

C23

**PLANNING COMMISSION SITE PLAN REVIEW SHEET
VARIANCE APPROVAL**

CASE NUMBER: SP-2012-0427C

PC DATE: December 10, 2013

PROJECT NAME: Regents West Campus

ADDRESS: 3231 Travis Country Circle

AREA: 18.27 acres

APPLICANT: Regents School of Austin
3230 Travis Country Circle
Austin, Texas 78735
Phone: (512) 899-8095
Contact: Ron Wood

AGENT: Hanrahan-Pritchard Engineering, Inc.
Phone: (512) 459-4734
Contact: Steve Jamison

EXISTING ZONING: GO-CO-NP

Description of Property

The subject 18.27-acre property is located in the Barton Creek Watershed, which is classified as the Barton Springs Zone (Contributing), within the Drinking Water Protection Zone. It is within the City of Austin full purpose jurisdiction. The northern portion of the property contains a minor classified tributary of Barton Creek. Water and wastewater service are provided by the City of Austin. This is the west campus for the Regents School of Austin and currently is used as sports practice fields and outdoor educational facilities. The east campus on the east side of Travis Country Circle that consists of education building, parking, and other sports fields is not part of this site plan permit and variance request.

Construction on the west campus site has also begun as part of a subdivision construction plan (C8-2010-0056.0B) approved in May 2012, including site grading for floodplain modification to the adjacent creek. This construction plan was required to remove existing structures from within the 100yr floodplain that had been re-mapped by FEMA. The cut grading work on the west campus for this permit has been completed. The fill grading has not been completed.

Existing Topography/Soil Characteristics/Vegetation

The property predominately contains slopes of 0-10% with some small upland pockets of slopes greater than 15% that all grade toward the classified tributary on-site. Vegetation consists of Ashe juniper and some Live oak. According to the Environmental Assessment, geology at this site is characterized by the Glen Rose formation and soils consist of evenly distributed Brackett, Tarrant/Speck, and Volente soils.

Critical Environmental Features/Endangered Species

As stated in the environmental assessment and confirmed by the Watershed Protection Department Environmental Resource Management (ERM) staff, no Critical Environmental Features were found on the west campus site.

Description of Project

The proposed project is broken into two phases. Phase 1 includes new football and baseball fields and facilities, small handicap parking area, water tank, maintenance building, and water quality with SOS re-irrigation. Phase two includes a two story gym/sports office and parking. Soil made available by the cut needed to install the baseball field will be used to provide a level playing area for both fields and to complete the fill grading associated with the floodplain modification approved under the subdivision construction permit.

The project complies fully with SOS water quality standards. The project proposes to use the football field as the water quality re-irrigation area. The applicant has worked with staff to develop a detailed management plan for that purpose. The allowable impervious cover for this site is 20% of the NSA, (2.54 acres). The proposed impervious cover for the development is 9.8% of the NSA, (1.25) The applicant has agreed as a condition of the variance to restrict the total impervious cover on the west campus to 15% of the NSA, (1.909 acres).

Environmental Code Variance Request

The following variances to the land development code are being requested:

1. To allow cut greater than 4 feet not to exceed 15 feet. LDC 25-8-341.
2. To allow fill greater than 4 feet not to exceed 8 feet. LDC 25-8-342.

Conditions for Staff Approval

- 1) Restrict future development on the west campus by limiting the overall impervious cover to 15% of the net site area.
- 2) The applicant has agreed to and already provided a site specific turf management plan/IPM for the football field proposed that details the use of fertilizer and pesticide application, soil maintenance, and irrigation schedule related to its use as a re-irrigation area for the required SOS water quality control.

Recommendation

Staff recommends approval of the variance with conditions, as the Findings of Fact have been met (see attached). The Environmental Board approved these variance requests at their November 20, 2013 meeting.

Similar Cases

Regents West Construction Plan – C8-2010-0056.0B. Is an active subdivision construction plan on this same piece of property with similar limits of cut and fill to allow for grading work to modify the adjacent floodplain. The case was recommended by the Environmental board in April of 2012.

NEIGHBORHOOD ORGANIZATION(S):

Oak Hill Combined NPA
Austin Independent School District
Beyond2ndNature
Oak Hill Trails Association
Austin Heritage Tree Foundation
Sierra Club, Austin Regional Group
SEL Texas
Bike Austin
Save Our Springs Alliance
City of Rollingwood
Austin Parks Foundation
Oak Hill Association of Neighborhoods (OHAN)
The Real Estate Council of Austin Inc.
Super Duper Neighborhood Planning Contact Team
Homeless Neighborhood Association
Austin Monorail Project
Oak Hill Neighborhood Planning Contact Team

AREA STUDY: East Oak Hill

T.I.A.: Not Required

SURROUNDING CONDITIONS:**Zoning/ Land Use**

North:	SF-1-NP/Single-family residence
East:	GO-CO-NP/Private School
South:	Travis County/undeveloped
West:	Travis County/undeveloped

CASE MANAGER: Michael Simmons-Smith Telephone: (512) 974-1225
michael.simmons-smith@austintexas.gov



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

Project:	Regents West Campus - SP-2012-0427C
Ordinance Standard:	Land Development Code Section 25-8-341
Variance Request:	To allow cut greater than 4 feet not to exceed 15 feet.

Findings:

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. Strict adherence to the code would deprive the applicant of the privilege to develop the property in a manner similar to other schools requiring the need for on-site sports fields and facilities.

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 variance is not based on the method chosen by the applicant to develop the property. The cut is necessary to provide for the construction of a level playing field while also providing a lower impact development of fields, one sports building, and limited parking. The same cut could be approved without a variance for a more intense development if buildings and parking were proposed in the same area. The code allows for cut at the depth proposed beneath building foundations. The applicant will restrict overall impervious cover to 15% net site area from the 20% allowed by the watershed regulations with this variance for the west campus. The soil generated from this cut will be used to complete the floodplain modification work on-site under construction permit C8-2010-0056.0B eliminating additional hauling of material from offsite locations.

- 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. This is the minimum change necessary to allow for reasonable lower impact use of the site.

- c) Does not create a significant probability of harmful environmental consequences; and
Yes. They are proposing to comply fully with SOS water quality standards. An IPM plan is in affect for the maintenance of the fields along with the entire west campus. Water quality is provided for both fields. Those areas of cut not structurally stabilized will be left at a 3to 1 slope and revegetated.

3. Development with the variance will result in water quality that is at least equal to the water quality achievable without the variance.

Yes. Development with the variance will result in water quality that is at least equal to the water quality achievable without the variance. They are proposing to comply fully with SOS water quality standards. The applicant has agreed to and already provided a site specific turf management plan/IPM for the football field proposed that details the use of fertilizer and pesticide application related to its additional water quality use. It also details how the field's permeability will be maintained.

- B. Additional Land Use Commission variance determinations for a requirement of Section 25-8-393 (Water Quality Transition Zone), Section 25-8-423 (Water Quality Transition Zone), Section 25-8-453 (Water Quality Transition Zone), or Article 7, Division 1 (Critical Water Quality Zone Restrictions):

1. The above criteria for granting a variance are met;

N/A.

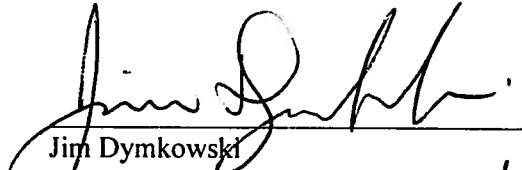
2. The requirement for which a variance is requested prevents a reasonable, economic use of the entire property; and

N/A.

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

N/A.

Environmental Reviewer:


Jim Dymkowski

Environmental Program Coordinator:


Sue Barnett

Environmental Officer:


Chuck Lesniak

Date: November 8, 2013

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



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

Project:	Regents West Campus - SP-2012-0427C
Ordinance Standard:	Land Development Code Section 25-8-342
Variance Request:	To allow fill greater than 4 feet not to exceed 8 feet.

Findings:

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. Strict adherence to the code would deprive the applicant of the privilege to develop the property in a manner similar to other schools requiring the need for on-site sports fields and facilities.

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 variance is not based on the method chosen by the applicant to develop the property. The fill is necessary to provide for the construction of a level playing field while also providing a lower impact development of fields, one sports building, and limited parking. The same fill could be approved without a variance for a more intense development if buildings and parking were proposed in the same area. The code allows for fill at the height proposed beneath building foundations. The applicant will restrict overall impervious cover to 15% net site area from the 20% allowed by the watershed regulations with this variance for the west campus. The fill material will be generated on-site from the proposed plan cut and will be used to complete the floodplain modification work under construction permit C8-2010-0056.0B eliminating additional hauling of material from offsite locations.

- 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. This is the minimum change necessary to allow for reasonable lower impact use of the site.

- c) Does not create a significant probability of harmful environmental consequences; and
Yes. They are proposing to comply fully with SOS water quality standards. An IPM plan is in affect for the maintenance of the fields along with the entire west campus. Water quality is provided for both fields. Those areas of fill not structurally stabilized will be left at a 3to 1 slope and revegetated.

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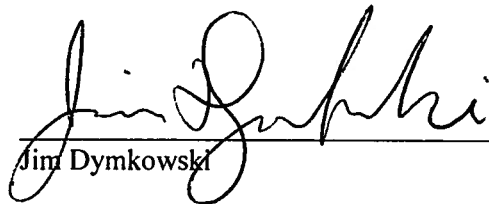
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3. The variance is the minimum change necessary to allow a reasonable, economic use of the entire property.

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Environmental Reviewer:


Jim Dymkowski

Environmental Program Coordinator:

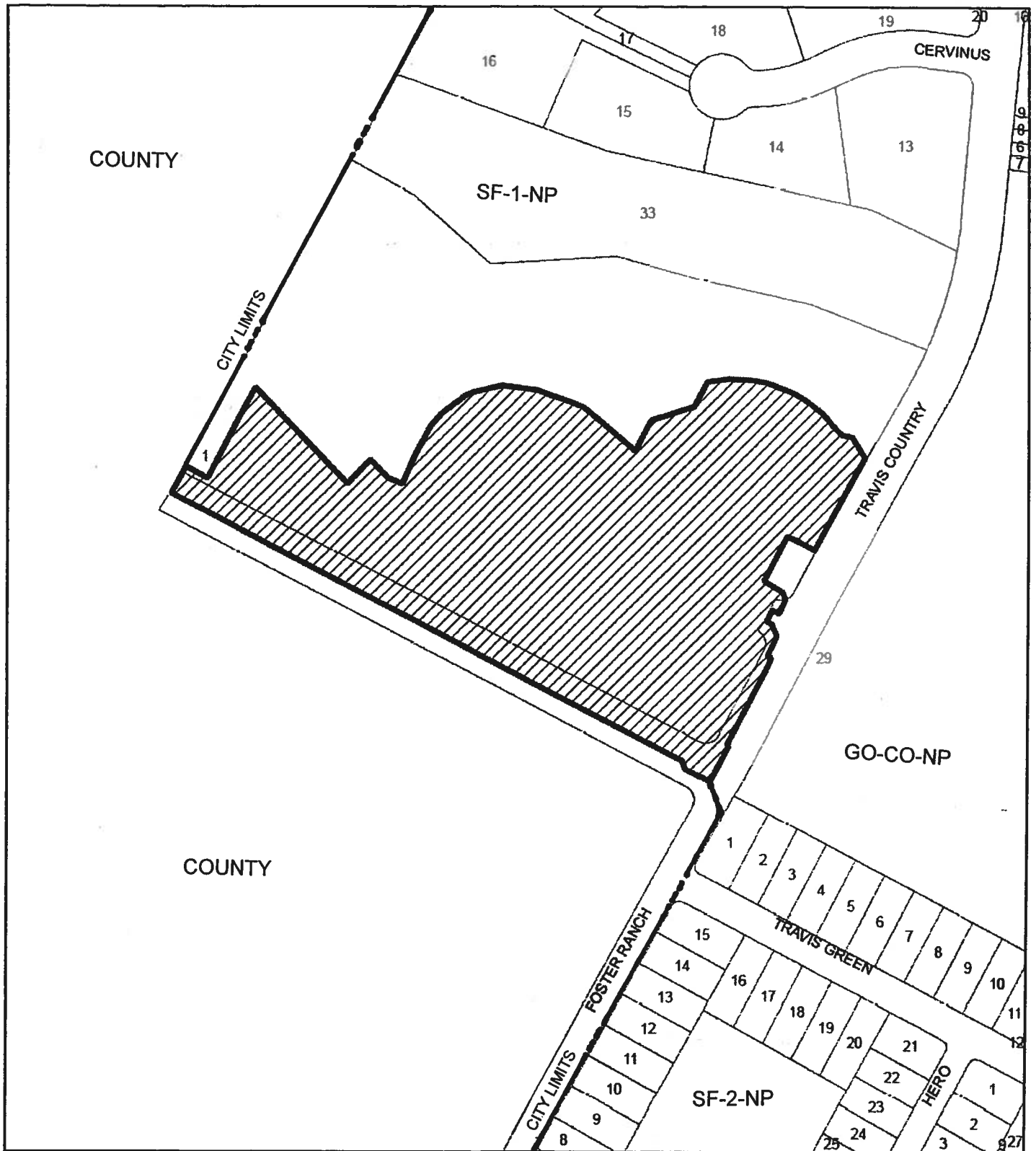
Sue Barnett



Environmental Officer:

Chuck Lesniak

Date: November 8, 2013

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



 Subject Tract
 Base Map

CASE#: SP-2012-0427C
 ADDRESS: 3231 Travis Country Circle



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

INTERESTED PARTY INFORMATION

Interested parties are specifically defined in section 25-1-131 of the City Code. To view the Code on-line, go to this link:
http://www.amlegal.com/austin_tx/.

Besides the applicant or owner listed in an application, a person can become an interested party if they communicate an interest to the City through the Case Manager and if they satisfy at least one of the following criteria: 1) they occupy a primary residence that is within 500 feet of the site of the proposed development; 2) they are the record owner of property within 500 feet of the site of the proposed development; or 3) they are an officer of an environmental or neighborhood organization that has an interest in the site of the proposed development or whose declared boundaries are within 500 feet of the site of the proposed development.

If a person satisfies the criteria to become an interested party, they must communicate an interest by delivering a written statement to the Case Manager. The communication must: 1) generally identify the issues of concern; 2) include the person's name, telephone phone number, and mailing address; 3) be delivered before the earliest date on which action on the application may occur; and 4) if the communication is by telephone, be confirmed in writing not later than seven days after the earliest date on which action on the application may occur.

Written comments concerning the site plan application may be submitted to the case manager on this form. Comments on a separate form should include the case number and the contact person listed on the notice.

Case Number: SP-2012-0427C

Contact: Michael Simmons-Smith, 512-974-1225 or
Elsa Garza, 512-974-2308

☒ I meet the requirements for and request to be an interested party

Note: All contact information is mandatory.

Travis Country Country CSA 512-892-2256
Name (please print) Telephone number

4504 Travis Country Circle, Austin, TX 78735
Address(es) affected by this application (Street, City, ZIP Code)

4504 Travis Country Circle, Austin, TX 78735
Mailing address (Street, City, ZIP Code)

[Signature] 3-14-2013
Signature Date

Comments: This is the homeowners association
for the neighborhood abutting this property.
We have a vested interest in what is happening
to that property for our residents.

Mail comment forms to:

City of Austin

Planning and Development Review Department

Attn: Michael Simmons-Smith

P. O. Box 1088

Austin, TX 78767-1088

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Elsa Garza, 512-974-2308

☒ I meet the requirements for and request to be an interested party.

Note: All contact information is mandatory.

Julie Gianelloni Connor 512-467-4413
Name (please print) Telephone number

4505 Foster Ranch Road
Address(es) affected by this application (Street, City, ZIP Code)

Austin, TX 78735
Mailing address (Street, City, ZIP Code)

Julie 2/19/2013
Signature Date

Comments: Traffic is already bad on Foster Ranch Road, a narrow two-lane road. I already have difficulty backing out of my driveway in the mornings when parents are dropping off children. This expansion will only make the situation worse. The situation is already ripe for a traffic accident.

Mail comment forms to:

City of Austin

Planning and Development Review Department

Attn: Michael Simmons-Smith

P. O. Box 1088

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