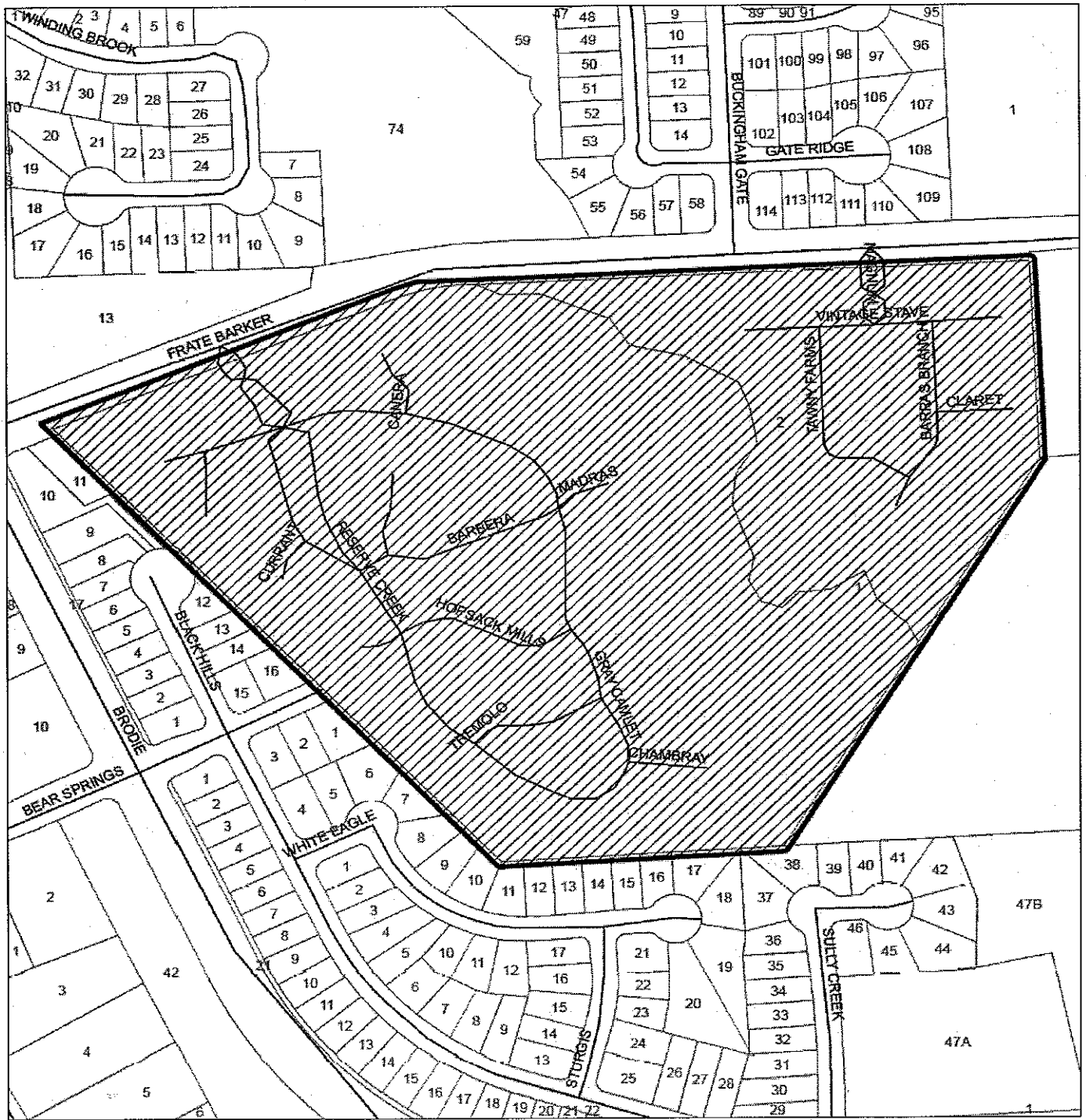




-  Subject Tract
-  Base Map

CASE#: SP-2008-0061C(XT2).MGA
ADDRESS: 2601 & 2645 Frate Barker



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 and represents only the approximate relative location of property boundaries.

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

ORDINANCE NO.

**AN ORDINANCE APPROVING A MANAGED GROWTH AGREEMENT FOR
DEVELOPMENT OF THE SHADY HOLLOW GARDEN TOWNHOMES.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The Council finds that the Shady Hollow Garden Townhomes site plan project described in SP-2008-0061C(XT2).MGA is a large, long term project under Section 25-1-540 (*Managed Growth Agreements*).

The Council approves the managed growth agreement ("MGA") covering the Shady Hollow Garden Townhomes between the City of Austin and Madison City Homes, attached and incorporated into this ordinance as Exhibit A. To the extent the MGA conflicts with the City Code, the MGA shall be controlling.

The City Manager or his designee may execute the agreement for the City.

The Council waives board or commission review, if any, required for the MGA.

This ordinance takes effect on _____, 2013.

PASSED AND APPROVED

_____, 2013 §
 §
 §
_____, 2013 §

Lee Leffingwell
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk

SHADY HOLLOW GARDENS (AKA GABARDINE)

NOT TO SCALE

PRIVATE BARBER ROAD

CITY OF AUSTIN
WATER TIE-IN

MINOR
TRIBUTARY

CITY OF AUSTIN
WASTEWATER TIE-IN

CITY OF AUSTIN
WATER TIE-IN

DETENTION
POND

DETENTION
POND

CONTRIBUTED \$79,316 TO THE
CONSTRUCTION COST OF THE CITY
OF AUSTIN, LIFT STATION.

TIE TO CITY OF AUSTIN
LIFT STATION

PLAT DATES:

ORIGINAL SUBMITTAL DATE: 11-08-2004
CITY APPROVAL: 7-08-05
TRAVIS COUNTY COMMISSIONERS COURT
APPROVAL: 8-02-05
RECORDING DATE: 11-08-06
SITE PLAN DATES: SP-2008-0061D
ORIGINAL SUBMITTAL DATE: 2-07-08
CITY APPROVAL: 12-15-08
COUNTY APPROVAL: 10-3-08

ANNEXATION DATES: HEARINGS 10-16-08, 10-23-08;
ANNEXATION EFFECTIVE: 12-31-08

LOT 1 = 25.730 ACRES

COMPLETE INFRASTRUCTURE
PUBLIC STREET IMPROVEMENTS, STREET
IMPROVEMENTS, WATER, WASTEWATER, DRAINAGE,
LANDSCAPING, AMENITIES
FUTURE STREETS, WHICH ARE CLEARED AND GRUBBED
HOME SOLD - 1
HOME PERMITTED - 17
FUTURE HOME - 74

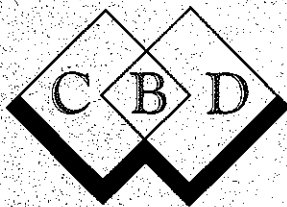
EXISTING CITY OF AUSTIN PUBLIC INFRASTRUCTURE
17 - RESIDENTIAL PUBLIC WATER AND WASTEWATER TAPS
2 - IRRIGATION METERS
2,496 LF PUBLIC WATER LINE
951 LF PUBLIC WASTEWATER LINE

LOT 2 = 9.212 ACRES

COMPLETE INFRASTRUCTURE
PUBLIC STREET IMPROVEMENTS, STREET
IMPROVEMENTS, WATER, WASTEWATER, DRAINAGE,
LANDSCAPING, AMENITIES
HOME SOLD - 37
HOME PERMITTED - 5
FUTURE HOME - 12

EXISTING CITY OF AUSTIN PUBLIC INFRASTRUCTURE
53 - RESIDENTIAL PUBLIC WATER AND WASTEWATER TAPS
2 - IRRIGATION METERS
1,684 LF PUBLIC WATER LINE
2,682 LF PUBLIC WASTEWATER LINE
OTHER EXISTING UTILITIES: PEO ELECTRIC, TIME WARNER,
AT&T

SP-2008-0061C



Carlson, Brigrance & Doering, Inc.

Civil Engineering ♦ Surveying

June 8, 2012

Mr. Greg Guernsey, Director
City of Austin Planning & Development Review Dept.
505 Barton Springs Road
Austin, Texas 78704

**RE: SHADY HOLLOW GARDEN TOWNHOMES
CITY FILE # SP-2008-0061C (ANNEXED)
CBD # 4253
REQUEST FOR MANAGED GROWTH AGREEMENT**

Dear Mr. Guernsey:

We hereby request that the city council enter into a Managed Growth Agreement for the above project, pursuant to Section 25-1-540 of the City of Austin Land Development Code.

Background

Shady Hollow Gardens Subdivision is a 34.942 acre tract and will include 145 townhomes with their associated driving and parking areas and utilities. The site is located within the City of Austin city limits. Access is provided to the site via Frate Barker Road. This property is located in the Bear Creek Watershed and is classified as a Suburban watershed by the City of Austin. The project is located within the Edward's Aquifer Recharge Zone.

Status

Phase A infrastructure is complete, which includes the Eastern portion of the project and a wastewater main extended across the western portion for serving Phase A. Approximately 60 percent of the homes of phase A have been constructed. The western portion of the project is separated out into 11 phases. Phases 1 and 2 are now under construction.

Request for Managed Growth Agreement

Economic circumstances of the past few years have delayed the construction of homes for phase A. These circumstances have resulted in a delay of construction for the remaining infrastructure as well. The projects expiration date is approximately 7 months away on December 15th 2012. At 12 units per year currently, the owner will not be able to build the remaining infrastructure and obtain permits for all buildings by this date. For this reason, the project is a long-term project with a design and construction that exceeds eight years.

The owner shall meet or exceed current regulations for a period of eight years beyond the project duration date, or December 15th, 2020. The site plan elements will be completed as building elements sell.

While the owner desires to complete construction and sale units as quickly as possible, an eight year period for a Managed Growth Agreement allows for unforeseen circumstances beyond the owner's control (such as troubled economic conditions that led to the project's delay to date).

Attached is our application for the Managed Growth Agreement. Thank you for your consideration.

If additional information is required please contact me at 280-5160.

Sincerely,

CARLSON, BRIGANCE & DOERING, INC.

A handwritten signature in black ink, appearing to read 'Lee A. Whited', is written over a horizontal line.

Lee A. Whited, P.E.
Project Engineer



CITY OF AUSTIN
Site Plan Permit

Permit No.: SP-2008-0061D Expiration Date: 2/7/2011
Project Name (or description): Shady Hollow Garden Townhomes (Withdrawn &
Resubmittal of SP-2007-0312D)
Address or Location Description: 2601 Frate Barker Road
Watershed: Bear Creek
Owner of Property: Shady Hollow Gardens Ltd., c/o David Mahn
Address: 6001 W. William Cannon Dr. #201, Austin, TX 78749
Owner's Representative: Carlson, Brigrance & Doering (Joann Eagle, P.E.)
Address: 5501 West William Cannon Drive, Austin TX 78749
Legal Description: Lot 1 & 2 of the Shady Hollow Gardens Subdivision

PERMIT IS HEREBY ISSUED FOR:

The construction of 145 town homes, parking, water quality and detentions ponds and associated improvements on 34.94 acres.

CONDITIONS OF PERMIT

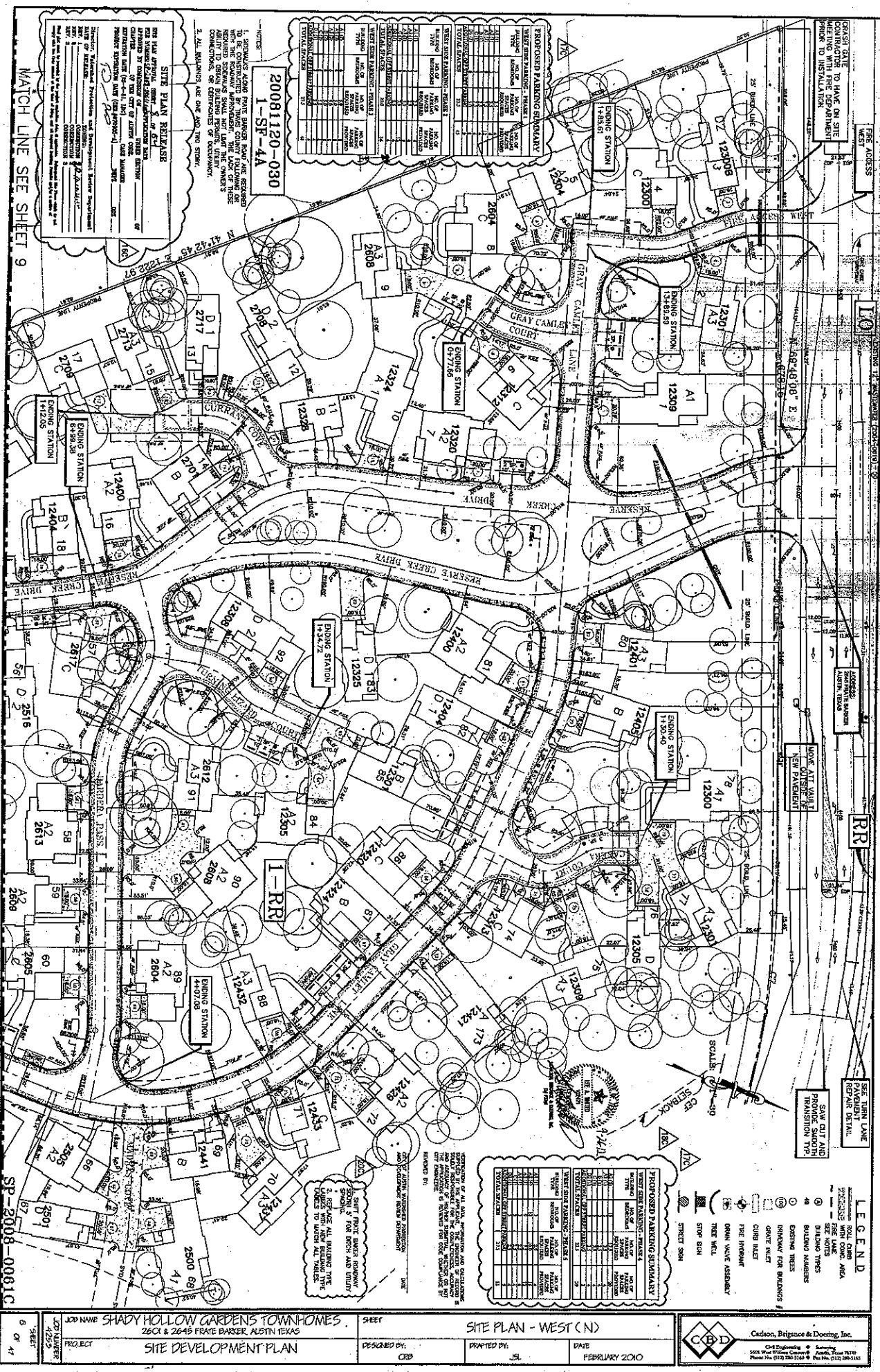
It is agreed that the proposed development shall be performed and completed in accordance with the plans and specifications approved by the City of Austin Standard Specifications and Code requirements, and State of Texas construction safety statutes. All development approved by this permit is subject to the inspection and control of the City of Austin.

It is the responsibility of the permit holder to identify all utilities in the work area and to notify each utility of the scope of work in the immediate area of the utilities.

ENGINEER'S CERTIFICATION: Inspection and a "Certification of Completion" by a Texas Licensed Engineer is required for the development approved by this permit. No Certificate of Occupancy may be approved until the Engineer's Certification is filed. The engineer is responsible for the adequacy of the plans submitted with this application.

SPECIAL CONDITIONS:

Thomas S. Hill For *Shady Hollow Gardens LTD* *12-16-08*
Signature of Applicant Owner Date
William H. Hill *12/16/08*
Permit Approved by City of Austin Date



SITE PLAN RELEASE
THIS PLAN RELEASES THE CITY OF AUSTIN FROM ALL LIABILITY FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT. THE CITY OF AUSTIN IS NOT RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT. THE CITY OF AUSTIN IS NOT RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT. THE CITY OF AUSTIN IS NOT RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE PROJECT.

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8. ALL BUILDINGS ARE ONE AND TWO STORY.

9. ALL BUILDINGS ARE ONE AND TWO STORY.

10. ALL BUILDINGS ARE ONE AND TWO STORY.

MATCH LINE SEE SHEET 9

SP-2008-0081C

SHADY HOLLOW GARDENS TOWNHOMES
2601 & 2645 FRATE BARBER, AUSTIN, TEXAS

SITE DEVELOPMENT PLAN

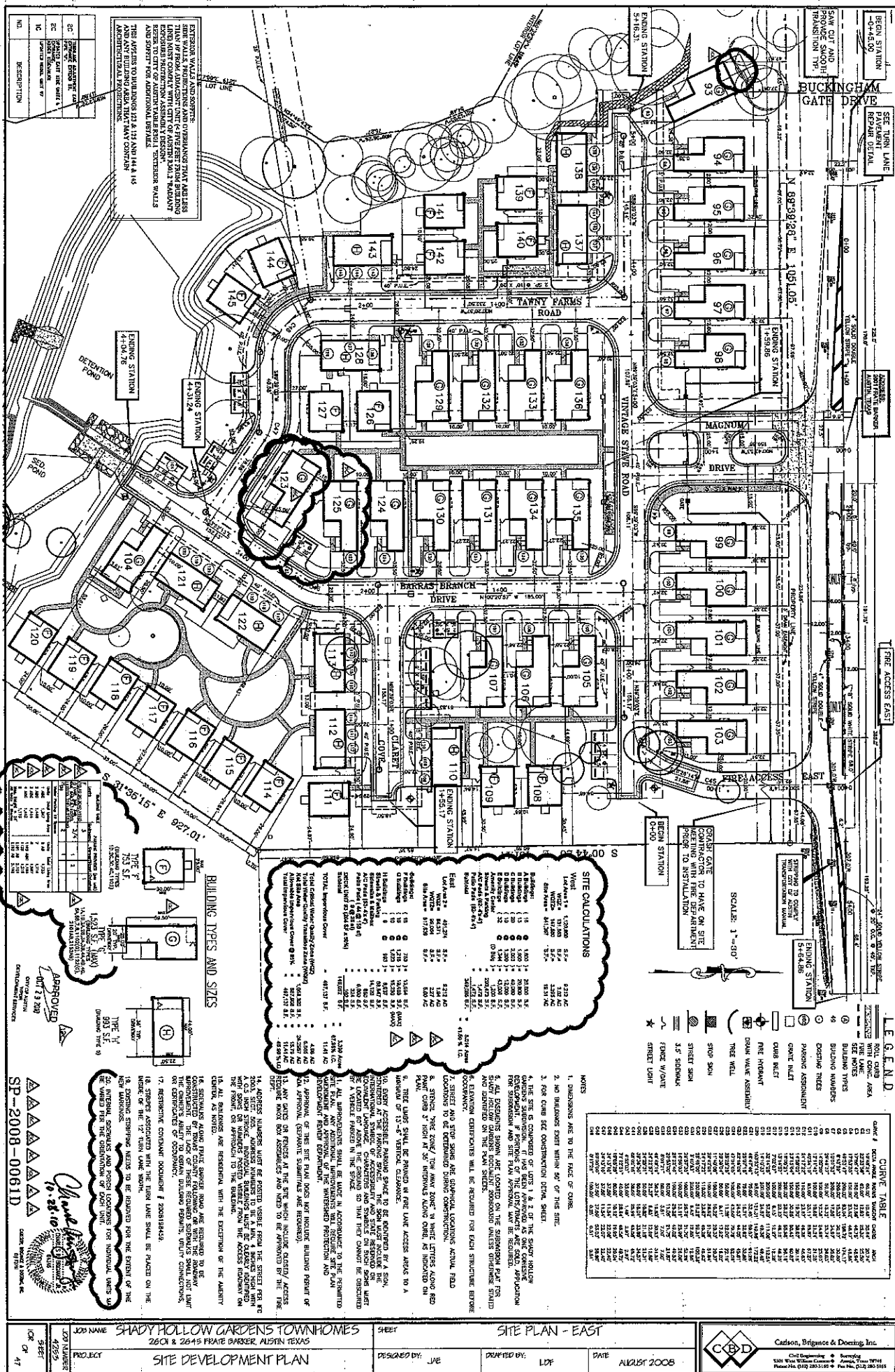
SITE PLAN - WEST (CND)

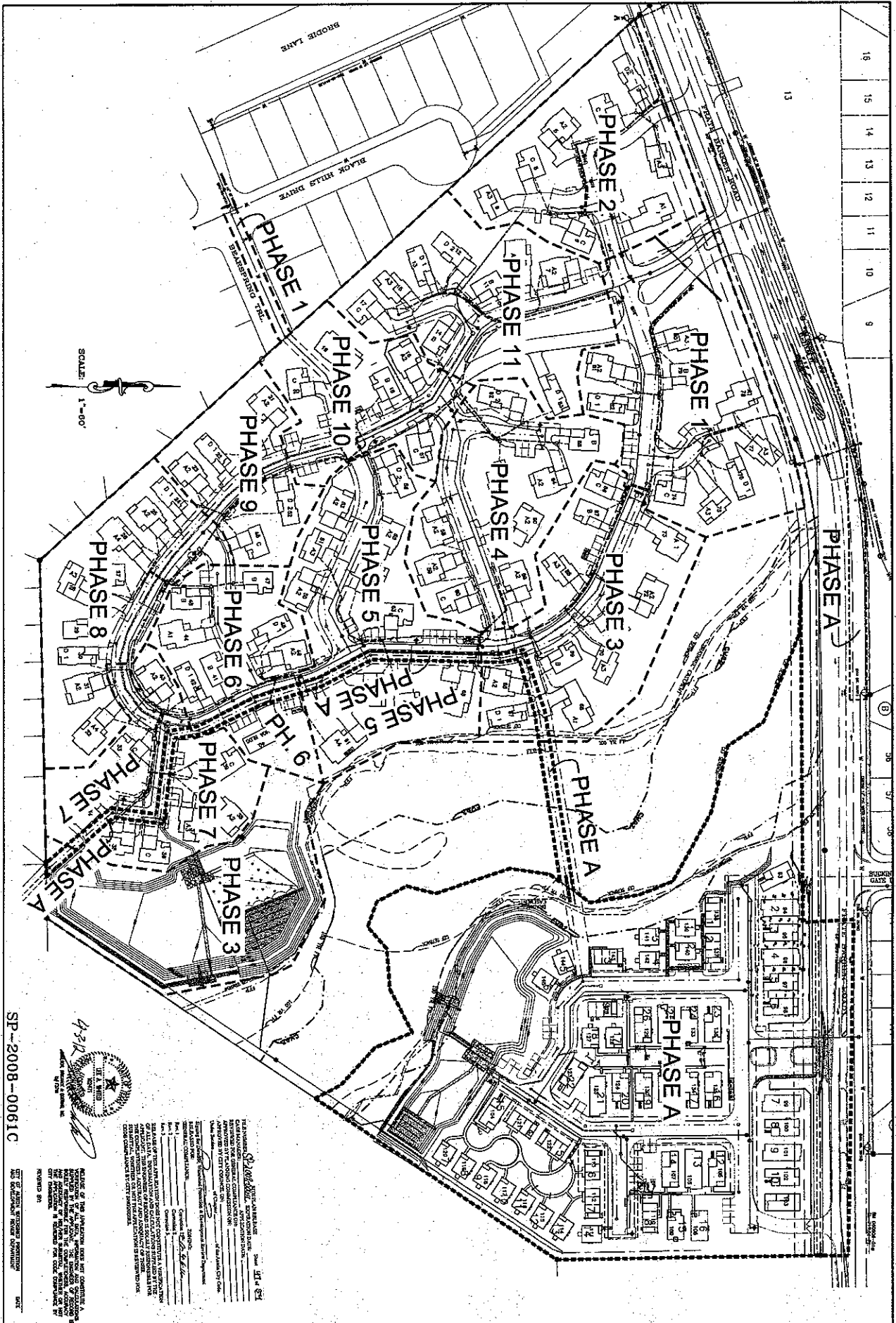
DESIGNED BY: CRP
PRINTED BY: JSL
DATE: FEBRUARY 2010

LEGEND

- 1. SOIL CURE AREA
- 2. FIRE LANE
- 3. BUILDING NUMBER
- 4. DRIVEWAY
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CRD Engineering & Surveying
3001 West 10th Street, Suite 100, Austin, Texas 78741
Phone: (512) 382-1100 • Fax: (512) 382-1101





SP-2008-0061C



SHADY HOLLOW GARDENS TOWNHOMES
 2601 & 2645 FRANK PARKER, AUSTIN TEXAS

PHASING PLAN

DESIGNED BY: LAW
 DRAWN BY: JSL
 DATE: NOVEMBER 2011

