

ZONING CHANGE REVIEW SHEET

CASE: C814-2012-0085.01 – Estancia Hill Country Planned Unit Development – First Amendment
Z.A.P. DATE: January 7, 2014
January 21, 2014
February 18, 2014
April 15, 2014
June 3, 2014
November 4, 2014

ADDRESS: 12814 Interstate Highway 35 South, FM 1327 (Puryear Road) at South IH 35 Service Road Southbound

OWNERS: Sevengreen One LTD;
Quartersage II LTD;
Reverde Three LTD;
IV Capitol Pointe LTD;
Stone Pointe Five LTD; Saladia VI LTD;
Paol Grande Seven LTD; High Point Green VIII LTD;
Golondrina Nine LTD; X Cordoniz LTD;
Ciero Eleven LTD; Zagan XII LTD;
Thirteen Canard LTD; Ruisse XIV LTD;
Dindon Fifteen LTD; Bois de Chene XVI LTD;
Etourneau Seventeen LTD; Moineau XVIII LTD;
SLF III – Onion Creek LP (The Stratford Company-Ocie Vest);
Lennar Homes of Texas Land and Construction, LTD (Ryan Mattox)

AGENT: City of Austin –
Planning and Development
Review Department
(Wendy Rhoades)

ZONING FROM: PUD **TO:** PUD, to change
a condition of zoning **AREA:** 593.6 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant an amendment to planned unit development (PUD) district zoning, to remove grandfathering provisions contained in Part 2 of the approved zoning ordinance and insert standard language in its place.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

January 7, 2014: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO JANUARY 21, 2014*

[G. ROJAS; S. COMPTON – 2ND] (6-0) C. BANKS – ABSENT

January 21, 2014: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO FEBRUARY 18, 2014*

[G. ROJAS; R. MCDANIEL – 2ND] (5-0) P. SEEGER; J. MEEKER – ABSENT

February 18, 2014: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO APRIL 15, 2014*

[G. ROJAS; R. MCDANIEL – 2ND] (6-0) S. COMPTON – ABSENT

April 15, 2014: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO JUNE 3, 2014*

[G. ROJAS; S. COMPTON – 2ND] (6-0) B. BAKER; R. MCDANIEL – ABSENT

June 3, 2014: *APPROVED AN INDEFINITE POSTPONEMENT REQUEST BY STAFF*

[G. ROJAS; R. MCDANIEL – 2ND] (7-0)

November 4, 2014: *APPROVED AN AMENDMENT TO PUD DISTRICT ZONING, AS STAFF RECOMMENDED, BY CONSENT*

[P. SEEGER; R. MCDANIEL – 2ND] (7-0)

ISSUES:

The subject case was directed for initiation by Staff at the Zoning and Platting Commission meeting of December 3, 2013.

DEPARTMENT COMMENTS:

The Estancia Hill Country Planned Unit Development (PUD) consists of two tracts of undeveloped land located on the southbound IH-35 service road at its intersection with Puryear Road. Tract I is bordered by Onion Creek on the north, IH-35 on the east, Puryear Road on the south and Old San Antonio Road on the west. Tract II is located on the west side of Old San Antonio Road and *does not* include a 0.160 acre tract that contains a water system including well/water tank and a pump station in a building, and is under separate ownership. The proposed PUD is bounded by Onion Creek to the north, the southbound IH 35 Service Road to the east, Puryear Road to the south, and single family residences in the Onion Creek Meadows subdivision and residences on large lots and undeveloped land to the west (County). Please refer to Exhibits A (Vicinity Map), A-1 (Zoning Map) and A-2 (Aerial View).

On June 20, 2013, Council approved the Estancia Hill Country PUD for a 593.6 acre mixed use project that may be developed with up to 737 single family residential units, 1,550 multi-family residential units, 1.65 million square feet of office/commercial uses, 400,000 square feet of retail, and over 100 acres of open space. A two acre City of Austin Fire / EMS station site and a nine acre site for a multi modal transportation facility are proposed to be located near the southeast corner of Tract II. In general, parkland/open space is located in proximity to Onion Creek and along the west side of Old San Antonio Road, and single family residences on the north central portion of the site. The remainder of the property is to be developed with a broad mix of multi-family, office, retail, and civic uses. Please refer to Exhibit B (PUD Land Use Plan).

A sentence in Part 2 of the approved PUD ordinance inadvertently contained grandfathering of development standards, thereby locking them in for the life of this PUD. The sole purpose of the proposed amendment is to remove this sentence from the ordinance and insert the following standard language in its place: "Except as otherwise specifically provided by this ordinance, all other rules, regulations and ordinances of the City apply to the Estancia Hill Country PUD." Please refer to Exhibit C (Approved PUD zoning ordinance and proposed wording change).

To that end, the Applicant will be making a minor revision to the revised Preliminary Plan and adding an informational note as follows: "For informational purposes only, the allowed uses for the project as of {*insert date of approval of PUD amendment*}, 2014, are those identified on Exhibit H (Zoning Use Summary Table) of PUD Ordinance No. 20130620-077, approved by the City of Austin on June 20, 2013. Allowed uses may change over time consistent with applicable law."

The purpose of this note is to acknowledge that 1) the certain revised Preliminary Plan No. C8J-2009-0142.01 is the "original application for permit" for purposes of Chapter 245 of the Local Government Code, and 2) the uses contemplated by the PUD shall be considered the "project" for the purposes of Chapter 245 of the Local Government Code.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	PUD	Undeveloped (formerly part of the Heep Ranch)
<i>North</i>	County; MF-2	Onion Creek; Multi-family residences
<i>South</i>	County	Undeveloped
<i>East</i>	N/A	IH 35 Service Road southbound and main lanes
<i>West</i>	County	Single family residences within the Onion Creek Meadows subdivision; Single family residences on large lots; Undeveloped

AREA STUDY: N / A

TIA: Is not required

WATERSHED: Onion Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

231 – Onion Creek Meadow Property Owners Association
 627 – Onion Creek Homeowners Association 742 – Austin Independent School District
 786 – Home Builders Association of Greater Austin
 1037 – Homeless Neighborhood Organization 1075 – League of Bicycling Voters
 1224 – Austin Monorail Project 1228 – Sierra Club, Austin Regional Group
 1236 – The Real Estate Council of Austin, Inc.
 1340 – Austin Heritage Tree Foundation 1363 – SEL Texas

SCHOOLS:

Menchaca Elementary School Paredes Middle School Akins High School

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2014-0081 – Hetherly Tract – 11821-12124 S IH 35 Service Road NB	CS-MU-CO to CS-MU-CO, to change a condition of zoning, by removing the daily vehicle trip limit	To Grant CS-MU-CO and replace the 2,000 daily trip limit with the conditions of a Traffic Impact Analysis	Apvd CS-MU-CO w/conds of a Traffic Impact Analysis, as ZAP Commission recommended (11-06- 2014).
C14-2008-0221 – Conn Tract – 11821-12124 S IH 35 Service Road NB (58 acres)	I-RR (Upon annexation) to CS-MU-CO	To Grant CS-MU-CO w/CO for limited warehousing & distribution, and all GR uses, except for adult- oriented businesses, commercial blood plasma center and pawn shops, and 2,000 trips	Apvd CS-MU-CO as ZAP Commission recommended (04-02- 2009).
C14-06-0191 – Fox Hill – 11421 – 11717 S IH-35 Service Road NB (87.884 acres)	I-RR to RR for Tract 1; MF-2- CO for Tract 2	To Grant RR-CO for Tract 1 w/CO limiting permitted improvements to drainage, underground utility improvements, hike and bike trails, etc. and MF-2-CO for Tract 2, w/CO limiting development to 12 u.p.a., and the conditions of the TIA	Apvd RR-CO for Tract 1 and MF-2-CO for Tract 2 as ZAP Commission recommended (04-19- 2007).

RELATED CASES:*Creation of a Public Improvement District and Annexation*

City staff and the owners of the land negotiated an Agreement authorized by Sections 43.035 and 212.172 of the Texas Local Government Code that establishes development regulations for the property and provides that the area will be annexed initially for Limited purposes, allowing the City to establish zoning and create a Public Improvement District (“PID”) for the area. The purpose of the PID is to finance City bonds that would help pay

for infrastructure for the proposed development. In exchange for PID bond financing, the developers have requested Limited Purpose annexation and a 16 year delay of Full purpose annexation. The Agreement obligates the City to defer Full Purpose annexation of any part of the project for which the City issues PID bonds. This is designed to defer imposing City property taxes on the land at any time before the PID bonds assessments are paid in full. The developer also filed the subject application for planned unit development (“PUD”) zoning for the area. The Agreement is consistent with the Council adopted policy regarding establishment of PIDs. Zoning was approved by City Council after annexation occurred.

The Agreement does not create PIDs, annex the property, or zone it, however, related items on the Council agenda will accomplish those things. Limited purpose annexation became effective on July 1, 2013 (C7L-2013-0001).

Approved Preliminary Plan, Final Plats and Site Plans

A revised Preliminary Plan for Estancia Hill Country was approved on August 16, 2011 (C8J-2009-0142.01). A final plat for Phase I was recorded on October 21, 2013 and construction plans for Phase I improvements are approved (C8J-2009-0142.1A/1B). The remainder of the rezoning area is unplatted.

A related site plan case for 75 detached condominiums on a portion of the subject property was approved on February 14, 2014 and is under construction (SP-2013-0002C – Enclave at Estancia Phase I (Lennar)).

Upgrades to Old San Antonio Road

In order to accommodate the additional traffic on Old San Antonio Road, the Applicant has donated 10 feet of right-of-way along Old San Antonio Road for widening, as well as an additional 10-foot wide easement for a hike and bike trail. The right-of-way and easement were donated at the time the Preliminary Plan was approved. To address bicycle safety, Travis County has committed to build a 6-foot wide bike lane on each side of Old San Antonio Road. The Applicant has also agreed to donate all of the land necessary for the construction of a new bridge to be built at the low water crossing located near the northwest corner of the property (the existing bridge will remain in place). The land donation will occur by way of a Transportation Phasing Agreement with Travis County.

ABUTTING STREETS:

Name	ROW	Pavement	Class	Sidewalk?	Bus Route?	Bike Route?
IH 35	Varies	FWY 6	FWY	No	No	No

CITY COUNCIL DATE: January 23, 2014

ACTION: Approved a Postponement request by the Staff to March 20, 2014 (6-0, Mayor Lee Leffingwell was absent).

March 20, 2014

Approved a Postponement request by the Staff to May 15, 2014 (7-0).

May 15, 2014

Approved a Postponement request by Staff to June 26, 2014 (7-0).

June 26, 2014

Approved an Indefinite Postponement request by Staff (6-0, Council Member Martinez - off the dais).

November 20, 2014

ORDINANCE READINGS: 1st

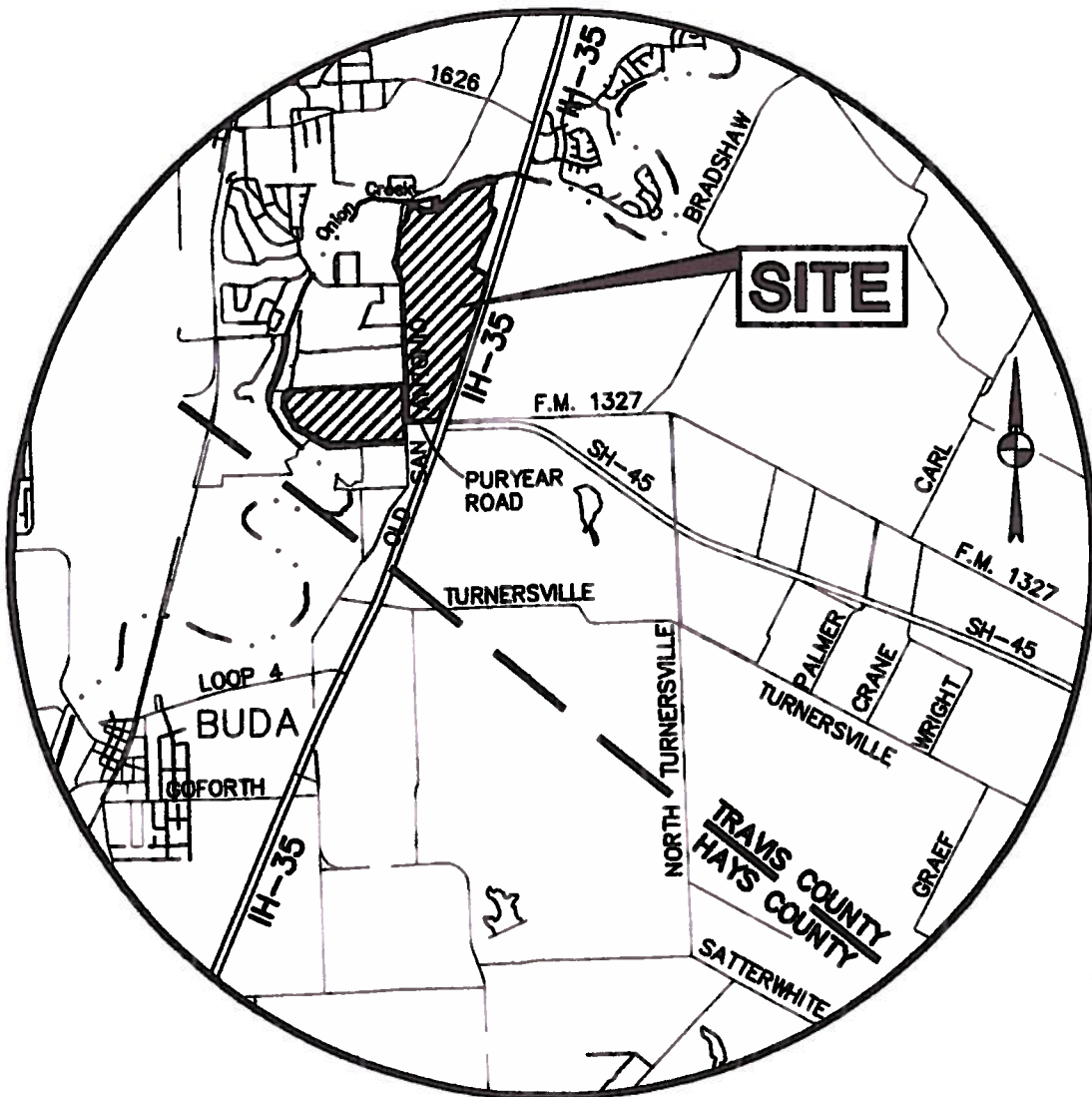
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@austintexas.gov

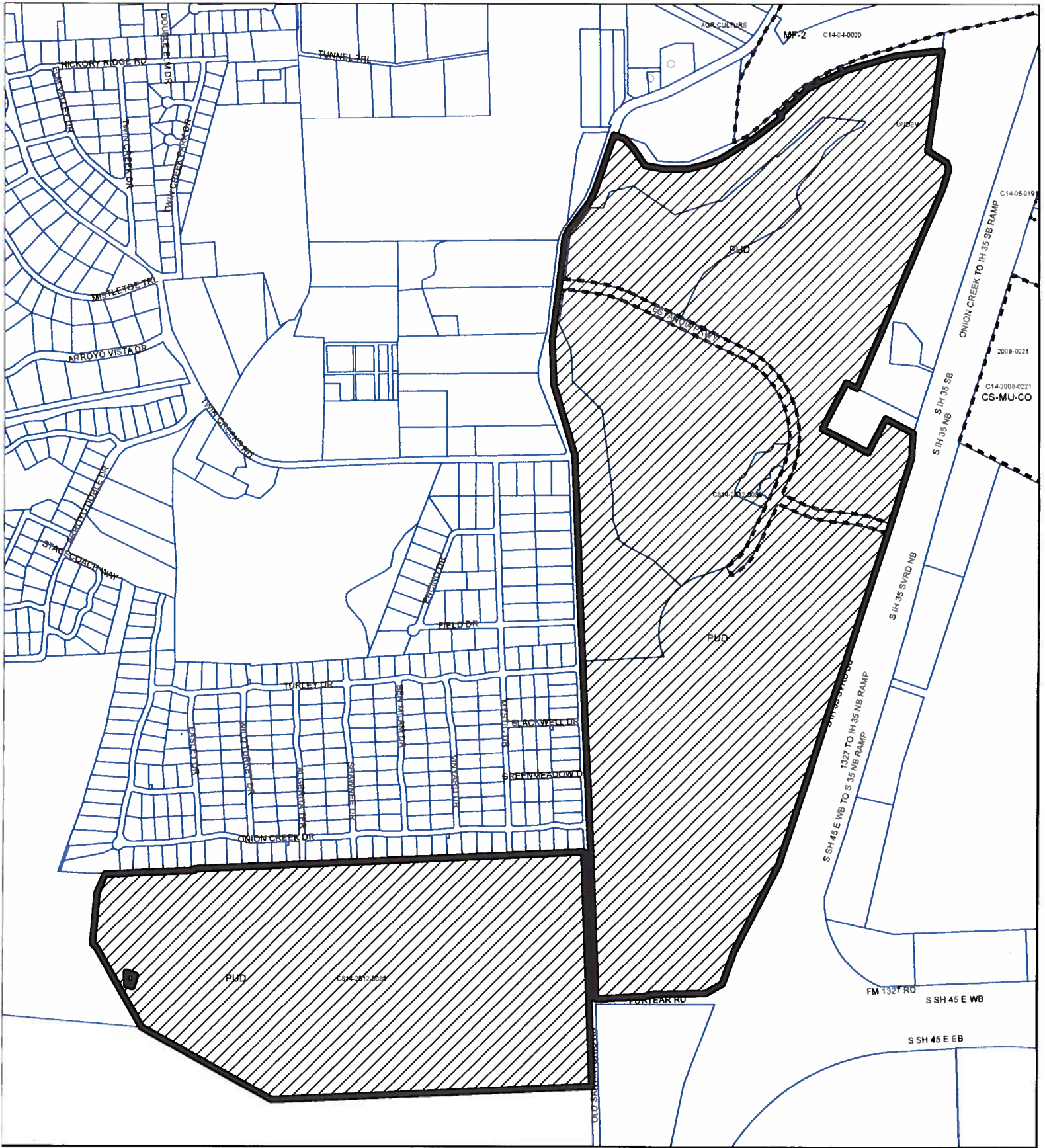
PHONE: 512-974-7719






VICINITY MAP

N.T.S.

EXHIBIT A



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

PLANNED UNIT DEVELOPMENT *EXHIBIT A-1*
ZONING CASE#: C814-2012-0085.01

1" = 1,100'

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 CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



ESTANCIA HILL COUNTRY P.U.D.

EXH1

p Buy+Partners

LEGEND

PROPOSED USE LIMITS

OPEN SPACE

LOW DENSITY (1-4 UNITS PER ACRE)

MEDIUM DENSITY (5-9 UNITS PER ACRE)

HIGH DENSITY (10-24 UNITS PER ACRE)

WETLAND RETENTION

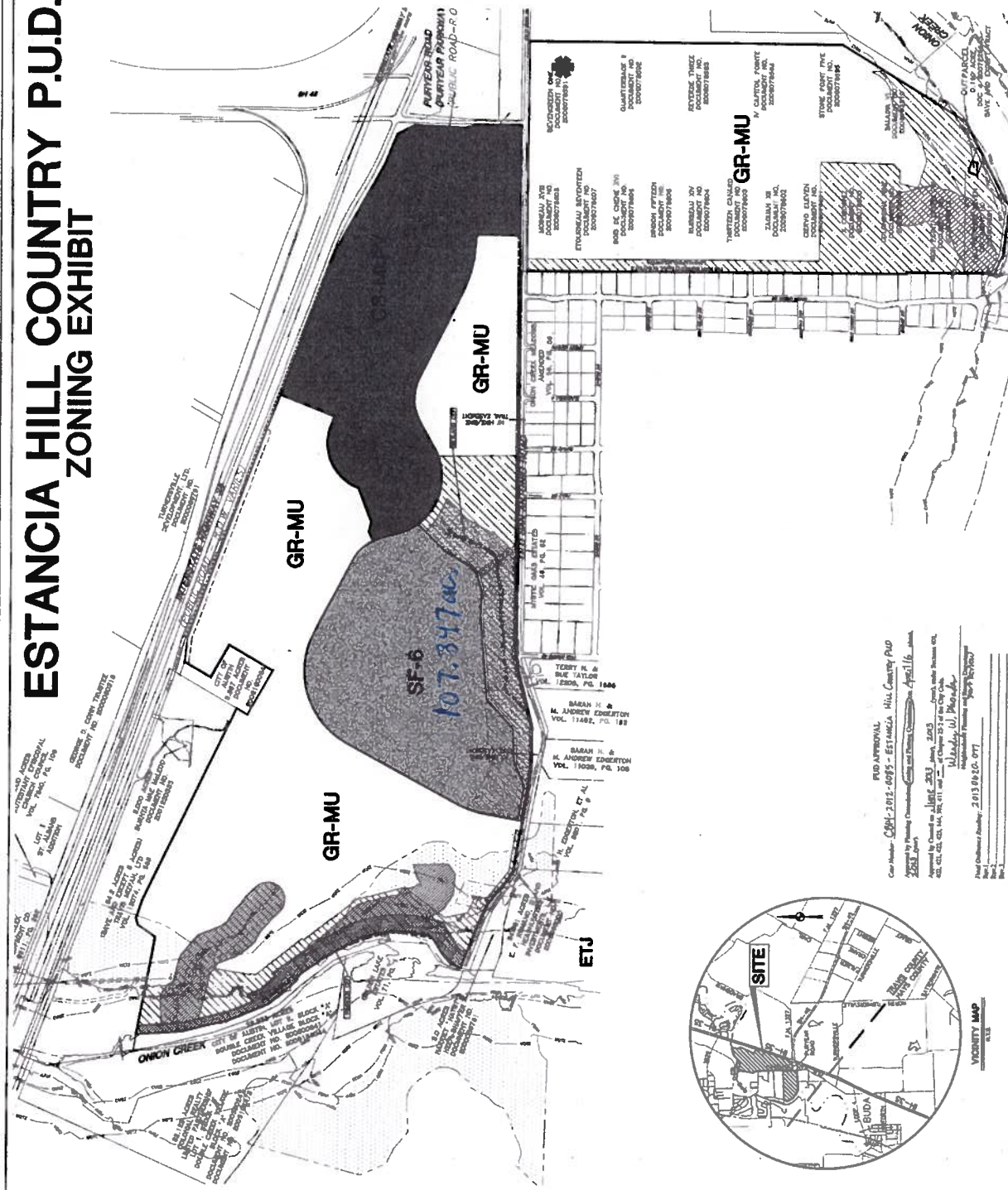
WETLAND RETRACTION

PODDLE CITY OF AUSTIN FIRE/EMS STATION # 9 AC

CRITICAL DIVERSITY/FEATURE

LAND USE DATA QWART		ACRES
	LAND USE	
OPEN SPACE (LOW DENSITY)	8.3 AC	
OPEN SPACE (MEDIUM DENSITY)	70.4 AC	
OPEN SPACE (HIGH DENSITY)	23.2 AC	
TOTAL OPEN SPACE	101.9 AC	
LOW DENSITY	72.3 AC	
MEDIUM DENSITY	430.3 AC	
HIGH DENSITY	91.2 AC	
TOTAL	603.9 AC	

573-0
 SUPPLEMENTAL USE SUMMARY TABLE AND SITE
 DEVELOPMENT REGULATIONS TABLE FOR ADDITIONAL
 P.A.B. REGULATIONS.



FUD APPROVAL
 Case Number: C094-2012-00895 - ESTANCIA Hill Country AUD
 Approved by Planning Commission (date and minutes) April 16, 2013
 Approved by Council on June 21, 2013
 Approved by Council on June 21, 2013
 City Clerk: 412.452.444, ext. 111 and 412.452.444, ext. 111
 Wendy W. Monahan
 Multicultural Planning and Energy Department
 201306202-077

EXHIBIT B
APPROVED
PUD LAND USE PLAN

C814-2012-0085

ORDINANCE NO. 20130620-077

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 12814 INTERSTATE HIGHWAY 35 SOUTH, FM 1327 (PURYEAR ROAD) AT SOUTH IH 35 SERVICE ROAD SOUTHBOUND AND CHANGING THE ZONING MAP FROM INTERIM-RURAL RESIDENCE (I-RR) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) COMBINING DISTRICT.

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

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district interim-rural residence (I-RR) district to planned unit development (PUD) combining district on the property described in **Zoning Case No. C814-2012-0085**, on file at the Planning and Development Review Department, as 19 tracts of land consisting of approximately 593.6 acres in Travis County, Texas, shown in Exhibit "A" (the "Property"). The Property is locally known as 12814 Interstate Highway 35 South, FM 1327 (Puryear Road) at South IH 35 Service Road Southbound and generally identified in the map attached as Exhibit "B".

PART 2. This ordinance and the attached Exhibits A through L are the land use plan (the "Land Use Plan") for the Estancia Hill Country planned unit development district (the "PUD") created by this ordinance. Development of and uses within the PUD shall conform to the limitations and conditions set forth in this ordinance and in the Land Use Plan including, but not limited to the base zoning districts shown on Exhibit C. If this ordinance and the attached exhibits conflict, this ordinance controls. ~~Except as otherwise provided by this ordinance or by Section 245.004 of the Local Government Code, development within the PUD is subject to the ordinances, regulations, and rules in effect on the effective date of this ordinance.~~ *Except as otherwise specifically provided by this ordinance, all other rules, regulations and ordinances of the city apply to the Estancia Hill Country PUD.*

PART 3. The attached exhibits are incorporated into this ordinance in their entirety as though set forth fully in the text of this ordinance. The exhibits are as follows:

- Exhibit A: Legal description of the Property
- Exhibit B: Zoning Map
- Exhibit C: Zoning Exhibit
- Exhibit D: Grow Green Native and Adapted Landscape Plants
- Exhibit E: Park Exhibit
- Exhibit F: Headwaters Buffer Exhibit

- Exhibit G. Construction on Slopes
- Exhibit H. Zoning Use Summary Table
- Exhibit I. Site Development Regulations
- Exhibit J. Compatibility Standards and Regulations
- Exhibit K. Entry at IH-35
- Exhibit L. Entry at Old San Antonio Road

PART 4. Open Space and Parkland.

All open space and parkland within the PUD, as generally shown on Exhibit E, attached hereto is detailed in the Development Agreement between the City of Austin and SLF III-Onion Creek, LP, dated June 20, 2013.

PART 5. Environmental.

1. Development of the site within Austin Energy's service area, shall comply with the requirements of the Austin Energy Green Building Program (GBP) multifamily, single family, or commercial rating system for a minimum two-star rating. Certification from the GBP shall be based on the version in effect at the time ratings applications are submitted for individual buildings.
2. Development of single family residential buildings outside Austin Energy's service area, shall comply with the requirements of the Austin Energy Green Building Program (GBP) single family rating system for a minimum two-star rating. Certification from the GBP shall be based on the version in effect at the time ratings applications are submitted for individual buildings.
3. Development of commercial and multifamily buildings, outside Austin Energy's service area, will be constructed to achieve a reasonably equivalent rating under another program approved by the City of Austin (the "City") such as LEED Silver.
4. Each site plan application filed for open space, commercial and multifamily development shall use plant material recommended in the Grow Green Native and Adapted Landscape Plants list attached as Exhibit D. Plants on the Invasive Species/Problem Plants list, attached as a part of this exhibit, may not be included.
5. For each site plan application filed for commercial, industrial, mixed use, multifamily residential or open space areas for the project, the developer shall

submit an integrated pest management (IPM) plan that complies with Section 1.6.9.2(D) and (F) of the Environmental Criteria Manual (the "ECM") to the Director of the Planning and Development Review Department (the "Director") for approval of the plan

6. Subject to Item 7, below, development of the Property will provide for a minimum of 30 percent of the required water quality volume to be managed by a bio-filtration or other similar innovative green infrastructure water quality controls from section 1.6.7 of the ECM, which include wet ponds for multifamily, garden home, commercial use and roads.
7. Development of the Property will provide for full or partial volumetric flood detention unless it is not feasible and beneficial as determined by City staff. If determined not be feasible and beneficial, the developer agrees to a minimum of 50 percent of the required water quality volume to be managed by a bio-filtration or other green infrastructure water quality controls according to Section 1.6.7 of the ECM, as provided in Item 6 of this part.
8. The developer of the Property will utilize the headwater areas of Onion Creek to further treat runoff, and enhance water quality. This will be accomplished primarily by protecting the headwater areas identified in Exhibit F. Permitted development in the headwater drainage areas will include roadway crossings, utility crossings and water quality facilities and trails.
9. All proposed wet ponds on the Property will be maintained by the Master Property Owners Association, established by the developer.
10. At least 25 percent of the landscaping irrigation in the public right-of-way project-wide will be irrigated from non-potable water source, which includes but are not limited to rainwater or condensate catchment, stormwater systems.
11. The use of tar sealants or other pavement sealants is prohibited.
12. Development of the property is subject to compliance with Chapter 25-2, Subchapter C, Article 9 (*Landscaping*), which applies to irrigation, landscaping, and use of innovative water management options such as directing stormwater to on-site uses (e.g. landscaping) and rainwater harvesting, etc.

PART 6. Water Quality

1. A water quality facility (or facilities) that treats private stormwater, public stormwater or a combined facility for both private and public stormwater shall be allowed provided the facility is constructed to the City of Austin standards for public stormwater treatment. The developer agrees to build and maintain the facility in accordance with City standards, and if an alternative arrangement is approved by the director, the city attorney shall determine whether an agreement is necessary. The agreement must be approved by the city attorney and filed of record.

PART 7. Public Facilities.

1. The developer shall dedicate one site of not more than 9 acres for an Intermodal Transportation Facility in the area as approximately shown on Exhibit C.
2. The developer shall dedicate one, 2 acre buildable site for a future City of Austin Fire/EMS station in the area as approximately shown on Exhibit C. The developer must obtain approval by the Austin Fire Department (the "AFD") prior to final approval of the land to be dedicated.
3. Development of the City of Austin Fire Station and Intermodal Transportation Facility shall follow the Covenants, Conditions and Restrictions (CCR's) recorded by developer of the PUD. Development of the City of Austin Fire Station and Intermodal Transportation Facility shall not be required to follow the City of Austin's Commercial Design Standards.

PART 8. Affordable Housing Program.

1. The developer shall set aside at least 10 percent of the owner occupied residential units within the PUD for occupancy by households whose income is less than 80 percent of the median income of the Austin metropolitan statistical area ("Affordable Ownership Requirement") for a period of 40 years. Affordable housing provided under this section cannot be used to meet any affordable housing bonus or exception and vice-versa.
2. The Affordable Ownership Requirement for multifamily projects shall be based on the number of units and calculated on a multifamily project by project basis. Multifamily projects shall follow the same multi-bedroom unit requirement as are set forth for apartments in Paragraph 5, below. For other forms of single

family housing (either attached or detached), affordability shall also be calculated based on the number of units and, to the extent economically feasible, shall be spread across the various product type within the PUD. Although there shall be no requirement that each project or plat within the PUD contain a specific number of affordable units, the Developer shall be responsible for ensuring that ultimately the entire PUD contains the requisite number of affordable ownership units. The Developer shall report to the Director of the Neighborhood Housing Community Development on the status of the number and location of affordable ownership units within the PUD on a semi-annual basis commencing on the date the first plat is recorded.

3. Notwithstanding the foregoing, if the Developer provides more affordable units in any given apartment project than the ten percent (10%) required per Paragraph 4 below, then the number of units required to meet the Affordable Ownership Requirement in the PUD shall be reduced (i) on a 1.5:1 ratio for up to three percent of the ten percent Affordable Ownership Requirement for the PUD; and (ii) on a 4:1 ratio for up to an additional two percent of the ten percent Affordable Ownership Requirement for the PUD. Provided however, in no event shall the number of units required to meet the Affordable Ownership Requirement in the PUD be reduced below five percent of the total ownership units through the method described above.
4. The developer shall set aside at least 10% of the rental units for apartments within the PUD for occupancy by households whose income is less than 60% of the median family income in the Austin metropolitan statistical area ("Affordable Rental Requirement") for a period of 40 years. Affordable housing provided under this section cannot be used to meet affordable housing requirements for a bonus or exception and vice-versa.
5. The Affordable Rental Requirement shall be based on the number of units and calculated on an apartment project-by-apartment project basis. The ratio of affordable single units to affordable multi-bedroom units shall be equal to the ratio of total single to total multi-bedroom units for the applicable project. The affordable units within any given apartment project shall be interspersed with market rate units.

PART 9. Transportation and Bicycle Plan.

1. The number of bicycle parking spaces required by Code shall equal to at least five percent of required motor vehicle parking. At least half the total spaces shall be either (a) Class I racks/parking spaces as defined in the City Transportation Criteria Manual or (b) spaces in a locked bicycle storage room with a means to secure individual bicycles within the room. Review and approval of bicycle parking placement by the City of Austin Bicycle Program or any successor program is required prior to site plan approval.
2. A building containing one or more office uses that total 25,000 square feet or more shall include shower facilities for bicycle riders. Such a building containing more than 25,000 square feet, but less than 50,000 square feet of office uses shall provide one private unisex facility. A building containing more than 50,000 square feet, but less than 100,000 square feet of office uses shall provide one private facility for each gender. A building containing more than 100,000 square feet, but less than 500,000 square feet of offices uses shall provide private shower facilities with two showers for each of both sexes. A building containing more than 500,000 square feet of office uses shall provide private shower facilities with three showers for each of both sexes. The facilities shall be separate from the office toilet facilities and include an area for changing clothes and storing personal items. The facilities may be located outside of the building in a common area accessible to all buildings subject to this requirement. The shower facilities shall also be provided if the office building includes retail uses as well, but in such mixed use facilities there is no requirement that the showers be accessible to anyone other than the office and retail employees of the building.
3. Development of the Property zoned general commercial services-mixed use-vertical mixed use building (CS-MU-V) on the Property, streetscape standards will follow the Core Transit Corridor standards of the Commercial Design Standards.
4. The developer will contact Capital Metro every five years regarding the status of transit services for the area.
5. Gated roadways will be allowed for condominium, multifamily, garden home, corporate campus and data center uses.

PART 10. Art.

1. Developer will provide for a public art master plan, which will be developed and managed by the developer and the master property owners association.

PART 11. Architectural, historical, cultural and archaeological areas.

1. Developer will protect in place the existing archaeological area known as historical feature 4ITV16, as identified in the Phase III Archaeological and Historical Research and Investigation conducted for the Heep Trust Property, Travis and Hays County by Hicks & Company, dated September 1994 and archived in the Texas Archaeological Research Laboratory Library under AR-TX HIX01.1994.03 within the PUD that contain native American artifacts and history for cultural resource education. This area is proposed for parkland dedication to the City according to Exhibit E.
2. Developer will incorporate a plaza and plaque to honor the Old San Antonio Road route of the Camino Del Rio De Las Tejas and work with the U.S. government to incorporate roadway markers along the route for educational purposes.

PART 12. Continuation of Existing Uses and Activities.

1. The land uses and activities that currently exist within the PUD as of the effective date of this ordinance shall be allowed to continue operating in the same manner as follows: (i) agricultural (including without limitation, ranching and farm uses); and (ii) hunting. Hunting within the PUD shall be prohibited after issuance of the first building permit for any part of the PUD.

PART 13. Code Modifications. In accordance with Chapter 25-2, Subchapter B, Article 2, Division 5 (Planned Unit Development) of the Code, the following site development regulations apply to the PUD instead of otherwise applicable City regulations:

A. Zoning

1. Chapter 25-2, Subchapter C Article 10 (*Compatibility Standards*) of the City Code does not apply to the PUD; such regulations are controlled by Exhibit J of this ordinance.

2. Section 25-2-243 (*Proposed District Boundaries Must Be Contiguous*) of the City Code does not apply to the PUD.
3. Section 25-2-491 (*Permitted, Conditional and Prohibited Uses*) does not apply to the PUD; such regulations are controlled by Exhibit H of this ordinance.
4. Section 25-2-492 (*Site Development Regulations*) of the City Code does not apply to the PUD; such regulations are controlled by Exhibit I of this ordinance.
5. Section 2.2.4 (B), Subchapter E (*Design Standards and Mixed-Use*) of the City Code is modified to require sidewalks within the general commercial services-mixed use-vertical mixed use building (CS-MU-V) area of the PUD to be designed to Core Transit Corridor Standards.
6. Section 2.2.5 and 2.3.1 Subchapter E (*Design Standards and Mixed-Use*) of the City Code does not apply to a multifamily development over 5 acres that does not have a separate ground floor use as long as the following is provided:
 1. Sidewalks or pedestrian paths are required connecting to all buildings and all amenities; and
 2. Internal circulation for vehicular connectivity is required with no maximum block size or shape.
7. Subchapter E (*Design Standards and Mixed-Use*) of the City Code does not apply to a Data Center or Corporate Campus.

B. Environmental

1. Section 25-8-41 (*Land Use Commission Variances*); 25-8-301 (*Construction of a Roadway or Driveway*); Subsection (A); and 25-8-302 (*Construction of a Building or Parking Area*), Subsection (A)(2) to authorize the Director to grant administrative variances after making the determinations required by Section 25-8-41 for the following areas as shown on Exhibit G:

- (a) North of Estancia Parkway: allow for an administrative variance for construction on slopes up to 25 percent for parking (302(A)(2)), private driveways and public rights-of-way (301(A)); and,
 - (b) South of Estancia Parkway: allow for an administrative variance for construction on slopes up to 25 percent for private driveways and public rights-of-way (301(A)).
- 2. Section 25-8-394 (C) (*Suburban Watershed Uplands Zone*): Impervious Cover is modified to allow for development intensity to have maximums of 70 percent for multifamily residential and 90 percent for commercial.
- 3. Section 25-8-643 (*Heritage Trees Land Use Commission Variance*) is modified to allow for the Director without consideration by the Environmental Board, Urban Forestry Board or Land Use Commission to grant a variance to allow removal of a heritage tree with at least one stem that is 30 inches or larger in diameter – after making the determinations required under 25-8-643 provided that a reasonable use of the property pursuant to Subpart (A)(2) of 25-8-624 will include an analysis based on preserving those trees that are in the most sound condition. Appeal of the director's decision will follow the process in 25-8-644.

C. Signage

- 1. Section 25-10-82 (*Determination of Applicable Sign District*) is modified to allow for signage in the following categories:
 - (a) Signage within 200 feet of the ROW of IH-35 will be governed by the Expressway Corridor Sign District;
 - (b) Signage along Puryear Road will be governed by the Commercial Sign District, however, if Puryear Road is upgraded to SH-45, the Expressway Corridor Sign District will govern;
 - (c) Signage along Old San Antonio Road will be governed by the Neighborhood Commercial Sign District or the Multifamily Sign District Regulations;

- (d) Signage along internal roadways to the PUD will be governed by the Commercial, Neighborhood Commercial or Multifamily Sign District Regulations;
- (e) Section 25-10-123 (*Expressway Corridor Sign District Regulations*) is modified to allow for project entry signage along IH-35 to be a maximum of 55 feet in height generally in accordance with the design of the signage specifications on Exhibit K; and,
- (f) Section 25-10-127 (*Multifamily Sign District Regulations*) and 25-10-128 (*Neighborhood Commercial Sign District Regulations*) are modified to allow for project entry signage along Old San Antonio Road to be a maximum of 35 feet in height generally in accordance with the design of the sign specifications on Exhibit L.

PART 14. This ordinance takes effect on July 1, 2013.

PASSED AND APPROVED

June 20, 2013 §
§
§

Lee Leffingwell
Mayor

APPROVED: Karen M. Kennard
Karen M. Kennard
City Attorney

ATTEST: Jannette S. Goodall
Jannette S. Goodall
City Clerk

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.austintexas.gov

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C814-2012-0085.01

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: January 7, 2014, Zoning and Planning Commission
January 23, 2014, City Council

Audrey J. John
Your Name (please print)

☐ I am in favor
☒ I object

701 Greenmeadow Dr, Manchaca, Tx.

Your address(es) affected by this application

78652

Audrey J. John
Signature

12/21/2013
Date

Daytime Telephone: 512-507-3554

Comments: There are two concerns I have regarding this project. One, the water pressure is very low in this area. Two, traffic is going to be compromised by the one lane bridge on 'Old San Antonio Rd.' These two problems need to be addressed before the development should be approved.
* Please respond.

If you use this form to comment, it may be returned to:

City of Austin
Planning & Development Review Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C814-2012-0085-01

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: January 7, 2014, Zoning and Platting Commission
January 23, 2014, City Council

Tanice Frizzell
Your Name (please print)

12606 Old San Antonio Rd.
Your address(es) affected by this application

Janieal Fungzell
Signature

Date

Daytime Telephone: 512-969-0334

Comments: My husband & I are very

concerned about the traffic &
density on our road. The traffic
has already increased with the
population build up in Cedar.

There is a large apartment property
on FM 1606. And now with all
the building on these 2 tracts with
driveway/ports emptying onto OSR.

Also, lawsuits need to be bound.

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

Very dangerous.

Thank You!

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Case Number: C814-2012-0085.01

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: November 4, 2014, Zoning and Platting Commission
November 20, 2014, City Council

James Bateman
Your Name (please print)

☐ I am in favor
☒ I object

13452 Onion Creek Dr. Marlin, TX 78552
Your address(es) affected by this application

James D. Bateman 10/4/14
Signature Date

Daytime Telephone: 512-751-7831

Comments: This is a family community. Subject to the construction behind my property for the following:

- ① Decrease property value,
- ② light pollution,
- ③ noise pollution,
- ④ privacy; and
- ⑤ the neighboring community should be single dwelling homes.

If you use this form to comment, it may be returned to:

City of Austin
Planning & Development Review Department
Wendy Rhoades
P. O. Box 1088
Austin, TX 78767-8810