



## **ENVIRONMENTAL COMMISSION MOTION 20181017 008a**

**Date:** October 17, 2018

**Subject:** Restrictive Covenant Amendment for an 18.308-acre parcel at 6901 Old Bee Caves Road

**Motion by:** Hank Smith

**Seconded by:** Katie Coyne

### **RATIONALE:**

**WHEREAS**, this tract is currently undeveloped, is in the full purpose jurisdiction, is in the Williamson Creek Watershed, is over the Edwards Aquifer Recharge Zone and is in the Oak Hill Combined Neighborhood Planning Area; and

**WHEREAS**, there is a 1987 restrictive covenant with the City of Austin that locks in the 1981 environmental regulations that have a 40 percent impervious cover limit based on the gross site area, no restrictions regarding cut and fill, limit water quality treatment by filtration to the first half-inch of runoff, allows 25 percent construction on slopes greater than 20 percent, has no heritage tree protections and establishes erosion control protection design at the 1981 level of protection; and

**WHEREAS**, the proposed modification will change the use from commercial to mixed use, increase the height restriction from 35 feet to 60 feet and change the floor-area ratio from 0.25:1 to 0.5:1, all of which are consistent with the Oak Hill Combined Neighborhood Planning Area Future Land Use Map; and

**WHEREAS**, the proposed environmental benefits of the proposed modification include:

- providing additional water quality treatment
- reducing allowable impervious cover
- limiting cut/fill
- reducing construction on slopes
- enforcing current tree protection regulations
- enforcing current erosion control criteria, including the erosion hazard zone requirements
- removing industrial uses
- requiring parkland dedication, shared use paths, and trails easement, and
- removing future “grandfathering” limitations

**THEREFORE**, the Environmental Commission recommends support of the request amending the restrictive covenant as presented.

**VOTE 8-0**

For: B. Smith, Creel, Perales, Thompson, H. Smith, Gordon, Coyne, Maceo

Against: None

Abstain: None

Recuse: None

Absent: Neely, Guerrero

Approved By:

Wendy Gordon, Environmental Commission Vice-Chair