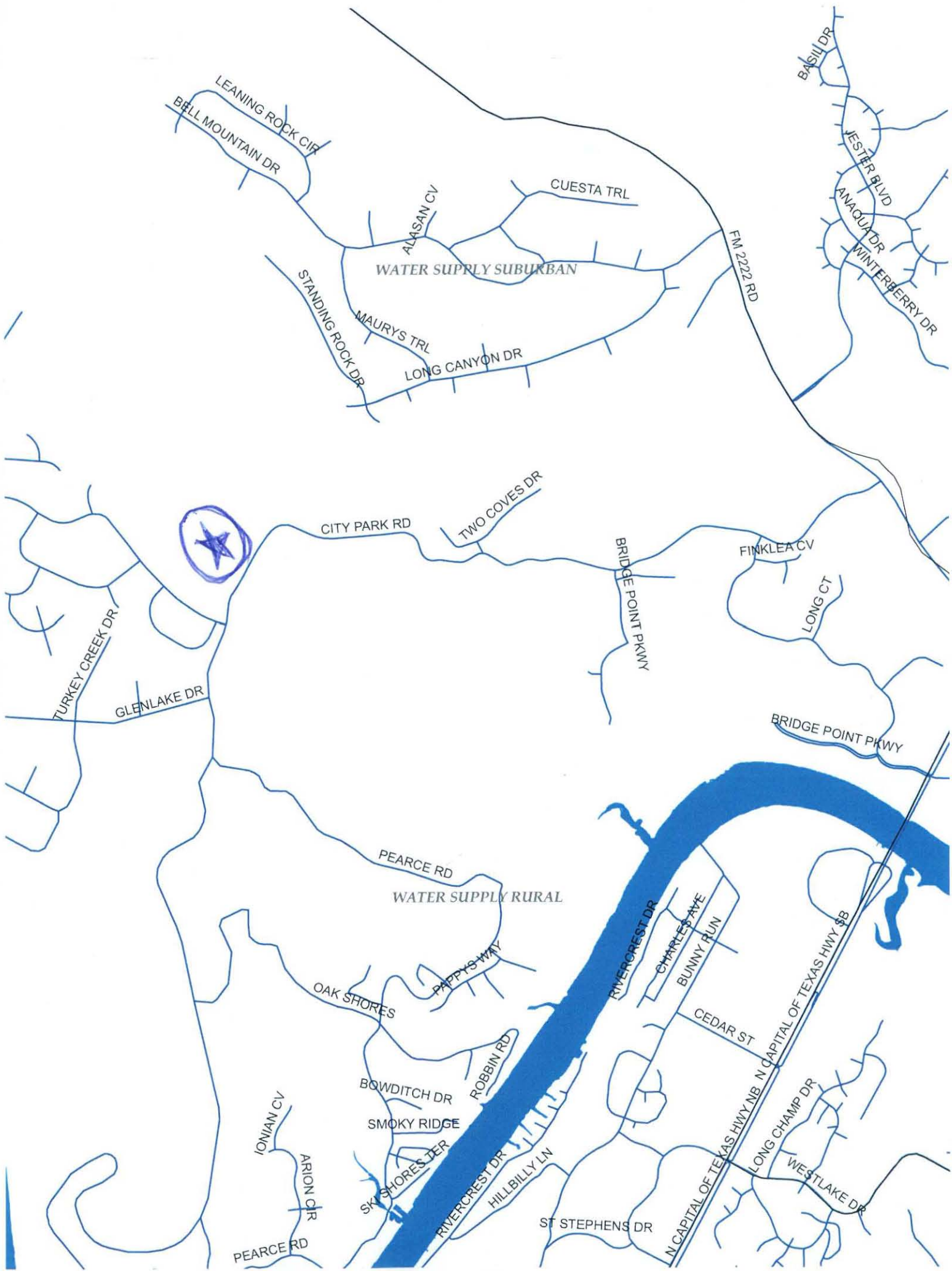
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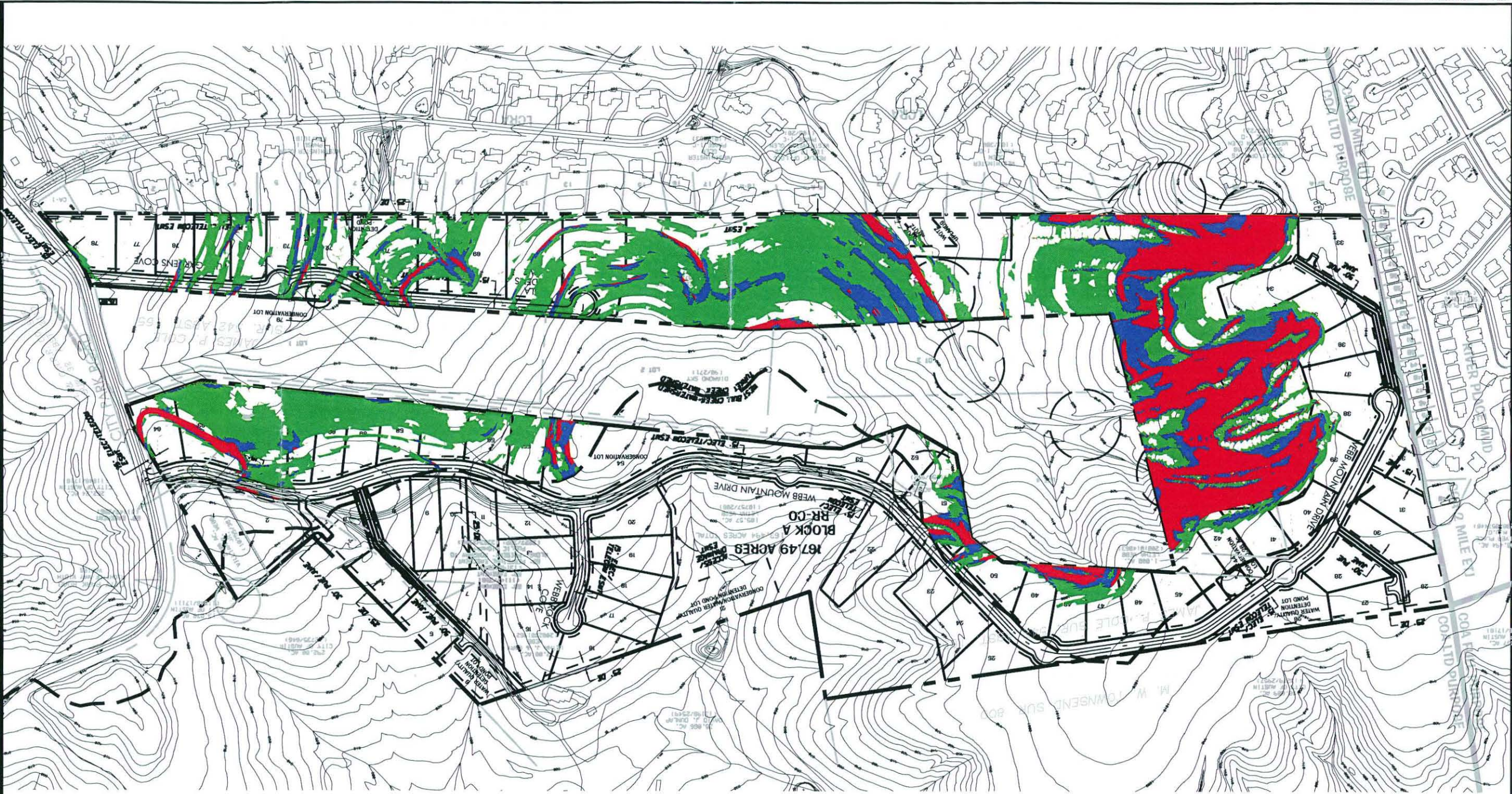


 1" = 800'	SUBJECT TRACT	ZONING EXHIBIT B		CITY GRID REFERENCE NUMBER D31
	PENDING CASE			
	ZONING BOUNDARY	CASE #: C14-2007-0014	DATE: 07-03	
	CASE MGR: J. ROUSSELIN	ADDRESS: 4700 City Park Road; North of the intersection of City Park Road and Westminster Glen Avenue	INTLS: SM	
SUBJECT AREA (acres): 167.499				









NOTE:
THE IMPERVIOUS COVER SHOWN IN TABLE OF LOT'S
IS BASED ON THE PRELIMINARY LOTS BASED ON THE
CAPTURE AREAS SHOWN ON THE PROPOSED DRAINAGE
AREA MAP. PLEASE SEE SHEETS DUE & DUTY.

Webb Estates - Turkey Creek Watershed - Water Supply Rural Watershed

APPENDIX Q-1: NET SITE AREA

Net Site Area (subtotal) = 67.45 Acres

Area of Uplands with Slopes 25-35% = 9.18 Acres

Area of Uplands with Slopes 15-25% = 28.46 Acres

Area of Uplands with Slopes 0-15% = 54.23 Acres

Net Site Area Calculation:

Upland area (Gross area minus total deductions) = 102.70 Acres

Deduction subtotal = 1.49 Acres

Wastewater irrigation areas = 0 Acres

Water quality transition zone (WQZ) = 1.05 Acres

Critical water quality zone (CWQZ) = 0.44 Acres

Site Deductions:

Total gross site area = 104.19 Acres

Webb Estates - Turkey Creek Watershed - Water Supply Rural Watershed

APPENDIX Q-2: IMPERVIOUS COVER

ALLOWABLE IMPERVIOUS COVER BREAKDOWN BY SLOPE CATEGORY

Total impervious cover = 583,208.40 SQ. FT. = 13.39 Acres

Deductions for perimeter roadway = 0.09 Acres

Impervious cover allowed at 19.99% X NSA = 13.48 Acres

Impervious cover allowed at N/A % X WQZ = 0.44 Acres

Allowable impervious cover = 13.39 Acres

PROPOSED TOTAL IMPERVIOUS COVER

Total proposed impervious cover = 13.39 Acres

Impervious cover in WQZ = 0 Acres

Impervious cover in WQZ = 13.39 Acres = 19.99%

PROPOSED IMPERVIOUS COVER ON SLOPES

Total proposed impervious cover = 13.39 Acres

Impervious cover in WQZ = 0 Acres

Impervious cover in WQZ = 13.39 Acres = 19.99%

IMPERVIOUS COVER

AC.	% OF CATEGORY	AC.
0.21	17.67%	3.37
54.23	10.00%	0.50
28.46	10.00%	0.50
9.18	10.00%	0.10
12.32	0.32%	0.04
0	0	0.04

IMPERVIOUS COVER

AC.	% OF CATEGORY	AC.
0	0	0.04
0.82	10.00%	0.10
2.35	10.00%	0.50
17.67%	17.67%	3.37
54.23	10.00%	0.50
28.46	10.00%	0.50
9.18	10.00%	0.10
12.32	0.32%	0.04
0	0	0.04

IMPERVIOUS COVER

AC.	% OF CATEGORY	AC.
0	0	0.04
0.82	10.00%	0.10
2.35	10.00%	0.50
17.67%	17.67%	3.37
54.23	10.00%	0.50
28.46	10.00%	0.50
9.18	10.00%	0.10
12.32	0.32%	0.04
0	0	0.04

Webb Estates - Turkey Creek Watershed - Water Supply Rural Watershed

APPENDIX Q-3: TRANSFER OF DEVELOPMENT RIGHTS (TDR) TABLE

Lot's	Giving	WQZ Ac.	CWQZ Ac.	CEP Ac.	Total Transfer Available
Lot 64, Block A	0.0	0.0	11.03	11.03	0
Lot 66-77	67.45	0	55,000 s.f.	55,000 s.f.	11

LEGEND:

ROW	0-15% SLOPES	15-25% SLOPES	25-35% SLOPES	OVER 35% SLOPES
53.94 AC				
28.46 AC				
9.18 AC				
12.32 AC				
9.96 AC				



CSL-07-0003

SL 1

EC LONGARDO & CLARKE
Consulting Engineers
Land Development • Stormwater Management • Water Resources
7201 North Capital of Texas Highway • Building A, Suite 220 • Austin, Texas 78731
(512) 396-0725 • Fax: (512) 396-0726 • Email: info@longardoandclark.com

STATE OF TEXAS
JAMES H. MCCLURE
COUNTY CLERK
9255500

WEBB ESTATES
PRELIMINARY PLAN
SLOPE MAP - TURKEY CREEK WATERSHED

DATE: _____
BY: _____

NOTE:
THE IMPERVIOUS COVER SHOWN IN TABLE OR INCLUDES
33 SINGLE FAMILY RESIDENTIAL LOTS BASED ON THE
CAPTURE AREAS SHOWN ON THE PROPOSED DRAINAGE
AREA MAP. PLEASE SEE SHEETS D02 & D03.

APPENDIX Q-1: NET SITE AREA

Webb Estates West Bull Creek Watershed - Water Supply Suburban Watershed

Total gross site area = 63.30 Acres

Site Deductions:

Critical water quality zone (CWQZ) = 0 Acres

Water quality transition zone (WQTZ) = 0 Acres

Wastewater irrigation areas = 0 Acres

Deduction subtotal = 0 Acres

Upland area (Gross area minus total deductions) = 63.30 Acres

Net Site Area Calculation:

Area of Uplands with Slopes 0-15% 37.37 X100% = 37.37 Acres

Area of Uplands with Slopes 15-25% 16.99 X40% = 6.80 Acres

Area of Uplands with Slopes 25-35% 5.50 X20% = 1.10 Acres

Net Site Area (subtotal) = 45.27 Acres

APPENDIX Q-2: IMPERVIOUS COVER

Webb Estates West Bull Creek Watershed - Water Supply Suburban Watershed

Allowable Impervious Cover

Impervious cover allowed at N/A % X WQTZ = 0 Acres

Impervious cover allowed at 30 % X NSA = 13.58 Acres

Deductions for perimeter roadway = 0.70 Acres

Total impervious cover 591,544.8 SQ. FT. = 13.58 Acres

ALLOWABLE IMPERVIOUS COVER BREAKDOWN BY SLOPE CATEGORY

Total acreage 15-25% = 16.99 Acres X 10% = 1.70 Acres

PROPOSED TOTAL IMPERVIOUS COVER

Impervious cover in WQTZ = 0 Acres = 0 %

Impervious cover in Uplands Zone = 13.58 Acres = 30.0 %

Total proposed impervious cover = 13.58 Acres

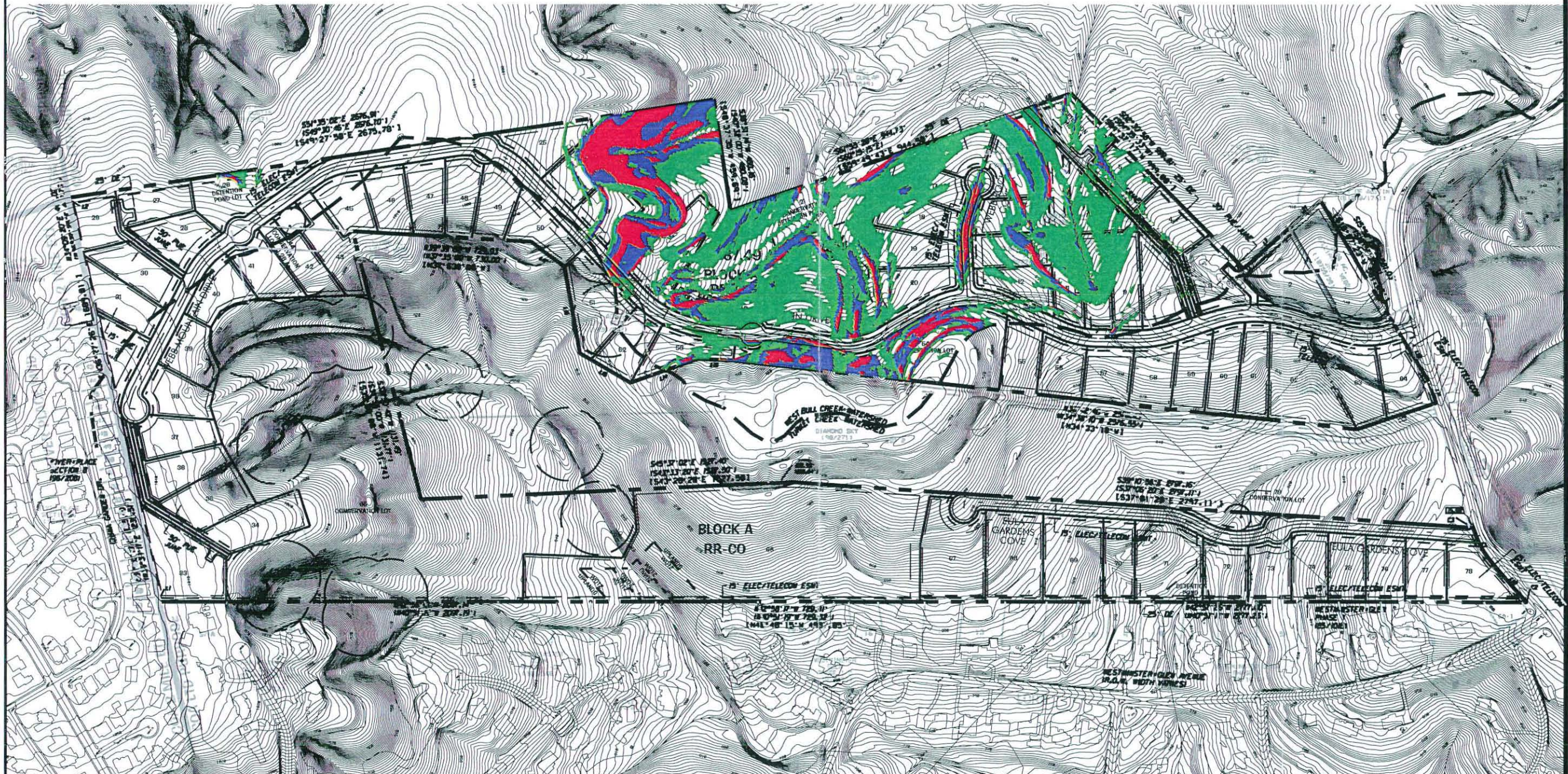
PROPOSED IMPERVIOUS COVER ON SLOPES

SLOPE CATEGORIES	ACRES	AC.	% OF CATEGORY	AC.
0-15%	37.37	2.46	15.52%	3.34
15-25%	16.99	1.32	10.0%	0.38
25-35%	5.50	0	4.00%	0.22
Over 35%	3.44	0	5.23%	0.18

Total Site Area = 63.30 Acres

LEGEND:

0-15% SLOPES	37.37 AC
15-25% SLOPES	16.99 AC
25-35% SLOPES	5.50 AC
OVER 35% SLOPES	3.44 AC
ROW	4.80 AC



WEBB ESTATES
PRELIMINARY PLAN
SLOPE MAP - WEST BULL WATERSHED

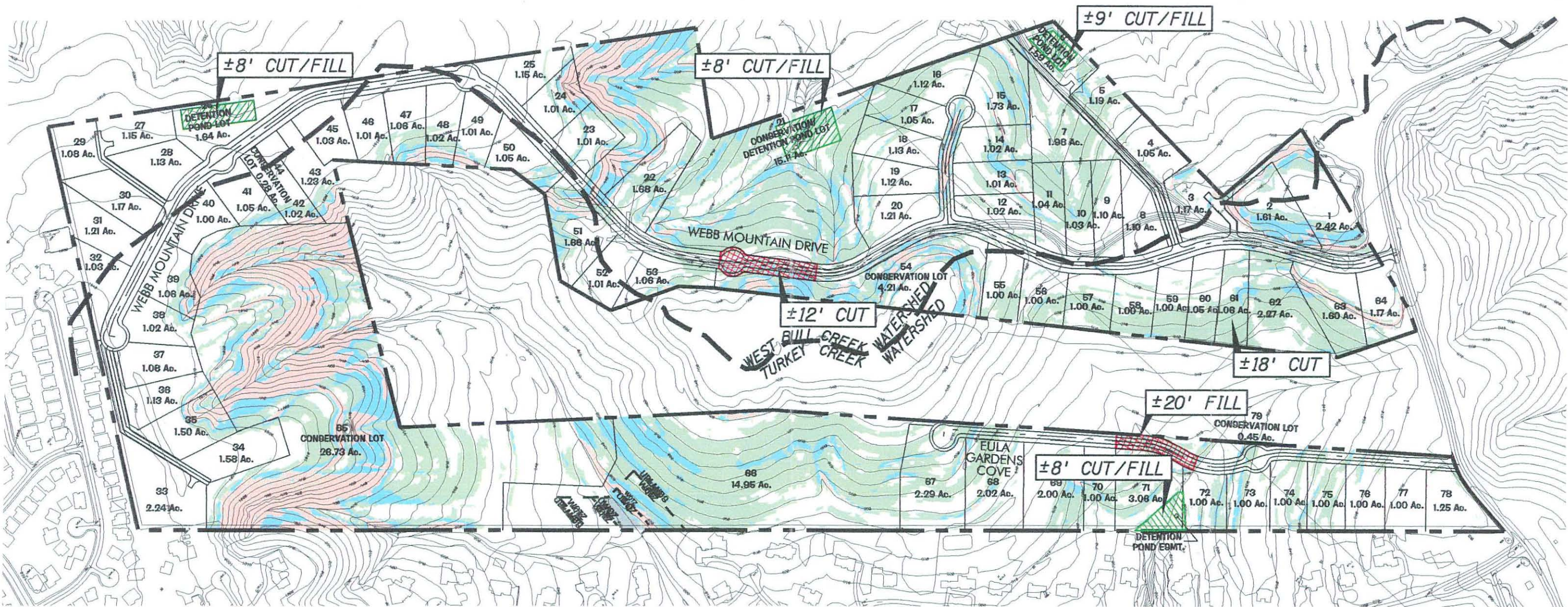


CL LONGARO & CLARKE
Consulting Engineers
Land Development • Stormwater Management • Water Resources
7200 Highway 1, Building 1, Suite 200, Houston, TX 77057
832.566.0228 • www.longaroclarke.com • CL2595-0330a

SL 2

CS1-07-0055

WEBB ESTATES (C8J-2008-0082) **CUT & FILL VARIANCE REQUEST EXHIBIT**



LEGEND :

	0-15% SLOPES		CUT/FILL DETENTION POND
	15-25% SLOPES		CUT/FILL ROAD WAYS
	25-35% SLOPES		
	OVER 35% SLOPES		

RESIDENTIAL LOTS

LOT No.	MAX CUT/FILL	LOT No.	MAX CUT/FILL
2	12'	57	10'
5	14'	58	8'
7	18'	59	8'
9	12'	60	10'
10	10'	61	18'
11	10'	62	12'
12	13'	63	18'
13	16'	66	10'
14	8'	67	12'
15	10'	68	14'
16	8'	69	10'
17	12'	70	12'
22	18'	71	16'
23	16'	72	14'
24	12'	73	16'
51	10'	74	14'
53	10'	75	18'
55	12'	76	12'
56	10'		



LONGARO & CLARK
 Consulting Engineers

Land Development • Stormwater Management • Water Resources

7501 North Capital of Texas Highway • Building A • Suite 250 Austin, Texas 78731



ITEM FOR ENVIRONMENTAL BOARD AGENDA

BOARD MEETING

DATE REQUESTED: August 6, 2008

**NAME & NUMBER
OF PROJECT:** BIRD'S NEST AIRPORT STAGE I CONSTRUCTION
SP-2008-0117D

**NAME OF APPLICANT
OR ORGANIZATION:** Garver Engineers, LLC
[Contact: D. Jeffrey Webb-(479) 527-9100]

LOCATION: 15012 Fuchs Grove Road

PROJECT FILING DATE: February 29, 2008

**WPDR/ENVIRONMENTAL
STAFF:** Craig Carson, 974-7690
craig.carson@ci.austin.tx.us

**WPDR/
CASE MANAGER:** Nikki Hoelter, 974-2863
nikki.hoelter@ci.austin.tx.us

WATERSHED: Willbarger Creek Watershed (Suburban)
Desired Development Zone

ORDINANCE: Comprehensive Watershed Ordinance (current Code)
REQUEST: Variance requests are as follows:
1. To allow cut up to 17.2 feet [LDC Section 25-8-341]
and,
2. To allow fill up to 16.6 feet [LDC Section 25-8-342].

STAFF RECOMMENDATION: Recommend approval.

**REASONS FOR
RECOMMENDATION:** Findings of fact have been met.



MEMORANDUM

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

FROM: Craig Carson, Senior Environmental Reviewer
Watershed Protection and Development Review Department

DATE: August 6, 2008

SUBJECT: Bird's Nest Airport- Stage 1 Construction; SP-2008-0117D

Variance Requests: To allow cuts up to 17.2 feet (LDC 25-8-341); and
To allow fill up to 16.6 feet (LDC 25-8-342)

Description of Project Area

The proposed development is located on the existing 183.67 acre site known as Bird's Nest Airport. It is located 14 miles northeast of Austin, in Manor, TX. The site is located within the City of Austin 5 Mile ETJ and within the Wilbarger Creek Watershed, which is classified as Suburban. It is also located within the Desired Development Zone. Although this project is titled as Stage I Construction, there is no proposed phasing with this project.

The existing runway for Bird's Nest Airport runs almost due north and south. The site is located on the top of a hill and generally drains into 2 separate drainages, one draining north and one draining south. Currently storm run-off flows through existing swales that drain into the different drainage areas leaving the site.

The applicant is proposing to expand the existing airport by constructing a 100' wide by 4,420' long asphalt runway and parallel 50' wide taxiway running in a northwest/southeast direction. The applicant proposes to demolish the northern end of the existing runway, where the proposed runway will cross it, along with two existing hangers which are also within the imprint of the new runway. The maximum allowable impervious cover for this watershed is 65%, or approximately 119.30 acres for this site. The applicant is proposing a total of 21.03 acres (or 11.5% net site area/ 11.45% gross site area) of impervious cover. Since the applicant is below 20% impervious cover, they only need to meet detention requirements. The applicant is proposing to manage storm water run-off through existing and proposed drainage ditches and detention ponds. This will allow the run-off to be discharged in the existing drainages with flows no greater than what is discharged under existing conditions.

To enhance water quality, native grass lined ditches will be used to convey run-off in lieu of enclosed inlet/culvert drainage. Additionally, permanent rock berms will be placed in the swales above and below detention ponds to provide additional filtration and velocity control of the storm water run-off.

Vegetation

Most of the site is cleared of trees and has native grasses. The vast majority of trees were located along old fence lines and around the property's edges. Some of the more common species include Hackberry, Sugarberry, and Black willow. Additionally, there were some Sycamore, Live oaks, and Eastern red cedar. Hydrophytic vegetation was also identified around the fringes of three existing stock tank type ponds located on the site. These species include, Black willow, Sugarberry, Common rush, Spikerush, and Bushy bluestem. These areas were labeled by Environmental Resource Management (ERM) staff as wetlands and thus are considered Critical Environmental Features (CEFs).

Critical Environmental Features

Three fringed wetland areas around the existing stock tank ponds were identified as CEFs by City Environmental Resource Management staff.

Wetland #1 is located at the northwest end of the property and extends off site. The standard 150 foot setback was modified to ensure the same amount of area was protected.

Wetland #2 is a small stock pond in the central portion of the property with a narrow wetland fringe. Approximately two-thirds of the wetland and surrounding standard setback will be filled or regraded. A 1to1 mitigation will be provided by the creation and preservation of native grassland located at the south central portion of the property. Approximately 4 acres of this area will be seeded with 609S in addition to 200 shrubs and small trees. A fence will surround this native preserved grassland and a deed restriction will be recorded with Travis County.

Wetland #3 is located south of the south end of the proposed runway. It will be preserved with the standard 150ft setback and no-mow-area signage delineating the boundary. Approximately 1acre which has been disturbed within the setback will be reseeded with 609S in addition to bushy bluestem replantings. Also contained within this CEF setback is an existing water well.

The Mitigation Plan designed by Horizon Environmental Services, Inc. is attached as an exhibit.

Water/Wastewater

There is an existing on-site septic system associated with the terminal building. There are no proposed changes or upgrades to the existing system.

The site currently gets its water from Manville Water Supply. There are no proposed changes or upgrades proposed to the existing system.

Variance Request

A variance from LDC Section 25-8-341/342: Cut & Fill requirements.

The applicant is proposing to construct a longer and wider runway and taxiway at Bird's Nest Airport. The airport sits on top of a hilltop, where the center portion of the proposed runway/taxiway is topographically higher than both ends. As a result, the maximum cut of 17.2 feet will be required toward the center of the proposed runway/taxiway and a maximum of 16.6 feet of fill will be required towards the north end of the runway/taxiway. Additionally, these cuts and fills are needed to make the proposed runway/taxiway design meet FAA design requirements.

Similar Cases

The following project had similar construction issues and received recommendations from the Environmental Board that were subsequently approved by the Zoning and Platting Commission:

Howard Lane Industrial Park (SP-03-0385D)

The Environmental Board recommended approval the following project on April 21, 2004 by a vote of 8-0-0-0:

Staff Conditions:

1. All cut and fill to be structurally contained;
2. A staff approved Landscape Plan will be included in the approved plan set;
3. Provide water quality volume that exceeds the required volume;
4. Provide an IPM Plan;
5. Forbid the use of coal-tar based parking lot sealants.

Additionally, included in the applicant's variance request letter is the ordinance for the Austin Bergstrom International Airport. Although it did not come before the EV Board for a recommendation, the ordinance provides the variance to cut and fill requirements so that FAA regulations regarding runway/taxiway design could be met.

Recommendations

The findings of fact have been met. Staff recommends approval of these variances with the following conditions:

1. The applicant will construct the terminal aircraft ramp and auto parking area with concrete in lieu of asphalt. This will help reduce heat island impact;
2. A minimum of 10% of the parking area will be either grassed or landscaped islands, every 50 feet;
3. To enhance the water quality of storm water run-off, the applicant will use grass lined swales in lieu of an enclosed inlet/culvert drainage system;
4. To further reduce the heat island affect coming off structures, the applicant will construct all proposed buildings and hangers with light colored roofs;

5. The terminal area will be landscaped with native grasses and shrubs which meet the height limitations set by the FAA;
6. All slopes will be fully vegetated and stabilized with no steeper than 3 to1 slopes.

If you have any questions or need additional information, please feel free to contact me at 974-2711.

Craig Carson, Environmental Review Specialist
Watershed Protection and Development Review

Environmental Program Manager:


Ingrid McDonald

Environmental Officer:


J. Patrick Murphy



**Watershed Protection and Development Review Department
Staff Recommendations Concerning Required Findings
Water Quality Variances**

Application Name: Bird's Nest Airport Stage I Construction
Application Case No: SP-2008-0117D
Code Reference: LDC Section 25-8-341
Variance Request: To allow a cut up to 17.2 feet.

A. Land Use Commission variance determinations from Chapter 25-8, Subchapter A – Water Quality of the City Code:

1. The requirement will deprive the applicant of a privilege or the safety of property given to owners of other similarly situated property with approximately contemporaneous development.

Yes. The Federal Aviation Administration (FAA) design criteria dictate the vertical profile constraints and transverse grading requirements for runways and taxiways for safe operation of aircraft. These requirements must be met by all similarly situated and contemporaneously built airports in America. To meet these design requirements, the applicant proposes cuts up to 17.2 feet.

2. The variance:

- a) Is not based on a condition caused by the method chosen by the applicant to develop the property, unless the development method provides greater overall environmental protection than is achievable without the variance;

Yes. The need for the proposed cut would be required regardless of the direction the applicant laid the runway/taxiway out since the airport is located on a hilltop. Additionally, to meet FAA runway/taxiway design requirements the applicant will need this variance.

- b) Is the minimum change necessary to avoid the deprivation of a privilege given to other property owners and to allow a reasonable use of the property;

Yes. The proposed cut is the minimum necessary to ensure the proposed runway/taxiway meets the FAA design requirements.

- c) Does not create a significant probability of harmful environmental consequences; and

Yes. This variance will not increase harmful environmental consequences. Currently all storm water run-off drains into existing swales that drain into the different drainage areas without any detention. After the proposed airport improvements, storm water run-off will be

channeled through existing and proposed drainage swales to 2 detention ponds that will ensure there are no increases in the level of storm water run-off leaving the site and entering the different drainage areas. Additionally, the applicant is providing a level of water quality by planting all of the swales with grasses and using permanent rock berms to reduce flow velocity in the swales.

3. Development with the variance will result in water quality that is at least equal to the water quality achievable without the variance.

Yes. The proposed cut areas related to this variance request ensure that all runoff from this project is directed to the detention ponds. Without this variance, it would be hard to direct all runoff into the proposed ponds to ensure there are no increases in the level of storm water run-off leaving the site and entering the different drainage areas. In this case, water quality should be enhanced with the variance.

B. Additional Land Use Commission variance determinations for a requirement of Section 25-8-393 (Water Quality Transition Zone), Section 25-8-423 (Water Quality Transition Zone), Section 25-8-453 (Water Quality Transition Zone), or Article 7, Division 1 (Critical Water Quality Zone Restrictions):

1. The above criteria for granting a variance are met;

N/A.

2. The requirement for which a variance is requested prevents a reasonable, economic use of the entire property; and

N/A.

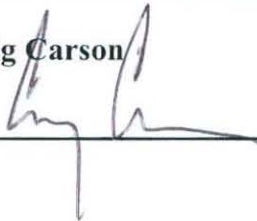
3. The variance is the minimum change necessary to allow a reasonable, economic use of the entire property.

N/A.

Reviewer Name:

Craig Carson

Reviewer Signature:



Date: July 29, 2008

Staff may recommend approval of a variance after answering all applicable determinations in the affirmative (YES).



**Watershed Protection and Development Review Department
Staff Recommendations Concerning Required Findings
Water Quality Variances**

Application Name: Bird's Nest Airport Stage I Construction
Application Case No: SP-2008-0117D
Code Reference: LDC Section 25-8-342
Variance Request: To allow fill up to 16.6 feet.

A. Land Use Commission variance determinations from Chapter 25-8, Subchapter A – Water Quality of the City Code:

1. The requirement will deprive the applicant of a privilege or the safety of property given to owners of other similarly situated property with approximately contemporaneous development.

Yes. The Federal Aviation Administration (FAA) design criteria dictate the vertical profile constraints and transverse grading requirements for runways and taxiways for safe operation of aircraft. These requirements must be met by all similarly situated and contemporaneously built airports in America. To meet these design requirements, the applicant proposes fill up to 16.6 feet.

2. The variance:

- a) Is not based on a condition caused by the method chosen by the applicant to develop the property, unless the development method provides greater overall environmental protection than is achievable without the variance;

Yes. The need for the proposed fill would be required regardless of the direction the applicant laid the runway/taxiway out since the airport is located on a hilltop. Additionally, to meet FAA runway/taxiway design requirements the applicant will need this variance.

- b) Is the minimum change necessary to avoid the deprivation of a privilege given to other property owners and to allow a reasonable use of the property;

Yes. The proposed fill is the minimum necessary to ensure the proposed runway/taxiway meets the FAA design requirements.

- c) Does not create a significant probability of harmful environmental consequences; and

Yes. This variance will not increase harmful environmental consequences. Currently all storm water run-off drains into existing swales that drain into the different drainage areas without any detention. After the proposed airport improvements, storm water run-off will be

channeled through existing and proposed drainage swales to 2 detention ponds that will ensure there are no increases in the level of storm water run-off leaving the site and entering the different drainage areas. Additionally, the applicant is providing a level of water quality by planting all of the swales with grasses and using permanent rock berms to reduce flow velocity in the swales.

3. Development with the variance will result in water quality that is at least equal to the water quality achievable without the variance.

Yes. The proposed fill areas related to this variance request ensure that all runoff from this project is directed to the detention ponds. Without this variance, it would be hard to direct all runoff into the proposed ponds to ensure there are no increases in the level of storm water run-off leaving the site and entering the different drainage areas. In this case, water quality should be enhanced with the variance.

B. Additional Land Use Commission variance determinations for a requirement of Section 25-8-393 (Water Quality Transition Zone), Section 25-8-423 (Water Quality Transition Zone), Section 25-8-453 (Water Quality Transition Zone), or Article 7, Division 1 (Critical Water Quality Zone Restrictions):

1. The above criteria for granting a variance are met;

N/A.

2. The requirement for which a variance is requested prevents a reasonable, economic use of the entire property; and

N/A.

3. The variance is the minimum change necessary to allow a reasonable, economic use of the entire property.

N/A.

Reviewer Name: **Craig Carson**

Reviewer Signature: _____

Date: July 29, 2008

Staff may recommend approval of a variance after answering all applicable determinations in the affirmative (YES).

Garver Engineers, LLC

1088 East Millsap Road
Fayetteville, Arkansas 72703

479-527-9100
FAX 479-527-9101

www.garverengineers.com



July 2, 2008

City of Austin, TX
Zoning and Platting Division
Attn: Betty Baker
PO Box 1088
Austin, Texas 78704

Re: Bird's Nest Airport – Stage I Construction
Request for Variance
Case Number: SP-2008-0117D

Dear Ms. Baker:

On behalf of the Owner, Travis County Field, LLC, we respectfully present the following information in support of our variance requests for Runway 13-31, Taxiways A1, A2, A3, B, and Detention Pond #2.

The proposed airport development is a critical transportation improvement for the Austin Metro region and Central Texas. [As evidence of this, please see the attached letters from Austin-Bergstrom International Airport Executive Director Jim Smith, and David Fulton, Director of the Texas Department of Transportation Aviation Division.] The runway alignment and length have been previously studied and approved by the Federal Aviation Administration (FAA), as shown in the submitted construction site plans. Due to the special design considerations required by the Federal Aviation Administration for the safe development of airport infrastructure, the following two variance requests are made:

- 30-5-341 – Cut Requirements
- 30-5-342 – Fill Requirements

The FAA design criteria found in AC 150/5300-13, Airport Design, dictate the runway and taxiway vertical profile constraints and transverse grading requirements for safe operation of aircraft. Design efforts were performed in order to minimize cuts and fills to the extent possible; however, compliance with FAA criterion does not also allow compliance with the City's cut and fill ordinances in all areas on the site. Accordingly, construction of the project's cuts and fills in excess of four feet for runways and taxiways are justified. Based upon these constraints, detention pond #2 and its associated drainage infrastructure are also impacted. This detention pond has been sized based upon COA requirements, and cannot be enlarged without adversely impacting taxiway grading requirements or wetland impacts. Please refer to the attached Exhibits V-01 and V-02 for the affected areas.

Ms. Baker
July 2, 2008
Page 2 of 2

As further evidence of the unique development considerations an airport requires, please see the attached copy of the ordinance passed by Council to allow the development of Austin-Bergstrom International Airport. This ordinance provides for cut, fill, and slope variances for development of Bergstrom's East Runway System, since completed and now in operation by the City. In consideration of the above, please note that the Owner, as part of the Travis County Field project, has chosen to implement water quality measures that will exceed pre-existing conditions at the site.

Enclosed with this request is Appendix U: Findings of Fact and a topographic map showing the proposed cut/fill areas.

Please feel free to call me anytime if you have questions or comments.

Sincerely,

GARVER ENGINEERS, LLC

A handwritten signature in black ink, appearing to read "Frank McIlwain", is written over a horizontal line.

Frank McIlwain, P.E.
Senior Project Manager

Attachments: Appendix U: Findings of Fact (30-5-341 Cut)
 Appendix U: Findings of Fact (30-5-342 Fill)
 Austin-Bergstrom - Ordinance 94-1117-L
 Variance Exhibit 1
 Variance Exhibit 2

APPENDIX U: FINDINGS OF FACT

Watershed Variances – Findings of Fact

As required in LDC Section 25-8-41, 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: Bird's Nest Airport – Stage I Construction

Ordinance Standard: Cut greater than 4 feet

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, in order to comply with FAA design criteria for vertical grades for the runway and taxiways, the cuts must exceed 4 feet. The FAA design criteria are required to ensure safety and provide pilot with line of sight along the full lengths of the runway and taxiways.
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 design has attempted to minimize departures from the existing ordinance for reasonable use as described above.
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 approval of a variance for constructing cuts in excess of 4 feet does not provide privileges not enjoyed by other similar properties because the FAA design criteria are the exact same criteria as required for Austin-Bergstrom International Airport.
4. 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 property? This comment is not applicable due to the development not within the Critical Water Quality Zone and/or Water Quality Transition Zone.
5. For variances in the Barton Springs Zone, in addition to the above findings, the following additional finding must be included: Does the proposal demonstrate water quality equal to or better than would have resulted had development proceeded without the variance? The development does not occur in the Barton Springs Zone; however, the Owner shall implement water quality that exceeds the preexisting conditions at the site.

A variance requires all above affirmative findings with explanations/reasons.

Disclaimer:

The Technical Criteria Manuals and/or any other documents that appear on this site may not reflect the most current legislation adopted by the City of Austin, Texas. American Legal Publishing Corporation provides these manuals for information purposes only. These manuals should not be relied upon as the definitive authority for local legislation. Additionally, the formatting and pagination of the posted documents varies from the formatting and pagination of the official copy. The official printed copy of the Technical Criteria Manuals should be consulted prior to any action being taken.

For further information regarding the official versions of the Technical Criteria Manuals or other documents posted on this site, please contact the City of Austin, Texas directly or contact American Legal Publishing toll-free at 800-445-5588.

APPENDIX U: FINDINGS OF FACT

Watershed Variances – Findings of Fact

As required in LDC Section 25-8-41, 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: Bird's Nest Airport – Stage I Construction

Ordinance Standard: Fill greater than 4 feet

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, in order to comply with FAA design criteria for vertical grades for the runway and taxiways, the fills must exceed 4 feet. The FAA design criteria are required to ensure safety and provide pilot with line of sight along the full lengths of the runway and taxiways.
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 design has attempted to minimize departures from the existing ordinance for reasonable use as described above.
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 approval of a variance for constructing fill in excess of 4 feet does not provide privileges not enjoyed by other similar properties because the FAA design criteria are the exact same criteria as required for Austin-Bergstrom International Airport.
4. 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 property? This comment is not applicable due to the development not within the Critical Water Quality Zone and/or Water Quality Transition Zone.
5. For variances in the Barton Springs Zone, in addition to the above findings, the following additional finding must be included: Does the proposal demonstrate water quality equal to or better than would have resulted had development proceeded without the variance? The development does not occur in the Barton Springs Zone; however, the Owner shall implement water quality that exceeds the preexisting conditions at the site.

A variance requires all above affirmative findings with explanations/reasons.

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CITY OF AUSTIN, TEXAS

ORDINANCE 94-117-L

*This is the
Overall Site Development
Permit*

AN ORDINANCE APPROVING A SITE PLAN FOR AUSTIN-BERGSTROM INTERNATIONAL AIRPORT; GRANTING VARIANCES TO SPECIFIC CODE PROVISIONS; REQUIRING PERIODIC REVIEW; ESTABLISHING AN AMENDMENT PROCESS; WAIVING THE REQUIREMENTS OF SECTION 2-2-3 OF THE AUSTIN CITY CODE OF 1992; WAIVING THE REQUIREMENTS OF SECTION 13-2-505 REGARDING GRANTING OF VARIANCES; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The site plan on file at the Planning and Development Department in File No. SP 94-0438C is hereby approved by the City Council as the site plan for Austin-Bergstrom International Airport.

PART 2. As part of the site plan for Austin-Bergstrom International Airport, the City Council hereby approves the following attachments to this Ordinance:

- Attachment A - Drainage and Grading Master Plan
- Attachment B - Land Use Master Plan, including tree survey/mitigation and landscape master plan notes
- Attachment C - Demolition Master Plan
- Attachment D - Water Quality, Erosion and Sedimentation Control and Spoil Storage Master Plan

PART 3. Development of Austin-Bergstrom International Airport under the site plan approved by this Ordinance shall require periodic administrative review and approval at milestone events as set forth in Attachment E, which is hereby approved.

PART 4. Approval of the site plan for Austin-Bergstrom International Airport by this Ordinance constitutes the granting of variances to the following Land Development Code provisions:

- (1) Section 13-6-3(a)(6) to allow construction of the following facilities without requiring the natural and traditional character of the land and waterway be preserved:
 - the East Runway Service Road
 - the East Runway and its South overrun
 - the South Access Road
 - Navigational aids at the south end of the East Runway and their access roads
- (2) Section 13-7-16, to allow fill to exceed four feet of depth, up to a maximum depth of 15 feet, and to allow cut on the land to exceed four feet, up to a maximum of 25 feet.
- (3) Section 13-7-21 to allow construction within 100 feet of a critical environmental feature of:

NAPT FILE

Received:

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CITY OF AUSTIN, TEXAS

- the East Runway Service Road
- the East Runway and its South overrun

(4) Section 13-7-23(e) to allow construction in the critical water quality zone of:

- the East Runway Service Road
- the East Runway and its South overrun
- the South Access Road
- Navigational aids at the south end of the East Runway and their access roads

PART 5. Amendment of the site plan for Austin-Bergstrom International Airport, or any of the Attachments to said site plan shall be considered and approved administratively upon concurrence by both the Department of Planning and Development and the Environmental and Conservation Services Department, provided the City Council is advised of such amendments.

PART 6. The site plan for Austin-Bergstrom International Airport shall apply solely to work done by or on behalf of the City of Austin in order to construct Austin-Bergstrom International Airport. Other facilities to be constructed at Austin-Bergstrom International Airport shall require separate site plans.

PART 7. The requirements imposed by Section 2-2-3 of the Austin City Code of 1992, as amended, that this Ordinance be read on three (3) separate days shall be waived by the affirmative vote of five (5) members of the City Council to pass this Ordinance through more than one reading on a single vote.

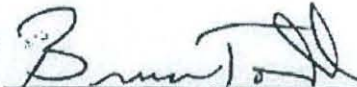
PART 8. The requirements imposed by Section 13-2-505 of the Austin City Code of 1992, as amended, regarding the processing and granting of variances, is hereby waived.

PART 9. This Ordinance shall be effective upon the expiration of ten (10) days following the date of its passage, as provided by the Charter of the City of Austin.

PASSED AND APPROVED:

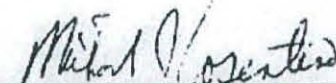
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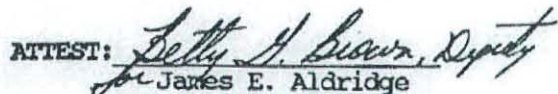
Bruce Todd
Mayor

APPROVED:



Michael J. Cosentino
Acting City Attorney

ATTEST:



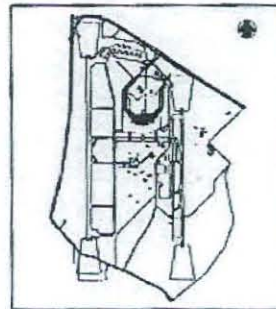
James E. Aldridge
City Clerk

MC/ra

CITY OF AUSTIN DEPARTMENT OF AVIATION
NEW AIRPORT PROJECT TEAM

AUSTIN-BERGSTROM INTERNATIONAL AIRPORT MASTER LAND USE, GRADING, DRAINAGE AND WATER QUALITY PLAN

CARTER & BURGESS, INC.



AUSTIN CITY COUNCIL
MAYOR
BRUCE TOED
MAYOR PRO TEM
MARK MONTGOMERY
GUS GARCIA
RONNIE REYNOLDS
BRUCE STEA
JACKY GOODMAN
JOHN MITCHELL
CITY MANAGER
JESUS GARZA

APPROVALS:

PLANNING DEPARTMENT

DEPT. OF PLANNING & DEVELOPMENT

DATE

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NO.	REVISIONS	APPROVED BY	DATE

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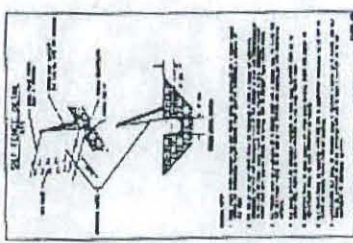
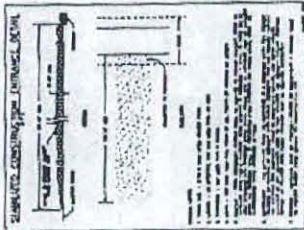
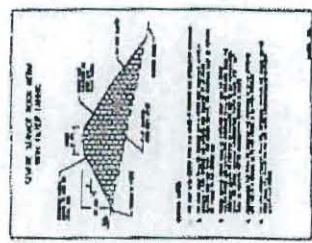
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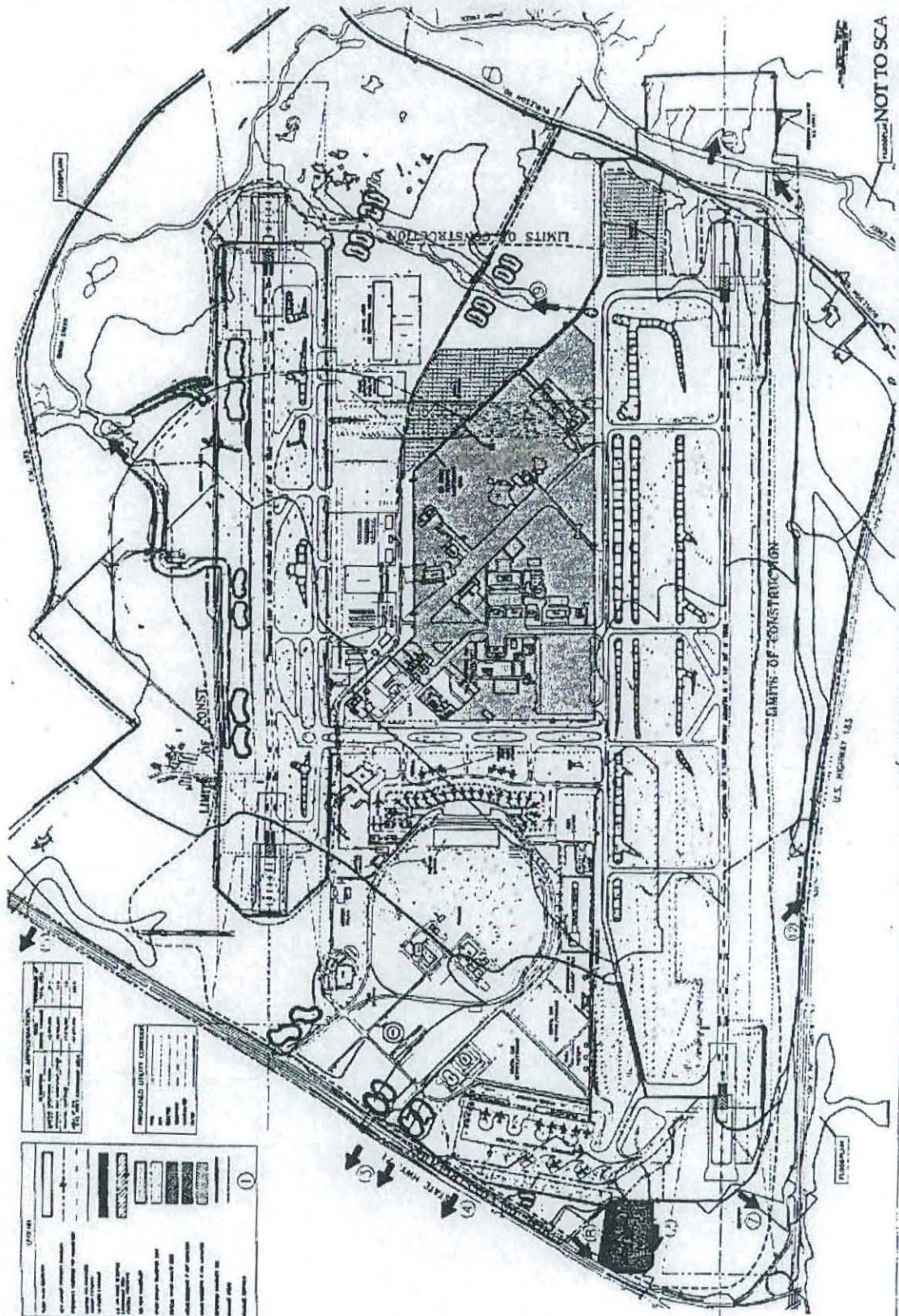
[illegible][illegible]

Subject: HCBP 80-166

He stated that he had no personal or professional relationship with the defendant, and that he had no knowledge of the defendant's activities. He stated that he had no knowledge of the defendant's activities, and that he had no knowledge of the defendant's activities.

On 14/07/2016 09:55:00, the
recipient advised that the above
mentioned person is a student of the
University of the Pacific, and is
currently studying for a degree in
Education. The recipient advised
that the person is currently
studying for a degree in Education
and is currently studying for a
degree in Education.

[illegible]



NOT TO SCALE

3 OF 4

AUSTIN-BERGESON INTERNATIONAL AIRPORT
DRAINAGE & GRADING MASTER PLAN
ATTACHMENT "A"

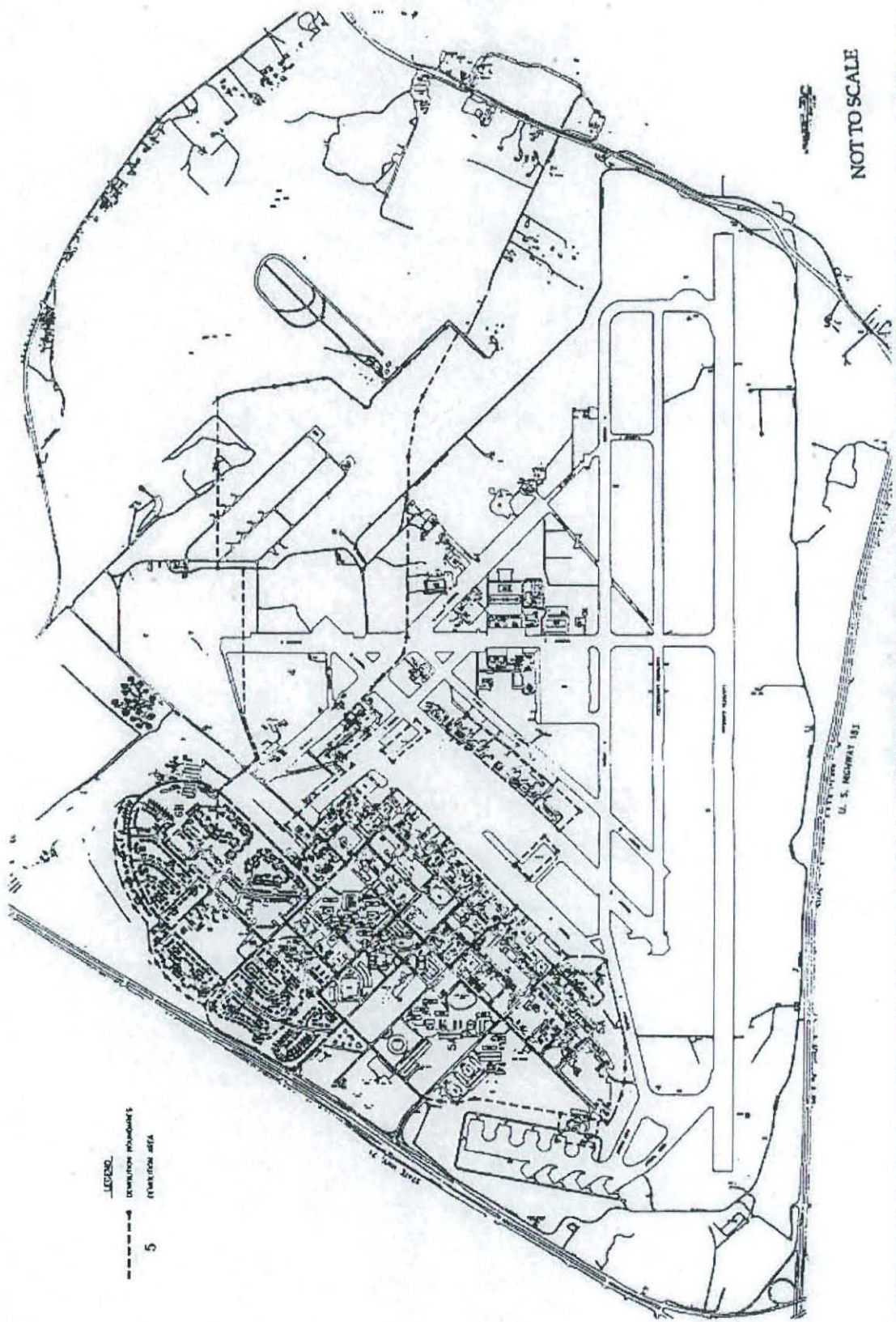


CARTER & BURGESS, INC.

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NO.	DESCRIPTION	DATE
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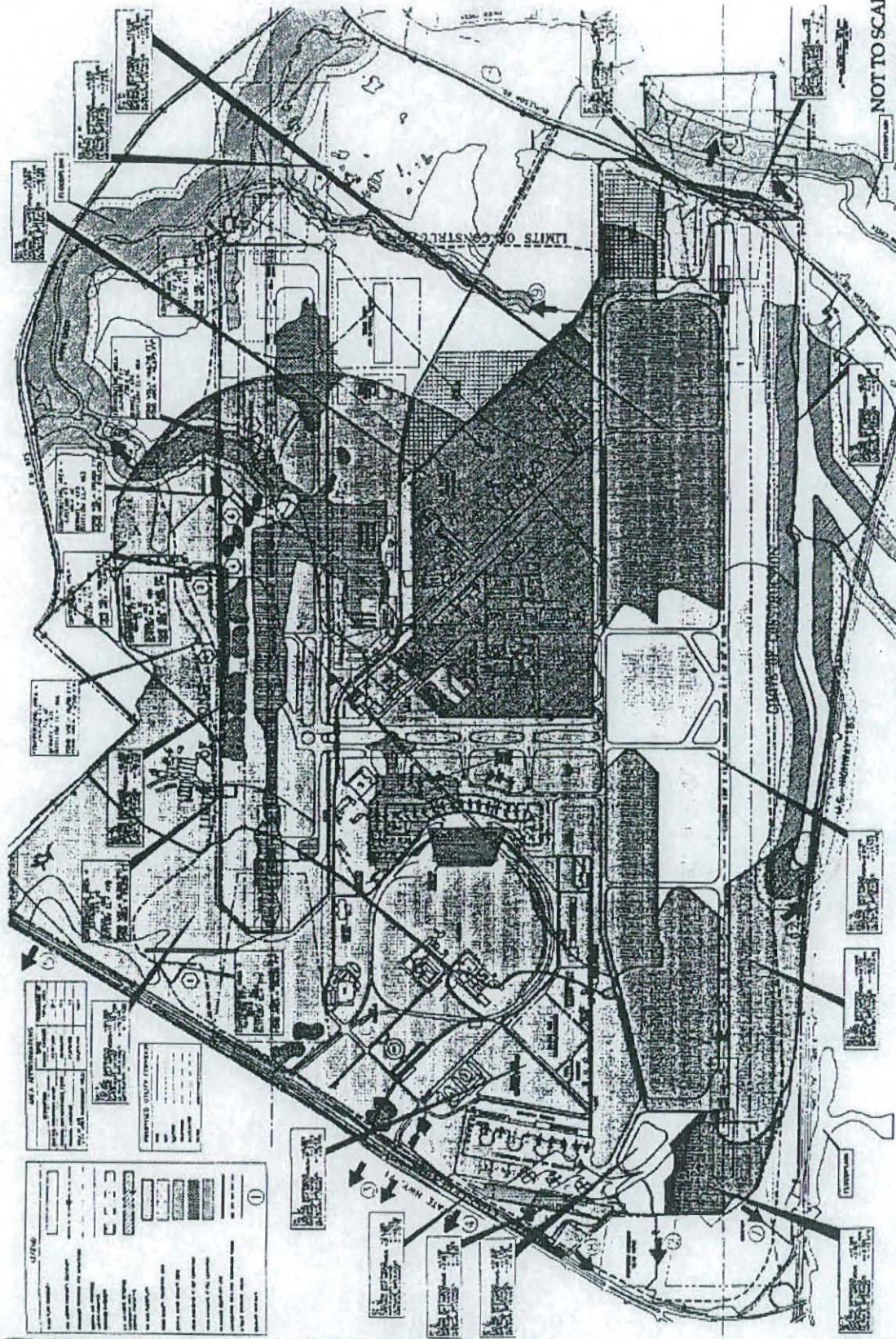
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9	9.000	9.000
10	10.000	10.000



NOT TO SCALE

LEGEND
 --- DEMOLITION BOUNDARIES
 --- DEMOLITION AREA
 5

 AUSTIN-BERGSTRÖM INTERNATIONAL AIRPORT DEMOLITION MASTER PLAN ATTACHMENT C		SHEET NO. 5 OF 6 DATE: 11/16/94 BY: [Signature] CHECKED BY: [Signature] APPROVED BY: [Signature]
---	--	--



NOT TO SCALE

DATE	11/17/94
BY	W. J. BURKE
CHECKED BY	W. J. BURKE
APPROVED BY	W. J. BURKE
SCALE	AS SHOWN

PROJECT NAME	AUSTIN-BERGSTROM INTERNATIONAL AIRPORT
PROJECT NO.	11-11-11
DATE	11/17/94
BY	W. J. BURKE
CHECKED BY	W. J. BURKE
APPROVED BY	W. J. BURKE

PROJECT NAME	AUSTIN-BERGSTROM INTERNATIONAL AIRPORT
PROJECT NO.	11-11-11
DATE	11/17/94
BY	W. J. BURKE
CHECKED BY	W. J. BURKE
APPROVED BY	W. J. BURKE

PROJECT NAME	AUSTIN-BERGSTROM INTERNATIONAL AIRPORT
PROJECT NO.	11-11-11
DATE	11/17/94
BY	W. J. BURKE
CHECKED BY	W. J. BURKE
APPROVED BY	W. J. BURKE

PROJECT NAME	AUSTIN-BERGSTROM INTERNATIONAL AIRPORT
PROJECT NO.	11-11-11
DATE	11/17/94
BY	W. J. BURKE
CHECKED BY	W. J. BURKE
APPROVED BY	W. J. BURKE

PROJECT NAME	AUSTIN-BERGSTROM INTERNATIONAL AIRPORT
PROJECT NO.	11-11-11
DATE	11/17/94
BY	W. J. BURKE
CHECKED BY	W. J. BURKE
APPROVED BY	W. J. BURKE

PROJECT NAME	AUSTIN-BERGSTROM INTERNATIONAL AIRPORT
PROJECT NO.	11-11-11
DATE	11/17/94
BY	W. J. BURKE
CHECKED BY	W. J. BURKE
APPROVED BY	W. J. BURKE

PROJECT NAME	AUSTIN-BERGSTROM INTERNATIONAL AIRPORT
PROJECT NO.	11-11-11
DATE	11/17/94
BY	W. J. BURKE
CHECKED BY	W. J. BURKE
APPROVED BY	W. J. BURKE

PROJECT NAME	AUSTIN-BERGSTROM INTERNATIONAL AIRPORT
PROJECT NO.	11-11-11
DATE	11/17/94
BY	W. J. BURKE
CHECKED BY	W. J. BURKE
APPROVED BY	W. J. BURKE

PROJECT NAME	AUSTIN-BERGSTROM INTERNATIONAL AIRPORT
PROJECT NO.	11-11-11
DATE	11/17/94
BY	W. J. BURKE
CHECKED BY	W. J. BURKE
APPROVED BY	W. J. BURKE

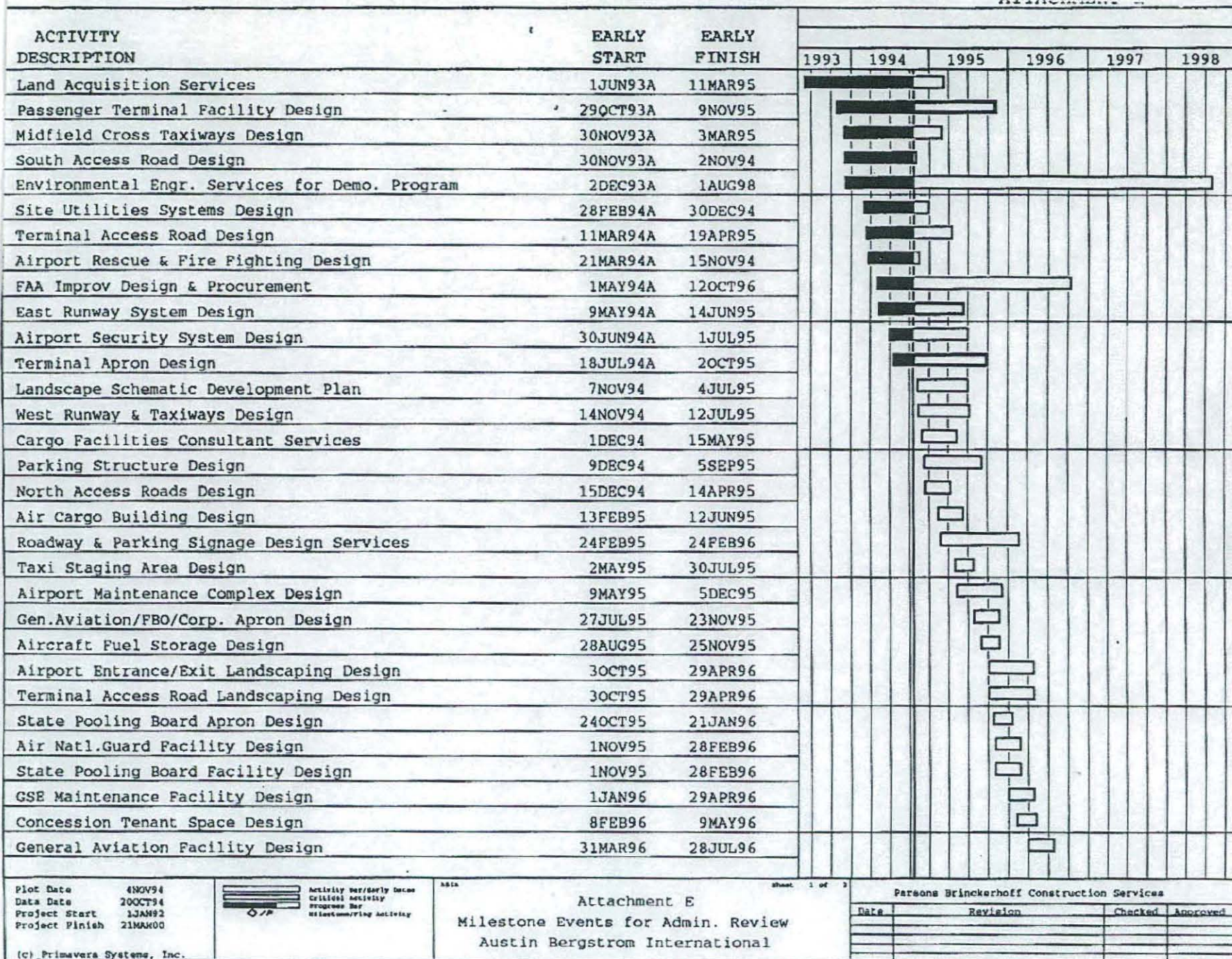
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PROJECT NO.	11-11-11
DATE	11/17/94
BY	W. J. BURKE
CHECKED BY	W. J. BURKE
APPROVED BY	W. J. BURKE

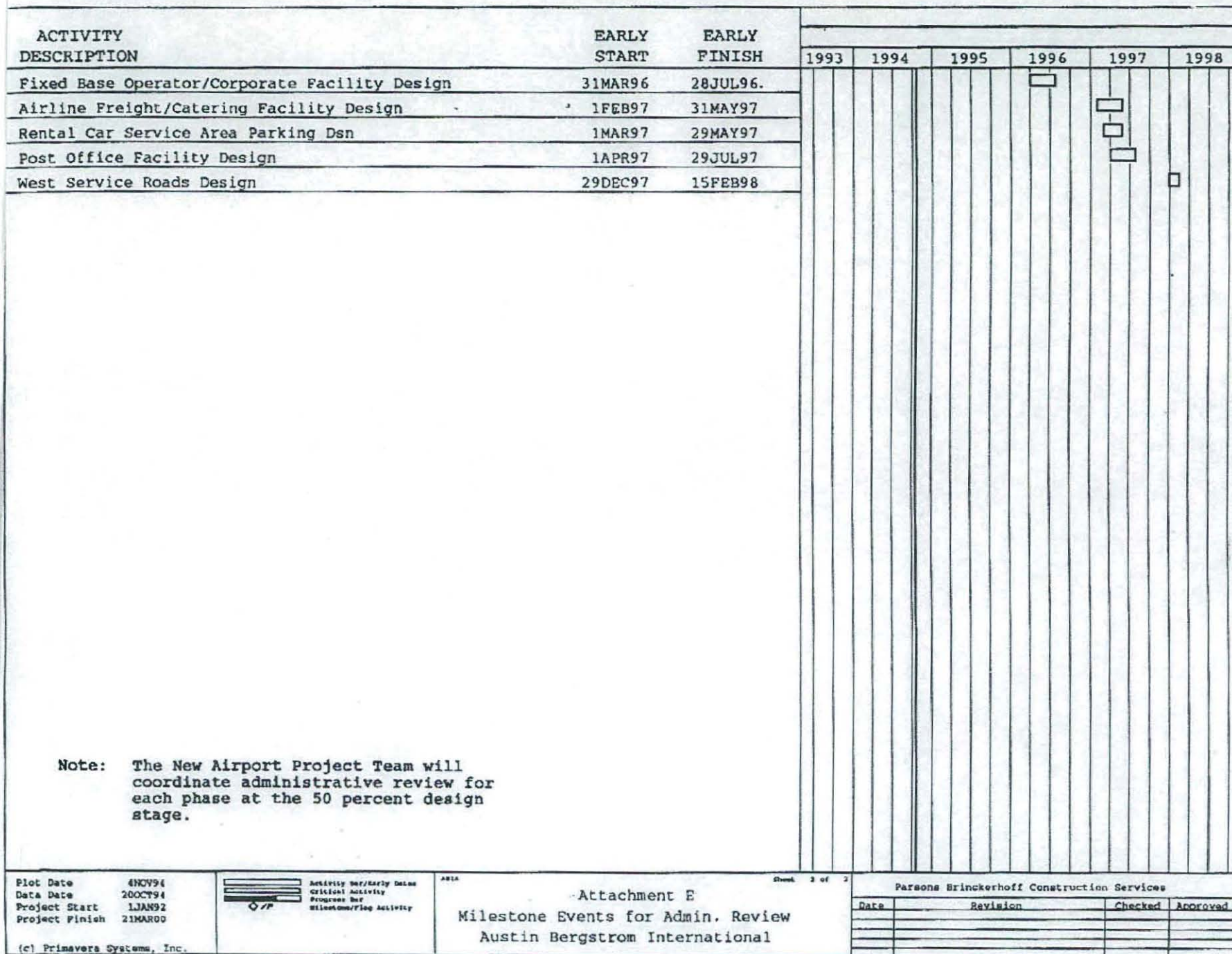
PROJECT NAME	AUSTIN-BERGSTROM INTERNATIONAL AIRPORT
PROJECT NO.	11-11-11
DATE	11/17/94
BY	W. J. BURKE
CHECKED BY	W. J. BURKE
APPROVED BY	W. J. BURKE

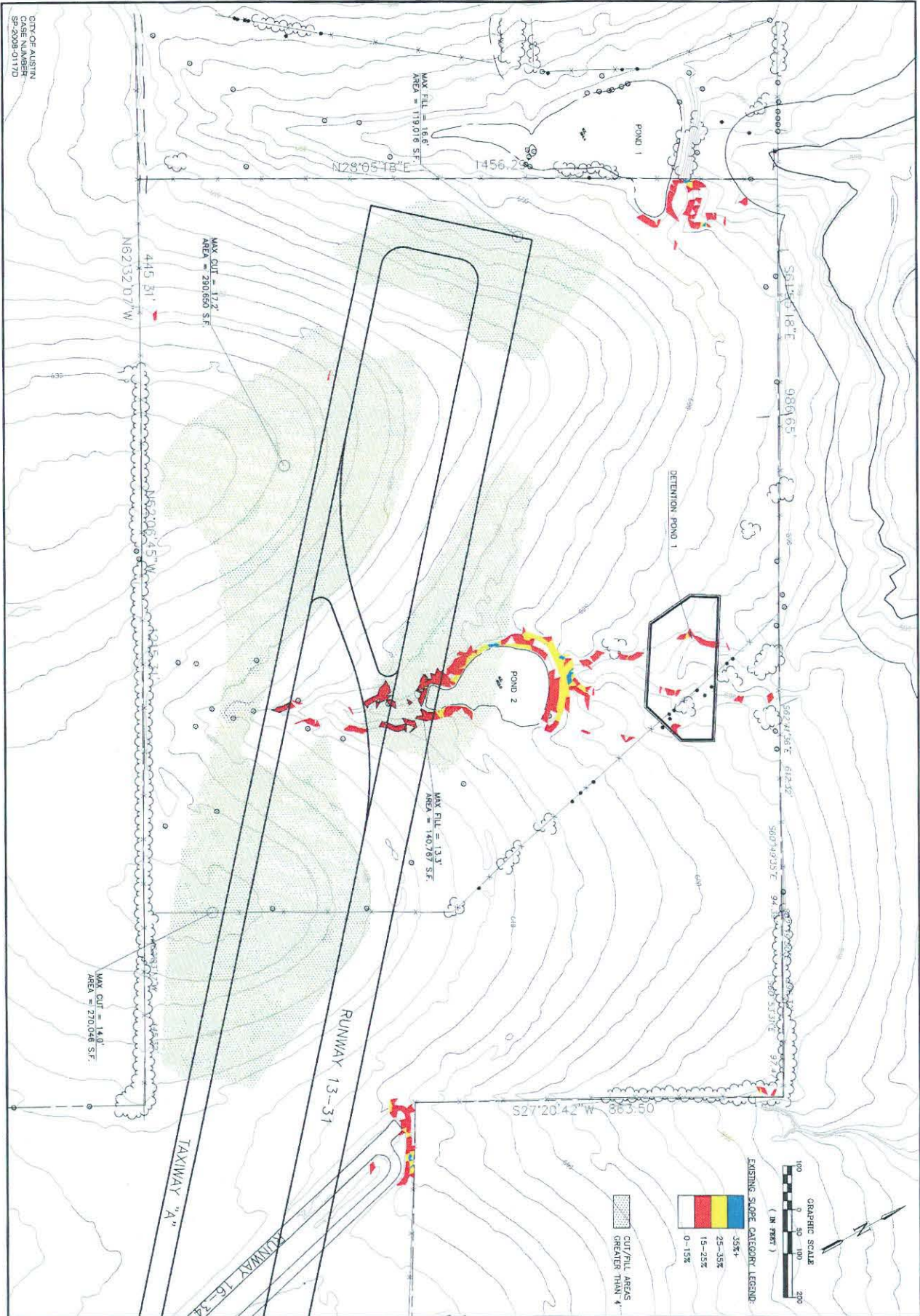
CARTER & BURGESESS, INC.



AUSTIN-BERGSTROM INTERNATIONAL AIRPORT
WATER QUALITY, SEDIMENT AND RECONSTRUCTION CONTROL
MASTER PLAN
ATTACHMENT 1

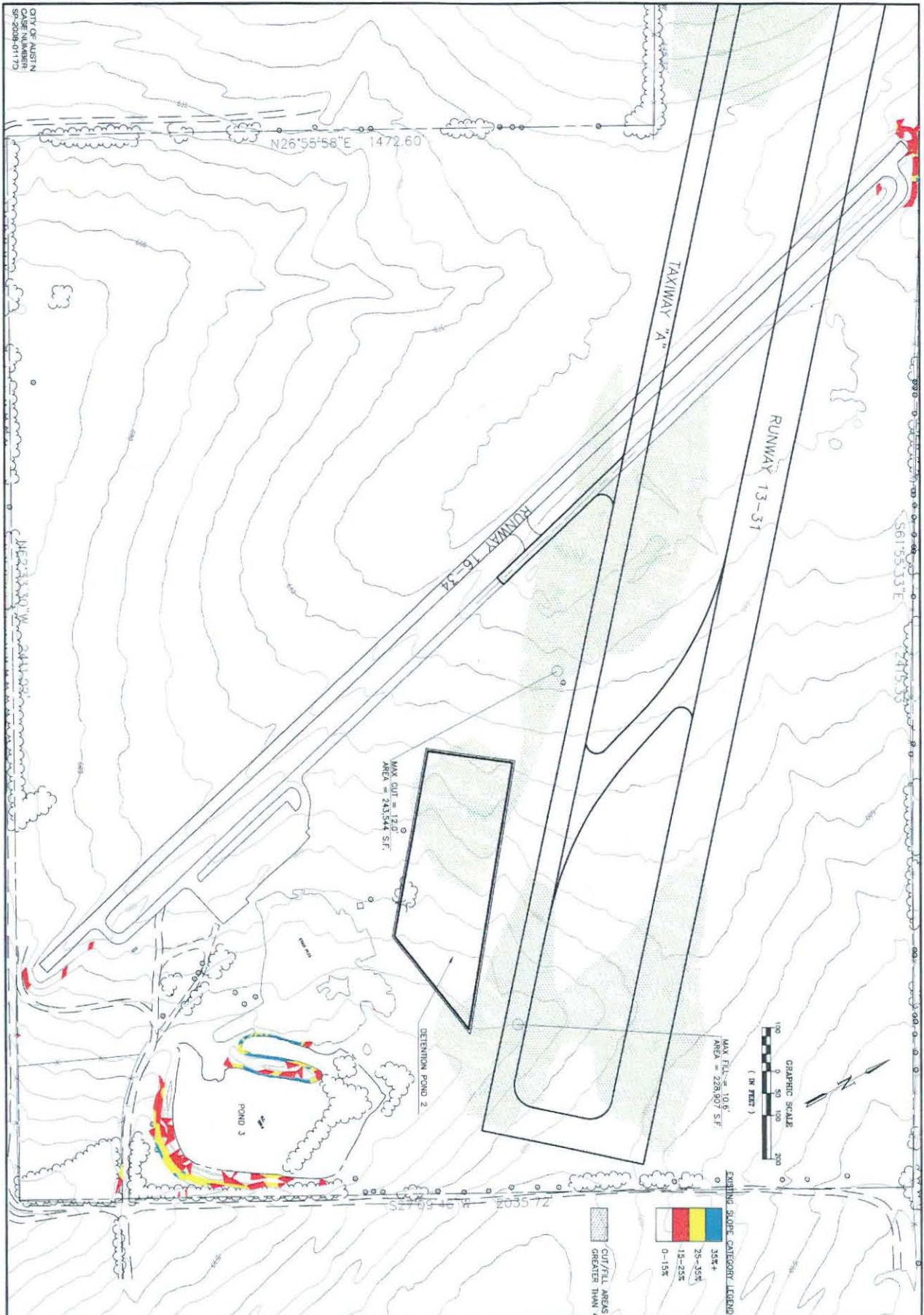






V-01 Sheet Number	Job No. 07037490 Date: JUNE, 2008 Designed by: JBC Drawn by: DJW	VARIANCE EXHIBIT	BIRD'S NEST AIRPORT 15012 FUCHS GROVE ROAD MANOR, TX 78663	REV. DATE DESCRIPTION BY: APPROVED	GARVER ENGINEERS 1088 EAST MILLSPRING ROAD, PAYETTEVILLE, AR 72703, (479) 527-9100
		STAGE I CONSTRUCTION			





V-02 Sheet Number	Job No.: 07057490 Date: JUNE, 2008 Designed by: JBC Drawn by: DJW	VARIANCE EXHIBIT 2	BIRD'S NEST AIRPORT 15012 FUCHS GROVE ROAD MANOR, TX 77653	REV. DATE DESCRIPTION	BY APPROVED
				GARVER ENGINEERS 1000 EAST MILLBURN ROAD, FAYETTEVILLE, AR 72703, (870) 527-8100	

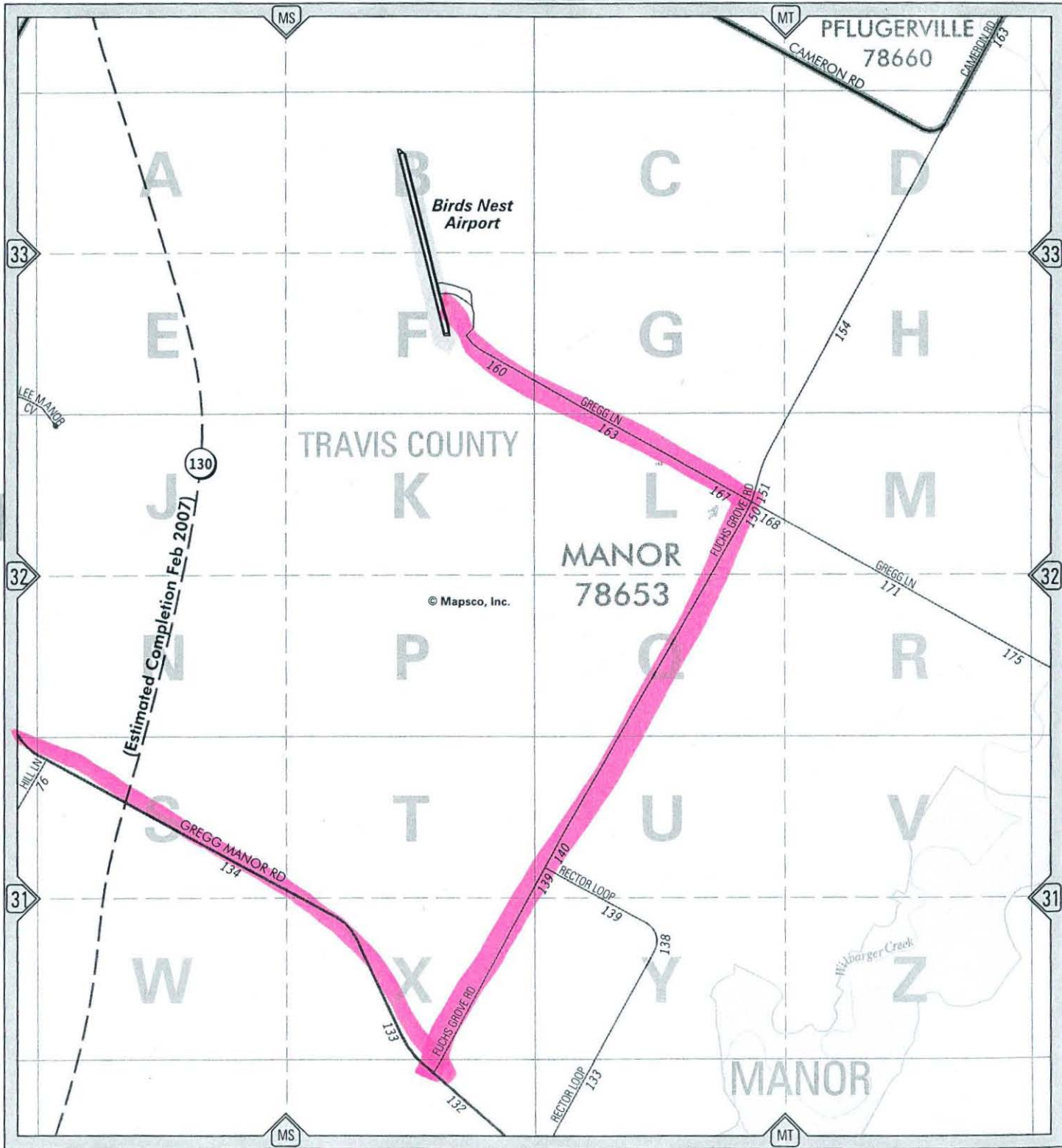


DIRECTIONS TO BIRD'S NEST AIRPORT

Head north on IH 35. Just north of Parmer Lane and IH 35, take the Gregg Manor Road exit and turn right on Gregg Manor Road. Turn left on Fuchs Grove Road. At the intersection of Fuchs Grove Road and Gregg Lane, turn left and proceed until you enter Bird's Nest Airport.



CONTINUED ON MAP 469



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CONTINUED ON MAP 498

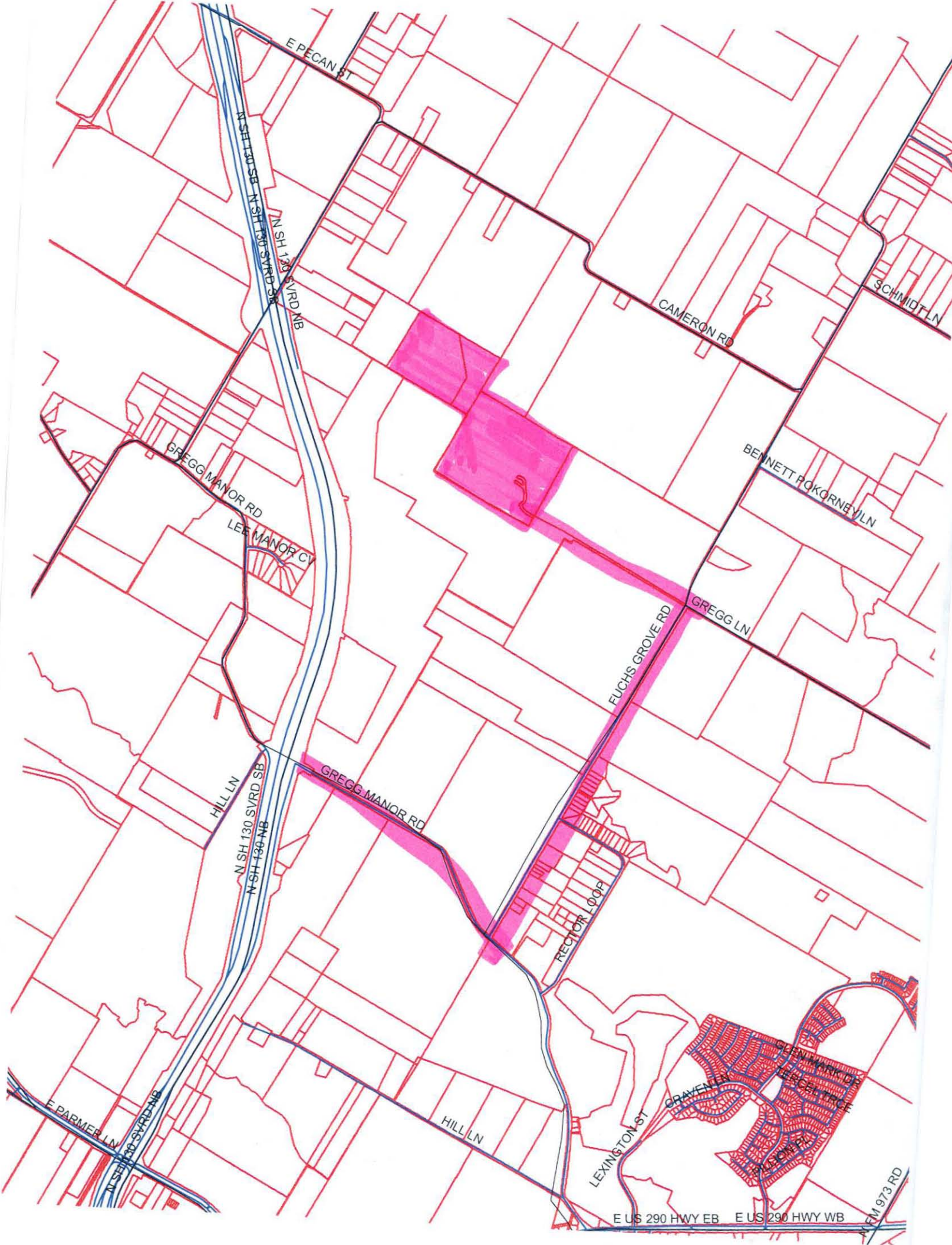
CONTINUED ON MAP 529

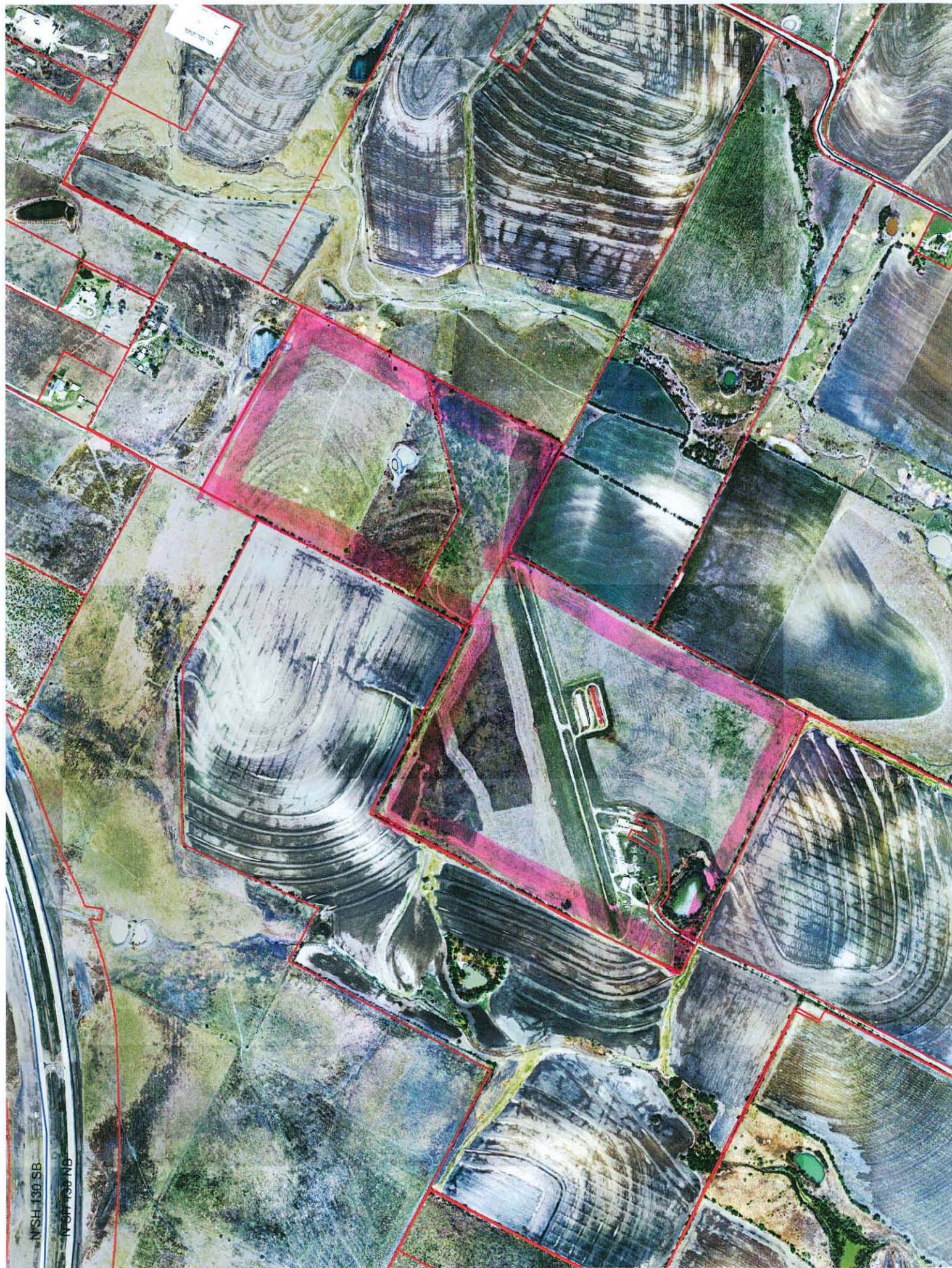
CONTINUED ON MAP 500



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NSH 130 SB

NSH 130 NB