

ZONING CHANGE REVIEW SHEET

CASE: C814-2012-0163 – Sun Chase
Planned Unit Development

P.C. DATE: June 11, 2013
December 10, 2013
June 24, 2014
December 9, 2014
June 9, 2015
December 8, 2015
January 12, 2016

ADDRESS: 15201, 15810, 16070 Pearce Lane and 7910 Wolf Lane

DISTRICT AREA: 2

OWNER: Qualico CR, L.P.
(Vera Massaro)

AGENT: Armbrust & Brown, L.L.P.
(Richard Suttle)

ZONING FROM: I-SF-2; I-SF-4A **TO:** PUD **AREA:** 1,604 acres

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant planned unit development (PUD) district zoning with the condition that environmental superiority is met as outlined in Attachment A, and as shown in the Land Use Plan as provided in Exhibit C, and supporting Exhibits D through P.

The Restrictive Covenant includes all recommendations listed in the Traffic Impact Analysis memorandum, dated January 8, 2016, as provided in Attachment B.

ENVIRONMENTAL COMMISSION MOTION:

November 18, 2015: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO DECEMBER 16, 2015 WITH FURTHER DISCUSSION TO OCCUR AT A DEVELOPMENT COMMITTEE MEETING.*

December 16, 2015: *APPROVED STAFF RECOMMENDATION FOR THE ENVIRONMENTAL ASPECTS OF THE PUD, INCLUDING CODE MODIFICATIONS AND ENVIRONMENTAL SUPERIORITY.*

[H. SMITH; M. NEELEY – 2ND] (10-0) E. GOOCH – ABSENT

PLANNING COMMISSION RECOMMENDATION:

June 11, 2013: *APPROVED AN INDEFINITE POSTPONEMENT REQUEST BY STAFF AND THE APPLICANT*

[J. NORTEY; J. STEVENS – 2ND] (8-0) D. ANDERSON – ABSENT

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December 10, 2013: *APPROVED AN INDEFINITE POSTPONEMENT REQUEST BY STAFF.*

[J. NORTEY, S. OLIVER – 2ND (5-0) R. HATFIELD, A. HERNANDEZ, B. ROARK AND J. STEVENS WERE ABSENT.

June 24, 2014: *APPROVED AN INDEFINITE POSTPONEMENT REQUEST BY STAFF.*

[R. HATFIELD; B. ROARK – 2ND] (5-0) J. NORTEY, S. OLIVER, J. STEVENS – ABSENT; 1 VACANCY ON THE COMMISSION

December 9, 2014: *APPROVED AN INDEFINITE POSTPONEMENT REQUEST BY STAFF*

[R. HATFIELD; J. STEVENS – 2ND] (5-0) A. HERNANDEZ, J. NORTEY, B. ROARK- ABSENT; S. OLIVER – NOT YET ARRIVED

June 9, 2015: *APPROVED AN INDEFINITE POSTPONEMENT REQUEST BY STAFF*

[J. NORTEY; R. HATFIELD – 2ND] (5-0) A. HERNANDEZ; S. OLIVER; J. STEVENS; N. ZARAGOSA – ABSENT

December 8, 2015: *APPROVED A POSTPONEMENT REQUEST BY THE STAFF TO JANUARY 12, 2016*

[J. VELA; P. SEEGER – 2ND] (11-0) J. SHIEH – ARRIVED LATE; J. THOMPSON – ABSENT

January 12, 2016:

ISSUES:

None at this time.

EXHIBITS AND ATTACHMENTS TO THE STAFF REPORT:

Exhibits A, A-1, A-2 and A-3: Vicinity Map, Zoning Map, Aerial and MUD Land Use Plan

Exhibits B and B-1: Basis for Superiority Table and Code Modification Table

Exhibit C: Sun Chase PUD Land Use Plan

Exhibit D: Parks & Open Space Master Plan

Exhibit E: Parks & Open Space – ¼ Mile Radius Map

Exhibit F: Permitted Land Uses

Exhibit G: Site Development Regulations

Exhibit H: Subchapter E Roadway Classification Exhibit

Exhibit I: Environmental Exhibit

Exhibit J: Stormwater, Drainage and Water Quality and Environmental Protection Requirements

Exhibit K: Offsite Untreated Runoff Exhibit

Exhibit L: Critical Water Quality Zone Detention Pond A

Exhibit M: Slope Map

Exhibit N: Proposed CEF Mitigation (from the approved Preliminary Plan)

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Exhibit O: Transportation Requirements
Exhibit P: Connectivity Exhibit

Attachment A: Environmental Commission support material
Attachment B: Traffic Impact Analysis Memo
Attachment C: Educational Impact Statement

Correspondence Received

DEPARTMENT COMMENTS:

The proposed Sun Chase Planned Unit Development (PUD) consists of undeveloped land zoned interim – rural residence (I-RR) and interim – single family residence-small lot (I-SF-4A) districts and covers both sides of Pearce Lane on property that is east of Dry Creek and west of Wolf Lane, the latter of which touches the Bastrop County line. The land surrounding the PUD is within unincorporated Travis County, undeveloped, and has a rural character. For context, State Highway 130 is to the west, East State Highway 71 is to the north, Dry Creek is to the northwest and the Moore's Crossing Municipal Utility District is to the southeast. Please refer to Exhibits A (Vicinity Map), A-1 (Zoning Map), A-2 (Aerial View) and A-3 (MUD Land Use Plan).

The proposed zoning area encompasses all four Southeast Travis County (renamed Sun Chase) Municipal Utility District (MUD) areas that were established in 2012. In accordance with the MUDs, the Applicant is requesting PUD district zoning for a 1,604 acre mixed use development that is primarily residential in nature and may be developed with approximately 617 acres of single family residential uses, 50 acres of single family residential-small lot uses, 117 acres of mixed residential uses, 64 acres of multi-family residential uses, 65.5 acres of mixed commercial uses, 75 acres of civic uses, 13 acres of community recreation-private uses, and 602 acres of community recreation-public / greenbelt parkland / water quality / drainage uses. Approximately 613 acres of public and private parks, and open space, two Del Valle Independent School District sites and one fire station/EMS site will also be provided. A donation of a net-buildable 2 acre tract at no cost to the City of Austin for a Fire / EMS station site is proposed to be located on the north side of Pearce Lane, at a central location.

As shown in Exhibit C (Land Use Plan), the area has been divided into eight general land use areas described below. Pearce Lane and Wolf Lane, and three entrances to the Sun Chase north of Pearce Lane (Sun Chase Parkway, Rumworth Drive and Misu Drive) are classified as Urban Roadways, and an east-west street north of Pearce Lane (Flower Cup Loop) is classified as a Core Transit Road.

- The *Single Family* areas (mix of detached, attached single family residences, as well as duplexes, and two family residences) are proposed with SF-3 base district zoning and the *Single Family-Small Lot* areas are proposed with the SF-4A base district. Both areas are interspersed throughout the PUD.

- The *Mixed Residential* area includes detached single family residential lots that can accommodate an accessory dwelling unit over the garage (a yard house); attached 2-3 story townhouses on a lot (a row / shop house); four-to-six plexes (a mansion house) and residential multi-family. The *Multi-Family Residential* area is designed for larger multi-family residential structures. The Mixed Residential areas are proposed with MF-1 base district zoning and the Multi-Family Residential area is proposed for the MF-3 base district. Both areas are located along or in close proximity to Pearce Lane and Wolf Lane.
- There are four *Mixed Commercial* areas oriented toward Pearce Lane and Wolf Lane and are proposed under GR base district zoning. All are located along or in close proximity to Pearce Lane and Wolf Lane.
- The *Civic*, *Community Recreation-Private* and *Community Recreation-Public* areas include private Homeowners Association parks, public parks and greenbelt, public open space, as well as the two school sites, a fire station, an area reserved as a transit center, and a wastewater treatment plant. These areas are interspersed throughout the PUD.

Per the Land Development Code, PUD district zoning was established to implement goals of preserving the natural environment, encouraging high quality development and innovative design, and ensuring adequate public facilities and services. The City Council intends PUD district zoning to produce development that achieves these goals to a greater degree than and thus is superior to development which could occur under conventional zoning and subdivision regulations.

City Council approved revisions to the PUD regulations that became effective June 29, 2008. To help evaluate the superiority of a proposed PUD, requirements are divided into two categories: Tier 1, which is requirements that all PUDs must meet, and Tier 2 which provides criteria in 13 topical areas in which a PUD may exceed code requirements and therefore demonstrate superiority. A PUD need not address all criteria listed under Tier 2, and there is no minimum number of categories or individual items required.

As more fully detailed in the Tier Table and Land Use Plan (please refer to Exhibits B and C), this proposed PUD meets all 12 of the applicable Tier 1 items, meets all three additional Tier 1 items (pertaining to *Commercial Design Standards*), and offers some elements of superiority in seven of the 13 Tier 2 categories (*Open Space; Environment/Drainage; Art; Community Amenities, Transportation, Building Design and Affordable Housing*).

Code Modifications

There are 30 modifications to Code requirements requested by the Applicant and recommended by Staff (please refer to Exhibit B-1 – Code Modification Table for details). Because the PUD is within the City's limited purpose jurisdiction, the code sections for the subdivision and environmental modifications reference the City's Land Development Code and Title 30, Austin/Travis County Subdivision Regulations. As summarized below, these include allowing a site to cross a right-of-way; Green Building requirements; roadway

types; land uses; site development regulations and compatibility standards; expiration of a preliminary plan; street alignment; street design characteristics; net site area; waterway classifications; critical water quality zone modifications; water quality transition zone modifications; water quality controls and related funding; and, cut and fill requirements.

- Section 25-2-243 (*Proposed District Boundaries*) – Is amended to provide that the boundaries of the Sun Chase PUD may be non-contiguous
- Chapter 25-2, Subchapter B, Article 2, Division 5, Subpart B, Section 2.3.1.D (*Minimum Requirements*) – Modified to allow a two star rating under Austin Energy's Green Building Program or a reasonably equivalent rating under another program approved by the City.
- Chapter 25-2, Subchapter E – Establishes roadway types within the PUD for applying Subchapter E regulations.
- Section 25-2-491 (*Permitted, Conditional, and Prohibited Uses*) – Establishes a specific set of permitted land uses for the PUD.
- Section 25-2-492 (*Site Development Regulations*) – Establishes a specific set of site development regulations for the PUD.
- Section 25-2-517 (*Requirements for Amphitheaters*) – Modified so that Land Use Commission approval is not required for amphitheaters in the PUD.
- Section 30-2-62 (*Expiration of Approved Preliminary Plan*) – Modified to allow an approved preliminary to expire 15 years after their approval date (instead of 10 years as allowed by Title 30).
- Sections 25-4-151 and 30-2-151 (*Street Alignment and Connectivity*) – Continues the variance to not connect Sun Chase with Navarro Creek Road to the north. This variance was approved with the Sun Chase Phase 1 Preliminary Plan.
- Sections 25-4-154 and 30-3 (*Street Design and Construction*) – Establishes roadway cross sections and striping for the PUD.
- Sections 25-8-62 and 30-5-62 (*Net Site Area*) – Modified to apply within Sun Chase PUD.
- Sections 25-8-341 and 30-5-341 (*Cut Requirements*) and Sections 25-8-342 and 30-5-342 (*Fill Requirements*) – Modified to continue the cut and fill variances granted with the approved Preliminary Plans for Sun Chase South, Sun Chase Phase One and Sun Chase Phase Two.

Note: All of the following code modifications are based on the project returning to the Comprehensive Watershed Ordinance (CWO) standards:

- Sections 25-8-91(B) and 30-5-91(B) (*Waterway Classifications*) – Establishes the drainage area size for a minor waterway, an intermediate waterway and a major waterway.
- Sections 25-8-92(B) and 30-5-92(B) (*Critical Water Quality Zones Established*) – Establishes the boundaries of the critical water quality zones within the PUD and how minor, intermediate and major waterways may be reduced and replaced. Also establishes the boundaries of CWQZs for selected unclassified waterways and that a CWQZ does not apply to a previously modified drainage feature serving a public roadway right-of-way under certain circumstances.
- Sections 25-8-93(A) and 30-5-93(A) (*Water Quality Transition Zones*) – Establishes that water quality transition zones apply within the Sun Chase PUD.
- Sections 25-8-211(B)(3) and 30-5-211(B)(3) (*Water Quality Control Requirement*) – Modified provided the total of new and redeveloped impervious cover exceeds 20% of net site area.
- Sections 25-8-232(A)(B)(C) and 30-5-232(A)(B)(C) (*Dedicated Fund*) – Establishes that the Dedicated Fund for water quality controls does not apply to the Sun Chase PUD.
- Sections 25-8-261 and 30-5-261 (*Critical Water Quality Zone Development*) – Modified to allow a detention pond and a wet pond in the CWQZ as shown in Exhibit L.
- Sections 25-8-392 and 30-5-392 (*Uplands Zone*) – This section is modified to establish that Comprehensive Watershed Ordinance (CWO) regulations for the ETJ apply.
- Sections 25-8-393 and 30-5-393 (*Transfer of Development Intensity*) – This section is modified to establish regulations for the transfer of development intensity within the PUD.
- Sections 25-8, Article 9 and 30-5, Article 9 – (*Suburban Watershed Requirements*) – Modified to establish the amount of impervious cover in the water quality transition zone (WQTZ), to exclude the land in the 100-year floodplain, and to allow water quality controls in the WQTZ.

Staff recommendation and conditions:

Given the number and breadth of items offered in the PUD that exceed current code standards, Staff believes the proposal can result in superior development along a major thoroughfare in southeastern Travis County. Therefore, Staff recommends PUD zoning based on the following factors in Affordable Housing, Art, Commercial Design Standards, Environment and Landscaping, Green Building, Parkland and Open Space, Public Facilities, and Transportation and Connectivity, which make this project superior:

Affordable Housing

- Provide 10% of owner occupied units at 80% Median Family Income at the initial offering for sale
- Provide 10% of rental units at 60% Median Family Income, for a period of 40 years
- Make a financial contribution to the City's affordable housing program equal to 2% of the total "hard" construction cost reimbursements actually received by the Developer out of the proceeds of bonds issued by the District, up to maximum of \$1.8 million

Art

- Participate in the Art in Public Places Program. The Public Art Master Plan identifies opportunities, guiding principles and locations within the PUD for outdoor art installations to be implemented and managed by the Developer. All subsequent operations and maintenance of the artwork will be the responsibility of the Developer.

Commercial Design Standards

- Compliance with Subchapter E – Core Transit Corridor standards for sidewalks and building placement for 50% of the commercial, multi-family and village cluster development on Flower Cup Loop between Sun Chase Parkway and Misu Drive, as shown in Exhibit H
- Compliance with Subchapter E – Urban Roadway standards for sidewalks and building placement for 50% of the commercial, multi-family and village cluster development at three of the development's entrances, as shown on Exhibit H.
- Establish a maximum block size of five acres for commercial, multi-family and village cluster development

Environmental and Landscaping

Note: The baseline for the environmental aspects of the PUD review is the Comprehensive Watershed Ordinance (CWO) regulations for the extra-territorial jurisdiction.

- Provide 144 acres of open space in addition to the protected environmental features such as creek buffers and floodplains. This is a 48% increase from the 98 acres of open space required.
- Developing a tree preservation plan, selecting all required trees from Appendix F (*Descriptive Categories of Tree Species*) of the City Environmental Criteria Manual, providing a tree care plan for construction-related impacts, and using reclaimed water for irrigation in open space areas under certain circumstances (but not in the CWQZ or flood plain).
- Providing superior water quality controls by using wet ponds and biofiltration ponds to treat 100% of the required water quality treatment volume.
- Provide water quality treatment for a 92 acre offsite area (single family lots and streets) that are currently untreated.
- Provide a minimum 50-foot wide setback for 75% of unclassified waterways with a drainage area of 32 to 320 acres.

- Provide volumetric flood detention for the entire PUD.
- Use natural channel design techniques.
- Restore areas within the 100-year floodplain that are in “poor” or “fair” condition. All 100-year floodplain areas within the PUD, except for the areas in the southern portion for which a final plat application is currently under review, shall be evaluated and restored if applicable.
- Direct stormwater runoff from impervious surfaces in commercial and multi-family tracts through landscape areas at least equal to the total required landscape area.
- Provide educational signage at wetland CEFs.
- Provide an Integrated Pest Management (IPM) Plan for the entire property.

Green Building

- The PUD is located within the Bluebonnet Electric Cooperative service territory, and thus is entirely outside the Austin Energy service territory. However, all buildings within the PUD will be constructed to achieve two star rating or greater under the City’s Austin Energy Green Building Program or such buildings will be constructed in a manner sufficient to achieve a reasonably equivalent rating under another program approved by the City.

Parkland and Open Space

- Providing 600 acres of public park and open space; this figure includes 144 acres in addition to environmental features
- Parks of all types will be located within ¼ mile of all residences, superior to existing policy of locating parks within ½ mile of all residences in the suburban core, as shown in Exhibit E.
- Provide approximately 8 miles of public trails open to the public to provide recreation and bike and pedestrian connectivity between parkland and throughout the development.
- Provide approximately 2 miles of public trails will be provided for the extension of the City of Austin Bicycle Plan – Urban Trails Master Plan Dry Creek South Greenway

Public Facilities

- Dedication of land for two school sites (each at least 18 buildable acres), including bring water, wastewater and streets to the site at no cost to the Del Valle ISD
- Dedication of a 2-net buildable acre site for a future City of Austin Fire / EMS station
- Reservation of a 10 acre site for a transit center for sale to the City / Capital Metro Transit Authority

Transportation and Connectivity

- Dedicate right-of-way for arterial street alignments (Pearce Lane, Wolf Lane, Sun Chase Parkway) in accordance with the CAMPO 2030 Transportation Plan
- Provide bike lanes on all roads that are designated as residential collector or higher
- Provide 8 miles of public trails open to the public to provide recreation and bike and pedestrian connectivity between parkland and throughout the development

- Provide approximately 2 miles of public trails will be provided for the extension of the City of Austin Bicycle Plan – Urban Trails Master Plan Dry Creek South Greenway
- Compliance with the Complete Streets policy on: 1) typical street cross-sections; 2) Standards for internal blocks and street connections; 3) Sidewalks, Trails and Streetscape Standards; and 4) Bicycle improvements and amenities

EXISTING ZONING AND LAND USES:

| | ZONING | LAND USES |
|--------------|---------------|---|
| <i>Site</i> | I-RR; I-SF-4A | Rural farmland and agricultural grazing land |
| <i>North</i> | County | Commercial; Residences on large lots and tracts; Agricultural |
| <i>South</i> | County | Residences on large lots and tracts; Agricultural |
| <i>East</i> | County | Residences on large lots and tracts; Agricultural |
| <i>West</i> | County | Residences on large lots and tracts; Agricultural |

MUNICIPAL UTILITY DISTRICT: Southeast Travis County MUD Nos. 1 through 4

TIA: Is required – Please refer to Attachment B

WATERSHED: Dry Creek East – Suburban **DESIRED DEVELOPMENT ZONE:** Yes

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

NEIGHBORHOOD ORGANIZATIONS:

627 – Onion Creek Homeowners Association

774 – Del Valle Independent School District 1005 – Elroy Neighborhood Association

1224 – Austin Monorail Project

1228 – Sierra Club, Austin Regional Group

1258 – Del Valle Community Coalition

SCHOOLS:

The property is within the Del Valle Independent School District.

Del Valle Elementary School Del Valle Middle School Del Valle High School

Note: An Educational Impact Statement (EIS) is required. Please refer to Attachment C.

CASE HISTORIES:

There are no recent cases in the vicinity.

RELATED CASES:

As background, it is City policy that developers of MUDs pursue PUD zoning so that when the project is eventually annexed into the City limits, the development generally tracks with

the City's development standards. The City annexed the area covered by the MUDs for limited purposes in June 2012 and assigned interim-rural residence (I-RR) and interim – single family residence-standard lot district zoning at this time (C7L-2012-006; C7L-2012-007; C7L-2012-008; C7L-2012-009). Full purpose annexation will occur in accordance with the terms of the Strategic Partnership Agreement between the City and Southeast Travis County MUD No. 1 through 4, that was approved by Council on March 22, 2012. The Agreement states that full purpose annexation shall occur no sooner than December 31, 2023.

A Development Assessment for Sun Chase PUD was submitted on April 20, 2012 and in accordance with the revised regulations for PUDs, a briefing was presented to Council on June 28, 2012 (CD-2012-0005). On December 21, 2012, the Applicant filed a formal application for PUD zoning.

In 2009-2010, three preliminary plans that covered the entire 1,604 acres were reviewed and approved by the Single Office, also known as joint City / County review (C8J-2008-0176 – Sun Chase South; C8J-2008-0212 – Sun Chase Phase I; C8J-2008-0239 – Sun Chase Phase 2 Preliminary Plan).

CITY COUNCIL DATE: February 11, 2016

ACTION:

ORDINANCE READINGS: 1st

2nd

3rd

ORDINANCE NUMBER:

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

PHONE: 512-974-7719

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant planned unit development (PUD) district zoning with the condition that environmental superiority is met as outlined in Attachment A, and as shown in the Land Use Plan as provided in Exhibit C, and supporting Exhibits D through P.

The Restrictive Covenant includes all recommendations listed in the Traffic Impact Analysis memorandum, dated January 8, 2016, as provided in Attachment B.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

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

The Planned Unit Development (PUD) zoning district is intended for large or complex developments under unified control, planned as a single contiguous project. The PUD is intended to allow single or multi-use projects within its boundaries and provides greater design flexibility for development proposed within the PUD. Use of the PUD district should result in development superior to that which would occur using conventional zoning and subdivision regulations. PUD zoning is appropriate if the development enhances preservation of the natural environment; encourages high quality development and innovative design; and ensures adequate public facilities and services for development within the PUD.

2. Zoning changes should result in a balance of land uses, provides an orderly and compatible relationship among land uses, and incorporates environmental protection measures.

EXISTING CONDITIONS**Site Characteristics**

The PUD site is currently used as rural farmland and agricultural grazing land. The site is within the Blackland Prairies vegetational area of Texas. Vegetation is characterized as crops and post oak woods/forest dominated by cedar elm, American elm, Ashe juniper, mesquite, hackberry, honey locust, common sunflower, giant ragweed, Texas croton, greenbriar, Indian sea oats and johnsongrass. The topography is gently rolling, with elevations ranging from 425 to 550 feet above mean sea level. Slopes range between 0 and 15 percent on approximately 99 percent of the property. There are approximately 15 acres of slopes between 15 and 25 percent, 2 acres of slopes between 25 and 35 percent, and 0.2 acres of slopes greater than 35 percent. Drainage on the subject site occurs primarily by overland sheet flow in a south-to-north direction into Dry Creek. Part of the site is within the 100-year floodplain. The property has predominately clayey soils.

Critical Environmental Features/Endangered Species Habitat

An Environmental Assessment (EA) was prepared for project site by Horizon Environmental Services, Inc. in February 2008, revised October 2, 2013. The EA identified

one critical environmental feature (CEF) within the PUD site which is a large lake in the northern portion of the property. There is also one water well on the subject site.

Impervious Cover

The proposed percentages of impervious cover are as follows: up to 55% for the single family residence portion (includes attached / detached / single family residences, duplex residence, two family residence under an SF-3 base district), 60% for small lot single family residence (SF-4A base district), 70% for yard house, row/shop house, mansion house and residential multi-family (MF-1 base district), multi-family residence (MF-3 base district) and 85% for mixed commercial and civic uses (GR base district) and 75% for community recreation-private (GR base district) and 50% for community recreation-public (GR base district).

Comprehensive Planning

The proposed Sun Chase PUD is a 1,604 acre site and is planned to be a walkable, mixed use residential community. The proposed project calls for over half the acreage of this project to be developed as residential, while the remaining property will be used for mixed commercial, civic, community recreational, and as a greenbelt/drainage land uses. This rezoning is not located within the boundaries of a neighborhood planning area. This property is bounded by undeveloped land and the single family residences to the north, single family residences and undeveloped land to the south, undeveloped land to the east, and undeveloped land and the Del Valle Motocross Park to the west.

The Imagine Austin Comprehensive Plan (IACP) Growth Concept Map designates a portion of Pearce Lane as 'Future Open Space', which the IACP defines as, *"The open space network includes existing and future open space. Elements of the open space network include parks, greenways, nature preserves, agricultural land, and environmentally sensitive land. Areas within floodplains, on steep slopes, or with significant environmental features, such as sinkholes, caves, or significant wildlife habitat, are classified as environmentally sensitive."* The overall goal of the IACP is to achieve 'complete communities' across Austin, where housing, services, retail, jobs, entertainment, health care, schools, parks, and other daily needs are within a convenient walk or bicycle ride of one another. Page 107 of the IACP states, *"While most new development will be absorbed by centers and corridors, development will happen in other areas within the city limits to serve neighborhood needs and create complete communities. Infill development can occur as redevelopment of obsolete office, retail, or residential sites or as new development on vacant land within largely developed areas. New commercial, office, larger apartments, and institutional uses such as schools and churches, may also be located in areas outside of centers and corridors. The design of new development should be sensitive to and complement its context. It should also be connected by sidewalks, bicycle lanes, and transit to the surrounding area and the rest of the city. It should also be connected by sidewalks, bicycle lanes, and transit to the surrounding area and the rest of the city. Not all land within the city limits will be developed. Some may remain or enter into agricultural production; continue as single-family houses, duplexes, and apartments; or become part of the planned*

open space network. The Growth Concept Map not only guides where Austin may accommodate new residents and jobs but also reflects the community intent to direct growth away from environmentally sensitive areas including, but not limited to, the recharge and contributing zones of the Barton Springs segment of the Edwards Aquifer, and to protect the character of neighborhoods by directing growth to areas identified by small area plans."

The following Imagine Austin policies are taken from Chapter 4 of the IACP, which specifically discusses mixed use development, developing over environmentally sensitive lands, and promoting a compact and connected city:

- **LUT P1.** Align land use and transportation planning and decision-making to achieve a compact and connected city in line with the growth concept map.
- **LUT P5.** Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.
- **LUT P10.** Direct housing and employment growth to activity centers and corridors, and preserving and integrating existing affordable housing where possible.
- **LUT P22** Protect Austin's natural resources and environmental systems by limiting land use and transportation development in sensitive environmental areas and preserving areas of open space.
- **N P1.** Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.

Based on the Imagine Austin policies referenced above, staff believes that this proposed Sun Chase PUD mixed use project is supported by the Imagine Austin Comprehensive Plan.

Environmental

Please refer to Attachment A.

Transportation

Please refer to Attachment B.

Water and Wastewater

In accordance with the consent agreement, the City will be the sole provider of water and wastewater services within the Municipal Utility District and will provide water /

wastewater services to customers within the District in the same manner and conditions that the City provides these services to other retail customers within its corporate limits.

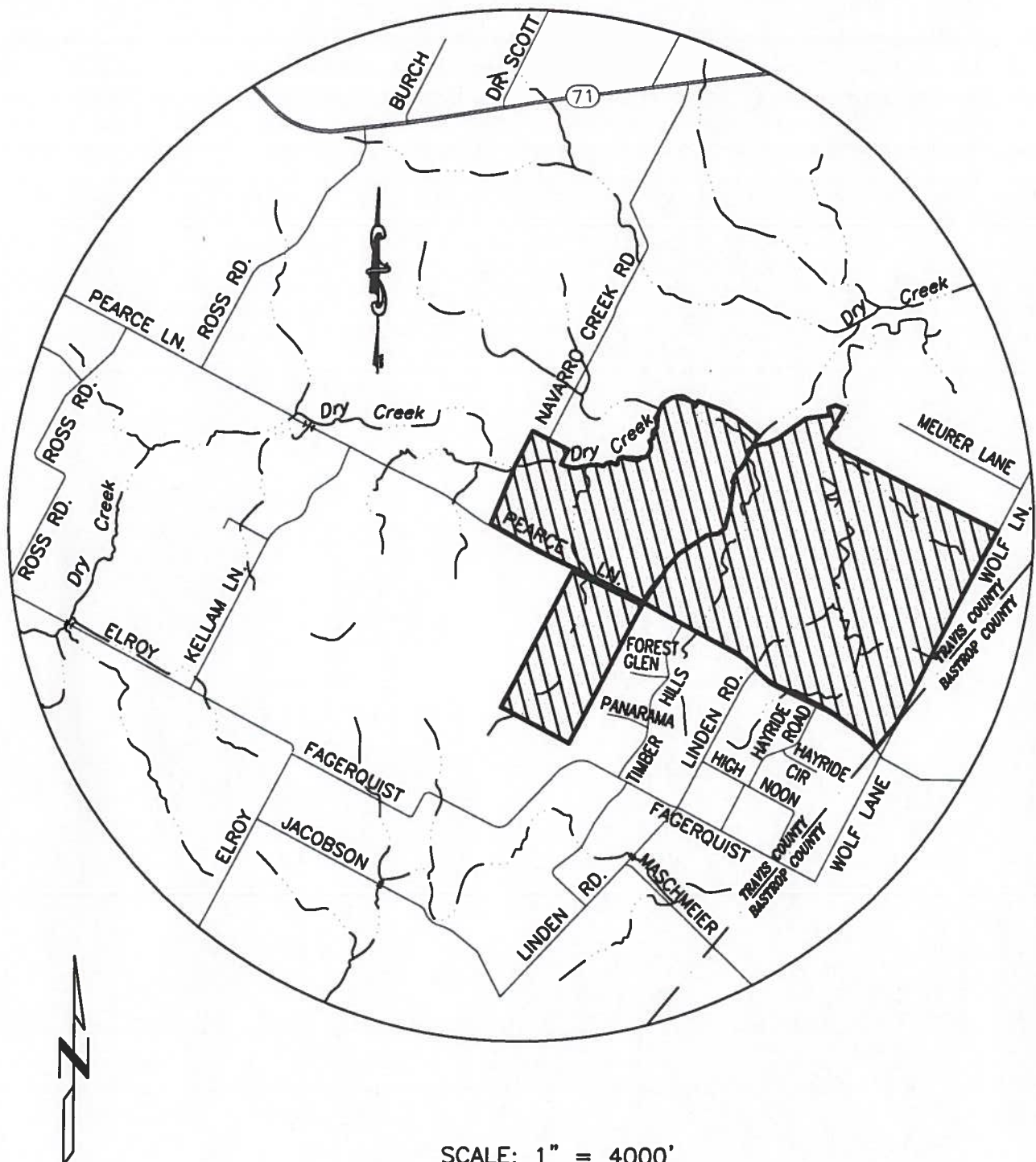
The proposed development intends to obtain retail water and wastewater service from the Austin Water Utility under a consent agreement. The proposed development will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. Each lot in the PUD shall have separate wastewater taps, separate water meters, and their respective private water and wastewater service lines shall be positioned or located in a manner that will not cross lot lines. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction.

Subdivision

Applications for subdivision preliminary plan(s) and final subdivision plat(s) will be need to be approved prior to approval of any site plan or issuance of any development permit.

Site Plan

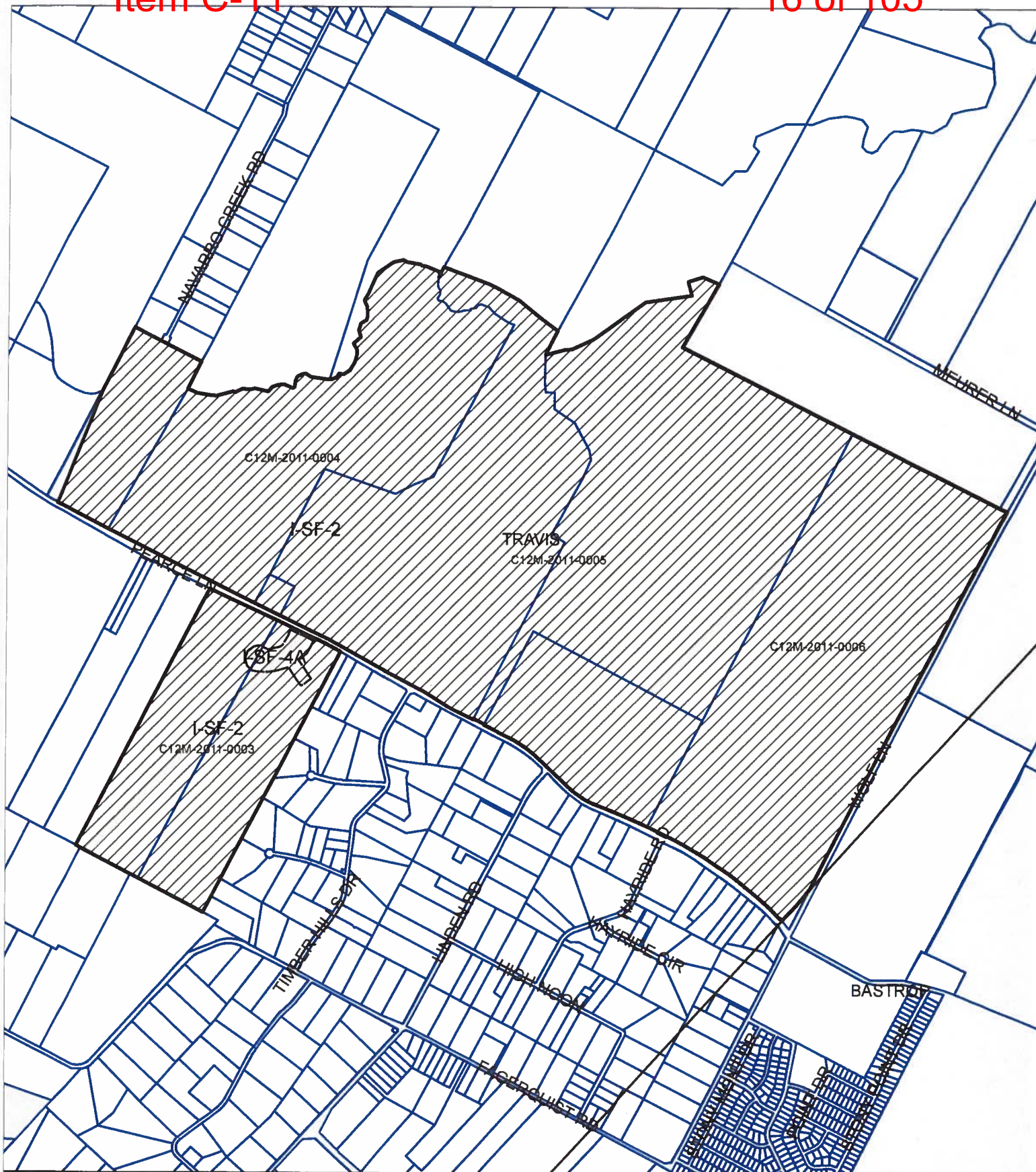
Site plans will be required for any new development other than single-family or duplex residential.



SCALE: 1" = 4000'

SUN CHASE PUD
LOCATION MAP

EXHIBIT A



PLANNED UNIT DEVELOPMENT

ZONING CASE#: C814-2012-0163

Exhibit A-1



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

1" = 1,800'

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.



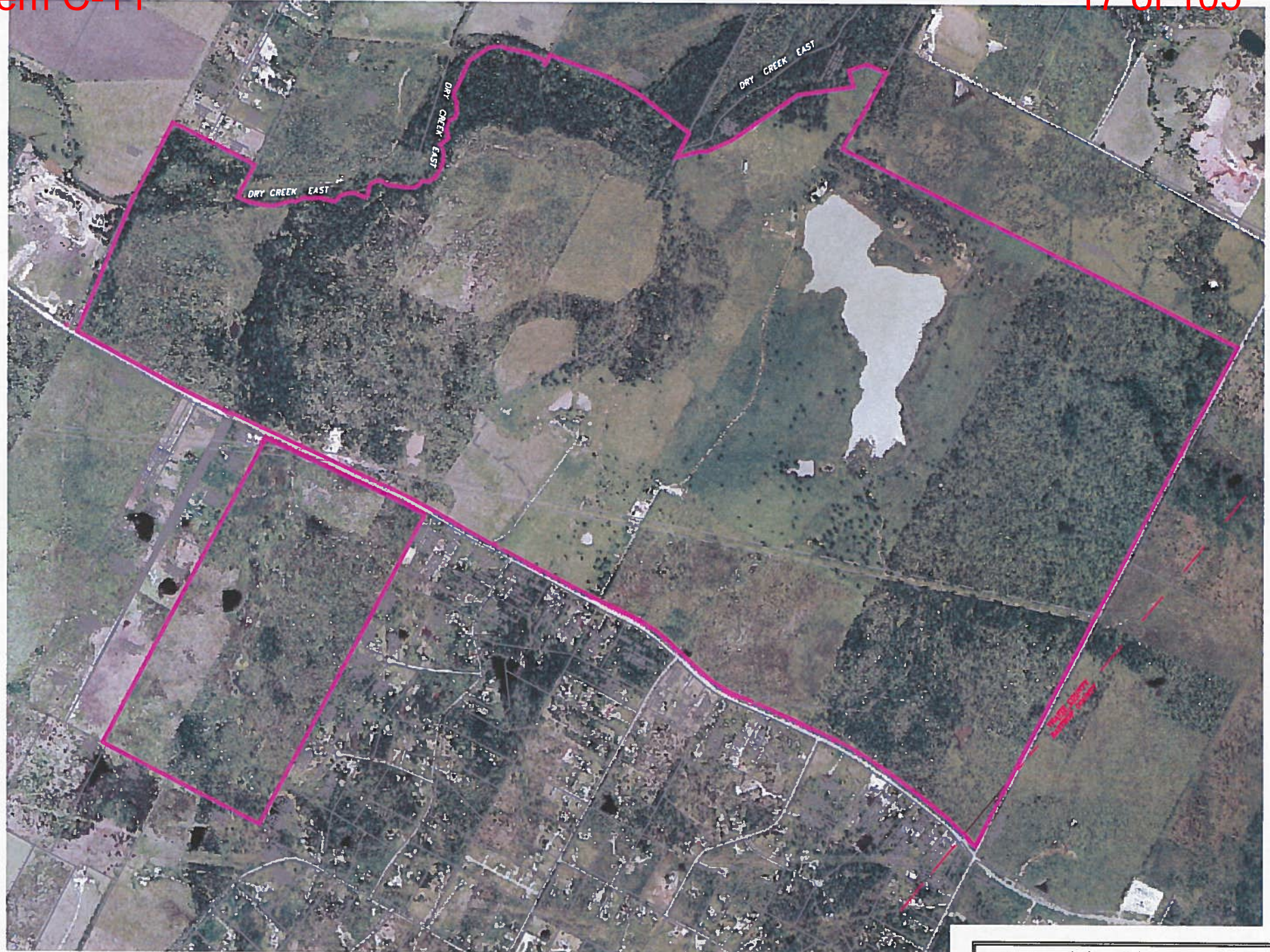


EXHIBIT A-2



SCALE: 1" = 1500'

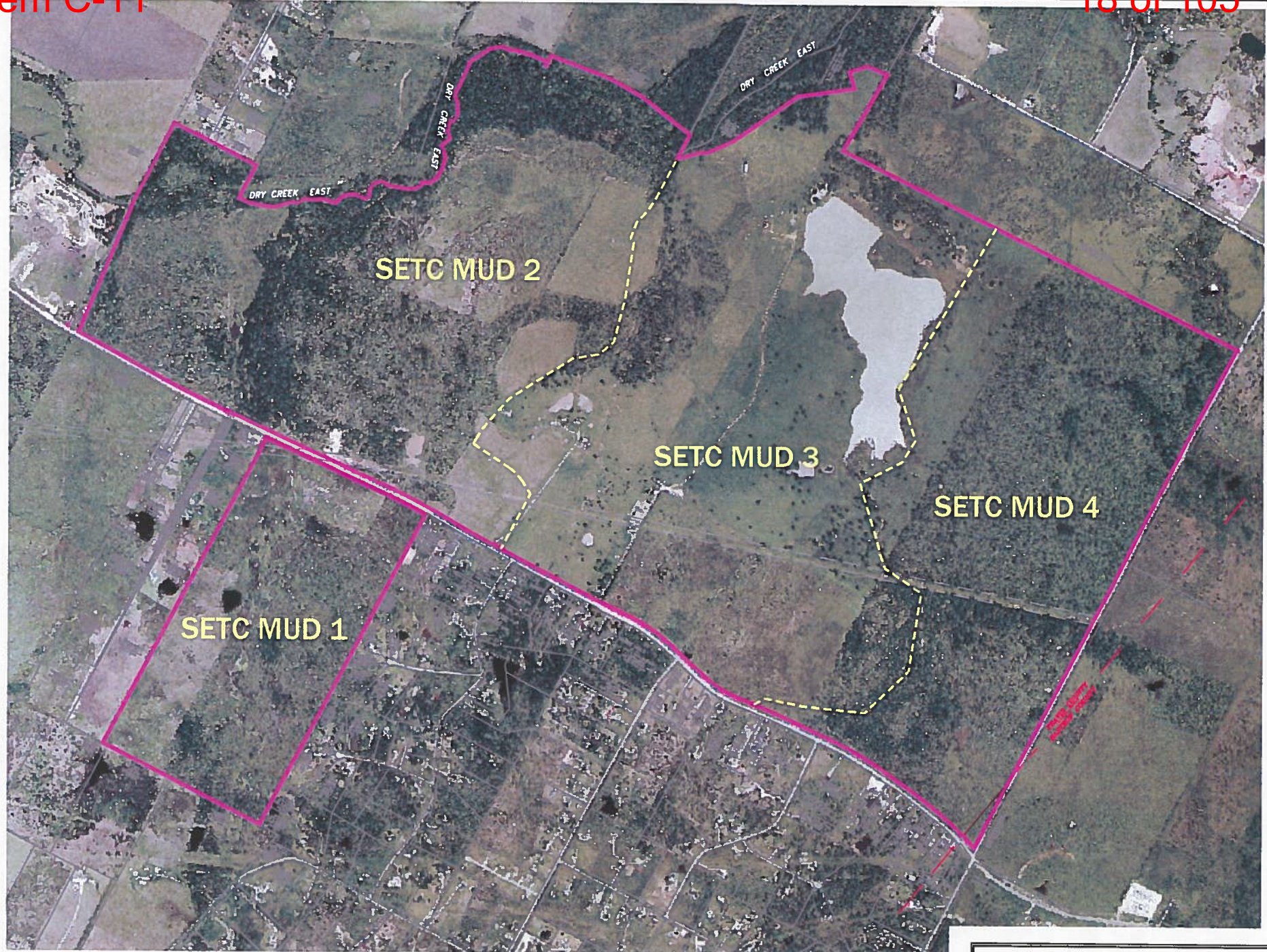
**SUN CHASE PUD
AERIAL OVERLAY**



Carlson, Brigrance & Doering, Inc.

PERM ID 003791 • REG. # 1024900

Civil Engineering • Surveying
5301 West William Avenue • Austin, Texas 78749
Phone No. (512) 280-0160 • Fax No. (512) 280-0165



SCALE: 1" = 1500'

**SUN CHASE PUD MUD BOUNDARIES
AERIAL OVERLAY**

Carlson, Brigrance & Doering, Inc.

FIRM ID 0057791

REG. # 10224900

Civil Engineering
5301 West Wilshire Center
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SOUTHEAST TRAVIS COUNTY MUDs #1, #2, #3 & #4

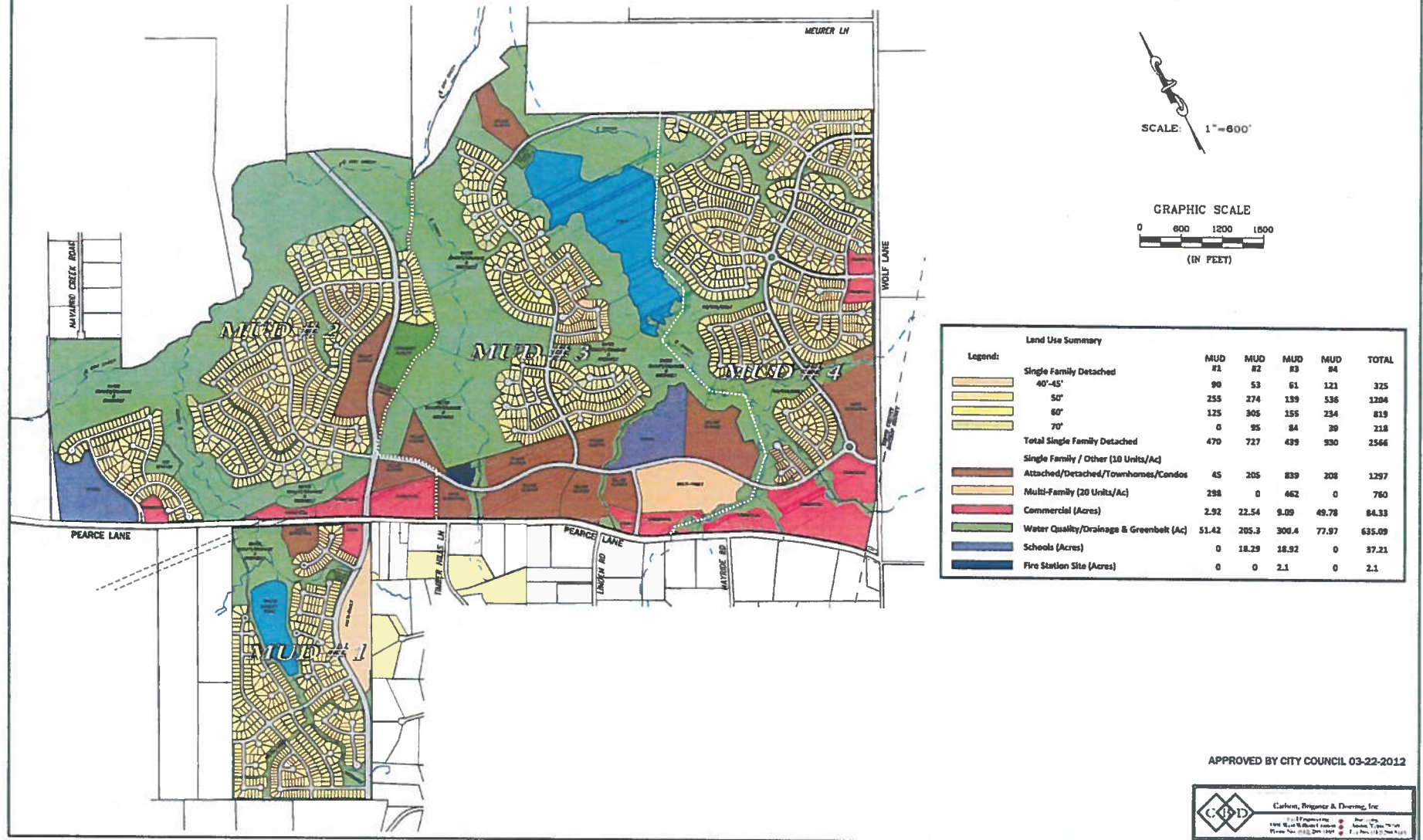


Exhibit A-3

Sun Chase PUD

§2.3 - TIER ONE REQUIREMENTS

All requirements in this section (Tier One Requirements) must be met.

| LDC Reference (Chapter 25-2, Subchapter B, Division 5) | Subject | Code Requirement | Sun Chase PUD meets or exceeds this requirement by: |
|---|---------|--|--|
| 2.3.1.A 2.3.1.B | | <p>Meet the objectives of the City Code. Provide for development standards that achieve equal or greater consistency with the goals in Section 1.1 (General Intent) than development under the regulations in the Land Development Code.</p> <p><i>Section 1.1 General Intent goals: preserving the natural environment, encouraging high quality development and innovative design, and ensuring adequate public facilities and services.</i></p> | <p>Addressed in Section 5.04 - approved and executed MUD Consent Agreements - Development and Construction Standards. The Developer agrees that all development, construction, and infrastructure within the District will comply with City design standards, specifications, and requirements, unless otherwise provided in this Agreement or executed by the City, including building permit requirements. The Developer agrees that the Restrictive Covenants for the Land will require that either (a) (i) all commercial buildings within the District be constructed in a manner sufficient to achieve an Energy Star rating, and (ii) all residential buildings within the District be constructed in a manner sufficient to achieve a rating of two stars or greater under the City's Austin Energy Green Building Program, or (b) such buildings be constructed in a manner sufficient to achieve a reasonably equivalent rating under another program executed by the City. The Developer also agrees that the Restrictive Covenants will require that toilets, bathroom sink faucets and shower heads that are labeled as meeting the standards of the EPA WaterSense program, or a comparable program executed by the Developer and the City, be installed in all residential buildings within the District and that all residential irrigation system components are certified as meeting the standards of the EPA WaterSense program, or a comparable program executed by the Developer and the City, or, if the EPA WaterSense program ceases to exist, that such fixtures and irrigation system components be labeled, certified or executed through a comparable program established or executed by the EPA or the City. The Tier I requirements were agreed to in the executed Consent Agreements.</p> |

REC'D 12-9-2015

EXHIBIT B

{W0670602.3}

Sun Chase PUD

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|---------|--|--|---|
| 2.3.1.C | Open Space | <p>Provide a total amount of open space that equals or exceeds 10 percent of the residential tracts, 15 percent of the industrial tracts, and 20 percent of the nonresidential tracts within the PUD, except that:</p> <ol 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. | <p>The Sun Chase PUD Parks & Open Space Master Plan and 1/4 Mile Radius Maps approved by staff are attached. The maps include a summary table of required and provided open space and parkland. The PUD exceed above and beyond the requirements. Tier I requires 98 acres of Open Space. 600 Acres of Public Park and Open Space are being provided. The 600 Ac of Greenbelt is comprised of the following: 162.09 Ac. in CWQZ + 34.37 Ac. in WQTZ (outside of floodplain) + 201.91 Ac. in Developed 100 Yr. Flood Plain outside of the CWQZ and WQTZ + 59.39 Ac. in CEF for a total of 457.76 Acres. Greenbelt = (601.93-457.76) 144.76 Ac. The 144.76 Ac of Greenbelt (net of CWQZ, CWQTZ, 100 yr. flood plain and CEF) is 48% increase above the minimum requirement of 98 Ac. Additionally, an estimated 8 miles of public trails will be provided and +/- 2 miles for the extension of City of Austin Bicycle Plan - Urban Trails Master Plan Dry Creek South Greenway</p> |
| 2.3.1.D | Green Building Program | Comply with the City's Planned Unit Development Green Building Program. | <p>The project is located outside of Austin Energy's service area. However, under Section 5.04 of the executed Consent Agreements it states: The Developer agrees that the Restrictive Covenants for the Land will require that either (a) (i) all commercial buildings within the District be constructed in a manner sufficient to achieve an Energy Star rating, and (ii) all residential buildings within the District be constructed in a manner sufficient to achieve a rating of two stars or greater under the City's Austin Energy Green Building Program, or (b) such buildings be constructed in a manner sufficient to achieve a reasonably equivalent rating under another program executed by the City. The Developer also agrees that the Restrictive Covenants will require that toilets, bathroom sink faucets and shower heads that are labeled as meeting the standards of the EPA WaterSense program, or a comparable program executed by the Developer and the City, be installed in all residential buildings within the District and that all residential irrigation system components are certified as meeting the standards of the EPA WaterSense program, or a comparable program executed by the Developer and the City, or, if the EPA WaterSense program ceases to exist, that such fixtures and irrigation system components be labeled, certified or executed through a comparable program established or executed by the EPA or the City.</p> |
| 2.3.1.E | Neighborhood Plans, Historic Areas & Compatibility | Be consistent with applicable neighborhood plans, neighborhood conservation combining district regulations, historic area and landmark regulations, and compatible with adjacent property and land uses. | <p>The Sun Chase PUD is located in southeast Travis County in the City's Desired Development Zone. Existing land uses consist of open pasture land, residential, schools and some supporting commercial services. The Sun Chase PUD has been planned as a master planned community to include various types of residential uses, multifamily, supporting commercial, and open space/recreational.</p> |

Sun Chase PUD

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| 2.3.1.F | Environmental Protection | 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. | The project will meet and exceed the requirements of the Comprehensive Watershed Ordinance (vested at the time of preliminary plan approval), as described under Tier 2. The project will also meet and exceed the current tree protection and landscape requirements, as described below under landscaping. Further environmental preservation and protection have been agreed to and are addressed in Exhibit F of the Consent Agreements . |
| 2.3.1.G | Public Facilities | Provide for public facilities and services that are adequate to support the proposed development including school, fire protection, emergency service, and police facilities. | Public and Civic Facilities were agreed to and incorporated in Exhibit E of the Consent Agreements : " the Developer agrees to donate two sites within the Project to the Del Valle Independent School District ("the School District"), at the locations shown on the executed Preliminary Plans, for school uses mutually agreed to between the Developer and the School District, upon the following terms: (a) Each site will be donated to the School District at such time as the School District has funding available and is ready, willing and able to construct the school facilities on the site in question. (b) Each site will consist of at least 18 buildable acres. (c) Any changes to the location of a school site will be subject to approval by the Developer, the School District and the City. (d) The Developer will extend water, wastewater and streets to each school site at no cost to the School District. 2. The Developer agrees to dedicate the fire station site shown on the Land Plan to the City at no cost to the City. Additionally, in Exhibit H of the Consent Agreement , Developer will reserve a ten-acre transit site at a location to be mutually agreed upon by the Developer and the City during the PUD process. This site may be purchased by the City or, at the City's option, another governmental entity designated by the City by written notice to the Developer at any time prior to the date the first District or one of the other Southeast Travis County Districts is annexed for full purposes by the City. During the development of the Project, to maintain an on-going dialogue with Capital Metropolitan Transit Authority and any other mass transit service provider regarding mass transit options and transportation issues. |

Sun Chase PUD

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| 2.3.1.H | Landscaping | Exceed the minimum landscaping requirements of the City Code. | Addressed in Section 5.07 - The project will meet and exceed the landscaping requirements as described in Exhibit G of the Consent Agreements . A tree preservation plan has been developed; all planted trees will be selected from Appendix F of the Environmental Criteria Manual; and a tree care plan will be provided for construction-related impacts. The District agreed to the minimum landscaping requirements of the City Code by doing the following: Properly maintaining its property, subject to any applicable water use or restrictions imposed by the City; and upon reclaimed water being brought to the project, to use reclaimed water for irrigation in open space areas where such use is economically feasible, subject to any applicable water use restrictions imposed by the City. Reclaimed water will not be used in the CWQZ or flood plain. |
| 2.3.1.I | Transportation & Connectivity | 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. | Exhibit H of the Consent Agreement , Developer will reserve a ten-acre transit site at a location to be mutually agreed upon by the Developer and the City during the PUD process. This site may be purchased by the City or, at the City's option, another governmental entity designated by the City by written notice to the Developer at any time prior to the date the first District or one of the other Southeast Travis County Districts is annexed for full purposes by the City. During the development of the Project, to maintain an on-going dialogue with Capital Metropolitan Transit Authority and any other mass transit service provider regarding mass transit options and transportation issues. Additionally, Transportation Requirements are outlined on Exhibit H of the Consent Agreements . In order to provide improved internal connectivity, two additional internal roadways connections have been added to the PUD plan. Internal trails are shown on the attached Sun Chase PUD Parks & Open Space Master Plan and 1/4 Mile Radius Maps. |
| 2.3.1.J | Transportation & Connectivity | Prohibit gated roadways. | Gated roadways are not currently being proposed. |
| 2.3.1.K | Historical Preservation | Protect, enhance and preserve areas that include structures or sites that are of architectural, historical, archaeological, or cultural significance. | No significant historical, archaeological or cultural sites exist on the property. |
| 2.3.1.L | PUD Size | Include at least 10 acres of land, unless the property is characterized by special circumstances, including unique topographic constraints. | Sun Chase PUD tracts total 1,604 acres. |
| 2.3.2.A | Commercial Design Standards | Comply with Chapter 25-2, Subchapter E (Design Standards And Mixed Use). | Building and Urban Design is addressed in Section 5.09 of the Consent Agreements which states, the Developer agrees that the design standards set forth on the attached Exhibit I will be included in the PUD |

Sun Chase PUD

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| 2.3.2.B | Commercial Design Standards | Inside the urban roadway boundary depicted in Figure 2, Subchapter E, Chapter 25-2 (Design Standards and Mixed Use), comply with the sidewalk standards in Section 2.2.2., Subchapter E, Chapter 25-2 (Core Transit Corridors: Sidewalks And Building Placement). | <p>Building and Urban Design is addressed in Section 5.09 of the Consent Agreements which states, the Developer agrees that the design standards set forth on the attached Exhibit I will be included in the PUD. This includes:</p> <ul style="list-style-type: none"> • Subchapter E Core Transit Corridor standards shall apply for sidewalks and building placement for 50% of the commercial, multi-family and village cluster development on Flower Cup Loop between Sun Chase Parkway and Misu Drive; • Subchapter E Urban Roadway standards for sidewalks and building placement for 50% commercial, multi-family and village cluster development along Sun Chase Parkway from Pearce Lane to Flower Cup Loop, along Rumworth Drive from Pearce Lane to Flower Cup Loop, and along Misu Drive from Wolf Lane to Flower Cup Loop |
| 2.3.2.C | Commercial Design Standards | Contain pedestrian-oriented uses as defined in Section 25- 2-691(C) (Waterfront Overlay District Uses) on the first floor of a multi-story commercial or mixed use building. | <p>Building and Urban Design is addressed in Section 5.09 of the Consent Agreements which states, the Developer agrees that the design standards set forth on the attached Exhibit I will be included in the PUD.</p> |

Sun Chase PUD

§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.

| Subject | Superiority Criteria listed in §2.4 | Sun Chase PUD meets or exceeds requirements by: |
|------------------------|--|---|
| Open Space | Provides open space at least 10% above the requirements of Section 2.3.1.A. (Minimum Requirements). Alternatively, within the urban roadway boundary established in Figure 2 of Subchapter E of Chapter 25-2 (Design Standards and Mixed Use), 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. | The Sun Chase PUD Parks & Open Space Master Plan approved by staff are attached. The maps include a summary table of required and provided open space and parkland. The PUD exceed above and beyond the requirements. Tier I requires 98 acres of Open Space. 600 Acres of Public Park and Open Space are being provided. The 600 Ac of Greenbelt is comprised of the following: 162.09 Ac. in CWQZ + 34.37 Ac. in WQTZ (outside of floodplain) + 201.91 Ac. in Developed 100 Yr. Flood Plain outside of the CWQZ and WQTZ + 59.39 Ac. in CEF for a total of 457.76 Acres. Greenbelt = (601.93-457.76) 144.76 Ac. The 144.76 Ac of Greenbelt (net of CWQZ, CWQTZ, 100 yr. flood plain and CEF) is 48% increase above the minimum requirement of 98 Ac. |
| Environment / Drainage | Provides water quality controls superior to those otherwise required by code. | Per the attached Exhibit F of the Consent Agreements - water quality controls, including Biofiltration Ponds, and Wet Detention Ponds will be incorporated for 100% of the required water quality treatment volume. The required water quality capture volume will be increased by 10% over the standard requirement for all water quality ponds. The drainage areas for each of the proposed Wet Ponds are as follows; Pond "D" = 302.54 ac., Pond 2 = 207.95 ac., Pond 3 = 39.50 ac., Pond 4 = 209.26 ac., Pond 12 = 47.20., Pond 13 = 64 ac., Pond 14 = 52.40 ac., Pond 16 = 38.46. The drainage areas for each wet pond are large enough to avoid the use of makeup water. The design criteria requires a minimum of 20 acres drainage basin for wet ponds to ensure adequate make up water. The wet ponds exceed this criteria. |
| | | Although Wet Ponds are not considered "green" water quality controls, they do provide a level of water quality treatment beyond what is provided by sedimentation-filtration ponds. We have conducted a water balance for each wet pond, and have concluded that they will only have minimal, short term need for make-up water. The watersheds for each wet pond will be developed with roadway IC immediately along with improved drainage conveyance and lot impervious cover within an estimated 3 years after pond construction. |

Sun Chase PUD

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| Environment / Drainage | Provides water quality treatment for currently untreated, developed off-site areas of at least 10 acres in size. | Currently untreated developed single-family residential lots and streets to the south and southeast drain to and will be treated by proposed water quality controls. (See attached map titled "Offsite Untreated Runoff Exhibit"). A 92 acre off site area will be treated by a wet pond in MUD No. 1. |
| Environment / Drainage | Provides minimum 50-foot setback for at least 50 percent of all unclassified waterways with a drainage area of 32 acres. | Setbacks have been provided per the attached Exhibit F of the Consent Agreements for approximately 75% of the waterways with contributing drainage basins of 32 - 320 acres are being protected. The calculations are as follows; 26,940 linear feet streams with a DA 32 ac or more, 20,364 linear feet with a DA or more protected, (20,364 lf / 26,940 lf = 75%). Buffer setback is 50 ft. either side of the centerline of the creek for a total of 100 ft. (minimum). |
| Environment / Drainage | Provides volumetric flood detention as described in the Drainage Criteria Manual. | Volumetric flood detention will be provided for the entire PUD. This was confirmed with the Consent Agreements. On October 24, 2011 the volumetric analysis letter was delivered to staff. The volumetric analysis letter was re-sent to staff on January 23, 2015. A copy of the e-mail transmitting the letter and associated map as well as the letter itself is attached. Volumetric detention will be provided for the entire PUD area. |
| Environment / Drainage | Uses natural channel design techniques as described in the Drainage Criteria Manual. | Natural channel design techniques will be incorporated into the storm water management and treatment system using the cross section approved as Exhibit F-1 of the Consent Agreements . No concrete lined channels are proposed. We propose the use of natural materials and restrict the use of concrete in channels except for culvert headwalls. |
| Environment / Drainage | Restores riparian vegetation in existing, degraded Critical Water Quality Zone areas. | The PUD will provide riparian restoration for areas in the 100-year floodplain that are in "Poor" (1) or "Fair" (2) condition. Areas will be restored to "Good" (3) or "Excellent (4)" as described in Appendix X of the Environmental Criteria Manual. Evaluation of the riparian areas will be required at time of subdivision construction plan approval for residential development, and at time of site plan approval for commercial development. Provided however, that the following final plat applications currently under review shall be exempt from this requirement: Sun Chase South Section 1 (C8J-2008-0176.01.1A), Sun Chase South Section 2 (C8J-2008-0176.01.2A), Sun Chase South Section 3 (C8J-2008-0176.01.3A), Sun Chase South Section 4 (C8J-2008-0176.01.4A) and Sun Chase South Section 5 (C8J-2008-0176.01.5A). |
| Environment / Drainage | Removes existing impervious cover from the Critical Water Quality Zone. | N/A -there is no existing impervious cover in the CWQZ |

Sun Chase PUD

| Environment / Drainage | Tree plantings use Central Texas seed stock native and with adequate soil volume. | <p>All required tree plantings shall use native Central Texas tree stock and shall be planted with adequate soil volume in accordance with the following soil volume standards:</p> <ul style="list-style-type: none"> • Small trees (less than 30 ft. mature height): minimum of 600 cubic feet soil volume. • Medium trees (30 to 50 ft. mature height): minimum of 1,000 cubic feet soil volume. • Large trees (greater than 50 ft. mature height): minimum of 1,500 cubic feet soil volume. <p>The topsoil and subsoil may be from naturally occurring native soils or amended within the tree planning pit in order to achieve the requirements. Soil depth shall be three feet for all three sizes. The soil in the plating pit shall be composed of 4 parts of soil mixed with 1 part compost, by volume. The compost shall meet the definition of compost as defined by TxDOT Specification Item 161. The soil shall be locally available native soil that meets the following specifications:</p> <ul style="list-style-type: none"> • Shall be free of trash, weeds, deleterious materials, rocks, and debris. • 100% shall pass through a 1.5-inch (38-mm) screen. • Soil to be a loamy material that meets the requirements of the table below in accordance with the USDA textural triangle. Soil known locally as "red death" is not an allowable soil. Textural composition shall meet the following criteria: <table border="1" data-bbox="1232 798 1792 1013"> <thead> <tr> <th>Textural Class</th><th>Minimum</th><th>Maximum</th></tr> </thead> <tbody> <tr> <td>Clay</td><td>5%</td><td>50%</td></tr> <tr> <td>Silt</td><td>10%</td><td>50%</td></tr> <tr> <td>Sand</td><td>15%</td><td>67%</td></tr> </tbody> </table> <ul style="list-style-type: none"> • An owner/engineer may propose use of onsite salvaged topsoil which does not meet the soil texture class required above by providing a soil analysis and a written statement from a qualified professional in soils, landscape architecture, or agronomy indicating the onsite topsoil will provide an equivalent growth media and specifying what, if any, soil amendments are required. • Soil amendments shall be worked into the existing onsite topsoil with a disc or tiller to create a well-blended material. <p>Topsoil salvaged from the existing site may often be used, but it should meet the same standards as set forth in these standards. For areas where the soil volume is under pavement, the subgrade may not be compacted. Refer to Exhibit "___" for an example of an acceptable tree planting detail.</p> | Textural Class | Minimum | Maximum | Clay | 5% | 50% | Silt | 10% | 50% | Sand | 15% | 67% |
|------------------------|---|---|----------------|---------|---------|------|----|-----|------|-----|-----|------|-----|-----|
| Textural Class | Minimum | Maximum | | | | | | | | | | | | |
| Clay | 5% | 50% | | | | | | | | | | | | |
| Silt | 10% | 50% | | | | | | | | | | | | |
| Sand | 15% | 67% | | | | | | | | | | | | |

Sun Chase PUD

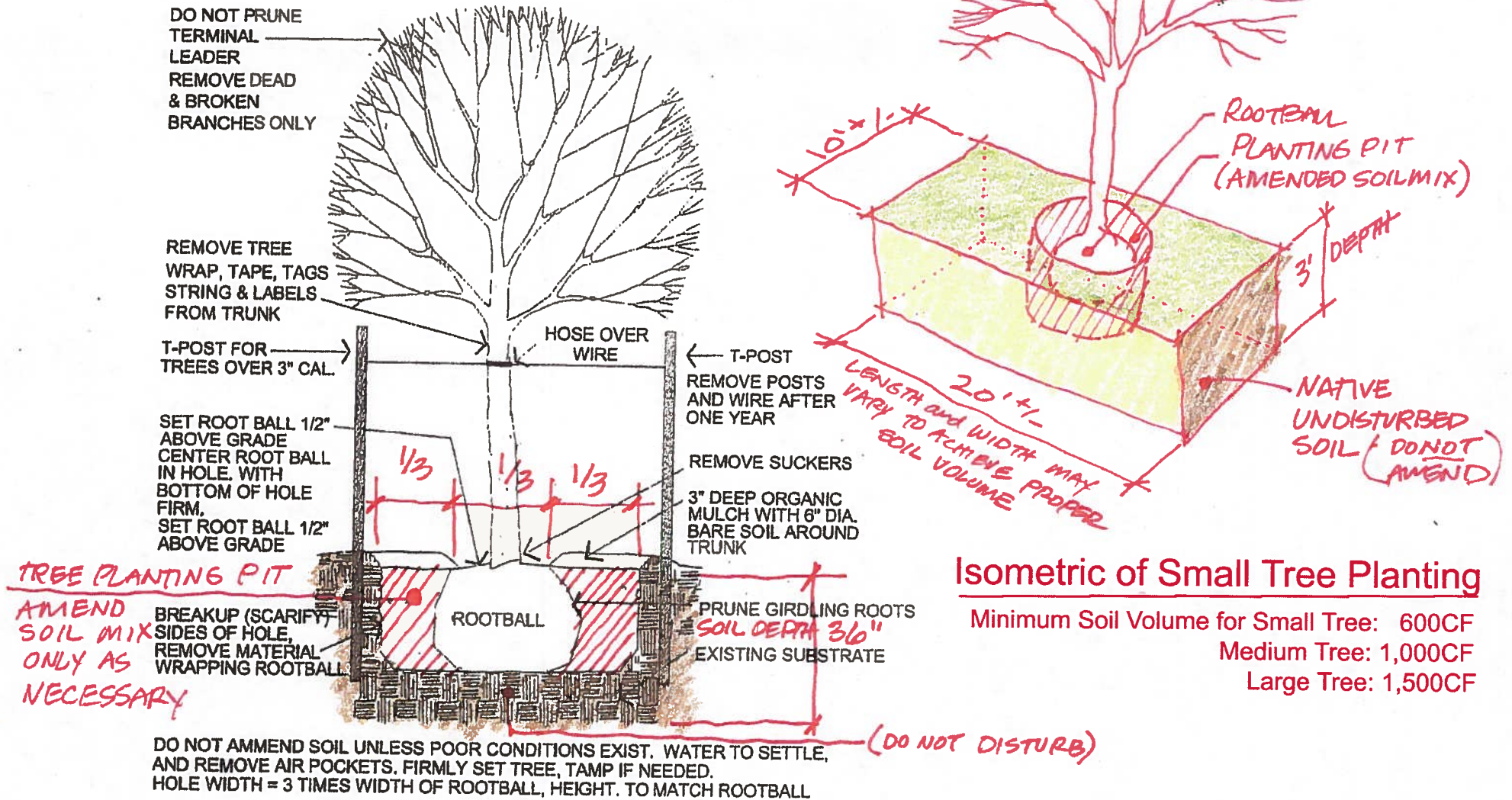
| | | |
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| Environment / Drainage | Directs Stormwater runoff from impervious surfaces to a landscaped area at least equal to the total required landscape area. | Runoff from impervious surface areas within commercial and multifamily tracts will be directed through landscape areas at least equal to the total required landscape area. |
| Environment / Drainage | Employs other creative or innovative measures to provide environmental protection. | Additional innovative environmental protection will be provided, including educational signage at critical areas and implementation of an Integrated Pest Management Plan. The IPM will apply to the entire PUD. |
| Austin Green Builder Program | Provides a rating under the Austin Green Builder Program of three stars or above. | The project is located outside of Austin Energy's service area. However, under Section 5.04 of the Consent Agreements it states: Addressed in Section 5.04 - Consent Agreement - The Developer agrees that the Restrictive Covenants for the Land will require that either (a) (i) all commercial buildings within the District be constructed in a manner sufficient to achieve an Energy Star rating, and (ii) all residential buildings within the District be constructed in a manner sufficient to achieve a rating of two stars or greater under the City's Austin Energy Green Building Program, or (b) such buildings be constructed in a manner sufficient to achieve a reasonably equivalent rating under another program executed by the City. The Developer also agrees that the Restrictive Covenants will require that toilets, bathroom sink faucets and shower heads that are labeled as meeting the standards of the EPA WaterSense program, or a comparable program executed by the Developer and the City, be installed in all residential buildings within the District and that all residential irrigation system components are certified as meeting the standards of the EPA WaterSense program, or a comparable program executed by the Developer and the City, or, if the EPA WaterSense program ceases to exist, that such fixtures and irrigation system components be labeled, certified or executed through a comparable program established or executed by the EPA or the City. |
| Art | Provides art executed 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. | Yes - In accordance with Section 5.10 and Exhibit J of the Consent Agreement a Public Art Master Plan will be prepared which will identify opportunities, guiding principles and locations within the PUD for outdoor art installations to be implemented by the Developer. Following installation, all subsequent management, operation and/or maintenance of the artwork will be the responsibility of the Developer or the Owners Association. |
| 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 (Design Standards and Mixed Use). | Street cross sections are being proposed that will facilitate and enhance pedestrian and bicycle mobility above standard requirements. Additionally, the Complete Street Policy will apply to, (i) lands within the Sun Chase PUD that has not been subdivided, and (ii) approved preliminary plans that would be subject to any major revisions in the future. Notwithstanding the foregoing, approval is subject to Travis County consent and approval for any modification to the transportation requirements. |

Sun Chase PUD

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| Community Amenities | Provides community or public amenities, which may include spaces for community meetings, community gardens or urban farms, day care facilities, non-profit organizations, or other uses that fulfill an identified community need. | The Sun Chase PUD Parks & Open Space Master Plan and 1/4 Mile Radius Maps approved by staff are attached. The maps include a summary table of required and provided public and private open space / parkland, hike and bike trails and pedestrian connectivity. The PUD exceed above and beyond the standard requirements. |
| Community Amenities | Provides publicly accessible multi-use trail and greenway along creek or waterway. | An estimated 8 miles of public trails will be provided and +/- 2 miles for the extension of City of Austin Bicycle Plan - Urban Trails Master Plan Dry Creek South Greenway |
| Transportation | Provides bicycle facilities that connect to existing or planned bicycle routes or provides other multi-modal transportation features not required by code. | The PUD will provide +/- 2 miles for the extension of City of Austin Bicycle Plan - Urban Trails Master Plan Dry Creek South Greenway. On-going dialogue will continue with Capital Metropolitan Transit Authorities and any other mass transit service provider regarding mass transit options and transportation issues. |
| Building Design | Exceeds the minimum points required by the Building Design Options of Section 3.3.2. of Chapter 25-2, Subchapter E (Design Standards and Mixed Use). | See Section 5.09 and Exhibit I of the Consent Agreements and attached for reference. |
| 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 Section 25-2-691(C) (Waterfront Overlay District Uses) in ground floor spaces. | Not applicable |
| Affordable Housing | Provides for affordable housing or participation in programs to achieve affordable housing. | Participation in the Affordable Housing Program as follows: <ul style="list-style-type: none"> • Ten percent of the rental units within the Project will be set aside for households with an income level of 60% or less of the median family income in Austin metropolitan statistical area for a period of 40 years form the Effective Date of the Consent Agreement. • Ten percent of the owner-occupied units within the Project will be priced, at the time of their initial offering for sale, at a price that is affordable to a household with an income level of 80% of the median family income in the Austin metropolitan statistical area. • A financial contribution to the City's affordable housing program equal to two percent of the total "hard" construction cost reimbursements actually received by the Developer out |

Sun Chase PUD

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| | | of the proceeds of bonds issued by the MUDs, up to a maximum total contribution of \$1.8 Million. |
| Historic Preservation | Preserves historic structures, landmarks, or other features to a degree exceeding applicable legal requirements. | No significant historical, archaeological or cultural sites exist on the property. |
| Accessibility | Provides for accessibility for persons with disabilities to a degree exceeding applicable legal requirements. | Development will meet all applicable accessibility 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. | N/A |



Isometric of Small Tree Planting

Minimum Soil Volume for Small Tree: 600CF
 Medium Tree: 1,000CF
 Large Tree: 1,500CF

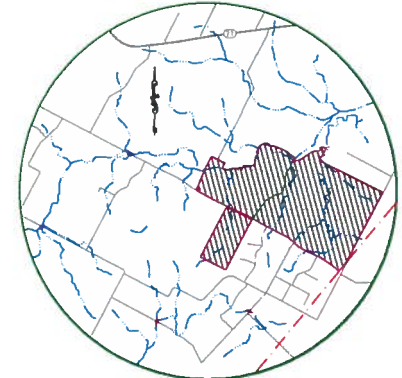
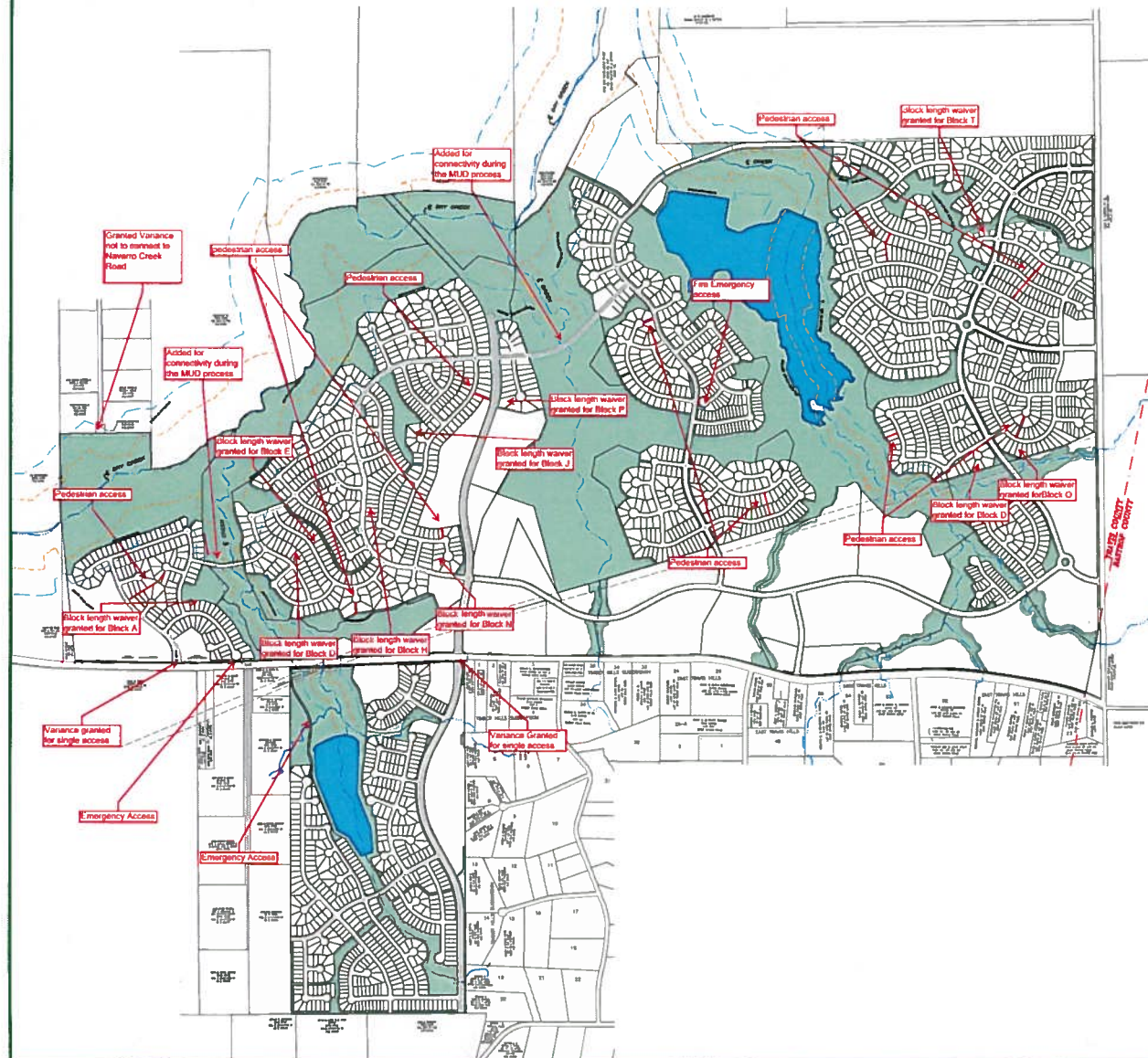
Sun Chase PUD TREE PLANTING DETAIL

EQUIVILANT TO FIGURE 3-14

EXHIBIT _____

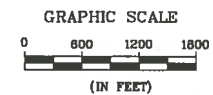
REC'D 12-9-2015

SUN CHASE PUD



LOCATION MAP
SCALE: 1" = 4000'

SCALE: 1" = 600'



| Legend | Acreage |
|---|---------|
| GREENBELT AREAS | 601.93 |
| CWQZ | 162.09 |
| WQTZ (ACREAGE NOT IN 100 YR FP) | 34.37 |
| DEVELOPED 100 YEAR FLOODPLAIN (ACREAGE NOT IN CWQZ) | 201.91 |
| GREENBELT (LESS CWQZ, WQTZ & 100 YR FP) | 203.56 |

Sun Chase PUD – Requested Code Modifications to Development Regulations

| Category | Code Reference | Description | Sun Chase PUD |
|---------------------|--|--|--|
| Environmental - WPO | 25-8-62 (C) and 30-5-62 (C) NET SITE AREA | Net site area does not apply in the urban and suburban watersheds - | 25-8-62 (C) and 30-5-62 (C) is modified to apply within Sun Chase PUD. |
| | 25-8-91 (B) and 30-5-91 (B) – WATERWAY CLASSIFICATIONS | Waterway Classifications | A minor waterway has a drainage area of at least 320 acres and not more than 640 acres. An intermediate waterway has a drainage area of at least 640 acres but not more than 1,280 acres, and a major waterway has a drainage area of more than 1,280 acres. |
| | 25-8-92 (B) and 30-5-92 (B) CRITICAL WATER QUALITY ZONES ESTABLISHED | Not included | 25-8-92 (B) and 30-5-92 (B) 1. the boundaries of a critical water quality zone coincides with the boundaries of the boundaries of the 100 year flood plain except as follows: |
| | | 1. for a minor waterway, the boundaries of the critical water quality zone are located 100 feet from the centerline of the waterway | 2. for a minor waterway, the boundaries of the critical water quality zone are located not less than 50 feet and not more than 100 feet from the centerline of the waterway |
| | | 2. for an intermediate waterway, the boundaries of the critical water quality zone are located 200 feet from the centerline of the waterway; and | 3. for an intermediate waterway, the boundaries of the critical water quality zone are located not less than 100 feet and not more than 200 feet from the centerline of the waterway; and |
| | | 3. for a major waterway, the boundaries of the critical water quality zone are located 300 feet from the centerline of the waterway; | 4. for a major waterway, the boundaries of the critical water quality zone are located not less than 200 feet and not more than 400 feet from the centerline of the waterway; |

REC'D 1-6-2016
EXHIBIT B-1

{W0670587.4}

1 Sun Chase PUD Code Modification Table (W0670587-4)

Sun Chase PUD – Requested Code Modifications to Development Regulations

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| | | | 5. for selected unclassified waterways, the boundaries of the critical water quality zone are located either 50 feet from the centerline of the waterway, or along the boundaries of the fully developed 100 year floodplain as shown on the Environmental Exhibit. |
| | | 4. The critical water quality zone boundaries may be reduced to not less than 50 feet from the centerline of a minor waterway, 100 feet from the centerline of an intermediate waterway, and 150 feet from the centerline of a major waterway if the overall surface area of the critical water quality zone is the same or greater than the surface area that would be provided without the reduction, as prescribed in the Environmental Criteria Manual. | 6. Critical Water Quality Zone buffer averaging does not apply in the Sun Chase PUD. |
| | | 5. Notwithstanding the provisions of Subsections (B)(1), (2), and (3), a critical water quality zone does not apply to a previously modified drainage feature serving a public roadway right-of-way that does not possess any natural and traditional character and cannot reasonably be restored to a natural condition. | 7. Notwithstanding the provisions of Subsections (B)(1), (2), and (3), a critical water quality zone does not apply to a previously modified drainage feature serving a public roadway right-of-way that does not possess any natural and traditional character and cannot reasonably be restored to a natural condition. |
| | 25-8-93 (A) and 30-5-93 (A) WATER QUALITY TRANSITION ZONES ESTABLISHED | Water Quality Transition Zones do not apply in Suburban Watersheds. | 25-8-93 (A) and 30-5-93 (A) Water Quality Transition Zones apply within the Sun Chase PUD. |

Sun Chase PUD – Requested Code Modifications to Development Regulations

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| | 25-8-211 and 30-5-211 WATER QUALITY CONTROL REQUIREMENT (B) (3) | if the total of new and redeveloped impervious cover exceeds 8,000 square feet. | if the total of new and redeveloped impervious cover exceeds 20% of net site area. |
| | 25-8-232 and 30-5-232 DEDICATED FUND (A), (B), (C) | | 25-8-232 and 30-5-232 (A), (B) and (C) will not apply to the Sun Chase PUD. The MUD Consent Agreements establish that drainage facilities within the Districts will be owned, financed, operated and maintained by the Districts, therefore we're requesting clarification that the Dedicated Fund will not apply to the PUD. |
| | 25-8-261 and 30-5-261 CRITICAL WATER QUALITY ZONE DEVELOPMENT | (F) Detention basins and wet ponds are prohibited in the critical water quality zone unless the requirements of Section 25-8-364 and 30-5-364 (Floodplain Modification), Chapter 25-7 (Drainage) and 30-4 (Drainage), and the other provisions of this subchapter are met. | Detention basins and wet ponds are prohibited in the critical water quality zone except as depicted on the attached Exhibit, "CWQZ DETENTION POND A". |
| | 25-8-392 and 30-5-392 UPLANDS ZONE | (A) This section applies to development in an uplands zone. Impervious cover limits in this section are expressed as percentages of gross site area. | This section applies to development in an uplands zone. Impervious cover limits in this section are expressed as percentages of net site area. |
| | | (1) Impervious cover for a single-family residential use with a minimum lot size of 5,750 square feet may not exceed: (a) 50 percent; or (b) if development intensity is transferred under Section 25-8-393 and 30-5-393 (Transfer Of Development Intensity), 60 percent. | (1) Impervious cover for a single-family residential use with a minimum lot size of 5,750 square feet may not exceed: 45 percent or if development intensity is transferred under Section 25-8-393 and 30-5-393 (Transfer of Development Intensity), 50 percent. |

Sun Chase PUD – Requested Code Modifications to Development Regulations

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| | | (2) Impervious cover for a duplex or single-family residential use with a lot smaller than 5,750 square feet in size may not exceed: (a) 55 percent; or (b) if development intensity is transferred under Section 25-8-393 30-5-393 (Transfer Of Development Intensity), 60 percent. | (2) Impervious cover for a duplex or single-family residential use with a lot smaller than 5,750 square feet in size may not exceed: 55 percent or if development intensity is transferred under Section 25-8-393 and 30-5-393 (Transfer of Development Intensity), 60 percent |
| | | (3) Impervious cover for a multifamily residential use may not exceed: (a) 60 percent; or (b) if development intensity is transferred under Section 25-8-393 and 30-5-393 (Transfer Of Development Intensity), 70 percent. | (3) Impervious cover for a multifamily residential use may not exceed: 60 percent or if development intensity is transferred under Section 25-8-393 and 30-5-393 (Transfer of Development Intensity), 65 percent. |
| | | (4) Impervious cover for a commercial use may not exceed: (a) 80 percent; or (b) if development intensity is transferred under Section 25-8-393 and 30-5-393 (Transfer Of Development Intensity), 90 percent. | (4) Impervious cover for a commercial use may not exceed: 65 percent or if development intensity is transferred under Section 25-8-393 and 30-5-393 (Transfer of Development Intensity), 70 percent. |
| | 25-8-393 and 30-5-393 | Transfer of Development Intensity | <p>An applicant who complies with a provision of this subsection qualifies for the development intensity transfer described in the provision, subject to the requirements in subsection (B) and the impervious cover limitations in section 25-8-392 (Uplands Zone).</p> <p>(A) For transfers between two subdivided tracts;</p> <p>(1) For each acre of land in a critical water quality zone that and applicant dedicates in fee simple to the City or a Municipal Utility District or another entity approved by the Watershed Protection</p> |

{ W0670587.4 }

Sun Chase PUD – Requested Code Modifications to Development Regulations

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| | | | <p>Department director in fee simple, the applicant may transfer 20,000 square feet of impervious cover to an upland zone. Land dedicated under this section may also be credited toward the parkland dedication requirements of Chapter 25-4, Article 3, Division 5 (Parkland Dedication);</p> <p>(2) For each acre of land in the water quality transition zone that an applicant leaves undeveloped and undisturbed and does not include in impervious cover calculations elsewhere, the applicant may transfer 20,000 square feet of impervious cover to the uplands zone;</p> <p>(3) For each acre of land in a water quality transition zone than an applicant used for a golf course or other recreational use, restores using predominantly native plants and grasses, and provides a plan for minimizing the use and effect of pesticides, herbicides and fertilizers, the applicant may transfer 17,000 square feet of impervious cover to an uplands zone;</p> <p>(4) For each acre of land in and uplands zone that is located in the buffer zone of a critical environmental feature and that an applicant leaves natural and undisturbed, the applicant may transfer 20,000 square feet of impervious cover ton an uplands zone. The buffer area may be included in the net site area calculations for the uplands zone;</p> |
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{ W0670587.4}

5 Sun Chase PUD Code Modification Table (W0670587-4)

Sun Chase PUD – Requested Code Modifications to Development Regulations

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| | | | <p>(5) For each acre of land in an uplands zone that an applicant uses for wastewater irrigation, restricts against future development, and leave in a natural state, other than for necessary irrigation lines and tailwater control berms, the applicant may transfer 20,000 square feet of impervious cover to an uplands zone.</p> <p>(B) An applicant who qualifies for a development intensity transfer under Subsection (A) must comply with requirements of this subsection to affect the transfer.</p> <p>(1) An applicant may transfer development intensity to a receiving tract that is within the same watershed classification as the transferring tract. This limitation does not apply if the transferring and receiving tracts are both owned by the applicant and are separated only by property that is also owned by the applicant.</p> <p>(2) An applicant must concurrently plat the transferring and receiving tracts and must transfer all development intensity at that time</p> <p>(3) An applicant must note the development intensity transfer on the plats of the transferring and receiving tracts, in a manner determined by the director.</p> <p>(4) An applicant must file in the deed records a restrictive covenant, approved</p> |
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{W0670587.4}

6 Sun Chase PUD Code Modification Table (W0670587-4)

Sun Chase PUD – Requested Code Modifications to Development Regulations

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| | | | <p>by the city attorney that runs with the transferring tract and describes the development intensity transfer.</p> <p>(C) For transfers between two site plans:</p> <p>(1) An applicant may transfer development intensity to a receiving tract that is within the same watershed classification as the transferring tract. This limitation does not apply if the transferring and receiving tracts are both owned by the applicant and are separated only by property that is also owned by the applicant.</p> <p>(2) the receiving and transferring site plans;</p> <p>(3) An applicant must file in the deed records a restrictive covenant, approved by the City Attorney that runs with the transferring tract and describes the development intensity transfer.</p> <p>(4) The transfer must occur before the receiving and transferring site plans are released.</p> <p>(D) For transfers within a single site plan, an applicant must file in the deed records a restrictive covenant, approved by the City Attorney that runs with the transferring tract and describes the development intensity transfer.</p> |
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Sun Chase PUD – Requested Code Modifications to Development Regulations

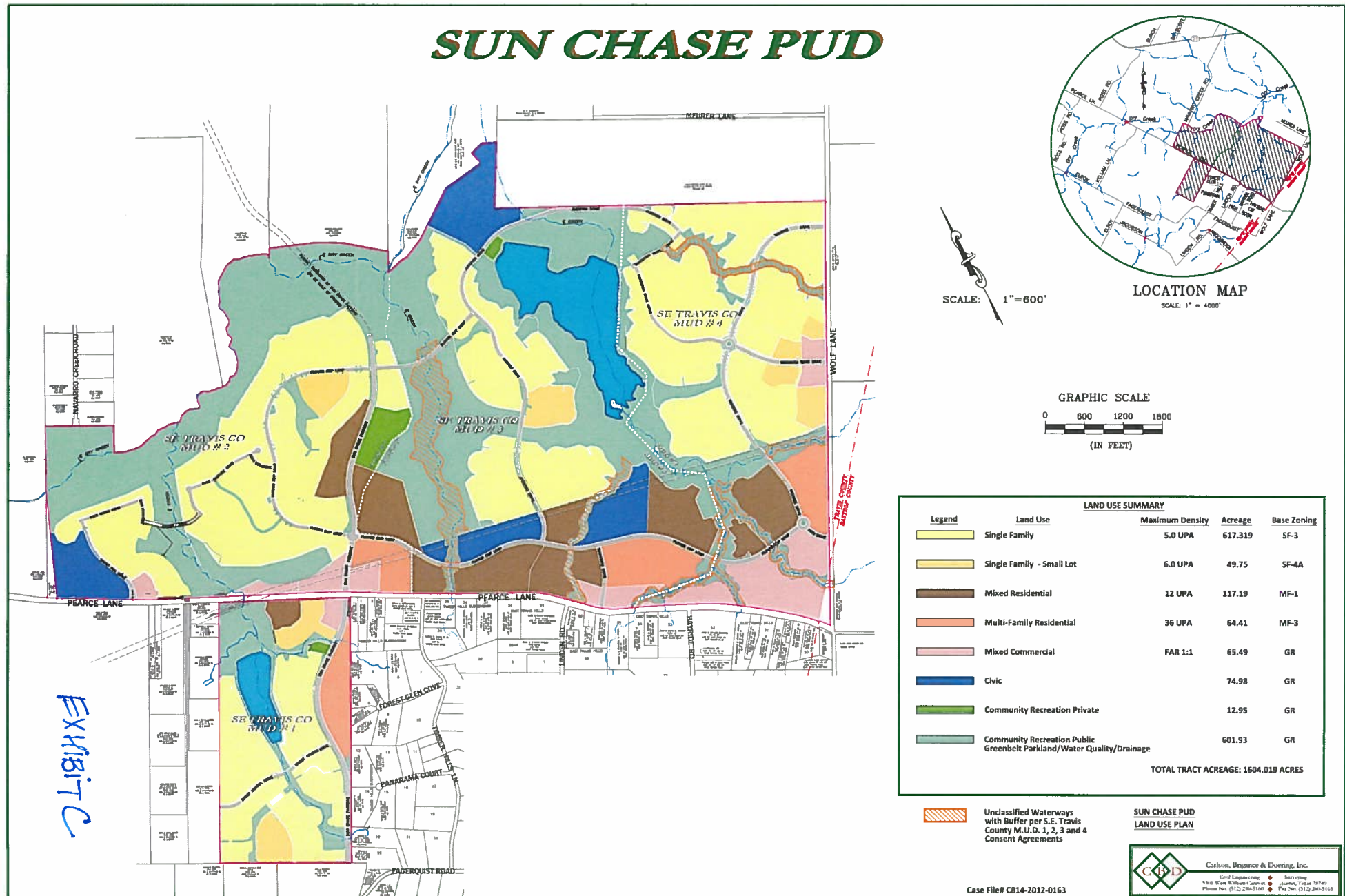
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| | Section 25-8, Article 9 and Section 30-5, Article 9 - Suburban Watershed Requirements – | Water Quality Transition Zone | (A) In a Water Quality Transition Zone, the impervious cover of the land area of a site may not exceed 30%. In determining land area, land in the 100 year floodplain is excluded. |
| | | | (B) Water Quality Controls may be located in a Water Quality Transition Zone. |
| Zoning | 25-2-243 -Proposed District Boundaries Must be Contiguous | Requires boundaries of zoning application to be contiguous | To allow for the PUD boundaries to not be contiguous |
| | Subchapter E – DESIGN STANDARDS AND MIXED USE | Commercial Design Standards | To allow the PUD to follow the terms of the approved Consent Agreement(s) for Southeast Travis County MUDs 1-4 related to Subchapter E requirements. Refer to Exhibit "I" of the Consent Agreements. |
| | 25-2-491 Permitted, Conditional and Prohibited Uses | Outlines uses permitted, conditional and prohibited | Allow for specific set of permitted and prohibited uses to be applicable per the Zoning Use Summary Table submitted with PUD application |
| | 25-2-492 Site Development Regulations | | Allow the PUD to follow the attached Site Development Regulation |
| | 25-2-517 Requirements for Amphitheaters | | Is modified so that Land Use Commission approval is not required |
| Transportation | 25-4-154 and 30-3 Design and Construction | Roadway Design Standard | To allow the PUD to adhere to the terms of the approved Consent Agreements for Southeast Travis County MUDs 1-4 related to the Transportation Requirements Plan. Refer to Exhibit "H" of the Consent Agreements. Roadway cross sections and striping subject to |

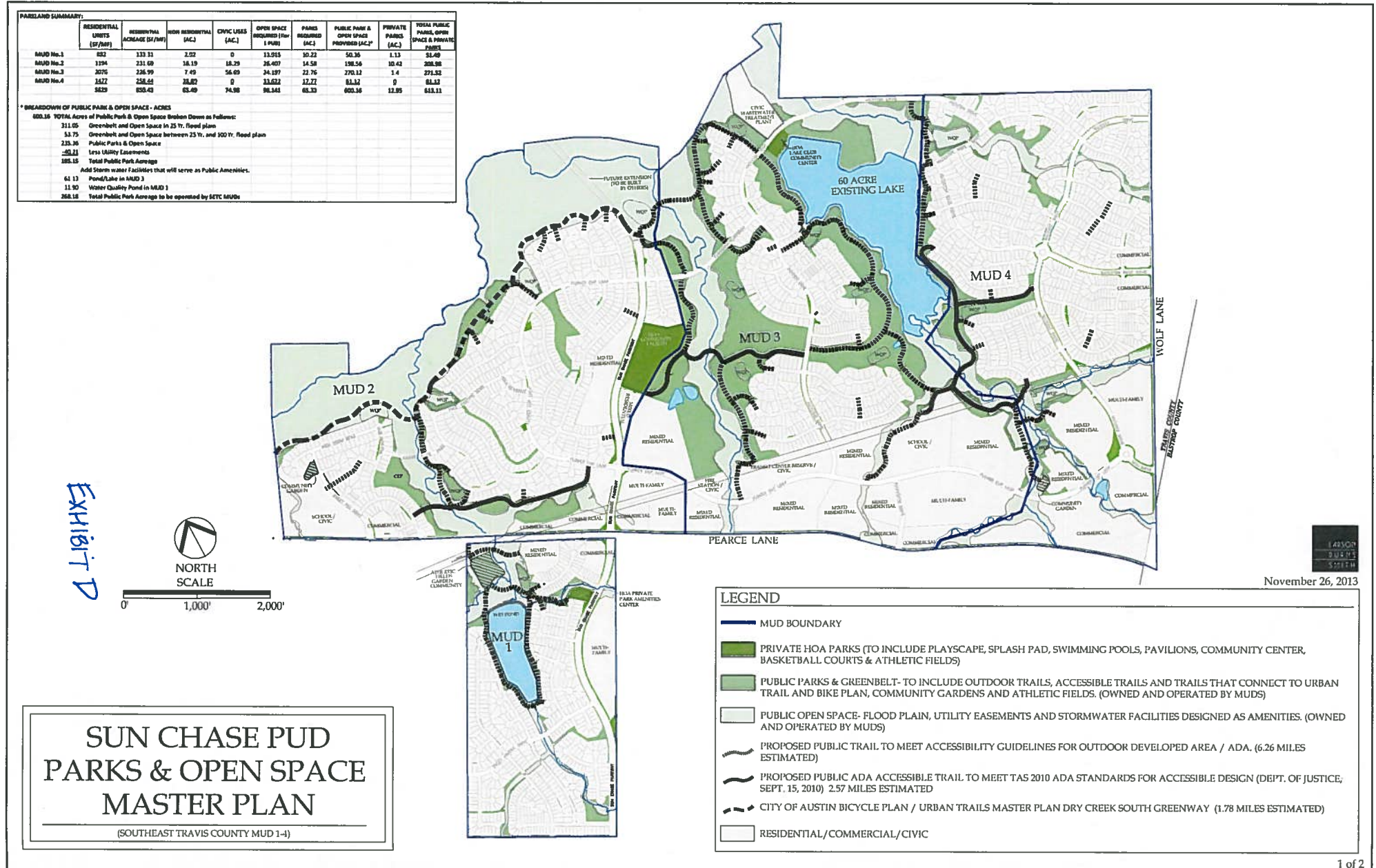
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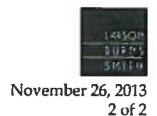
8 Sun Chase PUD Code Modification Table (W0670587-4)

Sun Chase PUD – Requested Code Modifications to Development Regulations

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| | | | approval by Travis County Transportation and Natural Resources Department |
| | 25-4-151 and 30-2-151 Street Alignment and Connectivity | Requirements for street alignment and connectivity | To allow the existing approved variance to not connect to Navarro Creek Road approved with the Sun Chase Phase 1 Preliminary Plan to remain in effect |
| Subdivision | 30-2-62 - Expiration of Approved Preliminary Plan | | To allow the previously approved Sun Chase South, Sun Chase Phase 1 and Sun Chase Phase 2 to expire 15 years after their approval date. |







SUN CHASE PUD LAND USE ZONING TABLE

| | SINGLE FAMILY | SMALL LOT SINGLE FAMILY | MIXED RESIDENTIAL | MULTIFAMILY RESIDENTIAL | MIXED COMMERCIAL | CIVIC USES | COMMUNITY RECREATION PRIVATE | COMMUNITY RECREATION PUBLIC |
|--|------------------|----------------------------|----------------------|----------------------------|---------------------|---------------|------------------------------------|-----------------------------------|
| RESIDENTIAL USES | | | | | | | | |
| Bed and Breakfast (Group 1) | P | P | P | P | P | | | |
| Bed and Breakfast (Group 2) | P | P | P | P | P | | | |
| Condominium Residential | | P | P | P | P | | | |
| Conservation Single Family Residential | | | | | | | | |
| Duplex Residential | P | P | P | P | | | | |
| Group Residential | | | | | | | | |
| Mobile Home Residential | | | | | | | | |
| Multifamily Residential | | | P | P | P | | | |
| Retirement Housing (Small Site) | | | P | P | P | | | |
| Retirement Housing (Large Site) | | | P | P | P | | | |
| Single Family Attached Residential | P | P | P | P | P | | | |
| Single Family Residential | P | P | P | P | | | | |
| Small Lot Single Family Residential | | P | P | P | | | | |
| Townhouse Residential | | P | P | P | | | | |
| Two-Family Residential | P | | P | P | | | | |
| Short-Term Rental | P | P | P | P | P | | | |

| | | | | | | | | |
|-------------------------------------|---|---|---|---|---|--|---|---|
| COMMERCIAL USES | | | | | | | | |
| Administrative and Business Offices | | | | P | P | | | |
| Agricultural Sales and Services | | | | | P | | | |
| Alternative Financial Services | | | | | P | | | |
| Art Gallery | | | | P | P | | | |
| Art Workshop | P | P | P | P | P | | P | P |
| Automotive Rentals | | | | | P | | | |
| Automotive Repair Services | | | | | P | | | |
| Automotive Sales | | | | | P | | | |
| Automotive Washing (of any type) | | | | | P | | | |
| Bail Bond Services | | | | | | | | |
| Building Maintenance Services | | | | | P | | | |

SUN CHASE PUD LAND USE ZONING TABLE

| | SINGLE FAMILY | SMALL LOT SINGLE FAMILY | MIXED RESIDENTIAL | MULTIFAMILY RESIDENTIAL | MIXED COMMERCIAL | CIVIC USES | COMMUNITY RECREATION PRIVATE | COMMUNITY RECREATION PUBLIC |
|--|------------------|----------------------------|----------------------|----------------------------|---------------------|---------------|------------------------------------|-----------------------------------|
| COMMERCIAL USES (CONTINUED) | | | | | | | | |
| Business or Trade School | | | | | P | | | |
| Business Support Services | | | | | P | | | |
| Campground | | | | | P | | | P |
| Carriage Stable | | | | | | | | P |
| Cocktail Lounge | | | | | P | | | |
| Commercial Blood Plasma Center | | | | | P | | | |
| Commercial Off-Street Parking | | | | | P | | | |
| Communication Services | | | | | P | | | |
| Construction Sales and Services | | | | | P | | | |
| Consumer Convenience Services | | | | P | P | | | |
| Consumer Repair Services | | | | P | P | | | |
| Convenience Storage | | | | | P | | | |
| Drop-Off Recycling Collection Facility | | | | | P | | | |
| Electronic Prototype Assembly | | | | | P | | | |
| Electronic Testing | | | | | | | | |
| Equipment Repair Services | | | | | P | | | |
| Equipment Sales | | | | | P | | | |
| Exterminating Services | | | | | P | | | |
| Financial Services | | | | | P | | | |
| Food Preparation | | | | | P | P | P | |
| Food Sales | | | | P | P | P | P | P |
| Funeral Services | | | | | P | | | |
| General Retail Sales (Convenience) | | | | | P | | | |
| General Retail Sales (General) | | | | | P | | | |
| Hotel-Motel | | | | | P | | | |
| Indoor Entertainment | | | | P | P | P | P | P |
| Indoor Sports and Recreation | | | | P | P | P | P | P |
| Kennels | | | | | P | | | |

SUN CHASE PUD LAND USE ZONING TABLE

| | SINGLE FAMILY | SMALL LOT SINGLE FAMILY | MIXED RESIDENTIAL | MULTIFAMILY RESIDENTIAL | MIXED COMMERCIAL | CIVIC USES | COMMUNITY RECREATION PRIVATE | COMMUNITY RECREATION PUBLIC |
|--|------------------|----------------------------|----------------------|----------------------------|---------------------|---------------|------------------------------------|-----------------------------------|
| COMMERCIAL USES (CONTINUED) | | | | | | | | |
| Laundry Services | | | | | P | | | |
| Liquor Sales | | | | | P | | | |
| Marina | | | | | | | P | P |
| Medical Offices-exceeding 5000 SF gross floor area | | | | | P | | | |
| Medical Offices-not exceeding 5000 SF gross floor area | | | | | P | | | |
| Monument Retail Sales | | | | | P | | | |
| Off-Site Accessory Parking | | | | | P | | | |
| Outdoor Entertainment | | | | | P | P | P | P |
| Outdoor Sports and Recreation | | | | P | P | P | P | P |
| Pawn Shop Services | | | | | | | | |
| Pedicab Storage & Dispatch | | | | | P | P | P | P |
| Personal Improvement Services | | | | P | P | | P | |
| Personal Services | | | | | P | | | |
| Pet Services | | | | | P | | | |
| Plant Nursery | | | | | P | | | |
| Printing and Publishing | | | | | P | | | |
| Professional Office | | | | | P | | | |
| Recreational Equipment Maint.&Storage | | | | | | | | |
| Recreational Equipment Sales | | | | | | | | |
| Research Assembly Services | | | | | P | | | |
| Research Services | | | | | P | | | |
| Research Testing Services | | | | | | | | |
| Research Warehousing Services | | | | | | | | |
| Restaurant (General) | | | | | P | | | |
| Restaurant (Limited) | | | | P | P | | P | |
| Scrap and Salvage | | | | | | | | |
| Service Station | | | | | P | | | |

SUN CHASE PUD LAND USE ZONING TABLE

| | SINGLE FAMILY | SMALL LOT SINGLE FAMILY | MIXED RESIDENTIAL | MULTIFAMILY RESIDENTIAL | MIXED COMMERCIAL | CIVIC USES | COMMUNITY RECREATION PRIVATE | COMMUNITY RECREATION PUBLIC |
|-----------------------------|------------------|----------------------------|----------------------|----------------------------|---------------------|---------------|------------------------------------|-----------------------------------|
| COMMERCIAL USES (CONTINUED) | | | | | | | | |
| Software Development | | | | | P | | | |
| Special Use Historic | | | | | | | | |
| Stables | | | | | | | P | P |
| Theater | | | | P | P | | | |
| Vehicle Storage | | | | | | | | |
| Veterinary Services | | | | | P | | | |

| | | | | | | | | |
|--------------------------------------|--|--|--|--|---|--|--|--|
| INDUSTRIAL USES | | | | | | | | |
| Basic Industry | | | | | C | | | |
| Custom Manufacturing | | | | | P | | | |
| General Warehousing and Distribution | | | | | P | | | |
| Light Manufacturing | | | | | P | | | |
| Limited Warehousing and Distribution | | | | | P | | | |
| Recycling Center | | | | | | | | |
| Resource Extraction | | | | | | | | |

| | | | | | | | | |
|-------------------|---|---|---|---|---|---|---|---|
| AGRICULTURAL USES | | | | | | | | |
| Animal Production | | | | | | | | |
| Community Garden | P | P | P | P | P | P | P | P |
| Crop Production | | | | | | | | |
| Horticulture | | | | | P | | | |
| Support Housing | | | | | | | | |
| Urban Farm | P | P | P | P | P | P | P | P |

| | | | | | | | | |
|-------------------------|--|--|--|--|---|---|---|---|
| CIVIC USES | | | | | | | | |
| Administrative Services | | | | | P | P | P | P |
| Amphitheater | | | | | P | P | P | P |
| Aviation Facilities | | | | | | P | P | P |
| Camp | | | | | | | P | P |

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SUN CHASE PUD LAND USE ZONING TABLE

| | SINGLE FAMILY | SMALL LOT SINGLE FAMILY | MIXED RESIDENTIAL | MULTIFAMILY RESIDENTIAL | MIXED COMMERCIAL | CIVIC USES | COMMUNITY RECREATION PRIVATE | COMMUNITY RECREATION PUBLIC |
|------------------------------------|------------------|----------------------------|----------------------|----------------------------|---------------------|---------------|------------------------------------|-----------------------------------|
| CIVIC USES (CONTINUED) | | | | | | | | |
| Cemetery | | | | | | | | |
| Club or Lodge | P | P | P | P | P | P | P | P |
| College and University Facilities | | | P | P | P | P | | |
| Communication Service Facilities | P | P | P | P | P | P | P | P |
| Community Events | | | | P | P | P | P | P |
| Community Recreation (Private) | P | P | P | P | P | P | P | P |
| Community Recreation (Public) | P | P | P | P | P | P | P | P |
| Congregate Living | P | P | P | P | P | | | |
| Convalescent Services | | | P | P | P | | | |
| Convention Center | | | | | P | P | | |
| Counseling Services | | | P | P | P | P | | |
| Cultural Services | | | P | P | P | P | P | P |
| Day Care Services (commercial) | | | P | P | P | | | |
| Day Care Services (General) | | | P | P | P | P | P | |
| Day Care Services (Limited) | P | P | P | P | P | P | P | |
| Detention Facilities | | | | | | | | |
| Employee Recreation | | | | | P | P | | |
| Family Home | P | P | P | P | P | | | |
| Group Home, Class I (General) | P | P | P | P | P | | | |
| Group Home, Class I (Limited) | P | P | P | P | P | | | |
| Group Home, Class II | | | | P | P | | | |
| Guidance Services | | | | | | | | |
| Hospital Services (General) | | | | | P | P | | |
| Hospital Services (Limited) | | | P | P | P | P | | |
| Local Utility Services | P | P | P | P | P | P | P | P |
| Maintenance and Service Facilities | | | | | P | P | | |
| Major Public Facilities | | | | | | P | | |
| Major Utility Facilities | | | | | | P | | |
| Military Installations | | | | | | | | |

SUN CHASE PUD LAND USE ZONING TABLE

| | SINGLE FAMILY | SMALL LOT SINGLE FAMILY | MIXED RESIDENTIAL | MULTIFAMILY RESIDENTIAL | MIXED COMMERCIAL | CIVIC USES | COMMUNITY RECREATION PRIVATE | COMMUNITY RECREATION PUBLIC |
|--|------------------|----------------------------|----------------------|----------------------------|---------------------|---------------|------------------------------------|-----------------------------------|
| CIVIC USES (CONTINUED) | | | | | | | | |
| Park and Recreation Services (General) | | | P | P | P | P | P | P |
| Park and Recreation Services (Special) | | | | | P | P | P | P |
| Postal Facilities | | | P | P | P | P | | |
| Private Primary Educational Facilities | C | C | P | P | P | P | | |
| Private Secondary Educational Facilities | C | C | P | P | P | P | | |
| Public Primary Educational Facilities | P | P | P | P | P | P | | |
| Public Secondary Educational Facilities | C | C | C | P | P | P | | |
| Railroad Facilities | | | | | | | | |
| Religious Assembly | P | P | P | P | P | P | P | P |
| Residential Treatment | | | | | | | | |
| Safety Services | P | P | P | P | P | P | | |
| Telecommunication Tower (1) | PC | PC | PC | PC | PC | PC | PC | PC |
| Transitional Housing | | | | | | | | |
| Transportation Terminal | | | | | P | P | P | |
| All other Civic Uses | | | | | | | | |

P = Permitted Use; C = Conditional Use Permit; Blank (no symbol) = Not Permitted - The following uses are prohibited in the PUD: Concrete batch plants, Poultry Processing, Diaper Services, Quarries, Sand or Gravel Operations, Mining Operations, Automotive Wrecking Yards, Junkyards, Auction yards, Stockyards, and Animal Sales (1) Subject to 25-2-839 - PC Permitted in the district, but under some circumstances may be conditional

Industrial Uses abutting a property developed with Residential Uses, a fifty (50') wide buffer zone shall be established and maintained between the Residential Uses and the following Industrial Uses:

- Basic Industry
- Custom Manufacturing
- General Warehouse & Distribution
- Light Manufacturing
- Limited Warehouse and Distribution

Improvements permitted within the buffer zone are limited to streets, access easements, driveways, parking facilities, solid fence, wall, pedestrian trails, hike and bike pathways, recreation facilities, detention and water quality, re-irrigation facilities, underground utility improvements, overhead electric or communication lines, or other improvements that may be otherwise be required by the City of Austin.

A 100-foot wide buffer zone shall be established and maintained between property developed with Residential Uses and the following Industrial Uses:

- Custom Manufacturing
- Limited Warehousing and Distribution

The 100-foot buffer zone shall be measured from the property lines for property developed with Residential Uses to a building with an industrial use.

If a portion of the property developed with Residential Uses is in the flood plain, the buffer zone shall be measured from the boundary of the flood plain within that residential lot, or from the property line for property developed with Residential Uses.

Improvements permitted within the buffer zone are limited to streets, access easements, driveways, parking facilities, solid fences, walls, pedestrian trails, hike and bike pathways, recreational facilities, detention, water quality including re-irrigation facilities, underground utility improvements, overhead electric or communication lines, or those improvements the may be required by the City of Austin.

Notwithstanding the requirements of this section, a driveway, access easement, or private street that services a building with an industrial use, may not be constructed within 50 feet of a property line or flood plain, as applicable, of a lot with Residential Uses.

A 150-foot wide buffer zone shall be established and maintained between property developed with Residential Uses and the following Industrial Uses:

- General Warehouse and Distribution
- Light Manufacturing

If a portion of the property developed with Residential Uses is in the flood plain, the buffer zone shall be measured from the boundary of the flood plain within that residential lot, or from the property line for property developed with Residential Uses.

Improvements permitted within the buffer zone are limited to streets, access easements, driveways, parking facilities, solid fences, walls, pedestrian trails, hike and bike pathways, recreational facilities, detention, water quality including re-irrigation facilities, underground utility improvements, overhead electric or communication lines, or those improvements the may be required by the City of Austin.

Notwithstanding the requirements of this section, a driveway, access easement, or private street that services a building with an industrial use, may not be constructed within 75 feet of a property line or flood plain, as applicable, of a lot with Residential Uses.

A 200-foot wide buffer zone shall be established and maintained between property developed with Residential Uses and the following Industrial Uses:

- Basic Industry

If a portion of the property developed with Residential Uses is in the flood plain, the buffer zone shall be measured from the boundary of the flood plain within that residential lot, or from the property line for property developed with Residential Uses.

Improvements permitted within the buffer zone are limited to streets, access easements, driveways, parking facilities, solid fences, walls, pedestrian trails, hike and bike pathways, recreational facilities, detention, water quality including re-irrigation facilities, underground utility improvements, overhead electric or communication lines, or those improvements the may be required by the City of Austin.

Notwithstanding the requirements of this section, a driveway, access easement, or private street that services a building with an industrial use, may not be constructed within 100 feet of a property line or flood plain, as applicable, of a lot with Residential Uses.

- Exhibit B -

Sun Chase PUD - Site Development Regulations (Page 1 of 5)

Single Family - (Using SF-3 as Base District) - PUD Maximum at 5 UN/AC

| Single Family Residential | | | | |
|---------------------------------|---------------------------|------------------------------------|------------------------|----------------------------|
| | Single Family Residential | Single Family Attached Residential | Duplex Residential Use | Two-Family Residential Use |
| Minimum Site Area (square feet) | | 7000 | | |
| Minimum Lot Size (square feet) | 5,750 | 3,000 | 6,250 | 6,250 |
| Minimum Lot Width | 50 | 25 | 50 | 50 |
| Maximum Dwelling Units/Lot | 1 | 2 (attached) | 2 | 2 |
| Maximum Dwelling Units/Site | | 2 (attached) | | |
| Maximum Height | 35 | 35 | 35 | 35 |
| Minimum Setbacks: (2) | | | | |
| Front Yard | 15 (1) | 15 (1) | 15 (1) | 15 (1) |
| Street Side Yard | 10 | 10 | 10 | 10 |
| Interior Side Yard | 5 | 5 | 5 | 5 |
| Rear Yard | 5 | 5 | 5 | 5 |
| Maximum Building Coverage | 50% | 50% | 50% | 50% |
| Maximum Impervious Cover | 55% (3) | 55% (3) | 55% (3) | 55% (3) |

(1) - Garages - for units where the garage doors face the street and the garage extends past the front face of the units' living area, the minimum front yard setback shall be 20'

(2) - A porch or stoop may project into the setback lines

(3) - Section 25-2-556 - (Additional Impervious Cover in SF-2 and SF-3 Districts) does not apply

Additional Requirements:

- Two trees at least two inches in diameter measured six inches above root flare of two different species listed in the Environmental Criteria Manual), Appendix F (Descriptive Categories of Tree Species) can be planted anywhere on the lot

For Duplex Residential:

- On a lot less than 10,000 sf, a duplex structure may not exceed 4,500 sf of gross floor area or contain more than 6 bedrooms
- On a lot of 10,000 sf or more, a duplex structure may not exceed a floor-to-area of 0.60 to 1

Sun Chase PUD - Site Development Regulations (Page 2 of 5)
Single Family - Small Lot (Using SF-4A as Base District) - PUD Maximum at 6 UN/AC

| | |
|---|---------|
| Minimum Lot Size (square feet) | 3,600 |
| Minimum Lot Size Corner Lot (square feet) | 4,500 |
| Minimum Interior Lot Width | 40 (1) |
| Minimum Corner Lot Width | 50 (1) |
| Lot Widths for Lots fronting cul-de-sac | 40 (1) |
| Maximum Dwelling Units/Lot | 1 |
| Maximum Height | 35 |
| Minimum Setbacks: (3) | |
| Front Yard | 15 (2) |
| Street Side Yard | 10 |
| Interior Side Yard | 3.5 (4) |
| Rear Yard | 5 (5) |
| Maximum Building Coverage | 55% |
| Maximum Impervious Cover | 60% (6) |

- (1) 40 feet for an interior lot, or 35 feet if access to the lot is provided by a joint access driveway at the front of the lot or by a paved alley or paved private access easement at the rear of the lot;
- (1) 50 feet for a corner lot, or 45 feet if access to the lot is provided by a joint access driveway at the front of the lot or by a paved alley or paved private access easement at the rear of the lot; and
- (1) 40 feet for a lot on a cul-de-sac or curved street, except it may be 33 feet at the front lot line
- (2) Garages - for units where the garage doors face the street and the garage extends past the front face of the units' living area, the minimum front yard setback shall be 20'
- (3) A porch or stoop may project into the setback lines
- (4) Interior side yard setback is not required if the interior side yard is adjacent to property zoned SF-4A and the combined width of the interior side yards of a lot may not be less than 7 feet
- (5) Minimum rear yard setback is 5 feet excluding easements
minimum setback between a rear access easement and building or fence is 10 feet
- (6) Section 25-2-556 - (Additional Impervious Cover in SF-2 and SF-3 Districts) does not apply

Additional Requirements:

- Two off-street parking spaces are required for each dwelling unit
- Two trees at least two inches in diameter measured six inches above root flare of two different species listed in the Environmental Criteria Manual, Appendix F (Descriptive Categories of Tree Species) can be planted anywhere on the lot

Sun Chase PUD - Site Development Regulations (Page 3 of 5)
Mixed Residential (Using MF-1 as Base District) - PUD Maximum at 12 UN/AC

| | Residential Detached (Yard House) (1) | Residential Attached (Row/Shop House) (1) | Residential 4 to 6 Plex (Mansion House) | Residential Multi-Family (2) |
|---------------------------------------|--|--|--|-------------------------------------|
| Minimum Lot Size (square feet) | 2,250 | 1,400 | 9,000 | 8,000 |
| Minimum Corner Lot Size (square feet) | 2,700 | 1,750 | 10,000 | - |
| Minimum Lot Width | 25 | 20 | 90 | 0 |
| Minimum Corner Lot Width | 30 | 25 | 100 | 0 |
| Maximum Dwelling Units/Lot | | | | |
| Maximum Height | 35 | 40 or 3 stories | 40 or 3 stories | 0 |
| Minimum Setbacks: (3) | | | | |
| Front Yard | 10 | 10 | 15 | 15 |
| Street Side Yard | 5 | 5 | 10 | 0 |
| Interior Side Yard | 5 | 0 | 5 | 0 |
| Rear Yard | 5 | 5 | 5 | 0 |
| Maximum Building Coverage | | | | |
| Maximum Impervious Cover | 70% | 70% | 70% | 70% |

- (1) 2,000 SF of site area is required for each dwelling unit
- (2) The minimum site area for each dwelling unit for Residential Multi-Family:
- 1,600 SF for each efficiency dwelling unit
 - 2,000 SF for each one bedroom dwelling unit
 - 2,400 SF for each dwelling unit with two or more bedrooms
- (3) A porch or stoop may project into the setback lines

GENERAL NOTES:

1. Mixed use multi-family buildings with ground level commercial use shall follow commercial site development regulations

DEFINITIONS:

Yard House - means a detached single family-resident

An accessory dwelling unit may be constructed over the garage

Row / Shop House - means an attached two or three story townhouse on its own lot

Residential 4 to 6 Plex = Mansion House - means a Structure on one lot designed to appear like a large single family residence, but that is divided into four to six units each with an individual entry

Sun Chase PUD - Site Development Regulations (Page 4 of 5)
Multi-Family Residential - MF3 Base Zoning - (PUD Maximum at 36 UN/AC)

| | |
|--------------------------------|-------|
| Minimum Lot Size (square feet) | 8,000 |
| Minimum Lot Width | 50 |
| Maximum Dwelling Units/Lot | (1) |
| Maximum Height | 40 |
| Minimum Setbacks: (2) | |
| Front Yard | 15 |
| Street Side Yard | 10 |
| Interior Side Yard | 5 |
| Rear Yard | 10 |
| Maximum Building Coverage | 60% |
| Maximum Impervious Cover | 70% |
| Maximum Floor Area Ratio | .80:1 |

(1) The minimum site area for each dwelling unit is:

- 1,000 sf, of an efficiency dwelling unit
- 1,250 sf, for a one bedroom dwelling unit
- 1,500 sf, for a dwelling unit with two or more bedrooms

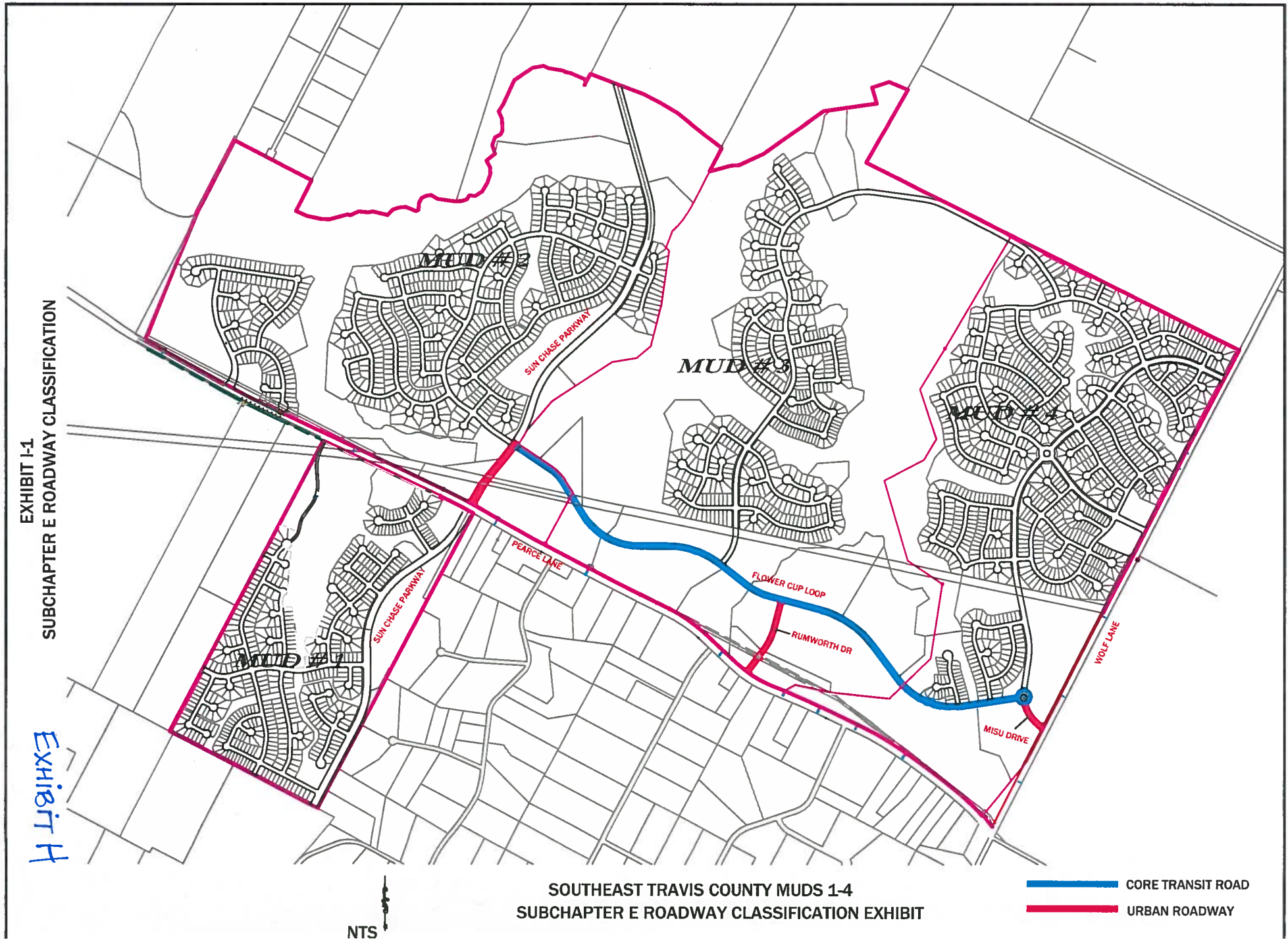
(2) - A porch or stoop may project into the setback lines

Section 25-2-567 - (Special Requirements for Affordable Housing in Certain Multifamily Districts) will be in accordance with the Consent Agreements for Southeast Travis County Municipal Utility Districts No(s) . 1, 2, 3, and 4 . Corresponding Case and Ordinance numbers are as follows:

| <u>Case Number</u> | <u>Ordinance Number</u> |
|--------------------|-------------------------|
| C12M-2011-0003 | 20120322-036 |
| C12M-2011-0004 | 20120322-037 |
| C12M-2011-0005 | 20120322-038 |
| C12M-2011-0006 | 20120322-039 |

Sun Chase PUD - Site Development Regulations (Page 5 of 5)**Mixed Commercial - GR Base Zoning**

| | Mixed Commercial | Civic | Community Recreation (Private) | Community Recreation (Public) |
|--------------------------------|-----------------------------|-----------------------|---|---|
| Minimum Lot Size (square feet) | 5,570 | 2,500 | 2,500 | 2,500 |
| Minimum Lot Width | 50 | 30 | 25 | 25 |
| Maximum Height | 60 | 40 FT or 3 stories | 60 | 35 |
| Minimum Setbacks: | | | | |
| Front Yard | 10 | 10 | 5 | 5 |
| Street Side Yard | 10 | 10 | 5 | 5 |
| Interior Side Yard | - | - | - | - |
| Rear Yard | - | - | - | - |
| Maximum Building Coverage | 70% | 70% | 65% | 50% |
| Maximum Impervious Cover | 85% | 85% | 75% | 50% |
| Maximum Floor Area Ratio | 1:1 | 1:1 | 1:1 | .05:1 |



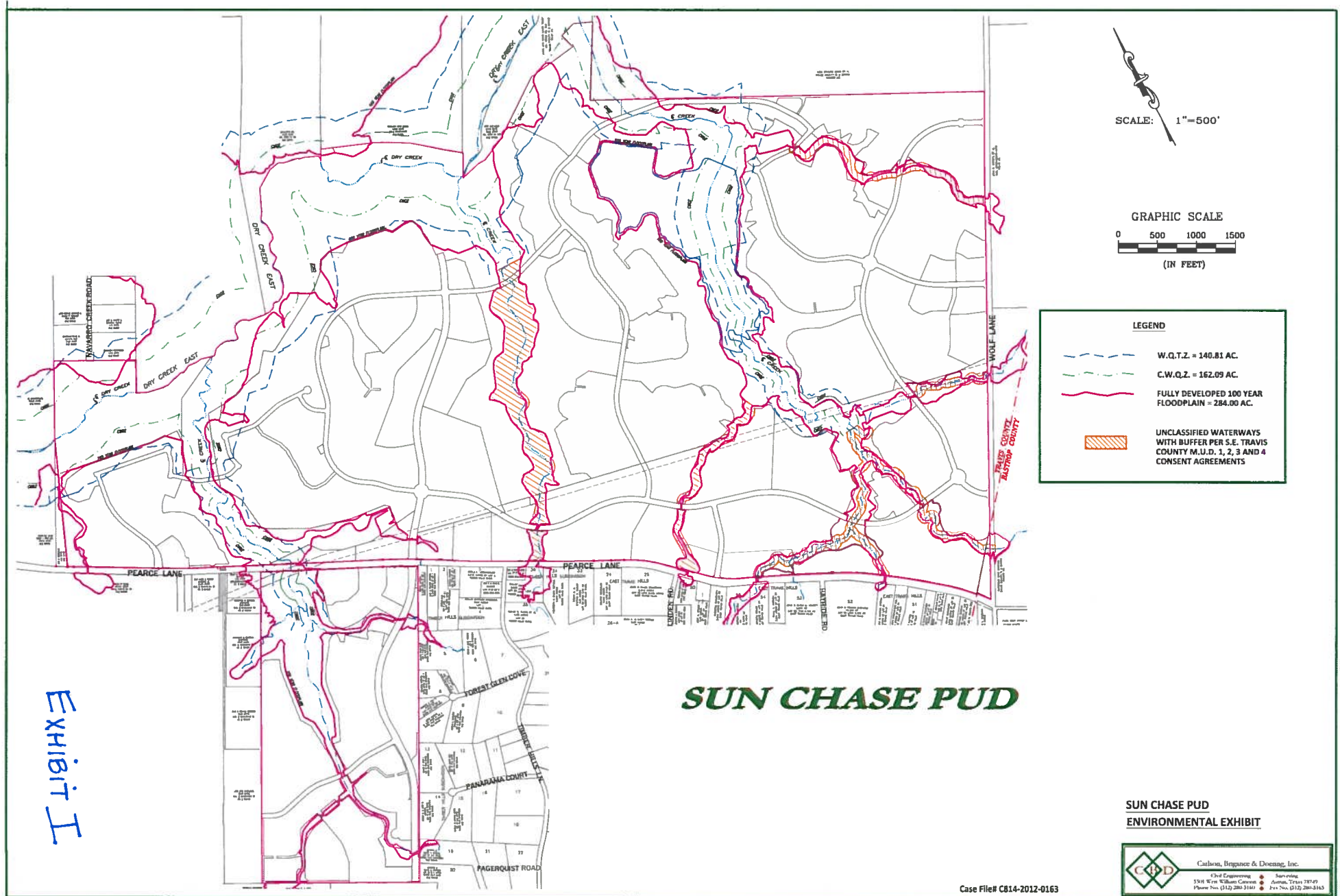


EXHIBIT F**Stormwater, Drainage and Water Quality and Environmental Protection Requirements**

1. The District will own, operate, and maintain the District's drainage infrastructure until full-purpose annexation of the District by the City.
2. Each water quality or detention pond which contains all or a portion of runoff water from industrial, commercial, or mixed-use development (as defined by the City) will be owned, operated, and maintained by the District or the owner of the property on which the pond is located.
3. The Developer and the District each agree to fully comply with the City's ordinances, regulations, and procedures related to drainage, as defined by the City Code. The Developer's construction plans will be consistent with this commitment.
4. The District and the Developer each agree to be good stewards of the environment 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 located within the District.
5. Unless otherwise specified herein or as modified by the PUD, the District and Developer each agree to fully comply with the City's ordinances, regulations, and procedures related to water quality and environmental preservation and protection, as defined by the City Code, as to the portion of the Land owned by it.
6. In all phases of development, the Developer agrees to:
 - a. except for Land contained within the Sun Chase South Preliminary Plan (C8J-2008-0176), design modified channels based on geomorphic stability for full build-out hydrology. This design requires a series of nested channels as shown on **Exhibit F-1** that includes a bankfull (1 yr. return interval) channel within the floodplain (100 yr) channel with distinct connections to an inset floodplain terrace. The top width to depth ratio of the bankfull channel shall be designed per accepted geomorphic principles (e.g., Osterkamp et al. 1983 or Osborn and Stypula 1987). The channel longitudinal profile (slope) shall be designed and demonstrated by calculation to be non-erosive via permissible shear or velocity calculations that consider the particle size of the native soil comprising the channel. If topographic and/or development constraints make the design of a non-erosive natural channel infeasible, the use of armoring (such as with geotextiles) will be allowed.
 - b. restore floodplain, including through the use of native prairie grass species and riparian trees species, in order to provide an enhanced public amenity, minimize impacts of urbanization, and reduce costs of future, long-term maintenance of the floodplain;
 - c. provide water quality controls superior to those otherwise required by Austin City Code for those areas set forth on the attached **Exhibit F-2** (Proposed Bio-Filtration Ponds) and **Exhibit F-3** (Headwater Buffer Plan);
 - d. provide volumetric flood control detention in accordance with the volumetric detention analysis prepared by Carlson Brigrance & Doering, Inc. dated October 24, 2011, which has been reviewed and approved by the City;

- d. provide protection of headwaters of unclassified waterways for those areas depicted on the attached **Exhibit F-3** (Headwater Buffer Plan);
 - e. prohibit, through Restrictive Covenants, the uses listed on **Exhibit F-4** which the City and the Developer agree may contribute to air or water quality pollutants; and
 - f. cluster impervious and disturbed areas in an environmentally sensitive manner as approved by the City in conjunction with its review and approval of the Preliminary Plans.
7. The District (as to the portion of the Land owned by the District) and the Developer (as to the portion of the Land owned by the Developer) each agrees to comply with the integrated pest management plan approved by the City in conjunction with the Approved Preliminary Plans.
8. The Developer agrees to provide pervious paving for all pedestrian sidewalks, trails and walkways included in the OA Amenities.

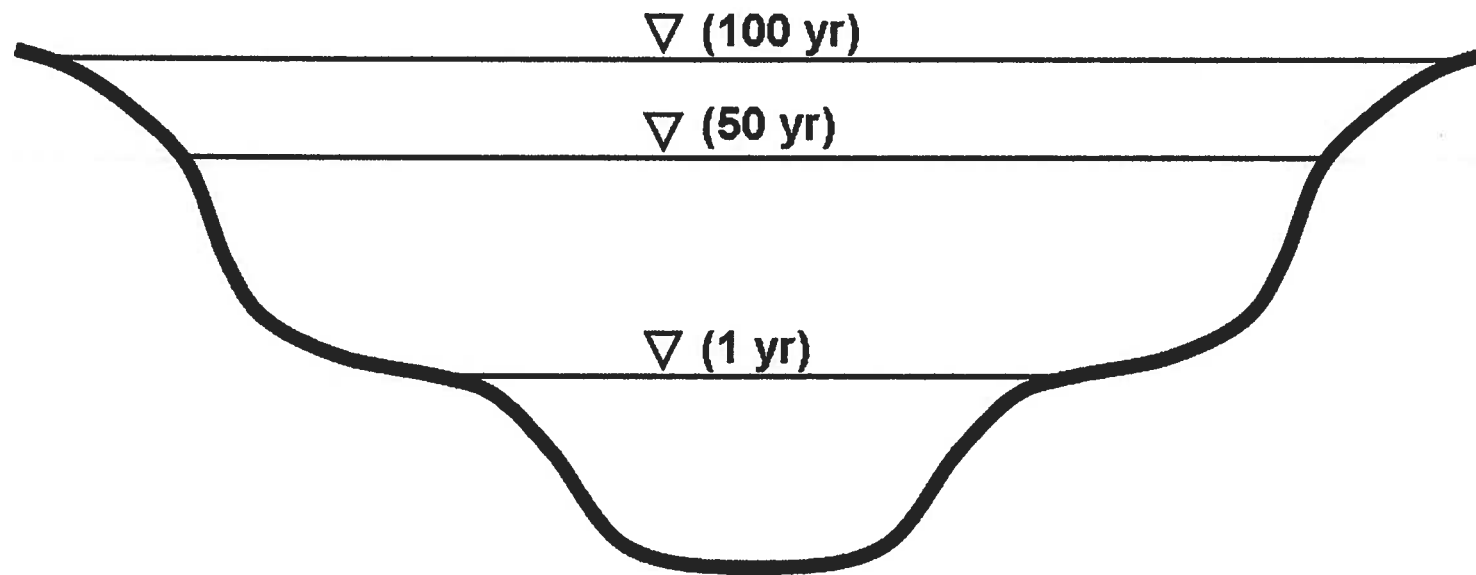
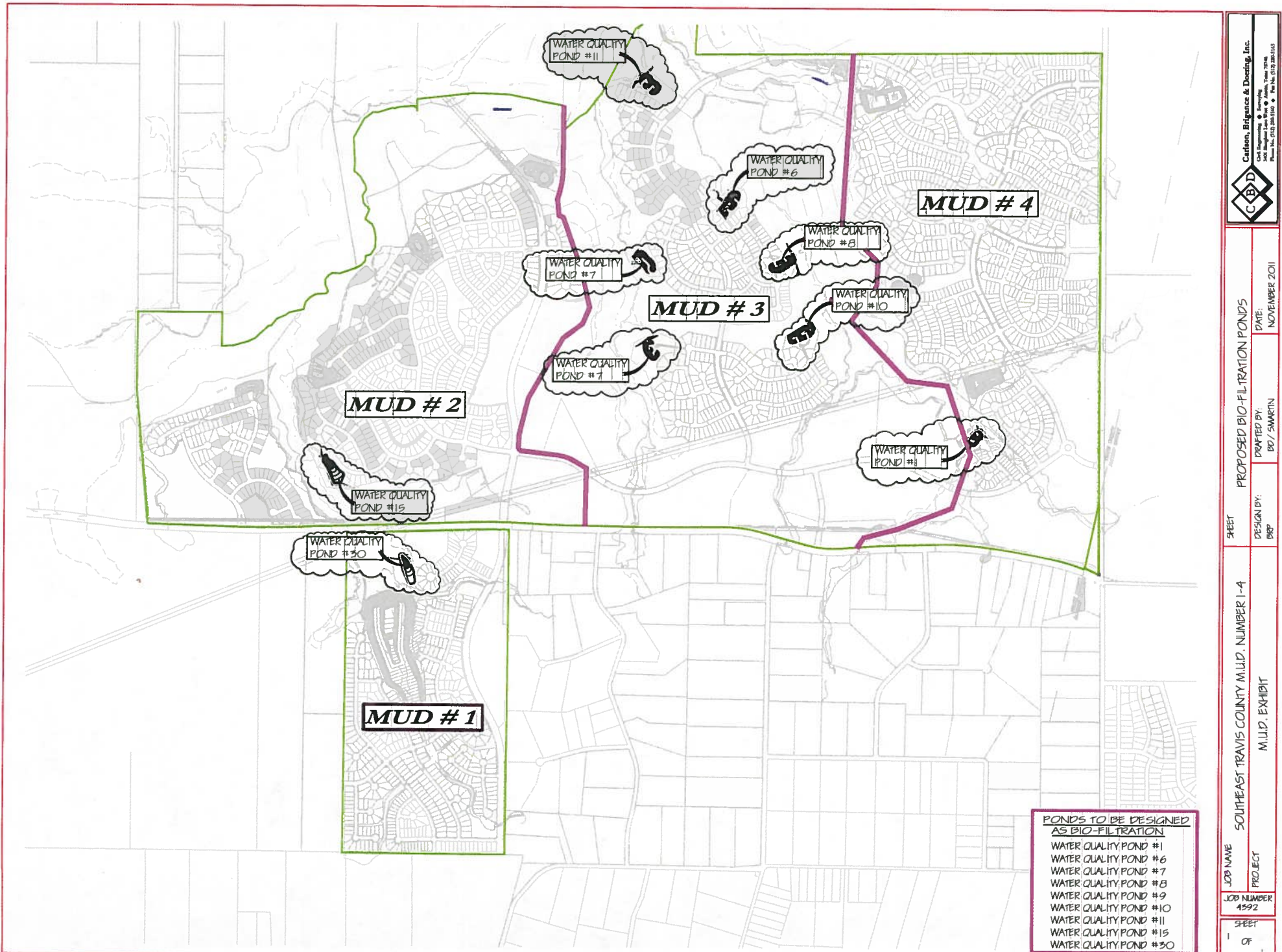
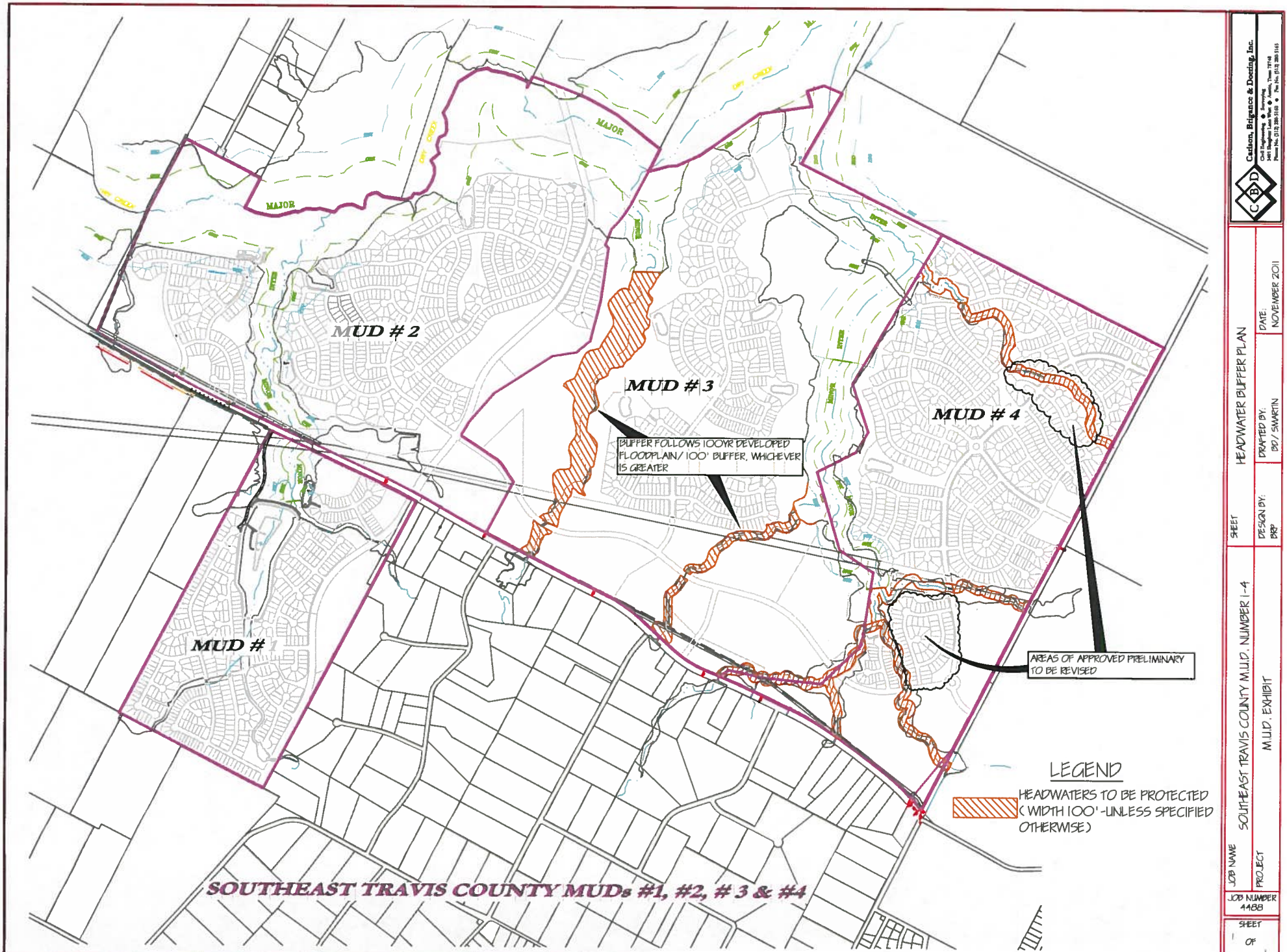
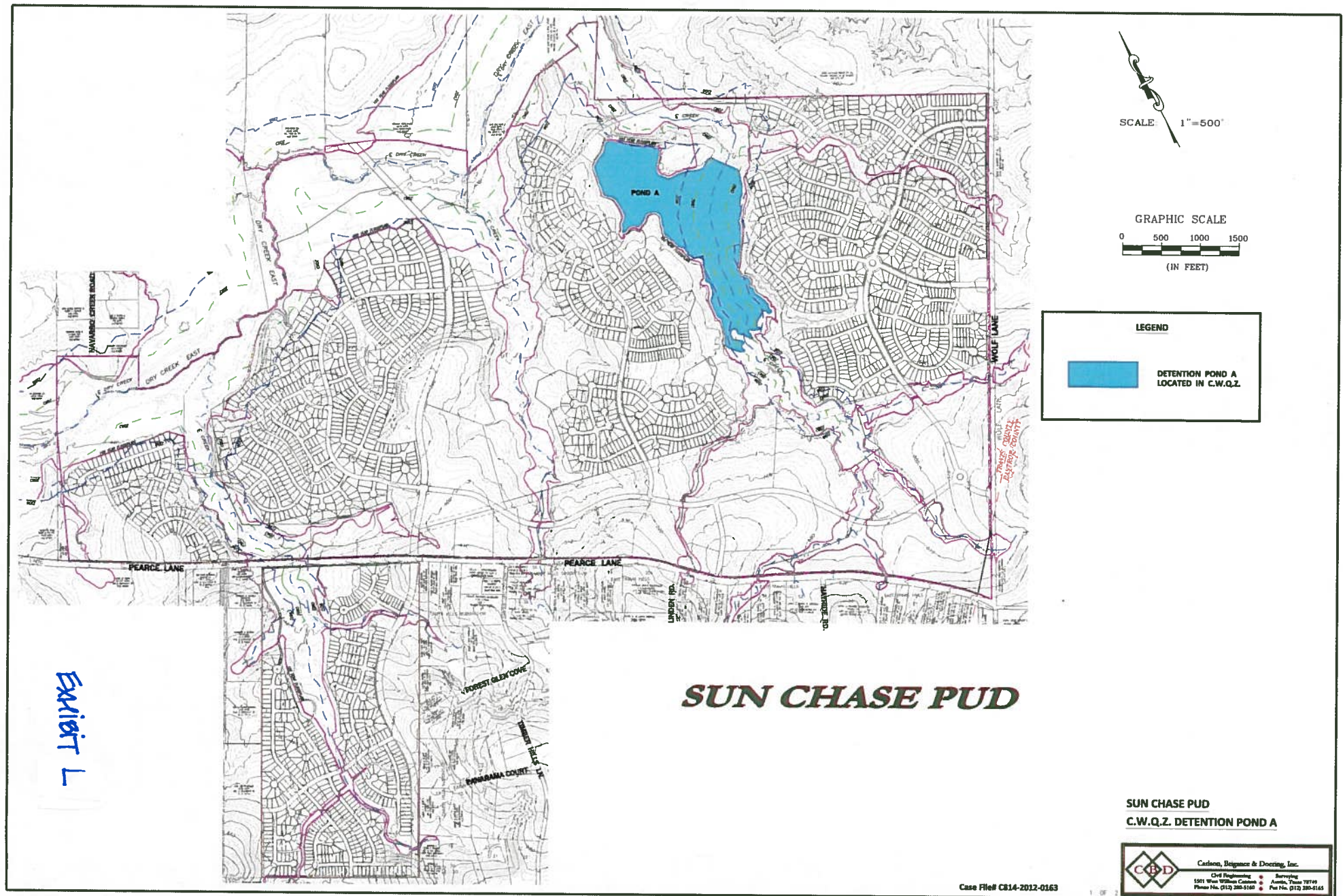
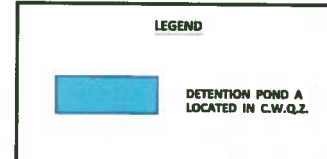
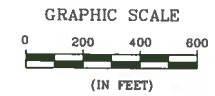
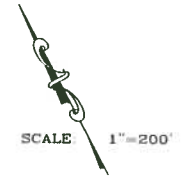
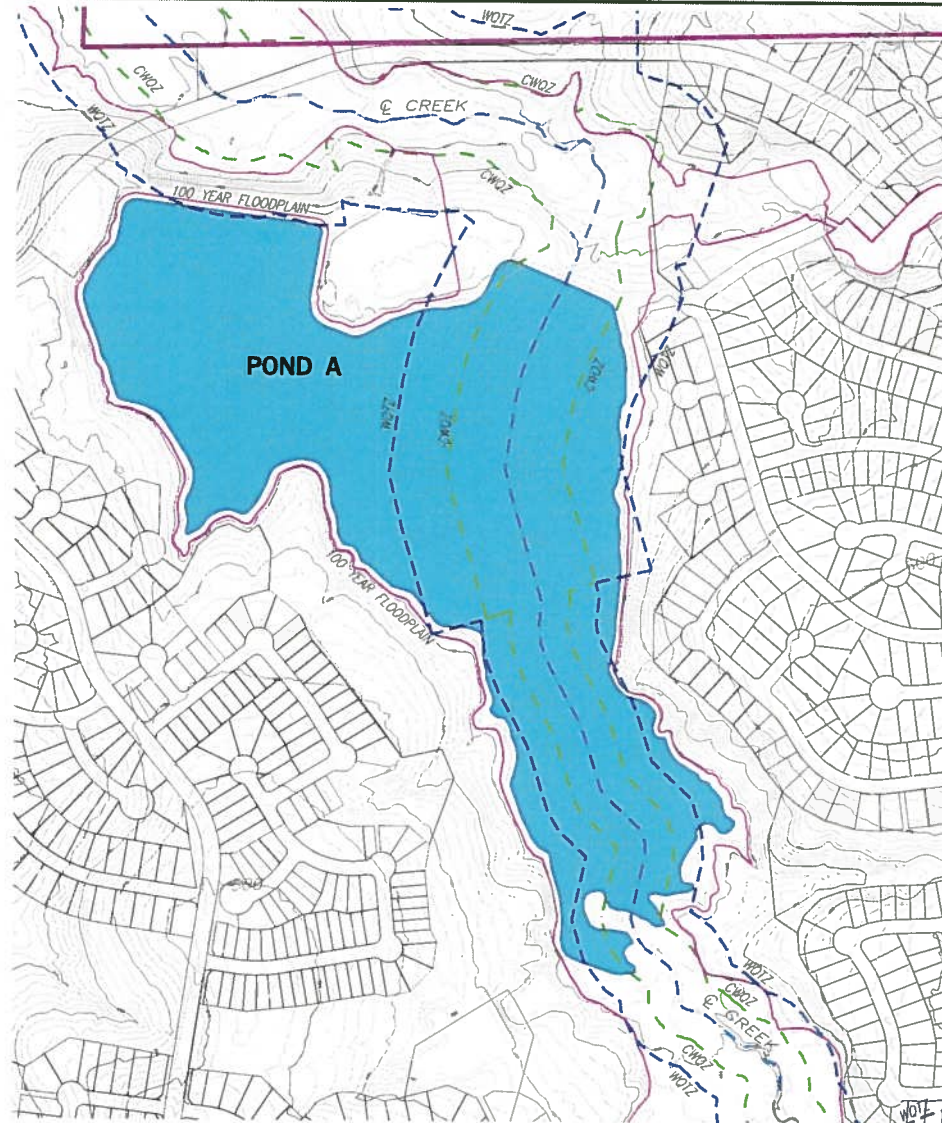


Figure __ . Typical modified channel cross-section. Designer shall ensure channel longitudinal slope meets non-erosive permissible shear requirements.









SUN CHASE PUD

**SUN CHASE PUD
C.W.Q.Z. DETENTION POND A**

EXHIBIT M

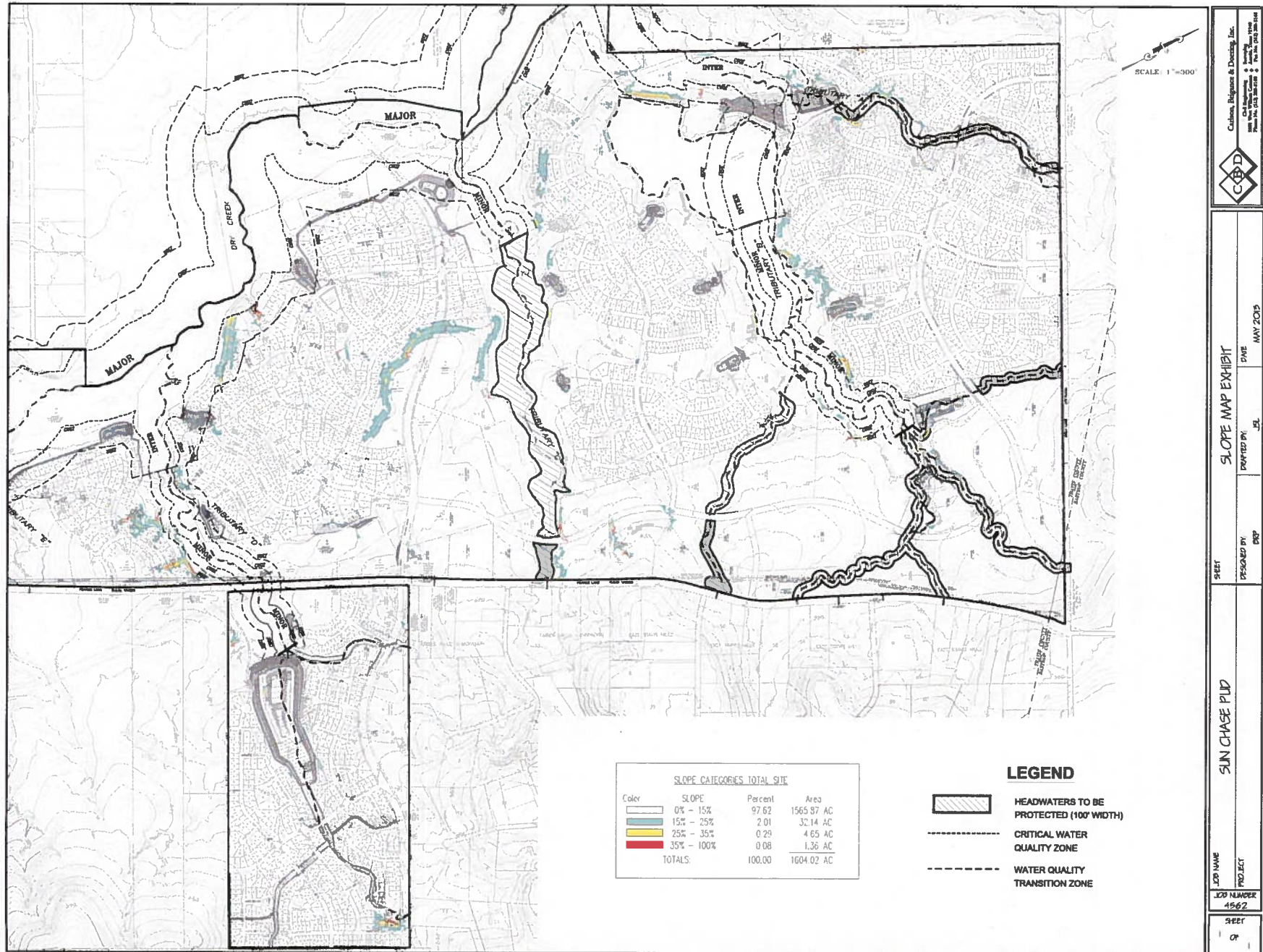
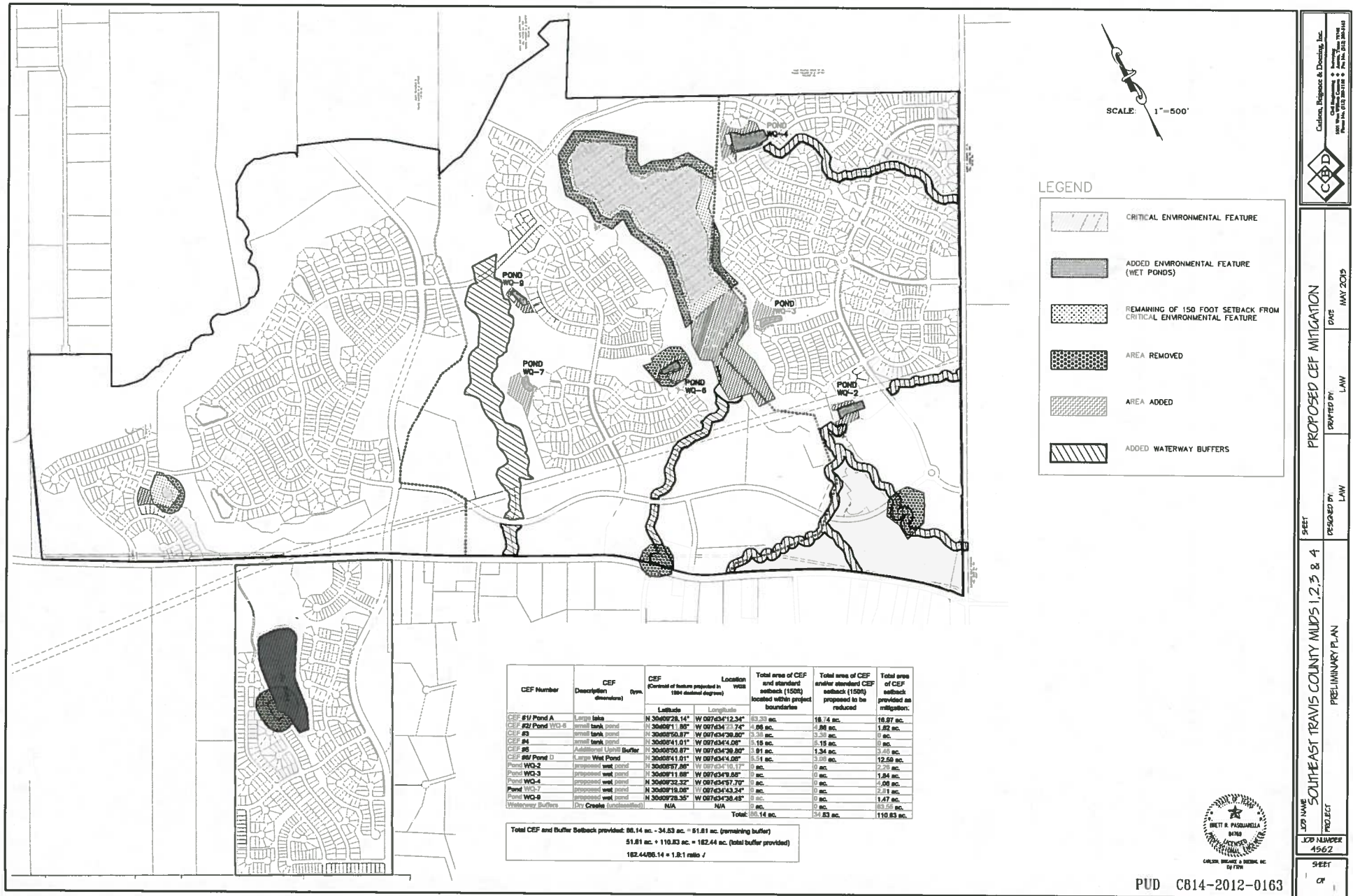


Exhibit N



SUN CHASE PUD TRANSPORTATION REQUIREMENTS

Transportation Requirements

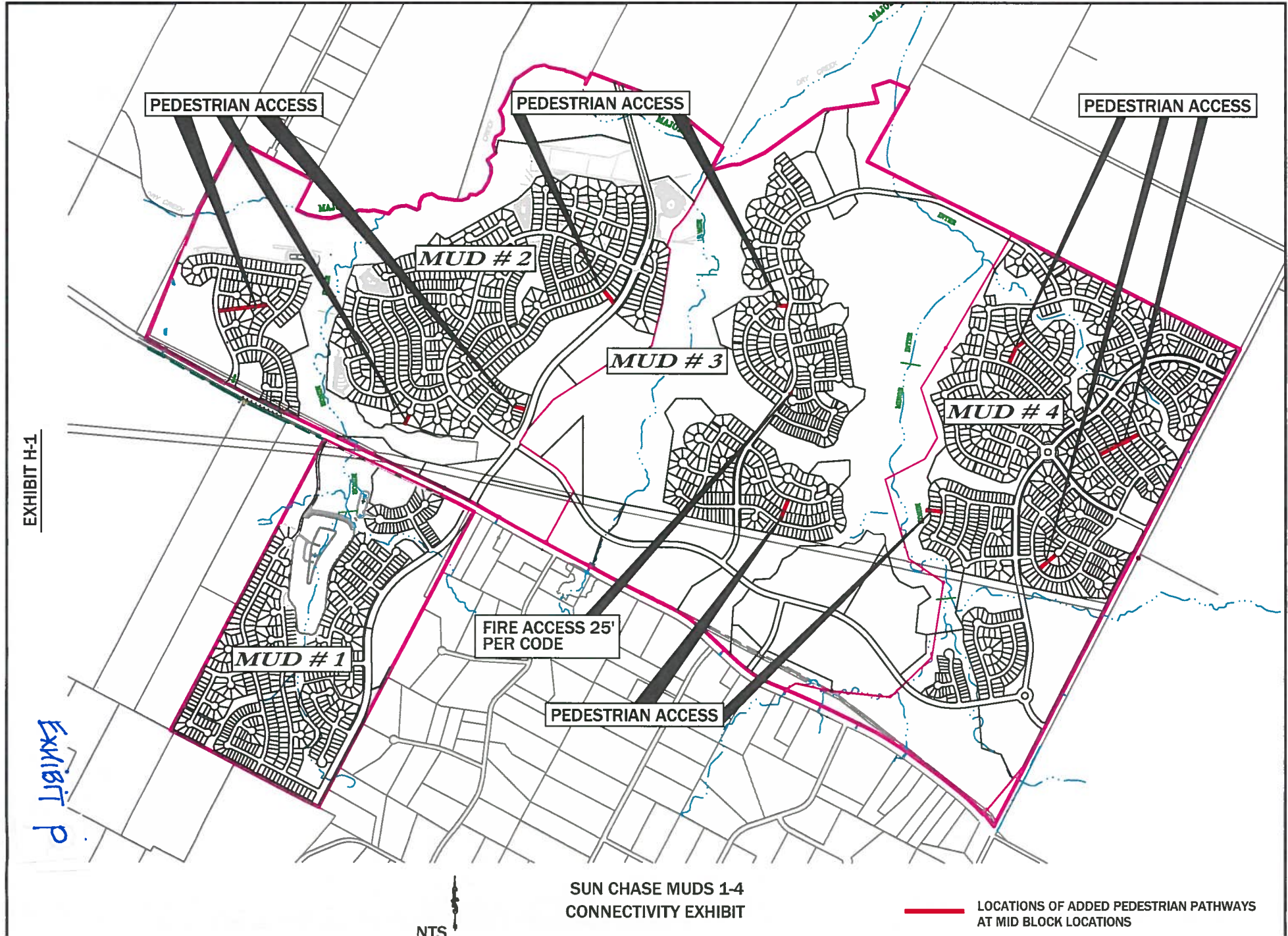
1. The Developer agrees to provide for appropriate connectivity to areas adjacent to the Project as shown on the attached **Exhibit H-1** (Connectivity).
2. The Developer also agrees to do the following:
 - a. dedicate right-of-way for Pearce Lane, Wolf Lane and Sun Chase Parkway (Arterial C/Four Daughters under the CAMPO 2030 Plan) in accordance with the Phasing Agreement between the Developer and Travis County approved in conjunction with the approval of the Preliminary Plans;
 - b. fund the construction of improvements to Sun Chase Parkway (Arterial C/Four Daughters under the CAMPO 2030 Plan) and improvements to intersections of internal roadways with Pearce and Wolf Lanes in accordance with the Phasing Agreement between the Developer and Travis County, Texas recorded under Document No. 2010040073, Official Public Records of Travis County, Texas, approved in conjunction with the approval of the Preliminary Plans;
 - c. provide bicycle facilities and access for pedestrians and bicyclists to schools, parks and other destinations as shown on the attached **Exhibit H-2** (Trail & Accessibility);
 - d include sidewalks and bike lanes (i) generally meeting the design specifications established for typical arterial and collector street cross-sections under the City's Transportation Criteria Manual and (ii) generally complying with National Association of City Transportation Officials ("NACTO") and American Association of State Highway and Transportation Officials ("AASHTO") standards, including signage and markings, but not including signalization, as follows:
 1. for arterial streets, five-foot bike lanes and six-foot sidewalks;
 2. for residential collector roads (60/40), five-foot designated bike lanes on either side of the two 13-15 foot driving lanes, for a total of 40-44 feet of pavement, and five-foot sidewalks;
 3. for neighborhood collector roads (64/44), five-foot bike lanes segregated by pavement striping located two feet from the two 13-15 foot driving lanes, for a total of 40-44 feet of pavement, and five-foot sidewalks;
 4. for commercial collector roads (70/44), five-foot bike lanes on either side of the three 11-foot driving lanes (consisting of two traffic lanes with a continuous left-turn lane), for a total of 43-44 feet of pavement, and sidewalks as designated by the Commercial Design Standards, Subchapter E;
 5. for local streets, four foot sidewalks only.

All applicable requirements will be shown on the construction plans, which are subject to the City's and the County's approval under Title 30.

3. To reserve a ten-acre transit center site at a location to be mutually agreed upon by the Developer and the City during the PUD process. This site may be purchased by the City or, at the City's option, another governmental entity designated by the City by written notice to the Developer at any time prior to the date the first of the District or one of the Other Southeast Travis County Districts is annexed for full purposes by the City.

SUN CHASE PUD TRANSPORTATION REQUIREMENTS

4. During the development of the Project, to maintain an on-going dialogue with Capital Metropolitan Transit Authority and any other mass transit service provider regarding mass transit service options and transportation issues.



**ITEM FOR ENVIRONMENTAL COMMISSION AGENDA**

MEETING DATE REQUESTED: December 16, 2015

NAME & NUMBER OF PROJECT: Sun Chase Planned Unit Development
C814-2012-0163

OWNER: Qualico CR, L.P. (Vera Massaro)

AGENT: Armbrust & Brown, L.L.P. (Richard Suttle)

LOCATION: 15201, 15810, 16070 Pearce Lane and 7910 Wolf Lane

PROJECT FILING DATE: December 21, 2012

DSD/ENVIRONMENTAL STAFF: Jim Dymkowski, 974-2707
james.dymkowski@austintexas.gov

PZD/CASE MANAGER: Wendy Rhoades, 974-7719
wendy.rhoades@austintexas.gov

WATERSHED: Dry Creek East Watershed (Suburban)
Desired Development Zone

ORDINANCE: Watershed Protection Ordinance (current Code)

REQUEST: Review and consider for recommendation the environmental aspects of the proposed Planned Unit Development (PUD), including code modifications and environmental superiority.

STAFF RECOMMENDATIONS: Recommend for approval with the condition that environmental superiority is met.

REASONS FOR RECOMMENDATION: The proposed PUD is not environmentally superior to development that could otherwise be built under current applicable regulations.

ATTACHMENT A



MEMORANDUM

TO: Mary Gay Maxwell, Chair, and Members of the Environmental Commission

FROM: Chuck Lesniak, Environmental Officer
Watershed Protection Department

DATE: December 11, 2015

SUBJECT: Sun Chase Planned Unit Development – C814-2012-0163 – Update 1

This summary is being provided to the Environmental Commission as a supplement to the Planning and Zoning Department analysis for the Sun Chase Planned Unit Development (PUD). This memo provides an overview of the property's environmental features, the requested modifications to environmental code requirements, and the elements of the project that provide environmental superiority.

In the initial memo to the Environmental Commission, dated November 16, 2015, staff recommended that the project incorporate two conditions in order to achieve environmental superiority. Staff and the applicant have reached agreement on two out of the three issues addressed in the conditions. Staff now requests that the project meet one condition, as described on page seven. If the project meets the requested condition, staff would find that the proposed development will be sufficiently environmentally superior to what could be built without the PUD to meet the intent of City code.

Description of Property

The Sun Chase PUD consists of approximately 1,604 acres of undeveloped land located east of SH 130 near Wolf Lane, Pearce Lane, and Navarro Creek Road (see Attachment A – Location Map). The PUD area is comprised of four municipal utility districts (MUDs), which were approved by the City Council in March 2012. As part of the MUD Consent Agreements, the developer agreed to annex the property into the City's limited purpose zoning jurisdiction and prepare a PUD for the project.

The Sun Chase PUD is located in the Dry Creek East watershed, which is classified as Suburban and is within the Desired Development Zone. The PUD is not within the Edwards Aquifer recharge or contributing zones. The property contains numerous unclassified, minor,

intermediate, and major waterways.¹ The waterways include Dry Creek East on the northern boundary of the PUD, flowing west to east, and three tributaries to Dry Creek East located in the western, central, and eastern portions of the PUD, flowing south to north (see Attachment B – Environmental Features Map).

Existing Topography/Soil Characteristics/Vegetation

The PUD site is currently undeveloped and has historically been used for agriculture. The topography is gently rolling, with elevations ranging from approximately 425 to 550 feet above mean sea level. Slopes range between 0 and 15 percent on approximately 99 percent of the property. There are approximately 15 acres of slopes between 15 and 25 percent, 2 acres of slopes between 25 and 35 percent, and 0.2 acres of slopes greater than 35 percent. The property has predominately clayey soils.

Vegetation on the site includes cedar elm, American elm, Ashe juniper, mesquite, hackberry, honey locust, common sunflower, giant ragweed, Texas croton, greenbriar, Indian sea-oats, and johnsongrass (see Attachment B – Environmental Features Map for an aerial image of the property).

Critical Environmental Features

Six wetland critical environmental features (CEFs) have been identified on the PUD site, including a lake, a large wet pond, and several small ponds. The PUD will comply with the current code requirement to provide a 150-foot buffer zone around all CEFs, unless modified or mitigated pursuant to LDC Section 25-8-282, Wetland Protection.²

Water/Wastewater

Water and wastewater service will be provided by the City of Austin, pursuant to the MUD Consent Agreements. According to an Environmental Assessment (EA) prepared in 2013, the Texas Water Development Board database reported one water well on the PUD site. No wells were observed during the EA field investigation.

Description of Project

The proposed project is primarily residential in nature and includes the following development:

- ~667 acres of single family residential development;
- ~117 acres of mixed residential development;
- ~64 acres of multi-family residential development;
- ~153 acres of commercial, civic, and private recreation development; and
- ~602 acres of parks and open space.

¹ Per LDC Section 25-8-91, a minor waterway has a drainage area of 64 to 320 acres, an intermediate waterway has a drainage area of 320 to 640 acres, and a major waterway has a drainage area greater than 640 acres. Waterways with a drainage area smaller than 64 acres are unclassified.

² In 2009 and 2010, the City and Travis County approved three preliminary plans that encompass the entire PUD property (case numbers C8J-2008-0176, C8J-2008-0212, and C8J-2008-0239). The preliminary plans included wetland mitigation, which was reviewed and approved under the code in effect at the time. (See the applicant's Exhibit N – Proposed CEF Mitigation for wetland protection and mitigation approved with the preliminary plans.)

Requested Environmental Code Modifications

As mentioned above, the Sun Chase PUD is comprised of four MUDs. The MUDs and the preliminary plans for the area were approved prior to the adoption of the Watershed Protection Ordinance (WPO). The MUD superiority elements and the layout of the preliminary plans were thus based on the Comprehensive Watershed Ordinance (CWO) – the environmental regulations in effect at the time. In order to honor those agreed upon superiority elements and preserve the entitlements in the preliminary plans, the baseline for evaluating the PUD's environmental superiority is the code that applied to the property in 2012: the CWO regulations for the City's extraterritorial jurisdiction (ETJ).

The proposed PUD includes numerous modifications to current code requirements. Some of the requested code modifications are necessary to return to CWO standards or codify other elements of the MUD Consent Agreements. Other proposed modifications were not envisioned in the MUDs and have been requested during the PUD process. The following list summarizes key modifications to environmental requirements; see the applicant's Exhibit B-1 – Requested Code Modifications to Development Regulations for additional details. Please note that not all requested modifications have been agreed to by staff; see the recommendations section below for additional information.

- 25-8-62(C) and 30-5-62(C)³, Net Site Area – The applicability of net site area is modified to return to CWO standards. Net site area applies to the Sun Chase PUD rather than gross site area as in current code.
- 25-8-91(B) and 30-5-91(B), Waterway Classifications – The waterway drainage areas are modified to return to CWO standards:
 - A minor waterway has a drainage area of at least 320 acres and not more than 640 acres;
 - An intermediate waterway has a drainage area of at least 640 acres and not more than 1,280 acres; and
 - A major waterway has a drainage area of more than 1,280 acres.
- 25-8-92(B) and 30-5-92(B), Critical Water Quality Zones Established – Critical water quality zone (CWQZ) widths are modified to return to CWO standards and to create specific headwater buffers as agreed in the MUDs. The boundaries of a CWQZ coincide with the boundaries of the 100-year floodplain, except:
 - for a minor waterway, the boundaries of the CWQZ are located not less than 50 feet and not more than 100 feet from the centerline of the waterway;
 - for an intermediate waterway, the boundaries of the CWQZ are located not less than 100 feet and not more than 200 feet from the centerline of the waterway;
 - for a major waterway, the boundaries of the CWQZ are located not less than 200 feet and not more than 400 feet from the centerline of the waterway; and

³ The memo and Exhibit B-1 provided to the Environmental Commission for the meeting on November 18, 2015 did not include code citations for Title 30. Since subdivisions within the PUD are subject to Title 30 rather than Title 25, the corresponding Title 30 code citations have been incorporated.

- for selected unclassified waterways, the boundaries of the CWQZ are located either 50 feet from the centerline of the waterway or along the boundaries of the fully developed 100-year floodplain, as shown on the applicant's Exhibit I – Environmental Exhibit.
 - CWQZ buffer averaging does not apply in the Sun Chase PUD.
- 25-8-93(A) and 30-5-93(A), Water Quality Transition Zones Established – The applicability of water quality transition zones (WQTZs) is modified to return to CWO standards. WQTZs apply within the Sun Chase PUD.
- 25-8-211(B)(3) and 30-5-211(B)(3), Water Quality Control Requirement – The water quality control requirement is modified to return to CWO standards. Water quality controls are required if the total of new and redeveloped impervious cover exceeds 20 percent of net site area.
- 25-8-261 and 30-5-261, Critical Water Quality Zone Development – Development allowed within a CWQZ is modified to allow construction of a detention pond, as shown in the applicant's Exhibit L – CWQZ Detention Pond A.
- 25-8-392 and 30-5-392, Uplands Zone – The impervious cover limits are modified to return to CWO ETJ standards:
 - Single-family residential, lot size $\geq 5,750$ square feet: 45 percent of net site area (NSA); 50 percent of NSA if development intensity is transferred under Section 25-8-393
 - Single-family residential, lot size $< 5,750$ square feet: 55 percent of NSA; 60 percent NSA with transfers
 - Multifamily: 60 percent of net site area; 65 percent NSA with transfers
 - Commercial: 65 percent of net site area; 70 percent NSA with transfers
- Section 25-8 Article 9 and Section 30-5 Article 9, Suburban Watershed Requirements, Water Quality Transition Zone – A new code section is added to return to CWO standards:
 - In a water quality transition zone, the impervious cover of the land area of a site may not exceed 30 percent. In determining land area, land in the 100-year floodplain is excluded.
 - Water quality controls may be located in a water quality transition zone.
- 25-8-393 and 30-5-393, Transfer of Development Intensity – This section is modified to return to CWO standards, with a clarification that land in a CWQZ may be dedicated to a MUD. The WPO provision for transferring development intensity between site plans is retained.

- 30-2-62, Expiration of Approved Preliminary Plan – The previously approved preliminary plans will expire 20 years after their approval date, instead of ten years after the approval date as required by code.⁴

Proposed Environmental Superiority Elements

The project is proposing to provide the following environmental superiority elements (please see the applicant's Exhibit B – Tier 1 and Tier 2 Requirements for additional details):

1. The PUD will provide approximately 144 acres of open space in addition to the protected environmental features (e.g., creek buffers and floodplains). This is a 48 percent increase from the 98 acres of open space required based on assumed land uses.
2. The PUD will comply with the tree protection and landscape requirements as agreed to in the MUD (when the property was in the ETJ). The PUD will exceed the requirements by doing the following, also as agreed to in the MUD:
 - a. Developing a tree preservation plan;
 - b. Selecting all required trees from Appendix F;
 - c. Providing a tree care plan for construction-related impacts; and
 - d. Using reclaimed water for irrigation in open space areas, if reclaimed water is brought to the site and its use is economically feasible. (Reclaimed water won't be used in the CWQZ or flood plain.)
3. The PUD will provide superior water quality controls by using wet ponds and biofiltration ponds to treat 100 percent of the required water quality treatment volume. Wet ponds and biofiltration ponds provide superior total suspended solids and nutrient removal compared to conventional treatment methods, and also provide habitat and aesthetic benefits. The wet ponds shall be designed to have only a minimal, short term need for makeup water. The capture volume for each pond will be increased by ten percent.
4. The PUD will provide water quality treatment for a 92-acre offsite area (single-family residential lots and streets) that is currently untreated
5. The PUD will provide a minimum 50-foot setback for 75 percent of unclassified waterways with a drainage area of 32 to 320 acres.⁵
6. Volumetric flood detention will be provided for the entire PUD.
7. The PUD will use natural channel design techniques using the cross section agreed to in the MUD.
8. The PUD will restore areas within the 100-year floodplain that are in "poor" or "fair" condition based on the functional assessment methodology in Appendix X of the

⁴ This requested code modification has been revised since the Environmental Commission meeting on November 18. First, the prior version of Exhibit B-1 requested a modification to the code criteria for subdivisions in the City's full purpose jurisdiction, not in the limited purpose jurisdiction. The code modification has been corrected to apply to Title 30. Second, the applicant revised the requested extension from 35 years to 20 years.

⁵ As discussed above, the baseline for superiority is the CWO, which did not protect waterways with a drainage area smaller than 320 acres in the Suburban watersheds.

Environmental Criteria Manual (ECM). All 100-year floodplain areas within the PUD shall be evaluated and restored if applicable, except for the areas in the southern portion of the PUD for which a final plat application is currently under review.⁶

9. The PUD will utilize native Central Texas seed stock, and all required trees will be planted with adequate soil volume in accordance with the following standards:
 - a. Small trees (less than 30 ft. mature height): minimum of 600 cubic feet soil volume.
 - b. Medium trees (30 to 50 ft. mature height): minimum of 1,000 cubic feet soil volume.
 - c. Large trees (greater than 50 ft. mature height): minimum of 1,500 cubic feet soil volume.
10. Stormwater runoff from impervious surfaces in commercial and multi-family tracts will be directed through landscape areas at least equal to the total required landscape area.
11. The PUD will provide educational signage at wetland CEFs.
12. The PUD will provide an Integrated Pest Management Plan for the entire property.

Recommendations

As proposed, staff finds that the environmental superiority elements do not outweigh the environmental impacts of the requested code modifications. Staff is concerned about the proposed modification to Section 30-2-62, which would extend the expiration date for the previously approved preliminary plans by 10 years. The existing expiration dates contained in City regulations balance a developer's need for certainty with the City's right to update development and environmental protection standards. Extending the expiration date for the approved preliminary plans would allow the developer to lock in 2008 regulations until 2030, even if progress is not being made on the proposed project. The extension would undermine the City's legal right to define future development and environmental protection standards in response to community goals. The existing code provides regulatory certainty for a reasonable timeline and already includes the option for extensions to address unforeseen issues that may arise during the development process.

Staff would support a request to extend the expiration date of the approved preliminary plans by five years instead of ten years. A five year extension is reasonable given the length of time the PUD has been under review. However, it is important to note that a City-granted five-year extension would only be applicable after the PUD has been annexed into the full purpose jurisdiction.⁷ A five-year extension would mean that the preliminary plans expire in 2024 or 2025. Since annexation cannot occur until December 31, 2023 at the earliest, it is unlikely that the five-year extension will still be in effect when the PUD enters the full purpose jurisdiction. A five-year extension through the PUD is therefore unlikely to be of significant benefit to the

⁶ This superiority element has been revised since the Environmental Commission meeting on November 18. Staff and the applicant reached agreement about the extent of potential floodplain restoration.

⁷ Per Section 30-2-62(A), the County has authority to grant preliminary plan extensions while the PUD remains in the limited purpose jurisdiction.

applicant; they may be better served obtaining an extension from the County under existing code section 30-2-62(C)(2).

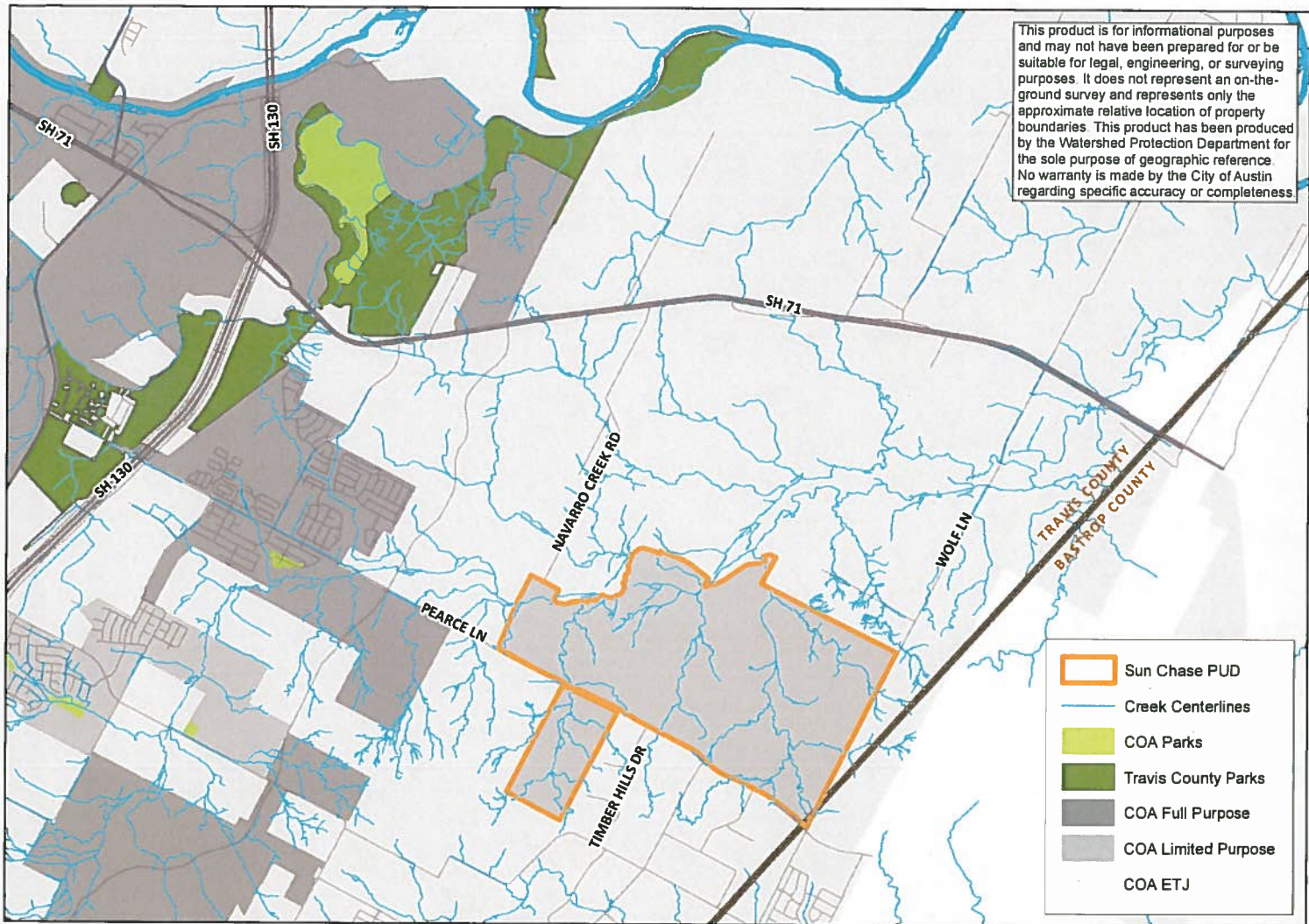
In conclusion, staff recommends approval of the proposed Planned Unit Development with the following condition:

The proposed code modification to Section 30-2-62 shall be revised as follows: The previously approved preliminary plans for Sun Chase South, Sun Chase Phase 1, and Sun Chase Phase 2 shall expire 15 years after their approval date.

If the project meets the requested condition, staff recommends approved of the Planned Unit Development based on our finding that the proposed development will be environmentally superior to what could be built without the PUD.

Attachments

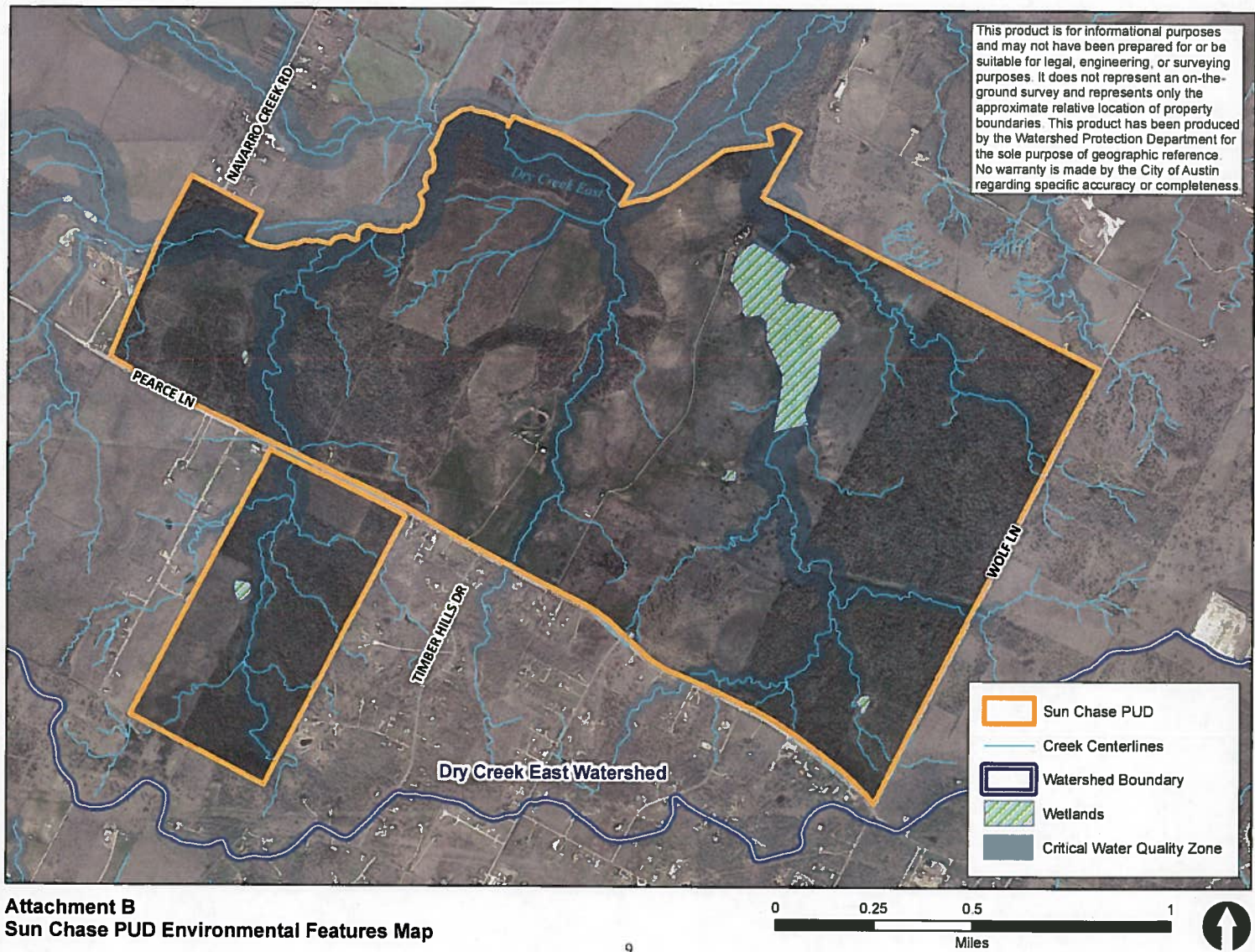
- A Location Map
- B Environmental Features Map
- C Site Photos
- D Driving Directions



Attachment A
Sun Chase PUD Location Map

0 0.5 1 2
Miles





Attachment B
Sun Chase PUD Environmental Features Map

Attachment C
Sun Chase PUD Site Photos



North end of PUD property, looking north toward Dry Creek



North end of PUD property, looking west



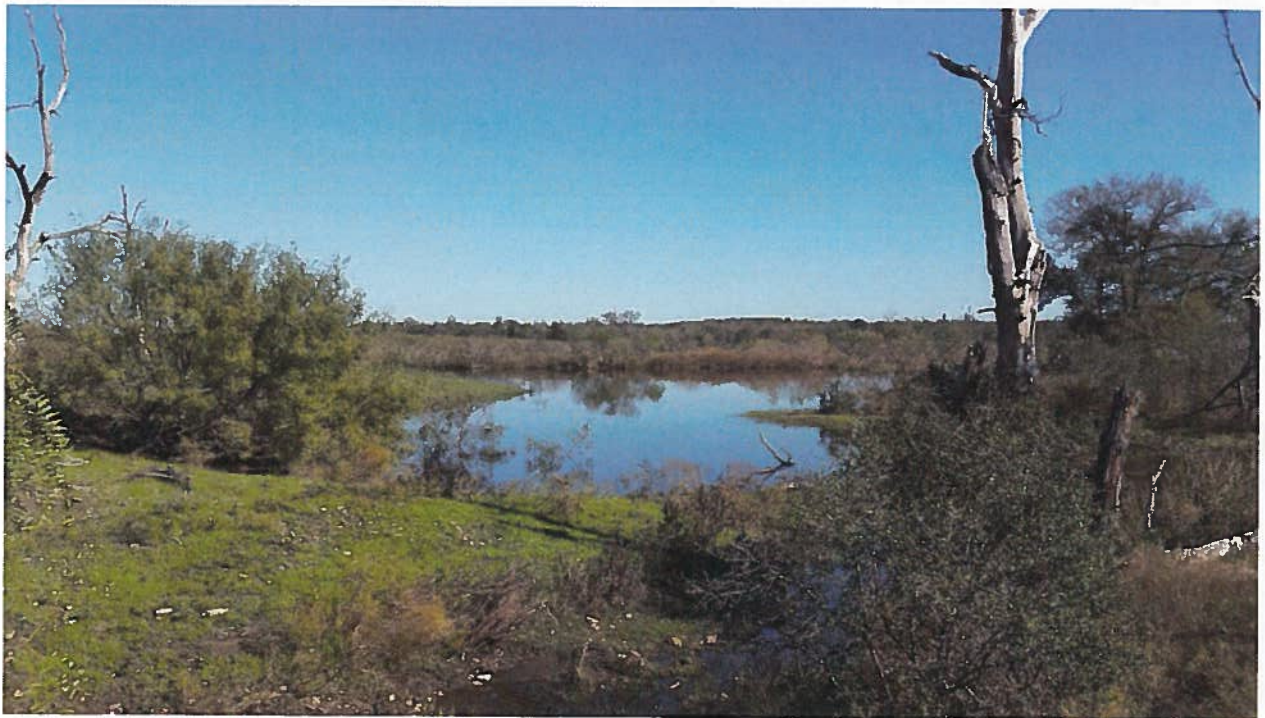
Homestead area in northern portion of PUD property



Existing lake, looking south



Headwater tributary



Example of wetland Critical Environmental Feature

Attachment D**Driving Directions to Sun Chase PUD**

From Austin City Hall, 301 W. 2nd Street:

- Drive 2.6 miles south on I-35; take exit 230 for TX-71 E toward Bastrop
- Drive 6.7 miles on TX-71 E; turn right onto FM 973 S
- Drive 1.8 miles on FM 973 S; turn left on Pearce Ln

Pearce Lane forms the southern border of the northern portion of the PUD.

ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300
AUSTIN, TEXAS 78701-2744
512-435-2300FACSIMILE 512-435-2360
FACSIMILE 512-435-2399AMANDA MORROW.
(512) 435-2368
amorrow@abaustin.com

January 6, 2016

VIA ELECTRONIC MAIL
VIA HAND DELIVERYWendy Rhoades
City of Austin
Development Services Department
505 Barton Springs Road, 5th Floor
Austin, Texas 78701

Sun Chase PUD ; C814-2012-0163

Dear Mrs. Rhoades:

The Sun Chase PUD is comprised of approximately 1,604 acres of undeveloped land located east of SH 130 near Wolf Lane, Pearce Lane, and Navarro Creek Road (the "Project"). In 2012, City Council approved the creation of four municipal utility districts known as the Southeast Travis County Municipal Utility Districts No(s). 1 - 4 (the "MUDs"). The MUDs were created to provide water and wastewater services, along with the creation of parks and recreational facilities for this area of Austin. As part of the consent for the MUDs, it was agreed that a Planned Unit Development ("PUD") would be processed. In order to obtain City Council approval, and in accordance with the City's adopted MUD Policy, the MUDs were required to provide extraordinary benefits, superior development and enhancement of other City interests through the approval of Consent Agreements approved by Ordinance No(s) 20120322-036, 20120322-037, 20120322-038, and 20120322-039.

In 2009 - 2010 the City and Travis County approved three preliminary plans that encompass all of the 1,604 acres. These preliminary plans are referenced in City Case No(s). C8J-2008-0176 (Sun Chase South), C8J-2008-0212 (Sun Chase Phase 1), and C8J-2008-0239 (Sun Chase Phase 2 Preliminary Plan). Several variances were granted with the approval of these preliminary plans.

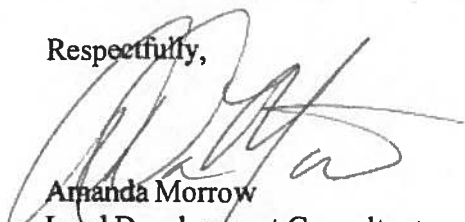
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The PUD is a master planned community which will include various types of residential use, multi-family use, supporting commercial use and open space and recreational area. Due to the size and complexity of the Project, some code modifications are required. A brief summary of the project history, PUD superiority elements, and code modifications required is attached. In the event there is a conflict between the regulations and exhibits set forth by the PUD and the Consent Agreements, the Consent Agreements control.

Should you have any questions, comment or concerns, please feel free to contact me.

Respectfully,



Amanda Morrow
Land Development Consultant

cc: Vera D. Massaro
Charles Brigance
Richard T. Suttle, Jr.

Attachments

SUN CHASE SUMMARY, ENVIRONMENTAL SUPERIORITY, AND MODIFICATIONS

PROJECT SUMMARY:

1. In 2009 – 2010, City and County approved three preliminary plans that encompass all of the 1,604 acres. In conjunction with approval of the preliminary plans, several variances were granted. The Project will meet and exceed the requirements of the Comprehensive Watershed Ordinance (vested at the time of preliminary plan approval).
2. In 2012, City Council approved the creation of four municipal utility districts known as the Southeast Travis County Municipal Utility Districts No(s). 1 - 4 (the “MUDs”).
3. The Sun Chase PUD is comprised of approximately 1,604 acres of undeveloped land located east of SH 130 near Wolf Lane, Pearce Lane, and Navarro Creek Road (“Project”).

PUD SUPERIORITY:

1. The PUD will provide water quality controls, including Biofiltration Ponds, and Wet Detention Ponds that will incorporate 100% of the required water quality treatment volume. Wet ponds provide a higher level of water quality treatment than what would be allowed by Code. The capture volume for each pond will be increased by 10%.
2. The PUD will provide water quality treatment for currently untreated developed single-family residential lots and streets located upstream of the Project.
3. The PUD will provide protection of headwaters of unclassified waterways for those areas depicted on the Environmental Exhibit, which is also depicted on the Headwater Buffer Map attached to the Consent Agreements.
4. The Project will provide for an integrated pest management plan.
5. The PUD will provide 600 acres of Public Park and Open Space. Additionally, an estimated 8 miles of public trails will be provided and +/- 2 miles for the extension of City of Austin Bicycle Plan - Urban Trails Master Plan Dry Creek South Greenway.
6. A tree preservation plan has been developed; all planted trees will be selected from Appendix F of the Environmental Criteria Manual; and a tree care plan will be provided for construction related impacts. The MUDs agreed to the minimum landscaping requirements of the City Code by doing the following: Properly maintaining its property, subject to any applicable water use or restrictions imposed by the City; and upon reclaimed water being brought to the project, to use reclaimed water for irrigation in open space areas where such use is economically feasible, subject to any applicable water use restrictions imposed by the City. Reclaimed water will not be used in the CWQZ or flood plain.
7. The PUD proposes to provide 75% of the waterways with contributing drainage basins of 32 - 320 acres that are being protected. The calculations are as follows; 26,940 linear feet

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streams with a DA 32 ac or more, 20,364 linear feet with a DA or more protected, (20,364 lf / 26,940 lf = 75%). Buffer setback is 50 ft. either side of the centerline of the creek for a total of 100 ft. (minimum).

8. Volumetric flood detention will be provided for the entire PUD.
9. Natural channel design techniques will be incorporated into the storm water management and treatment system using the cross section agreed to in the Consent Agreements. No concrete lined channels are proposed. The PUD proposes to use natural materials and restrict the use of concrete in channels except at culvert headwalls.
10. The PUD will provide riparian restoration for areas in the 100-year floodplain that are in "Poor" (1) or "Fair" (2) condition. Areas will be restored to "Good" (3) or "Excellent" (4) as described in Appendix X of the Environmental Criteria Manual. Evaluation of the riparian areas will be required at time of subdivision construction approval for residential development, and at time of site plan approval for commercial development. Provided however, any final plat application currently under review prior to PUD approval shall be exempt from this requirement.
11. All required tree plantings shall use native Central Texas tree stock and shall be planted with adequate soil volume in accordance with the following soil volume standards:
 - Small trees (less than 30 ft. mature height): minimum of 600 cubic feet soil volume.
 - Medium trees (30 to 50 ft. mature height): minimum of 1,000 cubic feet soil volume.
 - Large trees (greater than 50 ft. mature height): minimum of 1,500 cubic feet soil volume.

The topsoil and subsoil may be from naturally occurring native soils or amended within the tree planting pit in order to achieve the requirements. Soil depth shall be three feet for all three sizes. The soil in the planting pit shall be composed of 4 parts of soil mixed with 1 part compost, by volume. The compost shall meet the definition of compost as defined by TxDOT Specification Item 161. The soil shall be locally available native soil that meets the following specifications:

- Shall be free of trash, weeds, deleterious materials, rocks, and debris.
- 100% shall pass through a 1.5-inch (38-mm) screen.
- Soil to be a loamy material that meets the requirements of the table below in accordance with the USDA textural triangle. Soil known locally as "red death" is not an allowable soil. Textural composition shall meet the following criteria:

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| Textural Class | Minimum | Maximum |
|----------------|---------|---------|
| Clay | 5% | 50% |
| Silt | 10% | 50% |
| Sand | 15% | 67% |

- An owner/engineer may propose use of onsite salvaged topsoil which does not meet the soil texture class required above by providing a soil analysis and a written statement from a qualified professional in soils, landscape architecture, or agronomy indicating the onsite topsoil will provide an equivalent growth media and specifying what, if any, soil amendments are required.
- Soil amendments shall be worked into the existing onsite topsoil with a disc or tiller to create a well-blended material.

Topsoil salvaged from the existing site may often be used, but it should meet the same standards as set forth in these standards. For areas where the soil volume is under pavement, the subgrade may not be compacted.

12. Runoff from impervious surface areas within commercial and multi-family tracts will be directed through landscape areas at least equal to the total required landscape area.
13. The project is located outside of Austin Energy's service area. However, in accordance with the Consent Agreements, (i) all commercial buildings within the MUD will be constructed in a manner sufficient to achieve an Energy Star rating, and (ii) all residential buildings within the MUD will be constructed in a manner sufficient to achieve a rating of two stars or greater under the City's Austin Energy Green Building Program, or (b) such buildings will be constructed in a manner sufficient to achieve a reasonably equivalent rating under another program executed by the City. All toilets, bathroom sink faucets and shower heads that are labeled as meeting the standards of the EPA WaterSense program, or a comparable program executed by the Developer and the City, will be installed in all residential buildings within the MUD and that all residential irrigation system components are certified as meeting the standards of the EPA WaterSense program, or a comparable program executed by the Developer and the City, or, if the EPA WaterSense program ceases to exist, that such fixtures and irrigation system components be labeled, certified or executed through a comparable program established or executed by the EPA or the City.

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14. Provide additional pedestrian, bicycle and fire access to create a pedestrian-friendly development.
15. Create street cross sections that facilitate and enhance pedestrian and bicycle mobility, subject to Travis County approval.
16. Participation in the Art in Public Places Program.
17. Participate in the Affordable Housing Program as follows:
 - Ten percent of the rental units within the Project will be set aside for households with an income level of 60% or less of the median family income in Austin metropolitan statistical area for a period of 40 years from the Effective Date of the Consent Agreement.
 - Ten percent of the owner-occupied units within the Project will be priced, at the time of their initial offering for sale, at a price that is affordable to a household with an income level of 80% of the median family income in the Austin metropolitan statistical area.
 - A financial contribution to the City's affordable housing program equal to two percent of the total "hard" construction cost reimbursements actually received by the Developer out of the proceeds of bonds issued by the MUDs, up to a maximum total contribution of \$1.8 Million.
18. Two school sites shall be donated to the Del Valle Independent School District. Utilities shall be extended to the sites at no cost to the School District. Each site shall consist of at least 18 buildable acres.
19. A fire station site shall be dedicated to the City at no cost to the City.
20. Developer shall reserve a ten-acre transit site at the location to be mutually agreed upon by the Developer and the City. This site may be purchased by the City, or another governmental entity designed by the City, prior to the date the first MUD is annex for full purpose by the City.
21. Compliance with the Commercial Design Standards as it relates to building placement and urban design standards as follows:
 - Subchapter E Core Transit Corridor standards shall apply for sidewalks and building placement for 50% of the commercial, multi-family and village cluster development on Flower Cup Loop between Sun Chase Parkway and Misu Drive;
 - Subchapter E Urban Roadway standards for sidewalks and building placement for 50% commercial, multi-family and village cluster development along Sun Chase

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Parkway from Pearce Lane to Flower Cup Loop, along Rumworth Drive from Pearce Lane to Flower Cup Loop, and along Misu Drive from Wolf Lane to Flower Cup Loop

22. The project shall meet and exceed the landscaping requirements in accordance with the following standards:

- Developer Agreements. The Developer (with respect to the portion of the Land owned by the Developer) agrees to comply with the City's tree preservation ordinance, Protected and Heritage Tree, and the minimum landscaping requirements in Chapter 25 of the Land Development Code and to exceed those requirements by doing the following:
 - A tree preservation plan will be developed with the City's arborist during the PUD process that, at a minimum, will satisfy the requirements of the City's tree preservation ordinance, Protected and Heritage Tree, with additional emphasis given to trees less than 19" in diameter (where feasible) counting towards or fulfilling the tree planting/preservation requirements;
 - All preserved or planted trees for landscape requirements will come from the Environmental Criteria Manual, Appendix F; and
 - A tree care plan, prepared by a certified arborist, will be provided for construction-related impacts within the critical root zone of all trees which are required to be preserved.
- MUD Agreements. The MUDs (with respect to the portion of the land owned by the MUDs) agrees to exceed the minimum landscaping requirements of the City Code by doing the following:
 - Properly maintaining its property, subject to any applicable water use or other restrictions imposed by the City; and
 - Upon Reclaimed Water being brought to the Project, to use Reclaimed Water for irrigation in open space areas where such use is economically feasible, subject to any applicable water use restrictions imposed by the City.

CODE MODIFICATIONS:

1. Net Site Area – Is modified to apply within the boundaries of the PUD.
2. Waterway Classifications – A minor waterway has a drainage area of at least 320 acres and not more than 640 acres. An intermediate waterway has a drainage area of at least 640 acres but not more than 1,280 acres and a major waterway has a drainage area of more than 1,280 acres.

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3. Critical Water Quality Zones – the boundaries of a critical water quality zone coincides with the boundaries of the boundaries of the 100 year flood plain except as follows:
 - for a minor waterway, the boundaries of the critical water quality zone are located not less than 50 feet and not more than 100 feet from the centerline of the waterway,
 - for an intermediate waterway, the boundaries of the critical water quality zone are located not less than 100 feet and not more than 200 feet from the centerline of the waterway; and
 - for a major waterway, the boundaries of the critical water quality zone are located not less than 200 feet and not more than 400 feet from the centerline of the waterway,
 - for selected unclassified waterways, the boundaries of the critical water quality zone are located either 50 feet from the centerline of the waterway, or along the boundaries of the fully developed 100 year floodplain as shown on the Environmental Exhibit.
4. Critical Water Quality Zone - Critical Water Quality Zone buffer averaging does not apply in the Sun Chase PUD.
5. Critical Water Quality Zone - Notwithstanding the provisions of Section 25-8-92 and 30-5-92, Subsections (B) (1), (2), and (3), a critical water quality zone does not apply to a previously modified drainage feature serving a public roadway right-of-way that does not possess any natural and traditional character and cannot reasonably be restored to a natural condition.
6. Water Quality Transition Zones – Water Quality Transition Zones apply within the PUD.
7. Water Quality Control Requirements – If the total new and redeveloped impervious cover exceeds 20% of the net site area, water quality controls must be provided.
8. Dedicated Fund – Section 25-8-232 and 30-5-232 (A), (B) and (C) shall not apply to the PUD. The MUD Consent Agreements establish that drainage facilities within the MUDs will be owned, financed, operated and maintained by the MUDs, therefore this modification is requesting clarification that the Dedicated Fund will not apply to the PUD.
9. Critical Water Quality Zone Development - Detention basins and wet ponds are prohibited in the critical water quality zone except as depicted on the attached Exhibit, "CWQZ DETENTION POND A".
10. An applicant who complies with a provision of this subsection qualifies for the development intensity transfer described in the provision, subject to the requirements in subsection (B) and the impervious cover limitations in section 25-8-392 (Uplands Zone).

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(A) For transfers between two subdivided tracts;

- (1) For each acre of land in a critical water quality zone that and applicant dedicates in fee simple to the City or a Municipal Utility District or another entity approved by the Watershed Protection Department director in fee simple, the applicant may transfer 20,000 square feet of impervious cover to an upland zone. Land dedicated under this section may also be credited toward the parkland dedication requirements of Chapter 25-4, Article 3, Division 5 (Parkland Dedication);
- (2) For each acre of land in the water quality transition zone that an applicant leaves undeveloped and undisturbed and does not include in impervious cover calculations elsewhere, the applicant may transfer 20,000 square feet of impervious cover to the uplands zone;
- (3) For each acre of land in a water quality transition zone than an applicant used for a golf course or other recreational use, restores using predominantly native plants and grasses, and provides a plan for minimizing the use and effect of pesticides, herbicides and fertilizers, the applicant may transfer 17,000 square feet of impervious cover to an uplands zone;
- (4) For each acre of land in and uplands zone that is located in the buffer zone of a critical environmental feature and that an applicant leaves natural and undisturbed, the applicant may transfer 20,000 square feet of impervious cover ton an uplands zone. The buffer area may be included in the net site area calculations for the uplands zone;
- (5) For each acre of land in an uplands zone that an applicant uses for wastewater irrigation, restricts against future development, and leave in a natural state, other than for necessary irrigation lines and tailwater control berms, the applicant may transfer 20,000 square feet of impervious cover to an uplands zone.

(B) An applicant who qualifies for a development intensity transfer under Subsection (A) must comply with requirements of this subsection to affect the transfer.

- (1) An applicant may transfer development intensity to a receiving tract that is within the same watershed classification as the transferring tract. This limitation does not apply if the transferring and receiving tracts are both owned by the applicant and are separated only by property that is also owned by the applicant.

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- (2) An applicant must concurrently plat the transferring and receiving tracts and must transfer all development intensity at that time
 - (3) An applicant must note the development intensity transfer on the plats of the transferring and receiving tracts, in a manner determined by the director.
 - (4) An applicant must file in the deed records a restrictive covenant, approved by the city attorney that runs with the transferring tract and describes the development intensity transfer.
 - (C) For transfers between two site plans:
 - (1) An applicant may transfer development intensity to a receiving tract that is within the same watershed classification as the transferring tract. This limitation does not apply if the transferring and receiving tracts are both owned by the applicant and are separated only by property that is also owned by the applicant.
 - (2) The receiving and transferring site plans;
 - (3) An applicant must file in the deed records a restrictive covenant, approved by the City Attorney that runs with the transferring tract and describes the development intensity transfer.
 - (4) The transfer must occur before the receiving and transferring site plans are released.
 - (D) For transfers within a single site plan, an applicant must file in the deed records a restrictive covenant, approved by the City Attorney that runs with the transferring tract and describes the development intensity transfer.
11. Uplands Zone - This section applies to development in an uplands zone. Impervious cover limits in this section are expressed as percentages of net site area. The following increase in impervious cover shall apply to the PUD:
 - Impervious cover for a single-family residential use with a minimum lot size of 5,750 square feet may not exceed: 45 percent or if development intensity is transferred 50 percent.
 - Impervious cover for a duplex or single-family residential use with a lot smaller than 5,750 square feet in size may not exceed: 55 percent or if development intensity is transferred 60 percent.

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- Impervious cover for a multifamily residential use may not exceed: 60 percent or if development intensity is transferred 65 percent.
 - Impervious cover for a commercial use may not exceed: 65 percent or if development intensity is transferred 70 percent.
12. Suburban Watershed Requirements - In a Water Quality Transition Zone, the impervious cover of the land area of a site may not exceed 30%. In determining land area, land in the 100 year floodplain is excluded.
 13. Zoning Boundaries – Allow noncontiguous zoning boundaries.
 14. Commercial Design Standards – The only Commercial Design Standards that shall apply to the PUD are:
 - Subchapter E Core Transit Corridor standards shall apply for sidewalks and building placement for 50% of the commercial, multi-family and village cluster development on Flower Cup Loop between Sun Chase Parkway and Misu Drive;
 - Subchapter E Urban Roadway standards for sidewalks and building placement for 50% commercial, multi-family and village cluster development along Sun Chase Parkway from Pearce Lane to Flower Cup Loop, along Rumworth Drive from Pearce Lane to Flower Cup Loop, and along Misu Drive from Wolf Lane to Flower Cup Loop; and
 - Commercial, multi-family and village cluster development shall have a maximum block size of five acres.
 15. Permitted and Prohibited Uses – Modify the permitted and prohibited uses within the PUD.
 16. Site Development Standards – Modify the site development standards within the PUD.
 17. Transportation – A variance was granted in connection with the Sun Chase Phase 1 Preliminary Plan in order to avoid connecting to Navarro Creek Road. This request is made to acknowledge that the variance was granted and shall remain in effect for the duration of the PUD.
 18. Transportation Standards – Modify the transportation standards within the PUD, with the understanding that roadway cross sections and striping is subject to Travis County approval.
 19. Subdivision – Extend the expiration date of the Sun Chase South Preliminary Plan (C8J-2008-0176), Sun Chase Phase 1 Preliminary Plan (C8J-2008-0212), and the Sun Chase Phase 2 Preliminary Plan (C8J-2008-0239) to expire 15 years after their approval date.

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Attached are comprehensive Tier One and Tier Two tables that reflect the superiority of the Project.

EDUCATIONAL IMPACT STATEMENT

School District:



PROJECT NAME: Sun chase PUD

ADDRESS/LOCATION: 15201, 15810, 16070 Pearce Lane

CASE #: C814-2012-0163

CITY COUNCIL DATE: _____

☒ NEW SINGLE FAMILY

☐ DEMOLITION OF MULTIFAMILY

☒ NEW MULTIFAMILY

☐ TAX CREDIT

SF UNITS: 2566

STUDENTS PER UNIT ASSUMPTION: .6

MF UNITS: 760

STUDENTS PER UNIT ASSUMPTION: .8

ELEMENTARY SCHOOL: Del Valle Elementary

RATING:

ADDRESS:

PERMANENT CAPACITY: 824

% QUALIFIED FOR FREE/REDUCED LUNCH:

MOBILITY RATE:

| ELEMENTARY SCHOOL STUDENTS | Current Population | 5- Year Projected Population | 5-Year Projected Population (w/ proposed development) |
|----------------------------|--------------------|------------------------------|---|
| Number | 925 | 1116 | 2190 |
| % of Permanent Capacity | 112 | 135 | 266 |

☐ INCREASE

☐ DECREASE

☐ NO IMPACT

MIDDLE SCHOOL: Del Valle Middle School

RATING:

ADDRESS:

PERMANENT CAPACITY: 1018

% QUALIFIED FOR FREE/REDUCED LUNCH:

MOBILITY RATE:

| MIDDLE SCHOOL STUDENTS | Current Population | 5- Year Projected Population | 5-Year Projected Population (w/ proposed development) |
|-------------------------|--------------------|------------------------------|---|
| Number | 883 | 986 | 1459 |
| % of Permanent Capacity | 87 | 96 | 143 |

☐ INCREASE

☐ DECREASE

☐ NO IMPACT

HIGH SCHOOL: Del Valle High School

RATING:

ADDRESS:

PERMANENT CAPACITY: 2038

% QUALIFIED FOR FREE/REDUCED LUNCH:

MOBILITY RATE:

| HIGH SCHOOL STUDENTS | Current Population | 5- Year Projected Population | 5-Year Projected Population (w/ proposed development) |
|-------------------------|--------------------|------------------------------|---|
| Number | 2684 | 3618 | 4219 |
| % of Permanent Capacity | 132 | 177 | 207 |

☐ INCREASE

☐ DECREASE

☐ NO IMPACT

To select one of the checkboxes above, double click on the box and select "checked" from the default value menu in the middle of the page. Click OK to complete the selection.

IMPACT ON SCHOOLS

Currently all of our elementary schools are at or very near capacity, so any additional housing units will have an educational impact on the district. We will review attendance boundaries next spring and it may become necessary to zone some neighborhoods in that area away from nearby schools to those on the outer edge of the district. Developers need to be aware of this so that they do not give out incorrect or misleading information to potential tenants. Our extra capacity at our middle school and High school has been covered by the use of portable classrooms. This is all based on current facilities.

TRANSPORTATION IMPACT

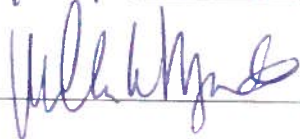
Students within this development would attend Del Valle Elementary, Del Valle Middle School, and Del Valle High School at this time. They would all qualify for Transportation. This would cause a major impact on transportation; several new routes would be needed to transport and thus several new busses will have to be purchased. Another area of impact would be the road infrastructure; narrow two lane roads to this development would become a hazard as the project finished out.

SAFETY IMPACT

Date Prepared:

10/10/2013

Director's Signature:



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.

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www.austintexas.gov

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Case Number: C814-2012-0163

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: December 10, 2013, Planning Commission

Paige Arnell
Your Name (please print)

15800 Panorama Ct., Del Valle 78617
Your address(es) affected by this application

☐ I am in favor
☒ I object

Paige Arnell
Signature

12.07.13
Date

Daytime Telephone: (512) 247-7481

Comments: I'm writing to strenuously object to this new development. It will negatively affect our community in numerous ways. Traffic congestion is becoming a real problem already. Our schools are also quite crowded, especially the high school. In addition, while a small thing to many Texans, I mean the loss of darkness at night, star visibility, and wildlife habitat.

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: C814-2012-0163

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: December 9, 2014, Planning Commission

Felicitas Herrera

Your Name (please print)

15700A Forest Glenn Cove

Your address(es) affected by this application

Felicitas H. Sutherland

Signature

☐ I am in favor
☒ I object

11-29-2014

Date

Daytime Telephone:

512 247 6080

Comments:

This not good for the area
the people who already live here
more traffic. the road is
made not handle more traffic. two lanes.
more noise
the schools are already over
crowded with students.
safety issue.

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Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C814-2012-0163

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: December 9, 2014, Planning Commission

John C Sutherland

Your Name (please print)

☐ I am in favor
☒ I object

15700 B Forest Glenn Cove
Del Valle, TX 78617

Your address(es) affected by this application

John C Sutherland

Signature

11/29/2014

Date

Daytime Telephone: _____

Comments:

There is already too much traffic.
The Road can't handle any more.
There will be more NOISE
The School's already crowded with
students. And there is a safety issue
This not good for the area and
the people who already live here!

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: C814-2012-0163

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: June 9, 2015, Planning Commission

John + Felicitas Sutherland

Your Name (please print)

15700 B Forest Glenn Cove

Your address(es) affected by this application

☐ I am in favor
☒ I object

Signature

Date

Daytime Telephone: _____

Comments: We wish to make you aware of strong objections, as an immediate neighbor to the site of the proposed development we believe this will seriously impact our standard of living. 1. Loss of privacy, 2. adverse impact on protected trees, 3. inadequate parking and access, 4. Crown stability and drainage, overcrowding, high volume of traffic due to schools in the area.

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

City of Austin

Planning & Zoning Department

Wendy Rhoades

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C814-2012-0163

Contact: Wendy Rhoades, 512-974-7719

Public Hearing: June 9, 2015, Planning Commission

Felicitas Herrera Sathuland
Your Name (please print)

☐ I am in favor
☒ Object

5700A Forest Glenncove
Your address(es) affected by this application

Felicitas Herrera
Signature Date June 5 2015

Daytime Telephone: 512-2476080

Comments: We wish to make you aware of a number of strong objections that we have with regard to the proposed development of an additional property on Grace Spire to the side of As a immediate neighbor to the site of the proposed development, we are of the view that the proposed development will have serious impact on our standard of living. Our specific objection areas follows:
Detrimental impact upon residential amenities, neighborhood charm, adverse impact on protected trees. Loss of privacy & overlooks, overshadowing loss of light & access, ground stability & drainage, highway safety, inadequate parking & access, non-compliance with other council planning policies/government

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

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