

The background of the entire page is a grayscale photograph of a tree trunk with thick, gnarled roots extending across the frame. The text is overlaid on this image.

Redevelopment Exception in the Barton Springs Zone

Texas Research International Expansion

9225 FM 2244 Rd, Austin, TX 78733

SP-2019-0383D

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The background of the slide is a grayscale photograph of a tree with a complex, branching structure. A large, light-colored rectangular area is overlaid on the upper half of the image, and a dark gray rectangular area is overlaid on the lower half. The word 'AGENDA' is written in large, black, sans-serif capital letters within the light area. Below it, in the dark area, are three lines of white text: 'The Site', 'The Code', and 'The Project'.

AGENDA

The Site





The Code

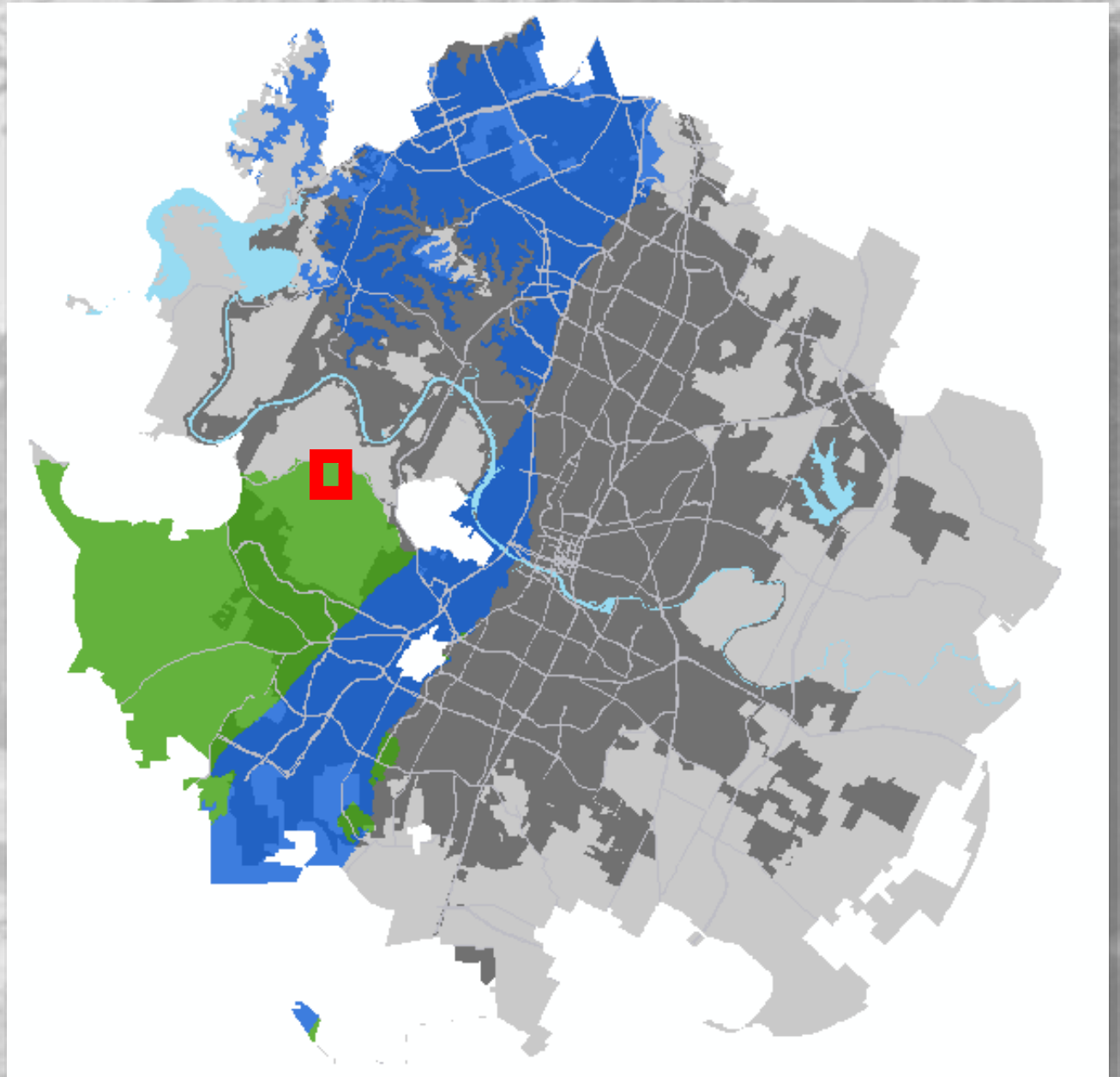
The Project



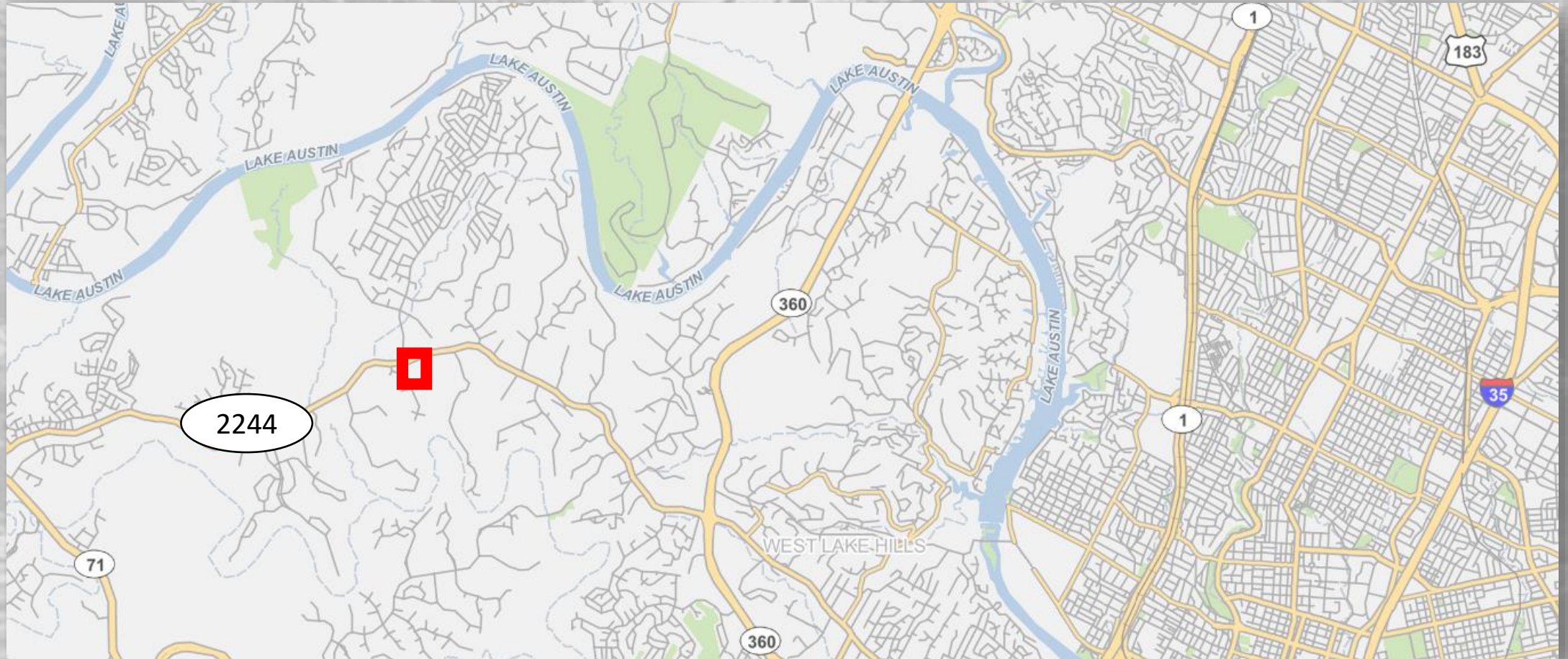
The Site

LOCATION

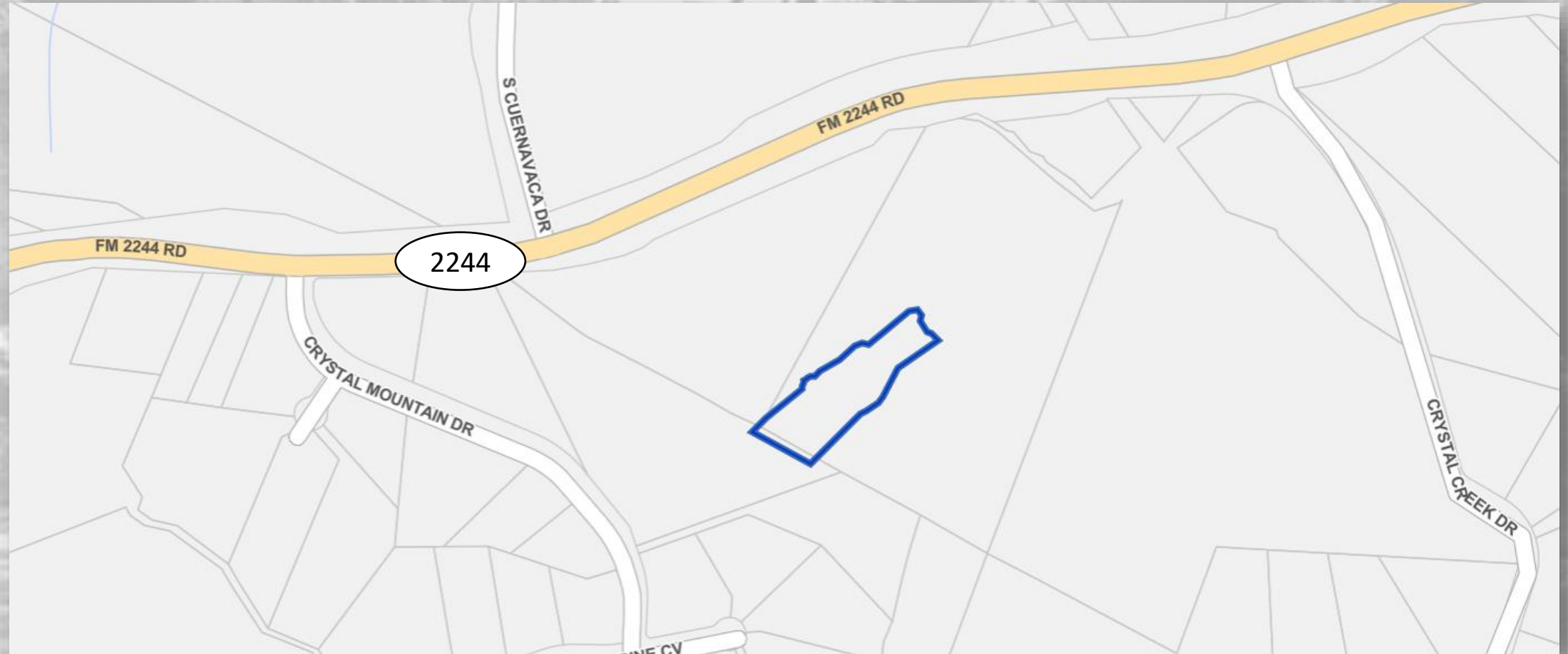
-  Site Location
-  Austin ETJ
-  Austin City Limits
-  Edwards Aquifer Recharge Zone
-  Edwards Aquifer Contributing Zone



LOCATION



LOCATION



LOCATION



PROPERTY DATA

- Barton Creek Watershed
- Barton Springs Zone Classification
- Edwards Aquifer Contributing Zone
- Drinking Water Protection Zone
- Extraterritorial Jurisdiction
- Rimrock and spring Critical Environmental Features (CEF)
- Council District not applicable in the ETJ



The Code

What is the Redevelopment Exception (RE)?

Section 25-8-26 of the Land Development Code (*Redevelopment Exception* in the Barton Springs Zone) allows for redevelopment of existing commercial properties in the Barton Springs Zone that do not comply with current watershed regulations. This section cannot be applied if unpermitted development occurred on the site after January 1, 1992.

Section 25-8-26 supersedes Article 13 (Save Our Springs Initiative), to the extent of conflict.

How does the RE work?

If redevelopment meets the conditions laid out in Section 25-8-26, then the requirements of 25-8, Subchapter A ***do not apply***.

25-8, Subchapter A regulates, among other things:

- Water quality
- Impervious cover
- Cut & fill
- Development on slopes
- Floodplain modification
- Protections & setbacks for waterways & critical environmental features

What are the conditions of the RE?

25-8-26(E) lays out nine conditions:

- (1) May not increase impervious cover.**
- (2) May not increase non-compliance Critical Water Quality Zone, Water Quality Transition Zone, or Critical Environmental Feature requirements.**
- (3) Must comply with Environmental Resource Inventory, Erosion and Sedimentation Control, and fiscal requirements.**
- (4) The water quality controls on the redevelopment site must provide a level of water quality treatment that is equal to or greater than that which was previously provided.**
- (5) Must obtain a Barton Springs Zone Operating Permit for both sedimentation/filtration ponds and SOS ponds.**
- (6) A site with more than 40 percent net site area impervious cover, must have:**
 - (a) sedimentation/filtration ponds for the entire site; or**
 - (b) SOS ponds for a portion of the site, and sedimentation/filtration ponds for the remainder of the site.**
- (7) A site with 40 percent or less net site area impervious cover, must have SOS ponds for the entire site.**
- (8) Must mitigate the effects of the redevelopment, if required by Subsection (H).**
- (9) May not be located within the Erosion Hazard Zone.**

Why are we here?

25-8-26 (H) stipulates that City Council approval is required if the redevelopment is located outside the City's zoning jurisdiction.

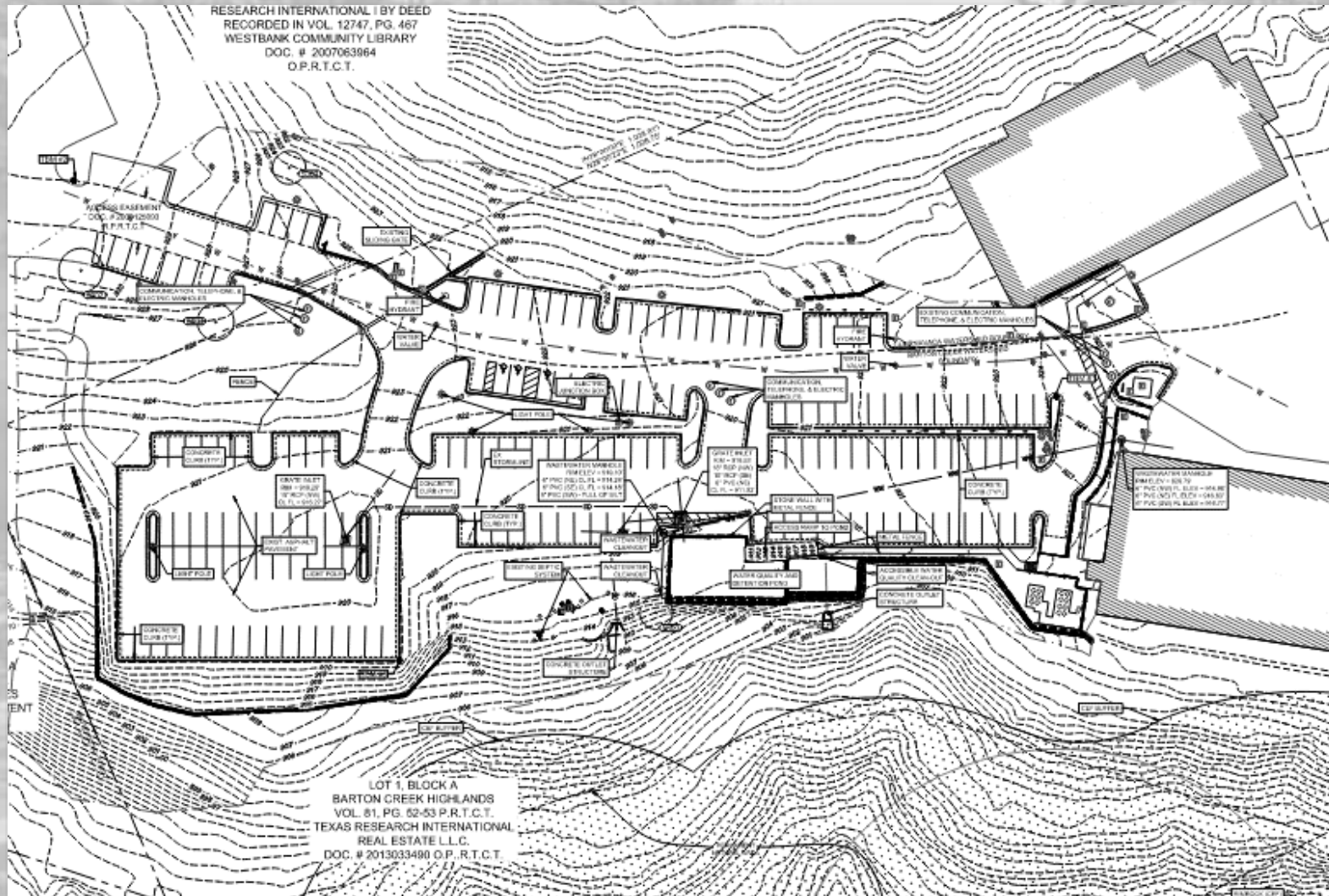
25-8-26(G) stipulates that City Council shall consider the following factors in determining whether to approve a proposed redevelopment:

- (1) benefits of the redevelopment to the community;
- (2) whether the proposed mitigation or manner of development offsets the potential environmental impact of the redevelopment;
- (3) the effects of offsite infrastructure requirements of the redevelopment; and
- (4) compatibility with the City's comprehensive plan.



The Project

EXISTING CONDITIONS

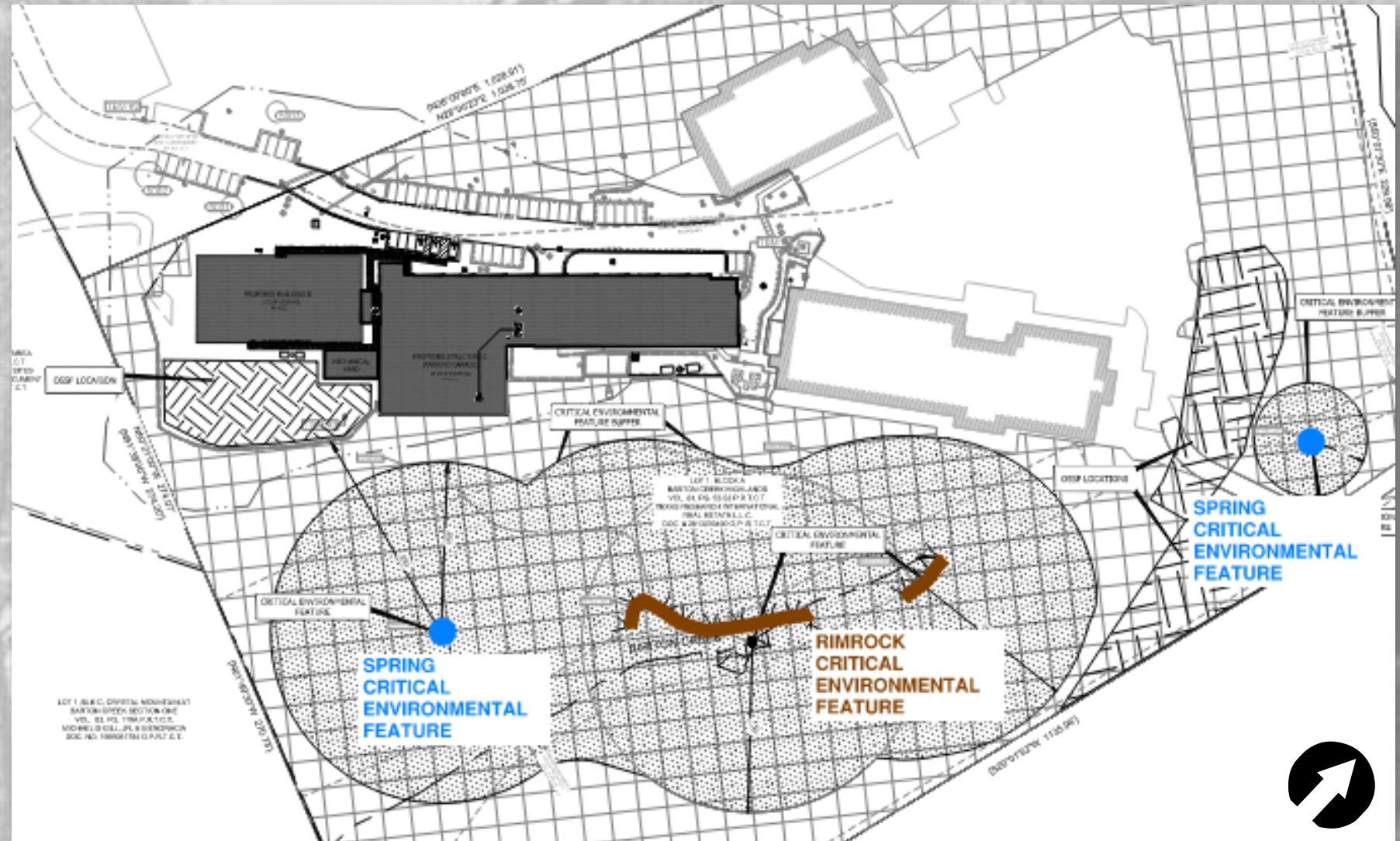


The site is approximately 17.6 acres and developed with the current configuration of the Texas Research International office.



PROJECT

The project will consist of the design and construction of a four-story office building with an adjacent three-story parking garage. The project includes necessary site improvements for utility services, grading and drainage improvements, and environmental protections.



HOW THE PROJECT MEETS THE CONDITIONS OF THE REDEVELOPMENT EXCEPTION

(1) The redevelopment may not increase the existing amount of impervious cover (IC) on the site.

THIS PROJECT COMPLIES

- The project will not increase IC over the existing, permitted development in the Barton Creek Watershed. This is 3.48 ac., or 54.89% of net site area.
- This permitted development has more IC than is currently allowed because the original project (SP-2008-0254D) received a vested rights determination allowing it to be subject to regulations in effect on 6/13/81, and because a variance unanimously approved by the Environmental Commission allowed increased impervious cover.

CONDITIONS (cont'd)

(2) The redevelopment may not increase non-compliance, if any, with Article 7, Division 1 (*Critical Water Quality Zone Restrictions*), Section 25-8-281 (*Critical Environmental Features*), Section 25-8-282 (*Wetland Protection*), or Section 25-8-482 (*Water Quality Transition Zone*).

THIS PROJECT COMPLIES with current code for Critical Environmental Feature protections.

(3) The redevelopment must comply with Section 25-8-121 (*Environmental Resource Inventory Requirement*) and all construction phase environmental requirements in effect at the time of construction, including Chapter 25-8, Article 5 (*Erosion and Sedimentation Control; Overland Flow*) and Section 25-8-234 (*Fiscal Security in the Barton Springs Zone*).

THIS PROJECT COMPLIES with current code for erosion and sedimentation controls.

CONDITIONS (cont'd)

(4) The water quality controls on the redevelopment site must provide a level of water quality treatment that is equal to or greater than that which was previously provided.

THIS PROJECT COMPLIES: it is maintaining the existing sedimentation/filtration pond.

(5) For a commercial or multifamily redevelopment, the owner or operator must obtain a permit under Section 25-8-233 (Barton Springs Zone Operating Permit) for both sedimentation/filtration ponds and SOS ponds.

THIS PROJECT COMPLIES: it has an SOS operating permit.

CONDITIONS (cont'd)

(6) For a site with more than 40 percent net site area impervious cover, the redevelopment must have:

- (a) sedimentation/filtration ponds for the entire site; or
- (b) SOS ponds for a portion of the site, and sedimentation/filtration ponds for the remainder of the redeveloped site.

THIS PROJECT COMPLIES with sedimentation filtration ponds for the entire site

(7) For a site with 40 percent or less net site area impervious cover, the redevelopment must have SOS ponds for the entire site.

(Not applicable)

CONDITIONS (cont'd)

(8) The property owner must mitigate the effects of the redevelopment, if required by and in accordance with Subsection (H).

THIS PROJECT COMPLIES by paying into the Barton Springs Zone Mitigation Fund

(9) Redevelopment may not be located within the Erosion Hazard Zone, unless protective works are provided as prescribed in the Drainage Criteria Manual.

(Not applicable)

WHY ARE WE HERE?

25-8-26 (H) stipulates that City Council approval is required if the redevelopment is located outside the City's zoning jurisdiction.

25-8-26(G) stipulates that City Council shall consider the following factors in determining whether to approve a proposed redevelopment:

- (1) benefits of the redevelopment to the community;
- (2) whether the proposed mitigation or manner of development offsets the potential environmental impact of the redevelopment;
- (3) the effects of offsite infrastructure requirements of the redevelopment; and
- (4) compatibility with the City's comprehensive plan.

CONSIDERATIONS FOR COUNCIL

(1) benefits of the redevelopment to the community.

The subject area is currently a paved surface parking lot. Redevelopment of the area as an office building will provide the following benefits:

- a) Convert existing surface parking area and related impervious cover to positive uses as administrative office building.
- b) Provide an additional administrative office building and related improvements to accompany adjacent office campus and public library.
- c) Increase tax base.

CONSIDERATIONS FOR COUNCIL

(2) whether the proposed mitigation or manner of development offsets the potential environmental impact of the redevelopment:

The proposed redevelopment converts existing surface parking area and related impervious cover to a productive administrative office use and does not increase the level of impervious cover on the site. The project will contribute money into the Barton Springs Zone Mitigation Fund as required pursuant to the requirements of the Barton Springs Redevelopment Exception ordinance. The project will also include rain water harvesting.

CONSIDERATIONS FOR COUNCIL

(3) the effects of offsite infrastructure requirements of the redevelopment:

Not applicable.

(4) compatibility with the City's comprehensive plan:

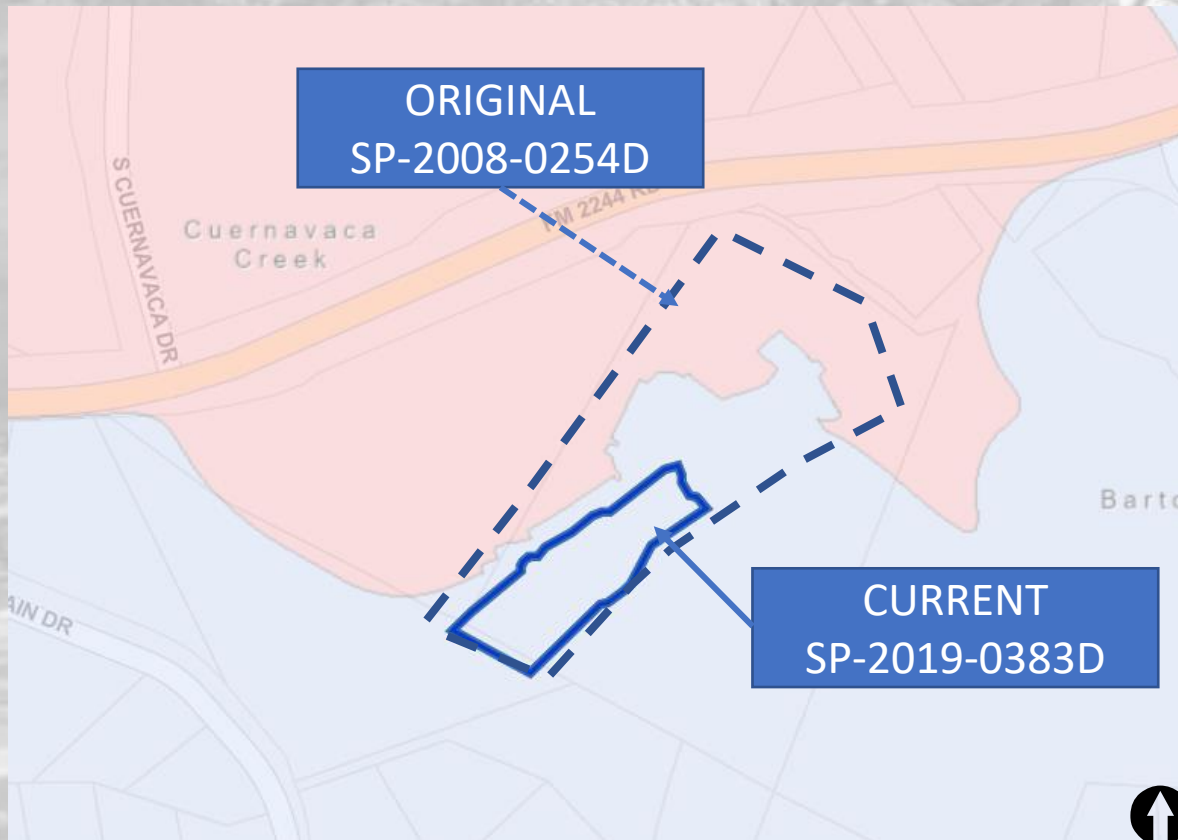
The Imagine Austin Comprehensive Plan predominantly addresses the City's zoning jurisdiction. Nonetheless, the development meets two elements of the Vision Statement: economic opportunity and sustainability by proposing increased office space without increasing impervious cover.



QUESTIONS

SITE INFORMATION

**Original project is in two watersheds:
Cuernavaca & Barton Creek**



**Current project is Barton Creek
watershed only**

