

LIVE OAK SPRINGS

9406 MORNINGHILL DRIVE
C8J-2016-0228

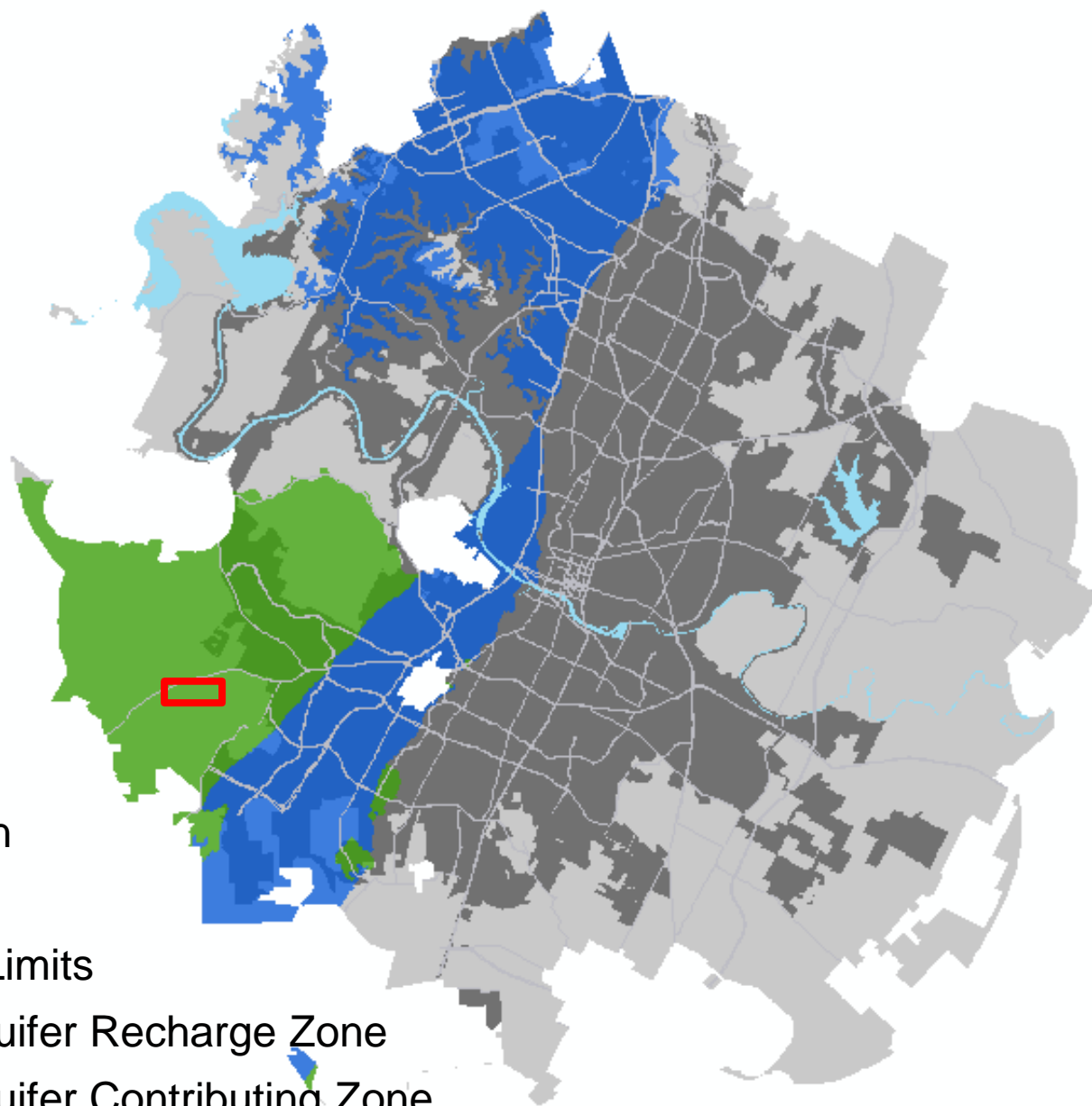
Atha Phillips






Environmental Program Coordinator

Development Services Department

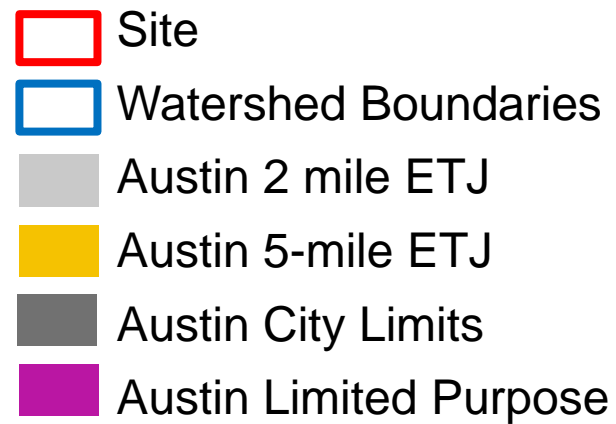
PROPERTY DATA

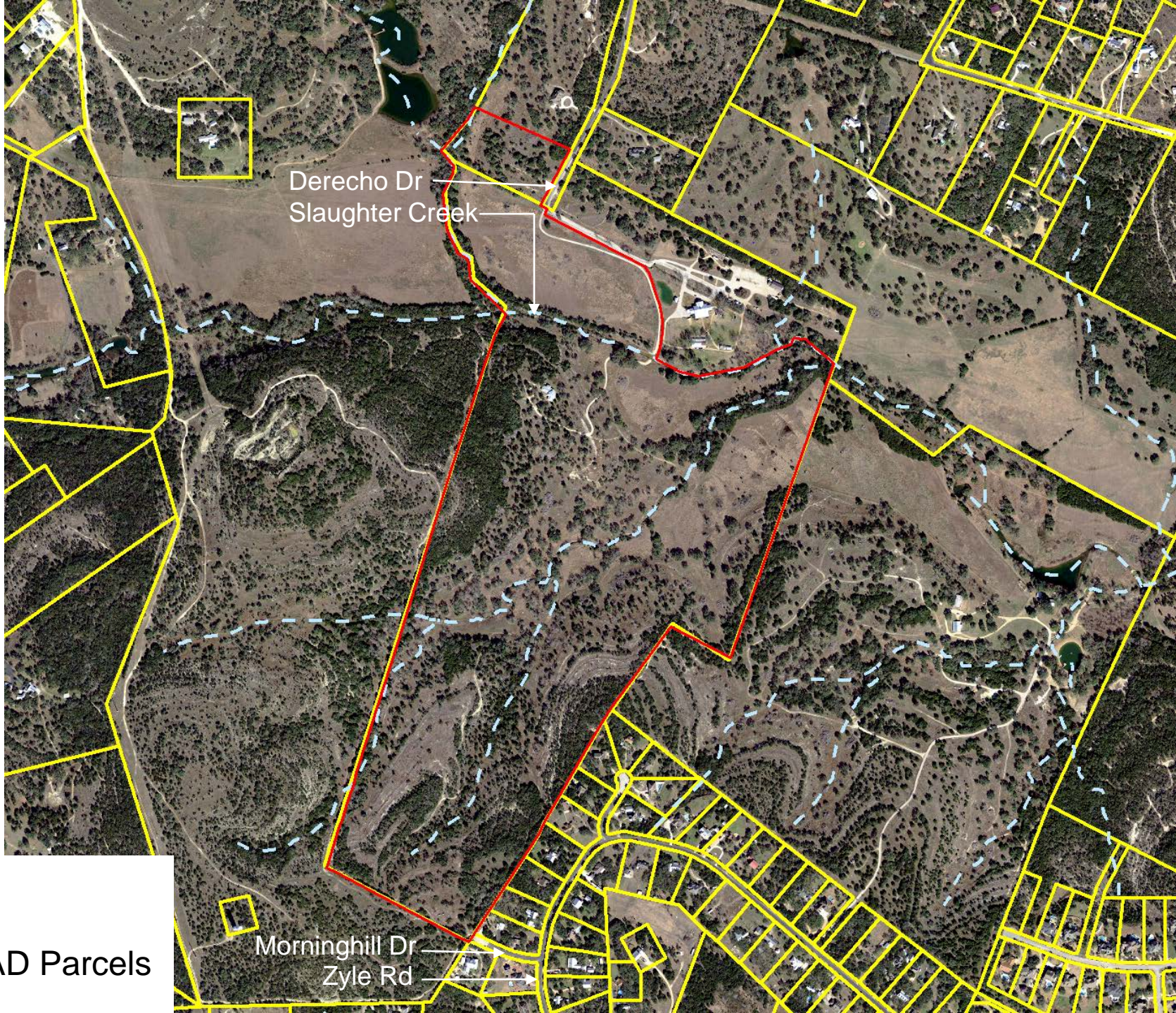
- Slaughter Creek Watershed
- Barton Springs Zone
- Drinking Water Protection Zone
- 2-Mile ETJ
- Not located over Edwards Aquifer Recharge Zone
- Edwards Aquifer Contributing Zone
- 2 Critical Environmental Features



-  Site Location
-  Austin ETJ
-  Austin City Limits
-  Edwards Aquifer Recharge Zone
-  Edwards Aquifer Contributing Zone







Derecho Dr
Slaughter Creek

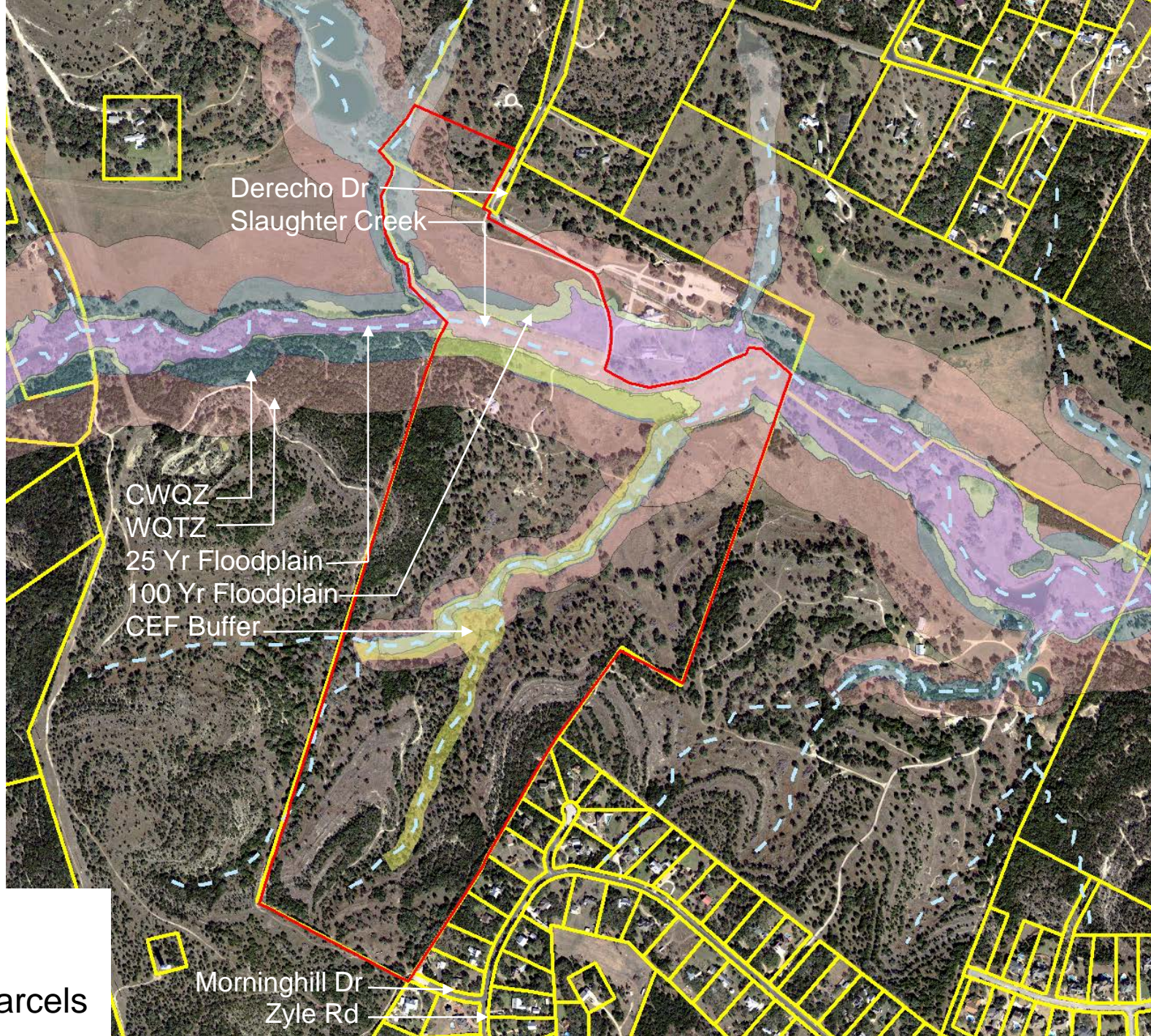
Morninghill Dr
Zyle Rd



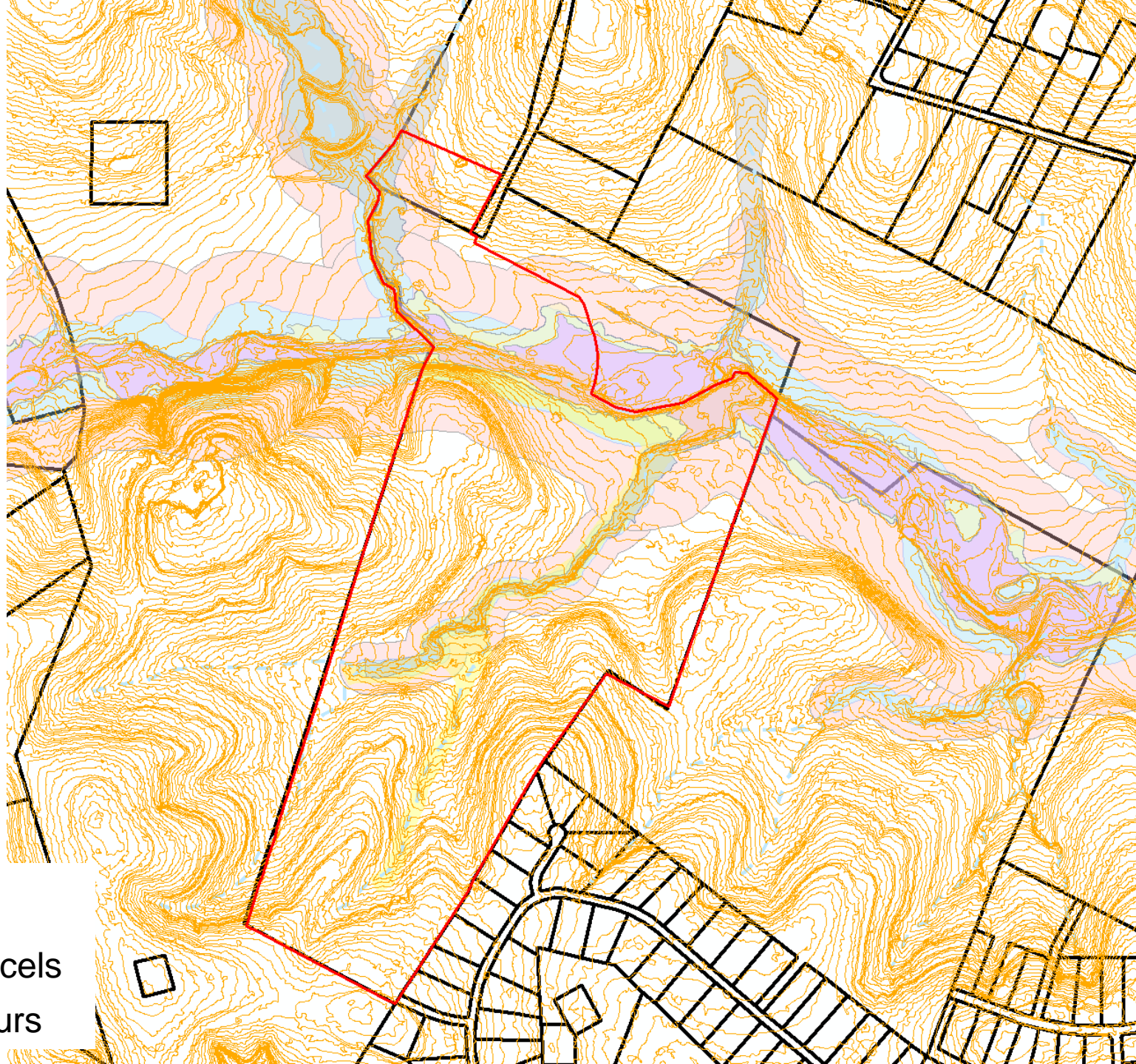
Site






TCAD Parcels



-  Site
-  TCAD Parcels



-  Site
-  TCAD Parcels
-  2-ft Contours

Environmental Resource Inventory



Site

W-1 Wetland Fringe

W-2 Natural Depression

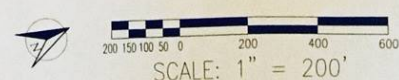
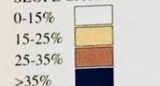


BACKGROUND

- Project is a Preliminary Plan for a future single family subdivision.
- Southern portion of the subdivision has one point of access.
- Proposed density requires a second access.
- Density of 30 or less units would not require second access.
- Project proposes 82 units.
- Second access requires the crossing of Slaughter Creek.
- Slaughter Creek is a major waterway at this location.



SLOPE CATEGORIES



CODE REFERENCE

Title 30-Austin/Travis County Subdivision

30-5-262 Critical Water Quality Zone Street Crossings

(B) This subsection applies in a watershed other than an urban watershed.

(1) A major waterway critical water quality zone may be crossed by an arterial street identified in the Transportation Plan.



290

290

290

Lewis Mountain
Subdivision 1983

FM 1826

Escarpment Blvd.

MoPac

Wylldwood

Brodie Lane

VARIANCE REQUEST

To cross a major waterway CWQZ by an arterial street that has not been identified in the Transportation Plan.

VARIANCE RECOMMENDATION

Staff does not recommend approval.

Reasoning: Project has not met the Findings of Fact.

QUESTIONS?

FINDINGS

A. Land Use Commission variance determinations from Chapter 30-5-41 of the City Code:

1. The requirement will deprive the applicant of a privilege available to owners of similarly situated property with approximately contemporaneous development subject to similar code requirements.

No, there are very few existing crossings of Slaughter Creek and those are limited to highways, large thoroughfares, and old subdivisions. For example streets that currently cross Slaughter Creek within the Barton Springs Zone are limited: Highway 290, FM 1826, Escarpment Blvd., Brodie Lane, and a few old subdivision streets.

2. The variance:

a) Is not necessitated by the scale, layout, construction method, or other design decision made by the applicant, unless the design decision provides greater overall environmental protection than is achievable without the variance;

No, the desire to have a higher density of development by the applicant is driving the need for the second access. A subdivision with less units would not be required to build a secondary access.

b) Is the minimum deviation from the code requirement necessary to allow a reasonable use of the property;

Yes, the location of the second access is the only other viable connection at this time since neighboring properties are not currently allowing access.

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

Yes, although there will be temporary disturbance, the floodplain will be restored to a degree that is better than its current condition.

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

Yes, although not better, the proposed water quality meets current code.

FINDINGS

B. Additional Land Use Commission variance determinations for a requirement of Section 30-5-422 (Water Quality Transition Zone), Section 30-5-452 (Water Quality Transition Zone), Article 7, Division 1 (Critical Water Quality Zone Restrictions), or Section 30-5-652 (Development Impacting Lake Austin, Lady Bird Lake, and Lake Walter E. Long):

1. The criteria for granting a variance in Subsection (A) are met;

No, the applicant has not met all the requirements in Subsection (A). The applicant is causing the need for the variance due to the proposed density.

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

No, the applicant would still be able to build a single-family subdivision but with fewer houses.

3. The variance is the minimum deviation from the code requirement necessary to allow a reasonable, economic use of the entire property.

No, with fewer units the subdivision could be built using the current access without the need for the variance.