



ITEM FOR ENVIRONMENTAL BOARD AGENDA

BOARD MEETING
DATE REQUESTED: APRIL 1, 2015

NAME & NUMBER OF PROJECT: HEINRICH BULKHEAD
SP-2014-0090D

NAME OF APPLICANT OR ORGANIZATION: Moncada Consulting
(Contact: Phil Moncada 512-474-7377)

LOCATION: 4104-1/2 Rivercrest Dr

PROJECT FILING DATE: March 7, 2014

PDR/ENVIRONMENTAL STAFF: MIKE MCDOUGAL
mike.mcdougal@austintexas.gov

**PDR/
CASE MANAGER:** Brad Jackson 512-974-3410
brad.jackson@austintexas.gov

WATERSHED: Lake Austin Watershed (Water Supply Rural)
Drinking Water Protection Zone

ORDINANCE: Watershed Protection Ordinance

REQUEST: Environmental Board Briefing and Request for a Recommendation to the Board of Adjustment to allow fill in Lake Austin [LDC Section 25-8-652(A) of the CWO]

STAFF RECOMMENDATION: Recommended for approval with conditions.

**REASONS FOR
RECOMMENDATION:** Refer to the attached memo



MEMORANDUM

TO: Danette Chimenti, Chair and Members of the Planning Commission

FROM: Chuck Lesniak, Environmental Officer
Watershed Protection Department

DATE: March 26, 2015

SUBJECT: 4104-1/2 Rivercrest Dr – SP-2014-0090D

Request

The applicant is seeking approval for fill in Lake Austin per LDC 25-8-652(A) of the Watershed Protection Ordinance, which requires a recommendation from the Environmental Board and approval by the Planning Commission.

Project Area Description

The subject property is a single family lot, approximately 0.5 acre in area, located at 4104-1/2 Rivercrest Drive. The site is within the Lake Austin Watershed which is classified as a Drinking Water Protection Zone, Water Supply Rural Watershed. The site is not located over the Edwards Aquifer Recharge Zone. The lot is located partially within the full purpose jurisdiction and partially within the limited purpose jurisdiction. A vicinity map is provided as Exhibit One.

Project History

A description of the boat dock and bulkhead development for this property is listed below.

03/15/2011

Case Number DA-2011-0225

A site plan exemption was approved to demolish and rebuild a boat dock and repair the existing bulkhead that was shown on site plan SP-99-0080DS. No details were provided regarding the extent of the bulkhead repair. The applicant left the original bulkhead in place and constructed a new bulkhead in front of the existing bulkhead (i.e., the new bulkhead was placed further into the lake). Backfill material was placed between the old and the new bulkheads, as shown in Exhibit Two. The distance between the bulkheads ranges from approximately 17 inches to 42 inches, which represents fill placed into the lake and land capture. A site plan should have been required for the proposed boat dock rebuild and bulkhead repair because of the bulkhead replacement.

07/21/2011

A red tag was issued for Failure to Obtain an Approved Site Plan or Permit, Failure to Hold a Preconstruction Conference, Other Violations (substantially exceeding the Scope of DA-2011-0225).

08/24/2011

Staff agreed to process the boat dock as a site plan correction to SP-99-0080DS rather than as an exemption. The review of the boat dock as a correction to SP-99-0080DS addressed the boat dock concern. However, rebuilding of the bulkhead was not allowed under the site plan correction.

As of August 24, 2011, the bulkhead violation had not been addressed. The applicant sought to address the outstanding bulkhead violation with site plan permit SP-2012-0261D, as described below.

08/10/2012

The applicant submitted bulkhead site plan SP-2012-0261D for review.

08/10/2013

The bulkhead site plan SP-2012-0261D application expired before all staff comments were addressed.

03/07/2014

A new bulkhead site plan was submitted, SP-2014-0090D. This is the current bulkhead site plan. The applicant has worked with staff to address comments. The remaining concern is the fill within Lake Austin associated with the new bulkhead construction which requires approval by the Planning Commission as described below.

Recommendation

LDC 25-8-652(A) states that fill in Lake Austin, Ladybird Lake, or Water E. Long Lake / Decker Lake requires approval by the Planning Commission. The applicant is seeking approval from the Planning Commission to allow the new bulkhead to remain as installed.

Due to the potential for sediment transport into the waterway, possible additional damage to the shoreline, and because the bulkhead design is consistent with current City regulations, staff believes that allowing the new bulkhead and associated fill to remain in place would be environmentally superior to removing the new bulkhead and reinstalling it in accordance with current Land Development Code. Current Land Development Code allows a new bulkhead to be installed in front of an existing bulkhead provided that there is no more than 6 inches of fill (measured horizontally) between the bulkheads.

I recommend approval for fill in Lake Austin with the following condition:

The applicant must revegetate the bulkhead in accordance with current Code requirements.

If you need further details, please feel free to contact me at 512-974-2699 or chuck.lesniak@austintexas.gov.

Exhibit One – Vicinity Map

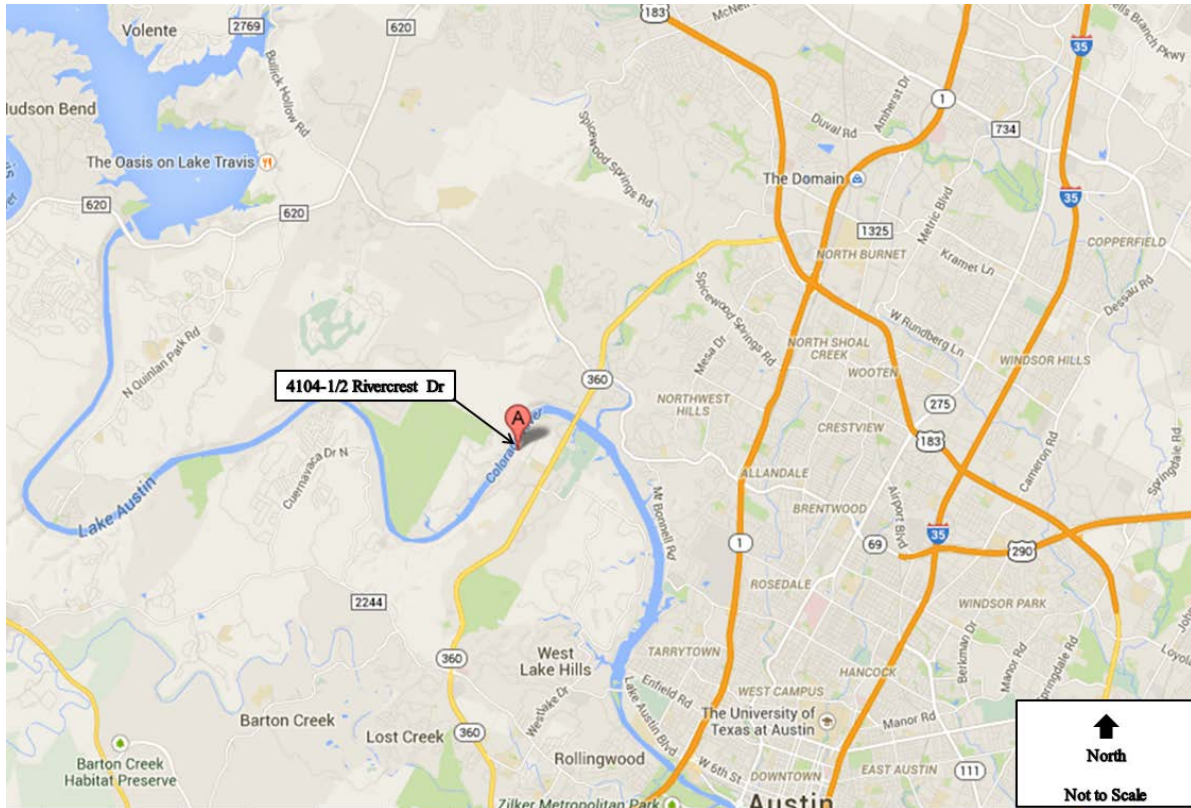


Exhibit Two – Bulkhead Installation

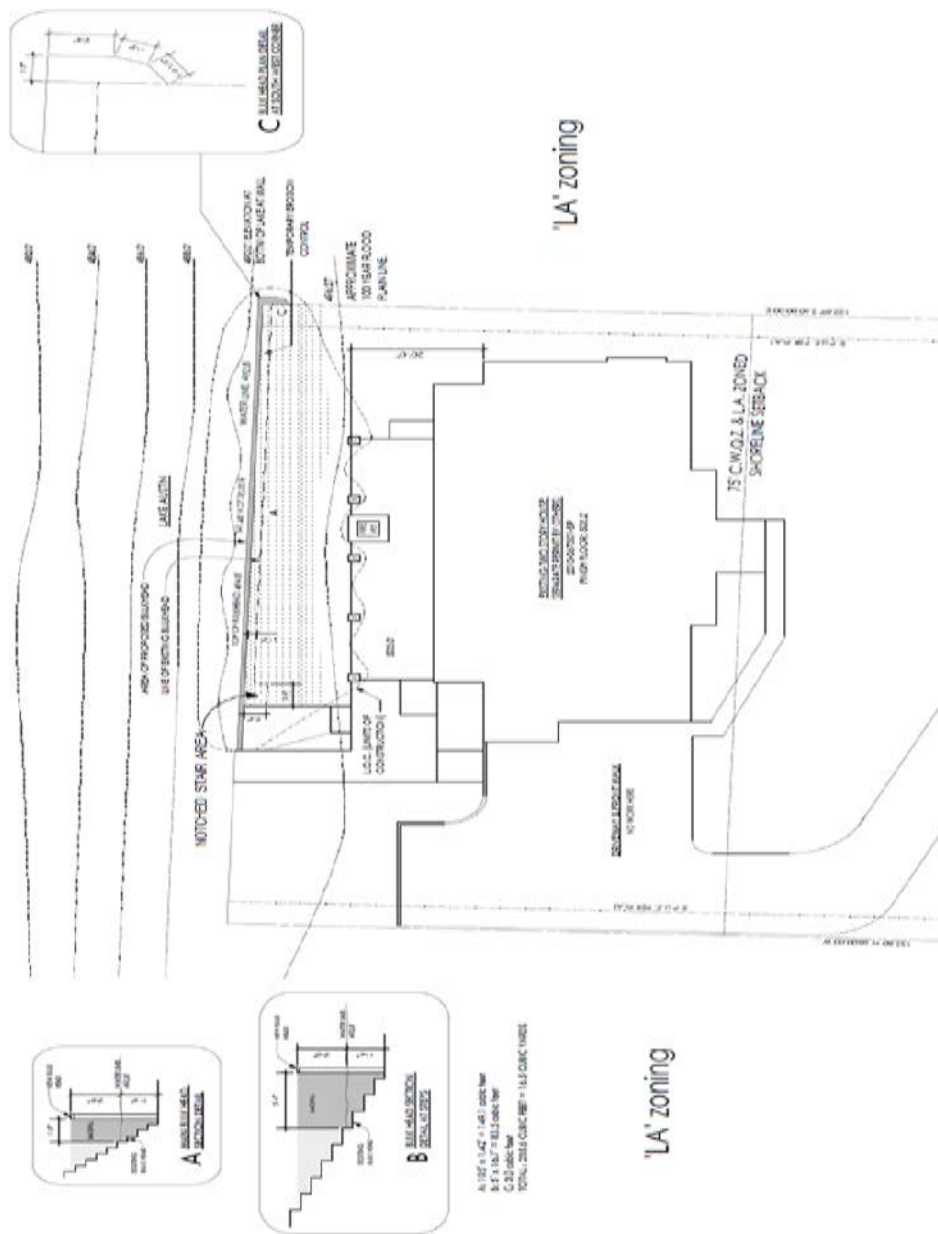


Exhibit Three – Applicant's Request Letter

Moncada Consulting

Phil Moncada

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627-8815 cell
474-4923 fax

March 25, 2015

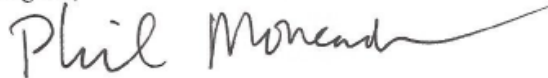
Danette Chimenti, Chair
City of Austin
Planning Commission
301 W 2nd St.
Austin, TX 78701

**RE: 4104 Rivercrest Dr. – Heinrich Bulkhead
Austin, TX
SP-2014-0090DS**

Dear Ms. Chimenti,

We are making a request for approval for a bulkhead and associated fill at the above referenced address. The owner constructed a bulkhead and placed approximately 16.5 cubic yards of fill to stabilize and protect the shoreline and his residence. We have provided a mitigation plan for the wetland plants that were lost during construction. The mitigation plan has been approved by the City of Austin Environmental Resource Management Group.

Signed,



Phil Moncada
Principal

cc.file