



ITEM FOR ENVIRONMENTAL COMMISSION AGENDA

**COMMISSION MEETING
DATE:**

**NAME & NUMBER OF
PROJECT:** Concordia University Campus Residence Hall, SP-2020-0038C

**NAME OF APPLICANT OR
ORGANIZATION:** Brandon Hamman, P.E., LEED AP – Kimley-Horn & Associates

LOCATION: 11400 Concordia University Drive, 78726

COUNCIL DISTRICT: District 6

**ENVIRONMENTAL REVIEW
STAFF:** Kristy Nguyen, Environmental Review Specialist Senior, Development Services Department, (512) 974-3035, Kristy.Nguyen@austintexas.gov

WATERSHED: Bull Creek, Water Supply Suburban, Drinking Water Protection Zone

REQUEST: Variance request is as follows:
Request to vary from Lake Austin Watershed Ordinance No. 840301-F, Section 9-10-409(b) – for a cut exceeding four feet

**STAFF
RECOMMENDATION:** Staff recommends this variance, having determined the findings of fact to have been met.

STAFF CONDITIONS:

1. Subject to the Void and Water Flow Mitigation Rule (City Environmental Criteria Manual 1.12.0 and City Standards Specification Manual No. 658S) provision that all trenching greater than 5 feet deep must be inspected by a qualified Texas Professional Geoscientist or their representative;
2. Preserve the top 10 inches of topsoil to be used onsite; and
3. Increased tree mitigation and landscaping for areas of fill to stabilize erosion as shown on landscape plan submitted in this variance packet.

Staff Findings of Fact and Exhibits



Development Services Department
Staff Recommendations Concerning Required Findings

Project Name: Concordia University Campus Residence Hall, SP-2020-0038C
Ordinance Standard: Schlumberger Planned Development Area, Ordinance No. 20070215-042 (as amended) and Lake Austin Watershed Ordinance No. 840301-F, as stated in the Planned Development Area
Variance Request: Section 9-10-409(b) – for a cut exceeding four feet

Include an explanation with each applicable finding of fact.

A. Land Use Commission variance determinations from Section 9-10-377 of the City Code:

1. Are there special circumstances applicable to the property involved where strict application deprives such property owner of privileges or safety enjoyed by other similarly situated property with similarly timed development?

Yes In site plan case #SP-2007-0231C, a variance to Lake Austin Ordinance #840301-F, Sections 9-10-409(a) and 9-10-409(b) was granted for a max cut of +/-5.8' and a max fill of +/- 17.5' to construct a parking area, baseball field, and fieldhouse. Thereafter, a variance to the same code sections was granted for a max cut of +/-9.25' and a max fill of +/- 14.85' to construct a water quality and detention facility, a water quality channel, a softball field, and associated parking in site plan case #SP-2013-0476C.

2. Does the project demonstrate minimum departures from the terms of the ordinance necessary to avoid such deprivation of privileges enjoyed by such other property and to facilitate a reasonable use, and which will not create significant probabilities of harmful environmental consequences?

Yes The variance is the minimum departure necessary to avoid the deprivation of privileges enjoyed by such other property and to allow for the University to construct a residence hall, associated parking and improvements, in accordance with the allowable land use and which will

not create significant probabilities of harmful environmental consequences. The proposed parking lot, residence hall, and associated improvements are located on a site with subtle topography and encompassed by existing development. The driveway approach for the parking lot must be constructed to match Kilian Road elevation as the only ingress and egress to the parking lot is off Kilian Road. Moreover, proposed grades follow the natural contours to the best extent possible to maintain the natural drainage patterns for the capturing of runoff into the proposed water quality and detention ponds located at the low point of the parking lot. As a result, cut exceeding the allowable four feet is required for a gentle slope transition for the internal circulation of the parking lot and for drainage and water quality purposes. Additionally, to adequately treat the residence hall and associated improvements, the existing sedimentation and detention ponds require a max cut of six feet for upgrades, including the addition of a bio-filtration pond.

3. The proposal does not provide special privileges not enjoyed by other similarly situated properties with similarly timed development, and is not based on a special or unique condition which was created as a result of the method by which a person voluntarily subdivided land after October 20, 1983.

Yes The proposal does not provide special privileges not enjoyed by other similarly situated properties with similarly timed development and it is not based on a special or unique condition which was created as a result of the method by which a person voluntarily subdivided land after October 20, 1983. The Concordia property is currently subdivided into two large lots. Lot 1 being +/- 53 acres and Lot 2 being +/- 383 acres with the proposed development being on Lot 2. A variance to Section 9-10-409(b) for cut exceeding four feet was not necessitated due to the subdivision of the property.

Staff Determination: Staff determines that the findings of fact have been met. Staff recommends the following conditions:

1. Subject to the Void and Water Flow Mitigation Rule (City Environmental Criteria Manual 1.12.0 and City Standards Specification Manual No. 658S) provision that all trenching greater than 5 feet deep must be inspected by a qualified Texas Professional Geoscientist or their representative;
2. Preserve the top 10 inches of topsoil to be used onsite; and
3. Increased tree mitigation and landscaping for areas of fill to stabilize erosion as shown on landscape plan submitted in this variance packet.

Environmental Reviewer
(DSD)

Kristy Nguyen

Date
10-21-2020

Environmental Review
Manager (DSD)

Mike McDougal

10-21-2020

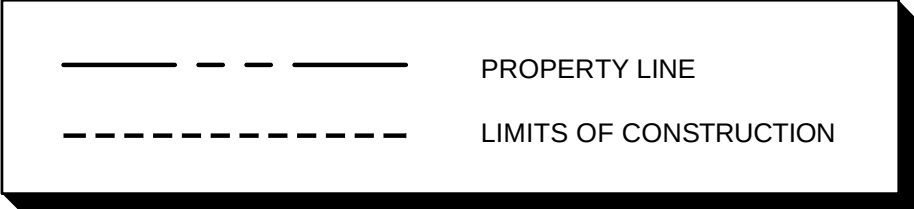
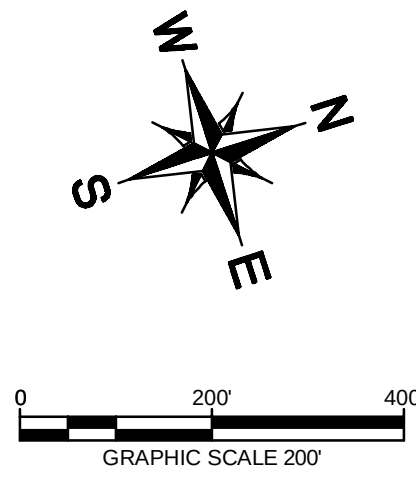
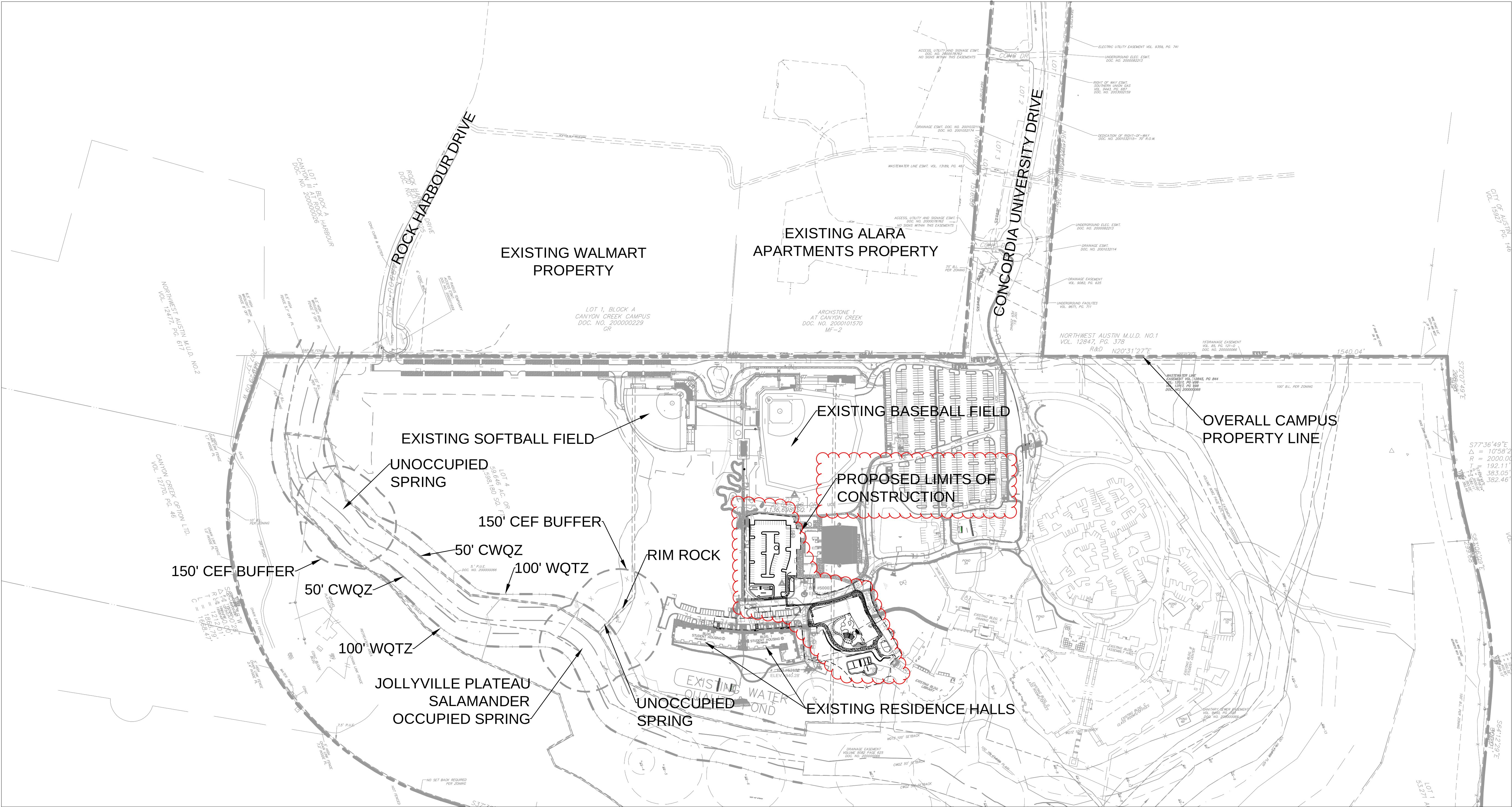
Environmental Officer
(WPD)

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10-23-2020

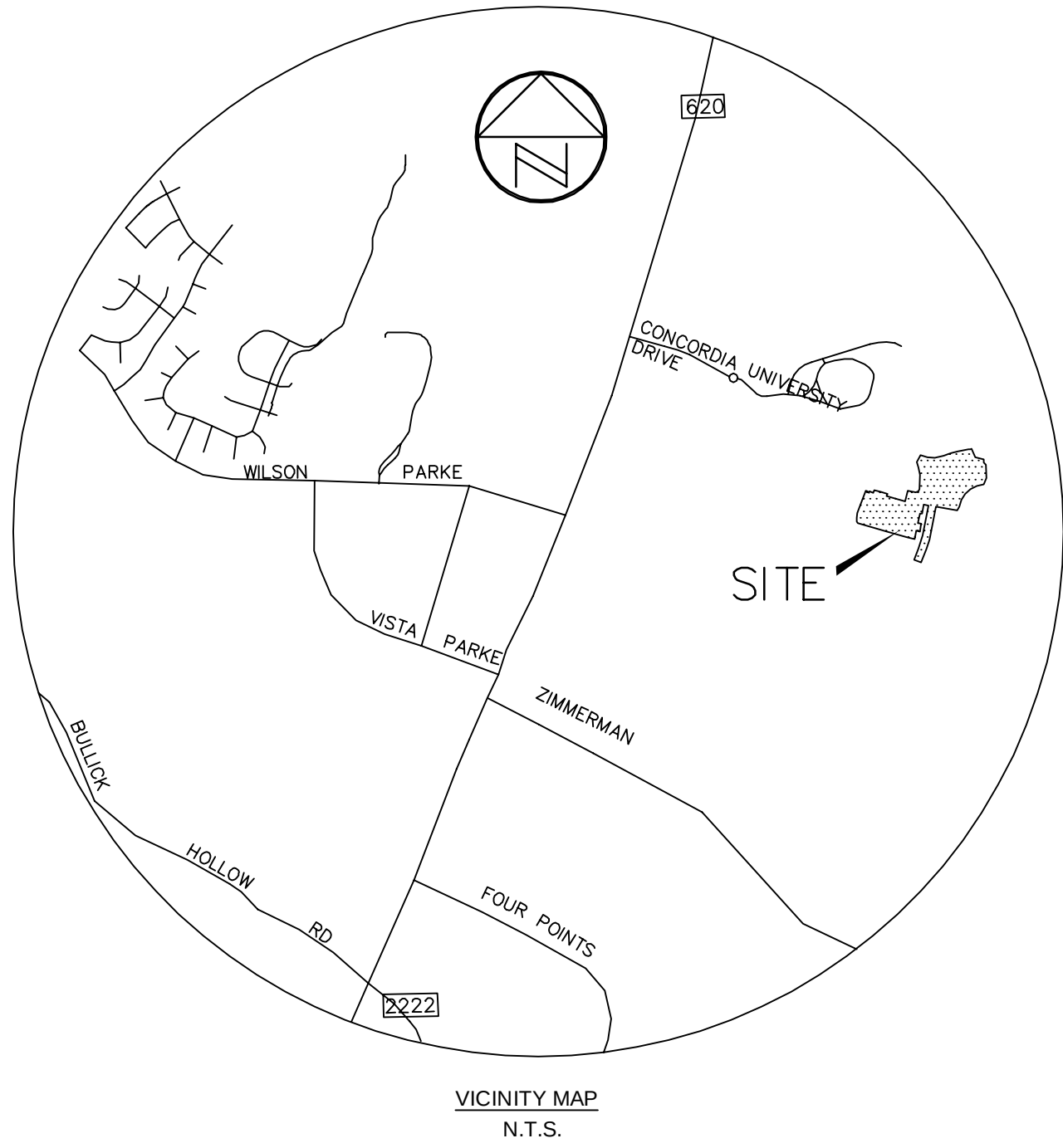
Staff Exhibits

Plotted By: Lytle, Jack Date: June 29, 2020 10:15:50am File Path: Z:\Project\AUS_Civil\069229503 Concordia Master Plan\069273300 Residence Hall\ConExhibits\PlanSheets\Context Map.dwg
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Existing Conditions

Existing Conditions



CONTEXT MAP
Concordia Unviersity
Residence Hall

July 2020

Kimley»Horn

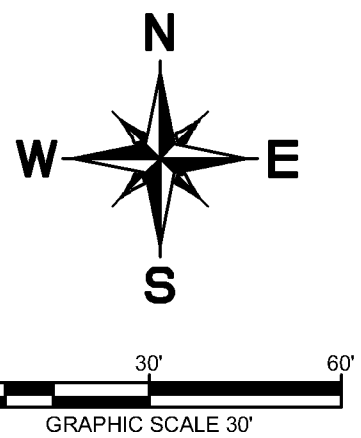
NOTE: THIS PLAN IS CONCEPTUAL IN NATURE AND HAS BEEN PRODUCED WITHOUT THE BENEFIT OF A SURVEY. TOPOGRAPHY, UTILITIES, CONTACT WITH THE CITY, ETC.



ELEVATIONS TABLE		
	CUT/FILL RANGE	COLOR
CUT	4'-8'	
	8'+	
FILL	4'-8'	
	8'+	

NOTE:

1. CUT/FILL EXCLUDES BUILDINGS.
2. THERE IS NO PUBLIC RIGHT OF WAY ON THE CAMPUS.
ALL ROADS ARE PRIVATE.

[illegible]

Kimley»»Horn
10814 JOLLYVILLE ROAD AVALON IV SUITE 200 AUSTIN, TX 78759
PHONE: 512-418-1771 FAX: 512-418-1791
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TBE Firm No. 928



KHA PROJECT 069229503	DATE SEPTEMBER 2020	SCALE: AS SHOWN	DESIGNED BY: JCL	DRAWN BY: JCL	CHECKED BY: BEH
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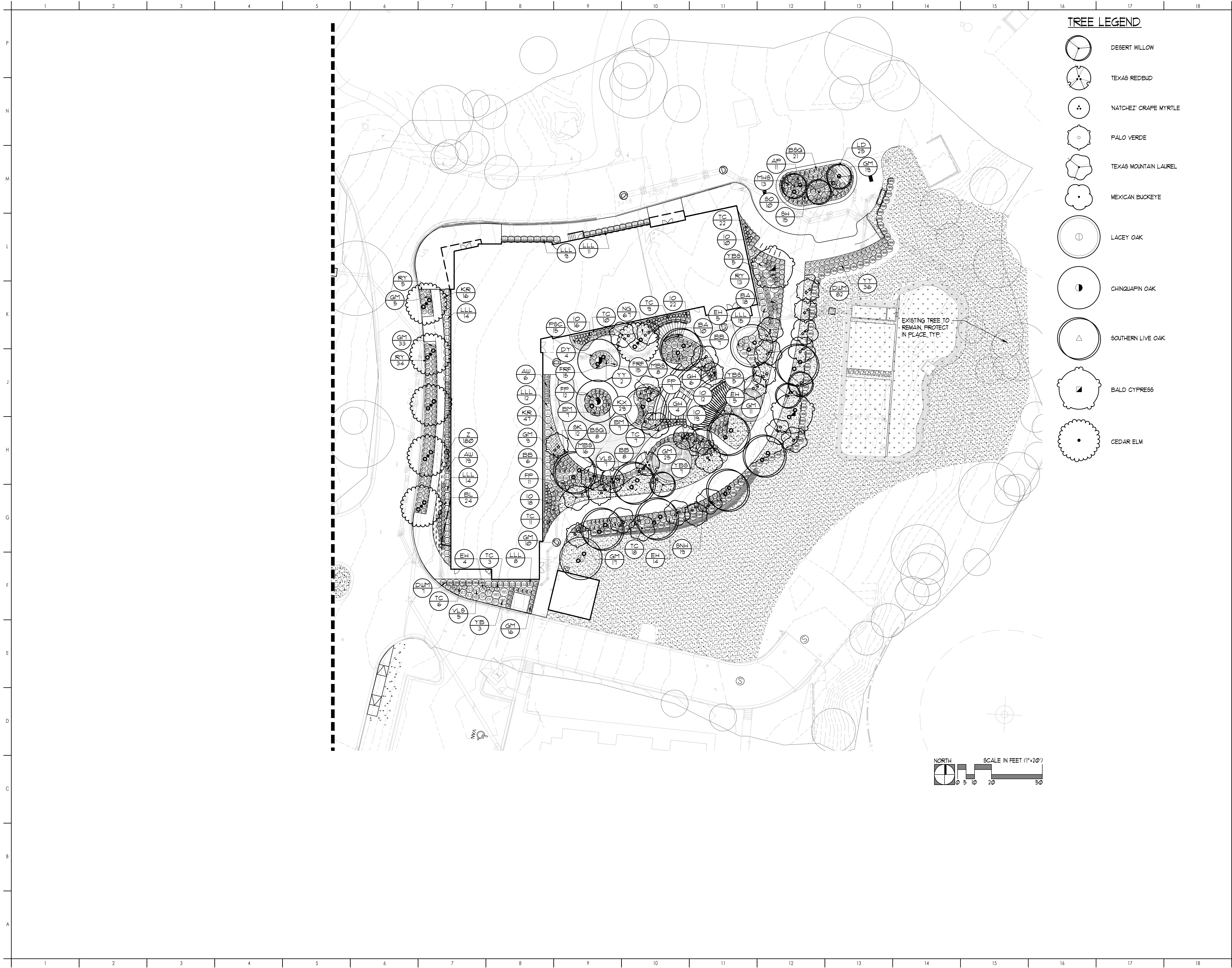
CUT-FILL MAP

CONCORDIA UNIVERSITY
RESIDENCE HALL
CITY OF AUSTIN
TRAVIS COUNTY, TEXAS

SHEET NUMBER
23 OF 43

SP-2020-0038C

Project: 16102001-254-A-04
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TREE LEGEND

- DESERT WILLOW
- TEXAS REDBUD
- NATCHEZ' CRAPE MYRTLE
- PALO VERDE
- TEXAS MOUNTAIN LAUREL
- MEXICAN BUCKEYE
- LACEY OAK
- CHINGAPIN OAK
- SOUTHERN LIVE OAK
- BALD CYPRESS
- CEDAR ELM



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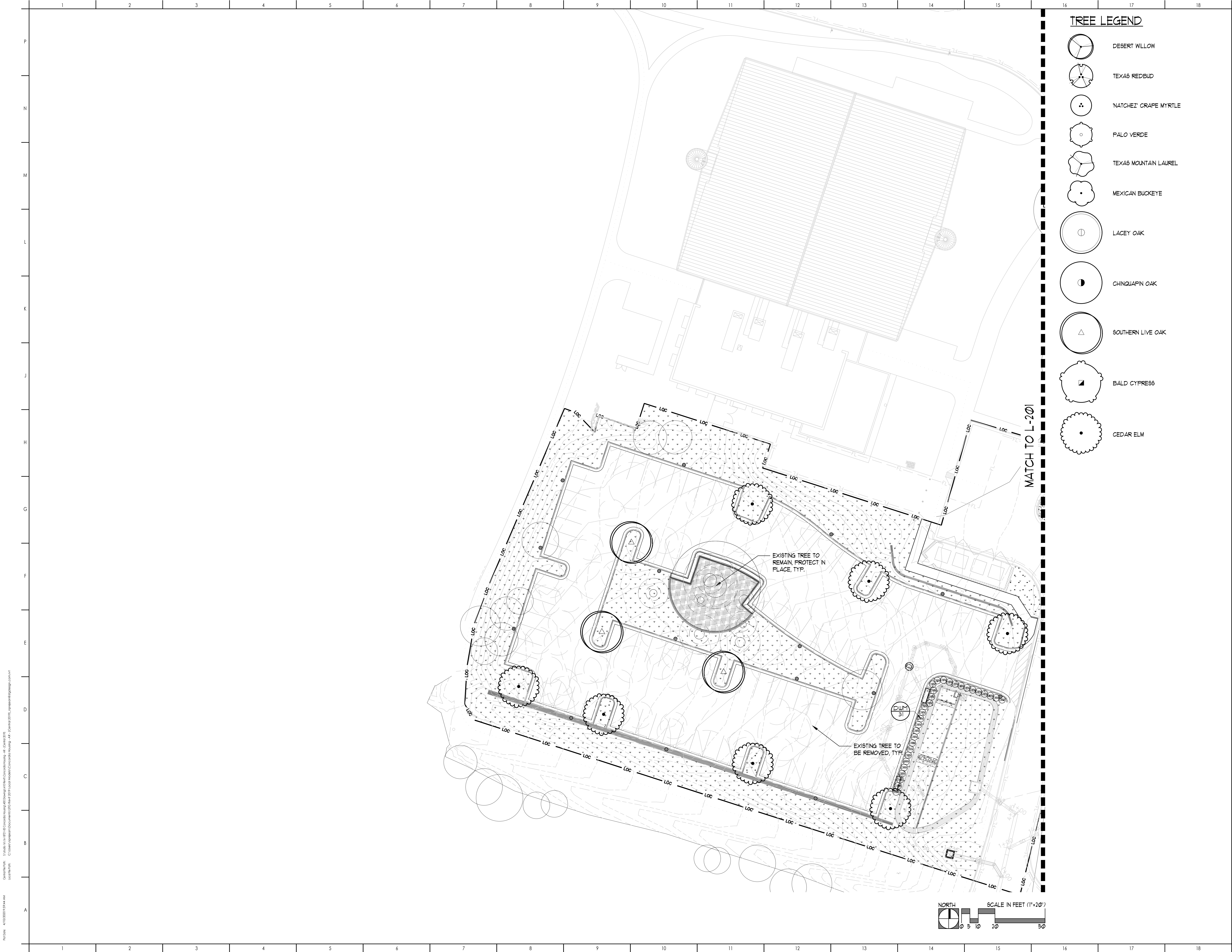


CONCORDIA HOUSING
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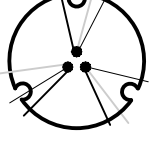
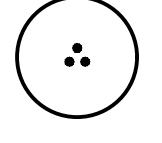
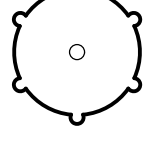
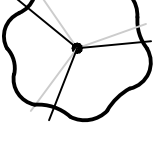
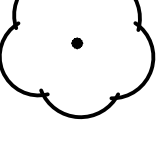
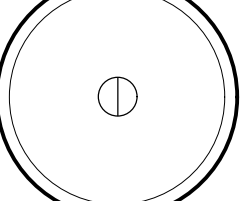
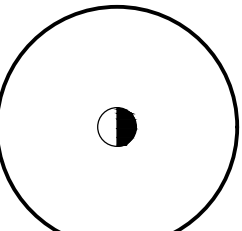
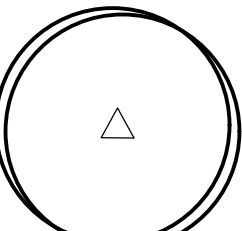
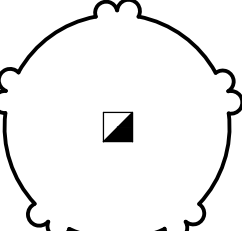
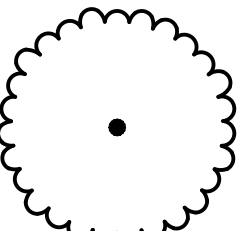
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0 75% CD 10/16/20
Issues
Project Number: 16-18721-00
Project Director: ANS
Quality Assurance: MAM
Drawn By: ANS

LANDSCAPE PLAN



TREE LEGEND

-  DESERT WILLOW
-  TEXAS REDBUD
-  NATCHEZ' CRAPE MYRTLE
-  PALO VERDE
-  TEXAS MOUNTAIN LAUREL
-  MEXICAN BUCKEYE
-  LACEY OAK
-  CHINQUAPIN OAK
-  SOUTHERN LIVE OAK
-  BALD CYPRESS
-  CEDAR ELM



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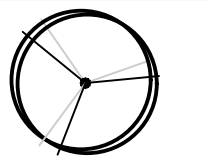
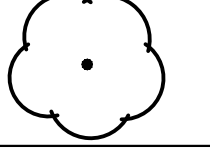
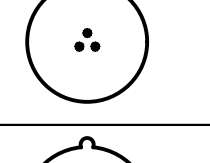
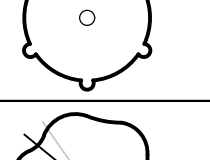
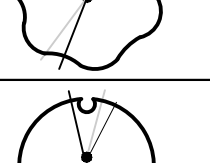
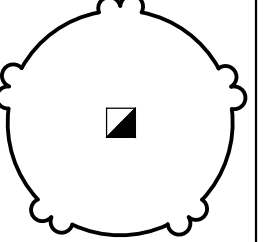
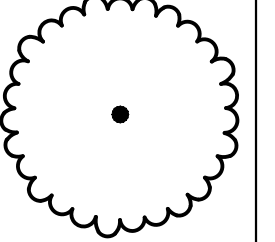
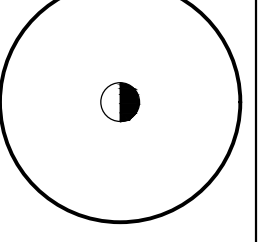
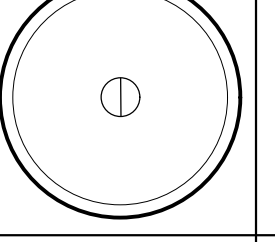
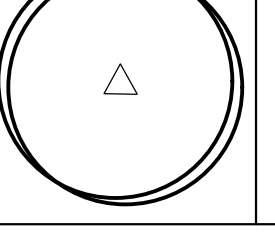
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 Issues

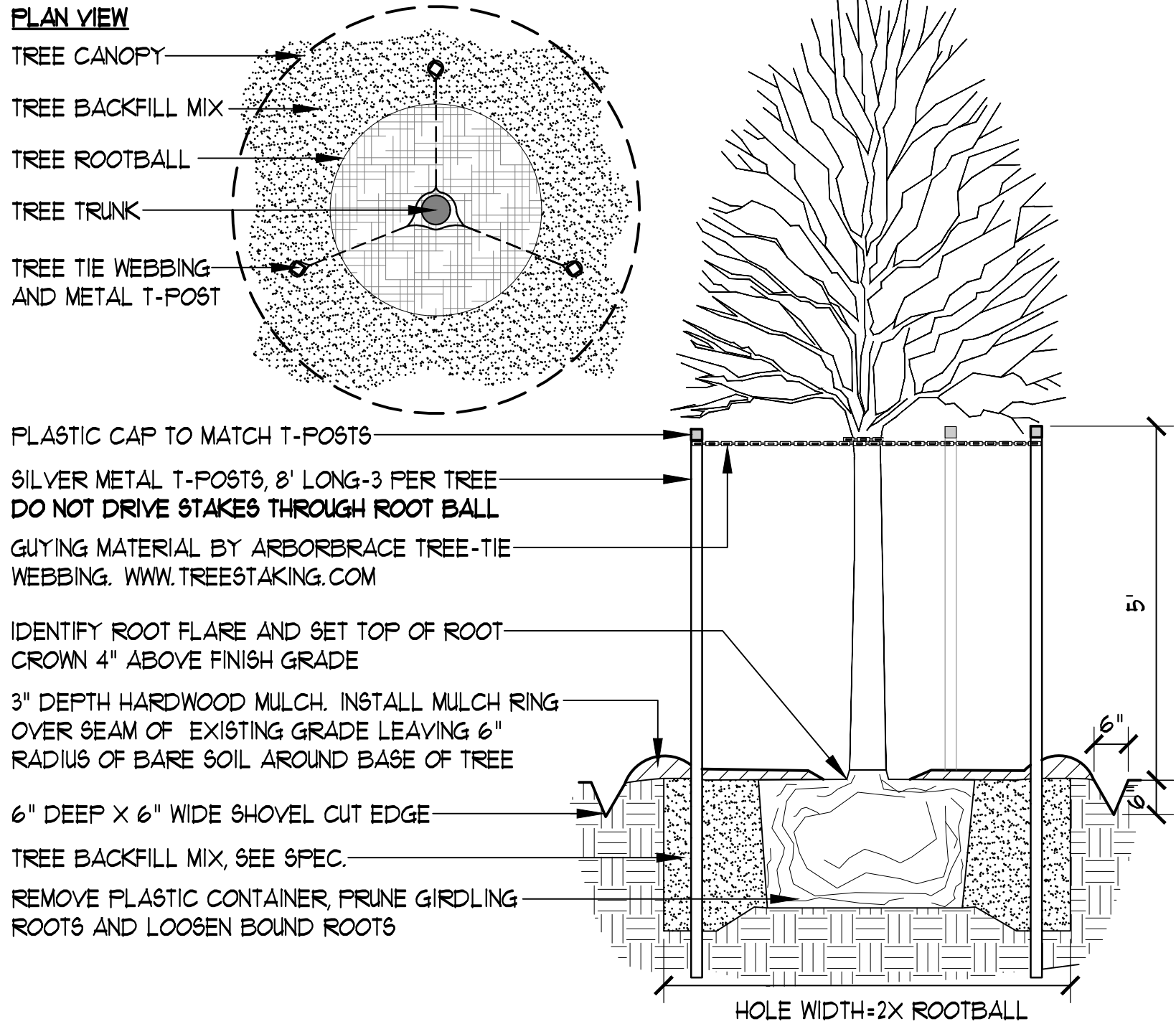
Project Number: 16-18721-00
Project Director: ANS
Quality Assurance: MAM
Drawn By: ANS

LANDSCAPE PLAN

PLANT SCHEDULE

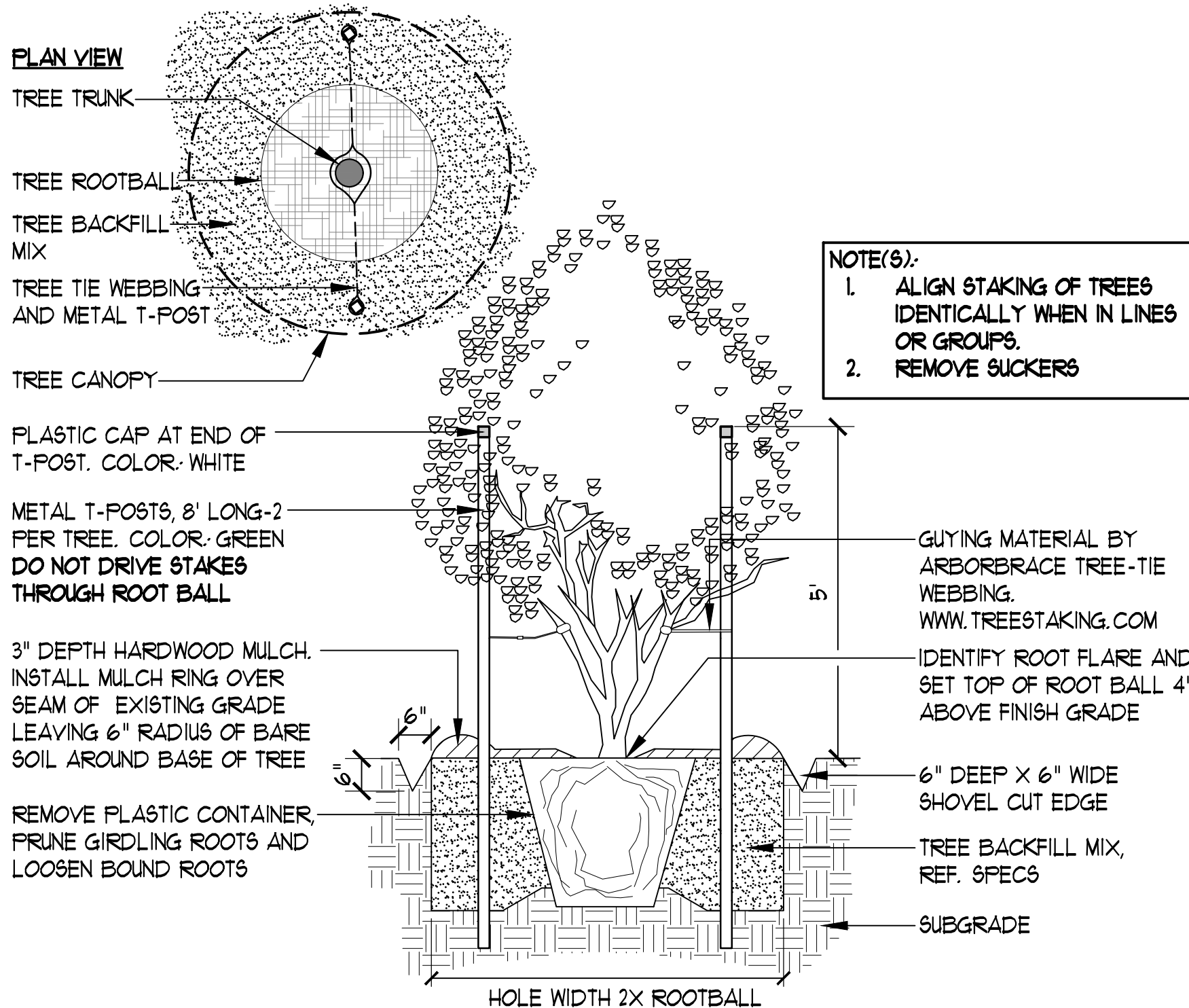
ORNAMENTAL	QTY	COMMON / BOTANICAL NAME	CONT	CALIFER	HEIGHT
	6	DESERT WILLOW CHILOPSIS LINEARIS 'BUBBA'S DELIGHT'	45 GAL	3" CAL.	7'-8' HT.
	5	MEXICAN BUCKEYE INGNADIA SPECIOSA	45 GAL		8'-10' HT.
	1	NATCHEZ CRAPE MYRTLE LAGERSTROEMIA INDICA FAURIEI 'NATCHEZ'	45 GAL	1.75-2.25" CAL.	10'-12' HT.
	11	PALO VERDE PARKINSONIA ACULEATA 'DESERT MUSEUM'	45 GAL	3" CAL.	7'-8' HT.
	12	TEXAS MOUNTAIN LAUREL SOPHORA SECUNDFLORA	36" BOX		
	3	TEXAS REDBUD CERCIS CANADENSIS VAR. TEXENSIS	45 GAL	3" CAL.	10'-12' HT.
SHADE TREES	QTY	COMMON / BOTANICAL NAME	CONT	CALIFER	HEIGHT
	2	BALD CYPRESS TAXODIUM DISTICHUM	100 GAL	4" CAL.	14'-16' HT.
	13	CEDAR ELM ULMUS CRASSIFOLIA	100 GAL	4" CAL.	14'-16' HT.
	2	CHINQUAPIN OAK QUERCUS MUEHLBERGII	100 GAL	4" CAL.	14'-16' HT.
	3	LACEY OAK QUERCUS LACEYI	100 GAL	4" CAL.	14'-16' HT.
	12	SOUTHERN LIVE OAK QUERCUS VIRGINIANA	100 GAL	4" CAL.	14'-16' HT.

NOTES:
1. PRUNE DEAD OR BROKEN BRANCHES ONLY
BRANCHES TO BE 80" AFF AT ACCESSIBLE AREAS.
2. ALIGN STAKING OF TREES IDENTICALLY WHEN IN
LINES OR GROUPS.



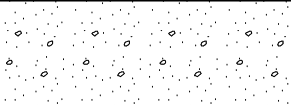
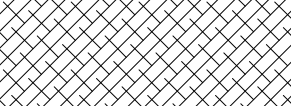
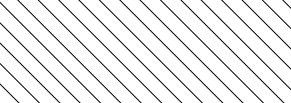
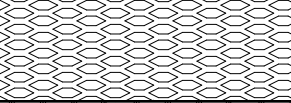
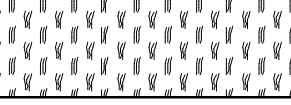
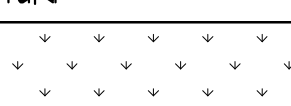
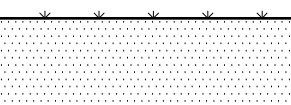
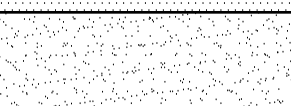
1 SHADE TREE PLANTING
SECTION

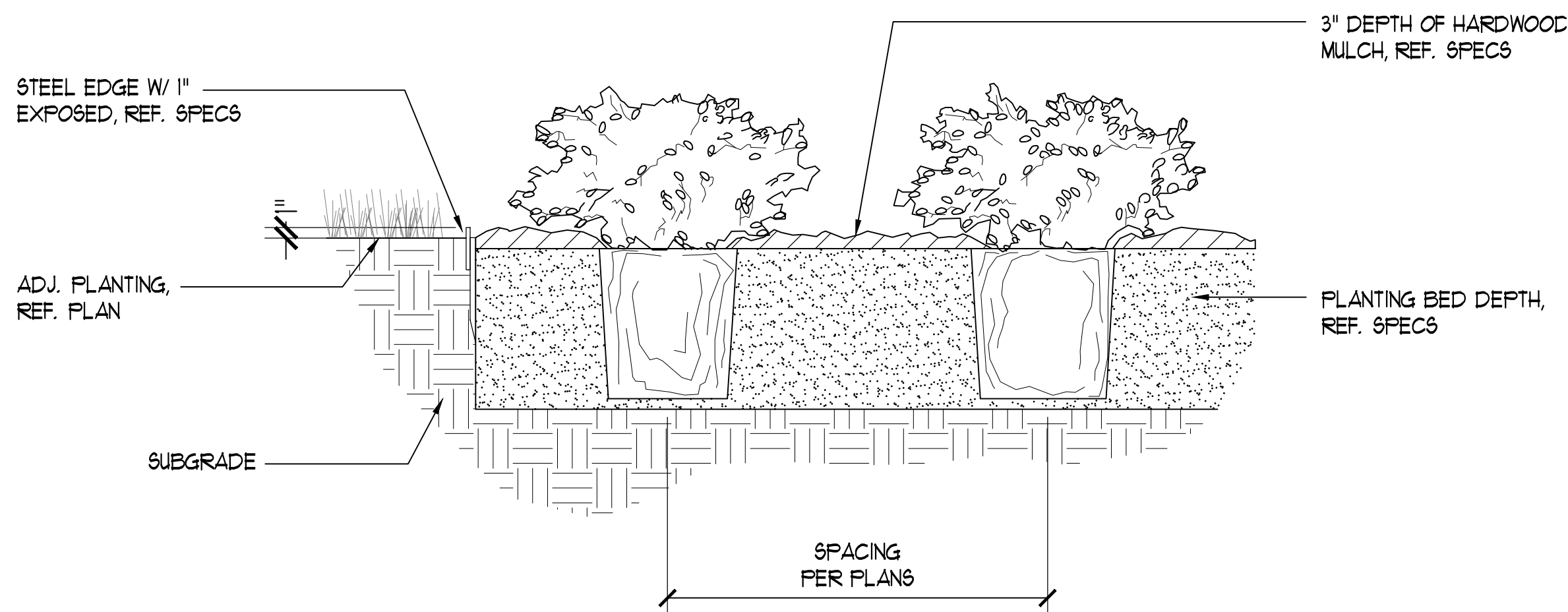
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2 ORNAMENTAL TREE PLANTING
SECTION

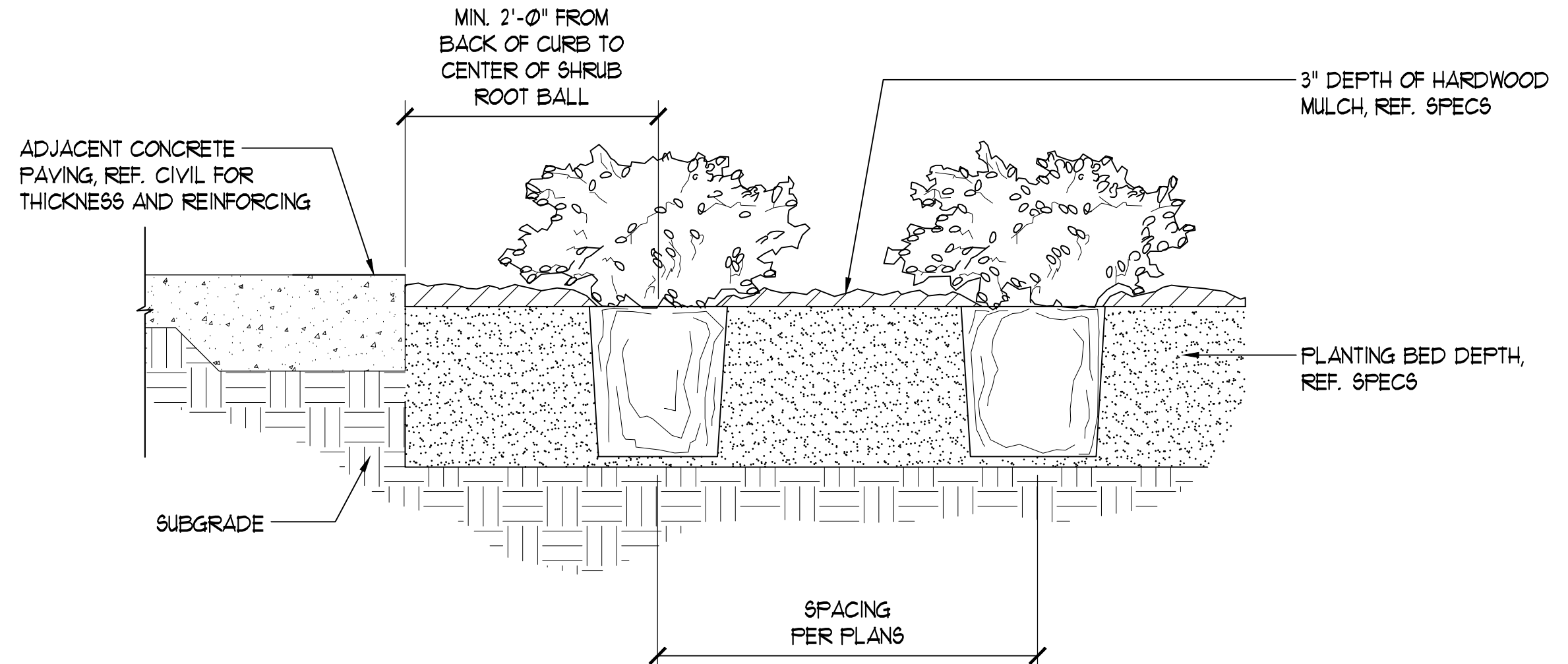
SCALE: 1"=1'-0"

GROUND COVERS	CODE	QTY	COMMON / BOTANICAL NAME	CONT	SPACING
	FRF	15	FROG FRUIT PHYLLA INCISA	1 GAL	18" o.c.
	KR	47	KATIE'S RUELLIA RUELLIA BRITTONIANA 'KATIE'	1 GAL	18" o.c.
	KX	29	BERKELEY SEDGE CAREX DIVULSA	1 GAL	18" o.c.
	LD	25	LANTANA 'DALLAS RED' LANTANA X 'DALLAS RED'	1 GAL	24" o.c.
	NG	67	LANTANA 'NEW GOLD' LANTANA X 'NEW GOLD'	1 GAL	24" o.c.
	PSC	15	PINK SKULLCAP SCUTELLARIA SUFFRUTESCENS 'PINK'	1 GAL	24" o.c.
	TSM	13	TEXAS SWAMP MALLOW FAYONIA LASIOPETALA	1 GAL	18" o.c.
	Z	180	ZEXMENIA WEDELIA TEXANA	1 GAL	12" o.c.
TURF	CODE	QTY	COMMON / BOTANICAL NAME	CONT	SPACING
	BUF	REF. PLAN	BUFFALO GRASS BUCHLOE DACTYLOIDES	SOD	
	CYN	REF. PLAN	BERMUDA GRASS CYNODON DACTYLON 'TIF 419'	SOD	
	NWM	REF. PLAN	NATIVE WILDFLOWER MIX FROM NATIVE AMERICAN SEED	HYDROMULCH	



3 SHRUB PLANTING AT STEEL EDGE
SECTION

SCALE: 1"=1'-0"



4 SHRUB PLANTING AT CONCRETE WALK
SECTION

SCALE: 1"=1'-0"

Applicant Form and Findings of Fact



ENVIRONMENTAL BOARD VARIANCE APPLICATION

Applicant Variance Request Letter

October 20, 2020

City of Austin
Planning and Development Review Department
505 Barton Springs Road
Austin, TX 78767

**Re: Variance Request Letter – Cut
Concordia University Residence Hall - Site Plan Application SP-2020-0038C
11400 Concordia University Drive
Austin, Texas 78726**

To Whom It May Concern:

INTRODUCTION

Please accept this letter as a request for a variance to the Lake Austin Ordinance #840301-F, Sections 9-10-409(A) and 9-10-409(B) for a max cut of +/- 8.74 ft for the above referenced project.

PROJECT DESCRIPTION

The Concordia University Texas campus is an existing campus located at 11400 Concordia University Drive in northwest Austin, Texas and Travis County. The existing property is approximately 383 acres including approximately 250 acres of preserve land. The campus has existing improvements including buildings, athletic facilities, private drives, underground utilities storm drains, stormwater ponds, and auxiliary improvements.

The proposed campus improvements include a 4-story residence hall building, associated parking lot, outdoor amphitheater area, pedestrian improvements, two water quality and detention ponds, and associated site improvements. This project is located within the Bull Creek Watershed, classified as a Water Supply Suburban Watershed. The site is located within the Edwards Aquifer Recharge Zone according to the City of Austin GIS. Critical water quality zones, water quality transition zones, and critical environmental features are located on the southern and eastern portion of the site. No development will occur in these locations. The terrain is heavily wooded and has some grass cover.

No requests for a variance to CEF buffers, WQTZ or CWQZ areas are being requested. If you have any questions or comments regarding this request, please contact me at 512-271-6314.

Sincerely,



Brandon Hammann, P.E., LEED AP
Project Manager

PROJECT DESCRIPTION

Applicant Contact Information

Name of Applicant	Kimley-Horn and Associates, Inc. – Brandon Hammann, P.E., LEED AP
Street Address	10814 Jollyville Road, Building IV, Suite 200
City State ZIP Code	Austin, Texas 78759
Work Phone	512-271-6314
E-Mail Address	Brandon.Hammann@kimley-horn.com

Variance Case Information

Case Name	Concordia University Residence Hall
Case Number	SP-2020-0038C
Address or Location	11400 Concordia University Texas
Environmental Reviewer Name	Kristy Nguyen
Applicable Ordinance	Lake Austin Ordinance #840301-F, Sections 9-10-409(A) and 9-10-409(B)
Watershed Name	Bull 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	The Water Quality and Detention Facility is located approximately 250' away from the centerline of a classified waterway. All paving, residence hall, parking lot, and other site infrastructure is located significantly further from the waterway.
Water and Waste Water service to be provided by	Austin Water Utility
Request	The variance request is as follows: The Variance Request is for a variance to the Lake Austin Ordinance #840301-F, Sections 9-10-409(A) and 9-10-409(B) for a max cut of +/- 8.74 ft.

Impervious cover	Existing	Proposed
square footage:	____1,304,472____	____1,376,771____

acreage:	___ 29.95 ___	___ 31.61 ___
percentage:	___ 8.3% ___	___ 8.8% ___
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 Concordia University Texas campus is an existing campus located at 11400 Concordia University Drive in northwest Austin, Texas and Travis County. The existing property is approximately 383 acres including approximately 250 acres of preserve land. The campus has existing improvements including buildings, athletic facilities, private drives, underground utilities storm drains, stormwater ponds, and auxiliary improvements. The proposed campus improvements include a residence hall building, an outdoor pavilion/amphitheater area, private parking lot, pedestrian improvements, and associated site improvements. This project is located within the Bull Creek Watershed, classified as a Water Supply Suburban Watershed. The site is located within the Edwards Aquifer Recharge Zone according to the City of Austin GIS. Critical water quality zones, water quality transition zones, and critical environmental features are located on the southern and eastern portion of the site. No development will occur in these locations. The terrain is heavily wooded and has some grass cover.	

Clearly indicate in what way the proposed project does not comply with current Code (include maps and exhibits)	The proposed cut and fill does not comply with the applicable code for the project. Cut and fill is restricted to 4' max per the Lake Austin Ordinance #840301-F, Sections 9-10-409(A) and 9-10-409(B). The proposed project proposes a max cut of +/- 8.74 ft in order to construct a water quality and detention facility, a 4-story residence hall, and the associated parking for the +/-68,618 gsf residence hall.
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FINDINGS

A. Land Use Commission variance determinations from Sections 9-10-409(a) and 9-10-409(b) of the Lake Austin Ordinance:

According to Section 9-10-377 (a) of the Lake Austin Ordinance, Variances from the terms of this division may be granted by the Planning Commission only if it is found that:

1. Are there special circumstances applicable to the property involved where strict application deprives such property owner of privileges or safety enjoyed by other similarly situated property with similarly timed development? ***Yes, a variance to Lake Austin Ordinance #840301-F, Sections 9-10-409(a) and 9-10-409(b) was granted in 2008 for a max cut of +/-5.8' and a max fill of +/- 17.5' to construct a parking area, baseball field, and fieldhouse for Concordia University Texas under City of Austin Case #SP-2007-0231C. Additionally, a cut/fill variance was granted in 2014 for a max cut of +/-9.25' and a max fill of +/- 14.85' to construct a water quality and detention facility, a water quality channel, a softball field, and associated parking for Concordia University Texas under City of Austin Case #SP-2013-0476C.***

2. Does the project demonstrate minimum departures from the terms of the ordinance necessary to avoid such deprivation of privileges enjoyed by such other property and to facilitate a reasonable use, and which will not create significant probabilities of harmful environmental consequences? ***Yes, the variance is the minimum departure necessary to avoid the deprivation of privileges enjoyed by such other property and to allow for the University to construct a residence hall in accordance with the allowable land use.***

Concordia University resides on a tract of land in west Austin that has significant topographic relief. Constructing buildings or surface parking generally requires substantial cut and/or fill as is the case with the proposed residence hall and surface parking lot for this project. Regarding the surface parking lot, a driveway is proposed off Killian Road (private drive) which is the only point of vehicular access to this site. Proposed grades within the parking lot allow for a navigable transition to/from Killian Road while maintaining adequate slopes to alleviate "heavy doors" which occurs when steep slopes make it difficult to open/close vehicular doors safely. As a result, the proposed slopes within the parking lot require cut in excess of four feet.

The proposed residence hall is located along the Killian Road frontage, between Studtmann Court and Harms Cove (both private drives). Aside from the University's programmatic criteria, locating the building here meets the intent of Subchapter E by providing building façade in close proximity to the private drives. In addition, the location avoids intrusion into the natural buffer along the bluff above the nearby tributary. The existing topography in this area slopes to the east whereas the proposed building is oriented in a north-south direction. The orientation of the building minimizes the amount of fill needed in the area given the long side is positioned parallel to existing grades. A portion of the building is oriented in an east-

west direction, but the finished floor elevation is set six feet below the main floor which reduces the amount of fill under that portion of the building.

The proposed courtyard area allows for an outdoor learning environment and gathering space. Grades in the area allow for ADA accessibility from the main pedestrian pathway to the upper and lower levels, while avoiding the need for switchbacks and additional site retaining walls. An internal ramp within the upper level provides an eight-inch drop at the access point to the courtyard area, which further helps to reduce the fill.

All known environmental features on the campus have been considered as part of the land planning efforts. Proposed improvements associated with this project, including the earthwork, remain outside of the established buffers for the environmental features. Onsite water quality and detention controls are proposed to mitigate the impact of additional stormwater runoff as result of the project. Furthermore, tree wells are proposed to preserve multiple existing trees.

3. The proposal does not provide special privileges not enjoyed by other similarly situated properties with similarly timed development and is not based on a special or unique condition which was created as a result of the method by which a person voluntarily subdivided land after October 20, 1983. **Yes, the proposal does not provide special privileges not enjoyed by other similarly situated properties with similarly timed development and it is not based on a special or unique condition which was created as a result of the method by which a person voluntarily subdivided land after October 20, 1983. The Concordia University property is currently subdivided into two large lots and in no way has been subdivided in a way that would limit development in regard to cut and fill. The proposed improvements are on Lot 2 of the Amended Plat of Lots 2, 3, and 4 Schlumberger Subdivision which amended Lots 2, 3 and 4 into one +/-383-acre lot. This amendment to the plat has no effect on cut and fill.**

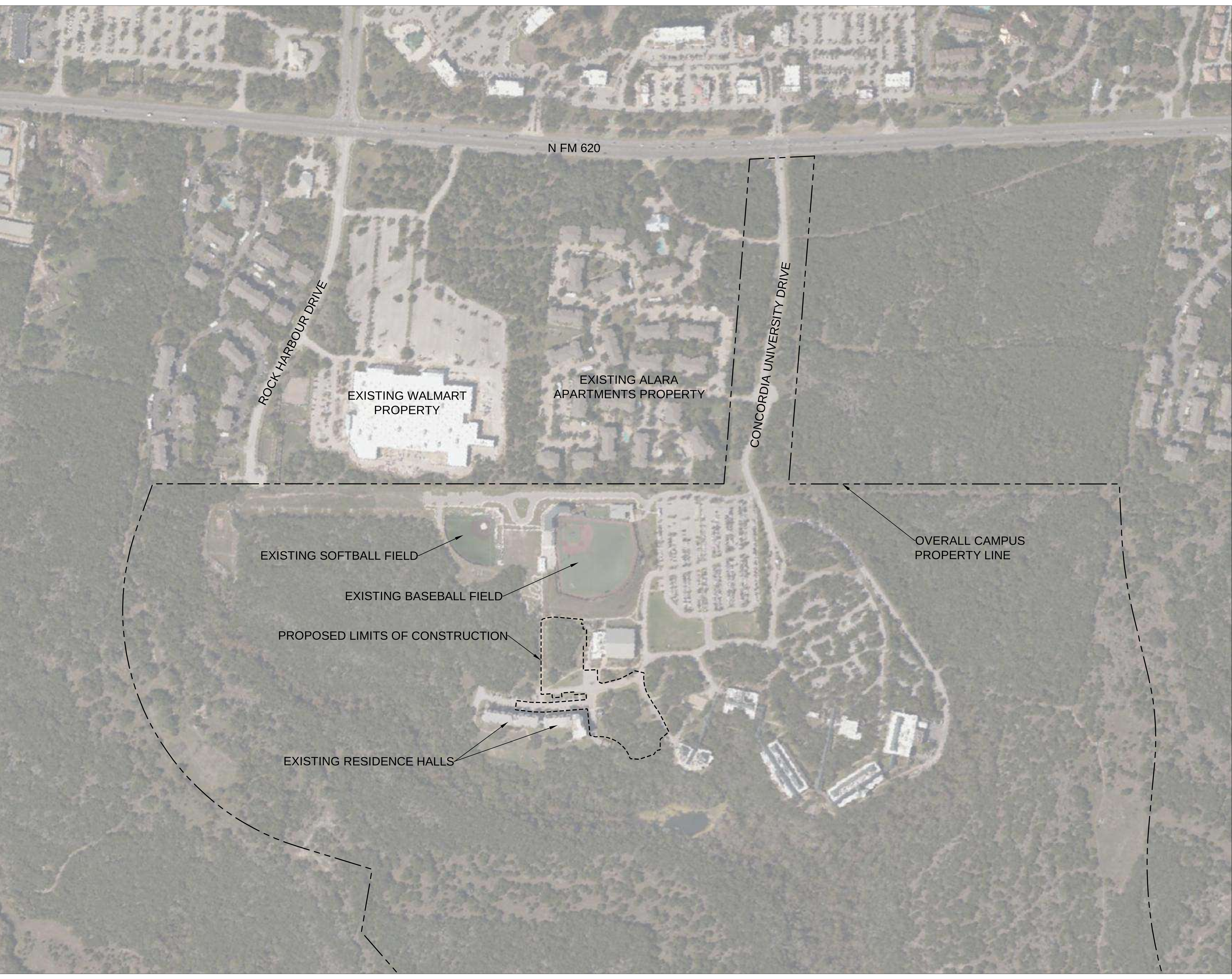
****Variance approval requires all above affirmative findings.**

Exhibits for Board Backup and/or Presentation

Please attach and paginate.

- Aerial photos of the site (backup and presentation)
- Site photos (backup and presentation)
- Aerial photos of the vicinity (backup and presentation)
- Context Map—A map illustrating the subject property in relation to developments in the vicinity to include nearby major streets and waterways (backup and presentation)
- Topographic Map - A topographic map is recommended if a significant grade change on the subject site exists or if there is a significant difference in grade in relation to adjacent properties. (backup and presentation)
- For cut/fill variances, a plan sheet showing areas and depth of cut/fill with topographic elevations. (backup and presentation)
- Site plan showing existing conditions if development exists currently on the property (presentation only)
- Proposed Site Plan- full size electronic or at least legible 11x17 showing proposed development, include tree survey if required as part of site or subdivision plan (backup and presentation)
- Environmental Map – A map that shows pertinent features including Floodplain, CWQZ, WQTZ, CEFs, Setbacks, Recharge Zone, etc. (backup and presentation)
- An Environmental Assessment pursuant to ECM 1.3.0 (if required by 25-8-121) (backup only)
- Applicant's variance request letter (backup only)

Plotted By: Lytle, Jack Date: June 29, 2020 09:03:16am File Path: Z:\Project\AUS_Civil\069209503 Concordia Master Plan\069273300 RESIDENCE HALL\Con\Exhibits\PlanSheets\Aerial Vicinity Map.dwg
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0 200' 400'
GRAPHIC SCALE 200'

PROPERTY LINE

LIMITS OF CONSTRUCTION

AERIAL VICINITY MAP

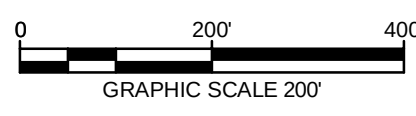
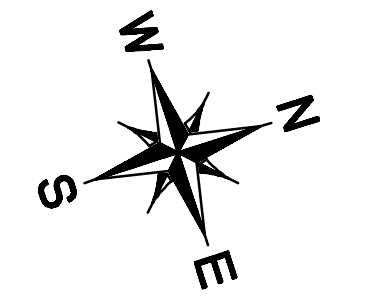
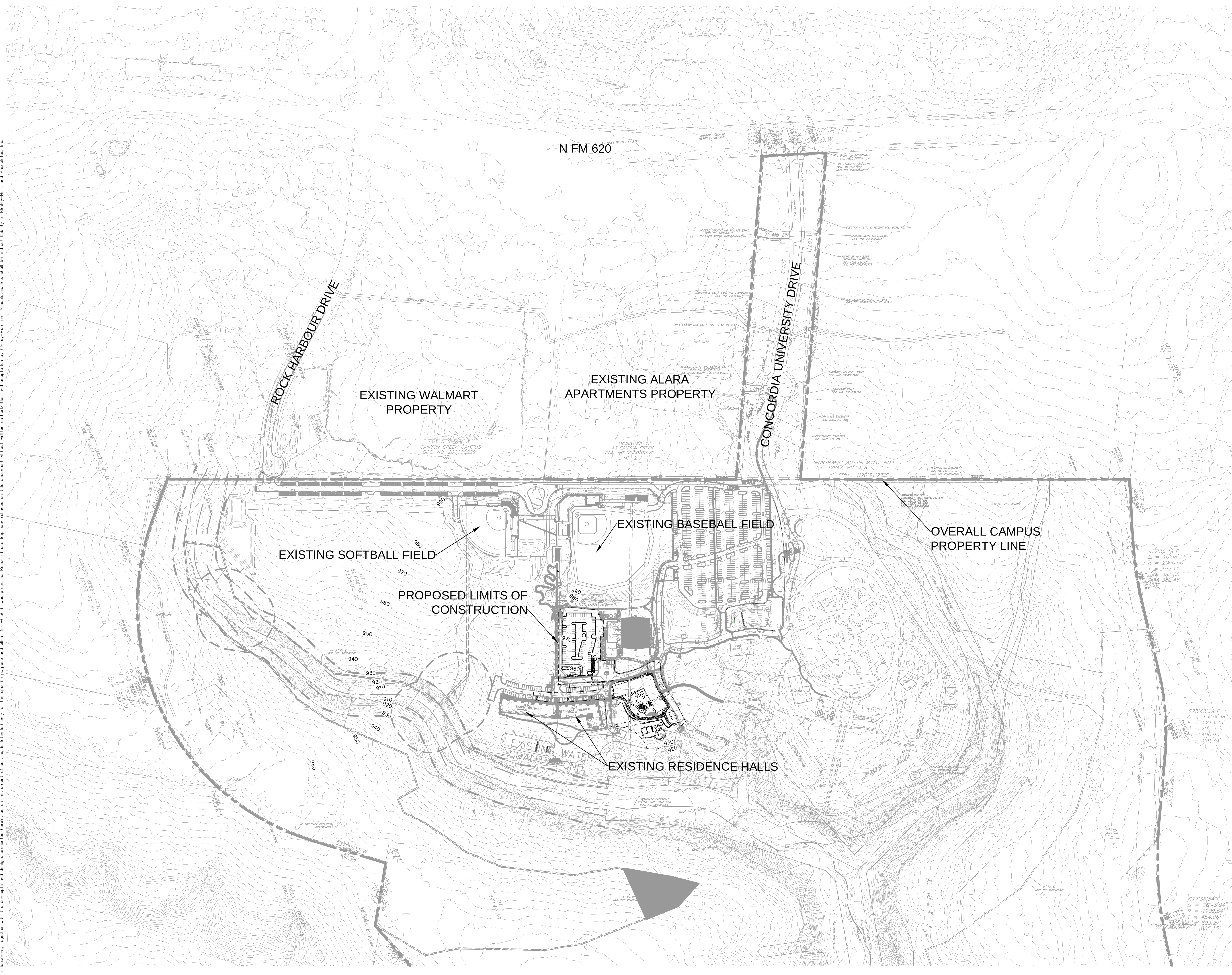
Concordia Unviersity Residence Hall

July 2020

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NOTE: THIS PLAN IS CONCEPTUAL IN NATURE AND HAS BEEN PRODUCED WITHOUT THE BENEFIT OF A SURVEY. TOPOGRAPHY, UTILITIES, CONTACT WITH THE CITY, ETC.

Plotted By: Lytle, Jack Date: June 29, 2020 10:46:37am File Path: Z:\Project\AUS_Civil\069229503 Concordia Master Plan\069273300 Residence Hall\Con\Exhibits\Topographic Map.dwg
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	PROPERTY LINE
	LIMITS OF CONSTRUCTION
	EXISTING CONTOUR

TOPOGRAPHIC MAP
Concordia Unviersity
Residence Hall

July 2020

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