

ENVIRONMENTAL BOARD MEETING MINUTES Wednesday, May 5, 2010



ENVIRONMENTAL BOARD MEETING MINUTES WEDNESDAY MAY 5, 2010

The Environmental Board convened in a regular meeting on Wednesday, May 5, 2010, City Council Chambers, at 301 W. Second Street, Austin, Texas 78701

Board Members in Attendance:

Rodney Ahart, J. Robert Anderson, Jon Beall, Robin Gary, Mary Gay Maxwell, Phil Moncada, & Mary Ann Neely

Staff in Attendance:

Robbie Botto, Marilla Shepherd, Pat Murphy, Ingrid McDonald, Keith Mars, Brad Jackson, Sarah Graham, Jerry Rusthoven, and David Johns.

CALL TO ORDER

Meeting called to order at 6:10 p.m.

CITIZEN COMMUNICATIONS: GENERAL

Speaker should sign up to speak prior to the meeting called to order; you will receive a three-minute allotment to address your concerns regarding items not posted on the agenda.

- 1. Richard Garcia and Albert DeLoach signed up to speak about large amounts of concrete (curbs, etc) from major roadway construction in the West Bouldin Creek.**

The Environmental Board requests that City of Austin staff (AWU and WPD) provide answers to the following questions regarding Mr. Garcia and Mr. DeLoaches report degree in West Bouldin Creek at a future Environmental Board meeting:

- How has this creek gotten into such a degraded state?**
 - What are the cleanup procedures?**
 - What funding would be available to help cleanup this location?**
 - What is the status of the sewer system line? Have any leaks been detected?**
- 2. Robin Cravey signed up to speak in favor of item 4a Bypass Tunnel Amendment.**
 - 3. Gary Beyer signed up to speak in favor of item 4a the Bypass Tunnel Amendment.**
 - 4. Thomas Weber signed up to speak in favor of item 4a the Bypass Tunnel Amendment.**

1. APPROVAL OF MINUTES AND ACTION ITEMS

- a. Approve the minutes of the Environmental Board retreat meeting on April 21, 2010

The minutes for the Environmental Board retreat on April 21, 2010 were approved on Board member Phil Moncada's motion, and seconded by Board member Robin Gary. [Vote of 7-0]

2. PUBLIC HEARINGS, DISCUSSION AND ACTION DEVELOPMENT

- a. **Name:** Whisper Valley Planned Unit Development C814-2009-0094
Applicant: Metcalfe Williams, LLP
Location: Gilbert Road and FM 973
Staff Person: Keith Mars, Planning and Development Review Department
Request: Applicant is requesting PUD zoning for the property with the following environmental exceptions:
(1) LDC 25-8-262(B)(1) (Critical Water Quality Zone Street Crossings) Allow for an arterial or collector street to cross a major critical water quality zone in 4 locations regardless of if it is identified in the Transportation Plan;
(2) LDC 25-8-262(B)(2)(a) (Critical Water Quality Zone Street Crossings) Allow for an arterial or collector street to cross an intermediate waterway critical water quality zone within 2,500 feet on the same waterway in 4 locations;
(3) LDC 25-8- 301/302 (Construction on Slopes) Allow for an exception to the requirements of 25-8-42 (Administrative Variances), to allow for the Director to grant a variance from the requirement of 25-8, Subchapter A, Article 7, Division 3 (Construction on Slopes);
(4) LDC 25-8-394 (C) (Suburban Watershed Uplands Zone) Allow for development intensity to be transferred allowing for maximums of 65% for single family or duplex, 70% for multifamily residential and 90% for commercial uses;
(5) LDC 25-8-604 (Development Application Requirements and Section 3.0 of the ECM Tree Survey) Allow for development intensity to be transferred allowing for the Commercial and Mixed Use Districts to have maximums of 70% for single family attached and multifamily residential and 90% for commercial. The Residential District will have maximums of 55% for single family detached, 65% for single family attached and multifamily and 85% for commercial.
Watershed: Gilleland Creek and Colorado River (Suburban) Desired Development Zone
Recommendation: Recommended for approval.

The Environmental Board recommends conditional approval to Land Development Code;

(1) LDC 25-8-262(B)(1)(Critical Water Quality Zone Street Crossings) Allow for an arterial or collector street to cross a major critical water quality zone in 4 locations regardless of if it is identified in the Transportation Plan;

(2) LDC 25-8-262(B)(2)(a) (Critical Water Quality Zone Street Crossings)

Allow for an arterial or collector street to cross an intermediate waterway critical water quality zone within 2,500 feet on the same waterway in 4 locations;

(3) LDC 25-8- 301/302 (Construction on Slopes) Allow for an exception to the requirements of 25-8-42 (Administrative Variances), to allow for the Director to grant a variance from the requirement of 25-8, Subchapter A, Article 7, Division 3 (Construction on Slopes);

(4) LDC 25-8-394 (C) (Suburban Watershed Uplands Zone) Allow for development intensity to be transferred allowing for maximums of 65% for single family or duplex, 70% for multifamily residential and 90% for commercial uses;

(5) LDC 25-8-604 (Development Application Requirements and Section 3.0 of the ECM Tree Survey) Allow for development intensity to be transferred allowing for the Commercial and Mixed Use Districts to have maximums of 70% for single family attached and multifamily residential and 90% for commercial. The Residential District will have maximums of 55% for single family detached, 65% for single family attached and multifamily and 85% for commercial.

RECOMMENDATION APPROVED: [VOTE 7-0]

Motioned by Board member Phil Moncada and seconded by Board member Rodney Ahart. See attached motion.

3. STAFF BRIEFINGS AND POSSIBLE ACTION

- a. Consider an ordinance amending section 24-8-514 of the City Code and Granting a variance to section 25-8-482 of the City Code to allow construction of temporary access roads and repairs to the Barton Springs Bypass in the Critical Water Quality Zone. David Johns Watershed Protection Department.

This item was conducted. The Environmental Board offers the attached motion in response to the briefing received by City staff on the Consider an ordinance amending section 24-8-514 of the City Code and Granting a variance to section 25-8-482 of the City Code to allow construction of temporary access roads and repairs to the Barton Springs Bypass in the Critical Water Quality Zone. See attached motion.

- b. Briefing on the Town Lake Annual Concession Report 2008-2009- Joe Washington, Parks and Recreation Department.

The Environmental Board voted to postpone the briefing on the Town Lake Annual Concession Report 2008-2009 until the next regular meeting on 5/19/10. See attached motion.

- c. Briefing on the Holly Street Power Plan Decommissioning and Demolition Project SPC-2009-0199D.

This item was conducted as posted. The Environmental Board voted to pass this item on consent. See attached motion.

- d. McMeans Store Wastewater Service Extension Request #2912-Robbie Botto, Watershed Protection Department.

This item was conducted as posted. The Environmental Board offers the attached motion in response to the briefing on the McMeans Store Wastewater Service Extension Request Number 2912. See attached motion.

- e. Consider a code amendment for Bulkheads and Trams- Andrew Clamann and Pat Murphy, Watershed Protection Department.

The Environmental Board voted to postpone the consideration of a code amendment for Bulkheads and Trams until the next regular meeting on 5/19/10. See attached motion.

- f. Briefing on the Waller Creek District Masterplan – Tonya Swartzendruber, Planning and Development Review Department.

The Environmental Board voted to postpone the briefing on the Waller Creek District Masterplan until the next regular meeting on 5/19/10. See attached motion.

- g. Briefing on the applicability of the Barton Springs Zone Redevelopment Exception (Land Development Code section §25-8-27) to properties with commercial zoning but no existing commercial land uses. Matt Hollon and Pat Murphy Watershed Protection Department.

The Environmental Board voted to postpone the briefing on the Briefing on the applicability of the Barton Springs Zone Redevelopment Exception (Land Development Code section §25-8-27) to properties with commercial zoning but no existing commercial land uses until the next regular meeting on 5/19/10. See attached motion.

4. OLD BUSINESS

a. Reports from Board Subcommittees:

- 1) Update on the Joint Environmental/Parks Board Subcommittee – Mary Gay Maxwell, Jon Beall & Mary Ann Neely
- 2) SOS Redevelopment Ordinance Subcommittee – Jon Beall, Chair, Mary Ann Neely and Robin Gary
- 3) Urban Growth Policy subcommittee – Phil Moncada, Chair, Mary Gay Maxwell and one vacancy.
- 4) Water Treatment Plant #4 subcommittee – Mary Gay Maxwell, Chair, Jon Beall & Mary Ann Neely
- 5) Development Subcommittee – Bob Anderson, Chair, Mary Gay Maxwell & one vacancy
- 6) Water Quality Regulations subcommittee – Mary Ann Neely, Chair, Robin Gary and Phil Moncada
- 7) Watershed Protection Department 2010-2011 Budget subcommittee – Phil Moncada, Chair, Mary Gay Maxwell, Jon Beall

b. Reports from Board Representatives to Advisory Groups, Task Force

- 1) Update on the Balcones Canyonlands Conservation Plan Citizens Advisory Group: Mary Ann Neely
- 2) Waller Creek Task Force: Rodney Ahart

6. NEW BUSINESS - Future agenda items:

- Board member Maxwell requests a meeting of the WTP#4 subcommittee for a briefing on Water Treatment Plant #4 regarding the progress of the study on groundwater flow patterns and the status of construction of the transmission lines and the entry shafts.
- Environmental Board requests that City of Austin staff (AWU and WPD) provide answers to the questions regarding West Bouldin Creek
(See citizens' communication number 1)
- Topics will be discussed in the following order based on Board members' prioritization. There is one exception, item #1. It made sense to learn WPD staff names and functions assigned to each in order to know the person to contact if information were needed.

1. **"Functional" staff chart for Watershed Protection – Nancy McClintock**
2. **Upcoming trends and issues related to watersheds – Matt Hollon**
3. **Grandfather entitlements chapter 245 and the City of Austin – Pat Murphy and Susan Scallon**
4. **Water detention ponds and water quality structural controls- Pat Murphy?**
5. **Outreach and education by WPD Environmental Resource Management – Kathy Shay and Sharon Cooper**

6. Heritage Tree Ordinance implementation update
7. Relationship of ZAP Commission's consideration to the actions of the Environmental Board – Pat Murphy
8. Report on Green Building and LEED standards – Austin Energy Green Building Department
9. Operation Permit regulatory terms and their meaning - WHO??
10. Report from Austin water Utility on conservation measures being used by the Utility.
11. The difference in impervious cover regulations in different watersheds. -?
12. Board packet checklist draft – Ingrid McDonald
13. EB By-laws discussion -?

ADJOURNMENT

The meeting adjourned at approximately 8:45 p.m.