



**\*ENVIRONMENTAL BOARD MEETING REVISED MINUTES WEDNESDAY  
April 3, 2013**

**The Environmental Board convened in a public hearing meeting on Wednesday,  
April 3, 2013 at City Hall Council Chambers. 301 W. Second Street, Austin, Texas 78701.**

**Board Members in Attendance:**

**Bob Anderson, Mary Ann Neely, Marisa Perales and James Schissler**

**Board Members Absent**

**Robin Gary, Mary Gay Maxwell, and Jennifer Walker**

**Staff in Attendance:**

**Mateo Scoggins**

**Marilla Shepherd**

**Chuck Lesniak**

**Mike Personett**

**Sherri Swattias**

**Jerry Rusthoven**

**Scott Hires**

**Sue Barnett**

**Brad Jackson**

**Joydeep Goswami**

**Jim Dymkowski**

**1. CALL TO ORDER**

**Acting Chair James Schissler called the meeting to order at 6:07 p.m.**

**2. CITIZEN COMMUNICATIONS: GENERAL**

Speaker should sign up to speak prior to the meeting being called to order; you will receive a three-minute allotment to discuss topics not posted on the agenda.

- Zoila Vega signed up to speak about a greenbelt in South Austin
- Craig Nazor signed up to speak about Watershed Restoration Projects

**3. APPROVAL OF MINUTES AND ACTION ITEMS**

- a. Approve the minutes of the Environment Board regular meeting on March 20, 2013.

**The March 20, 2013 Environmental Board minutes were postponed to the April 17, 2013 Environmental Board meeting due to lack of quorum.**

- b. Environmental Officer's report on, hot topics, and past Board actions – Chuck Lesniak, Watershed Protection Department

**No report this week**

4. **10 MINUTES OF EDUCATION**

- a. Update on the Grow Zone program creek restoration program – Mateo Scoggins, Watershed Protection Department  
**This item was conducted as posted.**

5. **PUBLIC HEARINGS POSTPONED ON 3/20/13 AND ACTION**

- a. **Name:** Steiner Ranch MU-11 / SP-2012-0175D  
**Applicant:** Crocker Consultants  
**Location:** 4200 Steiner Ranch Blvd.  
**Staff Reviewer:** Brad Jackson, PDRD Environmental Reviewer  
**Watershed** Bear West (Lake Austin) Watershed (Water Supply Rural) Zone  
**Ordinance:** Comprehensive Watershed Ordinance, as amended by the Steiner Ranch Subdivision Settlement Agreement  
**Request:**  
1. Variance from LDC 25-8-341 – To allow cut up to a maximum of 12 feet.  
2. Variance from LDC 25-8-342 – To allow fill up to a maximum of 12 feet  
**Staff Recommendation:** Not recommended.

**The Environmental Board recommends disapproval of Steiner Ranch MU-11- SP-2012-0175D disapproval motioned by Board member Bob Anderson and seconded by Board member Mary Ann Neely [Vote 3-1-0-3] motion failed. Board member Mary Gay Maxwell, Robin Gary and Jennifer Walker were absent. See attached recommendation. The Environmental Board made no recommendation to the Zoning and Platting Commission.**

6. **PUBLIC HEARINGS AND ACTION**

- a. **Name:** ThinkEAST PUD C814-2012-0128.SH  
**Applicant:** ThinkEAST Austin Mgmt, LLC. Richard deVarga - Agent  
**Location:** 1141 Shady Lane  
**City Staff:** Liz Johnston, PDRD Environmental Reviewer  
**Ordinance** Comprehensive Watershed Ordinance (current Code)  
**Watershed:** Boggy Creek and Tannehill Creek (Urban), Desired Development Zone  
**Request:** Review and consider for recommendation rezoning the subject property from LO-MU-CO-NP, SF-3NP to PUD-NP. The following environmental code exception is requested:  
1. To allow removal of a Heritage Tree; [LDC Section 25-8-641]  
**Staff Recommendation:** Recommended

**The Environmental Board recommends approval of the environmental superiority aspects of ThinkEAST PUD C814-2012-0128.SH. Motioned by Board member Bob Anderson and seconded by Board member Mary Ann Neely Vote 4-0-0-3 Board members Robin Gary, Mary Gay Maxwell and Jennifer Walker were absent. See attached recommendation.**

- b. **Name:** Estancia Hill Country Planned Unit Development C814-2012-0085  
**Applicant:** Metcalfe Wolf Stuart & Williams, LLP Michele Rogerson Lynch -Agent  
**Location:** 12814 S IH 35 SVRD SB  
**City Staff:** James Dymkowski, PDRD Environmental Reviewer  
**Ordinance** Comprehensive Watershed Ordinance (current Code)  
**Watershed:** Onion Creek (Suburban) Desired Development Zone  
**Request:** Review and consider for recommendation the proposed Planned Unit Development. The following environmental code exceptions are requested.
1. Modify 25-8-41 (Land Use Commission Variances); 25-8-301(Construction of a Roadway or Driveway), Subsection(A); and 25-8-302 (Construction of a Building or Parking Area), Subsection (A)(2) to authorize the Director to grant administrative variances after making the determinations required under 25-8-41.
  2. Modify 25-8-394 (C) (Uplands Zone), Subsection (C) to allow a maximum impervious cover limit of 70% for multifamily residential and 90% for commercial developments.
  3. Modify 25-8-643 (*Land Use Commission Variance*) to allow the Director to grant a variance to allow removal of a heritage tree after making the determinations required under 25-8-643.
- Staff Recommendation:** Recommended for approval

**The Environmental Board recommends approval with conditions of the environmental superiority aspects of the Estancia Hill Country PUD C814-2012-0085 motioned by Bob Anderson and seconded by Board member Mary Ann Neely Vote 4-0-0-3. Board members Robin Gary, Mary Gay Maxwell and Jennifer Walker were absent. See attached recommendation.**

**7. OLD BUSINESS AND REPORTS**

- a. Update on the Joint Environmental/Parks Board Subcommittee – Mary Ann Neely, and Jennifer Walker.  
**No report this week.**
- b. Urban Growth Policy Committee – Mary Gay Maxwell, James Schissler, P. E., and Marisa Perales  
**No report this week.**
- c. Water Treatment Plant #4 Committee – Mary Gay Maxwell, Chair, Bob Anderson, Robin Gary & Mary Ann Neely.  
**No report this week.**
- d. Development Committee – Bob Anderson, Chair, Mary Gay Maxwell, Marisa Perales, and James Schissler.  
**No report this week.**

- e. Water Quality Regulations Committee – Mary Ann Neely, Chair, Robin Gary, & Jennifer Walker.  
**No report this week.**
- f. Watershed Protection Budget Committee – Mary Gay Maxwell, Mary Ann Neely & Bob Anderson  
**No report this week.**
- g. Reports from Board representatives to other committees.  
**No report this week.**

- 8. NEW BUSINESS - Future agenda items
  - 1. **The Environmental Board Budget committee will convene to discuss the Watershed Protection Department FY 14 Budget.**
- 9. ADJOURNMENT  
**Acting Chair James Schissler adjourned the meeting at 9:25 p.m.**

**\*Corrected language under 5a to read: recommends disapproval of; and attached the recommendations.**



## ENVIRONMENTAL BOARD RECOMMENDATION 20130403 005A

Date: April 3, 2013

Subject: Steiner Ranch MU-11/SP-2012-0175D

Motioned By: Bob Anderson

Seconded By: Mary Ann Neely

### Recommendation

The Environmental Board recommends disapproval of the Steiner Ranch MU-11/SP-2012-0175D

**Motion Failed.** The Environmental Board sends no recommendation to the Zoning and Platting Commission.

**Vote 3-1-0-3**

For: Anderson, Neely and Perales

Against: Schissler

Abstain:

Absent: Gary, Maxwell and Walker

Approved By:

James Schissler, Secretary, Acting Chair



## **ENVIRONMENTAL BOARD RECOMMENDATION 20130403 006a**

Date: April 3, 2013

Subject: ThinkEAST PUD C814-2012-0128.SH

Motioned By: Bob Anderson

Seconded By: Mary Ann Neely

### **Recommendation**

The Environmental Board recommends approval with conditions of the ThinkEAST PUD.

### **Staff Conditions for Environmental Superiority**

- Provide a Health and Safety Plan for construction contractors to address the potential for encountering residual hydrocarbons that may remain in the soils or groundwater from historical releases in the area,
- Removal of trash and non-native, invasive woody species within the riparian corridor of the tributary to Boggy Creek,
- Use innovative storm water management methods (e.g. bio-filtration, vegetative filter strips, rain gardens, etc.) for at least 50% of the required water quality control,
- Restore all disturbed areas within the Critical Water Quality Zones and priority woodlands with native species, as per City of Austin standards 609.S,
- Street trees will be planted along Shady Lane meeting Core Transit Corridor spacing and species requirements (50 4" trees are proposed).

### **Rationale:**

The superior environmental elements, including water quality, invasive plant removal, restoration methods, and restoration of the site plan from a farmers hydrocarbon storage is commendable.

**Vote** 4-0-0-3

**For:** Anderson, Neely, Perales and Schissler

**Against:**

**Abstain:**

**Absent:** Gary, Maxwell and Walker

Approved By:



James Schissler, Secretary ,Acting Chair



## ENVIRONMENTAL BOARD MOTION 20130403 6b

Date: April 3, 2013

Subject: Estancia Hill Country PUD C814-2012-0085

Motioned By: Bob Anderson

Seconded By: Mary Ann Neely

### Recommendation

The Environmental Board recommends approval conditions for the Estancia Hill Country PUD C814-2012-0085 as described in background documents with exception of deleting a portion of variance No. 3 regarding Heritage Tree review. *(Delete phrase in back-up materials stating that analysis will be “based on preserving those trees that are in the most sound condition,” as this phrase is not included in the heritage tree ordinance.)*

### Staff Conditions:

- Providing headwaters stream buffers for creeks between 64 and 320 acres of drainage (additional 100 feet provided in excess of 50 foot required setback)
- Providing volumetric flood control detention where feasible and beneficial as reasonably determined by the City.
- If full or partial volumetric flood detention is not feasible and beneficial, then the developer agrees to a minimum of 50% of the required water quality volume to be managed by bio-filtration or other green infrastructure water quality controls (options from ECM 1.6.7).
- Agrees to a minimum of 30% of the required water quality volume to be managed by bio-filtration or other green infrastructure water quality controls (options from ECM 1.6.7). Includes wet ponds for multifamily, garden homes, commercial and roads.
- Providing for compliance with the Commercial Landscape Ordinance, which applies to irrigation, landscaping and use of innovative water management options such as directing stormwater to on-site uses (e.g., landscaping) and rainwater harvesting, etc.
- All buildings within the district will achieve an Austin Energy Green Building two star rating or equivalent agreed to by the City.
- Grow Green program participation
- Implementing the Commercial Landscape Ordinance for 100% of required landscaping.
- Adhering to an IPM plan
- Providing for tree protection beyond ETJ and full purpose requirements by following the Protected Tree Ordinance for 8” and greater. Heritage Trees will be prioritized and preserved with administrative review and approval.



- Providing for public and private parkland amenities exceeding standard requirement (116.9 dedicated acres provided and 23.5 acres required= 93.4 acres in excess).
- Required open space exceeds requirements by (18%).

Staff recommends approval of the environmental superiority of the proposed PUD and the exceptions to the Land Development Code sections as defined in the PUD documents because:

- It will provide buffer protection, (30 additional acres) for the unclassified waterways on-site that current code does not require.
- It will use preferred water quality methods (i.e. bio-filtration and wet ponds) that provide a greater overall pollutant removal than the minimum code required sedimentation filtration method.
- It will comply with the current commercial landscape requirements.
- Providing for tree protection beyond ETJ requirements by following the Protected Tree Ordinance for 8" and greater. Heritage Trees will be prioritized and preserved with administrative review and approval.
- It will be providing for public and private parkland amenities exceeding standard requirement (116.9 dedicated acres provided and 23.5 acres required= 93.4 acres in excess).

**Board Conditions:**

1. Provide at least 25% of the water for landscape irrigation for right of way from non-potable water sources (rainwater, condensate water, or catchment of storm water).

**Vote 4-0-0-3**

For: Anderson, Neely, Perales and Schissler

Against:

Abstain:

Absent: Gary, Maxwell and Walker

Approved by:



James Schissler, Acting Chair