



## MEMORANDUM

**TO:** Betsy Spencer, Director  
Neighborhood Housing and Community Development

**FROM:** Chuck Lesniak, Environmental Officer  
Watershed Protection Department

**DATE:** July 11, 2014

**SUBJECT:** Songhai at Westgate Multifamily SP-2014-0044C.SH

I have reviewed the proposed Songhai at Westgate multifamily project located at 8700 Westgate Blvd. as requested by your staff. After extensive discussions with the applicant and modifications of the proposed development to provide stormwater treatment and tree protection I am able to recommend approval of the project. Location maps and an exhibit showing the proposed development are attached. A more detailed description of the project and the agreed upon environmental protection measures is included below.

### **Background**

Under current code the project would be subject to the Suburban watershed regulations. The project has requested vested development rights to 1985 regulations under Chapter 245 of the Texas Local Government Code. The project is a multi-family project that includes affordable housing (20% of units) and has requested that it be processed as a SMART housing project. Under City housing policy SMART housing projects requesting a variance or grandfathering require Council approval and a recommendation from the Environmental Officer. Vesting was previously approved for the project without the SMART housing designation.

From an environmental perspective, the key issues of vesting to 1985 regulations are that there is no impervious cover limit, stormwater treatment is not required, and the site is not subject to the City's heritage tree ordinance.

### **Applicable Regulations**

If processed under current watershed regulations the project would be limited to 60% impervious cover and required to provide stormwater treatment per current City criteria. The attached Table 1 provides a comparison of current code, 1985 requirements, and proposed criteria.

### **Proposed Environmental Enhancements**

As a result of negotiations with staff the applicant has agreed to modify their original layout to limit impervious cover, provide stormwater treatment, and protect several heritage trees on the site.

### Impervious Cover and Stormwater Treatment

The property is subject to a 60% impervious cover limit under existing zoning. The project can qualify for a bonus to 80% if they meet certain SMART housing requirements. The applicant has agreed to limit impervious cover to 64.5% (3.44 acres). The agreed to stormwater treatment will treat 8,493 cubic feet of stormwater using sedimentation/filtration designed per City of Austin criteria. This capture volume is 44.9% of current code requirements.

### Tree Protection

The applicant's representatives have worked with the City Arborist Program and the Environmental Officer for the past several months to create a project which incorporates as many trees as possible into their desired layout. The site is evenly covered with various tree sizes, most of which are Ashe juniper and live oak trees. Four heritage trees (Live Oaks totaling 98 caliper inches) are on the site, of which one 25-inch tree is proposed to be removed. There are thirteen protected trees (Ashe Juniper and Live Oaks totaling 279 caliper inches) of which eight are proposed to be removed (170 caliper inches or 60%).

It is understood that development requirements, such as parking, fire, drainage, and setback necessities present a challenge for a viable project. Regardless, numerous design changes have been accomplished to preserve trees throughout the proposed design. Even though it is understood that the project is not subject to current code, the preserved trees add to the environmental embodiment of the project. Tree preservation is superior to the existing codes from 1985.

### **Recommendation**

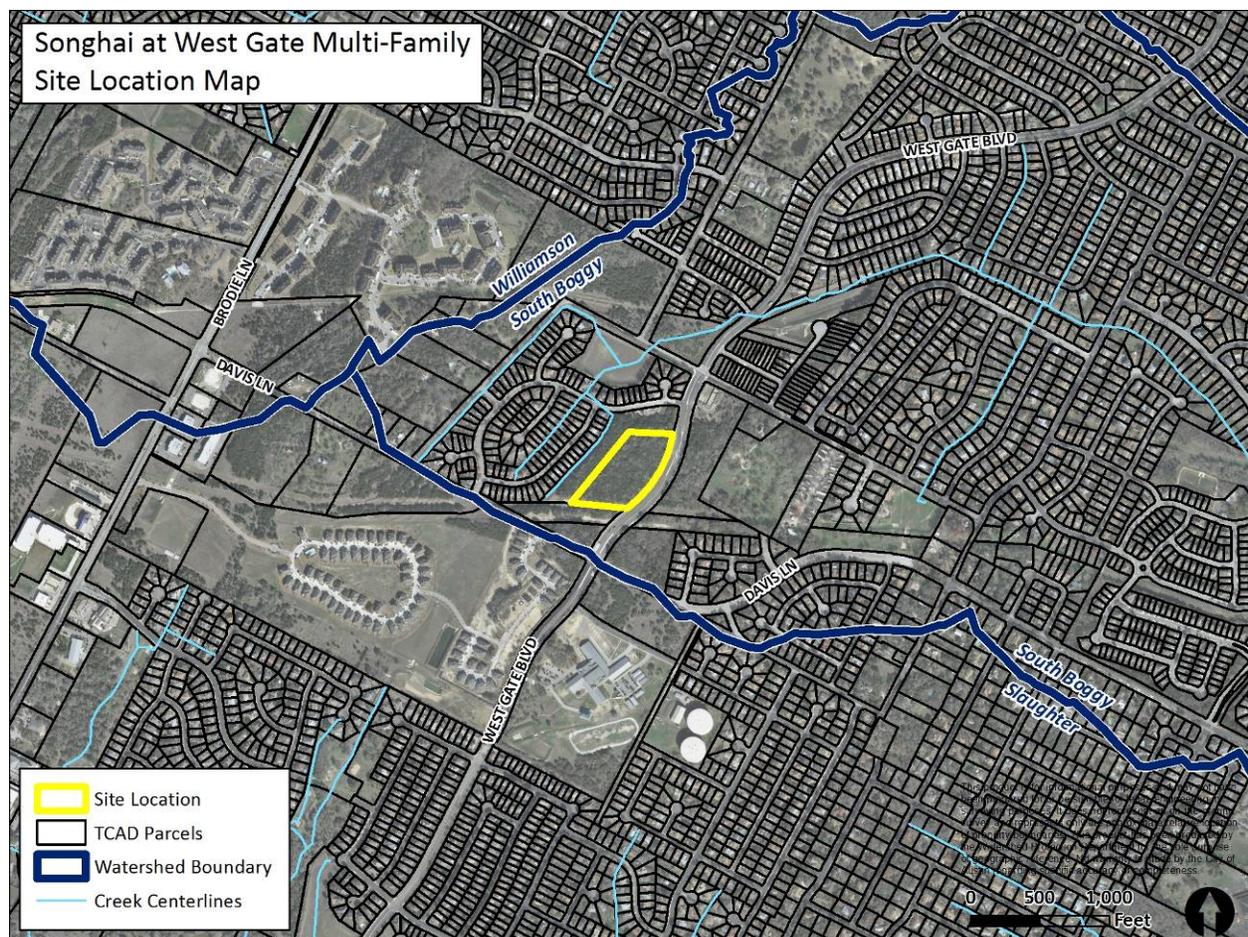
On balance, the proposed project with the conditions agreed to by the applicant is environmentally superior to a project constructed under 1985 regulations which could be done without the SMART housing designation. The applicant has limited impervious cover, provided water quality treatment and is preserving 3 of the 4 heritage trees on the site. For these reasons I recommend that the Environmental Board recommend approval of the proposed project.

Cc: Victoria J. Li, P.E., Director, Watershed Protection Department  
Greg Guernsey, Director, Planning and Development Review Department  
Javier Delgado, Neighborhood Housing Department  
Andy Linseisen, P.E., Planning and Development Review Department  
Jim Dymkowski, Planning and Development Review Department  
Danielle Guevara, Planning and Development Review Department  
Michael Embesi, Planning and Development Review Department

Attachments

	<b>1985 Regulation</b>	<b>Current Regulation</b>	<b>Proposed</b>
Impervious Cover Limit	No limit as site was in ETJ	60% watershed, 60% zoning with up to 80% for SMART housing	64.5%
Stormwater Treatment	None	½" plus sedimentation filtration	44.9% of the current code water quality volume
Tree Protection	19 inches and greater protected	8 inches 19 protected 24 heritage	3 of 4 heritage trees preserved, 5 of 13 protected trees preserved

Table 1: Comparison of key environmental regulations.



Songhai at West Gate Multi-Family  
Site Location Map



