

Item A2

ENVIRONMENTAL BOARD MEETING MINUTES Wednesday, August 6, 2008



**ENVIRONMENTAL BOARD REGULAR MEETING MINUTES WEDNESDAY,
August 6, 2008**

**The Environmental Board convened in a regular meeting on Wednesday, August 6, 2008, City Hall Council Chambers 301 West 2nd Street, Austin Texas
Chair Dave Anderson called the Board Meeting to order at 6:10 p.m.**

Board Members in Attendance:

Dave Anderson, Mary Gay Maxwell, Phil Moncada and Mary Ann Neely

Staff in Attendance:

Marilla Shepherd, Mike McDougle, Keith Mars, Brad Jackson, Jennifer Groude, Sylvia Pope, Ingrid McDonald Pat Murphy, Craig Carson, Andrew Clamann, Javier Delgado, and Scott Hiers

DRAFT

1. CITIZEN COMMUNICATIONS: GENERAL

- a. Dale Bulla spoke on Wildlife Austin and Certified Yard Application
- b. Carol Lee spoke on Webb Estates agenda item 4d.
- c. Peterson Torgrimson spoke on Web Estates agenda item 4d.

2. APPROVAL OF MINUTES

Approve the minutes of the July 16, 2008 regular meeting.

**The minutes for the regular meeting on July 16, 2008 were approved on and Board member Moncada's motion, Board Member's Maxwell's second
[Vote 4-0 Board members Ahart and Beall absent one vacancy]**

3. BOARD BUSINESS

Election of Environmental Board officers. The count for two one-year terms of officers begins with this election.

The motion to postpone agenda item 3a Election of Environmental Board officers was approved on Board member Anderson motion, and Board member Moncada's second postponed until August 20, 2008.

[Vote 4-0 Board members Ahart and Beall absent one vacancy]

4. PUBLIC HEARINGS

DISCUSSION AND ACTION ON DEVELOPMENT CASES

a. Name: Austin Del Valle Motorcross Park SP-2007-0613D

Applicant: Espey Consultants, Inc. (Ron Crane)

Location: 14600 Pearce Road

Staff Person: Patricia Foran – Watershed Protection and Development Review Department

Request: Variance request to Land Development Code 25-7-61(A) (5) (b)); 1) alter the floodplain. (LDC 25-8-211(B)); 2) not provide water quality controls. LDC 25-8-282;

3) encroach within wetland critical environmental features and associated setback (LDC 25-8-342); 4) unstabilized fill up to 16 feet (LDC 25-8-392); 5) construct up to 3.59 acres of impervious cover (track), and construct water quality controls within the Critical Water Quality Zone. (LDC 25-8-393(A)); 6) exceed 30% impervious cover in the Water Quality Transition Zone by constructing up to 2.61 acres (11,362 square feet) impervious cover, 1.74 acres (75,795 square feet) of which is in the 100-year floodplain.

Staff Recommendation: Not recommended for all variance requests because the findings of fact have not been met.

The motion to postpone agenda item 4a Austin Del Valle Motorcross Park was approved on Board member Anderson motion, and Board member Moncada's second postponed until September 10, 2008.

[Vote 4-0 Board members Ahart and Beall absent 1 vacancy]

b. Name: 7908 Big View Drive SP-2007-0604D

Applicant: Aupperle Company

Location: 7908 Big View Drive

Staff Person: Patricia Foran– Watershed Protection and Development Review Department

Request: Variance request is to Land Development Code 25-8-261 and 25-8-452 1) to allow construction in the Critical Water Quality Zone

Staff Recommendation: Recommended with conditions.

The motion to postpone agenda item 4b 7908 Big View Drive was approved on Board member Anderson motion, and Board member Moncada's second postponed until August 20, 2008. [Vote 4-0 Board members Ahart and Beall absent 1 vacancy]

- **Invite Michael Embesi to meeting**
- **Update on the Fill Around Cypress Trees**
- **Update on Land Development Code Requirements**

- c. **Name:** Walnut Creek Bike Trail Improvements SPC-2007-0364C
Applicant: Larson, Burns, & Smith
Location: Walnut Creek Greenbelt, Between Balcones District Park and Walnut Creek Metropolitan Park
Staff Person: Patricia Foran– Watershed Protection and Development Review Department
Request: Variance request is to Land Development Code Sections 25-8-281(C) (2) (b) 1) to encroach on Critical Environmental Features setbacks; 2) LDC 25-8-392 2) to develop in the Critical Water Quality Zone 3) LDC 25-8-342 to fill up to 11 feet;
Staff Recommendation: Recommended with conditions.

The Environmental Board recommended conditional approval to a variance request for Walnut Creek Bike Trail Improvements SP C2007-0364C Land Development Code Sections 25-8-281(C) (2)(b) 1) to encroach on Critical Environmental Features setbacks; 2) LDC 25-8-392 2) to develop in the Critical Water Quality Zone 3) LDC 25-8-342 to fill up to 11 feet; STAFF CONDITIONS; 1) Revegetate all disturbed areas within the Critical Water Quality Zone with City of Austin specification 609S for seeding and planting. 2) Revegetate all areas with significant slopes with City of Austin Specifications 604S. 3) Provide only native/drought tolerant plants from the City of Austin’s Grow Green Guide for all landscaping and mitigation trees. 4) Provide an overall mitigation rate of 35% for all trees proposed to be removed. RATIONALE; Findings of facts have been met. In light of fuel expenses today and use of area by the community. (Motion was approved on Board member Moncada’s motion, and Board member Neely’s second) [Vote 4-0 Board members Ahart and Beall absent 1 vacancy] See attached.

- d. **Name:** Webb Estates C8J-2008-0082
Applicant: Longaro & Clarke, L.P. (James McCan)
Location: City Park Road
Staff Person: Craig Carson Watershed Protection and Development Review Department
Request: Variance request is to Land Development Code Sections 30-5-301(A) 1) - To allow construction of roads and driveways on slopes greater than 15%. 2) LDC Section 30-5-302(B) -To allow construction of buildings on slopes greater than 25% 3) [LDC Section 30-5-341/342] -To allow cut up to 18 feet and fill up to 20 feet
Staff Recommendation: Recommended

The Environmental Board motioned to deny Land Development Code Sections 30-5-301(A) 1) - To allow construction of roads and driveways on slopes greater than 15%. 2) LDC Section 30-5-302(B) -To allow construction of buildings on slopes greater than 25% 3) [LDC Section 30-5-341/342] -To allow cut up to 18 feet and fill up to 20 feet RATIONALE; Water quality may be impacted by development, and water runoff could enter the conservation lands. Does not meet the

spirit of Balcones Canyonlands Conservation Program. (BCCP), to maintain contiguous tracts.

Motion was approved on Board member Moncada's motion, and Board member Neely's second) [Vote 4-0 Board members Ahart and Beall absent 1 vacancy] See attached.

- e. **Name: Bird's Nest Airport Stage I Construction SP-2008-0117D**
Applicant: Garver Engineers, LLC
Location: 15012 Fuchs Grove Road
Staff Person: Craig Carson Watershed Protection and Development Review Department
Request: Variance request is to Land Development Code Sections 25-8-341 1) - To allow cut up to 17.2 feet. 2) LDC Section 25-8-342 - To allow fill up to 16.6 feet
Staff Recommendation: Recommended

The Environmental Board recommended the following case be approved by consent, with no staff conditions and no board conditions listed for the Bird's Nest Airport Stage I Construction SP-2008-0117D Motion was approved on Board member Maxwell's motion, and Board member Moncada's second) [Vote 4-0 Board members Ahart and Beall absent 1 vacancy] See attached.

- f. **Name: Wildflower Commons/PUD C814-06-0233**
Applicant: Drenner & Golden Stuart Wolff, LLP
Location: 4700-5200 Blocks of State Highway 45
Staff Person: Patricia Foran - Watershed Protection and Development Review Department
Request: Applicant is requesting PUD (Planned Unit Development) zoning for the property.
Staff Recommendation: Staff recommendation is pending.

The motion to postpone agenda item 4f Wildflower Commons/PUD C814-06-0233 was approved on Board member Anderson motion, and Board member Moncada's second postponed until August 20, 2008. [Vote 4-0 Board members Ahart and Beall absent 1 vacancy]

- g. **Name:** Leander Independent School District SP-2007-0503CX (Revision One)
Applicant: Leander Independent School District (Tom Glenn)
Location: 9700 McNeil Drive
Staff Person: Javier Delgado- Watershed Protection and Development Review Department
Request: Variance request are as follows: Land Development Code Section 25-8-342: To allow fill greater than four feet of dept, not to exceed 23 feet.
Staff Recommendation: Recommended with conditions.

The Environmental Board recommended conditional approval to a variance request for Leander Independent School District (LISD) to Land Development Code Section 25-8-342: **STAFF CONDITIONS; 1. The fill used for this variance must be from on-site excavation from the Ribelin Ranch development (Lot 7). The any off-site fill (if needed) must comply with criteria established per COA Section 25-8-125 (includes backfill load certification, material essentially insoluble etc. 2. The site will comply with regular code landscaping requirements for parking areas. 3. Provide an IMP plan. 4. Utilize Hill Country native species for landscaping and tree replacement. 5. Enhance erosion controls (including mulch logs/socks). 6. Eliminate any additional parking above what is required by the inter-local agreement.**4g Leander ISD SP-2007-0503CS (Revision One) was approved on Board member Moncada's motion, and Board member Maxwell's second. [Vote 4-0 Board members Ahart and Beall absent 1 vacancy]

5. STAFF BRIEFINGS

- a. Vaught Ranch Road Service Extension Requests for Water #2768 and Wastewater #2769 – Robbie Botto – Watershed Protection and Development Review Department

The motion to postpone agenda item 5a Vaught Ranch Road Service Extension Request #2768 Water and #2769 Wastewater was approved on Board member Anderson motion, and Board member Moncada's second postponed until September 10, 2008. [Vote 4-0 Board members Ahart and Beall absent one vacancy]

6. OLD BUSINESS

- a. Joint Environmental/Parks Board Subcommittee – Dave Anderson, P.E.
No report
- b. Erosion and Sedimentation Controls – Dave Anderson, P.E.
No report
- c. Balcones Canyonlands Conservation Plan Citizens Advisory Group – Mary Ann Neely
Board member Neely reported on this item.
- d. Waterfront Overlay Taskforce – Dr. Mary Gay Maxwell
Board member Maxwell reported on this item.
- e. 2008 Work Plan Review – Dave Anderson, P. E.
Board member Maxwell reported on this item
- f. Tree Damage Resolution- Dave Anderson
The Environmental Board, along with the City of Austin Tree Task Force and the Urban Forestry Board, offer the attached resolution to address recent damage to the urban tree canopy, and to recognize this resource as an important infrastructure component to the City of Austin. See attached.

7. **NEW BUSINESS**

Request for future agenda items:

Posting of Draft Ordinances on the website. – Dave Anderson, P. E.

8. **ADJOURNMENT**

The meeting adjourned at 9:30 p.m.

DRAFT



ENVIRONMENTAL BOARD MOTION 080608-4c

Date: August 6, 2008

Subject: Walnut Creek Bike Trail Improvements SP C-2007-0364C

Motioned By: Phil Moncada

Seconded by: Mary Ann Neely

Recommendation

The Environmental Board recommended conditional approval to a variance request for Walnut Creek Bike Trail Improvements SP C2007-0364C Land Development Code Sections 25-8-281(C) (2)(b) 1) to encroach on Critical Environmental Features setbacks; 2) LDC 25-8-392 2) to develop in the Critical Water Quality Zone 3) LDC 25-8-342 to fill up to 11 feet;

STAFF CONDITIONS

1. Revegetate all disturbed areas within the Critical Water Quality Zone with City of Austin specification 609S for seeding and planting
2. Revegetate all areas with significant slopes with City of Austin Specifications 604S
3. Provide only native/drought tolerant plants from the City of Austin's Grow Green Guide for all landscaping and mitigation trees
4. Provide an overall mitigation rate of 35% for all trees proposed to be removed.

RATIONALE; Findings of facts have been met. In light of fuel expenses today and use of area by the community

Vote 4-0-0-2

For: Anderson, Maxwell, Moncada and Neely

Against:

Abstain:

Absent: Ahart and Beall

Recused:

Vacant 1

Approved By:

Dave Anderson P.E., CFM
Environmental Board Chair



ENVIRONMENTAL BOARD MOTION 080608-4d

Date: August 6, 2008

Subject: Webb Estates

Motioned By: Phil Moncada

Seconded by: Mary Ann Neely

Recommendation

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

RATIONALE; Water quality may be impacted by development, and water runoff could enter the conservation lands. Does not meet the spirit of Balcones Canyonlands Conservation Program. (BCCP), to maintain contiguous tracts.

Vote 4-0-0-0-2

For: Anderson, Maxwell, Moncada and Neely

Against:

Abstain:

Absent: Ahart and Beall

Recused:

Vacant: 1

Approved By:

Dave Anderson P.E., CFM
Environmental Board Chair



ENVIRONMENTAL BOARD MOTION 080608-4e

Date: August 6, 2008

Subject: Consent Agenda Bird's Nest Airport Stage 1 Construction SP-2008-0117D

Motioned By: Mary Gay Maxwell.

Seconded by: Phil Moncada

Recommendation

The Environmental Board recommended the following case be approved by consent, with no staff conditions and no board conditions listed for the Bird's Nest Airport Stage I Construction SP-2008-0117D.

Vote 4-0-0-0-2

For: Anderson, Maxwell, Moncada and Neely

Against:

Abstain:

Absent: Ahart, and Beall

Recused:

Vacant 1

Approved By:

Dave Anderson P.E., CFM
Environmental Board Chair



ENVIRONMENTAL BOARD MOTION 080608-4g

Date: August 6, 2008

Subject: Leander Independent School District SP-2007-0503CX (Revision One)

Motioned By: Phil Moncada

Seconded by: Maxwell

Recommendation

The Environmental Board recommended conditional approval to a variance request for Leander Independent School District (LISD) to Land Development Code Section 25-8-342: To allow fill greater than four feet of dept, not to exceed 23 feet.

STAFF CONDITIONS

1. The fill used for this variance must be from on-site excavation from the Ribelin ranch development (Lot 7). The any off-site fill (if needed) must comply with criteria established per COA Section 25-8-125 (includes backfill load certification, material essentially insoluble, etc).
2. The site will comply with regular code landscaping requirements for parking areas.
3. Provide an IPM Plan.
4. Utilize Hill Country native species for landscaping and tree replacement.
5. Enhance erosion controls (includes mulch logs/socks).
6. Eliminate any additional parking above what is required by the inter-local agreement.

ENVIRONMENTAL BOARD CONDITIONS

Ask the LISD to install 8' perimeter fence around Balcones Conservation Preserve Land.

RATIONALE

Findings of fact have been met. This project serves a public need for continuing education and will reduce vehicle trips and improve air quality and reduce pollution

Vote 4-0-0-2

For: Anderson, Maxwell, Moncada and Neely

Against:

Abstain:

Absent: Ahart and Beall

Recused:

Vacant 1

Approved By:

Dave Anderson P.E., CFM
Environmental Board Chair

DRAFT



ENVIRONMENTAL BOARD MOTION AND RESOLUTION 0806086g-001

Date: August 6, 2008

Subject: Urban Tree Canopy Protection Resolution

Motioned By: Mary Ann Neely

Seconded By: Mary Gay Maxwell

The Environmental Board, along with the City of Austin Tree Task Force and the Urban Forestry Board, offer the attached resolution to address recent damage to the urban tree canopy, and to recognize this resource as an important infrastructure component to the City of Austin.

Vote 4-0-0-0

For: Anderson, Maxwell, Moncada and Neely

Against: None

Abstain: None

Absent: Ahart and Beall

Vacant: One.

Approved By:

Dave Anderson P.E., CFM, Chair

RESOLUTION NO. EB 080608 6g-001

WHEREAS, a multifamily construction site plan (Bee Caves Apartments, SP-2007-0442C) was approved by the City of Austin on January 22, 2008, and development activities commenced after the Owner, Contractor, and City representatives discussed various environmental and tree issues at an on-site meeting held February 27, 2008; and

WHEREAS, during the weekend of March 8, 2008 a Subcontractor, operating with minimal supervision, cleared an unauthorized area and removed a significant number of trees and vegetation, evidently driving over a limit of construction barrier that delineated the development boundaries into a waterway and drainage easement where a tree survey was not required; and

WHEREAS, the City of Austin was contacted by the Owner on the following Monday morning and accompanied a Watershed Protection and Development Review Inspector to the site on March 13, 2008, where a Stop Work Order was issued for development not in accordance with a released site plan, failure to provide adequate erosion and sedimentation control, and failure to comply with protected tree requirements; and

WHEREAS, the Contractor hired a private surveying company to perform a tree survey of the removed trees, which remained piled on the site, accounting for 154 trees (8-inches in diameter and greater) totaling 1,440 diameter inches that were removed without a permit, including 23 mature, "protected" trees that were 19" diameter or greater; and

WHEREAS, the Stop Work Order was released on March 28, 2008 after the Owner agreed to provide 100% replacement of inch for inch for the tree violations; and

WHEREAS, the urban tree canopy is a vital component of the Austin Environment; and

WHEREAS, there is the potential to set an unacceptable precedent if trees are removed from a site in excess of those permitted for removal without a significant penalty for those activities, and those responsible for the illegal action held immediately accountable;

NOW, THEREFORE, BE IT RESOLVED, that the City of Austin Environmental Board, Forestry Board, and the neighborhood representatives of the neighborhood associating that served on the Tree Task Force requests that City Council direct City Staff to evaluate the following:

1. The implementation of the recommendations of the Tree Task Force immediately.
2. The implementation of more significant fines or other financial implications as a deterrent to these types of activities.

Item 4a



ITEM FOR ENVIRONMENTAL BOARD AGENDA

BOARD MEETING
DATE REQUESTED: August 20, 2008

NAME & NUMBER OF PROJECT: 7908 Big View Drive
SP-2007-0646D

NAME OF APPLICANT OR ORGANIZATION: Aupperle Company
(Bruce Aupperle – Phone 422-7838)

LOCATION: 7908 Big View Drive

PROJECT FILING DATE: November 7, 2007

WPDR/ENVIRONMENTAL STAFF: Patricia Foran, 974-3427
patricia.foran@ci.austin.tx.us

WPDR/ CASE MANAGER: Chris Yanez, 974-1810
chris.yanez@ci.austin.tx.us

WATERSHED: Lake Austin (Water Supply Rural)
Drinking Water Protection Zone

ORDINANCE: Comprehensive Watershed Ordinance (current Code)

REQUEST: Variance request to allow construction in the Critical Water Quality Zone; LDC Sections 25-8-261 and 25-8-452.

STAFF RECOMMENDATION: Recommended with conditions.

REASONS FOR RECOMMENDATION: Findings of fact have been met.



MEMORANDUM

TO: David Anderson, Chairperson
Members of the Environmental Board

FROM: Patricia Foran, Environmental Reviewer
Watershed Protection and Development Review Department

DATE: August 13, 2008

SUBJECT: 7908 Big View Drive/ SP-2007-0646D

Michael Embesi, City Arborist, is unable to attend the Environmental Board meeting on August 20, 2008. Attached please find a memorandum from Mr. Embesi to the Environmental Board which addresses the trees located at 7908 Big View Drive.

If you have any questions or need additional information, please contact Ingrid McDonald at 974-2711.

Patricia Foran, Environmental Review Specialist Senior
Watershed Protection and Development Review Department



MEMORANDUM

TO: David Anderson, Chairperson
Members of the Environmental Board

FROM: Michael Embesi, City Arborist
Watershed Protection and Development Review Department

DATE: August 14, 2008

SUBJECT: 7908 Big View Drive/ SP-2007-0646D

Thank you for your request. I apologize for not being able to attend tonight's Environmental Board Meeting but I have a previously scheduled meeting with the Urban Forestry Board.

Discussions with the applicant have identified many proposed impacts to the critical root zone to the trees along the shoreline. Development within the critical root zone is not preferable; however interactions with the applicant have attempted to minimize impacts to the existing trees. These items include adjusting the area where the boat dock is proposed, establishing bulk-heading in a manner to minimize root severing, creating wave and erosion abatement devices near the trunk of the trees, and minimizing fill material requirements. Even though a variance is not required to permit this work, it is commonplace to require a private Certified Arborist to be employed by the developer to ensure the best results (i.e. proper construction execution, and specific treatments to soil, root, and canopy).

Thank you for your time and please contact me if I can assist you further,

Michael Embesi



ITEM FOR ENVIRONMENTAL BOARD AGENDA

**BOARD MEETING
DATE REQUESTED:** August 20, 2008

**NAME & NUMBER
OF PROJECT:** Wildflower Commons/PUD
C814-06-0233

**NAME OF APPLICANT
OR ORGANIZATION:** Drenner & Golden Stuart Wolff, LLP
(Michele Haussmann – Phone 404-2233)

LOCATION: 4700 – 5200 Blocks of State Highway 45

PROJECT FILING DATE: December 21, 2006

**WPDR/ENVIRONMENTAL
STAFF:** Ingrid McDonald, 974-2711
ingrid.mcdonald@ci.austin.tx.us

**WPDR/
CASE MANAGER:** Wendy Rhoades, 974-7719
Wendy.Rhoades@ci.austin.tx.us

WATERSHED: Slaughter Creek and Bear Creek Watersheds (Barton
Springs Zone)
Drinking Water Protection Zone

ORDINANCE: Bradley Settlement Agreement

REQUEST: Applicant is requesting PUD zoning for the property.

STAFF RECOMMENDATION: Recommended.



MEMORANDUM

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

FROM: Patricia Foran, Environmental Review Specialist Senior
Watershed Protection and Development Review Department

DATE: August 13, 2008

SUBJECT: Wildflower Commons PUD - C814-06-0233
4700 – 5200 Blocks of State Highway 45

Staff received a rezoning application for the above-mentioned case on December 21, 2006 that proposes a zoning change from the single-family residence standard lot (SF-2) and general office (GO) districts to Planned Unit Development (PUD) on 265.678 acres of land.

The PUD proposal consists of a mixed use development consisting of condominiums, office uses, a supermarket, and a shopping center with restaurant. In total, impervious cover is proposed at 15% net site area, which is approximately 37.99 acres of impervious cover. The applicant is allocated approximately 45.61 acres of impervious per the Bradley Settlement Agreement.

The Applicant is requesting seven exceptions to environmental regulations.

Description of Property

The proposed PUD is situated in the Bear and Slaughter Creek Watersheds, both of which are classified as Barton Springs Zone. The PUD is composed of five tracts and is bisected by proposed State Highway 45. The tracts lie in the Drinking Water Development Zone and are located over the Edwards Aquifer Recharge Zone. Critical Water Quality Zone (CWQZ), Water Quality Transition Zone (WQTZ), 100-year floodplain, and critical environmental features (CEFs) occur within the proposed PUD.

The existing tracts are currently undeveloped. The proposed PUD area is bounded by undeveloped land on the west (County), undeveloped land (County) and undeveloped land (GR-CO) within the Circle C Ranch subdivision to the north, and undeveloped land (County) on the east and south.

The property is subject to the Bradley Agreement, which includes certain mitigative components. This PUD proposes to comply with all conditions required by the Bradley Agreement, in addition to benefits proposed with this rezoning application.

Existing Topography/Soil Characteristics/Vegetation

The elevation ranges from 800 to 880 feet above mean sea level. There is a watershed divide located on the property; the majority of the project area slopes to the northeast towards Slaughter Creek, and a portion slopes to the southwest towards Bear Creek. All slopes are less than 15%.

There are two soil mapping units on site: Speck stony clay loam and Tarrant soils. The geologic units of the site of the Edwards Group, which consist of Grainstore, Kirschberg Evaporite, and Dolomitic members of the Cretaceous age Kainer Formation.

The project site is located in the Live Oak-Ashe Juniper Parks vegetation region which is characterized as wooded and open rangeland.

Critical Environmental Features/Endangered Species

Forty-nine CEFs were identified on the subject tract by COA staff and the environmental assessment. These features are classified as the following: twenty are sinkholes; thirteen are solution cavities; five are closed depressions; seven are caves; three are solution cavity – solution fractures, and one is a sink hole and wetland. Please refer to the attached CEF exhibit for agreed upon CEF locations and setbacks. Additional conditions requested by ERM staff (and agreed to by the applicant) are included in the attached memorandum dated July 7, 2008.

Water/Wastewater

The applicant proposes to utilize City of Austin water and wastewater services.

Environmental Exception Requests

The environmental exceptions requested for this project are to LDC Sections:

1. Exception from LDC 25-8-65 (Roadways)

- (A) Except as otherwise provided in this section, impervious cover calculations for development adjacent to a roadway shall account for the adjacent roadway.
- (B) For development with an internal roadway, impervious cover calculations include the internal roadway, except that pavement width in excess of 44 feet is excluded. This does not reduce the requirements for stormwater detention facilities or water quality controls for run-off from the roadways.
- (C) For development adjacent to a roadway built as a City Capital Improvements Program project after May 18, 1986, impervious cover calculations include one-half of the pavement width, up to a maximum of 44 feet, and the associated right-of-way.

(D) This section does not apply in the desired development zone to a development with impervious cover of not more than:

(1) 5,000 square feet; or

(2) 7,000 square feet for development located at a smart growth transportation corridor or node described in Section 25-6-3 (*Smart Growth Corridors and Nodes Described*).

Although the Bradley Agreement does not require adjacent roadways to be accounted for in calculation of allowable impervious cover, the applicant is requesting to include this section as an exception since it is included in the LDC.

2. Exception from LDC 25-8-262(B)(3)(b) (Critical Water Quality Zone Street Crossings)

(B) This subsection applies in a watershed other than an urban watershed.

(3) A minor waterway critical water quality zone may be crossed by an arterial and collector streets, except:

(b) in a water supply suburban or water supply rural watershed, or the Barton Springs Zone, a collector street crossing must be at least 2,000 feet from a collector or arterial street crossing on the same waterway.

The applicant is requesting to remove this requirement to allow one waterway crossing on Tract 1 to provide safe access that otherwise would not be possible.

3. Exception from LDC 25-8-341 (Cut Requirements)

Cut on a tract of land may not exceed 4' of depth.

The applicant is requesting a modification to allow cuts up to 10' associated with the water quality and detention facilities, and up to 15' for areas associated roadways, parking areas, driveways, and other site development per attached cut/fill exhibit.

4. Exception from LDC 25-8-342 (Fill Requirements)

Fill on a tract of land may not exceed 4' of depth.

The applicant is requesting a modification to allow fill up to 10' associated with the water quality and detention facilities, and up to 15' for areas associated roadways, parking areas, driveways, and other site development per attached cut/fill exhibit.

5. Exception from LDC 25-8-482 (Critical Water Quality Zone)

Development is prohibited in a critical water quality zone, except as provided in Article 7, Division 1 (*Critical Water Quality Zone Restrictions*).

The applicant is requesting a modification to allow a driveway or roadway into Tract 1.

6. Exception from LDC 25-8-483(A)(1) (Water Quality Transition Zone)

(A) Development is prohibited in a water quality transition zone that lies over the Edwards Aquifer recharge zone, except for:

- (1) development described in Article 7, Division 1 (*Critical Water Quality Zone Restrictions*);

The applicant is requesting a modification to allow one driveway or roadway into Tract 1.

7. Exception from LDC 25-1-21(98) (Definitions)

SITE means a contiguous area intended for development, or the area on which a building has been proposed to be built or has been built. A site may not cross a public street or right-of-way.

The applicant is requesting to redefine site to include all tracts, including those separated by a public street or sight-of-way.

Other Exception Request

One exception requested by this project that is not directly environmentally-related is to LDC Section:

1. Exception from LDC 25-4-157(B) (Subdivision Access Streets)

(B) Except as otherwise provided in this section:

- (1) a new subdivision must have at least two access streets; and
- (2) each of the two access streets must connect to a different external street.

The applicant is requesting a variance to provide only one access to external street. The access will be constructed with a minimum 50 foot cross-section with two inbound and two outbound lanes.

Recommendations

Staff from the Watershed Protection and Development Review and Neighborhood Planning and Zoning departments have worked with the Applicant to provide additional benefits in site development as support for the proposed PUD:

- Stabilize cut/fill using terracing or structural containment where feasible;
- Transfers 7.621 acres of available impervious cover to the Hill Country Conservancy;

- Dedicate a minimum of 100 acres of open space as a conservation easement;
- Prohibit development within the Bear Creek Watershed;
- Prohibit development on Tracts 2 and 4;
- Reduce the maximum construction envelope from 257.778 acres to 123.684 acres;
- Prohibit development upstream of all CEFs with the exception of one solution cavity - solution fracture, WC021;
- Provide a water quality conservation pond that captures 1.98 acre feet above the required water quality volume;
- Adopts the Exterior Light Pollution Reduction techniques consistent with that approved for Southwest Marketplace (Costco and Lifetime Fitness – Forum PUD, Tract 2 and Parcels F and J). These techniques involve design and implementation of interior and exterior lighting so that no direct-beam illumination leaves the building site;
- Adopts the Landscape and Exterior Design / Heat Island Reduction requirements consistent with that approved for Southwest Marketplace (Costco and Lifetime Fitness – Forum PUD, Tract 2 and Parcels F and J); Available shading options include: additional plantings, using light colored materials on non-roof impervious surfaces, providing underground parking or using pervious pavement where soils are four feet or greater in depth. Available heat island reduction options include using energy efficient or vegetated roofing materials, and conducting a life cycle cost analysis for the use of concrete for all non-pervious paved parking and roadway surfaces; and
- Provide 2-star Austin Energy Green Building Standards or equivalent LEED rating (as the subject properties are not within the Austin Energy service area);

The Wildflower Commons PUD may be scheduled for consideration by the Zoning and Platting Commission at their September 16, 2008 meeting.

If you need further details, please contact Ingrid McDonald at 974-2711.

Patricia Foran, Environmental Review Specialist Sr.
Watershed Protection and Development Review

Environmental Program Coordinator:

Ingrid McDonald

Environmental Officer:

Pat Murphy



MEMORANDUM

TO: Patrica Foran, Senior Environmental Reviewer
Watershed Protection and Development Review Department

FROM: Scott E. Hiers, P.G., Senior Environmental Scientist
Watershed Protection and Development Review Department

DATE: July 7, 2008

SUBJECT: Corrections to ERM's August 22, 2007 memo regarding Critical Environmental Feature setbacks of Wildflower Commons.

As part of the City of Austin's development review process, Environmental Resource Management (ERM) staff reviewed the karst assessment for the Wildflower Commons development site. The site is about 268-acres located in south Austin immediately south of the intersection of Loop 1 and State Highway 45. In late July and early August ERM, Barton Spring Edward Aquifer District and ACI Consulting staff members completed several karst surveys to determine if any karst recharge features might have been missed by an initial karst survey completed by J. Jackson Harper in October 2003.

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Based the surface drainage patterns, 2-ft topography, the type of feature, the feature's size and the density (or clustering) of features, ERM staff is recommending protecting the critical environmental features with 19 critical environmental feature setback areas (Labeled A thru S). The attached map shows the location of the setback areas. ERM staff is recommending that the CEFs and their associated setback area (or buffers) are documented within the PUD ordinance along with the following Land Development Code (LDC) requirements from Section 25-8-281.

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2. Setback areas must be established to protect all CEFs. Although the LDC allows a portion of the CEF buffer to be included in a residential lot, I do not recommend that this be allowed. Residential lots should not include any portion of a CEF buffer. Setbacks must comply with the setback area has stated in Table 1 and shown Map 1. ERM is willing to revise setback areas listed in Table 1 and shown on Map 1 during PUD process, if the applicant provides more detail

information to ERM staff such as 1-ft topographic survey that better delineates the catchment areas and a hydrogeologic assessment that better evaluates its recharge potential.

3. No disturbance of native vegetation is allowed within the buffer zone. This shall be stated in a section of the PUD ordinance specifically addressing Critical Environmental Feature protection.
4. No construction is allowed within the buffer zone, except for cave gates and educational trails built in compliance with 25-8-281 of the LDC. In the PUD ordinance, this shall be stated as "No construction or placement of structures within a Critical Environmental Feature buffer zone."
5. Stormwater disposal or irrigation is prohibited within a CEF buffer zone and shall be stated in the PUD ordinance.
6. Erosion and sedimentation controls must be installed at the perimeter of all CEF buffers prior to the initiation of construction.

Additional recommendations for CEF protection not explicitly stated in the Land Development Code, Section 25-8-281.

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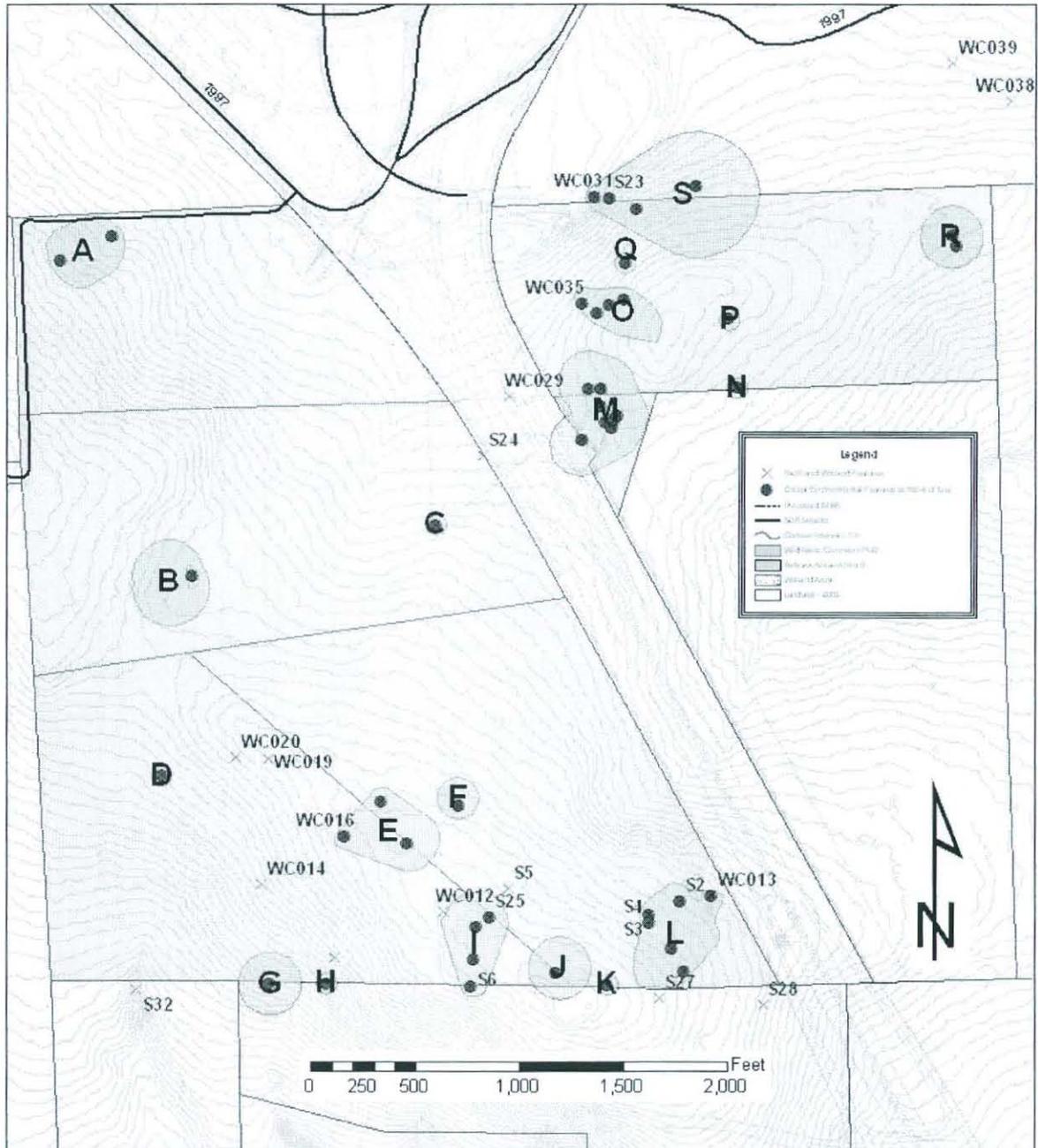
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24	Solution Cavity	3069699.78	10033850.50	S24	SC	
25	Sinkhole	3069730.39	10031622.05	S25	SH	I
26	Sinkhole	3069650.00	10031400.00	S26	SH	I
27	Sinkhole	3070550.00	10031251.00	S27	SH	
28	Karst Depression	3071050.00	10031200.00	S28	CD	
29	Sinkhole	3071137.00	10031512.00	S31	SH	S
30	Sinkhole	3068045.27	10031249.09	S32	SH	S
31	Sinkhole	3069696.00	10031559.00	S33	SH	I
32	Solution Cavity	3070710.00	10031910.00	S34	SC	
33	Karst Depression	3070740.00	10031769.00	S35	CD	
34	SC	3070760.00	10031512.00	S36	SC	L
35	Karst Depression	3070450.00	10031461.00	S37	CD	L
Id	Comments	X	Y	FEATURE	TYPE	Setback Area

36	Sinkhole	3070479.97	10032979.98	WC003	SH	
37	Sinkhole	3070300.00	10031300.00	WC005	SH	K
38	Sinkhole	3070050.00	10031400.00	WC007	SH	J
39	Cave	3070670.00	10031400.00	WC008	C	L
40	Other	3068990.00	10031400.00	WC009	O	
41	Solution Cavity	3070610.00	10031500.00	WC010	SC	L
42	Solution Cavity	3069670.00	10031600.00	WC011	SC	I
43	Solution Cavity	3069510.00	10031600.00	WC012	SC	I
44	Sinkhole	3070800.00	10031700.00	WC013	SH	L
45	Other	3068640.00	10031800.00	WC014	O	
46	Cave	3069340.00	10032000.00	WC015	C	E
47	Solution Cavity	3069040.00	10032000.00	WC016	SC	E
48	Cave	3069580.00	10032200.00	WC017	C	F
49	Solution Cavity/Frac	3069210.00	10032200.00	WC018	SC-SF	E
50	Solution Cavity	3068670.00	10032400.00	WC019	SC	
51	Solution Cavity/Frac	3068520.00	10032400.00	WC020	SC-SF	
52	Solution Cavity/Frac	3069470.00	10033500.00	WC021	SC-SF	C
53	Sinkhole	3067920.00	10034900.00	WC023	SH	A
54	Karst Depression	3070170.00	10033900.00	WC027	CD	M
55	Karst Depression	3070210.00	10034200.00	WC028	CD	M
56	Other	3069830.00	10034100.00	WC029	O	
57	Cave	3070230.00	10035100.00	WC031	C	S
58	Cave	3070720.00	10035100.00	WC032	C	S
59	Karst Depression	3070260.00	10034100.00	WC033	CD	M
60	Solution Cavity/Frac.	3070880.00	10034500.00	WC034	SC-SF	P
61	Solution Cavity	3070180.00	10034600.00	WC035	SC	O
62	Solution Cavity	3070300.00	10034600.00	WC036	SC	O
63	Solution Cavity	3070370.00	10034600.00	WC037	SC	O
64	Cave	3072230.00	10035600.00	WC038	C	
65	Cave	3071960.00	10035700.00	WC039	C	
66	Sinkhole	3071950.00	10034900.00	WC040	SH	R
67	Zone	3068900.00	10036600.00	WC041	Z	

Map 1: Setback Area Location Map

**Map 1: Location Map for Critical Environmental Feature Setbacks
(Revised - 07-07-2008)**



Wildflower Commons P.U.D.



ITEM FOR ENVIRONMENTAL BOARD AGENDA

BOARD MEETING
DATE REQUESTED: August 20, 2008

NAME & NUMBER
OF PROJECT: Wildflower Commons/PUD
C814-06-0233

NAME OF APPLICANT
OR ORGANIZATION: Drenner & Golden Stuart Wolff, LLP
(Michele Haussmann – Phone 404-2233)

LOCATION: 4700 – 5200 Blocks of State Highway 45

PROJECT FILING DATE: December 21, 2006

WPDR/ENVIRONMENTAL
STAFF: Ingrid McDonald, 974-2711
ingrid.mcdonald@ci.austin.tx.us

WPDR/
CASE MANAGER: Wendy Rhoades, 974-7719
Wendy.Rhoades@ci.austin.tx.us

WATERSHED: Slaughter Creek and Bear Creek Watersheds (Barton
Springs Zone)
Drinking Water Protection Zone

ORDINANCE: Bradley Settlement Agreement

REQUEST: Applicant is requesting PUD zoning for the property.

STAFF RECOMMENDATION: Recommended.



MEMORANDUM

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

FROM: Patricia Foran, Environmental Review Specialist Senior
Watershed Protection and Development Review Department

DATE: August 13, 2008

SUBJECT: Wildflower Commons PUD - C814-06-0233
4700 – 5200 Blocks of State Highway 45

Staff received a rezoning application for the above-mentioned case on December 21, 2006 that proposes a zoning change from the single-family residence standard lot (SF-2) and general office (GO) districts to Planned Unit Development (PUD) on 265.678 acres of land.

The PUD proposal consists of a mixed use development consisting of condominiums, office uses, a supermarket, and a shopping center with restaurant. In total, impervious cover is proposed at 15% net site area, which is approximately 37.99 acres of impervious cover. The applicant is allocated approximately 45.61 acres of impervious per the Bradley Settlement Agreement.

The Applicant is requesting seven exceptions to environmental regulations.

Description of Property

The proposed PUD is situated in the Bear and Slaughter Creek Watersheds, both of which are classified as Barton Springs Zone. The PUD is composed of five tracts and is bisected by proposed State Highway 45. The tracts lie in the Drinking Water Development Zone and are located over the Edwards Aquifer Recharge Zone. Critical Water Quality Zone (CWQZ), Water Quality Transition Zone (WQTZ), 100-year floodplain, and critical environmental features (CEFs) occur within the proposed PUD.

The existing tracts are currently undeveloped. The proposed PUD area is bounded by undeveloped land on the west (County), undeveloped land (County) and undeveloped land (GR-CO) within the Circle C Ranch subdivision to the north, and undeveloped land (County) on the east and south.

The property is subject to the Bradley Agreement, which includes certain mitigative components. This PUD proposes to comply with all conditions required by the Bradley Agreement, in addition to benefits proposed with this rezoning application.

Existing Topography/Soil Characteristics/Vegetation

The elevation ranges from 800 to 880 feet above mean sea level. There is a watershed divide located on the property; the majority of the project area slopes to the northeast towards Slaughter Creek, and a portion slopes to the southwest towards Bear Creek. All slopes are less than 15%.

There are two soil mapping units on site: Speck stony clay loam and Tarrant soils. The geologic units of the site of the Edwards Group, which consist of Grainstore, Kirschberg Evaporite, and Dolomitic members of the Cretaceous age Kainer Formation.

The project site is located in the Live Oak-Ashe Juniper Parks vegetation region which is characterized as wooded and open rangeland.

Critical Environmental Features/Endangered Species

Forty-nine CEFs were identified on the subject tract by COA staff and the environmental assessment. These features are classified as the following: twenty are sinkholes; thirteen are solution cavities; five are closed depressions; seven are caves; three are solution cavity – solution fractures, and one is a sink hole and wetland. Please refer to the attached CEF exhibit for agreed upon CEF locations and setbacks. Additional conditions requested by ERM staff (and agreed to by the applicant) are included in the attached memorandum dated July 7, 2008.

Water/Wastewater

The applicant proposes to utilize City of Austin water and wastewater services.

Environmental Exception Requests

The environmental exceptions requested for this project are to LDC Sections:

1. Exception from LDC 25-8-65 (Roadways)

- (A) Except as otherwise provided in this section, impervious cover calculations for development adjacent to a roadway shall account for the adjacent roadway.
- (B) For development with an internal roadway, impervious cover calculations include the internal roadway, except that pavement width in excess of 44 feet is excluded. This does not reduce the requirements for stormwater detention facilities or water quality controls for run-off from the roadways.
- (C) For development adjacent to a roadway built as a City Capital Improvements Program project after May 18, 1986, impervious cover calculations include one-half of the pavement width, up to a maximum of 44 feet, and the associated right-of-way.

(D) This section does not apply in the desired development zone to a development with impervious cover of not more than:

(1) 5,000 square feet; or

(2) 7,000 square feet for development located at a smart growth transportation corridor or node described in Section 25-6-3 (*Smart Growth Corridors and Nodes Described*).

Although the Bradley Agreement does not require adjacent roadways to be accounted for in calculation of allowable impervious cover, the applicant is requesting to include this section as an exception since it is included in the LDC.

2. Exception from LDC 25-8-262(B)(3)(b) (Critical Water Quality Zone Street Crossings)

(B) This subsection applies in a watershed other than an urban watershed.

(3) A minor waterway critical water quality zone may be crossed by an arterial and collector streets, except:

(b) in a water supply suburban or water supply rural watershed, or the Barton Springs Zone, a collector street crossing must be at least 2,000 feet from a collector or arterial street crossing on the same waterway.

The applicant is requesting to remove this requirement to allow one waterway crossing on Tract 1 to provide safe access that otherwise would not be possible.

3. Exception from LDC 25-8-341 (Cut Requirements)

Cut on a tract of land may not exceed 4' of depth.

The applicant is requesting a modification to allow cuts up to 10' associated with the water quality and detention facilities, and up to 15' for areas associated roadways, parking areas, driveways, and other site development per attached cut/fill exhibit.

4. Exception from LDC 25-8-342 (Fill Requirements)

Fill on a tract of land may not exceed 4' of depth.

The applicant is requesting a modification to allow fill up to 10' associated with the water quality and detention facilities, and up to 15' for areas associated roadways, parking areas, driveways, and other site development per attached cut/fill exhibit.

5. Exception from LDC 25-8-482 (Critical Water Quality Zone)

Development is prohibited in a critical water quality zone, except as provided in Article 7, Division 1 (*Critical Water Quality Zone Restrictions*).

The applicant is requesting a modification to allow a driveway or roadway into Tract 1.

6. Exception from LDC 25-8-483(A)(1) (Water Quality Transition Zone)

(A) Development is prohibited in a water quality transition zone that lies over the Edwards Aquifer recharge zone, except for:

- (1) development described in Article 7, Division 1 (*Critical Water Quality Zone Restrictions*);

The applicant is requesting a modification to allow one driveway or roadway into Tract 1.

7. Exception from LDC 25-1-21(98) (Definitions)

SITE means a contiguous area intended for development, or the area on which a building has been proposed to be built or has been built. A site may not cross a public street or right-of-way.

The applicant is requesting to redefine site to include all tracts, including those separated by a public street or sight-of-way.

Other Exception Request

One exception requested by this project that is not directly environmentally-related is to LDC Section:

1. Exception from LDC 25-4-157(B) (Subdivision Access Streets)

(B) Except as otherwise provided in this section:

- (1) a new subdivision must have at least two access streets; and
- (2) each of the two access streets must connect to a different external street.

The applicant is requesting a variance to provide only one access to external street. The access will be constructed with a minimum 50 foot cross-section with two inbound and two outbound lanes.

Recommendations

Staff from the Watershed Protection and Development Review and Neighborhood Planning and Zoning departments have worked with the Applicant to provide additional benefits in site development as support for the proposed PUD:

- Stabilize cut/fill using terracing or structural containment where feasible;
- Transfers 7.621 acres of available impervious cover to the Hill Country Conservancy;

- Dedicate a minimum of 100 acres of open space as a conservation easement;
- Prohibit development within the Bear Creek Watershed;
- Prohibit development on Tracts 2 and 4;
- Reduce the maximum construction envelope from 257.778 acres to 123.684 acres;
- Prohibit development upstream of all CEFs with the exception of one solution cavity - solution fracture, WC021;
- Provide a water quality conservation pond that captures 1.98 acre feet above the required water quality volume;
- Adopts the Exterior Light Pollution Reduction techniques consistent with that approved for Southwest Marketplace (Costco and Lifetime Fitness – Forum PUD, Tract 2 and Parcels F and J). These techniques involve design and implementation of interior and exterior lighting so that no direct-beam illumination leaves the building site;
- Adopts the Landscape and Exterior Design / Heat Island Reduction requirements consistent with that approved for Southwest Marketplace (Costco and Lifetime Fitness – Forum PUD, Tract 2 and Parcels F and J); Available shading options include: additional plantings, using light colored materials on non-roof impervious surfaces, providing underground parking or using pervious pavement where soils are four feet or greater in depth. Available heat island reduction options include using energy efficient or vegetated roofing materials, and conducting a life cycle cost analysis for the use of concrete for all non-pervious paved parking and roadway surfaces; and
- Provide 2-star Austin Energy Green Building Standards or equivalent LEED rating (as the subject properties are not within the Austin Energy service area);

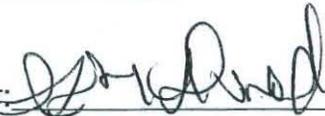
The Wildflower Commons PUD may be scheduled for consideration by the Zoning and Platting Commission at their September 16, 2008 meeting.

If you need further details, please contact Ingrid McDonald at 974-2711.



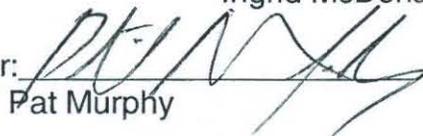
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Watershed Protection and Development Review

Environmental Program Coordinator:



Ingrid McDonald

Environmental Officer:



Pat Murphy



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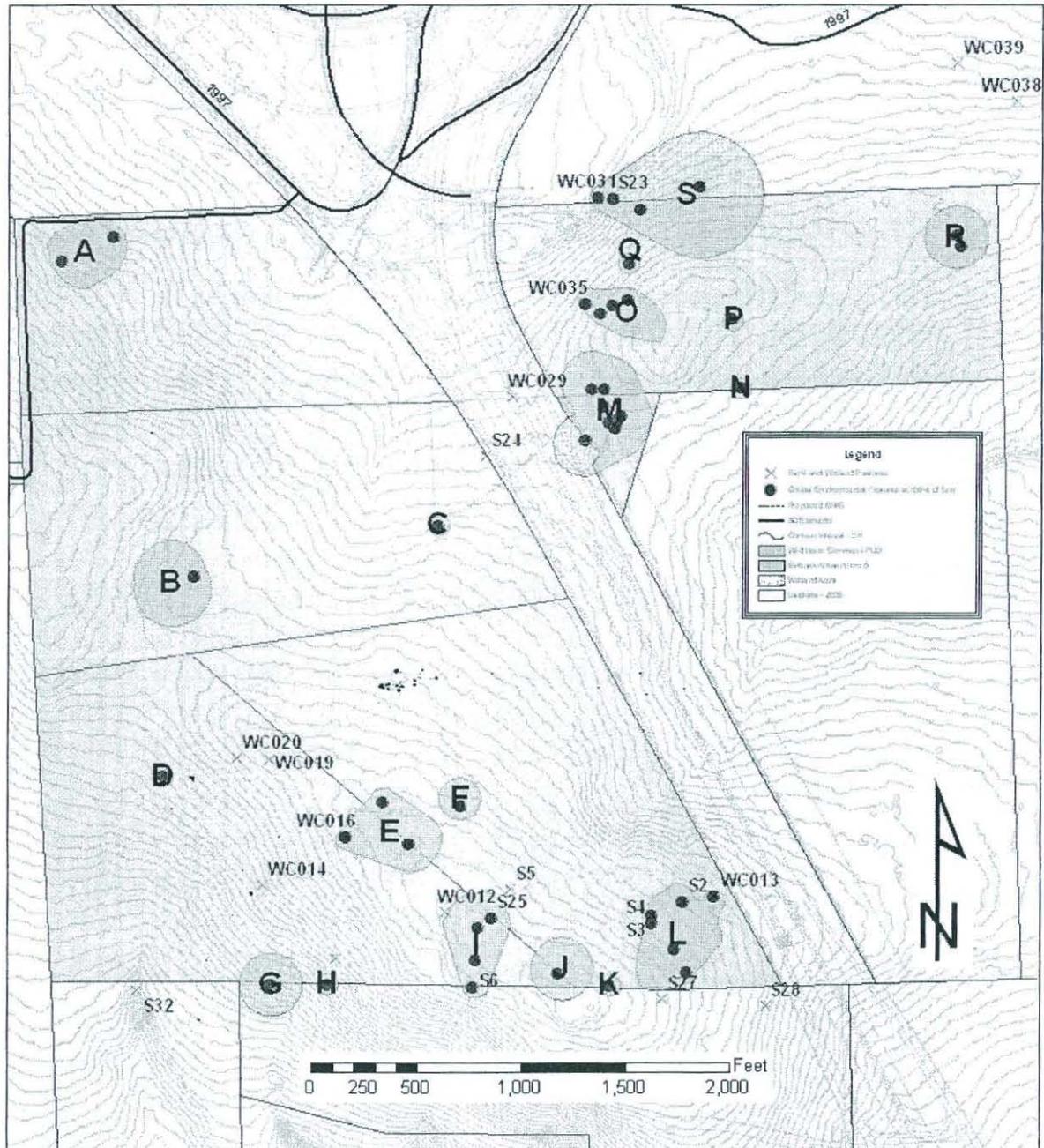
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22	Solution Cavity	3070434.72	10035029.90	S22	SC	
23	Sinkhole	3070300.92	10035084.00	S23	SH	
24	Solution Cavity	3069699.78	10033850.50	S24	SC	
25	Sinkhole	3069730.39	10031622.05	S25	SH	I
26	Sinkhole	3069650.00	10031400.00	S26	SH	I
27	Sinkhole	3070550.00	10031251.00	S27	SH	
28	Karst Depression	3071050.00	10031200.00	S28	CD	
29	Sinkhole	3071137.00	10031512.00	S31	SH	S
30	Sinkhole	3068045.27	10031249.09	S32	SH	S
31	Sinkhole	3069696.00	10031559.00	S33	SH	I
32	Solution Cavity	3070710.00	10031910.00	S34	SC	
33	Karst Depression	3070740.00	10031769.00	S35	CD	
34	SC	3070760.00	10031512.00	S36	SC	L
35	Karst Depression	3070450.00	10031461.00	S37	CD	L
Id	Comments	X	Y	FEATURE	TYPE	Setback Area

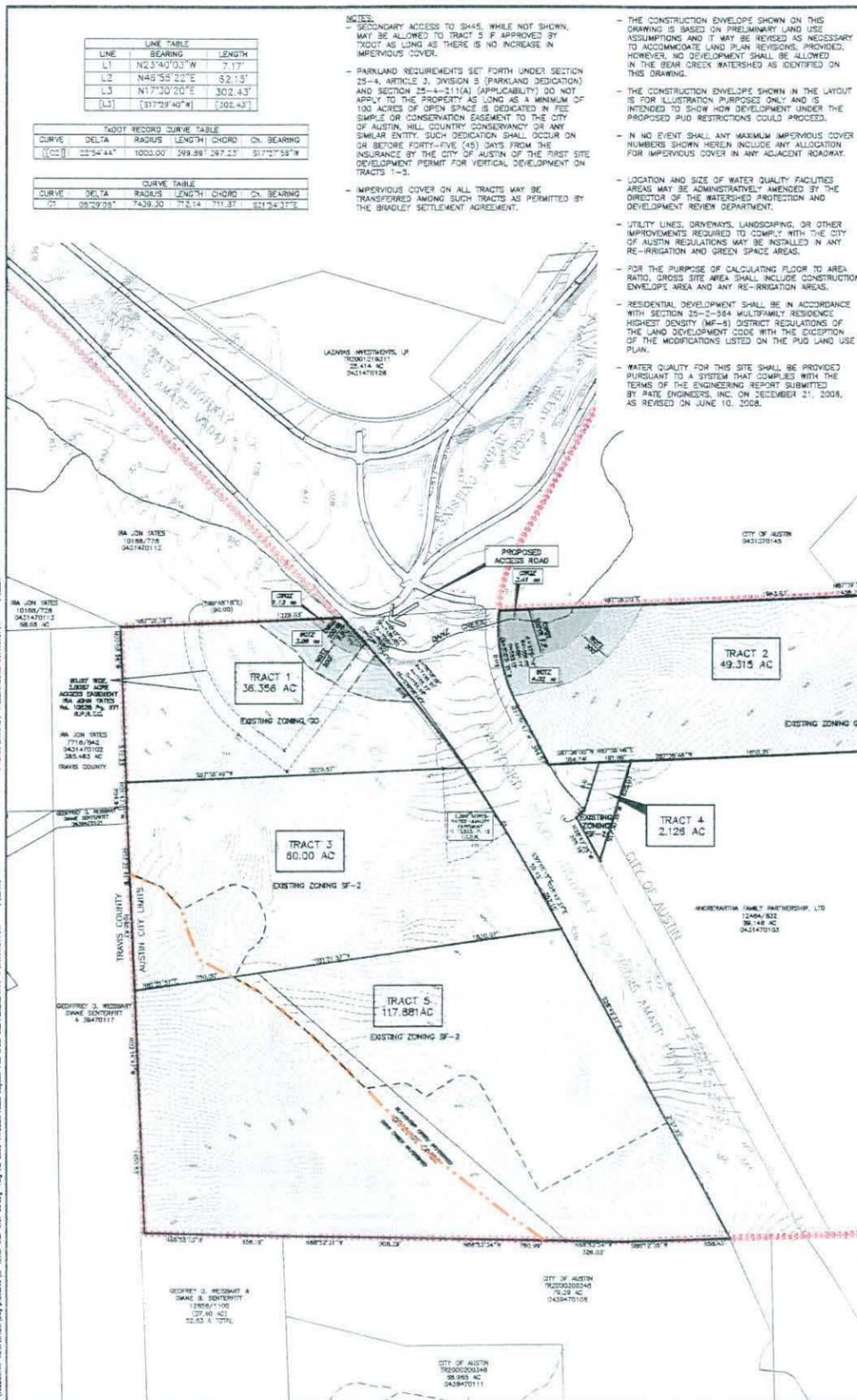
36	Sinkhole	3070479.97	10032979.98	WC003	SH	
37	Sinkhole	3070300.00	10031300.00	WC005	SH	K
38	Sinkhole	3070050.00	10031400.00	WC007	SH	J
39	Cave	3070670.00	10031400.00	WC008	C	L
40	Other	3068990.00	10031400.00	WC009	O	
41	Solution Cavity	3070610.00	10031500.00	WC010	SC	L
42	Solution Cavity	3069670.00	10031600.00	WC011	SC	I
43	Solution Cavity	3069510.00	10031600.00	WC012	SC	I
44	Sinkhole	3070800.00	10031700.00	WC013	SH	L
45	Other	3068640.00	10031800.00	WC014	O	
46	Cave	3069340.00	10032000.00	WC015	C	E
47	Solution Cavity	3069040.00	10032000.00	WC016	SC	E
48	Cave	3069580.00	10032200.00	WC017	C	F
49	Solution Cavity/Frac	3069210.00	10032200.00	WC018	SC-SF	E
50	Solution Cavity	3068670.00	10032400.00	WC019	SC	
51	Solution Cavity/Frac	3068520.00	10032400.00	WC020	SC-SF	
52	Solution Cavity/Frac	3069470.00	10033500.00	WC021	SC-SF	C
53	Sinkhole	3067920.00	10034900.00	WC023	SH	A
54	Karst Depression	3070170.00	10033900.00	WC027	CD	M
55	Karst Depression	3070210.00	10034200.00	WC028	CD	M
56	Other	3069830.00	10034100.00	WC029	O	
57	Cave	3070230.00	10035100.00	WC031	C	S
58	Cave	3070720.00	10035100.00	WC032	C	S
59	Karst Depression	3070260.00	10034100.00	WC033	CD	M
60	Solution Cavity/Frac.	3070880.00	10034500.00	WC034	SC-SF	P
61	Solution Cavity	3070180.00	10034600.00	WC035	SC	O
62	Solution Cavity	3070300.00	10034600.00	WC036	SC	O
63	Solution Cavity	3070370.00	10034600.00	WC037	SC	O
64	Cave	3072230.00	10035600.00	WC038	C	
65	Cave	3071960.00	10035700.00	WC039	C	
66	Sinkhole	3071950.00	10034900.00	WC040	SH	R
67	Zone	3068900.00	10036600.00	WC041	Z	

Map 1: Setback Area Location Map

Map 1: Location Map for Critical Environmental Feature Setbacks (Revised - 07-07-2008)



Wildflower Commons P.U.D.



LINE TABLE

LINE	BEARING	LENGTH
L1	N23°40'03"W	7.17'
L2	N48°55'22"E	62.15'
L3	N17°30'20"E	302.43'
L3'	S17°29'40"W	302.43'

FOOT WEIR CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD	CH. BEARING
(C1)	22°54'44"	1000.00'	399.89'	297.23'	S17°27'59"W

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD	CH. BEARING
(C2)	08°29'28"	7439.30'	772.14'	711.87'	S11°54'37"E

NOTES:

- SECONDARY ACCESS TO SH45, WHILE NOT SHOWN, MAY BE ALLOWED TO TRACT 5 IF APPROVED BY TxDOT AS LONG AS THERE IS NO INCREASE IN IMPERVIOUS COVER.
- PARKLAND REQUIREMENTS SET FORTH UNDER SECTION 25-4, ARTICLE 3, DIVISION 5 (PARKLAND DEDICATION) AND SECTION 25-4-211(A) (APPLICABILITY) DO NOT APPLY TO THE PROPERTY AS LONG AS A MINIMUM OF 100 ACRES OF OPEN SPACE IS DEDICATED IN FEE SIMPLE OR CONSERVATION EASEMENT TO THE CITY OF AUSTIN, HILL COUNTRY CONSERVANCY OR ANY SIMILAR ENTITY. SUCH DEDICATION SHALL OCCUR ON OR BEFORE FORTY-FIVE (45) DAYS FROM THE INSURANCE BY THE CITY OF AUSTIN OF THE FIRST SITE DEVELOPMENT PERMIT FOR VERTICAL DEVELOPMENT ON TRACTS 1-5.
- IMPERVIOUS COVER ON ALL TRACTS MAY BE TRANSFERRED AMONG SUCH TRACTS AS PERMITTED BY THE BRADLEY SETTLEMENT AGREEMENT.
- THE CONSTRUCTION ENVELOPE SHOWN ON THIS DRAWING IS BASED ON PRELIMINARY LAND USE ASSUMPTIONS AND MAY BE REVISED AS NECESSARY TO ACCOMMODATE LAND PLAN REVISIONS. PROVIDED, HOWEVER, NO DEVELOPMENT SHALL BE ALLOWED IN THE BEAR CREEK WATERSHED AS IDENTIFIED ON THIS DRAWING.
- THE CONSTRUCTION ENVELOPE SHOWN IN THE LAYOUT IS FOR ILLUSTRATION PURPOSES ONLY AND IS INTENDED TO SHOW HOW DEVELOPMENT UNDER THE PROPOSED PUD RESTRICTIONS COULD PROCEED.
- IN NO EVENT SHALL ANY MAXIMUM IMPERVIOUS COVER NUMBERS SHOWN HEREIN INCLUDE ANY ALLOCATION FOR IMPERVIOUS COVER IN ANY ADJACENT ROADWAY.
- LOCATION AND SIZE OF WATER QUALITY FACILITIES ARE TO BE ADMINISTRIATIVELY AMENDED BY THE DIRECTOR OF THE WATERSHED PROTECTION AND DEVELOPMENT REVIEW DEPARTMENT.
- UTILITY LINES, DRIVEWAYS, LANDSCAPING, OR OTHER IMPROVEMENTS REQUIRED TO COMPLY WITH THE CITY OF AUSTIN REGULATIONS MAY BE INSTALLED IN ANY RE-IRRIGATION AND GREEN SPACE AREAS.
- FOR THE PURPOSE OF CALCULATING FLOOR TO AREA RATIO, GROSS SITE AREA SHALL INCLUDE CONSTRUCTION ENVELOPE AREA AND ANY RE-IRRIGATION AREAS.
- RESIDENTIAL DEVELOPMENT SHALL BE IN ACCORDANCE WITH SECTION 25-3-254 (MULTIFAMILY RESIDENCE HIGHEST DENSITY (MF-8) DISTRICT REGULATIONS OF THE LAND DEVELOPMENT CODE WITH THE EXCEPTION OF THE MODIFICATIONS LISTED ON THE PUD LAND USE PLAN.
- WATER QUALITY FOR THIS SITE SHALL BE PROVIDED PURSUANT TO A SYSTEM THAT COMPLIES WITH THE TERMS OF THE ENGINEERING REPORT SUBMITTED BY PATE ENGINEERS, INC. ON DECEMBER 31, 2008, AS REVISED ON JUNE 10, 2008.

Code Modifications and Variances:

A) In accordance with Section 25-4-11 of the Land Development Code, the PUD specific performance standards identified herein shall apply in lieu of otherwise applicable Code sections, City regulations or the City policies.

(1) Variance to Section 25-4-212 (B)(2)(b) of the Land Development Code which requires a minimum of 2,000 feet between a collector street and an arterial or another collector street crossing the same named roadway, water quality zone in the Bear Creek Watershed.

B) A waterway crossing into Tract 1, shown on the PUD Land Use Map, is necessary to provide access to property that cannot otherwise be safely accessed.

(C) The cut and fill for the roadway, parking, driveway, or site development connection on the PUD Land Use Map will exceed one (1) foot of depth pursuant to Sections 25-4-141 (A)(2) and 25-4-142 (A)(2) of the Land Development Code, but shall not exceed fifteen (15) feet.

D) In accordance with Section 25-4-12 (B)(5) of the Land Development Code, the PUD specific performance standards identified herein shall apply in lieu of otherwise applicable Code sections, City regulations or the City policies.

(1) Variance to Section 25-4-12 (B)(5) (a) (Requirements) and 25-4-12 (B)(5) (b) (Fill Requirements) of the Land Development Code which limit cut and fill to no more than (4) feet of depth in any area of water quality control or detention facilities to a maximum of ten (10) feet. These variances will result in water quality that is at least equal to the water quality achievable without the variances.

E) In accordance with Section 25-4-11 of the Land Development Code, the PUD specific performance standards identified herein shall apply in lieu of otherwise applicable Code sections, City regulations or the City policies.

(1) Variance to Section 25-4-48 (A)(1) (Water Quality Transition Zone) of the Land Development Code that prohibits development in a water quality transition zone that lies over the Colorado Aquifer recharge zone. The construction of a driveway or roadway into Tract 1, as permitted as shown on the PUD Land Use Plan.

F) In accordance with Section 25-4-11 of the Land Development Code, the PUD specific performance standards identified herein shall apply in lieu of otherwise applicable Code sections, City regulations or the City policies.

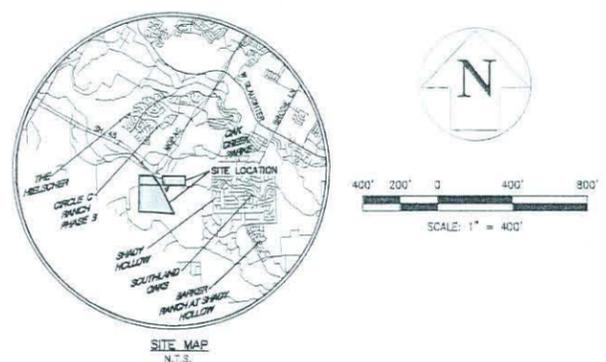
(1) Variance to Section 25-4-121 (Definitions) of the Land Development Code which defines a Site as a contiguous area zoned for development, or the area on which a building has been proposed to be built or has been built and does not permit a Site to cross a public street or right-of-way. For purposes of the calculation of impervious cover, the definition of Site includes all Tracts (1-5).

H) In accordance with Section 25-4-11 of the Land Development Code, the PUD specific performance standards identified herein shall apply in lieu of otherwise applicable Code sections, City regulations or the City policies.

(1) Variance to Section 25-4-127 (B) (Definitions) of the Land Development Code which has amendments to have two access streets that connect to different external streets, single median divided access drive 25-foot maximum pavement width such may will be allowed to connect to a single external street.

I) In accordance with Section 25-4-11 of the Land Development Code, the PUD specific performance standards identified herein shall apply in lieu of otherwise applicable Code sections, City regulations or the City policies.

(1) Variance to Section 25-3-25 (Roadway) of the Land Development Code which requires impervious cover calculations for development adjacent to a roadway shall account for the adjacent roadway.



TRACT	REGULATORY DISTRICT	BASE ZONING	PROPOSED LAND USE		
			ADDITIONAL PERMITTED USES	ADDITIONAL PROHIBITED USES	SITE DEVELOPMENT MODIFICATION
TRACT 1	BRADLEY SETTLEMENT	GR-MU	PARK AND RECREATION SERVICES (SPECIAL AND GENERAL)	SALE, RENT SERVICES, PARK SHOP, URBAN FARM, GROUP HOME	SITE DEVELOPMENT STANDARDS FOLLOW MF-8 FOR RESIDENTIAL USES. MAXIMUM HEIGHT OF 10' INCLUDES RESIDENTIAL USES.
TRACT 2	BRADLEY SETTLEMENT	(EXISTING ZONING G3 DISTRICT)	NONE	NONE	NONE
TRACT 3	BRADLEY SETTLEMENT	GR-MU	PARK AND RECREATION SERVICES (SPECIAL AND GENERAL)	SALE, RENT SERVICES, PARK SHOP, URBAN FARM, GROUP HOME	SITE DEVELOPMENT STANDARDS FOLLOW MF-8 FOR RESIDENTIAL USES. MAXIMUM HEIGHT OF 10' INCLUDES RESIDENTIAL USES.
TRACT 4	BRADLEY SETTLEMENT	(EXISTING ZONING SF-2 DISTRICT)	NONE	NONE	NONE
TRACT 5	BRADLEY SETTLEMENT	GR-MU	PARK AND RECREATION SERVICES (SPECIAL AND GENERAL)	SALE, RENT SERVICES, PARK SHOP, URBAN FARM, GROUP HOME	SITE DEVELOPMENT STANDARDS FOLLOW MF-8 FOR RESIDENTIAL USES. MAXIMUM HEIGHT OF 10' INCLUDES RESIDENTIAL USES. MAXIMUM HEIGHT FOR HOTEL/MOTEL USE IS 10'.

NOTE: DEVELOPMENT SHALL CONFORM TO ALL CURRENT DEVELOPMENT STANDARDS WITH THE EXCEPTION OF THE MODIFICATIONS LISTED ABOVE. THIS PUD WILL COMPLY WITH ALL COMPATIBILITY STANDARDS.

NOTE: AS LONG AS TRACTS 1-5 ARE SUBJECT TO THE BRADLEY SETTLEMENT AGREEMENT, ADDITIONALLY, IF TRACTS 1, 3 AND 5 ARE NO LONGER SUBJECT TO THE BRADLEY SETTLEMENT AGREEMENT, THE FOLLOWING USES SHALL BE CONSIDERED "ADDITIONAL PERMITTED USES" ON THESE TRACTS: COCKTAIL LOUNGE, LIQUOR SALES, CONVALESCENT SERVICES.

NET SITE AREA:	TRACT 1	TRACT 2	TRACT 3	TRACT 4	TRACT 5	TOTAL
	SLAUGHTER 100 (BRADLEY TRACT 14A)	SLAUGHTER 100 (BRADLEY TRACT 14R)	GRESSET TRACT (BRADLEY TRACT 15)	ANDREWARTHA (BRADLEY TRACT 18A)	ANDREWARTHA (BRADLEY TRACT 18B)	
TOTAL GROSS SITE AREA	36.356 AC	49.315 AC	80.00 AC	2.126 AC	117.881 AC	295.678 AC
CRITICAL WATER QUALITY ZONE (CWQZ)	1.130 AC	3.41 AC	0.00	0.00	0.00	4.54 AC
WATER QUALITY TRANSITION ZONE (WQTZ)	3.88 AC	4.02 AC	0.00	0.00	0.00	7.90 AC
WASTEWATER IRRIGATION AREA	0.00	0.00	0.00	0.00	0.00	0.00
DEDUCTION SUBTOTAL	5.01 AC	7.43 AC	0.00	0.00	0.00	12.44 AC
UPLAND AREAS (GROSS MINUS TOTAL DEDUCTIONS)	31.346 AC	41.890 AC	80.00 AC	2.126 AC	117.881 AC	283.233 AC
NET SITE AREA CALCULATIONS						
AREA OF UPLAND WITH SLOPES 0-15% x 100%	31.346 AC	41.890 AC	80.00 AC	2.126 AC	117.881 AC	293.243 AC
AREA OF UPLAND WITH SLOPES 15-25% x 40%	0.00	0.00	0.00	0.00	0.00	0.00
AREA OF UPLAND WITH SLOPES 25-35% x 20%	0.00	0.00	0.00	0.00	0.00	0.00
NET SITE AREA	31.346 AC	41.890 AC	80.00 AC	2.126 AC	117.881 AC	253.243 AC
IMPERVIOUS COVER ALLOCATION	4.702 AC	9.284 AC	15.34 AC	0.358 AC	18.743 AC	48.607 AC

IMPERVIOUS COVER ALLOWABLE= 45.507 AC (18.01%)
 IMPERVIOUS COVER PROPOSED= 37.958 AC CONSTRUCTION ENVELOPE (15%)
 NOTE: IN NO EVENT SHALL ANY OF TRACTS 1-5 BE SUBJECT TO ANY ALLOCATION OF IMPERVIOUS COVER FROM ANY ADJACENT ROADWAYS.

NOTE: THE REMAINING 7.821 AC OF PERMITTED IMPERVIOUS COVER SHALL BE TRANSFERRED BY SEPARATE INSTRUMENT TO HILL COUNTRY CONSERVANCY OR SIMILAR ENTITY FOR USE AS HEREAFTER APPROVED BY THE CITY OF AUSTIN FOR RECREATIONAL PURPOSES.

LEGEND

- OPEN SPACE
- CONSTRUCTION ENVELOPE
- CITY LIMITS BOUNDARY
- SITE ACCESS POINTS

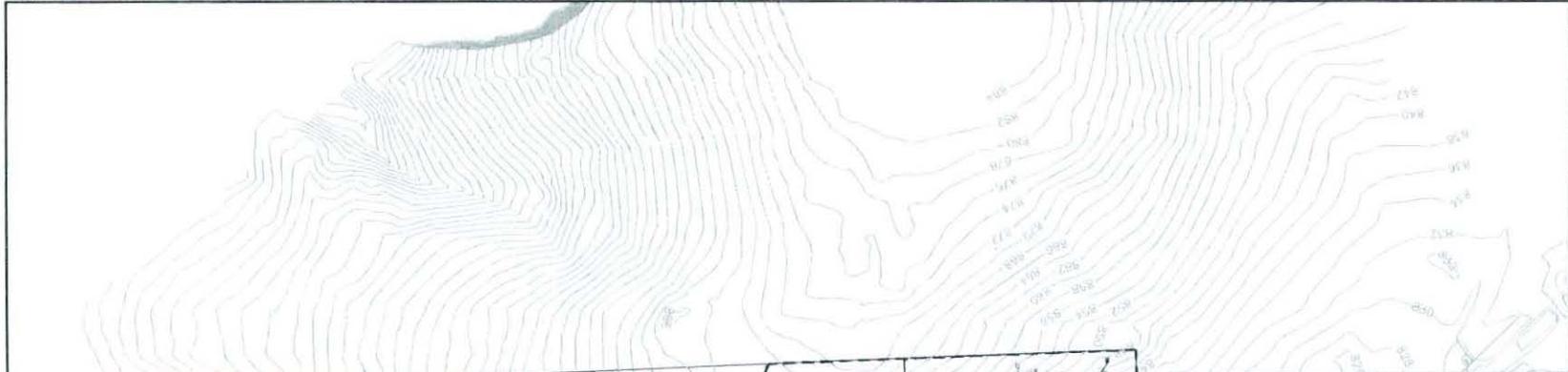
BOUNDARY DATA PROVIDED BY CAPITAL SURVEYING COMPANY INCORPORATED.
 SOURCE OF TOPOGRAPHIC DATA: CITY OF AUSTIN GIS 2 FOOT TOPO.
 KARST FEATURES BASED ON COORDINATES PROVIDED IN WILSON INVESTMENTS, PRESENT HUBS-2500000000 REPORT & KARST SURVEY, C.H. THOMPSON, SEPTEMBER 2, 2005, AS SUPPLEMENTED BY ADDITIONAL ON-THE-GROUND INVESTIGATIONS BY ACI CONSULTING AND THE CITY OF AUSTIN.

PATE ENGINEERS
 HOUSTON • DALLAS • AUSTIN • FORT WORTH
 ARLINGTON • SAN ANTONIO
 2700 NORTH CAPITAL OF TEXAS HIGHWAY
 SUITE 300
 AUSTIN, TEXAS 78711
 PH: (512) 340-0800
 FAX: (512) 340-0804
 WWW.PATEENGINEERS.COM

PROJECT: WILDFLOWER COMMONS PUD EXHIBITS
 SHEET: PUD LAND USE PLAN
 1 of 3

PEI PROJECT NO. 159800100
 DESIGN: DG
 DRAWN: RC
 CHECKED: KW
 DATE: 8/11/08

C814-06-0233



Point No.	Latitude (N)	Longitude (W)	Station Area Reference
1	301341	971801	1
2	301341	971801	1
3	301341	971801	1
4	301341	971801	1
5	301341	971801	1
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99	301341	971801	1
100	301341	971801	1

COMMON SETBACK AREAS, RANGES AND INDIVIDUAL FEATURES
 Range of Area: Individual Features Within Subblock A Area

9-100' W. OF SECTION CORNER
 FROM SECTION CORNER TO 100' W. OF SECTION CORNER
 9-100' W. OF SECTION CORNER
 FROM SECTION CORNER TO 100' W. OF SECTION CORNER

9-100' W. OF SECTION CORNER
 FROM SECTION CORNER TO 100' W. OF SECTION CORNER
 9-100' W. OF SECTION CORNER
 FROM SECTION CORNER TO 100' W. OF SECTION CORNER

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 9-100' W. OF SECTION CORNER
 FROM SECTION CORNER TO 100' W. OF SECTION CORNER

9-100' W. OF SECTION CORNER
 FROM SECTION CORNER TO 100' W. OF SECTION CORNER
 9-100' W. OF SECTION CORNER
 FROM SECTION CORNER TO 100' W. OF SECTION CORNER

WILDFLOWER COMMONS
 PUD EXHIBITS

CEF LOCATIONS AND
 APPROVED SETBACKS

PATE ENGINEERS

HOUSTON • DALLAS • AUSTIN • FORT WORTH
 ARLINGTON • SAN ANTONIO

7501 NORTH CAPITAL OF TEXAS HIGHWAY
 SUITE 350
 AUSTIN, TEXAS 78731

PH: (512) 340-0600
 FAX: (512) 340-0604
 WWW.PATEENG.COM

PROJECT: WILDFLOWER COMMONS PUD EXHIBITS

SHEET: CEF LOCATIONS AND APPROVED SETBACKS

NO. DATE DESCRIPTION BY

REVISIONS

NO.	DATE	DESCRIPTION	BY

PROJECT: WILDFLOWER COMMONS PUD EXHIBITS

DESIGN: MF

CHECKED: MF

DATE: 8/12/08

SHEET: 3 of 3

Wildflower Commons PUD
4700 – 5200 Blocks of SH 45

Environmental Board August 20, 2008

Item: ____

Request for Zoning Change
From: SF-2 and GO To: PUD

C814-06-0233:

Site Information:

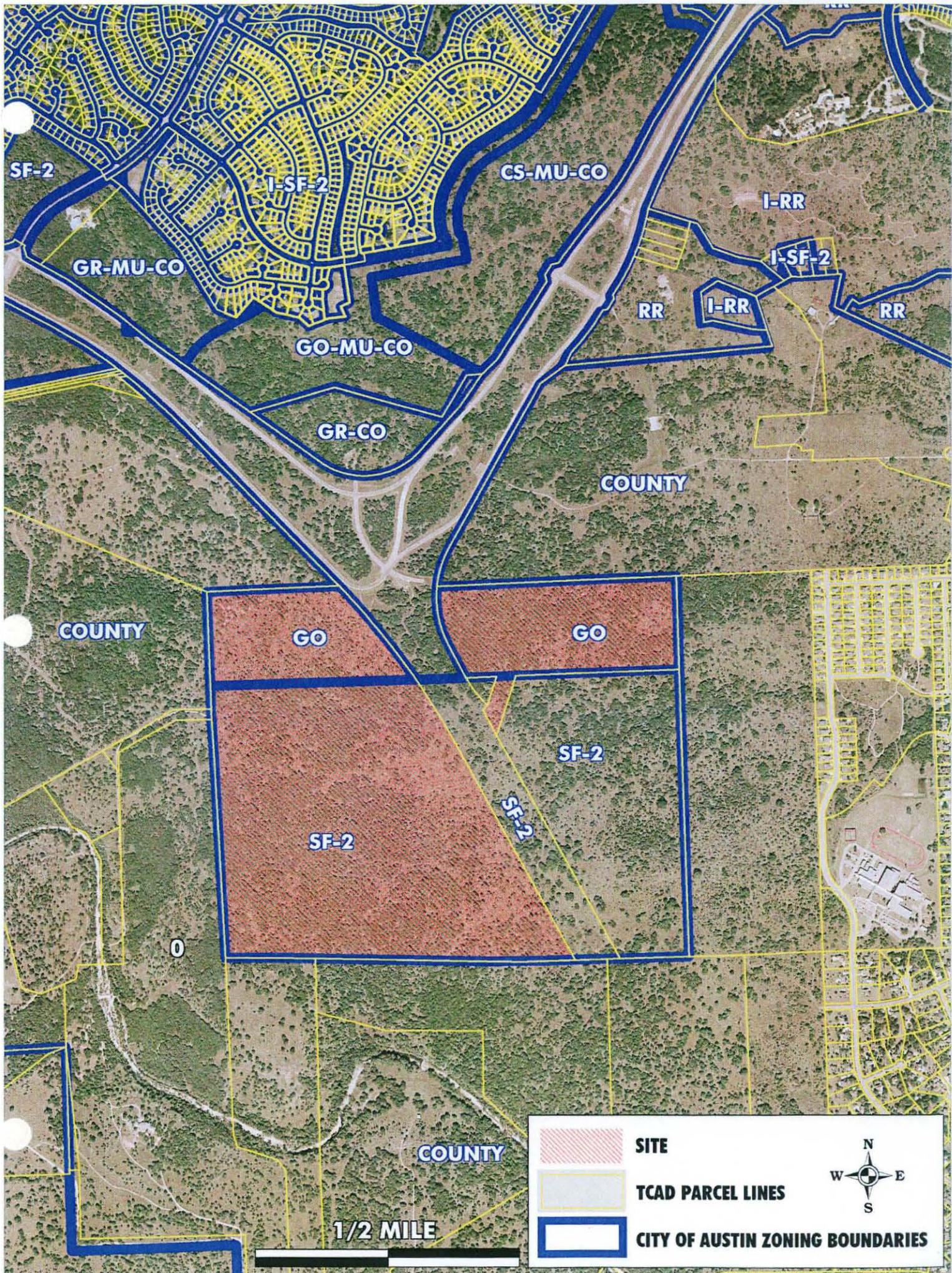
1. Zoning Map
2. Aerial Map

Zoning Case Information:

3. WPDR and Zoning Staff Recommendation Reports – Provided by Staff
4. Cut/Fill Exhibit

Support Letters:

5. Neighborhood and Property Owner Support
OHAN - Oak Hill Association of Neighborhoods
Diane Senterfitt and Geoffrey Weistbart



SF-2

I-SF-2

CS-MU-CO

I-RR

GR-MU-CO

I-SF-2

RR

I-RR

RR

GO-MU-CO

GR-CO

COUNTY

COUNTY

GO

GO

SF-2

SF-2

SF-2

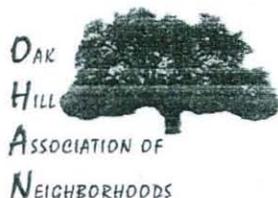
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COUNTY

1/2 MILE

	SITE	
	TCAD PARCEL LINES	
	CITY OF AUSTIN ZONING BOUNDARIES	





Resolution in support of Wildflower Commons, 2007

WHEREAS, the proposed development known as the "Wildflower Commons," located on MOPAC at SH-45 was presented to the February 2007 OHAN meeting for review and comment;

WHEREAS, the Wildflower Commons will consist of a "mixed use" development bringing much needed retail, residential and office space to the Oak Hill region;

WHEREAS, the project has been designed so that it is SOS-compliant with respect to impervious cover and water quality controls, despite the fact that the developer's current entitlements would allow for more impervious cover;

WHEREAS, the Wildflower Commons would be constructed wholly within the Slaughter Creek watershed and would avoid the more environmentally sensitive Bear Creek watershed, despite the fact that the developer's existing entitlements would allow development within Bear Creek's watershed;

WHEREAS, available traffic models indicate that the proposed development of Wildflower Commons will have less impact on traffic along MOPAC and other nearby roadways than the development that could be built with existing entitlements;

NOW, THEREFORE, BE IT RESOLVED, that the Oak Hill Association of Neighborhoods supports the Wildflower Commons project and urges its approval by the Austin Zoning and Platting Commission and the Austin City Council.

Approved by unanimous vote April 11, 2007

Dwain Rogers
President

Diane B. Senterfitt
Geoffrey D. Weisbart
4502 Bliss Spillar Road
Manchaca, Texas 78652
(512) 280-6366

August 13, 2008

VIA FACSIMILE 481-0444
AND HAND DELIVERY

Mr. William Walters III
Walters Southwest
1100 Nueces
Austin, Texas 78701

Re: Wildflower Commons

Dear Mr. Walters:

We would like to take this opportunity to formally show our support for your Wildflower Commons development at the corner of MoPac and Highway 45. As you know, we own the property adjacent to the development tract on the West and South borders. We have long been committed to preservation of Bear Creek and its drainage basin. In fact, we have, through donations, endowed our property with a conservation easement that will keep this basin virtually free from future development. We are also proud of the fact that our property, in conjunction with our neighbors to the West and the City property to the East, will help insure that this precious creek basin will remain in its natural state for generations to come.

While we have always hoped for all of the basin to be development free, we are certainly realistic to the community needs for mixed use including retail development, particularly at the corner of MoPac and Highway 45. Having compared your plans with the original Bradley agreement parameters, we are very supportive of your project. Under the Bradley agreement, a significant portion (over 75 acres) of the property that drains into the Bear Creek basin was fair game for office and housing development. With your plan to exclude all development from the Bear Creek basin, we believe Bear Creek, and ultimately, Barton Creek will benefit. Your decision to not develop within such a large envelope of the Bear Creek drainage basin is a perfect example of how conservation and development can co-exist, and is consistent with our conservation plans to our property.

Of course, you should know that your integrity and word have played a part in our formal support of the Wildflower Commons project. Based on our review of your previous Austin projects, your word has proven to be true, and your concerns for your neighbors and the neighborhood impact has proven to be genuine. We have been extremely impressed by your efforts to consider our concerns over drainage into Bear Creek and your efforts to find a solution,

Mr. William Walters III
August 13, 2008
Page 2

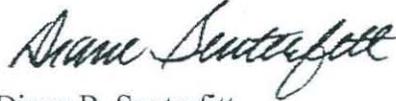
even if other alternatives were easier and more profitable. Integrity and trust mean a tremendous amount to us, and we are grateful that you have recognized our commitment to conserving Bear Creek and agreed to become a serious steward in this important conservation effort.

If you should need our further support in the future, please feel free to contact us.

Sincerely,



Geoffrey D. Weisbart



Diane B. Senterfitt