



MEMORANDUM

TO: Dr. Mary Gay Maxwell, Chair and Commissioners
Environmental Commission

FROM: Chuck Lesniak, Environmental Officer
Watershed Protection Department

DATE: August 14, 2015

SUBJECT: SOS and Other Code Amendments for St. Catherine of Siena Renovation SP-2014-0476C

On the August 19, 2015 Environmental Commission agenda is a proposed amendment to the City's Save Our Springs ordinance. The ordinance is being brought forward in response to a request by the City Council contained in Resolution #20141211-107 which requested the City Manager to work with the applicant bring an ordinance to Council that:

1. Allows no increase in the existing impervious cover;
2. If feasible, decreases the amount of impervious cover on the site; and
3. Provides water quality treatment consistent with Ch. 25-8-26 (*Redevelopment Exception in the Barton Springs Zone*).

Project Description and Background

St Catherine of Siena is situated on 8.73 acres at 4800 Convict Hill Road (Figure 1) within the Recharge Zone of the Edwards Aquifer. The site has an existing impervious cover of 53.7% or 203,336 square feet. The existing Parish Hall was constructed in 1980 and is in need of redevelopment. St Catherine is proposing to demolish the 1 story, 14,724 square foot (building coverage) Parish Hall and replace it in roughly the same footprint with a 2 story, 21,579 square foot Parish Hall and Narthex. The entire redevelopment is proposed over existing impervious cover and no new impervious cover is proposed.

The Barton Springs Zone Redevelopment Exception (BSZRE) Ch. 25-8-26(E)(6) requires that sites with more than 40% net site area impervious cover provide for sedimentation/filtration ponds for the entire site or SOS ponds for a portion of the site with sedimentation/filtration ponds for the remainder. After submittal of a site plan to the City, it was discovered that the 100 year floodplain had increased on the site and staff is requesting additional drainage easements across the site accordingly. Although there are no existing or proposed buildings in the floodplain, there is no site area available outside of the floodplain or Critical Water Quality Zone to provide for additional development on the site or for the required onsite water quality controls noted above (Figures 2 and 3). As there is no partial redevelopment exception or flexibility with this section of the Code, the only option for partial redevelopment of this site is to seek an amendment to Ch. 25-8-514 (Save Our Springs) and a variance to Ch. 25-8-261 (Critical Water Quality Zone Development).

Project Review

Staff from the Watershed Protection and Development Services Departments have been working with the engineer for the applicant to meet the terms of the Council resolution. Since this was a request from Council a recommendation from staff is not necessary, however, staff is able to recommend the proposal because the applicant was able to design their project to be consistent with the 2013 staff proposal for an amendment to the BSZRE. As background, in 2013 as part of the Watershed Protection Ordinance staff recommended amending the BSZRE to, among other changes, only require water quality treatment for the redeveloped portion of the property. Council rejected the staff proposed amendments because they felt it was a late addition to the Watershed Protection Ordinance and additional stakeholder input was desired. Table 1 provides a summary of the 2013 proposed changes to the BSZRE.

Table 1 – Comparison of current redevelopment requirements and 2013 proposed amendments.

Description	Current BSZRE Requirements	Proposed 2013 Amendments
<i>Eligible Land Uses</i>	Limits the use of the exception to sites with existing commercial development.	Extend the use of the exception to all types of existing development except single-family residential and duplex properties.
<i>Partial Site Redevelopment</i>	Requires the redevelopment to provide water quality treatment and off-site land mitigation for the entire site.	Allow the redevelopment exception to be applied to a portion of a site rather than the entire site.
<i>Multifamily Units & Council Approval</i>	Projects with more than 25 total multifamily units must receive Council approval.	Allow projects to propose 25 additional multifamily units without Council approval (rather than 25 total multifamily units).
<i>Civic Uses & Council Approval</i>	Projects proposing redevelopment of an existing civic use must receive Council approval.	Allow projects with an existing civic use to be approved without Council approval.

Staff still supports the 2013 changes and these are likely to be proposed again in the future. The St. Catherine project will be able to provide pollutant load reduction similar to what would have been required if the amendments had been approved and so this provides a useful benchmark for comparison. The only significant difference is that both current code and the 2013 staff proposal would require paying a mitigation fee to offset the increased impervious cover. These fees are used by the City to purchase land or development rights on the Edwards Aquifer to reduce development on the Aquifer. St. Catherine's is proposing to treat some untreated areas, which somewhat offsets the lack of a mitigation fee. Below is a comparison of the pollutant loadings in three scenarios; current code, 2013 proposed amendments, and the St. Catherine proposal.

Table 2 – Comparison of pollutant load reduction.

Pollutant	Reduction in Pollutant Load		
	Current Code	2013 Staff Proposed Amendment (Incl. Mitigation)*	St. Catherine's Proposal
COD	-56.26%	-12.97%	-16.35%
E. coli	-69.66%	-9.45%	-14.03%
Pb	-47.18%	-18.17%	-20.24%
TN	-39.65%	-13.13%	-11.07%
TOC	-32.60%	-12.87%	-10.29%
TP	-62.30%	-10.48%	-13.39%
TSS	-79.26%	-6.06%	-15.03%
Zn	-53.39%	-16.61%	-20.24%
Mitigation fee	\$361,301 (15 ac.)	\$48,173 (2 ac.)	\$0

*Includes the calculated pollutant load reduction value of 2 acres of mitigation land.

Recommendation

Although there is significantly less water quality benefit to the proposed project than if it were to comply with current code, staff recommends approval of the proposed amendment for the following reasons:

- The project has met the terms of the Council resolution.
- The project complies with the water quality requirements of the 2013 staff supported amendments to the BSZRE.
- Even though the project does not include payment of a fee for purchase of mitigation land, the treatment of areas outside the redevelopment area provides offset for the lack of fee payment.
- The proposed project is a civic use that is used by many in the community which has limited resources and the project is proposing to treat untreated areas to offset the failure to pay the mitigation fee.
- Because of the significant expense for compliance with current code and the church's limited resources, the project is unlikely to go forward without the amendment and so there would be no improvement in water quality for the site.
- The project provides an opportunity for public discussion of a potential future amendment to the BSZRE.

Figure 1

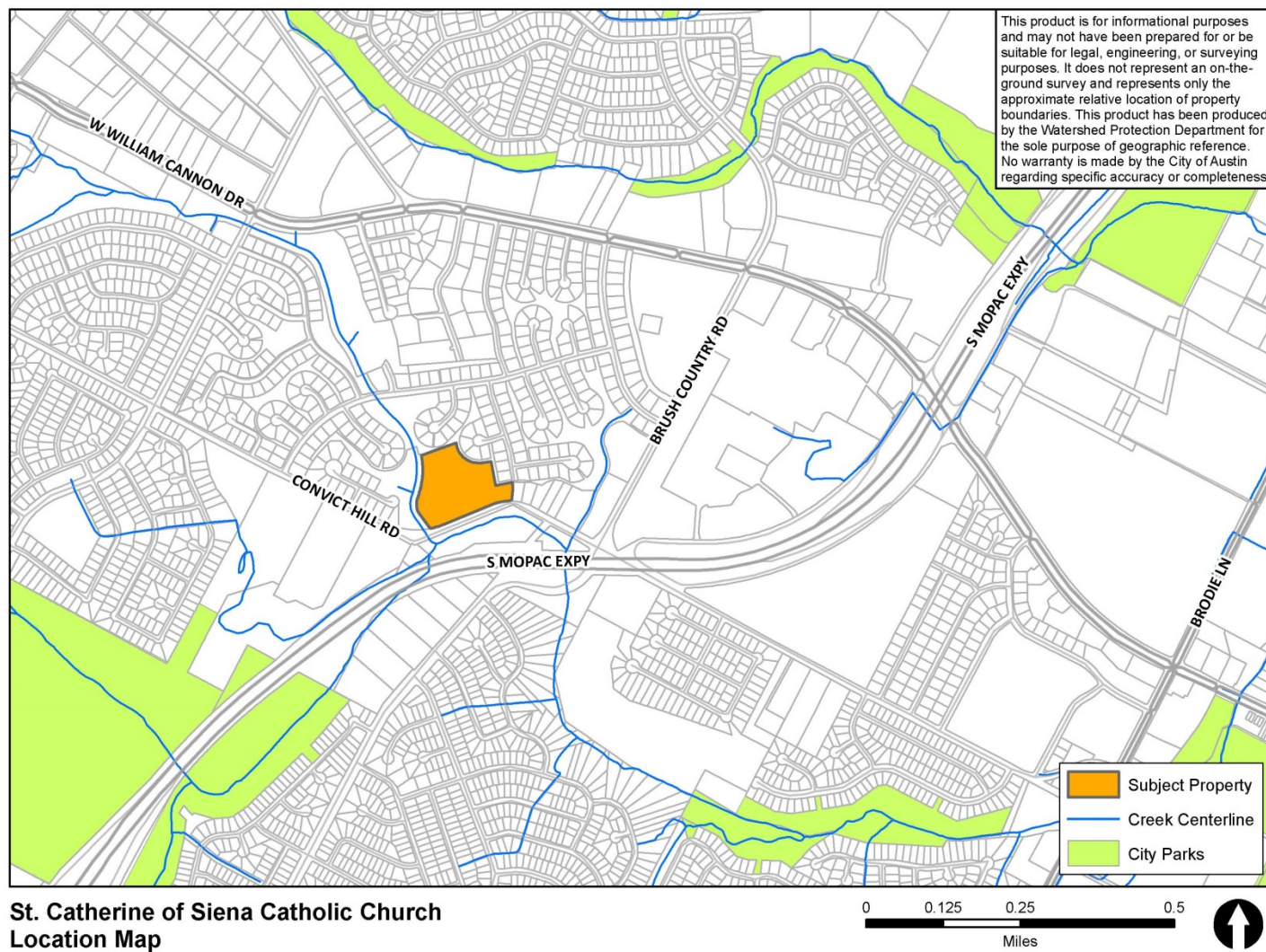


Figure 2

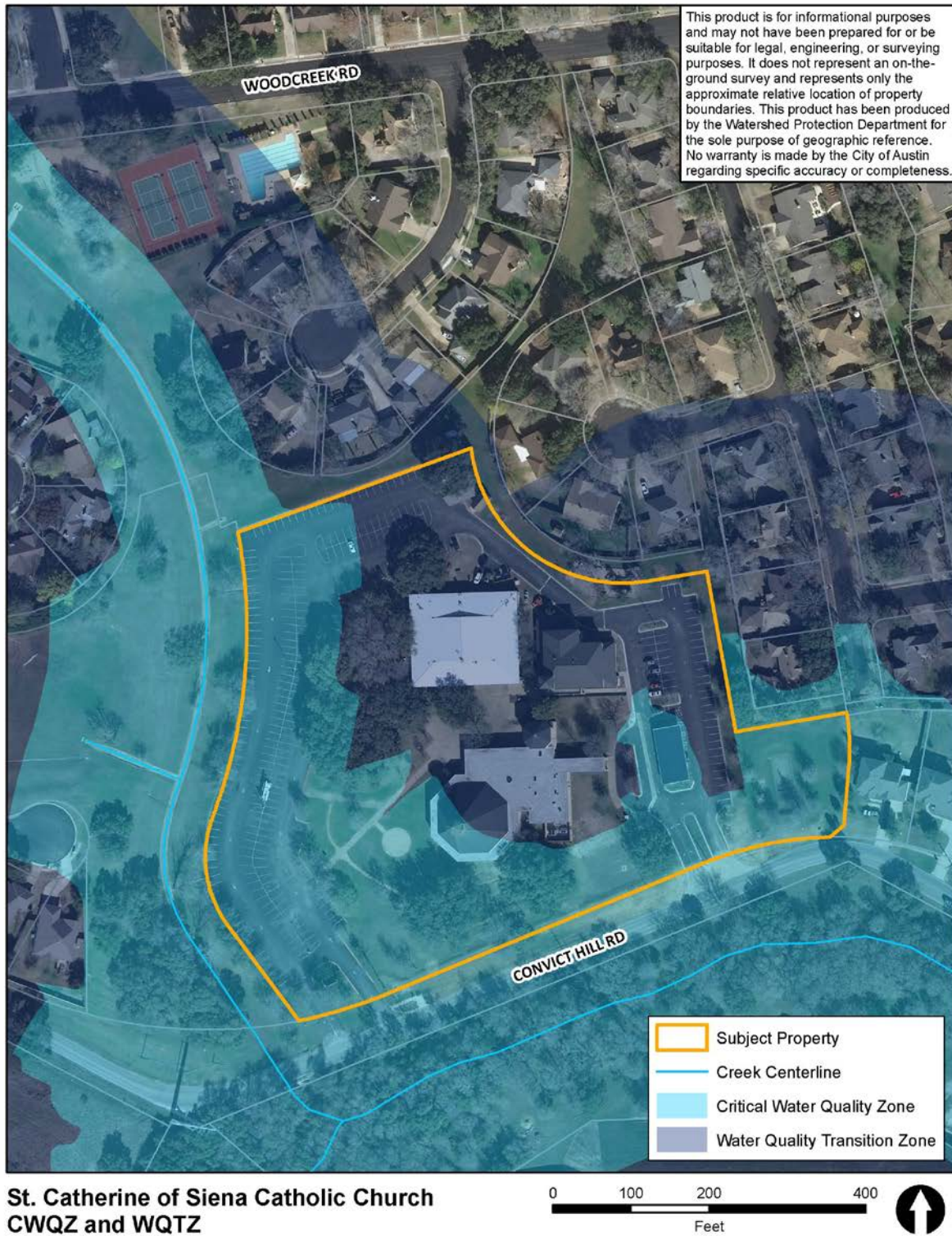


Figure 3

