



**ENVIRONMENTAL BOARD  
MINUTES**

**REGULAR MEETING  
WEDNESDAY, APRIL 16, 2008**

**Board Members in Attendance**

Dave Anderson, Chair Phil Moncada, Secretary Rodney Ahart Jon Beall John Dupnik,  
and Mary Ann Neely

**Staff in Attendance**

Pat Murphy, Marilla Shepherd, Joe Pantalione P. E., Nancy McClintock, Charles Lesniak,  
and Michael Kelly, P.E.

1. **CALL TO ORDER:** April 16, 2008 at 6:00 p.m.  
**The Environmental Board convened in a regular meeting on Wednesday, April 16, 2008  
301 West 2<sup>nd</sup> Street, Austin, Texas. Chair Anderson called the Board meeting to order at  
6:00 p.m.**
2. **CITIZEN COMMUNIATION: GENERAL**  
**Jennifer Gale spoke on Earth Day, and Making Austin Environmentally Sound.  
Sara Baker spoke on Erosion and Sedimentation Controls.**
3. **APPROVAL OF MINUTES**  
**The minutes for the regular meeting on 3/19/2008 were approved on Board Member  
Moncada's motion, Board Member Ahart's second on a 6-1 vote. Board Member Maxwell  
was absent.**  
**The minutes for the regular meeting on 4/2/2008 were approved on Board Member  
Moncada's motion, Board Member Ahart's second on a 5-0-1. Board Member Dupnik  
abstained because he was not present at the April 2 meeting. Board Member Maxwell was  
absent.**
4. **STAFF BRIEFING**
  - a. Briefing on the ground water issue at 22<sup>nd</sup> and Pearl Streets – Nancy McClintock,  
Watershed Protection and Development Review Department  
**Briefing was conducted as posted**
  - b. Briefing on the construction phase of Erosion sedimentation Controls (E & S) – Michael  
Kelly, P. E., Watershed Protection and Development Review Department  
**Briefing was conducted as posted**

- c. Briefing on the Bethany Lutheran Ordinance – Pat Murphy, Watershed Protection and Development Review Department

**Briefing was conducted as posted. The Environmental Board motioned to table recommendations on the proposed ordinance; The Environmental Board recommended that City Council consider to extend the May 7, 2008 deadline in order to allow a more thorough review of the environmental implications; The proposed impervious cover is not a benefit to the City of Austin in terms of water quality;**

**[R. AHART, M. NEELY 2<sup>ND</sup>] (6-0) M. MAXWELL - ABSENT**

#### 5. OLD BUSINESS

- a. Joint Environmental/Parks Board Subcommittee – Dave Anderson, P.E.  
**Chair Anderson reported on this.**
- b. SH45 – John Dupnik, P.G.  
**Board Member Dupnik reported on this.**
- c. Erosion and Sedimentation Control – Dave Anderson, P.E.  
**Chair Anderson reported on this.**
- d. Balcones Canyon land Conservation Plan (BCCP) Citizens Advisory Group – Mary Ann Neely  
**Board Member Neely reported on this.**
- e. Tree Task Force – Phil Moncada  
**Board Member Moncada reported on this.**

#### 6. NEW BUSINESS

- a. Request for future agenda items  
**No items requested.**

#### 7. ADJOURNMENT

**Chair Anderson adjourned the meeting at 8:35 p.m. without objection.**



**ENVIRONMENTAL BOARD MOTION 041608 4-C**

Date: April 16, 2008

Subject: Bethany Lutheran Ordinance

Motioned By: Rodney Ahart

Seconded by: Mary Ann Neely

**Recommendation**

The Environmental Board made a motion to table recommendations on the purposed ordinance.

- The Environmental Board recommended that City Council consider to extend the May 7, 2008 deadline in order to allow a more through review of the environmental implications;
- The proposed impervious cover is not a benefit to the City of Austin in terms of water quality;

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

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

Against:

Abstain:

Absent: Maxwell

Recused:

Approved By:

Dave Anderson P.E., CFM  
Environmental Board Chair



**MEMORANDUM**

**TO:** Environmental Board Members

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

**DATE:** April 30, 2008

**SUBJECT:** Proposed Tree Ordinances and Rule Modifications

**PROPOSED TREE ORDINANCES AND RULE MODIFICATIONS**

Over the last 25 years the City of Austin has been one of the premiere municipalities recognizing the value of the urban forest. Proposed changes to tree ordinances and rules are proposed based on the following: minimal updates during the last 25 years, community interest, the City Council's Urban Heat Island resolution, the Mayor's Climate Protection Plan, and the Tree Task Force recommendations.

Sincerely,

Michael Embesi,  
City Arborist  
Watershed Protection and Development Review Department City of Austin  
505 Barton Springs Rd., Suite 4000  
Austin, TX 78704



**ITEM FOR ENVIRONMENTAL BOARD AGENDA**

**BOARD MEETING**  
**DATE REQUESTED:** May 7, 2008

**NAME & NUMBER OF PROJECT:** Terraces at Scofield Ridge  
SP-2007-0553C

**NAME OF APPLICANT OR ORGANIZATION:** Longaro & Clark, L.P.  
(Joe Longaro- Phone 306-0228)

**LOCATION:** 13145 Burnet Road

**PROJECT FILING DATE:** September 27, 2007

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

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

**WATERSHED:** Walnut Creek (Suburban)  
Desired Development Zone

**ORDINANCE:** A portion of this project is subject to Comprehensive Watershed Ordinance (current Code) and a portion has Chapter 245 vesting rights to November 23, 1982.

**REQUEST:** Variance request to 1) allow cut to exceed the four foot maximum limits (LDC 25-8-341); 2) allow fill to exceed the four foot maximum limits (LDC 25-8-342); 3) allow the construction of a driveway on slopes greater than 15% (LDC 25-8-301(A)); and 4) allow a building or parking area on slopes greater than 15% (LDC 25-8-302(A)(1)).

**STAFF RECOMMENDATION:** Recommended with conditions.



## MEMORANDUM

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

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

DATE: April 17, 2008

SUBJECT: Terraces at Scofield Ridge/ SP-2007-0553C  
13145 Burnet Road

### **Description of Project Area**

The 10.38-acre site is located at 13145 Burnet Road, at the intersection of Burnet Road and Scofield Ridge Parkway. It is bounded by Scofield Ridge Parkway on the north, Burnet Road on the west, multifamily development on the east, and undeveloped property on the south. The site is within the Walnut Creek Watershed, which is classified as Suburban. The site is in the Desired Development Zone. It is located over the northern portion of the Edwards Aquifer Recharge Zone. There is no critical water quality zone, water quality transition zone, or floodplain on this property. The site is zoned General Retail (GR) and is currently undeveloped. The site is composed of seven lots.

A portion of this site, 4.95 acres, has received Chapter 245 vesting to November 23, 1982; as a result, this portion is not subject to the Comprehensive Watershed Ordinance (current code). The remainder of the property, 5.43 acres, is subject to current code. Please refer to the attached exhibit showing the Chapter 245 delineation.

The development on this property will be phased. The proposed improvements include construction of entrances and driveways, parking areas, two water quality ponds, and seven buildings with uses such as retail, restaurant, office, and garage. The total proposed impervious cover for the entire 10.38 acre site is 6.77 acres or 294,958 square feet (if the entire 10.38 acres were subject to current code, this would be approximately 67% of the net site area). Although net site area does not apply to all portions of this site, it is noteworthy that the allowable impervious cover overall using the watershed limit of 80% net site area would be 8.06 acres or 351,094 square feet. The total proposed impervious cover on the portion of the property subject to current code is 3.45 acres or 150,282 square feet (approximately 67% of the net site area). The net site area of the portion of the property subject to current code is 5.16 acres.

### **Hydrogeologic Report**

The site generally slopes from east to west, from approximately 785 to 745 feet above mean sea level. Slopes in excess of 15% are found primarily on the non-exempt portion of the property. The property is underlain by the Buda and Eagle Ford Formations, and several formations associated with the Edwards Aquifer, including Georgetown and Comanche Peak Formations. The soil type in the subject area is classified as Austin-Eddy Association, which is typically moderately deep and shallow, calcareous, clayey, and loamy soils overlying chalk.

### **Vegetation**

The site is located within the Oak-Mesquite-Juniper Parks and Woods vegetation type. Flora found at this heavily vegetated site includes Live oak, Cedar elm, Ashe juniper, Texas prickly pear, and agarita.

### **Critical Environmental Features**

An Environmental Assessment provided by the applicant, as well as site visits conducted by Watershed Protection Staff determined that there are no critical environmental features (CEF's) within 150 feet of the proposed LOC.

### **Water/Wastewater Report**

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

### **Variance Requests**

Terraces at Scofield Ridge is seeking recommendations on the following variance requests:

#### **1. Variance from LDC 25-8-341**

LDC 25-8-341 does not allow cuts over four feet.

The applicant is requesting cuts up to 14.5 feet for the water quality facilities and cuts up to 10 elsewhere on the site to level out steep slopes, maintain ADA requirements, and comply with Commercial Design Standards.

#### **2. Variance from LDC 25-8-342**

LDC 25-8-342 does not allow fills over four feet.

The applicant is requesting fills up to 14.5 feet to level out steep slopes, maintain ADA requirements, and comply with Commercial Design Standards.

#### **3. Variance from LDC 25-8-301(A)**

LDC 25-8-301(A) does not allow construction of a driveway on a slope with a gradient of more than 15% unless the construction is necessary to provide primary access to at least two contiguous acres with a gradient of 15% or less.

The applicant is requesting that the driveway along Scofield Ridge Parkway be allowed since it appears as if the slopes in this area are manmade and the driveway is necessary to meet Commercial Design Standards.

#### **4. Variance from LDC 25-8-302(A)(1)**

LDC 25-8-302 does not allow construction of parking areas on slopes greater than 15%.

The applicant is requesting to construct 0.047 acres of parking areas on slopes in order to meet the parking requirements.

#### **Recommendation**

Staff recommends the variance requests for LDC 25-8-341, LDC 25-8-342, LDC 25-8-301(A), and LDC 25-8-302(A)(1) with conditions because the findings of fact have been met. The conditions for recommendation are:

1. Applicant will provide an enhanced erosion control plan.
2. Applicant will provide water quality treatment (per COA specifications) for the entire site, including those portions that are not subject to current code.
3. Applicant will restrict impervious cover overall to no more than 6.77 acres.
4. Applicant will utilize native and adapted plants from the Grow Green guide for the entire site.
5. Applicant will provide an IPM plan.

Please note that the applicant has only agreed to conditions 1 and 2.

#### **Similar Cases**

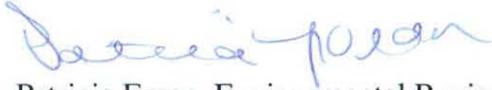
The following project had variance requests from the LDC that were approved by the EV Board and subsequently the Land Use Commission:

Southpark Meadows Shopping Center (SP-05-0568C) requested a variance from LDC 25-8-341/342 for cut/fill in excess of four feet, and LDC 25-8-301/302 for construction on slopes greater than 15%. The EV Board recommended approval on April 6, 2005 and the Land Use Commission approved the variance on May 3, 2005 with the following conditions:

1. Cuts/fills will be structurally contained.
2. All COA required landscaping will utilize Grow Green native or adapted plants.
3. Four Class I protected size trees, with a total of 138 caliper inches, are to be replaced within the site. All replacement trees are to be Class I trees that are container grown from native seed. The applicant will hire a certified Arborist to oversee tree protection/preservation over the life of the project and provide long term management for the Class I trees on site.
4. Provide an IPM plan.
5. Forbid the use of coal-tar based sealants.
6. Treatment of a total of 43.3 acres of offsite land area (38 acres off-site and 5.3 area of roadway area).
7. Treatment of roadway runoff (5.3 acres).
8. Construction of a wet pond.
9. Green Builder program.
10. Four protected trees to be transplanted on site.
11. Provide an irrigation pond that consists of 1.23 acres of surface area and 5.4 acre-foot volume.
12. Provide individual knowledgeable in erosion control and tree protection to conduct daily inspections of the site during development. This person will be responsible for

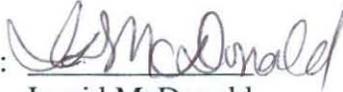
maintaining a daily log to be kept on site and accessible to the city environmental inspector. Applicant will make any corrections needed to the controls and tree fencing.

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



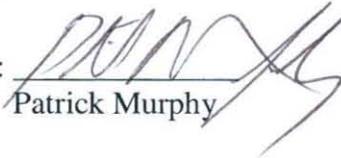
Patricia Foran, Environmental Review Specialist Senior  
Watershed Protection and Development Review Department

Environmental Program Coordinator:



Ingrid McDonald

Environmental Officer:



Patrick Murphy



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

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**Application Name:** *Terraces at Scofield Ridge*  
**Application Case No:** *SP-2007-0553C*  
**Code Reference:** *LDC 25-8-301(A)*  
**Variance Request:** *Construction of a driveway on slope greater than 15%*

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

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

*Yes The variance will not be providing a special privilege to the applicant. The property is located on the corner of Scofield Ridge Parkway and Burnet Road. The applicant is proposing two driveways off of Scofield Ridge Parkway and Burnet Road. One of these driveways has slopes greater than 15%; however, the applicant maintains that these slopes are manmade. Furthermore, several variance requests for construction of driveways on slopes have been recommended by the Environmental Board and approved by the Land Use Commission.*

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 A portion of this project has Chapter 245 exemption from current code (see attached exhibit). As a result, water quality is not required for the exempted portion. However, the applicant has proposed to provide water quality treatment per COA standards and specification for the entire site. The applicant has also agreed to provide enhanced erosion controls to reduce risk of erosion and sedimentation during construction. If applicant limits overall impervious cover to 6.77 acres, provides landscaping using native and adapted plants in the Grow Green guide, and provides an IPM plan, in addition to the conditions agreed to, then the proposed development will provide overall greater environmental protection than is achievable without the variance.*

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



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

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**Application Name:** *Terraces at Scofield Ridge*  
**Application Case No:** *SP-2007-0553C*  
**Code Reference:** *LDC 25-8-302(A)(1)*  
**Variance Request:** **Construction of parking area on slope greater than 15%**

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

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

*Yes The variance will not be providing a special privilege to the applicant. The site has significant slope areas that constrain development on this property. Several variance requests for construction of buildings on slopes have been recommended by the Environmental Board and approved by the Land Use Commission.*

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 A portion of this project has Chapter 245 exemption from current code (see attached exhibit). As a result, water quality is not required for the exempted portion. However, the applicant has proposed to provide water quality treatment per COA standards and specification for the entire site. The applicant has also agreed to provide enhanced erosion controls to reduce risk of erosion and sedimentation during construction. If applicant limits overall impervious cover to 6.77 acres, provides landscaping using native and adapted plants in the Grow Green guide, and provides an IPM plan, in addition to the conditions agreed to, then the proposed development will provide overall greater environmental protection than is achievable without the variance.*

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



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

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**Application Name:** *Terraces at Scofield Ridge*  
**Application Case No:** *SP-2007-0553C*  
**Code Reference:** *LDC 25-8-341*  
**Variance Request:** *Perform cuts exceeding the maximum four foot depth*

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

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

*Yes The variance will not be providing a special privilege to the applicant. The site has significant slope areas that necessitate certain cuts for engineering purposes. Several variance requests for cuts have been recommended by the Environmental Board and approved by the Land Use Commission.*

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 A portion of this project has Chapter 245 exemption from current code (see attached exhibit). As a result, water quality is not required for the exempted portion. However, the applicant has proposed to provide water quality treatment per COA standards and specification for the entire site. The applicant has also agreed to provide enhanced erosion controls to reduce risk of erosion and sedimentation during construction. If applicant limits overall impervious cover to 6.77 acres, provides landscaping using native and adapted plants in the Grow Green guide, and provides an IPM plan, in addition to the conditions agreed to, then the proposed development will provide overall greater environmental protection than is achievable without the variance.*

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



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

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**Application Name:** *Terraces at Scofield Ridge*  
**Application Case No:** *SP-2007-0553C*  
**Code Reference:** *LDC 25-8-342*  
**Variance Request:** *Perform fills exceeding the maximum four foot depth*

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

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

*Yes The variance will not be providing a special privilege to the applicant. The site has significant slope areas that necessitate certain fills for engineering purposes. Several variance requests for fills have been recommended by the Environmental Board and approved by the Land Use Commission.*

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 A portion of this project has Chapter 245 exemption from current code (see attached exhibit). As a result, water quality is not required for the exempted portion. However, the applicant has proposed to provide water quality treatment per COA standards and specification for the entire site. The applicant has also agreed to provide enhanced erosion controls to reduce risk of erosion and sedimentation during construction. If applicant limits overall impervious cover to 6.77 acres, provides landscaping using native and adapted plants in the Grow Green guide, and provides an IPM plan, in addition to the conditions agreed to, then the proposed development will provide overall greater environmental protection than is achievable without the variance.*

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

**DIRECTIONS TO TERREACES AT SCOFIELD RIDGE**

**SP-2007-0553C**

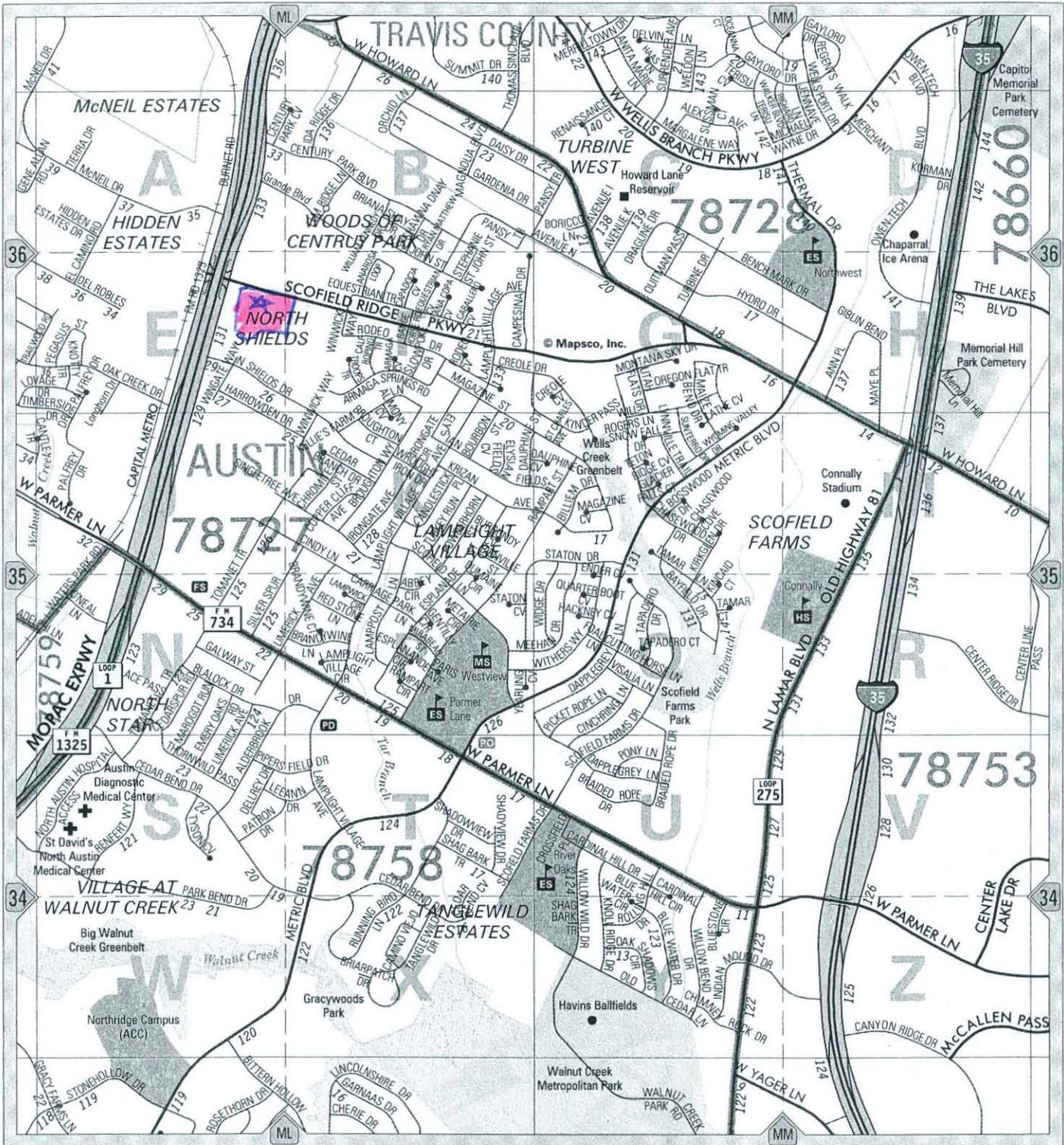
This project is located within the Full Purpose City limits.

Terraces at Scofield Ridge is located at 13145 Burnet Road.

Take MoPac Expressway/Burnet Road North to Scofield Ridge Parkway. Terraces at Scofield Ridge is immediately on the right, at the southeast corner of the Mopac Expressway/Burnet Road and Scofield Ridge Parkway intersection.



CONTINUED ON MAP 436



CONTINUED ON MAP 465

CONTINUED ON MAP 496

CONTINUED ON MAP 467



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April 8, 2008

Via Hand Delivery

Victoria Li, Director  
Watershed Protection and Development Review Department  
City of Austin  
505 Barton Springs Road  
Austin, Texas 78701

RE: Revised Variance Request: Terraces at Scofield Ridge, Case No. SP-2007-0553C  
Symcox Development ("Applicant")

Dear Director Li,

This is a revision to the variance request previously submitted on April 2, 2008. This revision is based on new information received from the engineer and is intended to reflect that new engineering information.

During our meeting with City of Austin Staff on March 26, 2008, Staff advised that they are requiring Applicant to make several accommodations in order for Staff to support the variances to the Land Development Code ("LDC") and make a positive recommendation for approval of the variances at the Environmental Board and Zoning and Platting Commission. Before we provide you with our formal request, we would like to point out that approximately 5.4 acres of the site (52%) has received H.B. 1704/Chapter 245 approval and is subject to the rules and ordinances in effect on November 23, 1982. Based on this the Applicant is now formally providing you with the requested variances:

1. Section 25-8-302: Construction of a Building or Parking Area  
*25-8-302 (A)(2): except for a parking structure, a parking area on a slope with a gradient of more than 15 percent is not permitted.* Applicant requests a variance from this provision to allow a parking area and buildings to be built on slopes greater than 15 percent. The variance is warranted because of the unique nature of the site in that it is not very steep. This site only has .29 acres of land with slopes between 15-25 percent. The LDC only allows 10 percent of this slope category. Further, the steeper slopes are in the middle of the property making development of the site difficult considering the nature of the project and the location adjacent to a major freeway.

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2. Section 25-8-341: Cut Requirement

*25-8-341(A): Cuts on a tract of land may not exceed four feet of depth, except....* Applicant requests a variance from this provision to allow for the following cuts:

- Water quality/detention facility: Maximum cut = 14.5 feet. The total cut that exceeds 8 feet is approximately 0.29 acres (12,500 sf). This variance is necessary because the flowline of the existing culvert (discharge point) is very deep.
- Parking area and buildings located on 15-25 percent slopes: Maximum cut 10 feet. The total cut that exceeds 4 feet on slopes between 15-25 percent is estimated at 0.25 acres. There is small area of steep slope in the front of the site which necessitates a balance in the cut and fill on both ends of the site where there is an 8-12 foot cut on one side and an 14.5 foot fill on the other. The parking areas need to remain relatively flat while the buildings need to remain flat in order to meet ADA requirements and commercial design standards.
- Broad area of cuts: 4-8 feet. This broad area of cut is estimated at 1.20 acres and is necessary to tie back the proposed grades to meet natural ground and at the same time be able to meet ADA requirements and to have useable parking spaces.

3. Section 25-8-342: Fill Requirement

*25-8-342 (A): Fill on a tract of land may not exceed four feet of depth, except....* Applicant requests a variance from this provision to allow for the parking area and buildings to have a maximum fill of 14.5 feet. The total area of fill greater than 4 feet is estimated at 0.55 acres. This variance is necessary due to the balancing of the cut and fill as described in the request for a variance to Section 25-8-341 above, where the small area of steep slope in the front of the site requires the cut and fill be balanced on both ends of the property. As stated previously, the parking areas need to remain relatively flat while the buildings needs to remain flat in order to meet ADA requirements and commercial design standards.

4. (Variance Likely Not Necessary)

Section 25-8-301: Construction of a Roadway or Driveway

*(A) A person may not construct a roadway or driveway on a slope with a gradient of more than 15 percent unless the construction is necessary to provide primary access to: (1) at least two contiguous acres with a gradient of 15 percent or less; or (2) building sites for at least five residential units.*

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*(B) For construction described in this section, a cut or fill must be revegetated, or if a cut or fill has a finished gradient of more than 33 percent, stabilized with a permanent structure. This does not apply to a stable cut.*

At this time, Applicant does not believe a variance to this section is necessary because: (1) The slopes in excess of 15 percent in which the driveway crosses (along Scofield Ridge Parkway), is man-made created by the construction of the toll road. Scofield Ridge Parkway was cut further down to match the grade of the toll road, which is the reason for the slopes; and, (2) The driveway provides primary access to the property to flatter areas greater than 2 acres in area. Applicant refers to this as a primary access because the internal circulation route begins at the southern most driveway along Mopac and ends at this driveway, thus completing the looped roadway system. The driveway must be located in this area to create a looped circulation.

If Staff believes that Applicant is incorrect and a variance is required for the driveway, please consider this Applicant's request for variance from this provision.

The requested variances are within the scope of LDC Section 25-8-41: Land Use Commission Variances, which provides that the Commission may grant a variance from a requirement in that subchapter after determining that:

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;
2. 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;
3. 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;
4. The variance does not create a significant probability of harmful environmental consequences;
5. Development with the variance will result in water quality that is at least equal to the water quality achievable without the variance.

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As you are aware from your review of the site plan, this project meets all of the above requirements. Further, the Applicant is willing to make the following accommodations requested and required by Staff in exchange for a positive recommendation of the variances:

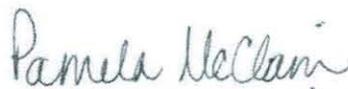
1. Water Quality for the entire site;
2. Enhanced erosion controls;
3. Confirmation by Sylvia Pope that there are no caves on the site (prior to the Environmental Board on April 16, 2008);
4. Q1 and Q2 tables for the portion of the site that is not grandfather under H.B. 1704;
5. The impervious cover calculation for the Toll Road deduction;
6. Re-vegetation of slopes with a gradient of more than 4:1 and structural containment for vegetation on slopes with a gradient of more than 3:1; and,
7. Provide an Ordinance Compliant Landscape Plan for the entire tract even though we are not required to provide a landscape plan for 52% of the site.

The information set forth in items 1-7 above, will be included in the next update or as otherwise directed by you.

Should Staff determine that any additional variances are required, please let us know by April 11, 2008. Unless we hear from you by April 11, 2008, we will assume that Staff will support the requested variances and make a positive recommendation of the site plan to the Environmental Board on April 16, 2008.

If you have any questions, please contact me.

Regards,



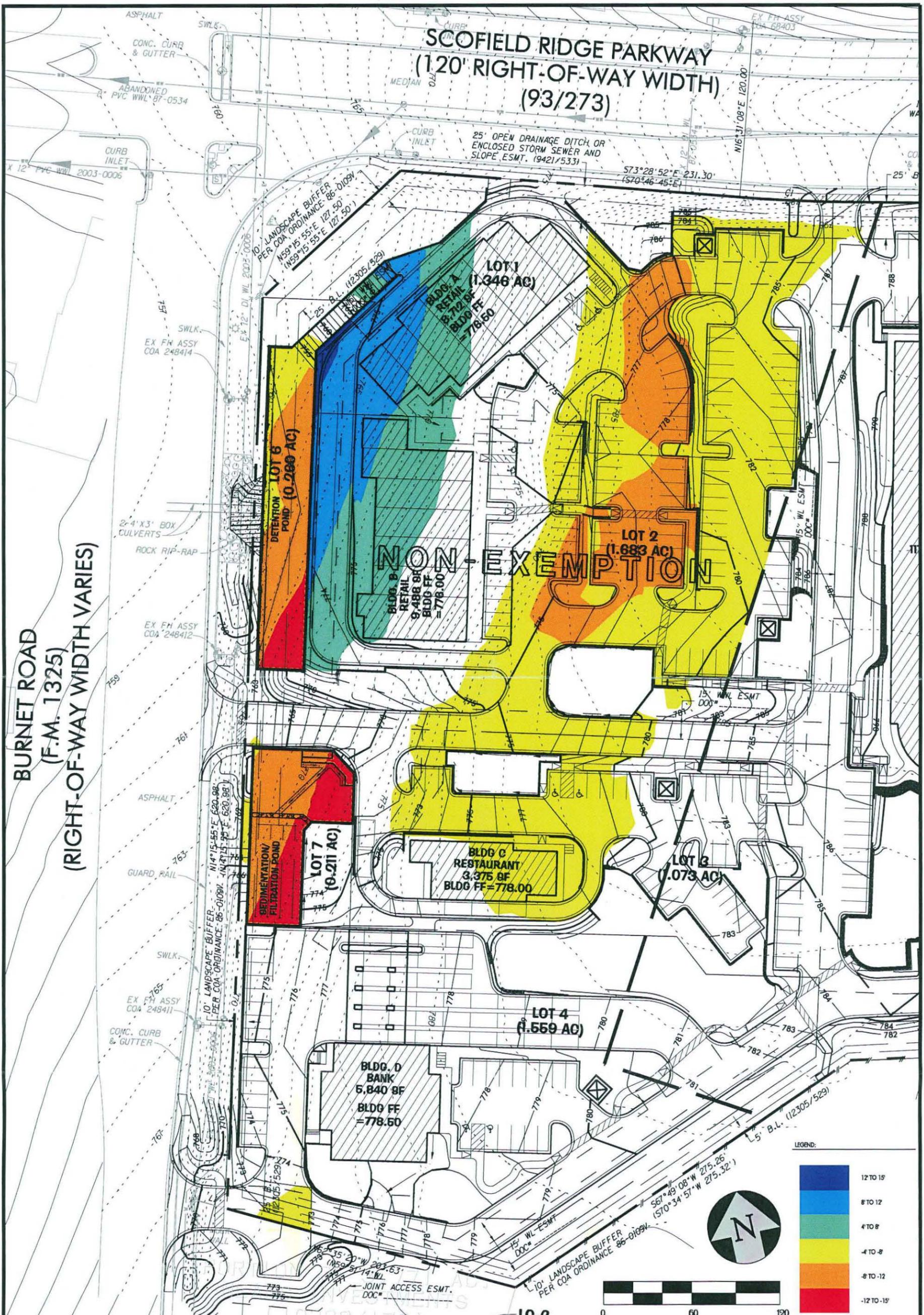
Pamela J. McClain

by permission: Melissa Peters

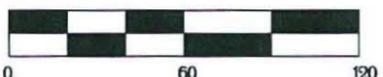
cc: Sue Welch, Watershed Protection and Development Review Department  
Patricia Foran, Watershed Protection and Development Review Department  
John M. Joseph, Clark, Thomas & Winters, PC  
Jay Symcox, Symcox Development Company  
Joe Longaro, Longaro and Clark

# SCOFIELD RIDGE PARKWAY (120' RIGHT-OF-WAY WIDTH) (93/273)

BURNET ROAD  
(F.M. 1325)  
(RIGHT-OF-WAY WIDTH VARIES)



## NON-EXEMPTION

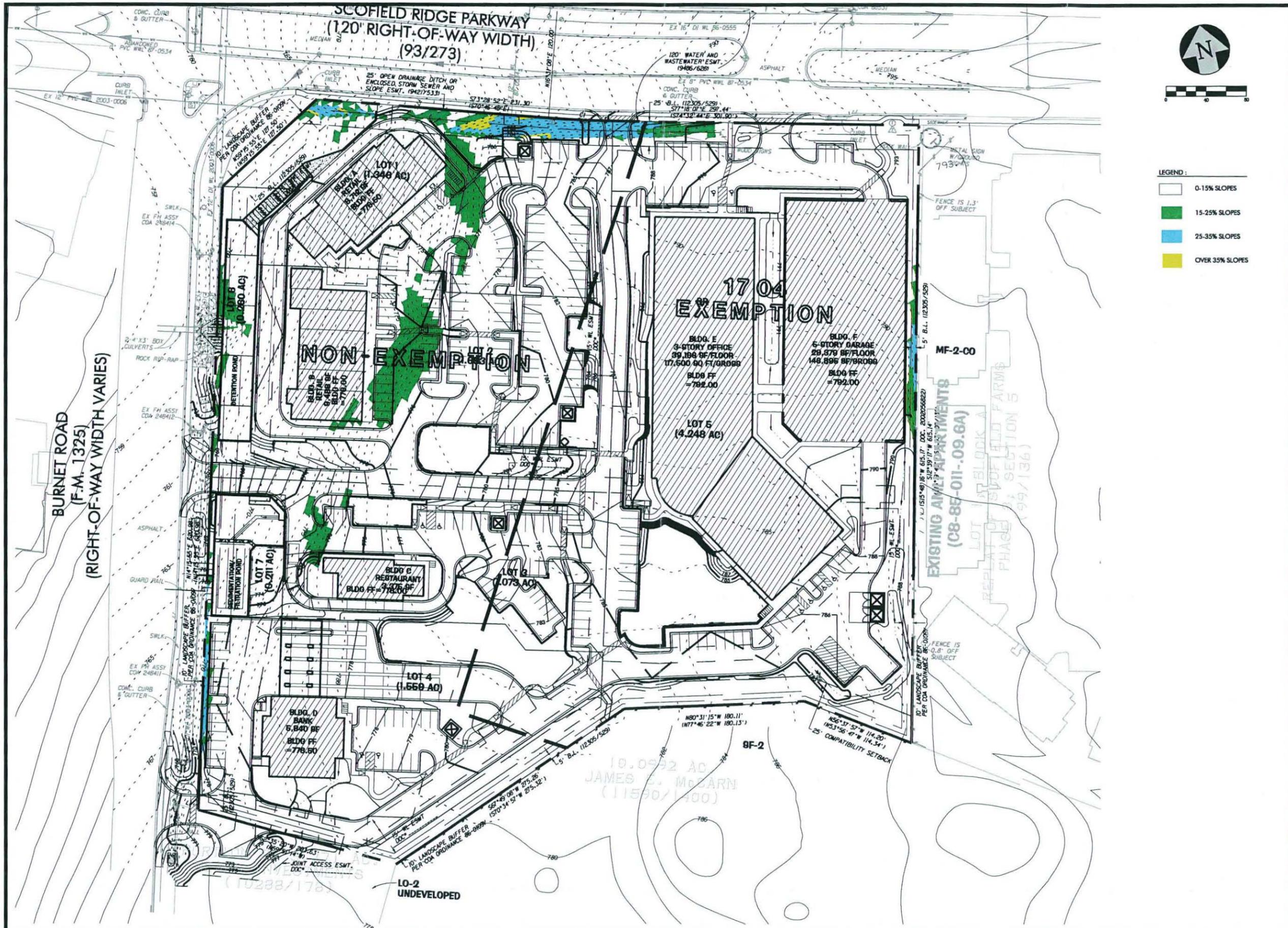


LO-2 UNDEVELOPED

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- LEGEND:**
- 0-15% SLOPES
  - 15-25% SLOPES
  - 25-35% SLOPES
  - OVER 35% SLOPES

REVISION BLOCK	DATE	DESCRIPTION

TITLE	DATE	BY

**TERRACES AT SCOFFIELD RIDGE**  
**PLANS FOR SITE IMPROVEMENTS**  
 13145 BURNET ROAD  
 SLOPE MAP EXHIBIT

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