



## ITEM FOR ENVIRONMENTAL COMMISSION AGENDA

Commission Meeting Date Requested:	August 17, 2016
Name & Number of Project:	Kristin Boat Dock SP-2016-0185DS
Name of Applicant or Organization:	Ricky Rasberry (512) 970-0371
Location:	3811 Westlake Drive
Project Filing Date:	April 16, 2016
City Council District:	10
DSD/Environmental Staff:	Atha Phillips, 974-6303 Atha.Phillips@austintexas.gov
WPD/Hydrogeologist Staff:	Scott Heirs, 974-1916 Scott.Hiers@austintexas.gov
Watershed:	Lake Austin (Water Supply Rural), Drinking Water Protection Zone
Ordinance:	Watershed Protection Ordinance
Request:	1) To allow the construction of a boat dock within a 150 foot Critical Environmental Feature buffer (Canyon Rimrock). 25-8-281(C)(2)(b).
Staff Recommendation:	Recommended for approval.
Reasons for Recommendation:	The findings of fact have been met.



## MEMORANDUM

TO: Marisa Perales, Chairperson and Members of the Environmental Commission

FROM: Atha Phillips, Environmental Review Specialist Senior  
Development Services Department

DATE: July 12, 2016

SUBJECT: Kristin Boat Dock SP-2016-0185DS

On your July 20, 2016 agenda is a request for consideration and recommended approval of one variance to allow the construction of a boat dock within a 150 foot Critical Environmental Feature buffer (Canyon Rimrock)

### Description of Property

The subject property is a .8513 acre platted lot located in the Lake Austin Watershed, is classified as Water Supply Rural, and is located in the Drinking Water Protection Zone. According to City of Austin GIS, the site is not located over the Edwards Aquifer Recharge Zone. The lot is located within the Limited Purpose Planning Jurisdiction and is zoned LA. According to Travis County Appraisal District records, there is an existing house.

### Existing Topography/Soil Characteristics/Vegetation

According to City of Austin GIS, the lot elevation ranges from the Lake Austin shoreline at 492.8 feet mean sea level (msl) to approximately 578 feet msl, an elevation change of 85.2 feet. The soils consist of the Tarrant soils series, which are shallow to very shallow, well-drained, stony to clayey soils overlying limestone. The soils are moderately slowly permeable with a low water capacity. The vegetation consists of Honeysuckle, Lantana, Turk's Cap, Muscadine Grape and Yucca. The woody vegetation consists of Chinaberry and Ligustrum.

### Environmental Features

One Critical Environmental Feature (Canyon Rimrock) was identified in the Environmental Resource Inventory.

### Project Background

The site plan under review was submitted on April 18, 2016 and proposes the demolition of an existing and construction of a new boat dock. There is an existing stone step shoreline access and now shoreline improvements are proposed.

Environmental Code Variance Request

To allow the construction of a boat dock within a 150 foot Critical Environmental Feature buffer (Canyon Rimrock). 25-8-281(C)(2)(b). The dock and improvements are entirely offshore, minimal onshore disturbance, and all proposed work is down gradient of the Critical Environmental Feature.

Recommendation with Conditions

Staff recommends approval of the environmental variance since the Findings of Fact (enclosed herein) have been met. Conditions: All demolition and construction is to occur from the lakeside via barge.



**Development Services Department  
Staff Recommendations Concerning Required Findings  
Water Quality Variances**

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**Project:** Kristin Boat Dock SP-2016-0185DS

**Ordinance Standard:** Land Development Code Section 25-8-281(C)(2)(b)

**Variance Request:** To allow the construction of a boat dock within a 150 foot Critical Environmental Feature buffer (Canyon Rimrock).

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**Findings:**

A. Land Use Commission variance determinations from Chapter 25-8, Subchapter A – Water Quality of the City Code:

1. The requirement will deprive the applicant of a privilege or the safety of property given to owners of other similarly situated property with approximately contemporaneous development. **Yes. Properties with frontage along Lake Austin frequently contain boat docks and neighboring properties adjacent to the subject property have boat docks. The proposed boat dock width is 15-feet, which does not exceed the allowable 20% of the shoreline frontage. Similar variance cases include:**

**Mayes Boat Dock (SP-2014-0182DS) - Land Development Code Section 25-8-281(C)(2)(b) - To allow construction of a boat dock, shoreline access and shoreline stabilization within a Critical Environmental Feature (CEF) buffer for a canyon rimrock.**

**Iles Boat Dock (SP-2014-0212DS) - Land Development Code Section 25-8-281(C)(2)(b) - To allow construction of a boat dock within a canyon rimrock Critical Environmental Feature buffer.**

**2009 Lake Shore Drive (SP-2013-0504DS) - Land Development Code Section 25-8-281(C)(2)(b) -To allow construction of a boat dock within a canyon rimrock Critical Environmental Feature buffer.**

2. The variance:

- a) Is not based on a condition caused by the method chosen by the applicant to develop the property, unless the development method provides greater overall environmental protection than is achievable without the variance;

**Yes. The construction of boat dock at the shoreline, which is a typical construction activity for shoreline properties along the lake, is occurring down gradient of the critical environmental feature from only the lake side. This will provide greater environmental protection by not disturbing the vegetative and soil cover up gradient of the rimrock.**

- b) Is the minimum change necessary to avoid the deprivation of a privilege given to other property owners and to allow a reasonable use of the property;

**Yes. The applicant is not increasing the existing dock footprint with the construction of the newly proposed dock. The new dock is just replacing the existing dock and will be constructed at the same location within the same existing dock footprint.**

- c) Does not create a significant probability of harmful environmental consequences; and

**Yes. The construction of the boat dock does not create a significant probability of harmful environmental consequences, because the required construction activities to construct the boat dock are occurring from the lake side, down gradient of the rimrock critical environmental feature. This construction method will not cause significant discharge of sediment into lake, destabilize rimrock critical environmental feature or the up gradient slope area.**

3. Development with the variance will result in water quality that is at least equal to the water quality achievable without the variance.

**Yes. The construction of the boat dock will result in at least equal or greater water quality, because the proposed construction activity is occurring down gradient of the rimrock critical environmental feature from the lake side. As a result, there will be no increase sediment-laden runoff over the rimrock and into the lake.**

B. Additional Land Use Commission variance determinations for a requirement of Section 25-8-393 (Water Quality Transition Zone), Section 25-8-423 (Water Quality Transition Zone), Section 25-8-453 (Water Quality Transition Zone), or Article 7, Division 1 (Critical Water Quality Zone Restrictions):

1. The above criteria for granting a variance are met;

N/A.

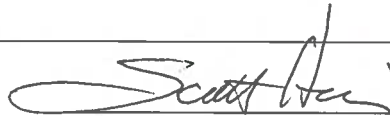
2. The requirement for which a variance is requested prevents a reasonable, economic use of the entire property; and

N/A.

3. The variance is the minimum change necessary to allow a reasonable, economic use of the entire property.

N/A.

ERM Hydrogeologist



Scott Hiers

Environmental Reviewer:



Atha Phillips

Environmental Officer:



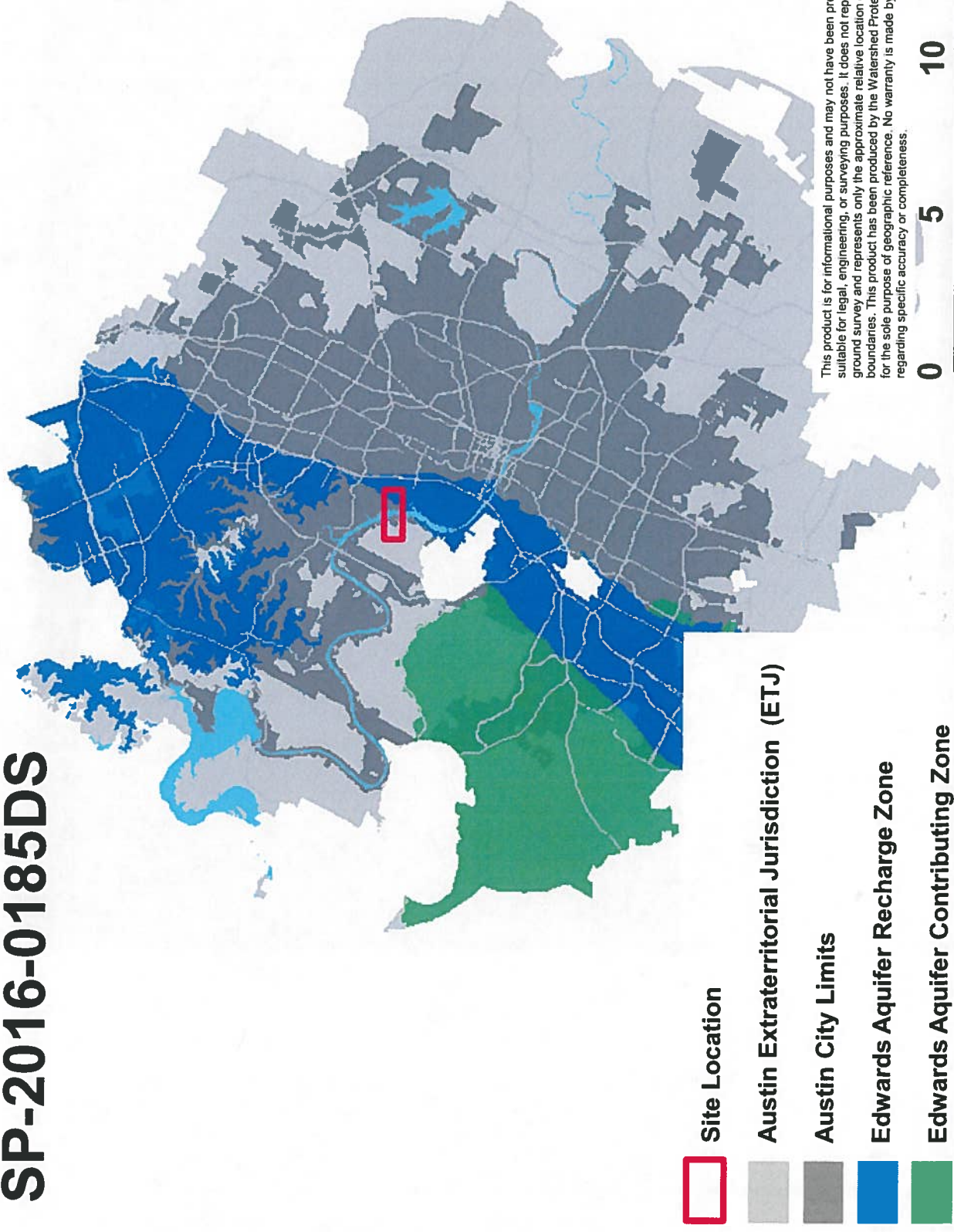
Chuck Lesniak

Date: July 12, 2016

Staff may recommend approval of a variance after answering all applicable determinations in the affirmative (YES).



# SP-2016-0185DS



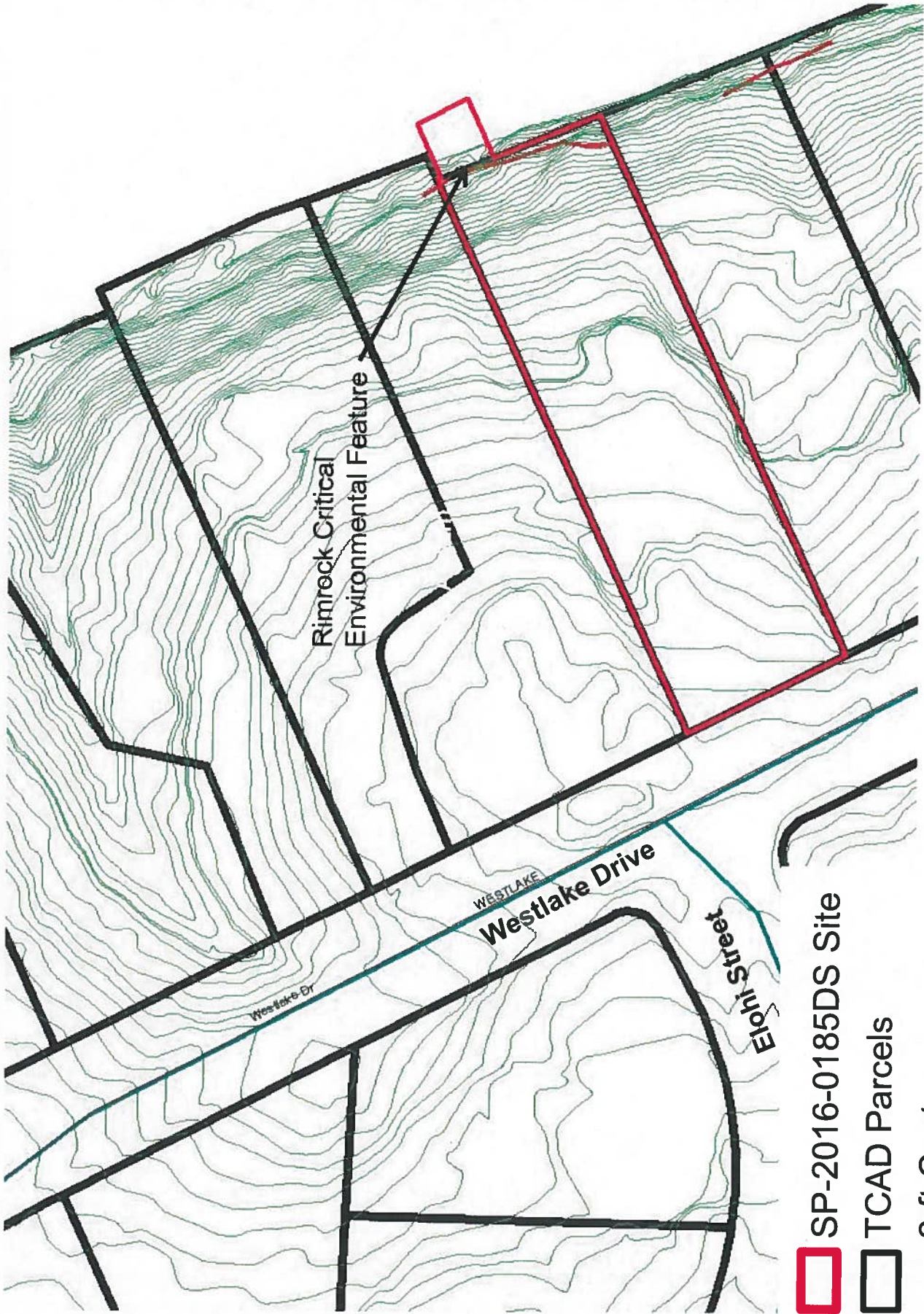
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. This product has been produced by the Watershed Protection Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





- SP-2016-0185DS - Site
- Travis Central Appraisal District - Parcels





SP-2016-0185DS Site

TCAD Parcels

2-ft Contours



May 31, 2016

Director of Development Services Department

City of Austin

P.O. Box 1088

Austin, Texas 78767

Re: Request for Approved Variance LDC 25-8-281(C)(2) Rimrock Critical Environmental Feature, Boat Dock Remodel, SP-2016-0185DS, 3811 Westlake Drive on Lake Austin, TX

Dear Director:

On behalf of the Owner of the referenced property I am requesting approval to allow for the proposed boat dock remodel improvements to occur within any defined 150' Critical Environmental Feature (CEF) Buffer Zone that might exist on the residential lot as purported by COA Staff. LDC 25-8-281(C)(2) prohibits construction within the 150' CEF Buffer Zone.

The existing residential lot/property has been fully developed with a single family residence and accessory boat dock for several decades. The proposed plans and specifications comply with City Code 25-7-62 along with all other parts of City Ordinance No. 20140626-113 *Relating to the Lake Austin Zoning District and the Regulation of Boat Docks, Bulkheads, and Shoreline Access*.

LDC 25-8-281(B) states that "a residential lot may not include a critical environmental feature or be located within 50 feet of a critical environmental feature." In light of the approved grandfathered single family residence and dock development pursuant to LDC 25-2-963(D)(8) and LDC 25-8-281(B), we prepared the referenced site plan application and supporting documents excluding specific delineation of the supposed Rimrock CEF since the existing and longstanding residential lot conditions would arguably not qualify as a CEF per rule.

The property Owner disagrees with the Staff findings claiming that the proposed dock remodel improvements would command Commission(s) variance approval, and would further contend that any lawful rule variance conditions should be approved administratively by Director for the grandfathered dock remodel. However, the Owner has agreed to take whatever action is demanded by COA to avoid additional delays with anticipation for reasonable and timely application processing of the dock remodel plans and applications.

Director of Development Services Department

Request for Approved Variance LDC 25-8-281(C)(2) Rimrock CEF, SP-2016-0185DS

May 31, 2016

Page 2

It should be noted that the property Owner is seeking no special privilege to remodel the boat dock and other necessary appurtenances not already given to owners of other similarly situated property with approximately contemporaneous development, and as provided. The proposal would result in promoting ecological function and maintaining the natural character of the lakeshore. Any denial of the requested application for Site Plan would be construed as deprivation of a privilege given to other property owners and would effectively deny the property Owner a reasonable use.

Please let me know if you should have any questions or require any additional information and we look forward to receiving your favorable reply of acceptance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Rick Rasberry". The signature is fluid and cursive, with the first name "Rick" being more prominent.

Ricky "Rick" Rasberry, CESSWI



## **Rick Rasberry**

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**From:** Rick Rasberry  
**Sent:** Tuesday, May 31, 2016 4:41 PM  
**To:** 'Lesniak, Chuck'  
**Cc:** Adams, George; pryorch@aol.com; Boat Docks Clint; Phillips, Atha  
**Subject:** RE: SP-2016-0185DS Master Report EV Variance

Thanks for the quick replies Chuck, we'll assume that the "Director" has denied our request for Administrative approval and will pursue LUC proceedings on the matters.

Kindest Regards,

**Rick Rasberry, CESSWI**  
**Rick Rasberry Environmental Consulting and Permitting Services**  
**512-970-0371**  
**[rick@rickrasberry.com](mailto:rick@rickrasberry.com)**

**From:** Lesniak, Chuck [mailto:chuck.lesniak@austintexas.gov]  
**Sent:** Tuesday, May 31, 2016 4:04 PM  
**To:** Rick Rasberry <[rick@rickrasberry.com](mailto:rick@rickrasberry.com)>  
**Cc:** Adams, George <[George.Adams@austintexas.gov](mailto:George.Adams@austintexas.gov)>; pryorch@aol.com; Boat Docks Clint <[clint@whatsupdock.com](mailto:clint@whatsupdock.com)>; Phillips, Atha <[Atha.Phillips@austintexas.gov](mailto:Atha.Phillips@austintexas.gov)>  
**Subject:** RE: SP-2016-0185DS Master Report EV Variance

Rick,  
Disregard my comments about the redevelopment exception, I forgot that it only applies to residential lots if it has more than two dwelling units.

Chuck

**From:** Lesniak, Chuck  
**Sent:** Tuesday, May 31, 2016 3:58 PM  
**To:** 'Rick Rasberry' <[rick@rickrasberry.com](mailto:rick@rickrasberry.com)>  
**Cc:** Adams, George <[George.Adams@austintexas.gov](mailto:George.Adams@austintexas.gov)>; pryorch@aol.com; Boat Docks Clint <[clint@whatsupdock.com](mailto:clint@whatsupdock.com)>; Phillips, Atha <[Atha.Phillips@austintexas.gov](mailto:Atha.Phillips@austintexas.gov)>  
**Subject:** RE: SP-2016-0185DS Master Report EV Variance

I can respond to the question raised in the letter. You reference grandfathered development. Have you applied for and received a Ch. 245 approval to grandfather the project? If not, new development has to comply with current code. If construction is proposed within 50' of a CEF staff may not administratively approve the variance and it has to go to the Land Use Commission for approval.

If the property is already developed, your client may want to consider the redevelopment exception for water supply rural and water supply suburban watersheds (Ch. 25-8-27). That section may be helpful if the project meets all the conditions of that section. Ch. 25-8-27(D)(2) speaks specifically to CEF buffer encroachment, but all other conditions have to be met as well.

If the redevelopment exception conditions can't be met then it will require a Land Use Commission variance. Let me know if that addresses your questions.

Chuck

**From:** Rick Rasberry [<mailto:rick@rickrasberry.com>]

**Sent:** Tuesday, May 31, 2016 3:39 PM

**To:** Lesniak, Chuck <[chuck.lesniak@austintexas.gov](mailto:chuck.lesniak@austintexas.gov)>

**Cc:** Adams, George <[George.Adams@austintexas.gov](mailto:George.Adams@austintexas.gov)>; [pryorch@aol.com](mailto:pryorch@aol.com); Boat Docks Clint <[clint@whatsupdock.com](mailto:clint@whatsupdock.com)>; Phillips, Atha <[Atha.Phillips@austintexas.gov](mailto:Atha.Phillips@austintexas.gov)>

**Subject:** RE: SP-2016-0185DS Master Report EV Variance

The letter is asking for Director approval of any variance administratively in light of the facts detailed in the request? Can you make reply to the request or should we present the letter to one of the Directors? Thanks for clarifying the process if Commission variance is commanded for the matters.

Kindest Regards,

**Rick Rasberry, CESSWI**

**Rick Rasberry Environmental Consulting and Permitting Services**

**512-970-0371**

**[rick@rickrasberry.com](mailto:rick@rickrasberry.com)**

**From:** Lesniak, Chuck [<mailto:chuck.lesniak@austintexas.gov>]

**Sent:** Tuesday, May 31, 2016 3:25 PM

**To:** Rick Rasberry <[rick@rickrasberry.com](mailto:rick@rickrasberry.com)>

**Cc:** Adams, George <[George.Adams@austintexas.gov](mailto:George.Adams@austintexas.gov)>; [pryorch@aol.com](mailto:pryorch@aol.com); Boat Docks Clint <[clint@whatsupdock.com](mailto:clint@whatsupdock.com)>; Phillips, Atha <[Atha.Phillips@austintexas.gov](mailto:Atha.Phillips@austintexas.gov)>

**Subject:** RE: SP-2016-0185DS Master Report EV Variance

Rick,

I'm not certain I understand your question. If you're asking which Commission hears Ch. 25-8 variances, it will first go to the Environmental Commission for recommendation and then to the Land Use Commission, which is usually the Zoning and Platting Commission unless the project is in an area with a neighborhood plan and then the LUC is the Planning Commission.

If that's not the question you're asking let me know. Thanks,

Chuck

**From:** Rick Rasberry [<mailto:rick@rickrasberry.com>]

**Sent:** Tuesday, May 31, 2016 12:36 PM

**To:** Lesniak, Chuck <[chuck.lesniak@austintexas.gov](mailto:chuck.lesniak@austintexas.gov)>

**Cc:** Adams, George <[George.Adams@austintexas.gov](mailto:George.Adams@austintexas.gov)>; [pryorch@aol.com](mailto:pryorch@aol.com); Boat Docks Clint <[clint@whatsupdock.com](mailto:clint@whatsupdock.com)>

**Subject:** FW: SP-2016-0185DS Master Report EV Variance

Mr. Lesniak,

Please accept the attached letter of request for formal determination on these matters. We are unclear from review of the rules which Department "Director" would have primacy purview so we have transmitted to you for consideration and reply. However, we have also included Mr. Adams of the Development Services Department concurrently with the submittal. Please let us know of any questions or other needs at this time. Thank you!

Kindest Regards,

**Rick Rasberry, CESSWI**  
**Rick Rasberry Environmental Consulting and Permitting Services**  
**512-970-0371**  
**rick@rickrasberry.com**

**From:** Rick Rasberry  
**Sent:** Friday, May 27, 2016 11:22 AM  
**To:** 'Phillips, Atha' <Atha.Phillips@austintexas.gov>  
**Cc:** pryorch@aol.com; Boat Docks Clint <clint@whatsupdock.com>; 'Grantham, Scott' <Scott.Grantham@austintexas.gov>; 'Clamann, Andrew' <Andrew.Clamann@austintexas.gov>; 'scott.hiers@austintexas.gov' <scott.hiers@austintexas.gov>  
**Subject:** RE: SP-2016-0185DS Master Report EV Variance

Hello Atha,

We have received the referenced Master Comment Report today and see your position on the following reported requirement:

**EV 4 A Land Use Commission environmental variance from LDC 25-8-281(C)(2)(B) is required. Please submit a request letter that identifies the scope of the environmental variance and addresses the findings of fact per LDC 25-8-41(A). Pay environmental variance fee for each environmental variance through intake. Contact staff to discuss proposed environmental variance and determine information needed to assess and present the environmental variance request. For questions regarding variance fee amount, please call 512-974-6338.**

This communication serves as contact with staff in accordance with the EV 4 comment to "determine information needed to assess and present the environmental variance request"? Roderick has identified the fee amount below. Please advise on what processes and information would be required of owner if wishing to pursue the listed variance – would the request obligation be presented to EV Commission only or would other Commission(s) also have to hear the request?

We look forward to receiving list of all required City processes, required submittals, and comprehensive fee amounts so the property owner can make decisions appropriately on the matters.

Kindest Regards,

**Rick Rasberry, CESSWI**  
**Rick Rasberry Environmental Consulting and Permitting Services**  
**512-970-0371**  
**rick@rickrasberry.com**

**From:** Burns, Roderick [mailto:Roderick.Burns@austintexas.gov]  
**Sent:** Friday, May 27, 2016 10:58 AM  
**To:** Rick Rasberry <rick@rickrasberry.com>  
**Cc:** pryorch@aol.com; Boat Docks Clint <clint@whatsupdock.com>  
**Subject:** RE: SP-2016-0185DS Master Report EV Variance

A commission approved environmental variance has a flat fee of \$3903.40 per variance. That fee includes a notification fee. If there are more than 1 commission approved variance that are on the same commission agenda you would pay an additional \$3321.00 per variance.

Administrative environmental variance have a fee of \$415.00 per variance

***Roderick Burns, Intake Supervisor***  
**(512) 974-6338**

Supervisor – Andy Linseisen, 512 974-2239

Let me take a moment to introduce you to the newest Intake staff members. You can contact these individuals for appointments and information.

Almira Baranovicht - (512) 974 2193

Aquanetta Thompson (512) 974-2949

Zach Whitaker (512) 974- 6371

Email links are included in the names above.

**From:** Rick Rasberry [<mailto:rick@rickrasberry.com>]  
**Sent:** Friday, May 27, 2016 10:50 AM  
**To:** Burns, Roderick  
**Cc:** [pryorch@aol.com](mailto:pryorch@aol.com); Boat Docks Clint  
**Subject:** SP-2016-0185DS Master Report EV Variance

Hello Roderick,

We have been directed by staff to pursue EV Variance proceedings and contact you about the required fees. We may be seeking variance to 25-8-281(C)(2)(B) as purported in the staff comment below:

**EV 4** A Land Use Commission environmental variance from LDC 25-8-281(C)(2)(B) is required. Please submit a request letter that identifies the scope of the environmental variance and addresses the findings of fact per LDC 25-8-41(A). Pay environmental variance fee for each environmental variance through intake. Contact staff to discuss proposed environmental variance and determine information needed to assess and present the environmental variance request. For questions regarding variance fee amount, please call 512-974-6338.

Could you please reply with breakdown of fee(s) for Owner consideration, thanks!

Kindest Regards,

**Rick Rasberry, CESSWI**  
**Rick Rasberry Environmental Consulting and Permitting Services**  
**512-970-0371**  
**[rick@rickrasberry.com](mailto:rick@rickrasberry.com)**



June 6, 2016



## ENVIRONMENTAL COMMISSION VARIANCE APPLICATION FORM

### PROJECT DESCRIPTION

#### Applicant Contact Information

Name of Applicant	Rick Rasberry (Agent for Owner Mark Kristin)
Street Address	2510 Cynthia Ct
City State ZIP Code	Leander, TX 78641
Work Phone	512-970-0371
E-Mail Address	rick@rickrasberry.com

#### Variance Case Information

Case Name	Kristin Boat Dock
Case Number	SP-2016-0185DS
Address or Location	3811 Westlake Drive
Environmental Reviewer Name	Atha Phillips
Environmental Resource Management Reviewer Name	Scott Hiers
Applicable Ordinance	Chapter 25-8-281(C)(2)(b)
Watershed Name	Lake Austin
Watershed Classification	<input type="checkbox"/> Urban <input type="checkbox"/> Suburban <input type="checkbox"/> Water Supply Suburban <input checked="" type="checkbox"/> Water Supply Rural <input type="checkbox"/> Barton Springs Zone

June 6, 2016

Edwards Aquifer Recharge Zone	<input type="checkbox"/> Barton Springs Segment <input type="checkbox"/> Northern Edwards Segment <input checked="" type="checkbox"/> Not in Edwards Aquifer Zones
Edwards Aquifer Contributing Zone	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Distance to Nearest Classified Waterway	Proposed boat dock remodel is on a classified waterway
Water and Waste Water service to be provided by	No water or wastewater service provided to boat dock
Request	Approval to remodel dock within 150' of any CEF Rimrock Buffer Zone, LDC 25-8-281(C)(2)(b)

Impervious cover	Existing	Proposed
square footage:	<b>** The 75' shoreline setback area is excluded from impervious cover calculations per 25-2-551(B)(2)</b>	
acreage:		
percentage:		
Provide general description of the property (slope range, elevation range, summary of vegetation / trees, summary of the geology, CWQZ, WQTZ, CEFs, floodplain, heritage trees, any other notable or outstanding characteristics of the property)	<p>The residential lot up gradient (above 492.8 msl) of the proposed dock includes slope ranging from 5% to greater than 35%, with topography ranging from 492.8 to 578.0 msl. An existing dock with pedestrian access stairs and footpath have been developed on the property for several decades. COA staff from the Watershed Protection Department have recorded a Rimrock CEF along the entire reach of the residential property shoreline adjacent to the existing and proposed dock.</p>	

Clearly indicate in what way the proposed project	COA staff contend that the proposed dock remodel construction would be prohibited by rule 25-8-281(C)(2)(b). Maps, plans,
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June 6, 2016

does not comply with current Code (include maps and exhibits)	pictures, and Environmental Resource Inventory included with this application as applicable exhibits.
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## FINDINGS OF FACT

As required in LDC Section 25-8-41, in order to grant a variance the Land Use Commission must make the following findings of fact:

Include an explanation with each applicable finding of fact.

Project: Kristin Boat Dock

Ordinance: No. 20140626-113 & LDC 25-8-261(C)(2)(b)

A. Land Use Commission variance determinations from Chapter 25-8-41 of the City Code:

1. The requirement will deprive the applicant of a privilege or the safety of property given to owners of other similarly situated property with approximately contemporaneous development.

Yes, other similarly situated property with approximately contemporaneous development approved by COA would include these issued site development permits, as follow: SP-2015-0202DS, SP-2014-0212DS, SP-2013-0504DS, & SP-2014-0182DS

2. The variance:

- a) Is not based on a condition caused by the method chosen by the applicant to develop the property, unless the development method provides greater overall environmental protection than is achievable without the variance;

Yes, the proposed dock remodel would be sited in the same location as the existing non-conforming boat dock which has existed for several decades. All work would be performed via barge and would involve no disturbance to any CEFs. Additionally, the proposed boat dock remodel would actually result in a reduced footprint and would bring the site into compliance with current codes and ordinances.

- b) Is the minimum change necessary to avoid the deprivation of a privilege given to other property owners and to allow a reasonable use of the property;

June 6, 2016

Yes, the proposed boat dock remodel would result in a reduced footprint and would bring the site into compliance with current codes and ordinances. Any denial of the proposed boat dock remodel would be construed as a deprivation of a privilege given to other property owners and would effectively deny the owner a reasonable use of the property.

c) Does not create a significant probability of harmful environmental consequences; and

Yes, all work would be performed by barge and would have no significant probability of harmful environmental consequences.

3. Development with the variance will result in water quality that is at least equal to the water quality achievable without the variance.

Yes, removal of the existing wooden dock structure and replaced with modern day components would result in equal to, or greater water quality effect.

- B. Additional Land Use Commission variance determinations for a requirement of Section 25-8-393 (Water Quality Transition Zone), Section 25-8-423 (Water Quality Transition Zone), Section 25-8-453 (Water Quality Transition Zone), or Article 7, Division 1 (Critical Water Quality Zone Restrictions):

1. The criteria for granting a variance in Section A are met;

Yes, conditions outlined in Section B are not applicable to boat docks.

2. The requirement for which a variance is requested prevents a reasonable, economic use of the entire property; and

Yes, conditions outlined in Section B are not applicable to boat docks.

3. The variance is the minimum change necessary to allow a reasonable, economic use of the entire property.



June 6, 2016

Yes, conditions outlined in Section B are not applicable to boat docks.

**\*\*Variance approval requires all above affirmative findings.**

Case No.:

(City use only)

## Environmental Resource Inventory

EXHIBIT A1 OF 12

For the City of Austin  
Related to LDC 25-8-121, City Code 30-5-121, ECM 1.3.0 & 1.10.0

The ERI is required for projects that meet one or more of the criteria listed in LDC 25-8-121(A), City Code 30-5-121(A).

1. SITE/PROJECT NAME: Kristin Boat Dock
2. COUNTY APPRAISAL DISTRICT PROPERTY ID (#'s): Prop 123445/Geo 0127090114
3. ADDRESS/LOCATION OF PROJECT: 3811 Westlake Drive
4. WATERSHED: Lake Austin
5. THIS SITE IS WITHIN THE (Check all that apply)
- |   |                              |  |
|---|------------------------------|--|
| Edwards Aquifer Recharge Zone* (See note below) | <input type="checkbox"/> YES | <input checked="" type="checkbox"/> No |
| Edwards Aquifer Contributing Zone*              | <input type="checkbox"/> YES | <input checked="" type="checkbox"/> No |
| Edwards Aquifer 1500 ft Verification Zone*      | <input type="checkbox"/> YES | <input checked="" type="checkbox"/> No |
| Barton Spring Zone*                             | <input type="checkbox"/> YES | <input checked="" type="checkbox"/> No |
- \*(as defined by the City of Austin – LDC 25-8-2 or City Code 30-5-2)

Note: If the property is over the Edwards Aquifer Recharge zone, the Hydrogeologic Report and karst surveys must be completed and signed by a Professional Geoscientist Licensed in the State of Texas.

6. DOES THIS PROJECT PROPOSE FLOODPLAIN MODIFICATION?.....☐ YES\*\* ☒ NO
- If yes, then check all that apply:
- ☐ (1) The floodplain modifications proposed are necessary to protect the public health and safety;
- ☐ (2) The floodplain modifications proposed would provide a significant, demonstrable environmental benefit, as determined by a **functional assessment** of floodplain health as prescribed by the Environmental Criteria Manual (ECM), or
- ☐ (3) The floodplain modifications proposed are necessary for development allowed in the critical water **quality zone under LDC 25-8-261 or 25-8-262, City Code 30-5-261 or 30-5-262.**
- ☐ (4) The floodplain modifications proposed are outside of the Critical Water Quality Zone in an area determined to be in poor or fair condition by a **functional assessment** of floodplain health.

\*\* If yes, then a functional assessment must be completed and attached to the ERI (see ECM 1.7 and Appendix X for forms and guidance) unless conditions 1 or 3 above apply.

7. IF THE SITE IS WITHIN AN URBAN OR SUBURBAN WATERSHED, DOES THIS PROJECT PROPOSE A UTILITY LINE PARALLEL TO AND WITHIN THE CRITICAL WATER QUALITY ZONE? ..... ☐ YES\*\*\* ☒ NO

\*\*\*If yes, then riparian restoration is required by LDC 25-8-261(E) or City Code 30-5-261(E) and a functional assessment must be completed and attached to the ERI (see ECM1.5 and Appendix X for forms and guidance).

8. There is a total of 1 (#'s) Critical Environmental Feature(s)(CEFs) on or within 150 feet of the project site. If CEF(s) are present, attach a detailed **DESCRIPTION** of the CEF(s), color **PHOTOGRAPHS**, the **CEF WORKSHEET** and provide **DESCRIPTIONS** of the proposed CEF buffer(s) and/or wetland mitigation. Provide the number of each type of CEFs on or within 150 feet of the site (Please provide the number of CEFs):

\_\_\_\_ (#s) Spring(s)/Seep(s)      \_\_\_\_ (#s) Point Recharge Feature(s)      \_\_\_\_ (#s) Bluff(s)  
 1 \_\_\_\_ (#s) Canyon Rimrock(s)      \_\_\_\_ (#s) Wetland(s)

**Note: Standard buffers for CEFs are 150 feet, with a maximum of 300 feet for point recharge features. Except for wetlands, if the standard buffer is not provided, you must provide a written request for an administrative variance from LDC 25-8-281(C)(1) and provide written findings of fact to support your request. Request forms for administrative variances from requirements stated in LDC 25-8-281 are available from Watershed Protection Department.**

9. The following site maps are attached at the end of this report (Check all that apply and provide):

All ERI reports must include:

- ☒ **Site Specific Geologic Map with 2-ft Topography**
- ☒ **Historic Aerial Photo of the Site**
- ☒ **Site Soil Map**
- ☒ **Critical Environmental Features and Well Location Map on current Aerial Photo with 2-ft Topography**

Only if present on site (Maps can be combined):

- ☒ **Edwards Aquifer Recharge Zone with the 1500-ft Verification Zone**  
(Only if site is over or within 1500 feet the recharge zone)
- ☒ **Edwards Aquifer Contributing Zone**
- ☒ **Water Quality Transition Zone (WQTZ)**
- ☒ **Critical Water Quality Zone (CWQZ)**
- ☒ **City of Austin Fully Developed Floodplains for all water courses with up to 64-acres of drainage**

10. **HYDROGEOLOGIC REPORT** – Provide a description of site soils, topography, and site specific geology below (Attach additional sheets if needed):

**Surface Soils** on the project site is summarized in the table below and uses the SCS Hydrologic Soil Groups\*. If there is more than one soil unit on the project site, show each soil unit on the site soils map.

Soil Series Unit Names, Infiltration Characteristics & Thickness		
Soil Series Unit Name & Subgroup**	Group*	Thickness (feet)
<div style="border: 2px solid red; padding: 5px;"> <b>Glen Rose Group - Upper Glen Rose Formation - no member.</b> </div>		>10

**\*Soil Hydrologic Groups Definitions (Abbreviated)**

A. Soils having a high infiltration rate when thoroughly wetted.

B. Soils having a moderate infiltration rate when thoroughly wetted.

C. Soils having a slow infiltration rate when thoroughly wetted.

D. Soils having a very slow infiltration rate when thoroughly wetted.

**\*\*Subgroup Classification – See Classification of Soil Series Table in County Soil Survey.**

**Description of Site Topography and Drainage** *(Attach additional sheets if needed):*

The fully developed residential shoreline lot on Lake Austin upland of the site slopes significantly from the residence and drains naturally in sheet flow directly into the Lake Austin Waterway.

**List surface geologic units below:**

Geologic Units Exposed at Surface		
Group	Formation	Member
Glen Rose	Upper Glen Rose	No Member

**Brief description of site geology** *(Attach additional sheets if needed):*

The fully developed residential lot on the shoreline of Lake Austin upland of the site is mostly large rock with compacted soil. The shoreline is composed of a rim rock outcropping embankment from the waterline rising up an average of 6'-7' vertically.

**Wells** – Identify all recorded and unrecorded wells on site (test holes, monitoring, water, oil, unplugged, capped and/or abandoned wells, etc.):

There are <sup>0</sup>\_\_\_\_ (#) wells present on the project site and the locations are shown and labeled  
<sup>0</sup>\_\_\_\_ (#'s) The wells are not in use and have been properly abandoned.  
<sup>0</sup>\_\_\_\_ (#'s) The wells are not in use and will be properly abandoned.  
<sup>0</sup>\_\_\_\_ (#'s) The wells are in use and comply with 16 TAC Chapter 76.  
There are <sup>0</sup>\_\_\_\_ (#'s) wells that are off-site and within 150 feet of this site.



## 11. THE VEGETATION REPORT – Provide the information requested below:

**Brief description of site plant communities** (Attach additional sheets if needed):

The fully developed residential lot is predominantly native shrubs, hedges, weeds, and range plants within the 25' LA Setback Area.

There is woodland community on site ..... ☐ YES ☒ NO (Check one).

If yes, list the dominant species below:

Woodland species	
Common Name	Scientific Name
Chinaberry	Melia azedarach
Ligustrum	Japonicum texanum

There is grassland/prairie/savanna on site..... ☐ YES ☒ NO (Check one).

If yes, list the dominant species below:

Grassland/prairie/savanna species	
Common Name	Scientific Name
Honeysuckle	Lonicera spp.
Lantana	Lantana urticoides
Turk's cap	Malvaviscus arboreus var. drummondii
Muscadine grape	Vitis rotundifolia
Yucca	Yucca spp.

There is hydrophytic vegetation on site ..... ☐ YES ☒ NO (Check one).

If yes, list the dominant species in table below (next page):

**NO HYDROPHYTIC VEGETATION WITHIN LOC**

Hydrophytic plant species		
Common Name	Scientific Name	Wetland Indicator Status

A tree survey of all trees with a diameter of at least eight inches measured four and one-half feet above natural grade level has been completed on the site.

☒ YES ☐ NO (Check one).

**12. WASTEWATER REPORT** – Provide the information requested below.

Wastewater for the site will be treated by (Check of that Apply):

- ☐ On-site system(s)  
☐ City of Austin Centralized sewage collection system  
☒ Other Centralized collection system

*Note: All sites that receive water or wastewater service from the Austin Water Utility must comply with City Code Chapter 15-12 and wells must be registered with the City of Austin*

The site sewage collection system is designed and will be constructed to in accordance to all State, County and City standard specifications.

☐ YES ☐ NO (Check one) ☒ NO ONSITE SEWAGE SYSTEM

Calculations of the size of the drainfield or wastewater irrigation area(s) are attached at the end of this report or shown on the site plan.

☐ YES ☐ NO ☒ Not Applicable (Check one).

Wastewater lines are proposed within the Critical Water Quality Zone?

☐ YES ☒ NO (Check one). If yes, then provide justification below:

Is the project site is over the Edwards Aquifer?

☐ YES ☒ NO (Check one).

If yes, then describe the wastewater disposal systems proposed for the site, its treatment level and effects on receiving watercourses or the Edwards Aquifer.

13. One (1) hard copy and one (1) electronic copy of the completed assessment have been provided.

Date(s) ERI Field Assessment was performed: April 4, 2016  
Date(s)

My signature certifies that to the best of my knowledge, the responses on this form accurately reflect all information requested.

Rick Rasberry, CESSWI

512-970-0371

Print Name

Telephone

*Rick Rasberry*  
Signature

rick@rickrasberry.com

Email Address

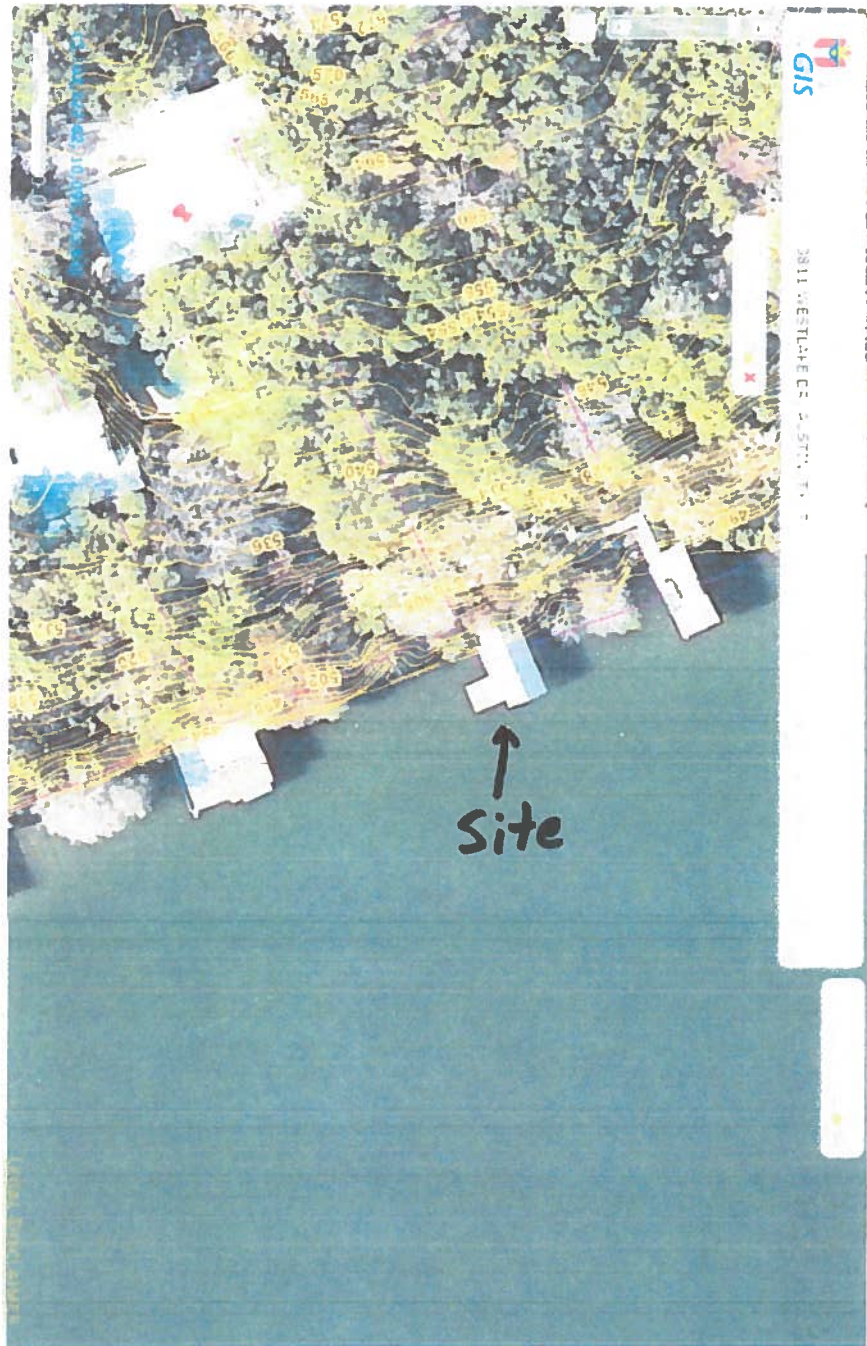
Rick Rasberry Environmental Consulting

May 27, 2016

Date

Name of Company

For project sites within the Edwards Aquifer Recharge Zone, my signature and seal also certifies that I am a licensed Professional Geoscientist in the State of Texas as defined by ECM 1.12.3(A).





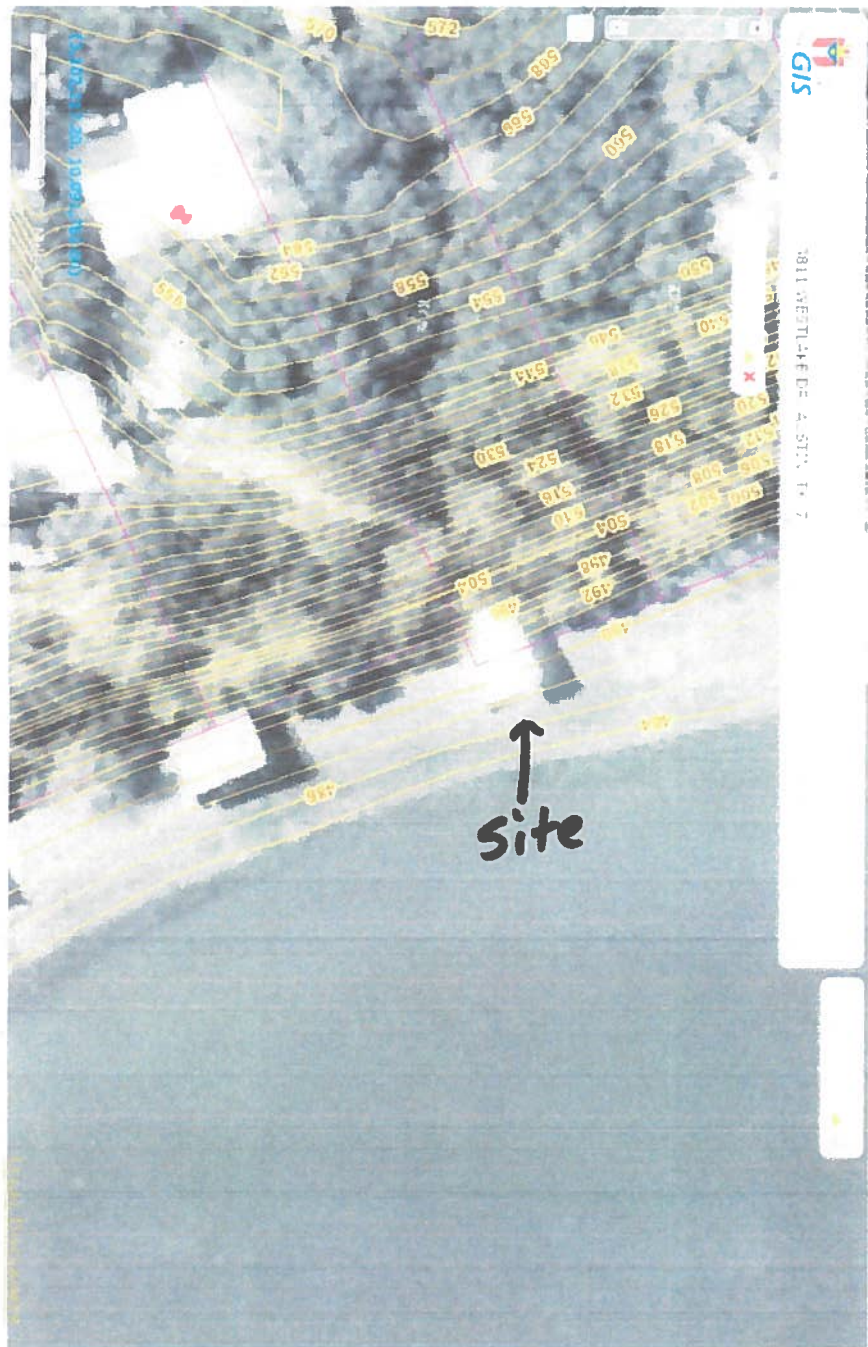
2003 TrueColor



1997 Black/White

Exhibit A9 of 12

City of Austin Development Web Map



<http://www.austintexas.gov/GIS/developmentwebmap/Viewer.aspx>

2016/04/12 17:40

1/1





Exhibit A11 of 12

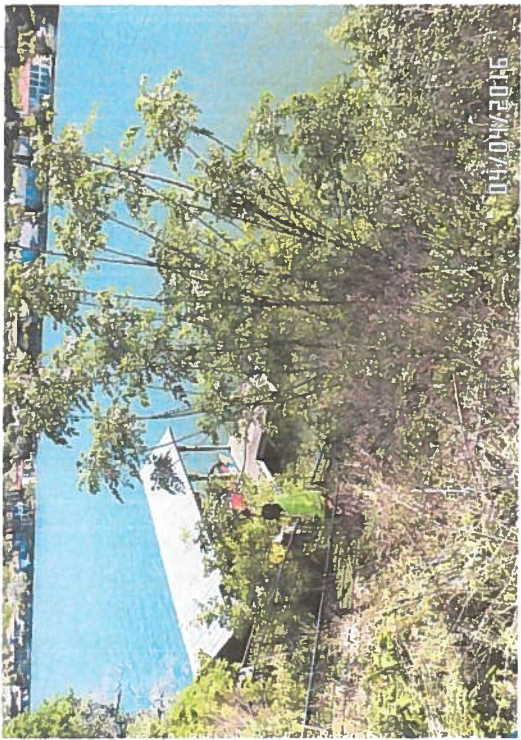
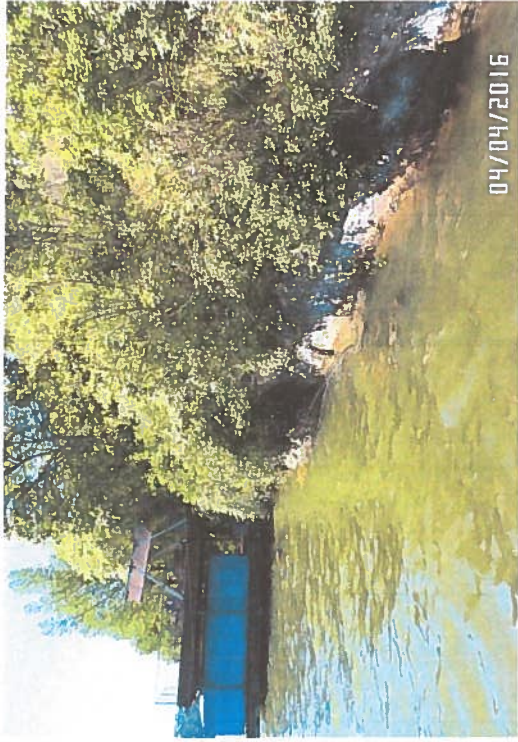




Exhibit A12 of 12

5	Primary Contact Name	Rick Raspberry
6	Phone Number	512-970-0371
7	Prepared By	Rick Raspberry
8	Email Address	rick@rickraspberry.com

[illegible]


City of Austin Use Only	CASE NUMBER
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Please state the method of coordinate data collection and the approximate precision and accuracy of the points and the unit of measurement.


Method	Accuracy
GPS	sub-meter <input type="checkbox"/>
Surveyed	meter <input checked="" type="checkbox"/>
Other	> 1 meter <input type="checkbox"/>

Professional Geologists apply seal below


For a spring or seep, locate the source of groundwater that feeds a pool or stream.



For wetlands, locate the approximate centroid of the feature and the estimated area.

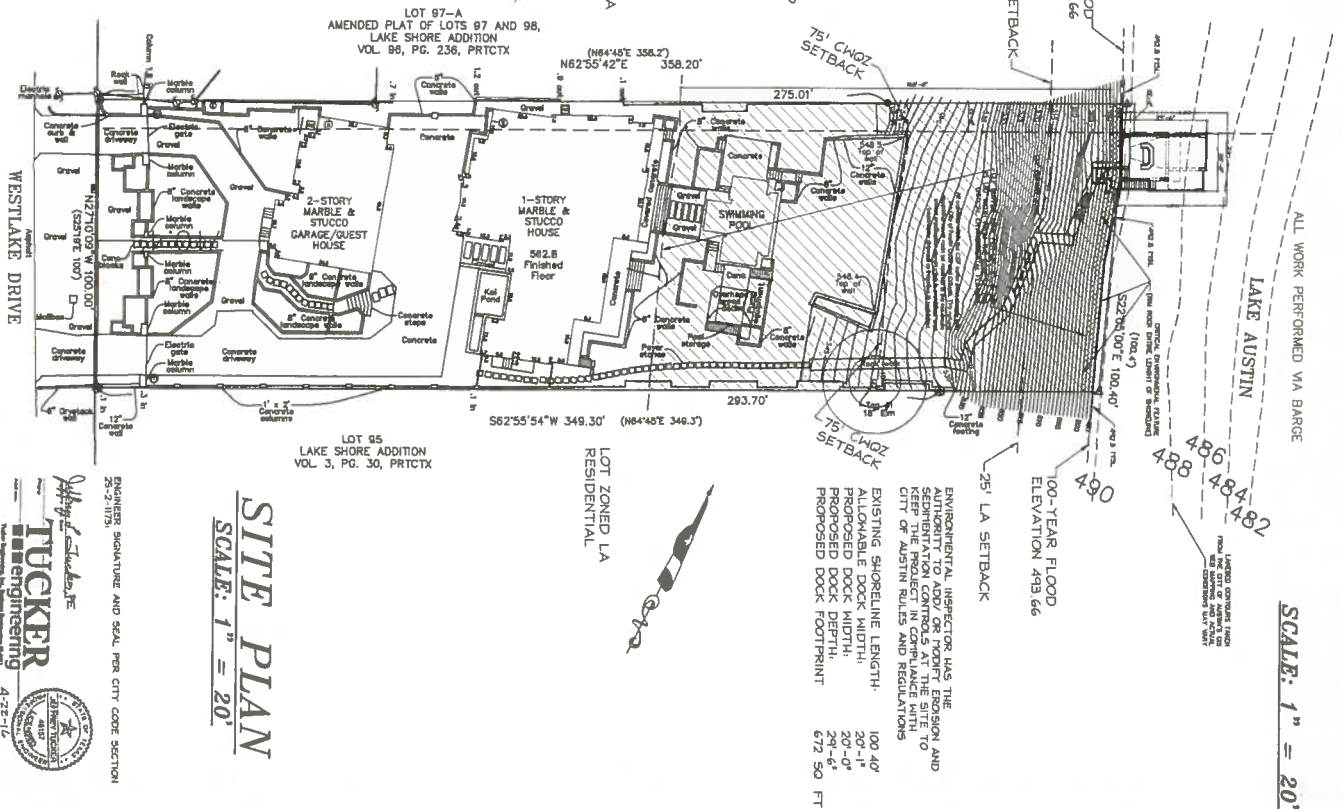
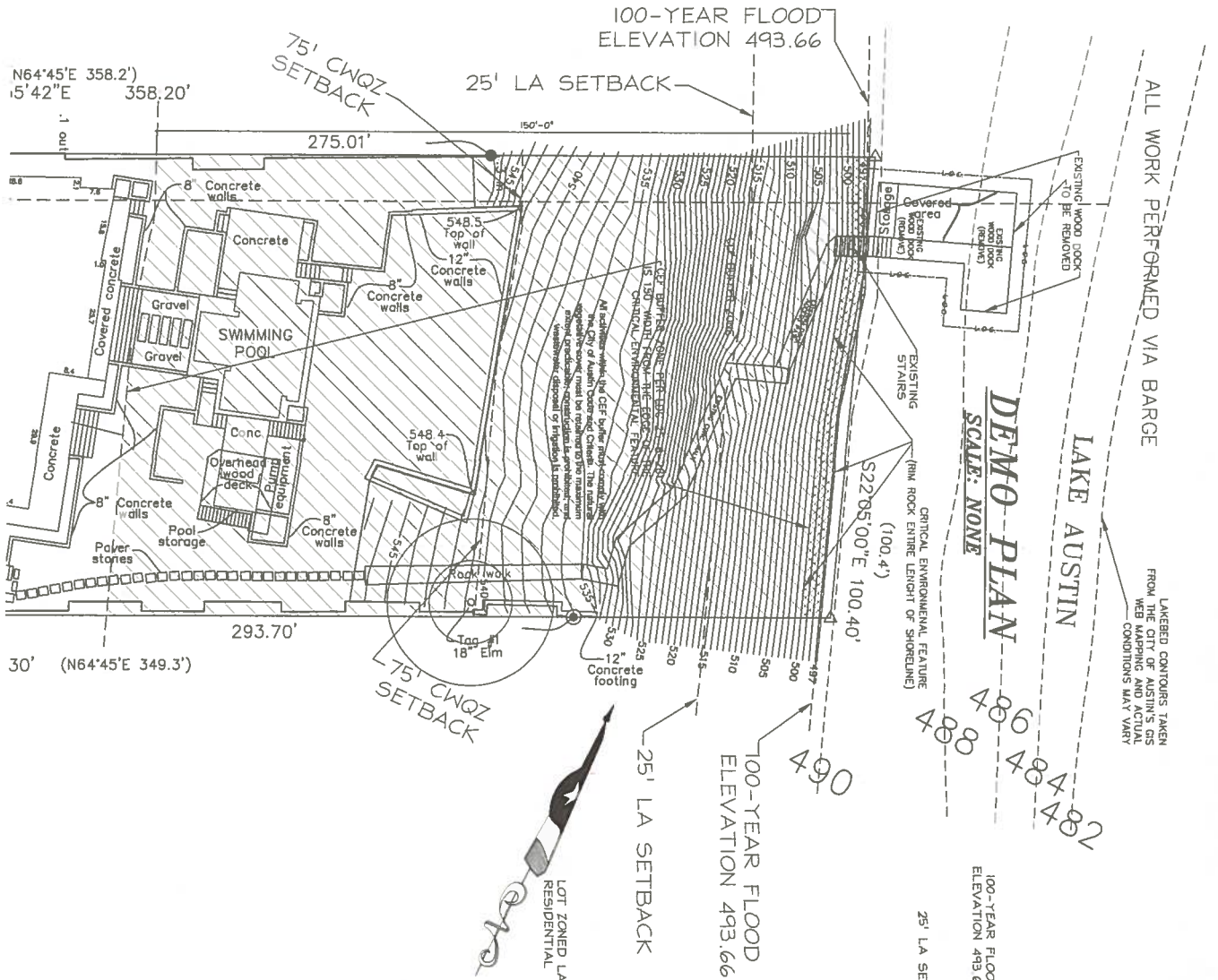


For a reach, locate the midpoint of the segment that describes the feature.









3811 WESTLAKE DRIVE LOT 96 VOLUME 96, PAGE 236 LAKE SHORE ADDITION 78746	200 NO. 1115000	ISSUED BY: ROB CHECKED BY: JRE DATE: 06-23-16 REV: 1	DATE: 06-23-16 REV: 1	DATE: 06-23-16 REV: 1	DATE: 06-23-16 REV: 1
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KRISTEN  
BOAT DOCK



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