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**PLANNING COMMISSION**  
**SITE PLAN APPROVAL OF FILL IN LAKE AUSTIN REVIEW SHEET**

**CASE NUMBER:** SP-2014-0090D                      **PC DATE:** 04/14/15

**PROJECT NAME:** Heinrich Bulkhead

**ADDRESS:** 4104-1/2 Rivercrest Dr

**COUNCIL DISTRICT:** 10 –Sheri Gallo

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

**ORDINANCE:** Comprehensive Watershed Ordinance as of March 7, 2014

**ZONING:** LA

**APPLICANT:** Matt Heinrich

**AGENT:** Phil Moncada  
Phone: (512) 474-7377

**PROJECT DESCRIPTION:** The applicant proposes to permit a bulkhead that was previously built without the proper permit on Lake Austin. The previous Land Development Code for boat docks in effect on March 7, 2014 (when this site plan was submitted) requires Planning Commission approval for any placement of fill in Lake Austin. This site rebuilt an existing bulkhead by placing a new bulkhead approximately 17-42” depending on location along the shoreline in front of the failing bulkhead. The area between the new and existing bulkhead was filled in with soil, requiring this Planning Commission approval.

**VARIANCE REQUESTS:** None.

**ENVIRONMENTAL BOARD RECOMMENDATION:** Recommends approval with staff conditions (see attached motion).

**STAFF RECOMMENDATION:** Staff recommends approval of the fill in Lake Austin.

**PDRD CASE MANAGER:** Brad Jackson (512) 974-3410  
[brad.jackson@austintexas.gov](mailto:brad.jackson@austintexas.gov)

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**ENVIRONMENTAL BOARD MOTION 040115 005b**

**Date:** April 1, 2015

**Subject:** Heinrich Bulkhead SP-2014-0090D

**Motion By:** Robert Deegan

**Second By:** Ruthie Redmond

**RATIONALE:**

**Whereas,** the bulkhead design is consistent with current City regulations and removal of the fill would create the potential for sediment transport and additional damage to the surface,

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

**Staff Conditions:**

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

**VOTE 6-0-0-1**

**For:** Maxwell, Perales, Schissler, Deegan, Redmond, Smith

**Against:** None

**Abstain:** None

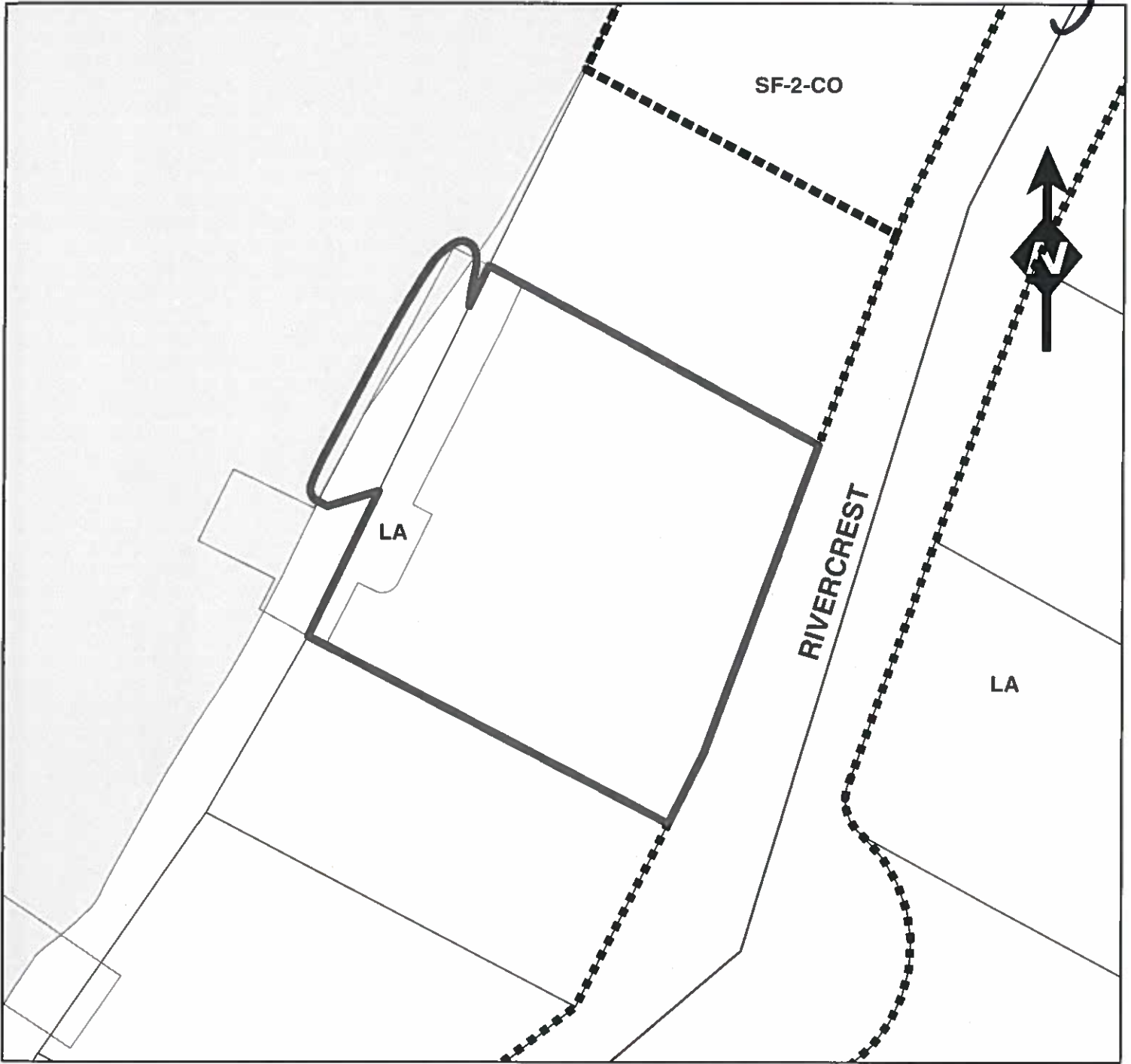
**Absent:** Neely

**Approved By:**






Mary Gay Maxwell, Environmental Board Chair

SITE PLAN PERMIT APPROVAL OF  
FILL IN LAKE AUSTIN

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**Legend**

-  Site Plan Case
-  EXTERNAL.tcad\_parcel
-  Zoning
-  Street Address Centerline
-  Lakes

HEINRICH BULKHEAD  
CASE NO.: SP-2014-0090D  
ADDRESS: 4104-1/2 RIVERCREST DR.  
CASE MANAGER: BRAD JACKSON





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**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 MCDUGAL  
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



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## 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.

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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.

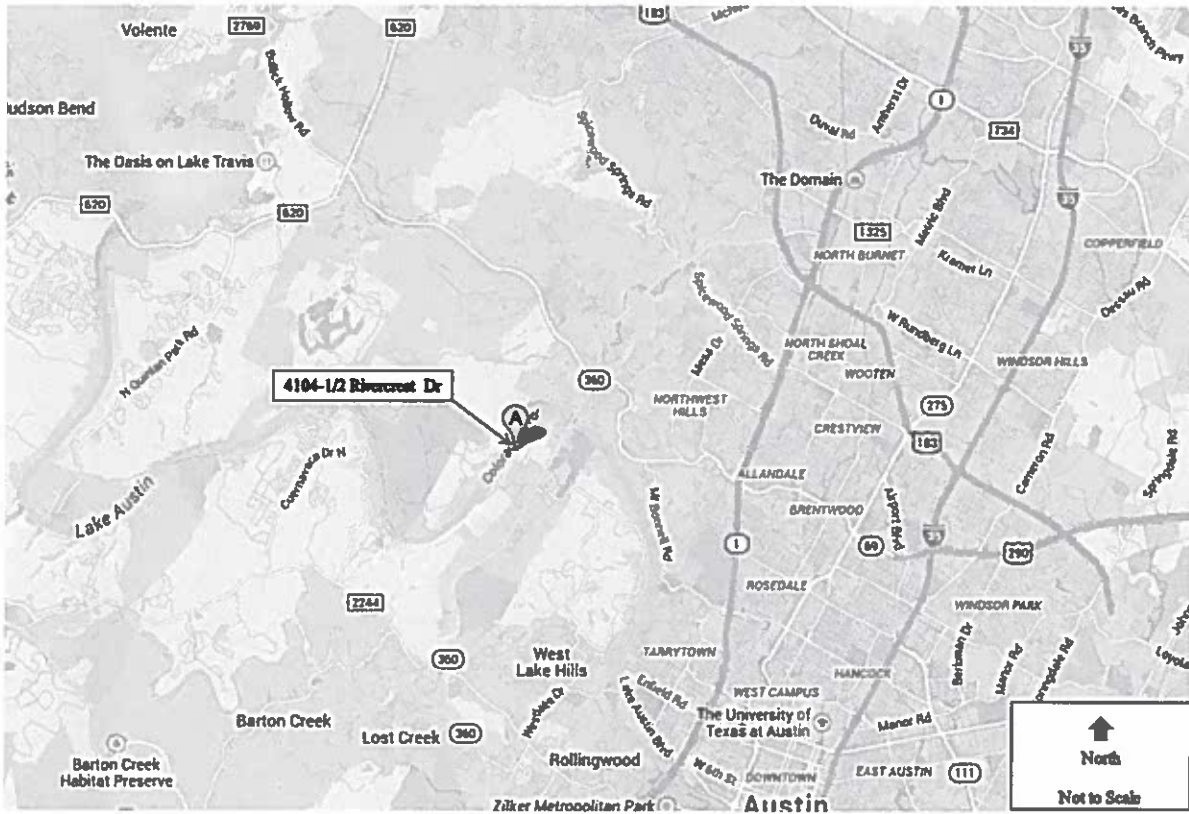
I recommend approval for fill in Lake Austin with the following condition:  
The applicant must revegetate the bulkhead in accordance with current Code requirements.

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

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**Exhibit One – Vicinity Map**







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**Exhibit Three – Applicant’s Request Letter**

Moncada Consulting

Phil Moncada

1301 S. I-H 35 Suite # 204  
Austin, Texas 78741

627-8815 cell  
474-4923 fax

March 25, 2015

Danette Chimenti, Chair  
City of Austin  
Planning Commission  
301 W 2<sup>nd</sup> 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