

**ENVIRONMENTAL BOARD MEETING MINUTES Wednesday, October 15, 2008,**



**ENVIRONMENTAL BOARD REGULAR MEETING MINUTES WEDNESDAY,  
October 15, 2008**

**The Environmental Board convened in a regular meeting on Wednesday,  
October 15, 2008, City Council Chambers at 301 W. Second Street, Austin, Texas  
78704**

**Board Members in Attendance:**

Dave Anderson, Rodney Ahart, Jon Beall, John Dupnik, Mary Gay Maxwell, Phil Moncada and Mary Ann Neely

**Staff in Attendance:**

Holly Noelke, Tom Nuckols, Pat Murphy, Leon Barba, Nancy McClintock, Mike Kelly, Matt Hollon, Patricia Foran, Ingrid McDonald, Charles Lesniak, Scott Hiers, Marilla Shepherd, Wendy Rhoades, Mark Mauldin, Roxanne Jackson, Erin Wood and Mike McDougale

**CALL TO ORDER**

**Chair Dave Anderson called the Board Meeting to order at 6:10 p.m.**

**1. CITIZEN COMMUNICATIONS: GENERAL**

**No speakers.**

**2. APPROVAL OF MINUTES**

Approve the minutes of the September 17, 2008 and October 1, 2008 regular meetings.

**The minutes of the September 17, 2008 regular meeting were approved on Board Member Phil Moncada and Second on Board member Mary Ann Neely [VOTE 4-0] Board Member Mary Gay Maxwell and Board member Rodney Ahart were absent and one vacancy**

**The minutes of the October 1, 2008 regular meeting were approved on Board member Phil Moncada and second by Board member Mary Gay Maxwell [VOTE 5-0] Board member Rodney Ahart was absent one vacancy**

**3. PUBLIC HEARINGS DISCUSSION AND ACTION ON DEVELOPMENT  
CASES**

**a. 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 zoning for the property with the following exceptions: 1) LDC 25-8-65 (Roadways) to not account for the roadway deduction; 2) LDC 25-8-262(B)(3)(b) (Critical Water Quality Zone Street Crossings) to allow one crossing; 3) LDC 25-8-341 (Cut Requirements) per cut/fill exhibit; 4) LDC 25-8-342 (Fill Requirements) per cut/fill exhibit; 5) LDC 25-8-482 (Critical Water Quality Zone) to allow one driveway or roadway; 6) LDC 25-8-483(A)(1) (Water Quality Transition Zone) to allow one driveway or roadway; 7) LDC 25-1-21(98) (Definitions) to revise the definition of “site” to allow the tract to be reviewed as one “site” although the tract is crossed by a public street.; 8) LDC 25-8-519 (*Construction of Ordinance*) to allow this application to use the revised definition of “site”; and 9) LDC 25-4-157(B) (Subdivision Access Streets) to provide only one access to an external street. The land in the PUD is within the area known as the Barton Springs Zone in which the City’s Save Our Springs (SOS) ordinance applies. Application of City ordinances to development of the land is affected by the “Settlement Agreement by and Between the City of Austin and the Bradley Parties” (commonly known as the Bradley Agreement) that ended litigation over development of the land in 2000. This requires a site-specific amendment of SOS (specifically, City Code section 25-8-519) to alter the definition of “site”. PUD zoning may also modify City ordinances applicable to development of the land. Watershed: Slaughter Creek and Bear Creek Watersheds (Barton Springs Zone) Drinking Water Protection Zone.

Gross site area: 265.68 acres

**Staff Recommendation:** Recommended

**The Environmental Board recommends conditional approval of the following exemptions for the Wildflower Commons PUD C814-06-0233**

- 1) LDC 25-8-65 (Roadways) to not account for the roadway deduction;
- 2) LDC 25-8-262(B)(3)(b) (Critical Water Quality Zone Street Crossings) to allow one crossing;
- 3) LDC 25-8-341 (Cut Requirements) per cut/fill exhibit;
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- 8) LDC 25-8-519 (*Construction of Ordinance*) to allow this application to use the revised definition of “site”; and



9) LDC 25-4-157(B) (Subdivision Access Streets) to provide only one access to an external street.

The land in the PUD is within the area known as the Barton Springs Zone in which the City's Save Our Springs (SOS) ordinance applies. Application of City ordinances to development of the land is affected by the "Settlement Agreement by and Between the City of Austin and the Bradley Parties" (commonly known as the Bradley Agreement) that ended litigation over development of the land in 2000. This requires a site-specific amendment of SOS (specifically, City Code section 25-8-519) to alter the definition of "site". PUD zoning may also modify City ordinances applicable to development of the land. Watershed: Slaughter Creek and Bear Creek Watersheds (Barton Springs Zone) Drinking Water Protection Zone. Gross site area: 265.68 acres

**STAFF CONDITIONS:**

1. Stabilize cut/fill using terracing or structural containment where feasible;
2. Transfer 7.621 acres of available impervious cover to the Hill Country Conservancy or similar entity;
3. Dedicate a minimum of 100 acres of open space as a conservation easement or fee simple for conservation purposes;
4. Prohibit development within the Bear Creek Watershed;
5. Prohibit development on Tracts 2 and 4;
6. Reduce the maximum construction envelope from 257.778 acres to 157.778 acres;
7. Prohibit development upstream of all CEFs with the exception of one solution cavity - solution fracture, WC021;
8. Provide a water quality conservation pond that captures 1.98 acre feet in excess of the required water quality volume;
9. 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;
10. 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

11. Provide 2-star Austin Energy Green Building Standards or equivalent LEED rating (as the subject properties are not within the Austin Energy service area).
12. Adopt any revised Erosion and sedimentation standards in ECM enacted between the effective date of zoning ordinance and date owner files an application for site development permit; or if site development permit applied for prior to revisions to erosion and sedimentation standards in Environmental Criteria Manual enacted between effective date of zoning ordinance, owner will be required to have ESC plan approved by City of Austin Environmental Resource Management staff.

**BOARD CONDITIONS:**

1. Provide screening along proposed SH 45 outside Texas Department of Transportation right-of-way on the west side along the construction envelope.
2. Remove secondary access PUD note Remove PUD note regarding additional permitted land uses, cocktail lounge, liquor sales, convalescent services.
3. Delete exception to LDC 25-8-65 (Roadways) to not account for roadway deduction.
4. Applicant will follow recommendations outlined in the Memorandum from Scott Hiers to Patricia Foran dated July 7, 2008. See attachment



**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.

Our surveys covered about 90 percent of the property. However, a layer of mulch and several brush piles from tree removal and clearing activities impeded our view of the ground in several areas. Although our survey efforts was hampered in some areas, we were able to identify 35 additional recharge features on or within 300-ft of the site. In all, 67 recharge features were identified by Harper's 2003 and the City's 2007 karst assessments. ERM staff has determined that 49 of the 67 features are critical environmental features (48 recharge features and 1 wetland/sinkhole). These features are located on or within 300-ft of the Wildflower Commons site. Table 1 lists all the features identified by both surveys and a corresponding location map (Map 1) is attached.

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.

1. No residential lots may include a CEF or be located within 50 feet of a CEF.
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 the features that better evaluates it 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.

1. All CEFs must be shown on a topographic map (or maps), and listed in a summary table and included on an exhibit (s) in the PUD ordinance. The table must include the identification of the CEF, the type of CEF, and the recommended setback area. All maps must be must have north arrow and reference scale.
2. All CEFs and associated CEF buffers are to be shown on all plats, preliminary plans, site plans and construction plans. The PUD ordinance and the plat notes must have a following statement "all activities within the critical environmental feature setback must comply with Section 25-8-281(c)(2) of Austin's Land Development Code. This section states that the natural vegetative cover must be retained to the maximum extent practicable; construction is prohibited; and wastewater disposal or irrigation is prohibited this requirement."
3. No utilities are allowed within CEF buffers.
4. Fencing is required at the edge of all CEF buffer areas that are within limits of construction. Fencing must be 6 feet in height. Wrought iron or vinyl-coated chain link are acceptable. Access gates with a lockable latch are to be provided for each buffer.
5. Fencing at the edge of CEF buffers must be installed prior to the initiation of construction.
6. Water quality BMPs should not drain directly into CEF setback area. Level spreaders or similar structures must be used to overland sheet flow stormwater before it discharges near CEF setback areas. Stormwater irrigation must occur outside the CEF setback areas.
7. An IPM plan should being prepared for Wildflower Commons PUD.



Suggestions for alternative CEF protection not required by the Land Development Code.

1. An Operation and Maintenance plan is recommended for the long term management of all CEF buffers. The purpose of the CEF buffer is to protect water quality. Trash removal, pet waste pickup and inspections will increase the likelihood that conditions within the buffers are protective of water quality. The long term funding mechanism and the responsible management entities throughout the construction and post-construction phases should be identified in future submittals.
2. A restrictive covenant granting access to City of Austin staff to all CEF buffers within the Wildflower Commons PUD should be included in the ordinance.

If you have any questions regarding these comments or have additional information, please contact me at 974-1916.



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

DRAFT

SH :

Attachment

cc: David Johns, City of Austin  
Wendy Welsh, City of Austin  
Stan Reece, ACI Consulting

Table 1: GPS locations and corresponding CEF setback area

Id	Comments	X	Y	FEATURE	TYPE	Setback Area
1	Sinkhole	3070564.32	10031308.78	S1	SH	L
2	Sinkhole	3070644.19	10031700.86	S2	SH	L
3	Solution Cavity	3070500.07	10031634.03	S3	SC	L
4	Karst Depression	3070498.05	10031596.55	S4	CD	L
5	Karst Depression	3069823.00	10031757.14	S5	CD	
6	Sinkhole	3069644.06	10031290.42	S6	SH	I
7	Solution Cavity	3068952.24	10031305.05	S7	SC	H
8	Sinkhole	3067680.52	10034787.20	S8	SH	A
9	Solution Cavity	3068164.23	10032302.65	S9	SH	D
10	Sinkhole	3068680.75	10031303.15	S10	SH	G
11	Wetland/Sinkhole	3068319.34	10033210.07	S11	W-S	B
12	Sinkhole	3070281.20	10034009.00	S12	SH	M
13	Sinkhole	3070310.00	10033994.00	S13	SH	M
14	Solution Cavity	3070316.50	10033983.60	S14	SC	M
15	Sinkhole	3070327.70	10034022.40	S15	SH	M
16	Sinkhole	3070342.60	10034039.20	S16	SH	M
17	Cave	3070278.28	10034171.25	S17	C	M
18	Sinkhole	3070244.42	10034537.02	S18	SH	O
19	Cave	3071970.00	10034900.00	S19	C	R
20	Sinkhole	3070380.00	10034800.00	S20	SH	Q
21	Solution Cavity	3070919.85	10034172.71	S21	SC	
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	<b>Sinkhole</b>	<b>3071137.00</b>	<b>10031512.00</b>	<b>S31</b>	<b>SH</b>	<b>S</b>
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

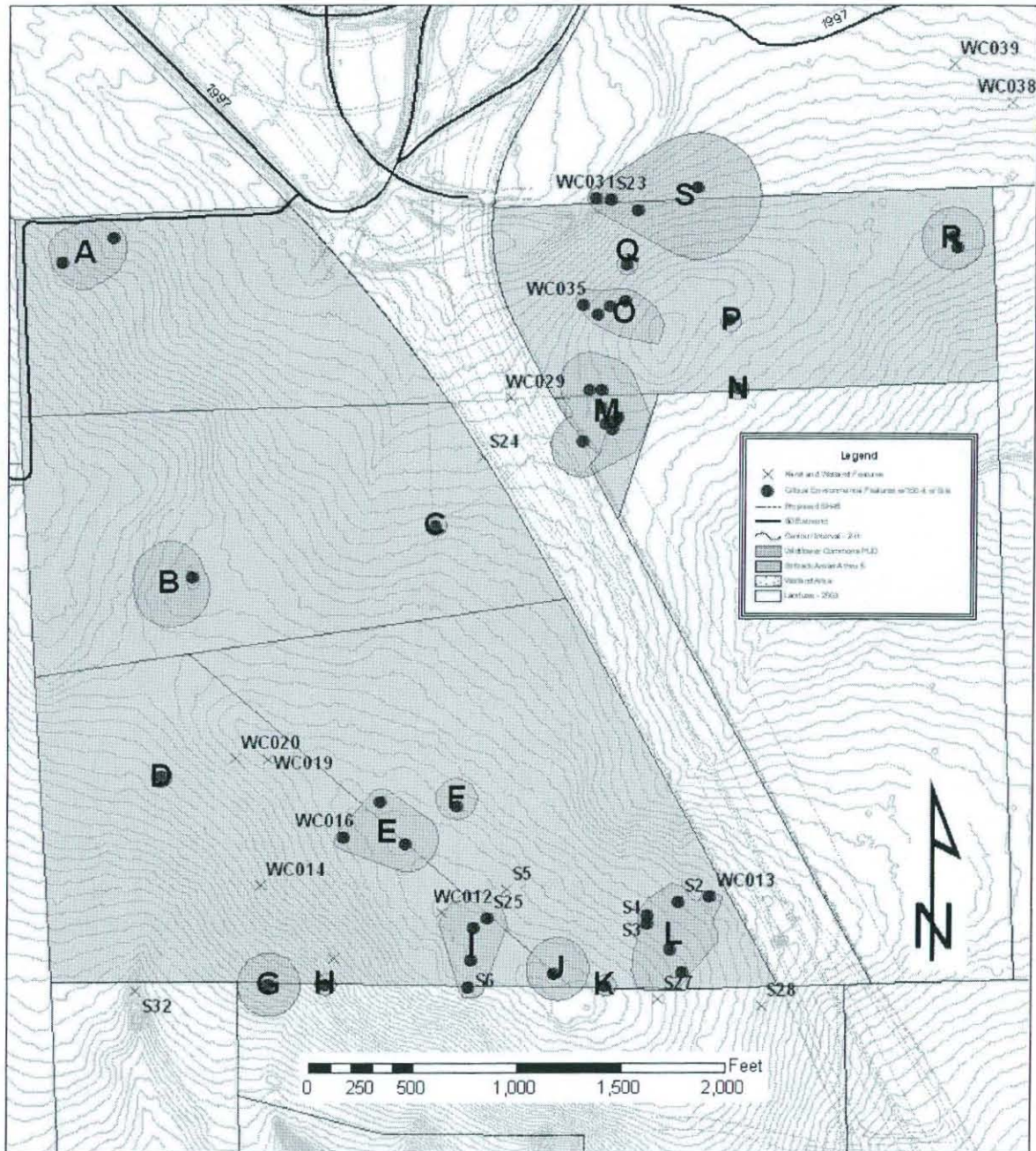


36	Sinkhole	3070479.97	10032979.98	WC003	SH	
37	Sinkhole	3070300.00	10031300.00	WC005	SH	K
38	Sinkhole	3070050.00	10031400.00	WC007	SH	J
39	Cave	3070670.00	10031400.00	WC008	C	L
40	Other	3068990.00	10031400.00	WC009	O	
41	Solution Cavity	3070610.00	10031500.00	WC010	SC	L
42	Solution Cavity	3069670.00	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.



**b. Name: Ben White/ IH 35 Bioretention/Extended Detention Pond SP-2008-0227D**

**Applicant:** Crespo Consulting Services, Inc. (City of Austin)

**Location:** 5405 ½ Interregional Highway 35 Service Road Northbound

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

**Request:** Variance request from:

1. Land Development Code 25-8-281(C) (2) to reduce Critical Environmental Features (CEF's) setback to zero (0) feet
2. Land Development Code 25-8-341 to allow cut as specified in Exhibit B;
3. Land Development Code 25-8-342 to allow fill as specified in Exhibit B.
4. Land Development Code 25-8-392 to develop in the Critical Water Quality Zone as specified in Exhibit A.

**Recommendation:** Recommended with conditions

**The Environmental Board recommended approval to a variance request to Land Development Codes for the Ben White/ IH 35 Bioretention/Extended Detention Pond:**

1. Land Development Code 25-8-281(C) (2) to reduce Critical Environmental Features (CEF's) setback to zero (0) feet
2. Land Development Code 25-8-341 to allow cut as specified in Exhibit B;
3. Land Development Code 25-8-342 to allow fill as specified in Exhibit B.
4. Land Development Code 25-8-392 to develop in the Critical Water Quality Zone as specified in Exhibit A.

**STAFF CONDITIONS**

1. Revegetate all disturbed areas within the CWQZ with City of Austin specifications 609S for seeding and planting or other alternative as approved by Environmental Resource Management.
2. Provide only native/drought tolerant plants from the City of Austin GrowGreen guide for all mitigation trees (excluding area within Texas Department of Transportation right-of-way).

**RATIONALE:**

Findings of fact have been met. City of Austin's opportunity to provide water quality to a watershed in dire need.

[VOTE 7-0] motion approved on Board member Phil Moncada and second on Board member Mary Ann Neely.

**c. Name: Travis County Eastside Service Center**

**Applicant:** LAN Inc. (Steven D. Widacki, P. E. )

**Location:** 210700 FM 969

**Staff Person:** Mike McDougal – Watershed Protection and Development Review Department

**Request:** Variance request to Land Development Code 1) 25-8-341/342 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.

**Recommendation:** Recommended approval

**The Environmental Board recommended to postpone the Travis County Eastside Service Center variance request until the November 5, 2008 meeting. [VOTE 7-0]**

**d. Name: Airport Fast Park Phases III and IV SP-2007-0735D**

**Applicant:** Halff Associates, Inc. (Shawn Betram)

**Location:** 2300 Spirit of Texas Drive

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

**Request:** Variance request to Land Development Code 1) 25-8-302 To construct 0.095 acres (4128 square feet) of parking area on slopes greater than 15%. 2) 25-8-342 To fill up to 11 feet.

**Recommendation:** Recommended with condition

**The Environmental Board recommended approval to a variance request to Land Development Codes for the Airport Fast Park Phases III and IV :**

**1. 25-8-341 and 342 To allow cut over 4 feet but not to exceed 12 feet, and to allow fill over 4 feet but not exceed 10 feet. Motion approved on Board member John Dupnik and second on Board member Moncada [VOTE] 6-1**

**4. STAFF BRIEFINGS**

- a. Water Quality Control Review briefing – Nancy McClintock, Watershed Protection and Development Review Department

**Briefing conducted as posted.**

**5. OLD BUSINESS**

- a. Joint Environmental/Parks Board Subcommittee Update – Dave Anderson, P.E.

**No report this week on this item**

- b. Erosion and Sedimentation Controls Update – Dave Anderson, P.E.

**No report this week on this item**

- c. Balcones Canyonlands Conservation Plan Citizens Advisory Group Update – Mary Ann Neely

**No report this week on this item**

- d. Waterfront Overlay Taskforce – Dr. Mary Gay Maxwell

**No report this week on this item**



- e. 2008 Work Plan Review –Dave Anderson, P.E.  
**No report this week on this item**

**6. NEW BUSINESS**

Request for future agenda items:

**7. ADJOURNMENT**

**DRAFT**







**DRAFT**

## **ENVIRONMENTAL BOARD MOTION 101508-3a**

October 15, 2008

Subject: Wildflower Commons PUD C814-06-0233

Motioned By: Phil Moncada

Seconded by: Rodney Ahart

### **Recommendation**

**The Environmental Board recommends conditional approval of the following exemptions for the Wildflower Commons PUD C814-06-0233**

- 1) LDC 25-8-65 (Roadways) to not account for the roadway deduction;
- 2) LDC 25-8-262(B)(3)(b) (Critical Water Quality Zone Street Crossings) to allow one crossing;
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11. Provide 2-star Austin Energy Green Building Standards or equivalent LEED rating (as the subject properties are not within the Austin Energy service area).
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**4. Applicant will follow recommendations outlined in the Memorandum from Scott Hiers to Patricia Foran dated July 7, 2008. See attachmen**

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



**DRAFT**

**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.

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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.

1. No residential lots may include a CEF or be located within 50 feet of a CEF.
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 the features that better evaluates it 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.

1. All CEFs must be shown on a topographic map (or maps), and listed in a summary table and included on an exhibit (s) in the PUD ordinance. The table must include the identification of the CEF, the type of CEF, and the recommended setback area. All maps must be must have north arrow and reference scale.
2. All CEFs and associated CEF buffers are to be shown on all plats, preliminary plans, site plans and construction plans. The PUD ordinance and the plat notes must have a following statement "all activities within the critical environmental feature setback must comply with Section 25-8-281(c)(2) of Austin's Land Development Code. This section states that the natural vegetative cover must be retained to the maximum extent practicable; construction is prohibited; and wastewater disposal or irrigation is prohibited this requirement."
3. No utilities are allowed within CEF buffers.
4. Fencing is required at the edge of all CEF buffer areas that are within limits of construction. Fencing must be 6 feet in height. Wrought iron or vinyl-coated chain link are acceptable. Access gates with a lockable latch are to be provided for each buffer.
5. Fencing at the edge of CEF buffers must be installed prior to the initiation of construction.
6. Water quality BMPs should not drain directly into CEF setback area. Level spreaders or similar structures must be used to overland sheet flow stormwater before it discharges near CEF setback areas. Stormwater irrigation must occur outside the CEF setback areas.
7. An IPM plan should being prepared for Wildflower Commons PUD.

Suggestions for alternative CEF protection not required by the Land Development Code.

1. An Operation and Maintenance plan is recommended for the long term management of all CEF buffers. The purpose of the CEF buffer is to protect water quality. Trash removal, pet waste pickup and inspections will increase the likelihood that conditions within the buffers are protective of water quality. The long term funding mechanism and the responsible management entities throughout the construction and post-construction phases should be identified in future submittals.
2. A restrictive covenant granting access to City of Austin staff to all CEF buffers within the Wildflower Commons PUD should be included in the ordinance.





**DRAFT**

If you have any questions regarding these comments or have additional information, please contact me at 974-1916.

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

SH :

Attachment

cc: David Johns, City of Austin  
Wendy Welsh, City of Austin  
Stan Reece, ACI Consulting

**DRAFT**

Table 1: GPS locations and corresponding CEF setback area

Id	Comments	X	Y	FEATURE	TYPE	Setback Area
1	Sinkhole	3070564.32	10031308.78	S1	SH	L
2	Sinkhole	3070644.19	10031700.86	S2	SH	L
3	Solution Cavity	3070500.07	10031634.03	S3	SC	L
4	Karst Depression	3070498.05	10031596.55	S4	CD	L
5	Karst Depression	3069823.00	10031757.14	S5	CD	
6	Sinkhole	3069644.06	10031290.42	S6	SH	I
7	Solution Cavity	3068952.24	10031305.05	S7	SC	H
8	Sinkhole	3067680.52	10034787.20	S8	SH	A
9	Solution Cavity	3068164.23	10032302.65	S9	SH	D
10	Sinkhole	3068680.75	10031303.15	S10	SH	G
11	Wetland/Sinkhole	3068319.34	10033210.07	S11	W-S	B
12	Sinkhole	3070281.20	10034009.00	S12	SH	M
13	Sinkhole	3070310.00	10033994.00	S13	SH	M
14	Solution Cavity	3070316.50	10033983.60	S14	SC	M
15	Sinkhole	3070327.70	10034022.40	S15	SH	M
16	Sinkhole	3070342.60	10034039.20	S16	SH	M
17	Cave	3070278.28	10034171.25	S17	C	M
18	Sinkhole	3070244.42	10034537.02	S18	SH	O
19	Cave	3071970.00	10034900.00	S19	C	R
20	Sinkhole	3070380.00	10034800.00	S20	SH	Q
21	Solution Cavity	3070919.85	10034172.71	S21	SC	
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	<b>Sinkhole</b>	<b>3071137.00</b>	<b>10031512.00</b>	<b>S31</b>	<b>SH</b>	<b>S</b>
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	<b>Sinkhole</b>	<b>3070479.97</b>	<b>10032979.98</b>	<b>WC003</b>	<b>SH</b>	
37	Sinkhole	3070300.00	10031300.00	WC005	SH	K
38	Sinkhole	3070050.00	10031400.00	WC007	SH	J



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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	

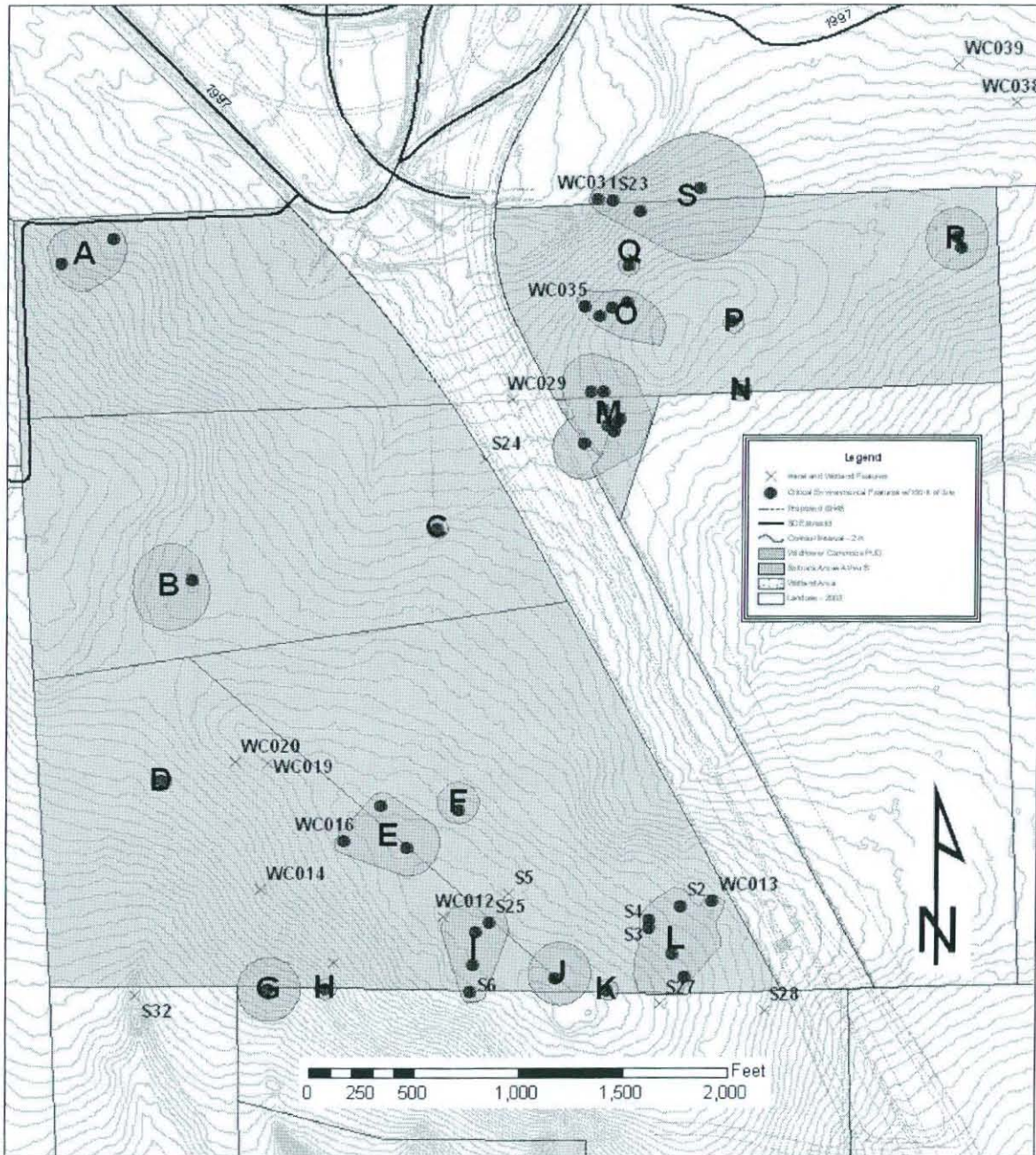




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Map 1: Setback Area Location Map

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



Wildflower Commons P.U.D.



**Vote** 5-0-0-0-2

**For:** Ahart, Dupnik, Maxwell, Moncada and Neely



**DRAFT**

**Against:**

**Abstain:**

**Absent:**

**Recused:** Anderson, and Beall

**Approved By:**

Dr. Mary Gay Maxwell  
Environmental Board Vice Chair







## ENVIRONMENTAL BOARD MOTION 101508-3b

October 15, 2008

Subject: Ben White/IH 35 Bioretention/Extended Detention Pond SP-2008-0227D

Motioned By: Phil Moncada

Seconded by: Mary Ann Neely

### Recommendation

The Environmental Board recommended approval to a variance quest to Land Development Codes:

1. Land Development Code 25-8-281(C) (2) to reduce Critical Environmental Features (CEF's) setback to zero (0) feet
2. Land Development Code 25-8-341 to allow cut as specified in Exhibit B;
3. Land Development Code 25-8-342 to allow fill as specified in Exhibit B.
4. Land Development Code 25-8-392 to develop in the Critical Water Quality Zone as specified in Exhibit A.

### STAFF CONDITIONS

1. Revegetate all disturbed areas within the CWQZ with City of Austin specifications 609S for seeding and planting or other alternative as approved by Environmental Resource Management.
2. Provide only native/drought tolerant plants from the City of Austin GrowGreen guide for all mitigation trees (excluding area within Texas Department of Transportation right-of-way).

### RATIONALE:

Findings of fact have been met. City of Austin's opportunity to provide water quality to a watershed in dire need.

[VOTE 7-0] motion approved on Board member Phil Moncada and second on Board member Mary Ann Neely.

**Vote** 7-0-0-0-0

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

Against:

Abstain:

Absent:

Recused:

Approved By:

Dave Anderson P.E., CFM  
Environmental Board Chair





## ENVIRONMENTAL BOARD MOTION 101508-3d

October 15, 2008

Subject: Airport Fast Park Phases III and IV SP-2007-0735D

Motioned By: John Dupnik, P. G.

Seconded by: Phil Moncada

### **Recommendation**

The Environmental Board recommended approval of a variance quest to Land Development Codes:

1. LDC 25-8-302 to construct 0.095 acres (4128 square feet) of parking area on slopes greater than 15%;
2. LDC 25-8-341 to cut up to 8 feet; and
3. LDC 25-8-342 to fill up to 8' feet

### **STAFF CONDITIONS**

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.

### **RATIONALE:**

Findings of fact have been met.

**Vote** 6-1-0-0-0

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

Against: Mary Gay Maxwell

Abstain:

Absent:

Recused:

Approved By:

Dave Anderson P.E., CFM  
Environmental Board Chair

DRAFT



**AGENDA ITEM 3a**

*Section A*



**ITEM FOR ENVIRONMENTAL BOARD AGENDA**

**BOARD MEETING**

**DATE REQUESTED:** NOVEMBER 5, 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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Application Name:	Travis County Eastside Service Center
Application Case No:	SP-2008-0235D
Code Reference:	Land Development Code Section 25-8-341 Cut Requirements & Section 25-8-342 Fill Requirements
Variance Request:	To allow a cut of twelve (12) ft & allow a fill of ten (10) ft for roadway construction.

---

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

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

*Yes. 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.*

---

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.

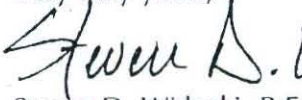


Page 2 of 2

- *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



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:

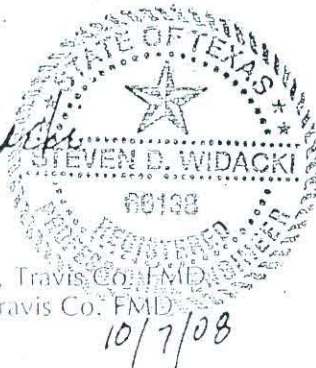
Both cut and fill associated with a site detention facility, Pond 'B' located near the center of the tract reach the extremes referenced above. The fill areas extend from the inlet swale at the west side of the pond to heights nearing 10' in depth and transition to cut at the east toe of the pond. The 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



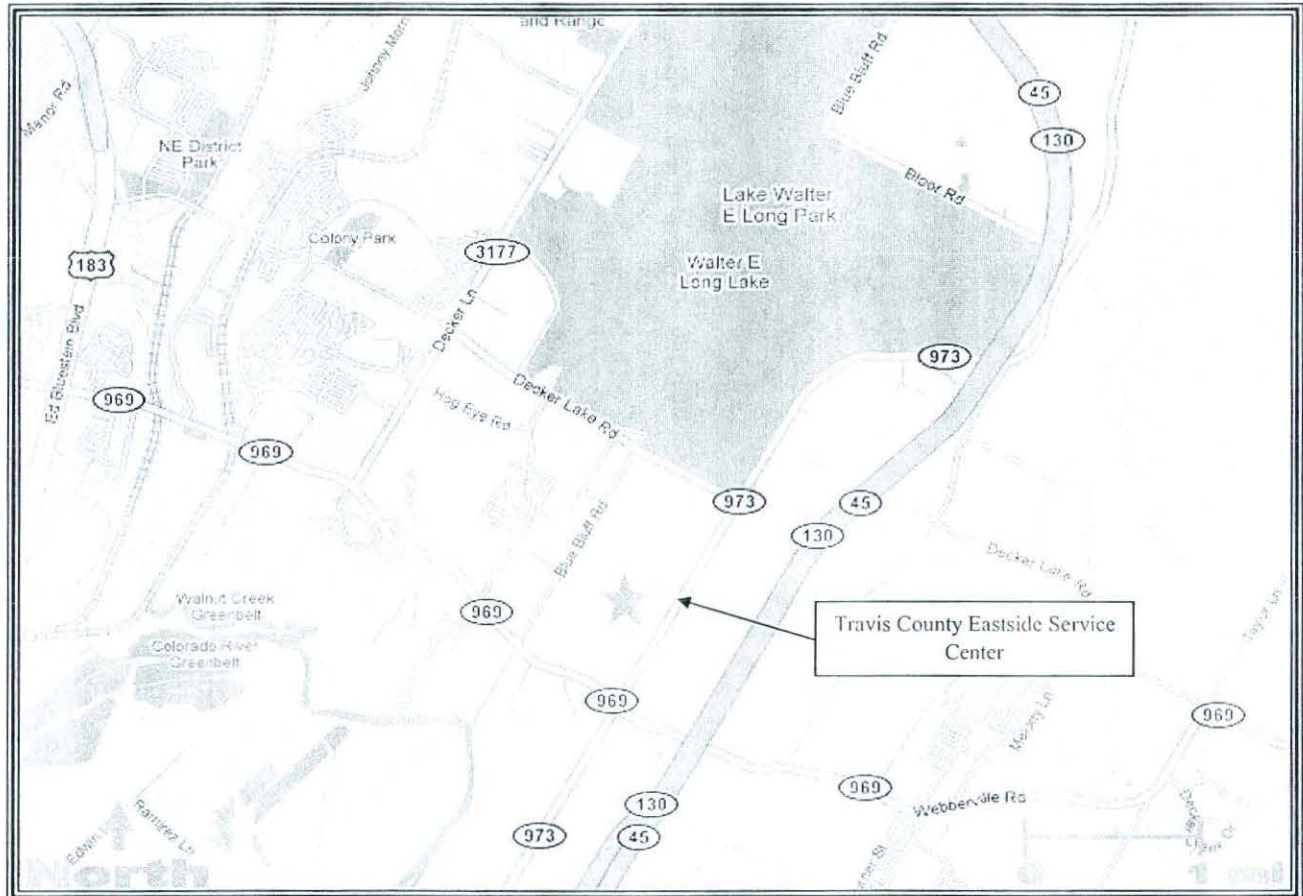
Cc: Roger A. El Khoury, P.E., Travis Co. FMD  
Carolyn O'Hara, R.A., Travis Co. FMD  
Project File: 1.04



Item 3A

Section b

**Travis County Eastside Service Center  
SP-2008-0235D  
Location Map**



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.

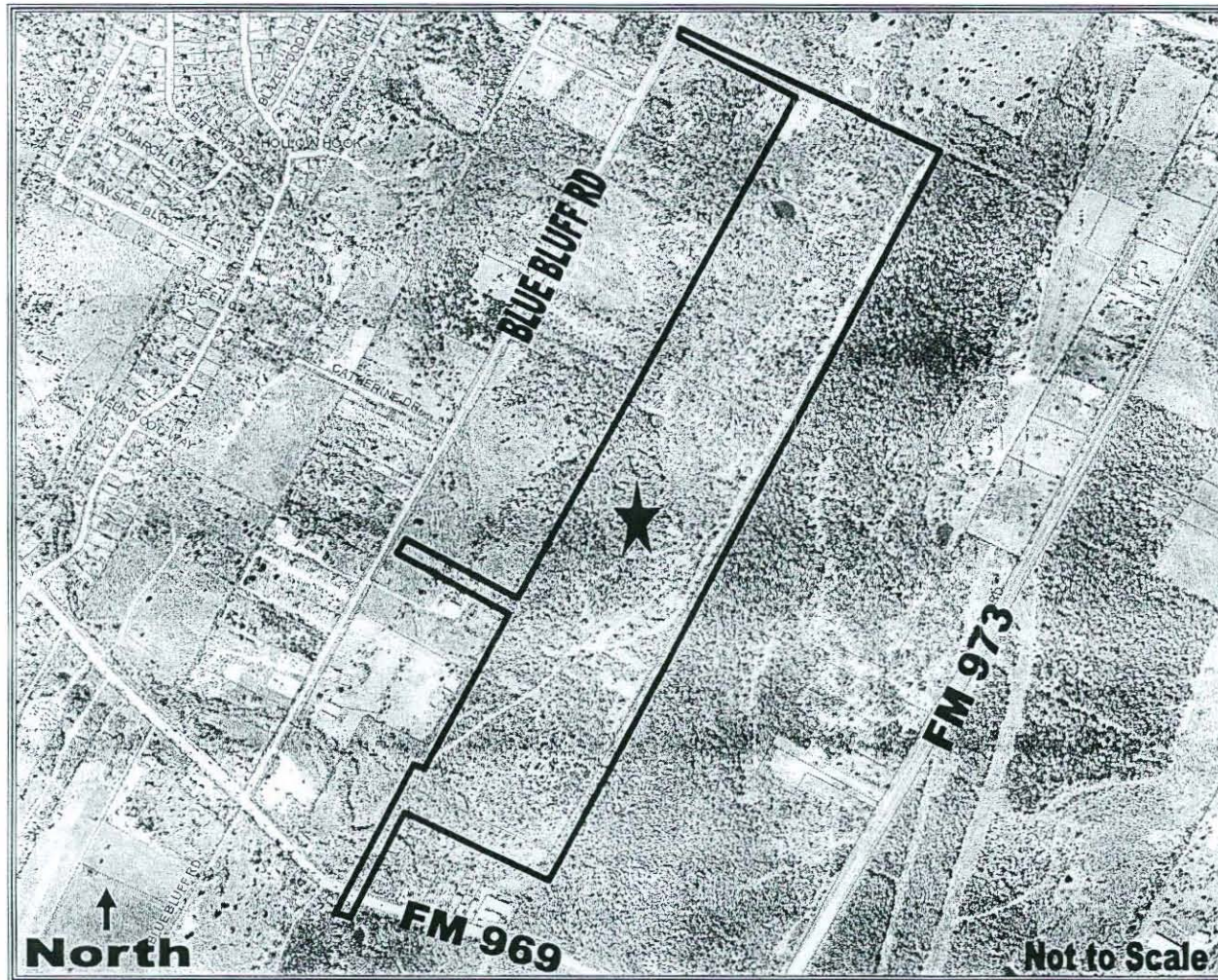
The Travis County Eastside Service Center will be on the left side (before the intersection of E MLK Jr Boulevard and FM 973)



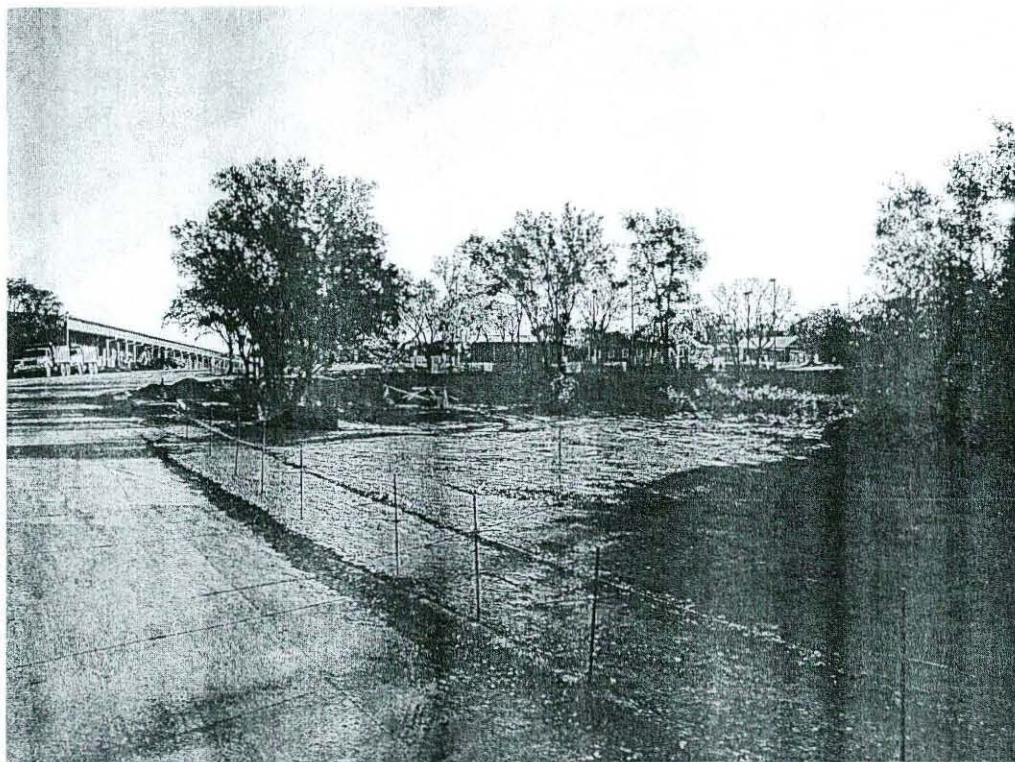
Travis County Eastside Service Center

SP-2008-0235D

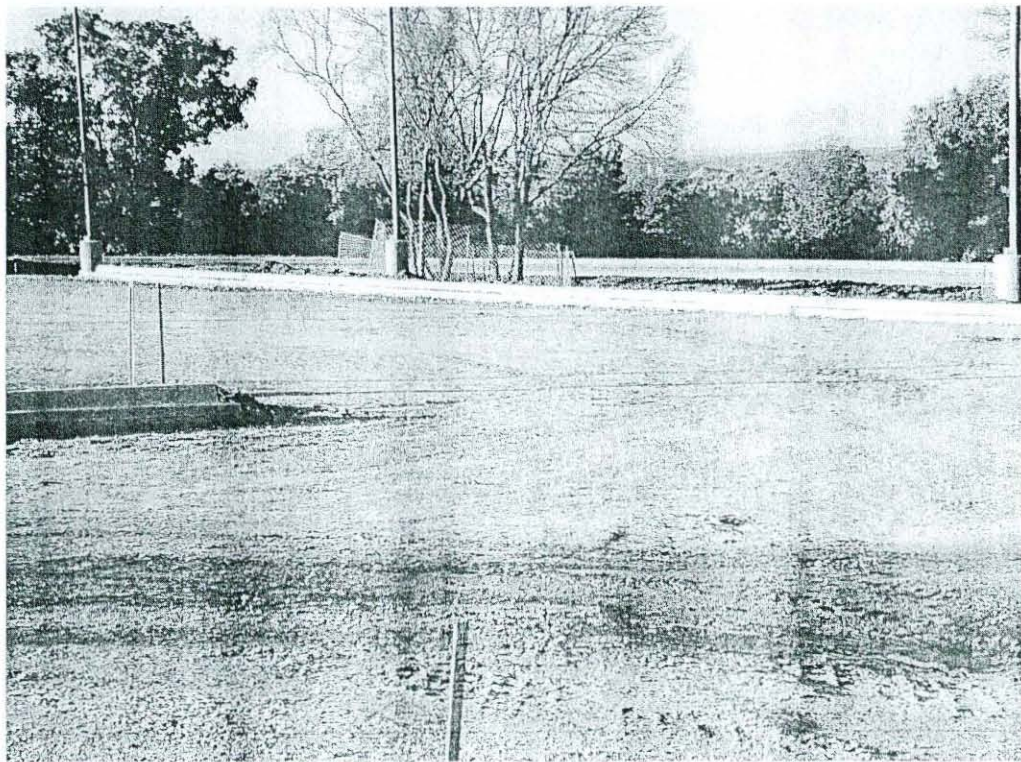
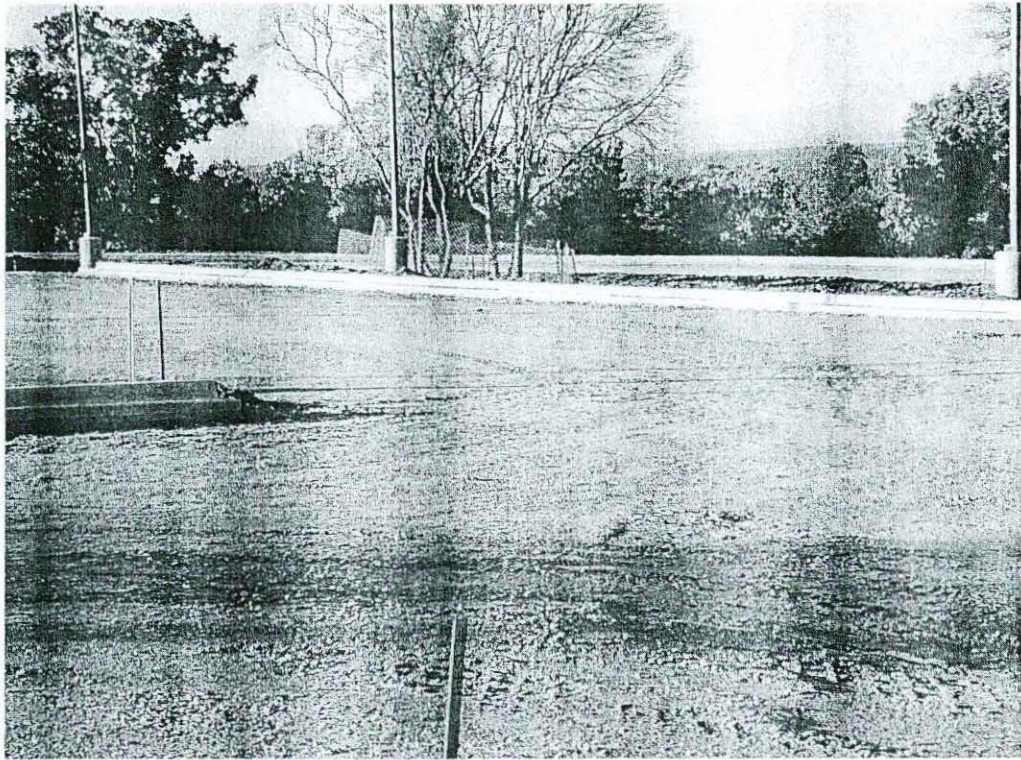
Aerial Photograph



















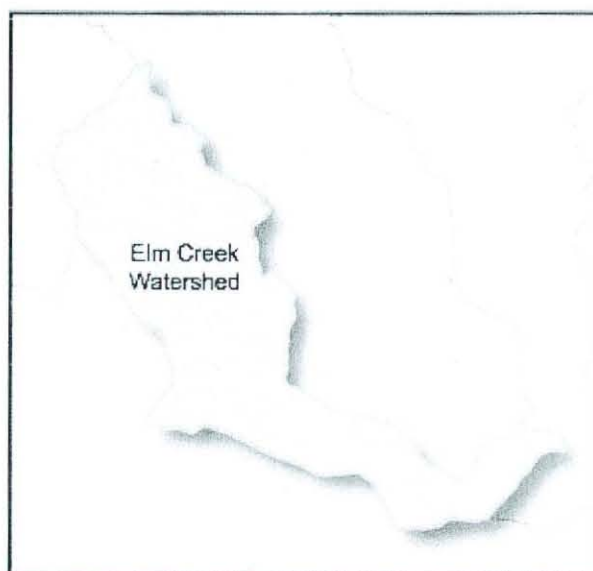
Search

Find! Options Select a service

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[Directory](#) | [Departments](#) | [FAQ](#) | [Links](#) | [Site Map](#) | [Help](#) | [Contact Us](#)
**Watershed Protection  
Development Review**
**Education**
[Flood](#)
[Erosion](#)
[Master Plan](#)
[Water Quality](#)

## Austin's Watersheds



Elm Creek  
Watershed

[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>	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.

[Return to Top](#)

### Creek Assessments

#### Environmental

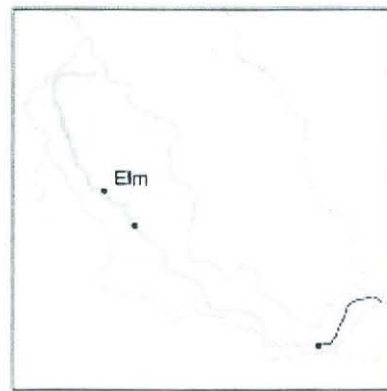
Index	Score	Category	Notes
<b>Overall Score</b>	65	Good	Elm ranks 18 out of 46 watersheds in overall quality
<b>Water Chemistry</b>	60	Fair	Water quality is average, ammonia is high, conductivity is very high
<b>Sediment Quality</b>	91	Excellent	PAHs are very low, herbicides/pesticides are very low, 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](#)



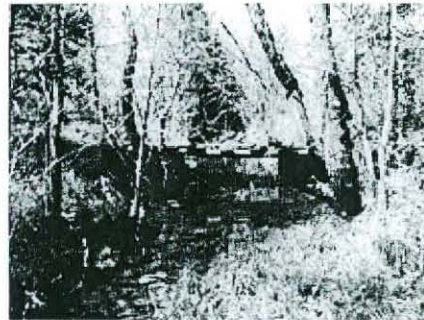


Environmental scores are based on a full range of chemical, biological, and physical assessments.



[Return to Top](#)

### Photo Gallery



Elm Creek at FM 973

[Return to Top](#)

[Home](#) :: [Flood](#) :: [Erosion](#) :: [Master Plan](#) :: [Water Quality](#)



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Contact Us: Send Email or 512-974-2550.

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P.O. Box 1088, Austin, TX 78767 (512) 974-2000

3A  
cont

**Exhibits Showing Locations of Removed Impervious Cover**

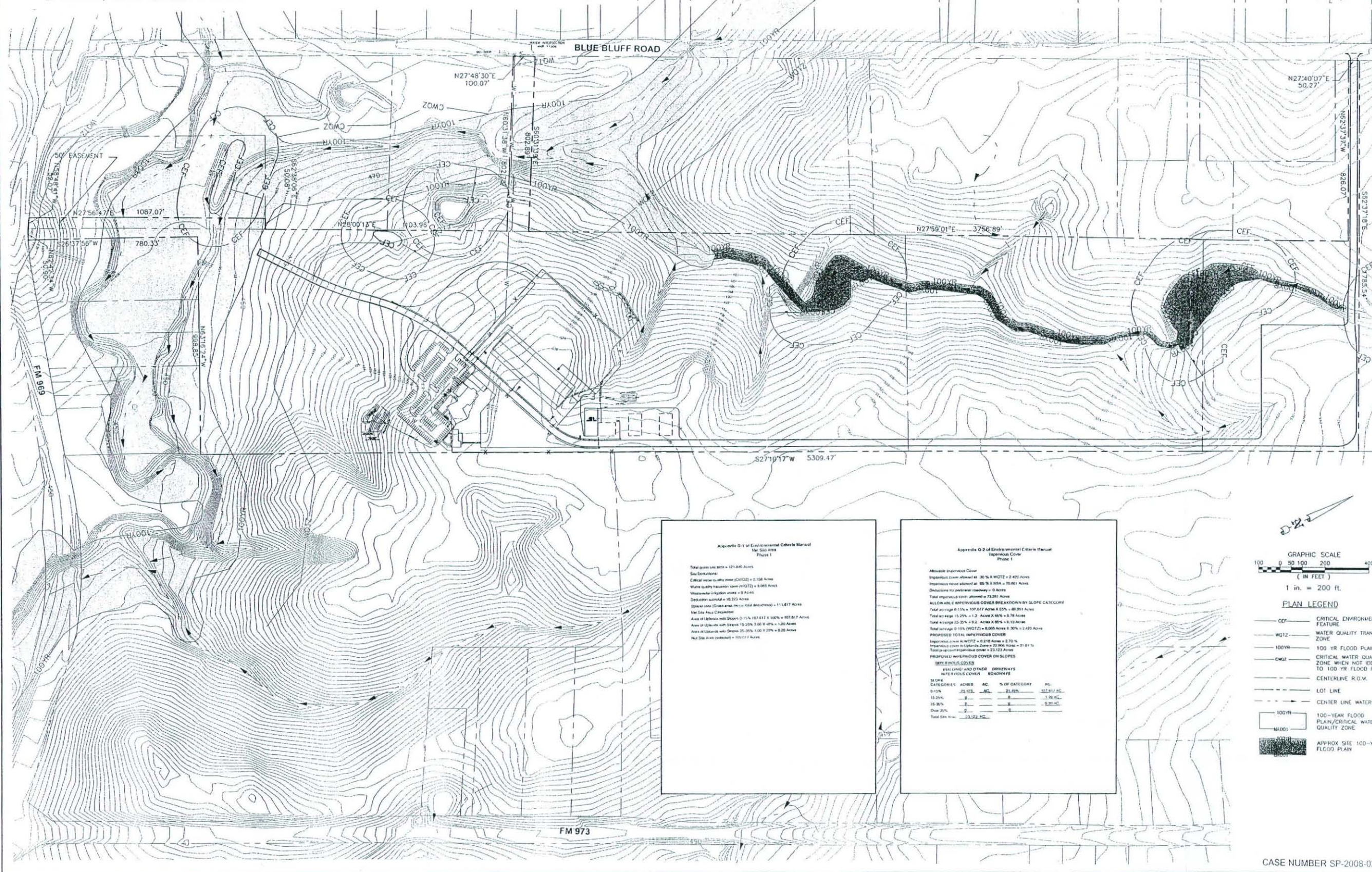


The seal of the State of Texas, County of Travis, is a circular emblem. It features a central five-pointed star with a smaller star in the center. The star is surrounded by a wreath. The outer ring of the seal contains the text "STATE OF TEXAS" at the top and "COUNTY OF TRAVIS" at the bottom, separated by small stars. The year "1821" is inscribed at the top of the inner circle.



# SITE PLAN RELEASE NOTES:

- ALL IMPROVEMENTS SHALL BE MADE IN ACCORDANCE WITH THE RELEASED SITE PLAN. ANY ADDITIONAL IMPROVEMENTS WILL REQUIRE SITE PLAN AMENDMENT AND APPROVAL OF THE WATERSHED PROTECTION AND DEVELOPMENT REVIEW DEPARTMENT.
- APPROVAL OF THIS SITE PLAN DOES NOT INCLUDE BUILDING AND FIRE CODE APPROVAL NOR BUILDING PERMIT APPROVAL.
- ALL SIGNS MUST COMPLY WITH REQUIREMENTS OF THE LAND DEVELOPMENT CODE (CHAPTER 25-10).
- ADDITIONAL ELECTRIC EASEMENTS MAY BE REQUIRED AT A LATER DATE.
- WATER SERVICE WILL BE PROVIDED BY THE CITY OF AUSTIN.
- THE SITE IS COMPOSED OF 3 LOTS/TRACTS. IT HAS BEEN APPROVED AS ON COHESIVE DEVELOPMENT. IF PORTIONS OF THE LOTS/TRACTS ARE SOLD, APPLICATION FOR SUBDIVISION AND SITE PLAN APPROVAL MAY BE REQUIRED.



Appendix D-1 of Environmental Criteria Manual  
Net Site Area  
Phase 1

Total gross site area = 121.845 Acres  
Site Constraints:  
Critical water quality zone (CWQZ) = 0.158 Acres  
Water quality transition zone (WQTZ) = 0.065 Acres  
Watershed (upstream) area = 0 Acres  
Development allowed = 10.223 Acres  
Upland area (Grass area minus flood (inundation)) = 111.617 Acres  
Net Site Area Calculation:  
Area of Upland with Slopes 0-15% = 107.817 X 100% = 107.817 Acres  
Area of Upland with Slopes 15-20% = 3.88 X 40% = 1.552 Acres  
Area of Upland with Slopes 20-25% = 1.00 X 20% = 0.20 Acres  
Net Site Area (proposed) = 107.817 Acres

Appendix D-2 of Environmental Criteria Manual  
Impervious Cover  
Phase 1

Allowable Impervious Cover:  
Impervious cover allowed at 30% X WQTZ = 2.452 Acres  
Impervious cover allowed at 65% X WQTZ = 0.043 Acres  
Deductions for pervious roadway = 0 Acres  
Total impervious cover allowed = 2.495 Acres

ALLOWABLE IMPERVIOUS COVER BREAKDOWN BY SLOPE CATEGORY

Total coverage 0-15% = 107.817 Acres X 95% = 102.426 Acres  
Total coverage 15-20% = 1.552 Acres X 40% = 0.621 Acres  
Total coverage 20-25% = 0.20 Acres X 20% = 0.04 Acres  
Total coverage 0-15% (WQTZ) = 0.065 Acres X 30% = 0.020 Acres  
PROPOSED TOTAL IMPERVIOUS COVER

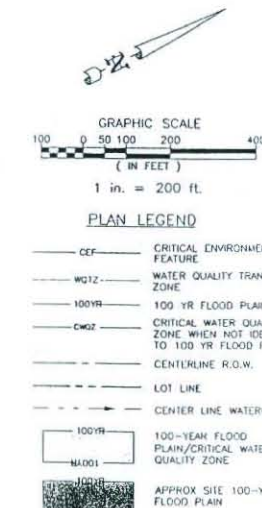
Impervious cover in WQTZ = 0.020 Acres = 0.75%  
Impervious cover in Upland Zone = 0.043 Acres = 0.04%  
Total proposed impervious cover = 0.063 Acres

PROPOSED WATERSHED COVER ON SLOPES

WATERSHED COVER

WATERSHED COVER AND OTHER DRIVEWAYS

SLOPE CATEGORIES	ACRES	AC	% OF CATEGORY	AC
0-15%	107.817	107.817	21.88%	107.817 AC
15-20%	3.88	1.552	8	1.552 AC
20-25%	1.00	0.20	6	0.20 AC
Over 25%	0	0	0	0 AC
Total Site Area	121.845	107.817		



**TRAVIS COUNTY**  
FACILITIES MANAGEMENT  
DEPARTMENT

1010 LAVACA, SUITE 400  
P.O. BOX 1748 AUSTIN,  
TEXAS 78767  
PHONE (512) 854-9661  
FAX (512) 854-9226

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

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

10700 FM 969  
AUSTIN, TEXAS 78724

**ISSUES AND REVISIONS**

NO.	DATE	DESCRIPTION

**OVERALL  
SITEPLAN**

PROJECT NO: 160-10079-000  
SCALE: 1/200  
DRAWN BY: C. TRINGLE  
CHECKED BY: XXXXX

**SHEET NUMBER**  
G3

SH 3 OF 42

C:\15125\15125-10079-000\Drawings\SP-2008-02350\SP-2008-02350-03-000.dwg October 07, 2008 - 3:44pm SALVADORS

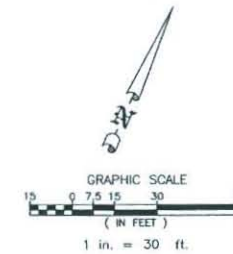
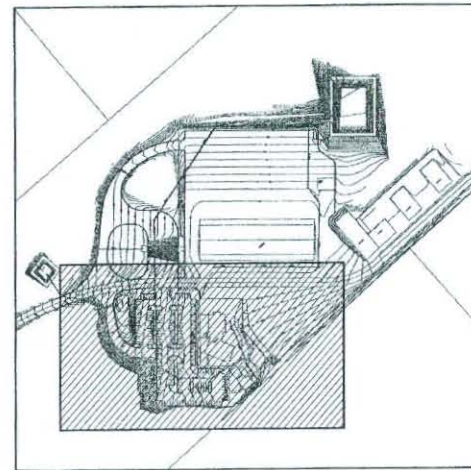




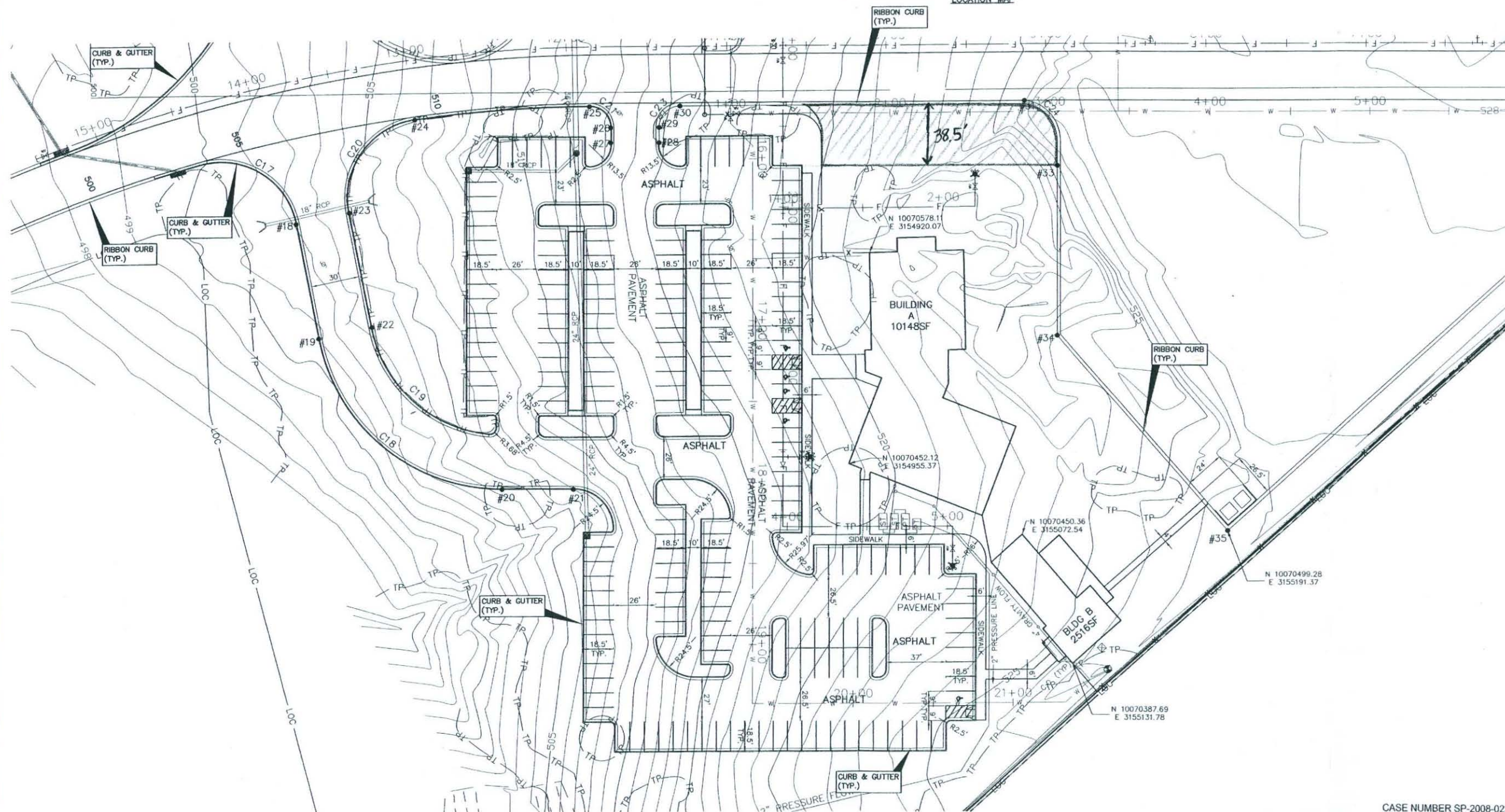


CURVE TABLE					
CURVE	LENGTH	RADIUS	ANGLE	CHORD	DELTA
C17	78.74	48.00	93°59'11"	70.20	93°59'11"
C18	160.92	117.00	78°48'09"	148.53	78°48'09"
C19	105.97	83.01	73°08'41"	98.92	73°08'41"
C20	78.74	48.00	93°59'11"	70.20	93°59'11"
C21	20.61	13.00	90°51'23"	18.52	90°51'23"
C22	109.02	983.00	6°21'17"	108.97	6°21'17"
C23	20.42	13.00	90°00'00"	18.38	90°00'00"
C24	36.13	23.00	90°00'00"	32.53	90°00'00"

POINT TABLE		
POINT #	NORTHING	EASTING
#18	N 10070466.48	E 3154578.92
#19	N 10070405.54	E 3154617.75
#20	N 10070359.41	E 3154758.93
#21	N 10070375.57	E 3154800.38
#22	N 10070423.82	E 3154646.42
#23	N 10070484.75	E 3154607.6
#24	N 10070552.72	E 3154625.16
#25	N 10070599.35	E 3154723.65
#26	N 10070592.04	E 3154740.67
#27	N 10070583.31	E 3154744.07
#28	N 10070594.21	E 3154772.02
#29	N 10070603.04	E 3154788.58
#30	N 10070619.87	E 3154775.96
#31	N 10070700.17	E 3154976.37
#32	NOT USED	NOT USED
#33	N 10070670.35	E 3155010.55
#34	N 10070572.62	E 3155048.66
#35	N 10070499.28	E 3155191.37



- PLAN LEGEND**
- CEP CRITICAL ENVIRONMENTAL FEATURE
  - LOC LIMITS OF CONSTRUCTION
  - WQTZ WATER QUALITY TRANSITION ZONE
  - 100YR 100 YR FLOOD PLAIN
  - CENTERLINE R.O.W.
  - LOT LINE
  - BUILDING LINE
  - RIBBON CURB
  - CURB & GUTTER
  - 1010 EXISTING CONTOUR
  - 1010 PROPOSED CONTOUR
  - CURB INLET
  - GRATE INLET
  - MANHOLE
  - DRAINAGE FLOW DIRECTION



**TRAVIS COUNTY**  
FACILITIES MANAGEMENT  
DEPARTMENT

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TEXAS 78767  
PHONE (512) 854-9661  
FAX (512) 854-9226



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

A LEO A DALY COMPANY  
18001 MO PAC EXPRY, BLDG. 1, STE. 120, AUSTIN, TX 78760

**TRAVIS COUNTY  
EASTSIDE SERVICE CENTER  
PHASE 1**  
10700 FM 969  
AUSTIN, TEXAS 78724



ISSUES AND REVISIONS

SITE DIMENSIONING  
SECTION 1

PROJECT NO. 160-10079-000  
SCALE: 1:30  
DRAWN BY: C. TINGLE  
CHECKED BY: XXXXX

SHEET NUMBER

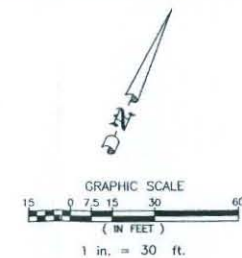
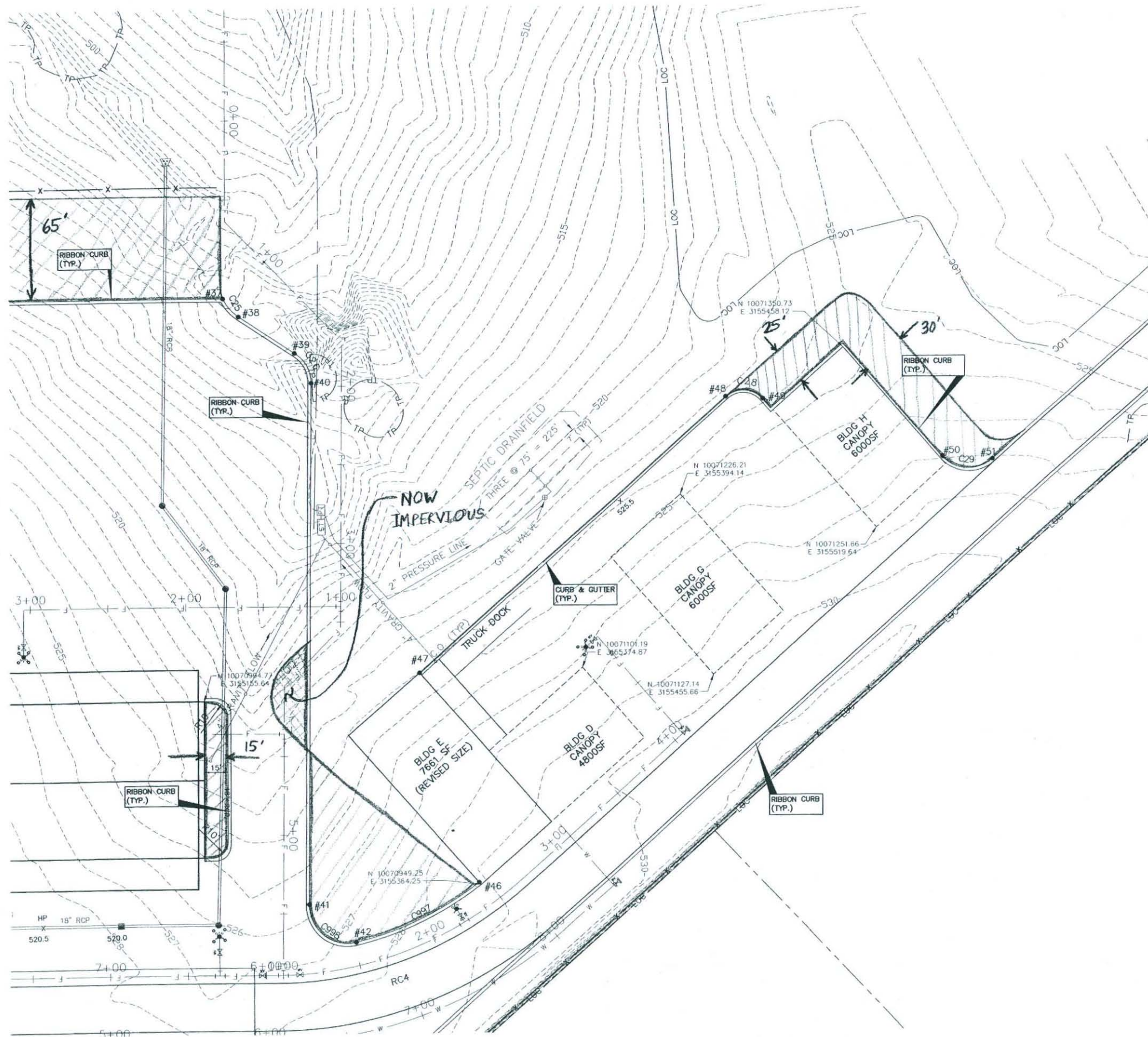
C4

SHT 7 OF 42

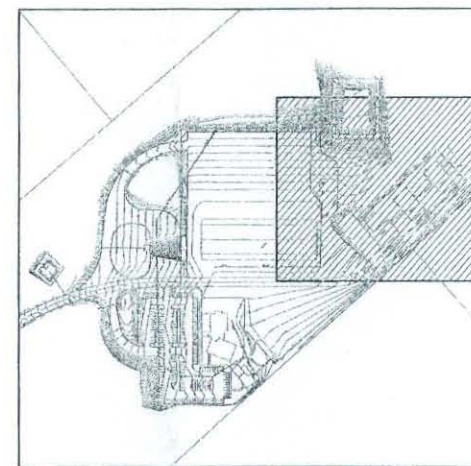
CASE NUMBER SP-2008-02350



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- PLAN LEGEND**
- DEF - DEFERRED ENVIRONMENTAL
  - LOC - LIMITS OF CONSTRUCTION
  - WQTZ - WATER QUALITY TRANSITION ZONE
  - 100YR - 100 YR FLOOD PLAIN
  - CENTERLINE R.O.W.
  - LOT LINE
  - BUILDING LINE
  - RIBBON CURB
  - CURB & GUTTER
  - 1010 - EXISTING CONTOUR
  - 1010 - PROPOSED CONTOUR
  - CURB INLET
  - GRATE INLET
  - MANHOLE
  - DRAINAGE FLOW DIRECTION



LOCATION MAP

CURVE TABLE					
CURVE	LENGTH	RADIUS	ANGLE	CHORD	DELTA
C25	28.58	30.52	29°01'49"	15.30	29°01'49"
C26	22.92	22.00	59°41'54"	21.90	59°41'54"
C27	N/A	N/A	N/A	N/A	N/A
C28	26.70	17.00	90°00'00"	24.04	90°00'00"
C29	36.12	23.00	89°59'29"	32.52	89°59'29"
C998	44.69	25.00	102°52'19"	39.13	102°52'19"
C997	87.78	200.00	25°08'23"	87.08	25°08'23"

POINT TABLE		
POINT #	NORTHING	EASTING
#36	NOT USED	NOT USED
#37	N 10071237.38	E 3155074.09
#38	N 10071230.36	E 3155087.64
#39	N 10071221.57	E 3155129.9
#40	N 10071207.76	E 3155146.8
#41	N 10070898.53	E 3155265.5
#42	N 10070886.88	E 3155302.82
#43	NOT USED	NOT USED
#44	NOT USED	NOT USED
#45	NOT USED	NOT USED
#46	N 10070950.16	E 3155362.47
#47	N 10071060.63	E 3155278.76
#48	N 10071294.58	E 3155398.91
#49	N 10071301.94	E 3155421.8
#50	N 10071309.15	E 3155543.43
#51	N 10071319.03	E 3155574.39



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**TRAVIS COUNTY**  
**EASTSIDE SERVICE CENTER**  
**PHASE 1**  
10700 FM 969  
AUSTIN, TEXAS 78724



ISSUES AND REVISIONS

SITE DIMENSIONING  
SECTION 3

PROJECT NO. 160-10079-000  
SCALE: 1:30  
DRAWN BY: C. TINGLE  
CHECKED BY: xxxxxx

SHEET NUMBER  
C6

CASE NUMBER SP-2008-02350

SHT 9 OF 42





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

October 29, 2008

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

Attention: Ms. Sue Welch

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

Dear Ms. Welch:

Below is the list of questions posed from the presentation regarding the above project at the Environmental Review Board's October 15, 2008 Meeting, along with written responses to each question.

**Questions from Phil Moncada, Secretary:**

- Will there be any fill placed in the critical or 100 year floodplain?
  - **RESPONSE:** There is no fill proposed in either the CWQZ or the 100-year floodplain in Phase 1. Phase 2 consists of the site's public access driveway out to FM 969. This public access driveway duplicates the route of the existing driveway which is the original access to the homestead that existed on this site previously. The existing driveway is in the 100-year floodplain and includes eight (8) 24-inch culverts between the crossings of Elm Creek and its tributary. The Phase 2 driveway will take this existing driveway and modify it to meet City DCM criteria. This driveway will include fill in the 100-year floodplain, however it will receive full review for compliance under the Phase 2 plans submittal process.
- I would like details of the pond construction/walls to verify that they meet City code for structural containment for heights that exceed 4 ft.
  - **RESPONSE:** Both Ponds 'A' and 'B' are classified as "small" on-site facilities per DCM 8.3.2 with contributing areas of less than 25-acres; 2.5-ac. and 16.8-ac. respectively. Cross-sections through the earthen containment berm of each pond are included in the plans as reviewed by City Staff. The berm top width for Pond 'A' is 10-ft. with a maximum berm height of 4.2-ft. The maximum berm height is 11.8-ft on Pond 'B' and the top width is also 10-ft. exceeding DCM 8.3.4.D requirement of 8-ft. Side slopes of both ponds are 3:1 or greater in accordance with DCM 8.3.4.F and grassed to allow for ease of maintenance.
- I would like details on the pond outfall structures to verify no erosion potential exists that could lead to failure of pond. I need to understand what type of water quality is being provided for this site?
  - **RESPONSE:** Both Ponds 'A' and 'B' outlet control structures employ a concrete overflow weir at the pond outlet and an energy dissipater structure (COA Std. 508S-13) at the outfall location. The area downstream of Pond 'A' has been re-vegetated in accordance with City Specification 609S as agreed with City Staff. Pond 'B' discharges to the small natural channel within the project limits that it is sited along.



- I need to know if an oil/water separator is included on the parking lot where vehicles will being maintained?
  - **RESPONSE:** All vehicles & equipment will receive maintenance & repairs within the Maintenance Building (Building 'C' on Site plan). All building service doors have individual containment grates for oil collection and disposal. A liquid storage area in the building has a separate containment structure. Vehicle storage canopy G has a spill containment structure. All containments will be maintained and oil disposed of regularly by Fleet maintenance staff, per TCEQ requirements. [Preceding provided by Travis County Staff]
- I need to know if Travis County is installing any underground storage tanks at this site for refueling operations?
  - **RESPONSE:** There are no underground storage tanks; two (2) above ground double wall storage tanks with hazardous materials containment below per TCEQ specifications are provided. Alarm monitoring is provided for any leakage or spill and all fueling surfaces drain exclusively to spill containment. [Preceding provided by Travis County Staff]
- I would like better cut and fill exhibits to have a clear understanding of the project scope. I need to see what type of mitigation is being proposed for CEF #6 since a roadway/driveway is proposed for phase 2. I need to make sure Travis County sends an individual to the meeting that understands jurisdictional authority regarding City limits and ETJ so questions may be answered at the meeting. I did not see any islands for trees on the small exhibit that showed the larger parking lot. I recommend that we include scans of the Site Grading Plan sheets which will be larger and already include the hatching of these cut/fill areas.
  - **RESPONSE:** The site's public access driveway out to FM 969 duplicates the route of the existing driveway for the homestead as described previously. The proposed culvert locations in Phase 2 match the CMP culverts that were located at the Elm Creek crossing and that of its tributary for the homestead's driveway. CEF #6 consists of a low spot which holds water in the normally dry creekbed of this tributary of Elm Creek; this proposed driveway is located downstream of this CEF. Temporary BMPs to be implemented are silt fence along toe of slopes for the roadway fill and rock berms in the natural channel. Permanent BMPs as agreed with City Staff are to employ re-vegetation of all disturbed areas within the CEF Setback in accordance with City Specification 609S.

**Questions/Comments from Dave Anderson, P. E., Chair:**

- I want to see the Travis County Project prove Water Quality is being improved. As a result of the Variance being requested.
  - **RESPONSE:** In response to the Board's concerns the County has reduced impervious areas by approx. 66,000 square feet. This places the site at 19.42% impervious cover, below the 20% threshold identified in LDC §25-8-211. In addition, County Staff has worked with City Staff to ensure "temporary BMPs" implemented on-site meet City requirements. The outfall from Pond B has been modified to implement a rock rubble lined channel from the outlet structure, along and then beyond the toe of slope of the pond's containment berm to the natural channel within the site to which it discharges. Additionally, as agreed with City Staff, a catchment channel and sediment trap has been added along the spoil area at the northeast corner of the site for sediment capture from this area at any point in the future.

Additionally, as requested by City Staff Q1 and Q2 Tables are attached for the combined Phases 1 and 2 areas which shows the entirety of the site at 19.95% impervious cover under the threshold identified in LDC §25-8-211. Even with the addition of the FM 969 public access driveway in Phase 2 the entirety of the site's improvements impervious cover will remain below 20%.

Ms. Sue Welch  
City of Austin  
Watershed Protection and Development Review Dept.  
October 29, 2008

Page 3 of 3

**Phase 2 will be permitted through the City's site development process.** Should you have any questions regarding the preceding information please contact the undersigned at 512/338-4212 or via email at [sdwidacki@lan-inc.com](mailto:sdwidacki@lan-inc.com)

Very truly yours,

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



Attachments

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



**Appendix Q-1 of Environmental Criteria Manual**  
**Net Site Area**  
**Phases 1 and 2 Combined**

Total gross site area = 125.90 Acres

Site Deductions:

Critical water quality zone (CWQZ) = 5.14 Acres

Water quality transition zone (WQTZ) = 9.28 Acres

Wastewater irrigation areas = 0 Acres

Deduction subtotal = 14.42 Acres

Upland area (Gross area minus total deductions) = 111.48 Acres

Net Site Area Calculation:

Area of Uplands with Slopes 0-15%  $107.48 \times 100\% = 107.48$  Acres

Area of Uplands with Slopes 15-25%  $3.00 \times 40\% = 1.20$  Acres

Area of Uplands with Slopes 25-35%  $1.00 \times 20\% = 0.20$  Acres

Net Site Area (subtotal) = 108.88 Acres

**Appendix Q-2 of Environmental Criteria Manual**  
**Impervious Cover**  
**Phases 1 and 2 Combined**

Allowable Impervious Cover

Impervious cover allowed at 30 % X WQTZ = 2.78 Acres

Impervious cover allowed at 65 % X NSA = 70.77 Acres

Deductions for perimeter roadway = 0 Acres

Total impervious cover allowed = 73.55 Acres

**ALLOWABLE IMPERVIOUS COVER BREAKDOWN BY SLOPE CATEGORY**

Total acreage 15-25% = 3.0 Acres X 10% = 0.30 Acres

**PROPOSED TOTAL IMPERVIOUS COVER**

Impervious cover in WQTZ = 0.78 Acres = 8.41 %

Impervious cover in Uplands Zone = 20.95 Acres = 19.24 %

Total proposed impervious cover = 21.73 Acres = 19.95%

**PROPOSED IMPERVIOUS COVER ON SLOPES**

**IMPERVIOUS COVER**

**BUILDING/ AND OTHER DRIVEWAYS**  
**IMPERVIOUS COVER ROADWAYS**

<b>SLOPE CATEGORIES</b>	<b>ACRES</b>	<b>AC.</b>	<b>% OF CATEGORY</b>	<b>AC.</b>
0-15%	<u>107.48</u>	<u>1.78</u>	<u>1.66%</u>	<u>19.95</u>
15-25%	<u>3.0</u>	<u>0.0</u>	<u>0</u>	<u>0</u>
25-35%	<u>1.0</u>	<u>0.0</u>	<u>0</u>	<u>0</u>
Over 35%	<u>0.0</u>	<u>0.0</u>	<u>0</u>	<u>0</u>
Total Site Area	<u>111.48 AC.</u>			





**ITEM FOR ENVIRONMENTAL BOARD AGENDA**

**BOARD MEETING**  
**DATE REQUESTED:** November 5, 2008

**NAME & NUMBER OF PROJECT:** Spring Lake Subdivision  
C8-2007-0224.0A

**NAME OF APPLICANT OR ORGANIZATION:** CRD Group, LLC  
(Michael Chapa – Phone 346-7030)

**LOCATION:** 9009 Spring Lake Drive

**PROJECT FILING DATE:** December 6, 2007

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

**WPDR/ CASE MANAGER:** David Wahlgren, 974-6455  
david.wahlgren@ci.austin.tx.us

**WATERSHED:** Bull Creek Watershed (Water Supply Suburban)  
Drinking Water Protection Zone

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

**REQUEST:** Variance request to allow a residential lot to contain a critical environmental feature and be located within 50 feet of a critical environmental feature (LDC 25-8-281(B)).

**STAFF RECOMMENDATION:** Recommended with conditions.

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



## MEMORANDUM

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

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

DATE: October 27, 2008

SUBJECT: Spring Lake Subdivision/C8-2007-0224.0A  
9009 Spring Lake Subdivision

Spring Lake Subdivision is seeking a variance recommendation to final plat a tract of land for residential use that contains several critical environmental features. Land Development Code (LDC) 25-8-281(B) prohibits residential lots from containing critical environmental features or being located within 50 feet of a critical environmental feature.

### **Description of Project Area**

The 1.35 acre site is located at 9009 Spring Lake Drive, at the intersection of Spring Lake Drive and Jolly Hollow Drive. It is bounded by Spring Lake Drive on the west, Jolly Hollow Drive on the south, and Balcones Country Club on the north and east. The site is within the Bull Creek Watershed, which is classified as Water Supply Suburban. The site is in the Drinking Water Protection Zone. It is located over the North Edwards Aquifer Recharge Zone.

The lot is currently zoned single family residence large lot – conditional overlay (SF-1-CO). The zoning case for this tract (C14-05-0179, Ordinance No. 20061214-060), in effect December 25, 2006, includes the following conditions: development of the property may not exceed one residential dwelling unit; maximum impervious cover is 2,500 square feet; maximum building coverage is 1,500 square feet; and maximum gross floor area is 3,000 square feet. A restrictive covenant (document 2006239790), filed and recorded on December 15, 2006, is also in effect for this property. The restrictive covenant establishes the following: tree #550 (a 9" Hackberry as identified on the survey) can be removed during residential construction but all other trees are to be preserved; a 50 foot wetland/critical environmental feature setback will be provided; and the foundation will be pier and beam. A copy of Ordinance No. 20061214-060 and restrictive covenant document no. 2006239790 are included as attachments to this memorandum (see Attachment A).

There is a classified minor waterway that runs along the eastern edge of the proposed lot. This waterway has a critical water quality zone (CWQZ), water quality transition zone (WQTZ), and



COA 100 year floodplain associated with it. Several seeps on this property were determined to be critical environmental features; refer to "Critical Environmental Features" section for a description.

The area of the CWQZ is 0.465 acres (20,255 sf or 34%); the area of the WQTZ is 0.814 acres (35,458 sf or 60%). The net site area of the proposed plat area is 0.071 acres (3093 sf). The allowable impervious cover within the WQTZ for this watershed is 18%, which is 0.146 acres (6,382 sf). Based on LDC 25-8-64, the assumed impervious cover is 7,000 sf (0.16 acres or 20% of area within the WQTZ). However, the maximum impervious cover proposed by the applicant is approximately 0.057 acres (2,500 sf or 7% of area within the WQTZ), as restricted by Ordinance No. 20061214-060.

### **Hydrogeologic Report**

The project area has elevations ranging from 850 to 870 feet above mean sea level, sloping from the northwest and northeast towards the creek and the southern property boundary. The surface geology consists of Edwards Formation and Comanche Peak Formation. Soils associations consist of the Brackett and Tarrant soil associations; soil maps units consists of Brackett-Rock outcrop complex, 1 to 12 percent slopes and Tarrant-Rock outcrop complex, 18 to 50 percent slopes.

Several seeps exist on this property; refer to "Critical Environmental Features" section for a description.

### **Vegetation**

The southern portion of the property is composed of mixed hardwood species including Cedar elm, Live oak, Texas red oak, Ashe juniper, and Hackberry. Understory vegetation includes of Yaupon holly, agarita, Twisted-leaf yucca. The central portion of the property is composed of herbaceous plants, including Tall fescue, Bushy bluestem, and Spike rush. The northern portion of the property is composed of herbaceous plants including King Ranch bluestem, Silver bluestem, and Spike rush.

### **Critical Environmental Features**

Environmental Resource Management has identified several Critical Environmental Features (CEFs) on the subject tract. A large wetland/seep complex has developed adjacent to the tributary to Bull Creek. There are at least two seeps that occur within the wetland area as ponded water. 50-foot radius CEF setbacks will be included within the area identified as "Wetland" and within the wetland setback area. Also, there is a seep that discharges within fill material at the south end of the property that flows into the tributary. Because this seep occurs within the building envelope dictated by Restrictive Covenant 2006239790 for Zoning Case No. C14-05-0179, staff recommends that the CEF setback for this feature be reduced to 25-foot radius in order to allow home construction. The fill material is large boulders and probably included soil or excavation debris from the construction of the surrounding roads, homes or detention pond. The groundwater discharge occurs within the Comanche Peak Formation, a marly limestone strata that is interbedded with the lowermost portion of the Edwards Group. Groundwater is confined by a dense, massive limestone layer that outcrops in the tributary in the southern portion of the site. A seep horizon also occurs at the top of this layer within the tributary. Spring Lake, located immediately adjacent to and upgradient of this lot, is the probable source of the seeps.

The central region of the property is characterized by a complex of several small wetland CEFs which are scattered throughout and alongside a dense patch of Tall fescue. The area including the wetland complex is approximately 150 feet long and 75 feet wide, bordered on the east by the tributary of Bull Creek, on the north and west by black willows, and the south by penny-wort and



black willow. Wetland plants including cattails, black willow, bushy bluestem, spikerush, rush, Mexican seedbox and creeping buttercup are supported by seeps originating along the western boundary of the wetland and flowing to the east and southeast. The tributary of Bull Creek supports both a fringe of wetland plants and as well as emergent wetland plants within the channel. Appropriate strategies to preserve the wetland include a fence immediately around the boundaries to prevent mowing, a 50ft CEF setback and no development or disturbance upgradient.

Refer to Attachment B for photos of the features.

#### **Water/Wastewater Report**

Water and wastewater service will be provided by the City of Austin.

#### **Variance from Land Development Code LDC 25-8-281(B)**

The variance required by this project is to LDC Section 25-8-281(B) to allow a single family residential lot to include critical environmental features.

#### **Recommendations:**

Staff recommends the variance request because the findings of fact have been met.

#### **Conditions**

Staff recommends granting the variance with the following conditions:

1. Applicant will include a plat note restricting landscaping (including turf) to only native and drought tolerant plants.
2. Applicant will implement an Integrated Pest Management (IPM) plan (to be added as a note on plat, and through a restrictive covenant).
3. Applicant will add a plat note prohibiting development on all land not located within the building limits (as shown on Attachment C) to protect the integrity of the CEFs.
4. Applicant will establish a no-mow area with fence immediately around the boundaries of the wetland and seep areas to protect them in perpetuity (to be added as a note on plat).
5. Applicant will implement conditions included in Ordinance No. 20061214-060 and Restrictive Covenant Document No. 2006239790 (see Attachment A).

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

Bruton Springs Subdivision (C8-99-0045.0A), located within a Water Supply Rural watershed, had a variance request from LDC 25-8-281(B) along with several other variances. The variance request was to subdivide the property into two lots which would contain rimrock CEFs. The EV Board recommended approval on April 19, 2000 by a vote of 4-0-0-2, with the following conditions:

1. Impervious was restricted to 20% Net Site Area on each lot.
2. All construction is to be set back 150 feet as per existing requirements from any Critical Environmental Feature, and is to be set back at least 50 feet from the 640 feet contour line as shown on the topographical map.
3. A conservation easement is to be conveyed for all land in the subdivision that lies below 640 contour line (denoting the canyon) as shown on the topographical map.
4. The driveway design shall be in accordance with the design submitted by Susan Morre, and construction on slopes in excess of 15% is to be limited to the minimum necessary to provide access to both lots.
5. Approval of US Fish and Wildlife Service is to be obtained prior to commencement of any construction in the subdivision.

The Planning Commission approved the variances with conditions on July 18, 2000 by a vote of 6-0-1.

**Attachment A**

**Restrictive Covenant (document no. 2006239790)  
and  
Ordinance No. 20061214-060 (C14-05-0179)**



Item 3b

Section  
B



RESTRICT 2006239790  
B PGS

Zoning Case No. C14-05-0179

RESTRICTIVE COVENANT

OWNERS: Rahul Deshmukh and Mrudula Yadav

ADDRESS: 8042 Whitworth Lane, Round Rock, Texas 78681

CONSIDERATION: Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by the City of Austin to the Owner, the receipt and sufficiency of which is acknowledged.

PROPERTY: A 1.35 acre tract of land, more or less, out of the James C. Irvine Survey No. 122, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" attached and incorporated into this covenant.

WHEREAS, the Owners of the Property and the City of Austin have agreed that the Property should be impressed with certain covenants and restrictions;

NOW, THEREFORE, it is declared that the Owners of the Property, for the consideration, shall hold, sell and convey the Property, subject to the following covenants and restrictions impressed upon the Property by this restrictive covenant. These covenants and restrictions shall run with the land, and shall be binding on the Owners of the Property, their heirs, successors, and assigns.

1. A tree identified as a nine-inch diameter hackberry tree and listed as tree #550 on the attached Exhibit "B" (Tree Survey) may be removed by Owners during residential construction of the Property. All other trees identified on the Tree Survey must be preserved and retained.
2. A 50-foot wide building setback line for construction of the residential unit shall be established from the existing wetland/critical environmental feature located on the Property.
3. The foundation for the residential unit constructed on the Property shall be pier and beam construction. A slab-on-grade foundation is not permitted.
4. If any person or entity shall violate or attempt to violate this agreement and covenant, it shall be lawful for the City of Austin to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate such agreement or covenant, to prevent the person or entity from such actions, and to collect damages for such actions.
5. If any part of this agreement or covenant is declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full effect.
6. If at any time the City of Austin fails to enforce this agreement, whether or not any violations of it are known, such failure shall not constitute a waiver or estoppel of the right to enforce it.

12-14-06 \* 60

7. This agreement may be modified, amended, or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, and (b) by the owner(s) of the Property subject to the modification, amendment or termination at the time of such modification, amendment or termination.

EXECUTED this the 13 day of December, 2006.

OWNERS:

  
Rahul Deshmukh

M. A. Yadav  
Mrudula Yadav

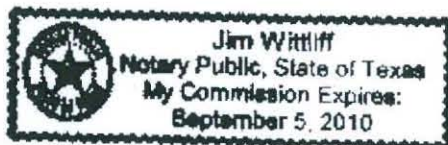
APPROVED AS TO FORM:


  
Assistant City Attorney  
City of Austin

THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on this the 13 day of December, 2006, by Rahul Deshmukh.

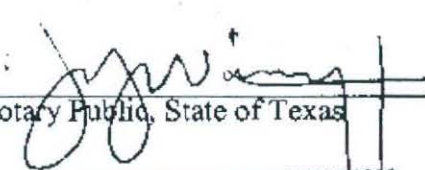


  
Notary Public, State of Texas



THE STATE OF TEXAS           §  
COUNTY OF TRAVIS           §

This instrument was acknowledged before me on this the 13 day of December, 2006, by Mrudula Yadav.

  
Notary Public, State of Texas

After Recording, Please Return to:  
City of Austin  
Department of Law  
P. O. Box 1088  
Austin, Texas 78767  
Attention: Diana Minter, Paralegal

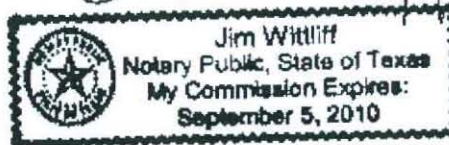


EXHIBIT "A"

FIELD NOTES OF A SURVEY BY DEWEY H. BURRIS & ASSOCIATES, INC. OF 1.35 ACRES OF LAND OUT OF THE JAMES C. IRVINE SURVEY NO. 122, IN TRAVIS COUNTY, TEXAS, AND BEING THAT SAME 1.35 ACRES OF LAND CONVEYED TO SPICEWOOD DEVELOPMENT CORPORATION BY DEED OF RECORDS IN VOLUME 7779 PAGE 81, DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a cotton spindle found in the North margin of Jolly Hollow, being the southeast corner of the above said Spicewood Development Corporation Tract (S.D.C. Tract) for the southeast corner of the herein described 1.35 acres and being the PLACE OF BEGINNING;

THENCE, along the South line of the S.D.C. Tract and the North margin of Jolly Hollow, the following three (3) calls:

- 1) Along a curve to the left which has a radius of 221.73 feet, an arc distance of 43.29 feet, the chord of which bears N 87°48'12" W, 43.22 feet to a ½" iron rod found;
- 2) S 86°50'18" W, 132.02 feet to a ½" iron rod found;
- 3) Along a curve to the right which has a radius of 19.46 feet, an arc distance of 30.98 feet, the chord of which bears N 47°41'18" W, 27.81 feet to a ½" iron rod found at the intersection of the North margin of Jolly Holly and the East margin of Spring Lake Drive;

THENCE, along the West line of the S.D.C. Tract and the East margin of Spring Lake Drive, the following four (4) calls:

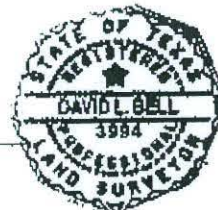
- 1) Along a curve to the left which has a radius of 1463.10 feet, an arc distance of 41.94 feet, the chord of which bears N 02°50'06" W, 41.94 feet to a ½" iron rod found;
- 2) N 03°41'26" W, 207.20 feet to a ½" iron rod found;
- 3) Along a curve to the right which has a radius of 338.34 feet, an arc distance of 60.75 feet, the chord of which bears N 01°32'33" E, 60.66 feet to a ½" iron rod found;
- 4) N 06°36'29" E, 215.22 feet to a ½" iron rod found at the most Northerly corner of the S.D.C. Tract, for the most Northerly corner hereof;

THENCE, along the East line of the S.D.C. Tract, same being the West line of that certain tract conveyed to Balcones Country Club Membership Association, Inc. by deed of record in Volume 12960 Page 664, of the Real Property Records of Travis County, Texas S 19°00'00" E (BEARING BASIS), 567.00 feet to the PLACE OF BEGINNING and containing 1.35 acres of land.

  
David L. Bell RPLS #3994

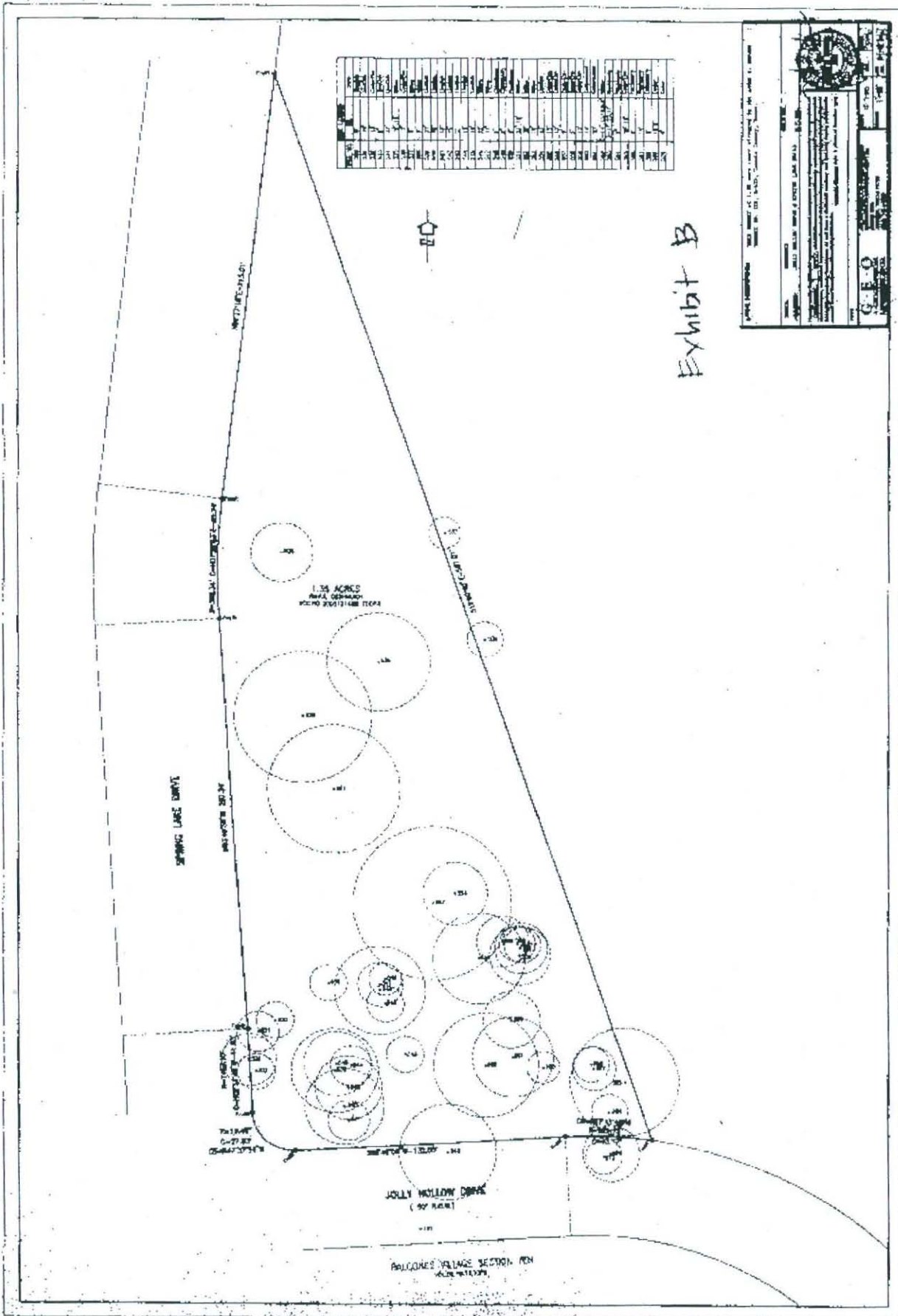
Dewey H. Burris & Associates, Inc.

5/19/05  
Date



May 19, 2005  
R0506905





**Recorders Memorandum-**At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

## FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

*Dana DeBeauvoir*

2006 Dec 15 03:41 PM 2006239790

BENAVIDESV \$38.00

DANA DEBEAUVOIR COUNTY CLERK

TRAVIS COUNTY TEXAS