



Council Question and Answer

Related To

Item #85

Meeting Date

October 14, 2021

Additional Answer Information

C14-2021-0100 - Luby's Site - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 8176 North MoPac Expressway Service Road Southbound (Shoal Creek Watershed). Applicant Request: To rezone from neighborhood commercial (LR) district zoning to multifamily residence-highest density (MF-6) district zoning. Staff Recommendation: To grant multifamily residence-highest density (MF-6) district zoning. Zoning and Platting Commission Recommendation: To forward to City Council without a recommendation due to lack of an affirmative vote. Owner/Applicant: Luby's Fuddrucker's Restaurants, LLC (Bill Gordon). Agent: Armbrust & Brown, PLLC (Michael Whellan). City Staff: Sherri Sirwaitis, 512-974-3057.

QUESTION/ANSWER: Council Member Alter's Office

- The applicant has indicated they've provided additional environmental assessments to the staff. Have those been reviewed and do the assessments raise any safety or environmental concerns?*

Yes, WPD staff have reviewed the additional information provided by the applicant. We do not have concerns that would affect the zoning case, though there is a possibility that some smaller voids may not have been discovered by the seismic refraction survey. If subsurface voids are discovered during construction, then void and water flow mitigation methods are required by Code that may or may not affect the overall design of the project. Standard void mitigation notes are required on all site plans and WPD hydrogeology staff routinely inspect voids that are encountered during construction for compliance with code.

- Do staff have any safety concerns related to construction on a site known to have cave/karst features?*

The structural engineer for a project will need to do their due diligence in identifying the condition of the land and soil in order to design the structural system. Other parties, such as a geotechnical engineer, may be the party identifying the site conditions. The foundation and structural design for any buildings on the site should account for known caves. All construction on the site must be adequately supported in accordance with the International Building Code.

DSD provides a structural review during the plan review process and also provides consultation to our inspectors in the field. The project's structural engineer and design team are responsible for identifying the conditions and appropriately addressing in their design.

- Please provide details on the elements of our code that mitigate and reduce any safety impacts on construction above a cave or karst features.*

All work must stop if a void in the rock substrate is discovered which is; one square foot in total area; blows air from within the substrate and/or consistently receives water during any rain event. At this time it is the responsibility of the Project Manager to immediately contact a City of Austin Environmental Inspector for further investigation. In addition, if the project site is located within the Edwards Aquifer, the Project Manager must notify the Travis County Balcones Canyonlands

Conservation Preserve (BCCP) by email at bccp@traviscountytx.gov. Construction activities within 50 feet of the void must stop.

We also have detailed technical information in the Environmental Criteria Manual that clarifies how void mitigation should occur:

https://library.municode.com/tx/austin/codes/environmental_criteria_manual?nodeId=S1WAQUMA_1.12.0VOWAFLMI

4. *Please provide information on what this site is estimated to contribute in transportation impact fees and how those might be spent.*

Assuming a building permit will not be pulled before June 20, 2022, the proposed MF development (i.e., 275 units) at the existing Luby's site would be assessed a SIF of approximately \$75k-\$85k. This is AFTER the credit given for the existing use of the land (restaurant) and BEFORE credits given for parking reductions, proximity to transit, and reductions for affordable housing units. These credits are determined at time of site plan.

The SIF funds received from this site must be expended within Service Area F and for projects identified in the Roadway Capacity Plan (RCP) that is part of the SIF ordinances. ATD is now developing the prioritization matrix that identifies which projects in the RCP should be constructed first within each service area as street impact fees begin to be collected in June 2022.