

BMX Track – Staff Notes April 2021

Legal Discussion 4.16.21

- Strongly advised we shut down the park pending outcome of our analysis due to potential liabilities.

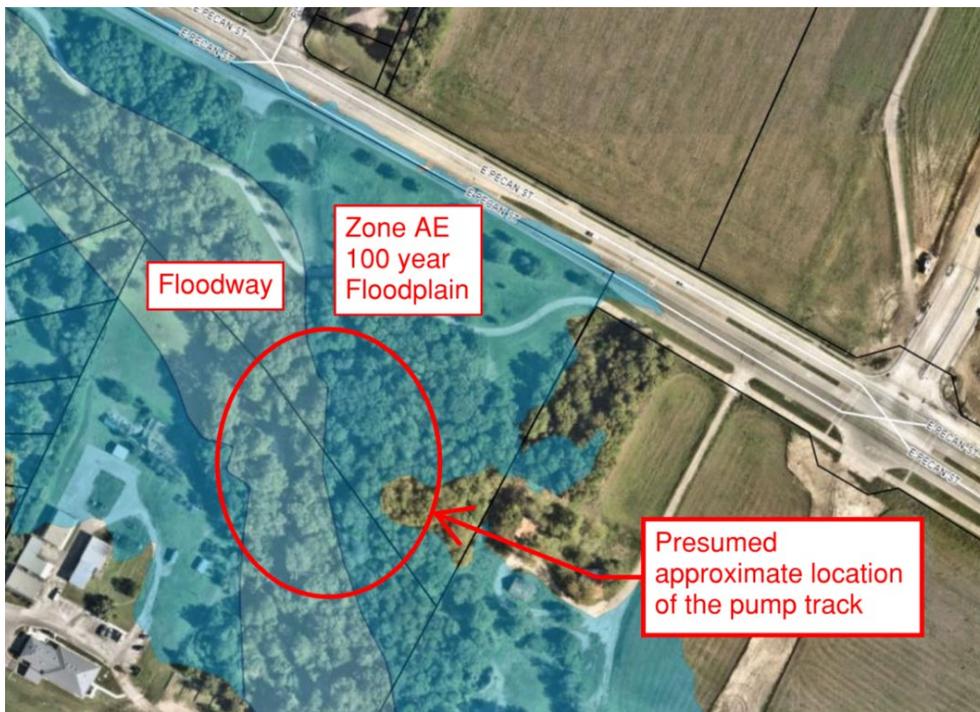
Floodplain and Environmental Comments

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April 14, 2020

The Pump Track is currently located in Zone AE floodplain and established Floodway along Gilleland Creek, south of East Pecan Street. Below is a list of concerns and needed remediations for the track to comply with City, State, and Federal floodplain management and Environmental rules and regulations.



1. Floodplain Development permit application along with all required data and as outlined in Code of Ordinances Title XV, Chapter 151, must be submitted for review and approved by the City floodplain administrator. Code of Ordinances with floodplain permit requirements can be found here: <https://z2codes.franklinlegal.net/franklin/Z2Browser2.html?showset=pflugervilleset>
Floodplain Permit application can be found here: <https://www.pflugervilletx.gov/home/showpublisheddocument?id=3011>

2. A survey needs to be provided showing the exact location of the track improvements including any mounds and structures and the developed contours of the track improvements in relation to the floodway and floodplain.
3. A Hydrologic and Hydraulic analysis (floodplain study) needs to be performed by a Professional Civil Engineer to analyze impacts of the track improvements and grading on the effective floodplain base flood elevations (BFEs) on the site as well as downstream and upstream of the site. The study must show that the track improvements do not cause any increase to BFEs. The professional Engineer performing the study must provide certification of 'no rise' within the community.
4. The mounds along the track are currently built from sediment and are compacted with water from the creek. Pumping and storing the water from the creek for this use is not permitted. This activity requires a water rights permit through TCEQ.
5. Because the mounds are built from sediment, they are likely eroding and washing away during flooding events and being re-built after the floodwaters subside. Sediment washout downstream is a large concern as this will change floodplain and environmental conditions downstream and work to increase BFEs in the floodplain over time. The mounds must be built in a way that ensures no sediment washout or erosion. A professional civil engineer must provide construction details for the mounds as it relates to compaction, stabilization, and design to prevent erosion and must certify that the mounds have been built according to those details and that they can withstand the flows and velocities of the floodwaters such that they will not erode.
6. An environmental Stormwater Pollution Prevention Plan (SWPPP) is required along with Civil Engineering drawings for any required temporary or permanent stormwater control structures.
7. Obtain USACE (US Army Corp of Engineers) Corp 404 permit for dredged or fill material into waters of the US, or certification from professional engineer that no USACE permit is required.

City ADA Coordinator Comments

- Site has no access to main road
- Site is not connected to main road nor to the existing trail
- Site has no parking area
- Site failed to meet any engineering standards for all users
- Site is not equipped to accommodate ADA users
- Lack of appropriate safety measures

Fire Marshall Report

I've done a bit of research on the Tejano BMX Trails issue. As I mentioned briefly on site, much of the Fire Code focuses on traditional buildings, occupiable structures, etc. While there are certain elements of the current configuration that need to be addressed, much of this project is outside of our scope.

Below are my general findings and recommendations for how this project can meet the intent of the City's Fire Code.

Access/Addressing:

Based on a review of dispatch records, it appears there have been only 3 medical calls in the area from January 2018 to the current date. Although it's likely there are a few more calls we could not locate due to there not being an assigned 911 address, this is still far less than I anticipated.

I don't believe improved access to the track is needed based on the low frequency of calls and the relatively short, easy walk to the tracks from Pecan St. However, I do believe we need some sort of **signage or marker visible from the roadway** that indicates the trail's location. This will help ensure first responders have quick access to future patients/emergency scenes. I recommend a 911 address be assigned to this location and that number be posted visible from Pecan St.

Fire Pit:

Although the permanent fire pit is well constructed, it presents an unreasonable fire hazard. The area has a considerable fuel load with significant combustible vegetation very nearby. Any fire in the area would pose a significant and unnecessary risk to the neighborhood to the south and the animal services center to the west. I recommend **the fire pit no longer be used** in its current configuration.

Future Events:

Online videos indicate there have been a handful of larger events with several people attending. The **Fire Code requires that public safety plans be developed for outdoor gatherings** that may have an adverse impact on public safety. The public safety plans, at a minimum, would include details on emergency vehicle ingress/egress, information on traffic impacts, vendor/food concession items, a discussion on the need for on site EMS or Law Enforcement and other general safety items.

Depending on the size of the event, these plans may be required for larger gatherings in the future. I recommend the organizers/responsible parties contact our office to discuss the need for and content of such plans.

Building Inspections



Guards around perimeter of platform:

Opening limitations exceeded in accordance with 1015.4 (4" max between openings), inadequate strength in accordance with IBC 1015.2, 1607.8.1 (50lbs per linear ft), 1607.8.1.1 Concentrated load (200lbs). Min height of rail should be 42", would need to confirm.



Structural Support:

Inadequate structural support of platform in accordance with IBC 1604.2 Strength (load factors), 1604.3 Serviceability (deflection and lateral drift). Trees are providing a majority of the lateral support for the structure.



General Framing:

Inadequately sized and supported center girder, missing proper hangars on all floor joists, exterior rim board inadequately sized for load imposed in accordance with IBC Table 1607.1 (100 psf), IBC 2301.2 General Design Requirements. Could not confirm the use of Pressure treated lumber in accordance with IBC 2303.1.9, and 2304.12

Being in a public area and therefore considered a commercial structure the proposed work should have been designed by a licensed professional (engineer or architect) in accordance with City of Pflugerville Code Section 150.12 (B) which states:

107.1 General. Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted in five sets with each permit application. For all nonresidential new construction and remodel projects, the construction documents shall be prepared by a design professional registered with the State of Texas.

The structure may predate the code sections provided. I would need to know the approximate date of construction to more accurately cite code provisions adopted at the time of construction.