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**ZONING & PLATTING COMMISSION SITE PLAN REVIEW SHEET
VARIANCE APPROVAL**

CASE NUMBER: SP-2013-0092D **ZAP DATE:** December 17, 2013

PROJECT NAME: Lakeside Villas

ADDRESS: 4300 Mansfield Dam Road

AREA: 8.6 acres

APPLICANT: Mark Collins Builder
8013 Lake Mountain Lane
Volente, Texas 78641
Phone: (512) 845-0039
Contact: Mark Collins

AGENT: Garrett-Ihnen Civil Engineering
Phone: (512) 454-2400
Contact: Jevon Poston

EXISTING ZONING: Unzoned (2-Mile ETJ)

Description of Property

The subject property is an 8.6-acre tract located in the Lake Austin Watershed (classified as a Water Supply Rural watershed) and within the Drinking Water Protection Zone. The site is currently undeveloped, though it appears from aerial photographs to have been previously disturbed. The property is located partially within the 2-mile Extra-Territorial Jurisdiction of the City of Austin.

Existing Topography/Soil Characteristics/Vegetation

The property slopes toward a drainage ditch located within the right-of-way of North FM 620. The topography ranges between approximately 835 and 730 feet above mean sea level. Soils are reported to be Brackett soils (rolling), Brackett soils and rock outcrop (steep) and Tarrant soils (rolling). Existing vegetation includes primarily Live Oak and Ash Juniper trees with sparse groundcover.

Critical Environmental Features/Endangered Species

There were no Critical Environmental Features were found on the site. The property lies within the BCCP Golden-cheeked Warbler Zone I (confirmed habitat), but the subject property does not appear to contain suitable habitat for the endangered species.

Description of Project

The project consists of the construction of 16 two-unit townhome buildings, a driveway and associated detention and water quality ponds.

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Environmental Code Variance Request

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

1. To allow cut greater than 4 feet, as per LDC 25-8-341(A).
2. To allow fill greater than 4 feet, as per LDC 25-8-342(A).
3. To allow construction of a building on slopes in excess of 25%, but less than 35%, as per LDC 25-8-302(A)

Recommendation

Staff recommends approval of the variance, as the Findings of Fact have been met (see attached), and the Environmental Board approved these variance requests by a vote of 6-0-1 at their November 20, 2013 meeting with the following conditions:

1. Cut and fill will not exceed 8 feet.

Neighborhood Organizations:

Sierra Club, Austin Regional Group
 Lake Austin Collective
 Ranch Road 620 Neighborhood Association
 Lake Travis ISD Population and Survey Analysts
 Austin Monorail Project

T.I.A.: Not Required

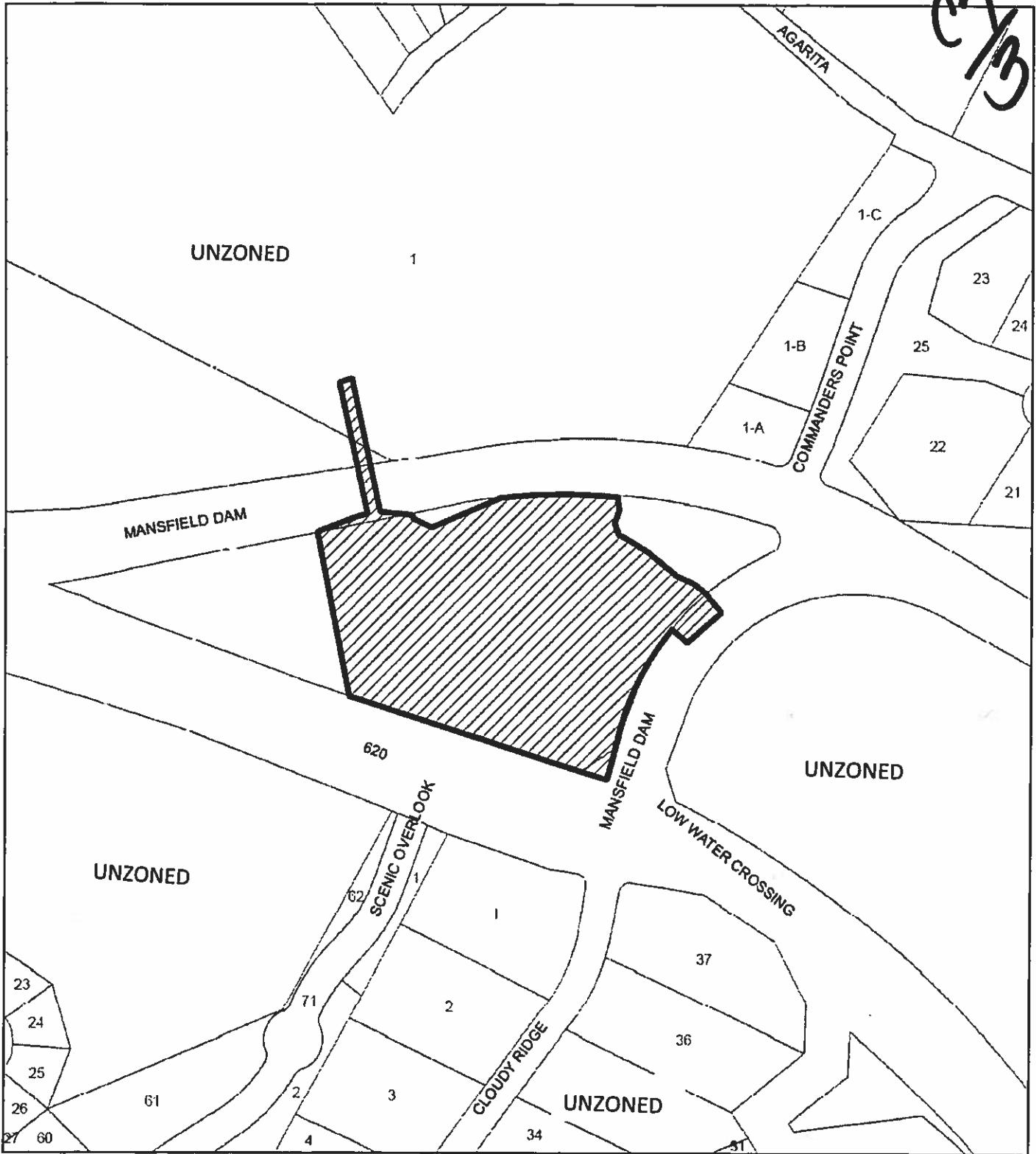
Surrounding Conditions:



Zoning/ Land Use

North: unzoned/single-family residence
East: unzoned/undeveloped
South: Ranch Road 620
West: unzoned/undeveloped

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

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 Subject Tract
 Base Map

CASE#: SP-2013-0092D
ADDRESS: 4300 Mansfield Dam Road



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.

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Staff Findings of Fact
Planning and Development Review Department

Project: Lakeside Villas, SP-2013-0092D
Ordinance Standard: Land Development Code Section 25-8-341(A) and 25-8-342(A)
Variance Request: To allow cut and fill to exceed the allowable 4', not to exceed 8.5'.

Justification:

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 subject project is similar in scope to the adjacent Commander's Point project. Due to site constraints, it would be difficult to construct a similar project without exceeding the four foot cut and fill limit.

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, any development proposed on this property will encounter similar site constraints. The proposed development consists of a driveway, the required turn-around, and single-family attached units on either side of the driveway. The layout follows the existing topography and proposes to take advantage of an area that has been previously disturbed.

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, given the similar surrounding uses in the area, the proposed townhouse project is a reasonable use. The areas with cut and fill in excess of 4' are minimal and will be stabilized with 3:1 slopes. The amount of proposed cut is slightly higher than 8 feet and the amount of proposed fill is slightly below 8 feet, which is not considered to be excessive by environmental review staff.



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Staff Findings of Fact
Planning and Development Review Department

Project:	Lakeside Villas, SP-2013-0092D
Ordinance Standard:	Land Development Code Section 25-8-302(A)(1)
Variance Request:	To allow construction of a building on slopes in excess of 25%.

Justification:

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, similarly situated developments include townhome projects immediately adjacent to the subject tract that are of the same concept as the proposed project.

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, any development proposed on this property will encounter similar site constraints. The applicant is locating the building in question in an area that has been disturbed over time. The location of the building is the best location for building construction given the site's topography, the need for a 40% buffer and access to the nearby Mansfield Dam Road. The project will take access from a portion of the property that has already been used as an unimproved driveway, thus minimizing disturbance to the portion of the property that will be maintained as the required natural buffer.

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, given the surrounding uses in the area, the proposed single family attached project constitutes a reasonable use of the property. The slopes in question are minimal, they are not readily apparent on site, and they are possibly caused by previous disturbance on the site. Only one of the buildings is proposed to be located on slopes greater than 25%.



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BOARD/COMMISSION RECOMMENDATION

ENVIRONMENTAL BOARD

Recommendation Number: 20131120 005b

Recommend approval of variance request at 4300 Mansfield Dam Road SP-2013-0092D

1. To allow cut to exceed 4 feet. LDC Section 25-8-341 (A)
2. To allow fill to exceed 4 feet. LDC Section 25-8-342 (A)
3. To allow construction of a building on slopes in excess of 25%, but less than 35%. LDC Section 25-8-302(A)

WHEREAS, the applicant has met the Findings of Fact.

THEREFORE, the Environmental Board recommends approval of the variance request with the following Environmental Board conditions:

Cut and fill will not exceed 8 feet.

Date of Approval: November 20, 2013

Record of the Vote [6-0-0-1]

For: Deegan, Gary, Maxwell, Neely, Perales and Schissler

Against: None

Abstained : None

Absent: Walker was off the dais.

Attested by:
