

SPRINGDALE FARMS

**755 SPRINGDALE RD.
AUSTIN, TEXAS 78702**

SP-2019-0253C

Kristy Nguyen

Environmental Review Specialist Senior






Development Services Department

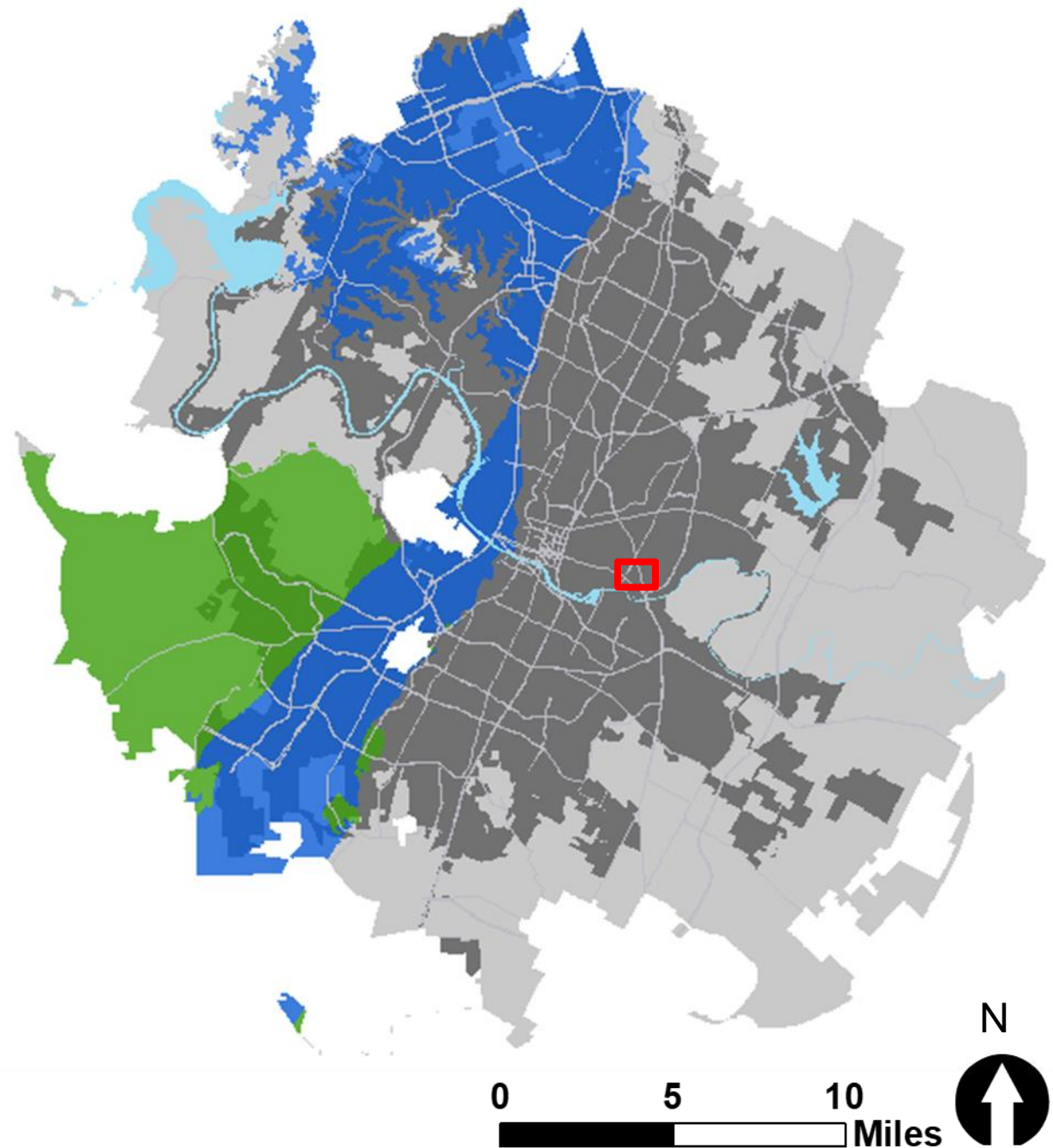
PROPERTY DATA

- 4.85 acres (gross site area)
- Full Purpose
- Desired Development Zone
- Boggy Creek (Urban classification)
- Not located over Edwards Aquifer Recharge Zone
- No Critical Environmental Features
- Current code regulations apply

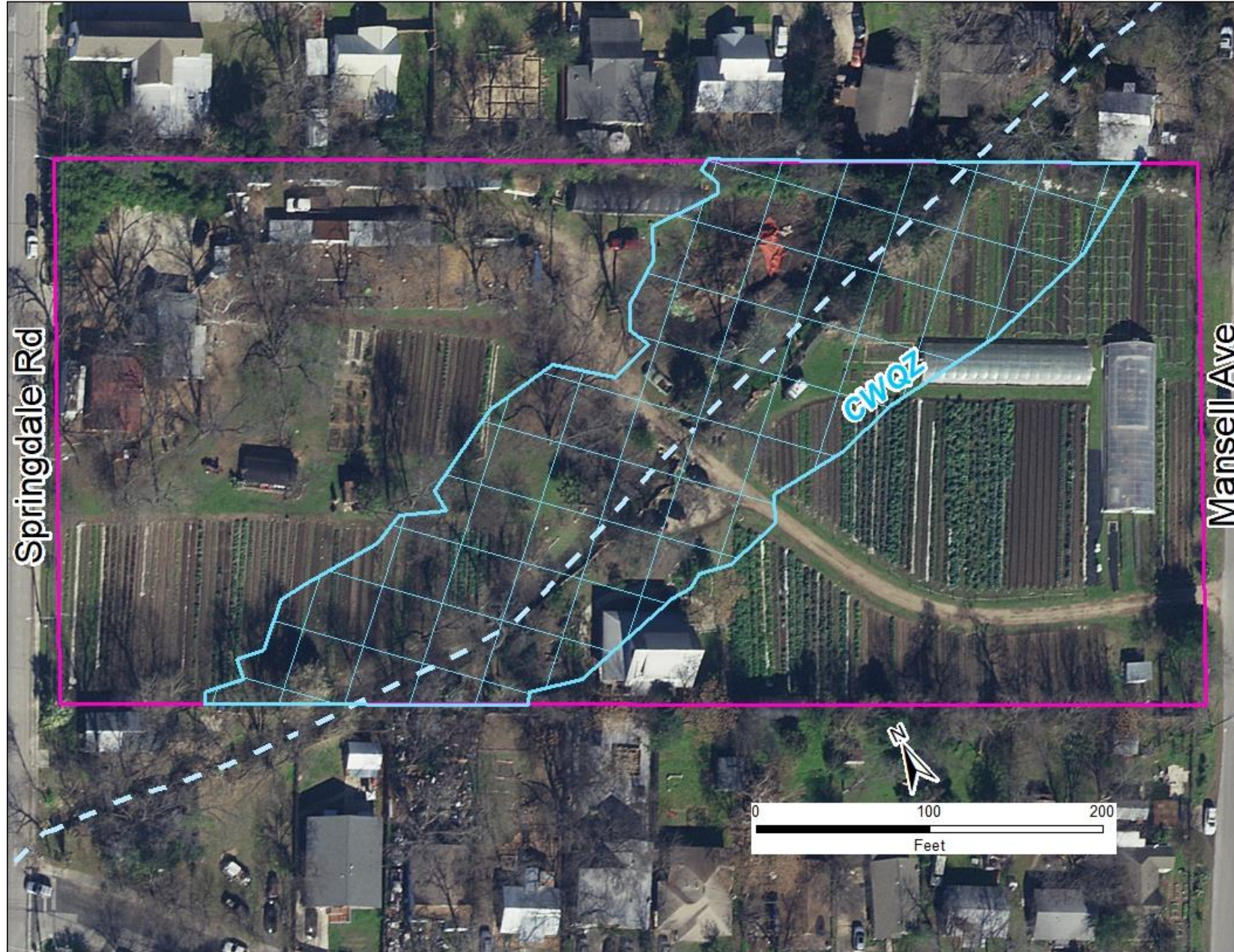
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Springdale Farms

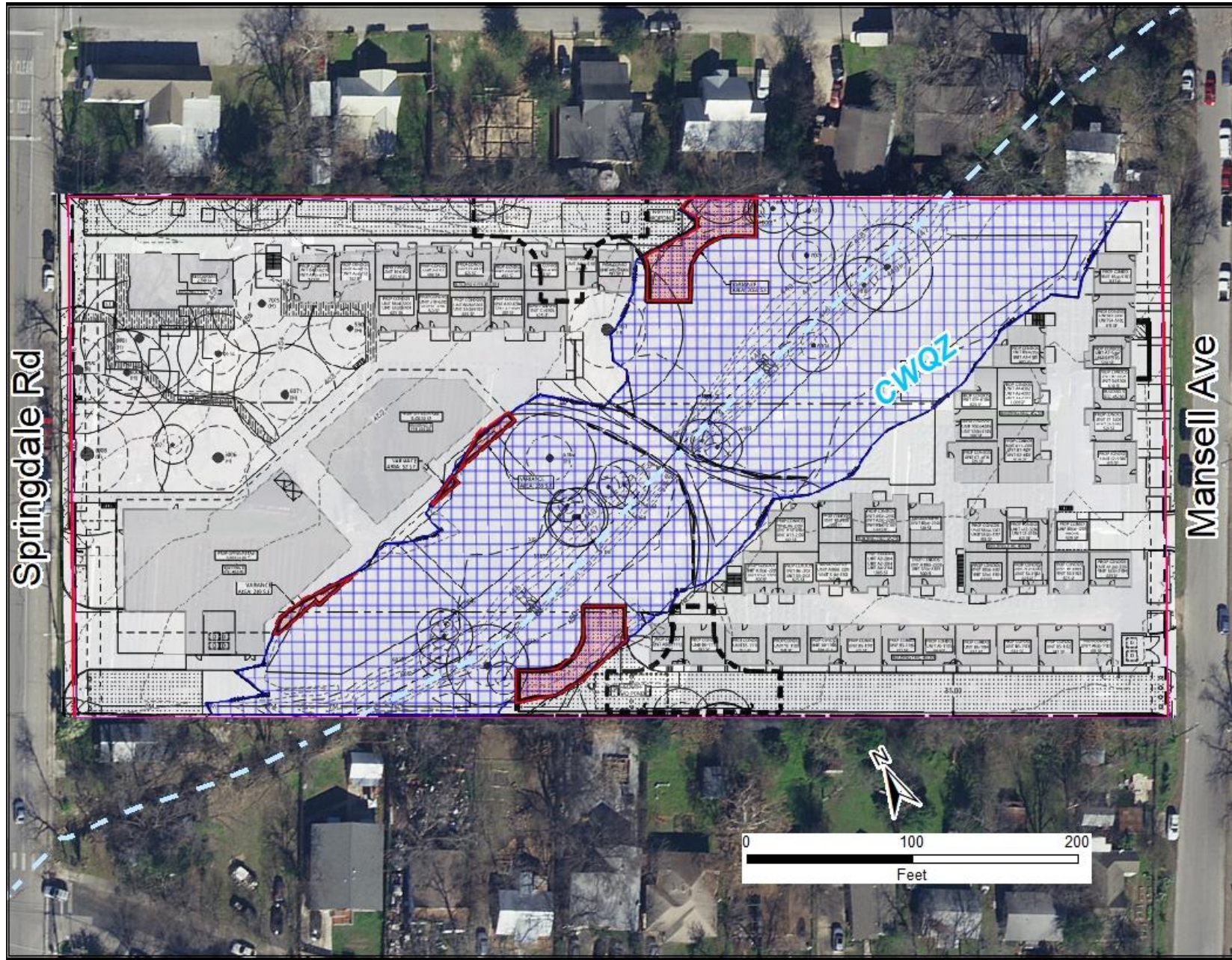
-  Site Location
-  Austin ETJ
-  Austin City Limits
-  Edwards Aquifer Recharge Zone
-  Edwards Aquifer Contributing Zone



EXISTING CONDITIONS



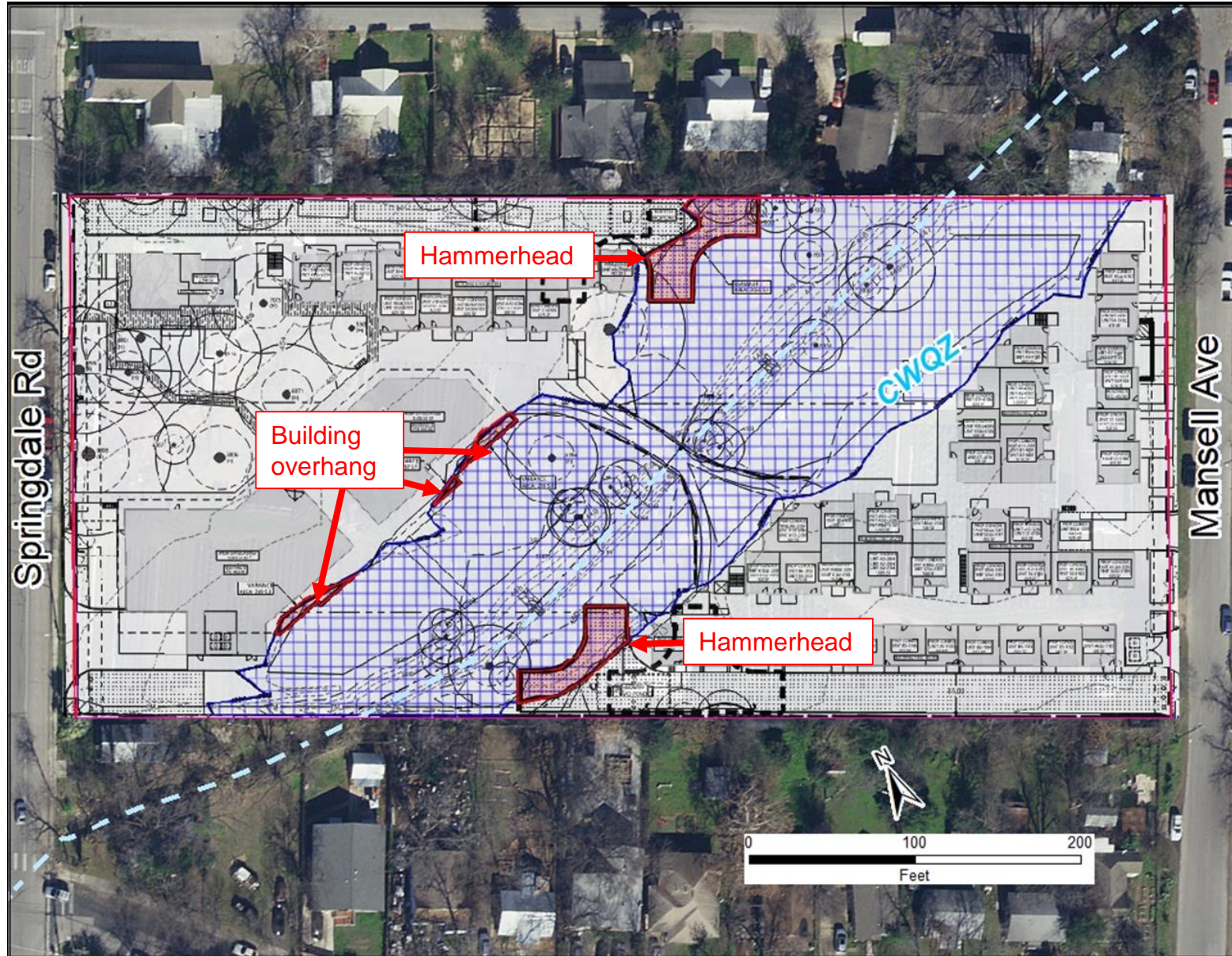
OVERALL PROPOSED SITE PLAN



VARIANCE REQUEST

1. To allow development in a CWQZ (LDC 25-8-261)

VARIANCE REQUEST



FINDINGS OF FACT (LDC 25-8-41)

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...the Land Use Commission may grant a variance after determining that:

- 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.

- Staff determination: No.

Approximately 3.2 acres of the 4.85 acre property are uplands and can be developed without the need for a variance from the Land Development Code. The Land Development Code does not provide an allowance for non-complying development within the CWQZ to maximize the amount of development that can occur on the property.

FINDINGS OF FACT

(LDC 25-8-41)

...the Land Use Commission may grant a variance after determining that:

- 2a: The variance 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:

- Staff determination: No.

Due to the scale of the project to maximize development, the applicant has made a design choice to make use of the CWQZ to address Austin Fire's code requirement for the hammerheads, which are not allowed by the Land Development Code. Moreover, to increase building square footage, there will be building overhangs over the CWQZ, creating rain shadow effect that would deprive the CWQZ of necessary rainfall and sunlight. The scale and design decisions do not provide greater overall environmental protection.

FINDINGS OF FACT (LDC 25-8-41)

...the Land Use Commission may grant a variance after determining that:

- 2b: The variance is the minimum deviation from the code requirement necessary to allow a reasonable use of the property:
 - Staff determination: No.

In addition to the building overhangs within the CWQZ, the hammerheads encroach on both sides of the CWQZ. Development is prohibited within the CWQZ except as provided in LDC 25-8-261 which doesn't include the stated development, thus requiring the need for a variance from the Land Development Code.

FINDINGS OF FACT

(LDC 25-8-41)

...the Land Use Commission may grant a variance after determining that:

- 2c: The variance does not create a significant probability of harmful environmental consequences.

- Staff determination: No.

The building overhangs and hammerheads within the CWQZ would deprive the CWQZ of rainfall and sunlight penetration that are necessary for riparian health, and adding impervious cover and development to the CWQZ where there wouldn't be otherwise. Furthermore, there would be removal of native vegetation and topsoil.

FINDINGS OF FACT (LDC 25-8-41)

...the Land Use Commission may grant a variance after determining that:

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

- Staff determination: No.

There would be impervious cover and development within the CWQZ where there wouldn't be otherwise. The impervious cover from the building overhangs would not be draining to the water quality pond.

STAFF DETERMINATION

- Staff has determined that the Findings of Fact for the development within the CWQZ have not been met. The large scale of the project to maximize development seeks advantage of the CWQZ for development that is not allowed under LDC 25-8-261 to satisfy another code requirement. The property in its existing condition contains uplands that are completely developable without the need for a variance from the Land Development Code, and the proposed development on this portion of the property complies with all code requirements.

VARIANCE RECOMMENDATION

- Staff has determined the required Findings of Fact have not been met and does not recommend approval of the variance request.

QUESTIONS/COMMENTS