

Marbridge Project Consent Agreement

Chuck Lesniak, Environmental Officer
Watershed Protection Department



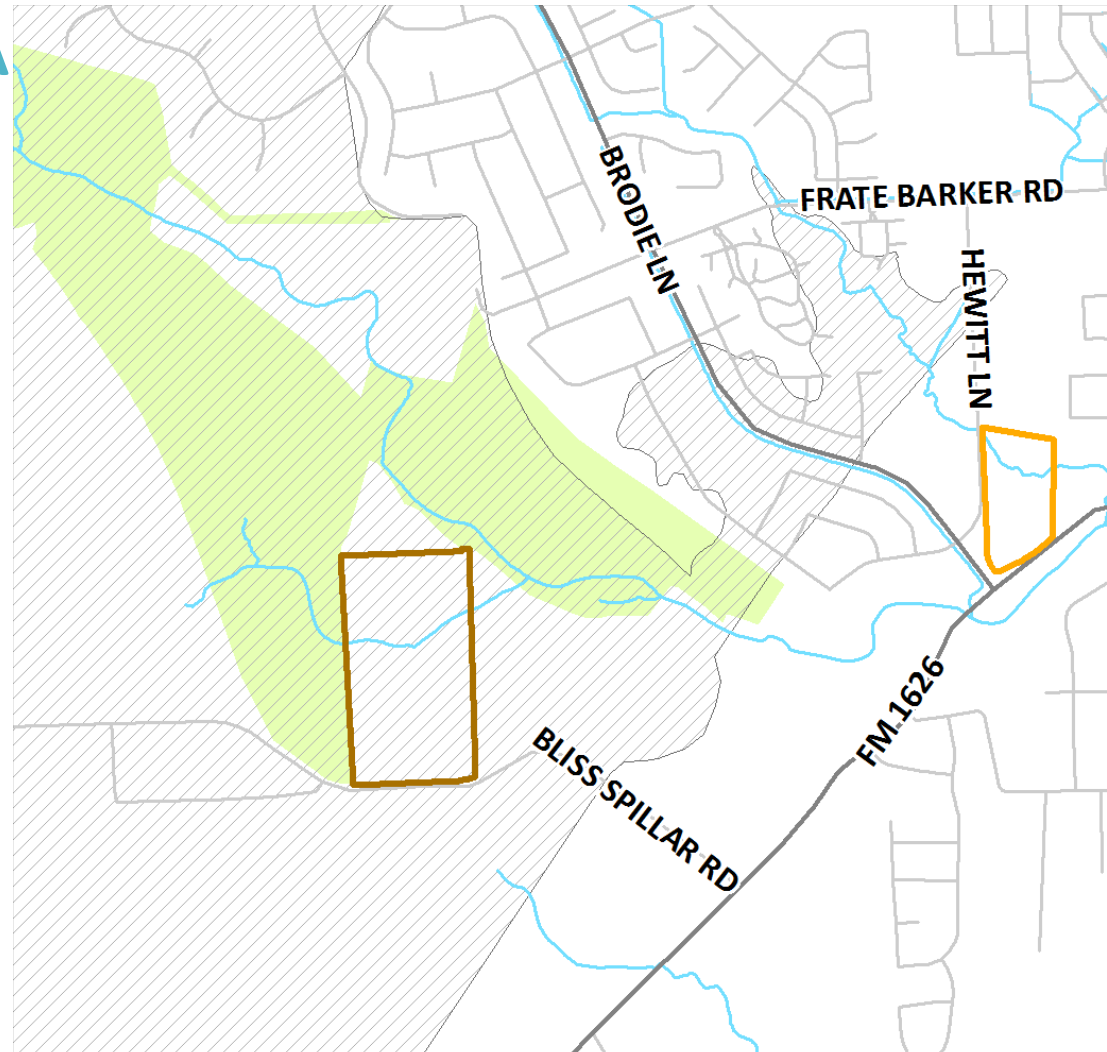
What is a Project Consent Agreement?

- Authorized by City Code Section 25-1-544 as part of the City's vested rights ordinance:
 - (A) This section provides a voluntary mechanism for determining applicable regulations where the extent of a project's **vested rights are unclear** and for **incentivizing projects with clearly established vested rights** to achieve greater compliance with current regulations.*
- Can be initiated by the Director of Development Services or by City Council
- Requires a recommendation from the Environmental Officer
- Must go before the Environmental Commission and the Land Use Commission for consideration of a recommendation to Council

Marbridge PCA

Proposed to facilitate development of a grocery store at Brodie Lane and FM 1626

- Requests reduction in Critical Water Quality Zone to allow max impervious cover
- Offers to reduce development and provide additional environmental protection on property over Edwards Aquifer Recharge Zone



- Exchange Tract
- Brodie Lane Property
- Creek Centerline
- Edwards Aquifer Recharge Zone
- Water Quality Protection Land

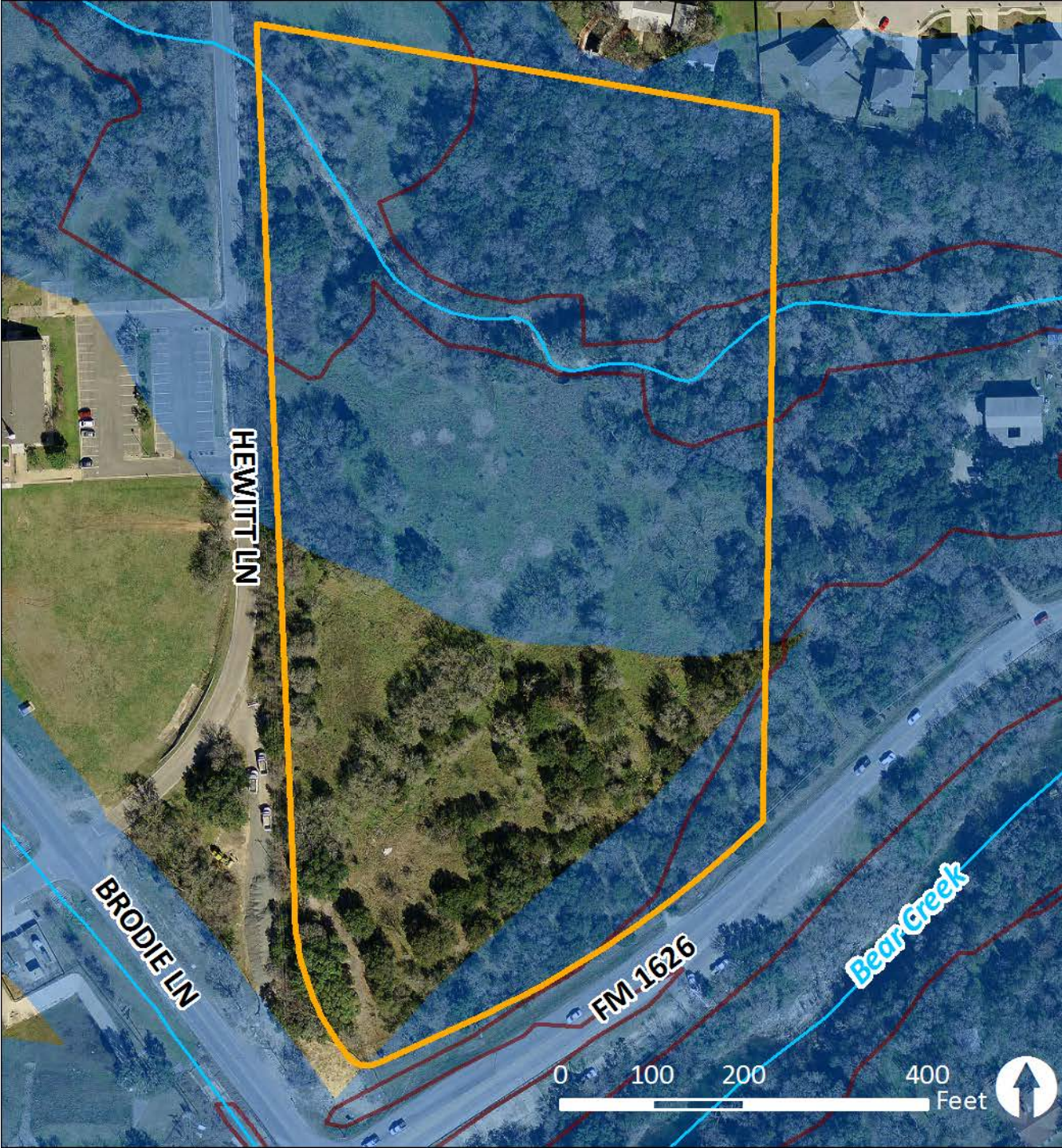
Vicinity Map



PCA Details

Brodie Lane Property

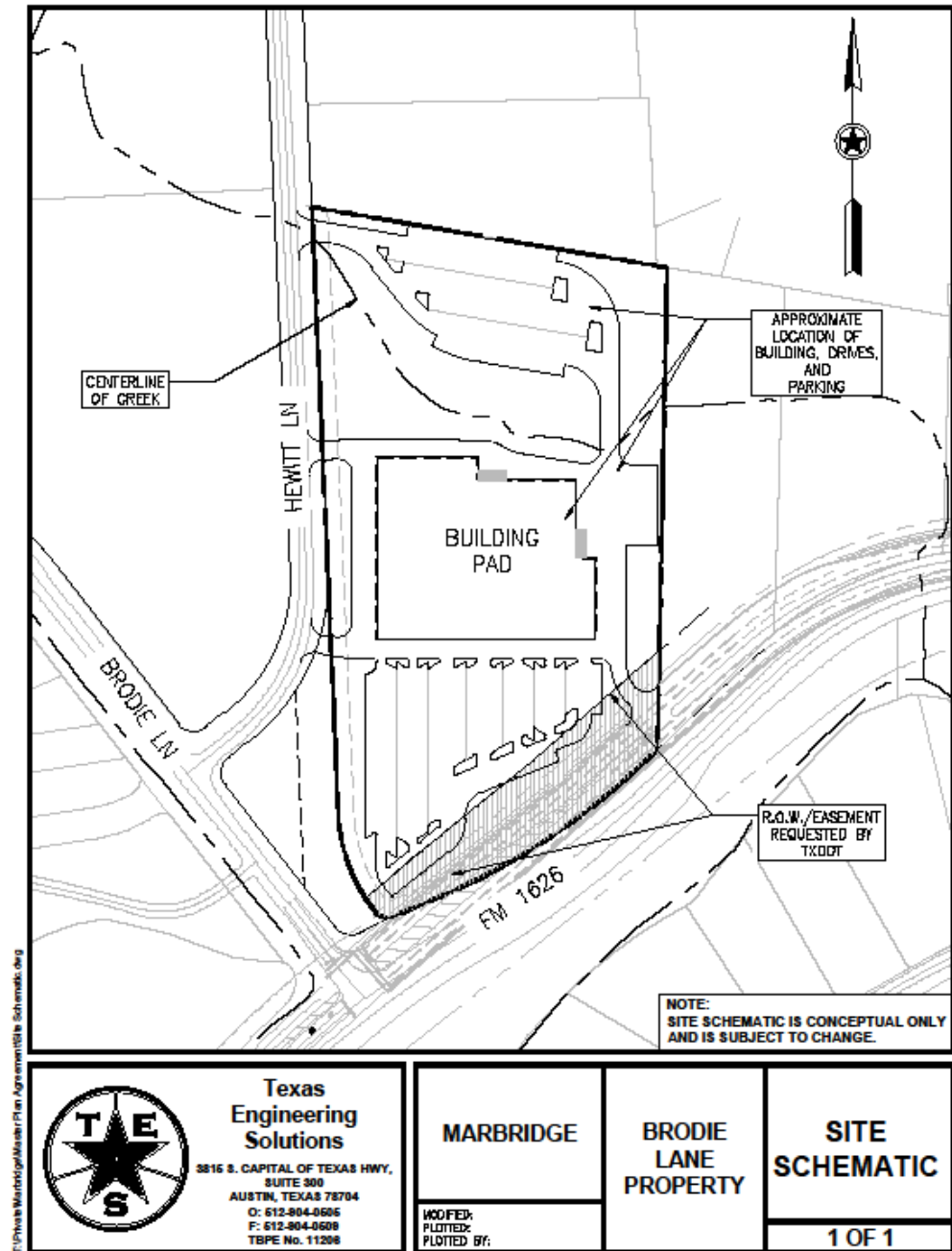
- Limit impervious cover to 7.9 ac.
- Reduce CWQZ to approximately 1.7 ac.
- Allow two CWQZ crossings; 1 from Hewitt Lane in the NW corner of the property, and 1 crossing in the interior of the site
- Allow water quality and detention ponds within the CWQZ
- Allow additional development within the drainage easement for the 100-year floodplain
- Allow an administrative variance for up to 10 feet of cut/fill
- Require protection of four heritage trees on SW corner of property
- Require water quality controls in compliance with code requirements at the time of application



-  Brodie Lane Property
-  Creek
-  FEMA 100-year Floodplain
-  Critical Water Quality Zone

Brodie Lane Property

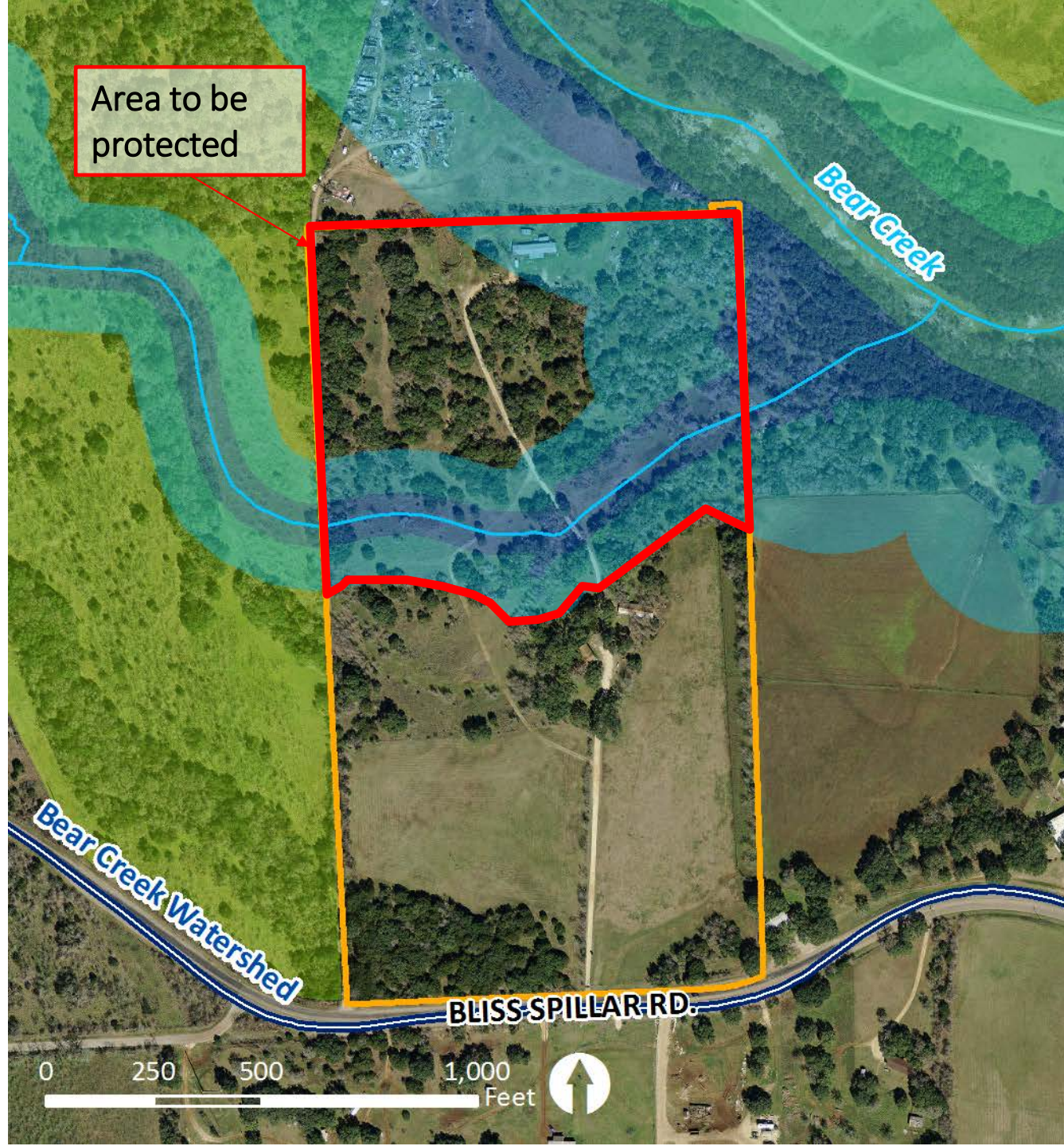
Brodie Lane Conceptual Plan



PCA Details

Exchange Tract

- Limit impervious cover to a maximum of 2.12 acres or 7.4 percent of net site area
- Remove the existing 4-H barn and interior driveway north of the creek and restore the area with native vegetation
- Prohibit any new development on the north portion of the property near Bear Creek upstream of in-stream recharge features
- Install a fence along the southern boundary of the WQTZ



- Exchange Tract
- Creek
- Watershed Boundary
- Critical Water Quality Zone
- Water Quality Transition Zone
- CoA Preserve Land

Exchange Tract

Recommendation

Staff recommends approval based on:

Benefits to environmentally sensitive Exchange Tract

- Limiting impervious cover
- Removal of existing development and restoration of those areas near Bear Creek
- Prohibiting development in developable areas near creek buffers upstream of recharge features within Bear Creek

Characteristics of Brodie Lane Property

- Protection of several heritage trees on the Brodie Lane tract
- Brodie Lane property is in the Desired Development Zone, is surrounded by more heavily developed areas and is adjacent to two major roads

Questions?