



ENVIRONMENTAL BOARD MEETING MINUTES WEDNESDAY September 4, 2013

The Environmental Board convened in a public hearing meeting on Wednesday, September 4, 2013 at City Hall Council Chambers. 301 W. Second Street, Austin, Texas 78701

Environmental Board Members in Attendance:

**Mary Gay Maxwell
James Schissler
Mary Ann Neely
Marisa Perales
Robert Deegan**

Environmental Board Members Absent:

**Robin Gary
Jennifer Walker**

Staff in Attendance:

**Keith Mars
Chris Herrington
Mike Personett
Chuck Lesniak
Virginia Collier
Kathleen Jashinski
Bart Jennings
Rita Holmes
Mike McDougal
Marilla Shepherd**

Others present:

Richard Suttle

- 1. CALL TO ORDER**
Chair Mary Gay Maxwell called the meeting to order at 6:07 p.m.
- 2. CITIZEN COMMUNICATIONS: GENERAL**
Speaker should sign up to speak prior to the meeting being called to order; you will receive a three-minute allotment to discuss topics not posted on the agenda.
There were no citizens signed up to speak.
- 3. APPROVAL OF MINUTES AND ACTION ITEMS**
 - a. Approve the minutes of the Environment Board regular meeting on August 21, 2013.

The minutes were approved on Board members James Schissler's motion and Board member Mary Ann Neely's second with Board member Marisa Perales off the dais. Board members Robin Gary and Jennifer Walker absent. [Vote 4-1-0-2]

- b. Environmental Officer's report on, hot topics, and past Board actions – Chuck Lesniak, Watershed Protection Department
No report this week.

4. PUBLIC HEARINGS AND ACTION

- a. **Name:** Covered Bridge PUD C814-2012-0055, Revision #1

Applicant: City of Austin

Location: S.H. 71 West & Covered Bridge Road (southwest corner)

Staff Reviewer: Heather Chaffin, PDRD Zoning Review

Watershed: Williamson Creek (Barton Springs Zone and Drinking Water Protection Zone)

Ordinance: PUD Tracts 1-3: 1982 Williamson Creek Ordinance (based on Restrictive Covenant) PUD Tract 4: Save Our Springs Ordinance (current code)

Request: Review proposed revision to land use plan to correct maximum building square footage on Tracts 2 and 4. A typographic error showed 100,000 square foot maximum; correct maximum is 150,000 square feet. No changes to maximum impervious coverage or other environmental elements are proposed.

Staff Recommendation: Recommended for approval because the revision will not impact environmental elements of the project.

Recommendation approved on Board Member Schissler's motion and Board member Robert Deegan's second [Vote 4-0-1-2]. Board member Jennifer Walker abstained as she was not present for entire presentation and Board members Robin Gary and Jennifer Walker were absent.

- b. **Name:** Marshall Ford Overlook SP-2013-0098D

Applicant LJA Engineering and Surveying LLP

Location: 4900 N FM 620

Staff Reviewer: MIKE MCDOUGAL, PDRD Environmental Reviewer

Watershed: Bear Creek West Watershed

Water Supply Rural Drinking Water Protection Zone

Ordinance: Comprehensive Watershed Ordinance (current Code)

Request:

- 1. To allow the construction of a 40% buffer to be located adjacent to (rather than downstream of) the proposed improvements [LDC 25-8-454(D)(2)]

Staff Recommendation: Recommended approval with conditions

Recommendation approved with and staff conditions on Board Member James Schissler's motion and Board member Mary Ann Neely's second [Vote 5-0-0-2]. Board members Robin Gary and Jennifer Walker were absent. See attached recommendation.

5. STAFF BRIEFINGS AND POSSIBLE ACTION

- a. Consider for recommendation an ordinance amending Chapter 15-5 of the Austin City Code related to on-site sewage facilities – Bart Jennings and Katherine Jashinski, P. E. Austin Water Utility

Recommendation approved on Board Member Mary Ann Neely's motion and Board member Marisa Perales' second [Vote 5-0-0-2]. Board members Robin Gary and Jennifer Walker were absent.

- b. Consider an amendment to Land Development Code Section 25-2-Article 13 and 25-8 to change responsibility from the Parks and Recreation Board to the Planning Commission for approval of any dock, bulkhead or shoreline. Amendment was initiated by City Council Resolution No. 20130627-074 based on the recommendations from the Lake Austin Task Force – Sue Barnett, Planning and Development Review Department

Recommendation approved with Board conditions on Board Member James Schissler's motion and Board member Robert Deegan's second [Vote 5-0-0-2]. Board member Robin Gary and Jennifer Walker were absent. See attached recommendation.

- c. Briefing on Municipal policies and functions that align with watersheds – Mike Personett, Watershed Protection Department

This item was conducted as posted. No Board action taken.

- d. Consider a petition requesting City consent to the creation of the Cascades Municipal Utility District No. 1 and make a recommendation to Council on the petition – Chuck Lesniak, Watershed Protection Department

This item was conducted as posted.

Item referred to Development committee and postponed to September 18, 2013. No Board action taken.

6. COMMITTEE REPORTS

- a. Update on the Joint Environmental/Parks Board Subcommittee – Mary Ann Neely, and Jennifer Walker, James Schissler. **No report this week.**
- b. Urban Growth Policy Committee – Mary Gay Maxwell, James Schissler, P. E., and Marisa Perales. **No report this week. No report this week.**
- c. Water Treatment Plant #4 Committee – Mary Gay Maxwell, Robin Gary & Mary Ann Neely - **No report this week.**
- d. Development Committee – Mary Gay Maxwell, Marisa Perales, Robert Deegan, and James Schissler. **No report this week**
- e. Water Quality Regulations Committee – Mary Ann Neely, Chair, Robin Gary, & Jennifer Walker. **No report this week.**
- f. Watershed Protection Budget Committee – Mary Gay Maxwell, and Mary Ann Neely **No report this week.**

7. NEW BUSINESS - Future agenda items
 1. **Update requested on the Optimist Ballfield at 401 West St. Johns Avenue, that has been reclaimed by WPD for a water quality pond.**
 2. **Request for a report on the River Hills sports complex.**
 3. **Request for a report on the Heritage Tree Ordinance Survey in the down town area**
 8. ADJOURNMENT

Chair Mary Gay Maxwell adjourned the meeting at 9:44 p.m.
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BOARD/COMMISSION RECOMMENDATION

ENVIRONMENTAL BOARD

Recommendation Number: 20130904 004a

Covered Bridge PUD C814-2012-0055, Revision #1

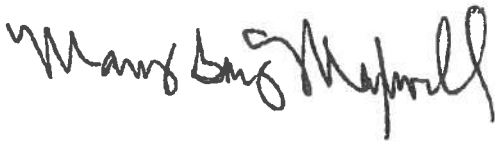
WHEREAS, the exhibit error was a result of staff oversight ,

Therefore, the Environmental Board recommends approval of the amendment request a to land use plan to correct maximum building square footage on Tracts 2 and 4. A typographic error showed 100,000 square foot maximum; correct maximum is 150,000 square feet for Covered Bridge PUD C814-2012-0055 Revision 1. No changes to maximum impervious coverage or other environmental elements are proposed

Date of Approval: September 4, 2013

Record of the Vote [4-1-0-2] Board member Robert Deegan abstained. Board members Robin Gary and Jennifer Walker were absent.

Attest:





BOARD/COMMISSION RECOMMENDATION

ENVIRONMENTAL BOARD

Recommendation Number: 20130904 004b

Marshall Ford Overlook SP-2013-0098D

WHEREAS, the Marshall Ford Overlook project exceeds requirements of Land Development Code as it is current written.

Therefore, the Environmental Board recommends approval of the variance request with staff conditions.

1. The applicant will provide a 40% buffer adjacent to the development.
2. The applicant will provide structural water quality controls for the proposed development.

Date of Approval: September 4, 2013

Record of the Vote [50-0-2] Board members Robin Gary and Jennifer Walker were absent.

Attest:



BOARD/COMMISSION RECOMMENDATION

ENVIRONMENTAL BOARD

Recommendation Number: 20130904 005a

Consider for recommendation an ordinance amending
Chapter 15-5 of the Austin City Code related to on-site sewage facilities

WHEREAS, the proposed changes provide necessary sewage facilities, and

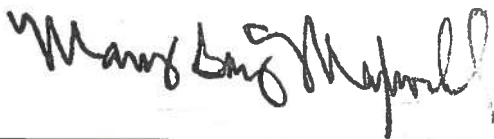
WHEREAS, the enhanced protection of groundwater, particularly in sensitive areas.

Therefore, the Environmental Board recommends approval of an ordinance amending Chapter 15-5 of the Austin City Code related to on-site sewage facilities

Date of Approval: September 4, 2013

Record of the Vote [5-0-0-2] Board members Robin Gary and Jennifer Walker were absent.

Attest:





BOARD/COMMISSION RECOMMENDATION

ENVIRONMENTAL BOARD

Recommendation Number: 20130904 005b

Consider an amendment to Land Development Code Section 25-2-Article 13 and 25-8 Variances to change responsibility from the Parks and Recreation Board to the Planning Commission for approval of any dock, bulkhead or shoreline. Amendment was initiated by City Council Resolution No. 20130627-074 based on the recommendations from the Lake Austin Task Force

WHEREAS, the Lake Austin Task force has recommended the City of Austin Park and Recreation Department no longer review the referenced Land Development Code sections.

Therefore, the Environmental Board recommends approval of the request for an amendment with the following Environmental Board conditions:

The following Land Development Code items would be reviewed by the Environmental Board first:

Land Development Codes:

25-2-1176 (B)(1)& (2)

25-2-1176(d)(2)

25-8-652

25-7-63

Other Land Development Code items go to Planning Commission directly.

Date of Approval: September 4, 2013

Record of the Vote [50-0-0-2] Board members Robin Gary and Jennifer Walker were absent.

Attest:



BOARD/COMMISSION RECOMMENDATION

ENVIRONMENTAL BOARD

Recommendation Number: 20130904 005d

Consider a petition requesting City consent to the creation of the Cascades Municipal Utility District No. 1 and make a recommendation to Council on the petition

WHEREAS, the current proposal does not provide enough information to determine whether proposed Municipal Utility District will provide enhanced environmental protection

Therefore, the Environmental Board recommends postponement of the request to consider a petition requesting City consent to the creation of the Cascades Municipal Utility District No. 1 and make a recommendation to Council on the petition until the September 18, 2013 Environmental Board meeting.

The following Land Development Code items would be reviewed by the Environmental Board first:

Date of Postponement: September 4, 2013

Record of the Vote [5-1-0-2] Board member James Schissler dissenting and Board members Robin Gary and Jennifer Walker were absent.

Attest:

