

ITEM FOR ENVIRONMENTAL COMMISSION AGENDA

COMMISSION MEETING DATE:	October 5, 2022
NAME & NUMBER OF PROJECT:	Park 290 Logistic, SP-2021-0095C
NAME OF APPLICANT OR ORGANIZATION:	BSREP III Decker Lane
LOCATION:	11653 Decker Lane Austin Tx 78724
COUNCIL DISTRICT:	District 1
ENVIRONMENTAL REVIEW STAFF:	Enrique A Maiz-Torres, Environmental Review Specialist Senior, DSD, 512-974-3035
WATERSHED:	Gilleland Creek/Decker Creek, Suburban, Desired Development Zone
R EQUEST:	Variance request is as follows: -Request to vary from LDC 25-8-342 to allow fill over 4 feet up to 28 feet. -Request to vary from LDC 25-8-341 to allow cut over 4 feet up to 22 feet
STAFF Recommendation:	Staff recommends this variance, having determine the finding of fact to have been met.
STAFF CONDITION:	 Provide a tree-shaded outdoor seating area as to encourage employees to take breaks on-site, rather than driving to alternative locations. Provide an on-site trail with drainage swales that naturally convey flows into existing on-site ponds. Provide vegetative walls adjacent to the critical environmental feature located on the site. Provide terraced landscaping area in the open space allocated on the site.



Development Services Department Staff Recommendations Concerning Required Findings

Project Name:	Park 290 Logistic (SP-2021-0095C)
Ordinance Standard:	Watershed Protection Ordinance
Variance Request:	To allow cut over -4 feet up to -22 feet within the Desired Development Zone

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.

<u>Yes.</u> The variance will not be providing a special privilege to the applicant. The proposed buildings are similar in size to similarly situated property. To facilitate this type of development, significant levelling is required to enhance maneuverability into loading docks, allowing trucks to operated safely on site following FFE standards.

The building configuration and placement on the property was based on lot configuration, existing topography, and roadways connectivity. To meet all the above requirements cut and fill limits is necessary to create a level finished-floor elevation and level loading dock and to maintain drives at minimal grades for maneuverability. Therefore, by not allowing this variance would deprive the applicant of a privilege available to owner of similarly situated property. Example: Dalfen Industrial - (SP-2020-0407D), Applied Materials Logistic Service Center- (SP-2020-0321C), Crossroad Logistic Center- (SP-2021-0015D)

- 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 site offers a reasonable location for a large industrial manufacturing warehouse. To facilitate this type of development the truck court / loading dock area must have grades less than 4% for maneuverability and must fairly level so that when the trucks are parked at the loading docks the trailer elevations sit level with the finish floor elevations of the buildings and can be loaded and unloaded with ease. Due to the elevation change and topography on this site, to accomplish the above criteria, cut of this extent is necessary. It can be challenging to find property flat enough to prevent the required amount of grading.

Moreover, the design decision provides greater overall environmental protection than is achievable without the variance. The project proposes to:

- Preserve trees and natural areas to the best of our ability.
- Provide a tree-shaded outdoor seating area as to encourage employees to take breaks on-site, rather than driving to alternative locations.
- Provide an on-site trail with drainage swales that naturally convey flows into existing on-site ponds.
- Provide vegetative walls adjacent to the critical environmental feature located on the site.
- Provide terraced landscaping area in the open space allocated on the site.
- b) Is the minimum deviation from the code requirement necessary to allow a reasonable use of the property
 - Yes, Large industrial manufacturing warehouses are a reasonable use for this property as it is located within the Desired Development Zone along a growing manufacturing corridor, in line with sites such as Tesla and Amazon. To facilitate this type of development a minimum deviation from code to allow cut up to -22 feet is necessary. The proposed cut is the minimum necessary to establish grades of less than 4% to allow for truck maneuverability and to allow for truck courts / loading dock areas to maintain a level surface between the truck trailers and the finish floor elevations of the buildings. Retaining walls will be constructed to structurally contain and minimize the amount of cut.

- c) Does not create a significant probability of harmful environmental consequences.
 - Yes, The variance does not create a significant probability of harmful environmental consequences. The variance is a minimum deviation from code to allow for a reasonable use of the property. The cut will be minimized and structurally contained with retaining walls. Moreover, the project proposes to provide:
 - Preserve trees and natural areas to the best of our ability.
 - Provide a tree-shaded outdoor seating area as to encourage employees to take breaks on-site, rather than driving to alternative locations.
 - Provide an on-site trail with drainage swales that naturally convey flows into existing on-site ponds.
 - Provide vegetative walls adjacent to the critical environmental feature located on the site.
 - Provide terraced landscaping area in the open space allocated on the site.

The proposed Park 290 Logistics Center project does not create a significant probability of harmful environmental consequences. The project will not impact any heritage trees. There is no floodplain or critical water quality zone on site that will be affected. There is a CEF on site, but as indicated by the proposed site plan the required 75-footsetback is met through the design. The project has been designed to prevent any future disturbances to local water quality by capturing and treating all impervious cover stormwater. The design includes three partial sedimentation/filtrations ponds that meet the necessary filtration and sedimentation requirements outlined by City of Austin water quality regulations.

- 3. Development with the variance will result in water quality that is at least equal to the water quality achievable without the variance.
 - Yes, Exceeding the cut limitation on this project will not reduce the level of water quality achievable. Moreover, all impervious cover stormwater runoff will be captured and treated on site in a water quality facility that meets compliance with the Land Development Code and Environmental criteria Manual. Three partial sedimentation/filtration ponds are designed to provide188,885.79 cubic feet of filtration storage and 130,621.54 cubic feet of sedimentation storage.

<u>Staff Determination</u>: Staff determines that the findings of fact have been met. Staff recommends the following condition:

- Provide a tree-shaded outdoor seating area as to encourage employees to take breaks on-site, rather than driving to alternative locations.
- Provide an on-site trail with drainage swales that naturally convey flows into existing on-site ponds.
- Provide vegetative walls adjacent to the critical environmental feature located on the site.
- Provide terraced landscaping area in the open space allocated on the site.

Environmental Review (DSD)

Date: 8/30/2022

Environmental Policy Program Manager (DSD)

Deputy Environmental Officer (WPD)

(Enrique A Maiz-Torres)

Date: 8/31/2022

(Mike McDougal) Sinter

Date: 8/31/2022

(Liz Johnston)



Development Services Department Staff Recommendations Concerning Required Findings

Project Name:	Park 290 Logistic (SP-2021-0095C)
Ordinance Standard:	Watershed Protection Ordinance
Variance Request:	To allow fill over 4 feet up to 28 feet within the Desired Development Zone

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.

<u>Yes.</u> The variance will not be providing a special privilege to the applicant. The proposed buildings are similar in size to similarly situated property. To facilitate this type of development, significant levelling is required to enhance maneuverability into loading docks, allowing trucks to operated safely on site following FFE standards.

The building configuration and placement on the property was based on lot configuration, existing topography, and roadways connectivity. To meet all the above requirements cut and fill limits is necessary to create a level finished-floor elevation and level loading dock and to maintain drives at minimal grades for maneuverability. Therefore, by not allowing this variance would deprive the applicant of a privilege available to owner of similarly situated property. Example: Dalfen Industrial - (SP-2020-0407D), Applied Materials Logistic Service Center- (SP-2020-0321C), Crossroad Logistic Center- (SP-2021-0015D)

- 2. The variance:
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Yes, The site offers a reasonable location for a large industrial manufacturing warehouse. To facilitate this type of development the truck court / loading dock area must have grades less than 4% for maneuverability and must fairly level so that when the trucks are parked at the loading docks the trailer elevations sit level with the finish floor elevations of the buildings and can be loaded and unloaded with ease. Due to the elevation change and topography on this site, to accomplish the above criteria, fill of this extent is necessary. It can be challenging to find property flat enough to prevent the required amount of grading.

Moreover, the design decision provides greater overall environmental protection than is achievable without the variance. The project proposes to:

- Preserve trees and natural areas to the best of our ability.
- Provide a tree-shaded outdoor seating area as to encourage employees to take breaks on-site, rather than driving to alternative locations.
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 - Yes, Large industrial manufacturing warehouses are a reasonable use for this property as it is located within the Desired Development Zone along a growing manufacturing corridor, in line with sites such as Tesla and Amazon. To facilitate this type of development a minimum deviation from code to allow fill up to 28 feet is necessary. The proposed fill is the minimum necessary to establish grades of less than 4% to allow for truck maneuverability and to allow for truck courts / loading dock areas to maintain a level surface between the truck trailers and the finish floor elevations of the buildings. Retaining walls will be constructed to structurally contain and minimize the amount of fill.

- c) Does not create a significant probability of harmful environmental consequences.
 - Yes, The variance does not create a significant probability of harmful environmental consequences. The variance is a minimum deviation from code to allow for a reasonable use of the property. The fill will be minimized and structurally contained with retaining walls. Moreover, the project proposes to provide:
 - Preserve trees and natural areas to the best of our ability.
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 - Provide vegetative walls adjacent to the critical environmental feature located on the site.
 - Provide terraced landscaping area in the open space allocated on the site.

The proposed Park 290 Logistics Center project does not create a significant probability of harmful environmental consequences. The project will not impact any heritage trees. There is no floodplain or critical water quality zone on site that will be affected. There is a CEF on site, but as indicated by the proposed site plan the required 75-footsetback is met through the design. The project has been designed to prevent any future disturbances to local water quality by capturing and treating all impervious cover stormwater. The design includes three partial sedimentation/filtrations ponds that meet the necessary filtration and sedimentation requirements outlined by City of Austin water quality regulations.

- 3. Development with the variance will result in water quality that is at least equal to the water quality achievable without the variance.
 - Yes, Exceeding the fill limitation on this project will not reduce the level of water quality achievable. By containing the fill in gravity retaining walls, and reducing the probability of erosive flows, the proposed project will achieve the same level of water quality achievable without the variance.

Moreover, all impervious cover stormwater runoff will be captured and treated on site in a water quality facility that meets compliance with the Land Development Code and Environmental criteria Manual. Three partial sedimentation/filtration ponds are designed to provide188,885.79 cubic feet of filtration storage and 130,621.54 cubic feet of sedimentation storage.

<u>Staff Determination</u>: Staff determines that the findings of fact have been met. Staff recommends the following condition:

- Provide a tree-shaded outdoor seating area as to encourage employees to take breaks on-site, rather than driving to alternative locations.
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Environmental Review (DSD)

Environmental Policy Program Manager (DSD)

Deputy Environmental Officer (WPD)

Date:8/30/2022

(Enrique A Maiz-Torres)

Date: 8/31/2022

(Mike McDougal)

Date: 8/31/2022

(Liz Johnston)



ENVIRONMENTAL COMMISSION VARIANCE APPLICATION FORM

March 30, 2022

Denise Lucas, Director **Planning and Zoning Department** City of Austin P.O. Box 1088 Austin, TX 78767

RE: Variance Request Letter Park 290 Logistics Center 11653 Decker Lane City of Austin, TX SP-2021-0095C §25-8-341 Cut Requirements §25-8-342 Fill Requirements

Dear Ms. Lucas:

On behalf of the owners, BSREP III Decker Lane, LP, we are requesting a variance for fill and cut in excess of four (4) feet for the proposed development of the Park 290 Logistics Center development permit (SP-2021-0095C) located at 11653 Decker Lane, City of Austin, TX.

The subject project is located within the city limits of Austin. The property is currently undeveloped and is located at the southeast corner of SH 290 and Decker Lane.

The applicant plans to develop four new industrial buildings with fire lanes and parking areas, three water quality/detention ponds, utility extensions, offsite trail extension, and landscaping. The applicant proposes to place new improvements on the property in a way to minimize adverse impacts to the natural character of the property.

The site is not located within the Drinking Water Protection Zone nor the Edwards Aguifer Recharge Zone. The site is in the Onion Creek Watershed of the Colorado River Basin and is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code.

The project requires leniency from the following code section:

Division 5. - Cut, Fill, and Spoil

§ 25-8-341 - CUT REQUIREMENTS.

(A)Cuts on a tract of land may not exceed four feet of depth, except:

(1) in an urban watershed;

(2) in a roadway right-of-way;

(3) for construction of a building foundation or swimming pool;

(4) for construction of a water quality control or detention facility and appurtenances for

conveyance such as swales, drainage ditches, and diversion berms, if:

(a) the design and location of the facility within the site minimize the amount of cut over four feet;

(b) the cut is the minimum necessary for the appropriate functioning of the facility; and (c) the cut is not located on a slope with a gradient of more than 15 percent or within 100 feet of a classified waterway;

(5) for utility construction or a wastewater drain field, if the area is restored to natural grade;

(6) in a state-permitted sanitary landfill or a sand or gravel excavation located in the extraterritorial jurisdiction, if:

(a) the cut is not in a critical water quality zone;

(b) the cut does not alter a 100-year floodplain;

(c) the landfill or excavation has an erosion and restoration plan approved by the City; and

(d) all other applicable City Code provisions are met.

Source: Subsections 13-7-16(b), (c), and (e); Ord. 990225-70; Ord. 031211-11; Ord. No. 20170615-102, Pt. 20, 6-15-17.

§ 25-8-342 - FILL REQUIREMENTS.

(A) Fill on a tract of land may not exceed four feet of depth, except:

(1) in an urban watershed;

(2) in a roadway right-of-way;

(3) under a foundation with sides perpendicular to the ground, or with pier and beam construction;

(4) for construction of a water quality control or detention facility and appurtenances for conveyance such as swales, drainage ditches, and diversion berms, if:

(a) the design and location of the facility within the site minimize the amount of fill over four feet;

(b) the fill is the minimum necessary for the appropriate functioning of the facility; and

- (c) the fill is not located on a slope with a gradient of more than 15 percent or within 100 feet of a classified waterway;
- (5) for utility construction or a wastewater drain field; or
- (6) in a state-permitted sanitary landfill located in the extraterritorial jurisdiction, if:

(a) the fill is derived from the landfill operation;

- (b) the fill is not placed in a critical water quality zone or a 100-year floodplain;
- (c) the landfill operation has an erosion and restoration plan approved by the City; and
- (d) all other applicable City Code provisions are met.

(B) A fill area must be restored and stabilized.

(C) Fill for a roadway must be contained within the roadway clearing width described in <u>Section 25-8-</u> 322 (Clearing For A Roadway).

The Land Development Code allows Land Use Commission Variances per the following:

Division 3. – Variances

§ 25-8-41 - LAND USE COMMISSION VARIANCES.

(A) It is the applicant's burden to establish that the findings described in this Section have been met. Except as provided in Subsections (B) and (C), the Land Use Commission may grant a variance from a requirement of this subchapter after determining that:

(1) the requirement will deprive the applicant of a privilege available to owners of other similarly situated property with approximately contemporaneous development subject to similar code requirements;

(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;

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

(c) does not create a significant probability of harmful environmental consequences; and

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

Below you will find the findings of fact concerning the need for the variance.

Your favorable consideration and support of our request would be appreciated. If you have any questions, please feel free to call.

Sincerely,

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Hollis Scheffler, P.E. **Project Manager** TBPE Firm #F-469

PROJECT DESCRIPTION Applicant Contact Information

Name of Applicant	Hollis Scheffler – Pacheco Koch Consulting Engineers, Inc.	
Street Address	8701 N. Mopac Expy, Suite 320	
City State ZIP Code	Austin, Texas; 78759	
Work Phone	512.485.0831	
E-Mail Address	hscheffler@pkce.com	
Variance Case Informat	ion	
Case Name	Park 290 Logistics Center	
Case Number	(SP-2021-0095C)	
Address or Location	11653 Decker Lane; Austin, TX 78744	
Environmental Reviewer Name	Enrique Maiz-Torres	
Environmental Resource Management Reviewer Name		
Applicable Ordinance	Watershed Protection Ordinance	
Watershed Name	Gilleland Creek, Decker Creek	
Watershed Classification	UrbanSuburbanWater Supply SuburbanWater Supply RuralBarton Springs Zone	
Edwards Aquifer Recharge Zone	 Barton Springs Segment Northern Edwards Segment Not in Edwards Aquifer Zones 	
Edwards Aquifer Contributing Zone	□ Yes □ <u>No</u>	
Distance to Nearest Classified Waterway	2320 ft to Decker Creek	
Water and Waste Water service to be provided by	Austin Water	

Request	LDC §25-8-342 – Fill Requirements LDC §25-8-342 – Cut Requirements	
Impervious cover	Existing	Proposed

· ·	Existing	· ·
square footage:	0	1,766,832 SF
acreage:	0	41.2 AC
percentage:	0	62%
Provide general description of the property (slope range, elevation range, summary of vegetation / trees, summary of the geology, CWQZ, WQTZ, CEFs, floodplain, heritage trees, any other notable or outstanding characteristics of the property)	The project is located at the intersection of City of Austin Limits. The site has a Gross Sit comprised of two tracts located at SWQ SH- located within the Gilleland Creek Watershe which is classified as a suburban watershed. construction is located within the limits of t reconnaissance observations did not indicat (CWQZ), but there is an identified critical en noted on both the topographical survey and The property has slopes that vary from 0.13 generally northeast-to-southwest across the flows from the north to the south. The slope 0-15% Slopes = 65.8 acres 15-25% Slopes = 0.66 acres 25-35% Slopes = 0.06 acres Over 35% Slopes = 0.004 acres Topography of the project limits of construct vegetation of the site was classified as range herbaceous layer with scrubs and small grout the site were dominated by Ashe juniper, Te honey mesquite, and several others not liste undivided Navarro and Taylor geologic form project site can be summarized as mostly He	e Area of 66.30 acres and is 130 and US Highway 290. The site is ed and the Decker Creek Watershed, No portion of the project limits of he 100-yr floodplain. Site e any critical water quality zones vironmental feature (CEF) that is l existing site plan included. % to 18265.38%. The site slopes e site. Surface drainage flows mostly e breakdown is as follows: tion ranges from 602 to 653 feet. The eland, consisting of a grazed upings of trees. The trees present on exas ash, Monterrey oak, cedar elm, ed. The site is located within the ations. The surface soils on the

	Construction of the Park 290 Logistics center project will require areas of cut and
Clearly indicate in	fill exceeding four (4) feet. Cut between 8' and 21.76' will be limited to mostly
what way the	the internal area between buildings 1, 3, and 4. the This area is 10.62 acres,
proposed project	which is 16.02 percent of the gross site area. Pockets of cut between 4' to 8'
does not comply	throughout the site, the total area is 5.97 acres which is 9.4 percent of the gross
with current Code	site area. Fill between 8' and 27.90' mainly borders building 2 and 3. The total
(include maps and	area is 7.35 acres, 11.09 percent of gross site area. Limited areas of fill between
exhibits)	4' to 8' border the higher sections of fill around building 3 and 4. This total area
	is 1.5 acres, 2.3 percent of the gross site area.

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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 and explanation with each applicable finding of fact.

Project: Park 290 Logistics Center (SP-2021-0095C)

Ordinance: 25-8-41

- Α. 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

Park 290 Logistics Center will be a Class-A logistics center that will include the construction of four LEED certified buildings. Building 1 is a 77,760 square foot building. Building 2 is a 322,420 square foot building. Building 3 is a 145,530 square foot building. Building 4 is a 243,000 square foot building. Building 1 and 3 have rear loading facilities and building 2 and 4 has a cross dock truck court. A variance request is common for large facilities of this type in this part of Austin; without this variance the applicant would be deprived of privileges available to owners of similar projects.

The building configuration and placement on the property was based on lot configuration, existing topography, and roadway connectivity. Working around these considerations dictated the buildable area for the significant footprint of these four buildings.

The finished floor elevations of the four proposed buildings were dictated by the desire to as closely balance the site as possible, while still being able to tie into existing roadways. There are two driveway connections on to FM 3177 (Decker Lane) that provide full access. The most southern driveway ties into matching grade at elevations of 615.0 and 615.1. The more northern connection ties into matching grade at elevations of 611.2 and 613.50. There is also a connection on to the US 290 northbound frontage road with matching grade elevations of 608.2 and 608.9. Based on these existing elevations an iterative process was followed to determine the finished floor elevations of the four buildings that provided the most balanced cut-fill for the site.

Due to the aforementioned reasons of working around driveway tie in locations while still providing the desired square footage, the finished floor elevation of building 1 was set to 624.30, building 2 finished floor elevation was set to 653.00, building 3 finished floor elevation was set to 630.50, and building four finished floor elevation was set to

628.50. The parking areas, truck courts, and driveways surrounding the buildings where than set based off the building FFE and standard minimum and maximum grades. This resulted in cut and fill above the limits of 4 feet, with greater than 4' of cut in the areas adjacent to the four buildings.

- 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

The configuration of the buildings and the placement of the property was dictated by the elevation of the existing, adjacent roadways and the need to have a balanced cut/fill. The site design provides three driveway connections to existing roadways: two full access connections to FM 3177 (Decker Lane) and one connection to the US 290 northbound frontage road.

Both connections on to FM 3177 and the deceleration lane and connection from US 290 fall within the TXDOT Right-of-way, and must meet the design guidelines outlined by TXDOT, in the Access Management Manual, for driveway connections. Design guidelines require the roadway connections to into existing roadway elevation and dictate the allowable/required slopes of the connections, which set the elevations at both the top and bottom of the roadway connections. The parking areas, truck courts, and driveways internal to the site were designed to facilitate these roadway connections, while still meeting the standard design requirements for slope and grade. Ultimately, these design constraints set by the roadway connections lead to cut and fill above the required limit. However, an effort was made to keep the cut and fill on the site to a minimum and the current site design and layout was found to be the optimum option.

Regardless of the proposed development on this site, some amount of cut and fill would be required above the allowable limit. The backing from this claim stems from the fact that any roadway connection from this site falls in the TXDOT Right-of-way, and therefore must meet the design criteria outlined above. Additionally, any development within the current land-use as outlined by the zoning assigned to this site will require a large amount of the site to be relatively flat, necessitating the need for considerable cut-fill based on the existing topography of the site. Also, based on site surveys there is some existing fill in the center of the site (see photographs 30 and 31 from the attached Phase 1 Environmental Site Assessment). Based upon historical topography it appears the current site's topography, and cut and fill, may have been affected by the construction of US 290. Again, this would be a factor that any type of development would have to consider, but would especially influence projects with large, flat building floorplans including industrial or commercial sites. It should also be noted that major revisions to the site plan and building layouts have been made to lower the cut/fill requirements of the site. Building 1 was significantly reduced in size from 116,640 square feet to 77,760 square feet, a reduction of over 33 percent in an effort to reduce the cut/fil and next export off site. The FFE of building 2 was also changed from 632.75 feet to 653 feet, an increase of 20.25 feet. These two changes were done as an attempt to more closely follow the existing conditions of the site, which includes a high point where building 2 is proposed. By raising the FFE of building 2 the cut and fill associated with the building can be reduced. The reduction in the square footage of building 1 allows for the grade to drop more gradually down to the lower existing elevations of building 1.

The total square footage of the four buildings will be 788,710 square feet. The use of all the buildings requires a uniform finished floor elevation similarly found in other industrial and commercial buildings. The building type, layout, and design features are based on the industrial nature of the buildings. Per the city code there is to be no more than 4' of cut/fill in a suburban watershed on a site without a waiver or variance for development. With the industrial product that is being more and more prevalent in the City of Austin there are 4' truck docks on the loading side of the building which has the finish floor and the parking adjacent to the building 4' higher than the loading position on the building. With additional drainage needed on the loading dock, one runs into a problem on all the buildings with needing a variance of some sort for the product type. Generally, from the edge of the truck court to the parking in the front of the building there is 6' of difference to allow for positive drainage on the buildings. This layout is similar to other such facilities in the Austin Area, and we feel that the variance does not provide special privilege not enjoyed by other similarly situated properties and similarity timed development (Dalfen Industrial - SP-2020-0407D).

In order to mitigate the excessive cut and fill the products on this site are generating, we have proposed the following conditions to be included in our construction plans:

- Preserve trees and natural areas to the best of our ability.
- Provide a tree-shaded outdoor seating area as to encourage employees to take breaks on-site, rather than driving to alternative locations.
- Provide an on-site trail with drainage swales that naturally convey flows into existing on-site ponds.
- Provide vegetative walls adjacent to the critical environmental feature located on the site.
- Provide a terraced landscaping area in the open space allocated on the site.

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

Yes / No

As mentioned above, cut and fill above the City of Austin limits is required due to the elevations of the existing roadways and required design guidelines for connections, parking areas, truck courts, and buildings.

The proposed building sites, parking areas, truck courts and fire lanes that are required for development require the fill to exceed 4 feet in portions of the site. Most of the required fill needed to raise the elevation of these areas will be structurally contained with gravity retaining walls. The grade at the top of the walls varies to meet the grading in the surrounding parking and driveways. Similarly, the grade at the bottom of the wall varies to meet the design requirements of the detention and water quality ponds. The wall also serves to reduce erosive flows from the site.

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

Yes / No

The proposed Park 290 Logistics Center project does not create a significant probability of harmful environmental consequences. The project will not impact any heritage trees. There is no floodplain or critical water quality zone on site that will be affected. There is a CEF on site, but as indicated by the proposed site plan the required 75-foot setback is met through the design.

The project has been designed to prevent any future disturbances to local water quality by capturing and treating all impervious cover stormwater. The design includes three partial sedimentation/filtrations ponds that meet the necessary filtration and sedimentation requirements outlined by City of Austin water quality regulations. Water quality pond 1 provides 54,512.93 cubic feet of filtration storage and 45,079.16 cubic feet of sedimentation storage. Water quality pond 2 provides 39,773.05 cubic feet of filtration storage and 54,255.50 cubic feet of sedimentation storage. Water quality pond 3 provides 94,599.81 cubic feet of filtration storage and 31,286.88 cubic feet of sedimentation storage. Water quality pond 1, 2, and 3 all provide more water quality volume than the minimum required volume, indicating water quality has been fully considered.

To meet interim design and construction stages, we have provided the site with a phased erosion control plan. This erosion control plan will help prevent the site from creating large dust impacts as well as managing silt runoff. We are providing multiple phases which include and initial phase to rough grade the

ponds and following phases to clear, grade and stabilize the site. These additional phases are held to a maximum of 32 acres in area and follow the natural topography of the site. In additional to these measures, the site will have monitored construction entrances, inlet projection, and tree protection to protect 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.

<u>Yes</u> / No

Exceeding the fill limitation on this project will not reduce the level of water quality achievable. By containing the fill in gravity retaining walls, and reducing the probability of erosive flows, the proposed project will achieve the same level of water quality achievable without the variance.

Also, as previously mentioned, all impervious cover stormwater runoff will be captured and treated on site in a water quality facility that meets compliance with the Land Development Code and Environmental Criteria Manual. Three partial sedimentation/filtration ponds are designed to provide 188,885.79 cubic feet of filtration storage and 130,621.54 cubic feet of sedimentation storage.

- 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;

N/A

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

N/A

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

N/A

**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.
- o An Environmental Resource Inventory pursuant to ECM 1.3.0 (*if required by 25-8-121*)
- Applicant's variance request letter

AERIAL PHOTO – VICINITY



AERIAL PHOTO - SITE



SITE PHOTOS



<u>SITE PHOTOS – CONT.</u>



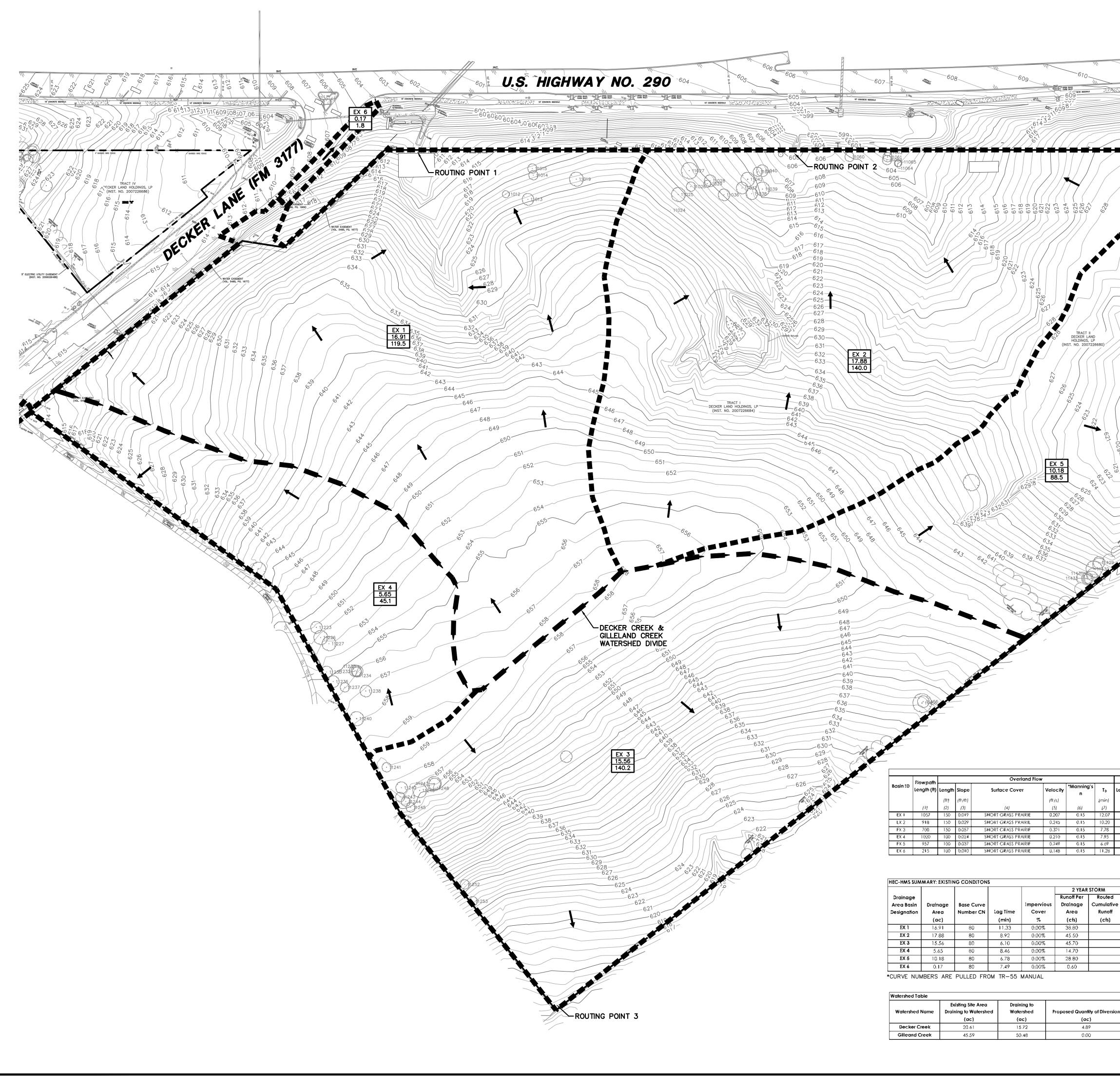
CONTEXT MAP



City of Austin | Environmental Commission Variance Application Guide 18

TOPOGRAPHIC MAP

See attached

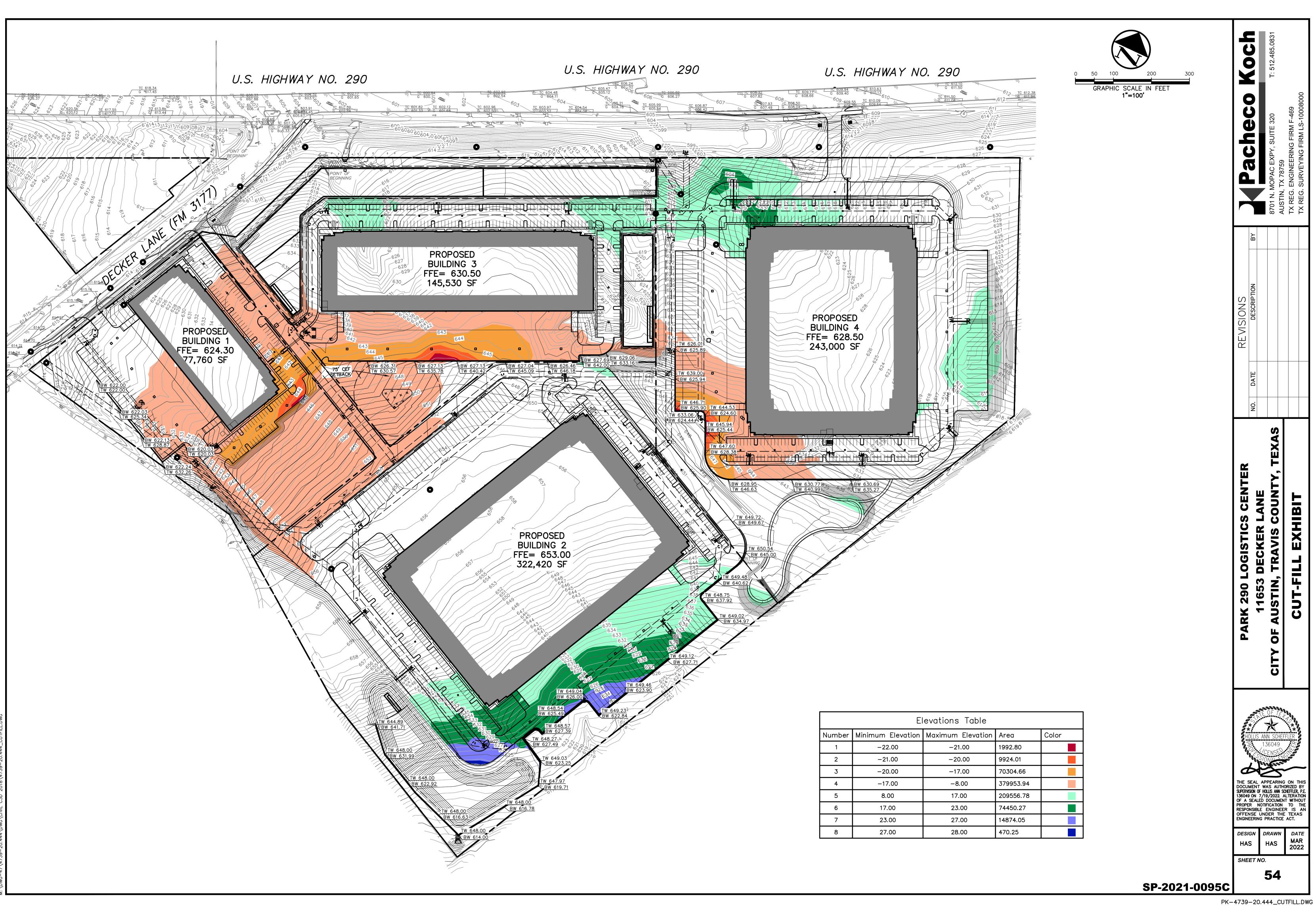


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	 B DRAINAGE DIVIDE B EXISTING DRAINAGE AREA ID AREA IN ACRES 	NO. DATE REVISIONS NO. DATE DESCRIPTION B
Interview of Concentration Calculations Event of Concentration Calculations Channel Flow Strate Type Velocity * Channel Flow Length Slope Sufface Type Velocity * Channel Flow Image: Provide the tension of tens	*K Velocity In To To Tu (ft) (ft/s) (min) (min) (min) (min) (17) (18) (19) (20) (21) (22)	PARK 290 LOGISTICS CENTER 11653 DECKER LANE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS EXISTING DRAINAGE AREA MAP
907 0.019 UNPAVED 2.22 16.1 6.81	18.89 18.89 11.33 14.86 14.86 8.92 10.17 10.17 6.10 14.10 14.10 14.10 11.30 11.30 6.78 11.30 12.48 12.48	THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY SUPERVISION OF HOLIS ANN SCHEFFLER, P.E. 136049 CENSE ONA CENSE ON THIS DOCUMENT WAS AUTHORIZED BY SUPERVISION OF HOLIS ANN SCHEFFLER, P.E. 136049 ON 3/15/2022 ALTERATION OF A SEALED DOCUMENT WITHOUT PROPER NOTIFICATION TO THE RESPONSIBLE ENGINEER IS AN OFFENSE UNDER THE TEXAS ENGINEERING PRACTICE ACT.
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CUT/FILL EXHIBIT

See attached

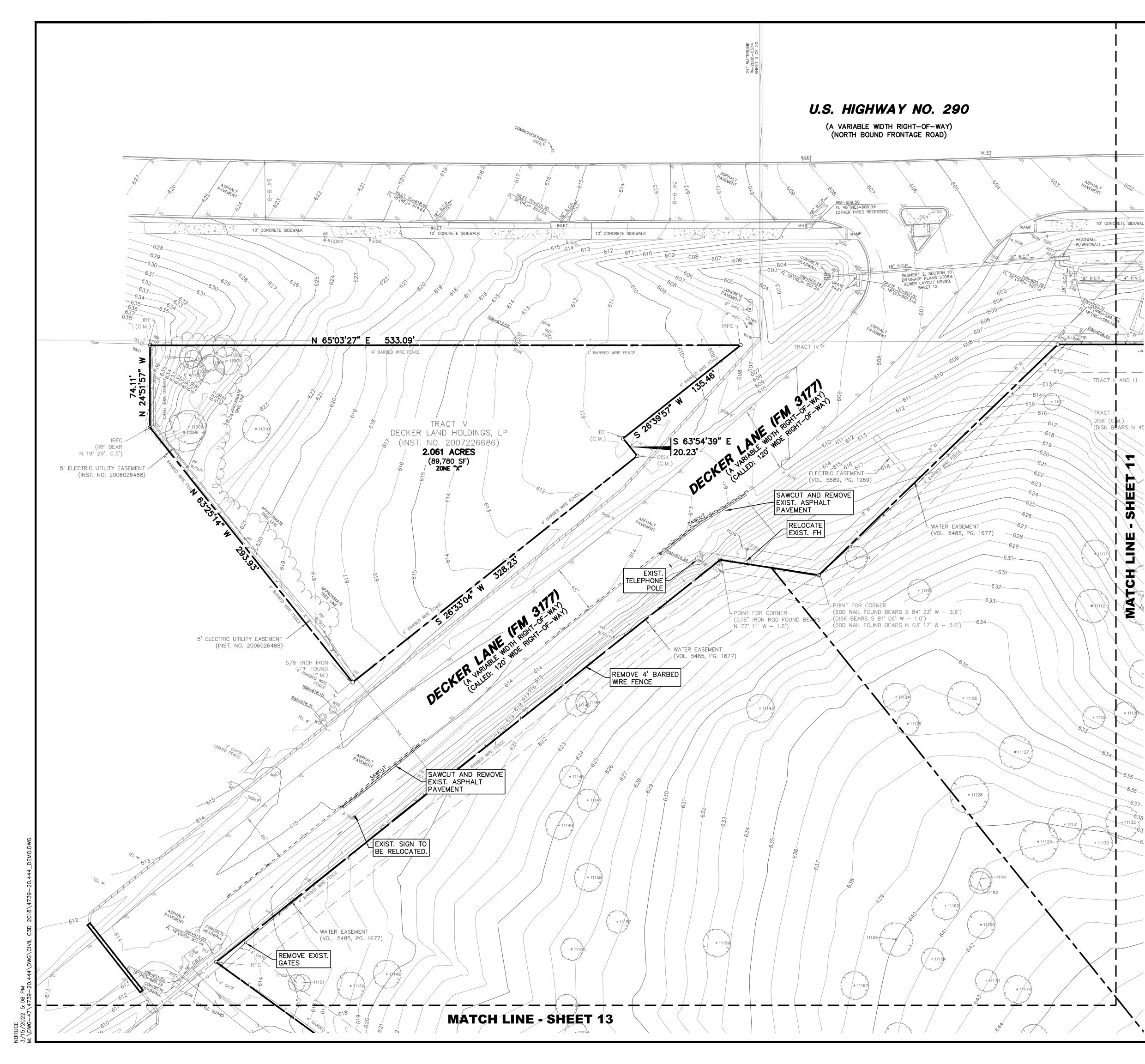


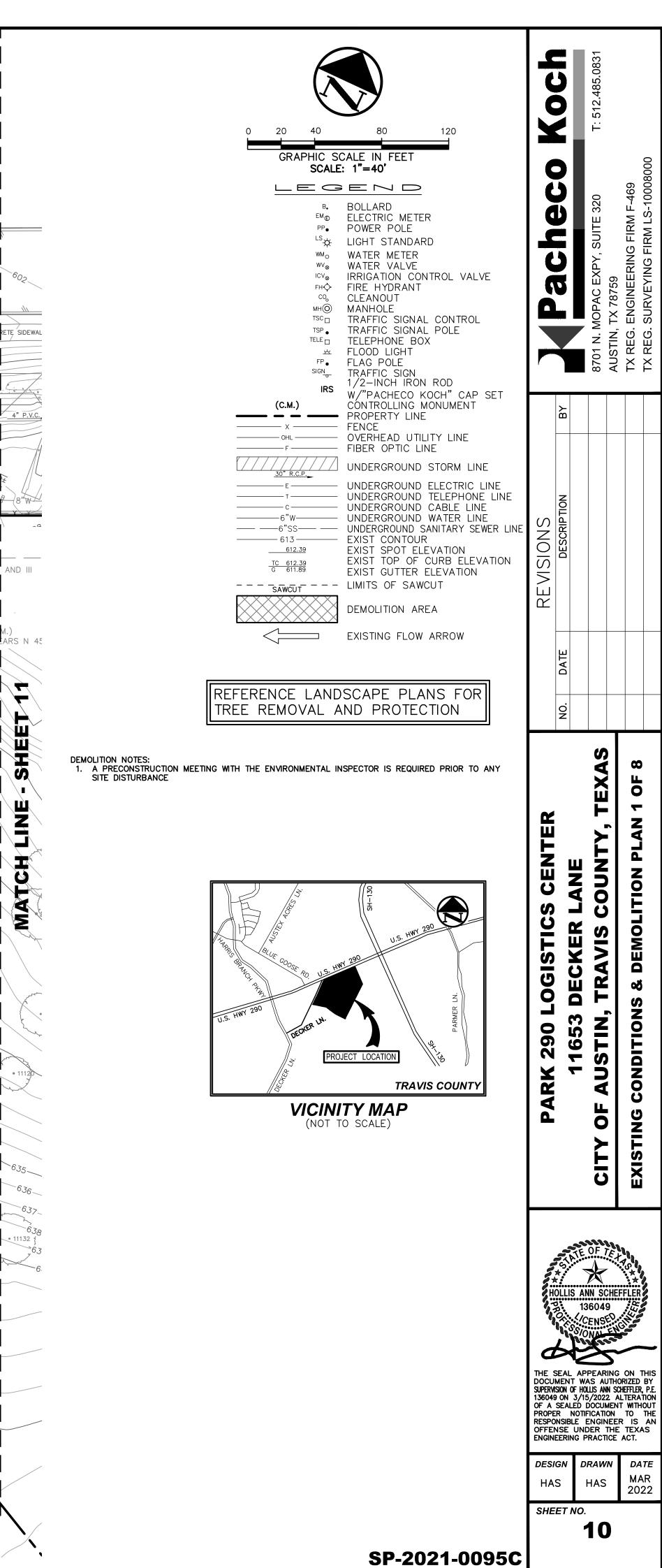
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n	Maximum Elevation	Area	Color
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	-17.00	70304.66	
	-8.00	379953.94	
	17.00	209556.78	
	23.00	74450.27	
	27.00	14874.05	
	28.00	470.25	

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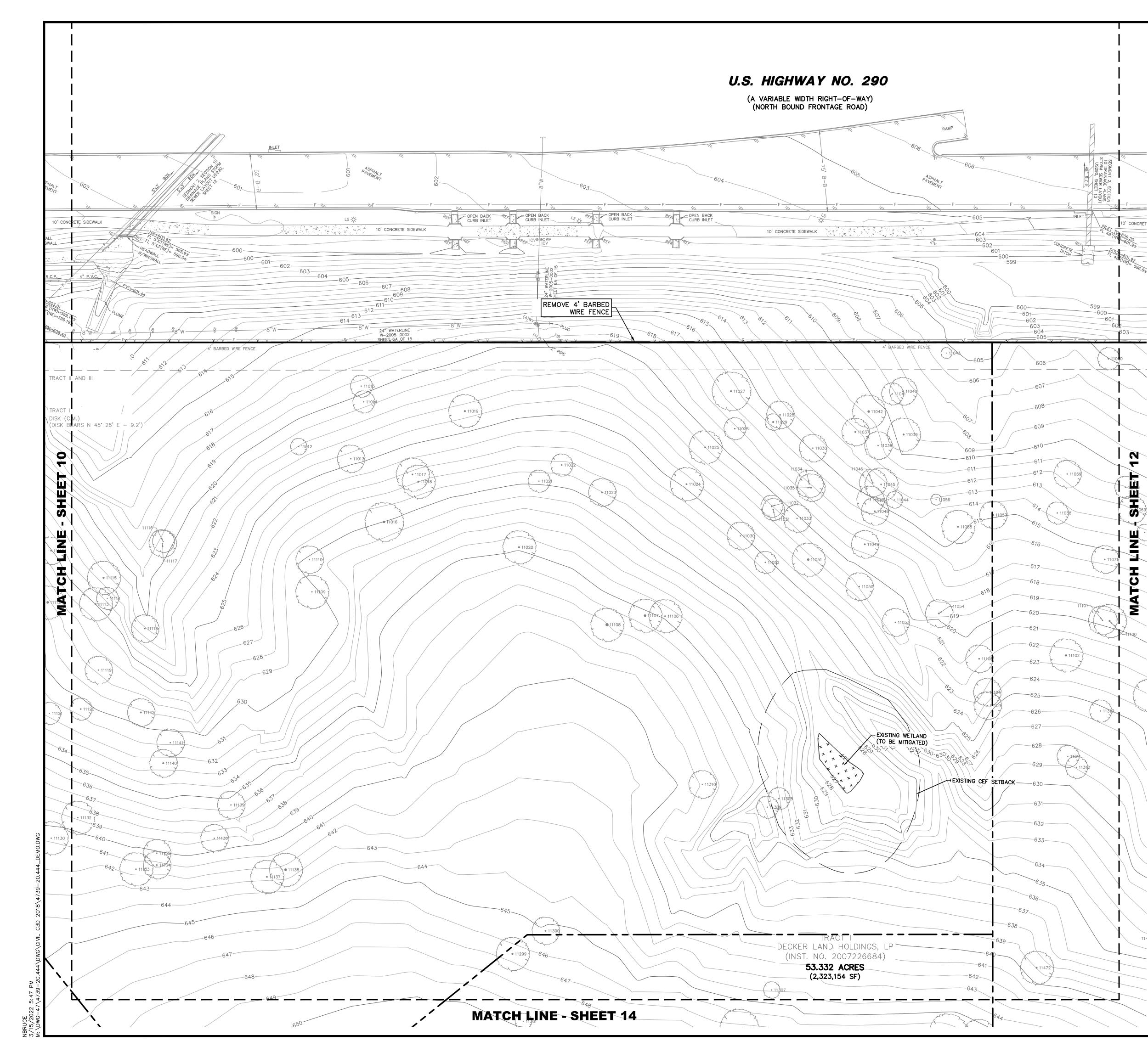
EXISTING SITE PLAN

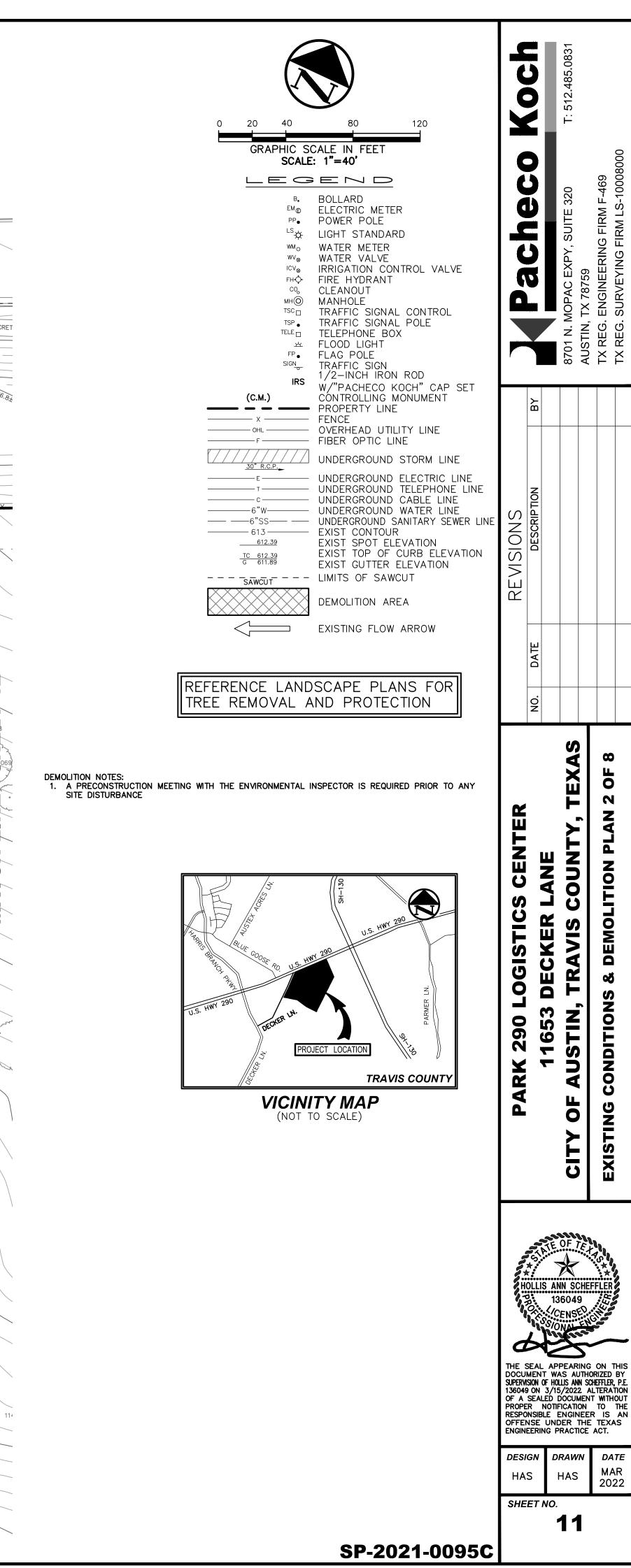
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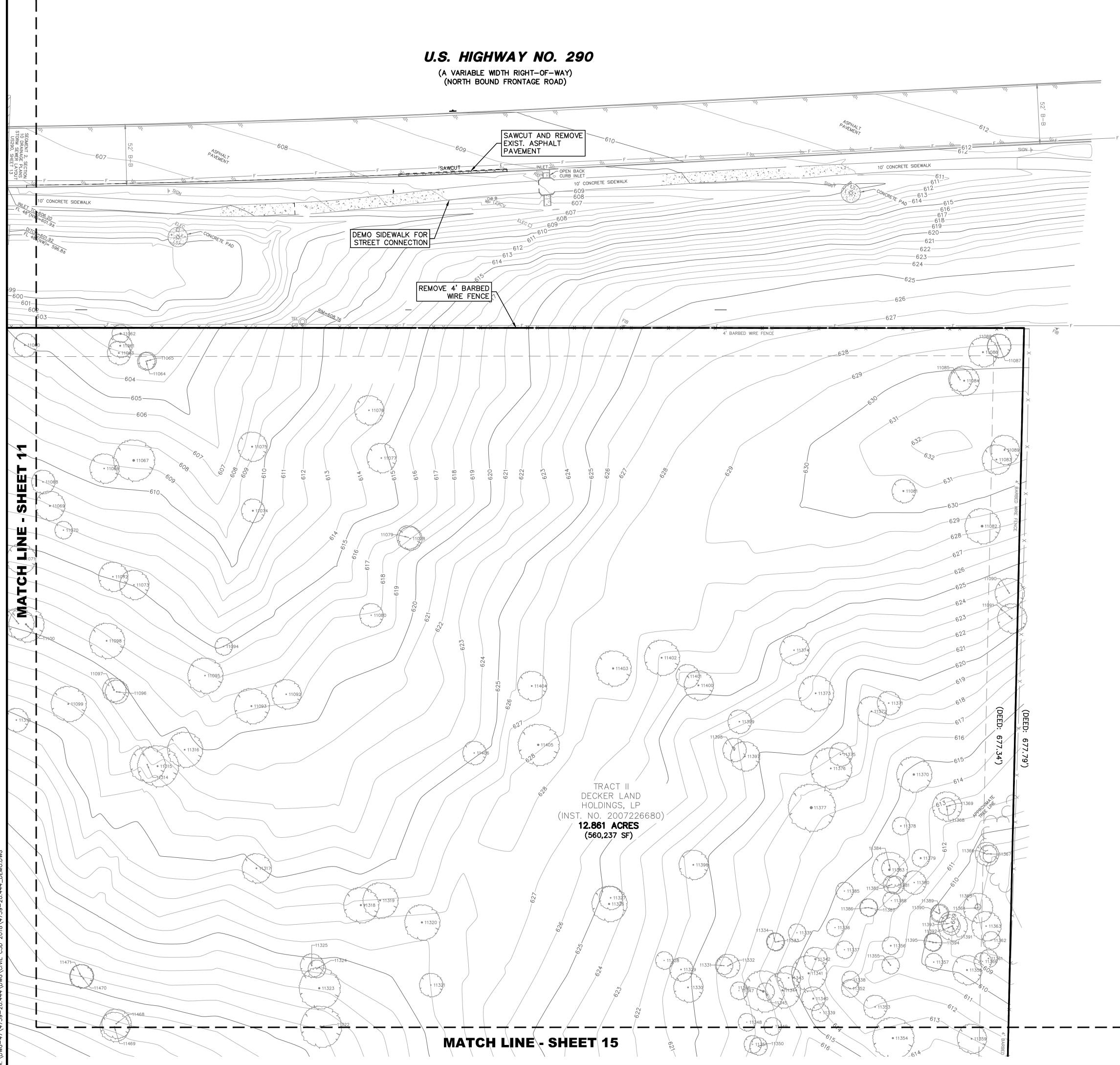


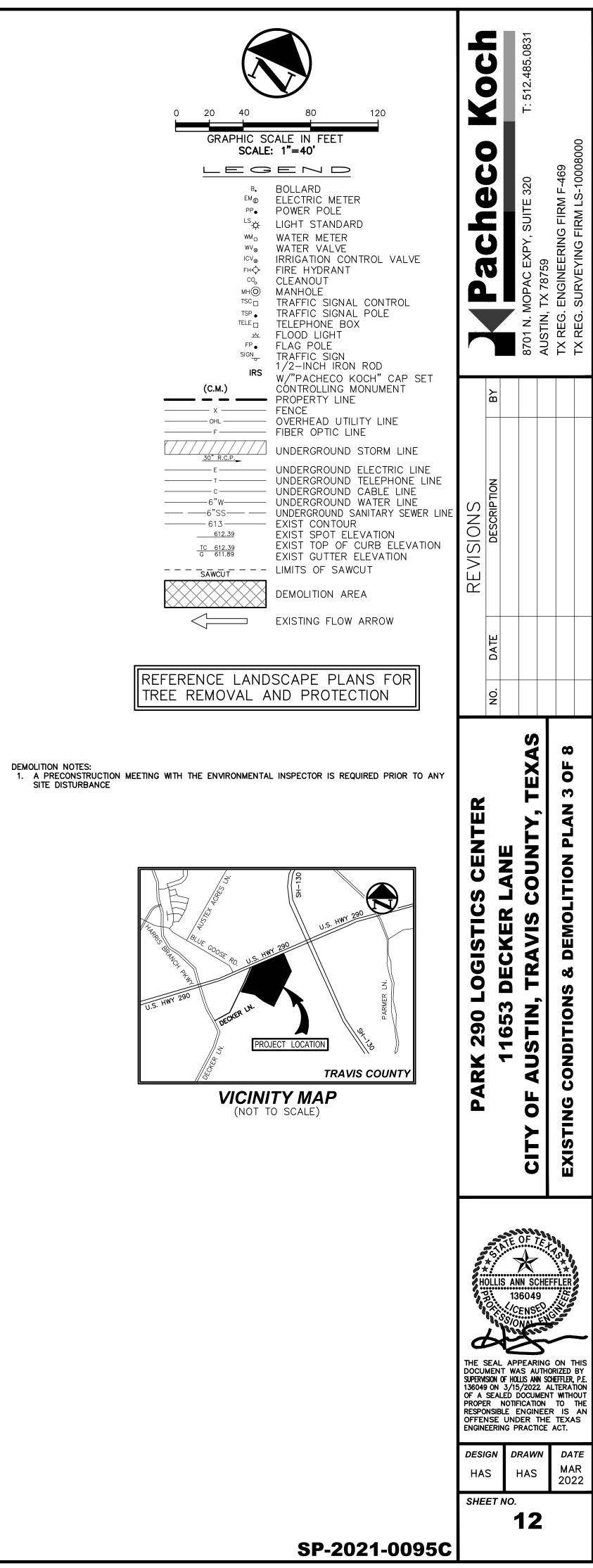
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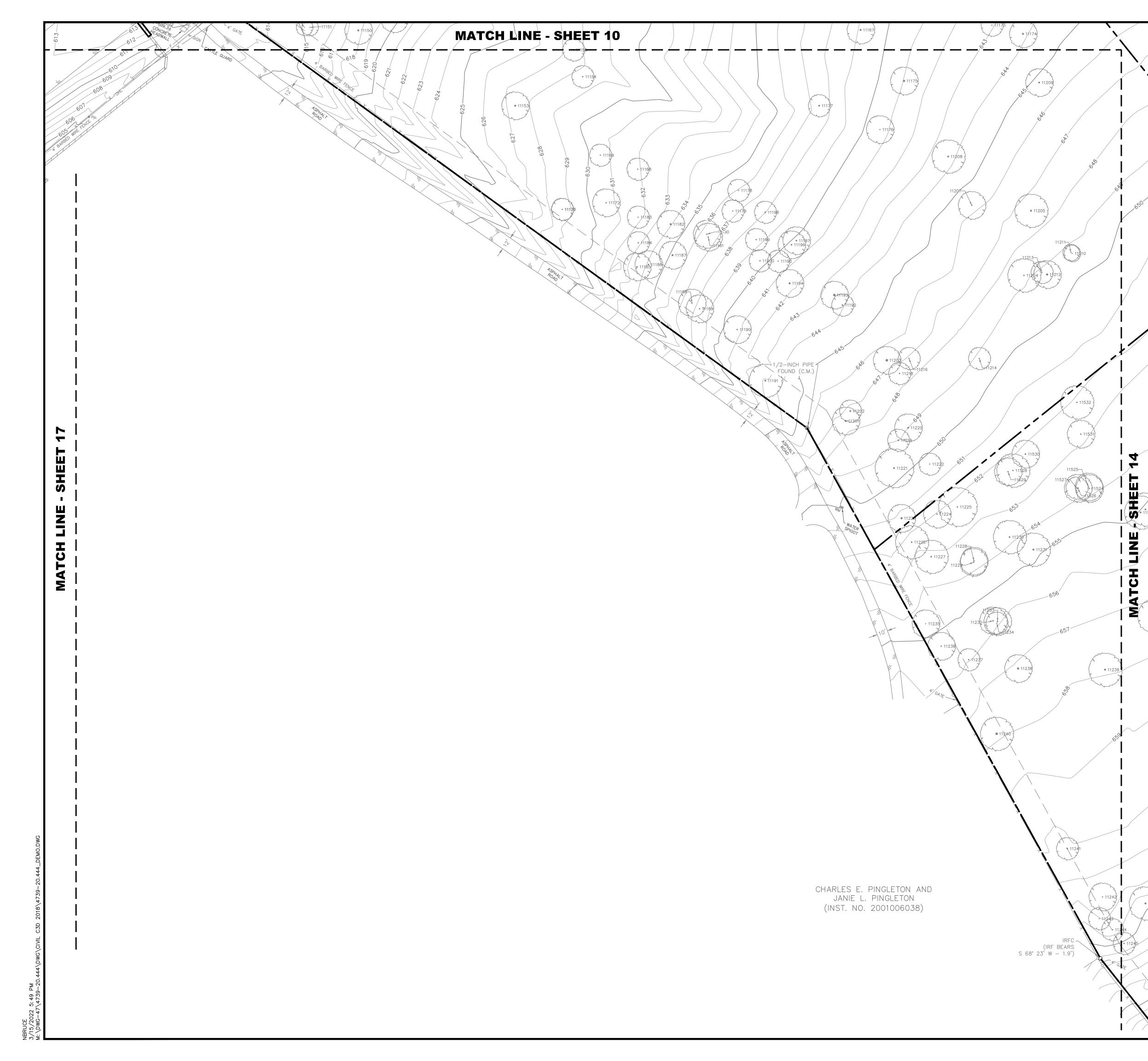


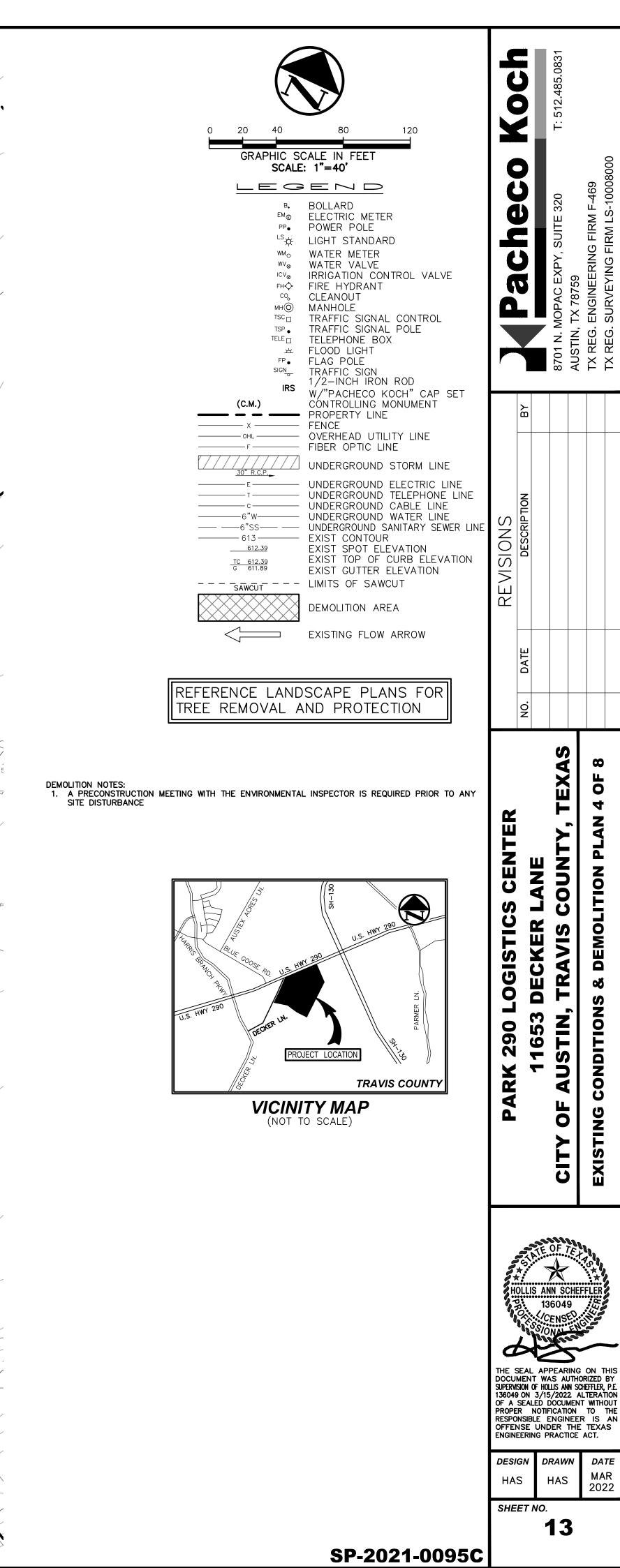
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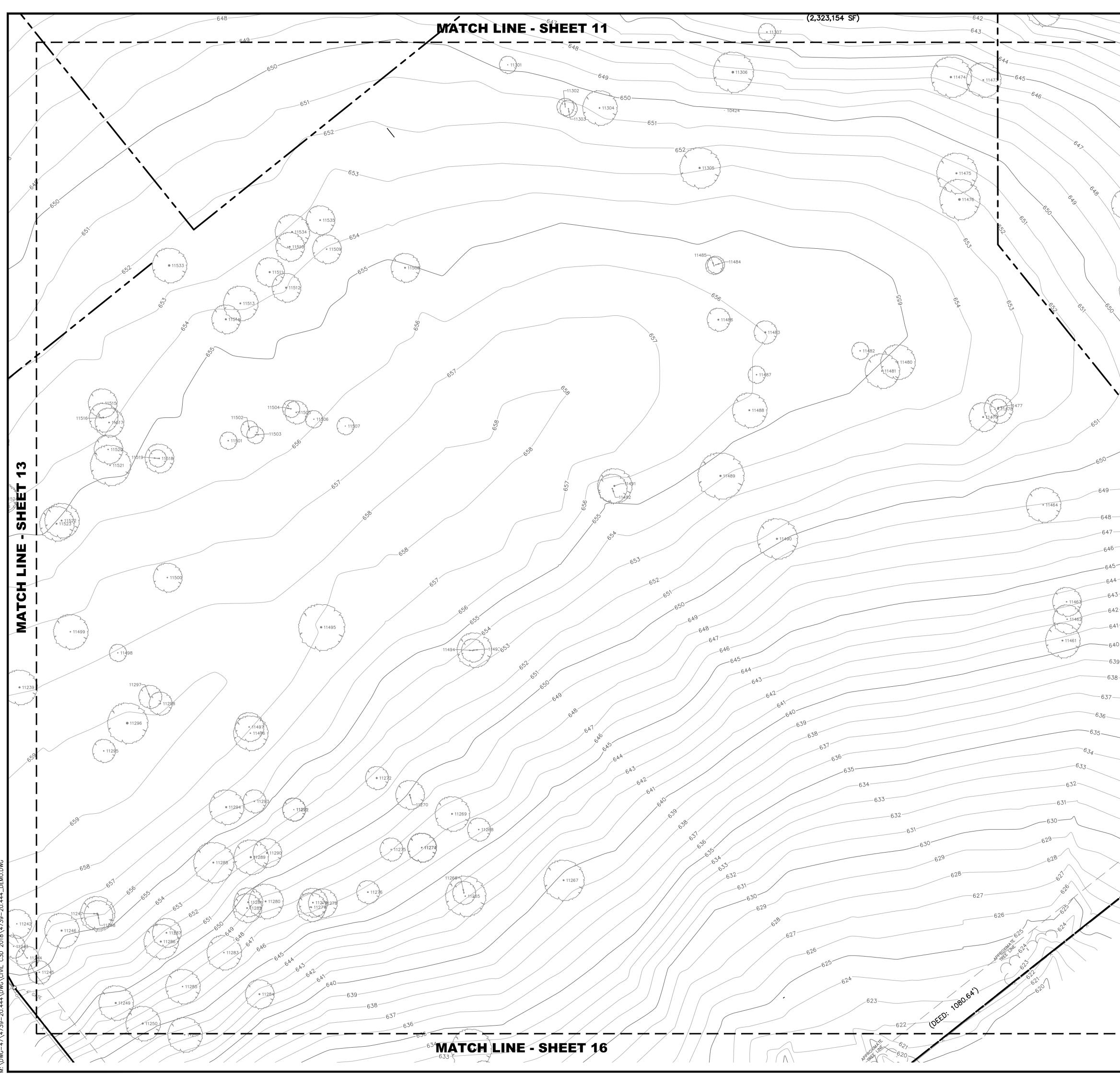


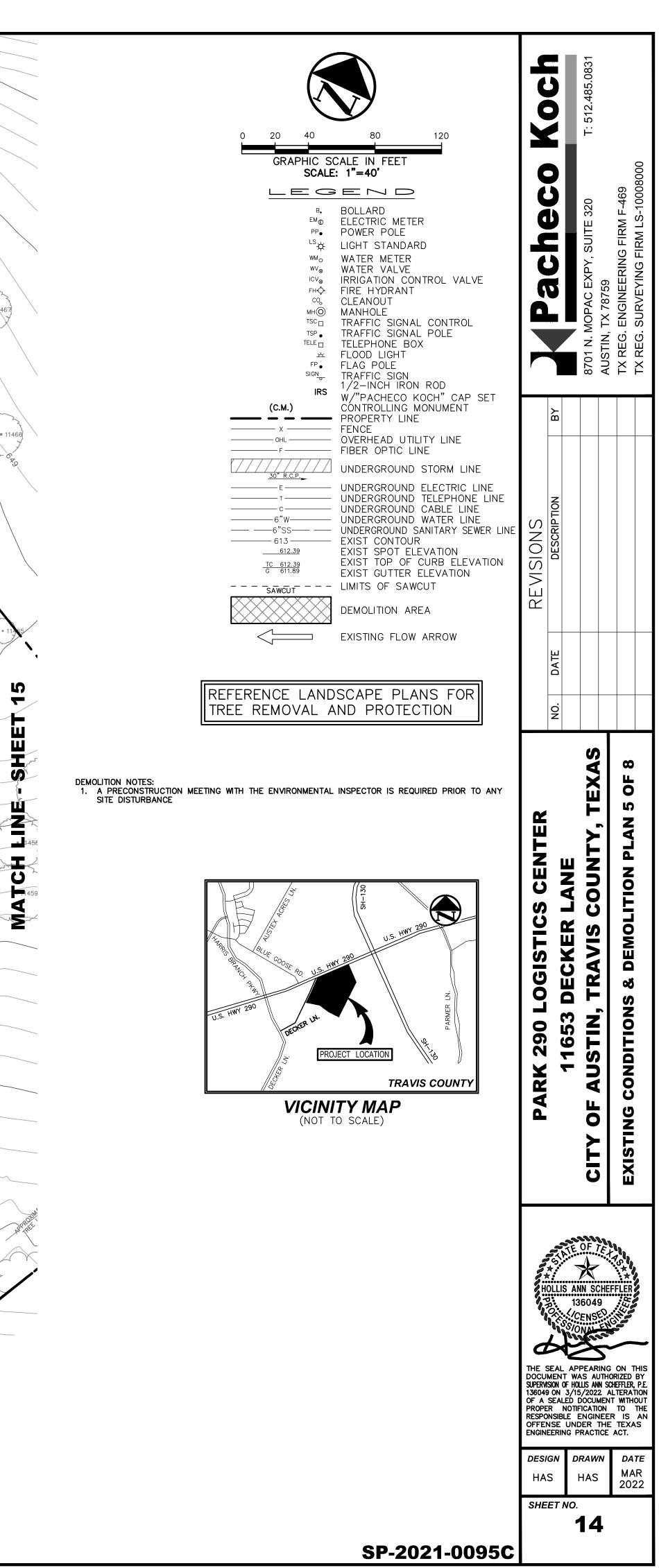
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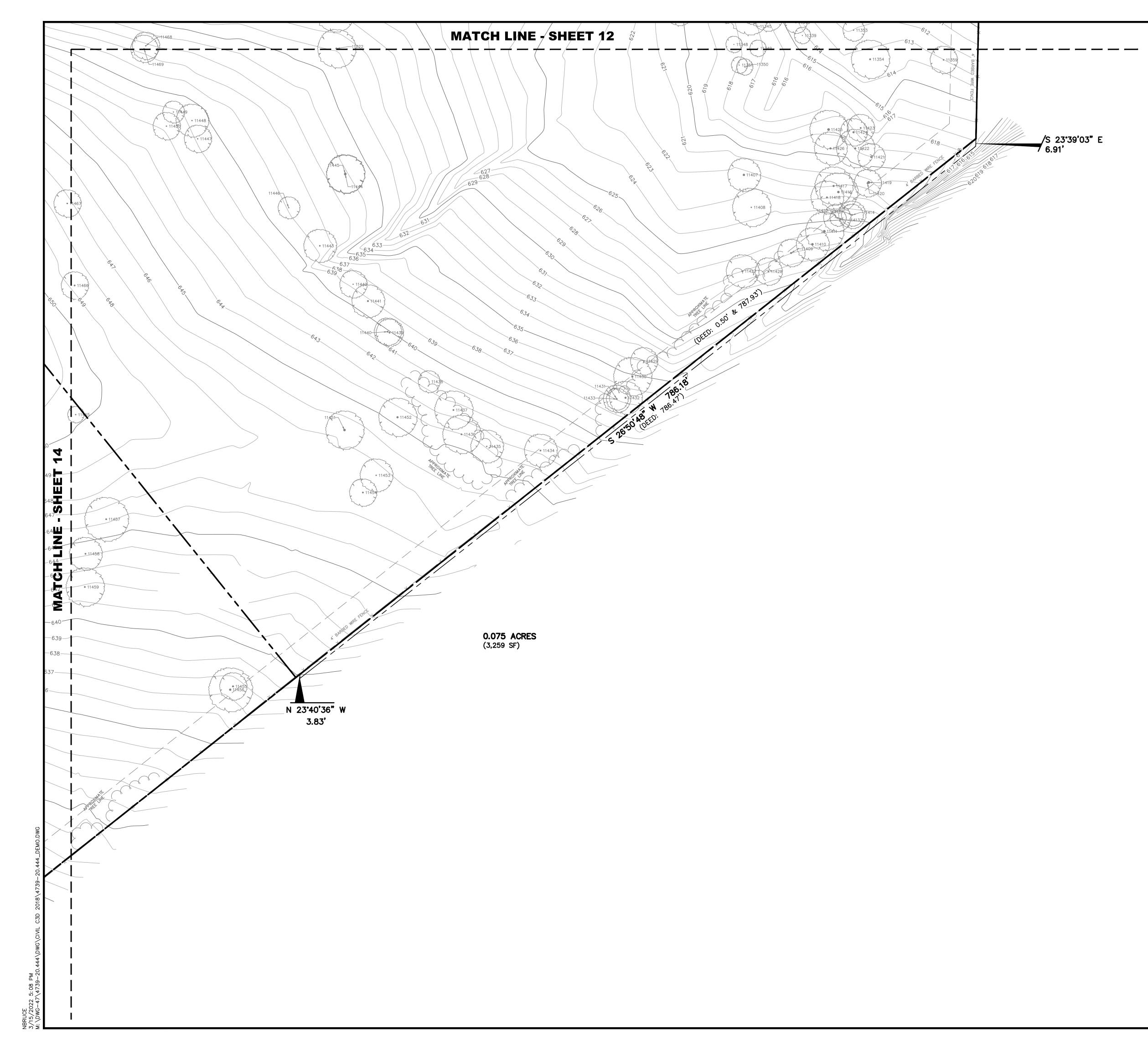
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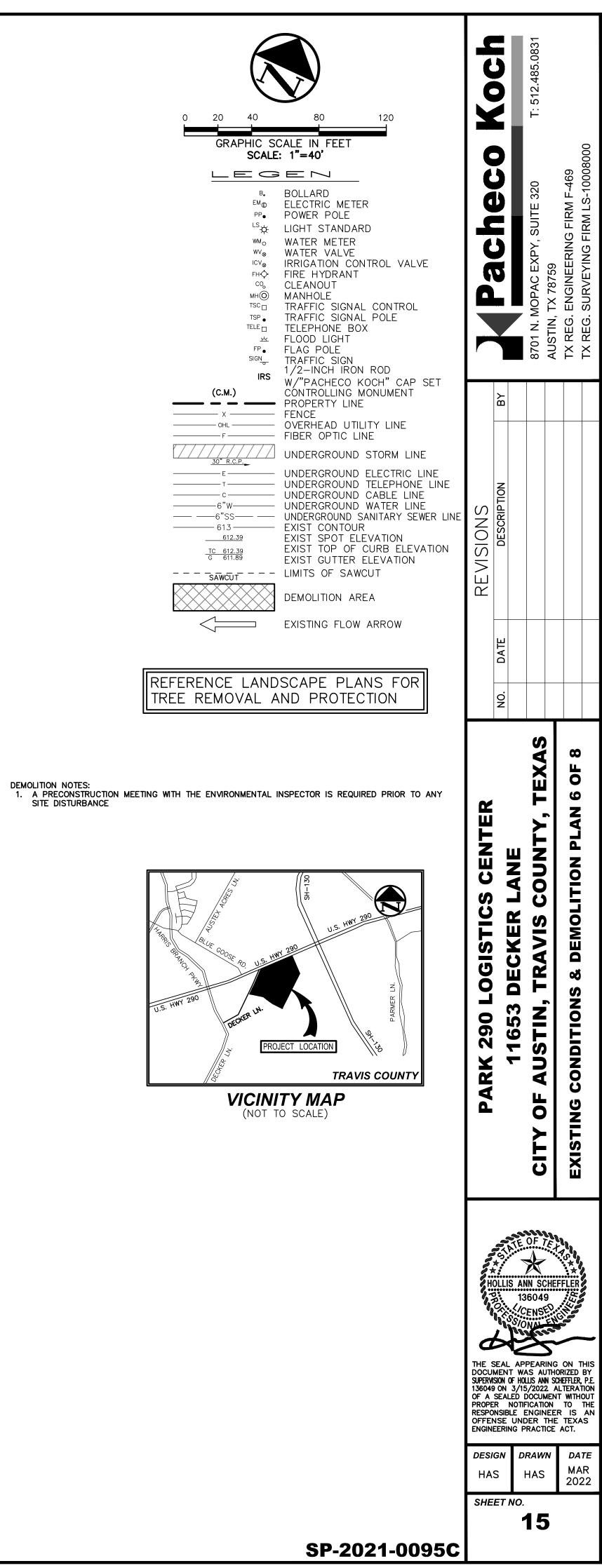


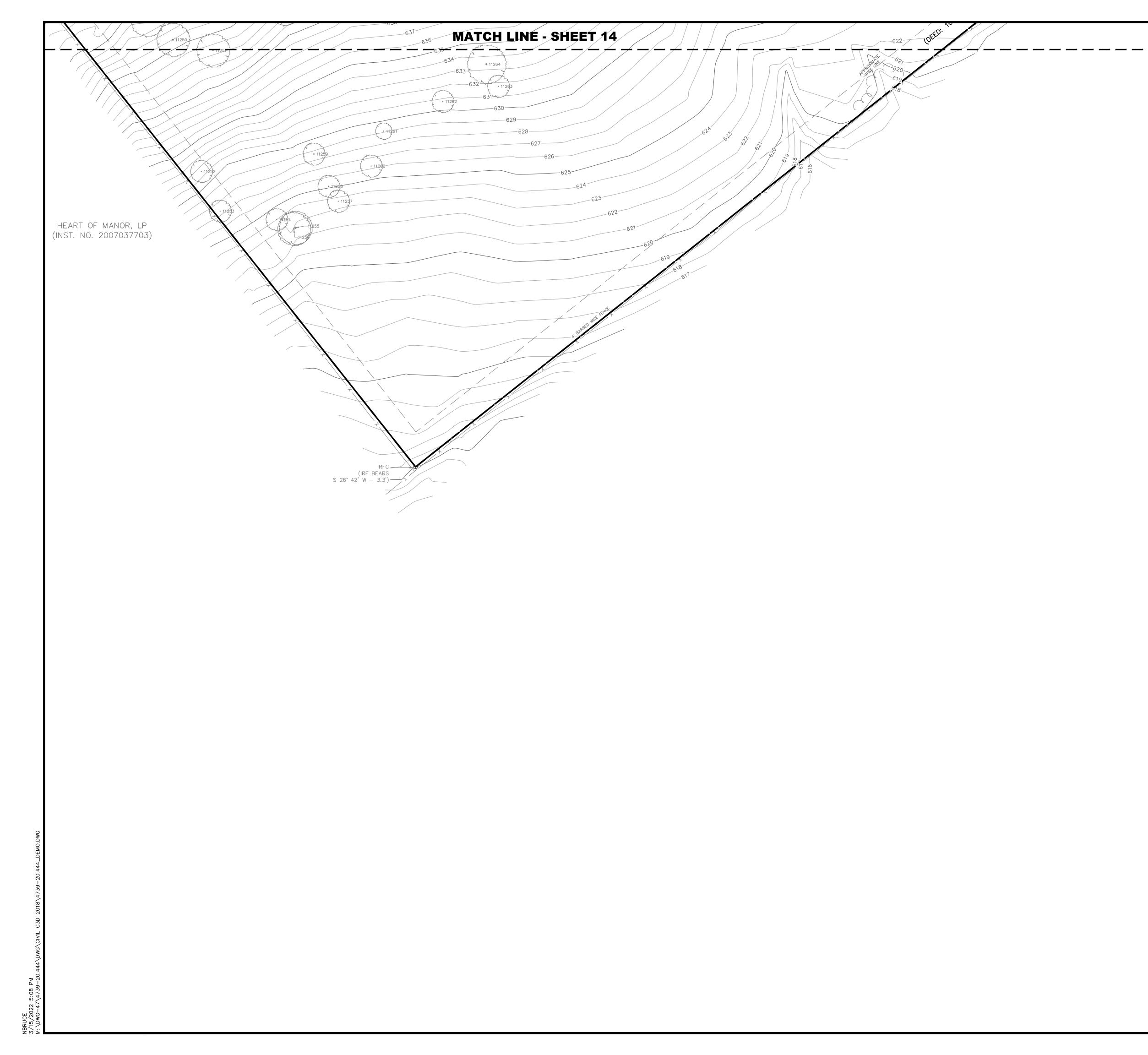


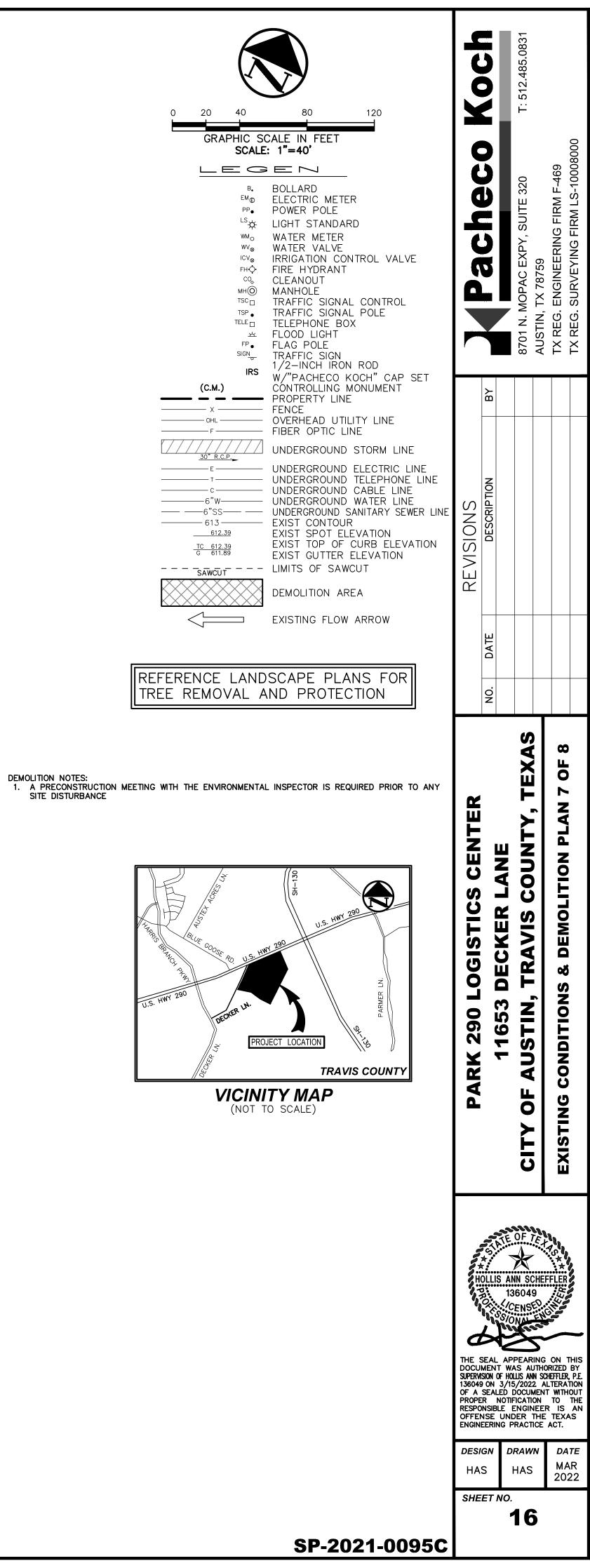
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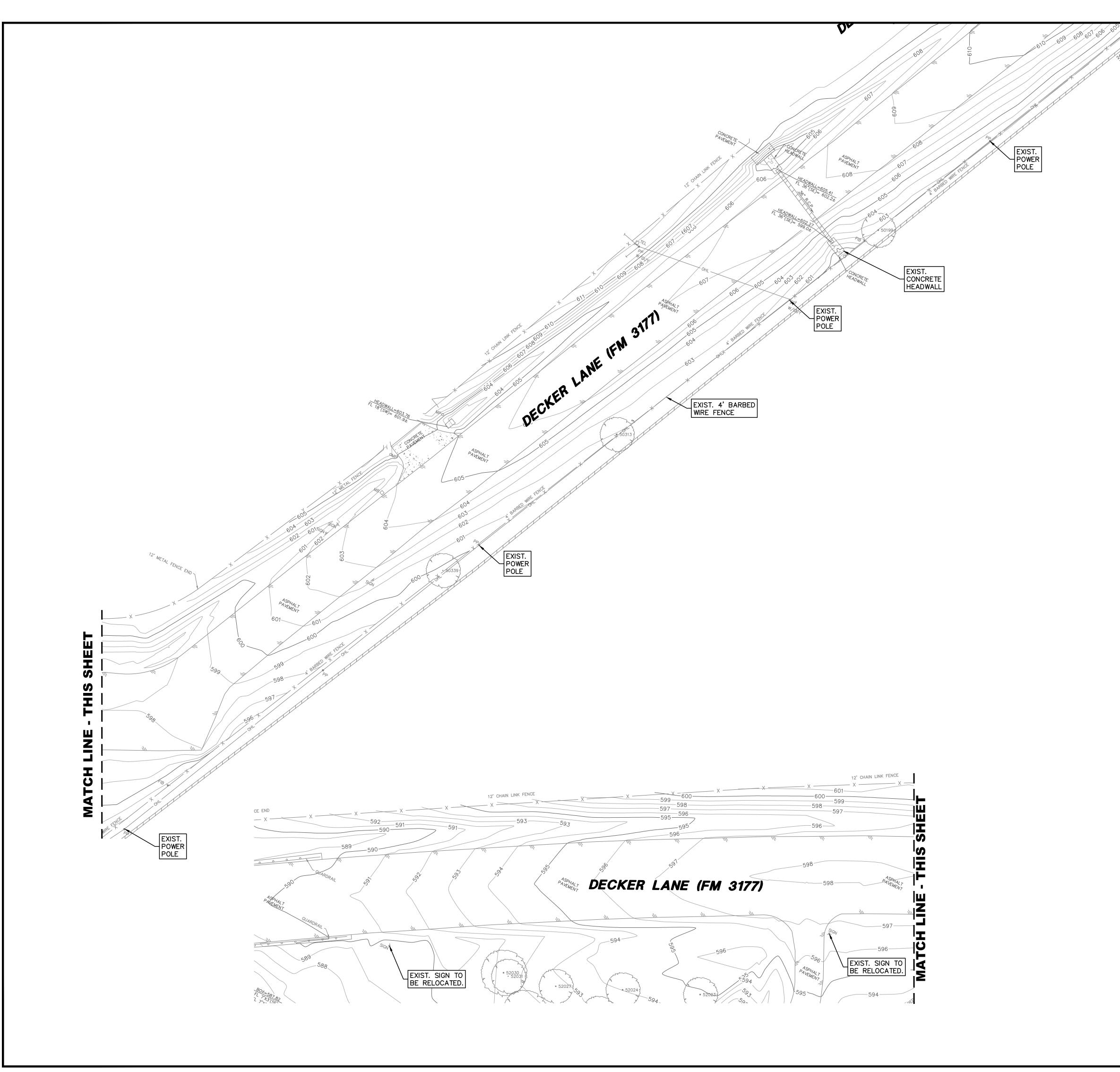
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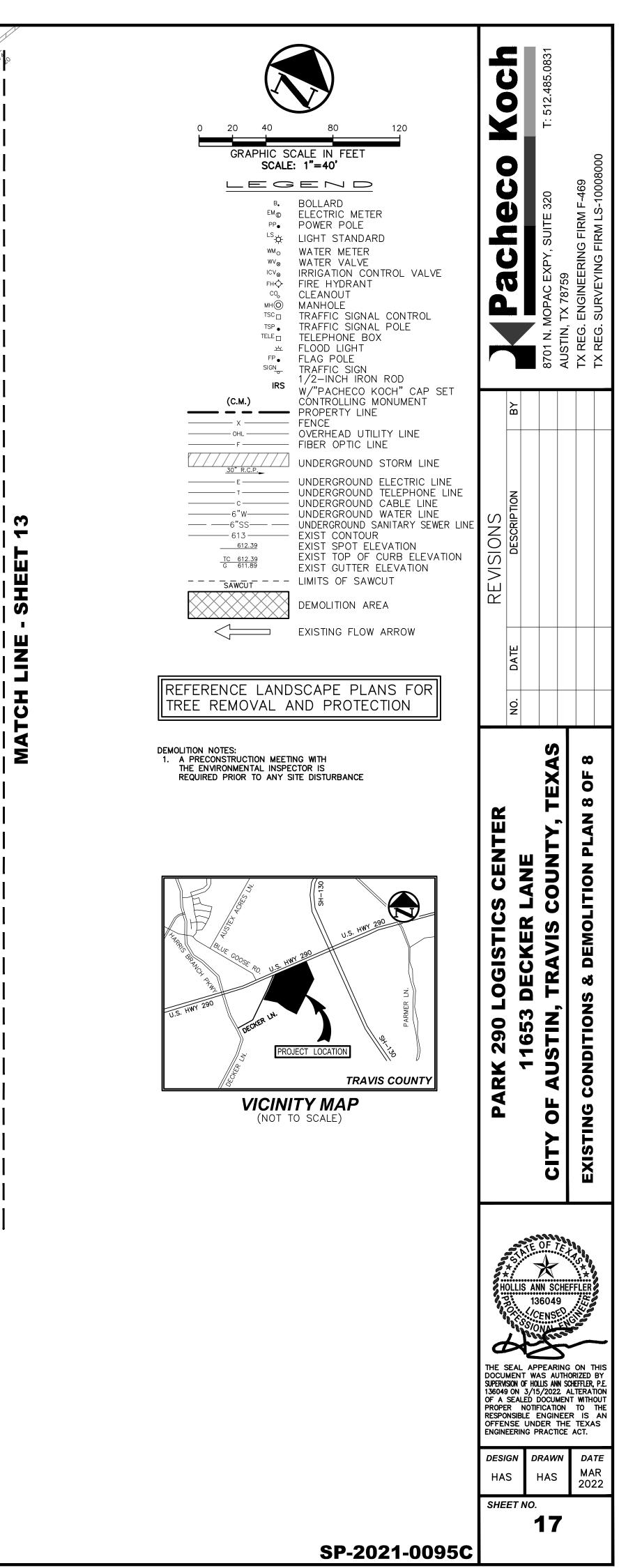






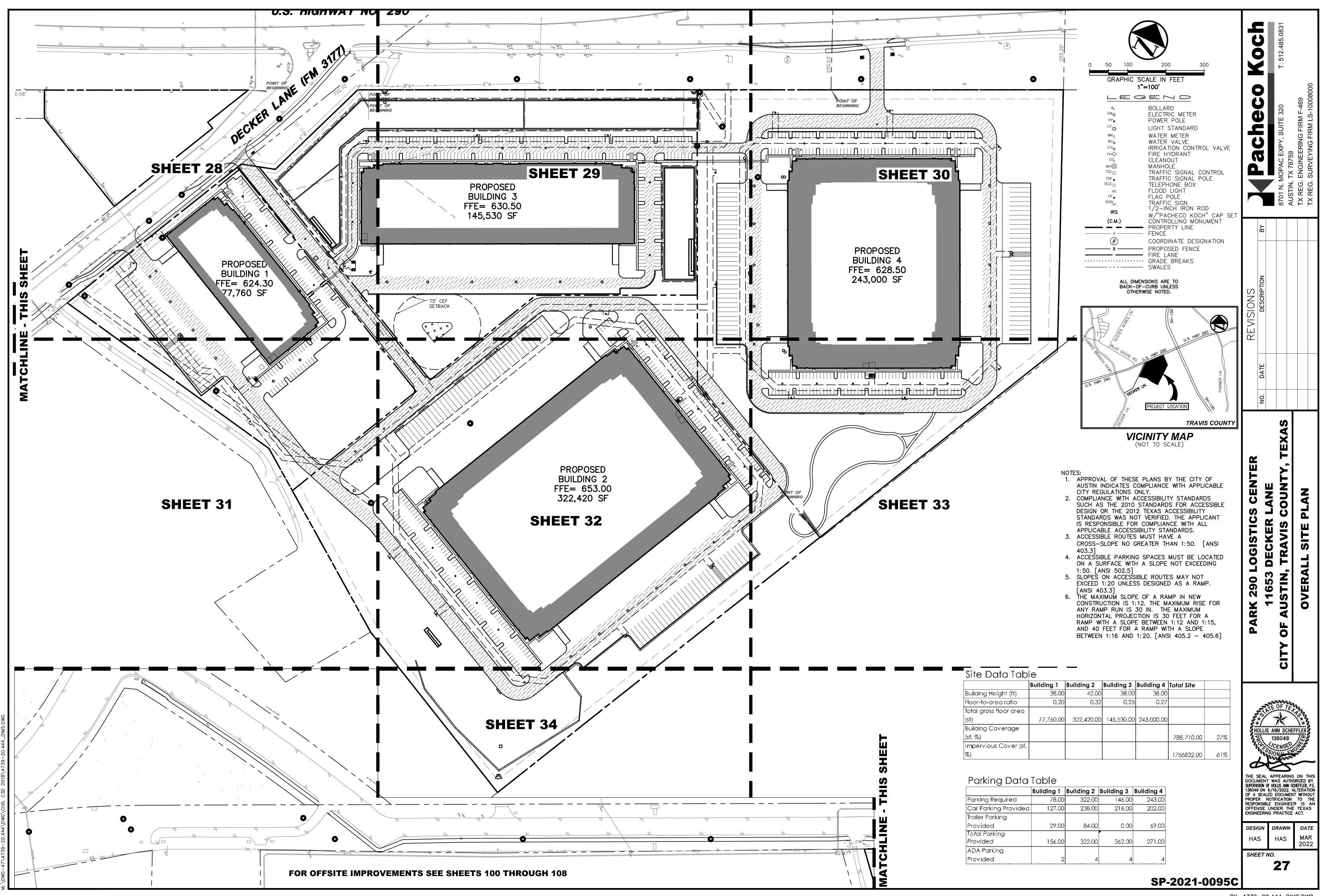






PROPOSED SITE PLAN

See attached



ENVIRONMENTAL MAP



ENVIRONMENTAL RESOURCE INVENTORY (ERI)

See attached

Case	No.:	
10.	7	

(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: Decker Lane
- 2. COUNTY APPRAISAL DISTRICT PROPERTY ID (#'s): 227143; 236734; 73135
- 3. ADDRESS/LOCATION OF PROJECT: 10800 block Decker Lane, Austin, Texas 78724
- 4. WATERSHED: Gilleland Creek; Decker Creek
- 5. THIS SITE IS WITHIN THE (Check all that apply)

Edwards Aquifer Recharge Zone* (See note below)	□YES ØNo
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.

***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).

 There is a total of 1 (#'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)
---------------------------	---	---------------------------------	---	-----------------

 $\frac{0}{(\#'s)} Canyon Rimrock(s) \qquad \frac{1}{(\#'s)} Wetland(s)$

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 <u>not provided</u>, 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. <u>Request forms for administrative variances from requirements stated in LDC 25-8-281 are available from Watershed Protection Department.</u>

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)			
Heiden clay, 3 to 5 percent slopes & 5 to 8 percent slopes, eroded (HeC2 & HeD2), Udic Chromusterts	D	0' to 5'5"			
Heiden gravelly clay, 8 to 20 percent slopes, moderately eroded (HgF2), Udic Chomusterts	D	0' to >6'8"			
Houston Black clay, 1 to 3 percent slopes (HnB), Udic Pellusterts	D	0' to >6'8"			
Houston Black clay, 3 to 5 percent slopes, moderately eroded (HnC2), Udic Pellusterts	D	0' to >6'8"			
Houston Black gravelly clay, 2 to 8 percent slopes, moderately eroded (HoD2), Udic Pellusterts	D	0' to >6'8"			

*Soil Hydrologic Groups Definitions *(Abbreviated)*

- A. Soils having a <u>high</u> <u>infiltration</u>rate when thoroughly wetted.
- B. Soils having a <u>moderate</u> <u>infiltration</u> rate when thoroughly wetted.
- C. Soils having a <u>slow</u> <u>infiltration</u>rate when thoroughly wetted.
- D. Soils having a <u>very</u> <u>slowinfiltration</u> rate when thoroughly wetted.

**Subgroup Classification – See Classification of Soil Series Table

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

The overall topography of the site was illustrated as a hilltop with slopes oriented northeast-to-southwest and south-to-north toward drainageways outside the survey area. The maximum elevation of the property was approximately 650 feet above mean sea level (amsl) and a minimum elevation of approximately 610 feet amsl.

List surface geologic units below:

Geologic Units Exposed at Surface							
Group	Formation	Member					
Navarrow Group							
Taylor Group	Sprinkle and Bergstrom Formation						
Quaternary Terrace and Alluvial Deposits	Quaternary Terrace and Alluvial Deposits						

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

Soils in this area are underlain by the Navarro and Taylor Groups, undivided (Knt) and high gravel deposits (Qhg; McGowen et al 1987; USGS 2020; *see* **Geologic Map**). The Navarro and Taylor Groups are characterized by Late Cretaceous claystones and chalky limestones. High gravel deposits within the Austin Sheet feature minor quartzite, milky quartz, sandstone, and mudstone underlying silty clays.

McGowen, J. H., C. V Proctor, Jr., W. T. Haenggi, and D. F. Reaser 1987 *Geological Atlas of Texas, Austin Sheet.* Bureau of Economic Geology. The University of Texas at Austin.

U.S. Geological Survey (USGS)

2020 U.S. Department of the Interior Mineral Resources On-Line Spatial Data Website. http://mrdata.usgs.gov/sgmc/tx.html (accessed August 2020).

Wells – Identify all recorded and unrecorded wells on site (test holes, monitoring, water, oil, unplugged, capped and/or abandoned wells, etc.):

There are <u>0</u> (#) 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 <u>0</u> (#'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 survey area was characterized as rangeland, consisting of a grazed herbaceous layer with scrub and small groupings of trees scattered throughout the survey area. The **rangeland vegetation community** was dominated by Ashe juniper (*Juniperus ashei*), Texas ash (*Fraxinus albicans*), Monterrey oak (*Quercus polymorpha*), cedar elm (*Ulmus crassifolia*), agarita (*Berberis trifoliolata*), pricklyash (*Zanthoxylum hirsutum*), honey mesquite (*Prosopis glandulosa*), and Jerusalem thorn (*Parkinsonia aculeata*) in the tree and scrub strata. The herbaceous strata was mostly forbs with some scattered grasses, including Texas wintergrass (*Nassella leucotricha*), splitbeard bluestem (*Andropogon ternarius*), Maximilian sunflower (*Helianthus maximiliani*), Texas croton (*Croton texensis*), white heath aster (*Symphyotrichum ericoides*), prairie broomweed (*Amphiachyris dracunculoides*), old man's beard (*Clematis drummondii*), common ragweed (*Ambrosia artemisiifolia*), snow-on-the-prairie (*Euphorbia bicolor*), saw greenbrier (*Smilax bona-nox*), southern dewberry (*Rubus trivialis*), sumpweed (*Iva annua*), frog fruit (*Phyla nodiflora*), and catchfly prairie gentian (*Eustoma exaltatum*).

There is woodland community on site There is WO (Check one).

Woodland species					
Common Name Scientific Name					
N/A	N/A				

If yes, list the dominant species below:

There is grassland/prairie/savanna on site...... \square YES \square NO (*Check one*). If yes, list the dominant species below:

Grassland/prairie/savanna species					
Common Name	Scientific Name				
Texas wintergrass	Nassella leucotricha				
splitbeard bluestem	Andropogon ternarius				
prairie broomweed	Amphiachyris dracunculoides				
Maximilian sunflower	Helianthus maximiliani				
Texas croton	Croton texensis				
white heath aster	Symphyotrichum ericoides				
old man's beard	Clematis drummondii				

Hydrophytic plant species				
Common Name	Scientific Name	Wetland Indicator Status		
southern cattail	Typha domingensis	OBL		
common spikerush	Eleocharis palustris	OBL		
soft rush	Juncus effusus	OBL		
Texas frogfruit	Phyla nodiflora	FAC		
sedge	Carex spp.	FAC/FACW/OBL		

A tree survey of all trees with a diameter of at least eight inches measured four and onehalf 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):

- \Box 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. \blacksquare YES \square 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. \Box YES \Box NO \checkmark Not Applicable (*Check one*).

Wastewater lines are proposed within the Critical Water Quality Zone? \Box YES \boxtimes NO *(Check one)*. If yes, then provide justification below:

Is the project site is over the Edwards Aquifer? \Box YES \heartsuit 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: 08/06/2020

Date(s)

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

Nicholas Schiwitz	214-998-3029	
Print Name	Telephone	
Mich Schuyet	nschiwitz@intenvsol.com	
Signature	Email Address	
Integrated Environmental Solutions, LLC	03/25/2021	
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).

P.G. Seal

City of Austin Environmental Resource Inventory - Critical Environmental Feature Worksheet

1	Project Name:	Decker Lane	5	5	Primary Contact Name:	Nicholas Schiwitz
2	Project Address:	10800 block Decker Lane, Austin, Texas 78724	6	6	Phone Number:	214-998-3029
3	Site Visit Date:	08/06/2020	7	7	Prepared By:	Nicholas Schiwitz
4	Environmental Resource Inventory Date:	03/25/2021	8	8	Email Address:	nschiwitz@intenvsol.com

	FEATURE TYPE	FEATURE ID	FEATURE LONGITU	DE	FEATURE LATITUDE	Ξ	WET	LAND	RIMR
9	{Wetland,Rimrock, Bluffs,Recharge		(WGS 1984 in Mete	rs)	(WGS 1984 in Meter	·s)	DIMENS	IONS (ft)	DIME
	Feature,Spring}	(eg S-1)	coordinate	notation	coordinate	notation	Х	Y	Length
	Wetland – artificial pond that filled with sediment to develop seasonally saturated conditions preferred by wetland vegetation. 1:1 mitigation proposed in site plans.	W-1	3,077,451.719850	N	963,108.340286	W	123.3	86.3	

City of Austin Use Only CASE NUMBER:			Please state precision a <u>Method</u>	
			GPS	\checkmark
	For wetlands, locate the	For a spring or seep, locate	Surveyed	
For rimrock, locate the midpoint of the segment that describes the feature.	approximate centroid of the	the source of groundwater	Other	
-	feature and the estimated area.	that feeds a pool or stream.		Professio
A A A A A A A A A A A A A A A A A A A	*	Ċ		

OCK/BLUFF		RECHARGE FEATURE				Springs Est.
NSIONS (ft)		DIMENSIONS				Discharge
A۱	/g Height	Х	Y	Z	Trend	cfs

od of coordinate data collection and the approximate y of the points and the unit of measurement.

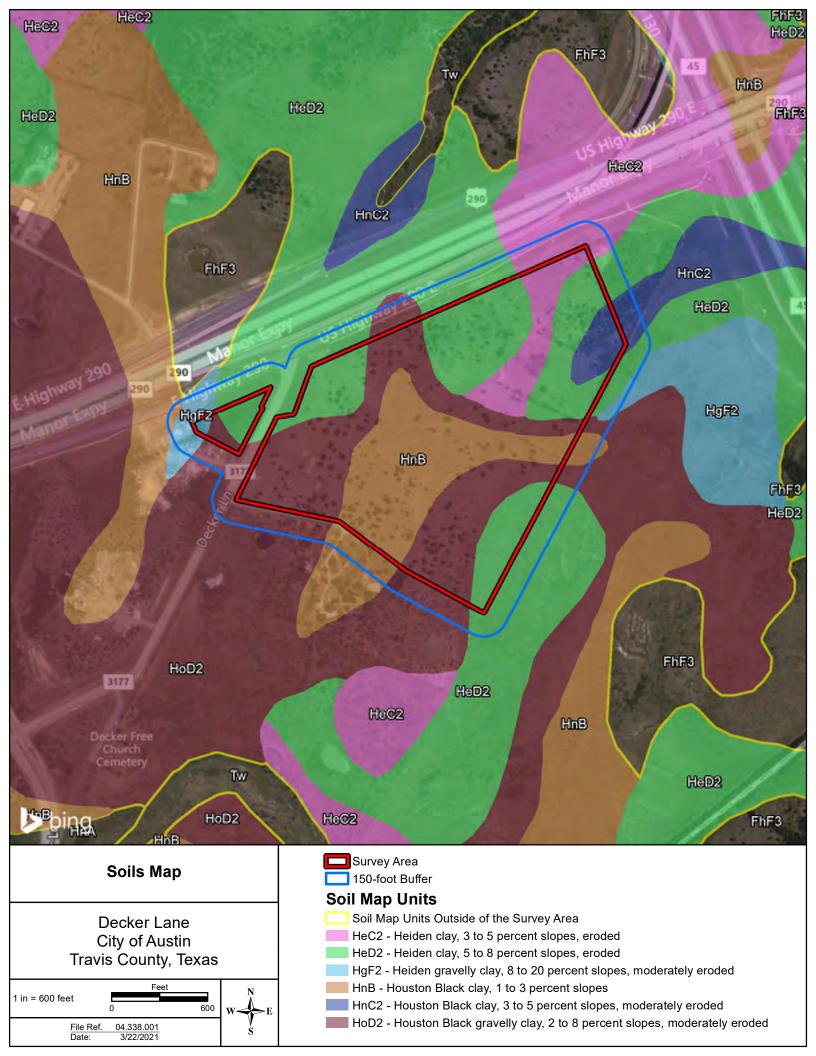
<u>Accuracy</u>

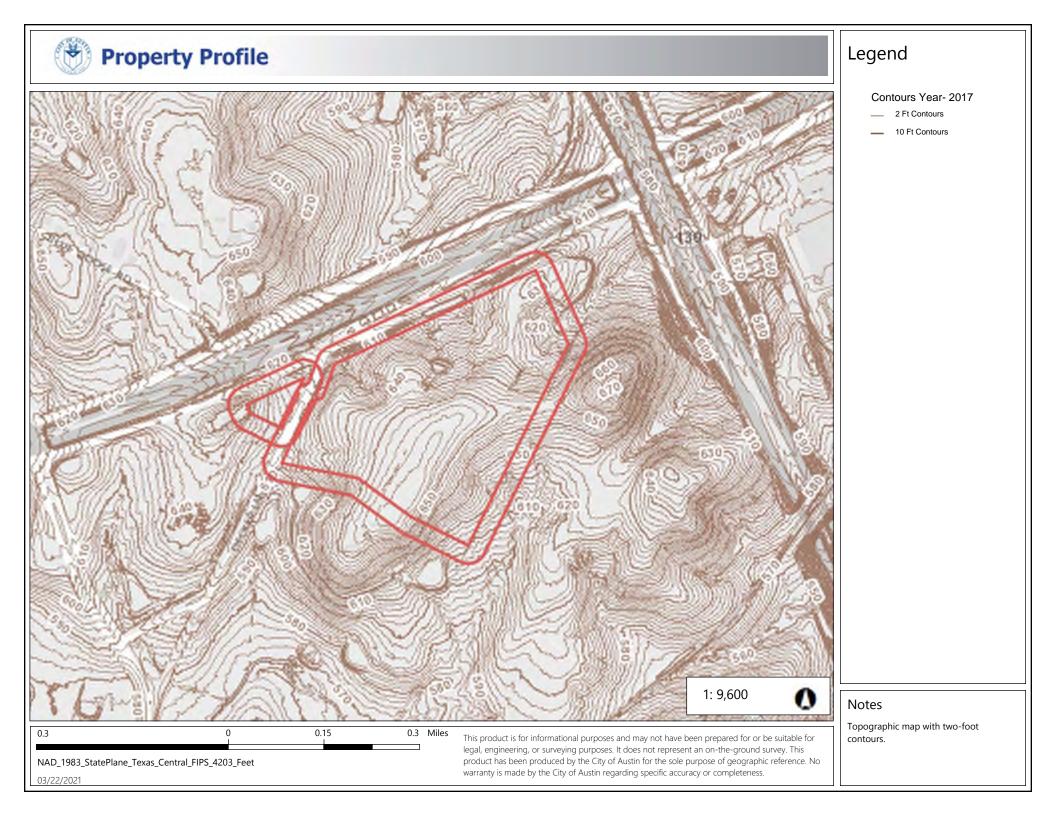
sub-meter 🗹

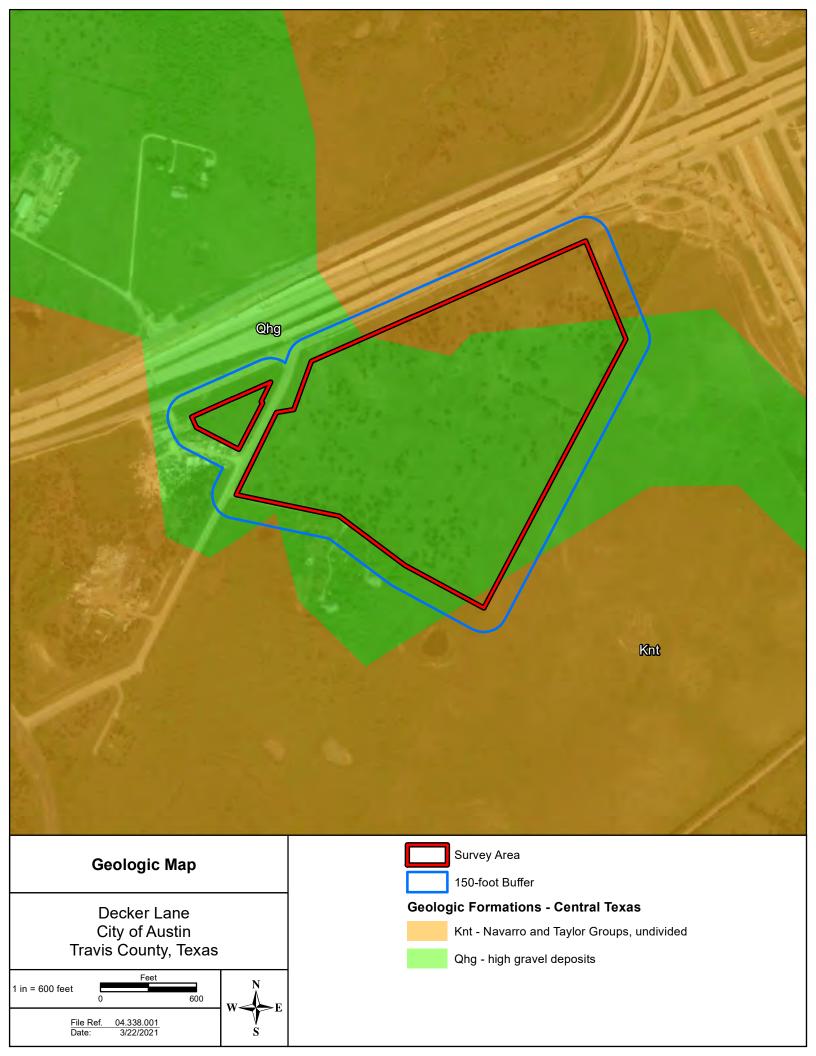
meter

>1 meter

onal Geologists apply seal below







Texas Water Development Board Well Report Sites





8 Plugging Reports

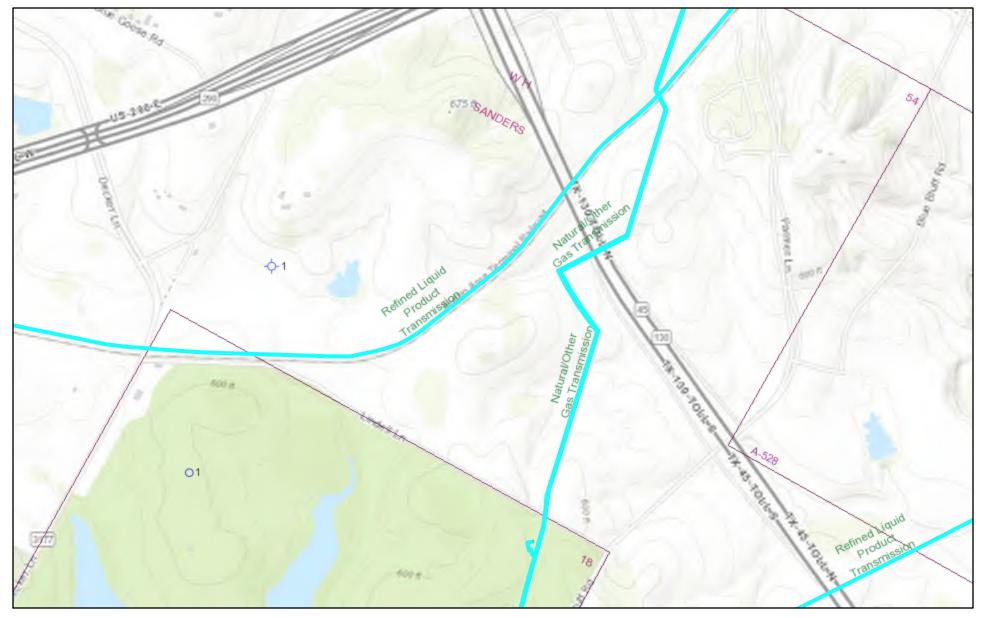
Well Reports

The data in Water Data Interactive represents the best available information provided by the TWDB and third-party cooperators of the TWDB. The TWDB provides information via this web site as a public service. Neither the State of Texas nor the TWDB assumes any legal liability or responsibility or makes any guarantees or warranties as to the accuracy, completeness or suitability of the information for any particular purpose. The TWDB systematically revises or removes data discovered to be incorrect. If you find inaccurate information or have questions, please contact WDI-Support@ wdb1exas.gov.

Source: Es

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Texas Railroad Commission Oil/Gas Well Sites





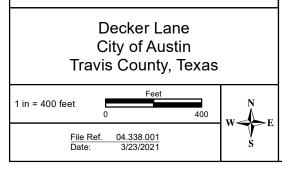
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri







Photograph Location Map









Photograph 1







Photograph 3

Photograph 4

PHASED EROSION CONTROL PLAN

See attached

