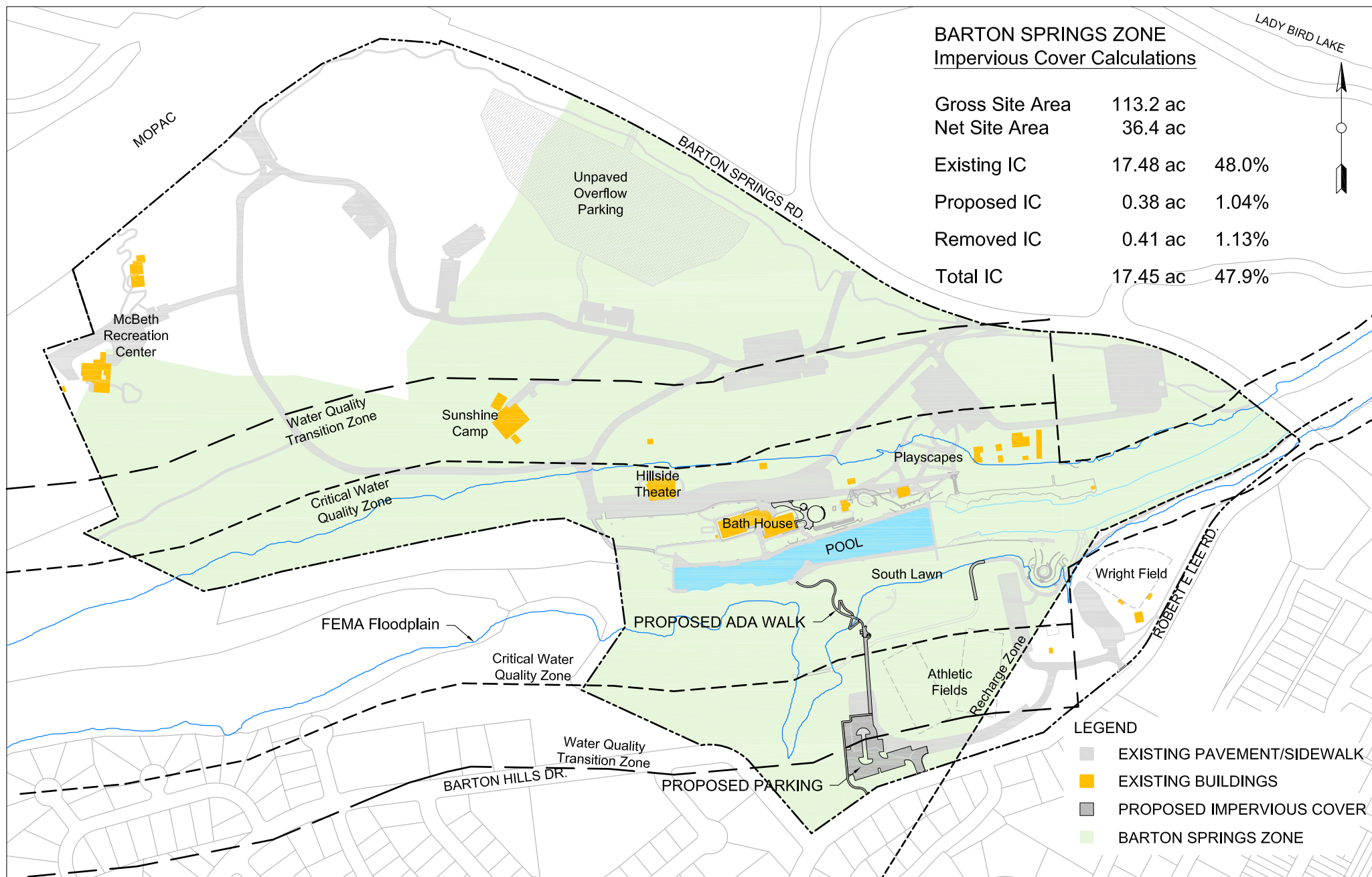


**TOTAL SITE
Impervious Cover Calculations**

Gross Site Area	152.5 ac	
Existing IC	22.75 ac	14.9%
Proposed IC	0.38 ac	0.3%
Removed IC	0.42 ac	0.3%
Total IC	22.71 ac	14.9%





MEMORANDUM

To: Ms. Liz Johnston, Case Manager (Case No. C20-2013-001)
Planning and Development Review Department

From: Mr. James Nortey, City of Austin Planning Commission

CC: Mr. Dave Anderson, Chairman, City of Austin Planning Commission
Mr. Greg Guernsey, Director, Planning and Development Review
Ms. Dora Anguiano, Planning Commission Liaison

Date: February 28, 2013

RE: **Planning Commission Recommendation to Deny Staff Recommendation on Barton Springs Pool General Grounds Improvements (Case No. C20-2013-001)**

On February 26, 2013, the Planning Commission (the "Commission") addressed a draft ordinance relating to Barton Springs Pool General Grounds Improvements at its public hearing. After presentations from the Planning and Development Review Department ("Staff"), the project consultant, the general public, and other stakeholders, the Commission voted 5-2-0 to deny Staff's recommendation. The purpose of this memorandum is to explain the origins of my motion to deny (and the Commission's subsequent vote), hoping to place the vote in context of the concerns raised at the public hearing to aid the City Council ("Council") and Staff.

During the presentation of this case, Staff explained to the Commission that it had presented the same site plan to several boards and commissions with the goal of tabulating and circulating all of the recommendations to Council. Although there were several recommended improvements that the Commission was willing to support, there were a handful of proposed improvements that I felt required greater scrutiny and creativity. I think that it is vital for all recommended improvements to comply and resonate with the Imagine Austin Comprehensive Plan, the Barton Springs Pool Master Plan, and the practical real-time usage of the Barton Springs Pool. If the Commission were to move forward in support of Staff's recommendation in its current form, there would be no assurance that the concerns raised by the Commission would be thoroughly analyzed.

For that reason, and in an effort to send a clear recommendation to Council, I proposed to deny the requested variances to the draft ordinance and, subsequently, a majority of Commissions supported my motion to give Staff additional time to consider the following:

- Removing the South Overlook Trail;
- Installing a pervious/porous ADA path;
- Increasing bicycle parking by a minimum of 50% on the south side;
- Reconfiguring the pedestrian path that runs perpendicular to Robert E. Lee Road to avoid routing pedestrians through the middle of the South parking lot;
- Evaluating the idea of a shuttle system and other multi-modal alternatives to vehicular parking on-site;

- Preparing a cost-benefit analysis of re-arranging/offsetting parking on the South side to minimize impervious cover in the Water Quality Transition Zone ("WQTZ"); and
- Reducing total impervious cover as a result of this improvements project.

I believe that a denial of Staff recommendation is the best course of action (an idea supported by a majority of Commissioners) because it places the impetus back on Staff to bring forth alternate proposals which consider the concerns addressed above prior to Council approval.

A further note: there was not unanimous consensus on the Commission on my motion, with Chairman Anderson and Commissioner Smith in opposition to the motion, signaling significant concern with "derailing" the implementation of the Barton Springs Master Plan by not approving the variances on this case. Chairman Anderson referenced the significant level of effort that has been undertaken by Staff, stakeholders, and decision makers in the planning and design of the Pool and Grounds, and expressed concern that delays or additional evaluation now puts the ultimate health and viability of Barton Springs at risk for future Austinites.

I'd like to reiterate, along with I'm sure the entire Commission, my gratitude to Staff and the many stakeholders who sacrificed their free time to attend the public hearing and provided input on this important matter. In no way should the Commission's vote be interpreted as a rejection of the need to make improvements at the Barton Springs Pool. Rather, the denial of Staff recommendation is an opportunity to pause and provide more specificity to the proposed improvements to the treasured oasis which has delighted so many of its visitors.



ENVIRONMENTAL BOARD MOTION FORM

Date: 2/20/13 Motion by: Mary Gay Maxwell

Agenda Item: 6a. Barton Springs Pool General Grounds Improvements SPC-2012-0104D

Second by: Jim Schissler

Regarding the request to recommend approval of an ordinance granting amendments to the Save Our Springs Ordinance as follows:

1. To allow construction within the Critical Water Quality Zone of Barton Springs {LDC Section 25-8-514(B)};
2. To allow impervious cover in excess of 15% net site area {LDC Section 25-8-514(A)};

The Environmental Board recommends approval with the following Board conditions:

Motion: ☐ Approval ☒ Approve with conditions ☐ Disapproval ☐ Consent ☐ Postponement

Staff Conditions:

Board Conditions:

1. Removal of the walkway to the "overlook" on the south lawn;
2. Removal of existing impervious cover on the Barton Springs site as mitigation for the construction of the concrete parking lot in the Water Quality Transition Zone of Barton Creek, with the goal of no increase in the percentage of impervious cover in the Barton Springs Zone.

Rationale:

In order to make improvements to the Barton Springs pool area in the Critical Water Quality Zone, a site specific amendment to the SOS Ordinance is required for any disturbance in the pool area. The Environmental Board supports improvements to the pool, and for that reason supports the amendments.

As for the "overlook" on the south lawn, there are other options to accomplish providing a view of the pool for persons with disabilities, such as preparing the turf near the ticket booth on the south lawn in a manner that would allow access for wheelchairs. Otherwise, there is more than adequate provision for ADA access in the planned construction of an ADA compliant trail that goes to the diving board area of the pool from the south entrance to the pool.

As for the need to further mitigate for the impervious cover associated with the concrete parking lot, the Board recommends removing a portion of existing impervious cover in order to more closely comply with the 15%

impervious cover requirement in the Critical Water Quality Zone and the Water Quality Transition Zone of Barton Creek. The goal should be to remove existing impervious cover in the area at every opportunity at Barton Springs Pool. The Board also recommends that the Parks Department partner with the Watershed Protection Department to accomplish this mitigation recommendation.

Finally, the Board recommends that compliance with the Barton Springs Master Plan be achieved by first attempting to remove parking spaces on the South Side of the Pool to offset the proposed additional impervious cover.

Vote:

	<i>CONSENTING</i>	<i>DISSENTING</i>	<i>ABSTAINING</i>	<i>ABSENT</i>
Mary Gay Maxwell, Chair	(X)	()	()	()
James Schissler, P. E. Secretary	(X)	()	()	()
Jennifer Walker	()	()	()	(X)
J. Robert Anderson	(X)	()	()	()
Mary Ann Neely	(X)	()	()	()
Robin Gary, Vice Chair	(X)	()	()	()
Marisa Perales	()	(X)	()	()

Chair Sign Off



ENVIRONMENTAL BOARD MOTION FORM

Date: 2/20/13 Motion by: Mary Gay Maxwell

Agenda Item: 6a. Barton Springs Pool General Grounds Improvements SPC-2012-0104D

Second by: Mary Ann Neely

Regarding the request to recommend approval of an ordinance granting variances to the Comprehensive Watershed Ordinance (current Code) as follows:

1. To allow construction within the Critical Water Quality Zone of Barton Creek {LDC Section 25-8-482};
2. To allow construction within a Water Quality Transition Zone of Barton Creek {LDC Section 25-8-483 (A)};

The Environmental Board recommends approval with the following Board conditions:

Motion: ☐ Approval ☒ Approve with Conditions ☐ Disapproval ☐ Consent ☐ Postponement

Staff Conditions:

Board Conditions:

1. Removal of the walkway to the "overlook" on the south lawn;
2. Removal of impervious cover from somewhere on the site of Barton Springs Pool as mitigation for the construction of the concrete parking lot in the Water Quality Transition Zone in order to maintain and not increase impervious cover, and to adhere more closely to the Master Plan for Barton Springs.
3. Recommend the use of rain gardens, bioswales and other advanced stormwater controls on the site in order to enhance water quality at Barton Springs and Barton Creek.

Rationale:

Improvements to the Barton Springs Pool require construction of various types within the Critical Water Quality Zone (CWQZ) of Barton Creek, thus requiring a variance to the Comprehensive Watershed Ordinance regulations that prohibit construction in the CWQZ.

Construction of a walkway to the "overlook" area on the south lawn is not recommended, since there is already a provision for an ADA compliant trail from the south entrance to the pool that will give ample opportunities to view the pool from a number of vantage points.

One of the goals of the Watershed Protection Department is to improve water quality on Barton Creek and to retrofit areas that contribute to lower water quality. The Board supports that goal and, for that reason, recommends the removal of impervious cover as a condition for approval of the construction of the parking lot in the Water Quality Transition Zone. Finally, the Board recommends that compliance with the Barton Springs Master Plan be achieved by first attempting to remove parking spaces on the South Side of the Pool to offset the proposed additional impervious cover.

The Board also recommends that advanced stormwater controls be utilized, wherever feasible, on the site. The Board urges the Parks Department and the Watershed Protection Department to partner in impervious cover removal and utilization of state of the art stormwater controls that would improve water quality at Barton Creek.

<i>Vote:</i>	<i>CONSENTING</i>	<i>DISSENTING</i>	<i>ABSTAINING</i>	<i>ABSENT</i>
Mary Gay Maxwell, Chair	(X)	()	()	()
James Schissler, P. E. Secretary	(X)	()	()	()
Jennifer Walker	()	()	()	(X)
J. Robert Anderson	(X)	()	()	()
Mary Ann Neely	(X)	()	()	()
Robin Gary, Vice Chair	(X)	()	()	()
Marisa Perales	(X)	()	()	()

Chair Sign Off _____



MEMORANDUM

TO: Mary Gay Maxwell, Chairperson and Members of the Environmental Board

FROM: Liz Johnston, Environmental Review Specialist Senior
Land Use Review, Planning and Development Review

DATE: Feb 13, 2013

SUBJECT: Barton Springs Pool, SPC-2012-0104D

On your February 6, 2013 agenda is a request for consideration and recommendation for approval of an ordinance allowing construction at Barton Springs Pool proposed by the City of Austin's Parks and Recreation Department. As you know, Barton Springs Pool is a unique facility and its particular location and characteristics often require variances or amendments to the City's Land Development Code to allow improvements at the facility.

Outlined below is a description of the unique site characteristics and environmental concerns that have been addressed during review of the proposed site plan, including the existing development and continued public use of the grounds, proposed environmental enhancements and proposed exceptions to the environmental code requirements requested by the applicant, including amendments to the Save Our Springs ordinance. Staff recommends approval of the project based on our finding that the proposed project provides significant benefits to the environment, public safety, and pool users beyond current site conditions. The project, and the associated environmental, safety, and use enhancements, cannot go forward without Council approval of the proposed ordinance.

Description of Property

Barton Springs Pool is located upstream of the confluence of Barton Creek and Lady Bird Lake in Austin's popular Zilker Park. A portion of the site is located over the Edwards Aquifer Contributing Zone. The site plan limits of construction consists of a small portion of Zilker Park, which is itself comprised of numerous unsubdivided tracts. The project is mostly located in the Barton Springs Zone, but a portion of the site is located in the Lady Bird Lake Watershed, which is classified as Urban. Areas within the site that are not part of the limits of construction are located within Eanes Watershed, which is classified as Water Supply Suburban.

The existing improvements on the north side of the pool include an existing paved parking lot, a bathhouse, associated patio area, retaining walls and stairs leading down to the pool. On the south portion of the lot currently exists perimeter fencing, a ticket booth, existing pathways that are both paved and unimproved, a mowed ballfield, and a gravel parking area that existed prior to the current Comprehensive Watershed and Save Our Springs Ordinances.

The existing pool, bathhouse, northern parking lot, ticket booth, some of the sidewalks, a portion of the ball fields, and both dams are all located within the Critical Water Quality Zone of Barton Creek. The existing gravel parking lot and ball fields are located within the Water Quality Transition Zone of Barton Creek. There are numerous protected and heritage-size trees scattered throughout the site.

According to the Environmental Assessment, the soils at the site are varied and consist of Austin-Houston Black-Stephen and Bergstrom-Smithville-Ships soil association, along with several other soils that range anywhere from fine sandy loam to clay. The topography is undulating to hilly with some areas that are quite eroded due to pedestrian traffic. The underlying material of the Edwards Plateau soils is erosion-resistant limestone and limestone interbedded with clay and marl.

Vegetation consists of landscaped parkland ranging from turf lawn areas interspersed with large native trees including pecan and plateau live oak to mowed ball fields. Natural wooded areas exist on the south western portion of the site (referred to as the South Woods in the plan set) and consists of Ashe juniper, plateau live oak, cedar elm, and hackberry. Understory species include agarita and yaupon.

Critical Environmental Features/Endangered Species

There are four Critical Environmental Features (CEFs), one rimrock CEF and three spring CEFs. One of the spring CEFs, Barton Springs (Parthenia Spring), is located in the main pool and consists of multiple springs outlets discharging spring water for the Barton Spring pool. The other spring CEFs, Eliza Springs and The Old Mill Spring (Sunken Gardens), are located on the pool grounds, but are not part of the pool itself.

Barton Springs Pool is home to one endangered species, the Barton Springs Salamander (*Eurycea sosorum*), and one candidate species, the Austin Blind Salamander (*Eurycea waterlooensis*). City of Austin biologists have been involved in the review process for this project to ensure that the project will meet the requirements of the federally-approved Habitat Conservation Plan.

Description of Project

The Barton Springs General Grounds Improvements site plan includes:

- Changes to the existing hardscape adjacent to the bathhouse, including the removal of compacted granite around the critical root zones of existing heritage trees and the addition of landscaped planters,
- The replacement of existing sidewalk on the northwest portion of the site,
- The installation of new perimeter fencing,
- The replacement of overhead electrical wiring with underground wiring,
- Changes to the lighting,
- The addition of an ADA accessible pathway leading from the existing parking lot on the south to the pool,
- A gravel pathway leading to the South Lawn area,
- A proposed Phase II that would allow the gravel parking lot to be expanded and paved, meeting current transportation and environmental requirements.
- The existing ball field is proposed to be maintained so that it will act as a vegetative filter strip, thus providing water quality treatment for the existing gravel parking as well as the entire proposed parking on the south side of the project.

The maintenance agreement that was reviewed and approved by Watershed Protection Department staff, Land Use Review water quality review staff and Parks and Recreation Department staff is attached to the draft ordinance (Exhibit F).

Four CEF variances were granted by Environmental Resource Management staff to reduce the CEF setbacks to about 50' in order to allow the existing development to remain and to be compliant with Austin's Land Development Code, and to allow for the construction of new Americans with Disability Act (ADA) compliant pathways and sidewalks. Additional riparian habitat restoration with native seeding and plantings are proposed as a condition for CEF buffer reductions and at the request of Watershed Protection staff biologists familiar with issues related to the salamanders.

The portion of Zilker Park that comprises the site contains three different watershed regulation areas, including Barton Springs Zone (Barton Creek Watershed), Water Supply Suburban (Eanes Watershed) and Urban (Lady Bird Lake Watershed) and therefore the impervious cover tables are more complicated than most typical site development projects. Also, the existing improvements for this portion of the site are located in the Critical Water Quality Zone and Water Quality Transition Zone setbacks that would need to be deducted from Net Site Area calculations. For the purpose of this summary, gross site area calculations and Net Site Area calculations for the Barton Springs Zone portion of the site are provided.

- Gross Site Area: 152.50 Acres
- Existing Impervious Cover: 22.75 Acres 14.9%
- Proposed Impervious Cover: 22.75 Acres 14.9%
- Square footage of proposed new impervious cover: No net increase (overall reduction of 1,600 sf)
- Allowable Impervious Cover by Net Site Area of Barton Springs Zone Portion: 3.57 Acres
- Existing Impervious Cover of Barton Springs Zone Portion: 17.48 Acres 48.0%
- Proposed Total Impervious Cover Barton Springs Zone Portion: 17.45 Acres 47.9%

Variances and Code Amendments Requested

The proposed improvements require variances as well as site specific amendments to the Save Our Spring ordinance as follows:

- 1) Section 25-8-482 (*Critical Water Quality Zone*) and Section 25-8-514 (*Pollution Prevention Required*) are proposed to be amended to allow:
 - Sidewalks located along the western edge of the south lawn of the pool to provide or improve accessible routes.
 - Underground irrigation and utilities as necessary to serve the irrigated landscape areas and provide lighting.
 - A ticket booth located at the south entry gate.
 - An overlook deck, new sidewalk and hardscape within the "tree court" area adjacent to the existing bathhouse to improve the soil conditions for the health of the heritage pecan trees.
 - A portion of a **water quality control** located east of the existing gravel parking lot on the south side of the pool providing water quality for the parking lot.
- 2) Section 25-8-514 (*Pollution Prevention Required*) is proposed to be amended to allow impervious cover in excess of 15% of the Net Site Area.
- 3) Section 25-8-483 (*Water Quality Transition Zone*) is proposed to be amended to allow construction in the Water Quality Transition Zone of:
 - Concrete parking facility to improve ~~and expand~~ the existing gravel parking lot located on the south side of Barton Springs pool.

- Sidewalk providing an accessible route from the Robert E. Lee Right of Way and the parking lot on the south side of Barton Springs pool to the south entry to the pool.

Proposed Mitigation for Variances and Amendments

The applicant has agreed to the following conditions to mitigate any impacts of the requested variances and amendments. These conditions are not required by applicable City code.

- After the Grounds Improvement Project is complete, restore the soil and the site with vegetation or other materials consistent with previous uses.
- Provide not less than 15,000 square feet of additional landscape in addition to landscaping required under City Code. Native plants shall be planted outside of turf areas.
- Maintain the vegetated filter strip as described in the attached Maintenance Agreement
- Provide water quality treatment for both the new and the existing parking lot on the south side of the pool.

Recommendation

Staff recommends approval of this Ordinance because:

- The proposed water quality treatment will provide greater environmental benefits than what exists at the site today.
- The proposed development will help reduce the amount of erosion and sedimentation that currently flows into by providing a stable pathway from the parking lot to the pool deck and by diverting a portion of the stormwater causing the erosion to the South Woods.
- The proposed development will help restore a portion of the riparian habitat that has been lost at Barton Springs, which is a requirement of the salamander Habitat Conservation Plan.
- Will provide additional tree planting at the site and will help preserve existing protected and heritage-size trees.
- The proposed erosion and sedimentation controls include minimizing the amount of areas that are disturbed by construction daily and re-sodding or revegetating the area as quickly as possible after construction is complete, thereby minimizing construction related sediment flowing into Barton Springs.
- The significant increase in impervious cover from the parking lot, while located within the Critical Water Quality Zone of Barton Creek, actually flows into Lady Bird Lake, which is an urban watershed, not Barton Springs.
- The applicant has agreed to minimize the amount of soil disturbed each day and has worked to ensure that Environmental Criteria Manual standards have been met or exceeded for temporary erosion and sedimentation control.

PROJECT DESCRIPTION**Applicant Contact Information**

Name of Applicant	Blayne Stansberry, P.E. Stansberry Engineering Co., Inc.
Street Address	P.O. Box 309
City State ZIP Code	Manchaca, TX 78652
Work Phone	512/292-8000
E-Mail Address	Blayne@stansberryengineering.com

Variance Case Information

Case Name	Barton Springs Pool General Grounds Improvements
Case Number	SPC-2012-0104D
Address or Location	2201 Barton Springs Rd.
Environmental Reviewer Name	Liz Johnston
Applicable Ordinance	Section 25-8-482 (<i>Critical Water Quality Zone</i>) Section 25-8-483 (<i>Water Quality Transition Zone</i>) Section 25-8-514 (Pollution Prevention Required)
Watershed Name	Barton Creek
Watershed Classification	<input type="checkbox"/> Urban <input type="checkbox"/> Suburban <input type="checkbox"/> Water Supply Suburban <input type="checkbox"/> Water Supply Rural <input checked="" type="checkbox"/> Barton Springs Zone
Edwards Aquifer Recharge Zone	<input checked="" type="checkbox"/> Barton Springs Segment <input type="checkbox"/> Northern Edwards Segment <input type="checkbox"/> Not in Edwards Aquifer Zones
Edwards Aquifer Contributing Zone	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Distance to Nearest Classified Waterway	Adjacent to Barton Creek
Water and Waste Water service to be provided by	Existing service provided by Austin Water Utility

Request

The variance request is as follows (Cite code references):

Variance to Section 25-8-482 (Critical Water Quality Zone) and amendment to Section 25-8-514 (*Pollution Prevention Required*) to allow construction in the critical water quality zone of:

- A. Sidewalks located along the western edge of the south lawn of the pool to provide or improve accessible routes, more particularly described in attached EXHIBIT A.
- B. Construction of underground irrigation and electrical utilities, more particularly described in attached EXHIBIT B.
- C. A ticket booth at the south entry gate, more particularly described in EXHIBIT C.
- D. An overlook deck, new sidewalk and hardscape within the "tree court" area adjacent to the existing bathhouse to improve the soil conditions for the health of the heritage pecan trees, more particularly described in attached EXHIBIT D.
- E. A portion of a **water quality control** located east of the existing gravel parking lot on the south side of the pool providing water quality for the expanded parking lot, more particularly described in attached EXHIBIT E.

Amendment to Section 25-8-514 (*Pollution Prevention Required*) to allow impervious cover in excess of 15 percent.

Variance to Section 25-8-483 (*Water Quality Transition Zone*) to allow construction in the water quality transition zone

- A. Concrete parking facility to improve ~~and expand~~ the existing gravel parking lot located on the south side of Barton Springs pool, more particularly described in attached EXHIBIT E.
- B. Sidewalk providing an accessible route from the Robert E. Lee Right of Way and the parking lot on the south side of Barton Springs pool to the south entry to the pool, more particularly described in attached EXHIBIT E.

Impervious cover	Existing	Proposed
square footage:		
acreage:	17.48	17.45
percentage:	48.0%	47.9%

Provide general description of the property (slope range, elevation range, summary of vegetation / trees, summary of the geology, CWQZ, WQTZ, CEFs, floodplain, heritage trees, any other notable or outstanding characteristics of the property)	<p>The pool and surrounding area used by pool patrons is within the floodplain and Critical Water Quality Zone (CWQZ) of Barton Creek. The CWQZ is currently developed as a park which includes the bathhouse, hardscape areas, the dam and concrete structure around the creek forming the pool, parking and site lighting.</p> <p>The natural character of areas designated for park use inside the pool fence have been modified over time to a manicured lawn area which include non native plant species such as Nandina, Ligustrum, and St. Augustine grass. The proposed project includes new landscaping to remove invasive species and plant native plants in landscape areas.</p> <p>There are a significant number of trees on the site including many heritage pecans which are being protected. Of all the trees, this project will remove two trees - a 5 inch and 6 inch hackberry. The project includes removal of the existing decomposed granite in the tree court adjacent to the bathhouse. The compacted gravel is damaging the existing heritage pecans. The project will remove the gravel and add soil and compost to the critical root zone areas.</p> <p>There are significant slopes in excess of 15 percent within the CWQZ about 100 feet from the edge of the pool. Beyond this point, the ground slopes more gently up to approximately 30 feet above the pool deck before it flattens out.</p>
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Clearly indicate in what way the proposed project does not comply with current Code (include maps and exhibits)	<p>The existing park improvements do not comply with current code. The bathhouse, concrete walkways, and associated parking are located in the floodplain and the CWQZ of Barton Creek and exceed the allowable impervious cover.</p> <p>The proposed general grounds improvements are consistent with existing use and require a variance to allow construction within the critical water quality zone and water quality transition zone.</p>
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FINDINGS OF FACT

As required in LDC Section 25-8-41, in order to grant a variance the Land Use Commission must make the following findings of fact:

Include an explanation with each applicable finding of fact.

Project: Barton Springs Pool

Ordinance: Section 25-8-482 (Critical Water Quality Zone), Section 25-8-483 (*Water Quality Transition Zone*) and Section 25-8-514 (Pollution Prevention Required)

A. Land Use Commission variance determinations from Chapter 25-8-41 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 project will create an accessible route on the south side of the existing pool which is currently inaccessible by the physically impaired, injured, or park users with strollers. The code requirement to prohibit construction in the CWQZ and WQTZ would prevent construction of the accessible parking and walkway to the existing pool.

2. The variance:

- a) Is not based on a condition caused by the method chosen by the applicant to develop the property, unless the development method provides greater overall environmental protection than is achievable without the variance;

Yes. The pool is existing and the project will provide a hard surface for access to the south pool deck in lieu of the current dirt trail worn by foot traffic. The existing dirt trail is a source of sediment pollutants into the pool during rain events.

The project will also remove the decomposed granite in the tree court compacted by the large amount of foot traffic and replace it with amended soil, compost, and an elevated hardscape to protect the tree roots and improve tree health.

- 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 construction of the accessible walkway, improving the health of heritage trees, and paving the existing gravel parking lot are minimum improvements with large benefits for the citizens and environment at the park.

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

Yes. The negative environmental impact of the existing use is lessened.

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 water quality will be **improved** by the variance. The construction of the walkway to the south pool deck in the CWQZ will allow for repair of the dirt trail reducing sediment laden stormwater runoff to the pool. Paving of the existing gravel parking lot in the WQTZ will provide a hard surface reducing dust and runoff of gravel sediments.*

- 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 criteria for granting a variance in Section A are met;

Yes. See above.

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

Yes. Reasonable use is prevented, but economics is not the issue. The park is currently being used by many citizens with environmental consequences resulting from runoff from dirt trail, tree health consequences from the root compaction of heritage trees from the large volume of foot traffic and equality consequences with the exclusion of the physically impaired from access on the south side of the pool.

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

Yes. The code amendment and granting of the variances will result in a minimum amount of construction to the pool with an overall increase in impervious cover of less than 1 percent.

****Variance approval requires all above affirmative findings.**



TO: Mayor Leffingwell and City Council members

FROM: UFB Chair Patrick Brewer

DATE: January 22, 2013

SUBJECT: Urban Forestry Board Comments on the Barton Springs Grounds Improvements

The Austin Urban Forestry Board reviewed the planned improvements at Barton Springs Pool, and approved the plan with the following three recommendations:

- 1) With regard to renovations in the Tree Court area, to assuage concerns for protection of tree root zones, the following recommendations are made for construction activities and staging:
 - a. That the entire Tree Court is treated as a Critical Root Zone, and all associated protection and compaction avoidance restrictions be followed.
 - b. That decomposed granite is removed from the root zones and beneath the proposed walk to native grade.
 - c. That the piers for the concrete walk suspended pavement are excavated for the first two feet with an air excavation tool.
 - d. That the soil beneath the suspended pavement is de-compacted after the piers are poured and heavy equipment will not be used on the soil.
 - e. That an approved Certified Arborist, Registered Consulting arborist, or appropriate city staff be present during soil work operations to approve each of the above stages of construction.
- 2) Remove the overlook from the plan and pathway to the overlook.
- 3) Increase size of planting median in south parking area to 4000 square feet and reduce the large maturing trees in the planting to two trees.

