

Questions to City Staff regarding The Spicewood – SP-2016-0476D

The District 10 Office asked City Staff to provide a response for the following questions regarding the site plan associated with case SP-2016-0476D, which is a proposed project in the City's 2-mile ETJ. The responses from City Staff are indicated below in red. Based on the responses from City Staff, the District 10 Office has requested some additional information from City Staff and will provide further updates in the weekly District 10 Newsletter. Residents can sign-up for the District 10 Newsletter online by visiting <https://goo.gl/V7DH0X> or by sending the text "DISTRICT 10" to 22828.

General Questions about the Process

- What is the City's review process for an administrative site plan that is in the City's 2-mile extraterritorial jurisdiction (ETJ)?
 - What is the City's review process for SP-2016-0476D?
 - **City Staff response:** We are scheduled to complete our initial review of this case and release the first report by December 7. The applicant will respond to our review comments and will resubmit the site plans. This process will repeat until all comments and requirements have been addressed by the applicant, at which time the permit will be released.
- What is the City's timeline to review the site plan associated with case SP-2016-0476D?
 - **City Staff response:** See above.
- Does the City know what Travis County's timeline is for reviewing the site plan for this case?
 - **City Staff response:** I do not know the Travis County review schedule for this proposed development.
- What is the City's role in the approval or denial of the site plan associated with case SP-2016-0476D? What is Travis County's role?
 - **City Staff response:** The City has no land use authority within the ETJ, we review residential subdivisions and commercial site plans for compliance with regulations that are primarily related to water quality. Most other areas are reviewed solely by Travis County or they are not reviewed at all.
- Who should residents contact at Travis County if they have questions, concerns or would like to express their opposition or support?
 - **City Staff response:** Anna Bowlin at 854-9383.
- What City regulations does this site plan have to comply with before a site plan could be approved?
 - **City Staff response:** Per Section 25-1-2 of the Land Development Code water quality, utility district, city utility, and subdivision regulations apply in the ETJ. Since this is a commercial site plan water quality applies and city utility regulations apply to the extent they are using city utilities.
- What options are there for citizen input for the site plan associated with case SP-2016-0476D?
 - Is there a public hearing for the site plan?
 - **City Staff response:** There will be no public hearings unless a non-administrative variance is required for approval of the site plan.
 - If there are any variances or waivers would there be a public hearing?
 - **City Staff response:** Only if there are variances that cannot be administratively approved.

- Do the surrounding neighbors have an option to submit a valid petition for this site plan?
 - **City Staff response:** Valid petitions are only applicable to zoning cases.
- How can a resident sign up as an interested party?
 - **City Staff response:** If a person owns property or has an active utility account within 500 feet of the site applying for a permit, they should have received a notification letter regarding the proposed development.
- What does being an interested party mean?
 - **City Staff response:** Mainly that they receive notice of the development. Unless there are variances requested, review and approval of a site plan application is administrative. If the application meets the regulatory requirements it will be approved.

Questions regarding case SP-2016-0476D

- What is being proposed for this property?
 - **City Staff response:** A 132,500 sq. ft. 11-story hotel, five rental cabins and an unspecified number of what appear to be rental Airstream trailers.
- Please provide any information regarding the following:
 - **General information about proposed project:**
 - What is the proposed building heights of the project?
 - **City Staff response:** Unknown and not specified on the plans because the City does not regulate height in the ETJ.
 - What is the proposed impervious cover being used for the project?
 - **City Staff response:** 28,600 sq. ft. or 0.66 acres
 - What is the proposed building square footage of this project?
 - **City Staff response:** 132,500 sq. ft.
 - What is the proposed FAR of this project?
 - **City Staff response:** Unknown and not specified as the City does not regulate FAR in the ETJ.
 - **Traffic:**
 - TIA documents
 - **City Staff response:** None provided by the applicant.
 - Estimated trips per day (adjusted and/or unadjusted)
 - **City Staff response:** No such information was provided, and not required for properties within the ETJ.
 - Proposed traffic improvements
 - **City Staff response:** Unknown
 - What is the proposed parking for the project?
 - **City Staff response:** Unknown
 - Is there any ROW being required?
 - **City Staff response:** Unknown

○ **Environmental:**

- Impact on environment
 - **City Staff response:** Possible impacts include sediment runoff during construction, tree removal, long term impacts to Bull Creek water quality, and other impacts related to development in sensitive areas.
- Water quality: What is the estimate impact on water quality? Are there any water quality projects being proposed?
 - **City Staff response:** Water quality impacts have not been quantified. The project will be required to install stormwater treatment controls per City regulations.
- Drainage: Are there any downstream flooding impacts? Are there any drainage or flood mitigation being proposed?
 - **City Staff response:** The upstream and downstream low water crossings on Spicewood Springs Road flood frequently and are rated as a "Very High" flood hazard. There are areas of flooding downstream on Bull Creek. No flood mitigation appears to be proposed with the current proposal.
- Does the site plan propose building in the floodplain? If so, how much in each floodplain?
 - **City Staff response:** No development is currently proposed in the floodplain.
- Does the site plan propose building near any CEFs? If so, which CEFs and how close?
 - **City Staff response:** The only CEF shown on the plans is the bluff on the south side of Bull Creek. The city regulatory buffer for this CEF is outside any proposed development. Watershed staff have not reviewed the plans or walked the site to determine if any other CEFs are present.

○ **Austin Water Utilities:**

- **City Staff response:** Austin Water received a water and wastewater Service Extension Request (SER) applications from the developer's engineer in April of this year. The engineer was notified that the applications were incomplete and on hold at that time until the needed material was provided (annexation request). In June we asked for an update on the incomplete SER applications and the engineer stated that they were working on them. At this time the SER applications are on hold and incomplete. Austin Water site plan review staff recently made comments on SP-2016-0476D, indicating that that the SER applications cannot be processed until the applications are complete.

Because the existing water and wastewater infrastructure near the property cannot provide suitable and sufficient service to the proposed development, water and wastewater SERs are required. Also, the property is in the Drinking Water Protection Zone outside the full purpose corporate limits, therefore City council approval of the SERs will be required.

- **City Staff response:** The Service Extension Request (SER) will require Council approval after going to the Environmental Commission and Water and Wastewater Commission for recommendation. Per state law approval cannot be conditional and can only be a yes/no based on the application. If Council were to approve the SER the applicant could change their project in any way that still met City development regulations and didn't materially affect the utility service needed.

Watershed Protection Department staff review SERs in the DWPZ/ETJ. I [Chuck Lesniak, Watershed Protection Department] make a recommendation based on their potential to increase development density and cause negative environmental impacts. This recommendation is included in the backup for the Commissions and Council.

- How would the proposed project impact the water service and pressure of surrounding neighbors?
 - **City Staff response:** To serve the proposed development the applicant will need to construct an appropriately sized water line (for domestic use and fire protection) from the existing 16-inch water line at Yaupon Drive and Sesquicentennial Boulevard to the development (about 500 feet). This proposed water line will have no impact on surrounding neighbors, after construction of the improvements. Wastewater improvements will also be required. Because the wastewater application has not been reviewed, Austin Water staff does not have a complete picture at this time on what wastewater improvements may be required.
- How would the proposed project impact water pressure and the ability of AFD and Travis County to fight fires?
 - **City Staff response:** The proposed water line will provide the necessary fire protection required by either AFD or Travis County.

○ **Community Benefits:**

- Are there any proposed community benefits of the project?
 - **City Staff response:** Unknown – none offered by the applicant.
- Does the proposed project have to comply with the new parkland dedication ordinance that requires parkland dedication or Fee in Lieu for hotels?
 - **City Staff response:** Not required for properties in the ETJ.

o **Annexation:**

- Has this property been proposed for City Annexation in the past?
 - **City Staff response:** Yes, this area was annexed for limited purposes in 1984. In 1989, pursuant to the provisions of SB 962, the property owner at the time filed a disannexation request and the City was required to disannex this parcel in order to comply with SB 962.

In the early 1980s the City annexed large areas of the ETJ for limited purposes in an effort to extend city regulations to these areas, including zoning.

In the late 1980s the state legislature provided for a brief window during which the City was required to either convert these limited purpose areas to full purpose or honor a property owner's request to be returned to the ETJ. This was widely publicized and many property owners submitted the required request and were returned to the ETJ. Still there are a large number of properties that remain in the City's limited purpose jurisdiction today.

In later years the annexation statutes changed and the procedural requirements are much different for limited purpose annexations that are initiated today.

- Is this property on the list of proposed annexations in the future? If so when and what would be the process?
 - **City Staff response:** No, this area is not currently scheduled for annexation.