

## **Term Sheet for Garza Planned Unit Development**

August 8, 2013

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### **Background**

The owner of the subject tract (see Exhibit A), Garza Ranch Ltd., has requested additional impervious cover for the property, to be allowed to develop in the Water Quality Transition Zone and to allow a portion of their proposed water quality treatment system to be placed in a Critical Environmental Feature buffer. The owners have also submitted an application for a Planned Unit Development for this property. This application is currently being reviewed by staff and will be considered separately at a later date. Specifics of the current request are described below.

This property has a long, contentious history. In short, the property is subject to a 2004 settlement agreement that makes certain parcels subject to current code (SOS, 15% impervious cover) and others subject to the Williamson Creek ordinance (65% impervious cover). The various parcels and code requirements are shown on Exhibit A. The applicant has stated that the requested additional impervious cover is needed to offset the increased cost of providing SOS water quality treatment requested by the City.

At their June 27, 2013 meeting the City Council directed staff to bring an amendment forward for their consideration (see attached resolution). Staff recommends approval of the items requested below.

### **Items requested by applicant:**

1. Allow up to 48.2% impervious cover on a gross site basis for all properties within the proposed PUD boundaries as generally shown on Exhibit A.
2. Allow construction of a portion of Ben Garza Boulevard within the water quality transition zone.
3. Water quality treatment for stormwater runoff from all development within the properties shown on Exhibit A will comply with requirements of the SOS ordinance.
4. Allow re-irrigation of treated stormwater within the portion of the Country White sink critical environmental feature buffer that is located on the Garza property.

### **The applicant will provide:**

1. The applicant is to provide \$25,000 towards the construction of a trail head and parking for the Violet Crown Trail on the adjacent city property. [We okay with this?]
2. The applicant will donate an easement for the Violet Crown Trail within the project.

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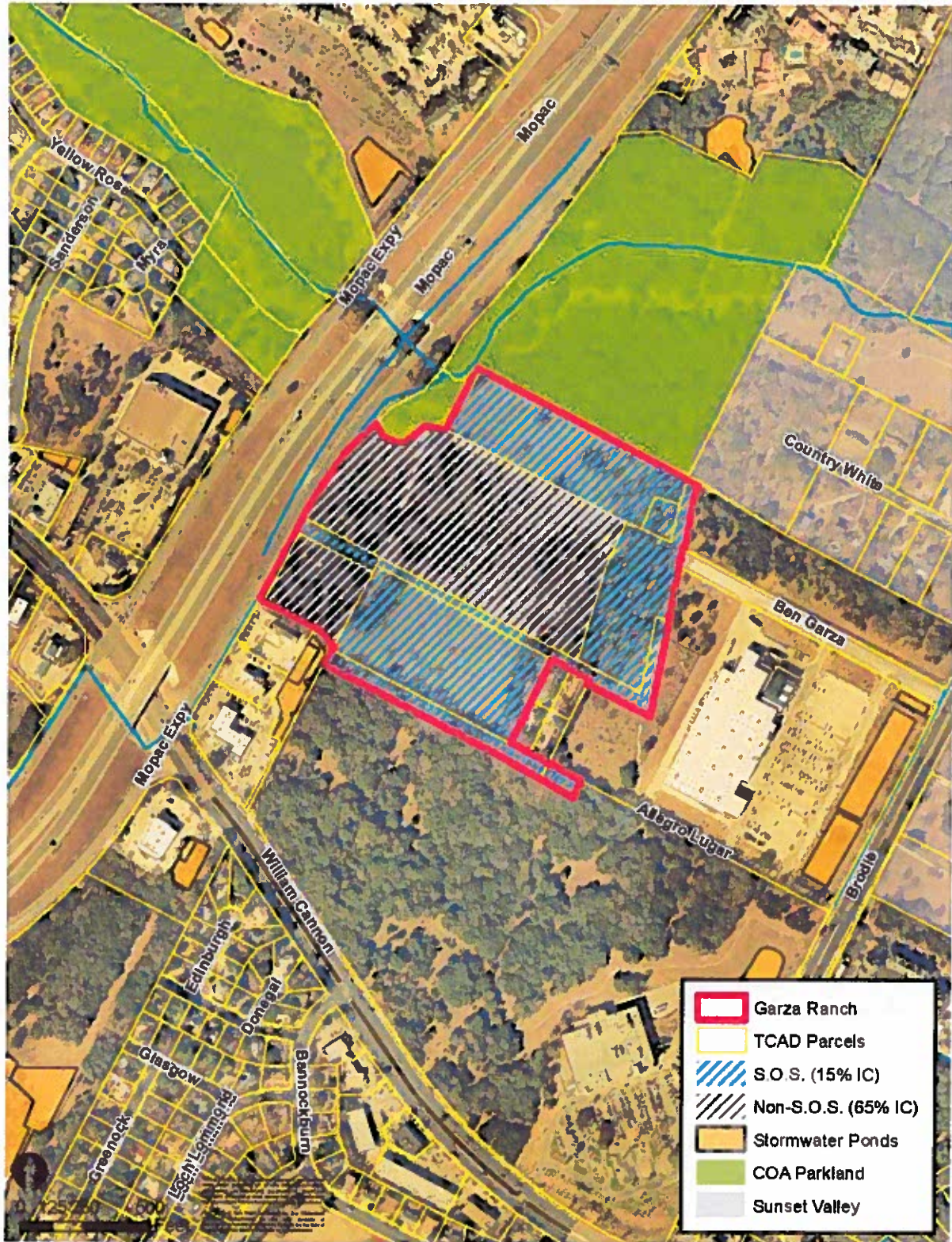


Exhibit A – Garza Properties and Location

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**RESOLUTION NO. 20130627-045**

**WHEREAS**, for more than 20 years, the Save Our Springs ("SOS") Ordinance has facilitated environmentally sound development practices throughout Central Texas and helped to balance the goal of protecting water quality with the demands of rapid population growth;

**WHEREAS**, while SOS remains vital to protecting the Hill Country's rich network of aquifers and to Austin's long-term water management plan, the City recognizes the need for flexibility and for considering the unique challenges and opportunities that development of particular tracts can present;

**WHEREAS**, with this Resolution, the City Council affirms its commitment to SOS and to Austin's longstanding tradition of environmental stewardship, as well as to the spirit of flexibility and accommodation required for the practical fulfillment of these ideals over the long-term; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

1. The City Council initiates site-specific amendments to City Code Chapter 25-8, Article 12 (*Save Our Springs Initiative*) for the properties commonly known as the "Garza tract," generally located at 3712 Ben Garza Lane, and "Encino Trace," generally located 5707 Southwest Parkway.

2. The City Manager is directed to present the amendments to the City Council for consideration at the August 8, 2013 meeting, following the summer recess, and to include the following provisions:

**(A) Garza Tract:**

(1) The applicant shall be required to:

- (a) provide an easement for the Violet Crown Trail and funding for a trailhead on adjacent property;

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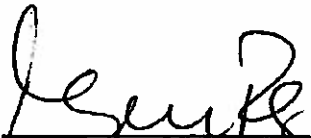
- (b) construct and maintain SOS water quality treatment for all parcels within the proposed PUD, including public and private roadways; and
  - (c) limit development to re-irrigation only within the existing buffers for the two Critical Environmental Features (sinkholes) on the adjacent northern tract.
- (2) Impervious cover to be capped at 48.2% on a gross site basis across the eight parcels included in the Garza tract, which is currently subject to varying impervious cover limits under separate ordinances and agreements applicable to different portions of the property.
  - (3) Road construction and re-irrigation areas to be allowed within the water quality transition zone.

(B) Encino Trace:

- (1) Current development prohibitions within the existing buffer for Penny Cave to remain in effect.
- (2) Unless modified by the parties, development must comply with restrictions applicable under the existing restrictive covenant with the adjacent neighborhood.
- (3) Impervious cover to be capped at 25% on a gross site area across all three tracts.
- (4) Development to be permitted within the critical and transition zones on the minor waterway adjacent to Southwest Parkway.

ADOPTED: June 27, 2013

ATTEST:

 for  
Jannette S. Goodall  
City Clerk