

Redevelopment Exception in the Barton Springs Zone

Westcreek Mixed Use

5725 W US 290 Highway EB, Austin 78749

SP-2023-0276C

*Mike McDougal
Environmental Policy Program Manager
Development Services Department*

AGENDA

The Site

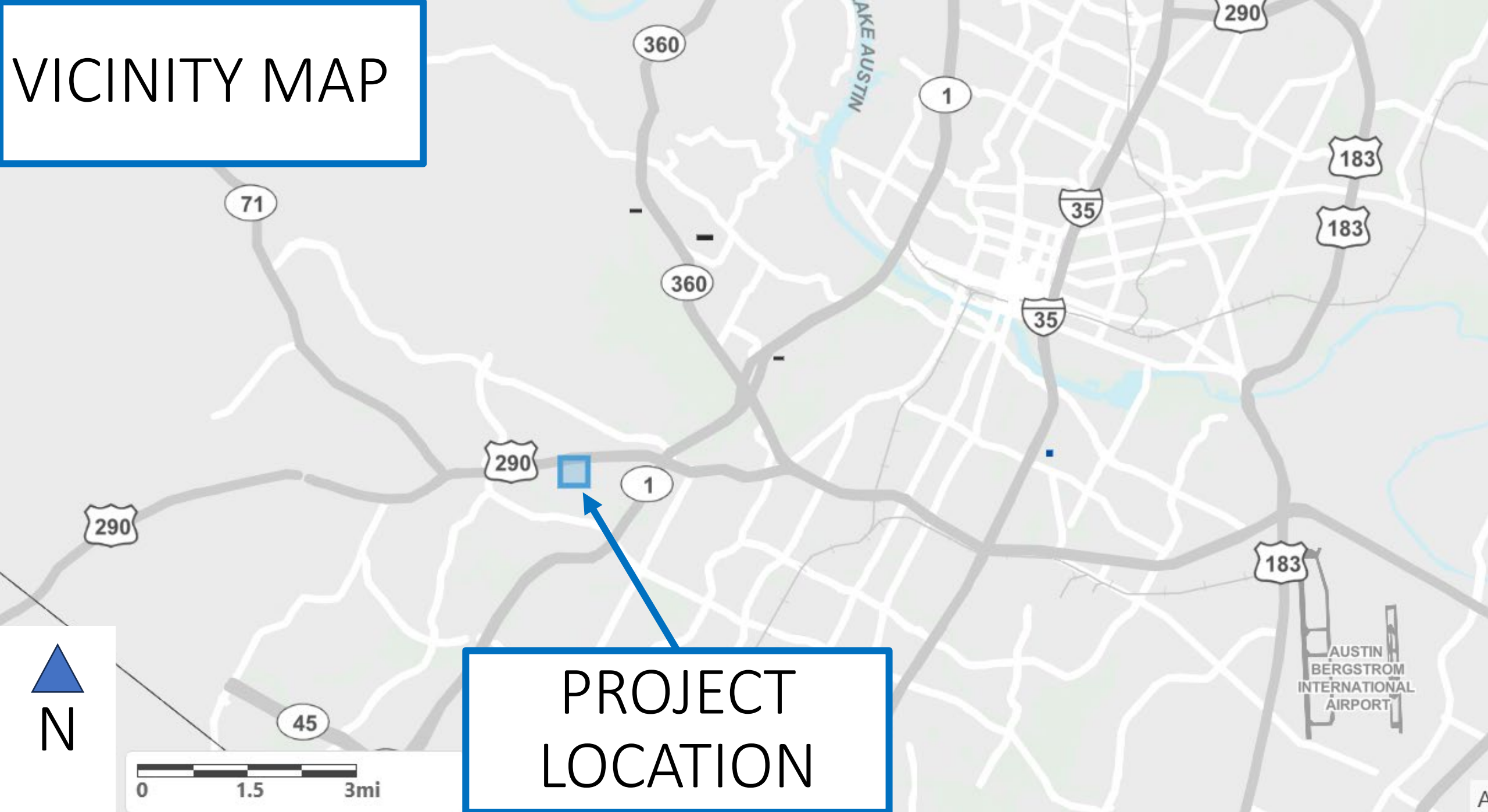
The Code

The Project



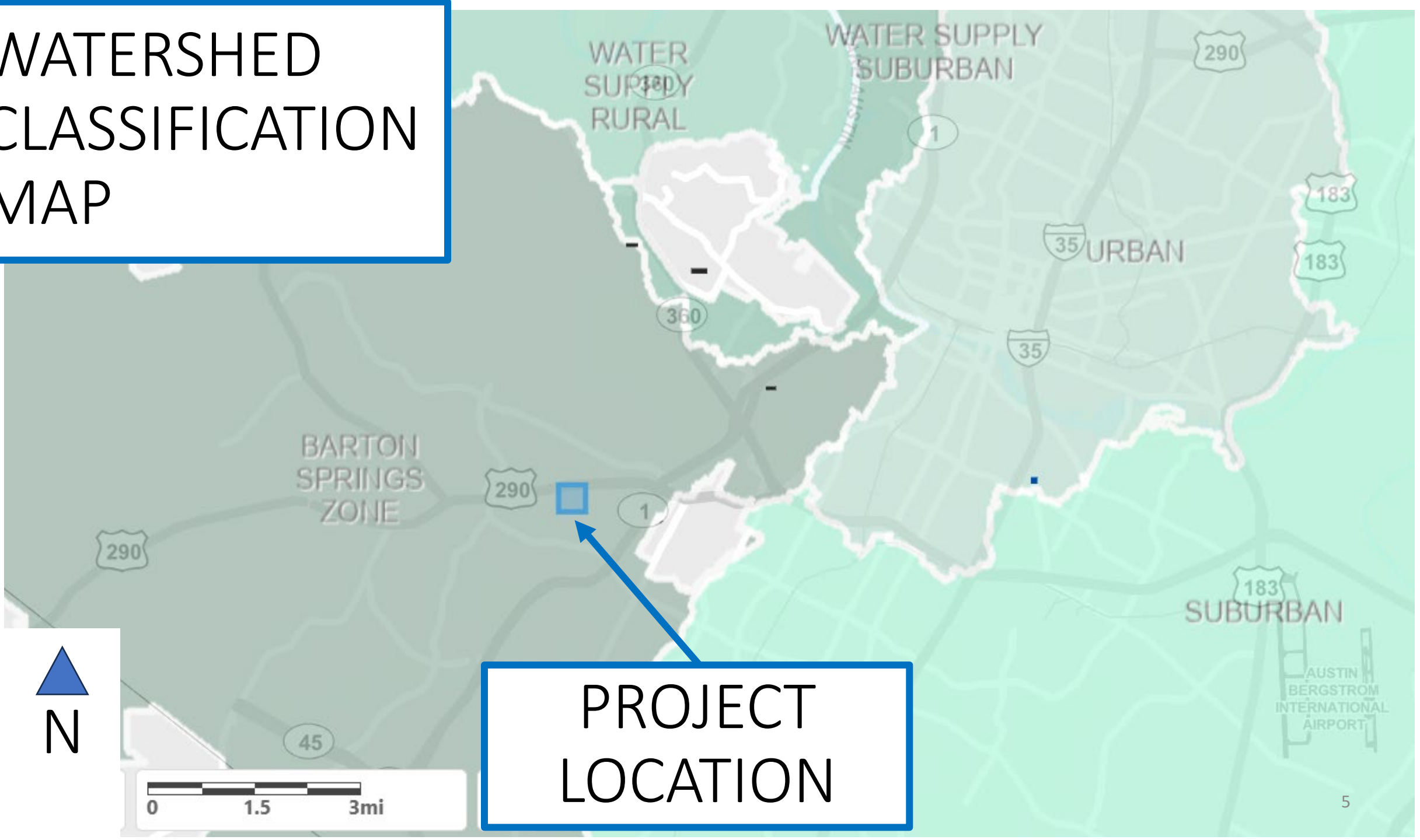
The Site

VICINITY MAP



PROJECT
LOCATION

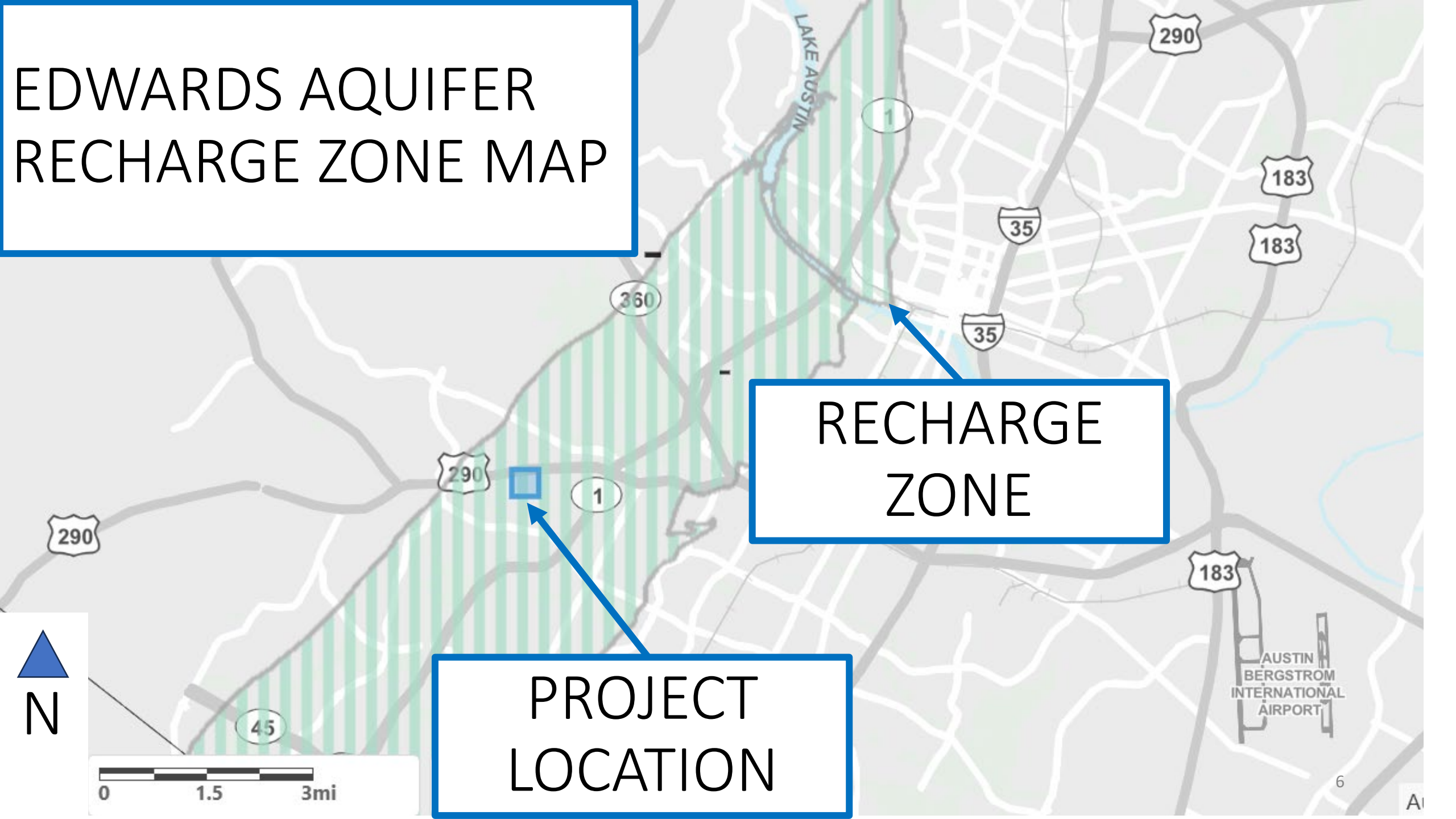
WATERSHED CLASSIFICATION MAP



PROJECT LOCATION



EDWARDS AQUIFER RECHARGE ZONE MAP



RECHARGE ZONE

PROJECT LOCATION



AUSTIN BERGSTROM INTERNATIONAL AIRPORT

AERIAL IMAGE



Property Data

- Barton Creek Watershed
- Barton Springs Zone Classification
- Edwards Aquifer Recharge Zone
- Drinking Water Protection Zone
- Full Purpose Jurisdiction
- Council District 8
- Originally developed as a commercial use
- All uplands (no CWQZ; no WQTZ)





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.

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

There are many requirements associated with the redevelopment exception. However, **in brief summary** the redevelopment exception resets the watershed impervious cover limit equal to the amount of impervious cover currently on site.

What is the Redevelopment Exception (RE)? (continued)

So the redevelopment exception allows the developer to remove existing impervious cover and build back up to the same amount of impervious cover.

To be clear, there are other requirements including regulations that provide environmental benefit.

What are the requirements of the RE?

LDC 25-8-26(E) lays out nine requirements:

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. Item no. 6 provides additional WQ requirements.**
5. **Must obtain a Barton Springs Zone Operating Permit for ponds.**

What are the requirements of the RE? (continued)

- 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 and sedimentation/filtration ponds for the entire 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 the site has a sedimentation/filtration pond. Mitigation can include paying into a mitigation fund, transferring land, or restriction development on land.**
- 9. May not be located within the Erosion Hazard Zone unless protective works are provided.**

TO SUMMARIZE

The BSZ Redevelopment Exception:

- Deletes grading limits and construction on slopes limits in LDC 25-8 Subchapter A;
- Resets the watershed IC limit to be equal to the IC currently on site (with some requirements);
- Prohibits development in undisturbed areas of the Critical Water Quality Zone or Water Quality Transition Zone;

TO SUMMARIZE (continued)

The BSZ Redevelopment Exception:

- Prohibits development in undisturbed wetland / Critical Environmental Feature setbacks;
- Requires BSZ mitigation; and
- Requires water quality ponds.

Why are we here?

This project meets the redevelopment exception requirements. So why are we here?

LDC 25-8-26(F) stipulates that City Council approval is required if the redevelopment proposed more than 25 dwelling units. The project proposes 305 units.

Why are we here? (continued)

LDC 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.



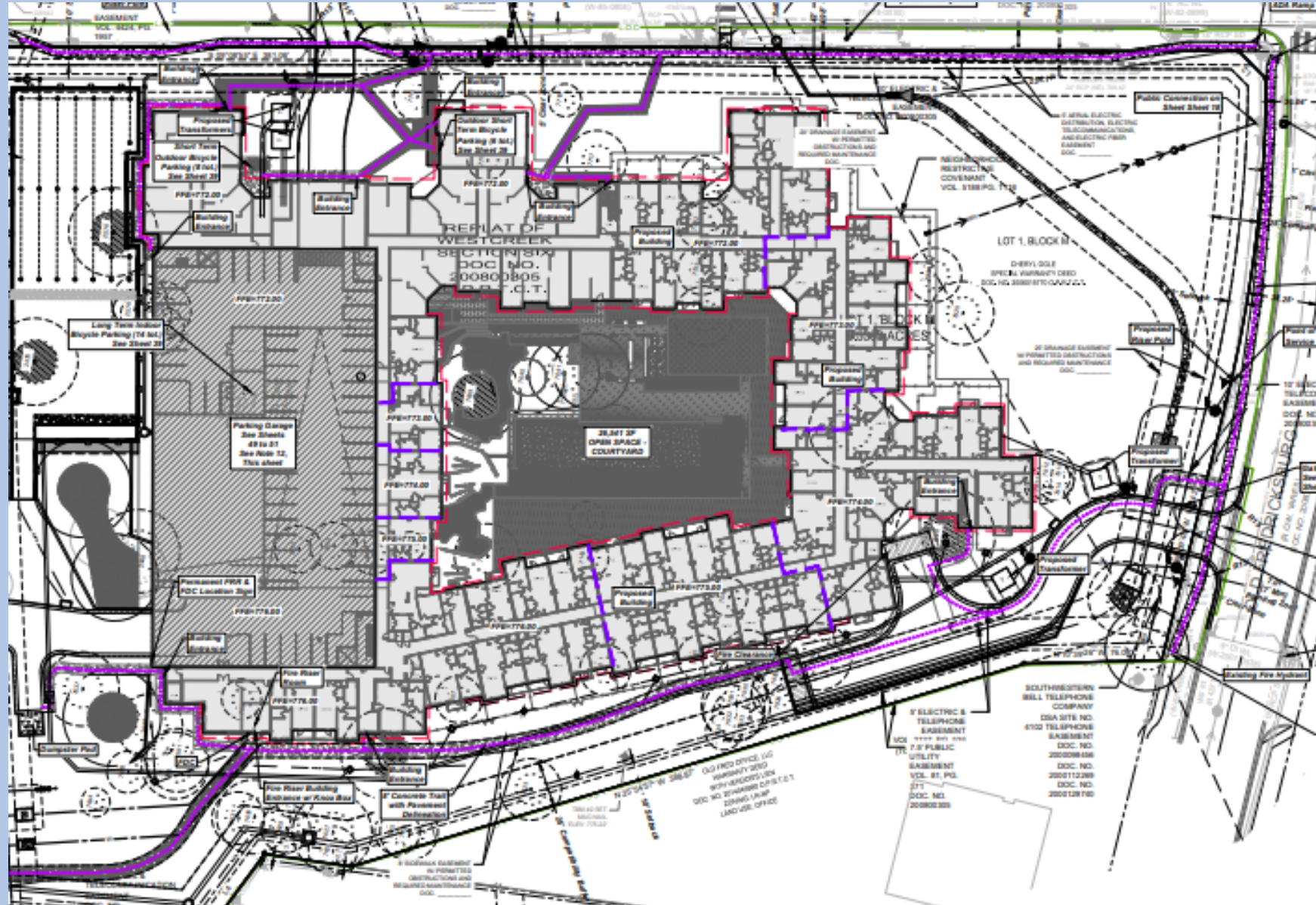
The Project

EXISTING CONDITIONS



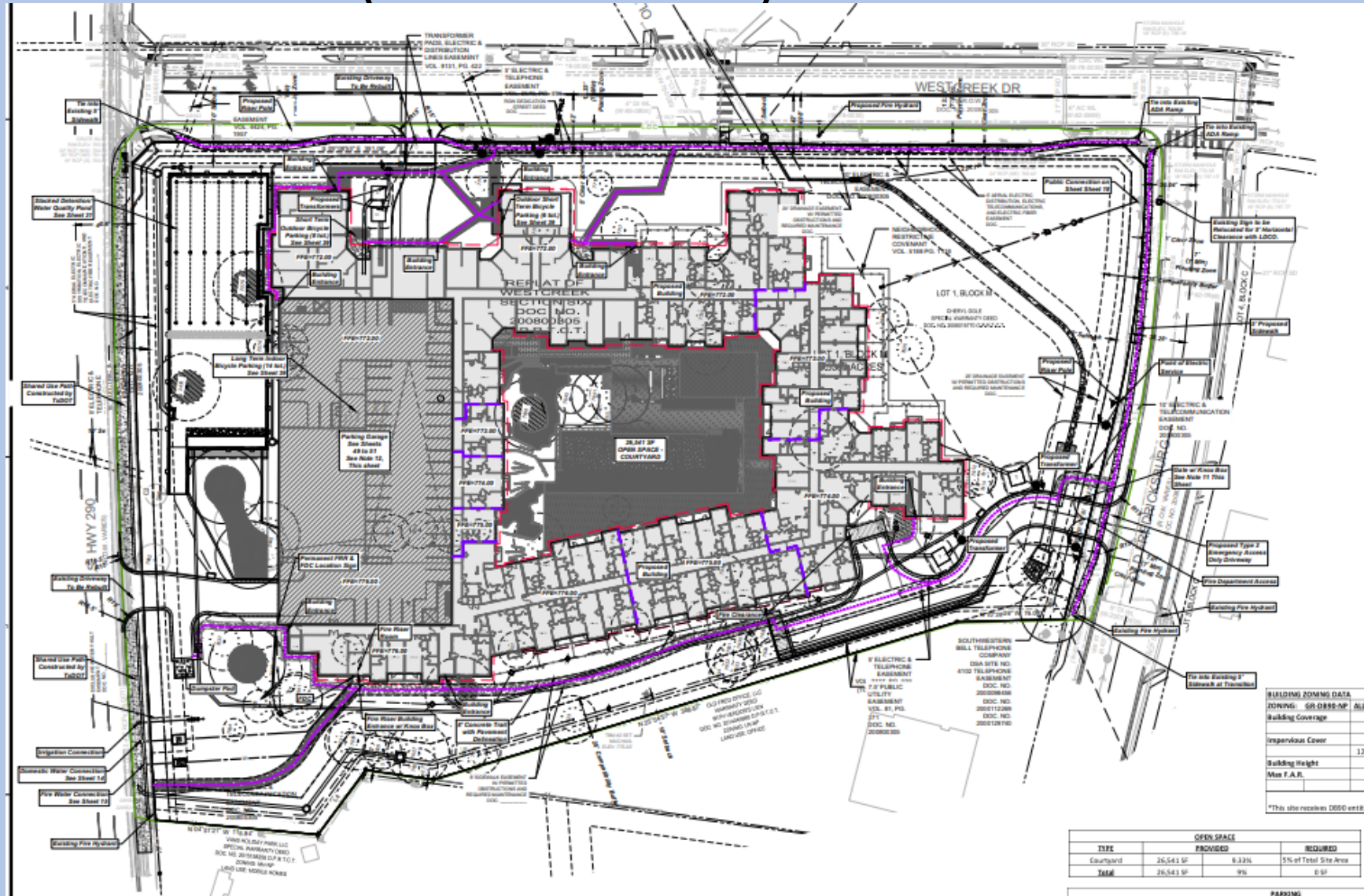
The site is approximately 6.5 acres and was previously developed for commercial use.

PROJECT



The project will consist of mixed-use (multifamily and commercial).

PROJECT (continued)



The project reduces the IC from 129,714 SF to 128,515 SF.

BUILDING ZONING DATA

ZONING	SR 0898-NP	ALLOWED
Building Coverage		5/12"
Impervious Cover		5/12"
Building Height		45.60
Max F.A.R.		129,714
		90 FT
		n/a"

**This also receives DDCG entitlements

TYPE	OPEN SPACE		
	PROVIDED	REQUIRED	REQUIRED
Courtyard	26,543 SF	6.33%	5% of Total Site Area
TOTAL	26,543 SF	9%	6 SF

PARKING

HOW THE PROJECT MEETS THE REQUIREMENTS OF THE REDEVELOPMENT EXCEPTION

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

THIS PROJECT COMPLIES: the project will reduce impervious cover.

Existing IC: 129,714 SF

Proposed IC: 128,515 SF

REQUIREMENTS (continued)

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*).

NOT APPLICABLE.

REQUIREMENTS (continued)

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: ESC is proposed in compliance with Code & Criteria; fiscal posting is a requirement of site plan permit issuance.

REQUIREMENTS (continued)

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: water quality is proposed.

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: an SOS operating permit is a requirement of site plan permit issuance.

REQUIREMENTS (continued)

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: sedimentation filtration ponds are proposed 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.

REQUIREMENTS (continued)

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

THIS PROJECT COMPLIES will pay into the Barton Springs Zone Mitigation Fund in the amount of \$390,240 prior to site plan permit issuance.

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.

WHAT CODE ASKS OF THE ENVIRONMENTAL COMMISSION

- City Council approval is required if the redevelopment proposed more than 25 dwelling units.
- City Council requests a recommendation from the Environmental Commission.
- This recommendation is only a vote for or against the redevelopment exception on this property.
- Conditions are **not** applicable to this redevelopment exception request.

Here is what the Code directs City Council to consider:

CONSIDERATIONS FOR COUNCIL

(1) benefits of the redevelopment to the community.

The subject area is currently a commercial development. Redevelopment of the area as an office building will provide the following benefits:

- 305 additional housing units (12% of which are at 60% MFI); and
- Contributes money into the Barton Springs Zone Mitigation Fund (\$390,240).

CONSIDERATIONS FOR COUNCIL (continued)

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

- Impervious cover will be reduced by ~1200 SF;
- Treatment to BSZ redevelopment exception standards of previously untreated runoff going to Barton Creek Watershed; and
- Modernizes a portion of the existing wastewater system.

CONSIDERATIONS FOR COUNCIL (continued)

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

- No water upsizing is need to serve the project; and
- SER 5572 requires the replacement of approximately 350 feet of existing 8-inch gravity wastewater main with a 12-inch wastewater gravity main.

CONSIDERATIONS FOR COUNCIL (continued)

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

“Austin’s long-term sustainability requires a fresh focus on redevelopment and infill within the city’s developed areas. Favoring compact growth presents an alternative direction to earlier decades of sprawling, low-density development.”

Imagine Austin Comprehensive Plan p. 10

https://data.austintexas.gov/City-Government/Imagine-Austin-Comprehensive-Plan-Web-Full-PDF/ncss-muy9/about_data

- The project proposes compact, dense development: 305 units on 6.5 acres.
- The proposed project consists of redeveloping an existed developed area.

Staff Determination

Staff has determined that this project complies with the requirements of the Redevelopment Exception in the Barton Springs Zone.

Staff recommends the redevelopment exception based on the requirements described in LDC 25-8-26.



APPLICANT PRESENTATION