SITE PLAN REVIEW SHEET
ENVIRONMENTAL VARIANCE REQUEST ONLY

CASE: SP-2017-0478D **ZAP COMMISSION DATE:** December 4th, 2018

PROJECT NAME: All Stor Westlake

APPLICANT: All Stor Westlake, LTD (Brendan Callahan) **AGENT:** Civiltude, LLC (Nhat Ho)

ADDRESS OF SITE: 9021 FM 2244 Road

COUNTY: Travis **AREA:** 7.5 acres

WATERSHED: Barton Creek **JURISDICTION:** 2-Mile ETJ

EXISTING ZONING: ETJ

PROPOSED DEVELOPMENT:
The applicant proposes a commercial services building.

DESCRIPTION OF VARIANCES:
The applicant requests to vary from LDC 25-8-342 Fill Requirements to allow fill up to 11 feet.

STAFF RECOMMENDATION:
The findings of fact have been met and staff recommends approval.

ENVIRONMENTAL BOARD ACTION:
November 7th, 2018: The Environmental Commission recommends support of the variance request to fill up to 11 feet with the following conditions: The applicant provides a landscape plan, which is not required in the City of Austin Extra Territorial Jurisdiction. Vote 6-0.

ZONING AND PLATTING COMMISSION ACTION:
N/A

ENVIRONMENTAL REVIEW STAFF: Pamela Abee-Taulli **PHONE:** 974-1879
Pamela.Abee-Taulli@austintexas.gov

CASE MANAGER: Clarissa Davis **PHONE:** 974-1423
Clarissa.Davis@austintexas.gov

ITEM FOR ENVIRONMENTAL COMMISSION AGENDA

COMMISSION MEETING DATE REQUESTED:	November 7, 2018
NAME & NUMBER OF PROJECT:	All Stor Westlake SP-2017-0478D
NAME OF APPLICANT OR ORGANIZATION:	Nhat Ho, Civilitude, LLC, 512-761-6161
LOCATION:	9021 FM 2244, Austin, TX 78746
COUNCIL DISTRICT:	Not Applicable; the site is in the Austin 2-mile Extra-Territorial Jurisdiction (ETJ)
PROJECT FILING DATE:	November 22, 2017
DSD/ENVIRONMENTAL STAFF:	Pamela Abee-Taulli, Environmental Review Specialist Senior 512-974-1879, pamela.abee-taulli@austintexas.gov
WATERSHED:	Barton Creek Watershed, Barton Springs Zone, Drinking Water Protection Zone
ORDINANCE:	Watershed Protection Ordinance (current code)
REQUEST:	Variance request is as follows: 1. Request to vary from LDC 25-8-342 Fill Requirements to allow fill up to 11 feet.
STAFF DETERMINATION:	Staff determination is that the findings of fact have been met. Staff recommends the following condition: that the applicant provide a landscape plan, which is not required in the ETJ.
REASONS FOR DETERMINATION:	Findings of fact have been met.

Development Services Department
Staff Recommendations Concerning Required Findings

Project:	All Stor Westlake SP-2017-0478D
Ordinance Standard:	Watershed Protection Ordinance
Variance Request:	Request to vary from LDC 25-8-342, Fill Requirements, to allow fill up to 11 feet.

A. Land Use Commission variance determinations from Chapter 25-8-42 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.

   Yes The variance is required in order to provide access to an otherwise developable site. The only possible access, which is from Bee Caves Rd., must cross slopes exceeding 15 percent in grade. LDC 25-8-301 allows a person to construct a driveway on a slope with a gradient of more than 15 percent if it is necessary to provide primary access to at least two contiguous acres with a gradient of 15 percent or less. According to the applicant's engineer, this site meets these conditions.

   However, in order to make the access and parking compliant with ADA slope requirements, fill exceeding 4 feet is necessary.

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;

      Yes The fill is required to provide ADA compliant parking and access to the building and to provide a fire lane along the east side of the building as required by fire code.

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

Yes The current layout is the minimum deviation from code requirement that could accommodate the required fire lane.

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

Yes The fill for the fire lane is upslope of the building foundation, which will stabilize the fill. Fill for the parking will be stabilized by a four and a half foot retaining wall that will be constructed before the fill is placed.

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

Yes Development with the variance will provide non-degradation level of water quality, per standard requirement in the Barton Springs Zone.

B. Additional Land Use Commission variance determinations for a requirement of Section 25-8-422 (Water Quality Transition Zone), Section 25-8-452 (Water Quality Transition Zone), Article 7, Division 1 (Critical Water Quality Zone Restrictions), or Section 25-8-652 (Development Impacting Lake Austin, Lady Bird Lake, and Lake Walter E. Long):

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

Yes / No NA

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

Yes / No NA

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

Yes / No NA

Staff Recommendation: Approve, with conditions.

Environmental Reviewer: Pamela Abee-Taulli Date 10-26-18

Pamela Abee-Taulli

Environmental Review Manager: _____ Date 10-26-18

Mike McDougal

Environmental Officer _____ Date 10/26/2018

Chris Herrington

ENVIRONMENTAL COMMISSION VARIANCE APPLICATION FORM

PROJECT DESCRIPTION

Applicant Contact Information

Name of Applicant:	ALL STOR WESTLAKE LTD
Street Address	500 W 5TH STREET, SUITE 700
City State ZIP Code	AUSTIN, TX 78701
Work Phone	512-682-5552
E-Mail Address	BCALLAHAN@ENDEAVOR-RE.COM

Variance Case Information

Case Name	ALL STOR WESTLAKE
Case Number	SPC-2017-0478D
Address or Location	9021 FM 2244
Environmental Reviewer Name	PAMELA ABEE-TAULLI
Environmental Resource Management Reviewer Name	SCOTT HIERS
Applicable Ordinance	LDC 25-8-342
Watershed Name	BARTON CREEK
Watershed Classification	☐Urban ☐ Suburban ☐Water Supply Suburban ☐Water Supply Rural ■ Barton Springs Zone

Edwards Aquifer Recharge Zone	☐ Barton Springs Segment ☐ Northern Edwards Segment ☐ Not in Edwards Aquifer Zones
Edwards Aquifer Contributing Zone	■ Yes ☐ No
Distance to Nearest Classified Waterway	900 feet
Water and Waste Water service to be provided by	WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY
Request	The variance request is as follows (Cite code references: 25-8-352 ALLOW FILL GREATER THAN 4 FEET

Impervious cover	Existing	Proposed
square footage:	0.0	39732
acreage:	0.0	0.912
percentage:	0.0	12.06

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)	THE TRACT SLOPES DOWN FROM FM 2244 AT APROXIMATELY 20 PERCENT GRADE TO A FLATTER AREA WHERE THE BUILDING, PARKING AND FIRE LANE WILL BE CONSTRUCTED. THE TRACT IS COVERED WITH CEDAR TREES AND BRUSH WITH SOME PRIOR DISTURBANCE ON THE EAST BOUNDARY WHEN THE ADJACENT BUILDING WAS CONSTRUTED. THERE ARE STEEP SLOPES WITHIN THE SITE AND A CHANNEL IN THE SOUTHWEST CORNER OF THE SITE. TWO CRITICAL ENVIRONMENT FEATURES, A WETLAND AND A SEEP ARE ALSO IN THE SOUTHWEST CORNER, AND THE PROJECT IS PROVIDING AT LEAST 150 FOOT SETBACK FOR ANY DISTURBANCE.

Clearly indicate in what way the proposed project does not comply with current Code (include maps and exhibits)	TO REDUCE THE SLOPE OF THE DRIVEWAY, FILL WILL BE USED TO BRING IT INTO COMPLIANCE WITH THE SLOPE CONSTRAINTS, WHICH WILL RESULT IN FILL OVER 4 FEET FOR THE DRIVEWAY AND FIRE LANE ON THE NORTH AND EAST SIDE OF THE BUILDING.

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: ALL STOR WESTLAKE

Ordinance: 25-8-342

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 available to owners of similarly situated property with approximately contemporaneous development subject to similar code requirements.

   Yes THE APPLICANT WISHES TO DEVELOP THE PROPERTY TWITH A DRIVEWAY LESS THAN THE MAXIMUM SLOPE ALLOWED TO PROVIDE ACCESS TO FLATTER PORTIONS OF THE PROPERTY.

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;

      YES THE FILL IS REQUIRED TO ALLOW FLAT PARKING AREA FOR ADA SPACE AND ENTRANCE TO THE BUILDING, AND PROVIDE A FIRE LANE ALONG THE EAST SIDE OF THE BUILDING AS REQUIRED BY THE FIRE CODE.

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

YES SEVERAL LAYOUT WERE PROPOSED BUT THE CURRENT DESIGIN IS THE MINIMUM DEPARTURE TO ALLOW THE ACCESS AND FIRE LANE ON THE EAST SIDE OF THE BUILDING

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

YES, THE FILL WILL BE STABILIZED SINCE THE BUILDING FOUNDATION WILL BE DOWNSLOPE OF THE FILL 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 / No [provide summary justification for determination]

B. NOT APPLICABLE.

**Variance approval requires all above affirmative findings.

Exhibits for Commission Variance

- Aerial photos of the site
- Site photos
- Aerial photos of the vicinity
- Context Map—A map illustrating the subject property in relation to developments in the vicinity to include nearby major streets and waterways
- Topographic Map - A topographic map is recommended if a significant grade change on the subject site exists or if there is a significant difference in grade in relation to adjacent properties.
- For cut/fill variances, a plan sheet showing areas and depth of cut/fill with topographic elevations.
- Site plan showing existing conditions if development exists currently on the property
- Proposed Site Plan- full size electronic or at least legible 11x17 showing proposed development, include tree survey if required as part of site or subdivision plan
- Environmental Map – A map that shows pertinent features including Floodplain, CWQZ, WQTZ, CEFs, Setbacks, Recharge Zone, etc.
- An Environmental Resource Inventory pursuant to ECM 1.3.0 (***if required by 25-8-121***)
- Applicant's variance request letter

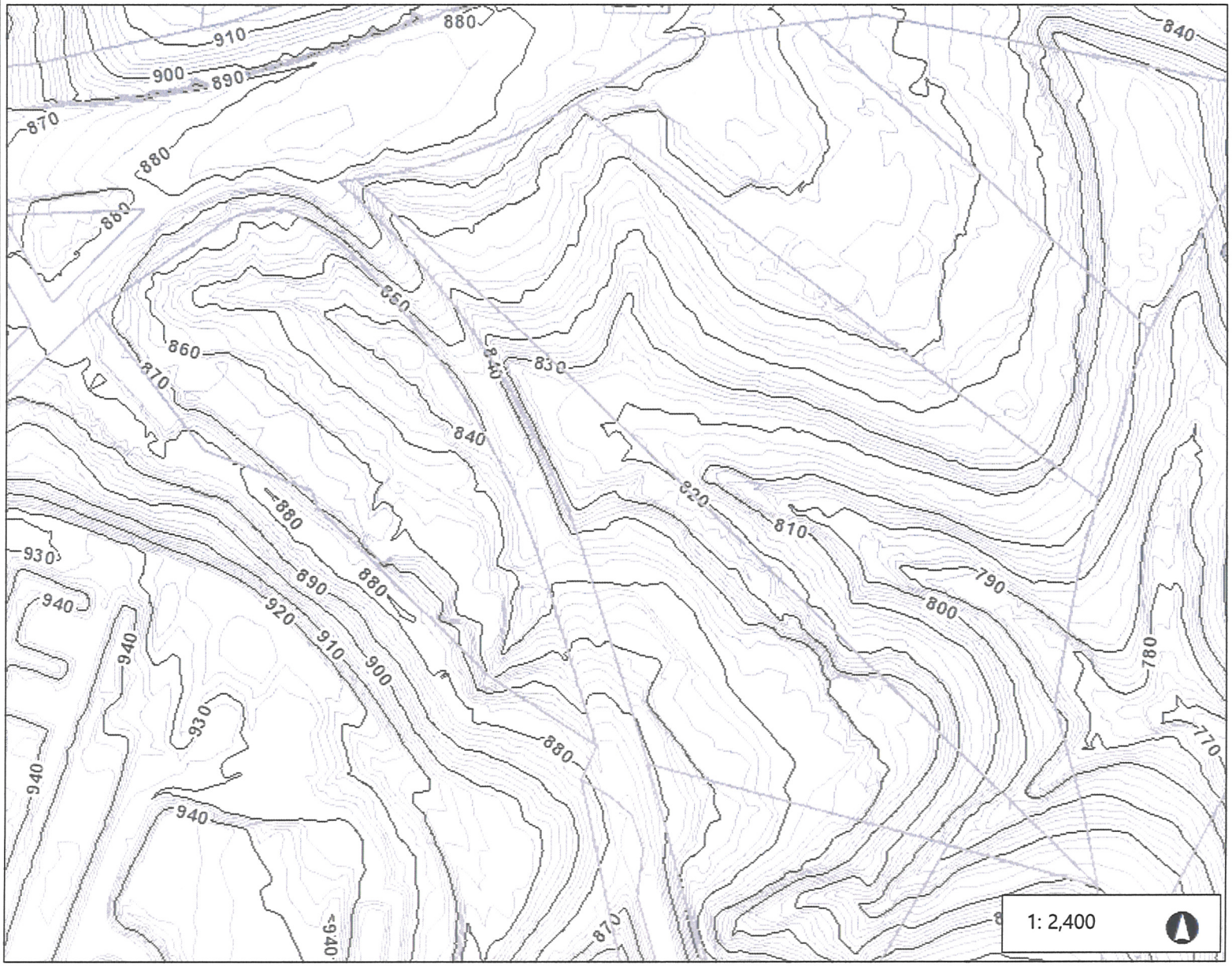
Google Maps

Imagery ©2018 Google, Map data ©2018 Google 100 ft

All Stor Westlake
9021 FM 2244
AP-2017-0478D
Aerial photo

C-03 Part 1 of 4 11 of 31

Property Profile



1: 2,400

0.1 0 0.04 0.1 Miles

NAD_1983_StatePlane_Texas_Central_FIPS_4203_Feet

Date Printed:

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. This product has been produced by the City of Austin for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Legend

Jurisdiction

- FULL PURPOSE
- LIMITED PURPOSE
- EXTRATERRITORIAL JURISDICTI
- 2 MILE ETJ AGRICULTURAL AGR
- OTHER CITY LIMITS
- OTHER CITIES ETJ

TCAD Parcels

Contours Year 2012

- 2 Ft Contours
- 10 Ft Contours

Notes

9021 FM 2244

PROPOSED LEGEND

- MULCH SOCK
- LOC — LIMIT OF CONSTRUCTION
- SF — SILT FENCE
- RB — ROCK BERM
- CSA — CONTRACTOR STAGING AREA
- SCE — STABILIZED CONSTRUCTION ENTRANCE

SLOPE LEGEND

- 0–15 %
- 15–25 %
- 25–35 %
- > 35 %

NOTES:

1. A PRE-CONSTRUCTION MEETING WITH THE ENVIRONMENTAL INSPECTOR IS REQUIRED PRIOR TO ANY SITE DISTURBANCE.
2. IF DISTURBED AREA IS NOT TO BE WORKED ON FOR MORE THAN 14 DAYS, DISTURBED AREA NEEDS TO BE STABILIZED.
3. ENVIRONMENTAL INSPECTOR HAS THE AUTHORITY TO ADD EROSION CONTROLS ON SITE TO KEEP PROJECT IN COMPLIANCE WITH THE CITY OF AUSTIN RULES AND REGULATIONS.
4. CONTRACTOR SHALL UTILIZE DUAL CONTROL MEASURES DURING SITE CONSTRUCTIONS SUCH AS IRRIGATION TRUCKS AND MULCHING AS PER ECS 1.4.8.C, OR AS DIRECTED BY THE ENVIRONMENTAL INSPECTOR.
5. SILT FENCE INSTALLATION SHALL COMPLY WITH ECM 1.5.4.G.
6. THE CONTRACTOR SHALL CLEAN UP SPOILS THAT MIGRATE ONTO THE ROADS A MINIMUM OF ONCE DAILY.

BENCHMARK INFORMATION:

BM #1: COTTON SPINDLE WITH "CHAPARRAL" WASHER SET IN ASPHALT NEAR THE EDGE OF THE EASTBOUND LANE OF BEE CAVES ROAD, APPROXIMATELY 50 FEET EAST OF CRYSTAL CREEK ROAD.

ELEVATION = 884.47'

BM #2: COTTON SPINDLE WITH "CHAPARRAL" WASHER SET IN ASPHALT ALONG THE NORTHEAST BOUNDARY LINE OF THE SUBJECT TRACT, NEAR THE SOUTH CORNER OF EXISTING BUILDING LOCATED AT 8947 BEE CAVE RD, AUSTIN, TX 78746.

ELEVATION = 857.01'
VERTICAL DATUM: NAVD 88 (GEOID 12B)

SURVEY:

TOPOGRAPHIC SURVEY BY CHAPARRAL SURVEYING, INC, DATED 08/08/2017 AND CITY OF AUSTIN GIS 2012 TOPO.

CRITICAL ENV. FEATURES:

W1 WETLAND
S1 SEEP

SLOPE TABLE

ENTIRE PROPERTY		
SLOPE	AREA [SF]	AREA [AC]
0 - 15% SLOPE	147,813	3.39
15 - 25% SLOPE	100,403	2.30
25 - 35% SLOPE	52,283	1.20
35% + SLOPE	28,989	0.67
TOTAL AREA	329,488	7.564

NO.	DATE	REVISIONS

THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

ALL STOR WESTLAKE
9021 FM 2244, AUSTIN, TX 78746

EXISTING CONDITIONS, SLOPE MAP AND PREL. E&SC PLAN

CIVILITUDE
ENGINEERS & PLANNERS
5110 LANCASTER COURT
AUSTIN, TX 78723
FIRM REG NO. F12469
PHONE 512 761 6161
FAX 512 761 6167
INFO@CIVILITUDE.COM

SCALE: 1"=50' DGN. BY: JMS
JOB NO. A24B-001 DWN. BY: MAA

STATE OF TEXAS
NHAT M. HO
119194
LICENSED PROFESSIONAL ENGINEER
05.25.2018

SHEET NO. 3 OF 15

SP-2017-0478D

ALL STOR WESTLAKE – 9021 FM 2244, AUSTIN, TX 78764

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CURVE TABLE						
CURVE	RADIUS	DELTA	ARC	BEARING	CHORD	RECORD CHORD
C1	766.31'	19°25'56"	259.90'	N68°40'16"E	258.66'	(N69°14'16"E 259.09')

LINE TABLE			
LINE	BEARING	DISTANCE	RECORD INFO.
L1	S53°12'15"E	184.10'	(S52°19'00"E 184.46')
L2	S48°03'03"E	89.02'	(S47°20'38"E 88.98')

Impervious Cover Table				
Use: Convenience Storage				
	Existing	Proposed Removal	Proposed Addition	
Building	-	-	24,500	
Parking/Driveway	-	-	15,620	
Sidewalk & Others	-	-	593	
Total (Area)	-	-	40,713	
Gross Site Area	329,499 SF		7.564	Acre
Total (Percent)	0.00%	0.00%	12.36%	

APPENDIX Q-2: IMPERVIOUS COVER

Water Quality Transition Zone

Water Quality Transition Zone Outside of 100 Floodplain (Non-FP WQTZ) = 0 Acres

Allowable Impervious Cover

Impervious Cover Allowed at 0.0% X Non-FP WQTZ = 0.0 Acres

Impervious Cover Allowed at 20.0% X Net Site Area = 0.9224 Acres

Total Impervious Cover Allowed 0.9224 Acres

Allowable Impervious Cover Breakdown by Slope Category

Allowable IC at 15 - 25%v =2.28 X 10% 0.228 acres

Proposed Total Impervious Cover

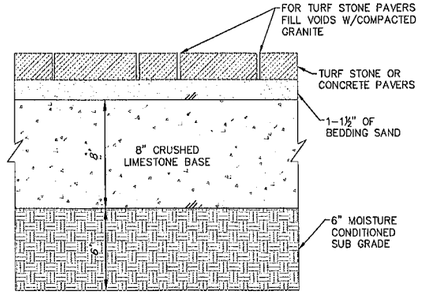
Impervious Cover In Non-FP WQTZ 0 acres

Impervious Cover In Upland=s Zone 0.9160 acres

Total Proposed Impervious Cover 0.9160 acres

Proposed Impervious Cover on Slopes

Slope Categories	Acres	Impervious Cover Bldg and Other IC (Acres)	% GSA	Parking & Driveway (Acres)
Area of Upland with Slope 0 - 15%	3.47	0.494	6.5%	0.21
Area of Upland with Slope 15 - 25%	2.28	0.092	1.2%	0.123
Area of Upland with Slope 25 - 35%	1.15	0	0.0%	
Area of Upland with Slope Over 35%	0.66	0	0.0%	0
Total Site Area	7.56			



CONCRETE PAVERS DETAIL
N.T.S

THE REQUIRE BASE THICKNESS MAY BE REDUCED BY 2" IF LIME TREATMENT OF THE CLAY SUBGRADE TO A MINIMUM DEPTH OF 6" IS PERFORMED.

SPECIFICATIONS FOR SUB GRADE PREPARATION PER THE TERRACON ENGINEERING GEOTECHNICAL REPORT NO. 96175011

APPENDIX Q-1: NET SITE AREA

Net Site Area Is Only Applicable To Watersheds Classified As Barton Springs Contributing Zone

Gross Site Area (GSA)			7.5640	Acres
Site Deductions				
Critical Water Quality Zone (CWQZ)			0.0	Acres
Water Quality Transition Zone (WQTZ)			0.0	Acres
Wastewater Irrigation Areas			0.037	Acres
	Deduction Subtotal		0.037	Acres
Upland Area (Gross Site Minus Total Deduction)			**7.5270**	Acres
Net Site Area Calculation				
Area of Upland with Slope 0 - 15%	3.470	X 100 % =	3.470	Acres
Area of Upland with Slope 15 - 25%	2.280	X 40 % =	0.912	Acres
Area of Upland with Slope 25 - 35%	1.150	X 20 % =	0.230	Acres
Area of Upland with Slope Over 35%	0.660	X 0 % =	0.000	Acres
		Net Site Area Total	4.612	**Acres**

ACCESSIBILITY NOTES:

1. APPROVAL OF THESE PLANS BY THE CITY OF AUSTIN INDICATES COMPLIANCE WITH APPLICABLE CITY REGULATIONS ONLY. COMPLIANCE WITH ACCESSIBILITY STANDARDS SUCH AS THE 2010 STANDARDS FOR ACCESSIBLE DESIGN OR THE 2012 TEXAS ACCESSIBILITY STANDARDS WAS NOT VERIFIED. THE APPLICANT IS RESPONSIBLE FOR COMPLIANCE WITH ALL APPLICABLE ACCESSIBILITY STANDARDS.

TXDOT NOTES:

1. DRAINAGE FOR THIS DEVELOPMENT HAS BEEN DESIGNED SUCH THAT THERE WILL BE NO ADVERSE IMPACTS ON THE CAPACITY, FUNCTION, OR INTEGRITY OF TEXAS DEPARTMENT OF TRANSPORTATION RIGHT OF WAY DRAINAGE FACILITIES.

EXISTING LEGEND

- FIRE HYDRANT W/ GATE VALVE
- WATERLINE W/ GATE VALVE
- WATERLINE W/ DOUBLE SERVICE
- WATERLINE W/ SINGLE SERVICE
- STORM SEWER W/ MANHOLE
- STORM SEWER W/ CURB INLET
- GROUND CONTOUR

PROPOSED LEGEND

- FIRE HYDRANT W/ GATE VALVE
- WATERLINE W/ GATE VALVE
- WATERLINE W/ DOUBLE SERVICE
- WATERLINE W/ SINGLE SERVICE
- WASTEWATER W/ CLEANOUT
- WASTEWATER W/ SINGLE SERVICE
- STORM SEWER W/ MANHOLE
- STORM SEWER W/ CURB INLET
- GROUND CONTOUR
- OVERHEAD UTILITY
- GAS LINE

0' 15' 30' 60'
SCALE:1"=30'

NO.	DATE	REVISIONS

THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. HE AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY HIS FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

ALL STOR WESTLAKE
9021 FM 2244, AUSTIN, TX 78746

SITE PLAN

CIVILITUDE
ENGINEERS & PLANNERS
5110 LANCASTER COURT
AUSTIN, TX 78723
FIRM REG NO. F12469
PHONE 512 761 6161
FAX 512 761 6167
INFO@CIVILITUDE.COM

SCALE: 1"=30' DGN. BY: JMS
JOB NO. A248-001 DWN. BY: MAA

STATE OF TEXAS
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LICENSED PROFESSIONAL ENGINEER
05.25.2018

SHEET NO. 5 OF 15

ALL STOR WESTLAKE – 9021 FM 2244, AUSTIN, TX 78764

SP-2017-0478D

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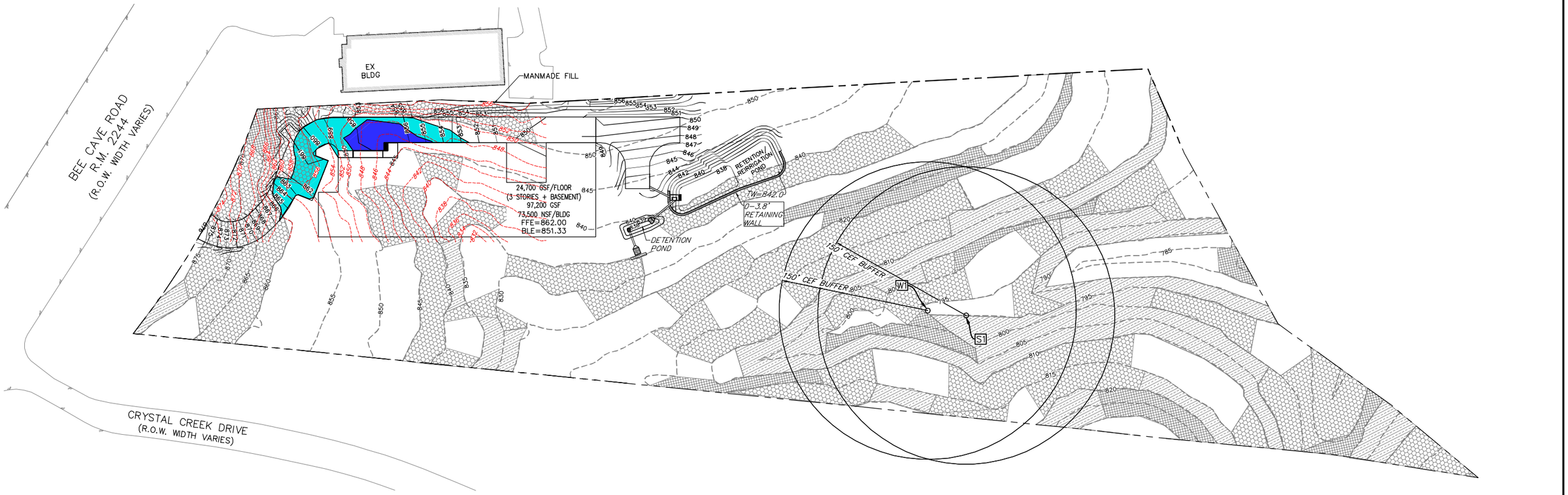

Elevations Table				
Number	Minimum Elevation	Maximum Elevation	Area (Ac)	Color
1	Fill 4.00	8.00	0.10	
2	Fill 8.00	11.00	0.035	

SLOPE TABLE

ENTIRE PROPERTY		
SLOPE	AREA [SF]	AREA [AC]
0 - 15% SLOPE	164,953	3.79
15 - 25% SLOPE	97,171	2.23
25 - 35% SLOPE	49,084	1.13
35% + SLOPE	18,279	0.42
TOTAL AREA	329,488	7.564

SLOPE LEGEND

- 0–15 %
- 15–25 %
- 25–35 %
- > 35 %

0' 50' 100' 200'

SCALE: 1"=100'

STATE OF TEXAS
NHAT M. HO
119194
LICENSED PROFESSIONAL ENGINEER

ALL STOR WESTLAKE
9201 FM 2244, AUSTIN TX 78746
FILL EXHIBIT

CIVILITUDE
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PHONE 512 761 6161 FAX 512 761 6167
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SCALE: 1" = 100' ON 11X17
DATE: 09/10/2018
JOB NO: A248-001 SHEET 1 OF 1

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CIVILITUDE
ENGINEERS & PLANNERS

5110 Lancaster Court
Austin, Texas 78723
Firm Registration #12469

Phone 512 761 6161
Fax 512 761 6167
hello@civilitude.com
www.civilitude.com

May 29, 2018

Environmental Commission
Zoning and Platting Commission
c/o Development Service Department
505 Barton Spring Road
Austin, Texas 78704

Re: Land Use Commission Variance – Fill Over 4 Feet
All Stor Westlake, SP-2017-0478D
9021 FM 2244
Austin, Texas 78746

Dear Commissioners:

On behalf of our client, All Stor Westlake, Ltd.., we are requesting a variance for fill over 4 feet for the construction of the access drive, parking, and fire lane for the All Stor Westlake Project in accordance with Section 25-8-41(A) of the Land Development Code (LDC). The Site Development Permit is to allow the construction of a convenience storage building, driveway, access drive, parking and fire lane on the 7.564-acre tract. Due to the steep slopes on the site, the impervious cover is limited to 12.1 percent of the tract. The site slopes from north to south, with the grades of the driveway from FM 2244 requiring that the access drive, parking and fire lane be raised to accommodate the grades of the driveway. The water quality for the development will meet the SOS requirements.

Below are the findings of fact for the variance:

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;

Whereas FM 2244 is the only access point for the property and the driveway slope is less than the ground slope to provide safe access to the site, the property can only be developed by filling the access drive, parking spaces and fire lane to match the elevation created by the driveway slope.

2. The variance 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;

The condition is not caused by the method chosen to develop the property because any development of the property would require a driveway to FM 2244 and the related grades required to provide a slope that does not exceed the City of Austin maximum slope requirements.

3. The variance 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;

The variance is needed to provide safe access onto the property for any development to occur.

4. The variance does not create a significant probability of harmful environmental consequences;

The fill allowed by the variance will be stabilized by retaining walls or 3:1 vegetated slopes to alleviate the probability of harmful environmental consequences.

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

The project will provide water quality that exceeds the SOS requirements by treating 108 percent of the runoff volume required.

Attached is an exhibit showing the location for the fill over 4 feet. We appreciate your favorable consideration of the fill variance. Please do not hesitate to contact me at 512-569-9830 if you have any questions.

Sincerely,

Nhat Ho, P.E.
Vice President

City of Austin Environmental Resource Inventory

Bee Caves Road Tract
Bee Caves Road at Crystal Creek Drive
Austin, Travis County, Texas

April 18, 2017

Terracon Project No. 96177135A

Prepared for:
Cerco Development, Inc.
Austin, Texas

Prepared by:
Terracon Consultants, Inc.
Austin, Texas

ENVIRONMENTAL RESOURCE INVENTORY FORM
FOR THE CITY OF AUSTIN
RELATED TO LDC 25-8-121, CITY CODE 30-5-121, ECM 1.3.0 & 1.10.0

APPENDICES

APPENDIX A – ADDITIONAL DISCUSSION

APPENDIX B – EXHIBITS

APPENDIX C – SITE PHOTOGRAPHS

APPENDIX D – CREDENTIALS

APPENDIX E – GENERAL COMMENTS

Environmental Resource Inventory

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: Bee Caves Road Tract

2. COUNTY APPRAISAL DISTRICT PROPERTY ID (#'s): 521558

3. ADDRESS/LOCATION OF PROJECT: Bee Caves Road at Crystal Creek Drive, Austin

4. WATERSHED: Barton Creek

5. THIS SITE IS WITHIN THE *(Check all that apply)*
   Edwards Aquifer Recharge Zone* *(See note below)* ..... ☐YES ☑No
   Edwards Aquifer Contributing Zone* ..... ☑YES ☐No
   Edwards Aquifer 1500 ft Verification Zone* ..... ☐YES ☑No
   Barton Spring Zone* ..... ☑YES ☐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 5 (#'s) Critical Environmental Feature(s)(CEFs) on or within150 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*):

2 (#'s) Spring(s)/Seep(s) - (#'s) Point Recharge Feature(s) - (#'s) Bluff(s)

- (#'s) Canyon Rimrock(s) 3 (#'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)
BlD - (Appendix A for name)	D	0-4'
BoF - (Appendix A for name)	D	0-5'
TdF - (Appendix A for name)	D	0-1'

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 1988 U.S. Geological Survey (USGS) 7.5-Minute Topographic Map (Austin West, Texas Quadrangle) of the project site was reviewed. Based on the review of the USGS map, site elevation is depicted to be approximately 790-860 feet above mean sea level, with the site sloping southeast. The 1988 USGS map depicts a north-south oriented unnamed, tributary of Barton Creek, intermittent stream adjoining the site to the east. The map does not depict other surface waterbodies on or within 150 feet of the site boundary.

Continued in Appendix A...

List surface geologic units below:

Geologic Units Exposed at Surface		
Group	Formation	Member
Trinity Group	Upper Glen Rose Limestone(Kgru)	N/A

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

The site is located within the Edwards Aquifer Contributing Zone as mapped by the City of Austin Development Web Map. According to the Geologic Atlas of Texas, the site is underlain by Upper Glen Rose Limestone (Kgru). Kgru is characterized as limestone, dolomite, and marl in alternating resistant and recessive beds forming stairstep topography; limestone, aphanitic to fine-grained, hard to soft and marly, light-gray to yellowish-gray; dolomite, fine-grained, porous, yellowish-brown; marine megafossils include molluscan steinkerns, rudistids, oysters, and echinoids; upper part relatively thinner bedded, more dolomitic and less fossiliferous than lower part, thickness about 220 feet.

The Atlas did not depict any faults on or adjoining the site. A review of aerial photographs did not reveal lineations, which typically indicate the presence of faulting.

Continued in Appendix A...

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

There are 0 (#) wells present on the project site and the locations are shown and labeled

___(#'s)The wells are not in use and have been properly abandoned.

___(#'s)The wells are not in use and will be properly abandoned.

___(#'s)The wells are in use and comply with 16 TAC Chapter 76.

There are 2 (#'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 Texas Parks and Wildlife Department's (TPWD) Ecological Mapping Systems – Omernik Ecoregions Level III, of the project site was reviewed. Based on a review of the TPWD ecological mapping, the site is located in the Edwards Plateau. TPWD describes the Edwards Plateau as grasslands, juniper/oak woodlands, and plateau live oak or mesquite savannah.
Continued in Appendix A...

There is woodland community on site ……☑YES ☐ NO *(Check one).*
If yes, list the dominant species below:

Woodland species	
Common Name	Scientific Name
escarpment oak	Quercus fusiformis
southern red oak	Quercus falcata
ashe juniper	Juniperus ashei
eastern red cedar	Juniperus virginiana
common ligustrum	Ligustrum japonicum

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
bermuda grass	Cynodon dactylon
common greenbriar	Smilax bona-nox
Queen Anne's-Lace	Daucus carota
common dewberry	Rubus trivialis
agarita	Mahonia trifoliolata
prickly-pear	Opuntia stricta
ragweed	Ambrosia trifida

There is hydrophytic vegetation on site ……..☑YES ☐ NO *(Check one).*
If yes, list the dominant species in table below *(next page):*

Hydrophytic plant species		
Common Name	Scientific Name	Wetland Indicator Status
common spikerush	Eleocharis palustris	Obl
common maiden-hair fern	Adiantum capillus-veneris	FACW

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).*

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.

No effects are anticipated on the 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 12, 2017
Date(s)

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

Jared Cobb	512.891.2606
Print Name	Telephone
Signature	jdcobb@terracon.com
	Email Address
Terracon Consultants, Inc.	April 18, 2017
Name of Company	Date

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).

Seal

City of Austin Environmental Resource Inventory - Critical Environmental Feature Worksheet

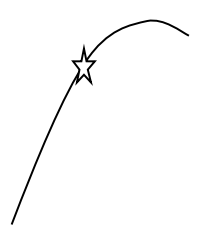
1	Project Name:	Bee Caves Road Tract
2	Project Address:	Bee Caves Road at Crystal Creek Drive, Austin
3	Site Visit Date:	April 12, 2017
4	Environmental Resource Inventory Date:	April 18, 2017

5	Primary Contact Name:	Jared Cobb
6	Phone Number:	(512) 891 - 2606
7	Prepared By:	Jared Cobb
8	Email Address:	jdcobb@terracon.com

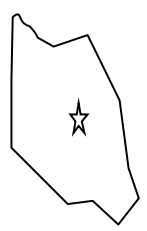
9	FEATURE TYPE {Wetland,Rimrock, Bluffs,Recharge Feature,Spring}	FEATURE ID (eg S-1)	FEATURE LONGITUDE (WGS 1984 in Meters)		FEATURE LATITUDE (WGS 1984 in Meters)		WETLAND DIMENSIONS (ft)		RIMROCK/BLUFF DIMENSIONS (ft)		RECHARGE FEATURE DIMENSIONS				Springs Est. Discharge
			coordinate	*notation*	*coordinate*	*notation*	X	Y	Length	Avg Height	X	Y	Z	Trend	cfs
	wetland	W-1	-97.863051°	W	30.316078°	N	~20	~10							
	wetland	W-2	-97.86174°	W	30.315973°	N	~10	~200							
	wetland	W-3	-97.861726°	W	30.316447°	N	~10	~50							
	spring	S-1	-97.862962°	W	30.315997°	N									<~1
	spring	S-2	-97.861915°	W	30.315489°	N									<~1

City of Austin Use Only CASE NUMBER:	

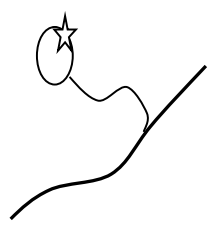
For rimrock, locate the midpoint of the segment that describes the feature.



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



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



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	☐
Surveyed	☐	meter	☐
Other	☐	> 1 meter	☐

Professional Geologists apply seal below

APPENDIX A
ADDITIONAL DISCUSSION

Surface Soils:
BlD – Brackett-Rock outcrop complex, 1 to 12 percent slopes
BoF – Brackett-Rock outcrop-Real complex, 8 to 30 percent slopes
TdF – Tarrant-Rock outcrop complex, 18 to 50 percent slopes

Description of Site Topography and Drainage *Continued…*
The National Wetlands Inventory (NWI) Mapper V2 of the project site was reviewed to identify suspect wetland areas and waterbodies within the project site boundaries. The review of the NWI Mapper indicated the presence of one riverine area (R4SBC) adjoining the site to the east. This area is further described as an intermittent streambed that is seasonally flooded. The NWI mapper did not reveal other suspect wetlands or waterbodies on or within 150 feet of the project site.

Additionally, as mapped by the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Panel No. 48453C0430J (Effective January 6, 2016), the project site is mapped outside the 100-year and 500-year floodplain zones and is in Zone X (unshaded).

Terracon accessed (April 6, 2017) the City of Austin (COA) Development Web Map to review previously identified Natural Features and setbacks within and adjoining the site. The review of the COA Development Web Map indicated the presence of six natural features and four setbacks/buffers. These areas are further described below:

- A creek (Object ID: 25809, Creek ID: 17655) is mapped adjoining the site to the west.
- A creek (Object ID: 15047, Creek ID: 8585) is mapped adjoining the site to the west.
- A creek (Object ID: 23541, Creek ID: 14944) is mapped transecting the southcentral portion of the site.
- A creek (Object ID: 27570, Creek ID: 20195) is mapped adjoining the site to the east.
- A wetland (Object ID: 456, Case Number: SP-05-1741D) is mapped adjoining the site to the northeast.
- A wetland (Object ID: 448, Case Number: SP-05-1741D) is mapped adjoining the site to the east.
- A biological resource buffer (Object ID: 187, Case Number: SP-05-1741D) is mapped adjoining the site to the northeast.
- A biological resource buffer (Object ID: 380, Case Number: SP-05-1741D) is mapped adjoining the site to the east.

- A Critical Water Quality Zone (Object ID: 15637, Creek Buffer ID: 1237) is mapped adjoining the site to the east.

- A Water Quality Transition Zone (Object ID: 15788, Creek Buffer ID: 1388) is mapped adjoining the site to the east.

The COA Development Web Map did not reveal other features and/or buffers on or within 150 feet of the project site. For additional information please refer to the online COA Development Web Map (http://www.austintexas.gov/GIS/developmentwebmap/Viewer.aspx).

Field Reconnaissance
During the site reconnaissance, Terracon assessed areas for CEF characteristics throughout the project site and identified three wetland CEFs and two spring/seep CEFs. Coordinate locations for each CEF area are listed in the above CEF Worksheet and are illustrated on Exhibit 2 in Appendix B. The CEF areas are further described below:

Wetland W-1 is dominated by common maiden-hair fern (*Adiantum capillus-veneris*), and common spike-rush (*Eleocharis palustris*) and displays saturation, water stained leaves, sediment deposits, and drift deposits. W-1 appears to be associated with creek (Object ID: 23541, Creek ID: 14944).

Spring/Seep S-1 displays some hydrophytic vegetation including common maiden-hair fern (*Adiantum capillus-veneris*). S-1 is located in the southcentral portion of the site.

Spring/Seep S-2 displays some hydrophytic vegetation including common maiden-hair fern (*Adiantum capillus-veneris*). S-1 is located adjoining the site to the east.

Wetlands W-2 and W-3 are dominated by common spike-rush (*Eleocharis palustris*) and displays saturation and water stained leaves. W-2 and W-3 appear to be associated with creek (Object ID: 27570, Creek ID: 20195). W-2 and W-3 were previously identified and indicated on the COA Development Web Map wetland (Object ID: 456, Case Number: SP-05-1741D) and wetland (Object ID: 448, Case Number: SP-05-1741D).

Terracon also observed creek (Object ID: 23541, Creek ID: 14944), and creek (Object ID: 27570, Creek ID: 20195). Upland vegetation was observed along the creeks' banks. Terracon did not observe other CEF areas within the project site.

Description of Site Plant Communities *Continued…*
During the site visit, Terracon assessed areas that represented different vegetative communities throughout the project site to thoroughly review if these areas may exhibit hydrophytic vegetation. Upland vegetative communities were observed to be dominated by species including escarpment

oak (*Quercus fusiformis*), southern red oak (*Quercus falcata*) ashe juniper (*Juniperus ashei*), eastern red cedar (*Juniperus virginiana*), common ligustrum (*Ligustrum japonicum*), Bermuda grass (*Cynodon dactylon*), ragweed (*Ambrosia trifida*), agarita (*Mahonia trifoliolata*), Queen Anne's-Lace (*Daucus carota*), erect prickly-pear (*Opuntia stricta*), dewberry *(Rubus trivialis*), Johnson grass (*Sorghum halepense*), wild onion (*Allium canadense*), greenbriar (*Smilax bona-nox*), and wild grape (*Vitis rotundifolia*).

Hydrophytic plant species are listed above in the *Field Reconnaissance* section.

The overall vegetated cover associated with the site is an estimated 90 percent.

APPENDIX B
EXHIBITS