

## ITEM FOR ENVIRONMENTAL COMMISSION AGENDA

**COMMISSION MEETING** 

11/16/22

DATE:

NAME & NUMBER OF

PROJECT:

Concordia University Sports Complex, SP-2022-0020C

NAME OF APPLICANT OR

**ORGANIZATION:** 

Kimley-Horn and Associates, Inc., Allison Kennaugh, P.E.

**LOCATION:** 8200 Kilian Road Austin, Texas, 78726

COUNCIL DISTRICT: District 6

ENVIRONMENTAL REVIEW STAFF:

Mel Fuechec, Environmental Review Specialist Senior, Development

Services Department, mel.fuechec@austintexas.gov

WATERSHED: Bull Creek, Water Supply Suburban Classification, Drinking Water

Protection Zone

**REQUEST:** Variance request is as follows:

Request to vary from Lake Austin Watershed Ordinance No. 840301-F Section 9-10-409(b) to allow cut exceeding four feet to fifteen feet.

**STAFF** 

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

**RECOMMENDATION:** 

**STAFF CONDITION:** 

1) The site shall be graded so that no developed surface runoff drains

to the CEF to the east of the track and field.

2) COA 609S native seeding and planting shall be installed in any disturbed area adjacent to the track and field.

3) A one-acre tract shall be dedicated as a conservation easement.



## Development Services Department Staff Recommendations Concerning Required Findings

Project Name: Concordia University Sports Complex, SP-2022-0020C

Ordinance Standard: Schlumberger Planned Development Area, Ordinance No.

20070215-042 (as amended) and Lake Austin Watershed Ordinance No. 840301-F, as stated in the Planned Development

Area

Variance Request: Section 9-10-409(b) – for cut exceeding four feet to fifteen feet

Include an explanation with each applicable finding of fact.

A. Land Use Commission variance determinations from Section 9-10-377 of the City Code:

1. Are there special circumstances applicable to the property involved where strict application deprives such property owner of privileges or safety enjoyed by other similarly situated property with similarly timed development?

Yes In site plan case #SP-2007-0231C, a variance to Lake Austin Ordinance #840301-F, Sections 9-10-409(a) and 9-10-409(b) was granted for a max cut of +/-5.8' and a max fill of +/- 17.5' to construct a parking area, baseball field, and fieldhouse. Thereafter, a variance to the same code sections was granted for a max cut of +/-9.25' and a max fill of +/- 14.85' to construct a water quality and detention facility, a water quality channel, a softball field, and associated parking in site plan case #SP-2013-0476C. A similar variance for cut of +/-8.7 feet and fill of +/-9 feet was granted in site plan case #SP-2020-0038C to construct two water quality/detention facilities, a four story residence hall, and associated parking.

2. Does the project demonstrate minimum departures from the terms of the ordinance necessary to avoid such deprivation of privileges enjoyed by such other property and to facilitate a reasonable use, and which will not create significant probabilities of harmful environmental consequences?

Yes The variance is the minimum departure necessary to avoid the deprivation of privileges enjoyed by such other property and to allow for the University to construct a NCAA sports fields and associated parking and improvements, in accordance with the allowable land use and which will not create significant probabilities of harmful environmental consequences.

The natural slope of the property, the locations of CEF setbacks, the size and orientation required of NCAA compliant facilities, and the requirement that such playing fields maintain a constant elevation necessitate the proposed grading. In an effort to balance the required earthwork and minimize the cut and fill required to the maximum extent practicable, portions of the emergency access road are proposed at the maximum allowable slope for an emergency access road; and the tennis courts are tiered to reduce the amount of grading required for their construction.

Additionally, all developed runoff will be treated by two biofiltration ponds, two detention ponds, and rain gardens. No runoff will flow to the critical environmental features.

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

Yes The proposal does not provide special privileges not enjoyed by other similarly situated properties with similarly timed development and it is not based on a special or unique condition which was created as a result of the method by which a person voluntarily subdivided land after October 20, 1983. The +/- 490-acre Concordia University property is currently subdivided into two large lots. The proposed improvements are on Lot 2 of the Amended Plats of Lot 2, 3, and 4 Schlumburger Subdivision which amended Lots 2, 3, and 4 into one +/- 383-acre lot. This amendment to the plat has no effect on cut or fill

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

- 1) Site shall be graded so that no developed surface runoff drains to the CEF to the east of the track and field.
- 2) Provide COA 609S native seeding and planting in graded areas adjacent to the CEF to the east of the track and field.
- 3) A one-acre tract shall be dedicated as a conservation easement.

Environmental Review (DSD)	Mel Juedu	Date: 9/30/22
	(Mel Fuechec)	
Environmental Policy Program Manager (DSD)	(Mike McDougal)	Date: 11/3/22
Deputy Environmental Officer (WPD)	(Liz Johnston)	Date: 11/3/22



## ITEM FOR ENVIRONMENTAL COMMISSION AGENDA

**COMMISSION MEETING** 

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DATE:

NAME & NUMBER OF

PROJECT:

Concordia University Sports Complex, SP-2022-0020C

NAME OF APPLICANT OR

**ORGANIZATION:** 

Kimley-Horn and Associates, Inc., Allison Kennaugh, P.E.

**LOCATION:** 8200 Kilian Road Austin, Texas, 78726

COUNCIL DISTRICT: District 6

ENVIRONMENTAL REVIEW STAFF:

Mel Fuechec, Environmental Review Specialist Senior, Development

Services Department, mel.fuechec@austintexas.gov

WATERSHED: Bull Creek, Water Supply Suburban Classification, Drinking Water

Protection Zone

**REQUEST:** Variance request is as follows:

Request to vary from Lake Austin Watershed Ordinance No. 840301-F Section 9-10-409(a) to allow fill exceeding four feet up to twelve feet

**STAFF** 

Staff recommends this variance, having determined the findings of fact to

**RECOMMENDATION:** have been met.

**STAFF CONDITION:** 

1) The site shall be graded so that no developed surface runoff drains

to the CEF to the east of the track and field.

2) COA 609S native seeding and planting shall be installed in any

disturbed area adjacent to the track and field.

3) A one-acre tract shall be dedicated as a conservation easement.



## Development Services Department Staff Recommendations Concerning Required Findings

Project Name: Concordia University Sports Complex, SP-2022-0020C

Ordinance Standard: Schlumberger Planned Development Area, Ordinance No.

20070215-042 (as amended) and Lake Austin Watershed Ordinance No. 840301-F, as stated in the Planned Development

Area

Variance Request: Section 9-10-409(a) – for fill exceeding four feet up to twelve feet

Include an explanation with each applicable finding of fact.

A. Land Use Commission variance determinations from Section 9-10-377 of the City Code:

1. Are there special circumstances applicable to the property involved where strict application deprives such property owner of privileges or safety enjoyed by other similarly situated property with similarly timed development?

Yes In site plan case #SP-2007-0231C, a variance to Lake Austin Ordinance #840301-F, Sections 9-10-409(a) and 9-10-409(b) was granted for a max cut of  $\pm$ 0.8 and a max fill of  $\pm$ 17.5 to construct a parking area, baseball field, and fieldhouse. Thereafter, a variance to the same code sections was granted for a max cut of  $\pm$ 0.25 and a max fill of  $\pm$ 14.85 to construct a water quality and detention facility, a water quality channel, a softball field, and associated parking in site plan case #SP-2013-0476C. A similar variance for cut of  $\pm$ 0.7 feet and fill of  $\pm$ 0.9 feet was granted in site plan case #SP-2020-0038C to construct two water quality/detention facilities, a four story residence hall, and associated parking.

2. Does the project demonstrate minimum departures from the terms of the ordinance necessary to avoid such deprivation of privileges enjoyed by such other property and to facilitate a reasonable use, and which will not create significant probabilities of harmful environmental consequences?

Yes The variance is the minimum departure necessary to avoid the deprivation of privileges enjoyed by such other property and to allow for the University to construct a NCAA sports fields and associated parking and improvements, in accordance with the allowable land use and which will not create significant probabilities of harmful environmental consequences.

The natural slope of the property, the locations of CEF setbacks, the size and orientation required of NCAA compliant facilities, and the requirement that such playing fields maintain a constant elevation necessitate the proposed grading. In an effort to balance the required earthwork and minimize the cut and fill required to the maximum extent practicable, portions of the emergency access road are proposed at the maximum allowable slope for an emergency access road; and the tennis courts are tiered to reduce the amount of grading required for their construction.

Additionally, all developed runoff will be treated by two biofiltration ponds, two detention ponds, and rain gardens. No runoff will flow to the critical environmental features.

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

Yes The proposal does not provide special privileges not enjoyed by other similarly situated properties with similarly timed development and it is not based on a special or unique condition which was created as a result of the method by which a person voluntarily subdivided land after October 20, 1983. The +/- 490-acre Concordia University property is currently subdivided into two large lots. The proposed improvements are on Lot 2 of the Amended Plats of Lot 2, 3, and 4 Schlumburger Subdivision which amended Lots 2, 3, and 4 into one +/- 383-acre lot. This amendment to the plat has no effect on cut or fill.

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

- 1) Site shall be graded so that no developed surface runoff drains to the CEF to the east of the track and field.
- 2) Provide COA 609S native seeding and planting in graded areas adjacent to the CEF to the east of the track and field.
- 3) A one-acre tract shall be dedicated as a conservation easement.

Environmental Review
(DSD)

(Mel Fuechec)

Environmental Policy
Program Manager (DSD)

Deputy Environmental
Officer (WPD)

Date: 9/30/22

(Mel Fuechec)

Date: 11/3/22

Date: 11/3/22



# **ENVIRONMENTAL BOARD VARIANCE APPLICATION**

Applicant Variance Request Letter

September 29, 2022

City of Austin
Development Services Department
6310 Wilhelmina Delco Dr.
Austin, TX 78752

Re: Variance Request Letter - Cut

Concordia University Sports Complex - Site Plan Application SP-2022-0020C

8200 Kilian Road Austin, Texas 78726

To Whom It May Concern:

## INTRODUCTION

Please accept this letter as a request for a variance to the Lake Austin Ordinance #840301-F, Section 9-10-409(B) for a max cut of +/- 14.7 ft for the above referenced project.

## **PROJECT DESCRIPTION**

The Concordia University Texas campus is an existing campus located at 11400 Concordia University Drive in northwest Austin, Texas and Travis County. The existing property is approximately 439 acres including approximately 250 acres of preserve land. The campus has existing improvements including institutional buildings, residence hall buildings, athletic facilities, private drives, underground utilities storm drains, stormwater ponds, and auxiliary improvements.

The proposed campus improvements include a number of NCAA compliant sports facilities such as an artificial turf soccer field, track and field with natural grass interior for field events, and 8 tennis courts. This project also includes a proposed grand-stand building, associated parking lot, pedestrian improvements, two biofiltration water quality ponds, two detention ponds, multiple rain gardens, and associated utility improvements. This project is located within the Bull Creek Watershed, classified as a Water Supply Suburban Watershed. The site is located within the Edwards Aquifer Recharge Zone according to the City of Austin GIS. Critical water quality zones, water quality transition zones, and critical environmental features are located on the southern and eastern portion of the site, however the site has been thoughtfully laid out so that no development will occur in these locations. The existing terrain has an average slopes ranging from 10-20%, is heavily wooded, and has some grass cover.

No requests for a variance to CEF buffers, WQTZ or CWQZ areas are being requested. If you have any questions or comments regarding this request, please contact me at 512-271-6314.

Sincerely,

Allisan Kennaugh

Allison Kennaugh, P.E. Project Manager

# PROJECT DESCRIPTION Applicant Contact Information

Name of Applicant	Kimley-Horn and Associates, Inc. – Allison Kennaugh, P.E.
Street Address	10814 Jollyville Road, Building IV, Suite 200
City State ZIP Code	Austin, Texas 78759
Work Phone	512-782-0614
E-Mail Address	Allison.kennaugh@kimley-horn.com

Va	Variance Case Information			
Ca	ase Name	Concordia University Sports Complex		
Ca	ase Number	SP-2022-0020C	SP-2022-0020C	
Ad	ddress or Location	8200 Kilian Road, Austin, TX 78726		
	nvironmental Reviewer ame	Mel Fuechec		
Ap	oplicable Ordinance	Lake Austin Ordinance #840301-F, Section 9-10-409(B)		
W	atershed Name	Bull Creek		
Watershed Classification ☐ Urban ☐ Suburban X Water Supply Suburban ☐ Water Supply Rural ☐ Barton Springs Zone		□Urban □ Suburban <u>X Water Supply Suburban</u> □Water Supply Rural □ Barton Springs Zone		
Edwards Aquifer Recharge Zone		<ul> <li>□ Barton Springs Segment X Northern Edwards Segment</li> <li>□ Not in Edwards Aquifer Zones</li> </ul>		
Edwards Aquifer Contributing Zone		」 □ Yes X No	☐ Yes X No	
Distance to Nearest Classified Waterway		The Water Quality and Detention Facilities are located approximately 250' away from the centerline of a classified waterway. The proposed paving, building, parking lot, and other site infrastructure are located significantly further from the waterway.		
Water and Waste Water service to be provided by		Austin Water Utility		
Request		The variance request is as follows: The Variance Request is for a variance to the Lake Austin Ordinance #840301-F, Section 9-10-409(B) for a max cut of +/- 14.7 ft.		
	Impervious cover	Existing Proposed		
	square footage:	1,376,771		

acreage:	31.61	40.58
percentage:	10.43%	13.39%

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 Concordia University Texas campus is an existing campus located at 11400 Concordia University Drive in northwest Austin, Texas and Travis County. The existing property is approximately 439 acres including approximately 250 acres of preserve land. The campus has existing improvements including buildings, athletic facilities, private drives, underground utilities storm drains, stormwater ponds, and auxiliary improvements.

The proposed campus improvements include a number of NCAA compliant sports facilities such as an artificial turf soccer field, track and field with natural grass interior for field events, and 8 tennis courts. This project also includes a proposed grand-stand building, associated parking lot, pedestrian improvements, two biofiltration water quality ponds, two detention ponds, multiple rain gardens, and associated utility improvements. This project is located within the Bull Creek Watershed, classified as a Water Supply Suburban Watershed. The site is located within the Edwards Aquifer Recharge Zone according to the City of Austin GIS. Critical water quality zones, water quality transition zones, and critical environmental features are located on the southern and eastern portion of the site, however the site has been thoughtfully laid out so that no development will occur in these locations. The terrain is an average of 10-20% slopes and is heavily wooded with some grass cover.

Clearly indicate in what way the proposed project does not comply with current Code (include maps and exhibits)

The proposed cut does not comply with the applicable code for the project. Cut and fill is restricted to 4' max per the Lake Austin Ordinance #840301-F, Section 9-10-409(B). The proposed project proposes a maximum cut of +/- 14.7 ft in order to construct the NCAA-compliant track and field, proposed building, associated paving improvements, and the associated detention pond remediation.

### **FINDINGS**

A. Land Use Commission variance determinations from Sections 9-10-409(b) of the Lake Austin Ordinance:

According to Section 9-10-377 (a) of the Lake Austin Ordinance, Variances from the terms of this division may be granted by the Planning Commission only if it is found that:

1. Are there special circumstances applicable to the property involved where strict application deprives such property owner of privileges or safety enjoyed by other similarly situated property with similarly timed development?

Yes, variances to Lake Austin Ordinance #840301-F, Sections 9-10-409(a) and 9-10-409(b) were granted in 2008 for a max cut of +/-5.8' and a max fill of +/- 17.5' to construct a parking area, baseball field, and fieldhouse for Concordia University Texas under City of Austin Case #SP-2007-0231C.

Cut/fill variances were granted in 2014 for a max cut of +/-9.25' and a max fill of +/- 14.85' to construct a water quality and detention facility, a water quality channel, a softball field, and associated parking for Concordia University Texas under City of Austin Case #SP-2013-0476C.

Finally, other cut/fill variances were granted in 2021 for a max cut of +/-8.7' and a max fill of +/- 9.0' to construct two water quality and detention facilities, a 4-story residence hall, and associated parking for Concordia University Texas under City of Austin Case #SP-2020-0038C.

2. Does the project demonstrate minimum departures from the terms of the ordinance necessary to avoid such deprivation of privileges enjoyed by such other property and to facilitate a reasonable use, and which will not create significant probabilities of harmful environmental consequences?

Yes, the variance is the minimum departure necessary to avoid the deprivation of privileges enjoyed by such other property and to allow for the University to construct sports complex facilities in accordance with the allowable land use.

Concordia University resides on a tract of land in west Austin that has significant topographic relief. Constructing buildings or surface parking generally requires substantial cut and/or fill as is the case with the proposed sports fields/surfaces, building, and surface parking lot/drive aisles for this project. Additionally, solar orientation is an important factor that informs athletic field orientation and layout. A private drive is proposed along the western property line to provide fire and emergency access to the athletic facilities from the adjacent ROW at the cul-de-sac of Rock Harbour Drive. As the internal drive extends to the north, it also serves to provide internal vehicular connectivity between a number of proposed surface parking stalls the existing campus circulation routes. Proposed grades within the parking lot allow for a navigable transition from the private drive along the western property line while maintaining adequate slopes to alleviate "heavy doors" which occurs when steep slopes make it difficult to open/close vehicular doors safely. As a result, the proposed slopes within the parking lot require cut in excess of four feet. For portions of the fire lane north of the building, the proposed

slope is approaching 10% in an effort to minimize cut in this area, which is the maximum allowable slope for an emergency access road.

The primary focus of this project for the University is to provide an NCAA compliant training and playing facility for student-athletes so that Concordia students can enjoy the same opportunities as students attending other local and regional universities. The elevation of the track & field is set with the intention to balance the site earthwork across the project and to consider how the proposed collective site elevations will interact with multiple CEF's (Critical Environmental Features) along the north, east, and southern boundaries of the site. Cut in excess of 4 feet may be seen in the northwest corners of the track & field and soccer field and fill in excess of 4 feet in the southeast corner of these fields. The sheer size of the NCAA-compliant soccer fields and track & field requires a considerable amount of cut and fill across the existing grade since these sports features must remain at one elevation plane.

The proposed building/ticketing/restrooms are oriented parallel to the northern end of the track and field to provide ticketing and restrooms at a central location to the facilities, which is a code requirement. The elevation of the building is set relative to the track to allow pedestrian access at track and field level. The site has numerous environmental constraints that limit both the area that can be developed and the locations for fields, courts, and ancillary building structures. There are six (6) CEF's on or within 150' from the project site: three (3) springs/seeps, one point recharge feature, one canyon rimrock and one wetland. The site also has a karst feature for which we are allotting a 300' diameter easement. There is also a tree preserve adjacent to the site which is the home to the Jollyville Plateau Salamanders and the Golden-Cheeked Warbler. Taking all of these items into account along with the orientation of the track and field, we are not able to place the building parallel to existing topography and must orient it perpendicular to existing slopes. Even still, the elevations of the collective proposed facilities are set to minimize cut to the maximum extend practicable given the site constraints.

The tennis courts are intentionally tiered to assist in alleviating the amount of earthwork required for their construction. Two western tennis courts are set a higher elevation, and six eastern courts are stepped down by 5'-6'. These elevations were set by maintaining access to the ADA-compliant sidewalk to the north of the proposed tennis courts. There are access gates to these tennis courts that open up to this existing E-W sidewalk. This route will connect to the existing ADA route for the campus.

All known environmental features on the campus have been considered as part of the land planning efforts. Proposed improvements associated with this project, including the earthwork, remain outside of the established buffers for the environmental features. Onsite water quality and detention controls are proposed to mitigate the impact of additional stormwater runoff as result of the project. Biofiltration ponds and rain gardens have been implemented to utilize native plantings and enhance the environmental impact associated with this project. Furthermore, tree retaining walls are proposed to preserve multiple existing trees.

3. The proposal does not provide special privileges not enjoyed by other similarly situated properties with similarly timed development and is not based on a special or unique condition which was created as a result of the method by which a person voluntarily subdivided land after October 20, 1983. Correct, the proposal does not provide special privileges not enjoyed by other similarly situated properties with similarly timed development and it is not based on a special or unique condition which was created as a result of the method by which a person voluntarily subdivided land after October 20, 1983. The +/- 490-acre Concordia University property is currently subdivided into two large lots and in no way has been subdivided in a way that would limit development in regard to cut and fill. The proposed improvements are on Lot 2 of the Amended Plat of Lots 2, 3, and 4 Schlumberger Subdivision which amended Lots 2, 3 and 4 into one +/-383-acre lot. This amendment to the plat has no effect on cut and fill.

<sup>\*\*</sup>Variance approval requires all above affirmative findings.



# **ENVIRONMENTAL BOARD VARIANCE APPLICATION**

Applicant Variance Request Letter

September 29, 2022

City of Austin
Development Services Department
6310 Wilhelmina Delco Dr.
Austin, TX 78752

Re: Variance Request Letter - Fill

Concordia University Sports Complex - Site Plan Application SP-2022-0020C

8200 Kilian Road Austin, Texas 78726

To Whom It May Concern:

## INTRODUCTION

Please accept this letter as a request for a variance to the Lake Austin Ordinance #840301-F, Section 9-10-409(A) for a max fill of +/- 12.0 ft for the above referenced project.

## **PROJECT DESCRIPTION**

The Concordia University Texas campus is an existing campus located at 11400 Concordia University Drive in northwest Austin, Texas and Travis County. The existing property is approximately 439 acres including approximately 250 acres of preserve land. The campus has existing improvements including institutional buildings, residence hall buildings, athletic facilities, private drives, underground utilities storm drains, stormwater ponds, and auxiliary improvements.

The proposed campus improvements include a number of NCAA compliant sports facilities such as an artificial turf soccer field, track and field with natural grass interior for field events, and 8 tennis courts. This project also includes a proposed grand-stand building, associated parking lot, pedestrian improvements, two biofiltration water quality ponds, two detention ponds, multiple rain gardens, and associated utility improvements. This project is located within the Bull Creek Watershed, classified as a Water Supply Suburban Watershed. The site is located within the Edwards Aquifer Recharge Zone according to the City of Austin GIS. Critical water quality zones, water quality transition zones, and critical environmental features are located on the southern and eastern portion of the site, however the site has been thoughtfully laid out so that no development will occur in these locations. The existing terrain has an average slopes ranging from 10-20%, is heavily wooded, and has some grass cover.

No requests for a variance to CEF buffers, WQTZ or CWQZ areas are being requested. If you have any questions or comments regarding this request, please contact me at 512-271-6314.

Sincerely,

Allisan Kennaugh

Allison Kennaugh, P.E. Project Manager

# PROJECT DESCRIPTION Applicant Contact Information

Name of Applicant	Kimley-Horn and Associates, Inc. – Allison Kennaugh, P.E.
Street Address	10814 Jollyville Road, Building IV, Suite 200
City State ZIP Code	Austin, Texas 78759
Work Phone	512-782-0614
E-Mail Address	Allison.kennaugh@kimley-horn.com

Va	Variance Case Information		
Ca	ase Name	Concordia University Sports Complex	
Ca	ase Number	Number SP-2022-0020C	
Ad	ddress or Location	8200 Kilian Road, Austin, TX 78726	
	nvironmental Reviewer ame	Mel Fuechec	
Ap	oplicable Ordinance	Lake Austin Ordinance #840301-F, S	Section 9-10-409(B)
W	atershed Name	Bull Creek	
W	atershed Classification		( Water Supply Suburban rton Springs Zone
	wards Aquifer Recharge ☐ Barton Springs Segment <u>X Northern Edwards Segment</u> ne ☐ Not in Edwards Aquifer Zones		rthern Edwards Segment
	dwards Aquifer Contributing		
	Distance to Nearest Classified Waterway  The Water Quality and Detention Facilities are located approximately 250' away from the centerline of a classified waterway. The proposed paving, building, parking lot, and other site infrastructure are located significantly further from the waterway.		
	Water and Waste Water service to be provided by  Austin Water Utility		
Request  The variance request is as follows: The Variance Request is the Lake Austin Ordinance #840301-F, Section 9-10-409(A) 12.0 ft.		•	
	Impervious cover	Existing	Proposed
	square footage:	1,376,771	1,767,473

acreage:	31.61	40.58
percentage:	10.43%	13.39%

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 Concordia University Texas campus is an existing campus located at 11400 Concordia University Drive in northwest Austin, Texas and Travis County. The existing property is approximately 439 acres including approximately 250 acres of preserve land. The campus has existing improvements including buildings, athletic facilities, private drives, underground utilities storm drains, stormwater ponds, and auxiliary improvements.

The proposed campus improvements include a number of NCAA compliant sports facilities such as an artificial turf soccer field, track and field with natural grass interior for field events, and 8 tennis courts. This project also includes a proposed grand-stand building, associated parking lot, pedestrian improvements, two biofiltration water quality ponds, two detention ponds, multiple rain gardens, and associated utility improvements. This project is located within the Bull Creek Watershed, classified as a Water Supply Suburban Watershed. The site is located within the Edwards Aquifer Recharge Zone according to the City of Austin GIS. Critical water quality zones, water quality transition zones, and critical environmental features are located on the southern and eastern portion of the site, however the site has been thoughtfully laid out so that no development will occur in these locations. The terrain is an average of 10-20% slopes and is heavily wooded with some grass cover.

Clearly indicate in what way the proposed project does not comply with current Code (include maps and exhibits)

The proposed fill does not comply with the applicable code for the project. Fill is restricted to 4' max per the Lake Austin Ordinance #840301-F, Section 9-10-409(A). The proposed project proposes a maximum fill of +/- 12.0 ft in order to construct the NCAA-compliant track and field, proposed building, associated paving improvements, and the associated detention pond remediation.

### **FINDINGS**

A. Land Use Commission variance determinations from Sections 9-10-409(A) of the Lake Austin Ordinance:

According to Section 9-10-377 (a) of the Lake Austin Ordinance, Variances from the terms of this division may be granted by the Planning Commission only if it is found that:

1. Are there special circumstances applicable to the property involved where strict application deprives such property owner of privileges or safety enjoyed by other similarly situated property with similarly timed development?

Yes, variances to Lake Austin Ordinance #840301-F, Sections 9-10-409(a) and 9-10-409(b) were granted in 2008 for a max fill of +/-5.8' and a max fill of +/- 17.5' to construct a parking area, baseball field, and fieldhouse for Concordia University Texas under City of Austin Case #SP-2007-0231C.

Cut/fill variances were granted in 2014 for a max cut of +/-9.25' and a max fill of +/- 14.85' to construct a water quality and detention facility, a water quality channel, a softball field, and associated parking for Concordia University Texas under City of Austin Case #SP-2013-0476C.

Finally, other cut/fill variances were granted in 2021 for a max cut of +/-8.7' and a max fill of +/- 9.0' to construct two water quality and detention facilities, a 4-story residence hall, and associated parking for Concordia University Texas under City of Austin Case #SP-2020-0038C.

2. Does the project demonstrate minimum departures from the terms of the ordinance necessary to avoid such deprivation of privileges enjoyed by such other property and to facilitate a reasonable use, and which will not create significant probabilities of harmful environmental consequences?

Yes, the variance is the minimum departure necessary to avoid the deprivation of privileges enjoyed by such other property and to allow for the University to construct sports complex facilities in accordance with the allowable land use.

Concordia University resides on a tract of land in west Austin that has significant topographic relief. Constructing buildings or surface parking generally requires substantial cut and/or fill as is the case with the proposed sports fields/surfaces, building, and surface parking lot/drive aisles for this project. Additionally, solar orientation is an important factor that informs athletic field orientation and layout. A private drive is proposed along the western property line to provide fire and emergency access to the athletic facilities from the adjacent ROW at the cul-de-sac of Rock Harbour Drive. As the internal drive extends to the north, it also serves to provide internal vehicular connectivity between a number of proposed surface parking stalls the existing campus circulation routes.

The primary focus of this project for the University is to provide an NCAA compliant training and playing facility for student-athletes so that Concordia students can enjoy the same opportunities as students attending other local and regional universities. The elevation of the track & field is set with the intention to balance the site earthwork across

the project and to consider how the proposed collective site elevations will interact with multiple CEF's (Critical Environmental Features) along the north, east, and southern boundaries of the site. Cut in excess of 4 feet may be seen in the northwest corners of the track & field and soccer field, and fill in excess of 4 feet in the southeast corner of these fields. The sheer size of the NCAA-compliant soccer fields and track & field requires a considerable amount of cut and fill across the existing grade since these sports features must remain at one elevation plane.

The proposed building/ticketing/restrooms are oriented parallel to the northern end of the track and field to provide ticketing and restrooms at a central location to the facilities, which is a code requirement. The elevation of the building is set relative to the track to allow pedestrian access at track and field level. The site has numerous environmental constraints that limit both the area that can be developed and the locations for fields, courts, and ancillary building structures. There are six (6) CEF's on or within 150' from the project site: three (3) springs/seeps, one point recharge feature, one canyon rimrock and one wetland. The site also has a karst feature for which we are allotting a 300' diameter easement. There is also a tree preserve adjacent to the site which is the home to the Jollyville Plateau Salamanders and the Golden-Cheeked Warbler. Taking all of these items into account along with the orientation of the track and field, we are not able to place the building parallel to existing topography and must orient it perpendicular to existing slopes. Even still, the elevations of the collective proposed facilities are set to minimize cut and fill to the maximum extent practicable given the site constraints.

The tennis courts are intentionally tiered to assist in alleviating the amount of earthwork required for their construction. Two western tennis courts are set a higher elevation, and six eastern courts are stepped down by 5'-6'. These elevations were set by maintaining access to the ADA-compliant sidewalk to the north of the proposed tennis courts. There are access gates to these tennis courts that open up to this existing E-W sidewalk. This route will connect to the existing ADA route for the campus.

All known environmental features on the campus have been considered as part of the land planning efforts. Proposed improvements associated with this project, including the earthwork, remain outside of the established buffers for the environmental features. Onsite water quality and detention controls are proposed to mitigate the impact of additional stormwater runoff as result of the project. Biofiltration ponds and rain gardens have been implemented to utilize native plantings and enhance the environmental impact associated with this project. Furthermore, tree retaining walls are proposed to preserve multiple existing trees.

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

Correct, the proposal does not provide special privileges not enjoyed by other similarly situated properties with similarly timed development and it is not based on a special or unique condition which was created as a result of the method by which a person voluntarily subdivided land after October 20, 1983. The +/- 490-acre Concordia University property is currently subdivided into two large lots and in no way has been subdivided in a way that would limit development in regard to cut and fill. The proposed improvements are on Lot 2 of the Amended Plat of Lots 2, 3, and 4 Schlumberger Subdivision which amended Lots 2, 3 and 4 into one +/-383-acre lot. This amendment to the plat has no effect on cut and fill.

<sup>\*\*</sup>Variance approval requires all above affirmative findings.



September 29, 2022

City of Austin
Development Services Department
6310 Wilhelmina Delco Dr.
Austin, TX 78752

Re: Variance Request Letter – Cut

Concordia University Sports Complex - Site Plan Application SP-2022-0020C

8200 Kilian Road Austin, Texas 78726

To Whom It May Concern:

#### INTRODUCTION

Please accept this letter as a request for a variance to the Lake Austin Ordinance #840301-F, Section 9-10-409(B) for a max cut of +/- 14.7 ft for the above referenced project.

## PROJECT DESCRIPTION

The Concordia University Texas campus is an existing campus located at 11400 Concordia University Drive in northwest Austin, Texas and Travis County. The existing property is approximately 439 acres including approximately 250 acres of preserve land. The campus has existing improvements including buildings, athletic facilities, private drives, underground utilities storm drains, stormwater ponds, and auxiliary improvements.

The proposed campus improvements include a number of NCAA compliant sports facilities such as an artificial turf soccer field, track and field with natural grass interior for field events, and 8 tennis courts. This project also includes a proposed grand-stand building, associated parking lot, pedestrian improvements, two biofiltration water quality ponds, two detention ponds, multiple rain gardens, and associated utility improvements. This project is located within the Bull Creek Watershed, classified as a Water Supply Suburban Watershed. The site is located within the Edwards Aquifer Recharge Zone according to the City of Austin GIS. Critical water quality zones, water quality transition zones, and critical environmental features are located on the southern and eastern portion of the site, however the site has been thoughtfully laid out so that no development will occur in these locations. The existing terrain has an average slope ranging from 10-20%, is heavily wooded, and has some grass cover.



No requests for a variance to CEF buffers, WQTZ or CWQZ areas are being requested. If you have any questions or comments regarding this request, please contact me at 512-271-6314.

Sincerely,

Allison Kennaugh, P.E.

Allisan Kennaugh

Project Manager



September 29, 2022

City of Austin
Development Services Department
6310 Wilhelmina Delco Dr.
Austin, TX 78752

Re: Variance Request Letter - Fill

Concordia University Sports Complex - Site Plan Application SP-2022-0020C

8200 Kilian Road Austin, Texas 78726

To Whom It May Concern:

#### INTRODUCTION

Please accept this letter as a request for a variance to the Lake Austin Ordinance #840301-F, Section 9-10-409(A) for a max fill of +/- 12.0 ft for the above referenced project.

## PROJECT DESCRIPTION

The Concordia University Texas campus is an existing campus located at 11400 Concordia University Drive in northwest Austin, Texas and Travis County. The existing property is approximately 439 acres including approximately 250 acres of preserve land. The campus has existing improvements including buildings, athletic facilities, private drives, underground utilities storm drains, stormwater ponds, and auxiliary improvements.

The proposed campus improvements include a number of NCAA compliant sports facilities such as an artificial turf soccer field, track and field with natural grass interior for field events, and 8 tennis courts. This project also includes a proposed grand-stand building, associated parking lot, pedestrian improvements, two biofiltration water quality ponds, two detention ponds, multiple rain gardens, and associated utility improvements. This project is located within the Bull Creek Watershed, classified as a Water Supply Suburban Watershed. The site is located within the Edwards Aquifer Recharge Zone according to the City of Austin GIS. Critical water quality zones, water quality transition zones, and critical environmental features are located on the southern and eastern portion of the site, however the site has been thoughtfully laid out so that no development will occur in these locations. The existing terrain has an average slope ranging from 10-20%, is heavily wooded, and has some grass cover.



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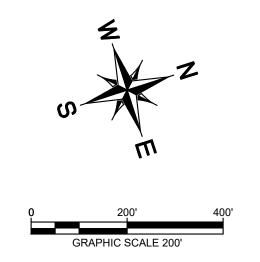
Sincerely,

Allison Kennaugh, P.E.

Allisan Kennaugh

Project Manager





PROPERTY LINE

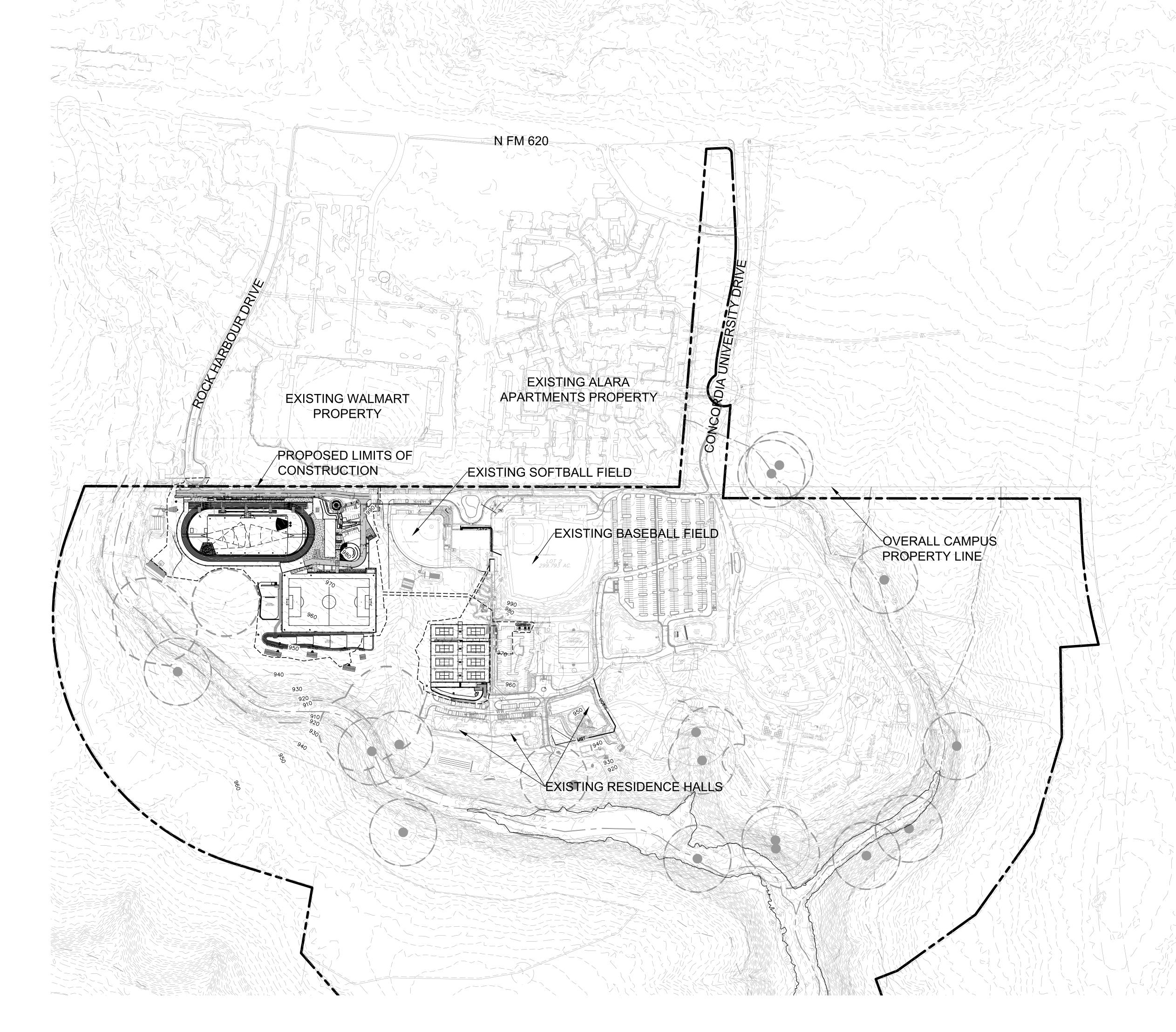
LIMITS OF CONSTRUCTION

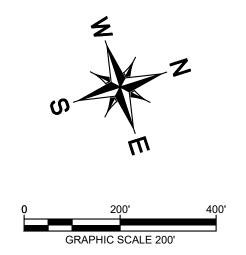
AERIAL VICINITY MAP

Concordia Unviersity Sports Complex

September 202





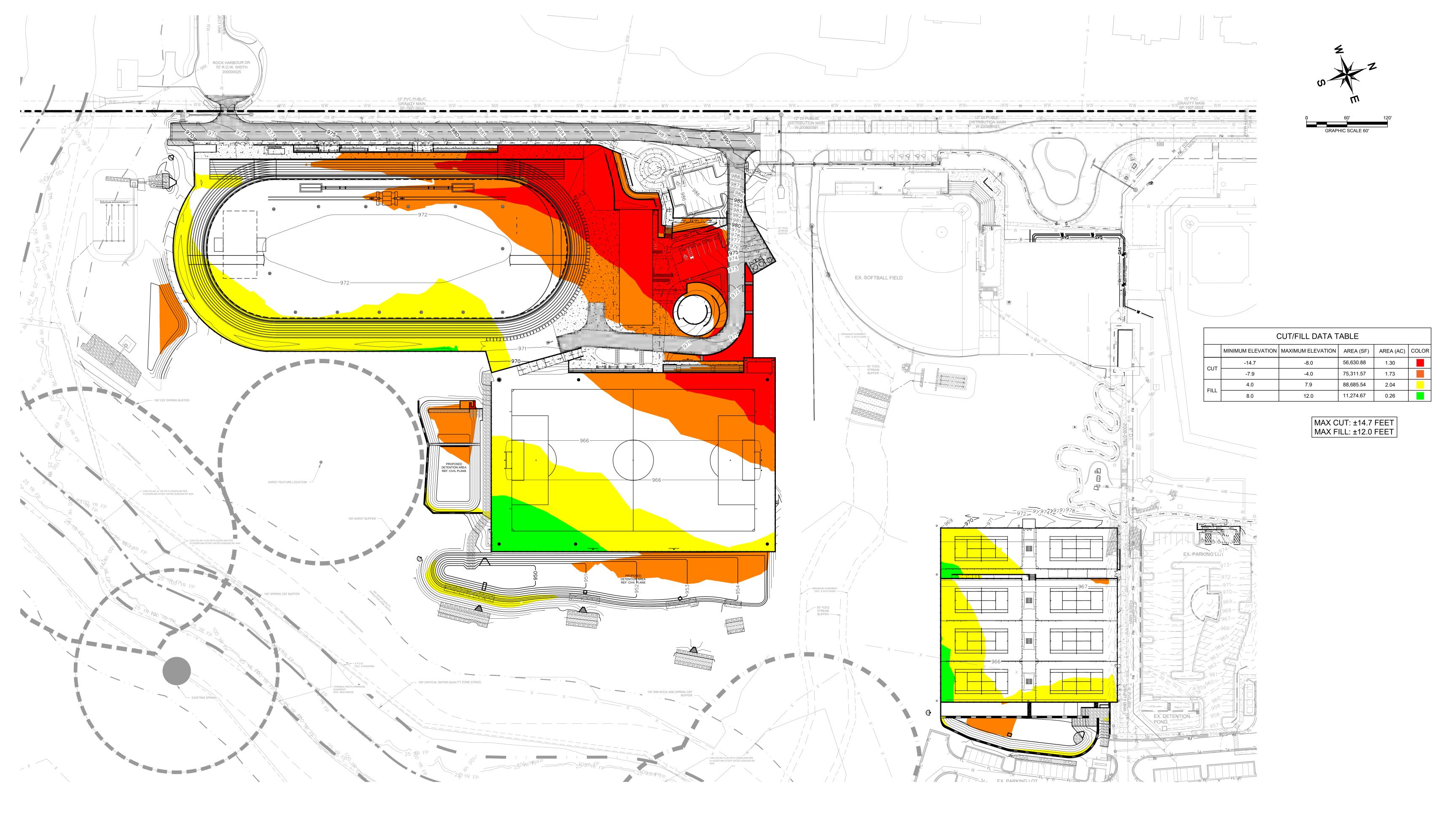


TOPOGRAPHIC MAP

Concordia Unviersity Sports Complex

September 2



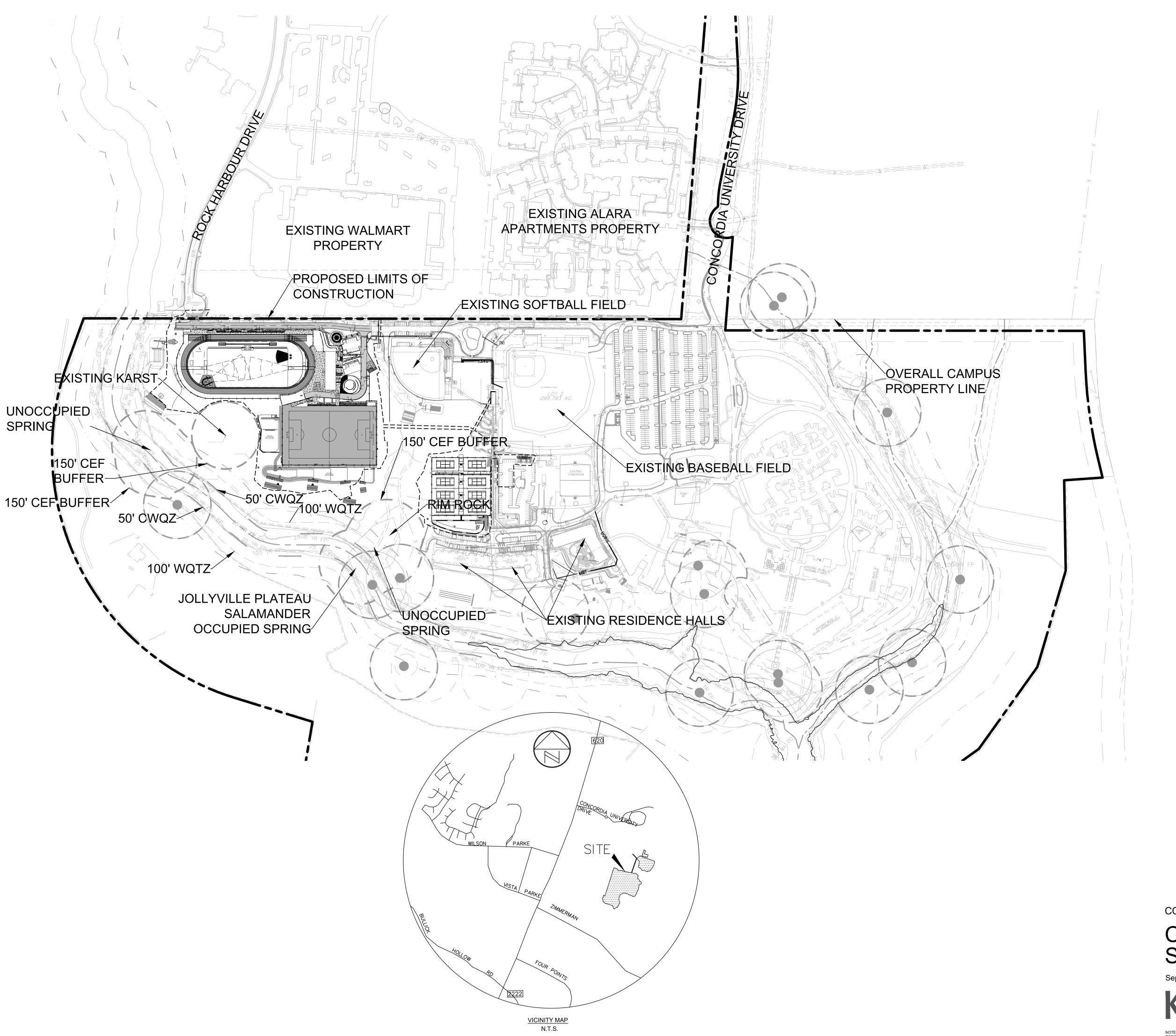


CUT/FILL EXHIBIT

Concordia Unviersity Sports Complex

October 202





0 200' 400'

— — — PROPERTY LINE

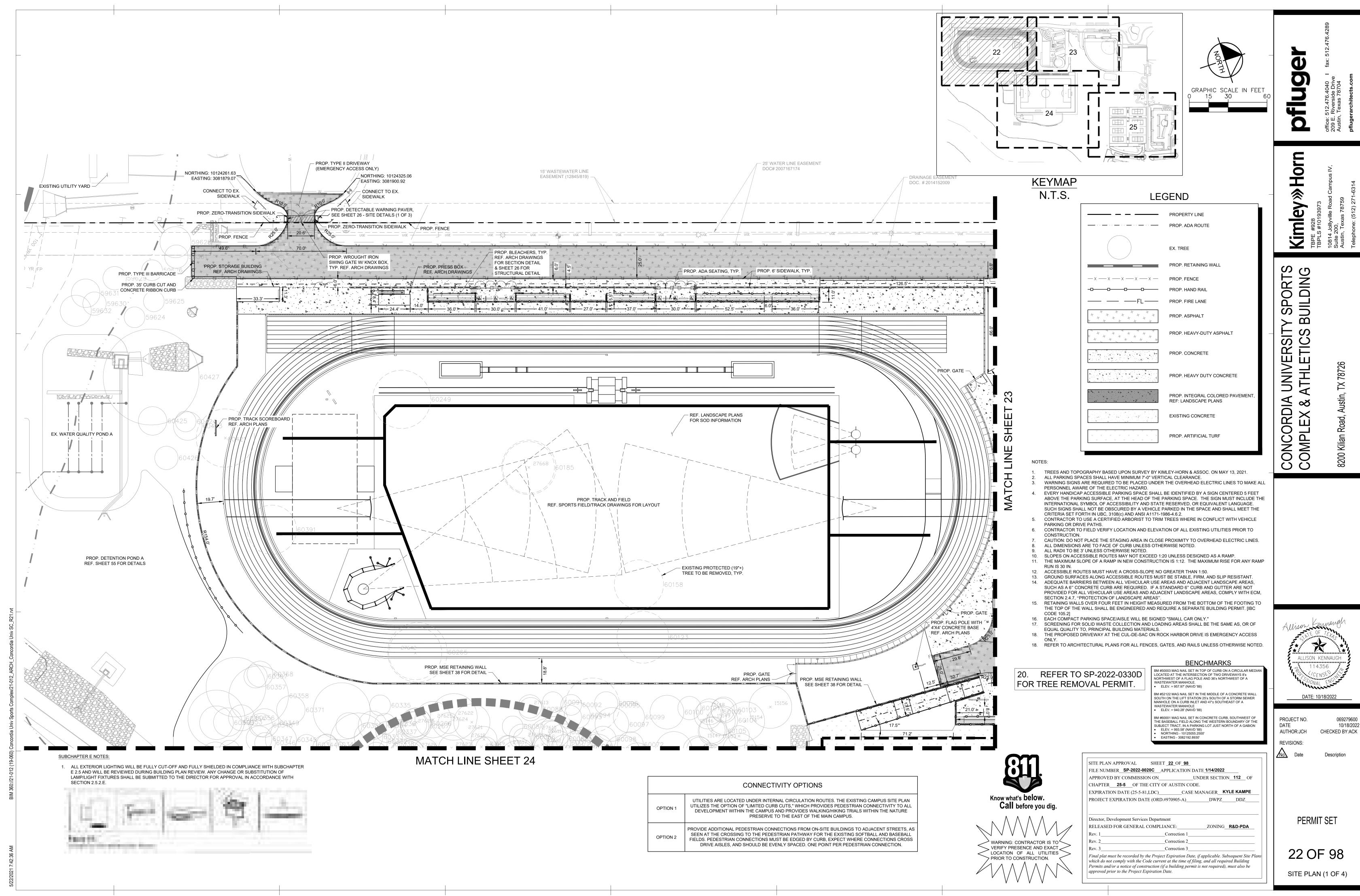
LIMITS OF CONSTRUCTION

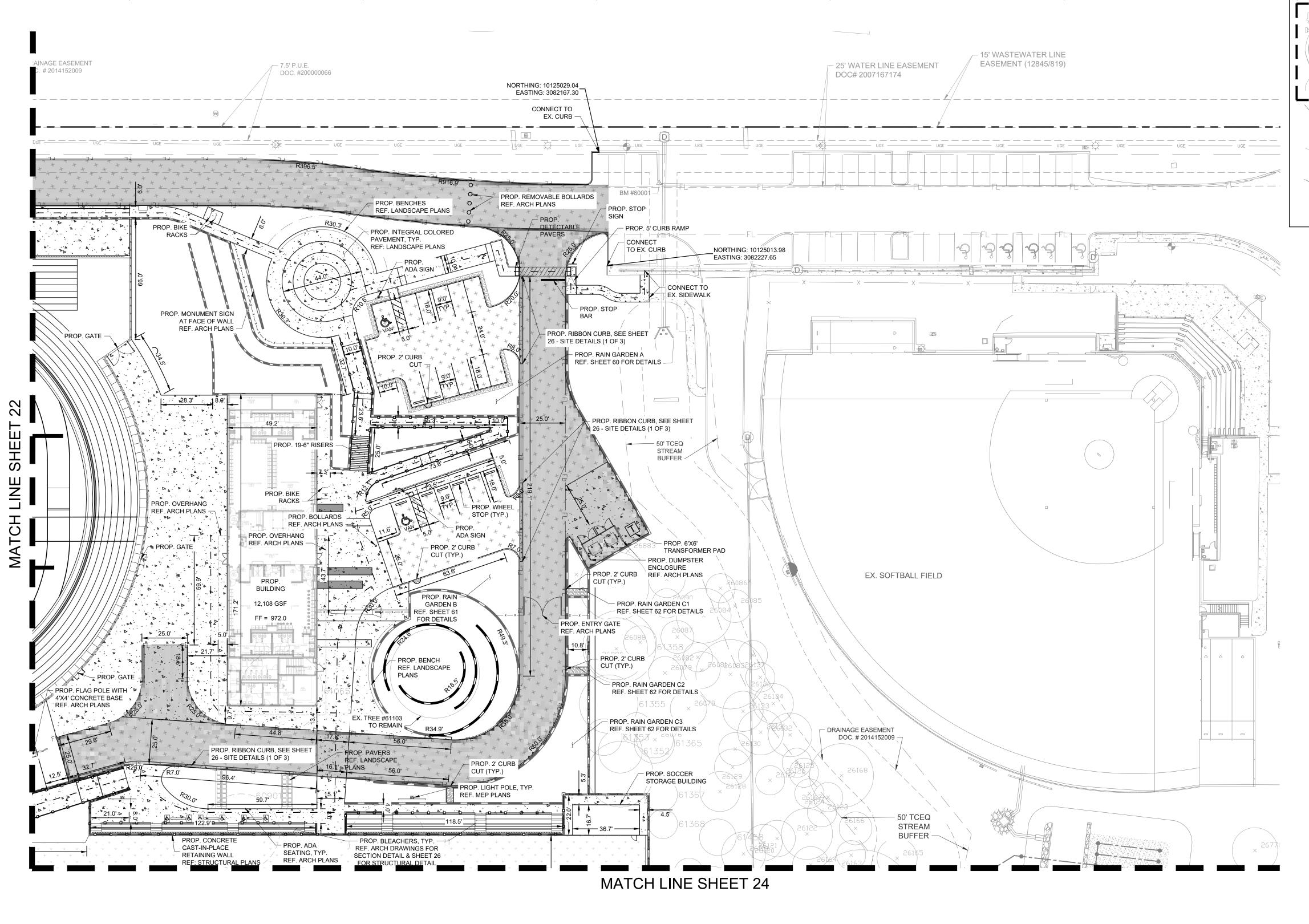
CONTEXT MAP

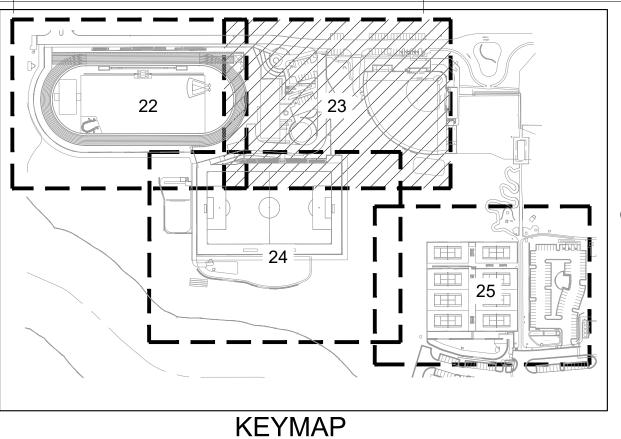
Concordia Unviersity Sports Complex

September 202

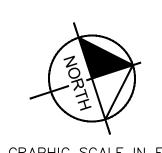








N.T.S.



**LEGEND** 

— PROP. ADA ROUTE

EX. TREE

PROP. FIRE LANE

PROP. RETAINING WALL

PROP. HEAVY-DUTY ASPHALT

PROP. HEAVY DUTY CONCRETE

REF: LANDSCAPE PLANS

EXISTING CONCRETE

PROP. ARTIFICIAL TURF

PROP. INTEGRAL COLORED PAVEMENT

PROP. CONCRETE

PROPERTY LINE

— X — X — X — X — PROP. FENCE

SPORTS

SIT UNIVER CONCORDIA COMPLEX & A

- 1. TREES AND TOPOGRAPHY BASED UPON SURVEY BY KIMLEY-HORN & ASSOC. ON MAY 13, 2021 ALL PARKING SPACES SHALL HAVE MINIMUM 7'-0" VERTICAL CLEARANCE. WARNING SIGNS ARE REQUIRED TO BE PLACED UNDER THE OVERHEAD ELECTRIC LINES TO
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- 7. CAUTION: DO NOT PLACE THE STAGING AREA IN CLOSE PROXIMITY TO OVERHEAD ELECTRIC
- 8. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.

VEHICLE PARKING OR DRIVE PATHS.

- 9. ALL RADII TO BE 3' UNLESS OTHERWISE NOTED. SLOPES ON ACCESSIBLE ROUTES MAY NOT EXCEED 1:20 UNLESS DESIGNED AS A RAMP. THE MAXIMUM SLOPE OF A RAMP IN NEW CONSTRUCTION IS 1:12. THE MAXIMUM RISE FOR ANY RAMP RUN IS 30 IN.
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- 16. EACH COMPACT PARKING SPACE/AISLE WILL BE SIGNED "SMALL CAR ONLY."
- 17. SCREENING FOR SOLID WASTE COLLECTION AND LOADING AREAS SHALL BE THE SAME AS, OR OF EQUAL QUALITY TO, PRINCIPAL BUILDING MATERIALS. 18. REFER TO ARCHITECTURAL PLANS FOR ALL FENCES, GATES, AND RAILS UNLESS OTHERWISE
- 19. ALL EXTERIOR LIGHTING WILL BE FULLY CUT-OFF AND FULLY SHIELDED IN COMPLIANCE WITH SUBCHAPTER E 2.5 AND WILL BE REVIEWED DURING BUILDING PLAN REVIEW. ANY CHANGE OR SUBSTITUTION OF LAMP/LIGHT FIXTURES SHALL BE SUBMITTED TO THE DIRECTOR FOR APPROVAL IN ACCORDANCE WITH SECTION 2.5.2.E.

20. REFER TO SP-2022-0330D FOR TREE REMOVAL PERMIT

BM #50003 MAG NAIL SET IN TOP OF CURB ON A CIRCULAR MEDIAN LOCATED AT THE INTERSECTION OF TWO DRIVEWAYS 8'± NORTHWEST OF A FLAG POLE AND 36'± NORTHWEST OF A WASTEWATER MANHOLE ELEV. = 957.97' (NAVD '88) BM #52122 MAG NAIL SET IN THE MIDDLE OF A CONCRETE WALL SOUTH ON THE LIFT STATION 25'± SOUTH OF A STORM SEWER MANHOLE ON A CURB INLET AND 47'± SOUTHEAST OF A

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Know what's below.

Call before you dig. WARNING: CONTRACTOR IS TO VERIFY PRESENCE AND EXACT LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION.

SITE PLAN APPROVAL SHEET 23 OF 98 FILE NUMBER SP-2022-0020C APPLICATION DATE 1/14/2022 \_\_UNDER SECTION\_\_112\_\_OF APPROVED BY COMMISSION ON\_\_\_ CHAPTER 25-5 OF THE CITY OF AUSTIN CODE. CASE MANAGER KYLE KAMPE EXPIRATION DATE (25-5-81,LDC)\_\_\_\_ PROJECT EXPIRATION DATE (ORD.#970905-A)\_\_\_\_

virector, Development Services Department			
ELEASED FOR GENERAL COM	PLIANCE:	ZONING	R&D-PDA
ev. 1	Correction 1		
ev. 2	Correction 2		
ev. 3	Correction 3		

EASTING - 3082192.8930'

23 OF 98

PERMIT SET

114356

069279600

10/18/2022

CHECKED BY:ACK

Description

PROJECT NO.

AUTHOR:JCH

REVISIONS:

SITE PLAN (2 OF 4)

**CONNECTIVITY OPTIONS** UTILITIES ARE LOCATED UNDER INTERNAL CIRCULATION ROUTES. THE EXISTING CAMPUS SITE PLAN UTILIZES THE OPTION OF "LIMITED CURB CUTS," WHICH PROVIDES PEDESTRIAN CONNECTIVITY TO ALL

DEVELOPMENT WITHIN THE CAMPUS AND PROVIDES WALKING/HIKING TRIALS WITHIN THE NATURE

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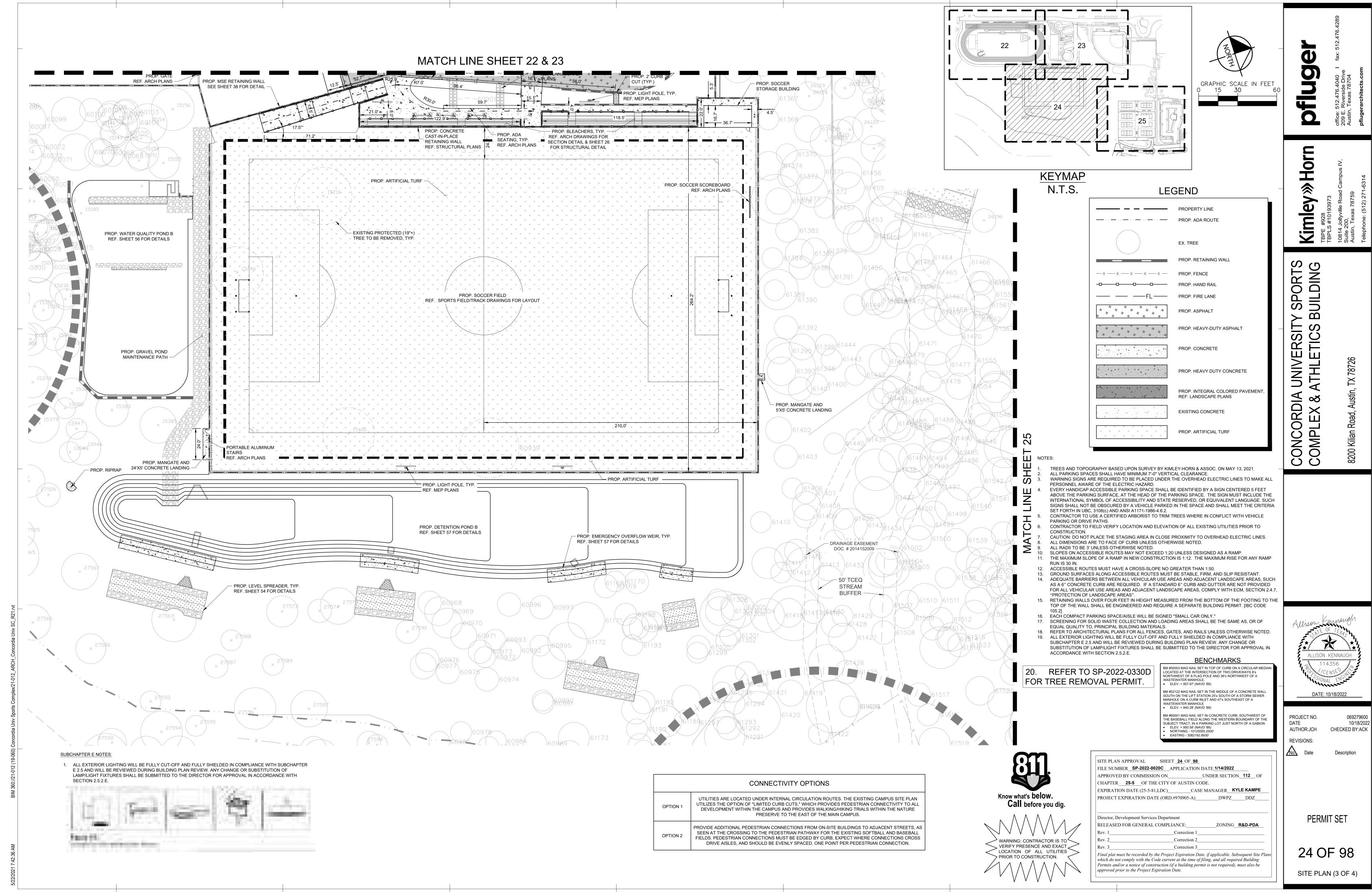
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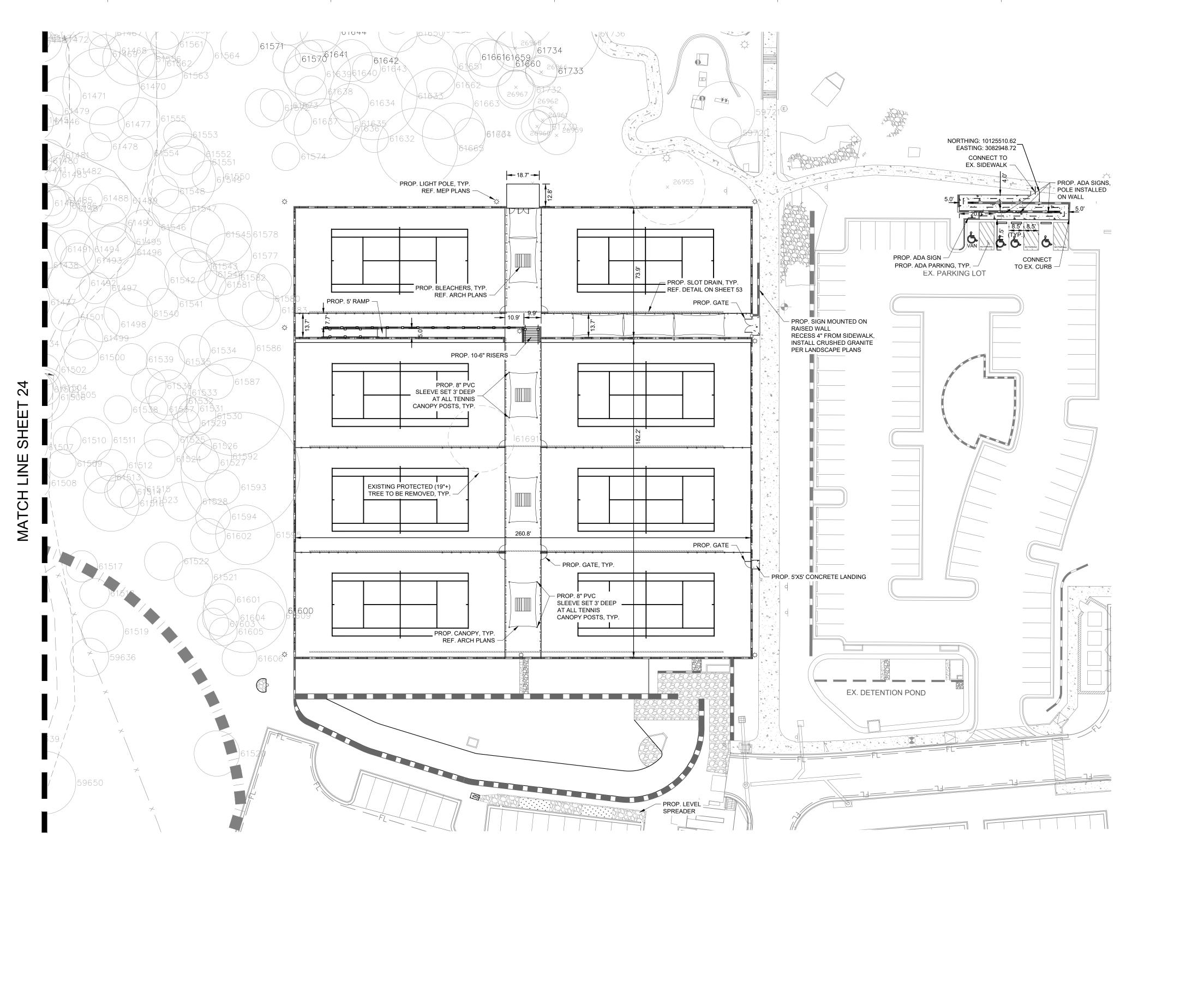
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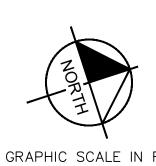
SUBCHAPTER E NOTES:

SECTION 2.5.2.E.

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.







Horn

SPORTS

SIT

CONCORDIA I

UNIVERS

**KEYMAP** N.T.S.

**LEGEND** 

PROPERTY LINE PROP. ADA ROUTE EX. TREE PROP. RETAINING WALL — X — X — X — X — PROP. FENCE — — FL — PROP. FIRE LANE PROP. HEAVY-DUTY ASPHALT PROP. CONCRETE PROP. HEAVY DUTY CONCRETE PROP. INTEGRAL COLORED PAVEMENT REF: LANDSCAPE PLANS EXISTING CONCRETE

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ACCORDANCE WITH SECTION 2.5.2.E.

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FILE NUMBER SP-2022-0020C APPLICATION DATE 1/14/2022 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 KYLE KAMPE PROJECT EXPIRATION DATE (ORD.#970905-A) \_\_\_\_\_DWPZ\_\_\_\_DDZ\_\_

approved prior to the Project Expiration Date.

SITE PLAN APPROVAL SHEET **25** OF **98** 

ector, Development Servi	ices Department		
LEASED FOR GENERA	L COMPLIANCE:	ZONING_	R&D-PDA
v. 1	Correction 1		
7. 2	Correction 2		
7. 3	Correction 3		

Final plat must be recorded by the Project Expiration Date, if applicable. Subsequent Site Plans

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PERMIT SET

ALLISON KENNAUGH

114356

PROJECT NO.

AUTHOR:JCH

REVISIONS:

069279600

10/18/2022

CHECKED BY:ACK

Description

SUBCHAPTER E NOTES:

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CONNECTIVITY OPTIONS		CONNECTIVITY OPTIONS
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SITE PLAN (4 OF 4)