

BRIEFING SUMMARY SHEET

DEVELOPMENT ASSESSMENT CASE NUMBER: CD-2014-0015

REQUEST:

Presentation of a Development Assessment Report for Marshall Planned Unit Development (PUD), located at 1300 Lost Creek Boulevard, within the Eanes Creek and Barton Creek Watersheds.

DEPARTMENT COMMENTS:

The applicant has submitted a project assessment for a 37.25 office project generally located on Lost Creek Boulevard near South Capital of Texas Highway (see Exhibit A). The proposed PUD consists primarily of an office development and is comprised of approximately 29.6 acres of office space, 7.6 acres of civic or possible commercial use and a 0.1 acre of area to preserve an existing historic cemetery on the site.

The property and adjacent neighborhood are not part of an active or near-future neighborhood planning effort. The site under consideration is currently designated with SF-2, Single Family-Residence-Standard Lot District zoning. Surrounding properties are primarily a mix of residential and office uses. The properties to the north and east are zoned for office use (LO, GO). There is multifamily zoning (MF-1-CO) and neighborhood commercial zoning (LR) located near the northwest intersection of Lost Creek Boulevard and S. Capital of Texas Highway. To the south and west of the proposed site, there is a developed single family residential neighborhood. Although these residential uses are within 540 feet of the project, they are not located within the City of Austin and will not subject to compatibility requirements. The full purpose annexation of the residential area of Lost Creek will be effective on December 15, 2015.

The applicant has stated in application materials that the project will meet or exceed all Tier One PUD development standards, as well several of the applicable Tier Two standards. Therefore, they have stated that the proposed PUD will result in a superior development to that which could be developed under conventional zoning standards (see Exhibit B).

Examples of proposed superiority include providing open space at a level of 40% above the requirements of LDC Section 2.3.1A, providing for the extension of a private driveway to Las Cimas Parkway so that office traffic will enter and exit the proposed development from Las Cimas Parkway, a 48 foot wide collector street, increasing accessible parking by 25% beyond standard TAS/TDLR requirements and offering a 7.6 acre tract (Area 3) within the PUD for the City to purchase for a future fire station or water tower site (see Exhibit C).

The property is divided by the Eanes Creek and Barton Creek watersheds. Therefore, development of the site may be impacted by slopes. These tracts of land are not located within the Edwards Aquifer Contributing Zone. However, the proposed project is within the moderate intensity zone of a Hill Country Roadway Corridor along Capital of Texas Highway. Along a Hill Country Roadway corridor, forty percent of the site must remain undisturbed in a natural state.

With a proposed base zoning district of GO, the envisioned PUD proposal will seek eight modifications from the Land Development Code requirements: 1) to permit a maximum building height of 122 feet on the property; 2) to modify Section 25-8-341 (Cut Requirements) to permit an increase in cut requirements from a maximum of 4 feet to a maximum of 50 feet, 3) to modify Section 25-8-342 (Fill Requirements) to

permit and increase in fill requirements from a maximum of 4 feet to a maximum of 35 feet, 4) to modify Section 25-2-1122 (Floor-to-Area Ratio of a Nonresidential Building) to state that floor-to-area ratio of a nonresidential building is modified in a moderate intensity zoning, 0.5 for a building on a property with a slope gradient of more than 15% or less, 0.25 for a building on a property with a slope gradient of more than 15%, but not more than 25%, and 0.2 for a building on a property with a slope gradient of more than 25%, but not more than 35% and 0.1 on a property with a slope gradient of more than 35%, 5) to modify Section 25-2-1124 (Building Height) to increase the allowable building height from 40 feet to 120 feet for a building more than 200 feet from the nearest right-of-way boundary of a hill country roadway in a moderate intensity zone, 6) to modify Section 25-8-301 (Construction of a Roadway or Driveway) to state that a roadway or driveway may be built on a slope with a maximum gradient of greater than 35%, instead of a maximum gradient of more than 15%, 7) to modify Section 25-8-302 (Construction of a Building or Parking Area) to increase the requirement that a building or parking structure may be built on a slope with a gradient of more than 25% to a building or a parking structure may be built on a slope with a maximum gradient of greater than 35%, 8) to modify Section 25-8-365 (Interbasin Diversion) to increase proposed diversion language from less than 20% of the site based on gross site area or less than 1 acre to state that a development may provide for a water diversion of up to 2 acres (Exhibit D).

In addition to all the allowed uses within the GO zoning district, the applicant has proposed the following additional uses to be permitted within the PUD: Administrative Services, Building Maintenance Services, Cemetery, Financial Services, and Personal Improvement Services as listed on the Sheet 2 of the Land Use Plan (see Exhibit E). The applicant also provided a Height Table to establish building height limits for the areas within the PUD on Sheet 1 and Site Development Criteria Table to establish the proposed site development standards for the PUD on Sheet 2 and of the of the proposed Land Use Plan (see Exhibit E).

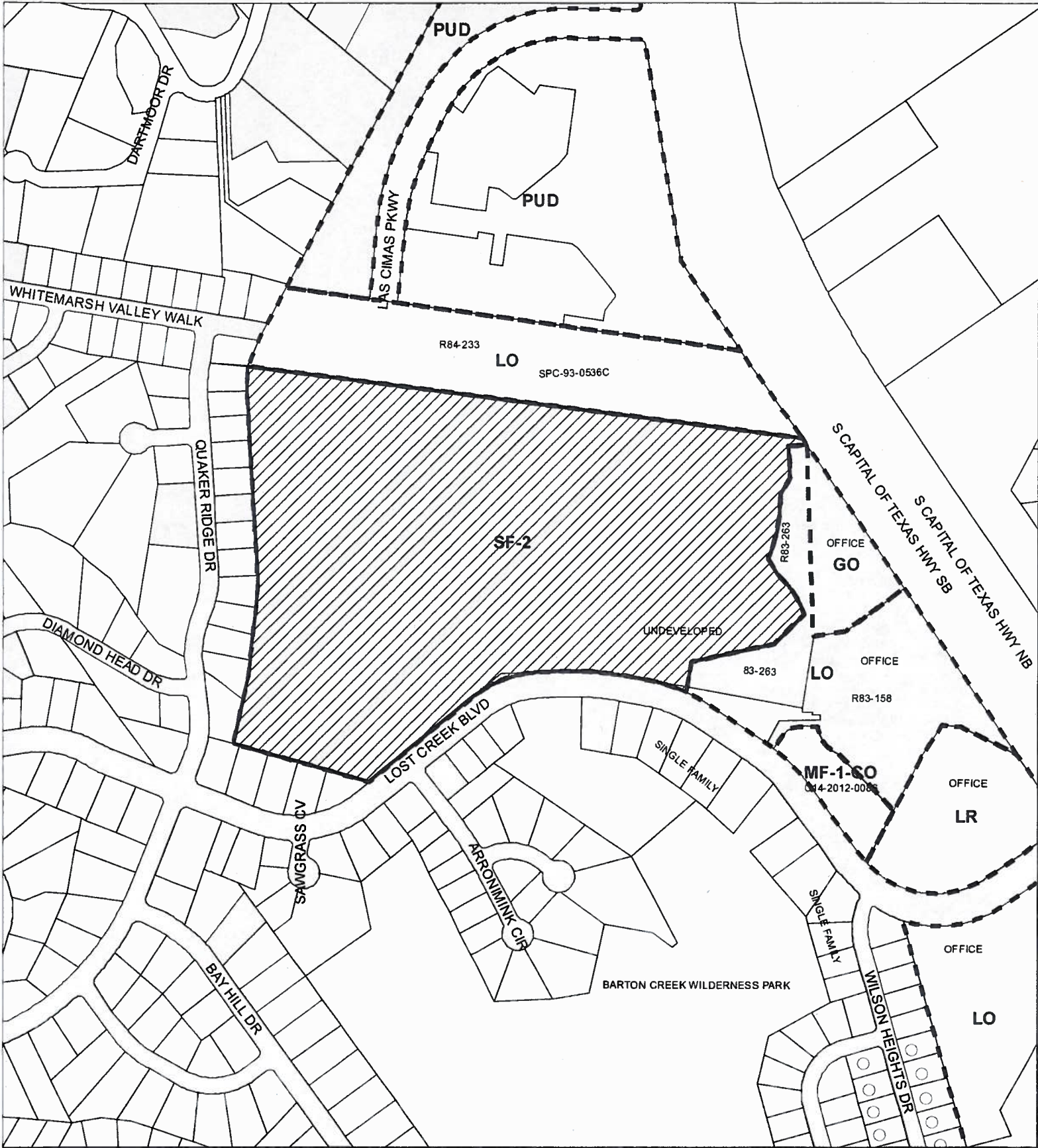
APPLICANT: Drenner Group (Amanda Swor)

OWNER/APPLICANT: Dan H. Marshall and Winifred Marshall

CITY COUNCIL BRIEFING DATE: November 20, 2014

ASSIGNED STAFF: Sherri Sirwaitis

Email: sherri.sirwaitis@austintexas.gov
Phone: 512-974-3057



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

DEVELOPMENT ASSESSMENT

CASE#: CD-2014-0015

Exhibit A-1

1" = 400'

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.





DRENNER GROUP

direct dial: (512) 807-2904
aswor@drennergroupp.com

August 15, 2014

Mr. Greg Guernsey
Planning and Development Review Department
City of Austin
505 Barton Springs Road
Austin, TX 78704

Via Hand Delivery

Re: Marshall PUD – Development Assessment application for a 37.25 acre piece of property located at 1300 Lost Creek Boulevard (the "Property");

Mr. Guernsey:

As representatives of the perspective purchasers of the above stated Property, we respectfully submit the enclosed development assessment application package. The project is titled Marshall PUD and is located at 1300 Lost Creek Boulevard. Following review of the development assessment, the owners intend to request the rezoning of the Property from SF-2, Single Family Residence-Standard Lot district zoning to PUD, Planned Unit Development district zoning. The Property is currently undeveloped. The owner intends to develop the Property predominantly with professional office uses.

A Traffic Impact Analysis (TIA) is underway and will be submitted with the PUD zoning application. A copy of the scope and study area memorandum as revised by Sangeeta Jain on August 5, 2014 is included for your review.

The proposed PUD is not located within a neighborhood planning area. There are single-family properties within 540 feet of the project, however, the properties are not located within the City of Austin zoning jurisdiction and, therefore, do not trigger compatibility standards.

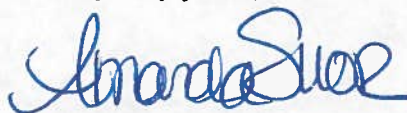
As described in the attached superiority chart, the proposed PUD meets or exceeds all applicable Tier I requirements as defined in the Land Development Code and five of the applicable Tier II requirements, thus resulting in a superior development that could not be achieved via conventional zoning.

Exhibit B-1

August 15, 2014
Mr. Guernsey
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Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Very truly yours,



Amanda Swor
Senior Project Manager

Enclosures

cc: Jerry Rusthoven, Planning and Development Review Department, via electronic mail
Tim Hendricks, Cousins Properties, Inc, via electronic mail
Jason Frost, Cousins Properties, Inc, via electronic mail
Scott Foster, 360 Professional Services, Inc., via electronic mail
Steve Drenner, Firm

Exhibit B-2

Marshall Tract PUD
Tier 1 & Tier 2 Compliance
Updated August 14, 2014

Tier I Requirement	Compliance	Superiority
1. Meet the objectives of the City Code.	Yes.	The project will provide a needed office use adjacent to Loop 360, and it will be fully compliant with all applicable City regulations.
2. Provide for development standards that achieve equal or greater consistency with the goals in Section 1.1 than development under the regulations in the Land Development Code.	Yes. Note 5,9,11,12.	Through the terms of the PUD, the project will provide a high quality development with innovative design. The buildings on the site have been carefully designed and situated to (a) comply with all impervious cover and water quality regulations, (b) create a large buffer between new office buildings and existing single family homes, (c) allow for a joint use parking garage, (d) allow a historic cemetery to remain on the site, (e) have minimal impact on the existing trees, (f) preserve open space, and (g) reduce impervious cover.
3. 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 nonresidential tracts within the PUD, except that: a. A detention or filtration area is excluded from the calculation unless it is designed and maintained as an amenity, and b. The required percentage of open space may be reduced for	Yes. Note 5.	The project will meet or exceed the open space requirements within the PUD Ordinance.

Exhibit C-1

Marshall Tract PUD
Tier 1 & Tier 2 Compliance
Updated August 14, 2014

urban property with characteristic that make open space infeasible if other community benefits are provided.		
4. Comply with the City's Planned Unit Development Green Building Program.	Yes. Note 3.	The project will comply with the City's Green Building Program at a 2-star level. (Note: Staff has interpreted the base standard for this Tier 1 item to be participating in the City's Green Building Program at a 2-star level)
5. Be consistent with the applicable neighborhood plans, neighborhood conservation combining district regulations, historic area and landmark regulations and compatible with adjacent property and land uses.	Yes. Note 11.	The PUD is not located within a neighborhood planning area or a neighborhood conservation combining district. The property is not located within a historic area, but does contain a historic cemetery that will be preserved within the project. Given (a) the large buffer on the western border of the project adjacent to existing single family homes, and (b) the requirement that all office traffic utilize Las Cimas Parkway (and not Lost Creek Boulevard), the proposed PUD project is consistent with the surrounding neighborhood uses to the south and the west of site. Additionally, the 7.6-acre portion of the site located in the southwest quadrant of the site adjacent to Lost Creek Boulevard shall be used as either (1) a senior living facility or (2) by the City for the location of a fire station and water tower. If utilized as a senior living facility, such use shall be compatible with the single-family character of the Lost Creek residential areas, allowing the full complement of housing across all ages to exist in the Lost Creek community.

Exhibit C-2

Marshall Tract PUD
Tier 1 & Tier 2 Compliance
Updated August 14, 2014

6. 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 character of the land.	Yes. Note 12 & 9.	The project will be fully compliant with all environmental ordinances, with the exception of cut-fill limitations and construction on slopes that must be exceeded to "sink" the joint use parking garage and to provide private access roads connecting to Las Cimas Parkway, as well as a modest exception to the diversion of water standards necessary to accommodate the split watershed on the site. The project utilizes a sensitive design that maximizes preserving existing trees.
7. Provide for public facilities and services that are adequate to support the proposed development including school, fire protection, emergency service and police facilities.	Yes.	The terms of the PUD allow for the City to have the opportunity to purchase a 7.6-acre site within the PUD project to be used for a fire station and water tower.
8. Exceed the minimum landscaping requirements of the City Code.	Yes. Note 6, 13.	The PUD project will exceed the minimum landscaping requirements of the Code and will require the utilization of native and adaptive species and non-invasive plants per the Grow Green Program. In addition, an Integrated Pest Management program will be implemented following the guidelines developed by the Grow Green Program in order to limit the use of pesticides on site. (Note: this is not a requirement under Tier 1 of the PUD)
9. 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.	Yes. Note 7.	The PUD will provide for the extension of Las Cimas Parkway. All traffic from the office portion of the development will access the project only from a private access drive extension off Las Cimas Parkway, thereby eliminating the potential traffic issues that access to Lost Creek Boulevard would cause.
10. Prohibit gates roadways	Yes. Note 8.	No gated roadways will be permitted within the PUD. Note: (a) The parking areas within the project to be utilized by office tenants or senior living residents or personnel may be gated and (b) there shall be no

Exhibit C-3

Marshall Tract PUD
Tier 1 & Tier 2 Compliance
Updated August 14, 2014

		prohibitions on gated access points that are intended to be utilized by emergency services providers.
11. Protect, enhance and preserve the areas that include structures or sites that are of architectural, historical, archaeological or cultural significance.	Yes. Note 11.	The PUD project will preserve and protect the existing historic cemetery that is located on the property.
12. Include at least 10 acres of land, unless the property is characterized by special circumstances, including unique topographic constraints.	Yes.	The PUD covers property in excess of 37 acres and, therefore, exceeds the 10-acre requirement.

Exhibit C-4

Marshall Tract PUD
Tier 1 & Tier 2 Compliance
Updated August 14, 2014

Tier I - Additional PUD Requirements for a mixed use development	Compliance	Superiority
1. Comply with Chapter 25-2, Subchapter E (<i>Design Standards and Mixed Use</i>)	N/A	The PUD project will not contain residential uses.
2. Inside the Urban Roadway boundary depicted in Figure 2, Subchapter E, Chapter 25-2 (<i>Design Standards and Mixed Use</i>), comply with the sidewalk standards in Section 2.2.2, Subchapter E, Chapter 25-2 (<i>Core Transit Corridor Sidewalk and Building Placement</i>).	N/A	The PUD project will not contain residential uses.
3. Contain pedestrian oriented uses as defined in Section 25-2-691(C) (<i>Waterfront Overlay District Uses</i>) on the first floor of a multi-story commercial or mixed use building.	N/A	The PUD project will not contain residential uses.

Exhibit C-5

Marshall Tract PUD
Tier 1 & Tier 2 Compliance
Updated August 14, 2014

Tier II Requirement	Compliance	Superiority
1. Open Space – Provide 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 Figure 2 of Subchapter E of Chapter 25-2 (<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.	Yes. Note 5.	The PUD project will provide open space at a level of 40% above the requirements of Section 2.3.1.A.
2. Environment: a. Does not request exceptions to or modifications of environmental regulations. b. Provides water quality controls superior to those otherwise required by code. c. Uses innovative water quality controls that treat at least 25% additional water quality volume and provide 20% greater pollutant removal, in addition to the minimum water quality volume required by code.	Yes. Note 6,9,12,13.	A portion of the project is located within the Barton watershed and a portion is located within the Eanes watershed. The project will fully comply with all current applicable regulations for both watersheds.

Exhibit C-C

Marshall Tract PUD
Tier 1 & Tier 2 Compliance
Updated August 14, 2014

d. Provide water quality treatment for currently untreated, undeveloped off-site areas with a drainage area of at least 25% of the subject tract. e. Reduces impervious cover or single-family density by 5% below the maximum otherwise allowed by code or include off-site measures that lower overall impervious cover within the same watershed by five percent below that allowed by code. f. Provide minimum 50-foot setback for unclassified waterways with a drainage area of five acres or greater. g. Provides at least a 50% increase in the minimum waterway and critical environmental feature setbacks required by code. h. Clusters impervious cover and distributed areas in a manner that preserves the most environmentally sensitive areas of the site that are not otherwise protected. i. Provides pervious paving for at least 50% or more of all		
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Exhibit C-7

Marshall Tract PUD
Tier 1 & Tier 2 Compliance
Updated August 14, 2014

paved areas in non-aquifer recharge areas. j. Prohibits uses that may contribute to air or water quality pollutants. k. Employ other creative or innovative measures.		
3. Austin Green Builder Program – Provides a rating under the Austin Green Builder program of three stars or above.	No.	
4. 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 program.	No.	
5. 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 Chapter 25-2, Subchapter E (<i>Design Standards and Mixed Use</i>)	N/A	

Exhibit C-8

Marshall Tract PUD
Tier 1 & Tier 2 Compliance
Updated August 14, 2014

6. Community Amenities – Provides community or public amenities, which may include space for community meetings, day care facilities, non-profit organizations, or other uses that fulfill an identified community need.	No.	
7. Transportation – Provides bicycle facilities that connect to existing or planned bicycle routes or provides other multi-modal transportation features not required by code.	Yes. Note 7.	The PUD is providing for the extension of a private driveway to Las Cimarras Parkway so that office traffic will enter and exit the development from that roadway and not Lost Creek Boulevard. A TIA will be provided with the formal PUD submittal, and additional on and off-site improvements will be identified at that time.
8. Building Design – Exceed the minimum points required by the Building Design Options of Section 3.3.2 of Chapter 25-2, Subchapter E (<i>Design Standards and Mixed Use</i>)	No.	
9. Parking Structure Frontage – In a commercial or mixed-use development, at least 75% of the building frontage of all parking structures is designed for pedestrian-oriented uses as defined in Section 25-2-691 (C) (<i>Waterfront Overlay District Uses</i>) in ground floor spaces.	No.	Given the location of this project, pedestrian-oriented uses are not viable within the parking structure.
10. Affordable Housing – Provides for affordable housing or participation in programs to achieve affordable housing.	N/A	The PUD project does not contain residential uses.

Exhibit C-9

Marshall Tract PUD
Tier 1 & Tier 2 Compliance
Updated August 14, 2014

11. Historic Preservation – Preserves historic structures, landmarks, or other features to a degree exceeding applicable legal requirements.	Yes. Note 11.	The PUD project will preserve the existing historic cemetery located on the site.
12. Accessibility – Provides for accessibility for persons with disabilities to a degree exceeding applicable legal requirements.	Yes.	Accessible parking will be increased by 25% beyond standard TAS/TDLR requirements.
13. 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.	N/A	The PUD project does not contain retail or restaurant space.

Exhibit C-10

The PUD intends to seek GO zoning as the base district. The City Code modifications to be included in the proposed PUD District are as follows:

Code Requirement	Proposed PUD Requirement
Maximum Height: 60 feet	Maximum Height: 122 feet
Section 25-8-341 CUT REQUIREMENTS (A) Cuts on a tract of land may not exceed four feet of depth.	Section 25-8-341 Cut Requirements is modified such that a maximum of 50 feet of cut is permitted within the PUD.
Section 25-8-342 FILL REQUIREMENTS (A) Fill on a tract of land may not exceed four feet of depth.	Section 25-8-342 Fill Requirements is modified such that a maximum of 35 feet of fill is permitted within the PUD.
25-2-1122 FLOOR-TO-AREA RATIO OF A NONRESIDENTIAL BUILDING (A) Except as provided in Subsection (B), the floor-to-area ratio of a nonresidential building may not exceed:	Section 25-2-1122 Floor-to-Area Ratio of a Nonresidential Building is modified as follows: in a moderate intensity zone, 0.5 for a building on property with a slope gradient of 15 percent or less, 0.25 for a building on property with a slope gradient of more than 15 percent, but not more than 25 percent, and 0.2 for a building on property with a slope gradient of more than 25 percent but not more than 35 percent and 0.1 on property with a slope gradient of more than 35 percent.
25-2-1124 BUILDING HEIGHT (A) Except as provided in Subsection (C) or <u>Section 25-2-1128</u> (Development Bonuses), a person may not construct a building that is more than 28 feet in height, if the building is: (1) 200 feet or less from the nearest right-of-way boundary of a hill country roadway; or (2) in a low intensity zone. (B) If a building is more than 200 feet from the nearest right-of-way boundary of a hill country roadway, a person may construct a building that is not more than: (1) 40 feet in height in a moderate intensity zone; or	Section 25-2-1124 Building Height is modified such that for a building more than 200 feet from the nearest right-of-way boundary of a hill country roadway, a person may construct a building that is not more than 120 feet in height in a moderate intensity zone.

Exhibit D-1

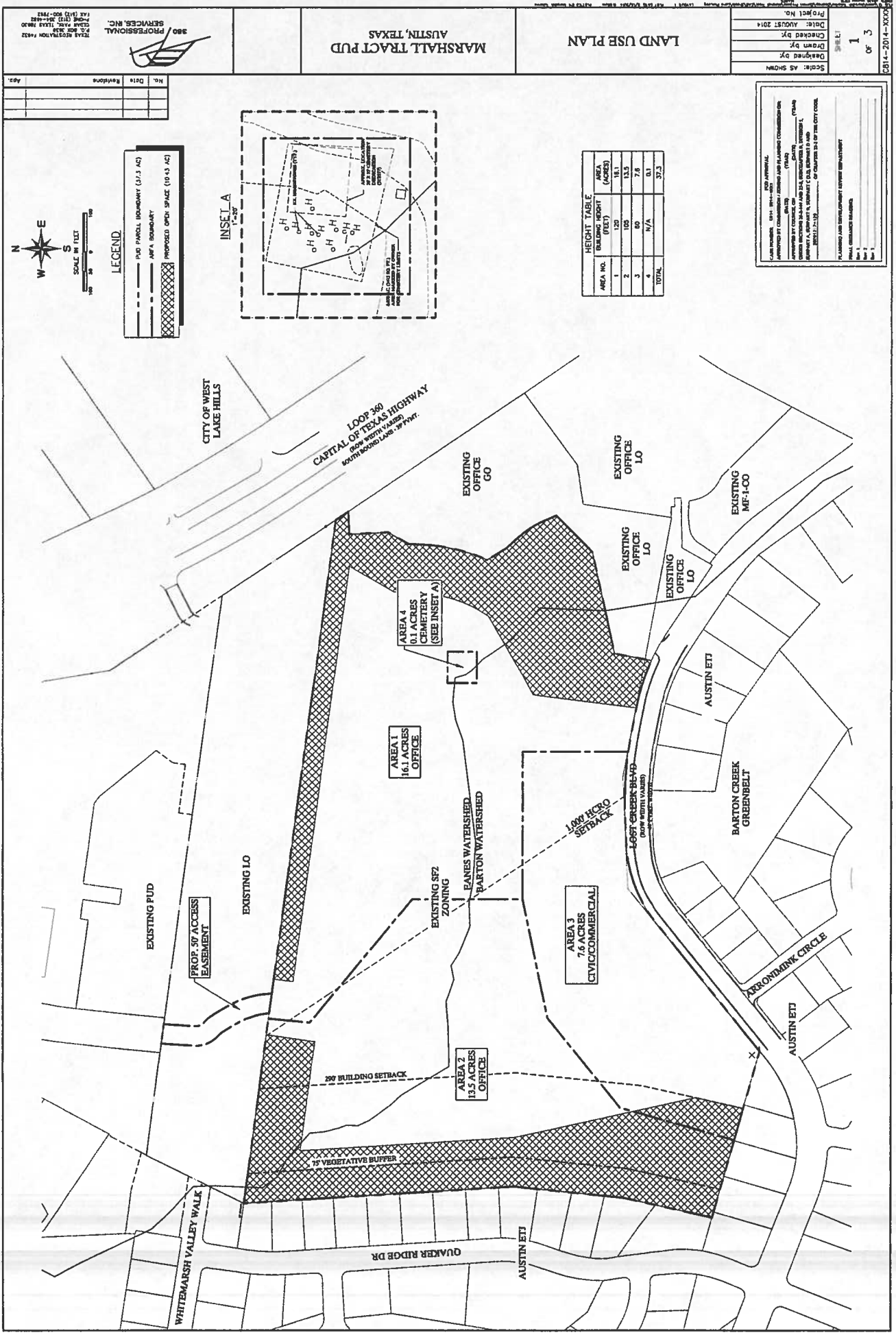
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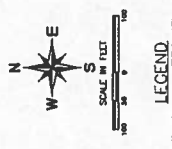
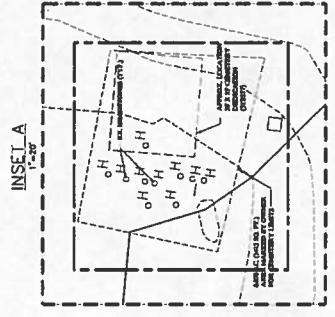
25-8-301 CONSTRUCTION OF A ROADWAY OR DRIVEWAY (A) A person may not construct a roadway or driveway on a slope with a gradient of more than 15 percent unless the construction is necessary to provide primary access to:	Section 25-8-301 Construction of a Roadway or Driveway is modified such that a roadway or driveway may be building on a slope with a maximum gradient of greater than 35% percent.
25-8-302 CONSTRUCTION OF A BUILDING OR PARKING AREA (A) A person may not construct: (1) a building or parking structure on a slope with a gradient of more than 25 percent; or (2) except for a parking structure, a parking area on a slope with a gradient of more than 15 percent.	Section 25-8-302 Construction of a Building or Parking Area is modified such that a building or parking structure may be built on a slope with a maximum gradient of greater than 35% percent.
25-8-365 INTERBASIN DIVERSION (A) Development may not divert stormwater from one watershed to another, except as authorized by this section. (B) A proposed diversion of less than 20% of the site based on gross site area or less than 1 acre, whichever is smaller, may be allowed if the applicant demonstrates that: (1) existing drainage patterns are maintained to the extent feasible; and (2) there are no adverse environmental or drainage impacts.	Section 25-8-365 Interbasin Diversion is modified such that a development may provide for a water diversion of up to two acres.

Exhibit D-2



HEIGHT TABLE

AREA NO.	BUILDING HEIGHT (FEET)	AREA (ACRES)
1	120	16.1
2	105	12.5
3	60	7.6
4	N/A	0.1
TOTAL		37.3



LEGEND

Symbol	Description
[Hatched Box]	PUD PARCEL BOUNDARY (37.3 AC)
[Dashed Line]	AREA BOUNDARY
[Cross-hatched Box]	PROPOSED OPEN SPACE (10.15 AC)

Project No. 1014-2014-XXXX

Date: AUGUST 2014

Checked by: [Signature]

Drawn by: [Signature]

Designed by: [Signature]

Scale: AS SHOWN

Sheet 1 of 3

PLANNING AND DEVELOPMENT DEPARTMENT

PLANNING AND DEVELOPMENT DEPARTMENT

Exhibit E-1

