



ITEM FOR ENVIRONMENTAL BOARD AGENDA

**BOARD MEETING  
DATE REQUESTED:** OCTOBER 15, 2008

**NAME & NUMBER  
OF PROJECT:** TRAVIS COUNTY EASTSIDE SERVICE CENTER  
SP-2008-0235D

**NAME OF APPLICANT  
OR ORGANIZATION:** LAN Inc.  
(Contact: Steven D. Widacki, PE 338-2738)

**LOCATION:** 10700 FM 969

**PROJECT FILING DATE:** May 15, 2008

**WPDR/ENVIRONMENTAL  
STAFF:** Mike McDougal, 974-6380  
mike.mcdougal@ci.austin.tx.us

**WPDR/  
CASE MANAGER:** Sue Welch, 974-3294  
sue.welch@ci.austin.tx.us

**WATERSHED:** Elm Creek Watershed (Suburban)  
Desired Development Zone

**ORDINANCE:** Comprehensive Watershed Ordinance (current Code)

**REQUEST:** Variance request is as follows:  
1. To allow cut over 4 feet but not to exceed 12 feet and to  
allow fill over 4 feet but not to exceed 10 feet (LDC Section  
25-8-341/342)

**STAFF RECOMMENDATION:** Recommend approval.

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



## MEMORANDUM

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

**FROM:** Mike McDougal, Environmental Review Specialist  
Watershed Protection and Development Review Department

**DATE:** October 15, 2008

**SUBJECT:** Travis County Eastside Service Center – SP-2008-0235D

Variance Requests: Variance from LDC 25-8-341/342 – To allow cut greater than 4 feet but not to exceed 12 feet and to allow fill greater than 4 feet but not to exceed 10 feet

### **Project Area Description**

The Travis County Eastside Service Center is a 121.8 acre site located at 10700 FM 969, near the intersection of FM 969 and Blue Bluff Road. The site plan is currently in review by the City of Austin. The site is composed of 3 lots and is being built as a unified development. The lots are not platted; as a governmental entity Travis County is exempt from platting requirements.

Travis County began construction of this service center for its Transportation and Natural Resources Department prior to submitting a site plan for approval to the City of Austin. The site was red-tagged when construction was nearly complete. Travis County is currently working with the City to receive site plan approval. Upon completion of construction activities, the Travis County Eastside Service Center will consist of a Fleet Services Building, an Administrative and Town Hall Building, a Warehouse and Sign Shop, a Crew Services Building, two covered vehicle parking structures, non-covered parking, and access roads.

The project is proposed to be completed in two phases. Phase One includes partial driveway construction, parking lot construction, and building construction. Phase Two includes the completion of an approximately 1100 foot driveway segment connecting Phase One to FM 969. A site plan update will be submitted to the City of Austin at a later date for Phase Two. The total proposed impervious cover for Phase One is 23.1 acres (1,006,236 square feet), or 21.2% of the 109.0 acre net site area. The additional

impervious cover proposed in the Phase Two update will not increase the total impervious cover beyond the 65% maximum allowed in this watershed.

The project is located within the Elm Creek Watershed, which is classified as a Suburban Watershed. It is not located over the Edwards Aquifer Recharge Zone. The site is located within the City of Austin 2 mile ETJ. The site topography slopes in a southerly direction and consists of 107.6 acres of upland slopes from 0% to 15%, 1.2 acres of upland slopes from 15% to 25%, and 0.2 acres of upland slopes greater than 25%.

### **Water/Wastewater**

Water service will be provided by the City of Austin. Wastewater service will be provided by an on site septic system.

### **Drainage**

Proposed site drainage is achieved via storm sewers and inlets used to drain the staff and visitor parking areas for the Administration Building. Drainage for the remaining site improvements will be primarily via surface flow with minimal use of storm sewers, with the exception of cross drainage improvements at the access roads. Detention facilities are proposed to mitigate the increased runoff from the roadways, parking, and buildings. Two (2) detention ponds are being constructed: Pond 'A' is located near the Administration Building parking area; and Pond 'B' is located near the northeast corner of the large parking area and equipment storage area adjacent to the Fleet Services Building.

Both detention ponds are designed to discharge at pre-development conditions for their contributing areas. The ponds consist of earthen berms creating impoundments to generate the needed detention volume and attendant outlet structures to discharge at pre-development rates.

### **Waterways**

Elm Creek and an unnamed tributary of Elm Creek are located on site. A portion of the 121.8 acre site is located within the CWQZ and WQTZ. In addition, a portion of the site is within the 100 year floodplain. With the exception of a perpendicular crossing of a tributary of Elm Creek by a water line, no Phase One construction activities are proposed within the CWQZ and WQTZ.

### **Vegetation**

The project area is primarily wooded and canopy coverage is dominated by ashe-juniper, live oak, post oak, hackberry, and cedar elm. Various understory species include mesquite, yaupon, poison ivy, common greenbriar, agarita, tasajillo, and prickly pear. Common herbaceous species within the project area include bermuda grass, silver leaf nightshade, velvet leaf mallow, frostweed, bluebonnets, and other wildflowers.

Six wetland critical environmental features (CEF's) were identified by Environmental Resource Management (ERM). These wetland CEF's are dominated by a presence of more than 50% facultative wetland and obligate wetland vegetation including

submergent, emergent, and fringe wetland plants. The Applicant has addressed ERM's comments regarding these wetland CEF's. Specifically, each wetland CEF is shown with a wetland CEF setback as required by ERM. All disturbed areas within wetland CEF's will be reseeded according to 609S specifications.

**Variance Requests**

The variances being requested for this site plan are as follows:

Variance from Land Development Code 25-8-341 to allow cut greater than 4 feet but not to exceed 12 feet, and Land Development Code 25-8-342 to allow fill greater than 4 feet but not to exceed 10 feet.

Areas of cut up to 12 feet on site were utilized as borrow areas to provide fill up to 10 feet. Cuts up to 12 feet were placed for the construction of the Fleet Services Building. Cuts up to 12 feet and fill up to 10 feet were placed for the construction of Detention Pond 'B'. Fill up to 10 feet was placed for the construction of a parking area adjacent to the Administration Building. Fill up to 8 feet was placed for the construction of Detention Pond 'A'. Please see the attached cut/fill exhibit for graphics on cut/fill.

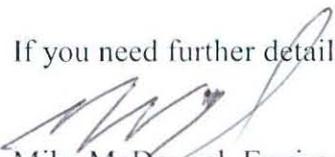
**Recommendations**

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

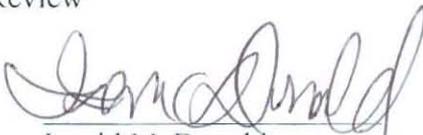
(Please note that the construction is near completion for this site plan. These conditions are offered based on this fact.)

1. An upland zone conservation easement of at least 4 contiguous acres will be established on site in an area to be agreed upon by Staff and the Applicant.
2. Areas of disturbance within the wetlands CEF's require 609S reseeded.
3. No coal tar based sealants will be used for Phase 2.
4. The Applicant will provide an IPM plan.
5. 609S reseeded will be applied in the wetland CEF setback containing Detention Pond 'A'.

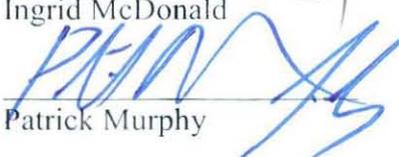
If you need further details, please feel free to contact me at 974-6380.

  
Mike McDougal, Environmental Review Specialist  
Watershed Protection and Development Review

Environmental Program Coordinator:

  
Ingrid McDonald

Environmental Officer:

  
Patrick Murphy

### 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:

Carmel Valley Apartments (SP-04-0983C.SH)

The Environmental Board recommended approval of the project on June 1, 2005 by a vote of 8-0-0-1.

#### Staff Conditions:

1. All cuts in excess of 4 feet that exceed 3:1 to be structurally contained.
2. All disturbed areas to be revegetated with 609S native seeding, and landscape islands to be revegetated with Grow Green native and adapted landscape plants.
3. Provide an IPM plan.
4. No coal tar based asphalt sealants are allowed.

#### Additional Board Conditions:

1. Applicant will work with staff to develop a water conservation plan appropriate for the project to include, but not limited to, consideration of a rooftop rainwater harvesting system.
2. Applicant will work with staff to develop an interpretive document to be made available to the apartment residents and/or signage to describe measures taken to encourage stewardship of the setback containing the riparian wetland system within the development.



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

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<b>Application Name:</b>	Travis County Eastside Service Center
<b>Application Case No:</b>	SP-2008-0235D
<b>Code Reference:</b>	Land Development Code Section 25-8-341 Cut Requirements & Section 25-8-342 Fill Requirements
<b>Variance Request:</b>	To allow a cut of twelve (12) ft & allow a fill of ten (10) ft for roadway construction.

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**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. To meet City of Austin water quality requirements, the detention ponds must be constructed at the lowest point of the site to ensure the site's runoff is properly controlled while avoiding wetland CEF's and the CWQZ. Cut/fill in excess of 4 feet is required. In addition, the site topography requires cut/fill in excess of 4 feet to construct a parking area not located near wetland CEF's or floodplains.*

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. Due to the site's topography, regardless of the site's layout, the detention ponds would be located in the same area the current development proposes. The site's topography also requires cut/fill in excess of 4 feet to construct parking areas with minimal slopes. It appears that regardless of the site plan layout, grading with cut/fill in excess of 4 feet would be required.*

- 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/fill is the minimum necessary to ensure the site's proposed grading directs runoff to detention ponds. The proposed cut/fill is the minimum necessary to construct parking areas with minimal slopes.*

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

*Yes. This variance will not increase harmful environmental consequences. The cut/fill areas will be stabilized and re-vegetated.*

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/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 these ponds for treatment. In this case, water quality will be better 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;

*Not applicable.*

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

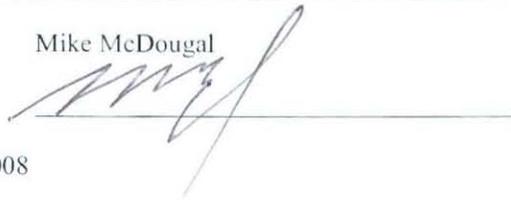
*Not applicable.*

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

*Not applicable.*

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Reviewer Name: Mike McDougal

Reviewer Signature: 

Date: October 15, 2008

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



**Lockwood, Andrews  
& Newnam, Inc.**  
A LEO A DALY COMPANY

October 7, 2008

City of Austin  
Watershed Protection and Development Review Dept.  
505 Barton Springs Rd.  
Austin, TX 78704

Attention: Ms. Sue Welch  
Case Manager

**RE: PROJECT NAME: Travis County Eastside Service Center  
LOCATION: 10700 FM 969 RD  
CASE NUMBER: SP-2008-0235D**

Dear Ms. Welch:

We hereby submit this *finding of facts* in regard to the variance request for cut depths up to 12' and fill heights to 10' submitted for consideration for the above referenced site. In accordance with Land Development Code §25-8-41 we comment as follows:

- *The variance 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. Response:* The development method does provide greater environmental protection than would be feasible without the variance. Several features incorporated into the site were done to enhance the quality of stormwater discharged from the site. This includes both detention facilities incorporating retention volumes to provide sedimentation, and the use of vegetative filter strips adjacent to all access drives not routed to the two ponds. A sedimentation basin is to be implemented adjacent to the stockpile area at the north end of the site to ensure no discharge of sediment from the site from this on-going use. Additionally, the overall impervious cover of the site minimally exceeds the 20% threshold for implementation of water quality, yet water quality features are implemented for all sources of runoff from developed areas.
- *The variance 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. Response:* Without the requested variance the County would not be able to implement the facility needed on this site and it does allow a reasonable use of the property. The size and scope of the buildings and attendant parking and surface equipment storage areas needed, and the rolling terrain on the site warranted the cuts and fills requested under this variance. The County has implemented multiple features described in the preceding paragraph to affect good quality runoff from the site.
- *The variance does not create a significant probability of harmful environmental consequences. Response:* Implementation of the proposed variance does not create a significant probability of environmental consequences because the site improvements employ the following: side slopes of cuts and fills are set at a maximum of 3:1 to ensure stability; runoff from the buildings and parking areas are routed through detention facilities employing retention volumes which provides sedimentation reducing the potential for harmful environmental effects, and; access drives employ sheet flow to vegetative filter strips achieving sedimentation and filtration of runoff further reducing the probability of environmental consequences.

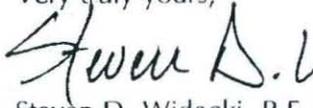
City of Austin  
Watershed Protection and Development Review Department  
October 7, 2008

Page 2 of 2

- *Development with the variance will result in water quality that is at least equal to the water quality achievable without the variance.* **Response:** Water quality will be the same or higher than that achievable without the variance because the County is implementing multiple permanent 'best management practices' throughout the site to achieve this end. Both detention facilities have retention volumes which will provide sedimentation from all runoff associated with the buildings and parking areas. The access drives sheet flow to vegetative filter strips along the sides achieving both sedimentation and filtration of runoff.

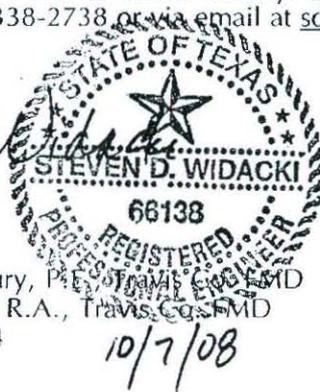
Each of the preceding findings of fact were implemented to provide the County the best use of this site for its intended function to serve as the primary vehicle and heavy equipment maintenance facility in the southeastern area of Travis County. Should you have any questions please contact the undersigned at 512/338-2738 or via email at [sdwidacki@lan-inc.com](mailto:sdwidacki@lan-inc.com).

Very truly yours,



Steven D. Widacki, P.E.  
Senior Project Manager

Cc: Roger A. El Khoury, P.E., Travis Co. FMD  
Carolyn O'Hara, R.A., Travis Co. FMD  
Project File: 1.04



Item 3C  
Part 2



Lockwood, Andrews  
& Newnam, Inc.  
A LEO A DALY COMPANY

October 7, 2008

City of Austin  
Watershed Protection and Development Review Dept.  
505 Barton Springs Rd.  
Austin, TX 78704

Attention: Ms. Sue Welch  
Case Manager

RE: **PROJECT NAME: Travis County Eastside Service Center**  
**LOCATION: 10700 FM 969 RD**  
**CASE NUMBER: SP-2008-0235D**

Dear Ms. Welch:

We hereby request a variance for cuts to depths of approximately 12' and fill heights to approximately 10' located within the above referenced site; these respective depths and heights are the most severe occurrences within the project. The attached *Cut/Fill Exhibit* indicates the multiple locations of cuts and fills exceeding 4' throughout the project limits for which this request is made. The two most severe instances of cut and fill are characterized as follows:

Both cut and fill associated with a site detention facility, Pond 'B' located near the center of the tract reach the extremes referenced above. The fill areas extend from the inlet swale at the west side of the pond to heights nearing 10' in depth and transition to cut at the east toe of the pond. The fill areas also create the containment berm along the north side of the pond. The cut areas extend to the eastern limit of the pond extending to a depth of nearly 12' inside the pond. Due to the size of the pond and the relatively severe existing slopes adjacent to this natural drainage feature resulted in the need for these cuts and fills at this location. Plan Sheet 17, Detention Pond 'B', provides the full extent of grading associated with this facility. This pond is necessary to attenuate the storm runoff from the site to existing conditions flows for all downstream areas.

A narrow fill area approximately 310' in length that extends along the south and west edge of the driveway and public parking area to the east of Buildings 'A' and 'B' reaches a fill depth of nearly 10'. Slopes of 5 percent are used along this drive and the east-most areas of the parking lot to attempt to minimize the fill while still providing reasonable slopes to patrons traversing these areas on foot. Both building finished floors were placed in cut to attempt to minimize these fills, yet they are still required while meeting accessibility requirements at each building.

The preceding instances of cut and fill, as well as the other areas that are part of this request for variance, serves to provide the County the best use of this site for its intended function to serve as the primary vehicle and heavy equipment maintenance facility in the southeastern area of Travis County. Should you have any questions please contact the undersigned at 512/338-2738 or via email at [sdwidacki@lan-inc.com](mailto:sdwidacki@lan-inc.com).

Very truly yours,

Steven D. Widacki, P.E.  
Senior Project Manager



Cc: Roger A. El Khoury, P.E., Travis Co. FMD  
Carolyn O'Hara, R.A., Travis Co. FMD  
Project File: 1.04

10/7/08



Travis County Eastside Service Center  
SP-2008-0235D  
Driving Directions

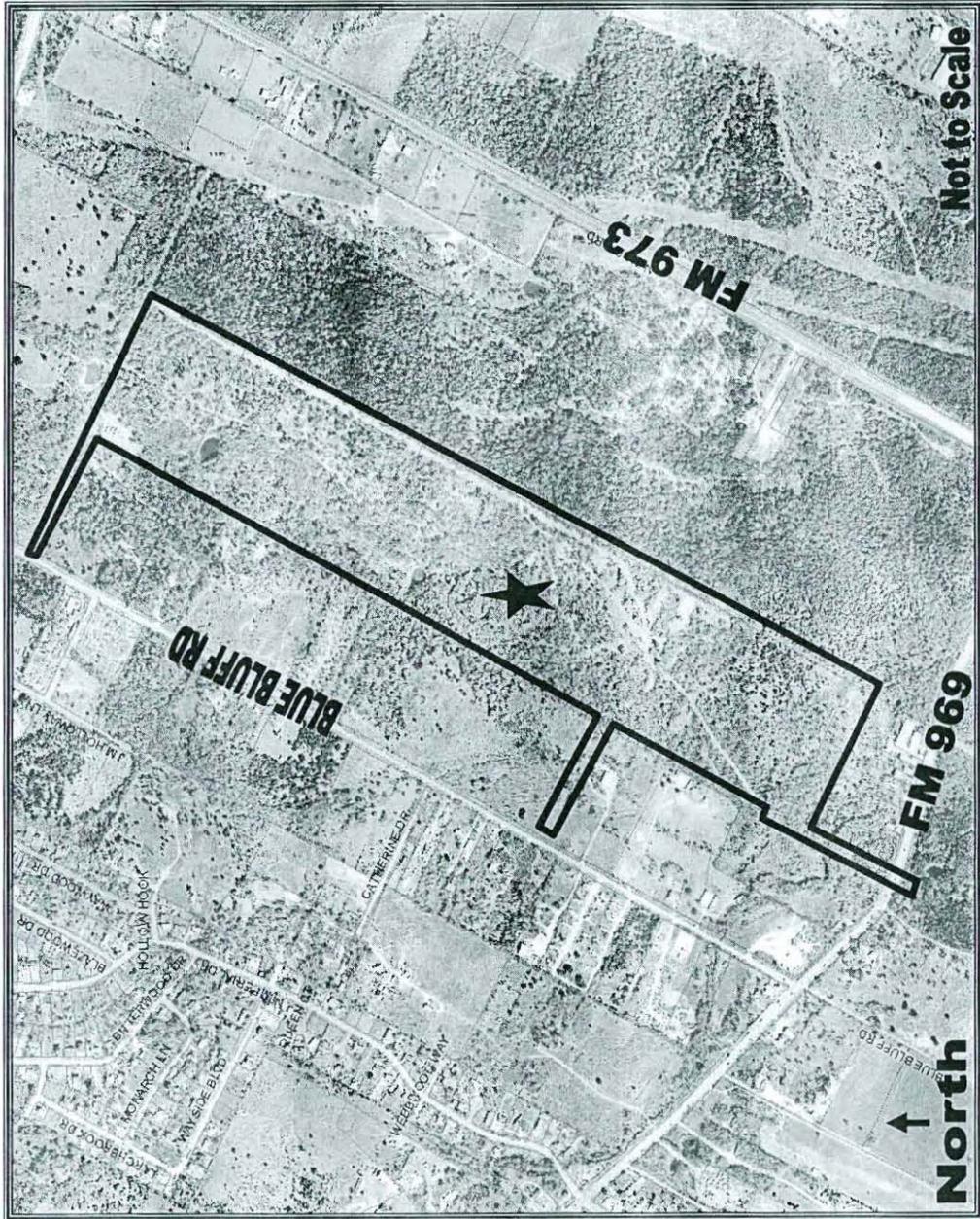
Beginning at the intersection of E MLK Jr Boulevard (FM 969) and Airport Boulevard:

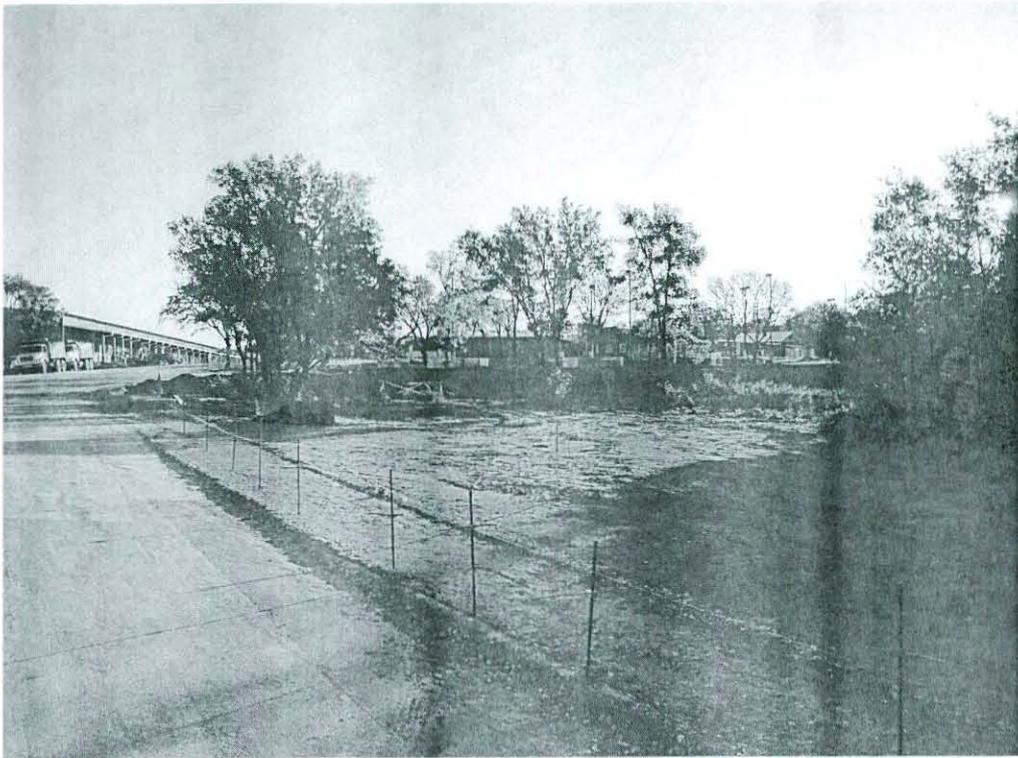
Go east on E MLK Jr Boulevard approximately 6 miles.

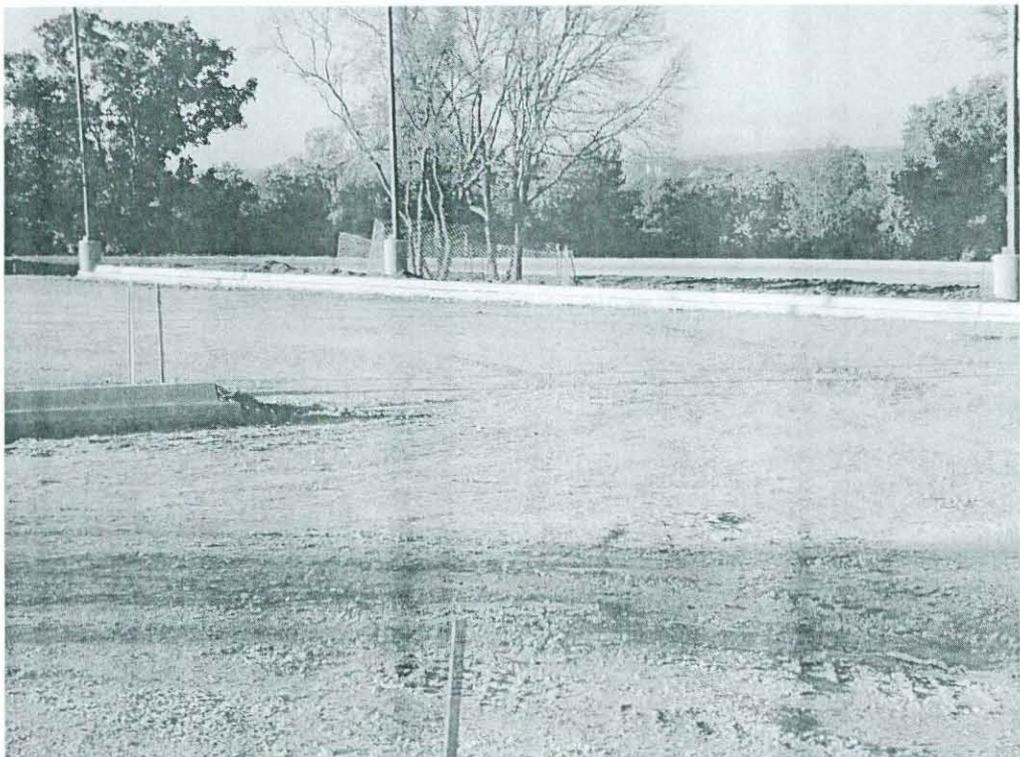
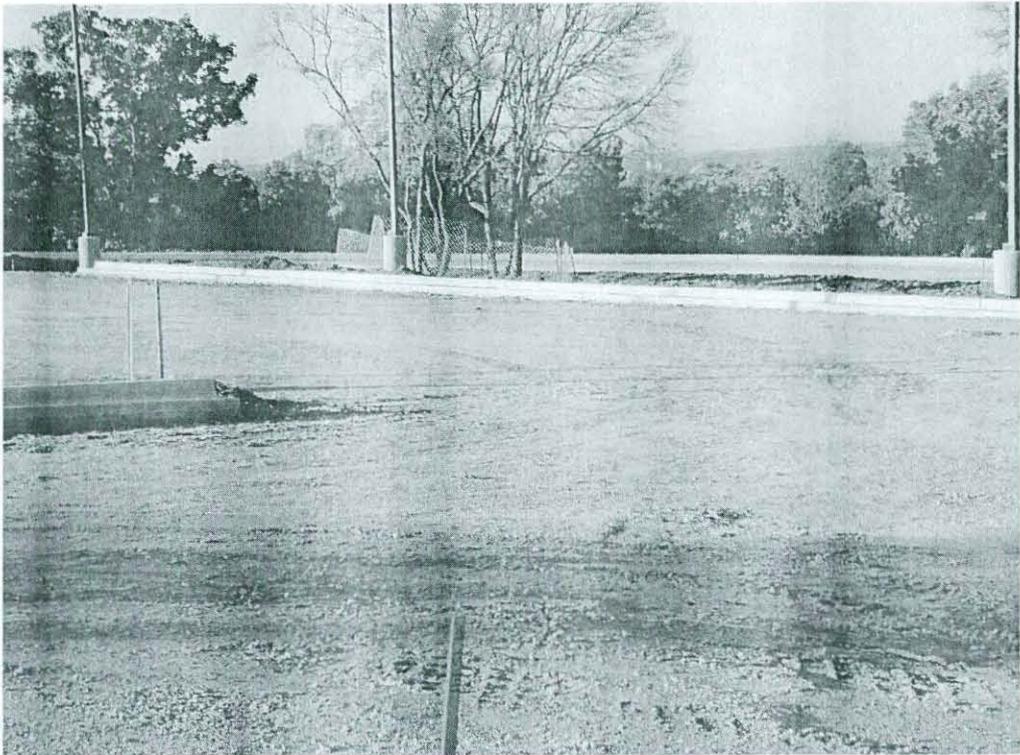
The Travis County Eastside Service Center will be on the left side (before the intersection of E MLK Jr Boulevard and FM 973)

Travis County Eastside Service Center  
SP-2008-0235D

Aerial Photograph











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Watershed Protection  
Development Review

Education

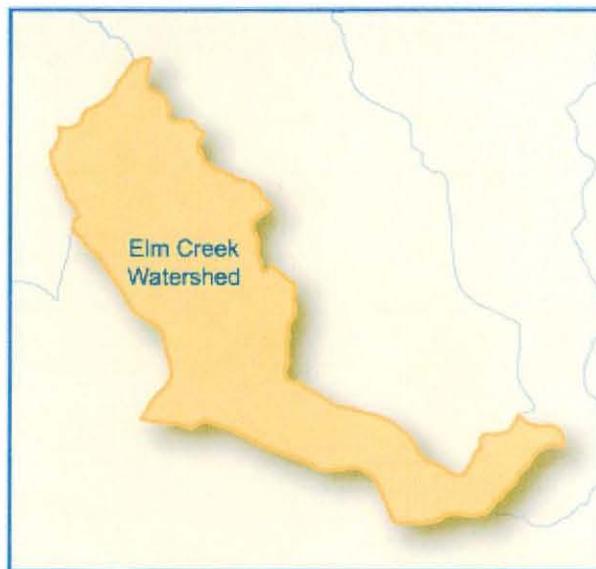
Flood

Erosion

Master Plan

Water Quality

### Austin's Watersheds



- [Fast Facts](#)
- [Environmental Creek Assessments](#)
- [Photo Gallery](#)

#### Fast Facts

<b>Population</b>	2000: 3,136 2030: 5,643												
<b>Creek Length</b>	10 miles												
<b>Drainage Area</b>	9 square miles												
<b>Drains To</b>	Colorado River east of Austin through Gilleland Creek												
<b>Well Known Sites</b>	Walter E. Long Park (on northwest border)												
<b>Land Use</b>	<table border="0"> <tr> <td>Residential</td> <td>23%</td> </tr> <tr> <td>Business</td> <td>6%</td> </tr> <tr> <td>Civic</td> <td>1%</td> </tr> <tr> <td>Parks</td> <td>5%</td> </tr> <tr> <td>Roadways</td> <td>4%</td> </tr> <tr> <td>Undeveloped</td> <td>62%</td> </tr> </table>	Residential	23%	Business	6%	Civic	1%	Parks	5%	Roadways	4%	Undeveloped	62%
Residential	23%												
Business	6%												
Civic	1%												
Parks	5%												
Roadways	4%												
Undeveloped	62%												

**Watershed Facts**

- In response to citizen complaints, investigators find an average of five pollution spills each year in Elm Creek; the most common spill type is sewage, followed by petroleum.
- Elm Creek is dry most of the year.

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**Creek Assessments**

**Environmental**

<b>Index</b>	<b>Score</b>	<b>Category</b>	<b>Notes</b>
<b>Overall Score</b>	65	Good	Elm ranks 18 out of 46 watersheds in overall quality
<b>Water Chemistry</b>	60	Fair	Water quality is average, ammonia is high, conductivity is very high
<b>Sediment Quality</b>	91	Excellent	PAHs are very low, herbicides/pesticides are very low, metals are very low
<b>Recreation</b>	96	Excellent	During dry weather conditions, bacteria is not a threat
<b>Aesthetics</b>	65	Good	Some litter present, no odor, algae covers 10-20% of creek, surface appearance is poor, water is slightly cloudy, most of the creek bed is dry
<b>Habitat</b>	51	Fair	Increased sediment deposition, cover is insufficient, some channel alteration, bank vegetation is marginal, buffer zone is small
<b>Aquatic Life</b>	28	Poor	Benthic macroinvertebrate community is fair, diatom community is fair

- Aquatic life impacted by habitat limitations.
- Colony development preserved large riparian parkland.
- Habitat quality limited by mixed agricultural and residential landuse on Blackland Prairie soils.
- Overall scores improved in Elm more than other watersheds in the City.

[Learn More](#)

[How to Help](#)



Environmental scores are based on a full range of chemical, biological, and physical assessments.

Water Quality	
● Monitoring Sites	■ Marginal
■ Excellent	■ Poor
■ Very Good	■ Bad
■ Good	■ Very Bad
■ Fair	■ No Score

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### Photo Gallery



Elm Creek at FM 973

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**TRAVIS COUNTY**  
**FACILITIES MANAGEMENT**  
**DEPARTMENT**

1010 LAVACA, SUITE 400  
 P.O. BOX 1748 AUSTIN,  
 TEXAS 78767  
 PHONE (512) 854-9651  
 FAX (512) 854-9226



**Lockwood, Andrews**  
**& Newnam, Inc.**

A LEAD A DALY COMPANY  
 10891 MO PAC EXPWY, BLDG 1, STE 126 AUSTIN, TX 78759

**TRAVIS COUNTY**  
**EASTSIDE SERVICE CENTER**

10700 FM 969  
 AUSTIN, TEXAS 78724



ISSUES AND REVISIONS


**CUT/FILL**  
**EXHIBIT**

PROJECT NO. 160-10079-000  
 SCALE: 1:250  
 DRAWN BY: C. TINOLE  
 CHECKED BY: xxxxxx

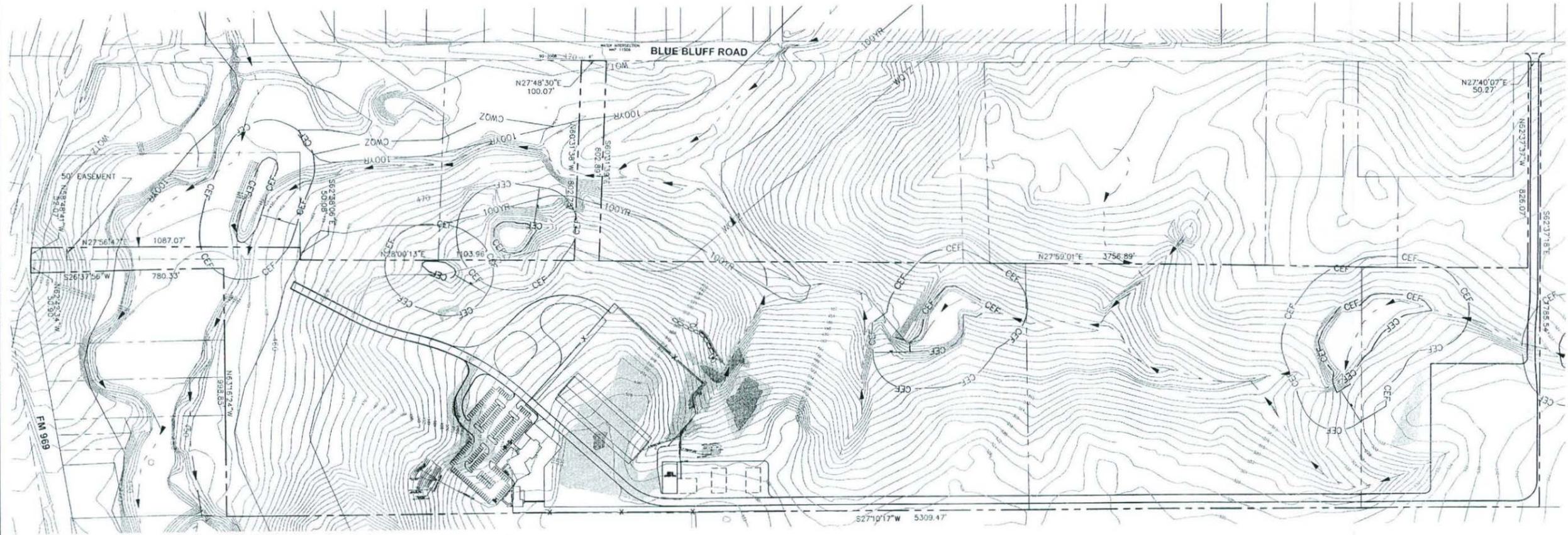
**SHEET NUMBER**  
 EX 2

SHT OF 42

GRAPHIC SCALE  
 (IN FEET)  
 1 in. = 200 ft.

**PLAN LEGEND**

- CEF — CRITICAL ENVIRONMENTAL FEATURE
- WQFZ — WATER QUALITY TRANSITION ZONE
- 100YR — 100 YR FLOOD PLAIN
- CWQZ — CRITICAL WATER QUALITY ZONE WHEN NOT IDENTICAL TO 100 YR FLOOD PLAIN
- — CENTERLINE R.O.W.
- — LOT LINE
- — CENTER LINE WATERWAY
- ▨ AREAS OF CUT 4'-8'
- ▨ AREAS OF CUT 8'-12'
- ▨ AREAS OF FILL 4'-8'
- ▨ AREAS OF FILL 8'-12'



L:\11512\160-10079-000\Prod\400\SP-1008-0235D\UG\_2008-04-17\CUT FILL EXHIBIT.dwg October 06, 2008 1:02pm HALLEDEES

CASE NUMBER SP-2008-0235D





ITEM FOR ENVIRONMENTAL BOARD AGENDA

**BOARD MEETING DATE REQUESTED:** October 15, 2008

**NAME & NUMBER OF PROJECT:** Airport Fast Park Phases III and IV  
SP-2007-0735D

**NAME OF APPLICANT OR ORGANIZATION:** Halff Associates, Inc.  
(Shawn Betram- Phone 252-8184)

**LOCATION:** 2300 Spirit of Texas Drive

**PROJECT FILING DATE:** December 31, 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:** Carson Creek Watershed (Suburban)  
Desired Development Zone

**ORDINANCE:** Comprehensive Watershed Ordinance (current Code)

**REQUEST:** Variance request from: LDC 25-8-302 to construct 0.095 acres (4128 square feet) of parking area on slopes greater than 15%; and LDC 25-8-342 to fill up to 11 feet

**STAFF RECOMMENDATION:** Recommended with conditions.

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



## MEMORANDUM

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

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

DATE: October 5, 2008

SUBJECT: Airport Fast Park Phases III and IV / SP-2007-0735D  
2300 Spirit of Texas Drive

### **Description of Project**

The applicant is proposing to construct a private parking facility to service Austin-Bergstrom International Airport. The site is located at 2300 Spirit of Texas Drive, and is bounded by Spirit of Texas Drive and existing airport parking to the east, Crozier Lane and existing airport parking to the north, Thornberry Road to the west, and State Highway 71 to the south.

The site is within the Carson Creek Watershed, which is classified as Suburban. The site is in the Desired Development Zone. No portion of this project is located over the Edwards Aquifer Recharge Zone. There are no classified waterways or critical environmental features on or adjacent to this site. There is an unclassified waterway that flows from the south to the north, separating Phases III and IV from Phases I and II; there is COA 100-year associated with this waterway. There are slopes greater than 15% on this site.

In order to engineer the parking area in a safe and efficient manner, the applicant is requesting a variance to LDC 25-8-302 to construct 0.095 acres (4128 square feet) of parking areas on slopes greater than 15%. The applicant is also requesting a variance to LDC 25-8-341 to cut up to eight feet for the water quality and detention facilities and in various portions of the site (please refer to the Paving and Cut/Fill Exhibit). This variance can be processed administratively per LDC 25-8-42 but is being presented to the Land Use Commission as a courtesy.

### **Hydrogeologic Report**

The topography within the subject area slopes generally to the east towards the unclassified waterway with the exception of the southwestern portion of the site which slopes towards the southwest.

The site is composed of still to hard clay and clayey sand at depths of 0-7 feet, and hard sandy clay soils to depths of 7-15 feet.

**Vegetation**

Vegetation on this site can best be described as a combination of native and non-native grasses with several trees species scattered throughout the site including Hackberries, Cedar elms, and Live oaks.

**Critical Environmental Features**

There are no critical environmental features located on or adjacent to this site.

**Water/Wastewater Report**

No water or wastewater service is proposed with this site plan.

**Variance from Land Development Code**

The variances required by this project are to:

1. Construct 0.095 acres (4128 square feet) of parking areas on slopes greater than 15% (LDC 25-8-302); and
2. Fill up to 8 feet (LDC 25-8-342).

**Similar Cases**

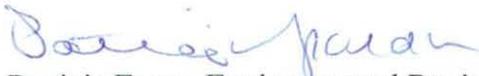
See attachment "Similar Cases".

**Recommendations:**

Staff recommends the variance with conditions request because the findings of fact have been met. Conditions include:

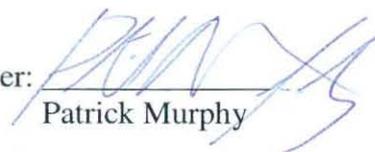
1. Provide soil retention blankets for all 3:1 slopes except the water quality/detention ponds.
2. Provide only native/drought tolerant plants from the COA's GrowGreen guide for all landscaping and mitigation trees.
3. Mitigate 100% for all Class I and II trees and 20% for all Class III and IV trees to be removed.
4. Provide covered parking spaces for at least 90% of all parking spaces.

If you have any questions or need additional information, please contact Patricia Foran at 974-3427.



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

Environmental Program Coordinator:   
Ingrid McDonald

Environmental Officer:   
Patrick Murphy

### Similar Case

The following case had similar variance requests:

Southpark Meadows (SP-05-0568C) (Slaughter Creek watershed/Suburban) requested a variance to: 1) LDC 25-8-302 for construction of internal drives and 25 surface parking spaces on slopes greater than 15%, and 2) LDC 25-8-341/342 to cut up to 24' and fill up to 12'. The requests were recommended with conditions by the Environmental Board and approved by the Zoning and Platting Commission by consent on 5/3/2005. Conditions included:

- All cut/fill to be structurally contained.
- All COA required landscaping to utilize GrowGreen native or adapted material.
- Four Class 1 protected size trees, with a total of 138 caliper inches, are to be relocated within the site. All replacement trees are to be Class 1 trees that are container grown from native seed. The applicant will hire a Certified Arborist to oversee tree protection/preservation over the life of the project, and to provide a long term management plan for the Class 1 trees on site.
- Provide an IPM plan.
- Prohibit the use of coal-tar based asphalt sealants.



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

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**Application Name:** *Airport Fast Park Phases III and IV*  
**Application Case No:** *SP-2007-0735D*  
**Code Reference:** *LDC 25-8-302*  
**Variance Request:** *To construct 0.095 acres of parking area 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 Many similarly situated properties within the City have received approval for construction on slopes variances due to similar topography.*

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 applicant can develop a majority of the property in accordance with current code. The small area of slopes within the tract is suspected to be non-natural. The project proposed to leave all other slopes greater than 15% free from impervious cover. Furthermore, the applicant is proposing to stabilize slopes with soil retention blankets, provide only native and drought tolerant landscaping, and provide covered parking for at least 90% of proposed spaces; therefore, this development provides greater overall environmental protection than is achievable without the 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 applicant has minimized the areas of slopes to be developed to 0.095 acres (4128 square feet).*

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

*Yes There is no critical water quality zone, water quality transition zone, or critical environmental features located on this site. Adequate erosion and sedimentation controls are proposed to address sediment during construction.*

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 has agreed to: provide soil retention blankets for all areas with 3:1 slopes; provide only native/drought tolerant plants from the COA's GrowGreen guide for all landscaping and mitigation trees; and mitigate 100% for all Class I and II trees and 20% for all Class III and IV trees to be removed. These conditions will provide water quality that is at least equal to what is 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;

*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: Patricia Foran**

**Reviewer Signature:** *Patricia Foran*

**Date: October 5, 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**

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**Application Name:** *Airport Fast Park Phases III and IV*  
**Application Case No:** *SP-2007-0735D*  
**Code Reference:** *LDC 25-8-341*  
**Variance Request:** *To perform cuts up to 8 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 Many similarly situated properties within the City have received administrative approval for cuts up to eight 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 applicant can develop a majority of the property in accordance with current code. However, in order to balance the site, cuts up to eight feet are necessary. The applicant is proposing to stabilize slopes with soil retention blankets, provide only native and drought tolerant landscaping, and provide covered parking for at least 90% of proposed spaces; therefore, this development provides greater overall environmental protection than is achievable without the 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 applicant has minimized the amount of cut to a maximum of eight feet, which is typically processed as an administrative variance in the Desired Development Zone.*

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

*Yes* There is no critical water quality zone, water quality transition zone, or critical environmental features located on this site. Adequate erosion and sedimentation controls are proposed to address sediment during construction.

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 has agreed to: provide soil retention blankets for all areas with 3:1 slopes; provide only native/drought tolerant plants from the COA's GrowGreen guide for all landscaping and mitigation trees; and mitigate 100% for all Class I and II trees and 20% for all Class III and IV trees to be removed. These conditions will provide water quality that is at least equal to what is 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;

N/A.

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

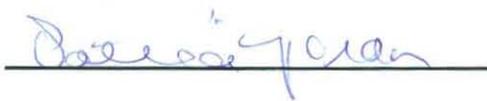
N/A

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

N/A

---

**Reviewer Name:** Patricia Foran

**Reviewer Signature:** 

**Date:** October 5, 2008

---

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

8

APPLICANTS FINDINGS  
OF FACTS

**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: Airport Fast Park Phases III & IV

Ordinance Standard: LDC 25-8-302 and LDC 25-8-42

**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/NO
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/NO
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/NO
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 entire property? YES/NO
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? YES/NO

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

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/NO**

The strict application of the code in this instance will deprive the property owner of privileges and safety enjoyed by other similarly situated property owners with similarly timed development. By avoiding the area in question, the traffic mobility and circulation throughout the site could be compromised. The layout of the proposed parking lot would require modifications that include sharp turns with limited visibility, which in turn could endanger the safety of the public. In addition, driver expectancy would be significantly reduced when vehicles circulate the parking lot.

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/NO**

The project demonstrates minimum departures from the terms of the ordinance necessary to avoid such deprivation of privileges enjoyed by such other properties. The site was modified following the initial submittal in order to minimize the non-compliant areas with LDC 25-8-302 and LDC 25-8-42.

The project will enhance the environmental features for the site in many ways. Soil retention blankets will be used on pertinent slopes of 3:1 or greater in order to help establish vegetation and to reduce erosion problems. The proposed site plan includes a landscaping plan which calls for the use of drought resistant, native vegetation throughout the site. We are also proposing covered parking spaces by means of canopies for over 90% of the parking spaces, which provide additional shading for the site.

Item 3d  
Part 2

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/NO**

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. Others enjoy fully functional parking with layouts that do not hinder mobility and driver expectancy. The variance is requested for a steep slope located in the middle of the property, which may or may not be naturally occurring, and was is not a created as a result of the method by which a person voluntarily subdivided the land.

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 entire property? YES/NO**

This does not apply to this variance, as the proposed site does not fall 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? YES/NO**

This does not apply to this variance, as the proposed site does not fall within the Barton Springs Zone.

**DIRECTIONS TO Airport East Park Phases III and IV**

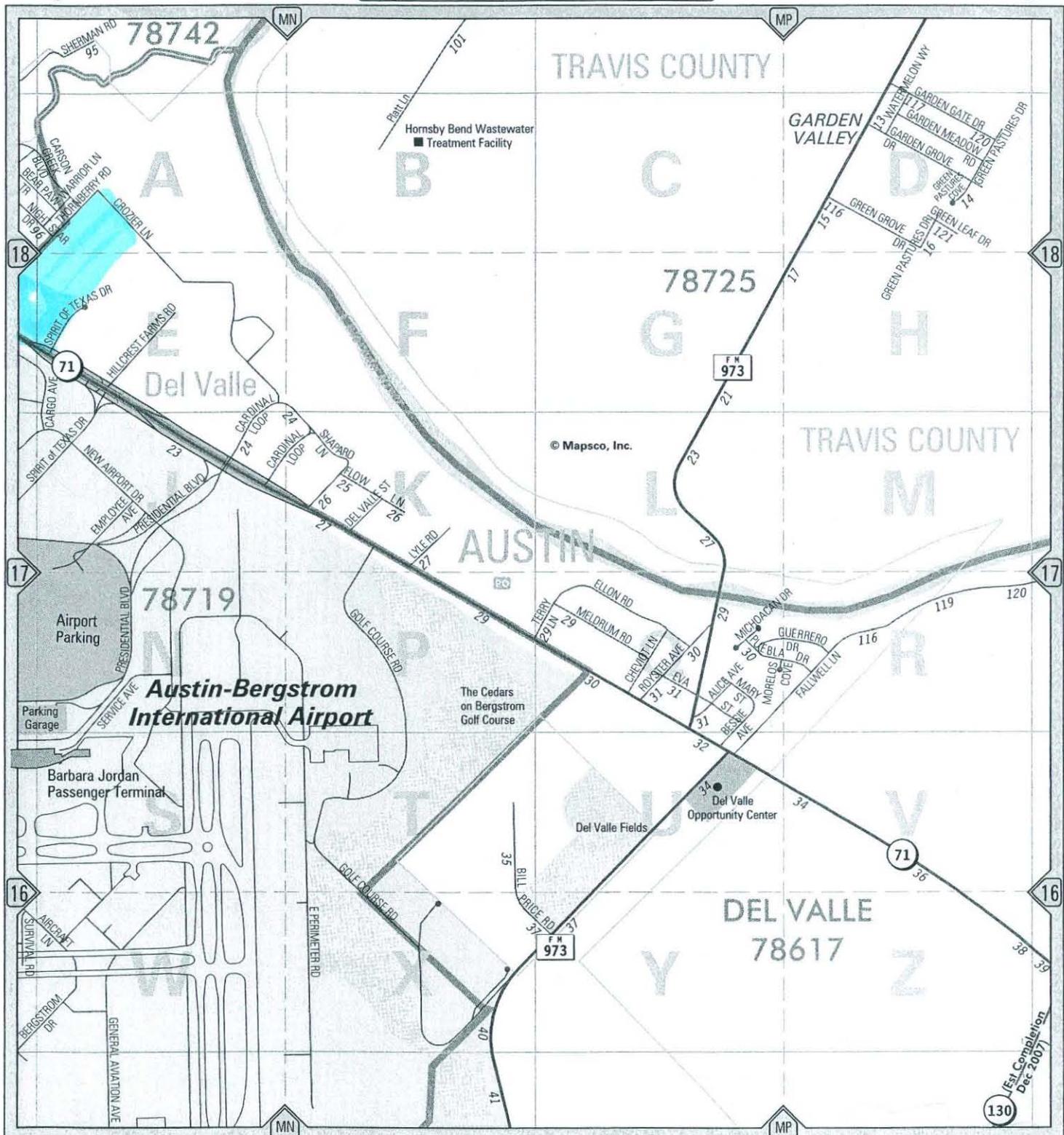
**SP-2007-0735D**

This project is located within the Full Purpose City Limits at 2300 Spirit of Texas Drive. Take State Highway 71 east towards Austin Bergstrom International Airport. Make a left onto Spirit of Texas Drive. Make an immediate left onto State Highway 71 heading west. Take State Highway 71 approximately 2000 feet (the site will be on the right hand side). Make a right onto Thornberry Road. There is an entrance to the site on the right hand side along Thornberry Road.





CONTINUED ON MAP 617



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(Est. Completion Dec 2007)

CONTINUED ON MAP 646

CONTINUED ON MAP 677

CONTINUED ON MAP 648



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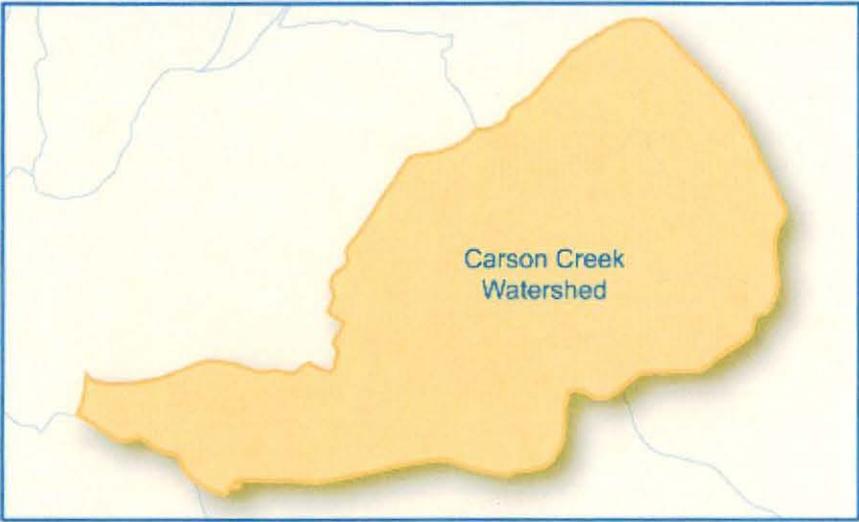
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Watershed Protection Development Review

**Education**

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**Austin's Watersheds**



[Fast Facts](#) | [Photo Gallery](#)  
[Environmental Creek Assessments](#)

**Fast Facts**

<b>Population</b>	2000: 6,982 2030: 9,273	
<b>Creek Length</b>	6 miles	
<b>Drainage Area</b>	6 square miles	
<b>Drains To</b>	Colorado River east of Town Lake	
<b>Well Known Sites</b>	Bergstrom Airport	
<b>Land Use</b>	Residential	14%
	Business	28%
	Civic	1%
	Parks	0%
	Roadways	18%
	Undeveloped	38%

**Watershed Facts**

- Near the convergence of Carson Creek and the Colorado River there are numerous springs that provide the lower part of Carson Creek an almost constant flow of water.
- In response to citizen complaints, investigators find an average of 16 pollution spills each year in Carson Creek; the most common spill type is sewage, followed by petroleum and trash.
- There are a number of nurseries and large agricultural land uses in this watershed that appear to be contributing to high nutrient concentrations in Carson Creek.

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**Creek Assessments**

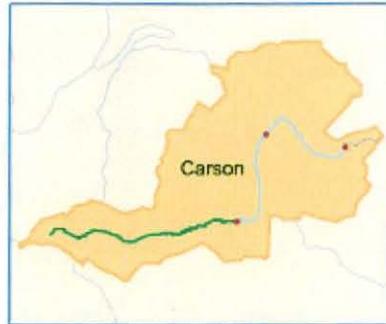
**Environmental**

<b>Index</b>	<b>Score</b>	<b>Category</b>	<b>Notes</b>
<b>Overall Score</b>	63	Good	Carson ranks 20 out of 46 watersheds in overall quality
<b>Water Chemistry</b>	56	Fair	Water quality is average, ammonia is high, suspended solids are high
<b>Sediment Quality</b>	85	Very Good	PAHs are very low, herbicides/pesticides are very low, metals are very low
<b>Recreation</b>	86	Very Good	During dry weather conditions, bacteria is not a threat
<b>Aesthetics</b>	74	Good	Lots of litter present, no odor, water is slightly cloudy
<b>Habitat</b>	48	Marginal	Some sediment deposition, cover is insufficient, some channel alteration
<b>Aquatic Life</b>	27	Poor	Benthic macroinvertebrate community is fair, diatom community is poor

- Industrial and commercial development result in impacts noted in water quality, sediment and litter .
- Silt and sedimentation may be impacting diatom community; aquatic life scores declined in Carson more than other watersheds in the City.
- Water quality impacted from high density commercial and industrial development.

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Environmental scores are based on a full range of chemical, biological, and physical assessments.

Water Quality	
Monitoring Sites	Marginal
Excellent	Poor
Very Good	Bad
Good	Very Bad
Fair	No Score

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### Photo Gallery



Carson Creek at Shady Spring Subdivision



Carson Creek at Hoecke Lane

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NOTE:

WATER QUALITY CONTROLS REVIEW  
WILL BE ON THE 10/15/2008  
ENVIRONMENTAL BOARD AGENDA

THE PACKET CONTENT IS BEING SENT  
TO YOU IN ADVANCE IN THE 10/1/2008  
PACKET.

If you have any questions, please contact  
Charles Lesniak at 512-974-9195

Marilla