SITE PLAN REVIEW SHEET
ENVIRONMENTAL VARIANCE REQUEST ONLY

CASE: SP-2016-0330C **ZONING AND PLATTING DATE:** August 7, 2018

PROJECT NAME: 1300 Dittmar

APPLICANT: SDC LLC.

AGENT: KBGE (Gabe Bruehl P.E.)

ADDRESS OF SITE: 1322 Dittmar Road

AREA: 42.03 acres

COUNCIL DISTRICT: Ann Kitchen - 5

WATERSHED: South Boggy Creek/Williamson Creek

PROPOSED DEVELOPMENT:

The applicant proposes to construct 233 condominium units, which will include a clubhouse and pool, open space, park amenities, a multi-use trail, parking, drives, utilities, and water quality and detention pond on 42.03 acres. The proposed drive is required in order to provide access to northern part of the site. The site plan will comply with all code requirements prior to approval and release.

DESCRIPTION OF VARIANCE:

1. A variance to allow the construction of a private drive across the Critical Water Quality Zone. [LDC Section 25-8-261]

STAFF RECOMMENDATION:

The findings of fact have been met and staff recommends approval with the following conditions:

1. The bridge crossing the Critical Water Quality Zone will span the ordinary high water mark.
2. The Critical Water Quality Zone area will be increased from 2.3 acres to at least 2.7 acres.

ENVIRONMENTAL BOARD ACTION:
July 18, 2018 - Approved 7-0

ENVIRONMENTAL REVIEW STAFF: Mike McDougual **PHONE:** 974-6380
mike.mcdougal.@austintexas.gov

CASE MANAGER: Nikki Hoelter **PHONE:** 974-2863
nikki.hoelter@austintexas.gov

ENVIRONMENTAL COMMISSION MOTION 20180718 008b

Date: July 18, 2018

Subject: 1300 Dittmar Rd, SP-2016-0330C

Motion by: Hank Smith **Seconded by:** Pam Thompson

RATIONALE:

WHEREAS, the variance to allow a private drive across the Critical Water Quality Zone (CWQZ) is necessary to access and develop the majority of the property and a similar variance was approved with a previous development on this site; and

WHEREAS, the proposed private drive across the CWQZ does not create a significant probability of harmful environmental consequences and is significantly better than the previously approved site plan; and

WHEREAS, the abutting properties east and west of this tract have private drives and other improvements located in the CWQZ.

THEREFORE, the Environmental Commission recommends approval of the request for a variance to construct a private drive across the CWQZ with the following;

Staff Conditions:
- The bridge crossing the CWQZ will span the ordinary high water mark
- The CWQZ area will be increased from 2.3 acres to at least 2.7 acres

Environmental Commission Conditions:
- Any utility will be bored and not cut across the CWQZ.

VOTE 7-0

For: B. Smith, Creel, Thompson, H. Smith, Guerrero, Gordon, Maceo
Against: None
Abstain: None
Recuse: None
Absent: Perales, Neely, Coyne

Approved By:

Linda Guerrero, Environmental Commission Chair

ITEM FOR ENVIRONMENTAL COMMISSION AGENDA

COMMISSION MEETING DATE REQUESTED:	July 18, 2018
NAME & NUMBER OF PROJECT:	1300 Dittmar -- SP-2016-0330C
NAME OF APPLICANT OR ORGANIZATION:	Gabe Bruehl, PE KBGE 512-439-0400
LOCATION:	1322 W Dittmar Rd, Austin, TX 78745
COUNCIL DISTRICT:	District 5
PROJECT FILING DATE:	July 13, 2016
DSD/ENVIRONMENTAL STAFF:	Mike McDougal Environmental Program Coordinator 512-974-6380 mike.mcdougal@austintexas.gov
WPD/ERM STAFF	Scott Hiers, PG Environmental Scientist Senior 512-974-1916 scott.hiers@austintexas.gov and Staryn Wagner Environmental Scientist 512-974-2956 staryn.wagner@austintexas.gov
WATERSHED:	South Boggy Creek and Williamson Creek
ORDINANCE:	Watershed Protection Ordinance (current Code)
REQUEST:	Variance request is as follows: 1. A variance to allow the construction of a private drive across the Critical Water Quality Zone (LDC 25-8-261)
STAFF DETERMINATION:	Staff recommends approval, with conditions.
REASONS FOR DETERMINATION:	Findings of fact have been met.

Staff Findings of Fact and Exhibits

Development Services Department
Staff Recommendations Concerning Required Findings

Project: 1300 Dittmar SP-2016-0330C
Ordinance Standard: Watershed Protection Ordinance (current Code)
Variance Request: To allow the construction of a private drive across the Critical Water Quality Zone (LDC 25-8-261)

Include an explanation with each applicable finding of fact.

A. Land Use Commission variance determinations from Chapter 25-8-41 of the City Code:

1. The requirement will deprive the applicant of a privilege available to owners of similarly situated property with approximately contemporaneous development subject to similar code requirements.

Yes. The variance to allow a private drive across the Critical Water Quality Zone is necessary to access and develop a majority of the property. On each side of the Critical Water Quality Zone, the property has ROW frontage:

- **North of the Critical Water Quality Zone, the property fronts Sherwood Road and Damon Road; and**
- **South of the Critical Water Quality Zone, the property fronts Dittmar Road (Exhibit 1).**

However, per Ordinance Number 20120802-107 (Exhibit 2) and based on conversations with COA Site Plan Review and Transportation Review, access from Damon Road is prohibited and access from Sherwood Road is limited to emergency use only. Access to the property for non-emergency use (e.g., access by future residents) is limited to Dittmar Road. In the absence of a private drive crossing the Critical Water Quality Zone, access to the property from Dittmar Road is limited to the approximately 5 acres (of the 42 acre property) located south of the Critical Water Quality Zone. Non-emergency access to the portion of the property located north of the Critical Water Quality Zone (the majority of the property) must be from Dittmar Road.

2. The variance:
   a) Is not necessitated by the scale, layout, construction method, or other design decision made by the applicant, unless the design decision provides greater overall environmental protection than is achievable without the variance;

Yes. The restrictive covenant limits traffic within the adjacent single family residential neighborhood. If the Critical Water Quality Zone cannot be crossed, a majority of the property is inaccessible. The requirement to cross the Critical Water Quality Zone to access the majority of the property is not a design decision made by the applicant.

b) Is the minimum deviation from the code requirement necessary to allow a reasonable use of the property;

Yes. The applicant proposes to construct one Critical Water Quality Zone crossing with a private drive. The private drive crossing is necessary to access approximately 30 acres of the 42 acre property.

c) Does not create a significant probability of harmful environmental consequences.

Yes. The proposed private drive across the Critical Water Quality Zone does not create a significant probability of harmful environmental consequences. Robust erosion and sedimentation controls will be used during construction activities to minimize the potential for offsite sediment transport. The applicant proposes to increase the area of the Critical Water Quality Zone from approximately 2.34 acres to 2.73 acres with this project.

3. Development with the variance will result in water quality that is at least equal to the water quality achievable without the variance.

Yes. Water quality treatment is provided for all impervious cover and robust erosion controls will be provided within the waterway and the applicant proposes to increase the area of the Critical Water Quality Zone.

B. Additional Land Use Commission variance determinations for a requirement of Section 25-8-422 (Water Quality Transition Zone), Section 25-8-452 (Water Quality Transition Zone), Article 7, Division 1 (Critical Water Quality Zone Restrictions), or Section 25-8-652 (Development Impacting Lake Austin, Lady Bird Lake, and Lake Walter E. Long):

1. The criteria for granting a variance in Subsection (A) are met;

Yes. The criteria in Subsection A have been met.

2. The requirement for which a variance is requested prevents a reasonable, economic use of the entire property;

Yes. Only approximately 13% of the entire property can be developed without the variance to access the property located across the Critical Water Quality Zone.

3. The variance is the minimum deviation from the code requirement necessary to allow a reasonable, economic use of the entire property.

Yes. A single crossing of the Critical Water Quality Zone is requested by the applicant. All other development not permitted within the Critical Water Quality Zone is located outside the Critical Water Quality Zone.

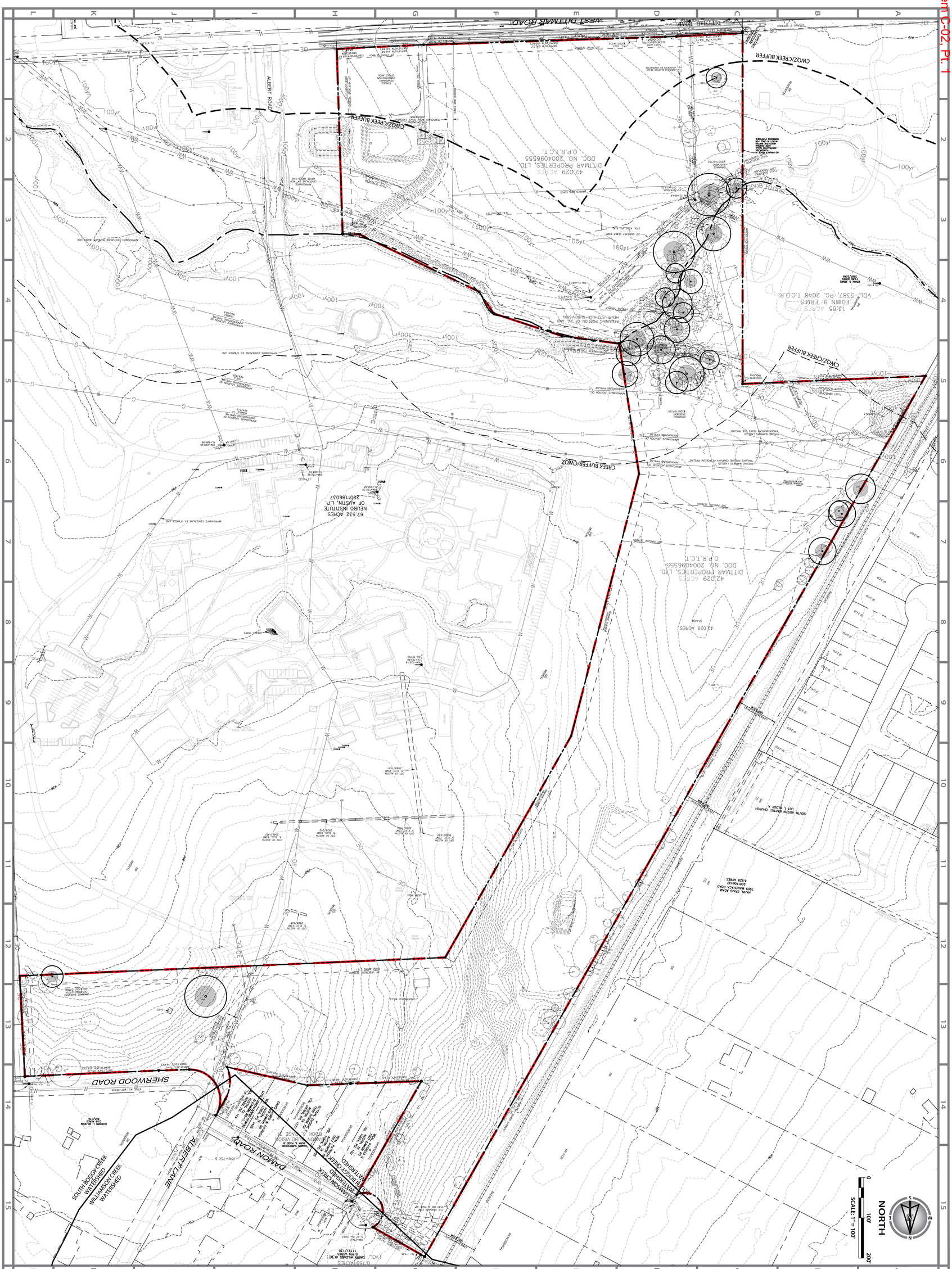
Staff Recommendation:

Staff recommends approval of the requested variance with the following conditions:

- The bridge crossing the Critical Water Quality Zone will span the ordinary high water mark.
- The Critical Water Quality Zone area will be increased from 2.3 acres to at least 2.7 acres.

Environmental Reviewer: _____ Date July 9, 2018
Mike McDougal

Environmental Officer: _____ Date July 9, 2018
Chuck Lesniak



1300 DITTMAR ROAD
SITE DEVELOPMENT PERMIT

CITY OF AUSTIN, TRAVIS COUNTY, TX

TOPOGRAPHIC MAP

EXHIBIT 1

JOB NUMBER: 394-001
SHEET:
PLOT DATE: JULY 2, 2018
CHECKED BY: AP

ENGINEERING CONSULTING kbge

KIMBELL I BRUEHL I GARCIA I ESTES
105 West Riverside Drive, Ste 110, Austin, Texas 78704
T (512) 439-0400 www.kbge-eng.com
TBPE No. - 12802

CLIENT INFORMATION

SDC DITTMAR LLC
2300 S LAMAR
AUSTIN, TX 78704
J SYMCOX
PHONE: (512)439-0400

REV	REVISION / DESCRIPTION	DATE

FILE: K:\PROJECTS\394 – JAY SYMCOX\001 – 1300 DITTMAR\CAD\EXHIBITS\2018.04.26 – VARIANCE EXHIBITS\TOPOGRAPHIC MAP – 24X36.DWG PLOTTED BY: PORTILLO, ARMANDO PLOTTED ON: 07/02/18 11:10:00 AM

Exhibit 2

ORDINANCE NO. 20120802-107

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1300 WEST DITTMAR ROAD FROM TOWNHOUSE & CONDOMINIUM RESIDENCE-CONDITIONAL OVERLAY (SF-6-CO) COMBINING DISTRICT TO TOWNHOUSE & CONDOMINIUM RESIDENCE-CONDITIONAL OVERLAY (SF-6-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from townhouse & condominium residence-conditional overlay (SF-6-CO) combining district to townhouse & condominium residence-conditional overlay (SF-6-CO) combining district on the property described in Zoning Case No. C14-2012-0042, on file at the Planning and Development Review Department, as follows:

> 42.029 acre tract of land, more or less, out of the William Cannon League the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 1300 West Dittmar Road in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

A. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

B. Vehicular access from the Property to Sherwood Road shall function as a secondary vehicular access point only.

C. Except as provided in Part 2, Subsection B, vehicular access from the Property to Damon Road and Sherwood Road is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.

D. Development of the Property may not exceed 252 dwelling units.

E. Development of the Property may not exceed 6 dwelling units per acre.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the townhouse & condominium residence (SF-6) base district, and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on August 13, 2012.

PASSED AND APPROVED

§
§
August 2, 2012 §

Lee Leffingwell
Mayor

APPROVED: Karen M. Kennard
City Attorney

ATTEST: Shirley A. Gentry
City Clerk

Applicant Form and Findings of Fact

June 13, 2018

ENVIRONMENTAL COMMISSION VARIANCE APPLICATION FORM

PROJECT DESCRIPTION

Applicant Contact Information

Name of Applicant	Jay Symcox
Street Address	2300 South Lamar, Suite 106
City State ZIP Code	Austin, TX 78704
Work Phone	512-416-7961
E-Mail Address	jsymcox@symcoxdev.com

Variance Case Information

Case Name	1300 Dittmar
Case Number	
Address or Location	1300 Dittmar, Austin TX, 78745
Environmental Reviewer Name	Mike McDougal
Environmental Resource Management Reviewer Name	
Applicable Ordinance	LDC 25-8-261
Watershed Name	Williamson Creek and Boggy Creek
Watershed Classification	☐ Urban ☒ Suburban ☐ Water Supply Suburban ☐ Water Supply Rural ☐ Barton Springs Zone

Edwards Aquifer Recharge Zone	☐ Barton Springs Segment ☐ Northern Edwards Segment ☐ Not in Edwards Aquifer Zones
Edwards Aquifer Contributing Zone	☐ Yes • No
Distance to Nearest Classified Waterway	100 feet
Water and Waste Water service to be provided by	Austin Water Utility
Request	The variance request is as follows (Cite code references:

Impervious cover	Existing	Proposed
square footage:	0.0	707,414.4
acreage:	0.0	16.24
percentage:	0.0%	38.6%

Provide general description of the property (slope range, elevation range, summary of vegetation / trees, summary of the geology, CWQZ, WQTZ, CEFs, floodplain, heritage trees, any other notable or outstanding characteristics of the property)	The site has slopes mostly under 15%, some areas neat the creek are greater slope. The elevations range from 680 msl down in Boggy Creek and 760 near Sherwood Drive. There are multiple heritage trees in the creek that have been protected and the bridge has multiple walls that stay clear of the critical root zones of the heritage trees. A pocket park has been added around a large heritage tree that is preserved. The vegetation in the creek is thick with briars and invasive, this will be cleared in during the parkland amenities installation. There is a rim rock CEF setback, 50 feet, that is not encroached nor close to the proposed roadway. There is a CWQZ set back. The setback has been mitigated and more acreage is proposed, 0.3 acre increase. There is floodplain onsite, all proposed improvements have been modeled and approved with no rise up or downstream of the site for the 25- or 100-year storm event. Lastly, 10.59 acres of parkland will be dedicated to the City of Austin Park's Department, fee simple, along with amenaties, sidewalks, trees, pavilion and benches.

Clearly indicate in what way the proposed project does not comply with current Code (include maps and exhibits)	The site consists of 42 acres of developable land. Per restrictive covenant 2006072751, the site can only be accessed from Dittmar Road, not Sherwood. Thus requiring a bridge crossing to access the entire site. The creek crossing (private drive) would allow construction, of the bridge and private drive only, in the CWQZ.

FINDINGS OF FACT

As required in LDC Section 25-8-41, in order to grant a variance the Land Use Commission must make the following findings of fact:

Include an explanation with each applicable finding of fact.

Project:

Ordinance:

A. Land Use Commission variance determinations from Chapter 25-8-41 of the City Code:

1. The requirement will deprive the applicant of a privilege available to owners of similarly situated property with approximately contemporaneous development subject to similar code requirements.

   Yes / No See attachment.

2. The variance:
   a) Is not necessitated by the scale, layout, construction method, or other design decision made by the applicant, unless the design decision provides greater overall environmental protection than is achievable without the variance;

      Yes / No See attachment.

   b) Is the minimum deviation from the code requirement necessary to allow a reasonable use of the property;

      Yes / No See attachment.

c) Does not create a significant probability of harmful environmental consequences.

Yes / No See attachment.

3. Development with the variance will result in water quality that is at least equal to the water quality achievable without the variance.

Yes / No See attachment.

B. Additional Land Use Commission variance determinations for a requirement of Section 25-8-422 (Water Quality Transition Zone), Section 25-8-452 (Water Quality Transition Zone), Article 7, Division 1 (Critical Water Quality Zone Restrictions), or Section 25-8-652 (Development Impacting Lake Austin, Lady Bird Lake, and Lake Walter E. Long):

1. The criteria for granting a variance in Subsection (A) are met;

Yes / No See attachment.

2. The requirement for which a variance is requested prevents a reasonable, economic use of the entire property;

Yes / No See attachment.

3. The variance is the minimum deviation from the code requirement necessary to allow a reasonable, economic use of the entire property.

Yes / No See attachment.

**Variance approval requires all above affirmative findings.

As required in LDC Section 25-8-41, in order to grant a variance the Planning Commission must make the following findings of fact: Include an explanation with each applicable finding of fact.

Project: SP-2016-0330C

Ordinance: LDC 25-8-261 Critical Water Quality Zone Development

JUSTIFICATION:

A. Land Use Commission variance determinations from Chapter 25-8-41 of the City Code:

1. The requirement will deprive the Applicant of a privilege available to owners of similarly situated property with approximately contemporaneous development subject to similar code requirements. **YES**/~~NO~~

The site consists of 42 acres of developable land. Per restrictive covenant 2006072751, the site can only be accessed from Dittmar Road, with access being limited to emergency vehicles from Sherwood Street to the north. This requires a bridge for private drive access across the Critical Water Quality Zone associated with South Boggy Creek to access the majority of the site.

There are bridges across South Boggy Creek on the Union Pacific Railroad immediately to the west, and Texas NeuroRehab Center immediately to the east at 1106 Dittmar Road. Strict application of 25-8-261 deprives the Applicant of privileges and safety enjoyed by directly adjacent properties.

2. The variance:

a) Is not necessitated by the scale, layout, construction method, or other design decision made by the Applicant, unless the design decision provides greater overall environmental protection than is achievable without the variance; **YES**/~~NO~~

Due to existing Restrictive Covenant limitations, the only access to the site is directly from Dittmar Road; the site cannot be accessed from Sherwood Street to the north. Therefore, the Applicant is utilizing the only reasonable means of access to the site to build this project; this unique condition was not created as a result of the method by which the Applicant chose to develop the land.

The Applicant has not subdivided the land, but is applying for a Site Development Permit to build 233 units under the townhouse and condominium residence (SF-6) district, which already exists on the site. As a district, SF-6 is compatible with single family residences that abut the property to the north (and south across Dittmar Road) and promotes a single-family character that blends well with the adjacent neighborhood. The site plan allows for clustering of units and works around the environmental constraints on the site.

Further, during the purchase of the property, the Applicant met with City of Austin staff and together they determined that the Applicant would voluntarily withdraw the existing Site Development Permit and, upon submittal of the current Site Development Permit Application, would thus be abiding by current site develop standards, which includes among other things, more stringent environmental standards.

In practice this means that, when compared to the previously approved site plan under which the Applicant was fully entitled to develop, but as part of the agreement with the City Staff to withdraw and resubmit under current Code, the current design:

- Provides a 33% increase to the Critical Water Quality Zone setback;
- Provides increased water quality treatment volumes;
- Is subject to and complies with more stringent heritage and protected tree regulations;
- Provides substantially increased Open Space acreage;
- Provides a 100% increase to the Erosion Hazard Zone setback; and
- Includes the payment of Parkland Dedication fees, Parkland Usage fees, and fee simple land dedication to the City of Austin Parks and Recreation Department (PARD) worth over $412,645.33 to enhance parks and provide connectivity to City's regional park system that was not required under the previous plan.

Even without consideration of the above, this project provides greater overall environmental protection by exceeding the minimum standards provided in the Land Development Code:

Impervious Cover: While this property could be developed with up to 55% impervious cover measured on a gross square foot basis (SF-6 Zoning District and Suburban Watershed), the proposed impervious cover is 38.6% based on a gross square foot basis, which equates to a 30% reduction in impervious cover of what can be built under existing entitlements. Because impervious cover is the most important factor in determining watershed health, the importance of this finding cannot be understated.

The applicant can commit to capping the impervious cover at 40% (significantly less than the 55% impervious cover measured on a gross square foot basis per SF-6 Zoning District and Suburban Watershed requirements).

Water Quality Treatment Volume: This project exceeds the minimum water quality treatment volume by approximately 12,485 gallons.

Detention: This project exceeds the minimum detention volume by approximately 5,600 gallons.

Private/Common Open Space: This project exceeds the minimum private/common open space by approximately 4,100 square feet.

CodeNEXT Landscaping Requirements: The project is also able to meet or exceed the future landscape requirements of CodeNEXT (Division 23-4E-4).

b) Is the minimum deviation from the code requirement necessary to allow a reasonable use of the property; **YES**/~~NO~~

The project does demonstrate the minimum departures for code requirement necessary to avoid the deprivation of privileges enjoyed by adjacent properties, and facilitates a reasonable use that will not create significant probabilities of harmful environmental consequences.

There is only one private drive that will span the Critical Water Quality Zone and the Erosion Hazard Zone to allow reasonable use of the entire property. The buildings have been located to avoid every environmental variance on the site except this single bridge crossing.

All heritage trees and Critical Environmental Features are protected by the Critical Water Quality Zone crossing.

c) Does not create a significant probability of harmful environmental consequences. **YES**/~~NO~~

The bridge piers and erosion control associated with this bridge crossing has been determined by City staff as not creating a significant probability of harmful environmental consequences.

All structural fill will be contained, and no cut/fill above 8 is associated with the bridge construction. Also, All CEF and heritage are protected from the CWQZ crossing.

3. Development with the variance will result in water quality that is at least equal to the water quality achievable without the variance. **YES**/~~NO~~

Yes, the proposed project clearly demonstrates water quality better than would have resulted had the development proceeded without a variance. This project is part of an agreement with City Staff to withdraw a valid Site Development Permit and bring project up to Current code.

When compared to the previously approved site plan under which the Applicant was fully entitled to develop, the current design:

- Provides a 33% increase to the Critical Water Quality Zone setback;
- Provides increased water quality treatment volumes;
- Is subject to and complies with more stringent heritage and protected tree regulations;
- Provides substantially increased Open Space acreage;
- Provides a 100% increase to the Erosion Hazard Zone setback; and
- Includes the payment of Parkland Dedication fees, Parkland Usage fees, and fee simple land dedication to the City of Austin Parks and Recreation Department

(PARD) worth over $412,645.33 to enhance parks and provide connectivity to City's regional park system that was not required under the previous plan.

Even without consideration of the above, this project still exceeds the minimum standards provided in the current Land Development Code:

Impervious Cover: While this property could be developed with up to 55% impervious cover measured on a gross square foot basis (SF-6 Zoning District and Suburban Watershed), the proposed impervious cover is 38.6% based on a gross square foot basis, which equates to a 30% reduction in impervious cover of what can be built under existing entitlements. Because impervious cover is the most important factor in determining watershed health, the importance of this finding cannot be understated.

The applicant can commit to capping the impervious cover at 40% (significantly less than the 55% impervious cover measured on a gross square foot basis per SF-6 Zoning District and Suburban Watershed requirements).

Water Quality Treatment Volume: This project exceeds the minimum water quality treatment volume by approximately 12,485 gallons.

CodeNEXT Landscaping Requirements: The project is also able to meet or exceed the future landscape requirements of CodeNEXT (Division 23-4E-4).

This reduction in impervious cover, increased water quality volumes, and compliance with an Erosion Hazard Zone and a Critical Water Quality Zone that were reduced under the previously approved Site Development Permit, the project clearly demonstrates that water quality will be better than if the project would have proceeded under the original approved plan.

B. Additional Land Use Commission variance determination for a requirement of Section 25-8-422 (Water Quality Transition Zone), Section 25-8-452 (Water Quality Transition Zone), Article 7, Division 1 (Critical Water Quality Zone Restrictions), or Section 25-8-652 (Development Impacting Lake Austin, Lady Bird Lake, and Lake Water E. Long):

1. The criteria for granting a variance in Subsection (A) are met; **YES**/~~NO~~

   The criteria for granting a variance in Subsection (A) have been met.

2. The requirement for which a variance is requested prevents a reasonable, economic use of the entire property; **YES**/~~NO~~

   Due to existing Restrictive Covenant limitations, the only access to the site is directly from Dittmar Road; the site cannot be accessed from Sherwood Street to the north. Therefore, the Applicant is utilizing the only reasonable means of access to the site to build this project; this bridge is necessary to allow a reasonable, economic use of the entire property.

3. The variance is the minimum deviation for the code requirement necessary to allow a reasonable, economic use of the entire property. **YES**/~~NO~~

The variance requested is the minimum departure for the code requirement necessary to avoid the deprivation of privileges enjoyed by adjacent properties, and facilitates a reasonable use that will not create significant probabilities of harmful environmental consequences. The code allows for crossing by a public road of equal size and use. Therefore, the variance is a minimum variation.

There is only one private drive that will span the Critical Water Quality Zone and the Erosion Hazard Zone to allow reasonable use of the entire property. The buildings have been located to avoid every environmental variance on the site except this single bridge crossing.

All heritage trees and Critical Environmental Features are protected by the Critical Water Quality Zone crossing.

** Variance approval requires all above affirmative findings.

Aerial Image Provided by Applicant

REV	REVISION / DESCRIPTION	DATE

CLIENT INFORMATION

SDC DITTMAR LLC
2300 S LAMAR
AUSTIN, TX 78704
J SYMCOX
PHONE: (512)439-0400

ENGINEERING CONSULTING kbge

KIMBELL I BRUEHL I GARCIA I ESTES
105 West Riverside Drive, Ste 110, Austin, Texas 78704
T (512) 439-0400 www.kbge-eng.com
TBPE No.- 12802

1300 DITTMAR ROAD SITE DEVELOPMENT PERMIT

CITY OF AUSTIN, TRAVIS COUNTY, TX

VICINITY AERIAL

CHECKED BY: AP

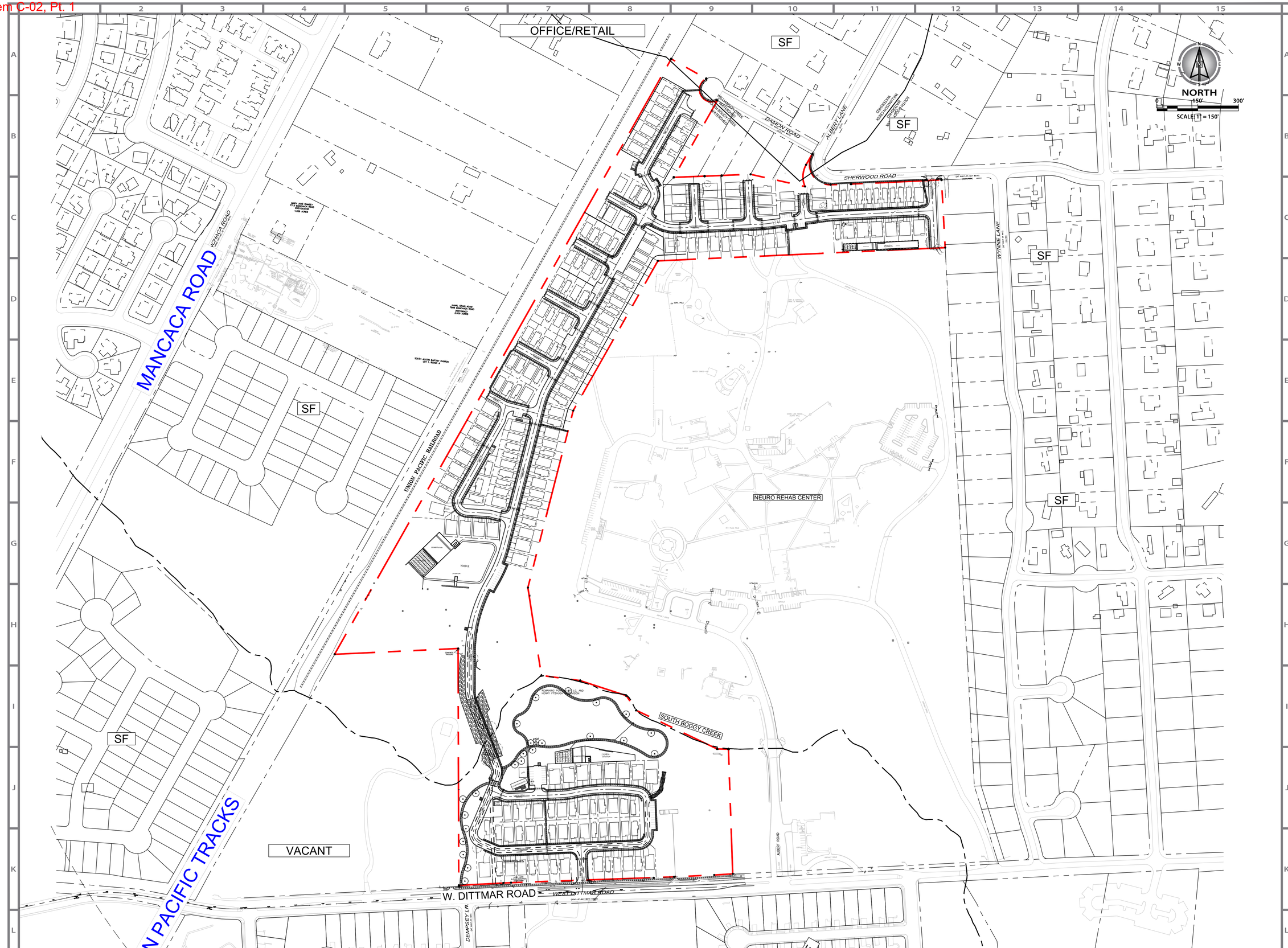
JOB NUMBER: 394-001

PLOT DATE: May 15, 2018

SHEET: EXHIBIT

FILE: K:\PROJECTS\394 - JAY SYMCOX\001 - 1300 DITTMAR\CAD\EXHIBITS\2018.04.26 - VARIANCE EXHIBITS\AERIAL VICINITY EXHIBIT - 24X36.DWG PLOTTED BY: PORTILLO, ARMANDO PLOTTED ON: 05/15/18 8:31:53 AM

Adjacent Use Map Provided by Applicant



REV	REVISION / DESCRIPTION	DATE

CLIENT INFORMATION

SDC DITTMAR LLC
2300 S LAMAR
AUSTIN, TX 78704
J SYMCOX
PHONE: (512)439-0400

kbge
ENGINEERING CONSULTING
KIMBELL I BRUEHL I GARCIA I ESTES
105 West Riverside Drive, Ste 110, Austin, Texas 78704
T (512) 439-0400 www.kbge-eng.com
TBPE No.- 12802

1300 DITTMAR ROAD SITE DEVELOPMENT PERMIT

CITY OF AUSTIN, TRAVIS COUNTY, TX

CONTEXT MAP

FILE: K:\PROJECTS\394 - JAY SYMCOX\001 - 1300 DITTMAR\CAD\EXHIBITS\2018.04.26 - VARIANCE EXHIBITS\CONTEXT MAP - 2-N36.DWG PLOTTED BY: PORTILLO, ARMANDO PLOTTED ON: 05/15/18 8:42:50 AM

CHECKED BY: AP

JOB NUMBER: 394-001

PLOT DATE: May 15, 2018

SHEET:

EXHIBIT

Environmental Resource Inventory

Terracon

August 12, 2016

Mr. Chad Kimbell, P.E. – Principal
KBGE
105 West Riverside Drive, Suite 110
Austin, Texas 78704

Telephone: (512) 439-0400
E-mail: chad@kbge-eng.com

RE: **Environmental Resource Investigation (ERI)**
Approximately 40-Acre Tract
West Dittmar Road
Austin, Travis County, Texas
Terracon Project No. 96167629

Dear Mr. Kimbell:

Terracon Consultants, Inc. (Terracon) is pleased to submit this Environmental Resource Investigation (ERI) report addressing City of Austin (COA) compliance requirements as they may affect the above referenced project site in accordance with Terracon Proposal No. P96167629 dated August 5, 2016 and the signed agreement dated August 9, 2016.

The results of this report are based on the professional opinion of Terracon and site conditions observed during the field reconnaissance. It should be noted that some critical environmental features (CEFs) may be seasonal or ephemeral, indicating that their presence/absence and condition are dependent on various weather conditions (including rainfall) and other changes to the surrounding ecosystem.

Terracon is not liable for ephemeral and/or seasonal CEFs that are exposed or created after Terracon's field assessment. Additionally, Terracon's opinion is based on current COA regulations; therefore, changes in regulations may require a re-evaluation of the findings of this report.

It is recommended this report be promptly submitted to the COA, otherwise an updated report (based on an additional field assessment) may be required to evaluate ephemeral and/or CEFs.

It should be noted that the COA has the ultimate authority for CEF classifications.

We appreciate the opportunity to provide this report. If you have questions regarding the content of this report, please feel free to contact Jared Cobb at (512) 891-2606 or jdcobb@terracon.com

Sincerely,
Terracon Consultants, Inc.

Jared Cobb
Staff Environmental Scientist

Approved by:

Hilary D. Johns, P.G.
Manager – Environmental Services

City of Austin Environmental Resource Investigation

Approximately 40-Acre Tract
West Dittmar Road
Austin, Travis County, Texas

August 12, 2016

Terracon Project No. 96167629

Prepared for:
KBGE
Austin, Texas

Prepared by:
Terracon Consultants, Inc.
Austin, Texas

ENVIRONMENTAL RESOURCE INVENTORY FORM
FOR THE CITY OF AUSTIN
RELATED TO LDC 25-8-121, CITY CODE 30-5-121, ECM 1.3.0 & 1.10.0

APPENDICES

APPENDIX A – ADDITIONAL DISCUSSION

APPENDIX B – EXHIBITS

APPENDIX C – SITE PHOTOGRAPHS

APPENDIX D – CREDENTIALS

APPENDIX E – GENERAL COMMENTS

Case No.: _____
(City use only)

Environmental Resource Inventory

For the City of Austin
Related to LDC 25-8-121, City Code 30-5-121, ECM 1.3.0 & 1.10.0

The ERI is required for projects that meet one or more of the criteria listed in LDC 25-8-121(A), City Code 30-5-121(A).

1. SITE/PROJECT NAME: Approximately 40-Acre Tract

2. COUNTY APPRAISAL DISTRICT PROPERTY ID (#'s): 575645, Continued in Appendix A...

3. ADDRESS/LOCATION OF PROJECT: West Dittmar Road, Austin, Travis County

4. WATERSHED: South Boggy Creek and Williamson Creek

5. THIS SITE IS WITHIN THE *(Check all that apply)*
   Edwards Aquifer Recharge Zone* *(See note below)* ..... ☐YES ☑No
   Edwards Aquifer Contributing Zone*..... ☐YES ☑No
   Edwards Aquifer 1500 ft Verification Zone* ..... ☐YES ☑No
   Barton Spring Zone* ..... ☐YES ☑No
   **(as defined by the City of Austin – LDC 25-8-2 or City Code 30-5-2)*

   Note: If the property is over the Edwards Aquifer Recharge zone, the Hydrogeologic Report and karst surveys must be completed and signed by a Professional Geoscientist Licensed in the State of Texas.

6. DOES THIS PROJECT PROPOSE FLOODPLAIN MODIFICATION?.....☐YES** ☑NO
   If yes, then check all that apply:
   - ☐ *(1) The floodplain modifications proposed are necessary to protect the public health and safety;*
   - ☐ *(2) The floodplain modifications proposed would provide a significant, demonstrable environmental benefit, as determined by a **functional assessment** of floodplain health as prescribed by the Environmental Criteria Manual (ECM), or*
   - ☐ *(3) The floodplain modifications proposed are necessary for development allowed in the critical water **quality zone under LDC 25-8-261 or 25-8-262, City Code 30-5-261 or 30-5-262.***
   - ☐ *(4) The floodplain modifications proposed are outside of the Critical Water Quality Zone in an area determined to be in poor or fair condition by a **functional assessment** of floodplain health.*

   **** If yes, then a functional assessment must be completed and attached to the ERI (see ECM 1.7 and Appendix X for forms and guidance) unless conditions 1 or 3 above apply.**

7. IF THE SITE IS WITHIN AN URBAN OR SUBURBAN WATERSHED, DOES THIS PROJECT PROPOSE A UTILITY LINE PARALLEL TO AND WITHIN THE CRITICAL WATER QUALITY ZONE? ..... ☑YES*** ☐NO

   *****If yes, then riparian restoration is required by LDC 25-8-261(E) or City Code 30-5-261(E) and a functional assessment must be completed and attached to the ERI (see ECM1.5 and Appendix X for forms and guidance).**

8. There is a total of 1 (#'s) Critical Environmental Feature(s)(CEFs) on or within150 feet of the project site. If CEF(s) are present, attach a detailed **DESCRIPTION** of the CEF(s), color **PHOTOGRAPHS**, the **CEF WORKSHEET** and provide **DESCRIPTIONS** of the proposed CEF buffer(s) and/or wetland mitigation. Provide the number of each type of CEFs on or within 150 feet of the site (*Please provide the number of CEFs*):

_____ - (#'s) Spring(s)/Seep(s) _____ - (#'s) Point Recharge Feature(s) _____ - (#'s) Bluff(s)

_____ 1 (#'s) Canyon Rimrock(s) _____ - (#'s) Wetland(s)

Note: Standard buffers for CEFs are 150 feet, with a maximum of 300 feet for point recharge features. Except for wetlands, if the standard buffer is <u>not provided</u>, you must provide a written request for an administrative variance from LDC 25-8-281(C)(1) and provide written findings of fact to support your request. <u>Request forms for administrative variances from requirements stated in LDC 25-8-281 are available from Watershed Protection Department.</u>

9. The following site maps are attached at the end of this report *(Check all that apply and provide):*

<u>All ERI reports must include:</u>

- ■ **Site Specific Geologic Map with 2-ft Topography**
- ■ **Historic Aerial Photo of the Site**
- ■ **Site Soil Map**
- ■ **Critical Environmental Features and Well Location Map on current Aerial Photo with 2-ft Topography**

<u>Only if present on site *(Maps can be combined):*</u>

- ☐ **Edwards Aquifer Recharge Zone with the 1500-ft Verification Zone**
  (Only if site is over or within 1500 feet the recharge zone)
- ☐ **Edwards Aquifer Contributing Zone**
- ☐ **Water Quality Transition Zone (WQTZ)**
- ■ **Critical Water Quality Zone (CWQZ)**
- ☐ **City of Austin Fully Developed Floodplains for all water courses with up to 64-acres of drainage**

10. **HYDROGEOLOGIC REPORT –** Provide a description of site soils, topography, and site specific geology below *(Attach additional sheets if needed):*

Surface Soils on the project site is summarized in the table below and uses the SCS Hydrologic Soil Groups*. If there is more than one soil unit on the project site, show each soil unit on the site soils map.

Soil Series Unit Names, Infiltration Characteristics & Thickness		
Soil Series Unit Name & Subgroup**	Group*	Thickness (feet)
AsC2 - (Appendix A for name)	C	0-4.75'
AtC2 - (Appendix A for name)	D	0-4'
EdC - (Appendix A for name)	D	0-1.67'
EuC - (Appendix A for name)	D	0-1.67'
Fs - (Appendix A for name)	B	0-6.67'

Soil Hydrologic Groups Definitions *(Abbreviated)

A. Soils having a <u>high infiltration</u> rate when thoroughly wetted.

B. Soils having a <u>moderate *infiltration*</u> rate when thoroughly wetted.

C. Soils having a <u>slow infiltration</u> rate when thoroughly wetted.

D. Soils having a <u>very slow infiltration</u> rate when thoroughly wetted.

**Subgroup Classification – See <u>Classification of Soil Series</u> Table in County Soil Survey.

Description of Site Topography and Drainage *(Attach additional sheets if needed)*:

The 1988 U.S. Geological Survey (USGS) 7.5-Minute Topographic Map (Oak Hill, Texas Quadrangle) of the project site was reviewed. Based on the review of the USGS map, site elevation is depicted to be approximately 670-760 feet above mean sea level, with the site sloping to the south central portion of the site. An east-west oriented intermittent stream (named Boggy Creek) is depicted transecting the south central portion of the site and continuing beyond the east and west site boundaries. The USGS map does not depict any other surface waterbodies within 150 feet of the site boundary.
Continued in Appendix A...

List surface geologic units below:

Geologic Units Exposed at Surface		
Group	Formation	Member
Austin Group	Austin Chalk (Kau)	N/A

Brief description of site geology *(Attach additional sheets if needed)*:

The site is located outside the Edwards Aquifer Recharge Zone, Contributing Zone and 1,500-ft. Verification Zone as mapped by the City of Austin Development Web Map. According to the Geologic Atlas of Texas, the site is underlain by the Austin Chalk (Kau), which is characterized as chalk and marl; chalk mostly microgranular calcite with minor Foraminifera tests and Inoceramus prisms, averages about 85 percent calcium carbonate, ledge forming grayish white to white; alternates with marl, bentonitic seams locally recessive, medium gray; pyrite nodules common, weather to limonite; thickness 325-420 feet. This formation is not known to form solutions and collapse caves and voids suitable for usage by Terrestrial Karst Invertebrates (TKIs).
Continued in Appendix A...

Wells – Identify all recorded and unrecorded wells on site (test holes, monitoring, water, oil, unplugged, capped and/or abandoned wells, etc.):

There are 0 (#) wells present on the project site and the locations are shown and labeled

0 (#'s) The wells are not in use and have been properly abandoned.

0 (#'s) The wells are not in use and will be properly abandoned.

0 (#'s) The wells are in use and comply with 16 TAC Chapter 76.

There are 0 (#'s) wells that are off-site and within 150 feet of this site.

11. **THE VEGETATION REPORT –** Provide the information requested below:

Brief description of site plant communities *(Attach additional sheets if needed)*:

The Texas Parks and Wildlife Department's (TPWD) Ecological Mapping Systems – Omernik Ecoregions Level III, of the project site was reviewed. Based on a review of the TPWD ecological mapping, the site is located in the Blackland Prairies. TPWD describes the Blackland Prairies as native grasslands and woodland areas including mesquite, hackberry, elm, osage orange, and other woody species.

Continued in Appendix A...

There is woodland community on site ……☒YES ☐ NO *(Check one).*
If yes, list the dominant species below:

Woodland species	
Common Name	Scientific Name
Cedar	Juniperus virginiana
Cedar elm	Ulmus crassifolia
Winged elm	Ulmus alata
Live oak	Quercus virginiana
Privet	Ligustrum japonicum

There is grassland/prairie/savanna on site……..☒YES ☐ NO *(Check one).*
If yes, list the dominant species below:

Grassland/prairie/savanna species	
Common Name	Scientific Name
Bermuda grass	Cynodon dactylon
Green briar	Smilax bona-nox
Rubus	Rubus trivialis
Helianthus	Helianthus annuus
Sassafras	Sassafras albidum
Annual Ragweed	Ambrosia artemisiifolia
Retama	Parkinsonia aculeata

There is hydrophytic vegetation on site ……..☐YES ☒ NO *(Check one).*
If yes, list the dominant species in table below *(next page):*

Hydrophytic plant species		
Common Name	Scientific Name	Wetland Indicator Status

A tree survey of all trees with a diameter of at least eight inches measured four and one-half feet above natural grade level has been completed on the site.
■YES ☐ NO *(Check one).*

12. **WASTEWATER REPORT –** Provide the information requested below.

Wastewater for the site will be treated by *(Check of that Apply)*:

☐ On-site system(s)
■ City of Austin Centralized sewage collection system
☐ Other Centralized collection system

Note: All sites that receive water or wastewater service from the Austin Water Utility must comply with City Code Chapter 15-12 and wells must be registered with the City of Austin

The site sewage collection system is designed and will be constructed to in accordance to all State, County and City standard specifications.
■YES ☐ NO *(Check one).*

Calculations of the size of the drainfield or wastewater irrigation area(s) are attached at the end of this report or shown on the site plan.
☐YES ☐ NO ■ Not Applicable *(Check one).*

Wastewater lines are proposed within the Critical Water Quality Zone?
■YES ☐ NO *(Check one)*. If yes, then provide justification below:

An existing public mainline is located in the Critical Water Quality Zone. Two wastewater lines, on either side of the creek, are proposed to connect to public mainline.

Is the project site is over the Edwards Aquifer?
☐YES ☒ NO *(Check one).*

If yes, then describe the wastewater disposal systems proposed for the site, its treatment level and effects on receiving watercourses or the Edwards Aquifer.

13. One (1) hard copy and one (1) electronic copy of the completed assessment have been provided.

Date(s) ERI Field Assessment was performed: August 11, 2016
Date(s)

My signature certifies that to the best of my knowledge, the responses on this form accurately reflect all information requested.

Jared Cobb	512.891.2606
Print Name	Telephone
	jdcobb@terracon.com
Signature	Email Address
Terracon Consultants, Inc.	August 12, 2016
Name of Company	Date

For project sites within the Edwards Aquifer Recharge Zone, my signature and seal also certifies that I am a licensed Professional Geoscientist in the State of Texas as defined by ECM 1.12.3(A).

P.G. Seal

City of Austin Environmental Resource Inventory - Critical Environmental Feature Worksheet

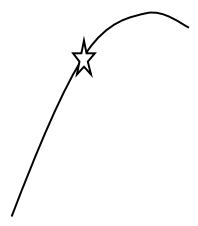
1	Project Name:	Approximately 40-Acre Tract
2	Project Address:	West Dittmar Road, Austin, Travis County
3	Site Visit Date:	August 11, 2016
4	Environmental Resource Inventory Date:	August 12, 2016

5	Primary Contact Name:	Jared Cobb
6	Phone Number:	(512) 891 - 2606
7	Prepared By:	Jared Cobb
8	Email Address:	jdcobb@terracon.com

9	FEATURE TYPE {Wetland,Rimrock, Bluffs,Recharge Feature,Spring}	FEATURE ID (eg S-1)	FEATURE LONGITUDE (WGS 1984 in Meters)		FEATURE LATITUDE (WGS 1984 in Meters)		WETLAND DIMENSIONS (ft)		RIMROCK/BLUFF DIMENSIONS (ft)		RECHARGE FEATURE DIMENSIONS				Springs Est. Discharge
			coordinate	*notation*	*coordinate*	*notation*	X	Y	Length	Avg Height	X	Y	Z	Trend	cfs
	Rimrock	R-1	-97.808336	W	30.187859	N			160	6					

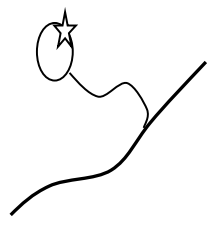
City of Austin Use Only CASE NUMBER:	

For rimrock, locate the midpoint of the segment that describes the feature.



For wetlands, locate the approximate centroid of the feature and the estimated area.

For a spring or seep, locate the source of groundwater that feeds a pool or stream.



Please state the method of coordinate data collection and the approximate precision and accuracy of the points and the unit of measurement.

Method		Accuracy	
GPS	■	sub-meter	■
Surveyed	☐	meter	☐
Other	☐	> 1 meter	☐

Professional Geologists apply seal below

APPENDIX A
ADDITIONAL DISCUSSION

County Appraisal District Property ID (#'s) Continued…
575644, 774920, 774927, 774926

Surface Soils Continued…

Soil Series Unit Names, Infiltration Characteristics & Thickness		
Soil Series Unit Name & Subgroup	Group	Thickness (feet)
HnB - Houston Black clay, 1 to 3 percent slopes	D	0-6.67'
TeE - Tarrant soils and Urban land, 5 to 18 percent slopes	D	0-1'
UsC - Austin-Urban land complex, 2 to 5 percent slopes	C	0-4.75'
UtD - Urban land, Austin, and Whitewright soils, 1 to 8 percent slopes	C	0-4.33'

AsC2 - Austin silty clay, 2 to 5 percent slopes, eroded
AtC2 - Austin-Whitewright complex, 3 to 5 percent slopes, moderately eroded
EdC - Eddy gravelly loam, 3 to 6 percent slopes
EuC - Eddy soils and Urban land, 0 to 6 percent slopes
Fs - Oakalla soils, 0 to 1 percent slopes, channeled, frequently flooded

Description of Site Topography and Drainage Continued…
The National Wetlands Inventory (NWI) Map of the project site was reviewed to identify suspect wetland areas and waterbodies within the project site boundaries. The review of the NWI map did not indicate the presence of suspect wetlands or waterbodies on the project site or within 150 feet of the site.

Additionally, as mapped by the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Panel No. 48491C0610E and 48453C0595J (Effective September 26, 2008 and January 6, 2016), the majority of the site is mapped outside the 100-year and 500-year floodplains and is in Zone X (unshaded). A southcentral portion of the site is mapped in 100-year (Zone A) and 500-year floodplain zones (Zone X shaded)

Terracon accessed (August 10, 2016) the City of Austin (COA) Development Web Map to review previously identified Natural Features and setbacks within and adjoining the site. The review of the COA Development Web Map indicated the presence of seven Natural Features or setbacks/buffers. These areas are further described below:

- A northeast-southwest oriented natural channel (Creek ID: 54560) is mapped transecting in the west portion of the site.

- A north-south oriented natural channel (Creek ID: 54561) is mapped in the transecting in the west portion of the site.

- An east-west oriented natural channel (Creek ID: 47235) is mapped in the transecting

in the south central portion of the site.

- An east-west oriented rimrock (ID: 5719) is mapped offsite within 150 feet of the east central site boundary.
- A Critical Water Quality Zone (Creek Buffer ID: 14422) is mapped transecting the central portion of the site.
- A Critical Water Quality Zone (Creek Buffer ID: 15449) is mapped transecting the south central portion of the site.
- A Biological Resource Buffer (Rimrock Setback ID: 5763) is mapped offsite within 150 feet of the east central site boundary.

For additional information please refer to the online COA Development Web Map (http://www.austintexas.gov/GIS/developmentwebmap/Viewer.aspx).

Field Reconnaissance
During the site reconnaissance, Terracon assessed areas for CEF characteristics throughout the project site. Terracon observed one CEF rimrock area (R-1). R-1 forms the north bank of Boggy Creek and is located offsite to the east of the east site boundary. Coordinate location of the CEF is listed on the above CEF Worksheet and is illustrated on *Exhibit 2* in *Appendix B*.

Terracon also identified several aquatic resource areas. Terracon did not observe CEF criteria associated with these areas. These area included an upland excavated pond, detention pond, and a drainage swale. The approximately locations of these areas are depicted on *Exhibit 2* in *Appendix B*.

Brief Description of Site Geology *Continued…*
No evidence of faulting was observed on the site and none is shown on the available published geologic maps reviewed for the site. Additionally, a review of aerial photographs did not reveal lineations, which typically indicate the presence of faulting. No caves, sinkholes, or significant solution cavities were observed on the site during Terracon's field assessment.

Description of Site Plant Communities *Continued…*
During the site visit, Terracon assessed all areas that represented different vegetative communities throughout the project site to thoroughly review if these areas may exhibit hydrophytic vegetation. Upland vegetative communities were observed to be dominated by species including cedar (*Juniperus virginiana*), cedar elm (*Ulmus crassifolia*), and bermuda grass (*Cynodon dactylon*).

The overall vegetated cover associated with the site is an estimated 95 percent.

APPENDIX B
EXHIBITS