

ZONING CHANGE REVIEW SHEET

CASE: C14-2008-0106 – Lundelius-McDaniel
Water Quality Retrofit Project

Z.A.P. DATE: June 3, 2008
June 17, 2008
July 1, 2008

ADDRESS: 3401 Paisano Trail

OWNER / AGENT: City of Austin – Watershed Protection and Development Review
Department (Tom Franke)

ZONING FROM: SF-2

TO: P

AREA: 18.98 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant public (P) district zoning.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

June 3, 2008: *MEETING CANCELLED DUE TO AGENDA POSTING ERROR*

June 17, 2008: *ITEM PULLED FROM THE AGENDA DUE TO NOTIFICATION ERROR*

July 1, 2008: *APPROVED P DISTRICT ZONING, AS STAFF RECOMMENDED; BY
CONSENT.*

[T. RABAGO, J. SHIEH – 2ND] (6-0) K. JACKSON, J. MARTINEZ – ABSENT

ISSUES:

Staff of the Water Protection and Development Review Department is also proposing a site-specific amendment to the Save Our Springs Ordinance, LDC Section 25-2-514(B) to allow the construction of water quality facilities within the Critical Water Quality Zone (CWQZ). The amendment is scheduled for the City Council meeting of June 5, 2008.

DEPARTMENT COMMENTS:

The subject property is undeveloped, has frontage on Brodie Lane and Paisano Trail, and is zoned single family residence – standard lot (SF-2) district. Undeveloped property and the Stephenson Preserve are located to the north, one single family residence and a church are adjacent to the east (SF-2), undeveloped property also proposed for public (P) zoning, one single family residence, and off-site accessory parking for the church are located to the south (RR; SF-4A; GO-CO), and single family residences, undeveloped property and an office are located to the west across Brodie Lane (SF-3; NO-CO). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The City of Austin has acquired the property and the Watershed Protection and Development Review Department is proposing a water quality retrofit project that will remove pollutants from storm runoff that drains into an unnamed tributary of Kincheon Branch and Dry Fork Sink, a karst recharge feature to the Barton Springs Edwards Aquifer. Please refer to Exhibit B (Project Briefing and Illustrations). The project consists of a one acre pond site and approximately six acres of vegetative filter strip area, and additional landscaping. The pond's location within the Critical Water Quality Zone is required in order to capture and treat runoff from the tributary. Construction is scheduled to begin in Summer 2009.

Staff recommends P district zoning, given: 1) the retrofit project will treat storm runoff prior to discharge into an unnamed tributary of Kincheon Branch and a significant Barton Springs Zone feature, which in turn, benefits water quality within the Williamson Creek watershed, 2) is considered a civic use and is compatible with the surrounding land uses and zoning; and 3) it is City Council policy that all City owned or leased land be zoned public (P) district.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-2	Undeveloped
<i>North</i>	SF-2; LO; PUD	Undeveloped; Pet services; Stephenson Preserve
<i>South</i>	RR; SF-2; SF-4A; NO-CO; GO-CO	Existing City water quality pond (SF-2 notch area); Undeveloped (also proposed for water quality pond); One single family residence; Undeveloped and used as parking for church on north side of Paisano Trail (GO-CO)
<i>East</i>	SF-2; PUD	Church; Stephenson Preserve
<i>West</i>	SF-3; NO-CO	Single family residences; Undeveloped; Office

AREA STUDY: N/A

TIA: Is not required

WATERSHED: Williamson Creek – **DESIRED DEVELOPMENT ZONE:** No Barton Springs Zone – Recharge Zone

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

12 – Brodie Lane Homeowners Association
 263 – Bannockburn Neighborhood Association
 298 – Oak Hill Association of Neighborhoods (OHAN)
 384 – Save Barton Creek Association
 428 – Barton Springs / Edwards Aquifer Conservation District
 511 – Austin Neighborhoods Council
 627 – Onion Creek Homeowners Association
 705 – OHAN 78735
 742 – Austin Independent School District
 786 – Home Builders Association of Greater Austin
 943 – Save Our Springs Alliance
 947 – Deer Park at Maple Run HOA

967 – Circle C Neighborhood Association

997 – Tanglewood Oaks Owners Association 1037 – Homeless Neighborhood Association

1059 – Maple Run-Wheeler Creek

SCHOOLS:

Boone Elementary School Covington Middle School Crockett High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-02-0137 – Duckett	SF-3 to NO	To Grant NO zoning	Approved NO-CO with the CO limiting impervious cover to what exists; RC for IPM/Grow Green (2-13-03).
C14-02-0085 – Paisano	RR; SF-4A to LO	To Grant RR; NO-CO, with conditions to provide a 25' landscape buffer. R-o-w dedication and preliminary drawings of street improvement to Paisano Trail also required.	Approved RR; NO-CO zoning as recommended by ZAP with additional conditions of a public Restrictive Covenant for an IPM Plan and the use of native plants and adapted landscaping materials, on 1 st Reading (10-10-02)
C14-96-0143 – Zion Rest Baptist Church	SF-2 to GO	To Grant GO-CO for Tract 1 and RR for Tract 2. On Tract 1, the CO prohibits medical offices, professional offices and administrative / business offices, limits trips to 2,000 vehicles per day and requires a 25 foot landscape buffer along the east property line.	Approved as recommended by Planning Commission (5-22-97).
C14-91-0029 – Church Education Addition	SF-3 to GO	To Grant GO-CO, with CO for NO uses permitted in GO zoning, dedication of r-	Approved GO-CO (5-23-91)

		o-w on Brodie Lane.	
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RELATED CASES:

A site plan for the water quality retrofit project is presently under development review (SP-2008-0257D).

The property to the south, located at 7415 Brodie Lane, is also proposed for P district zoning and is a related component of the water quality retrofit project (C14-2008-0107).

ABUTTING STREETS:

Name	ROW	Pavement	Classification
Brodie Lane	85	70 feet	Arterial
Paisano Trail	40 feet	18 feet	Collector

- There are existing sidewalks along both sides of Brodie Lane.
- Brodie Lane is classified in the Bicycle Plan as a Priority 1 bike route.
- Capital Metro bus service (Route #333) is available along Brodie Lane.

COUNCIL DATE: June 18, 2008

ACTION: Item pulled from the agenda due to notification error.

July 24, 2008

ORDINANCE READINGS: 1st

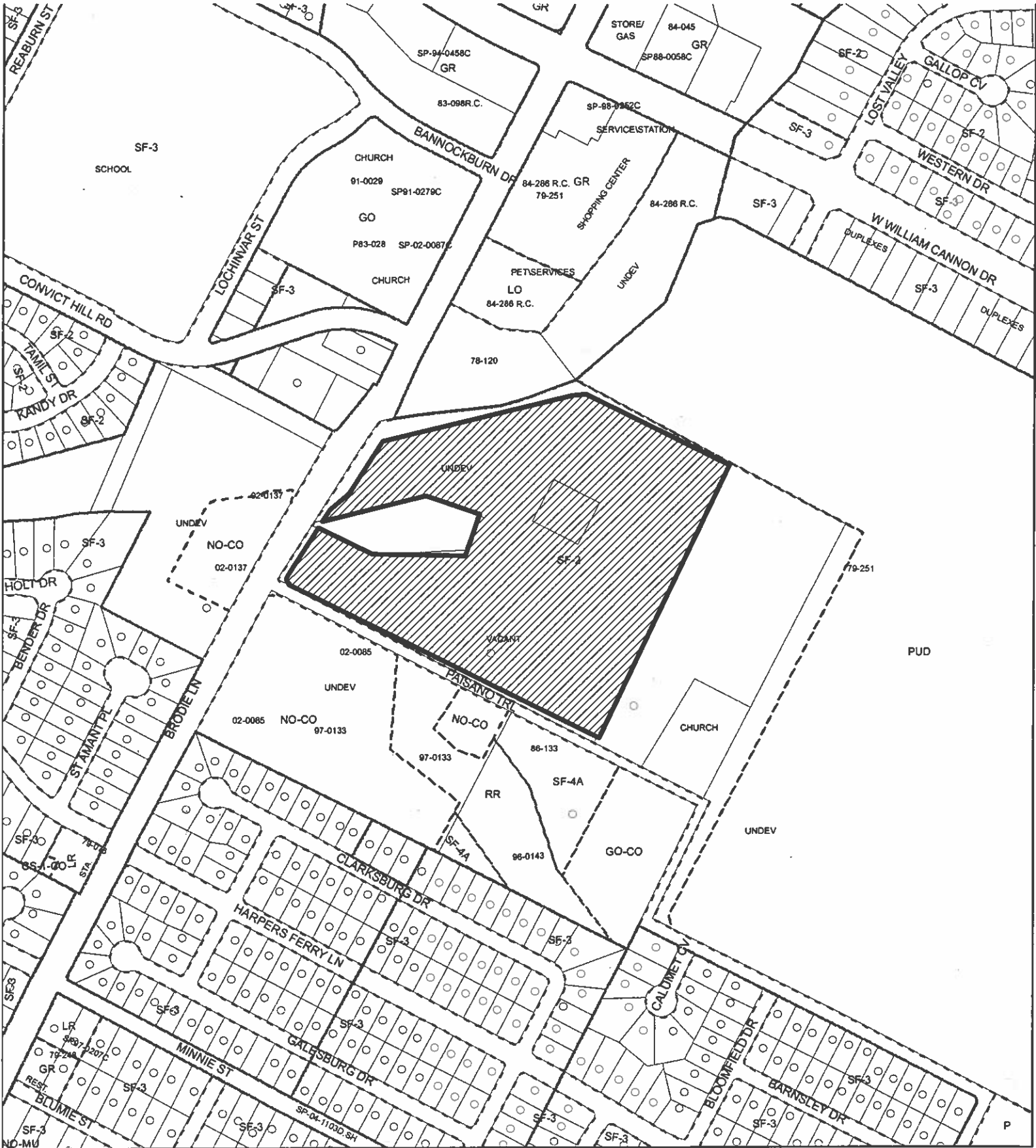
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@ci.austin.tx.us




PHONE: 974-7719



ZONING

EXHIBIT A



-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE

ZONING CASE#: C14-2008-0106
 ADDRESS: 3401 PAISANO TRL
 SUBJECT AREA: 18.98 ACRES
 GRID: E17
 MANAGER: W. RHOADES

OPERATOR: S. MEEKS



1" = 400'

This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Lundelius McDaniel's Water Quality Retrofit Project

Project Briefing

Description of Property and Project

The City of Austin Watershed Protection and Development Review Department is proposing a water quality retrofit project within the Williamson Creek Watershed to remove pollutants from storm runoff that drains into a significant Barton Springs Zone recharge feature. The City has acquired two tracts of land near William Cannon Boulevard and Brodie Lane through development settlements: the McDaniel tract (9.32 acres); and Lundelius tract (18.98 acres). Together the total area is 28.30 acres. Both tracts are undeveloped. There is an abandoned home site (house removed) on the Lundelius tract and a sedimentation/filtration basin that treats runoff from Brodie Lane on the McDaniel's tract.

The project site is crossed by an unnamed tributary to the Kincheon, or Dry Branch, of Williamson Creek. The total drainage area of the unnamed tributary to a feasible water quality control location on the McDaniel tract is 166.6 acres. Water quality calculations for the control are based on a watershed area of 133.7 acres, eliminating from the calculations a portion of the contributing area that is developed with storm water controls that meet Save Our Springs (SOS) Ordinance standards. The unnamed tributary's confluence with Kincheon Branch is upstream of Dry Fork Sink, a karst recharge feature to the Barton Springs Edwards Aquifer. This sink has been observed by the members of the Texas Speleological Survey and the Barton Springs/Edwards Conservation District staff to recharge the entire flow of Williamson Creek during some rain events. A dye injected into Dry Fork Sink in June 1997 was detected in Barton Springs in less than 30 hours. The total watershed tributary to the Dry Fork Sink is approximately 5,000 acres. The area that could be affected by a project on the McDaniel and Lundelius tracts represents roughly 3% of this total watershed.

Existing Topography and Geology

Land use in the watershed is primarily single family residential. Impervious cover area was determined from a digitized map of the drainage boundary and 2003 City of Austin impervious cover information. A City of Austin Watershed Protection and Development Review Department staff-derived adjustment factor was used to account for sidewalks, driveways, and other features not included within the impervious cover polygons. Existing impervious cover area is estimated to be 26.4% of the total watershed area, or approximately 44 acres. Future land use and impervious cover percentages within the contributing drainage area are unknown. The impervious cover within the most developed portion of the drainage area is 35.0%. A future impervious level for the entire drainage area is assumed equal to that percentage.

The contributing drainage area is dominated by Denton Silty Clay, 3-5% slopes, and Tarrant Slopes, rolling. The predominant geologic formation in the contributing watershed is the Del Rio Formation, which is 15 to 50 feet thick and comprised of dark gray to olive brown, pyritic, gypsiferous, calcareous, and slowly permeable clay. Other geologic formations in the drainage area are the Georgetown Formation and the Buda Formation. The Georgetown Formation comprises 60 feet or less of dense, marly limestone deposited under marine conditions and has low porosity and permeability. The Buda Formation contains poorly bedded to nodular, hard to chalky, mudstone, 40 to 56 feet thick. The coloration is light grey to orange, and this unit has low porosity.

Exhibit B

Vegetation

The vegetative community observed within the McDaniel and Lundelius tracts is a mix of savannah and woodland. There are large patches which are composed of woody species with dense canopies; these areas have depauperate herbaceous vegetation due to lack of sunlight penetrating the canopy. The savannah-like areas have much more dense herbaceous vegetation. Tree and large woody shrub species within the McDaniel and Lundelius tracts were primarily live oak (*Quercus virginiana* var. *fusiforma*), elm (*Ulmus* sp.), juniper (*Juniperus ashei*), honey mesquite (*Prosopis glandulosa*), Texas hackberry (*Celtis laevigata*), Chinaberry (*Melia azedarach*), gum bumelia (*Bumelia lanuginosa*), agarita (*Mahonia trifoliolata*), and Texas persimmon (*Diospyros texana*). Rare, but present on site are western soapberry (*Sapindus saponaria*), pecan (*Carya illinoensis*), red oak (*Quercus buckleyi*), Chinese tallow (*Sapium sebiferum*), privet (*Ligustrum* sp.), and hoptree (*Ptelea trifoliata*).

Two species of cacti—pencil cactus (*Opuntia leptocaulis*), prickly pear (*Opuntia* sp.)—were present, as well as twist-leaf yucca (*Yucca rupicola*). Net-vein milkvine (*Matelea reticulata*), dewberry (*Rubus trivialis*), and cow itch vine (*Cissus* sp.) are common vines—mostly along the ground—while greenbriar (*Smilax bona-nox*) and mustang grape (*Vitis mustangensis*) were most commonly seen growing on the trunks and branches of trees.

The most dominant grasses are Johnsongrass (*Sorghum halepense*), Virginia wild rye (*Elymus virginicus*), and Texas wintergrass (*Nassella leucotricha*). While southwestern bristlegass (*Setaria schaeferi*), bermudagrass (*Cynodon dactylon*), silver bluestem (*Bothriochloa laguroides* ssp. *torreyana*), and perennial ryegrass (*Lolium perenne*) are all fairly common on the site. Common curly-mesquite (*Hilaria belangeri*), Hall's panicum (*Panicum hallii* var. *hallii*), threeawn (*Aristida* sp.), rescuegrass (*Bromus catharticus*), and little bluestem (*Schizachyrium scoparium* var. *scoparium*) are all present, though not in abundance. Other herbaceous species observed on the tracts were Wright's pavonia (*Pavonia lasiopetala*), beggar's lice (*Torilis arvensis*), noseburn (*Tragia* sp.), wild petunia (*Ruellia nudiflora*), Mexican hat (*Ratibida columnifera*), horse herb (*Calypocarpus vialis*), prairie-tea (*Croton monanthogynus*), mealy blue sage (*Salvia farinacea*), poison ivy (*Toxicodendron radicans*), silver leaf nightshade (*Solanum elaeagnifolium*), frog fruit (*Phyla nodiflora*), horsemint (*Monarda citriodora*), rain lily (*Cooperia pedunculata*), Indian blanket (*Gaillardia pulchella*), dayflower (*Commelina erecta* var. *erecta*), wood sorrel (*Oxalis* spp.), Texas thistle (*Cirsium texanum*), Texas lantana (*Lantana urticoides*), gaura (*Gaura* sp.), marvel-of-Peru (*Mirabilis jalapa*), frostweed (*Verbesina virginica*), ponyfoot (*Dichondra* sp.), and two flower milkvine (*Matelea biflora*).

Critical Environmental Features

A significant area on this proposed project site is designated "Priority Woodlands". As defined by the City of Austin Land Development Code, there are no springs, seeps, wetlands, bluffs, canyon rimrock, caves, or faults, within 150' of the project area. However, the William Cannon Sinkhole (Dry Fork Sink) which has been identified by the City of Austin is roughly a third of a mile downstream and constitutes a significant recharge feature.

Amendment Request

1. To amend the SOS ordinance section 25-8-514(B) to allow the construction of water quality facilities within the Critical Water Quality Zone (CWQZ)

The applicant proposes to build a partial sedimentation/biofiltration pond and vegetative filter strips within the CWQZ of Williamson Creek.

Justification – As previously mentioned, the unnamed tributary's confluence with Kincheon Branch is upstream of Dry Fork Sink, a karst recharge feature to the Barton Springs Edwards Aquifer. This sink has been observed by the members of the Texas Speleological Survey and the Barton Springs/Edwards Conservation District staff to recharge the entire flow of Williamson Creek during some rain events. A dye injected into Dry Fork Sink in June 1997 was detected in Barton Springs in less than 30 hours. The proposed improvements will result in environmentally superior conditions than what exist, including pollutant attenuation to Barton Creek and Barton Springs Pool.

The City of Austin Watershed Protection and Development Review Department is proposing a water quality retrofit project within the Williamson Creek Watershed to remove pollutants from storm runoff that drains into a significant Barton Springs Zone recharge feature. The City has acquired two tracts of land near William Cannon Boulevard and Brodie Lane through development settlements: the McDaniel tract (9.32 acres); and Lundelius tract (18.98 acres). Together the total area is 28.30 acres. Both tracts are undeveloped. There is an abandoned home site (house removed) on the McDaniel's tract and, a sedimentation/filtration basin that treats runoff from Brodie Lane on the Lundelius tract.

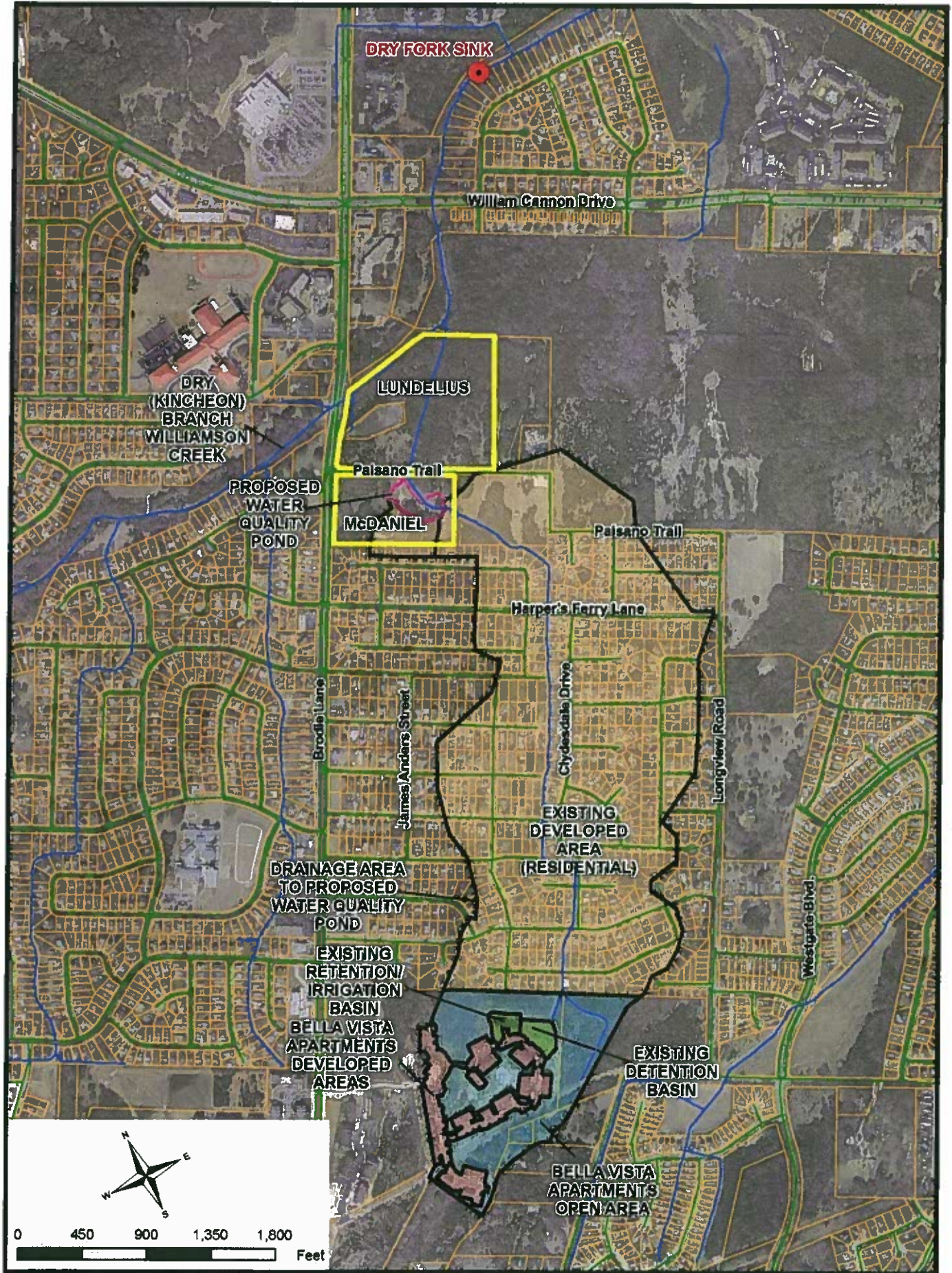
The project site is crossed by an unnamed tributary to the Kincheon, or Dry Branch, of Williamson Creek. The total drainage area of the unnamed tributary to a feasible water quality control location on the McDaniel tract is 166.6 acres. Water quality calculations for the control are based on a watershed area of 133.7 acres, eliminating from the calculations a portion of the contributing area that is developed with storm water controls that meet Save Our Springs (SOS) Ordinance standards. The unnamed tributary's confluence with Kincheon Branch is upstream of Dry Fork Sink, a karst recharge feature to the Barton Springs Edwards Aquifer. This sink has been observed by the members of the Texas Speleological Survey and the Barton Springs/Edwards Conservation District staff to recharge the entire flow of Williamson Creek during some rain events. A dye injected into Dry Fork Sink in June 1997 was detected in Barton Springs in less than 30 hours. The total watershed tributary to the Dry Fork Sink is approximately 5,000 acres. The area that could be affected by a project on the McDaniel and Lundelius tracts represents roughly 3% of this total watershed.

The location of the pond in the Critical Water Quality Zone is required in order to capture and treat the runoff from this tributary. Section 25-8-514 of the Save Our Springs Initiative prohibits pollution control structures within the CWQZ of watersheds contributing to Barton Springs; therefore, a site specific amendment to the Save Our Springs Initiative is required for this project.

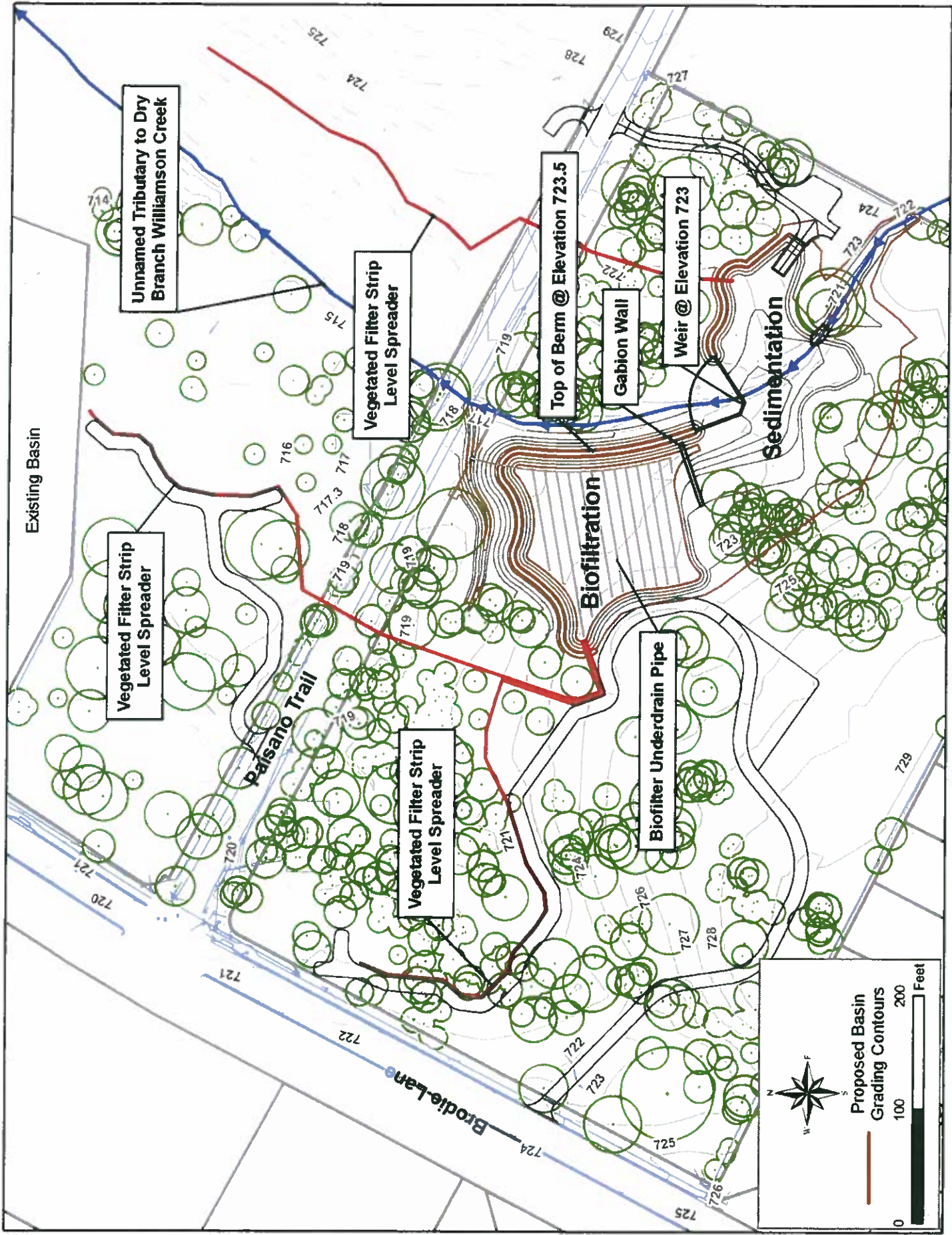
- The proposed pond will be located in a relatively remote area that gets little use by the public. Additional landscaping will further minimize visual impact. The approximately 1.0 acre pond site and approximately 6.0 acres vegetative filter strip area will be fenced as a safety measure and to reduce existing unauthorized dumping issues. It is estimated that construction will last 196 days and will occur during the summer months, beginning in January 2009.
- Benefits
 - Treatment of stormwater runoff prior to discharge into unnamed tributary of Kincheon Branch and Dry Fork Sink, a karst recharge feature to the Barton Springs Edwards Aquifer

- Impacts
 - Loss of trees
- Mitigation Strategy
 - Erosion/sedimentation controls
 - Tree mitigation
- Environmental Board presentation
- Planning Commission
- City Council
- Drainage area to pond – 166.6 acres (133.7 acres untreated)
- Impervious cover - 35%
- Treatment of runoff with sedimentation/biofiltration pond and vegetative filter strips
- Capture volume - 0.2 inches
- Water Quality volume – 98,819 cubic ft
- The proposed water quality control would remove about 31,600 pounds of total suspended solids (TSS) per year.
- Surface area of pond – 56,482 sq ft
- Total area of vegetative filter strips – 259,711 sq ft
- Current SOS ordinance prohibits WQ treatment facilities in CWQZ of Barton Creek.

Drainage Area to Pond



Pond Detail



SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant public (P) district zoning.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. The proposed zoning should be consistent with the purpose statement of the district sought.

P, Public district zoning is intended to accommodate uses of a governmental, civic, public service, or public institutional nature, including major public facilities. This district is intended for properties, used, reserved, or intended to be used for a civic or public institutional purpose or for major public facilities. The proposed rezoning of the property to accommodate the water quality retrofit project is consistent with the purpose statement of the district sought.

2. Zoning changes should promote an orderly and compatible relationship among land uses.

Staff recommends P district zoning, given: 1) the retrofit project will treat storm runoff prior to discharge into an unnamed tributary of Kincheon Branch and a significant Barton Springs Zone feature, which in turn, benefits water quality within the Williamson Creek watershed, 2) is considered a civic use and is compatible with the surrounding land uses and zoning; and 3) it is City Council policy that all City owned or leased land be zoned public (P) district.

EXISTING CONDITIONS**Site Characteristics**

The vegetative community observed within the McDaniel and Lundelius tracts is a mix of savannah and woodland. The project site is crossed by an unnamed tributary to the Kincheon, or Dry Branch, of Williamson Creek.

Impervious Cover

The maximum impervious cover allowed by the P zoning district is established by a conditional use site plan.

Environmental

This site is located over the Edward's Aquifer Recharge Zone. The site is in the Williamson Creek Watershed of the Colorado River Basin, which is classified as a Barton Springs Zone (BSZ) Watershed. It is in the Drinking Water Protection Zone.

Project applications at the time of this report are subject to the SOS Ordinance that allows 15% impervious cover in the recharge zone, 20% impervious cover in the Barton Creek

watershed and 25% impervious cover in the Contributing zone. This tract lies in the recharge zone.

According to flood plain maps, there is flood plain within the project location.

The site is located within the endangered species survey area.

As defined by the City of Austin Land Development Code, there are no springs, seeps, wetlands, bluffs, canyon rimrock, caves, or faults, within 150 feet of the project area.

The site currently has a water quality / detention pond located on the property. Any new work must comply with SOS standards for water quality treatment.

Transportation

No additional right-of-way is needed for Brodie Lane at this time.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

Water and Wastewater

If the landowner intends to serve the site with City of Austin water and wastewater utilities, then the landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocations and or abandonments required. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Compatibility Standards

This site is located in the Drinking Water Protection Zone. Under Project Duration [25-1-535(B)(4)] sites in the DWPZ will expire three years from the initial submittal date of May 23, 2008. No extensions to the three-year life of a site plan will be granted. For questions concerning Project Duration please contact Susan Scallon at 974-2659.

Site plans will be required for any new development other than single-family or duplex residential.

Section 25-2-625(D)(2) states that sites of one acre or more require approval of a conditional use permit by the Land Use Commission.

RON HOBBS ARCHITECTS

ARCHITECTURE, PLANNING, INTERIORS

05/30/2008

Mr. Mark Walters
City of Austin - Neighborhood Planning and Zoning
505 Barton Springs Road
5th Floor
Austin, TX 78704

Project No: 0810
Zion Rest Missionary Baptist Church
3326 Paisano Trail
Austin, Texas 78745

Mr. Walters:

It has been brought to our attention by our client, The Zion Rest Missionary Baptist Church, that the property immediately northwest of their future campus at 3341 Paisano Trail is currently scheduled to go before the Zoning Board. It is our understanding that this property, located at the intersection of Brodie Lane and Paisano Trail, is currently owned by the City of Austin.

We are concerned that the development planned for the City's site may directly or indirectly have an impact upon how the Church develops their property. On behalf of the Church we would like to be granted the opportunity to meet with the City to review the plans for this tract prior to approval.

Thank you for your consideration and feel free to contact me at 972-494-0174 if you have any further questions or concerns.

Sincerely,



Derwin Broughton

cc: Maureen Meredith, City of Austin - Neighborhood Planning and Zoning
Timothy Moltz P.E., Huitt-Zollars Inc.
Benny Ridge, Zion Rest Missionary Baptist Church