

Champion Tract 3

Briefing to the Environmental Commission

January 3, 2018

Chuck Lesniak, Environmental Officer

Watershed Protection Department

City Council Request

At its December 14, 2017 meeting, City Council passed the ordinance authorizing amendment of the 1996 settlement agreement on 2nd reading and requested that the Environmental Commission review and provide a recommendation to Council regarding the amendment before 3rd reading, which is set for February 1, 2018.

The amendment applies only to Tract 3 at the SE corner of City Park Road and RR2222.

Site Location and Description

- Tract 3 is an approximately 45 acre tract
- Is generally tree covered
- Is Zone 1 (occupied) Golden-cheeked Warbler habitat and would require mitigation through the BCCP prior to development
- Is characterized by steep slopes (>15%) with several flatter areas on the eastern and western parts of the property
- Has a bend of W. Bull Creek at midpoint of the 2222 frontage and 3 small tributaries crossing the property



Property Profile



Legend

- Jurisdiction**
 - FULL PURPOSE
 - LIMITED PURPOSE
 - EXTRATERRITORIAL JURISDICTION
 - 2 MILE ETJ AGRICULTURAL AGREEMENT
 - OTHER CITY LIMITS
 - OTHER CITIES ETJ
- Lot Line**
- Greater Austin Fully Developed**
 - COA Fully Developed 25-Year
 - COA Fully Developed 100-Year
 - COA Master Plan 25-Year
 - COA Master Plan 100-Year
 - 100-Year (Detailed-AE)
 - 100-Year (Shallow-AO, AH)
 - 100-Year (Approx-A)
- Spring**
- Wetland**
- Rock Outcrop**
- Creek Centerlines**
- Lakes**

Notes

0.2 0 0.08 0.2 Miles

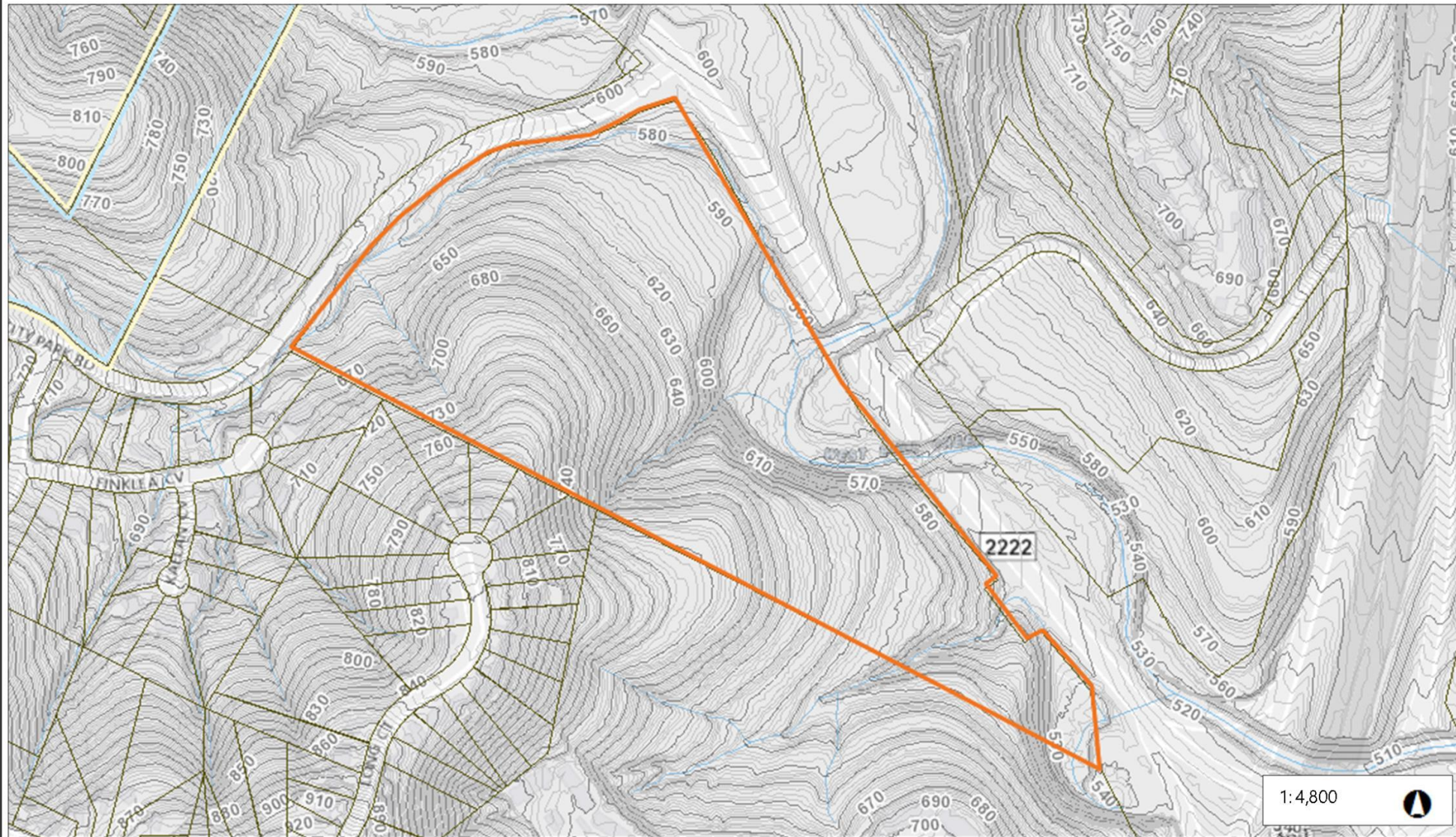
NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet

01.02.18

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Property Profile



Legend

- Jurisdiction**
 - FULL PURPOSE
 - LIMITED PURPOSE
 - EXTRATERRITORIAL JURISDICTION
 - 2 MILE ETJ AGRICULTURAL AGREEMENT
 - OTHER CITY LIMITS
 - OTHER CITIES ETJ
- Lot Line**
- Contours Year 2012**
 - 2 Ft Contours
 - 10 Ft Contours
- Creek Centerlines**
- Lakes**

Notes

0.2 0 0.08 0.2 Miles

NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet

01.02.18

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Background

The Champion tracts, including Tract 3, are subject to a 1996 settlement agreement resolving a dispute between the City of Austin and the property owner regarding vested rights (grandfathering).

- Tract 3 was zoned General Office (GO) with a limitation of 30,000 sq. ft. for office use.
- Other GO uses (school, nursing home, etc.) are not subject to that limit.

Background

Environmental Regulations

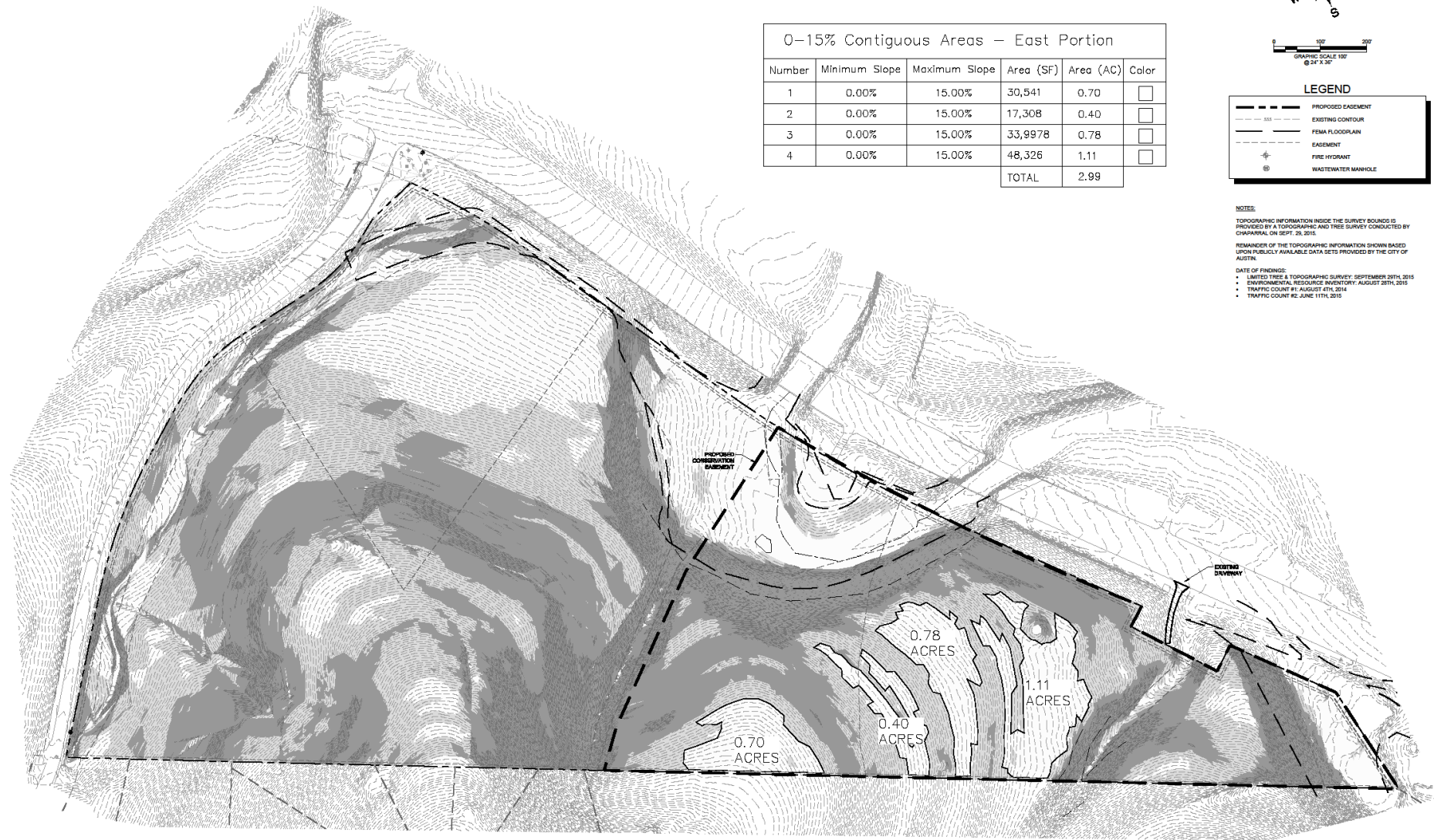
The 1996 agreement allows:

- Development under the 1983 Lake Austin Watershed ordinance
 - 65% IC (commercial) and 40% IC (multi-family) on a gross site basis
 - Development on slopes up to 35% with limits on slopes >15%
 - Max IC: Commercial = 11.1 ac., Multi-family = 7.1 ac.
 - No CEF or creek protections
 - Tree protection similar to current code except no heritage tree
- A Hill Country Roadway (HCRO) setback of 25' rather than 100'
 - All other HCRO limits apply, e.g. cut/fill, terracing height, etc.

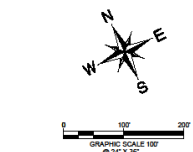
2016 Amendment

- In late summer/early fall 2016, as part of 1st reading approval of a rezoning application, staff was directed by Council to include at 2nd reading a mechanism to restrict a portion of the land from development.
- Staff and Council office representatives met with neighborhood representatives and the applicant. An agreement to conserve 30 of the 45 acres in exchange for increased entitlements on the remaining 15 acres was reached. Nature trails are allowed within the easement.
- The mechanism necessary to accomplish the agreement was an amendment to the 1996 settlement with Council approval.
- Council approved the rezoning and amendment. **The District Court subsequently voided Council approval of the amended settlement agreement** based on inadequate posting language. The decision regarding sufficiency of the posting language is on appeal.

This document, together with the complete and detailed information herein, is to be used only for the specific project and shall be void if any portion thereof is not properly related to the information and data contained herein. It is the responsibility of the user to ensure that the information and data contained herein are used in accordance with the intended purpose of the information and data.



0-15% Contiguous Areas - East Portion					
Number	Minimum Slope	Maximum Slope	Area (SF)	Area (AC)	Color
1	0.00%	15.00%	30,541	0.70	
2	0.00%	15.00%	17,308	0.40	
3	0.00%	15.00%	33,9978	0.78	
4	0.00%	15.00%	48,326	1.11	
TOTAL				2.99	



LEGEND

- PROPOSED EASEMENT
- - - EXISTING CONTOUR
- FEMA FLOODPLAIN
- - - EASEMENT
- ⊕ FIRE HYDRANT
- ⊕ WASTEWATER MANHOLE

NOTES:

TOPOGRAPHIC INFORMATION INSIDE THE SURVEY BOUNDS IS PROVIDED BY A TOPOGRAPHIC AND TREE SURVEY CONDUCTED BY CHAPMAN ON SEPT. 28, 2015.

REMAINDER OF THE TOPOGRAPHIC INFORMATION SHOWN BASED UPON PUBLICLY AVAILABLE DATA SETS PROVIDED BY THE CITY OF AUSTIN.

DATE OF FRINGE:

- LIMITED TREE & TOPOGRAPHIC SURVEY: SEPTEMBER 28TH, 2015
- ENVIRONMENTAL RESOURCE INVENTORY: AUGUST 28TH, 2015
- TRAFFIC COUNT #1: AUGUST 4TH, 2014
- TRAFFIC COUNT #2: JUNE 11TH, 2015

BENCHMARKS

BENCHMARK INFORMATION

BM # 1: A.P. 1000 FRAMED TOPOGRAPHIC SET IN
BM # 1 IS A P. 1000 FRAMED TOPOGRAPHIC SET IN
CONCRETE, LOCATED IN THE SOUTHWEST CORNER OF
LOT 2 OF A 100 AC. ±, 10' NORTHWEST OF A TREE,
SHADE POLE, ± 10' NORTHWEST OF A
NORTHWESTER MANHOLE.

ELEVATION: 1960'

SOURCE: NAVD 83 (DESD: 84) FROM O.P.L.S. SOLUTIONS

BM #2: SQUARE IN NORTH END OF CONCRETE
BM #2 IS A SQUARE IN THE NORTH END OF CONCRETE
WALL, ON EAST SIDE OF CITY PARKING LOT, ± 10'
WEST OF THE EAST SIDE OF PARKING LOT, ± 10'
WEST OF THE INTERSECTION OF CITY PARKING AND WEST
COURTHOUSE DRIVE.

ELEVATION: 1960'

SOURCE: NAVD 83 (DESD: 84) FROM O.P.L.S. SOLUTIONS

Kimley»Horn 10814 JULYVILLE ROAD AVALON, TX 78003 PHONE: 512-418-1771 FAX: 512-418-1781 WWW.KIMLEY-HORN.COM © 2015 KIMLEY-HORN AND ASSOCIATES, INC. EPA Reg. No. 825	PROJECT 06754501.3	DATE AUGUST 2016	SCALE: AS SHOWN	DESIGNED BY: JAW	DRAWN BY: AML	CHECKED BY: JAW	0-15% SLOPE WITHIN CONSERVATION AREA	CHAMPIONS TRACT 3 CITY OF AUSTIN TRAVIS COUNTY, TEXAS	SHEET NUMBER

	'96 Agreement	'16 Amendment
Land Conserved	0 of 45 acres	30 of 45 acres
Impervious cover	<ul style="list-style-type: none"> 0-15% slope: C=65% 8.6 ac. MF=40% 5.3 ac. 15-25% slope: C=15% 2.01 ac. MF=10% 1.4 ac. 25-35% slope: C & MF=5% 0.5 ac. >35% slope: 0% <p>Total IC C=11.1 ac. MF=7.1 ac.</p>	<ul style="list-style-type: none"> 0-15% slope: 16.7% 2.2 ac. 15-25% slope: 17.3% 2.3 ac. 25-35% slope: 8.65% 0.9 ac. >35% slope: 0.8% 0.07 ac. <p>Total IC: = 5.5 ac.</p>
Construction on Slopes	<p><u>LAWO</u></p> <ul style="list-style-type: none"> Based on IC limits <p><u>HCRO</u></p> <ul style="list-style-type: none"> Pier/beam foundation if upslope of >15% slope Terraced wall max height 4' 	<p><u>LAWO</u></p> <ul style="list-style-type: none"> As limited by agreed to impervious cover limits. Waives pier/beam requirement. Allow structural excavation up to 34' downslope of 15% slopes Allow 8' terraced walls
Cut/fill	<p><u>LAWO</u></p> <ul style="list-style-type: none"> Unltd. below foundations 4' max otherwise <p><u>HCRO</u></p> <ul style="list-style-type: none"> 8' max below foundations if downhill of >15% slope 	<p><u>LAWO Cut</u></p> <ul style="list-style-type: none"> 4-12': 34,848 sq. ft. 12-20': 17424 sq. ft. 20-24': 2,613 sq. ft. 24-28': 217 sq. ft. <p><u>LAWO Fill</u></p> <ul style="list-style-type: none"> 4-12': 79,932 sq. ft. 12-20': 20,037 sq. Ft.

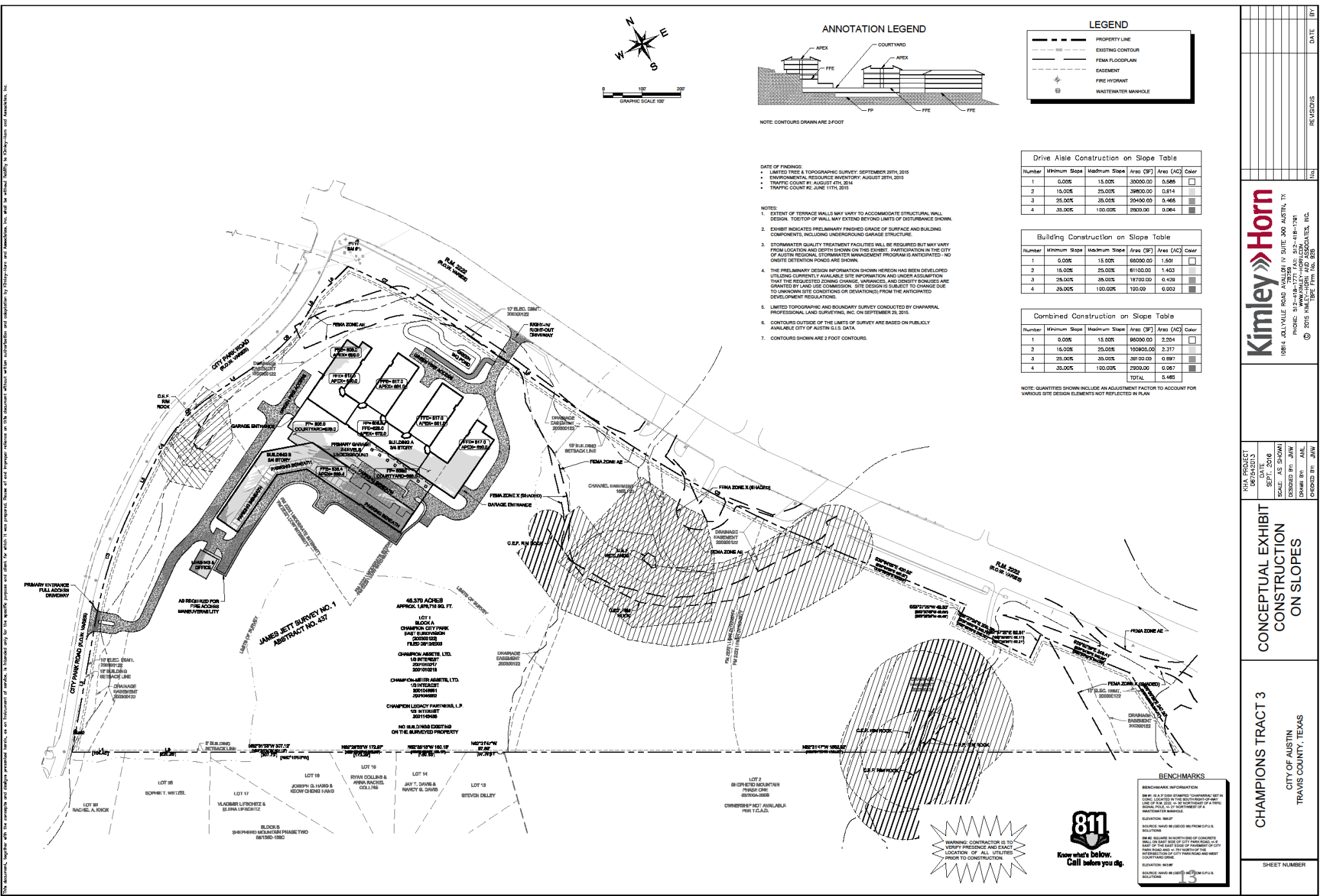
	'96 Agreement	'16 Amendment
CEF protection	None	Current code with modified buffers as shown in Exh. 2
Water quality	<u>LAWO</u> Sand filter for first ½” of runoff	Same
Construction phase erosion controls	<u>LAWO</u> Sediment must be controlled	Comply with current code plus 10 specific requirements that far exceed current code.
Erosion hazard zone	None	Comply with current code
Flood management	Current code	Current code
City Park Rd. Tributary Protection	None	Any crossing must span tributary

2016 Amendment

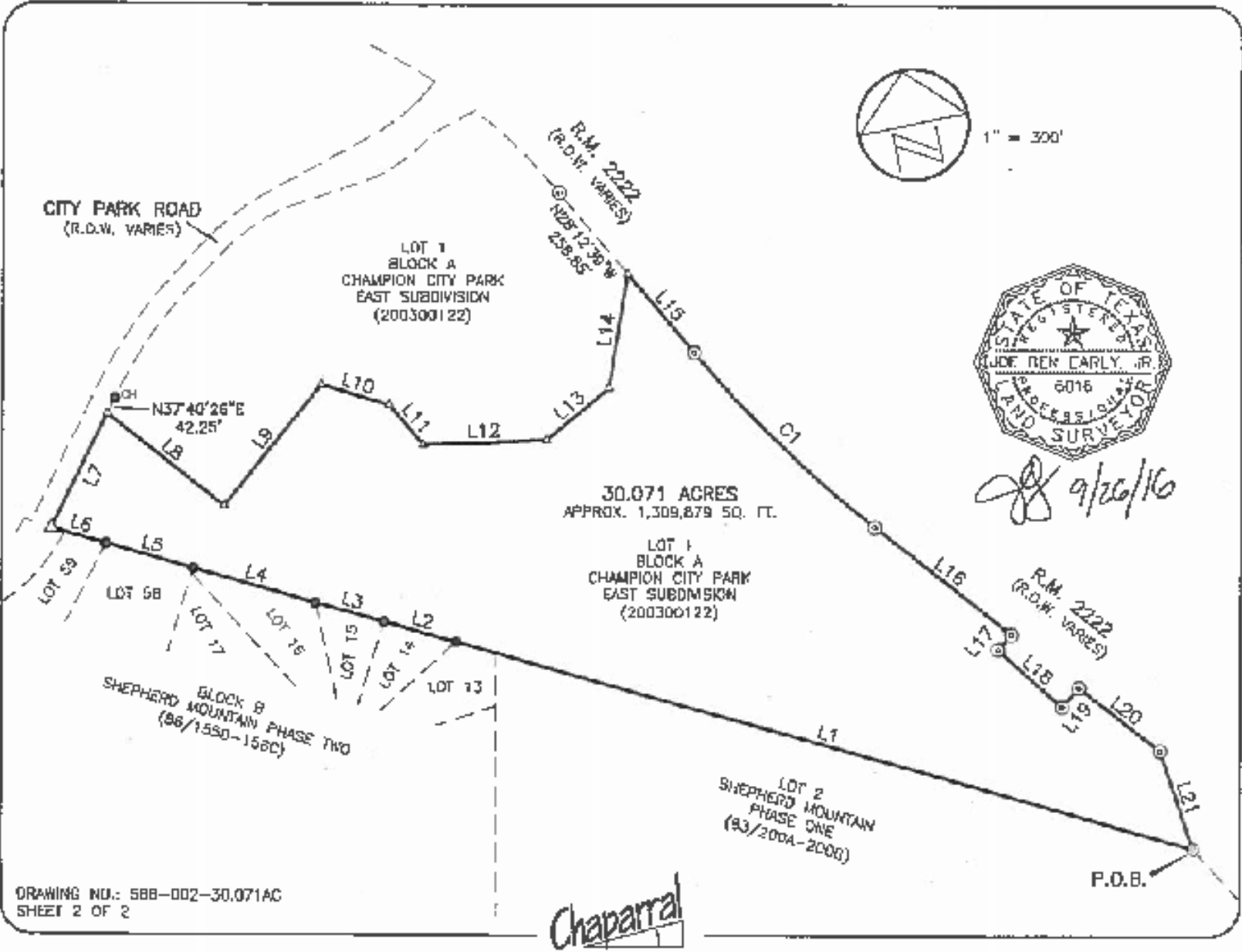
Construction Phase Controls

- Use ponds as settling basins with discharge to a “dirt bag” or similar filtration prior to discharge to creek.
- Divert upgradient stormwater around construction.
- E/S controls must accommodate 10-year storm instead of 2-year
- Mulch or similar cover to stabilize disturbed areas within 7 days
- Stabilize all disturbance on slopes >15% with fiber reinforced matrix within 7 days
- Permanent seeding must use hydromulch with fiber reinforced matrix within 7 days of final grading.
- Inspect all controls every 7 days or w/in 24 hours of rainfall with written report available to City. Inspector must be employed by owner, not construction contractor.
- Phase grading to limit size of disturbance with grading at higher areas first.

September 2016 Concept Plan



Conservation Easement



Summary

- Staff stands by its 2016 determination that the amendment is more environmentally protective than what could be built under the 1996 agreement (commercial or multi-family).
- The new multi-family zoning is not currently being considered by Council.
- Council request is for the Commission to provide input on whether the Commission agrees with the staff determination and provide a recommendation to Council regarding the environmental superiority of the amendment before 3rd reading, which is set for February 1, 2018.

Questions?