ITEM FOR DEVELOPMENT COMMITTEE MEETING

MEETING DATE:	June 16, 2021
NAME & NUMBER OF PROJECT:	3800 Island Way SP-2021-0021D
NAME OF APPLICANT OR ORGANIZATION:	Janis Smith, PE Janis Smith Consulting, LLC
LOCATION:	3800 Island Way Austin, Texas 78746
COUNCIL DISTRICT:	Council District #10
ENVIRONMENTAL REVIEW STAFF	Eric Brown Senior Environmental Scientist Watershed Protection Department Eric.Brown@austintexas.gov
WATERSHED:	Lake Austin Watershed, Water Supply Rural Classification, Drinking Water Protection Zone
REQUEST:	Request to vary from LDC 25-8-281(C)(2)(B) to allow construction within 150-feet of Critical Environmental Feature (Rimrock)
STAFF RECOMMENDATION:	Staff recommends this variance having determined the findings of facts have been met.
RECOMMENDED CONDITIONS:	1. Construction to be completed by barge.

Staff Findings of Fact

Watershed Protection Department
Staff Recommendations Concerning Required Findings

Project Name & Case Number:	**3800 ISLAND WAY Boat Dock Replacement SP- 2021-0021D**
Ordinance Standard:	**Watershed Protection Ordinance**
Variance Request:	**LDC 25-8-281(C)(2)(b) - To allow construction within 150 feet of a Rimrock Critical Environmental Features (CEF)**

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. A variance from 25-8-281(C)(2)(b) allowing for construction of a boat dock, shoreline access, and stabilization, has been granted for similarly situated properties with approximately contemporaneous development subject to similar code.

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 disturbance of the rimrock CEF is proposed, all proposed construction activities are to occur downgradient of the rimrock CEFs, and construction is to occur from the lakeside by barge. The proposed construction to be performed from a barge provides greater overall environmental protection. Additionally, the applicant is providing wetland plantings that will reduce shoreline erosion and sediment-laden surface runoff from discharging into the lake.

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

Yes. The variance is the minimum deviation from the code requirement to allow for a reasonable use of the property. The code requires a 150-foot critical environmental feature buffer. This buffer is not being reduced. The scope of the variance is limited to allowing construction activities to occur within a critical environmental feature buffer temporarily and only for the proposed boat dock replacement.

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

Yes. The variance does not create significant harmful environmental consequences. The construction of the boat dock from barge will not disturb the rimrock critical environmental feature. The applicant is providing wetland plantings that will reduce erosion and sediment-laden surface runoff from discharging into the lake.

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

Yes, the variance will result in water quality that is at least equal to the water quality achievable without the variance. The construction activities will not disturb the rimrock critical environmental features. The proposed wetland planting along the shoreline will reduce soil erosion along the shoreline and provide filtration of sediment-laden runoff from upgradient areas, thereby providing water quality that is at least equal to or greater than the water quality achievable without the variance.

Staff Recommendation: Staff recommends the variance as the Findings of Fact have been met, with the staff recommended condition that all construction be completed by barge.

B. The Land Use Commission may grant a variance from a requirement of Section 25-8-422 (*Water Supply Suburban Water Quality Transition Zone*), Section 25-8-452 (*Water Supply Rural Water Quality Transition Zone*), Section 25-8-482 (*Barton Springs Zone Water Quality Transition Zone*), Section 25-8-368 (*Restrictions on Development Impacting Lake Austin, Lady Bird Lake, and Lake Walter E. Long*), or Article 7, Division 1 (*Critical Water Quality Zone Restrictions*), after determining that:

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

Yes / No **N/A**

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

Yes / No **N/A**

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

Yes / No **N/A**

Staff Recommendation: N/A.

Hydrogeologic Reviewer (WPD) — Eric Brown — Date: 06-02-2021

Deputy Environmental Officer (WPD) — Liz Johnston — Date: 06-02-2021

Applicant Form and Findings of Fact

March 22, 2021

ENVIRONMENTAL COMMISSION VARIANCE APPLICATION FORM

PROJECT DESCRIPTION
Applicant Contact Information

Name of Applicant	*Chris Hester*
Street Address	*3800B Island Cove*
City State ZIP Code	*Austin, TX 78746*
Work Phone	*512-692-7175*
E-Mail Address	*chris.hester@cttlp.com*

Variance Case Information

Case Name	*3800 Island Cove*
Case Number	*SP-2021-0021D*
Address or Location	*3800 Island Cove*
Environmental Reviewer Name	*Pamela Abee-Taulli*
Environmental Resource Management Reviewer Name	
Applicable Ordinance	*LDC 25-8-281(C)(2)(b)*
Watershed Name	*Lake Austin*
Watershed Classification	☐Urban ☐ Suburban ***X 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 boat dock is in Lake Austin.*
Water and Waste Water service to be provided by	*NA*
Request	The variance request is as follows (Cite code references: *To allow construction in a rimrock CEF buffer.*

Impervious cover square footage: acreage: percentage:	Existing _____ _____ _____	Proposed _____ _____ _____
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)	*3800 Island Cove is a 0.6 acre duplex homesite on the shoreline of Lake Austin. Two-thirds of the site is in the lake underwater. Attachment 1 contains an aerial photo of the site. It's located about two miles northwest of the intersection of Westlake Drive and Redbud Trail. The site contains a duplex, grandfathered dock and access, and two rimrocks which border the existing home. It was originally developed in the 80s as part of a development featuring five duplex homesites, four of which are lakefront. The existing dock moors three boats and is oriented parallel to the shoreline as was common in the 80s. On this very busy portion of the lake, boat traffic is heavy with the associated high energy wave action. The orientation of the dock makes it perilous to get into and out of the boats as waves roll underneath. This project proposes to reconstruct the dock with two slips oriented perpendicular to the shoreline so that it's safe to get into and out of the boats.*	

Clearly indicate in what way the proposed project does not comply with current Code (include maps and exhibits)	*This project proposes to demolish an existing, grandfathered, dock and construct a new dock in the same location but oriented perpendicular to the shoreline. The existing and proposed dock location is about 120 LF from the nearest rimrock CEF and falls within the 150 ft. CEF setback required by Code. Please see Attachment 2 for the Proposed Conditions Site Plan Sheet. Attachment 3 contains the Environmental Resource Inventory.*

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 *Please see Attachment 4, Basis of Determination.*

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 *Please see Attachment 4, Basis of Determination.*

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

      Yes / No *Please see Attachment 4, Basis of Determination.*

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

      Yes / No *Please see Attachment 4, Basis of Determination.*

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 *Please see Attachment 4, Basis of Determination.*

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 25-8-368 (Restrictions on Development Impacting Lake Austin, Lady Bird Lake, and Lake Walter E. Long):

Not Applicable

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

Yes / No [provide summary of justification for determination]

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

Yes / No [provide summary of justification for determination]

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

Yes / No [provide summary of justification for determination]

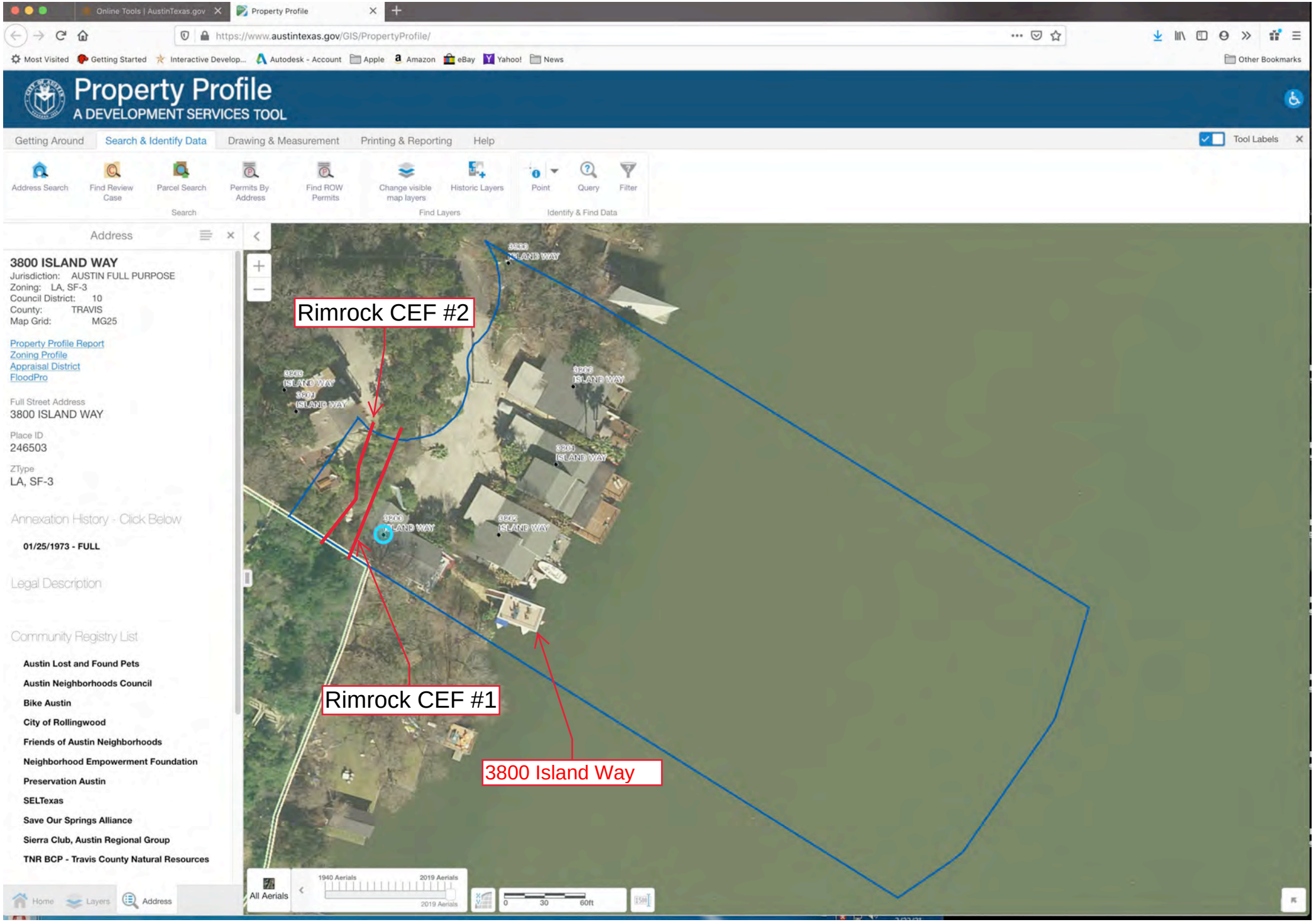
**Variance approval requires all above affirmative findings.

Exhibits for Commission Variance

- Aerial photos of the site
- Site photos
- Aerial photos of the vicinity
- Context Map—A map illustrating the subject property in relation to developments in the vicinity to include nearby major streets and waterways
- 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.
- For cut/fill variances, a plan sheet showing areas and depth of cut/fill with topographic elevations.
- Site plan showing existing conditions if development exists currently on the property
- 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
- Environmental Map – A map that shows pertinent features including Floodplain, CWQZ, WQTZ, CEFs, Setbacks, Recharge Zone, etc.
- An Environmental Resource Inventory pursuant to ECM 1.3.0 (***if required by 25-8-121***)
- Applicant's variance request letter

ATTACHMENT 1

AERIAL SITE PHOTO


Property Profile
A DEVELOPMENT SERVICES TOOL
Getting Around
Search & Identify Data
Drawing & Measurement
Printing & Reporting
Help
Tool Labels
Address Search
Find Review Case
Parcel Search
Permits By Address
Find ROW Permits
Search
Change visible map layers
Historic Layers
Find Layers
Point
Query
Filter
Identify & Find Data
Address
3800 ISLAND WAY
Jurisdiction: AUSTIN FULL PURPOSE
Zoning: LA, SF-3
Council District: 10
County: TRAVIS
Map Grid: MG25
Property Profile Report
Zoning Profile
Appraisal District
FloodPro
Full Street Address
3800 ISLAND WAY
Place ID
246503
ZType
LA, SF-3
Annexation History - Click Below
01/25/1973 - FULL
Legal Description
Community Registry List
Austin Lost and Found Pets
Austin Neighborhoods Council
Bike Austin
City of Rollingwood
Friends of Austin Neighborhoods
Neighborhood Empowerment Foundation
Preservation Austin
SELTexas
Save Our Springs Alliance
Sierra Club, Austin Regional Group
TNR BCP - Travis County Natural Resources
Rimrock CEF #2
Rimrock CEF #1
3800 Island Way
All Aerials
1940 Aerials
2019 Aerials
Home
Layers
Address

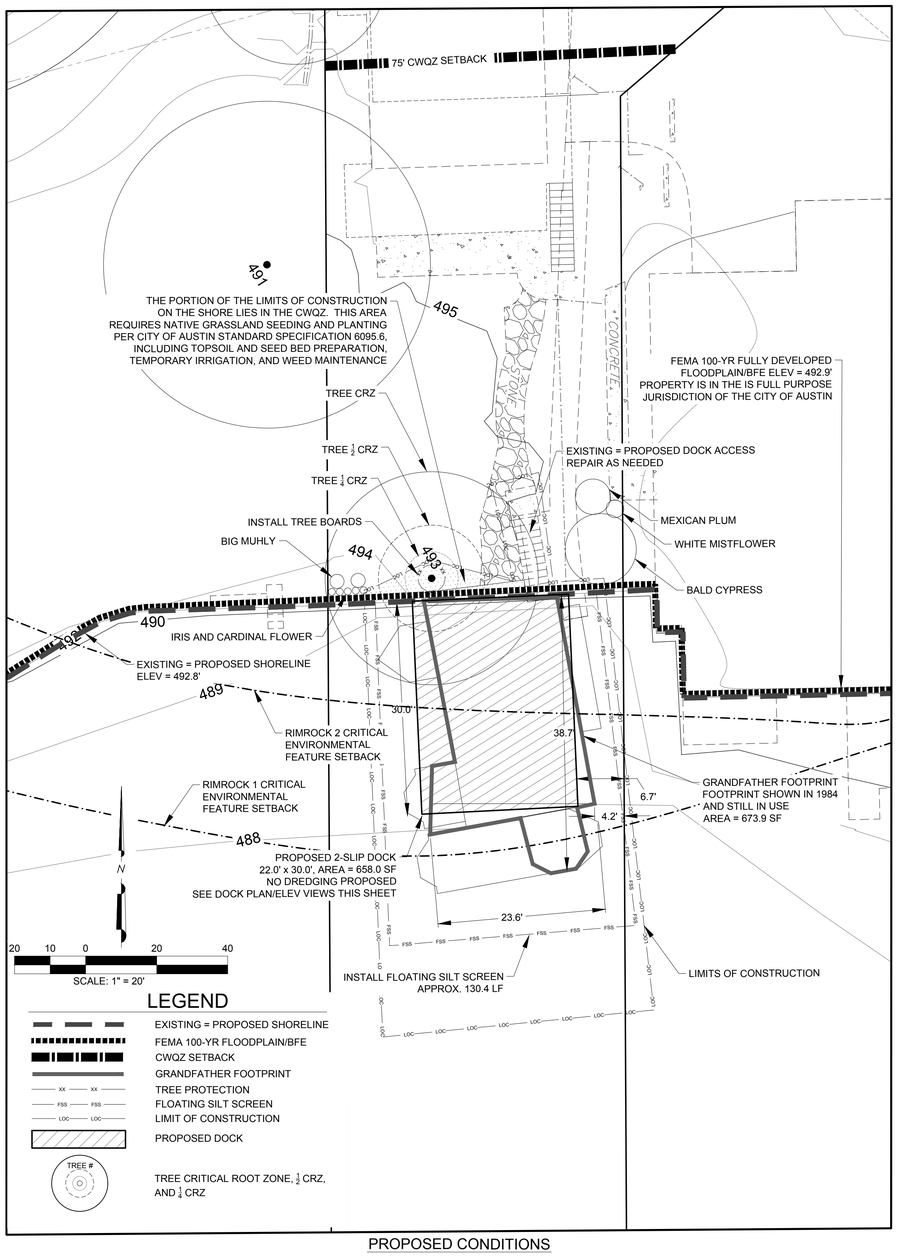
ATTACHMENT 2

PROPOSED CONDITIONS SITE PLAN SHEET

3800 ISLAND WAY

TOTAL APPENDIX F TREE INCHES SURVEYED:	36.0
TOTAL APPENDIX F TREE INCHES REMOVED:	0.0
TOTAL NON-APPENDIX F AND INVASIVE REMOVED:	0.0
TOTAL MITIGATION INCHES PLANTED ON-SITE	0.0
TOTAL DEAD INCHES REMOVED:	0.0
TOTAL NON-MITIGATION INCHES PLANTED ON-SITE	4.0

EXISTING SHORELINE LENGTH = 41.6'
ALLOWABLE DOCK WIDTH = 23.6' (GRANDFATHERED STRUCTURES)
PROPOSED DOCK WIDTH = 22.0'
PROPOSED DOCK DEPTH = 35.8'
DOCK FOOTPRINT = 658.7 SF



PROPOSED CONDITIONS

PLANTING MITIGATION CALCULATIONS

609S RESTORATION
- ALL DISTURBED AREAS WITHIN THE SHORELINE SETBACK SHALL BE REVEGETATED PURSUANT TO 609S SPECIFICATIONS, USING 609S SEEDING OR PLANTING
- AREA OF IMPACT IS APPROXIMATELY 79 SF
- PLANTING CRITERIA RECOMMENDS 1 NATIVE SHADE TREE AND 1 NATIVE UNDERSTORY TREE/500 SF OF DISTURBED AREA
  79 SF/500 SF = 1 SHADE TREE AND 1 UNDERSTORY TREE
- AND 1 NATIVE SHRUB/100 SF
  79 SF/100 = 1 SHRUBS

WETLAND MITIGATION
- 24 SF AT 2 FT CENTERS IN A TRIANGULAR PATTERN YIELDS 7 PLANTS.

PLANTING MITIGATION NOTES

- ALL PLANTS TO BE SOURCED WITHIN A 200 MILE RADIUS OF AUSTIN.
- FOLLOW ALL GUIDELINES FOUND IN THE CITY OF AUSTIN ENVIRONMENTAL CRITERIA MANUAL, REFERENCE CODE SECTIONS ECM 1.13.0, ECM 1.10.4(D), & ITEM NO. 609S AS APPLICABLE
- ALL PLANTS TO BE INSTALLED AT A MAXIMUM OF 3FT ON CENTERS.

SHORELINE MITIGATION PLANTING SCHEDULE

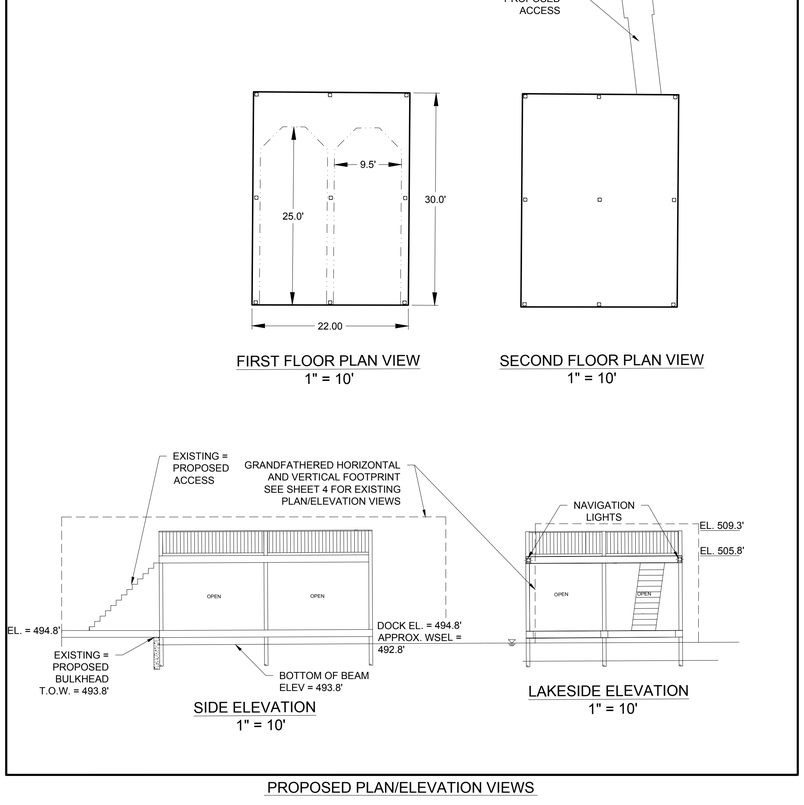
PLANT NAME	NUMBER OF PLANTS	TYPE OF MITIGATION
Bald Cypress (Taxodium distichum)**	1	Floodplain
Mexican Plum (Prunus mexicana)**	1	Floodplain
White Mistflower (Ageratina havanensis)^	1	Floodplain
Blue Flag Iris (Iris fulva or virginica)	2	Wetland
Big Muhly (Muhlenbergia lindheimeri)	2	Wetland
Cardinal flower (Lobelia cardinalis)	3	Wetland
TOTAL =	10 PLANTS	

** 2" caliper trees
^ Native shrub with low water needs

Alternative native and adapted species may be substituted with the same quantity of another species and plant planting location maybe modified as approved by the PDR Environmental reviewer, ERM Wetland Biologist or ERM Landscape Architect.

TOTAL 609S SHRUBS REQUIRED = 1 SHRUB. 1 SHRUB IS PROPOSED
TOTAL 609S UNDERSTORY TREES REQUIRED = 1 TREE. 1 UNDERSTORY TREE IS PROPOSED
TOTAL 609S SHADE TREES REQUIRED = 1 TREE. 1 SHADE TREE IS PROPOSED

TOTAL 609S PLANTS REQUIRED = 3 PLANTS. 3 PLANTS PROPOSED
WETLAND PLANTS REQUIRED = 7 PLANTS. 8 PLANTS PROPOSED



PROPOSED PLAN/ELEVATION VIEWS

NOTE:
THE PROPOSED BOAT DOCK MUST COMPLY WITH ALL REQUIREMENTS OF LDC 25-2-1174 ("STRUCTURAL REQUIREMENTS"), AND MUST COMPLY WITH CHAPTER 25-12, ARTICLE 1 (UNIFORM BUILDING CODE) AND THE BUILDING CRITERIA MANUAL.

NOTES:

1. ALL WORK SHALL OCCUR WITHIN THE LIMITS OF CONSTRUCTION AS SHOWN ON THE PLAN. ALL MATERIALS WILL BE TRANSPORTED TO THE SITE FROM WATER. ALL CONSTRUCTION ACTIVITY, INCLUDING STAGING AND SPOIL STORAGE, WILL BE COMPLETED BY WATER.
2. SHORELINE IMPROVEMENTS, INCLUDING GANGWAY ACCESS, ARE AUTHORIZED WITH THIS SITE PLAN.
3. CONTAINERS OF HAZARDOUS MATERIALS, FUEL, OIL, HERBICIDES, INSECTICIDES, FERTILIZERS, OR OTHER POLLUTANTS WILL NOT BE STORED ON DOCKS EXTENDING INTO OR ABOVE LAKE AUSTIN.
4. FOR LA ZONING, PERMANENT IMPROVEMENTS ARE PROHIBITED WITHIN THE SHORELINE SETBACK AREA, EXCEPT FOR RETAINING WALLS, PIERS, WHARVES, BOATHOUSES, MARINAS, OR A DRIVE TO ACCESS THE STRUCTURES [LDC 25-2-551 (B)(2)].
5. NO WATER OR WASTEWATER UTILITIES ARE PROPOSED WITH THIS DEVELOPMENT.
6. DOCK SHALL BE AT LEAST 66% OPEN.
7. PILINGS SHALL BE 6-5/8" DIAMETER STEEL PIPE.
8. THE PROJECT SITE IS WITHIN THE CITY OF AUSTIN FULL PURPOSE BOUNDARIES.

ATTENTION INSPECTOR NOTES:

1. COMPLIANCE WITH BUILDING CODE REQUIRED AND IS TO BE REVIEWED FOR COMPLIANCE DURING BUILDING CODE REVIEW.
2. FOR THE BUILDING PERMIT, A SIGNED AND SEALED LETTER SHALL BE SUBMITTED TO THE CITY OF AUSTIN, PER THE LAND DEVELOPMENT CODE, 25-12-3 1612.4, CERTIFYING THAT THE STRUCTURE IS IN ACCORDANCE WITH ASCE 24, FLOOD RESISTANT DESIGN AND CONSTRUCTION.
3. ENVIRONMENTAL INSPECTOR HAS THE AUTHORITY TO ADD AND/OR MODIFY EROSION/SEDIMENTATION CONTROLS ON SITE TO KEEP PROJECT IN COMPLIANCE WITH THE CITY OF AUSTIN RULES AND REGULATIONS.

NO.	DATE	REVISION	APP'VD

Janis Smith Consulting, LLC
1505 Westover Road • Austin, Texas 78703 • 512-914-3729
Texas Board of Professional Engineers Registration Number F- 16978

JANIS J. SMITH 110314 LICENSED PROFESSIONAL ENGINEER STATE OF TEXAS
03/23/2021

3800 ISLAND WAY
PROPOSED CONDITIONS SITE PLAN

DESIGNED:	JJS
APPROVED:	
SCALE:	AS SHOWN
	3800 ISLAND WAY
DATE:	JANUARY 11, 2021
SHEET	3 of 5

3

SP-2021-0021D

3800 ISLAND WAY - SP-2021-0021D

ATTACHMENT 3

ENVIRONMENTAL RESOURCE INVENTORY

City of Austin – Environmental Resource Inventory (ERI)
3800 Island Way
Travis County, Texas

November 16, 2020, revised March 22, 2021

By:
DESCO Environmental Consultants, LP
26902 Nichols Sawmill Road
Magnolia, Texas 77355

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: 3800 Island Way - Lot E

2. COUNTY APPRAISAL DISTRICT PROPERTY ID (#'s): 541296

3. ADDRESS/LOCATION OF PROJECT: 3800 Island Way, Lot E, Austin, TX 78746

4. WATERSHED: Austin-Travis Lakes

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 3 (#'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*):

0 (#'s) Spring(s)/Seep(s) 0 (#'s) Point Recharge Feature(s) 0 (#'s) Bluff(s)

2 (#'s) Canyon Rimrock(s) 1 (#'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 not provided, 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. Request forms for administrative variances from requirements stated in LDC 25-8-281 are available from Watershed Protection Department.

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

All ERI reports must include:

- ☒ **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**

Only if present on site *(Maps can be combined):*

- ☒ **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)
Eckrant soils and Urban land, 5 to 18 percent slopes	D	1
Eckrant soils and Urban land, 18 to 40 percent slopes	D	1

Soil Hydrologic Groups Definitions *(Abbreviated)

A. Soils having a high infiltration rate when thoroughly wetted.

B. Soils having a moderate *infiltration* rate when thoroughly wetted.

C. Soils having a slow infiltration rate when thoroughly wetted.

D. Soils having a very slow infiltration rate when thoroughly wetted.

**Subgroup Classification – See Classification of Soil Series Table in County Soil Survey.

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

As verified from the City of Austin GIS, two rimrocks are present on the far northwestern portion of the property (Figure 4). Rimrock 1 averages approximately 25 feet tall and Rimrock 2 averages approximately 12 feet tall. At the bottom of Rimrock 1, the property is very gently sloped from northwest to southeast towards Lake Austin (Colorado River) in the Austin-Travis Lake watershed, downstream of Lake Travis. The average slope of the property at the bottom of the rimrocks is approximately 1%. Island Way borders the property to the northeast and similar properties border the property to the north, east, and west. A main residence with covered parking and two story boat slips are located on the property. A rock retaining wall is installed along the entire shoreline which extends 2' above the water line. One wetland (wetland 1) was identified by City of Austin staff adjacent to the boat dock consisting of landscaped umbrella sedge (Cyperus involucratus). Other than the two rimrocks and one wetland, no additional CEFs were observed on or adjacent to the property.

List surface geologic units below:

Geologic Units Exposed at Surface		
Group	Formation	Member
Trinity	Glen Rose Formation	Cretaceous
Comanche Peak	Fredericksburg Group	Comanchean

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

Glen Rose Formation - Limestone, dolomite, and marl in alternating resistant and recessive beds forming stair step topography;limestone, alphantic to fine grained, hard to soft and marly, light grey to yellowish grey; dolomite, fine grained, porous, yellowish brown; marine megafossils include steinkems, rudistids oysters, andechinoids; upper part relatively thinner bedded, more dolomitic and less fossiliferous than lower part,thickness about 220 feet.

Fredericksburg Group - Limestone,dolomite,chert, marl. Limestone nodular, aphanitic, marly, gray, yellow, white, pink; dolomite, fine grained, gray; chert, in thin layers and nodules; marl locally gypsiferous, gray. Abundant Exogyra texana some beds made almost entirely of Gryphaea sp., exposed thickness 50 feet. Edwards Limestone, limestone, dolostone, and chert 60-350 feet thick. Comanche Peak Limestone 80 feet thick. Keys Valley Marl, soft, white as much as 50 feet thick. Cedar Park Limestone similar to Comanche Peak Ls (fine to very fine grained, fairly hard, nodular, light gray, burrowed). Bee Cave Marl soft, white Exogyra texana abundant, thickness 25-40 feet.

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 far northwestern portion of the site in the vicinity of the rimrocks contains native vegetation including live oak (Quercus virginiana), cedar elm (Ulmus crassifolia), and sugarberry (Celtis laevigata). The remaining property is landscaped with St. Augustine grass (Stenotaphrum secundatum) being the predominant ground cover. Umbrella sedge (wetland 1) was observed adjacent to the boat dock.

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

Woodland species	
Common Name	Scientific Name

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

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
Umbrella Sedge	Cyperus involucratus	FACW

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:

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.

All wastewater will be disposed of into the City of Austin Centralized sewage collection system.

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

Date(s) ERI Field Assessment was performed: November 11, 2020
Date(s)

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

Chris Little	281-252-9799
Print Name	Telephone
Signature	clittle@descoenv.com
	Email Address
DESCO Environmental Consultants, LP	November 16, 2020, revised March 22, 2021
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).

Richard W Griffin
Soil Science #3244

City of Austin Environmental Resource Inventory - Critical Environmental Feature Worksheet

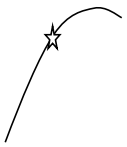
1	Project Name:	3800 Island Way - Lot E
2	Project Address:	3800 Island Way, Lot E, Austin, TX 78746
3	Site Visit Date:	November 11, 2020
4	Environmental Resource Inventory Date:	November 16, 2020, revised March 22, 2021

5	Primary Contact Name:	Chris Little
6	Phone Number:	281-252-9799
7	Prepared By:	Chris Little
8	Email Address:	clittle@descoenv.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	Rimrock 1	3352749.40460		616683.10775				281	25					
	Rimrock	Rimrock 2	3352741.16413		616669.53960				201	12					
	Wetland	Wetland 1	3352726.14027		616713.78004		4	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

List of Attachments for the Environmental Resource Inventory Form

Figure 1: Site Specific Geological Map with 2' Topography

Figure 2: Historical Aerial Imagery

Figure 3: Site Soils Map

Figure 4: Critical Environmental Features and Well Locations

Figure 5: CWQZ and Fully Developed Floodplain

Figure 6: 3800 Island Way - ERI Site Photos

Figure 1: Site Specific Geologic Map with 2' Topography
3800 Island Way

Travis County, Texas

Legend

- 2' Contours (CoA)
- Geologic Atlas of Texas - 250K (TNRIS)
- Parcel of Interest (CoA)

Map Base: 2020 CAP Area 3in NC Imagery from TNRIS
Map Datum: NAD 1983 UTM Zone 14N, meters
Map Date: November 12, 2020

N

1:855

DESCO

0 25 50 100 Feet

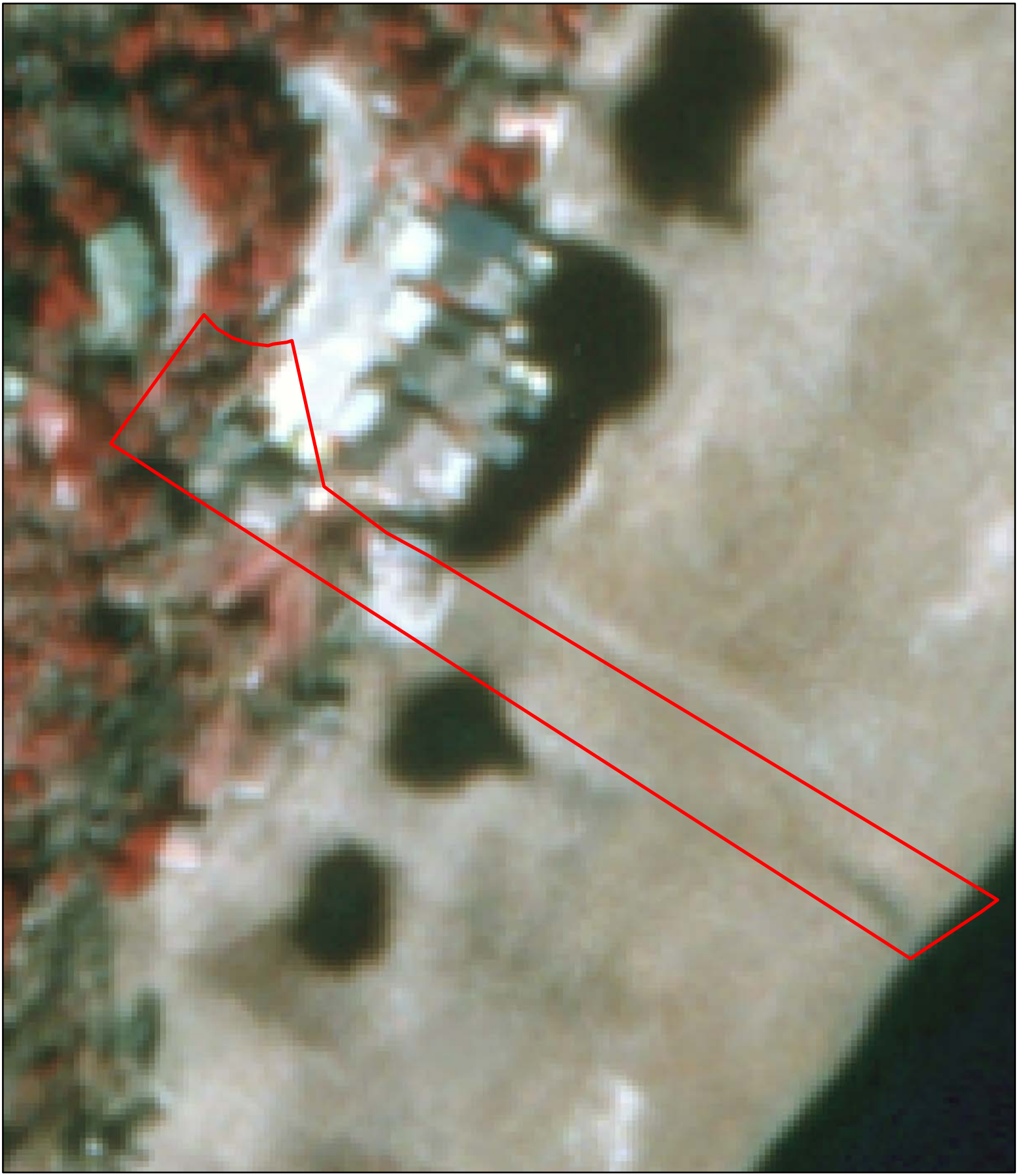


Figure 2: Historical Aerial Imagery
3800 Island Way

Travis County, Texas

Legend

Parcel of Interest (CoA)

Map Base: 1996 TOP CIR Aerial Imagery from TNRIS
Map Datum: NAD 1983 UTM Zone 14N, meters
Map Date: November 12, 2020

N

1:855

DESCO

0 25 50 100 Feet

Figure 3: Site Soils Map
3800 Island Way

Travis County, Texas

Legend

Parcel of Interest (CoA)

Soils (USDA/NRCS)

N

1:855

DESCO

0 25 50 100 Feet

Map Base: 2020 CAP Area 3in NC Imagery from TNRIS
Map Datum: NAD 1983 UTM Zone 14N, meters
Map Date: November 12, 2020

Legend

- Rimrock (CoA)
- Parcel of Interest (CoA)
- Wetland
- Rimrock 150' Buffers
- Wetland 150' Buffer

Figure 4: Critical Environmental Features and Well Locations
3800 Island Way

Travis County, Texas

Map Base: 2020 CAP Area 3in NC Imagery from TNRIS
Map Datum: NAD 1983 UTM Zone 14N, meters
Map Date: March 22, 2021

N

1:1,200

DESCO

0 37.5 75 150 Feet

Legend

- Parcel of Interest (CoA)
- Lakes
- Austin Fully Developed Floodplain
- CWQZ (CoA)
- Edwards Aquifer Recharge Zones (CoA)

Figure 5: CWQZ and Fully Developed Floodplain
3800 Island Way

Travis County, Texas

Map Base: 2020 CAP Area 3in NC Imagery from TNRIS
Map Datum: NAD 1983 UTM Zone 14N, meters
Map Date: November 12, 2020

N

1:880

DESCO

0 25 50 100 Feet

Figure 6. 3800 Island Way ERI Site Photos

Photo 1: Front of the property adjacent to Island Way. Photo was taken from Island Way facing southwest.

Photo 2: Back (northwest) of the property adjacent to Rimrock 1 (Figure 4). Photo was taken from Island Way facing west.

Photo 3: Backyard of property facing Lake Austin to the southeast.

Photo 4: Rock retaining wall 2’ above the water line with no wetlands along the shoreline. Photo was taken from the boat dock facing west.

Photo 5: View of back of residence taken from second floor of boat dock facing northwest.

Photo 6: Rimrock 1 (Figure 4) extends southwest and northeast of property. Photo was taken from Island Way facing southwest toward the property.

Photo 7: Wetland 1 adjacent to the boat dock consisting of landscaped umbrella sedge (*Carex involucratus*). Photo was taken by City of Austin staff from the boat dock facing northwest toward the residence.

ATTACHMENT 4

BASIS OF DETERMINATION FOR THE FINDINGS OF FACT

A. 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 Environmental Commission has recommended every variance application pertaining to LDC 25-8-281(C)(2)(b) for the past six years except one which included a tram.

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 entire shoreline is within the CEF setback. The proposed dock will be constructed in the same location as the existing dock.

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

YES. A dock cannot be constructed on the lot without obtaining this variance.

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

YES. Post construction, all disturbed areas will be revegetated per the COA 609S specification. Floating silt screen will contain sediment caused by any lakebed disturbance.

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

YES. Mitigation plantings will be added to the site which should result in a greater water quality from overland flow entering the lake. The floating silt screen should contain any sediment caused by the boat dock construction.

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

YES. Please see answers to A (1), (2), and (3).

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

YES. The existing dock, built in the 1980s, is oriented parallel to the shoreline on a very busy section of the lake. The wave action makes for a perilous entry and exit to/from the boat. Reconstructing the dock to a safe alignment perpendicular to the shoreline, as is typical today, requires this variance. Blocking the

construction of a safe dock "prevents a reasonable, economic use of the entirety of the property".

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

YES. The construction is limited to replacing an unsafe dock with a safe dock. No further work is proposed; so this project "is the minimum deviation from the code". Denying the owner the ability to construct a safe dock on the lakefront lot would prevent "a reasonable economic use of the entirety of the property".

Applicant Exhibits