

**SITE PLAN REVIEW SHEET  
ENVIRONMENTAL VARIANCE REQUEST ONLY**

**CASE:** SP-2020-0038C

**ZAP COMMISSION DATE:** 12/15/20

**PROJECT NAME:** Concordia University Campus Residence Hall

**APPLICANT:** Concordia University

**AGENT:** Brandon Hamman, P.E., LEED AP

**ADDRESS OF SITE:** 11400 Concordia University Drive, 78726

**COUNTY:** Travis

**AREA:** 360.8 acres

**WATERSHED:** Bull Creek, Water Supply Suburban

**JURISDICTION:** Full Purpose

**EXISTING ZONING:** R&D-PDA

**PROPOSED DEVELOPMENT:** Residence hall, associated parking lot and improvements.

**DESCRIPTION OF VARIANCE:**

The applicant requests the following:

Request to vary from Lake Austin Watershed Ordinance No. 840301-F:

- Section 9-10-409(a) – for a fill exceeding four feet
- Section 9-10-409(b) – for a cut exceeding four feet

**STAFF RECOMMENDATION:**

Staff recommends that the required findings of fact have been met.

**ENVIRONMENTAL BOARD ACTION:**

**11/20/2020:** The Environmental Board voted in (8) favor, (0) against, (1) recusal, (1) absentia

**ZONING AND PLATTING COMMISSION ACTION:**

**ENVIRONMENTAL REVIEW STAFF:** Kristy Nguyen, Environmental Review Specialist Senior, Development Services Department

**PHONE:** 512-974-3035

**CASE MANAGER:** Renee Johns, Senior Planner, Development Services Department

**PHONE:** 512-974-2711



## ENVIRONMENTAL COMMISSION MOTION 20201120 003a

**Date:** November 20, 2020

**Subject:** Concordia University Campus Residence Hall, SP-2020-0038C

**Motion by:** Katie Coyne

**Seconded by:** Wendy Gordon

### RATIONALE:

**WHEREAS**, the Environmental Commission recognizes the applicant is requesting a variance from the Lake Austin Watershed Ordinance No. 840301-F, LDC Chapter 9-10, Section 9-10-409(b) - for a cut exceeding four feet;

**WHEREAS**, the Environmental Commission recognizes the applicant is requesting a variance from Lake Austin Watershed Ordinance No. 840301-F, LDC Chapter 9-10, Section 9-10-409(a) – for fill exceeding four feet; and

**WHEREAS**, the Environmental Commission recognizes that staff recommends these variances (with conditions) having determined the required Findings of Fact have been met.

**THEREFORE**, the Environmental Commission recommends the variance request with the following;

### 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.

### VOTE 8-0

For: Gordon, Nill, Neely, Bedford, Thompson, Smith, Guerrero, Coyne

Against: None

Abstain: None

Recuse: Ramberg

Absent: Creel, Maceo

Approved By:

linda t guerrero

Linda Guerrero, Environmental Commission Chair

## **Staff Findings of Fact and Exhibits**



Development Services Department  
Staff Recommendations Concerning Required Findings

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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(a) – for a fill 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 vary from 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 and associated improvements in accordance with the allowable land use and which will not create

significant probabilities of harmful environmental consequences. The residence hall and associated improvements are located on a site with subtle topography and encompassed by existing development. The residence hall and associated improvements are positioned at the intersection of Kilian Road and Studtmann Court and are constructed to meet the elevation of the existing driveways and sidewalks for connectivity and access. As such, there is a six foot change in grade between the existing topography at the rear of the building and the finished floor elevation. Ergo, fill between four and eight feet is necessary to prevent a dramatic change in grade from the building to the courtyard and to meet ADA requirements. For the associated residence hall loading and unloading driveway off of Studtmann Court, fill between four and five is necessary to match the existing grade of Studtmann Court. To alleviate the amount of fill, terracing techniques, tree wells, and retaining walls are incorporated in the design of the courtyard and adjacent driveway. Moreover, a portion of the building has been set to a lower finished floor elevation where grades are naturally downslope to further reduce the amount of fill.

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(a) for fill 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 Standard Specification Manual No. 658S) provision that all trenching greater than 5 feet deep must be inspected by a Texas Professional Geoscientist or their representative;
- 2) Preserve 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)	<i>Kristy Nguyen</i>	Date <u>10-21-2020</u>
Environmental Review Manager (DSD)	<b><u>Mike McDougal</u></b>	<u>10-21-2020</u>
Environmental Officer (WPD)	<i>C.H.</i>	<u>10-23-2020</u>



Development Services Department  
Staff Recommendations Concerning Required Findings

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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

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Include an explanation with each applicable finding of fact.

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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.

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Environmental Reviewer  
(DSD)

*Kristy Nguyen*

Date  
10-21-2020

Environmental Review  
Manager (DSD)

*Mike McDougal*

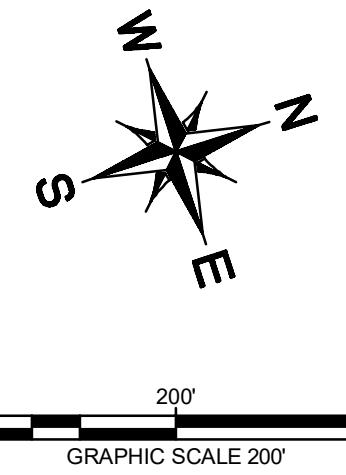
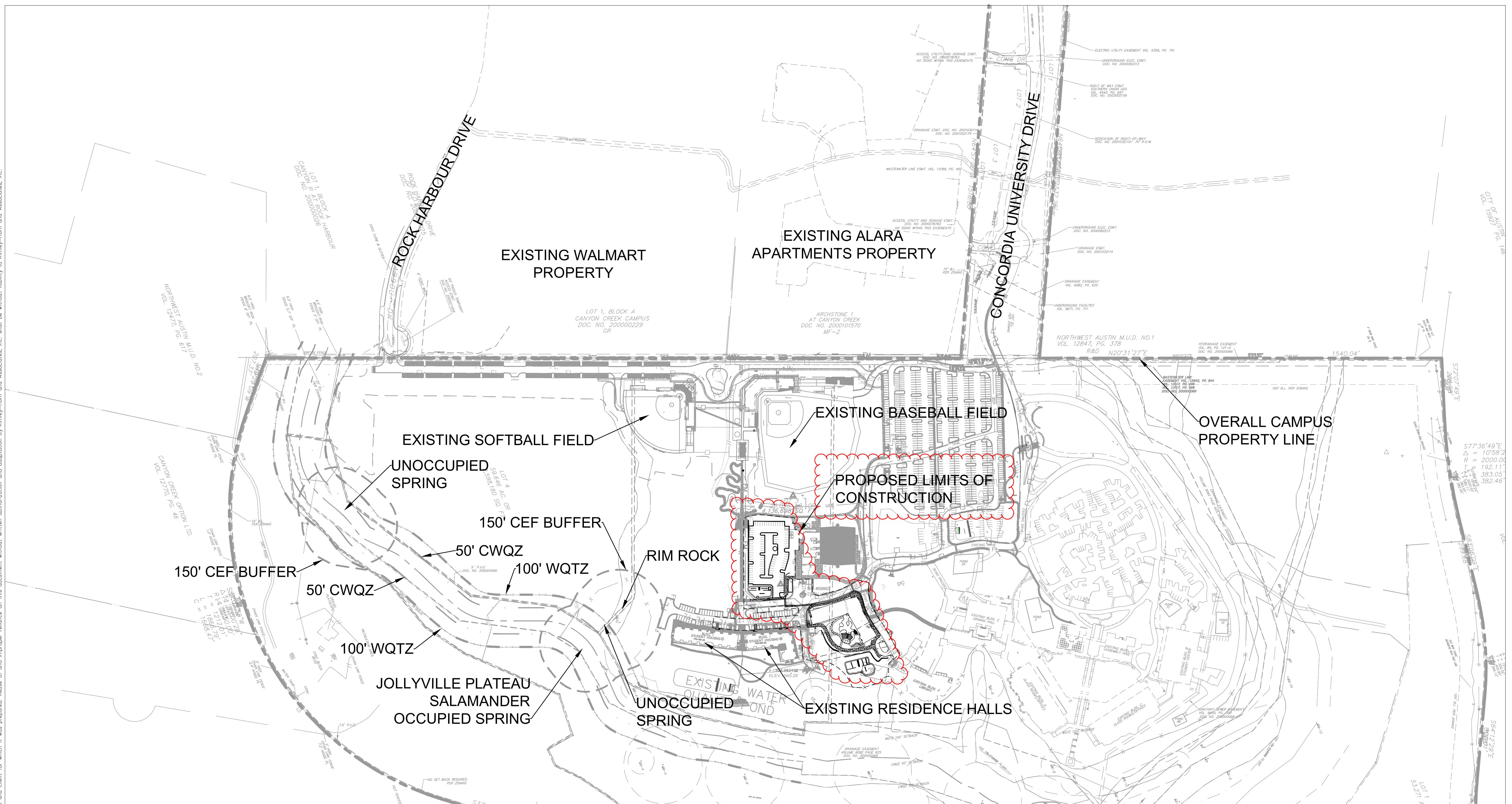
10-21-2020

Environmental Officer  
(WPD)

A handwritten signature consisting of stylized initials "C.H." followed by a vertical line.

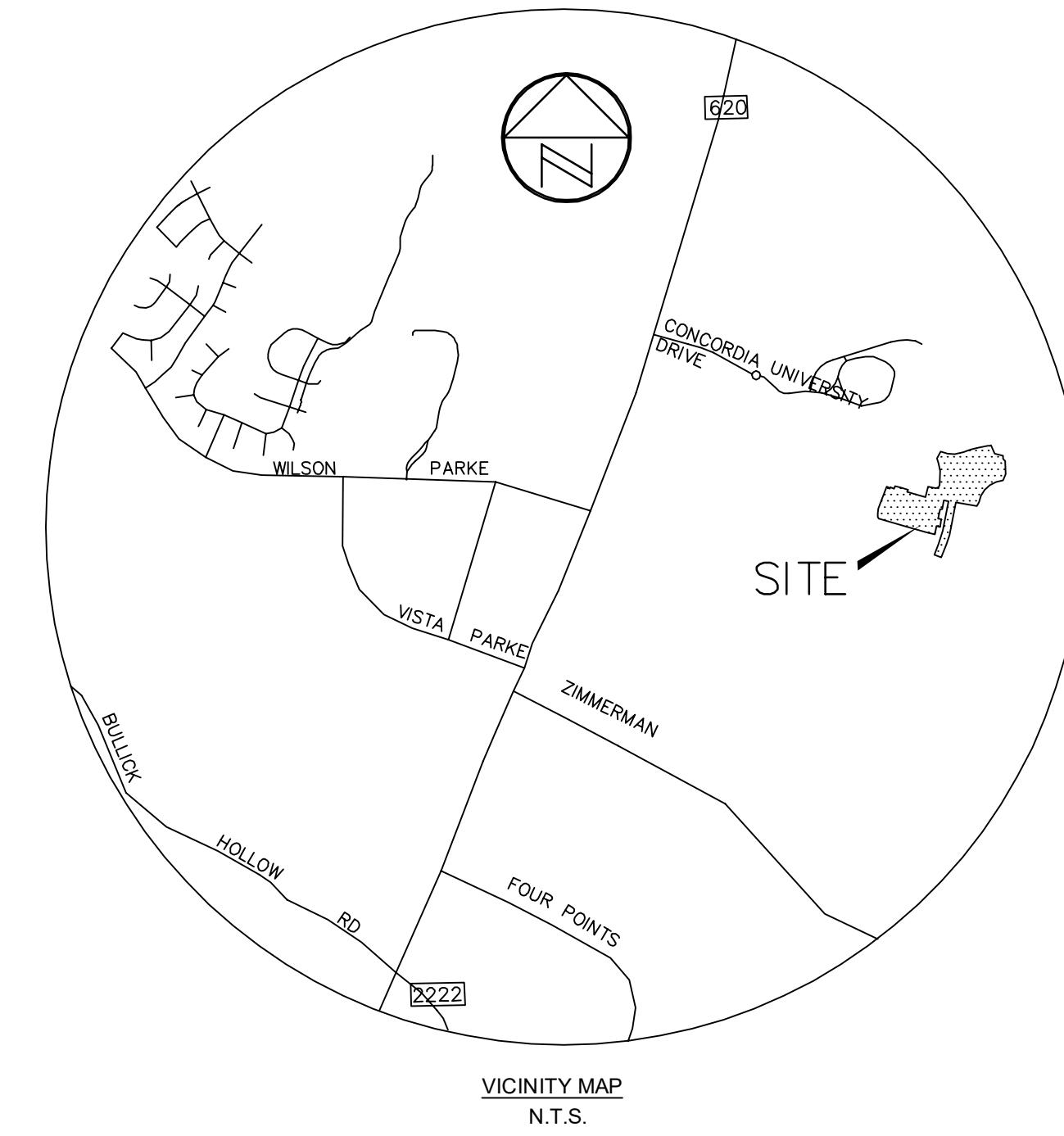
10-23-2020

## **Staff Exhibits**

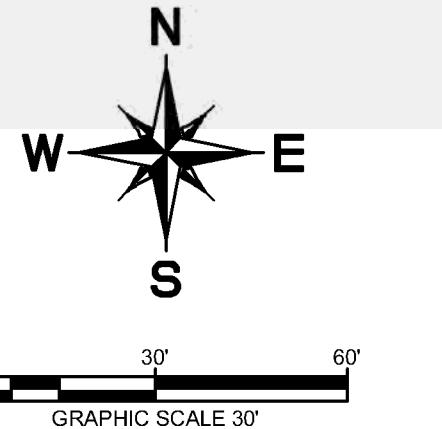


## Existing Conditions

## Existing Conditions



CONTEXT MAP  
Concordia University  
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.



# Kimley»Horn

10814 JOLLYVILLE ROAD AVALON IV SUITE 200 AUSTIN, TX

PHONE: 512-418-1771 FAX: 512-418-1791

WWW.KIMLEY-HORN.COM

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TBE Firm No. 928

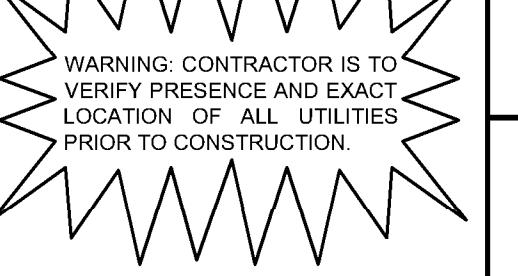
KHA PROJECT  
069229503  
DATE  
SEPTEMBER 2020  
SCALE: AS SHOWN  
DESIGNED BY: JCL  
DRAWN BY: JCL  
CHECKED BY: BEH

## CUT-FILL MAP

## CONCORDIA UNIVERSITY RESIDENCE HALL

 CITY OF AUSTIN  
TRAVIS COUNTY, TEXAS


Know what's below.  
Call before you dig.



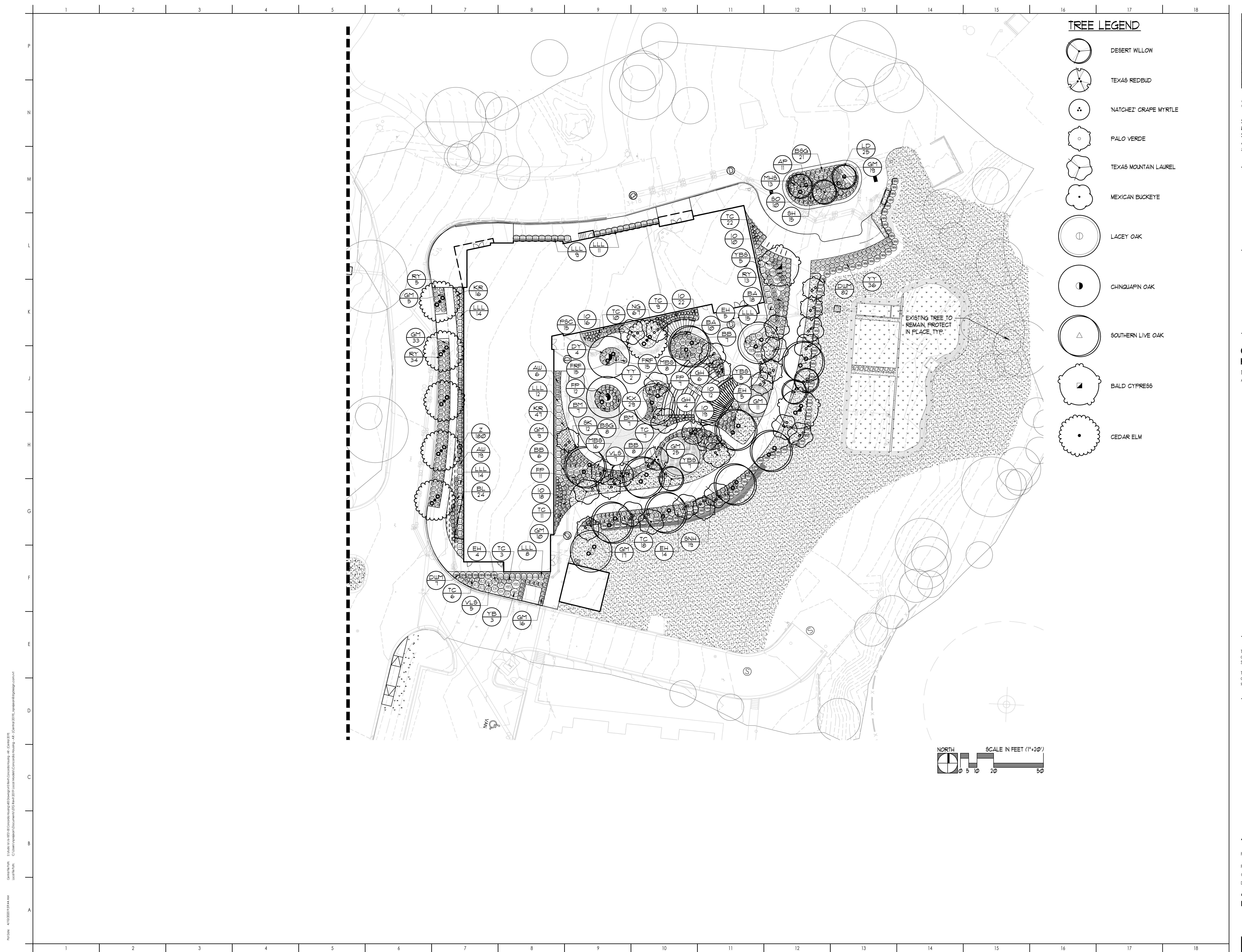
SITE PLAN APPROVAL SHEET 23 OF 43  
FILE NUMBER SP-2020-0038C APPLICATION DATE 1/31/2020  
APPROVED BY COMMISSION ON \_\_\_\_\_ UNDER SECTION 112 OF  
CHAPTER 25-5 OF THE CITY OF AUSTIN CODE  
EXPIRATION DATE (25-5-81 LDC) CASE MANAGER JEREMY SILTALA  
PROJECT EXPIRATION DATE (ORD.8970905-A) DWZ DDZ

Director, Development Services Department  
RELEASED FOR GENERAL COMPLIANCE: ZONING R&D-PDA  
Rev. 1 Correction 1  
Rev. 2 Correction 2  
Rev. 3 Correction 3

Final plat must be recorded by the Project Expiration Date, if applicable. Subsequent Site Plans which do not comply with the Code current at the time of filing, and all required Building Permits and/or a notice of construction (if a building permit is not required), must also be approved prior to the Project Expiration Date.

 SHEET NUMBER  
23 OF 43

SP-2020-0038C



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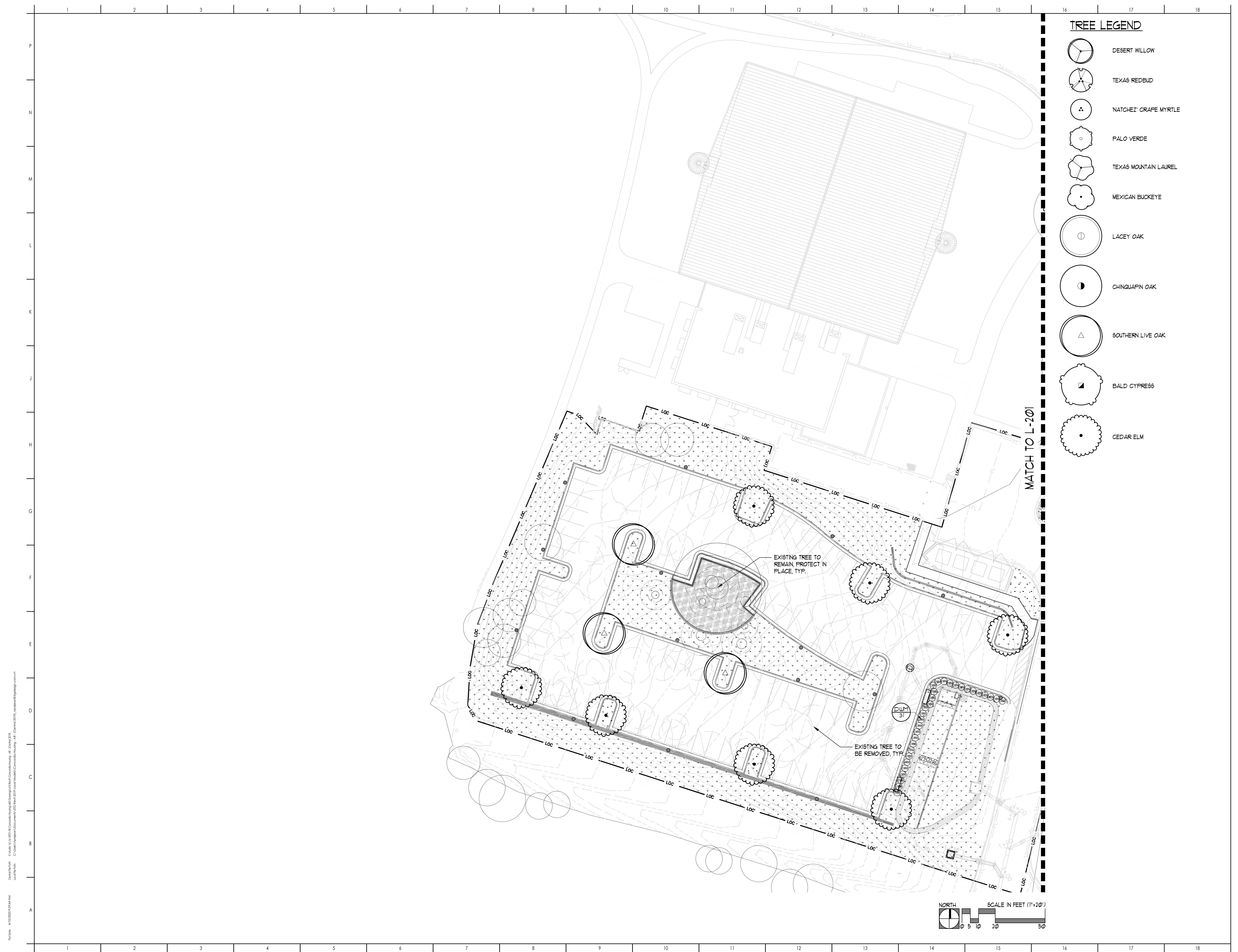
This sheet is only one component of the total  
document package which consists of all  
sheets of drawings and the project manual.

0 75% CD  
△ Issues

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

10/16/20

L-201



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## PLANT SCHEDULE

P	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
N																		
M																		
L																		
K																		
J																		
H																		
G																		
F																		
E																		
D																		
C																		
B																		
A																		

ORNAMENTAL	QTY	COMMON / BOTANICAL NAME	CONT	CALIPER	HEIGHT	SHRUBS	QTY	COMMON / BOTANICAL NAME	CONT	SPACING
	6	DESERT WILLOW CHILOPSIS LINEARIS 'BUBBA'S DELIGHT'	45 GAL	3" CAL.	7'-8' HT.	AP	11	PARRY AGAVE AGAVE PARRYI 'PARRYI'	15 GAL	36" O.C.
	5	MEXICAN BUCKEYE UNNIADIA SPECIOSA	45 GAL		8'-10' HT.	AW	25	FLAMELEAF ACANTHUS ANISACANTHUS QUADRIFIDUS 'WRIGHTII'	5 GAL	36" O.C.
	1	NATCHEZ CRAPE MYRTLE LAGERSTROEMIA INDICA 'FAURIEI' 'NATCHEZ'	45 GAL	175-2.25" CAL.	10'-12' HT.	BA	28	BAMBOO MULY MUhlenbergia dumosa	5 GAL	36" O.C.
	11	PALO VERDE PARKINSONIA ACULEATA 'DESERT MUSEUM'	45 GAL	3" CAL.	7'-8' HT.	BB	21	AMERICAN BEAUTYBERRY CALlicarpa AMERICANA	5 GAL	48" O.C.
	12	TEXAS MOUNTAIN LAUREL SOPHORA SECUNDIFLORA	36" BOX			BL	24	BLONDE AMBITION BLUE GRAMA BOUTELOUA GRACILIS 'BLONDE AMBITION'	3 GAL	30" O.C.
	3	TEXAS REDREBUD CERCIS CANADENSIS VAR. TEXENSIS	45 GAL	3" CAL.	10'-12' HT.	BM	14	BIG MULY MUhlenbergia Lindheimeri	5 GAL	36" O.C.
	2	Bald Cypress TAXODIUM DISTICHUM	100 GAL	4" CAL.	14'-16' HT.	BG	29	BERKELEY SEDGE CAREX DIVULSA	3 GAL	36" O.C.
	13	CEDAR ELM ULMUS CRASSIFOLIA	100 GAL	4" CAL.	14'-16' HT.	DWM	121	DWARF SOUTHERN WAX MYRTLE MYRICIA FUSILLA	3 GAL	36" O.C.
	2	CHINQUAPIN OAK QUERCUS MUhlenbergii	100 GAL	4" CAL.	14'-16' HT.	DY	4	SCHILLINGS DWARF YUPOON ILEX VOMITORIA 'SCHILLINGS DWARF'	5 GAL	36" O.C.
	3	LACEY OAK QUERCUS LACEYI	100 GAL	4" CAL.	14'-16' HT.	EH	24	CORAL TREE ERYTHRINA HERBACEA	3 GAL	48" O.C.
	12	SOUTHERN LIVE OAK QUERCUS VIRGINIANA	100 GAL	4" CAL.	14'-16' HT.	GH	10	GIANT HESPERALOE HESPERALOE FUNIFERA	15 GAL	48" O.C.
						GM	134	GULF MULY MUhlenbergia CAPILLARIS '#REGAL MIST#'	3 GAL	36" O.C.
						IO	91	INLAND SEA OATS CHASMANTHUS LATIPLIUM	1 GAL	24" O.C.
						LLL	75	LYNN'S LEGACY LANGMAN'S SAGE LEUCOPHYLLUM LANGMANIAE 'LYNN'S LEGACY'	3 GAL	48" O.C.
						MBS	24	MEXICAN BUSH SAGE SALVIA LEUCANTHA	5 GAL	36" O.C.
						MHS	13	MEXICAN HONEYSUCKLE JUSTICIA SPICIGERA	3 GAL	36" O.C.
						PP	30	FIRECRACKER PLANT RUSSELIA EQUisetiformis	3 GAL	30" O.C.
						RY	52	RED YUCCA HESPERALOE PARVIFLORA	5 GAL	36" O.C.
						SH	15	HOT LIPS SAGE SALVIA MICROPHYLLA 'HOT LIPS'	1 GAL	36" O.C.
						SK	12	SKELETON LEAF GOLDENEYE VIGUERA STENOLOBA	5 GAL	36" O.C.
						SO	10	TEXAS GREEN SOTOL DASYLIRION TEXANUM	24" BOX	48" O.C.
						SNH	19	NARROWLEAF SNAKEHERB DYSCHORESTE LINEARIS	3 GAL	36" O.C.
						TC	81	BIG MOMMA TURK'S CAP MALVAVISCUS DRUMMONDI 'BIG MOMMA'	5 GAL	36" O.C.
						VLS	7	VELVET-LEAF SENNA CASSIA LINDEMIERIANA	3 GAL	48" O.C.
						YBS	11	YELLOW BELLS TECOMA STANS GOLD STAR	5 GAL	60" O.C.
						YY	38	YELLOW YUCCA HESPERALOE PARVIFLORA 'YELLOW'	3 GAL	36" O.C.

SHRUBS	QTY	COMMON / BOTANICAL NAME	CONT	SPACING	GROUND COVERS	CODE	QTY	COMMON / BOTANICAL NAME	CONT	SPACING
AP	11	PARRY AGAVE AGAVE PARRYI 'PARRYI'	15 GAL	36" O.C.	FRF	15	FROG FRUIT PHYLLO INCISA	1 GAL	18" O.C.	
AW	25	FLAMELEAF ACANTHUS ANISACANTHUS QUADRIFIDUS 'WRIGHTII'	5 GAL	36" O.C.	KR	47	KATIE'S RUELLIA RUellia BRITTONIANA 'KATIE'	1 GAL	18" O.C.	
BA	28	BAMBOO MULY MUhlenbergia dumosa	5 GAL	36" O.C.	KX	29	BERKELEY SEDGE CAREX DIVULSA	1 GAL	18" O.C.	
BB	21	AMERICAN BEAUTYBERRY CALlicarpa AMERICANA	5 GAL	48" O.C.	LD	25	LANTANA 'DALLAS RED' LANTANA X 'DALLAS RED'	1 GAL	24" O.C.	
BL	24	BLONDE AMBITION BLUE GRAMA BOUTELOUA GRACILIS 'BLONDE AMBITION'	3 GAL	30" O.C.	NG	61	LANTANA 'NEW GOLD' LANTANA X 'NEW GOLD'	1 GAL	24" O.C.	
BM	14	BIG MULY MUhlenbergia Lindheimeri	5 GAL	36" O.C.	PSL	15	PINK SKULLCAP SCUTELLARIA SUFFRUTESCENS 'PINK'	1 GAL	24" O.C.	
BG	29	BERKELEY SEDGE CAREX DIVULSA	3 GAL	36" O.C.	TSM	13	TEXAS SWAMP MALLOW PAVONIA LASIOPETALA	1 GAL	18" O.C.	
DWM	121	DWARF SOUTHERN WAX MYRTLE MYRICIA FUSILLA	3 GAL	36" O.C.	Z	180	ZEXENIA WEDELIA TEXANA	1 GAL	12" O.C.	
DY	4	SCHILLINGS DWARF YUPOON ILEX VOMITORIA 'SCHILLINGS DWARF'	5 GAL	36" O.C.						
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YY	38	YELLOW YUCCA HESPERALOE PARVIFLORA 'YELLOW'	3 GAL	36" O.C.						



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LANDSCAPE DETAILS  
Project Name: Studio 11400 Concordia Housing A-E - Central Park | Concordia Housing  
Client Name: Central Park  
Architect: STG Design, Inc.  
Scale: 1" = 1'-0"<br

## **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 – Fill  
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 fill of +/- 8.75 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	<input type="checkbox"/> Urban <input type="checkbox"/> Suburban <input checked="" type="checkbox"/> Water Supply Suburban <input type="checkbox"/> Water Supply Rural <input type="checkbox"/> Barton Springs Zone		
Edwards Aquifer Recharge Zone	<input type="checkbox"/> Barton Springs Segment <input checked="" type="checkbox"/> Northern Edwards Segment <input type="checkbox"/> Not in Edwards Aquifer Zones		
Edwards Aquifer Contributing Zone	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Distance to Nearest Classified Waterway	<b>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.</b>		
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 fill of +/- 8.75 ft.		

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

acreage:	<u>29.95</u>	<u>31.61</u>
percentage:	<u>8.3%</u>	<u>8.8%</u>
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)	<p>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.</p> <p>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.</p>	

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 fill of +/- 8.75 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.*

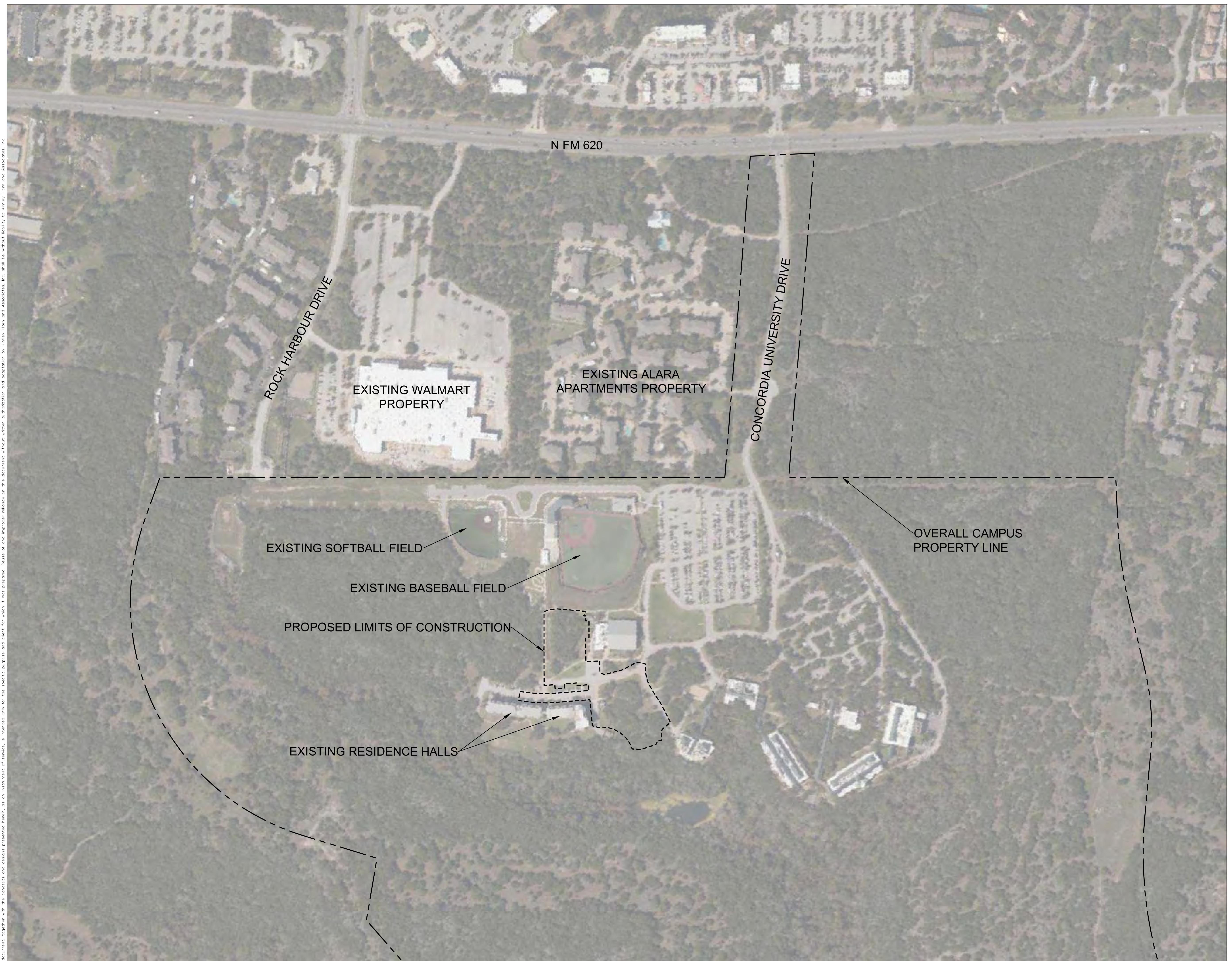
3. The proposal does not provide special privileges not enjoyed by other similarly situated properties with similarly timed development and is not based on a special or unique condition which was created as a result of the method by which a person voluntarily subdivided land after October 20, 1983. **Yes,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



AERIAL VICINITY MAP  
Concordia University  
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.