

ZONING CHANGE REVIEW SHEET

CASE: C814-2012-0055
Covered Bridge Planned Unit Development (PUD)

P.C. DATE: December 11, 2012
January 22, 2013

ADDRESS: 6714 Covered Bridge Drive

AREA: 38.13 acres

OWNERS: PPF AMLI Covered Bridge Drive, LLC (Tract 1); CBAL Whitecrowe LLC (Tracts 2 & 4); Covered Bridge Section 8, LLC (Tract 3)

AGENT: Thrower Design (A. Ron Thrower)

NEIGHBORHOOD PLAN AREA: Oak Hill Combined, (West Oak Hill)

WATERSHED: Williamson Creek/Barton Springs Zone/Edwards Aquifer Contributing Zone

TIA: See Transportation Comments, Page 4

SCENIC ROADWAY: No

CAPITOL VIEW CORRIDOR: No

DESIRED DEVELOPMENT ZONE: No

SUMMARY STAFF RECOMMENDATION:

Staff recommendation is to grant Planned Unit Development-Neighborhood Plan (PUD-NP) zoning district, subject to conditions outlined in this report and recommendations made by the Environmental Board on January 16, 2013.

PLANNING COMMISSION RECOMMENDATION:

December 11, 2012: *TO POSTPONE TO JANUARY 22, 2013, AS REQUESTED BY STAFF. APPROVED ON CONSENT, MOTION BY STEVENS, 2ND BY NORTEY. (6-0-3)(ANDERSON, HATFIELD, HERNANDEZ ABSENT).*

January 22, 2013: *RECOMMEND TO GRANT APPROVAL OF AMENDMENT TO RESTRICTIVE COVENANT AS RECOMMENDED BY STAFF, APPROVED ON CONSENT. [NORTEY; HATFIELD, 2ND] (8-0-1) STEVENS ABSENT.*

ENVIRONMENTAL BOARD RECOMMENDATION:

January 16, 2013: *TO RECOMMEND ENVIRONMENTAL ASPECTS OF THE PROPOSED PUD, INCLUDING EXCEPTIONS TO THE LDC, AS RECOMMENDED BY STAFF. MOTION BY SCHISSLER, 2ND BY NEELEY. (5-0-2) (WALKER, GARY ABSENT).*

ISSUES:

Four tracts comprise the 38.13 acre Covered Bridge PUD site; Tracts 1, 2, and 3 (approximately 32.03 acres cumulatively) have development entitlements dating back to the 1980s. Entitlements are based on existing subdivision plats, restrictive covenants, zoning, and site plans. Tract 4 (approximately 6.10 acres) is subject to current regulations (**Exhibit A- PUD Tracts**). The entitlements establish land uses and locations, impervious cover limits, water quality standards, and other environmental regulations. The PUD-NP rezoning proposes a compromise between the 1980s entitlements and current standards for all four tracts, as well as switching the locations of residential and commercial development. The overall proposal is a reduction of development intensity from the 1980s entitlements, but still more intense than

current regulations. The PUD-NP rezoning would require a super majority vote of the City Council for approval, due to its location in the Barton Springs Zone.

COA STAFF COMMENTS:

Existing Conditions:

The subject property is located at the southwest corner of US Highway 71 West and Covered Bridge Drive. Across US Hwy. 71 to the north are agricultural or undeveloped lots zoned AG-NP, LR-NP, and GR-NP, as well as properties developed with civic and multifamily land uses. To the east across Covered Bridge Drive from Tract 1 is land zoned MF-1-NP and developed with multifamily. Most of the remaining adjacent property along Covered Bridge Drive is zoned MF-1-NP, and developed as townhouse/condominium. One tract immediately adjacent to Tract 3 is a park operated by the Covered Bridge Property Owners Association, Inc. Further east is undeveloped land zoned SF-2-CO-NP. South of the subject property is a City of Austin regional detention pond; further south is single family residential. Both areas are zoned SF-6-NP. The City property is accessed through an easement on Covered Bridge Tract 4, and the proposed PUD continues to provide access for the City property. West of the subject property is land zoned RR-NP, and used as a rural residence (**Exhibits B & C – Zoning and Aerial Maps.**)

Proposed Development:

The PUD-NP rezoning proposes reorganizing land uses that were previously established by various entitlement documents (zoning, restrictive covenant, subdivisions and site plan). These documents permitted commercial land uses near US Highway 71 (Tract 1) and townhouse/condominium land uses further south (Tract 2). With the proposed PUD-NP request, a mix of commercial and multifamily would be permitted on Tract 1, and congregate living, which is considered civic, would be the primary use on Tracts 2 and 4. Tract 3 would remain undeveloped except for water quality features.

The proposed PUD-NP land uses are consistent with community commercial-mixed use (GR-MU) zoning district, with the following specific uses: 250 multifamily units, 8,000 square feet of general retail, 8,000 square feet of restaurant, 16,000 square feet of administrative/ business office, and a 200-bed congregate living facility. The Applicant has worked with Covered Bridge Property Owners Association, Inc., regarding the proposed PUD, and has prohibited several land uses and adjusted development standards. Exhibits I, J and K show the proposed Land Use Plan, land uses, and neighborhood correspondence.

Entitlements:

Tracts 1-3 are subject to a 1985 restrictive covenant that limits impervious cover on each of these tracts to 50% gross site area, allows them to be subject to the Williamson Creek Watershed Ordinance (WCO), and allows for development in the Critical Water Quality Zone. The WCO does not limit cut or fill. The restrictive covenant also designates the zoning for each tract.

Tract 4 does not have any entitlements and is therefore subject to current code with an allowable 25% impervious cover (net site area), limits on cut/fill, construction on slopes, and development in the Critical and Transition Water Quality Zones.

A site development permit for Tract 1 was approved by the City on March 29, 2006, as Covered Bridge Village (SP-05-1513C). The site plan proposed 8 commercial buildings and nearly 318,000 square feet (7.3 acres) of impervious cover on Tract 1. The site plan was developed under the Williamson Creek Watershed Ordinance, 810319-M, which allowed 50% impervious cover on a gross site area basis. The approved site plan proposed 49% impervious cover.

Environmental:

COA Watershed Protection Department has recommended the PUD-NP request, as presented in the memorandum to the Environmental Board for consideration on January 16, 2013 (**Exhibit D- Memo to EV Board**). A summary of the Staff recommendation from that memo follows:

“Staff recommends approval of this PUD because:

- Impervious cover is reduced by 4.1 acres compared to what could be built under the restrictive covenant for tracts 1-3.
- Provides treatment for portions of Hwy 71 that are currently untreated.
- Significantly reduces pollutant loadings by approximately 200-700% depending on pollutant.
- Provides significant protection to Williamson Creek from development allowed under existing entitlements by:
 - Prohibiting development on tract 3,
 - Prohibiting development in CWQZ on tract 2 other than re-irrigation use
 - Moving development on tract 2 to the area furthest from the creek, and
 - Prohibiting development in the CWQZ on tract 1 other than a biofiltration pond and single driveway
- Protects numerous large pecan trees on tract 2 and requires compliance with all aspects of the City’s tree protection rules.
- Incorporates water conservation measures such as rainwater harvesting and native landscaping.”

Another key summary from the memo is shown below:

Comparison of Allowed vs. Proposed Impervious Cover and Water Quality

Tract	Allowed IC (ft ²)	Proposed IC (ft ²)	Allowed Water Quality	Proposed Water Quality
1	324,086	338,000	1980’s Sed/filtration	Modern biofiltration
2	301,000	91,000	1980’s Sed/filtration	SOS non-degradation
3	70,785	0	1980’s Sed/filtration	No development
4	21,508	108,000	SOS non-degradation	SOS non-degradation
Total	717,379	537,000		

The Environmental Board reviewed the Covered Bridge rezoning on January 16, 2013; their action is noted on the first page of this report. *The Environmental Board memo summarizing their actions will be attached to the Staff Report when it becomes available (Attachment E- EV Board Decision Summary).*

PUD Tier One/Tier Two Analysis:

Please see the attached Tier One/Tier Two tables for a line-by-line review of how the proposed PUD meets or exceeds all Tier One requirements and meets or exceeds selected Tier Two PUD standards (**Attachment F- Tier One/Tier Two Tables**). In addition to the items addressed in the Environmental section of this report, some other key PUD benefits include increased open space, trails, tree preservation, parkland fees, and more. For example, almost 50% of the PUD boundary is set aside for open space and trails. Xeriscape, rainwater harvesting and integrated pest management are included as elements of the PUD proposal. It is also projected that the PUD will generate significantly less traffic than previously approved developments on the properties.

Transportation:

Staff will waive the Traffic Impact Analysis (TIA) requirement with the requirement that the PUD-NP zoning case limit the number of unadjusted trips to 4,500 per day. A previous TIA was prepared for this property approximately 7 years ago and the build out year was assumed as 2008. Since the traffic conditions have changed in the area due to lot more developments, staff may require an updated TIA with the site plan(s). Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA. [LDC, Sec. 25-6-142].

Other:

- The Proposed PUD-NP zoning and land use plan complies with the Oak Hill Combined Neighborhood Plan, which designates this area for Mixed Use development, The PUD also complies with the Imagine Austin Comprehensive Plan.
- Austin Independent School District (AISD) has reviewed the PUD since approximately 250 multifamily units are proposed. The Educational Impact Statement (EIS) prepared by AISD is attached, and estimates that the schools will be able to accommodate the additional students (**Exhibit G- EIS Memo**).
- A copy of the Applicants presentation to Environmental Board (January 16, 2013) is attached (**Exhibit H- Applicant Presentation**).
- A copy of the formal PUD Land Use Plan is attached (**Exhibit I- PUD Land Use Plan**).
- Two tables listing land uses that are proposed to be Allowed, Conditional, and Prohibited on PUD tracts are attached for review (**Exhibit J- Permitted Land Use Tables**).
- A letter of support (with conditions) from Covered Bridge Property Owners Association, Inc. is attached (**Exhibit K- Neighborhood Letter**).

SCHOOLS:

Oak Hill Elementary School

Small Middle School

Bowie High School

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR-NP, GR-CO-NP, MF-1-NP, SF-6-NP, RR-NP	Undeveloped, joint access driveway
<i>North</i>	AG-NP, LR-NP, GR-NP	Agricultural, Undeveloped, Civic, Multifamily
<i>South</i>	SF-6-NP	Civic, Residential
<i>East</i>	MF-1-NP, SF-2-CO-NP	Multifamily, Townhouse/condominium, Park, Undeveloped
<i>West</i>	RR-NP	Residential

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-98-0223 (see below)	MF-1 to GR-CO	Approved GR-CO. limiting trips to 2,000/day (Vote: 9-0). 1/19/99	Approved as recommended 2/25/1999

Related Case Numbers:

All of the existing zoning on the PUD site was zoned in 1985, as part of C14-85-288.45 RC. A portion of Tract 1 was rezoned from MF-1 to GR-CO in 1998, as C14-98-0223.

ABUTTING STREETS:

Name	ROW	Pavement	Class	Sidewalk	Bus Route	Bike Route
US Highway 71 West	150'	75'	Hwy	No	No	No
Covered Bridge Drive	60'	40'	Collector	No	No	No

NEIGHBORHOOD ORGANIZATIONS:

Oak Hill Association of Neighborhoods
 Hill Country Estates Homeowners Association
 Covered Bridge Property Owners Association
 Covered Bridge Property Owners Association, Inc.
 Wynnrock Area Neighborhood Association
 Gardens at Covered Bridge HOA
 Thomas Springs Alliance
 Oak Hill Trails Association
 Oak Hill Neighborhood Planning Contact Team

CITY COUNCIL DATE: January 31, 2013: **ACTION:** TO POSTPONE TO FEBRUARY 28, 2013,
 AS REQUESTED BY STAFF, (7-0) (SPELMAN- 1ST, COLE- 2ND).

February 28, 2013:

ACTION:

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Heather Chaffin
 e-mail: heather.chaffin@austintexas.gov

PHONE: 974-2122

Exhibit A- PUD Tracts
Exhibits B & C – Zoning and Aerial Maps
Exhibit D- Memo to EV Board
Attachment E- EV Board Decision Summary
Attachment F- Tier One/Tier Two Tables
Exhibit G- EIS Memo
Exhibit H- Applicant Presentation
Exhibit I- PUD Land Use Plan
Exhibit J- Permitted Land Use Tables
Exhibit K- Neighborhood Letter

SUMMARY STAFF RECOMMENDATION:

Staff recommendation is to grant Planned Unit Development-Neighborhood Plan (PUD-NP) zoning district, subject to conditions outlined in this report and recommendations made by the Environmental Board on January 16, 2013.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. The proposed zoning should be consistent with the purpose statement of the district sought.

The proposed PUD-NP zoning request meets all elements of the definition of a PUD district, as well as the purpose statement. The LDC states:

“(A) Planned unit development (PUD) district is the designation for a large or complex single or multi-use development that is planned as a single contiguous project and that is under unified control.

(B) The purpose of a PUD district designation is to preserve the natural environment, encourage high quality development and innovative design, and ensure adequate public facilities and services for development within a PUD.

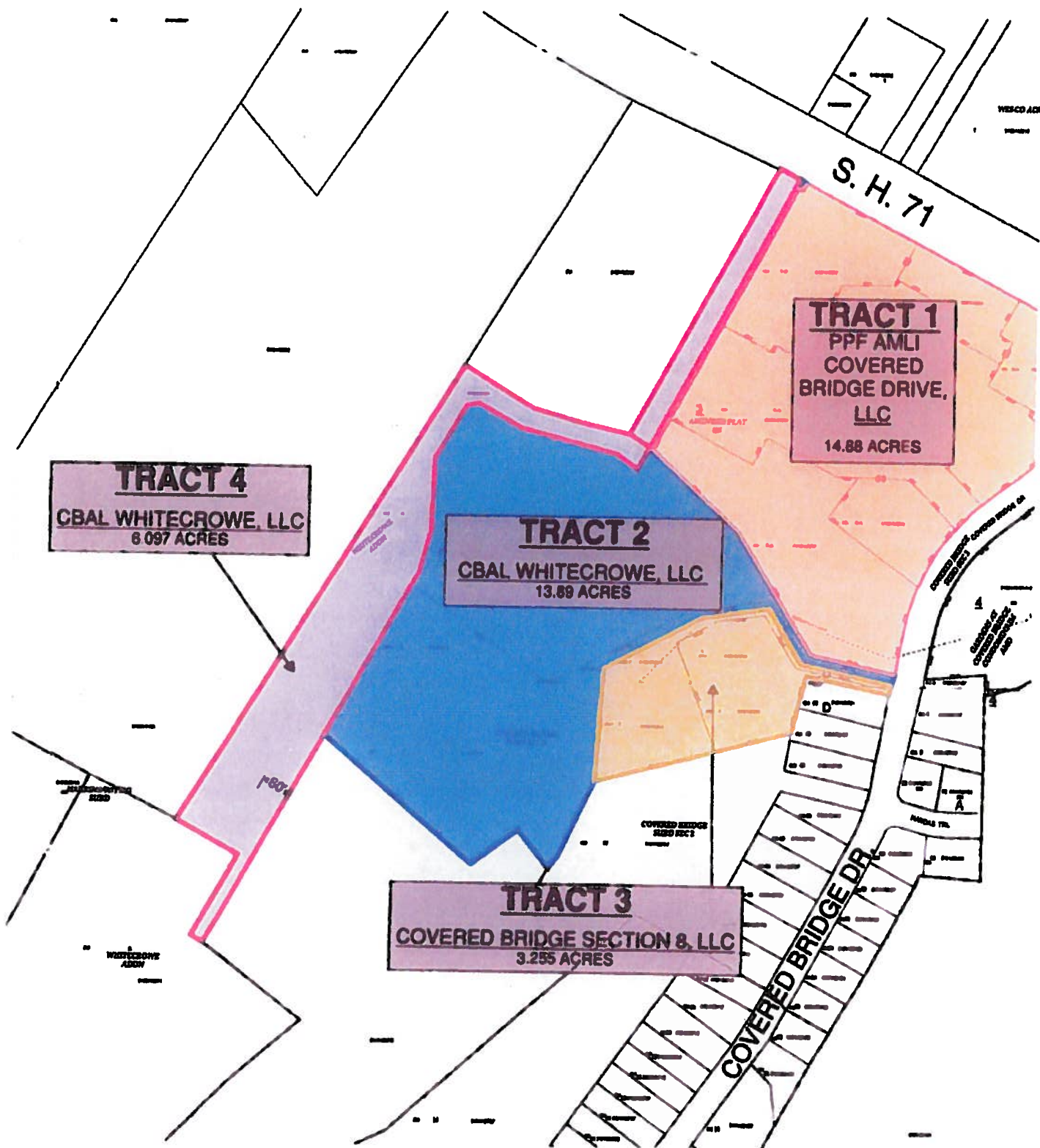
(C) A PUD district designation provides greater design flexibility by permitting modifications of site development regulations. Development under the site development regulations applicable to a PUD must be superior to the development that would occur under conventional zoning and subdivision regulations.”

2. Zoning should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.

The proposed PUD-NP zoning land uses are consistent with community commercial-mixed use (GR-MU) zoning district, which is appropriate for the SH 71 location. It is also less intensive zoning when compared to the existing zoning on the property. The land uses on the PUD land use plan— multifamily, retail, restaurant, administrative/ business office, and congregate living facility—are also significantly less intense than existing approved plans for portions of the PUD site. The PUD will also be required to comply with City compatibility standards in regards to adjacent properties.

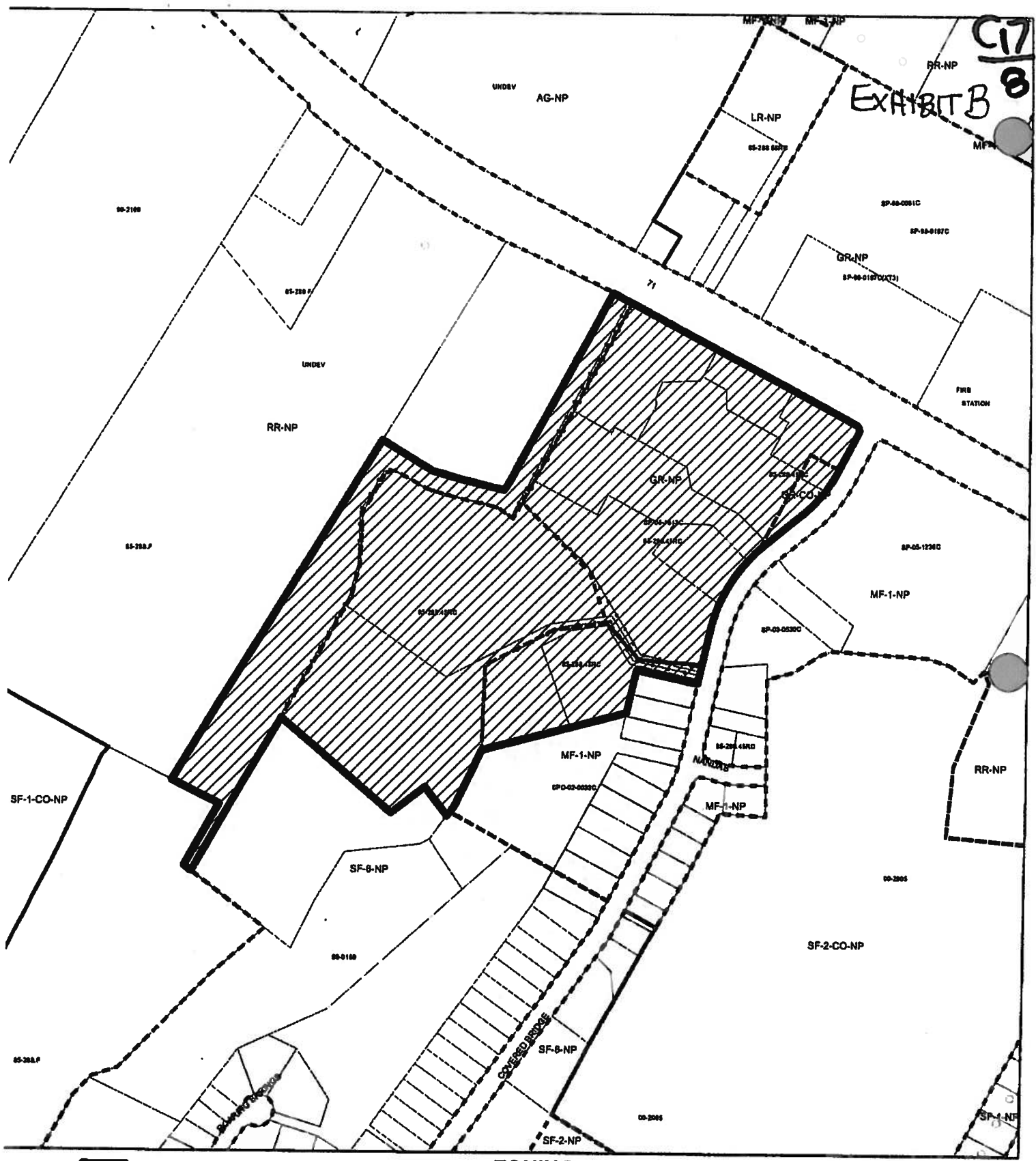
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EXHIBIT A



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EXHIBIT B



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SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

1" = 400'

ZONING

ZONING CASE#: C14-2012-0055

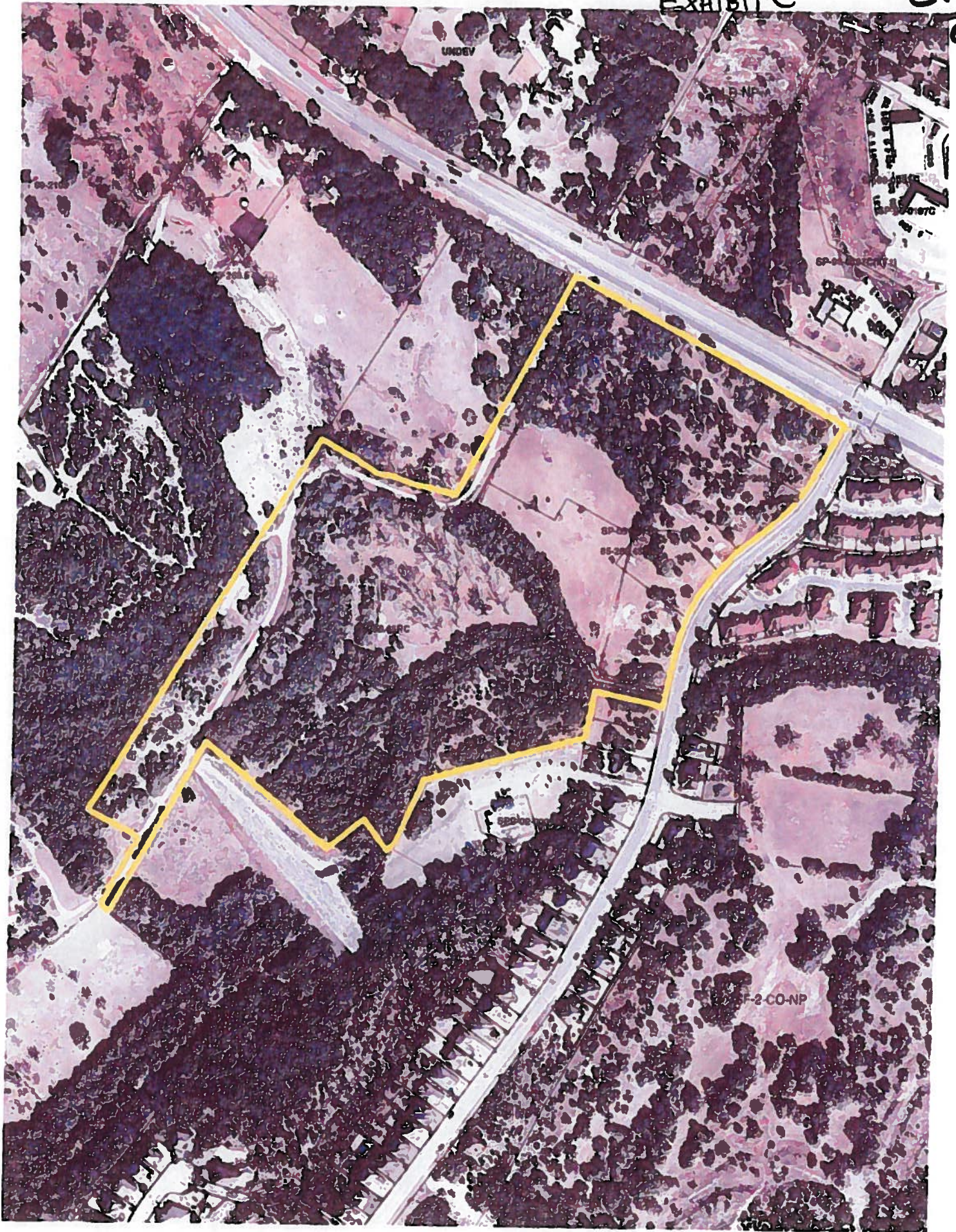
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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EXHIBIT C

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MEMORANDUM

TO: Mary Gay Maxwell, Chairperson and Members of the Environmental Board

FROM: Chuck Lesniak, Environmental Officer
Watershed Protection Department

DATE: January 11, 2013

SUBJECT: Covered Bridge PUD C814-2012-0055

On your January 16, 2013 agenda is a request for consideration and approval of the environmental aspects of the proposed Covered Bridge PUD. Outlined below are a description of the environmental aspects and considerations that have been addressed during review of the proposed PUD, including existing regulatory entitlements that apply to three of the four tracts that make up the PUD, proposed environmental enhancements and proposed exceptions to the environmental code requirements requested by the applicant. Staff recommends approval of the project based on our finding that the proposed project is environmentally superior to what could be built under existing regulatory entitlements.

Description of Property

The PUD is located in the Williamson Creek Watershed, which is classified as the Barton Springs Zone and the Drinking Water Protection Zone. The PUD is in the Edwards Aquifer Contributing Zone. The main stem of Williamson Creek and a tributary divide the property (fig. 1) into three sections. The PUD includes four tracts of land with one (tract 4) currently containing a single family structure and driveway. The driveway also provides access to a City maintained stormwater facility southwest of tract 4. The remaining three tracts are undeveloped.

Tracts 1-3 are subject to a 1985 restrictive covenant that limits impervious cover on each of these tracts to 50% gross site area, allows them to be subject to the Williamson Creek Watershed Ordinance (WCO), and allows for development in the Critical Water Quality Zone. The WCO does not limit cut or fill. The restrictive covenant also designates the zoning for each tract. Tract 1 is zoned for General Retail (GR), Tract 2 is zoned for Single-Family (SF), and tract 3 is zoned for Multi-Family (MF).

Tract 4 does not have any entitlements and is therefore subject to current code with an allowable 25% impervious cover (net site area), limits on cut/fill, construction on slopes, and development in the Critical and Transition Water Quality Zones.

Prior to the submittal of the Covered Bridge PUD, the site plan Covered Bridge Village (SP-05-1513C) was approved by the City on March 29, 2006 and expired in 2009. The site plan proposed 8 commercial buildings and nearly 318,000 square feet (7.3 acres) of impervious cover on tract 1. The

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site plan was developed under the Williamson Creek Watershed Ordinance, 810319-M, and was allowed 50% impervious cover on a gross site area basis. The site plan proposed 49% impervious cover.

Existing Topography/Soil Characteristics/Vegetation

The site elevation ranges from 960 to 900 feet above mean sea level. The property slopes downward from a high of 960 feet on tract 4 directly to the east at a fairly consistent slope to the banks of Williamson Creek at around 900 feet. The site also slopes from a high point at Highway 71 of 950 feet to the south to the banks of the other branch of Williamson Creek.

The site exhibits typical stair-step topography of the Upper Glen Rose Limestone. According to the Soil Survey of Travis County, the site contains rolling Brackett soils (BiD and BoF) which are described as shallow and well drained soils that develop under a prairie of mid to tall grasses and some trees. The geology at this site is characterized by thin clay soils covering weathered limestone. The site vegetation mostly consists of Ashe Juniper, Plateau Live Oak, Cedar Elm, Texas Red Oak and Hackberry. Tract 2 contains a grove of Pecan trees. The site has significant canopy coverage except for a large area on tract 1. The entire site has been surveyed for protected size trees and the applicant has agreed to preserve all heritage trees as per current code.

Critical Environmental Features/Endangered Species

There are no Critical Environmental Features on or within 150 feet of the property.

Description of Project

The Covered Bridge PUD proposes a mixed use development of multi-family residential and commercial uses on 38.13 acres of land in the City's Full Purpose jurisdiction. The project is located at the southwest corner of the intersection of Highway 71 and Covered Bridge Drive. There are four tracts within this PUD, 3 of the tracts are composed of 11 platted lots and 1 of the tracts has legal lot status. The PUD Land Use Plan proposes a total of 12.3 acres of impervious cover, which is 32.1% of the Gross Site Area (GSA) of the entire site. The PUD limits impervious cover according to tract as follows:

- Tract 1: 7.8 acres impervious cover over 14.88 acres (52.4 % gross site area).
- Tract 2: 2.1 acres impervious cover over 13.89 acres (15% gross site area).
- Tract 3 will be preserved in its natural state and will be allowed no development other than passive, vegetated water quality treatment through overland flow from adjacent developments.
- Tract 4: 2.4 acres impervious cover over 6.1 acres (39% gross site area, 123% net site area)

The junction of the 2 main stems of the headwaters of Williamson Creek occurs within the middle of the site, therefore there are extensive Critical Water Quality Zone (CWQZ) setbacks associated with all 4 tracts as seen in Figure 1. Under the WCO only roads are allowed in the CWQZ and no development is allowed in the CWQZ under the SOS ordinance. The PUD proposed development in the CWQZ will be limited to re-irrigation areas (tract 3) and a biofiltration pond (tract 1). The re-irrigation area in the CWQZ will not be allowed within 50 feet of the centerline of the classified waterways in the PUD.

Comparison of Allowed vs. Proposed Impervious Cover and Water Quality

Tract	Allowed IC (ft ²)	Proposed IC (ft ²)	Allowed Water Quality	Proposed Water Quality
1	324,086	338,000	1980's Sed/filtration	Modern biofiltration
2	301,000	91,000	1980's Sed/filtration	SOS non-degradation
3	70,785	0	1980's Sed/filtration	No development
4	21,508	108,000	SOS non-degradation	SOS non-degradation
Total	717,379	537,000		

As shown above, the major change is a reduction in total impervious cover by approximately 4.1 acres. While Tract 4 receives a significant increase in impervious cover, this tract is furthest from Williamson Creek and the increase is the result of the large reduction in impervious cover on Tract 2 in the areas near the creek. Also, tract 3 which is also very close to the creek will have no impervious cover and so provides a buffer for the creek and the existing adjacent residential subdivision.

There are also very large improvements in water quality treatment for the tracts within the PUD. Existing entitlements on tract 1-3 only require 1980's vintage sedimentation/filtration, which does not have the removal efficiency in modern sedimentation/filtration and not anywhere near the treatment quality of SOS non-degradation methods.

Bio-filtration is proposed for tract 1. This treatment method is similar to sedimentation/filtration, but also provides nutrient removal using a vegetation layer in addition to the sand filter. Tracts 2 and 4 will be treated to SOS non-degradation standards. The combination of bio-filtration on tract 1 and SOS non-degradation on tract 2 result in an improvement in pollutant removal from 225% to 719% depending on pollutant.

Environmental Code Exception Request

The PUD effectively eliminates the entitlements provided by the restrictive covenant and requires compliance with the Land Development Code (LDC) in effect in May 2012. Because of this the applicant is requesting the PUD to modify a number of sections of the LDC to allow the development as proposed. The LDC exceptions requested for this project are:

Tract 1

- 1) Section 25-8-65 (*Roadways*) which requires deduction of impervious cover of adjacent public roads is not applicable.
- 2) Section 25-8-261 (*Critical Water Quality Zone Development*), Section 25-8-482 (*Critical Water Quality Zone*), Section 25-8-483 (*Water Quality Transition Zone*), and, Section 25-8-514 (*Pollution Prevention Required*) are modified to the extent that a biofiltration pond is allowed for water quality controls and pollutant removal provided by a City of Austin standard biofiltration pond is allowed in lieu of requirements of this section. The biofiltration pond can be placed in the CWQZ and WQTZ to the extent as shown on the Land Use Plan. Impervious cover is allowed up to 338,000 sq. ft. Buildings and parking are allowed in the WQTZ to the extent shown on the Land Use Plan.
- 3) Section 25-8-302 (*Construction of a Building or Parking Area*) is modified to the extent to exclude man-made slopes and to allow construction on non-man-made slopes limited to 0.15-acre of impervious cover on slopes greater than 15% gradient.
- 4) Section 25-8-341 (*Cut Requirements*) is modified to the extent to allow for a cut greater than 4' and up to 8' on land not to exceed 0.10-acre in total area. Pond construction is exempt from this provision.

- 5) Section 25-8-342 (*Fill Requirements*) is modified to the extent to allow for fill greater than 4' and up to 10' on land not to exceed 0.75-acre in total area.

Tracts 2 & 4

- 1) Section 25-8-65 (*Roadways*) which requires deduction of impervious cover of adjacent public roads is not applicable..
- 2) Section 25-8-261 (*Critical Water Quality Zone Development*), Section 25-8-482 (*Critical Water Quality Zone*), Section 25-8-483 (*Water Quality Transition Zone*), and, Section 25-8-514 (*Pollution Prevention Required*) are modified to the extent that a biofiltration pond is allowed for water quality controls north of the creek and pollutant removal provided by a City of Austin standard biofiltration pond is allowed in lieu of requirements of 25-8-514. The biofiltration pond can be placed in the CWQZ and WQTZ to the extent as shown on the Land Use Plan. Re-irrigation areas treating water to the requirements of this section are allowed with 50% of the CWQZ south of the creek provided that no re-irrigation area is located in the 100-year flood plain or within 50' from the centerline of the creek. Vegetated water quality controls and conveyance systems are allowed to capture run-off from the driveway that cannot be sent to a water quality control to the minimum extent necessary. Impervious cover is allowed up to 199,000 sq. ft. on all of Tract 2 & 4 provided that buildings and parking are only allowed in the areas as shown on the Land Use Plan. A driveway to fire access standards is allowed in the CWQZ. Buildings and parking is allowed in the WQTZ.
- 3) Section 25-8-302 (*Construction of a Building or Parking Area*) is modified to the extent to exclude man-made slopes and to allow construction on non-man-made slopes limited to 0.30-acre of impervious cover on slopes greater than 15% gradient.
- 4) Section 25-8-341 (*Cut Requirements*) is modified to the extent to allow for a cut greater than 4' and up to 8' on land not to exceed 1.8-acre in total area. Pond construction is exempt from this provision.
- 5) Section 25-8-342 (*Fill Requirements*) is modified to the extent to allow for fill greater than 4' and up to 10' on land not to exceed 0.55-acre in total area.

Tract 3

- 1) Section 25-8-261 (*Critical Water Quality Zone Development*), Section 25-8-482 (*Critical Water Quality Zone*), Section 25-8-483 (*Water Quality Transition Zone*) and Section 25-8-514 (*Pollution Prevention Required*) are modified to the extent that a vegetative filter strip (VFS), minimal grading, level spreaders and plantings are allowed in CWQZ and WQTZ provided that no VFS is allowed in the 100-year flood plain.

PUD Environmental Conditions

- The CWQZ for tracts 1-3 should be calculated using the WCO or current code in lieu of that shown on the plat which appears to have been calculated incorrectly
- Provide a significant reduction in total impervious cover for tracts 2 and 3 over the allowed baseline impervious cover.
- Set development back as far as possible from Williamson Creek on tracts 2 and 4.
- Preserve tract 3 for open space use or vegetative filter strip use only. Uses such as trails, picnic tables, un-fertilized play fields, etc. are allowed.
- Treat development on tracts 2 and 3 to SOS standards.
- Re-irrigation areas can be placed in the CWQZ for tract 2 and should be set back from the 2 channels as far as possible, but not less than 50' from the channel.
- Treat runoff from tract 1 using biofiltration per CoA criteria.
- Treat runoff from ½ the width of Hwy 71 adjacent to the tract using tract 1 treatment system.

- Remove the restrictive covenant from all PUD properties so that any future development or redevelopment beyond that proposed in the PUD will comply with regulations in effect at the time of development.
- Comply with all current tree protection regulations.
- Install rainwater harvesting to the maximum extent practicable on tract 1 and use rainwater to irrigate landscaping.
- Comply with City landscape ordinance, particularly the innovative water management components.
- Amend the plat to remove the incorrectly defined CWQZ.

Recommendation

Staff recommends approval of this PUD because:

- Impervious cover is reduced by 4.1 acres compared to what could be built under the restrictive covenant for tracts 1-3.
- Provides treatment for portions of Hwy 71 that are currently untreated.
- Significantly reduces pollutant loadings by approximately 200-700% depending on pollutant.
- Provides significant protection to Williamson Creek from development allowed under existing entitlements by:
 - Prohibiting development on tract 3,
 - Prohibiting development in CWQZ on tract 2 other than re-irrigation use
 - Moving development on tract 2 to the area furthest from the creek, and
 - Prohibiting development in the CWQZ on tract 1 other than a biofiltration pond and single driveway
- Protects numerous large pecan trees on tract 2 and requires compliance with all aspects of the City's tree protection rules.
- Incorporates water conservation measures such as rainwater harvesting and native landscaping.

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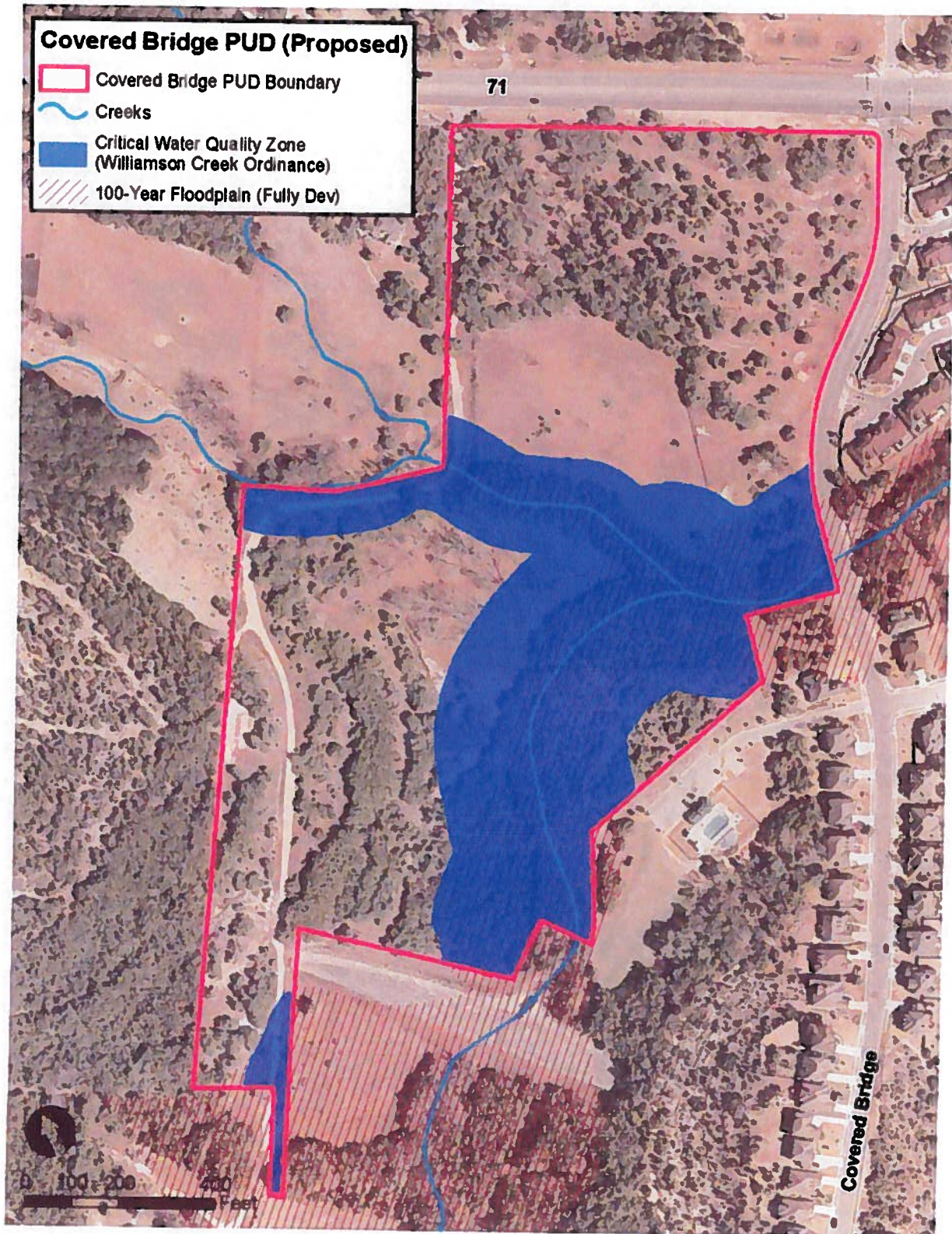


Figure 1

Attachment E- EV Board Decision Summary

The Environmental Board reviewed the Covered Bridge rezoning on January 16, 2013; their action is noted on the first page of this report.

The Environmental Board memo summarizing their actions will be attached to the Staff Report when it becomes available

COVERED BRIDGE PUD

CITY OF AUSTIN PLANNED UNIT DEVELOPMENT TIER ONE REQUIREMENTS

Section 2.3 Tier One Requirements

PUD Regulation	Proposed Covered Bridge PUD
A. Meet the objectives of the City Code	This provision is met with increased water quality, increased landscaping, increased open space, mixed-use
B. Provide for development standards that achieve equal or greater consistency with the goals of Section 1.1 (General Intent) than development under the regulations of the Land Development Code.	This provision is met
C. Provide a total amount of open space that equals or exceeds 10% of the residential tracts, 15% of the industrial tracts, and 20% of the non-residential tracts within the PUD, except that: <ul style="list-style-type: none"> 1. A detention or filtration area is excluded from the calculation unless it is designed and maintained as an amenity; and, 2. The required percentage of open space may be reduced for urban property with characteristics that make open space infeasible if other community benefits are provided. 	This provision is met with a total amount of open space for the entire project at 50%. Individually, Tract 1 contains 15% open space, Tracts 2 & 4 contains 55% open space, and Tract 3 contains 80% open space. Due to the nature of the water quality, the ponds are not specifically designed as an amenity. This site is not an urban site.
D. Comply with the City's Planned Unit Development Green Building Program	This provision is met.
E. Be consistent with applicable neighborhood plans, neighborhood conservation combining district regulations, historic area and landmark regulations, and be compatible with adjacent property and land uses.	This provision is met. All neighborhood plan amendments necessary for the uses outlined within the Covered Bridge PUD have been accomplished. The property is not within the boundary of a neighborhood conservation combining district or historic area and landmark. The proposed uses are compatible with adjacent properties and existing land uses of the area.
F. Provide for environmental preservation and protection relating to air quality, water quality, trees, buffer zones and greenbelt areas, critical environmental features, soils, waterways, topography, and the natural and traditional	This provision is met. The proposed Covered Bridge PUD honors all existing critical water quality zones, provides for a water quality control for abutting untreated run-off from SH 71, and provides for minimum of 50% of the site to be used for habitat preserve and hike /

character of the land.	bike trails.
G. Provide for public facilities and services that are adequate to support the proposed development including school, fire protection, emergency service, and police facilities;	This provision is met. Adequate existing facilities are nearby. Covered Bridge PUD will treat the water quality of the abutting area of S. H. 71.
H. Exceed the minimum landscaping requirements of the City Code;	This provision is met. Refer to Exhibits F, G, & H.
I. Provide for appropriate transportation and mass transit connections to areas adjacent to the PUD district and mitigation of adverse cumulative transportation impacts with sidewalks, trails, and roadways;	This provision is met. All existing transportation infrastructure to serve the Covered Bridge PUD are in place.
J. Prohibit gated roadways;	This provision is met.
K. Protect, enhance and preserve areas that include structures or sites that are of architectural, historical, archaeological, or cultural significance; and	This provision is not applicable. There are not any architectural, archaeological or cultural significant features on the site.
L. Include at least 10 acres of land, unless the property is characterized by special circumstances, including unique topographic constraints.	This provision is met. The size of the Covered bridge PUD is 38.122 acres.

Section 2.3.2. Additional Requirements. In addition to the requirements contained in Section 2.3.1 (*Minimum Requirements*), a PUD containing a retail, commercial, or mixed use development must:

A. Comply with <u>Chapter 25-2, Subchapter E (Design Standards And Mixed Use)</u> .	This provision is met.
B. Inside the urban roadway boundary depicted in <u>Figure 2, Subchapter E of Chapter 25-2 (Design Standards and Mixed Use)</u> , comply with the sidewalk standards in <u>Section 2.2.2., Subchapter E, Chapter 25-2 (Core Transit Corridors: Sidewalks And Building Placement)</u> ; and	This provision is not applicable.
C. Contain pedestrian-oriented uses as defined in <u>Section 25-2-691 (C) (Waterfront Overlay District Uses)</u> on the first floor of a multi-story commercial or mixed use building.	This provision is met.

COVERED BRIDGE PUD

CITY OF AUSTIN PLANNED UNIT DEVELOPMENT TIER TWO REQUIREMENTS

2.4. Tier Two Requirements.

This section contains criteria for determining the extent to which development proposed for a PUD district would be superior to that which would occur under conventional zoning and subdivision regulations as required under Section 1.1 (*General Intent*). A proposed PUD need not address all criteria in this section to achieve superiority, and the council may consider any other criteria the council deems appropriate.

Open Space	Provided open space at least 10% above the requirements of Section 2.3.1.A. (<i>Minimum Requirements</i>). Alternatively, within the urban roadway boundary established in <u>Figure 2 of Subchapter E of Chapter 25-2 (Design Standards and Mixed Use)</u> , provide for proportional enhancements to existing or planned trails, parks, or other recreational common open space in consultation with the Director of the Parks and Recreation Department.	This provision is met with a total amount of open space for the entire project at 50%.
Environment	Does not request exceptions to or modifications of environmental regulations.	This provision is not met for Tract 4. Applicable environmental regulations for Tracts 1-3 are exceeded.
	Provides water quality controls superior to those otherwise required by code.	This provision is not met for Tract 4. Applicable water quality regulations for Tracts 1-3 are exceeded.
	Uses innovative water quality controls that treat at least 25 percent additional water quality volume and provide 20 percent greater pollutant removal, in addition to the minimum water quality volume required by code.	This provision is met. Innovative water quality controls are provided for Tract 1 which will be sized appropriately for additional capacity to treat 250% more run-off than what is generated onsite.
	Provides water quality treatment for currently untreated, undeveloped off-	This provision is met. The majority of the existing driveway on Tract 4 will have

	site areas with a drainage area of at least 25 percent of the subject tract.	water quality controls. The abutting SH 71 roadway will be captured and incorporated with a biofiltration pond on Tract 1.
	Reduces impervious cover or single-family density by five percent below the maximum otherwise allowed by code or included off-site measures that lower overall impervious cover within the same watershed by five percent below that allowed by code.	This provision is met. The impervious cover for the site is reduced from 50% to 33%.
	Provided minimum 50-foot setback for unclassified waterways with a drainage area of five acres or greater.	This provision is not applicable.
	Provides at least a 50 percent increase in the minimum waterway and critical environmental feature setbacks required by code.	This provision is not met.
	Clusters impervious cover and disturbed areas in a manner that preserves the most environmentally sensitive areas of the site that are not otherwise protected.	This provision is met. The majority of the development is located between S. H. 71 and the creek. Only a small amount of development is proposed across the creek thereby eliminating the potential hazards related to more intense development crossing the creek.
	Provides pervious paving for at least 50 percent or more of all paved areas in non-aquifer recharge areas.	This is not met, though encouraged.
	Prohibits uses that may contribute to air or water quality pollutants.	This provision is met. Uses that may typically be associated with environmental degradation are eliminated.
	Employs other creative or innovative measures.	This provision is met.
Austin Green Builder Program	Provides a rating under the Austin Green Builder Program of three stars or above.	
Art	Provides art approved by the Art in Public Places Program in open spaces, either by providing the art directly or by	This provision is not applicable.

	making a contribution to the City's Art in Public Places Program or a successor program.	
Great Streets	Complies with city's Great Streets Program, or a successor program. Applicable only to commercial, retail, or mixed-use development that is not subject to the requirements of <u>Chapter 25-2, Subchapter E (Design Standards and Mixed Use)</u> .	This provision is not applicable.
Community Amenities	Provides community or public amenities, which may include spaces for community meetings, day care facilities, non-profit organizations, or other uses that fulfill an identified community need.	This provision is met. Public trails are provided in the open space areas near the creeks.
Transportation	Provides bicycle facilities that connect to existing or planned bicycle routes or provides other multi-modal transportation features not required by code.	This provision is met. Hike and bike trails are proposed with the development. These trails will connect to other trail systems and City of Austin owned lands.
Building Design	Exceeds the minimum points required by the Building Design Options of Section 3.3.2. of <u>Chapter 25-2, Subchapter E (Design Standards and Mixed Use)</u> .	
Parking Structure Frontage	In a commercial or mixed-use development, at least 75 percent of the building frontage of all parking structures is designed for pedestrian-oriented uses as defined in <u>Section 25-2-691C (Waterfront Overlay District Uses)</u> in ground floor spaces.	This provision is not applicable.
Affordable Housing	Provides for affordable housing or participation in programs to achieve affordable housing.	This provision is not applicable.
Historic Preservation	Preserves historic structures, landmarks, or other features	This provision is not applicable.

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	to a degree exceeding applicable legal requirements.	
Accessibility	Provides for accessibility for persons with disabilities to a degree exceeding applicable legal requirements.	
Local Small Business	Provides space at affordable rates to one or more independent retail or restaurant small businesses whose principal place of business is within the Austin metropolitan statistical area.	

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin Independent
School District



PROJECT NAME: Covered Bridge PUD

ADDRESS/LOCATION: 6714 Covered Bridge Drive

CASE #: C814-2012-0055

CITY COUNCIL DATE: TBD

☒ NEW SINGLE FAMILY

☐ DEMOLITION OF MULTIFAMILY

☒ NEW MULTIFAMILY

☐ TAX CREDIT

SF UNITS: 2

STUDENTS PER UNIT ASSUMPTION:

MF UNITS: 250 (1-2-3 bedrooms)

STUDENTS PER UNIT ASSUMPTION: 0.2

ELEMENTARY SCHOOL: Oak Hill

RATING: Exemplary

ADDRESS: 6101 Patton Ranch Road

PERMANENT CAPACITY: 773

% QUALIFIED FOR FREE/REDUCED LUNCH: 38.8%

MOBILITY RATE: -6.2%

ELEMENTARY SCHOOL STUDENTS	Current Population	5- Year Projected Population	5-Year Projected Population (w/ proposed development)
Number	807	842	867
% of Permanent Capacity	104%	109%	112%

☒ INCREASE

☐ DECREASE

☐ NO IMPACT

MIDDLE SCHOOL: Small

RATING: Recognized

ADDRESS: 4801 Monterey Oaks

PERMANENT CAPACITY: 1,239

% QUALIFIED FOR FREE/REDUCED LUNCH: 31.5%

MOBILITY RATE: 9.2%

MIDDLE SCHOOL STUDENTS	Current Population	5- Year Projected Population	5-Year Projected Population (w/ proposed development)
Number	846	906	917
% of Permanent Capacity	68%	73%	74%

☒ INCREASE

☐ DECREASE

☐ NO IMPACT

HIGH SCHOOL: Bowie

RATING: Recognized

ADDRESS: 4103 Slaughter Lane

PERMANENT CAPACITY: 2,535

% QUALIFIED FOR FREE/REDUCED LUNCH: 13.6%

MOBILITY RATE: 8.1%

HIGH SCHOOL STUDENTS	Current Population	5- Year Projected Population	5-Year Projected Population (w/ proposed development)
Number	2,676	2,731	2,745
% of Permanent Capacity	106%	108%	108%

☒ INCREASE

☐ DECREASE

☐ NO IMPACT

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EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin Independent
School District



IMPACT ON SCHOOLS

At the rate of 0.2 students per unit, the district average, the 250 unit multi-family development is projected to add approximately 50 students over all grade levels to the current projected student population. It is estimated that of the 50 students, 25 will be assigned to Oak Hill Elementary School, 11 to Small Middle School, and 14 to Bowie High School. The existing permanent capacity at the schools will be able to accommodate the additional student population.

Even with the high rate of transfers into Small MS and Bowie HS, 1,063 and 2,907 students currently enrolled respectively, and assuming the schools retains the number of portable classrooms currently on campus, the percent of functional capacity (by enrollment) would be 97% (Small MS) and 103% (Bowie), which is within the target range for functional capacity.

TRANSPORTATION IMPACT

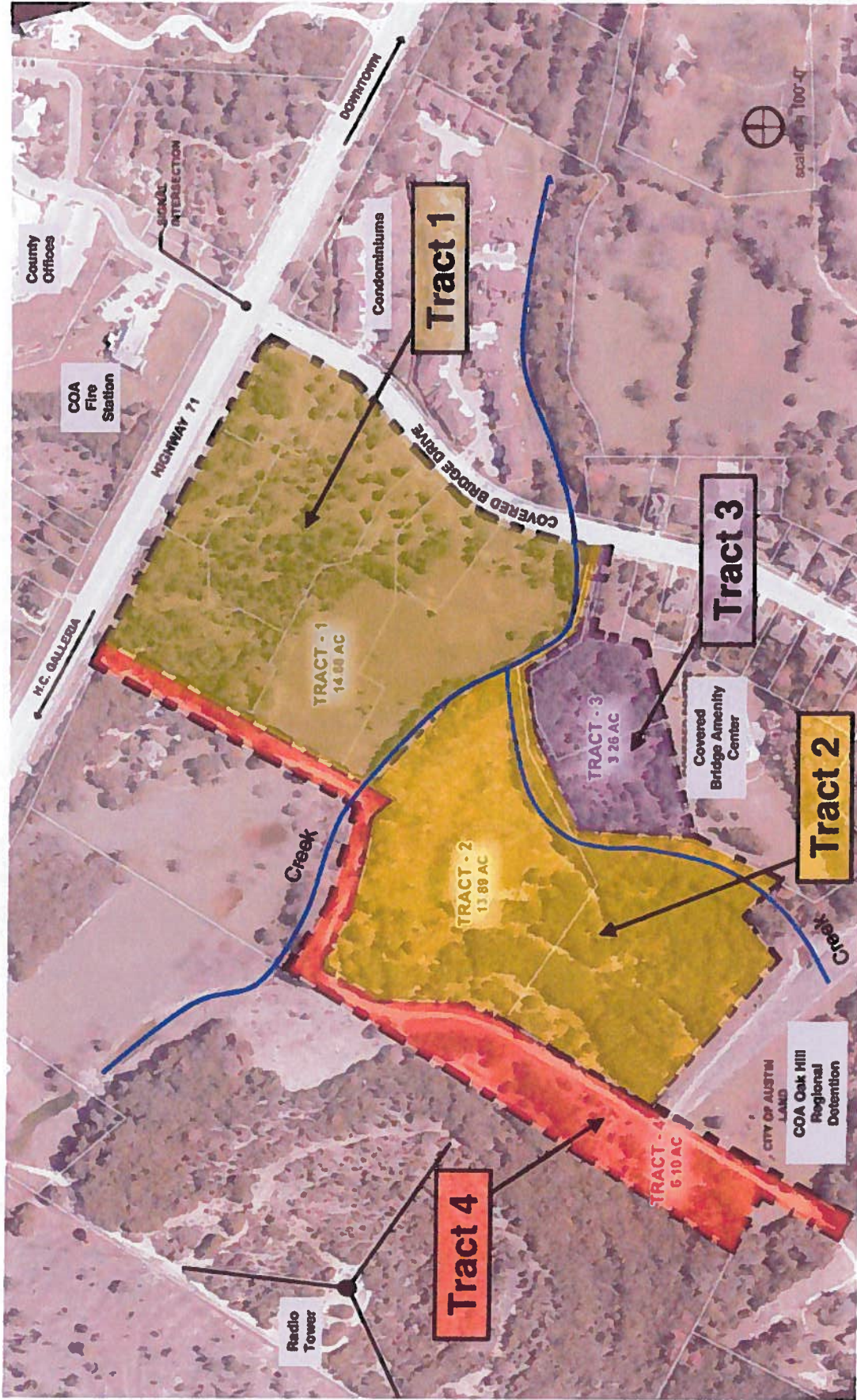
The proposed development is located more than two miles from Oak Hill Elementary, Small Middle School, and Bowie High School; therefore all students within the development would qualify for transportation. The 25 students projected for Oak Hill Elementary would require an additional bus route, estimated at \$40,000 per year. The increase in students at Small Middle School and Bowie High School would not require an additional bus. Loading 25 students onto the bus and departing could take approximately five minutes and may impact Covered Bridge Drive during the morning rush hour.

SAFETY IMPACT

AISD school buses usually cannot pull safely into driveways of apartment complexes, therefore, a loading area to accommodate up to 25 students is recommended for safety.

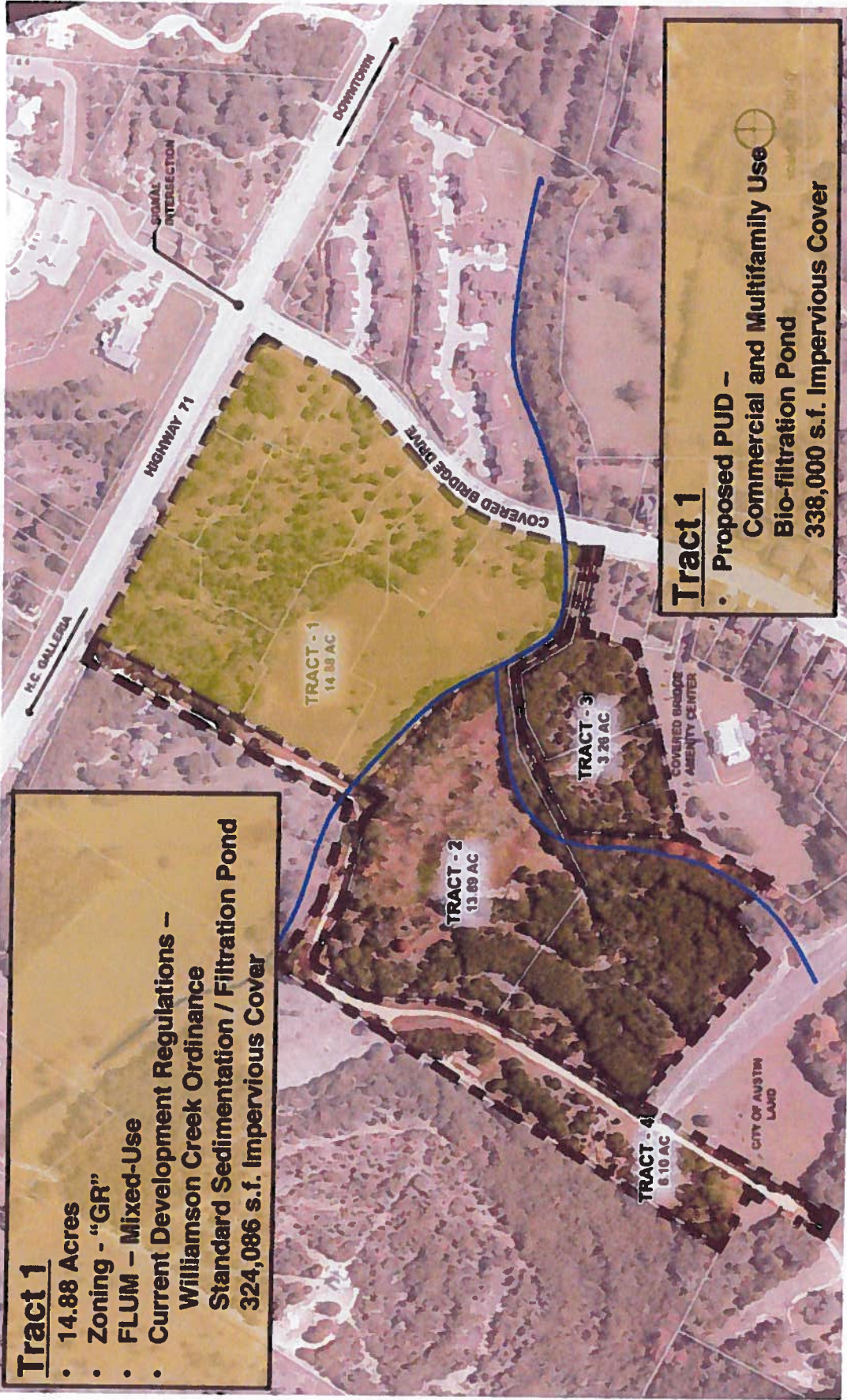
Date Prepared: 10/31/2012

Director's Signature: Paul Turner



Tract 1

- 14.88 Acres
- Zoning - "GR"
- FLUM - Mixed-Use
- Current Development Regulations -
Williamson Creek Ordinance
Standard Sedimentation / Filtration Pond
324,086 s.f. Impervious Cover



Tract 1

- Proposed PUD -
Commercial and Multifamily Use
Bio-filtration Pond
338,000 s.f. Impervious Cover

Covered Bridge Village PUD context - 100 scale - October 2011

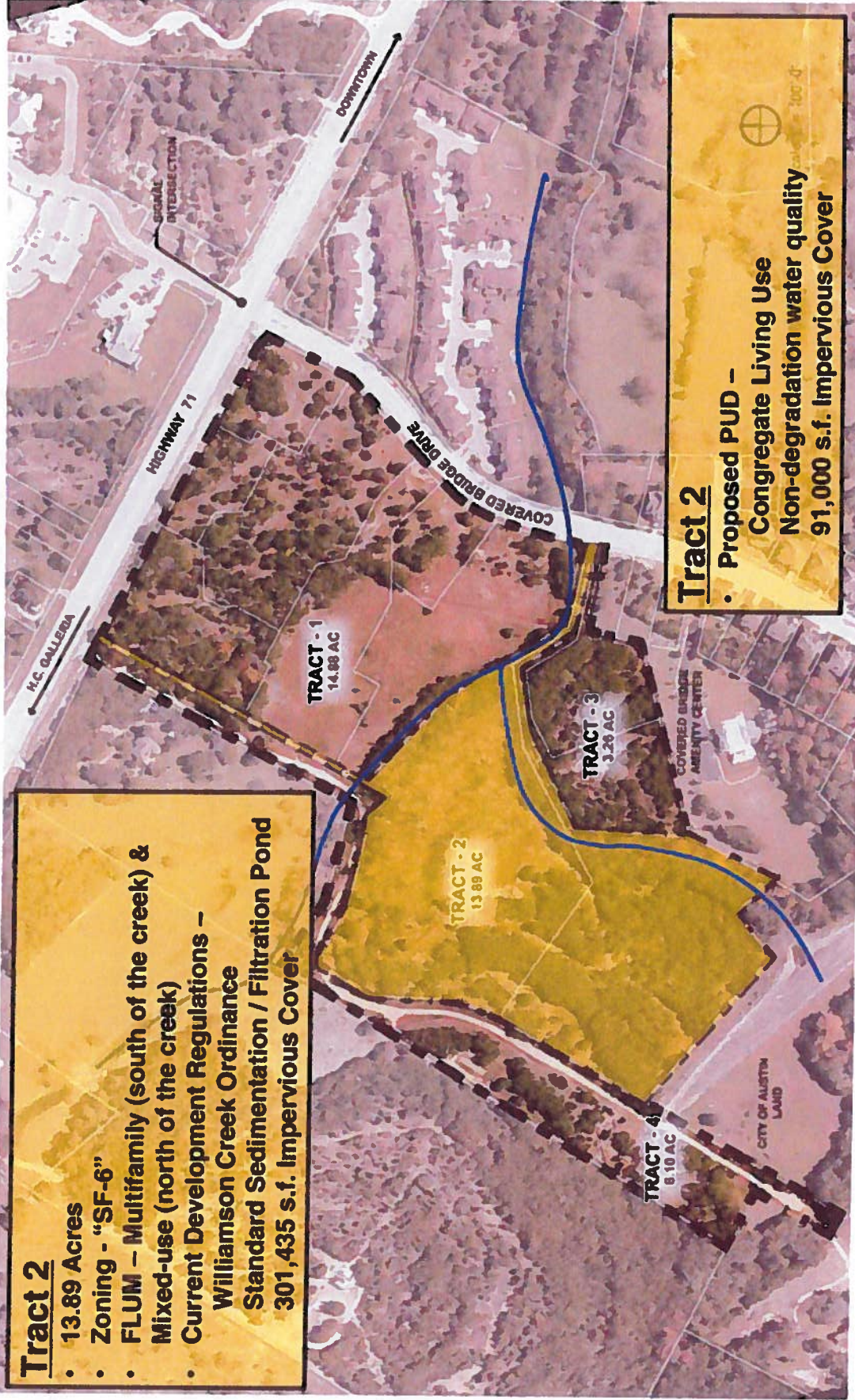
AMC **7** *Years Design*
BYRON BALLANTRAE **DESIGN** *LAND PLANNERS*
CONSULTING **GROUP**

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Tract 2

- 13.89 Acres
- Zoning - "SF-6"
- FLUM - Multifamily (south of the creek) & Mixed-use (north of the creek)
- Current Development Regulations - Williamson Creek Ordinance Standard Sedimentation / Filtration Pond 301,435 s.f. Impervious Cover

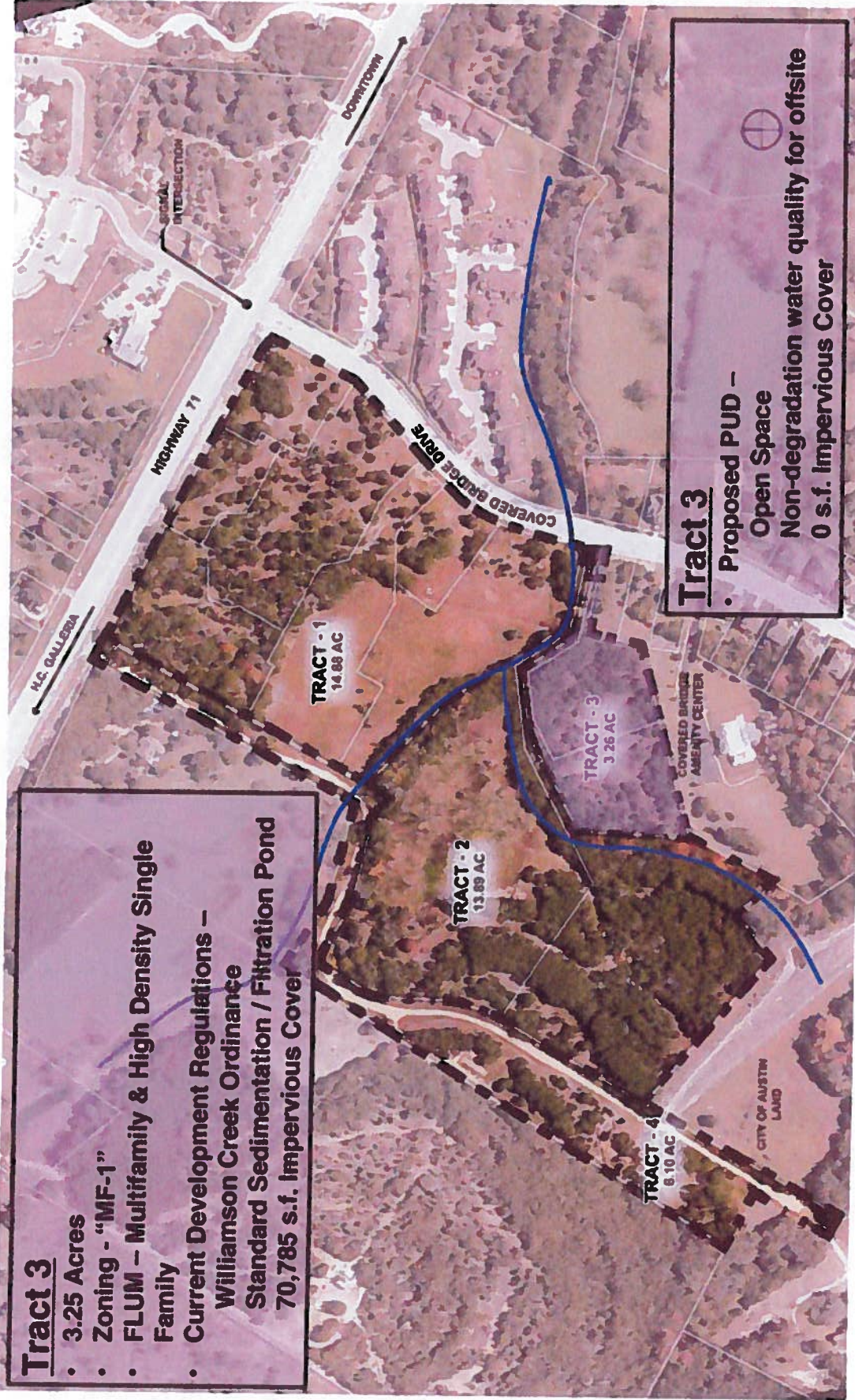


Tract 2

- Proposed PUD - Congregate Living Use
- Non-degradation water quality
- 91,000 s.f. Impervious Cover

Tract 3

- 3.25 Acres
- Zoning - "MF-1"
- FLUM - Multifamily & High Density Single Family
- Current Development Regulations -- Williamson Creek Ordinance Standard Sedimentation / Filtration Pond 70,785 s.f. Impervious Cover



Tract 3

- Proposed PUD --
- Open Space
- Non-degradation water quality for offsite
- 0 s.f. Impervious Cover

Covered Bridge Village PUD context - 100 scale - October 2011

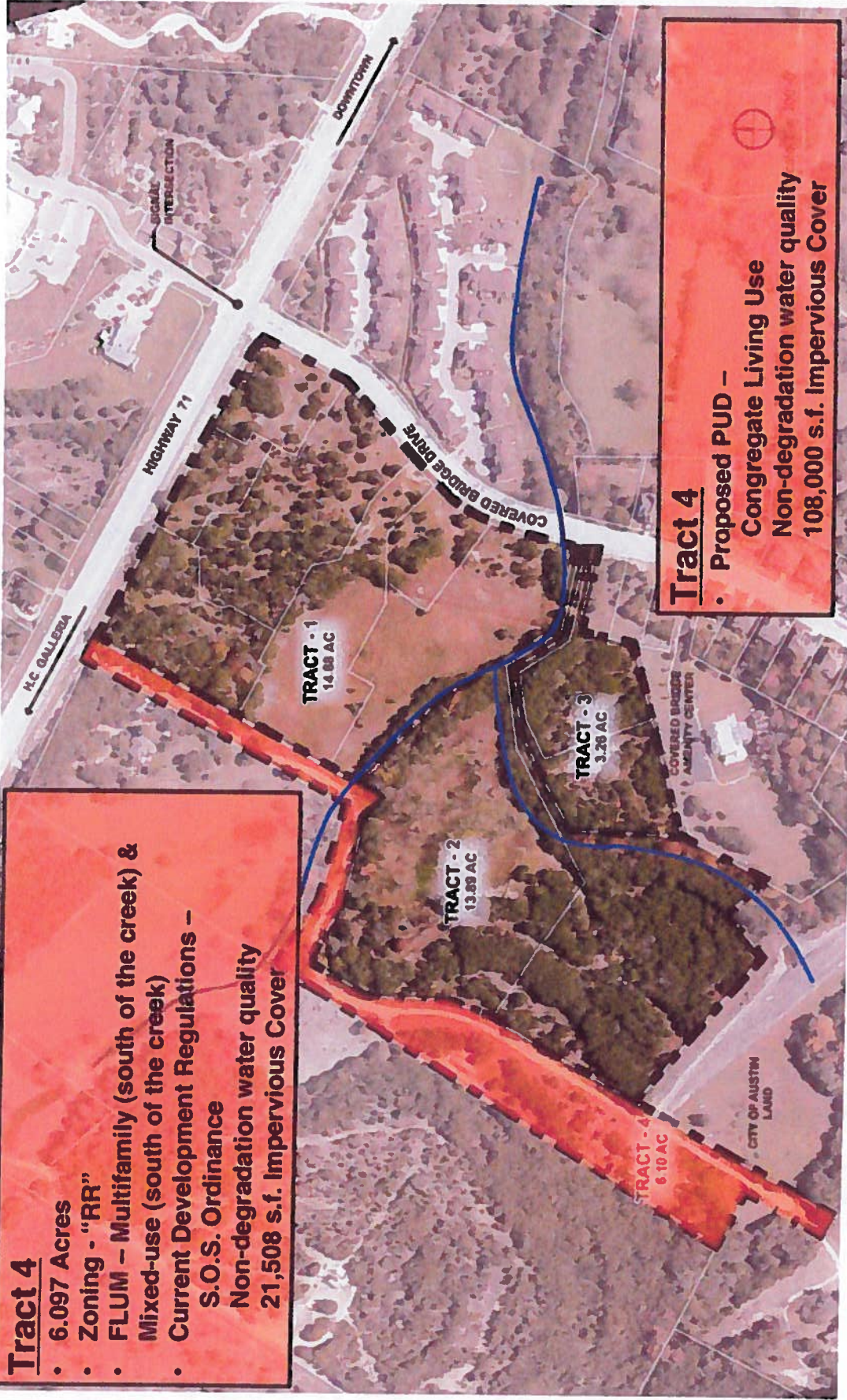
AMC **7** Years Design **runa**
DESIGN LAND PLANNERS
GROUP

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Tract 4

- 6.097 Acres
- Zoning - "RR"
- FLUM - Multifamily (south of the creek) & Mixed-use (south of the creek)
- Current Development Regulations - S.O.S. Ordinance
- Non-degradation water quality
- 21,508 s.f. Impervious Cover

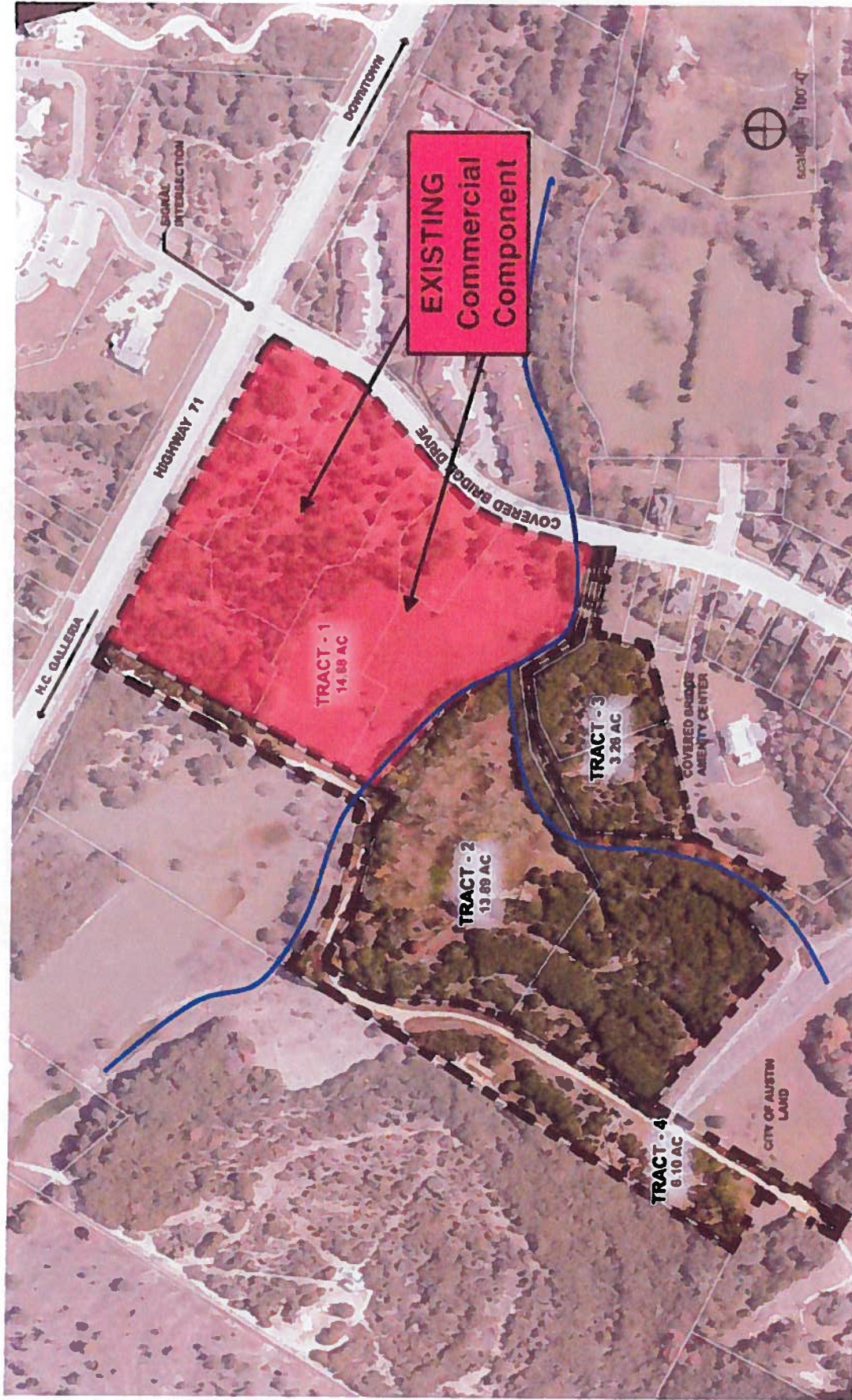


Tract 4

- Proposed PUD - Congregate Living Use
- Non-degradation water quality
- 108,000 s.f. Impervious Cover

Covered Bridge Village PUD context - 100 scale - October 2011

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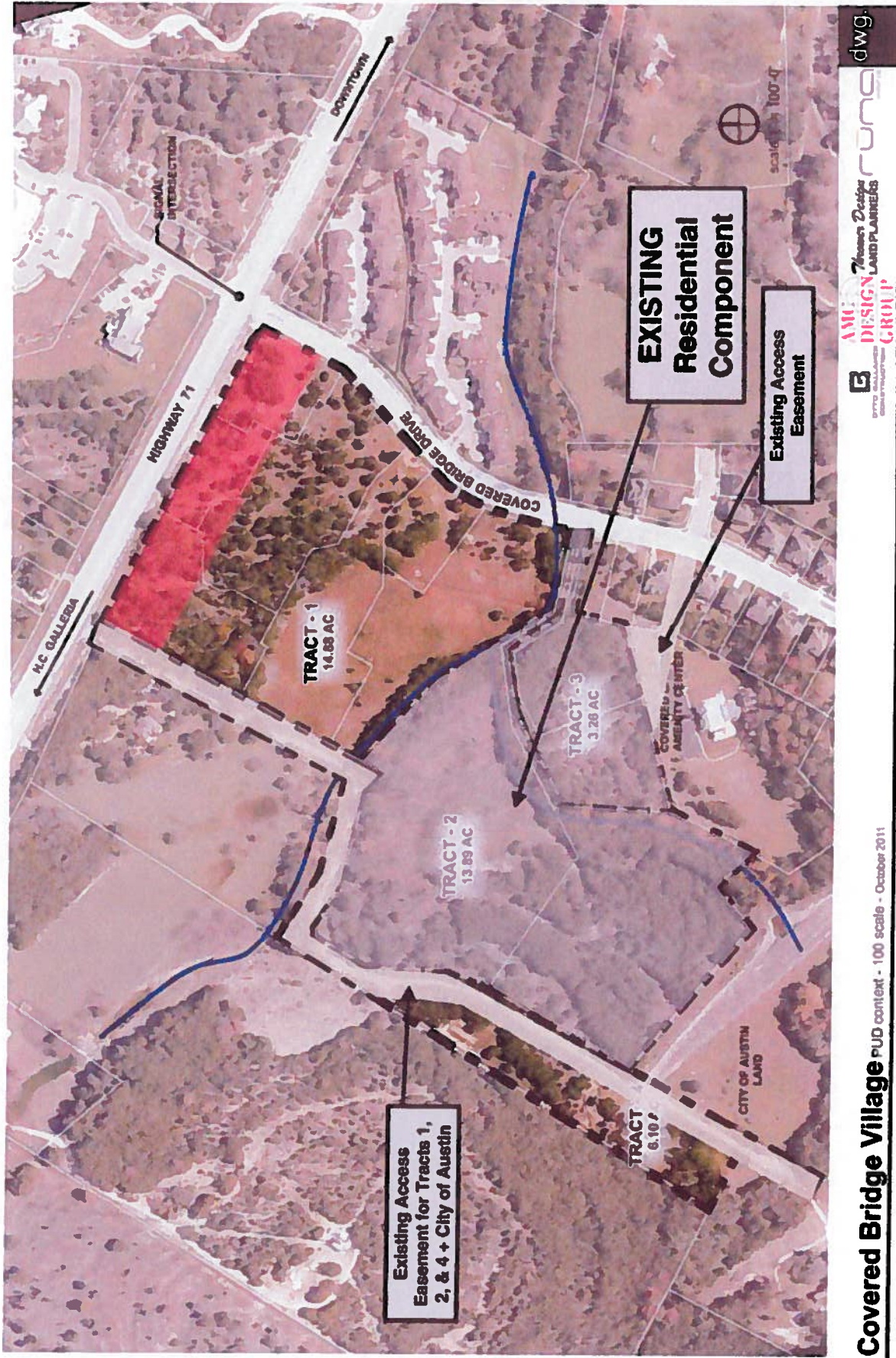


Covered Bridge Village PUD context - 100 scale - October 2011

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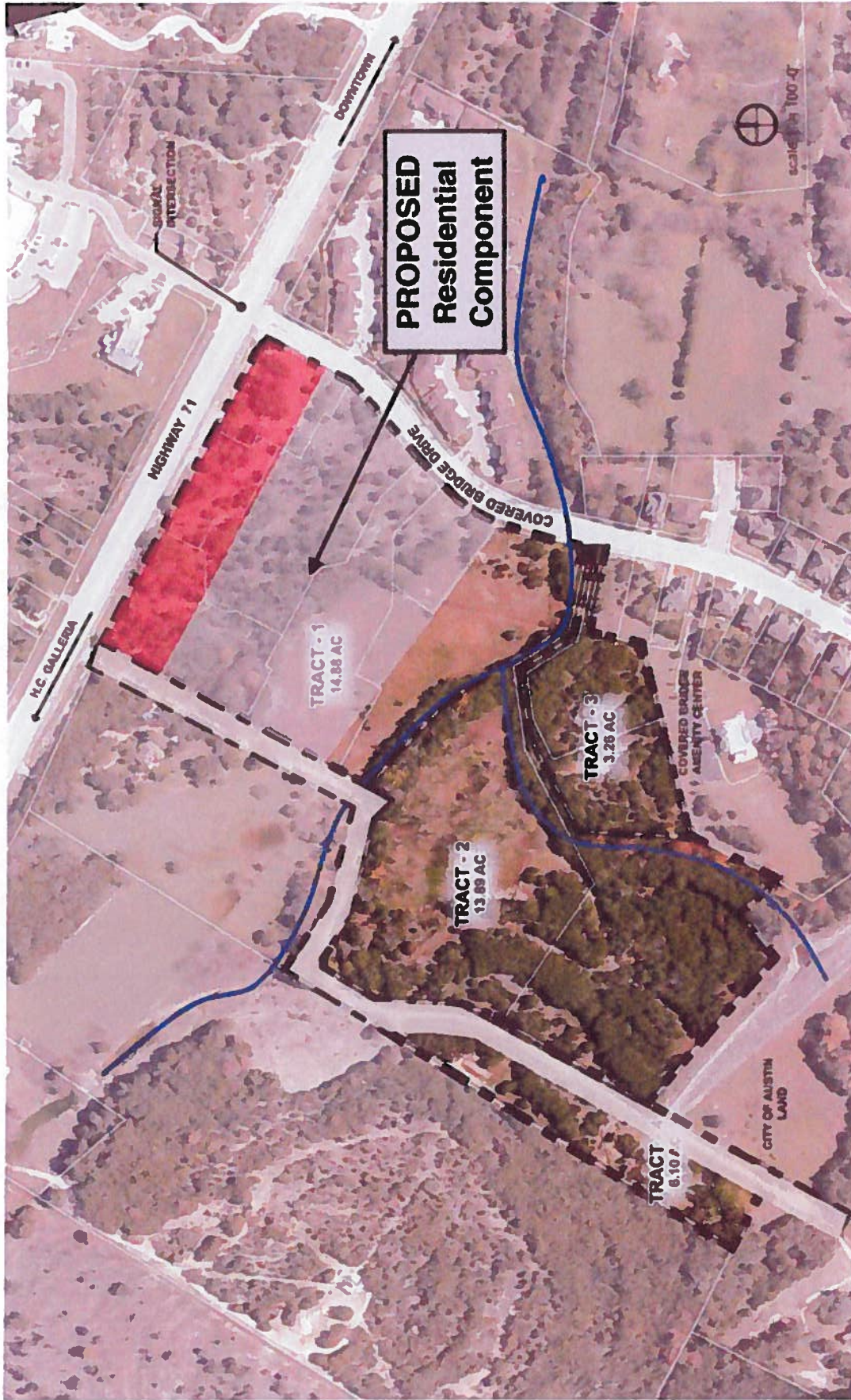


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Covered Bridge Village PUD context - 100 scale - October 2011


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Covered Bridge Village PUD context - 100 scale - October 2011

 **AMC** *Thomson Design*
DESIGN LAND PLANNERS
 GROUP

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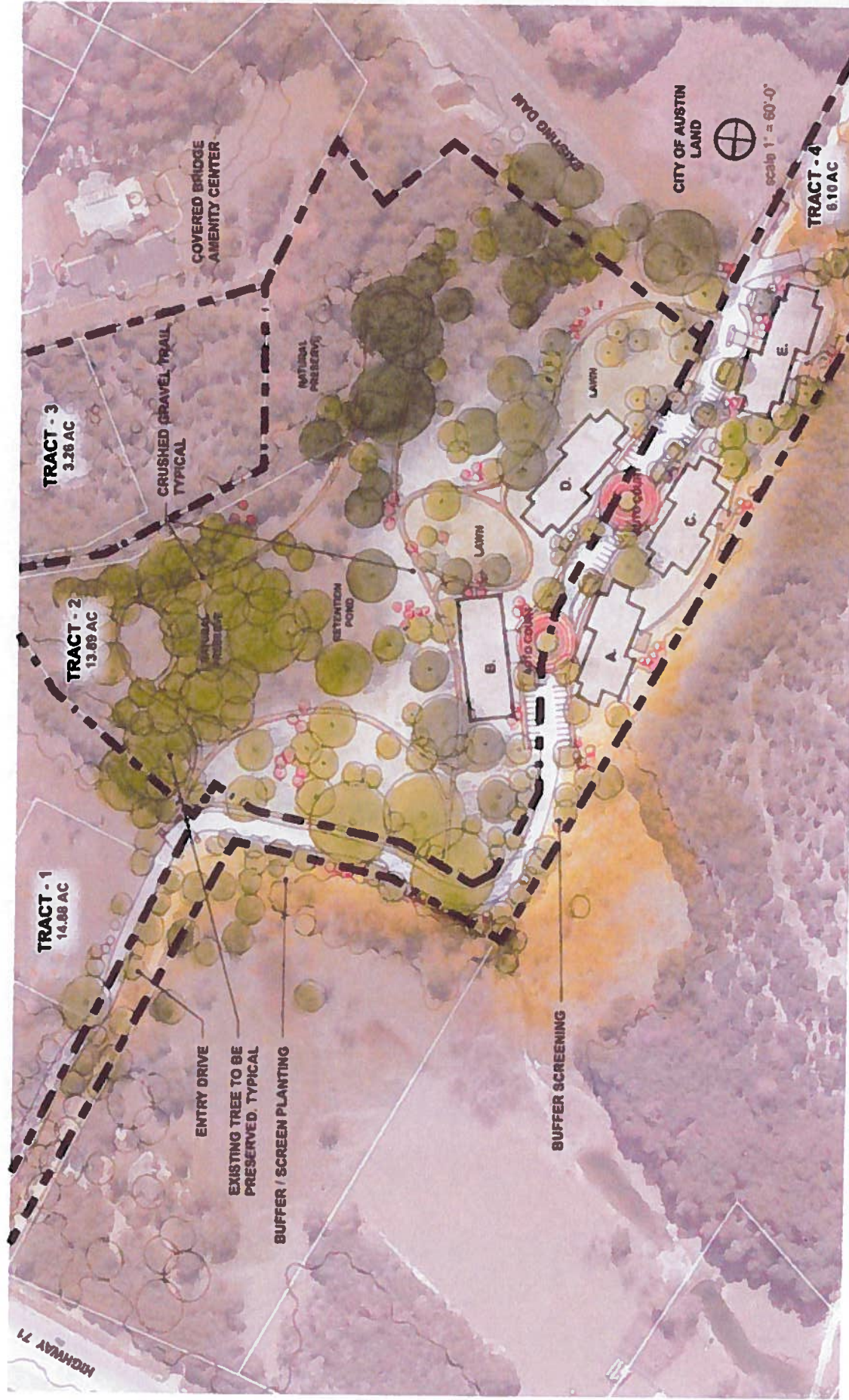
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Covered Bridge Village
AML1 tract #1 - 60 scale - October 2011

AMC *Women Designers*
DESIGN LAND PLANNERS
GROUP
dwg.

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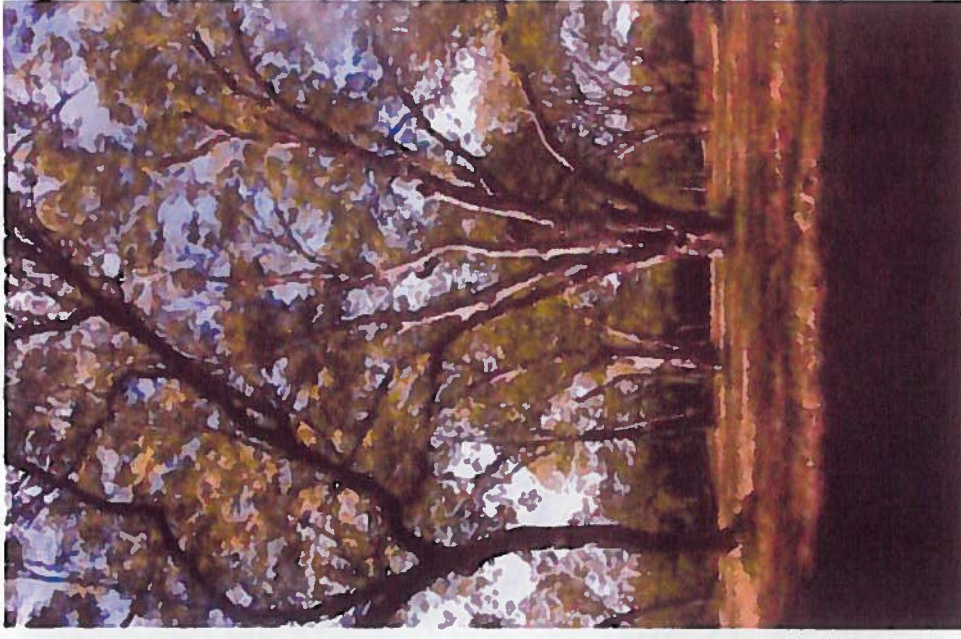
Covered Bridge Assisted Living Facility

landscape masterplan - 60 scale - October 2011


AEC DESIGN GROUP
 7000 N. Highway 71
 Suite 200
 Austin, TX 78751
 512.835.1234
 aecdesigngroup.com

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**Heritage Trees – Of the 40 Heritage Trees within the Covered Bridge PUD, 38 Heritage Trees exist on Tract 2 – The Pecan Grove.
All Heritage Trees within the Covered Bridge PUD are to be preserved.**

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Covered Bridge PUD

Existing Entitlements

Proposed PUD

1) Restrictive Covenant	1) Terminated
2) Williamson Creek Ordinance	2) Current Code (Modified)
3) Sedimentation / Filtration Ponds (1980)	3) Non-degradation and bio-filtration
4) Heritage Tree Ordinance does not apply	4) All 40 Heritage Trees will be saved
5) All Commercial uses allowed, including Service Stations, Car Lots, Auto Repair, Fast-food with drive-thru's, Exterminating Services, etc.	5) Limited Commercial Uses per agreement with Covered Bridge Property Owners Association and City of Austin staff
6) Cut limits do not apply	6) Restricted
7) Fill limits do not apply	7) Restricted
8) Construction on slopes does not apply	8) Restricted
9) 758,814 s.f. of impervious cover	9) 537,000 s.f. of impervious cover (30% reduction)
10) CWQZ development with impervious cover	10) CWQZ development limited
11) Typical zoning setbacks	11) Greater zoning setbacks
12) 60' height	12) 45' Height
13) No setback from neighborhood	13) Defined setback from neighborhood
14) Heavy pollutant loadings	14) 200%-700% reduction in pollutant loadings

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Covered Bridge PUD

Superiority

- 1) Treating run-off from ½ of SH 71
- 2) Increased water quality
- 3) Integrated Pest Management Plan
- 4) Increased landscaping
- 5) Rainwater Harvesting
- 6) Increased open space
- 7) Mixed-use development
- 8) Increase the size of the driveway for COA
Regional Detention Pond access and treat the
run-off.
- 9) Clusters the more intense development north
of the creek to eliminate crossing the creek
with heavy traffic.
- 10) Meets PUD Green Builder Requirements.

- 11) Seasonal removal of invasive species and
replacing with native species.
- 12) Organic Fertilization
- 13) Seasonal reduction to minimize take-over of
ash juniper.
- 14) Establishment of native grasses and
maintenance management.
- 15) Slope and bare area stabilization
- 16) Harmonize landscaping to area wildlife
- 17) Low Flow fixtures
- 18) Reduced site lighting levels and energy
requirements.
- 19) Energy efficient glazing.
- 20) Rooftop rainwater distribution
- 21) Recycling storage
- 22) All utilities underground
- 23) Reduce driveways to SH 71 from 3 to 2.

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Covered Bridge PUD

Comparison of Williamson Creek WQ removals versus proposed CB PUD Pollutant removals.

<u>Pollutant</u>	<u>Williamson Creek Total Pollutant Removed</u>	<u>Proposed PUD Total Pollutant Removed</u>	<u>Increased Removal Comparing PUD to Williamson Creek</u>
TSS	2458#	5533#	225%
TP	2.52#	6.19#	247%
TN	11.99#	46.0#	383%
COD	794#	3267#	412%
BOD	105#	274#	261%
Pb	0.46#	1.42#	306%
FC (in colonies)	6.76×10^{12}	4.68×10^{12}	719%
FS (in colonies)	1.50×10^{12}	3.99×10^{12}	266%
TOC	181#	735#	407%
Zn	0.87#	2.36#	270%

Note: Pollutant removals are measured in pounds removed per year, except for FC and FS which are measured in colonies per year.

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COVERED BRIDGE PUD **EXISTING APPLICABLE RULES** January 9, 2013

Tract	1	2	3	4
Size	14.88/Acres	13.89/Acres	3.25/Acres	8.097/Acres
Use	All Commercial Uses	Residential Uses	Residential Uses	Existing Driveway
Applicable Code	Williamson Creek (1980)	Williamson Creek (1980)	Williamson Creek (1980)	Current Code
Allowable Impervious Cover	324,088 [s.f.]	301,435 [s.f.]	70,785 [s.f.]	21,508 [s.f.]
Cut Limits	Does not apply	Does not apply	Does not apply	Current Code
Fill Limits	Does not apply	Does not apply	Does not apply	Current Code
Construction on Slopes	Does not apply	Limited	Does not apply	Current Code
CWOZ Development / IC	Limitless	Limitless	Limitless	Current Code
Water Quality Control	Std. Sedimentation / Filtration	Std. Sedimentation / Filtration	Std. Sedimentation / Filtration	Non-degradation
Heritage Tree Ordinance	Does not apply	Does not apply	Does not apply	Applies
* Driveway on Tract 4 at 25' width equals 62,508 s.f. of impervious cover.				

COVERED BRIDGE PUD **PROPOSED APPLICABLE RULES** January 9, 2013

Tract	1	2	3	4
Size	14.88/Acres	13.89/Acres	3.25/Acres	8.097/Acres
Use	Multi-Family & Ltd Commercial Uses	Congregate Living	Open Space	Driveway & Congregate Living
Applicable Code	Current Code (Modified)	Current Code (Modified)	Current Code (Modified)	Current Code (Modified)
Proposed Impervious Cover	338,600 [s.f.]	91,000 [s.f.]	0 [s.f.]	108,000 [s.f.]
Impervious Cover Difference	13,914 [s.f.]	(210,435) [s.f.]	(70,785) [s.f.]	45,492 [s.f.]
Cut Limits	Limited	Limited	Limited	Limited
Fill Limits	Limited	Limited	Limited	Limited
Construction on Slopes	Limited	Limited	Limited	Limited
CWOZ Development / IC	Prohibited except for Pond	Prohibited except for reirrigation area	Prohibited except for VFS	Prohibited except for 25' wide Driveway
Water Quality Control	Bio-filtration with 1/2 of SH 71	Non-degradation	Non-degradation	Non-degradation
Heritage Tree Ordinance	Applies	Applies	Applies	Applies
Note - The small portions of Tracts 2 & 4 that lie north of the creek will have bio-filtration for water quality.				
** Difference is calculated between driveway at 25' width and proposed PUD Concept Plan				

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COVERED BRIDGE PUD - TRACT 1
TABLE OF PERMITTED, CONDITIONAL AND PROHIBITED USES

[illegible]

COVERED BRIDGE PUD - TRACTS 2 & 4
TABLE OF PERMITTED, CONDITIONAL AND PROHIBITED USES

[illegible]

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EXHIBIT K C17
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Covered Bridge Property Owners Association, Inc.

October 3, 2012

Honorable Mayor Lee Leffingwell
Mayor Pro Tem Sheryl Cole
Councilmember Chris Riley
Councilmember Mike Martinez
Councilmember Kathie Tovo
Councilmember Laura Morrison
Councilmember Bill Spelman
Austin City Council
City of Austin
PO Box 1088
Austin, TX 78767

Re: Covered Bridge PUD, Covered Bridge Drive and Hwy 71

Dear Mayor, Mayor Pro Tem and Councilmembers:

The Covered Bridge Property Owners Association, Inc. (the "POA") strongly supports the Covered Bridge PUD rezoning with the understanding that the conditions listed below will be incorporated in the PUD. The POA encompasses over 160 acres including approximately 300 single family homes and 52 condominium units at the Gardens at Covered Bridge. The applicants: AMLI Residential (PPF AMLI Covered Bridge Drive, LLC), Stuart Dupuy (CBAL Whitecrowe, LLC) and Bill Schultz (Covered Bridge Section 8, LLC) represented by agent Ron Thrower (Thrower Design) have met with the Board numerous times since April 2012 and attended a duly noticed meeting of Members of the POA to explain and seek feedback from the neighborhood. The POA and Board understand the current entitlements and the approved FLUMs, and believes that the Covered Bridge PUD, as amended in the first update, has merit and superiority above the type, style and character of a development that can be currently developed with the existing entitlements. The POA has negotiated conditions for POA support of the PUD and all parties have reached an agreement to the following conditions:

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- Tract 1: From the 70+ allowable GR-MU uses, the PUD will prohibit the following uses:

- o Bed and breakfast (Group 1)
- o Bed and breakfast (Group 2)
- o Conservation Single Family Residential
- o Duplex Residential
- o Group Residential
- o Mobile Home Residential
- o Retirement Housing (Small Site)
- o Retirement Housing (Large Site)
- o Single Family Attached Residential
- o Single Family Residential
- o Small Lot Single-Family Residential
- o Townhouse Residential
- o Two-Family Residential
- o Automotive Rentals
- o Automotive Repair Services
- o Automotive Sales
- o Automotive Washing (of any type)
- o Commercial Off Street Parking
- o Communications Services
- o Exterminating Services
- o Food Preparation
- o Hotel-Motel
- o Indoor Entertainment
- o Indoor Sports Recreation
- o Liquor Sales
- o Off-site Accessory Parking
- o Outdoor Sports & Recreation
- o Pawn Shop Services

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- Printing and Publishing
 - Service Station
 - Theater
 - Hospital Services (Limited)
 - Local Utility Services
 - Drive-Thru as an Accessory Use.
- Tract 1: Limit the rental multifamily units to 240 units. This is a decrease from the 250 units submitted in the original PUD application.
- Tract 1: Limit height of all buildings to 3-stories and 45 feet in height, as defined by City of Austin building code as average grade to mid-point of the roof, down from 60 feet allowed in current zoning.
- Tract 1: 25% of the parking for the rental multifamily buildings is to be covered parking within the multifamily buildings or detached garages or carports.
- Tract 2 and 4: Add Congregate Living as a Permitted Use, while retaining all the current Permitted and Conditional Uses under "SF6" zoning, with the exception that Bed and Breakfast shall be a prohibited use.
- Tract 2 and 4: Limit height of all buildings to 3-stories and 45 feet in height, as defined by City of Austin building code as average grade to mid-point of the roof, from 60 feet allowed in the current zoning.
- Tract 2 and 4: Limit the building envelope as shown in the attached drawing. One story Accessory Use or Ancillary Use structures shall be allowed in the setback area.
- Tract 3: Allow for Community Recreation – Private.
- Increase the overall allowable impervious cover to 33% from 30%. 2% of the additional impervious cover is intended to be allocated to Tract 3, consisting of two lots currently zoned MF (3.25 acres). Tract 3 is subject to an executed purchase agreement between the Applicant and the POA, to be conveyed to the POA following City approval of a PUD Zoning Ordinance, with the conditions agreed to by the Applicant and the POA.
- Overall PUD: no offsite signage, as measured from the PUD boundary.

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With the conditions stated above incorporated into the PUD application, the Board of Directors of the Covered Bridge Neighborhood Association unanimously supports the Covered Bridge PUD and asks the City Council to do the same. Furthermore to help and expedite this PUD approval, the Board intends to send letters of support to the Environmental Board, Planning Commission and City Council members to reflect the support of the POA.

You, or your staff, may contact POA Attorney Glenn K. Weichert at (512) 263-2666 ext 101 or glenn@weichertlaw.com if you have any questions about the POA's conditions and support for the PUD.

Sincerely,

Covered Bridge Property Owners Association, Inc.

By:


Eli del Angel, President

Cc:

Ms. Heather Chaffen, Assigned City Planner
Mr. Mike Conner, Vice-President, Covered Bridge Property Owners Association
Mr. Glenn K. Weichert, The Weichert Law Firm
Mr. Ron Thrower, Thrower Design
Mr. Jim Nias, Jackson Walker, LLP

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MEMORANDUM

TO: Mr. Dave Anderson, Chair
Planning Commission Members

FROM: Heather Chaffin
Planning and Development Review Department

DATE: December 11, 2012

RE: **Covered Bridge Planned Unit Development (PUD) - C814-2012-0055**
Postponement Request by Staff

Staff is requesting a postponement of the above-referenced zoning case to January 22, 2013. The case is scheduled to be considered by the Environmental Board on January 16, 2013.

COVERED BRIDGE PUD

EXHIBIT D

CITY OF AUSTIN PLANNED UNIT DEVELOPMENT TIER ONE REQUIREMENTS

Section 2.3 Tier One Requirements

UPDATED PER
ENVIRONMENTAL
BOARD

PUD Regulation	Proposed Covered Bridge PUD
A. Meet the objectives of the City Code	This provision is met with increased water quality, increased landscaping, increased open space, mixed-use,
B. Provide for development standards that achieve equal or greater consistency with the goals of Section 1.1 (General Intent) than development under the regulations of the Land Development Code.	This provision is met
C. Provide a total amount of open space that equals or exceeds 10% of the residential tracts, 15% of the industrial tracts, and 20% of the non-residential tracts within the PUD, except that: 1. A detention or filtration area is excluded from the calculation unless it is designed and maintained as an amenity; and, 2. The required percentage of open space may be reduced for urban property with characteristics that make open space infeasible if other community benefits are provided.	This provision is met with a total amount of open space for the entire project at approximately 50%. Individually, Tract 1 contains +/-15% open space, Tracts 2 & 4 contain +/-55% open space, and Tract 3 contains 100% open space. Due to the nature of the water quality, the ponds are not specifically designed as an amenity. This site is not an urban site.
D. Comply with the City's Planned Unit Development Green Building Program	This provision is met.
E. Be consistent with applicable neighborhood plans, neighborhood conservation combining district regulations, historic area and landmark regulations, and be compatible with adjacent property and land uses.	This provision is met. All neighborhood plan amendments necessary for the uses outlined within the Covered Bridge PUD have either been accomplished. The property is not within the boundary of a neighborhood conservation combining district or historic area and landmark. The proposed uses are compatible with adjacent properties and existing land uses of the area.
F. Provide for environmental preservation and protection relating to air quality, water quality, trees, buffer zones and greenbelt areas, critical environmental features, soils, waterways, topography, and the natural and traditional	This provision is met. The proposed Covered Bridge PUD honors all existing critical water quality zones, provides for a regional water quality control for 1/2 of SH 71 untreated run-off, and provides for minimum of 50% of the site to be used for open space habitat as

character of the land.	preserve, hike / bike trails and water quality controls..
G. Provide for public facilities and services that are adequate to support the proposed development including school, fire protection, emergency service, and police facilities;	This provision is met. Adequate existing facilities are nearby.
H. Exceed the minimum landscaping requirements of the City Code;	This provision is met. Refer to Exhibits F, G, & H.
I. Provide for appropriate transportation and mass transit connections to areas adjacent to the PUD district and mitigation of adverse cumulative transportation impacts with sidewalks, trails, and roadways;	This provision is met. All existing infrastructure to serve the Covered Bridge PUD are in place.
J. Prohibit gated roadways;	This provision is met with no roadways proposed with the PUD..
K. Protect, enhance and preserve areas that include structures or sites that are of architectural, historical, archaeological, or cultural significance; and	This provision is not applicable. There are not any architectural, archaeological or cultural significant features on the site.
L. Include at least 10 acres of land, unless the property is characterized by special circumstances, including unique topographic constraints.	This provision is met. The size of the Covered bridge PUD is 38.122 acres.

Section 2.3.2. Additional Requirements. In addition to the requirements contained in Section 2.3.1 (*Minimum Requirements*), a PUD containing a retail, commercial, or mixed use development must:

A. Comply with <u>Chapter 25-2, Subchapter E (Design Standards And Mixed Use)</u> .	This provision is met.
B. Inside the urban roadway boundary depicted in <u>Figure 2, Subchapter E of Chapter 25-2 (Design Standards and Mixed Use)</u> , comply with the sidewalk standards in <u>Section 2.2.2., Subchapter E, Chapter 25-2 (Core Transit Corridors: Sidewalks And Building Placement)</u> ; and	This provision is not applicable.
C. Contain pedestrian-oriented uses as defined in <u>Section 25-2-691 (C) (Waterfront Overlay District Uses)</u> on the first floor of a multi-story commercial or mixed use building.	This provision is met.

COVERED BRIDGE PUD

EXHIBIT E

CITY OF AUSTIN PLANNED UNIT DEVELOPMENT TIER TWO REQUIREMENTS

2.4. Tier Two Requirements.

This section contains criteria for determining the extent to which development proposed for a PUD district would be superior to that which would occur under conventional zoning and subdivision regulations as required under Section 1.1 (*General Intent*). A proposed PUD need not address all criteria in this section to achieve superiority, and the council may consider any other criteria the council deems appropriate.

Open Space	Provided open space at least 10% above the requirements of Section <u>2.3.1.A</u> , (<i>Minimum Requirements</i>). Alternatively, within the urban roadway boundary established in <u>Figure 2 of Subchapter E of Chapter 25-2</u> (<i>Design Standards and Mixed Use</i>), provide for proportional enhancements to existing or planned trails, parks, or other recreational common open space in consultation with the Director of the Parks and Recreation Department.	This provision is met with a total amount of open space for the entire project at approximately 50%.
Environment	Does not request exceptions to or modifications of environmental regulations.	This provision is met. Applicable environmental regulations are exceeded.
	Provides water quality controls superior to those otherwise required by code.	This provision is met. Applicable water quality regulations are exceeded.
	Uses innovative water quality controls that treat at least 25 percent additional water quality volume and provide 20 percent greater pollutant removal, in addition to the minimum water quality volume required by code.	This provision is met. Innovative water quality controls are provided for Tract 1 which will be sized appropriately to include water quality for ½ of the SH 71 roadway abutting the PUD..
	Provides water quality treatment for currently untreated, undeveloped off-site areas with a drainage	This provision is met. With the treatment of ½ of the SH 71 roadway abutting the PUD.

	area of at least 25 percent of the subject tract.	
	Reduces impervious cover or single-family density by five percent below the maximum otherwise allowed by code or included off-site measures that lower overall impervious cover within the same watershed by five percent below that allowed by code.	This provision is met. The impervious cover for the site is reduced from 50% to 33%.
	Provided minimum 50-foot setback for unclassified waterways with a drainage area of five acres or greater.	This provision is not applicable.
	Provides at least a 50 percent increase in the minimum waterway and critical environmental feature setbacks required by code.	This provision is met with the removal of the applicable regulations that allows for full development in the CWQZ.
	Clusters impervious cover and disturbed areas in a manner that preserves the most environmentally sensitive areas of the site that are not otherwise protected.	This provision is met. The majority of the development is located between S. H. 71 and the creek. Only a small amount of development is proposed across the creek thereby eliminating the potential hazards related to more intense development crossing the creek.
	Provides pervious paving for at least 50 percent or more of all paved areas in non-aquifer recharge areas.	This is not met, though encouraged.
	Prohibits uses that may contribute to air or water quality pollutants.	This provision is met. Uses that may typically be associated with environmental degradation are eliminated.
	Employs other creative or innovative measures.	This provision is met.
Austin Green Builder Program	Provides a rating under the Austin Green Builder Program of three stars or above.	
Art	Provides art approved by the Art in Public Places Program in open spaces, either by providing the art directly or by making a contribution to the City's Art in Public Places Program or a successor	This provision is not applicable.

	program.	
Great Streets	Complies with city's Great Streets Program, or a successor program. Applicable only to commercial, retail, or mixed-use development that is not subject to the requirements of <u>Chapter 25-2, Subchapter E (Design Standards and Mixed Use)</u> .	This provision is not applicable.
Community Amenities	Provides community or public amenities, which may include spaces for community meetings, day care facilities, non-profit organizations, or other uses that fulfill an identified community need.	This provision is met. Trails are provided in the open space areas near the creeks.
Transportation	Provides bicycle facilities that connect to existing or planned bicycle routes or provides other multi-modal transportation features not required by code.	This provision is met. Hike and bike trails are proposed with the development. These trails will connect to other trail systems and City of Austin owned lands.
Building Design	Exceeds the minimum points required by the Building Design Options of Section 3.3.2. of <u>Chapter 25-2, Subchapter E (Design Standards and Mixed Use)</u> .	
Parking Structure Frontage	In a commercial or mixed-use development, at least 75 percent of the building frontage of all parking structures is designed for pedestrian-oriented uses as defined in <u>Section 25-2-691C (Waterfront Overlay District Uses)</u> in ground floor spaces.	This provision is not applicable.
Affordable Housing	Provides for affordable housing or participation in programs to achieve affordable housing.	This provision is not applicable.
Historic Preservation	Preserves historic structures, landmarks, or other features to a degree exceeding applicable legal requirements.	This provision is not applicable.

Accessibility	Provides for accessibility for persons with disabilities to a degree exceeding applicable legal requirements.	This provision is encouraged for all facilities for which the public has access.
Local Small Business	Provides space at affordable rates to one or more independent retail or restaurant small businesses whose principal place of business is within the Austin metropolitan statistical area.	