



ENVIRONMENTAL BOARD MOTION 082008-4a

Date: August 20, 2008

Subject: 7908 Big View Drive SP-2007-060D

Motioned By: Phil Moncada

Seconded by: Rodney Ahart

Recommendation

The Environmental Board recommended conditional approval to a variance request to Land Development Code 25-8-261 and 25-8-452 1) To allow construction in the Critical Water Quality Zone

STAFF CONDITIONS;

The applicant adhere to the directives of the City Arborist for protection of the critical root zones of adjacent trees.

RATIONALE; Findings of facts have been met. City of Austin staff discussed with the legal department.

Vote 5-1-0-0

For: Ahart, Anderson, Beall Moncada and Neely

Against: Maxwell

Abstain:

Absent:

Recused:

Vacant 1

Approved By:

Dave Anderson P.E., CFM P-c
Environmental Board Chair



ENVIRONMENTAL BOARD MOTION AND RESOLUTION 082008 6g-001

Date: August 20, 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 6f-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, Urban 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, such as using the appraised value of the tree as opposed to the mitigated value.

3. The responsible party, in cases where trees are removed from a site in excess of those permitted for removal, be required to provide a plan, which includes provisions for watering and loss replacement, to 100% restoration, successful re-vegetation and that such plan is underway before any additional development activities take place on the impacted site.
4. Increasing the fiscal surety note associated with tree removal activities to \$250/inch.
5. Whether the level of code enforcement necessary to prohibit these types of activities is currently adequate.
6. Posting a bond at the time that development activities begin to cover the immediate mitigation of tree and other environmental harms that may be a result of non-compliance with City Code.

ADOPTED: August 20, 2008

ATTEST: _____

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David J. Anderson, PE, CFM
Environmental Board Chair



ENVIRONMENTAL BOARD MOTION 082008-5c

Date: August 20, 2008

Subject: 222 and 300 East Riverside Drive PUD

Motioned By: Phil Moncada

Seconded by: Mary Ann Neely

Recommendation

The Environmental Board recommended conditional approval to 222 and 300 East Riverside Dr. PUD.Zoning From L-V-NP Tract 1 and L-NP –Tract 2, Zoning to PUD (Planned Unit Development)- Tract 1 and Tract 2

RATIONALE:

Save Town Lake, South River City Citizens, Neighborhood groups are in support of this proposed Planned Unit Development per term sheet dated April 17, 2008. The extension of the Hike and Bike trail will provide enhancements to Lady Bird Lake and help with future connecting of the trail. Motion approved on Board member Phil Moncada and Board member Mary Ann Neely second. [Vote 6-0 one vacancy]

Vote 5-0-0-1

For: Ahart, Beall, Maxwell, Moncada and Neely

Against:

Abstain:

Absent:

Recused: 1

Vacant 1

Approved By:

Dave Anderson P.E.; CEM p.c.
Environmental Board Chair

*Board Member Anderson recused from this item due to potential conflict of interest.



ENVIRONMENTAL BOARD MOTION 082008-4c

Date: August 20, 2008

Subject: Consent Agenda Tech Ridge C14-2008-0076

Motioned By: Dave Anderson, P. E.

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 Tech Ridge C14-2008-0076

Vote 6-0-0-0-0

For: Ahart, Anderson, Beall, Maxwell, Moncada and Neely

Against:

Abstain:

Absent:

Recused:

Vacant: 1

Approved By:

Dave Anderson P.E., CFM
Environmental Board Chair



ENVIRONMENTAL BOARD MOTION 082008-4d

Date: August 20, 2008

Subject: Colina Vista Duplex Development SP-06-0411C (R1)

Motioned By: Phil Moncada

Seconded by: Mary Gary Maxwell

Recommendation

The Environmental Board recommended conditional approval to a variance request to Land Development Code Section 25-8-302(B) 1) To allow construction of buildings on slopes greater than 25%.

STAFF CONDITIONS:

1) All disturbed areas associated with the re-alignment of the duplex units along the southern ravine shall be revegetated with City of Austin 509 -S specification; 2) Mitigate 100% for all trees being removed due to the plan revisions necessary to minimize construction on slopes over 25%. All trees used for mitigation will be Class I native trees; 3) Implement a City approved Integrated Pest Management Plan; 4) any fill greater than 4 feet that is associated with construction of the duplex units along the southern ravine will be structurally contained; 5) Employ pier and beam construction for the duplex units along the southern ravine and redundant erosion controls.

RATIONALE:

Findings of facts have been met. The owner has provided 11.21 acres of land for Balcones Conservation Preserve and donated 360,000 significant tree canopy will reduce erosion potential of preserve land.

Vote 4-2-0-0

For: Ahart, Anderson, Maxwell, and Moncada

Against: Beall and Neely

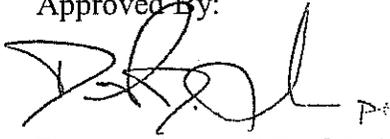
Abstain:

Absent:

Recused:

Vacant: 1

Approved By:

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Dave Anderson P.E., CFM
Environmental Board Chair



ENVIRONMENTAL BOARD MOTION 082008-4e

Date: August 20, 2008

Subject: Grace Lane Office Building SP-2007-0552D

Motioned By: Phil Moncada

Seconded by: Rodney Ahart

Recommendation

The Environmental Board recommended conditional approval to a variance request to Land Development Code Section 25-8-341 and 342 1) To allow cut /fill over 4 feet.

STAFF CONDITIONS:

The applicant will stabilize and restore the areas of fill with: 1) City of Austin Standard 604s Seeding for Erosion Control and 2) Provide native Class 1 or II Hill Country species trees planted 30 feet on center 2) The applicant will provide enhanced erosion and sedimentation controls below the fill area to ensure all eroded sediments remain on site. The areas of fill will be completely encircled by a rockberm on the downhill side followed by silt fence. The slope will be covered with erosion matting until the revegetation is fully established. 3) The applicant will limit cut to 11 feet and fill to 14 feet. 4) All slopes created from fill material will be less than or equal to a 3:1 slope

BOARD CONDITIONS:

Remove Sandy Loam topsoil and change to non steril topsoil.

RATIONALE; Findings of fact have been met p Texas Department of Transportation will not allow access to 2244.

Vote 6-0-0-0

For: Ahart, Anderson, Beall Maxwell, Moncada and Neely

Against:

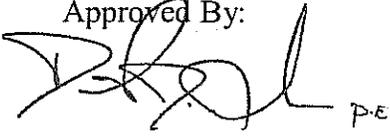
Abstain:

Absent:

Recused:

Vacant 1

Approved By:

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Dave Anderson P.E., CFM
Environmental Board Chair