



ITEM FOR ENVIRONMENTAL COMMISSION AGENDA

COMMISSION MEETING DATE: 7/6/2022

NAME & NUMBER OF PROJECT: Mercedes Benz South Austin (SP-2021-0127C)

NAME OF APPLICANT OR ORGANIZATION: Gemsong Ryan

LOCATION: 10900 S IH 35, Austin, Texas 78748

COUNCIL DISTRICT: 5

ENVIRONMENTAL REVIEW STAFF: Tunde Daramola, Environmental Review Specialist Senior, DSD, 512-974-6316, Babatunde.Daramola@austintexas.gov

WATERSHED: Onion Creek Watershed, Suburban, Desired Development Zone

REQUEST: Variance request is as follows:
Request to vary from LDC 25-8-261 to allow a private driveway access point to the site through a Critical Water Quality Zone buffer.

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

STAFF CONDITIONS:

- Increase Critical Water Quality Zone buffer averaged area to enhance overall preservation.
- Revegetate throughout the entire Critical Water Quality Zone within the property thus maintaining the existing channel.
- Add tree plantings in the vehicle storage lot islands.



Development Services Department
Staff Recommendations Concerning Required Findings

Project Name: Mercedes Benz South Austin
Ordinance Standard: Watershed Protection Ordinance
Variance Request: **To allow a private driveway access point through a Critical Water Quality Zone buffer**

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. The variance will not be providing a special privilege to the applicant. The proposed driveway access point will facilitate compliance to the international fire code for provision of the required fire access which would not be possible without the variance.

Prior projects in this industrial development zone had a similar situation. A prime example is Stillwater-Double Creek Phase 2, SP-2021-0178C. A Land Use Commission variance was granted to LDC 25-8-261 to allow development in the CWQZ.

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 variance is necessitated by the fire department ingress/egress requirements set forth in the International Fire Code. Two points of emergency ingress and egress are required, and AFD will not accept both to be on Rex Kitchens Rd.

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

Yes. The variance is necessitated by the fire department requirement of having two points of emergency ingress/egress. Construction of this project without the required access for emergency responders and pathways for means of ingress/egress will not be allowed.

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

Yes. The variance does not create a significant probability of harmful consequences. Water quality pond and a rain garden will be provided upstream of final site discharge.

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

Yes. All site impervious cover will be treated by water quality measures. The development is compliant with current code.

- 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 All criteria in Subsection (A) are met

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

Yes The proposed development is consistent with applicable zoning and surrounding properties. Austin Fire Department requires two access points which will be unattainable without this variance. No joint use access agreement with Neighboring property for ingress/egress through I-35 is feasible.

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

Yes The variance is necessitated by the fire department requirement of having two points of emergency ingress/egress. The access point proposed across the CWQZ will be box culverts and is considered minimum deviation from code.

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

- Increase Critical Water Quality Zone buffer averaged area to enhance overall preservation.
- Revegetate throughout the entire Critical Water Quality Zone within the property thus maintaining the existing channel.
- Add tree plantings in the vehicle storage lot islands.

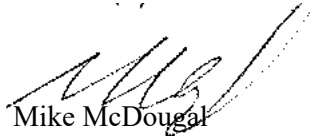
Environmental Reviewer
(DSD)



Tunde Daramola

Date
6/9/2022

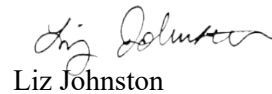
Environmental Review
Manager (DSD)



Mike McDougal

Date
6/9/2022

Deputy Environmental
Officer (WPD)



Liz Johnston

Date
06/10/2022



3100 Alvin Devane Boulevard, Suite 150
Austin, Texas 78741-7425
Tel: 512.441.9493
Fax: 512.445.2286
www.jonescarter.com

May 3, 2022

Babatunde Daramola
City of Austin
Development Services Department
6310 Wilhelmina Delco Dr
Austin, Texas 78752

Re: Critical Water Quality Zone Variance
Mercedes – South Austin
10900 S IH 35 Frontage Rd
SP-2021-0127C

Dear Mr. Daramola:

On behalf of our client, SC Austin RE LLC, Jones & Carter, Inc. is requesting an Environmental Commission variance of LDC Section 25-8-261 to allow a private driveway access point to the site from the ROW through a Critical Water Quality Zone (CWQZ) buffer.

The site plan consists of 10.80 acres including an automobile showroom and service facility with surface parking and associated improvements. The entire project proposes 69% impervious cover with 80% allowed by watershed. Less than 0.01 acres of impervious cover is proposed within the buffer. In order to provide adequate fire access to the site, we will need to cross the existing Critical Water Quality Zone with two private driveways.

This Critical Water Quality Zone is the result of a manmade channel constructed to support previous development (SP-2014-0103D). It does not protect a naturally occurring waterway and the buffer already has existing impervious cover (Rex Kitchens Road, Interstate 35 Southbound, and a rain garden) within the 100' width. We are requesting to cross the CWQZ buffer with a private driveway to provide access to S IH 35 Frontage Road ROW. This location is mandated by the Fire Department and is part of an approved TxDOT and COA Traffic Impact Analysis (TIA).

If you have any questions or require additional information, please contact me at (512) 441-9493.

Sincerely,

Gemsong N. Ryan, P.E.



ENVIRONMENTAL COMMISSION VARIANCE APPLICATION FORM

PROJECT DESCRIPTION

Applicant Contact Information

Name of Applicant	Gemsong N. Ryan, P.E.
Street Address	3100 Alvin Devane Blvd Suite 150
City State ZIP Code	Austin, Texas 78741
Work Phone	512-685-5131
E-Mail Address	gryan@jonescarter.com

Variance Case Information

Case Name	Mercedes Benz – South Austin
Case Number	SP-2021-0127C
Address or Location	10900 S IH 35 Frontage Rd
Environmental Reviewer Name	Babatunde Daramola
Environmental Resource Management Reviewer Name	N/A
Applicable Ordinance	Critical Water Quality Zone LDC 25-8-261
Watershed Name	Onion Creek
Watershed Classification	<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban <input 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 type="checkbox"/> Northern Edwards Segment <input checked="" 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	The site is bordered by a Critical Water Quality Zone on the northern and eastern side.
Water and Waste Water service to be provided by	Austin Water Utility
Request	<p>The variance request is as follows (Cite code references):</p> <p>LDC 25-8-261 prohibits development in the Critical Water Quality Zone except as specified by that section of code.</p> <p>We are requesting a variance from this section of code to allow for a private driveway access point from IH 35 as required by fire code and as shown in the attached correspondence.</p>

Impervious cover	Existing	Proposed
square footage:	<u>0</u>	<u>367,650</u>
acreage:	<u>0</u>	<u>8.44</u>
percentage:	<u>0%</u>	<u>69%</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 existing topography of the subject tract consists of natural slopes ranging from 1%-3%. The highest point of the site is located along the northern boundary at an elevation of 634 feet above sea level. The lowest point of the site is located at the south-western corner of the site at an elevation of approximately 622 feet above sea level. The site is currently undeveloped. The site is currently undeveloped as pasture with brush and trees. According to the Natural Resource Conservation Soil Survey of Travis County, Texas, soils on the property are classified in 100.0% Hydrologic Soil Group B. The soils are predominantly Lewisville silty clay with 1-3% slopes. The site is located in the Onion Creek Watershed which is classified as a suburban watershed. There are no heritage trees on site.</p>	

Clearly indicate in what way the proposed project does not comply with current Code (include maps and exhibits)	The site is surrounded by the Critical Water Quality Zone on the north and east boundaries. Our proposed driveway locations are the locations required by fire for site access therefore a variance is needed to cross the CWQZ with a driveway.
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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: Mercedes – South Austin

Ordinance: LDC 25-8-261

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.

<u>Yes</u> / No	Without a variance from the code for a private driveway access point to the IH 35 service road the site will not be 2021 International Fire Code (IFC) compliant and the owner of the property will be denied access to his property's only ROW frontage. Nearby properties have driveways crossing the manmade channel and existing impervious cover permitted inside the CWQZ buffer.
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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;

<u>Yes</u> / No	The site is not proposing any additional impervious cover outside of the driveway crossing. The only area of impervious cover proposed inside the buffer is the perpendicular crossing from IH 35 ROW. We are required by IFC to have two points of egress at half the distances of the longest diagonal of the property apart.
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- b) Is the minimum deviation from the code requirement necessary to allow a reasonable use of the property;

Yes / No The only variance request is for the access point from IH 35 so that we have the minimum two (2) private access points required by the Fire Department. (See included correspondence from AFD).

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

Yes / No Water quality measures, including a rain garden and water quality pond, are provided upstream of final site discharge. All site impervious cover is treated by these water quality measures and all site impervious cover is down treated prior to entering the buffer. No existing conditions water outfalls to the CWQZ buffer and all proposed is treated and outfalls downstream of the site.

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 All site impervious cover is treated by water quality measures. Rex Kitchens Rd, an existing rain garden for the treatment of Rex Kitchens Rd, apartment buildings, and IH-35 Frontage Rd are all examples of existing impervious cover already located within the buffer.

- 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):

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

Yes / No

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

Yes / No

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

Yes / No

**Variance approval requires all above affirmative findings.

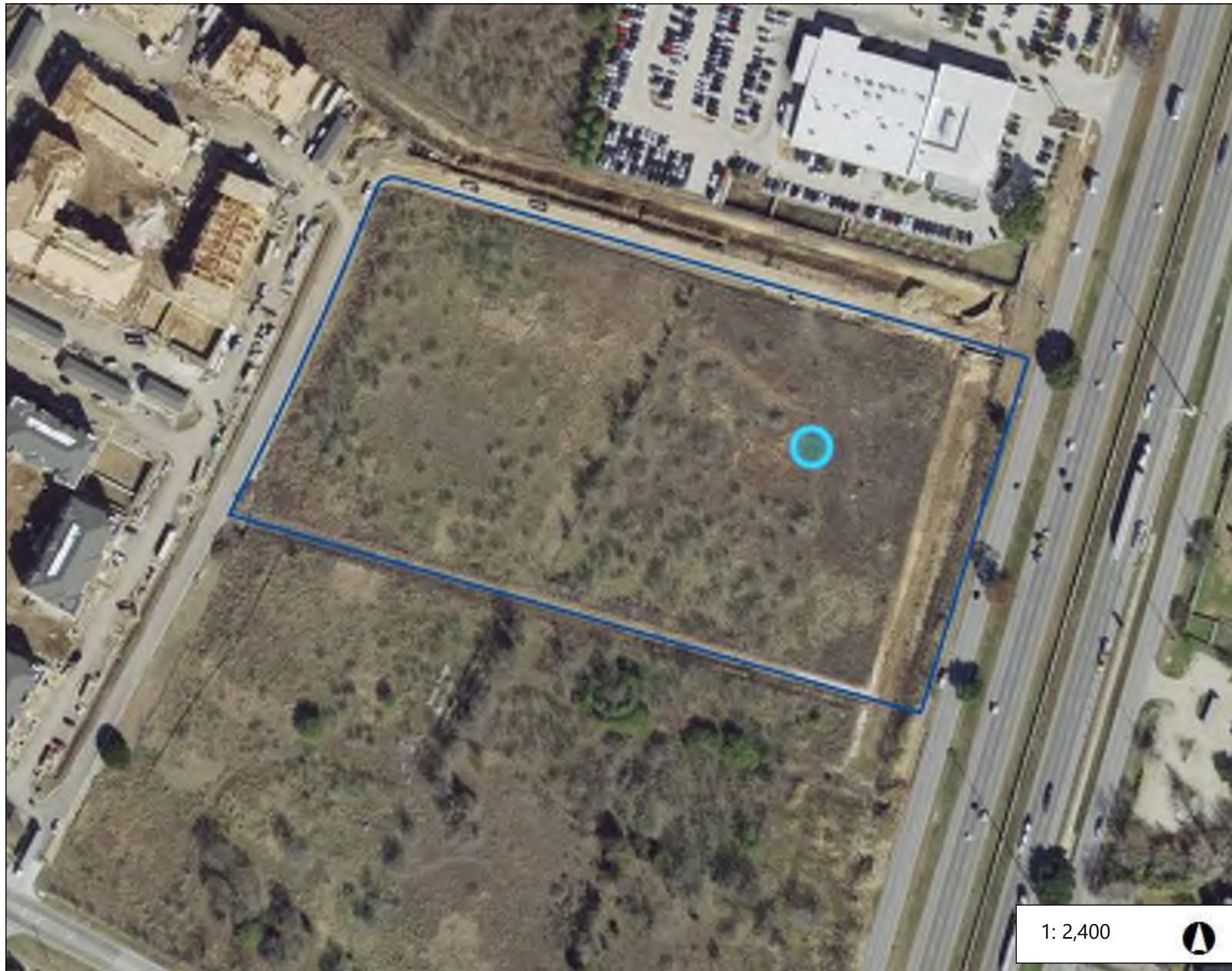
Exhibits for Commission Variance

- 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



Property Profile

Legend



1: 2,400



0.1 0 0.04 0.1 Miles

NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet

Date Printed:

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Notes

























TOM ARAY







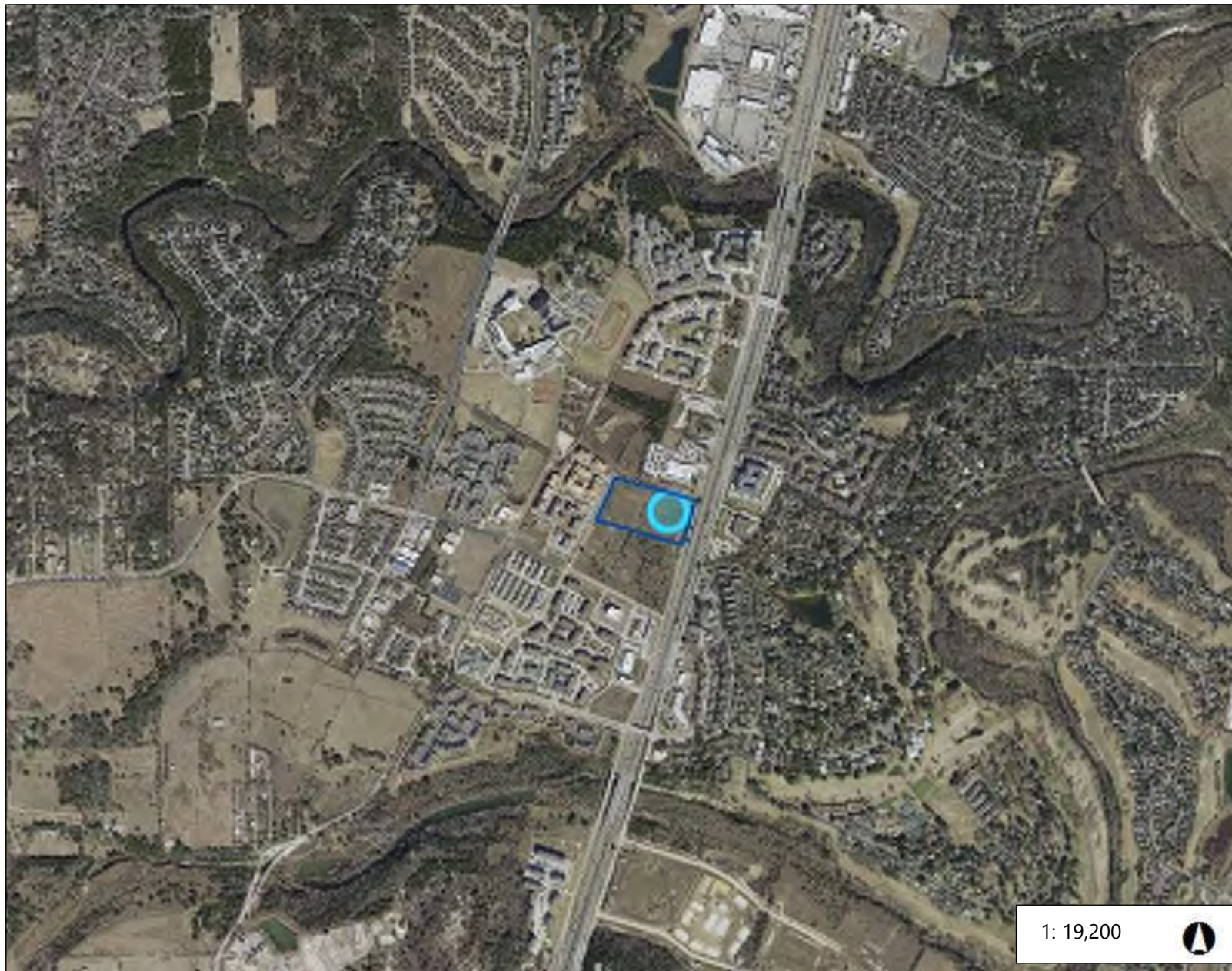






Property Profile

Legend



1: 19,200



0.6 0 0.30 0.6 Miles

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Notes



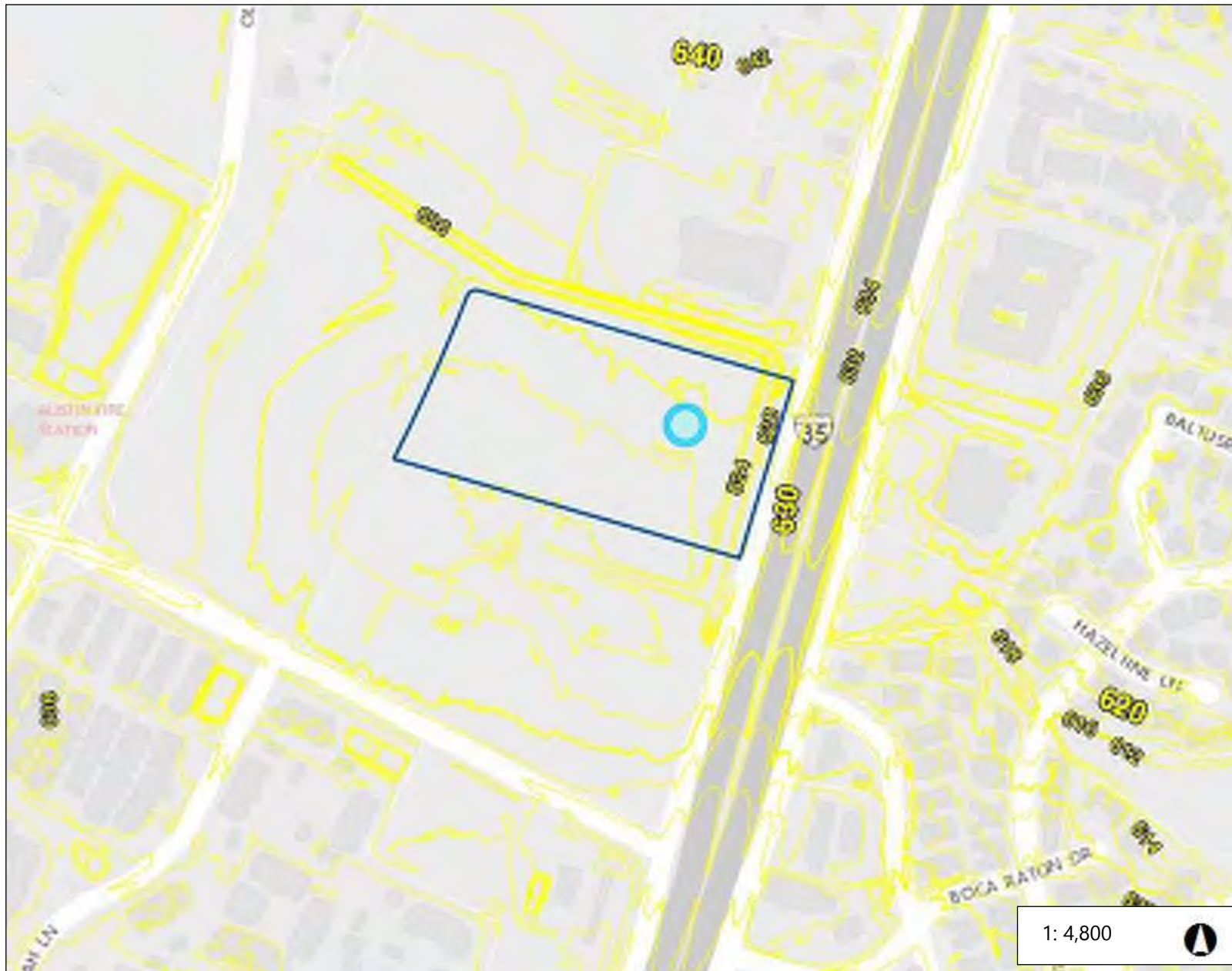
Property Profile

Legend

Contours Year- 2017

2 Ft Contours

10 Ft Contours



1: 4,800



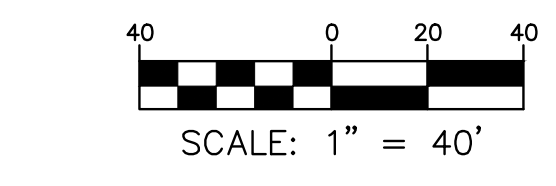
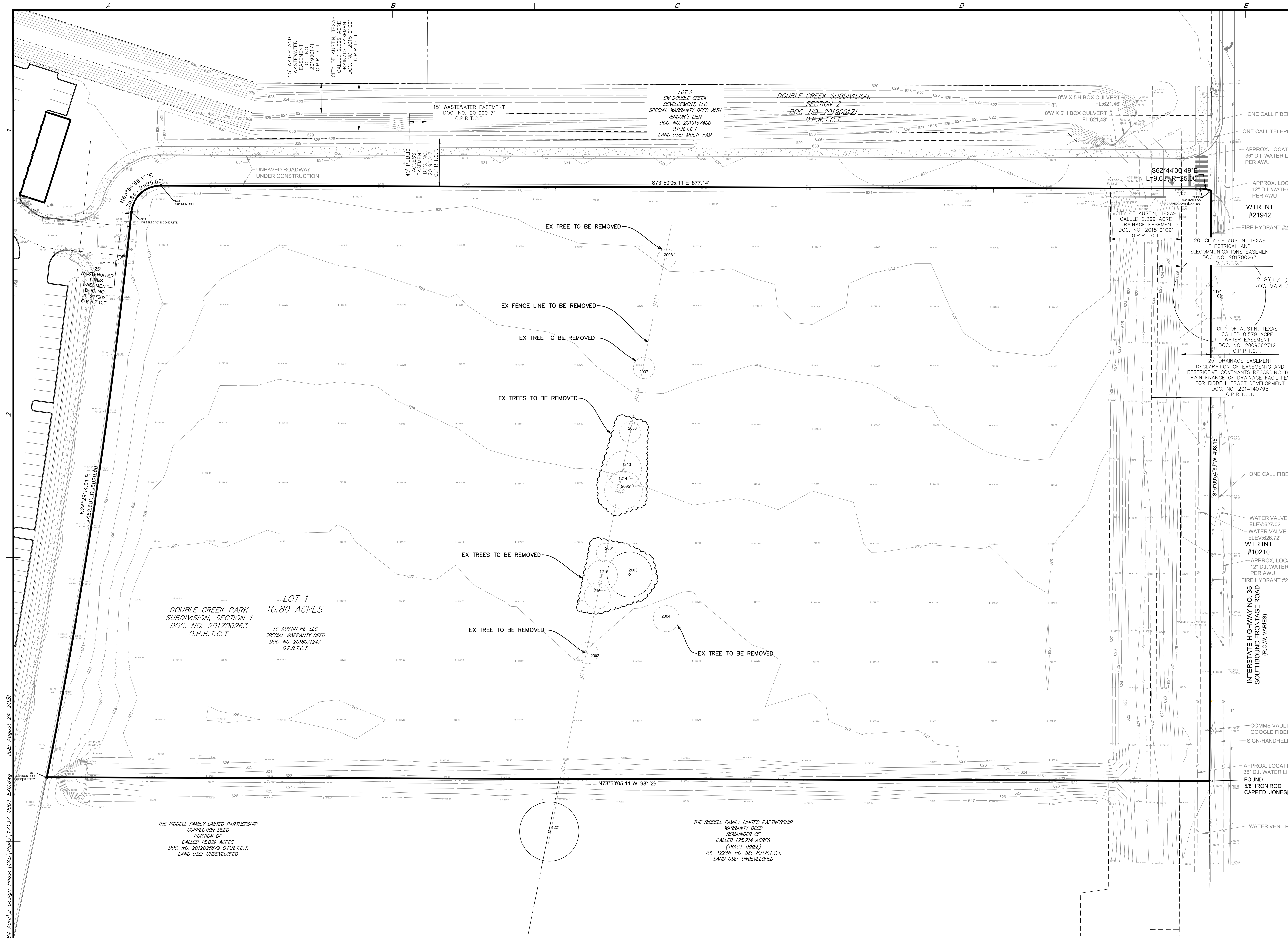
0.2 0 0.08 0.2 Miles

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Notes



EXISTING LEGEND	
	FIRE HYDRANT W/ GATE VALVE
	WATERLINE W/ GATE VALVE
	WASTEWATER W/ MANHOLE
	WASTEWATER W/ CLEANOUT
	STORM SEWER W/ MANHOLE
	CURB INLET
	OVERHEAD ELECTRIC W/ POWER POLE
	GROUND CONTOUR
	TREE TO REMAIN
	TREE TO BE REMOVED

- DEMOLITION NOTES:**
- ANY OFF-SITE DUMPING OF DEBRIS WILL REQUIRE PERMITS OR EVIDENCE OF A LEGAL DUMP SITE TO BE PRESENTED TO THE CITY OF AUSTIN.
 - PROTECT ALL UTILITIES THAT ARE TO REMAIN.
 - SITE WORK MUST CONFORM TO ALL CITY ESTABLISHED PRECEDENCE FOR ON-SITE DEMOLITION AND CONSTRUCTION.
 - CONTRACTOR TO COORDINATE WITH CITY OF AUSTIN LANDFILL (512-243-3325) FOR APPROVAL TO DISPOSE OF ALL DEMOLISHED MATERIAL FROM THE SITE.
 - OFFSITE DISPOSAL: THE CONTRACTOR SHALL NOT DISPOSE OF SURPLUS EXCAVATED MATERIAL FROM THE SITE WITHOUT NOTIFYING THE CITY OF AUSTIN ENVIRONMENTAL INSPECTION AT 874-2278 AT LEAST 48 HOURS PRIOR TO THE REMOVAL. THIS NOTIFICATION SHALL INCLUDE THE DISPOSAL LOCATION AND A COPY OF THE PERMIT ISSUED TO RECEIVE THE MATERIAL.
 - ALL DEBRIS AND EXCESS MATERIAL SHALL BE REMOVED FROM THE SITE IN A MANNER NOT TO DAMAGE THE SITE PRIOR TO ACCEPTANCE OF THE PROJECT.
 - A DEMOLITION PERMIT IS REQUIRED TO BE OBTAINED FROM THE CITY OF AUSTIN PRIOR TO ANY DEMOLITION.
 - ALL EROSION AND SEDIMENTATION CONTROLS MUST BE IN PLACE PRIOR TO ANY WORK.
 - A PRE-CONSTRUCTION MEETING WITH THE ENVIRONMENTAL INSPECTOR IS REQUIRED PRIOR TO ANY SITE DISTURBANCE.
 - DEMOLITION WORK THAT IS TO BE DONE WITHIN THE 1/2 CRITICAL ROOT ZONE OF EXISTING TREES MUST BE DONE WITH HAND TOOLS ONLY AND HEAVY EQUIPMENT IS PROHIBITED.
 - ALL DEMOLITION WASTE TO BE DIVERTED FROM LANDFILLS WHEN POSSIBLE. ALL DEMOLITION WASTE TO BE TRACKED AND DOCUMENTED BY CONTRACTOR.
 - CONTRACTOR TO USE CAUTION WHEN WORKING NEAR AT-GRADE APPURTENANCES AND ADJUST TO FINAL GRADE.
 - TREE PROTECTION FENCE CAN BE REMOVED FOR DEMOLITION ACTIVITIES IF NECESSARY. TREE PROTECTION FENCE MUST BE RE-INSTALLED IMMEDIATELY AFTER DEMOLITION ACTIVITIES HAVE BEEN COMPLETED.

SITE PLAN APPROVAL SHEET 6 OF 46
FILE NUMBER: SP-2021-0127C APPLICATION DATE: 04/19/2021
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 R. ROUDA
PROJECT EXPIRATION DATE (ORD.#970905-A) DWPZ DDZ X

Director, Development Services Department
RELEASED FOR GENERAL COMPLIANCE: ZONING: CS-CO
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.

TREE LIST	
TREE NO.	DESCRIPTION
2001 (R)	8" Hackberry
2002 (R)	9" Hackberry
2003 (R)	19" Multi-stem Mesquite (6",5",5",5",4",3",3")
2004 (R)	11" Multi-stem Mesquite (5",4",4",3")
2005 (R)	16" Multi-stem Mesquite (7",5",5",4",4")
2006 (R)	9" Twin Gum Bumelia (6",5")
2007 (R)	9" Multi-stem Gum Bumelia (6",5",5")
2008 (R)	8" Twin Gum Bumelia (5",5")
1191 (O)	39" Multi-stem Cedar (10",9",9",8",8",7",6",5",3",3")
1213 (R)	15" Hackberry
1214 (R)	9" Hackberry
1215 (R)	13" Multi-stem Mesquite (9",4",4")
1216 (R)	11" Hackberry
1221 (O)	25" Multi-stem Hackberry (15",10",6",3")

(R) = REMOVED ; (P) PROTECTED ; (H) HERITAGE ; (O) OFFSITE / RIGHT OF WAY

NOTE: SURVEYOR MAKES NO GUARANTEE AS TO THE TYPE OF TREES LISTED ABOVE. IF CRITICAL, A CERTIFIED ARBORIST SHOULD VERIFY THIS INFORMATION.
SURVEY DATED: OCTOBER 5, 2016

App.

REVISIONS

No.

Date

JONES CARTER

Texas Board of Professional Engineers Registration No. F-439
1701 Directors Boulevard, Suite 400 • Austin, Texas 78744 • 512.441.9493

DESIGNED BY: EV

CHECKED BY: RWL

DRAWN BY: JDE

SCALE: 1" = 40'

DATE: 8/16/2021

JOB NO.: 17137-0001-00

SC AUSTIN RE LLC

MERCEDES-BENZ OF SOUTH AUSTIN

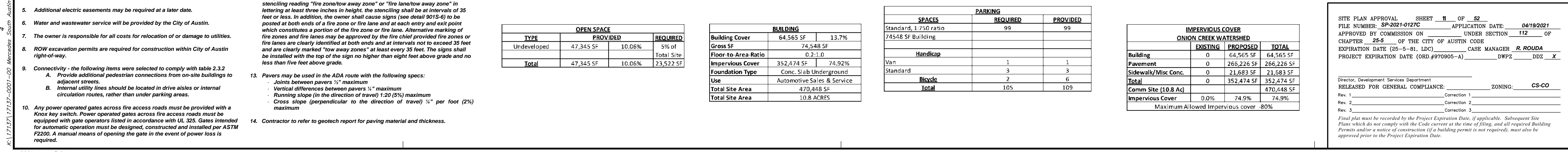
10800 S HWY 35 SYDNEY SP

EXISTING CONDITIONS PLAN & TREE SURVEY

SHEET NO. 6

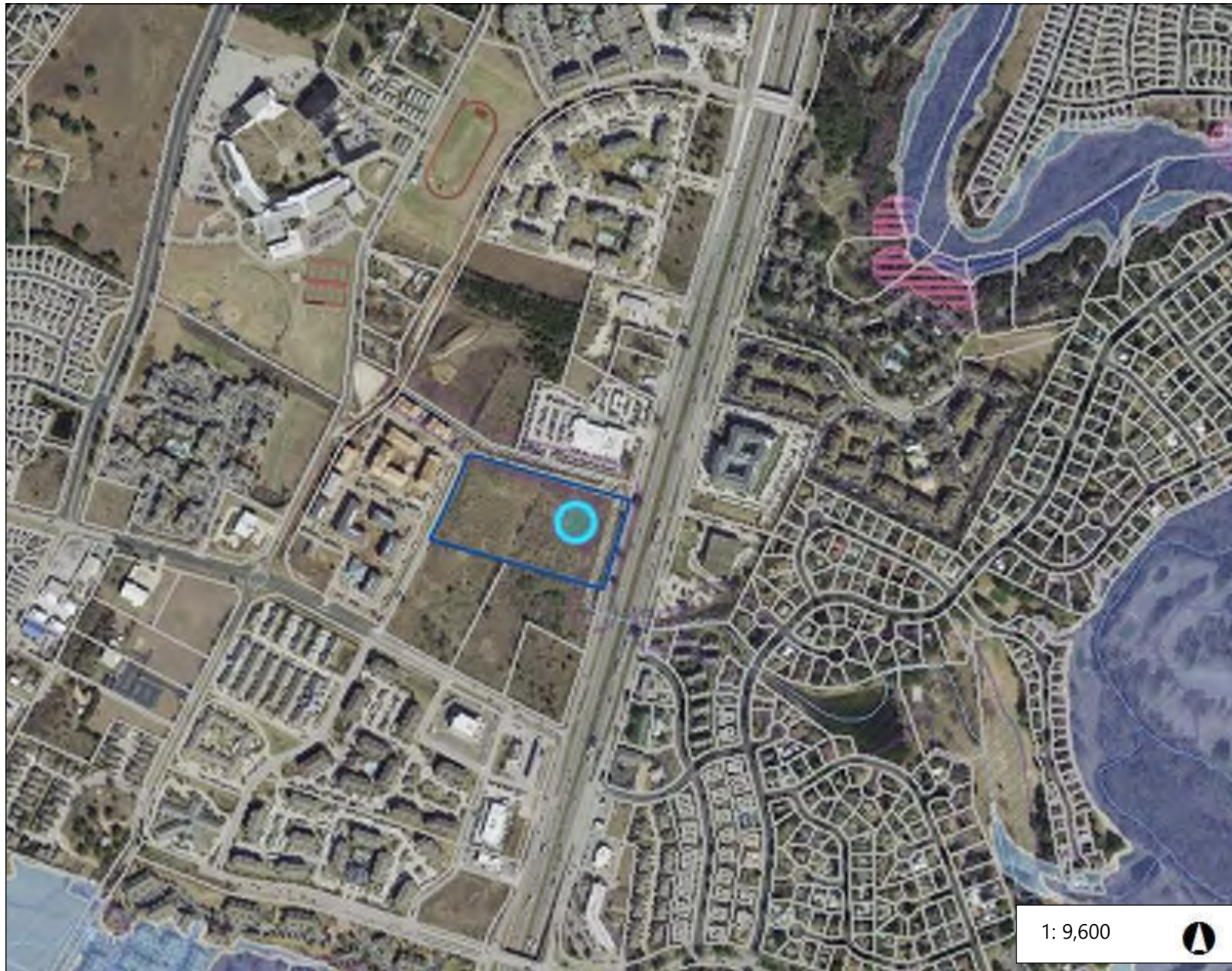
OF 46

SP-2021-0127C

[illegible]



Property Profile



1: 9,600



0.3 0 0.15 0.3 Miles

NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet

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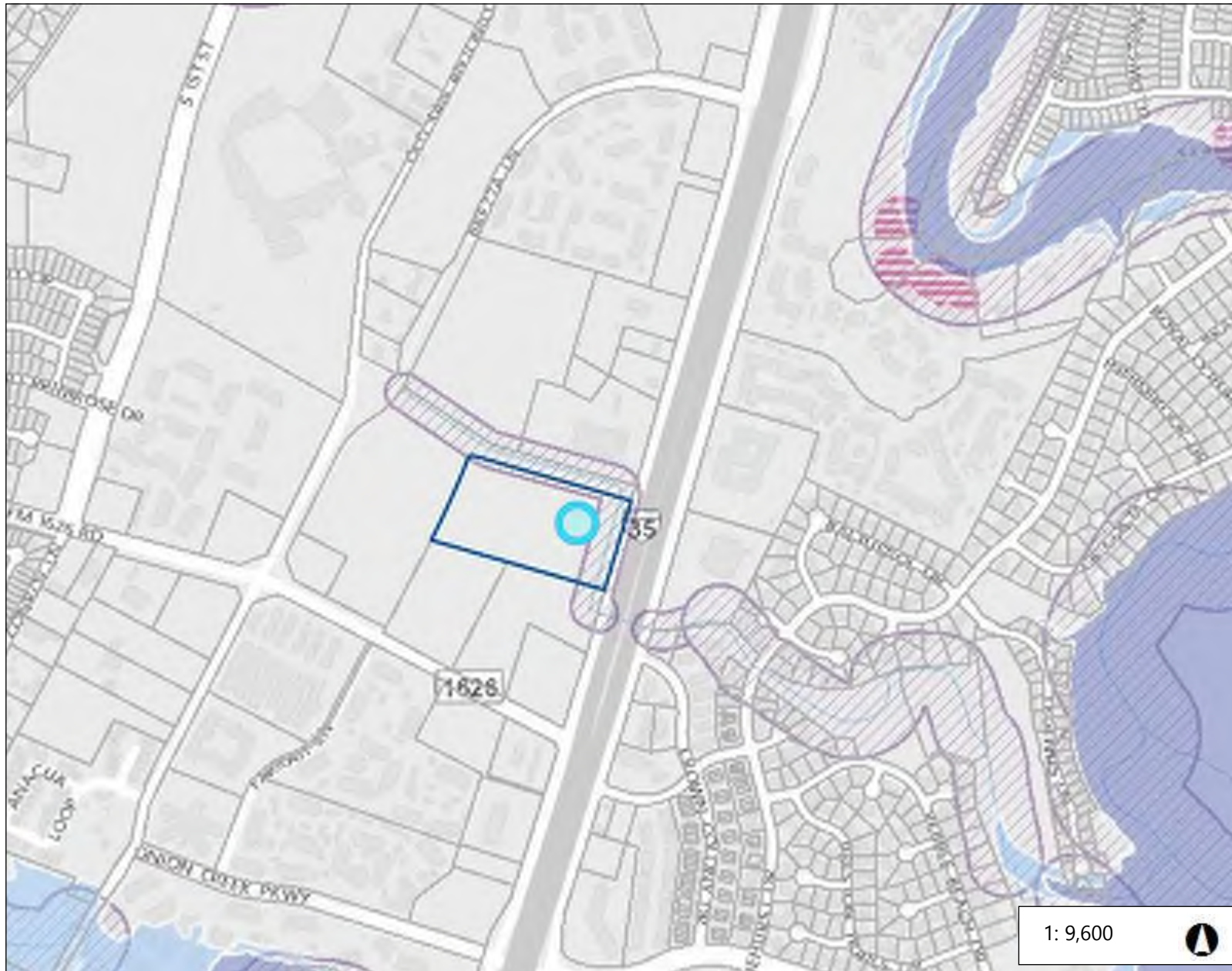
Legend

- TCAD Parcels
- Fully Developed Floodplain
 - COA Fully Developed 25-Year
 - COA Fully Developed 100-Year
 - COA Master Plan 25-Year
 - COA Master Plan 100-Year
 - 100-Year (Detailed-AE)
 - 100-Year (Shallow-AO,AH)
 - 100-Year (Approx-A)
- FEMA Floodplain
 - 100 Year (Detailed-AE)
 - 100 Year (Shallow-AO)
 - 100 Year (Approx-A)
 - X Protected by Levee
 - 500 Year
- Creek Buffers/Waterway Setbacks
 - Critical Water Quality Zone
 - Water Quality Transition Zone
- Edwards Aquifer Recharge Zones
 - Edwards Aquifer Recharge Zone
 - Edwards Aquifer Recharge Vegetation
 - Edwards Aquifer Contributing Zone
- Wetland
- Creek Centerlines
- Lakes
- CEF Setback

Notes



Property Profile



1: 9,600



0.3 0 0.15 0.3 Miles

NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet

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Legend

- TCAD Parcels
- Fully Developed Floodplain
 - COA Fully Developed 25-Year
 - COA Fully Developed 100-Year
 - COA Master Plan 25-Year
 - COA Master Plan 100-Year
 - 100-Year (Detailed-AE)
 - 100-Year (Shallow-AO,AH)
 - 100-Year (Approx-A)
- FEMA Floodplain
 - 100 Year (Detailed-AE)
 - 100 Year (Shallow-AO)
 - 100 Year (Approx-A)
 - X Protected by Levee
 - 500 Year
- Creek Buffers/Waterway Setbacks
 - Critical Water Quality Zone
 - Water Quality Transition Zone
- Edwards Aquifer Recharge Zones
 - Edwards Aquifer Recharge Zone
 - Edwards Aquifer Contributing Zone
- Wetland
- Creek Centerlines
- Lakes
- CEF Setback

Notes

City of Austin Environmental Resource Investigation

**Proposed Mercedes Dealership
Austin, Travis County, Texas**

September 28, 2016

Terracon Project No. 96167737



Prepared for:

Berkshire Hathaway Automotive
Irving, Texas

Prepared by:

Terracon Consultants, Inc.
Austin, Texas

terracon.com

Terracon

Environmental



Facilities



Geotechnical



Materials

September 28, 2016



Mr. Robert Sanders
Berkshire Hathaway Automotive
8333 Royal Ridge Parkway, Suite 130
Irving, Texas 75063

Email: rsanders@berkshirehathawayautomotive.com

Re: City of Austin Environmental Resource Investigation
Proposed Mercedes Dealership
10900 South IH-35
Austin, Travis County, Texas
Terracon Project No. 96167737

Dear Mr. Sanders:

Terracon Consultants, Inc. (Terracon) is pleased to provide this City of Austin (COA) Environmental Resource Investigation (ERI) prepared for the above-referenced site.

The results of our consulting services are solely the professional opinion of Terracon based on the site conditions documented and observed at the time of the field assessment. It should be noted that some critical environmental features (CEFs) may be seasonal or ephemeral, indicating that their presence/absence and condition are dependent on various weather conditions (including rainfall) and other changes in the surrounding ecosystem. Terracon is not liable for ephemeral and/or seasonal CEFs that are exposed or created after Terracon's field assessment. Additionally, Terracon's opinion is based on the most current regulations; therefore, changes in regulations may require a re-evaluation of the findings of this report. It is recommended that if this report is not to be submitted promptly to the COA, an updated report (based on an additional field assessment) be prepared. The results of our consulting services are solely the professional opinion of Terracon based on conditions documented and observed at the time of the field investigation. We appreciate the opportunity to provide this report. Should you have any questions or require additional information, please call me at (512) 442-1122.

Sincerely,
Terracon Consultants, Inc.

A blue ink signature of Arthur D. Potts.

Arthur D. Potts
Project Environmental Scientist

A blue ink signature of Hilary D. Johns, P.G.

Hilary D. Johns, P.G.
Manager – Environmental Services

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: Proposed Mercedes Dealership
2. COUNTY APPRAISAL DISTRICT PROPERTY ID (#'s): 820393, 820395
3. ADDRESS/LOCATION OF PROJECT: 10900 South IH-35
4. WATERSHED: Onion Creek
5. THIS SITE IS WITHIN THE *(Check all that apply)*

Edwards Aquifer Recharge Zone* <i>(See note below)</i>	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> No
Edwards Aquifer Contributing Zone*	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> No
Edwards Aquifer 1500 ft Verification Zone*	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> No
Barton Spring Zone*	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> 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 0 (#s) Critical Environmental Feature(s)(CEFs) on or within 150 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)*:

_____ (#'s) Spring(s)/Seep(s) _____ (#'s) Point Recharge Feature(s) _____ (#'s) Bluff(s)
 _____ (#'s) Canyon Rimrock(s) _____ (#'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)
Lewisville Series - LcB	B	0 to 2.42

***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):*

Based on a review of the USGS Oak Hill, Texas topographic map, the site is approximately 630 feet above sea level. The site is relatively flat and slopes gently towards an unnamed tributary to Onion Creek approximately 130 feet to the south of the site.

According to the NWI Wetland Mapper (available online), no potential surface waters are mapped on the site; however, an unnamed tributary to Onion Creek is mapped as R4SBC (Riverine-Intermittent-Streambed-Seasonally Flooded) to the adjacent south of the site. No other surface waters are mapped on- or within 150 feet of the site.

Continued in Appendix A...

List surface geologic units below:

Geologic Units Exposed at Surface		
Group	Formation	Member
Quaternary Terrace Deposits	-	-

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

Quaternary Terrace Deposits – Deposits are comprised of sand, silt, clay, and gravel; frequently yellow to orange-brown; locally indurated with calcium carbonate in terraces along streams.

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
- (#'s) The wells are not in use and have been properly abandoned.
- (#'s) The wells are not in use and will be properly abandoned.
- (#'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 site is located within the Blackland Prairie physiographic region (Amos and Gehlbach, 1988). The vegetation types present in the region include the Pecan-Sugarberry Series and the Gammagrass-Switchgrass Series. The Pecan-Sugarberry Series occupies floodplains within the Blackland Prairie and are most prevalent along major rivers. Dominant species include pecan (*Carya illinoensis*), hackberry (*Celtis laevigata*), cedar elm (*Ulmus crassifolia*), American elm (*Ulmus americana*), Texas oak (*Quercus texana*), plateau live oak (*Q. fusiformis*), and Texas ash (*Fraxinus texensis*). Continued in Appendix A...

There is woodland community on site ☒ YES ☐ NO *(Check one).*

If yes, list the dominant species below:

Woodland species	
Common Name	Scientific Name
mesquite	<i>Prosopis glandulosa</i>
hackberry	<i>Celtis laevigata</i>
cedar elm	<i>Ulmus Crassifolia</i>

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
silver bluestem	<i>Bothriochloa saccharoides</i>
sunflower	<i>Helianthus</i> sp.
prairie tea	<i>Croton monanthogynus</i>
godlenrod	<i>Solidago</i> sp.
johnsongrass	<i>Sorghum halepense</i>

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

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.

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

Date(s) ERI Field Assessment was performed: September 28, 2016
Date(s)

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

Arthur D. Potts

(512) 442-1122

Print Name

Telephone



arthur.potts@terracon.com

Signature

Email Address

Terracon Consultants, Inc.

September 28, 2016

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).

City of Austin Environmental Resource Inventory - Critical Environmental Feature Worksheet

1	Project Name:	Proposed Mercedes Dealership
2	Project Address:	10900 South IH-35
3	Site Visit Date:	September 28, 2016
4	Environmental Resource Inventory Date:	September 28, 2016

5	Primary Contact Name:	Arthur D. Potts
6	Phone Number:	(512) 442-1122
7	Prepared By:	Arthur D. Potts
8	Email Address:	arthur.potts@terracon.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 cfs
			<i>coordinate</i>	<i>notation</i>	<i>coordinate</i>	<i>notation</i>	X	Y	Length	Avg Height	X	Y	Z	Trend	

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.

<u>Method</u>	<u>Accuracy</u>
GPS <input type="checkbox"/>	sub-meter <input type="checkbox"/>
Surveyed <input type="checkbox"/>	meter <input type="checkbox"/>
Other <input type="checkbox"/>	> 1 meter <input type="checkbox"/>

Professional Geologists apply seal below

APPENDIX A
ADDITIONAL DISCUSSION

Description of Site Topography and Drainage *Continued...*

Additionally, as mapped by the Federal Emergency Management Agency (FEMA), the site is mapped as being outside of the 100- and 500-year floodplain.

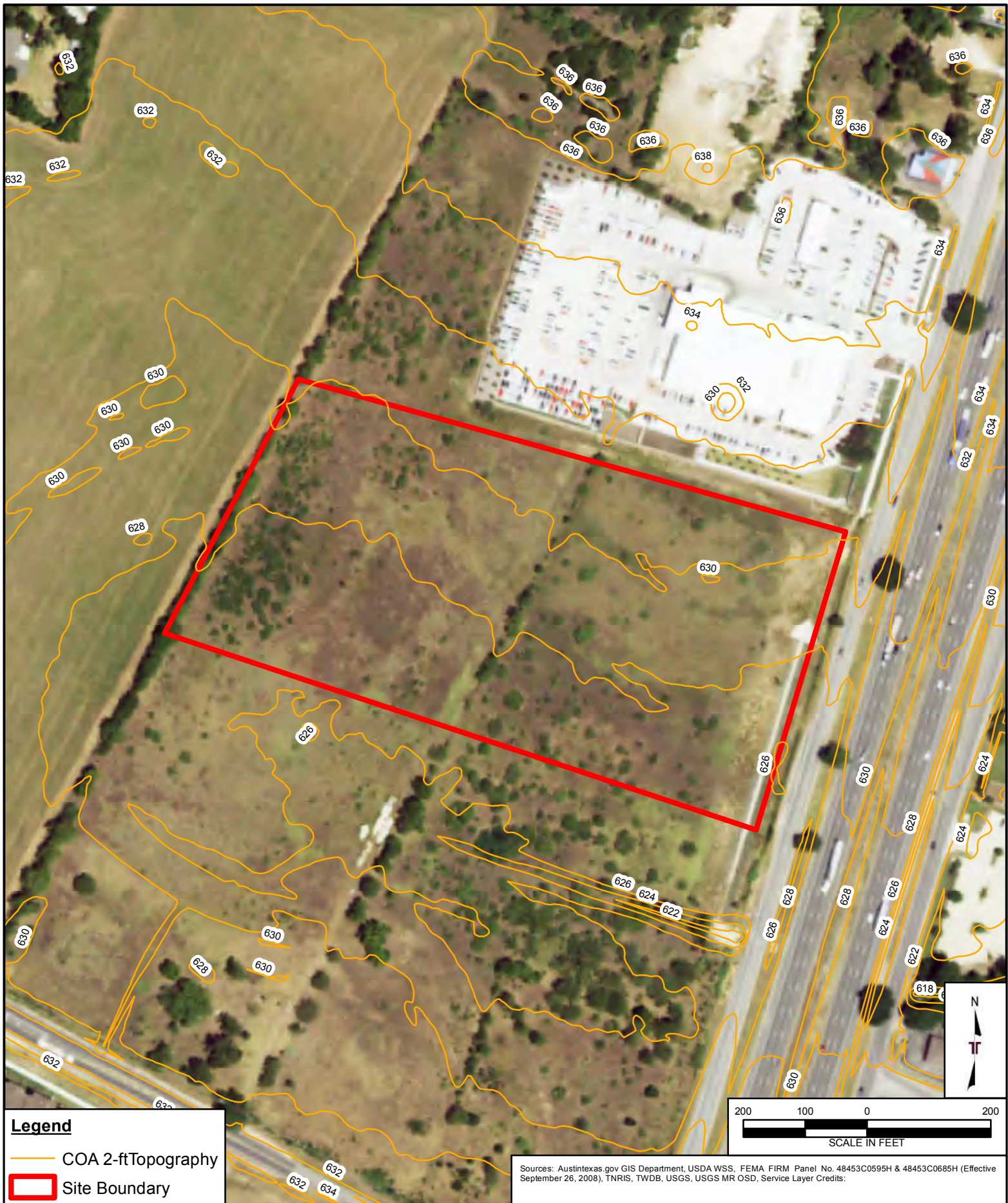
During the site visit, manmade drainage channels were observed along the northern and eastern site boundary, and a small stream or tributary was observed approximately 150 feet to the south of the site. No CEFs were identified on or within 150 feet of the site.

Description of Site Plant Communities *Continued...*

The Gammagrass-Switchgrass Series is tall grassland found primarily in lowlands or poorly drained uplands over clayey soils. Common species include Indiangrass (*Sorghastrum nutans*), little bluestem (*Schizachyrium scoparium*), and tall dropseed (*Sporobolus asper*). Conversely, the Texas Parks and Wildlife Department (TPWD) characterizes the site as Urban (46).

Dominant species observed on the site included mesquite (*Prosopis glandulosa*), silver bluestem (*Bothriochloa saccharoides*), sunflower (*Helianthus sp.*), prairie tea (*Croton monanthogynus*), goldenrod (*Solidago sp.*), and johnsongrass (*Sorghum halepense*). Overall canopy cover on the site is estimated at approximately 10-percent.

APPENDIX B
EXHIBITS



Project Mngn:	AP	Project No:	96167737
Drawn By:	AP	Scale:	AS SHOWN
Checked By:	AP	File No.:	96167737
Approved By:	HJ	Date:	Sep 22, 2016

Terracon
Consulting Engineers & Scientists
5307 INDUSTRIAL OAKS BLVD. - #160 AUSTIN, TX 78735
PH. (512) 442-1122 FAX. (512) 442-1181

Site Specific Geologic Map with 2-ft Topography

Proposed Mercedes Dealership
10900 South IH-35
Austin, Travis County, Texas

EXHIBIT

1



Legend

Site Boundary

Sources: Austintexas.gov GIS Department, USDA WSS, FEMA FIRM Panel No. 48453C0595H & 48453C0685H (Effective September 26, 2008), TNRS, TWDB, USGS, USGS MR OSD, Service Layer Credits:

Project Mngr:	AP	Project No:	96167737
Drawn By:	AP	Scale:	AS SHOWN
Checked By:	AP	File No.:	96167737
Approved By:	HJ	Date:	Sep 22, 2016

Terracon
Consulting Engineers & Scientists
 5307 INDUSTRIAL OAKS BLVD. - #160 AUSTIN, TX 78735
 PH. (512) 442-1122 FAX. (512) 442-1181

2015 Historic Aerial Photograph and CEFs

Proposed Mercedes Dealership
 10900 South IH-35
 Austin, Travis County, Texas

EXHIBIT

2



Legend

Site Boundary

USDA WSS Map Unit

Sources: Austintexas.gov GIS Department, USDA WSS, FEMA FIRM Panel No. 48453C0595H & 48453C0685H (Effective September 26, 2008), TNIRIS, TWDB, USGS, USGS MR OSD, Service Layer Credits:

Project Mngr:	AP	Project No:	96167737
Drawn By:	AP	Scale:	AS SHOWN
Checked By:	AP	File No.:	96167737
Approved By:	HJ	Date:	Sep 22, 2016

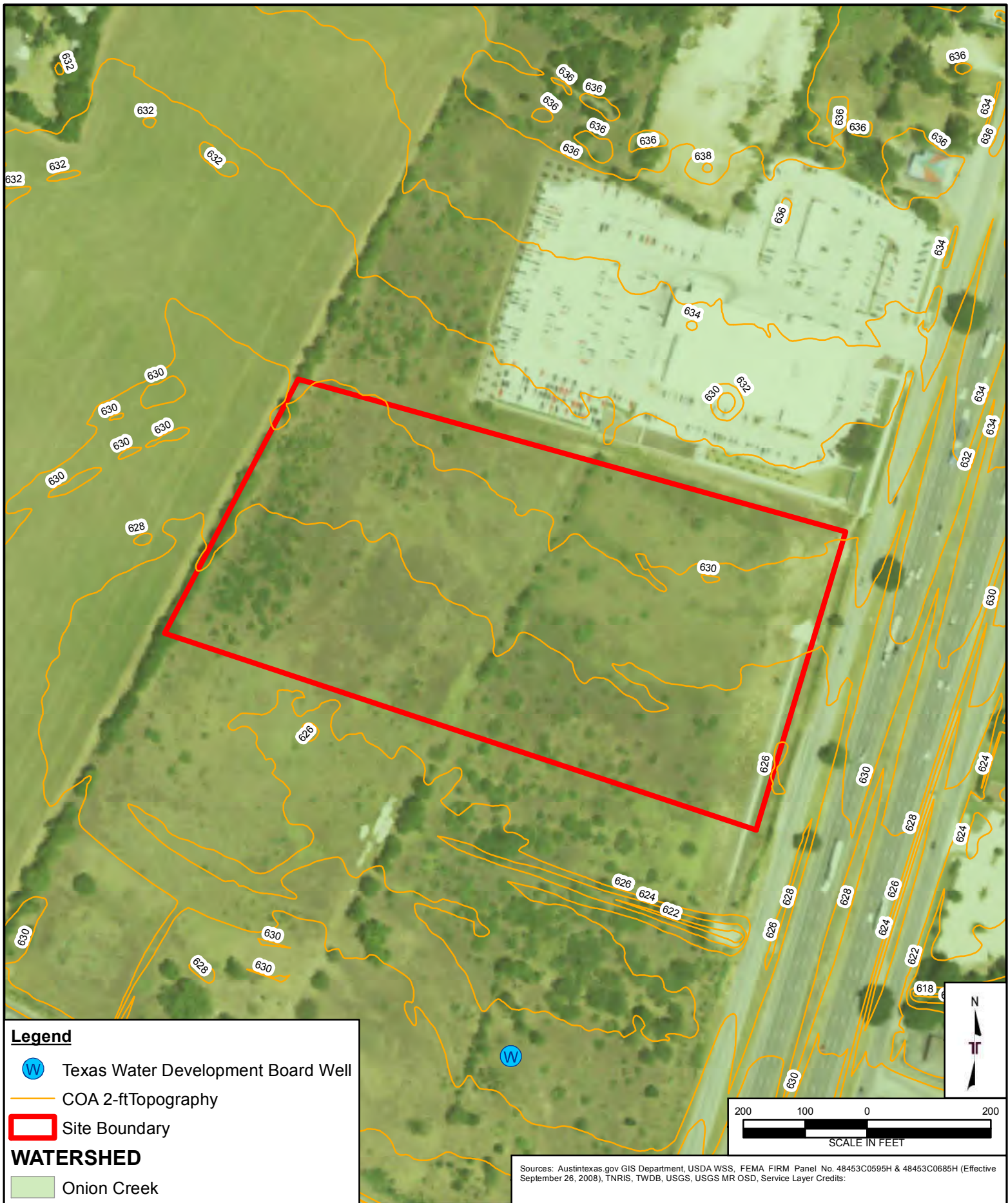
Terracon
Consulting Engineers & Scientists
 5307 INDUSTRIAL OAKS BLVD. - #160 AUSTIN, TX 78735
 PH. (512) 442-1122 FAX. (512) 442-1181

USDA Site Soil Map

Proposed Mercedes Dealership
 10900 South IH-35
 Austin, Travis County, Texas

EXHIBIT

3



Project Mngnr:	AP	Project No:	96167737
Drawn By:	AP	Scale:	AS SHOWN
Checked By:	AP	File No.:	96167737
Approved By:	HJ	Date:	Sep 22, 2016

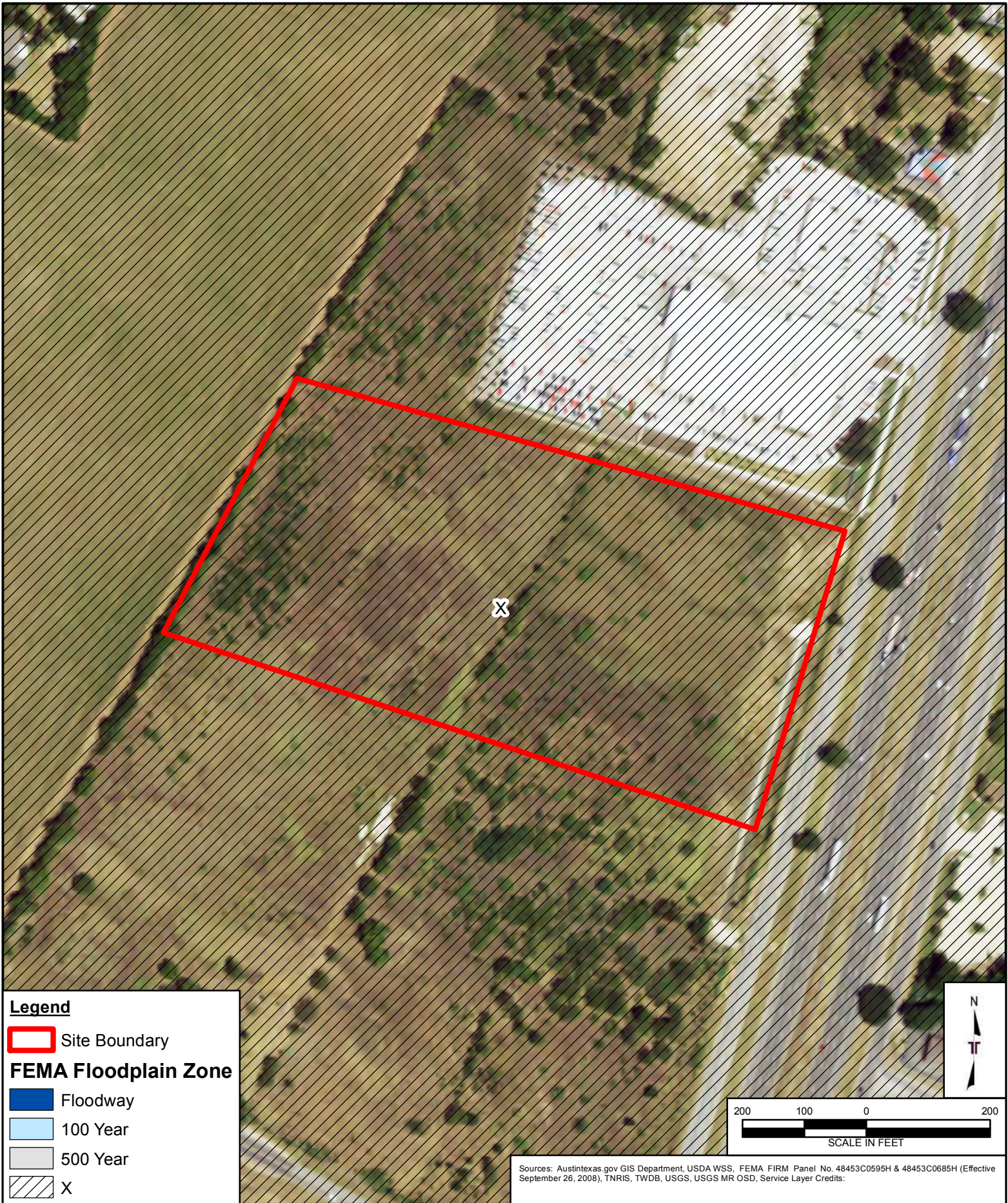
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Site Specific Geologic Map with 2-ft Topography

Proposed Mercedes Dealership
 10900 South IH-35
 Austin, Travis County, Texas

EXHIBIT

1



Project Mngr:	AP
Drawn By:	AP
Checked By:	AP
Approved By:	HJ

Project No.	96167737
Scale:	AS SHOWN
File No.:	96167737
Date:	Sep 22, 2016

Terracon
Consulting Engineers & Scientists
5307 INDUSTRIAL OAKS BLVD. - #160 AUSTIN, TX 78735
PH. (512) 442-1122 FAX. (512) 442-1181

FEMA Floodplain Map

Proposed Mercedes Dealership
10900 South IH-35
Austin, Travis County, Texas

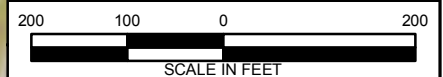
EXHIBIT

5



Legend

- Site Boundary
- COA Water Quality Creek Buffers



Sources: Austintexas.gov GIS Department, USDA WSS, FEMA FIRM Panel No. 48453C0595H & 48453C0685H (Effective September 26, 2008), TNIRIS, TWDB, USGS, USGS MR OSD, Service Layer Credits:

Project Mng:	AP	Project No:	96167737
Drawn By:	AP	Scale:	AS SHOWN
Checked By:	AP	File No.:	96167737
Approved By:	HJ	Date:	Sep 22, 2016

Terracon
Consulting Engineers & Scientists
 5307 INDUSTRIAL OAKS BLVD. - #160 AUSTIN, TX 78735
 PH. (512) 442-1122 FAX. (512) 442-1181

Water Quality Zones
Proposed Mercedes Dealership
10900 South IH-35
Austin, Travis County, Texas

EXHIBIT
6

APPENDIX C
SITE PHOTOGRAPHS



Photo 1 Typical site view



Photo 2 Drainage channel along northern site boundary



Photo 3 Drainage channel along eastern site boundary

The City of Austin (COA) Environmental Resource Inventory (ERI) was performed in accordance with generally accepted scientific and engineering evaluation practices of this profession undertaken in similar studies at the same time and in the same geographical area. The limitations of this ERI should be recognized.

In conducting the limited scope of services described herein, certain sources of information and public records were not reviewed. The scope of this ERI was conducted in general accordance with the City of Austin's Land Development Code (LDC), Section 25-8-121 (A), and the City of Austin Title 30-5. The service's scope is not intended to be compliant or consistent with the State of Texas Edwards Aquifer Rule (30 TAC 213, Subchapter B; pertaining to Travis County, Texas) or the Texas Commission on Environmental Quality (TCEQ) Edwards Aquifer Protection Program.

Field identification of Critical Environmental Features (CEFs) as defined by the COA can be seasonally influenced. Due to seasonal changes, Terracon cannot guarantee areas to exhibit or not to exhibit CEF characteristics at all times of the year.

CEF wetlands were evaluated using the USACE 1987 Manual and Great Plains Regional Supplement. The manuals provide assistance for identifying wetlands based on the three criteria discussed. However, the manuals alone may not have provided enough information to document whether or not the three criteria were met. Various physical properties or other visual signs used to evaluate whether the three wetland identification criteria areas were satisfied may not be straightforward, especially in disturbed or problem areas. The manuals also allow the user to visually estimate certain indicators, such as the percentage of area covered by dominant species for the entire community. Terracon did not attempt to identify every possible plant species and did not classify soil types by laboratory methods.

This report is for the exclusive use of the client and any relying government entities for the project being discussed. No warranties, either expressed or implied, are intended or made.

Eric Vann

From: Stookey, Scott <Scott.Stookey@austintexas.gov>
Sent: Tuesday, December 7, 2021 1:04 PM
To: Eric Vann
Cc: Will McAshan
Subject: RE: Mercedes Benz South Austin (SP-2021-0127C), 10900 S. IH 35 SB Service Road

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Eric:

Thank you for explaining the issue. AFD opposes the elimination of entrances from the public right-of-way on South IH-35 the North Shared Commercial Driveway for a $\approx 75,000$ Ft.² automobile dealership. The applicant has obtained AFD approval to construct a building for the sale and repair of automobiles, which is a fairly substantial fuel load. My experience with similar sized automobile dealerships is they commonly employ 100-150 persons and may have up to 100 customers, which creates a life safety hazard in the event of an accidental or intentional fire.

Fire department access and pathways for means of egress have specific minimum regulations in the 2015 *International Fire Code*. Eliminating the access points and means of egress pathways will require AFD to change the project status to Not Approved. AFD will not allow the construction of this or any other buildings without the required access for emergency responders and required pathways for means of egress for persons using this site.



Scott Stookey | Graduate Engineer A - Hazardous Materials, Fire Marshal's Office
6310 Wilhelmina Delco Dr. MS 3211.01, Austin, TX 78752 | D: 512.974.0157 | www.austinfireddepartment.org
FB | AustinFireDepartment TW | @AustinFireDept IN | @austinfireddept

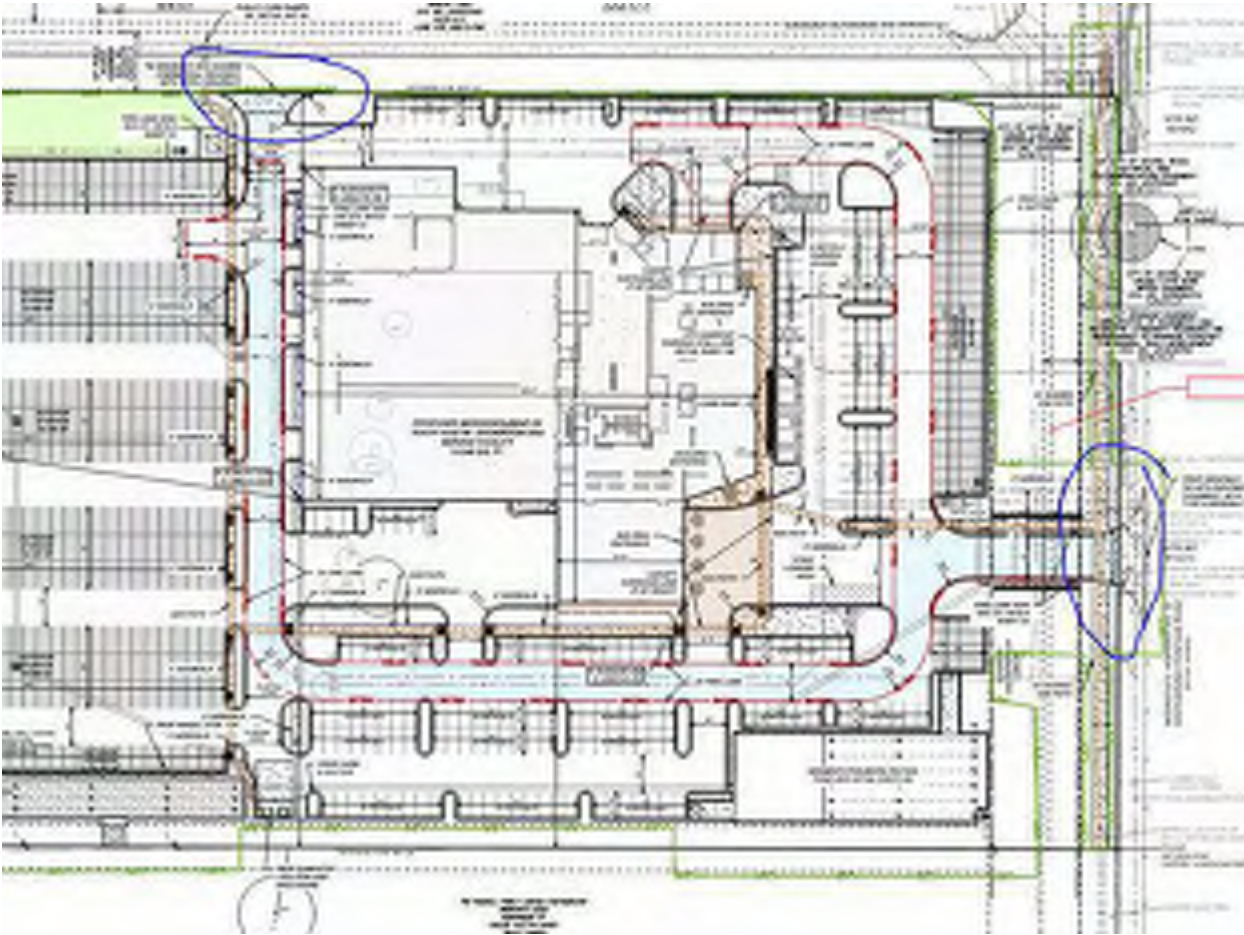
From: Eric Vann <evann@jonescarter.com>
Sent: Monday, December 6, 2021 5:01 PM
To: Stookey, Scott <Scott.Stookey@austintexas.gov>
Cc: Will McAshan <WMcAshan@jonescarter.com>
Subject: Mercedes Benz South Austin (SP-2021-0127C)

*** External Email - Exercise Caution ***

Scott,

Left you a voicemail earlier to discuss. Happy to set up a meeting if that makes things easier.

The City's GIS is showing a CWQZ on the site that we have been working through with the environmental team. We are also in a Wildland Urban Interface. The CWQZ would impact our ability to place driveways and have access to the site as shown in our plans. Would we have your support to go in front of the land use commission and receive a variance so that our site would have adequate fire access? Both the driveways shown below are currently shown within the CWQZ so we would not have two access points to the site without a variance from the Land Use Commission.



Thanks,
Eric

Eric Vann, EIT.
Site Development
evann@jonescarter.com

JONES | CARTER

3100 Alvin DeVane Boulevard, Suite 150
Austin, Texas 78741
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Direct 512.685.5138

One Company. Unlimited Potential.™
www.jonescarter.com

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