



MEMORANDUM

TO: Mayor and Council Members

FROM: Chuck Lesniak, Environmental Officer
Watershed Protection Department

DATE: May 5, 2017

SUBJECT: First Amendment to Settlement Agreement for Junior League of Austin Project

I am writing regarding a proposed amendment to a prior settlement agreement for property located at 5330 Bluffstone Lane, which the Junior League of Austin is planning to develop as an office and club facility. The property is subject to a 2003 settlement agreement between the City and a prior owner, Austin 360 Associates.

The proposed amendment would accomplish three things:

- Allow a limited encroachment into the Critical Water Quality Zone as defined by the 2003 agreement.
- Reduce the impervious cover limit from 77,902 sq. ft. to 66,174 sq. ft.
- Ensure that once this project is complete all future development is subject to the regulations in effect at the time of application.

Background

The 10.3 acre tract is located at 5330 Bluffstone Lane. Adjacent uses include office, single family residential, and multi-family residential development. The property is in the Bull Creek watershed and Bull Creek runs along the eastern portion of the lot. The entire property is within the Critical Water Quality Zone (CWQZ) and Water Quality Transition Zone (WQTZ) associated with Bull Creek (see Attachment A).

The 2003 Settlement Agreement stipulates that:

1. The CWQZ is delineated by the 100 year floodplain;
2. The 1988 Comprehensive Watershed Ordinance is the base watershed ordinance;
3. Impervious cover is limited to a maximum of 77,902 square feet (1.8 acres);
4. The Hill Country Roadway Ordinance applies;
5. Development must provide structural retention/re-irrigation water quality treatment; and
6. The Protected Tree Ordinance for trees 19" and greater applies.

Junior League Project

The Junior League is proposing an office and club facility with a multi-story building and parking garage (see Attachment B). After the Junior League purchased the property the City of Austin

updated the floodplain maps in this area, which expanded the floodplain on this property. As a result, the Junior League's planned development would encroach into the new CWQZ boundary, which had moved with the floodplain boundary per the terms of the 2003 agreement.

The project also requires environmental variances to allow cut up to 5.6 feet, fill up to 5.3 feet, and construction on slopes for the primary driveway. These variances were recommended by the Environmental Commission and granted by the Land Use Commission earlier this year. An administrative floodplain variance for encroachment into the floodplain was granted by the Watershed Protection Department. The variance was required because the building footprint encroaches into the 100-year floodplain (see Attachment B). Occupied spaces for the development are a minimum of 14.4 feet above the 100-year floodplain with safe ingress and egress. The variance required flood proofing of the parking garage at least 2 feet above the level of the 100-year floodplain. A request for a height bonus up to 13' under the Hill Country Roadway ordinance was also granted by the Land Use Commission.

First Amendment to the Settlement Agreement

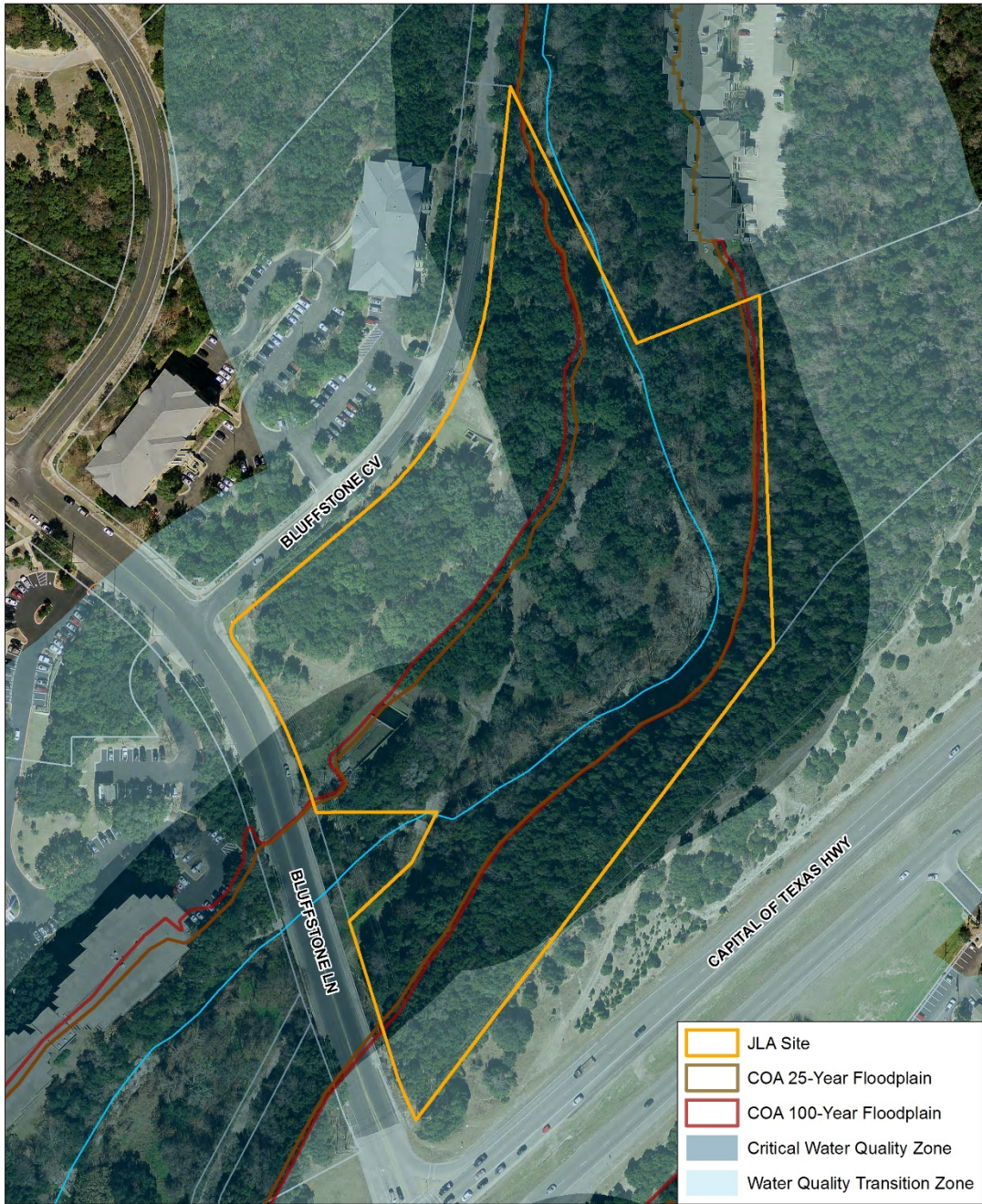
To construct their project, the Junior League has requested an amendment to allow a small encroachment into the CWQZ. As a condition for amending the settlement agreement, the Junior League has agreed to limit impervious cover to the amount contained in their site plan. This reduces impervious cover entitlements on the property by almost 12,000 square feet. They have also agreed to stipulate in the agreement that once this project is complete the settlement agreement no longer applies to the property and all future development would be subject to current code.

Recommendation

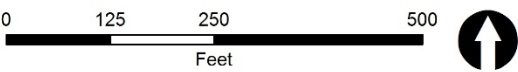
It is my opinion that the moderate encroachment into the Critical Water Quality Zone is consistent with the intent of the original settlement agreement. The reduction in impervious cover and stipulation that all future development would be done under current code mitigates any environmental impacts that might be created by the encroachment. Therefore, I recommend approval of the amendment to the 2003 settlement agreement.

Cc: Bert Lumbreras, Assistant City Manager
Joe Pantalione, P.E., Director, Watershed Protection Department
Andy Linseisen, P.E., Assistant Director, Development Services Department
Chad Shaw, Law Department

ATTACHMENT A



Junior League of Austin Site



ATTACHMENT B

Zoned: PUD
Zoned: LO
GREAT HILLS VILLAGE CONDOMINIUM OFFICES
DOC # 200301389
AMENDED DOC # 200301463
O.P.A.T.C.
Zoned: GR-CO
Block 1
Lot 13
Great Hills Phase B
10.26 AC. Approx.
Zoned: SF-6
LOT 1, BLOCK "A" AMENDED PLAT OF THE MEADOWS OF GREAT HILLS BOOK 83 PAGE 183-B & 183-D T.C.P.R.
Zoned: PUD
LOT 37-A
THE BLUFFS OF GREAT HILLS I-A BOOK 83, PAGE 202-B & 202-C T.C.P.R.
Zoned: SF-2
Zoned: RFR
40% Natural Area To Remain Undisturbed
100' Vegetative Buffer Setback
290' Vegetative Buffer Setback
Capital of Texas Highway (Loop 360 R.O.W. VARIES)
Scale 1" = 50'

SITE PLAN APPROVAL	SHEET 10 of 41
FILE NUMBER SPC-2016-0555C APPLICATION DATE June 25, 2016	
APPROVED ON UNDER SECTION 112 OF CHAPTER 28.05 OF THE CITY OF AUSTIN CODE.	
EXPIRATION DATE (25-5-81 LDC)	CASE MANAGER Nikki Hoeller
DWPZ DOZ X	
Director, Development Services Department	ZONING GR-CO
RELEASED FOR GENERAL COMPLIANCE	
Rev. 1 Correction 1	
Rev. 2 Correction 2	
Rev. 3 Correction 3	
Final plat must be recorded by the Project Expiration Date. If applicable, Subsequent Site Plans which do not comply with the Code current at the time of filing, and all required Building Permits and/or a notice of construction (if a building permit is not required), must also be approved prior to the Project Expiration Date.	

SHEET NUMBER
10 of 41