Zoning Ordinance Approval
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: 26
AGENDA DATE: Thu 02/02/2006
PAGE: 1 of 1

SUBJECT: C14-05-0110 – Bouldin Meadows - Approve second and third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as Barton Skyway at the Union Pacific Railroad (West Bouldin Creek Watershed) from general commercial services (CS) district zoning to family residence (SF-3) district zoning. First reading approved on December 15, 2005. Vote: 7-0. Applicant: Forest Cove Ltd. and Agent: John Hussey. City Staff: Robert Heil, 974-2330.

REQUESTING DEPARTMENT:	Neighborhood Planning and Zoning	**DIRECTOR'S AUTHORIZATION:** Greg Guernsey

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RCA Serial#: 11021 Date: 02/02/06 Original: Yes
Disposition:

Published:
Adjusted version published:

SECOND / THIRD READINGS SUMMARY SHEET

ZONING CASE NUMBER: C14-05-0110 (Bouldin Meadows)

REQUEST:

Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as Barton Skyway at the Union Pacific Railroad (West Bouldin Creek Watershed) from general commercial services (CS) to family residence (SF-3) district zoning.

DEPARTMENT COMMENTS:

Staff recommends approval of the request from CS to SF-3 base district zoning. The site lies largely between other single family uses. However, its proximity to the railroad track and floodplain do raise concerns, which may have to be resolved at the time of site plan about the viability of single-family homes on this site.

Staff's recommendation is based, in part, on the understanding that this site could be developed as part of a large development with property to the south owned by the same owner. That site plan C8-05-0085 is currently under review.

Several issues will have to addressed during site plan approval for this site. Chief among them is the flood plain. Although only a portion of the site is located with the 100 year floodplain, the exact boundaries of the floodplain are currently undergoing further review. With existing floodplain boundaries, the site is cut off from access by the 100 year floodplain. Watershed Protection staff have recommended the construction of a bridge to provide safe access without impeding storm flow.

APPLICANT/AGENT: John Hussey

OWNER: Forest Cove Ltd

DATE OF FIRST READING: December 15, 2005 (7-0).

CITY COUNCIL ACTION: Approved family residence (SF-3) district zoning district zoning on first reading (7-0 vote).

ORDINANCE NUMBER:

ASSIGNED STAFF: Robert Heil, e-mail: robert.heil@ci.austin.tx.us

ZONING CHANGE REVIEW SHEET

CASE: C14-05-0110; Bouldin Meadows **Z.A.P. Date:** September 20, 2005
September 6, 2005

ADDRESS: Barton Skyway at the Union Pacific Railroad

OWNER/APPLICANT: Forest Cove Ltd. **AGENT:** John Hussey

ZONING FROM: CS **TO:** SF-3 **AREA:** 1.522 acres

SUMMARY STAFF RECOMMENDATION:

Staff recommends approval of Family Residence (SF-3) district zoning.

PLANNING COMMISSION RECOMMENDATION:

September 6, 2005: Postponed to September 20, 2005, at the request of the applicant.

September 20, 2005: *APPROVED SF-3 BY CONSENT (9-0)*

DEPARTMENT COMMENTS:

Staff recommends approval of the request from CS to SF-3 base district zoning. The site lies largely between other single family uses. However, its proximity to the railroad trac and floodplain do raise concerns, which may have to be resolved at the time of site plan about the viability of single-family homes on this site.

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Discussions have also take place, preliminary to the Galindo Neighborhood Plan, between City staff and neighborhood representatives about how this and several other tracts nearby best fit into the overall vision of the Galindo neighborhood.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	CS	Undeveloped
North	CS	Mobile Homes
South	SF-3	Undeveloped
East	SF-3	Single Family Homes
West	SF-3	Single Family Homes

AREA STUDY: The site lies within the Galindo Neighborhood Planning Area which began in October, 2005.

TIA: N/A

WATERSHED: West Bouldin **DESIRED DEVELOPMENT ZONE:** Yes

CAPITOL VIEW CORRIDOR: No **HILL COUNTRY ROADWAY:** No

REGISTERED NEIGHBORHOOD AND COMMUNITY ORGANIZTIONS

- Terrell Lane Interceptor Association (300)
- Barton Springs/Edwards Aquifer Conservation District (428)
- South Central Coalition (498)
- Austin Neighborhoods Council (511)
- Galindo Elementary Neighborhood Association (904)

SCHOOLS: (AISD ISD)

Galindo Elementary School Fulmore Middle School Travis High School

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION
Barton Skyway	90'	45'	Collector

- There are existing sidewalks along Barton Skyway.
- Barton Skyway is classified in the Bicycle Plan as a Priority 1 bike route.
- Capital Metro bus service is available along Barton Skyway.

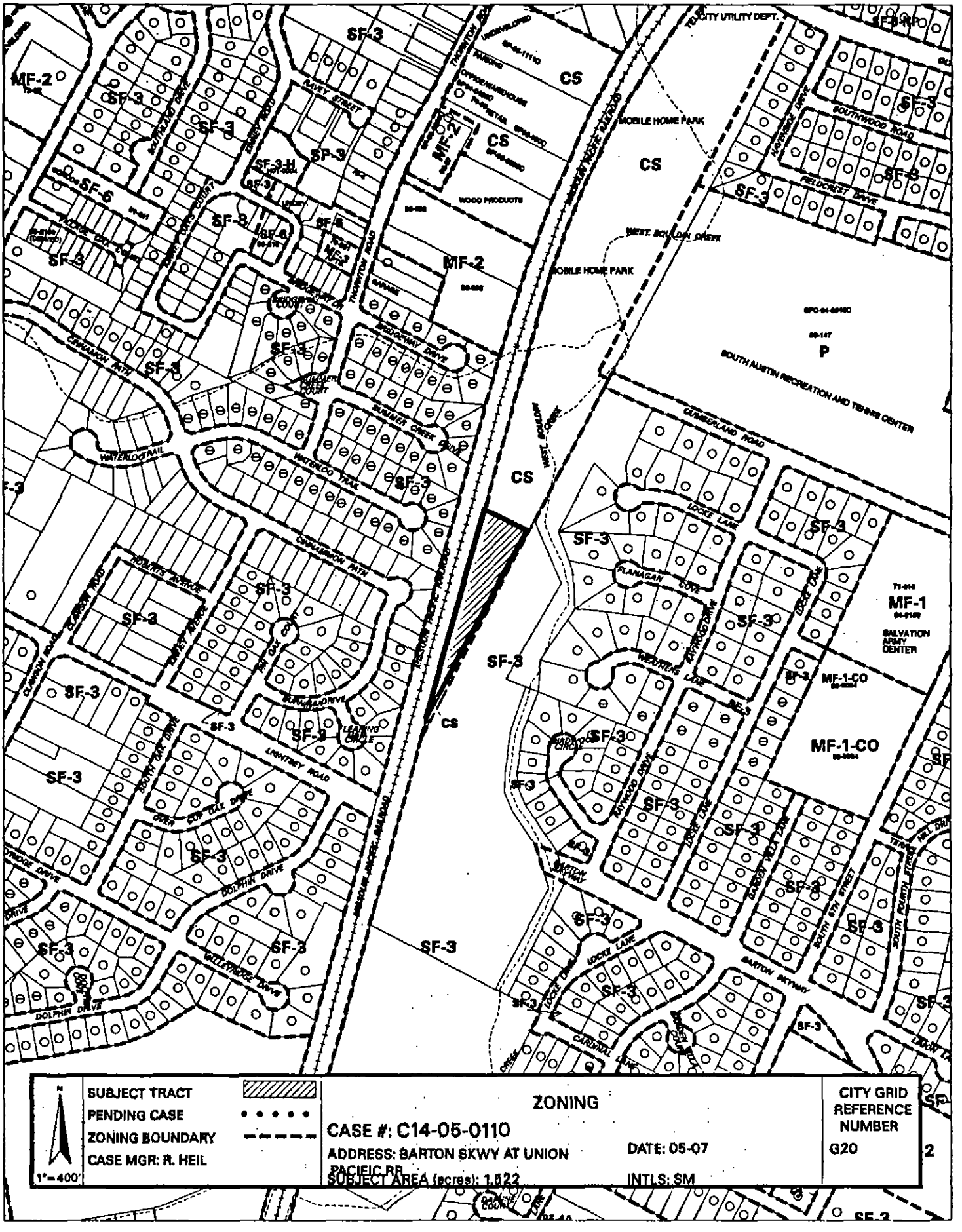
C14-05-0110

CITY COUNCIL DATE:	ACTION:
October 20, 2005	Postponed to November 3, 2005
November 3, 2005	Postponed to November 17, 2005
November 17, 2005	Postponed to December 15, 2005
December 15, 2005	Approved SF-3 on first reading
February 2, 2006	

ORDINANCE READINGS: 1st 12/15/06 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Robert Heil **PHONE:** 974-2330
e-mail address: robert.heil@ci.austin.tx.us


SF-3
MF-2
CS
MF-1
MF-1-CO
P
SF-6
SF-3-H
MOBILE HOME PARK
WOOD PRODUCTS
SOUTH AUSTIN RECREATION AND TENNIS CENTER
SALVATION ARMY CENTER
TEXAS PACIFIC RAILROAD
CITY UTILITY DEPT.
WEST BOULDIN CREEK
CUMBERLAND ROAD
BARTON SKYWAY
SOUTH 5TH STREET
LOCKE LANE
FLANAGAN COVE
WESTRIS LANE
BAYWOOD PARK
ZORKY HILL LANE
SOUTH PARK DRIVE
LINTBERY ROAD
DOLPHIN DRIVE
CINNAMON PATH
WATERLOO TRAIL
WATERLOO TRAIL
SUMMER CREEK DRIVE
BROADWAY DRIVE
THORNTON ROAD
SAVOY STREET
SOUTHLAND PARK
SUNSET ROAD
DAISY DAWN COURT
PACIFIC DAY COVE
CLARION ROAD
ROBERTS AVENUE
TAWNY AVENUE
OAK DALE COVE
SUNLAND DRIVE
LEARNING CIRCLE
OVERLOOK DRIVE
OAK DALE DRIVE
VALLEYRIDGE DRIVE
CARDINAL LANE
SOUTHWOOD ROAD
FIELDCREST DRIVE
HAVERSON DRIVE
MOBILE HOME PARK
SUBJECT TRACT
PENDING CASE
ZONING BOUNDARY
CASE MGR: R. HEIL
1"=400'
ZONING
CASE #: C14-05-0110
ADDRESS: BARTON SKWY AT UNION PACIFIC RR
SUBJECT AREA (acres): 1.622
DATE: 05-07
INTLS: SM
CITY GRID REFERENCE NUMBER
G20

WOOD BRIDGE

SUMMARY STAFF RECOMMENDATION C14-05-0110

Staff recommends approval of the request from CS to SF-3 base district zoning. The site lies largely between other single family uses. However, its proximity to the railroad trac and floodplain do raise concerns, which may have to be resolved at the time of site plan about the viability of single-family homes on this site.

Staff's recommendation is based, in part, on the understanding that this site could be developed as part of a large development with property to the south owned by the same owner. That site plan C8-05-0085 is currently under review.

Several issues will have to addressed during site plan approval for this site. Chief among them is the flood plain. Although only a portion of the site is located with the 100 year floodplain, the exact boundaries of the floodplain are currently undergoing further review. With existing floodplain boundaries, the site is cut off from access by the 100 year floodplain. Watershed Protection staff have recommended the construction of a bridge to provide safe access without impeding storm flow.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. *Zoning changes should promote compatibility with adjacent and nearby uses.*

   The land immediately surrounding this tract is zoned, built or zoned and built with residential uses, either single family, or mobile homes.

EXISTING CONDITIONS

Site Plan

There is a pending site plan for the case to the south

Transportation

No additional right-of-way is needed at this time.

A traffic impact analysis was not required for this case because the traffic generated by the proposed zoning does not exceed the threshold of 2,000 vehicle trips per day. [LDC, 25-6-113]

There are existing sidewalks along Barton Skyway.

Barton Skyway is classified in the Bicycle Plan as a Priority 1 bike route.

Capital Metro bus service is available along Barton Skyway.

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION
Barton Skyway	90'	45'	Collector

Water and Wastewater

The landowner intends to serve the site, each lot, and proposed land use with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, system upgrades, utility relocation and adjustments. The water and wastewater utility plan must be reviewed and approved by the Austin Water and Wastewater Utility. The plan must be in accordance with the City design criteria. The utility construction must be inspected by the City. The landowner must pay the associated City fees.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the West Bouldin Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. Impervious cover is not limited in this watershed class. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm.

According to flood plain maps, there is flood plain and critical water quality zone within the project area.

At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.

Walsh, Wendy

From: kathryn kawazoe [kawazoe7777@yahoo.com]
Sent: Wednesday, November 16, 2005 4:54 PM
To: Walsh, Wendy; Heil, Robert
Cc: Jennifer Kaplan; Chuck Mains; Scott McNearney; Linda Passens; Carol Gibbs
Subject: Neighborhood postponement request of Z-17: C14-05-0110

To: WPDR
Robert Heil, case manager

Re: Z-17, Council agenda for Nov 17, 2005
C14-05-0110

The Galindo Neighborhood and surrounding residents with W. Bouldin Creek floodplain concerns surrounding the tract to be rezoned request a postponement of the item until the preliminary FEMA floodplain revisions come out in (as we have been told by staff and Halff and Associates' engineers) Febuary or March 2006.

Due to inconsistencies between the developer's proposed floodplain, FEMA's preliminary floodplain, and the reality/experience of flooding on the ground, the concerned tract should not be rezoned until such inconsistencies are remedied.

This will be the first neighborhood request for postponement, as the first request was made by Council, and the second by Staff.
&nb! sp;
Thanks much.

~kathryn kawazoe
Zoning Committee
Galindo Elem. NA

Yahoo! FareChase - Search multiple travel sites in one click.

Heil, Robert

From: Jennifer Kaplan [jjk2867@gmail.com]
Sent: Thursday, November 17, 2005 9:59 AM
To: Alvarez, Raul; Dunkerley, Betty; Kim, Jennifer; Leffingwell, Lee; McCracken, Brewster; Thomas, Danny; Wynn, Will
Cc: Aguilera, Gloria; Bailey, Rich; Briseno, Veronica; Curtis, Matt; Everhart, Amy; Frazier, Sandra; Mormon, Andy; Arellano, Richard; Heil, Robert
Subject: Bouldin Meadows rezoning, item Z-17, C14-05-0110

November 16, 2005

Austin City Council Members,

Given the concerns we have about the usefulness of the flood plain model presented on behalf of the Bouldin Meadows applicant, the Galindo Elementary Neighborhood Association (GENA) is requesting a postponement of case C14-05-0110: Z-17, Council agenda for Nov 17, 2005 until the preliminary FEMA floodplain revisions come out in February or March 2006.

There seems to be some confusion as to how the flood plain issues are related to the zoning case. We hope that this note will make the connection clear.

An important statistician, George Box, once said, "All models are wrong; some models are useful." A flood plain map is a model; its usefulness is in helping us to decide whether certain land is safe enough to house residents. As a model, it is certainly not correct, but we need to believe that it is good enough to provide information that leads to safe development practices. The applicant's flood plain engineer has produced a model that he believes shows that the land they are requesting be zoned SF-3 is safe enough to house people. Frankly, the neighborhood is not convinced of his claim that it is safe to build homes there.

The neighborhood first became skeptical of the model when we noticed that backyards that have water every time it rains are claimed not to be at risk of flooding in a 100-year event. Also, there are lots that, under the new model, are hypothesized to be completely submerged in a 100-year event, but have not been subject to any flooding in the last 40 years. Just at the place of the proposed bridge to the subdivision, West Bouldin Creek has a left jog. In a heavy rain, the water does not stay in the creek at this location. Instead it flows up on to lot 16 (shown on the subdivision map). Once the bridge is in place it is at risk of being washed out by the water. Should this happen, the people who live on the piece of land for which the rezoning is being requested would be stranded, inaccessible, between the creek and the railroad tracks.

The neighborhood realizes that anecdotal evidence may not be particularly persuasive. Once, however, we started asking questions about the process of flood plain mapping, we became more concerned about the quality of the data used to create the model. This week, the engineer who did the flood plain study told us that he started by using the best available topological data provided by the city. When he took measurements on the Bouldin Meadows property, on the West side of the creek, he found that the actual elevations differed from the "best available" data by as much as a foot and a half in some places. As a result, he had a surveyor measure the actual elevations on the West side of the creek for use in his flood plain model. He did not request access to the properties on the East side of West Bouldin Creek in order to measure those elevations. Instead, the engineer used the "best available" data, data that had already been shown to be

incorrect by up to a foot and a half. The neighborhood believes that this provides sufficient evidence to call the usefulness of this model into question.

Consider the two models. If the original model is more accurate than the new one that was create using admittedly questionable data, then Corbin Lane, the only access to the land requested for rezoning is in danger of being washed out in a flood event. People living in the homes built on the rezoned land would be stranded, isolated between the railroad tracks, the flooded road and the creek. There is no access to this parcel from the north. Even if there were a road, the parcel just north of this one floods so badly and so often that it is already on the list of proposed city buy outs so that the emergency staff will no longer have to take risks to evacuate the people who live there.

Currently, there is an independent contractor mapping 21 watersheds in Travis County. Preliminary results from their study will be available in February or March 2006. We request that City Council postpone ruling on this zoning case until this model is available. The neighborhood feels that it is more prudent to wait, rather than find out after houses have been built and families living there that the land is not safe from floodwaters.

Respectfully Submitted,

--
Jennifer Kaplan
GENA zoning committee chair
3700 Garden Villa Ln



Halff Proposed 100 year floodplain for West Bouldin

N

DRAFT PRELIMINARY MAP
-SUBJECT TO CHANGE-

0 125 250 500 Feet

Legend

- WB_CL
- WB_XS
- SDE.STR_ADDRESS
- WB_100_YR

This map was produced by the City of Austin Watershed Protection and Development Review Department as a working staff map and is warranted for no other purpose. No warranty is made by the City regarding its accuracy or completeness.
Best data available as of Thursday Dec. 1, 2005

Hell, Robert

From: Jennifer Kaplan [jjk2867@gmail.com]
Sent: Thursday, December 15, 2005 11:39 AM
To: Alvarez, Raul; Dunkerley, Betty; Kim, Jennifer; Leffingwell, Lee; McCracken, Brewster; Thomas, Danny; Wynn, Will
Cc: Aguilera, Gloria; Bailey, Rich; Briseno, Veronica; Curtis, Matt; Everhart, Amy; Frazier, Sandra; Mormon, Andy; Arellano, Richard; Hell, Robert
Subject: Z- 10 C14-05-0110 - Bouldin Meadows

December 15, 2005

Austin City Council Members,

I am writing the letter as a private citizen and not in any official neighborhood capacity.

I want to thank you again for your direction to City Staff to show the Galindo and South Lamar neighborhoods the preliminary flood plain model produced by the independent contractor for FEMA and to educate us in the flood plain mapping process when we were last at Council to discuss the Bouldin Meadows zoning case. In the interim, I was allowed to spend a morning inspecting the preliminary flood plain map and Staff prepared and gave a presentation to neighborhood representatives explaining flood plain mapping. I hope you will find their presentation as instructive as we did.

I am going to suggest some questions that you might ask of Staff and/or the developer's engineers tonight before considering or deciding about the zoning case:

1. Will the proposed development change the location of the flood plain or the amount of water in West Bouldin Creek during a rainstorm?

2. Will the proposed bridge over West Bouldin Creek, the extension of Barton Skyway, adversely affect the flow of the creek? It has been documented that the water does not remain in the creek at the location of the proposed bridge. Will the bridge cause this problem to become worse?

3. FEMA flood plains ONLY account for water that flows out of a creek; they do not account for drainage into a creek from an area under about 65 acres. There is a drainage area of 59.9 acres on the west side of the railroad tracks that drains through the Bouldin Meadows subdivision from the tracks to the West Bouldin Creek. It does not appear on the flood plain map. What provisions are being made in the development plan to account for this water and its passage to the Creek?

In closing, I would like to say that the Galindo Neighborhood is still interested in pursuing a City buyout of this property in order to include it with the land slated to become parkland both north and south of this parcel. I personally feel that a strip of land sandwiched between a creek and a railroad track is an inadvisable place to build a housing development, but I respect the owner's right to develop it in that manner if that is his desire.

Thank you very much for your careful consideration of this case and all the time you have spent in understanding the issues surrounding it.

Very Truly Yours,

Jennifer Kaplan

GENA resident
3700 Garden Villa Lane

C14-05-0110 – Bouldin Meadows CC LOG

Mayor Wynn: MS. GLASGO, I GUESS THAT TAKES US BACK TO THE PUBLIC HEARING CASES.

YES, WE HAVE TWO MORE. THE NEXT ITEM IS Z-21, CASE NUMBER C-14-05-0137, LOCATED AT 1109 SOUTH LAMAR BOULEVARD. THE EXISTING ZONING IS CS, COMMERCIAL SERVICES. THE APPLICANT IS SEEKING CS-1 FOR COMMERCIAL LIQUOR SALES. EXCUSE ME, MAYOR, SORRY, I WAS INTERRUPTED BY A CITIZEN. WELL, ACTUALLY, MAYOR, I HAVE MY ITEMS ALL WRONG. Z-10 SHOULD BE THE NEXT ITEM, Z 10 IS THE BOULDIN MEADOWS CASE LOCATED AT BARTON SKYWAY AND THE UNION PACIFIC RAILROAD. THE PROPERTY IS CURRENTLY ZONED CS AND THE APPLICANT IS SEEKING SF 3. THIS IS A CASE THAT HAS SOME FLOODPLAIN CONCERNS AND LAST TIME YOU HEARD FROM STAFF IN THE WATERSHED PROTECTION DEPARTMENT, YOU ASKED THEM TO GO MEET WITH THE RESIDENTS. THEY HAVE HAD THAT MEETING AND TODAY WE HAVE GEORGE OZ OSWALD HERE TO EXPLAIN WHAT THE OUTCOME OF THAT MEETING WAS AND I KNOW SOME OF YOU HAD SEVERAL QUESTIONS REGARDING THE FLOODPLAIN REQUIREMENTS AND WHAT THEY MIGHT BE EXPECTING THROUGH THE FEMA INFORMATION THAT SHOULD BE COMING IN A FEW MONTHS. AT THIS TIME I'LL HAVE GEORGE OSWALD GIVE YOU THE FLOODPLAIN RESULTS AND THEN WE CAN FOCUS ON THE CASE.

GEORGE'S WALLED, WATERSHED PROTECTION AND DEVELOPMENT REVIEW. AT THE LAST COUNCIL MEETING ON THIS ZONING CASE, COUNCILMEMBER DUNKERLEY ASKED FOR SOME BACKGROUND INFORMATION ON FLOODPLAINS. AND WHAT I'D LIKE TO DO IS JUST TAKE A FEW MINUTES TO GIVE YOU AN OVERVIEW OF OUR FLOODPLAIN, MODELING AND MAPPING MODERNIZATION PROCESS THAT'S BEEN UNDERWAY FOR THE LAST THREE HE YEARS AND THEN I'LL SPEAK TO THE SPECIFICS ON THE BOULDIN MEADOWS CASE. WE'VE BEEN WORKING WITH LCRA, TRAVIS COUNTY AND FEMA ON A FOUR-MILLION-DOLLAR PROJECT TO MAKE ALL THE FLOODPLAIN MAPS IN TRAVIS COUNTY TO A DIGITAL FORMAT. MANY OF THE MAPS WERE PRODUCED IN THE 1970'S, AND THEY ARE VERY AGE AND WE NEED TO UPDATE THAT INFORMATION TO UPDATE THE MOST ACCURATE INFORMATION TO OUR CITIZENS. WHAT IS A FLOODPLAIN? IT'S AN AREA THAT'S INUNDATED ONCE WATER EXCEEDS THE FULL CAPACITY OF A CHANNEL. A GREAT EXAMPLE OF A FLOODPLAIN IMPACT IS THE PICTURE ON THE LEFT THERE, WHICH IS LOWER SHOAL CREEK, WHICH WE HAD A 100 YEAR EVENT IN 1981 SWEEPING MANY CARS OFF INTO THE CREEK IN THAT AREA AND CAUSING OVER $30 MILLION IN DAMAGE. THE NEW PROCESS WE'RE GOING THROUGH, WE'RE USING FEMA'S TECHNICAL CRITERIA, WE'RE UPDATING ALL OF THE -- WE'RE USING THE LATEST UPDATED DATA ON THE

MOALGHTDZS TO DEVELOP THE FLOODPLAINS. WE'RE USING THE LATEST MODELING TECHNOLOGY IN A GPS FORMAT SO THE MAPS ARE BEING PRODUCE UNDERSTAND A COMPUTER ENVIRONMENT TO ELIMINATE A LOT OF THE HUMAN ERROR THAT OCCURRED IN THE CURRENT MAPPING INVENTORY THAT WE HAVE. AND WE'RE PRODUCING THESE MAPS AS AN OVERLAY ON OUR LATEST AERIAL PHOTOGRAPHY SO THAT PROPERTY OWNERS WILL BE VERY EASILY AND QUICKLY BE ABLE TO ASSESS THE IMPACTS OF FLOODPLAINS ON THEIR PROPERTY. WE'VE BEEN GETTING A LOT OF QUESTIONS ON WHAT FACTORS MAKE FLOODPLAINS CHANGE, AND THERE ARE MANY. I'VE LISTED SOME OF THEM HERE. THEY'RE ALL IN PLAY IN THIS PROCESS. IN SOME AREAS, FLOODPLAIN ELEVATIONS ARE GOING DOWN AND IN OTHERS THEY'RE GOING UP THROUGH THIS PROCESS. AND THIS INFORMATION IS GOING TO BE ROLLED OUT TO THE PUBLIC IN MARCH OF NEXT YEAR, AND YOU MAY HEAR OF CONCERNS FROM THE PUBLIC, SO I WANTED TO TAKE THIS OPPORTUNITY JUST TO GIVE YOU A HEADS UP ON THAT. THIS IS AN OUTPUT COMPARING OLD WATER SURFACE ELEVATIONS TO NEW WATER SURFACE ELEVATIONS IN THE WEST BOULDIN CREEK WATERSHED. THIS IS THE FLOODPLAIN ELEVATION MOVING FROM THE HEAD WATERS OF THE WATERSHED, WHICH IS THE RIGHT SIDE OF THE DISPLAY, DOWN TO TOWN LAKE. THE ELEVATIONS ON THE VERTICAL AXIS ARE FEET ABOVE MEAN SEA LEVEL AND WE HAVE PLOTTED HERE THE INFORMATION THAT WAS DEVELOPED IN THE '80'S, WHICH IS THE BLUE LINE, AGAINST THE INFORMATION THAT'S COMING OUT OF THE NEW STUDY, WHICH IS THE RED LINE. AND YOU CAN SEE IN SOME AREAS THE OLD FLOODPLAIN ELEVATION IS A BIT HIGHER AND IN SOME AREAS THE NEW FLOODPLAIN ELEVATION IS A BIT HIGHER. SO YOU CAN'T MAKE GENERALIZATIONS IN TERMS OF WHAT'S GOING TO COME OUT OF THIS PROCESS. ALL RIGHT. OUR MAPS THAT WE CURRENTLY HAVE ARE VERY OLD. SOME OF THEM HAVE AGED ABOUT 30 YEARS, AND THERE'S AN EXAMPLE THERE ON THE LEFT OF AN EXISTING FLOODPLAIN MAP, VERY LITTLE STREET GRID NETWORK IS ON THESE MAPS. IT'S VERY DIFFICULT TO TELL WHERE A PROPERTY IS WITH RESPECT TO THE FLOODPLAINS WITH THE OLD MAPS. WE'LL MOVE WELL FORWARD WITH THE NEW MAPS BEING OVERLAID ON OUR LATEST AERIAL FRAIF. PHOTOGRAPHY. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS] AGAIN, IT IS VERY EASY TO SEE WHERE YOU ARE IN THE UNIVERSE WITH THE ROADS AND BUILDING STRUCTURES CLEAR. SO WITH THAT I'M GOING TO GO OVER TO THE OVERHEAD AND DISCUSS THE ISSUES WITH RESPECT TO THE -- [INAUDIBLE]. TESTING, THANK YOU. ALL RIGHT. THE LAST DISCUSSION ON THIS PARTICULAR DEVELOPMENT PROPOSAL, I BELIEVE THERE WAS QUITE A BIT OF CONFUSION ABOUT WHERE THE FLOOD PLAIN REALLY IS IN THIS AREA. AND I'M GOING TO STEP THROUGH A COUPLE OF DISPLAYS HERE AND SHOW OLD INFORMATION AND NEW INFORMATION, AND BASICALLY WHAT IT COMES DOWN TO, THIS DEVELOPMENT PROPOSAL IS NOT IN THE FLOOD PLAIN, IT IS NOT IMPACTING THE FLOOD PLAIN, BUT HAVE I TO TAKE YOU

THROUGH THAT FINDING. THE GREEN LINE -- LET ME GET YOU ORIENTED FIRST. HERE'S THE UNION PACIFIC RIGHT-OF-WAY. HERE'S THE CHANNEL OF WEST BOLD IN.WHAT WE HAD THE APPLICANT DO WAS GO BACK TO THE OLD MODEL AND GET THE ACTUAL WATER SURFACEAL VAITIONZ AND PUT THAT ON NEW TOPOGRAPHY. WE DISCOVERED THERE WAS A MAJOR ERROR IN THE FEMA MAP, JUST USING THE OLD INFORMATION, THIS ISN'T THE NEW INFORMATION. WHEN WE PUT THE OLD INFORMATION ON TOPOGRAPHY, WE SEE THE FLOOD PLAIN DELINEATED BY THE BLUE LINE, WHICH DOES SHOW BARK WOOD CIRCLE BEING IMPACTED. SO HISTORICALLY THAT AREA WAS SUBJECT TO THE 100-YEAR FLOOD PLAIN, BUT THE MAPS WERE IN ERROR. ALL RIGHT, NOW ON TO NEW INFORMATION. ALL RIGHT. THERE'S -- LET ME PULL IT DOWN HERE A LITTLE BIT. OKAY. WHAT WE ASKED THE APPLICANT TO DO WAS TO TAKE THE OLD FEMA MODEL AND UPDATE THAT WITH NEW LAND TOPOGRAPHY. AND IT'S HARD TO SEE ON HERE, BUT THERE IS A GREEN LINE, AND THEN ALSO DISPLAYED HERE IS THE OUTPUT THROUGH OUR NEW INITIATIVE WITH FEMA THAT'S DONE INDEPENDENTLY OF THE APPLICANT WHICH IS THE DARK BLUE AREA. THERE IS A GREEN LINE THAT IS DRAWN BASED ON THE APPLICANT'S ENGINEER INFORMATION THAT BASICALLY LIES RIGHT ON TOP OF OUR NEW FLOOD PLAIN. AND THE GOOD NEWS HERE IS THE FLOOD PLAIN IS REDUCED FROM WHAT IT WAS ON THE OLD FEMA MAPS BECAUSE THE WATER SURFACE ELEVATION HAS DROPPED.

[INAUDIBLE].

THAT'S CORRECT. YOU'RE THE APPLICANT'S ENGINEER. DIDN'T I GET THAT RIGHT, FRED? EXCUSE ME. THE GREEN LINE ARE NEW ELEVATIONS THAT ARE CALCULATED USING THE -- AN UPDATE OF THE OLD FEMA MODEL, BASICALLY DEVELOPING A NEW MODEL WITH NEW TOPOGRAPHY BUT USING OLD FEMA FLOW RATES. THE FLU LINE -- THE BLUE AREA IS AN OUT PUT OF OUR MAP MODERNIZATION PROCESS WHICH IS A TOTAL REVISION OF FLOW RATES AS WELL AS FLOOD PLAIN ELEVATIONS. AND THE TWO FLOOD PLAIN DETERMINATIONS ARE BASICALLY CONCURRENT. AND WE ARE GOING TO WORK WITH THE APPLICANT TO ASSURE THAT IF THIS PROJECT DOES MOVE THROUGH THE DEVELOPMENT PROCESS, WE ARE GOING TO COORDINATE THE -- WHAT THEY CALL THE MAP REVISION PROCESS FOR THIS PROJECT WITH OUR NEW MAPPING ACTIVITY. OKAY. A SUMMARY HERE. THE OLD FEMA STUDY WAS BASED ON LIMITED AND IN SOME PLACES INACCURATE DATE ATTACHMENT THE OLD FEMA MAP WAS DRAWN IN ERROR. THE NEW FEMA STUDY REDUCES THE FLOOD PLAIN. A HOUSE ENGINEERING FLOOD PLAIN UPDATE IS BASICALLY THE SAME AS THE NEW FEMA BLOOD PLAIN. THE DEVELOPMENT DOES NOT WORSEN FLOOD PLAIN CONDITIONS AND NONE OF THE DEVELOPMENT IS LOCATED WITHIN THE FLOOD PLAIN. SO THE LOTS THAT ARE ASSOCIATED WITH THIS SUBDIVISION ARE NOT GOING TO BE WITHIN THE FLOOD PLAIN AND

THE BUILDINGS WOULD NOT BE SUBJECT TO FLOODING. THAT'S A BASIC PROVISION IN THE CODE, IT WOULDN'T BE ALLOWABLE ANYWAY. THAT CONCLUDES MY PRESENTATION.

Mayor Wynn: THANK YOU, MR. OZWALT. QUESTIONS OF GEORGE, COUNCIL? IF NOT, THEN I GUESS WE WILL GO TO THE PUBLIC HEARING. WE'LL CALL THE PUBLIC HEARING FOR CASE Z-10, THE BOULDIN MEADOWS CASE. NOW THAT WE'VE HAD STAFF PRESENTATION ON FLOOD PLAIN ISSUES. AND SO REMEMBER OUR FORMAT IS WE HAVE A FIVE-MINUTE PRESENTATION FROM THE OWNER, APPLICANT AND AGENT. WE THEN HEAR FROM FOLKS WISHING TO SPEAK IN FAVOR OF THE CASE, THEN FOLKS IN OPPOSITION, THEN THE OWNER, AGENT, APPLICANT HAS A THREE-MINUTE REBUTTAL. WE'LL SET THE CLOCK FOR FIVE MINUTES. WELCOME.

GOOD EVENING. I'M GOING TO PUT UP A MAP -- IT'S THE SAME MAP YOU'VE BEEN SEEING. MY NAME IS BOBBI JO CORNELIUS, HERE TONIGHT REPRESENTING BOULDIN MEADOWS. WE ARE HERE TONIGHT FOR A ZONING CASE. WE'VE BEEN HELD UP DUE TO THE BOULDIN CREEK FLOOD PLAIN ISSUE. THE LOCATE OF THE BOULDIN CREEK FLOOD PLAIN SEEMS TO BE THE ISSUE, NOT THE ZONING. THE EXHIBIT THAT WE ARE LOOKING AT AT THIS TIME SHOWS THE HALF ASSOCIATES STUDY IN BLUE AND IT SHOWS OUR STUDY THAT WAS DONE BY OUR ENGINEER, MR. HOSS, IN THE GREEN LINE. AS YOU CAN SEE, THOSE TWO ARE VERY SIMILAR. THE HALF STUDY NOW SHOWS ADDITIONAL HOMES IN THE FLOOD PLAIN AND THESE HOMEOWNERS ARE NATURALLY CONCERNED. AS YOU CAN SEE, THE TWO STUDIES ARE VERY SIMILAR IN SHAPE AND SIZE. A PROPOSED SUBDIVISION WHICH HAS BEEN THROUGH THE FULL REVIEW BY STAFF AND WE ARE NOT CONSTRUCTING IN OR ALTERING THE FLOOD PLAIN IN ANY WAY. A LITTLE BIT ABOUT OUR HISTORY HERE T MASTER PLANNING IN THE FLOOD PLAIN STUDY STARTED IN 2002, AND FOR TWO YEARS WE WORKED WITH CITY STAFF IN ADDRESSING THE FLOOD PLAIN ISSUES AND GETTING SUBMITTED TO FEMA. THE PRELIMINARY PLAT WAS SUBMITTED IN MAY OF THIS YEAR. THE ZONING CASE WAS SUBMITTED IN JULY. THE ZONING CASE WAS FIRST PLACED ON THE PLANNING AND ZONING CONSENT AGENDA ON SEPTEMBER 6th. IT WAS POSTPONED BY THE NEIGHBORHOOD AND THEN WE HAD A MEETING WITH THE NEIGHBORHOOD ON SEPTEMBER 7th. WE PRESENTED OUR FLOOD PLAIN INFORMATION WHICH WAS THEIR CONCERN AND WE SHOWED THEM HOW WE WERE DIFFERENT FROM FEMA DUE TO ACTUAL SURVEY WORK. THE PLANNING COMMISSION APPROVED OUR ZONING CASE ON THE CONSENT AGENDA SEPTEMBER 20th. SEPTEMBER 26th WE ATTENDED ANOTHER NEIGHBORHOOD MEETING WHICH WAS LARGER, ENCOMPASSED MORE PEOPLE, AND AGAIN WE HAD A GOOD DISCUSSION, WE ANSWERED QUESTIONS, WE SHOWED THEM OUR FAIR AND WE SHOWED THEM THAT WE'RE DOING DETENTION, WE'RE NOT ALTERING THE FLOOD PLAIN, WE'RE NOT INCREASING THE FLOOD PLAIN. WE WERE ORIGINALLY ON YOUR

AGENDA OCTOBER 20th. WE'VE BEEN POSTPONED THREE TIMES. SINCE THEN WE'VE HAD A STAFF-NEIGHBORHOOD-CONSULTANT MEETING ON NOVEMBER 15th WITH LOTS OF INFORMATION PRESENTED AGAIN TO EVERYBODY THERE, QUESTIONS AND ANSWERS. THERE WAS ANOTHER MEETING THIS PAST TUESDAY EVENING. THE STAFF DID A PRESENTATION TO THE NEIGHBORHOOD AND MR. HOSS WAS THERE TO TALK TO THE NEIGHBORHOOD AGAIN ABOUT THE FLOOD PLAIN AND THE DIFFERENCES OUR STUDY AND THE HALF ASSOCIATES STUDY. AND QUESTIONS AGAIN WERE ANSWERED. WHAT COMES NEXT? AFTER THE ZONING CASE IS APPROVED, THE PRELIMINARY PLAT WHICH HAS ALL THE COMMENTS ADDRESSED AND IS WAITING TO ZONING CASE CAN BE SCHEDULED FOR THE PLANNING COMMISSION AGENDA. THE PRELIMINARY RECEIVED A 60-DAY EXTENSION DUE TO THE ZONING DELAYS AND IS SCHEDULED TO EXPIRE ON JANUARY 4th IF WE'RE NOT SCHEDULED FOR PLANNING COMMISSION. AND, OF COURSE, PLANNING COMMISSION IS ANOTHER PUBLIC HEARING FOR THE NEIGHBORHOOD AND THERE WILL BE NOTIFICATION. AFTER THE PRELIMINARY IS APPROVED, THE FINAL PLAT OR PLATS CAN THEN FINALLY BE PREPARED, CONSTRUCTION DOCUMENTS CAN BE PREPARED FOR THE ROADS AND THE UTILITY EXTENSIONS. THE FINAL PLATS CANNOT BE APPROVED BY STAFF UNTIL THE FEMA HAS APPROVED THE FLOOD PLAIN STUDY THAT WE'VE TURNED IN FOR REVIEW. BACK TO THE ISSUE. THE LOCATION OF THE BOULDIN CREEK FLOOD PLAIN ISSUE HAS BEEN ADDRESSED BY STAFF AND BY OUR ENGINEERS. THE PROPOSED SUBDIVISION SNOT CONSTRUCTING IN THE FLOOD PLAIN. WE ARE NOT PROPOSING TO ALTER THE FLOOD PLAIN IN ANY WAY. WITH THIS INFORMATION WE FEEL THAT WE SHOULD BE ALLOWED TO MOVE ON WITH THIS ZONING CASE AND CONTINUE OUR PROCESS ON THE PRELIMINARY PLAN. AND I THANK YOU.

Mayor Wynn: THANK YOU, MS. CORNELIUS. QUESTIONS OF THE AGENT, COUNCIL? IF NOT, WE'LL GO TO THOSE FOLKS WHO SIGNED UP WISHING TO SPEAK IN FAVOR OF THE ZONING CASE. STEVEN SMITH. NOT CLEAR WHETHER YOU WANTED TO SPEAK OR NOT, STEVEN. STEVEN SMITH HERE? SHE ACTUALLY DIDN'T NEED IT, BUT WE'LL SHOW MR. SMITH WANT TO GO SPEAK IN FAVOR. RICK THOMPSON. WELCOME, SIR, YOU WILL HAVE THREE MINUTES AND YOU WILL BE FOLLOWED BY FRED HOSS.

RICK THOMPSON, WE'RE THE CIVIL ENGINEER WORKING ON THE SUBDIVISION. EVERYBODY SPOKE BEFORE SAID WHAT NEEDED TO BE SAID. I ALSO ADD UNDER THE CURRENT RULES WE HAVE TO DESIGN THE SUBDIVISION TO CONVEY THE 100 YEAR BLOOD FLOOD PLAIN. WE HAVE TO TAKE OFF-SIGHT WATER WHICH INCLUDES THE WATER COMING DOWN THE CREEK AND PLAN FOR THE FULLY DEVELOPED WHICH INCLUDES THE EXISTING DEVELOPMENT AND ANY IN THE FIEW. ALSO THERE'S BEEN SOME CONCERN I UNDERSTAND ABOUT THE EXISTING FLOOD PLAIN

MAYBE GETTING UP INTO SOME YARDS AROUND A CURVE THAT HAS TO TURN AND GO AROUND A CURVE. IT'S RIGHT THERE WHERE THE CROSSING IS, THE BRIDGE WILL BE. THE BRIDGE WILL BE ABOVE THE 100-YEAR FLOOD PLAIN AND THAT BRIDGE OUGHT TO -- BECAUSE THE WATER IS GOING TO HAVE TO GO UNDERNEATH IT AND IT'S ANGLED TO GO WITH THE REST OF THE CURVE ONCE -- I'M NOT SAYING THAT VERY WELL. ANYWAY, IT SHOULD TAKE CARE OF THAT BECAUSE IT'S GOING TO REDIRECT THE WATER INSIDE THE BRIDGE. THAT'S ALL I HAVE TO ADD.

Mayor Wynn: THANK YOU, MR. THOMPSON. NEXT SPEAKER IS FRED HOSS TO BE FOLLOWED BY GEORGE DEWEY.

MAYOR, COUNCILMEMBERS, I'M FRED HOSS, I'M AN ENGINEER AND I WORKED ON THE FLOOD PLAIN STUDY DOING A CONDITIONAL LETTER OF MAP REVISION FOR THE APPLICANT. AND I CAN UNDERSTAND THAT WHEN SOMEONE LOOKS AT A MAP AND THEY SEE FLOOD PLAIN WHERE IT USED TO NOT BE THAT THAT'S SCARY AND THAT'S HARD TO DEAL WITH. AND IN A PERFECT WORLD, I COULD HAVE TAKEN THE EXISTING FEMA MODEL AND WOULD HAVE RUN IT AND IT WOULD HAVE BEEN IN THE EXACT SAME PLACE AND WE WOULD HAVE SHOWN WE REALLY WEREN'T DOING ANYTHING TO IMPACT THE FLOOD PLAIN OR HARMONY OF THE NEIGHBORHOOD. AND THE TRUTH IS THAT WE'RE NOT. IT JUST -- THE FLOOD PLAIN ENDED UP IN A DIFFERENT PLACE AND THAT'S JUST THE WAY THE MODELS SHOWED IT. THERE'S A TOPOGRAPHIC ERRORS IN THE EXISTING MAPS THAT IT WAS PLOTTED ON. AND IN RERUNNING THE EXISTING FEMA MODEL, IT WAS HARD TO GET THE TWO MODELS, THE NEW MODEL AND THAT TO CORRELATE. SO I GUESS THE IMPORTANT THING TO SAY IS THAT WE'RE NOT IMPACTING THE FLOOD PLAIN. AND ON -- IN TERMS OF THE NEIGHBORHOOD, THE PEOPLE THAT WERE IN THE EXISTING SUBDIVISION, AS LONG AS THEIR LOT WERE WITHIN THE LINE ON THE MAP THAT WAS IN THE FLOOD HAZARD AREA, THEY WERE ELIGIBLE FOR FEMA FLOOD INSURANCE. AND -- AND IT WAS JUST A MATTER OF THE ELEVATIONS -- I'M NOT SAYING THIS VERY WELL. IT WAS A MATTER OF THE ELEVATIONS FOR THE BASIC FLOOD ELEVATIONS HOW THEIR HOUSE RELATES TO THAT. SO THERE REALLY AREN'T ANY LOTS THAT WEREN'T ALREADY IN THE FLOOD HAZARD AREA. IT DOESN'T MATTER IF IT WAS A LITTLE PIECE OF THE LOT OR THE WHOLE LOT, THAT'S KIND OF THE FLAG THAT TRIGGERS WHETHER OR NOT THEY ARE ELIGIBLE FOR THE INSURANCE.

Mayor Wynn: THANK YOU, MR. HOSS. GEORGE DEWEY. SORRY IF I'M MISPRONOUNCING THAT, GEORGE. SIGNED UP WISHING TO SPEAK, WE'LL SHOW HIM NOT SPEAKING, IN FAVOR OF THE CASE. WE'LL HEAR FROM FOLKS WHO SIGNED UP NEUTRAL AND THEN TO THE FOLKS WHO SIGNED UP IN OPPOSITION. OUR FIRST NEW NEUTRAL SPEAKER IS KATHERINE CALIZOE. KATHERINE, WELCOME BACK. AND LET'S SEE, IS CHRISTIAN

KRAGE HERE? I MISPRONOUNCED THAT. AND BOBBY RIGBY. KATHERINE, YOU HAVE UP TO 9 MINUTES IF YOU NEED IT.

THE PEOPLE WHO SIGNED UP NEUTRAL AND OPPOSED ARE KIND OF THE SAME GROUP SO CAN WE --

Mayor Wynn: ACTUALLY --

IF YOU ARE GOING TO VOTE ON IT TODAY WE ARE IN OPPOSITION. WE WERE HOPING FOR POSTPONEMENT UNTIL THE WATERSHED DEPARTMENT'S EXPANDED STUDY IS COMPLETED NEXT YEAR. THEY'VE EXPANDED THE STUDY DUE TO ALL THE ISSUES THAT HAVE COME UP. AND THAT'S WHAT WE WERE REQUESTING. BUT IF YOU ALL ARE GOING TO VOTE ON IT TODAY AND HEAR IT, WE WOULD LIKE TO BE IN OP OSITION TODAY.

Mayor Wynn: WHY DON'T YOU GO AHEAD AND MAKE YOUR CASE AND THEN -- YOU ALL CAN SPEAK TO WHATEVER YOU WANT TO. THAT'S YOUR REQUEST. JUST COME FORWARD AND GIVE US YOUR NAME AND I'LL CHECK YOU OFF THE LIST.

MY NAME IS LINDA [INAUDIBLE]. I'M NOT SURE IF I'M TO LIST.

Mayor Wynn: YOU'RE ON THE LIST. YOU HAVE THREE MINUTES.

I'D LIKE TO GET THE MAP BACK ON THE SCREEN, PLEASE. AT THE MEETING TWO NIGHTS AGO WHERE THE NEIGHBORHOOD WAS PRESENTED WITH THE DRAFT PRELIMINARY MAP OF THE HALF PROPOSED 100-YEAR FLOOD PLAIN, WE FELT THE REVIEWERS WERE ONLY LOOKING AT ONE AREA OF THE WATERSHED AROUND THE PROPOSED SUBDIVISION, NOT THE WHOLE BOULDIN. IT WAS MENTIONED THE FLOOD PLAIN ON THE WEST SIDE OF THE TRACT, SO THAT WOULD BE -- THIS IS THE WEST SIDE OF THE TRACT. IT WAS MENTIONED THAT THE FLOOD PLAIN ON THE WEST SIDE OF THE TRACT HAS NEVER BEEN ACCURATELY MAPPED. ONLY ESTIMATED. THE WATERSHED STAFF MEMBER TOLD THAWS US THAT THE FLOOD PLAIN CONTRADICTIONS WHICH HAVE COME UP HAVE ALREADY CAUSED THEM TO DEVOTE MORE MONEY TO WEST BOULDIN CREEK PROJECTS, AND ALSO THAT CROSS SECTIONS OF THE FLOOD PLAIN MAPS ARE ONLY DONE AT WIDE INTERVALS FOR BUDGETARY AND COMPLEXITY PURPOSES. YOU SAID THAT SITE SPECIFIC STUFF CAN GET LOST IN THE SHUFFLE. I ASK YOU TO PLEASE WAIT UNTIL THE INFORMATION FROM THE CITY'S WATERSHED DEVELOPMENT PROTECTION REVIEW COMES IN TO PROPERLY EVALUATE THE DRAINAGE ISSUES WHICH ARE STILL VERY UNCLEAR TO THE NEIGHBORHOOD AT THIS TIME. THANK YOU.

Mayor Wynn: THANK YOU.

HI, I'M PATTY SPRINKLE WITH GLENDALE NEIGHBORHOOD AND YOU'VE HEARD ALREADY THAT A LOT OF TIME AND EFFORT HAS BEEN SPENT ON THIS PROCESS, BUT I THINK WE NEED A LITTLE BIT MORE. WE NEED TO ENSURE THAT A CRITICAL REVIEW PROCESS HAS HAPPENED SO THAT WE CAN PUT THIS SMALL PARCEL OF LAND INTO THE LARGER CONTEXT OF WHAT'S BOULDIN CREEK IN THE CITY OF AUSTIN AND WHAT THAT MEANS TO US. WE URGE THE COUNCIL TO USE EVERY OPPORTUNITY AND THE CITY RESOURCES TO GATHER ALL THE INFORMATION WHICH WOULD INCLUDE THE COMPLETED WEST BOULDIN CREEK STUDY DONE BY THE WATERSHED AGENCY HERE AS PART OF CITY OF AUSTIN. JUST DOWN THE STREAM THE CITY HAS A BUY-BACK PROGRAM THAT'S ALREADY IN PLACE THAT'S USED TO ACQUIRE LAND THAT IS CURRENTLY IN THE FLOOD PLAIN. THIS IS TO THE NORTH AND SOUTH. THE GOAL IS TO REMOVE PEOPLE FROM POTENTIAL FLOODING DANGER THAT GOES WITH THAT. IN FACT, THE WHOLE AREA, AS LINDA JUST POINTED OUT, WEST OF THE RAILROAD TRACKS HAS NOT BEEN ACCURATELY MAPPED AND THERE WAS A LOT OF FLOODING PROBLEMS THERE. THE PLAN REALLY IS KIND OF COUNTER-INTUITIVE TO THE SURROUNDING LAND USE. ALREADY WE KNOW THAT MANY OF THE PROPERTY OWNERS ON THE GROUND HAVE PROBLEMS THAT ARE NOT LISTED OR THAT HAVE NOT BEEN MENTIONED BEFORE OF FLOODING, VERY SERIOUS PROBLEMS. AND WE REALLY WANT THE CITY TO HAVE A COMPREHENSIVE ANALYSIS OF THE SITE'S CHARACTERISTICS SO WE CAN FIGURE OUT THE APPROPRIATE USE FOR IT. IT SEEMS ODD THAT WE WOULD -- THE CITY WOULD ACQUIRE THE THREE TRACTS OF LAND SOUTH WHICH WOULD -- THAT THEY ARE GOING TO BE DOING DRAINAGE IMPROVEMENTS ON NOW, THAT THEY ARE LOOKING TO DO. I'M NOT MAKING MYSELF CLEAR. THERE'S THREE TRACTS OF LAND THE CITY HAS ACQUIRED AND THEY ARE GOING TO BE PUTTING DRAINAGE STRUCTURES TO THE SOUTH OF THIS PROJECT. THAT'S, YOU KNOW, SEVERAL HUNDRED YARDS FROM WHERE THIS PROPOSED PROJECT IS GOING INTO PLACE. THIS LAND TO THE NORTH IS ALSO RECOMMENDED FOR BUY-OUTTO ADDRESS THESE SAME DRAINAGE ISSUES. ON ONE HAND THE CITY IS ADDRESSING THE DRAINAGE ISSUES JUST NORTH AND SOUTH, BUT IN THE MIDDLE OF THE SECTION THERE'S NO PROBLEM. IT JUST DOESN'T QUITE ADD UP. THE LAND TO BE REZONED IN THE CENTER OF THIS PROPOSED DRAINAGE AREA HAS MANY OF THESE SAME ISSUES. THE CITY NEEDS, AGAIN, TO HAVE A COMPLETE ANALYSIS OF THIS. WE NEED TO GET THE COMPLETE RESULTS OF THE WATERSHED STUDY BEFORE THIS CASE IS VOTED ON. WHILE IT DOES SEEM IT'S A SMALL PARCEL OF LAND, THE IMPLICATIONS FOR THE WHOLE AREA NEED TO BE CONSIDERED. THANK YOU.

Mayor Wynn: THANK YOU. WELCOME BACK, KATHERINE. YOU'LL HAVE NINE MINUTES.

I'M KATHERINE COWAZOE, THE ZONING COMMITTEE OF THE GLENDALE NEIGHBORHOOD ASSOCIATION. THIS IS SOME FOOTAGE SHOT BY A NEIGHBOR ON THE WEST SIDE OF THE TRACKS WHO EXPERIENCED FLOODING. CAN YOU FAST FORWARD IT? OKAY. THANKS. THESE ARE THE CULVERTS THAT GO UNDER THE RAILROAD TRACKS AND EMPTY OUT ON TO THE PROPERTY IN THE MIDDLE OF THE PROPERTY. ONE OF THE BIGGEST INCONSISTENCIES THAT WE SEE ON THE PRELIMINARY FEMA MAP, WHICH THIS IS THE MAP THAT YOU HAD SEEN IS WHAT THE PRELIMINARY MAP IS. THAT'S WHERE THE WATER EMPTIES OUT. IT DROPS ABOUT, I DON'T KNOW, SEVEN FEET. SO THOSE ARE THE RAILROAD TRACKS LOOKING NORTH. AND THE FACT THAT IT DROPS SEVEN FEET, THERE'S A BIG NATURAL DEPRESSION IN THE LAND THERE GOING THROUGH THE MIDDLE OF THE SITE WHICH SAYS THAT THAT'S A NATURAL AREA WHERE WATER WOULD FLOW. THE CULVERTS ARE OF AN INSUFFICIENT SIZE. EVERYONE HAS ACKNOWLEDGED THAT. THERE'S GOING TO HAVE TO BE SOME SORT OF IMPROVEMENT EVENTUALLY ON THAT. ALTHOUGH WE'VE BEEN PROMISED BY STAFF THAT -- CAN YOU FAST FORWARD IT, PLEASE? THANKS. WE'VE BEEN PROMISED BY STAFF THAT -- OKAY. THANK YOU. THANKS. THE CULVERTS THAT THEY PUT UNDER THEIR ROAD ARE GOING TO BE OF SUFFICIENT SIZE. AS LINDA MENTIONED, STAFF HAS ACKNOWLEDGED -- THE CITY STAFF HAS ACKNOWLEDGED THAT THERE HAVE BEEN NO ACCURATE MEASUREMENTS AND STUDIES DONE EMPTYING INTO THIS AREA. THE REASON WHY -- THIS IS THE GUY'S BACKYARD. IT FLOODED SIX INCHES IN HIS HOUSE. THE SECOND INCONSISTENCY OTHER THAN THE AREA THAT GOES THROUGH THE MIDDLE, THE WEST, HIS HOUSE IS NOT IN THE FLOOD PLAIN. PART OF HIS BACKYARD S HE HAS FLOODED IN HIS HOUSE. [INAUDIBLE] IMAGE OF THAT. AND HIS NEIGHBOR'S HOUSE ALSO FLOODED. HER HOUSE IS NOT IN THE PRELIMINARY FEMA MAP AS BEING IN THE 100 YEAR FLOOD PLAIN. WE KNOW THERE ARE STILL INCONSISTENCIES BETWEEN WHAT THE MAP SHOWS AND WHAT IS THE REALITY ON THE GROUND. THIS HAS BEEN THE PROBLEM ALL ALONG. THE PROBLEM HASN'T BEEN THAT, OH, THEY ARE PUTTING NEW PEOPLE IN, THE PROBLEM IS THE MAP ISN'T REFLECTING THE REALITY OF FLOODING. THAT IS HIS NEIGHBOR'S HOUSE. IT ALSO FLOODED. YOU CAN SEE ON THE FENCE LINE THE WATER MARKS OR THE -- KIND OF HARD TO SEE. IT'S AN OLD VIDEO. BUT THEY HAD TO TAKE ALL THE CARPET OUT OF THEIR HOUSE AND HE SHOWS IN A MINUTE HE GOES TO THE FRONT. CAN YOU FAST FORWARD IT, PLEASE? THERE'S HIS CARPET. THERE'S WHERE HE SHOWS ON THE FRONT. IT GOT UP ON THE FRONT. ALL THIS IS NOT IN THE PROPOSED FLOOD PLAIN, THE FEMA PROPOSED FLOOD PLAIN, THIS IS ONLY PRELIMINARY. CAN YOU FAST FORWARD IT, PLEASE? GOING ON THE OTHER SIDE OF THE HOUSE WHICH SHOWS THE WATERMARK GOING INTO HIS HOUSE. YOU YOU GET THE IDEA ON THAT. THANKS VERY MUCH FOR PLAYING THE VIDEO. CAN I [INAUDIBLE], PLEASE? SO HERE WE HAVE THE

PRELIMINARY MAP. AS PROPOSED BY FEMA. AS I SAID BEFORE, THE WATERSHED DEPARTMENT HAS DRAINAGE IMPROVEMENTS PLANNED FOR THIS AREA, AND DUE TO ALL OF THE INCREASED DATA THAT THEY ARE GETTING FROM US GOING AROUND AND TALKING TO NEIGHBORS ABOUT THIS, THIS IS THE SAME MAP, JUST SUPER IMPOSED OVER ANOTHER OVERLAY. AND THIS IS PROVIDED BY THE WATERSHED DEPARTMENT AS WELL AT THE MEETING THE OTHER NIGHT. I WASN'T THERE, BUT I WAS GIVEN THIS MAP. SO THIS SHOWS THE HOUSE I WAS JUST TALKING ABOUT. S OVER HERE AND THE OTHER HOUSE IS OVER THERE. AND THERE HAVE BEEN REPORTS OF FLOODING ALL ALONG HERE, INCLUDING THESE HOUSES OVER HERE WHICH ARE NOT IN THE FLOOD PLAIN EITHER, JUST THEIR BACKYARDS ARE. SO AS YOU CAN SEE, THIS IS SUBJECT TO CHANGE. WE DON'T KNOW EXACTLY WHERE THE FLOOD PLAIN IS, AND WE PROBABLY WON'T KNOW THE EXACT SPECIFICS ESPECIALLY RELATING TO -- THIS SIDE WE'RE NOT SAYING THAT THE DEVELOPERS HAVE DONE ANYTHING WRONG, IT'S THAT FEMA UNFORTUNATELY DOES NOT REQUIRE THE DEVELOPER TO INCLUDE THIS CULVERT IN THEIR SITE, IN THE PLAN, THEIR MAP, BECAUSE -- OR ON THEIR OWN MAP BECAUSE IT'S NOT THEY SAY A SUFFICIENT AREA. IT'S NOT LIKE 100 AND SOMETHING ACRES OR I'M NOT EXACTLY SURE ABOUT THE NUMBER. I'M SURE STAFF WOULD KNOW THAT NUMBER. HOWEVER, IN THE WATERSHED PROTECTION DEVELOPMENT REVIEW PROJECT IN UPPER WEST BOULDIN CREEK, THE TRACT TO THE SOUTH, IT SAYS THAT THOSE PROJECTS WILL [INAUDIBLE] WATER QUALITY PROJECTS THAT TAKE RUN I DON'T HAVE FROM 400 TO 500 ACRES WHICH IS MORE THAN [INAUDIBLE] OF THE WATERSHED AREA. ON THIS MAP YOU CAN SEE THE TRACTS TO THE SOUTH. THESE THREE TRACTS ARE OWNED BY THE CITY. THEY WERE GIVEN TO THE CITY BY AUSTIN ENERGY BECAUSE WATERSHED NEEDED TO DO THESE DRAINAGE IMPROVEMENTS. THE TRACT TO THE NORTH IS BEING RECOMMENDED FOR ACQUISITION FOR THE SAME REASONS. AS YOU CAN SEE -- WELL, I DON'T KNOW IF YOU GUYS CAN SEE THAT WELL. THE BLUE STRIPED LINES ARE THE OLD FLOOD PLAIN LINES, LIMITS, AND IT DOES GO THROUGH THERE. WE WENT BACK THERE AND LOOKED AT THE PROPERTY AND THERE IS A BIG DEPRESSION IN THE MIDDLE OF THAT PROPERTY. I'M ASSUMING THEY ARE GOING TO HAVE TO FILL THAT AREA WHERE IT DROPS OFF FROM THE CULVERT. THAT'S AT LEAST -- THAT'S MORE THAN FOUR FEET. I DON'T KNOW, I THINK THE REGULATIONS IS THEY HAVE TO GO GET TO THE BOARD OF ADJUSTMENTS IF THEY WANT TO CUT AND FILL MORE THAN FOUR FEET. I DON'T KNOW IF I'M RIGHT ABOUT THAT. THEY WOULD HAVE TO GET, I DON'T KNOW, A VARIANCE. I'M NOT SURE WHAT THEIR MAPS SHOW, BUT LOOKING AT IT, IT JUST DOESN'T MAKE ANY SENSE. AND SINCE THE WAIRD WATERSHED DEPARTMENT HAS RECOMMENDED AND THEY ARE PURSUING DOING THESE NEW STUDIES, IT IS GOING TO FOCUS ON THIS AREA IN PARTICULAR AND TAKE INTO ACCOUNT -- TAKE INTO ACCOUNT ALL THIS WATER FLOWING THROUGH RIGHT HERE. THERE ARE

ONLY THREE AREAS WHERE WATER GOES FROM THE WEST SIDE INTO THE ACTUAL CREEK BECAUSE OF THE RAILROAD TRACKS, WHICH IS AN ARTIFICIAL BERM HOLDING EVERYTHING BACK, WHICH IS WHY ALL THESE HOUSES OVER HERE FLOOD. AND IF WE KEEP IT LIKE THAT, I'M ASSUMING THAT EVENTUALLY PEOPLE WILL GET MAD ENOUGH TO REPORT THESE INCIDENTS AND THEY WILL BE RECOMMENDED FOR BUYOUTS AS WELL JUST LIKE WE HAVE IN ONION CREEK WE'RE GOING TO GO BACK AND BUY HOUSES BECAUSE -- I DON'T THINK THEY DID IT INTENTIONALLY, BUT WE HAVE DEVELOPMENT THAT CAUSES FLOODING. THIS HAPPENS OVER AND OVER. WE THINK THAT THIS AREA NEEDS TO BE STUDIED A LITTLE MORE IN DEPTH BEFORE WE PUT A BIG SUBDIVISION RIGHT HERE. SO ALL OF THIS LAND OVER HERE COMES DOWN, THE WATER COMES DOWN TO THE WEST SIDE OF THE TRACKS, COMES THROUGH RIGHT HERE AT OTHER INSUFFICIENT CULVERTS, COMES THROUGH RIGHT HERE, AND IT COMES THROUGH DOWN HERE. AND WE EVEN HAVE FLOODING PROBLEMS ACROSS OLTORF WHICH I THINK HAVE BEEN ADDRESSED TO SOME EXTENT RECENTLY BECAUSE ALL THIS WATER IS JUST BEING PUSHED DOWN HERE. THERE'S NOT ENOUGH AREA FOR THEM TO DRAIN THROUGH, FOR THE WATER TO DRAIN THROUGH. SO THIS IS REALLY A GOOD OPPORTUNITY FOR THE CITY TO START LOOKING AT THE NECESSARY DRAINAGE IMPROVEMENTS THAT NEED TO BE MADE TO THIS AREA TO PREVENT BUYOUTS, THE CITY HAVING TO GO BACK AND SPEND MILLIONS AND MILLIONS OF DOLLARS ON BUYING OUT LAND THAT GETS DEVELOPED OR LAND THAT GETS DEVELOPED AND CAUSES -- AND KEEPS THESE OTHER HOUSES FLOODING, IN THE FLOODING TREND THAT THEY ARE IN RIGHT NOW. THERE WERE SOME PEOPLE THAT THOUGHT AFTER WATCHING ON T.V. LAST TIME THAT THIS CASE WAS GOING TO BE POSTPONED UNTIL JANUARY, THE MIDDLE OF JANUARY BECAUSE I BELIEVE THAT WAS COUNCILMEMBER LEFFINGWELL'S ORIGINAL MOTION WAS TO POSTPONE UNTIL JANUARY AND SOMEHOW THAT GOT TRANSLATED TO DECEMBER. HOW MANY MINUTES IS THAT?

Mayor Wynn: THAT WAS YOUR NINE MINUTES. PLEASE COMPLETE.

OKAY. ALSO JUST MENTION THAT STAFF'S RECOMMENDATION, THIS IS A QUOTE FROM THE STAFF, IS BASED IN PART ON THE UNDERSTANDING THAT THE SITE TO BE DEVELOPED IS PART OF A LARGE DEVELOPMENT WITH PROPERTY TO THE SOUTH OWNED BY THE SAME OWNER. SO THIS REZONING IS LINKED INHERENTLY TO THE REST OF THEIR PROJECT. IT'S NOT LIKE IT'S SOME SEPARATE THING. THAT'S PART OF WHY STAFF RECOMMENDED IT ORIGINALLY. THEY ALSO BROUGHT UP THE OTHER CONCERNS AND SAID THAT THERE ARE EXACT BOUNDARIES OF THE FLOOD PLAIN ARE CURRENTLY UNDERGOING FURTHER REVIEW. SO I WOULD RECOMMEND THAT YOU GUYS DENY THIS TODAY UNTIL WE GET AT LEAST THE STAFF FINALIZED LIMITS AND BOUNDARIES ON THE FLOOD PLAIN OR UNTIL --

NECESSARY BEFORE ANY DECISION OF MORE DEVELOPMENT NEAR FLOODPLAINS OCCUR. OTHERWISE WE MAY MAKE DECISIONS TODAY THAT YOU REGRET TOMORROW. PLEASE HELP SAVE WEST BOULDIN CREEK WATERSHED AND MAKE SURE THAT ANY DEVELOPMENT IN THIS AREA FOLLOWS SMART GROWTH PRINCIPLES AND HAS BEEN EXAMINED CRITICALLY AT EVERY LEVEL INCLUDING APPROVAL BY THE ENVIRONMENTAL BOARD DUE TO THIS AREA'S SUSCEPTIBILITY OF FLOODING. I REALLY HOPE YOU TAKE THIS ISSUE TO HEART.

Mayor Wynn: THANK YOU. LORRAINE ANDERSON SIGNED UP WISHING TO SPEAK. WELCOME. YOU WILL HAVE THREE MINUTES. A FEW FOLKS SIGNED UP ALSO IN OPPOSITION, JAY BILLING, JEFF JACK AND CAROL GIBBS. WELCOME.

I'M LORRAINE ATHERTON. I LIVE IMMEDIATELY WEST OF SOUTH LAMAR. ABOUT THE SAME LEVEL ON BOULDIN CREEK AS THIS AREA. MY PROBLEM WITH THIS CASE IS THAT WHEN A PROPERTY IS ZONED SINGLE FAMILY, CITY STAFF ROUTINELY ALLOWS THE BUILDERS TO PAY A FEE IN LIEU OF WATER QUALITY CONTROL. COMMERCIAL OR MULTI-FAMILY PROJECTS, YOU CAN BE PRETTY SURE THAT THE DRAINAGE AND WATER QUALITY ISSUES WILL BE ADDRESSED. BUT IF IT'S ZONED SF-3, YOU CAN BE PRETTY SURE THAT THEY WON'T BE. TWO YEARS AGO A PROJECT BEHIND MY HOUSE WAS PERMITTED TO BUILD THREE SUPER DUPLEXES ON TWO-THIRDS OF AN ACRE. BEFORE THE FOUNDATION ON THE FIRST ONE WAS COMPLETED, MY DOWNSTREAM NEIGHBOR'S HOUSE LOOKED A WHOLE LOT LIKE THAT FLOODED HOUSE THAT KATHERINE SHOWED YOU. AND THAT PROJECT PAID A FEE OF $6,230 IN LIEU OF WATER QUALITY CONTROL. THIS MORNING MY NEIGHBOR AND I RECEIVED A NICE FAT SETTLEMENT CHECK AS A RESULT OF THAT FEE IN LIEU OF. I CAN'T DISCUSS THE DETAILS OF THAT SETTLEMENT, BUT I URGE YOU TO ASK STAFF HOW MUCH THAT FEE IN LIEU OF HOW THAT -- HOW THAT FEE IN LIEU OF COMPARES WITH THE COST OF THE UNPLANNED STORM SEWER THAT IS NOW REQUIRED BEHIND MY HOUSE. WHATEVER YOU DO ABOUT THIS CASE TONIGHT, PLEASE DON'T ALLOW THESE HOUSES TO BE BUILT WITH MERELY A FEE IN LIEU OF. THANKS.

Mayor Wynn: THANK YOU. WELCOME, MR. JACK. YOU'RE WELCOME TO SPEAK IN LIEU OF NOT SPEAKING.

THANK YOU.

Mayor Wynn: YOU YOU'RE SIGNED UP. YOU HAVE THREE MINUTES.

I WASN'T GOING TO SPEAK, BUT AFTER HEARING GEORGE'S PRESENTATION I WAS COMPELLED TO SHARE WITH YOU A LITTLE STORY. 1981 I BOUGHT A HOUSE IN AUSTIN, MY FIRST HOUSE IN AUSTIN, ON

Mayor Wynn: THANK YOU.

THANK YOU. OR UNTIL THE FINAL --

Mayor Wynn: THANK YOU. SO JESSICA OR BRIAN?

GOOD EVENING, MAYOR AND COUNCIL. MY NAME IS JESSICA GORDON, AN ENVIRONMENTAL GEEING ON FER AND ALSO A CONCERNED HOMEOWNER THAT LIVES DOWNSTREAM FROM WEST BOULDIN CREEK FROM THIS PROPOSED DEVELOPMENT SITE. WORKING ON THE PRESENTATION. I'M HERE TONIGHT TO ASK YOU ALL TO TAKE A MOMENT AND ENVISION THE FUTURE FOR AUSTIN THAT THROUGH IMPORTANT PLANNING AND LAND USE DECISIONS IS ABLE TO PRESERVE ESSENTIAL AMENITIES SUCH AS OPEN SPACE, WATER QUALITY, AND QUALITY OF LIFE. IT IS UP TO YOU TO MAKE THESE DECISIONS THAT TAKE INTO ACCOUNT LONG-TERM GOALS IN ORDER TO PRESERVE A WONDERFUL CITY FOR FUTURE GENERATIONS. PLEASE DO NOT APPROVE ANY DEVELOPMENT ON PROPERTY BETWEEN WEST BOULDIN CREEK AND THE RAILROAD UNTIL THE ENVIRONMENTAL IMPACTS OF THIS DEVELOPMENT HAVE BEEN FULLY UNDERSTOOD. EVERY FLOOD PLAIN MAP IS DIFFERENT AND NONE OF THEM ACCURATELY REFLECT REALITY. THERE HAVE BEEN MANY DISAGREEMENTS ABOUT WHERE THE FLOOD PLAIN MAPS -- WHERE THE FLOOD PLAIN MAPS AND WHAT RESIDENTS HAVE SEEN ON THE GROUND SHE AS KATHERINE JUST SHOWED YOU. ANY POTENTIAL APPROVAL FOR DEVELOPMENT SHOULD WAIT UNTIL THE FINAL FEMA MAP AND CITY WATERSHED DEVELOPMENT PRODUCTION REVIEW EXPANDED STUDY HAS BEEN COMPLETED AND THE SURROUNDING NEIGHBORHOODS HAVE HAD THE OPPORTUNITY TO ESTABLISH THEIR NEIGHBORHOOD PLAN. THINK ABOUT HOW THIS DECISION OF SITTING HOUSES BETWEEN THE RAILROAD AND A CREEK ON A 50-ACRE LOT SURROUNDED BY FLOOD PLAIN WILL BE LOOKED UPON 10 YEARS FROM NOW. ESPECIALLY WITH FUTURE AUSTIN, SAN ANTONIO COMMUTER RAILWAY ADJACENT TO WEST BOULDIN CREEK WITH THE POTENTIAL STATION PLANNED FOR THIS AREA. FURTHERMORE, AS STATED BY AN EXPERT TONIGHT, LAND USE CHANGES CAN CHANGE THE FLOOD PLAIN. AND IT IS NOT WISE WITH THE RAPID DEVELOPMENT AUSTIN HAS HAD, IT IS NOT WISE TO PUT A DEVELOPMENT IN A SMALL ISLAND SURROUNDED BY FLOOD PLAIN. WE STAND TO LOSE ECOLOGICAL BENEFITS OF EXISTING OPEN SPACE AND THE WOODED LAND WHICH WILL MAGNIFY EXISTING FLOODING AND DRAINAGE AND EROSION PROBLEMS WHICH ARE ALREADY SEVERE IN THIS AREA. IT IS IMPORTANT TO UNDERSTAND THE IMPACT THAT URBAN GROWTH HAS ON HYDRO LAUNCHIC AND GEO MORE IF I CAN CONDITIONS. U.T. WILL BE OFFERING A COURSE NEXT SEMESTER THAT WILL BUILD MODELS TO STUDY AUSTIN GROWTH AND FLOOD PLAIN INSTABILITY IN A RELATIONSHIP. THESE KINDS OF STUDIES ARE

SHOAL CREEK. 10 DAYS AFTER I BOUGHT THAT HOUSE, I HAD SIX FEET OF WATER IN IT WITH THE MEMORIAL DAY FLOOD. NOW, BEING FROM LOUISIANA, I'M ALWAYS CAUTIOUS ABOUT WATER. AND BEFORE I BOUGHT THE HOUSE, I CAME TO THE CITY OF AUSTIN AND I ASKED IS MY HOUSE IN THE FLOOD PLAIN. AND I WAS SHOWN A MAP THAT SHOWED THAT MY HOUSE WAS NOT IN THE FLOOD PLAIN. SUBSEQUENTLY, IN THE TWO YEARS OF LITIGATION AFTER MY HOUSE WAS FLOODED, I HAD SIX FEET OF WATER IN IT AND TWO PEOPLE DIED ON MY STREET FROM THAT FLOOD. I LEARNED THAT THAT FLOOD PLAIN THAT I WAS SHOWN THAT WAS DONE IN THE LATE '70s WAS A REVISION TO A FLOOD PLAIN MAP THAT WAS DONE IN THE EARLY '70s THAT SHOWED MY SITE IN THE FLOOD PLAIN. AND THE REDUCTION OF THAT FLOOD PLAIN WAS MOTIVATED BY DEVELOPMENT NORTH OF SHOAL CREEK IN WHAT WE CALL THE ANDERSON LANE AREA. SO I THINK WHAT THE POINT THE NEIGHBORHOOD IS TRYING TO SUGGEST TO YOU TONIGHT IS EVEN WITH THE BEST OF INTENTIONS AND GOOD ENGINEERING, THINGS CAN GO WRONG. AND THE EVIDENCE THAT THEY HAVE OF THE FLOODING THAT OCCURS ON SITE IN THOSE AREAS TODAY IS IN CONFLICT WITH THE DATA THAT IS BEING PROPOSED FROM THE ENGINEERING STANDPOINT. WHAT THEY'RE ASKING YOU TO DO IS WAIT UNTIL YOU HAVE A THOROUGH STUDY COMPLETED THAT ANSWERS ALL THE QUESTIONS. WHEN YOU THINK ABOUT HAVING TO BUY OUT LAND THAT ALREADY HAS ZONING AND POSSIBLY HOUSES BUILT ON IT, IT'S MUCH MORE EXPENSIVE AS WE'RE FINDING OUT IN ONION CREEK OR EVEN NORTH OF HERE ON WEST BOULDIN, THAN TO BUY OUT RAW LAND. SO IF WE UPZONE THE PROPERTY TODAY AND APPROVE THIS SUBDIVISION AND LATER WE FIND OUT THAT, WELL, OUR PRELIMINARY ENGINEERING WASN'T QUITE RIGHT SHE IT'S GOING TO COST THE TAXPAYERS OF AUSTIN. AND IF WE'RE REALLY WRONG AND THEY BUILD THE HOUSES, IT COULD COST SOMEBODY'S LIFE. THANK YOU.

Mayor Wynn: THANK YOU, MR. JACK. SO COUNCIL, THAT'S ALL THE FOLKS WHO SIGNED UP BOTH IN FAVOR, NEUTRAL AND IN OPPOSITION TO THE ZONING CASE. NOW MS. CORNELIUS WILL HAVE A THREE-MINUTE REBUTTAL.

THE ENGINEER DISCUSSED ENGINEERING ISSUES.

Mayor Wynn: FAIR ENOUGH.

RICK THOMPSON AGAIN. HOPE PHYSICALLY I'LL DO BETTER. I'M MORE NERVOUS THAN I EXPECTED. THERE ARE THREE IMPORTANT THINGS I THINK. THE FIRST ONE IS JUST TO MAKE SURE EVERYBODY IS REMEMBERING THE AREA UNDER CONSIDERATION TONIGHT TO BE REZONED THE REALLY JUST A SMALL TRIANGULAR PIECE THAT'S OFF ON THAT END OF THAT MAP. SO MOST OF THIS COULD STILL HAPPEN

REGARDLESS. BUT HAVING SAID THAT, THE DISCUSSIONS ALSO LARGELY ABOUT THE FEMA FLOOD PLAIN, WHICH IS THE EXISTING FLOOD PLAIN AND WHERE IT IS, BUT AGAIN, GEORGE'S GROUP HAS DONE A GREAT JOB OF GETTING ALL THOSE ENGINEERS TO FULLY DEVELOP DISTANCE SO IT'S NOT JUST THE EXISTING BUT THE EXISTING FEATURE PLUS DEVELOPMENT. THAT INCLUDES WHAT'S GOING THROUGH ON BOULDIN CREEK WHERE A LOT OF DISCUSSION ABOUT THE FLOOD PLAIN OR NOT. WE HAVE TO BE OUTSIDE THAT. PLUS OUTSIDE SOME MORE BECAUSE WE HAVE TO COVER THIS POTENTIAL FEATURE POSSIBLE, MAYBE FLOOD PLAIN. AND ALSO EVEN THE WATER THEY TALKED ABOUT AT THE RAILROAD TRACKS, A SIMILAR DEAL. WE HAVE TO CONSIDER THAT DRAINAGE AREA AND CONSIDER THAT CULVERT PIPE NOT BEING THERE, AND WE'VE PLANNED ON A CHANNEL AND A PIPE GOING UNDERNEATH THE ROADWAY THAT WILL CONVEY THE FULLY DEVELOPED FLOW AS IF THAT WEREN'T THERE. SO IF THE RAILROAD PEOPLE EVER DECIDE TO UPGRADE THE RAILROAD THAT IS CORRECT WILL BE TAKEN CARE OF. THE LAST THING, THIS IS MORE MY NOTE, I FORGET WHAT THIS IS IN RESPONSE TO, BUT WE ARE DOING ON SITE PONDS TO CONTROL ALL OF OUR STORM WATER SO WE WON'T BE CONTRIBUTING TO ANY FLOODING. WE'LL CONTAIN. THANK YOU.

Mayor Wynn: THANK YOU, SIR. COUNCIL THAT IS CORRECT CONCLUDES OUR PUBLIC HEARING ON ITEM Z-106789 QUESTIONS OF STAFF OR AGENTS OR NEIGHBORS? COUNCILMEMBER DUNKERLEY.

Dunkerley: I'M NOT SURE WHO TO ASK. THE PROPERTY IS CURRENTLY ZONED C.S. AND IF IT CAN BE DEVELOPED AS C.S., GENERALLY THAT HAS MORE IMPERVIOUS COVER THAN SINGLE-FAMILY. SO I GUESS I'M A LITTLE BIT CONFUSED STILL AS TO WHY THE NEIGHBORHOOD IS WANTING -- IS OBJECTING TO THE S.F. SINCE THAT IS A MUCH -- MAYBE I SHOULD ASK THE ENGINEER. SINCE THAT IS A MUCH GENERALLY LOWER DENSITY THAN THE C.S. WOULD BE. THAT'S ONE QUESTION I HAVE.

OKAY, THE PROPOSED PRELIMINARY PLAN IS ALL DONE SINGLE-FAMILY 3 EXCEPT FOR THIS SLIVER. THE SLIVER IS ZONED C.S. COMMERCIAL SERVICES. WE DON'T HAVE INTENTIONS TO USE IT AS COMMERCIAL SERVICES. IT WOULD INCREASE IMPERVIOUS COVER ALLOWED IF IT STAYS THAT AND GETS DEVELOPED FOR MINI STORAGE UNITS OR A MUFFLER SHOP. WE ARE INCLUDING IT INTO AN EXISTING S.F.-3 ZONING. IF WE DON'T GET THE ZONING, WE CAN PULL OUR PRELIMINARY BACK AND WE CAN GET ON PLANNING COMMISSION AND GET THE REST OF IT APPROVED BECAUSE WE'RE MEETING ALL CODES. THIS ONE LITTLE SLIVER WILL NOT STOP THE DEVELOPMENT OF THE OTHER 12 AND A HALF ACRES.

Dunkerley: THAT'S KIND OF WHAT I UNDERSTOOD FROM LOOKING AT IT AND I STILL DO NOT UNDERSTAND WHY THE NEIGHBORHOOD WOULD RISK LEAVING THAT C.S., WHICH IS A -- COULD BE DEVELOPED MUCH MORE INTENSELY. I UNDERSTAND FROM TALKING TO OUR WATERSHED PEOPLE THAT IT PROBABLY NEITHER -- EITHER OF THOSE WOULD PROBABLY NOT AFFECT THE FLOOD PLAIN IN ANY WAY, BUT JUST LOOKING AT IT LOGICALLY, IF IT WERE, IT WOULD SEE THE C.S. WOULD AFFECT IT MORE THAN A SINGLE-FAMILY WOULD. SO THAT'S WHY I'M HAVING DIFFICULTY UNDERSTANDING WHY EVERYBODY IS NOT DOWN HERE RIGHT NOW SAYING LET'S DO SINGLE-FAMILY AND PROTECT A POTENTIAL OF THE C.S. DEVELOPMENT IN THAT LOCATION. I'M HAVING TROUBLE WITH IT. [ONE MOMENT, PLEASE, FOR CHANGE IN CAPTIONERS]

AFTER PEOPLE STARTING COMING FORWARD AND TALK BEING THESE ISSUES AND WE STARTED LOOKING INTO THIS CORETER AND LOOKING INTO THE INEFFECTIVELY -- INEFFECTIVENESS OF THE CULVERTS AND THE NEED TO BE CORRECTED, WE DECIDED IT WAS IRRELEVANT IRRESPONSIBLE TO PUT ANY MORE PEOPLE THAN COULD BE CURRENTLY PUT THERE AS RESIDENTS LIVING AND SLEEPING THERE, WE THOUGHT THAT WAS IRRESPONSIBLE, SO THE CS IS SUCH A SMALL SLIVER OF LAND, I GUESS WE COULD USE IT AS SOMETHING OR TRY TO USE IT AS SOMETHING COMMERCIAL, BUT THE NEIGHBORHOOD -- NOW THAT WE KNOW ALL THESE ISSUES, WOULD OPPOSE THAT AS WELL. WE DON'T THINK IT'S RESPONSIBLE REALLY TO DO THAT, ESPECIALLY UNTIL WE GET A FINAL WORD ON WHERE THE FLOODPLAIN LIES THAT CORRESPONDS WITH EXPERIENCE ON THE GROUND AS FAR AS FLOODING. THIS IS AN AREA THAT CAN BECOME INACCESSIBLE IN A BIG FLOOD. AND THAT'S A BIG CONCERN.

Dunkerley:, WELL, I DON'T THINK IT'S ALREADY ZONED CS.

IT IS ZONED CS. WE'RE AGREEING, IT'S ZONED CS, BUT --

LET ME ASK ANOTHER --

Dunkerley: LET ME ASK ANOTHER QUESTION OF GEORGE'S OSWALD OR WHATEVER. FROM LOOKING AT THE PRELIMINARY INFORMATION YOU HAVE, DOES THIS PARTICULAR TRACT, COULD IT POSSIBLY BE IN THE FLOODPLAIN? IT DOESN'T SEEM TO BE ON THE NUMBERS YOU'VE GIVEN US TONIGHT.

I WANT TO MAKE A COUPLE OF POINT ON THAT -- POINTS ON THAT. AS WE ARE HERE THIS EVENING, WE HAVE TWO INDEPENDENT MODELS, THE TWO ONE THAT FEMA HAS DEVELOPED AND THE MODEL THAT HAAS ENGINEERING, THEY TOOK OLD INFORMATION AND REFINED IT, AND

THEY'RE ALMOST IN EXACT AGREEMENT SHOWING THIS AREA NOT TO BE IN THE FLOODPLAIN. TO ME THAT'S A VERY GOOD CONFIRMATION THAT THE WORK THAT FEMA IS DOING IS OF HIGH QUALITY TO HAVE AN INDEPENDENT STUDY WITH UPDATED INFORMATION DONE BY A LOCAL ENGINEER THAT'S BASICALLY CONFIRMING THE FEMA FLOODPLAIN. ANOTHER POINT I WANT TO MAKE, THOSE CULVERTS THAT COME THROUGH THE RAILROADS, WE'VE DONE A LITTLE BIT OF HISTORICAL RESEARCH ON THAT, AND OUR UNDERSTANDING IS THERE USED TO BE A WOODEN TRESTLE THERE AND THE UNION PACIFIC CAME IN THERE AND PUT IN THE CULVERTS AND GREATLY RESTRICTED THE FLOW. WE HAVE NO CONTROL OVER WHAT THE RAILROAD DOES. AND THAT LARGE EMBANKMENT OBVIOUSLY HAS AN IMPACT ON THE WEST, BUT IF YOU START LETTING MORE OF THAT WATER COME BACK THROUGH TO THE EAST, IT IS GOING TO WORSEN -- YOU'RE TRADING OFF FLOODING ON ONE SIDE OF THE RAILROAD VERSUS ANOTHER. I DON'T NEED TO DWELL ON THAT, BUT THE MODELS THAT WE HAVE, I THINK MY STAFF WAS MISQUOTED. THE QUOTES ABOUT THE LACK OF CROSS-SECTIONS WAS A REFERENCE TO THE OLD FEMA MODEL, NOT THE NEW FEMA MODEL. THE NEW MODELS ARE VERY ROBUST, A LOT OF CROSS-SECTIONS. WE'RE USING THE LATEST DIGITAL TRAIN MODELS THAT VERY WELL REPRESENT THE TOPOGRAPHY. BUT THE FACT THAT WE HAVE TWO INDEPENDENT MODELS IN ALMOST EXACT AGREEMENT PERSONALLY AS A PROFESSIONAL ENGINEER GIVES ME A HIGH LEVEL OF CONFIDENCE THAT THAT AREA IS NOT IN THE FLOODPLAIN.

Mayor Wynn: THANK YOU, MR. OSWALD. QUESTIONS, COMMENTS? COUNCILMEMBER ALVAREZ.

Alvarez: I THINK IT'S ALSO FOR MR. OSWALD. I WAS JUST CURIOUS ABOUT -- OR MAYBE I JUST MISSED IT. BECAUSE THERE'S A FLOODING ISSUE ALONG THE CREEK AND THEN THERE'S THE FLOODING ISSUE ON THE OPPOSITE SIDE OF THE TRACKS FROM THIS PROPERTY. THOSE ARE OBVIOUSLY TWO UNRELATED SOURCES OF FLOODING -- THOSE NEIGHBORHOODS FLOWING TOWARDS THE CREEK THAT CAN'T GET THROUGH THE TRACKS?

THAT'S WHAT HAPPENS. THERE'S NOT ENOUGH CAPACITY. THAT RAILROAD HAS BEEN THERE FOR MANY YEARS AND ENGINEERING ANALYSES THAT EXIST NOW TO ESTABLISH APPROPRIATE -- ADEQUATE CAPACITY WEREN'T THERE THEN. SO BASICALLY IT DOES ACT AS A LEVEE, AND NOT ALL THE WATER CAN GET THROUGH IT, AND IT COURSES NORTHWARD TOWARDS TOWN LAKE, AND THAT ISSUE HAS BEEN IDENTIFIED IN OUR MASTER PLAN AS ONE OF THE ISSUES. WE NEED TO DEAL WITH THE FLOODING, BUT I THINK BRINGING IT ACROSS TO THE EASTERN SIDE, YOU'RE GOING TO PUT MORE WATER OVER THERE, SO YOU'RE TRADING OFF FLOOD REDUCTION ON ONE SIDE AND WORSENING

OF FLOODING ON THE OTHER. SO WE NEED TO DEAL WITH THAT ON THE WESTERN SIDE OF THE TRACKS.

Alvarez: RIGHT. SO I THINK THE POINT THAT SOMEONE WAS MAKING WAS IF YOU HAVE FLOODING ON THIS SIDE OF THE PROJECT AND FLOODING ON THAT SIDE OF THE PROJECT, THEN ISN'T THERE GOING TO BE A FLOODING ISSUE IN BETWEEN THOSE TWO? AND SO -- BUT THE REASON THAT'S NOT THE CASE IS THE WATER IS FLOWING IN TWO DIFFERENT PLACES?

BASICALLY CUT OFF. IT FORMED A SEPARATE WATERSHED ON THE WESTERN SIDE OF THE TRACKS. SOME WATER COMES THROUGH, BUT NOT ENOUGH. AND THAT'S WHEN IT HAS TO FLOW NORTHWARD BECAUSE IT CAN'T GET THROUGH THE TRACKS. THE VIDEO DESCRIBED THAT QUITE WELL.

Alvarez: THANK YOU.

Mayor Wynn: FURTHER QUESTIONS, COMMENTS? IF NOT, I'LL ENTERTAIN A MOTION ON ITEM Z-10, WHICH WOULD INCLUDE TO CLOSE THE PUBLIC HEARING. AND MY QUESTION FOR STAFF, I THINK STING IS SINCE THIS IS DOWNZONING FROM CS TO SF-3, THAT THEY'RE READY FOR ALL THREE READINGS.

ACTUALLY, WE DON'T HAVE AN ORDINANCE. IT'S READY FOR FIRST READING SIMPLY BECAUSE WE REALLY DIDN'T KNOW WHAT COUNCIL WAS GOING TO DO, SO WE DIDN'T PREPARE AN ORDINANCE.

Mayor Wynn: YOU'RE NOT THE ONLY ONE. I'LL ENTERTAIN A MOTION. COUNCILMEMBER DUNKERLEY.

Dunkerley: SOMEBODY ELSE WANT TO MAKE A MOTION?

Alvarez: I HAD ONE MORE QUESTION ABOUT THE -- THE VARIOUS NEIGHBORHOOD FOLKS HAVE ASKED FOR A POSTPONEMENT UNTIL THE FLOOD MAP ISSUES ARE, I GUESS, FINALIZED, BUT DO WE KNOW WHEN THAT WOULD HAPPEN? MY UNDERSTANDING IS THAT IT WOULD BE IN JANUARY.

THE INITIAL ROLLOUT WILL BE IN MARCH OF '06, AND THE FORMAL ADOPTION PROCESS WHERE YOU TAKE PUBLIC INPUT, THE FINAL ADOPTION WOULD BE ABOUT A YEAR LATER, MARCH '07.

Alvarez: SO WE WOULDN'T HAVE A FINAL MAP.

WE'RE ALREADY USING THIS FOR OTHER DEVELOPMENT AS BEST AVAILABLE INFORMATION INTERNALLY.

Alvarez: (INDISCERNIBLE).

AND WE'RE MAKING IT AVAILABLE TO THE DEVELOPMENT COMMUNITY AS THE BEST AVAILABLE INFORMATION.

Mayor Wynn: COUNCILMEMBER DUNKERLEY.

Dunkerley: I WOULD MOVE APPROVAL ON FIRST READING ONLY FOR SF-3.

Mayor Wynn: MOTION MADE BY COUNCILMEMBER DUNKERLEY, SECONDED BY COUNCILMEMBER MCCRACKEN TO APPROVE ON FIRST READING ONLY CASE Z-10 AS POSTED, THAT IS, ZONING FROM CS TO SF-3. FURTHER COMMENTS? THAT MOTION INCLUDED CLOSING THE PUBLIC HEARING. I'LL JUST SAY THAT THE LEVEL OF DETAIL, THE TECHNOLOGY HAS ALLOWED PROFESSIONALS LIKE MR. OSWALD TO HAVE NOW COMPARED FRANKLY TO WHAT WE HAD IN 1981 IS VERY ENCOURAGING AND ALLOWS FOR SOME PRETTY REMARKABLE ANALYSIS OF INDIVIDUAL SITES, DOWN TO INCHES ON A TOPOGRAPHICAL LEVEL. AND THE FACT THAT IN SUMMARY MR. OSWALD WAS AVAILABLE TO POINT OUT THAT IT DOESN'T WORSEN FLOODPLAIN CONDITIONS AND IT DOESN'T WORSEN THE FLOODPLAIN, I'M GOING TO BE SUPPORTIVE OF THE MOTION. CERTAINLY ON FIRST READING. COUNCILMEMBER ALVAREZ.

Alvarez: THANKS, MAYOR. I'LL BE SUPPORTING IT TOO. I'M NOT QUITE SURE WHY THIS IS ZONED COMMERCIAL, FIRST OF ALL, BUT OBVIOUSLY THEY HAVE THAT ABILITY TO COME FORWARD WITH A DEVELOPMENT THAT WOULD HAVE MUCH GREATER IMPERVIOUS COVER, AND I'M CERTAIN THAT THE NEIGHBORHOOD WOULD NOT BE SUPPORTING THAT. SO CERTAINLY I THINK RESIDENTIAL IS BETTER, BUT I DO THINK THAT -- FROM THE INFORMATION WE'VE RECEIVED THAT THIS IS SOMETHING THAT WOULD BE MORE APPROPRIATE.

Mayor Wynn: THERE'S A MOTION AND A SECOND ON THE TABLE TO APPROVE FIRST READING ONLY, ITEM Z-10, ZONING TO SF-3. FURTHER COMMENTS? HEARING NONE, ALL THOSE IN FAVOR PLEASE SAY AYE.

AYE.

Mayor Wynn: OPPOSED? MOTION PASSES ON FIRST READING ON A VOTE OF SEVEN TO ZERO.