

February 19, 2019

Zoning and Platting Commission Agenda Question and Answer Report

- 6. Rezoning:** [C14-2018-0136 - 1901 Ed Bluestein; District 3](#)
Location: 1901 Ed Bluestein Boulevard, Boggy Creek Watershed, Colorado River Watershed
Owner/Applicant: Sunbelt Cleveland Properties LP (Dayne Yeager)
Agent: Metcalfe, Wolff, Stuart & Williams LLP (Michele Rogerson Lynch)
Request: CS-CO to CS-MU-CO
Staff Rec.: **Recommended**
Staff: [Heather Chaffin](#), 512-974-2122
Planning and Zoning Department

Question: Commissioner Aguirre

I just have a quick question. I am only asking this because of my involvement with the Contact Team. So, we, Southeast Combined Neighborhood Plan Contact Team (SCNPCT) have been advised that residential development within the airport overlay is discouraged due to safety. How is this case different from what the SCNPCT has been advised. I cannot recall who stated this to us as this was a few years ago. My concern is the public safety issue. I noted there are already homes in that area and not sure how long they have been there.

Answer: Staff

There are 4 different levels of Airport Overlay: AO-1, AO-2, AO-3, and Controlled Compatible Land Use Area (CCLU). These are arranged from most restrictive to least restrictive. Residential uses are not permitted in AO-1 or AO-2 and limited in AO-3. This site is in the CCLU area. The CCLU is somewhat of a misnomer because it doesn't prohibit uses other than those which are a hazard to airport operations such as mirrored buildings, and landfills. Here's a link for more details:

https://library.municode.com/tx/austin/codes/land_development_code?nodeId=TIT25LA_DE_CH25-13AIHACOLAUSRE_ART3COLAUS_S25-13-41AIOVZO

7. **Rezoning:** [C14-2018-0135 - West Harbor Marina LLC; District 10](#)
Location: 2503 Westlake Drive, Lake Austin Watershed
Owner/Applicant: West Harbour, LLC
Agent: Permit Partners, LLC (Jennifer Hanlen)
Request: LA and SF-3 to SF-5
Staff Rec.: **Recommended**
Staff: [Scott Grantham](#), 512-974-3574
Planning and Zoning Department

Question: Commissioner Aguirre

I am concerned about putting residential development in the flood plain. What does the 100 yr and 500 yr look like on this site. How will the Atlas 14 data be taken into consideration? Also, will development be allowed in an area identified as a Critical Water Quality Zone?

Answer: Staff

1. In general, issues of flood plain and critical water quality zone are enforced at the time of site plan. It's my understanding that no development is allowed in the CWQZ or the flood plain.
2. The 100-year flood plain lines up nearly exactly with the water – what is currently zoned LA – colored green in the attached image (Exhibit A).
3. Atlas 14 / 500 year flood plain is not yet adopted policy; if it is adopted prior to the site plan submittal, it will then be enforced.

Exhibit A

