

**ZONING STAFF REPORT**

**CASE:** C14-85-288.8(RCA4) **P.C. DATE:** February 28, 2017  
Lantana IV RCA March 14, 2017  
March 28, 2017

**ADDRESS:** 7717 Southwest Parkway **AREA:** 9.59 acres

**OWNER:** JDI Holdings, LLC (Douglas Ivey)

**APPLICANT:** Sprouse, Shrader. Smith (Terry Irion)

**NEIGHBORHOOD PLAN AREA:** West Oak Hill  
(Oak Hill Combined Neighborhood Plan Area)

**REQUEST:** Amend Public Restrictive Covenant to Delete Terms, Amend Terms,  
and/or Add New Terms

**SUMMARY STAFF RECOMMENDATION**

To amend the Existing Public Restrictive Covenant as follows:

- 1) Delete the existing reference to maximum net leasable square feet of buildable space and floor to area ratio (Paragraph 1);
- 2) Reduce the existing maximum allowable impervious cover from 65% to 58%;
- 3) One time use of the impervious cover (#2), subsequent redevelopment will be subject to current code except for in cases of casualty (fire, etc).

**DEPARTMENTAL COMMENTS:**

The subject property for which this amendment is proposed, is a 9.59-acre tract located at the intersection of Southwest Parkway and Tierra Vista Drive (see Exhibit A). The property is also the subject of a rezoning request (Case C14-2016-0020); please refer to the backup materials or other documents associated with those applications for additional information on those requests.

Staff's recommendations of the public restrictive covenant amendments are contingent on approval of the referenced rezoning case. While procedurally possible, staff does not recommend approval of the proposed amendment without concurrent approval.

**BASIS FOR RECOMMENDATION:**

- 1) *Delete the existing reference to maximum net leasable square feet of buildable space and floor to area ratio (Item 1)*

As noted in the association rezoning application (Case C14-2016-0022), this property was rezoned in August 1986 as one tract out of thirty-five, comprising an 800-plus acre rezoning. Each of those rezoning tracts was encumbered with a public restrictive covenant (RC). The RC for this tract (see Exhibit RC) is typical of the others. Eight months later, in April of 1987, an amending ordinance was filed on 14 of those 35 tracts. In each case, it was the acreage of the tract (based on updated or corrected field notes) that was amended, not the assigned zoning.

There are two tracts associated with the original property. 7717 Southwest Parkway and the site of All Saint's Presbyterian Church on the west side of Terra Vista Drive. Both sites are in compliance with the FAR and buildable square footage. If the restrictive covenant is amended future redevelopment would require current code for water quality and detention. Any increase in traffic would require additional mitigation.

**2) *Reduce the existing maximum allowable impervious cover from 65% to 58%.***

The RC regulating this property, like those 34 restrictive covenants encumbering all the other 800-plus acres zoned as a result of the Oak Hill Study Area, was adopted after the Barton Creek Watershed ordinances of the early 1980s, but before the adoption of the Save Our Springs ordinances in the 1990s. In comparison with current City regulations of the Barton Springs Zone, the maximums adopted in these RCs are considered generous.

The property is currently entitled to develop with a maximum impervious cover of 65%. The approved site plan (SP-2015-0571C) has 52.4% impervious cover a correction has been filed to develop to 58%. While previous Lantana restrictive covenant amendment cases resulted in significantly lower impervious cover limits, those cases did not have approved site plans.

Staff is recommending that the amendment include language that stipulates future redevelopment of the site would comply with current code. This would mean that the site could redevelop within the approved footprint but would have to add current water quality, detention and all other relevant code requirements.

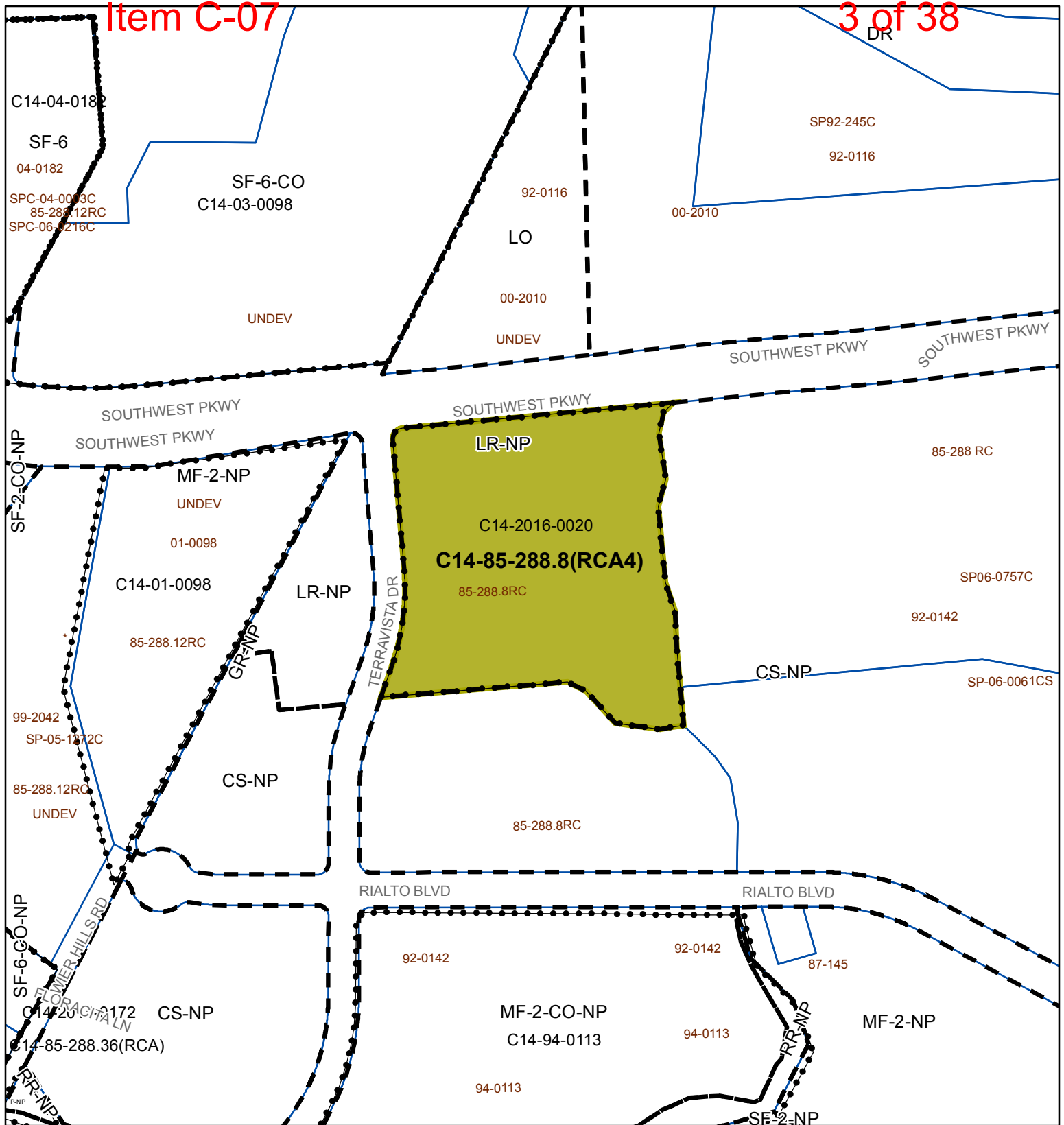
**3) *Waive future claims to the 2001 Stratus Settlement Agreement***

The 2001 Settlement Agreement between the City of Austin and Stratus Properties Inc., which applies to this property, resulted from a 1984 preliminary plat and application of Chapter 245 Texas Local Government Code vesting claims that predate a number of current ordinances that would otherwise affect development of the property, particularly the SOS ordinance. Essentially, the Settlement Agreement determined the first permit for the project was filed on July 17, 1984 and that the rules and regulations in effect on that date would govern the project, except as otherwise modified or clarified in the Agreement, including rules and regulations exempt from Chapter 245. This Agreement covers the Lantana Project, which stretches from Weir Hills Road in the west to Patton Ranch (and Vega) on the east, from north of the (then) Motorola Campus to north of (current) Southwest Parkway.

A letter memorializing the Agreement is attached (see Exhibit SA-1). The applicant has agreed to waive all future claims to provisions of the Agreement. The waiving of these provisions, or entitlements, will require development of the property that is in line with current code requirements except for impervious cover.

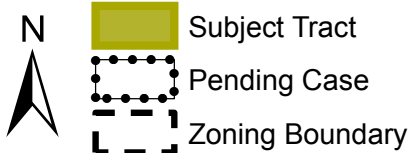
**CASE MANAGER:** Andrew Moore  
e-mail address: Andrew.moore@austintexas.gov

**PHONE:** 512-974-7604



# ZONING

Case#: C14-85-288.8(RCA4)



A horizontal number line with tick marks at 0 and 200. The word "Feet" is written to the right of the 200 mark.

$$1'' = 300'$$

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



**Created: 1/24/2017**





## ZONING

ZONING CASE#: C14-2016-0020

LOCATION: 7717 SOUTHWEST PARKWAY

SUBJECT AREA: 9.107 ACRES

MANAGER: ANDREW MOORE



N



SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

1' = 400'

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



T 2019 4

C1495-2118

LR(1)

RESTRICTIVE COVENANT

4 12 3073

THE STATE OF TEXAS §  
 COUNTY OF TRAVIS §

2000 277315 9.00 RTEN 3 08/22/81

WHEREAS, Realtex Funding Corporation, a Texas corporation ("Realtex") is the owner of approximately 13.05 acres of land situated in Travis County, Texas, more fully described by metes and bounds on Exhibit "A," attached to and incorporated into this document for all purposes ("Property"); and

WHEREAS, the City of Austin and Realtex have agreed that the Property should be impressed with certain covenants and restrictions running with the land and desire to set forth this agreement in writing;

NOW, THEREFORE, Realtex, for and in consideration of One and No/100 Dollars (\$1.00) and other good and valuable consideration in hand to the undersigned paid by the City of Austin, the receipt and sufficiency of which is hereby acknowledged, does hereby agree with respect to the Property, such agreement to be deemed and considered as a covenant running with the land, and which shall be binding upon Realtex, its successors and assigns, as follows, to wit:

1. A maximum of 75,000 net leasable square feet of buildable space can be developed on the Property, or a maximum Floor to Area Ratio of 0.154 computed as specified in Chapter 13-2A of the Code of the City of Austin of 1981 as amended from time to time.
2. A maximum of sixty-five percent (65%) of the Property may be covered with impervious material.
3. No structure shall be erected on the Property until a site plan has been submitted and approved by the City of Austin.
4. If any person, persons, corporation or entity of any other character shall violate or attempt to violate the foregoing agreement and covenant, it shall be lawful for the City of Austin, a municipal corporation, its successors and assigns, to prosecute proceedings at law, or in equity, against said person,

REAL PROPERTY RECORDS  
 Travis County, Texas 09888 0872

or entity violating or attempting to violate such agreement or covenant, and to prevent said person or entity from violating or attempting to violate such agreement or covenant.

5. If any part or provision of this agreement or covenant herein contained shall be declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full force and effect.

6. The failure at any time to enforce any agreement by the City of Austin, its successors and assigns, whether any violations hereof are known or not, shall not constitute a waiver or estoppel of the right to do so.

7. This agreement may be modified, amended or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, or such other governing body as may succeed the City Council of the City of Austin, and (b) by the owners of the Property at the time of such modification, amendment or termination.

EXECUTED this 31 day of July, 1986.

REALTEX FUNDING CORPORATION,

By: Ray A. Jones

Its: Vice-President

THE STATE OF TEXAS §  
COUNTY OF Harris §  
                    Travis §

This instrument was acknowledged before me, on the 31 day of July, 1986, by Ray A. Jones, Vice-President of Realtek Funding Corporation, a Texas corporation, on behalf of said corporation.

Karen Lauzner  
Notary Public, State of Texas

Name Printed: KAREN LAUZNER  
Notary Public in and for the State of Texas  
Commission Expires: My Commission Expires June 30, 1987

NOTARY SEAL

11-686.25



## City of Austin

Founded by Congress, Republic of Texas, 1839  
Municipal Building, Eighth at Colorado, P.O. Box 1088, Austin, Texas 78761 Telephone 512 499-2000

July 10, 2001

William H. Armstrong, III  
Stratus Properties Inc.  
98 San Jacinto Blvd., Suite 220  
Austin, Texas 78701

Re: The project commonly known as "Lantana," described in the Patton Ranch Revised Preliminary Plan, number C8-84-102(88), approved on August 23, 1988.

Dear Mr. Armstrong:

This letter will memorialize our agreement and avoid a dispute between the City and Stratus Properties Inc., concerning the application of Chapter 245 of the Texas Local Government Code to the project described above. The City and Stratus Properties Inc., agree that the first permit for the project was filed on July 17, 1984, and that the rules and regulations in effect on that date shall govern the project, except as modified and clarified herein. The parties further agree that, except as modified or clarified herein, the project will be subject to those rules and regulations that would be exempt from Chapter 245.

1. Excluding development within (1) Lantana Phase 1, Section 2, (2) Rialto Park at Lantana, and (3) Lantana Lot 6, Block A, the Comprehensive Watershed Ordinance (Ordinance No. 860508-V) will be the base ordinance governing development in "Lantana," with the subject to the following exceptions modifications and clarifications:
  - a. The definition of "Minor Waterway," "Intermediate Waterway," and "Major Waterway" as identified in Williamson Creek Watershed Ordinance No. 810319-M shall govern.
  - b. Delete Section 13-15-223(e), (f).
  - c. Replace Section 13-15-232 with Section 103.3 of Williamson Creek Watershed Ordinance No. 810319-M, but delete Subsection 103.3(c)(5) of Ordinance No. 810319-M.
  - d. Modify Section 13-15-235 to:
    - 1) replace the term "four (4)" with "twelve (12)" in Subsections (a) and (b),
    - 2) delete the phrase "but must be placed in a manner consistent with Section 13-15-237" in Subsection (a),
    - 3) delete the phrase "consistent with Section 13-15-237" in Subsection (b),
    - 4) delete the language in Subsection (c), and replace it with the sentence, "Cut and fill for roadways may extend outside of the allowable roadway clearing widths to the extent necessary to achieve a 3 to 1 slope ratio without

- structural support; provided, however, that in no event shall cut and fill violate the setback requirements of Subsection (e) below,”
- 5) delete the sentence “Techniques to be used are to be specified with the final plat,” in Subsection (d),
  - 6) delete the phrase “and approved by the Director of the Office of Land Development Services” in Subsection (d), and
  - 7) add Subsection (e) to state “No cut and fill shall occur within one hundred (100) feet of the centerline of a minor waterway or within one hundred fifty (150) feet of a critical environmental feature, unless otherwise allowed under this Section, Section 13-15-239, or Section 103.3 of Williamson Creek Watershed Ordinance No. 810319-M. All utilities may be located outside the Critical Water Quality Zone within one hundred (100) feet of the centerline of a minor waterway.”
- e. Delete Section 13-15-237, but include the construction on slopes criteria identified in Section 104.2(c) of Williamson Creek Watershed Ordinance No. 810319-M.
  - f. Delete Section 13-15-238, Section 13-15-277 and Section 13-15-287 and replace with the following:  
 Structural water quality controls shall be required for all development with impervious cover exceeding twenty (20) percent of the net site area, and shall consist of retention/irrigation basins. The design of the retention/irrigation basins and associated irrigation areas shall be based on the parameters presented in the LCRA Nonpoint Source Pollution Control Technical Manual, Third Edition, dated July 10, 1998. In particular, capture volume for the basins, which will include and satisfy the requirements for stream bank erosion control, will be solely based on Table B-5, Appendix B of the manual. The capture volume will also be deemed to satisfy the City of Austin’s 2-year detention requirements. The irrigation area shall be sized in accordance with the formula presented in Appendix C, part 1.g.ii.(3) of the manual. As a clarification, water quality irrigation areas, including irrigation lines and limited removal of vegetation for irrigation purposes, shall be allowed within any required natural areas if/as necessary to reasonably meet the irrigation area requirements. Any disturbance of required natural areas shall be restored to preserve the aesthetic quality of the natural area to the greatest extent feasible. Installation of irrigation lines and associated removal of vegetation for irrigation purposes will not be allowed within the 50-foot roadway vegetative buffer adjacent to Southwest Parkway.
  - g. In Section 13-15-239(a), add the phrase “wastewater lines,” to the first sentence between the phrases “other than for” and “yards or hiking trails”. Also, the Lantana Southwest Preliminary Plan (C8-84-102.03) is exempt from the provisions of Section 13-15-239 as long as the street and lot configuration and general land use remain substantially consistent with the approved preliminary plan.
  - h. Delete Section 13-15-248(a).
  - i. Delete Section 13-15-274, but include Section 104.2(a), (b) of Williamson Creek Watershed Ordinance No. 810319-M.
  - j. Delete Section 13-15-275, Section 13-15-276, Section 13-15-285 and Section 13-15-286, and replace with the following:

For commercial tracts, the calculated impervious cover shall not exceed forty (40) percent of net site area in the uplands zone, exclusive of adjacent right-of-way impervious cover within the Williamson Creek Watershed. In all cases, right-of-way



impervious cover for adjacent, existing streets (Southwest Parkway, William Cannon Drive, Vega Avenue) shall not be calculated as part of the allowable impervious cover for any commercial tract. For the portion of the Lantana Southwest Preliminary Plan (C8-84-102.03) covered by this document, the calculated impervious cover shall not exceed twenty-five (25) percent of net site area in the uplands zone.

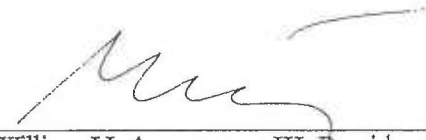
2. As a clarification, the requirements identified in Sections 13-15-223(a), 13-15-223(b)2., and 13-15-223(d) of the Comprehensive Watershed Ordinance will be satisfied by the FM Properties Operating Co. USFW 10(a) Permit Environmental Assessment/Habitat Conservation Plan, dated July 25, 1994, by SWCA, Inc., in conjunction with the report entitled Topography, Geology, and Soils of the Lantana Tract, Oak Hill Vicinity, Travis County, Texas, dated November 28, 1994, including Addendum Nos. 1, 2, 3 and 4, by Charles Woodruff, Jr., Consulting Geologist.
3. As a clarification, the tree survey described in Section 13-15-223(b)1 will only be required at the site development permitting stage of the development process.
4. Development will consist of raised curb and gutter street cross sections approved with the Preliminary Plan for Patton Ranch (C8-84-102), as revised, including an associated enclosed storm sewer drainage system.
5. Concentrated storm runoff will be dispersed and discharged, wherever practicable, to vegetated buffer areas or grass-lined swales. There will be no requirements for calculated pollutant removal performance standards associated with vegetated buffer areas or retention/irrigation basins.
6. The modifications and clarifications to the Comprehensive Watershed Ordinance described herein shall extend to and control all related references in other sections of the ordinance, so as to allow the modifications and clarifications to be fully implemented.
7. Further, if provisions contained in other sections of the City's Land Development Code and criteria manuals relating to cut and fill, construction on slopes, impervious cover, critical environmental features, water quality, and two-year detention impose different or more restrictive requirements than those contained in the Comprehensive Watershed Ordinance as modified and clarified herein, then the Comprehensive Watershed Ordinance as modified and clarified herein controls.
8. This project predates the Hill Country Roadway requirements. However, Stratus Properties Inc., in order to avoid a dispute regarding the application of those requirements, agrees that development in the project will comply with the height, setback, building materials, and landscaping provisions of the Hill Country Roadway requirements, within 1000 feet of Southwest Parkway, as that ordinance provides. Site plans within the project shall be reviewed administratively. Planning Commission review and approval of any site plan required to develop all or part of this project will not be sought or required, and Stratus Properties Inc. agrees not to assert any claim in litigation or otherwise that Chapter 245 entirely exempts the project from compliance with the agreed upon Hill Country Roadway requirements.

If this letter accurately describes your understanding of our agreement, please indicate your agreement by signing below.

Very truly yours,

Stratus Properties Inc.

  
\_\_\_\_\_  
Lisa Y. Gordon, Assistant City Manager

  
\_\_\_\_\_  
William H. Armstrong, III, President

xc: Mayor and City Council  
Mike Heitz, Director



## PROJECT APPLICATION H.B. 1704/Chapter 245 DETERMINATION

(Chapter 245, Texas Local Government Code)

(This completed form must accompany all subdivision and site plan applications.)

File # Assigned: <u>SP-2015-0571C</u>	FOR DEPARTMENTAL USE ONLY	Date Filed: <u>12/11/2015</u>
Original Application Date: <u>NA</u>	Signature: <u>[Signature]</u>	Date: <u>12/15/2015</u>
Comments: <u>2001 letter</u>		
Insufficient Information to establish Chapter 245 rights.		

Proposed Project Name: LANTANA IVAddress / Location: 7775 Southwest ParkwayLegal Description: Lot 1, Block D of the Lantana Phase 1, Section 2 Subdivision Plat recorded in Document Number 200000150 of the Real Property Records of Travis County, Texas, 6.074 acres.A. ☐ The proposed application is for a New Project and is submitted under regulations currently in effect.**NOTE: If A is checked above, proceed to signature block below.**B. ☐ The proposed application is for an ongoing project not requesting House Bill 1704 consideration. The choice of this option does not constitute a waiver of any rights under Chapter 245.C. ☐ The proposed application is for a project requesting review under regulations other than those currently in effect, but not on the basis of House Bill 1704. All appropriate supporting documentation must be attached to this request. Provide a brief description of the basis for this request here:D. ☒ The proposed application is for a project requesting review under a specific agreement, not on the basis of House Bill 1704. All appropriate supporting documentation must be attached to this request. Provide a brief description of the basis for this request here: See Letter Agreement dated April 3, 2000 and Letter Agreement dated July 10, 2001 (Items 2 - 8 apply), attachedE. ☐ Original Application Filing Date: \_\_\_\_\_ File #: \_\_\_\_\_

The proposed application is submitted as a Project in Progress under Chapter 245 (HB 1704) and should be reviewed under the applicable regulations pursuant to state law. The determination will be based on information submitted on and with this form.

**The following information is required for Chapter 245 Review:**

Attach supporting documentation, including a summary letter with a complete project history from the Original Application to the present, with a copy of the original subdivision or site plan approval by the City and subsequent application approvals.

Specify project information for date claiming 1704 grandfathering; include a copy of the relevant permit upon which Chapter 245 vesting is claimed.

Project Application History	File #	Application Date	Approval Date
Annexation/zoning (if applicable to history)			
Preliminary Subdivision			
Final Subdivision Plat	<u>C0-84-102.03/A</u>		<u>2000</u>
Site Plan / Devel. Permit			

Proposed Project Application (check one): Preliminary Subdivision \_\_\_\_\_ Final Plat \_\_\_\_\_ Site Plan X

Proposed Project Land Use: Specify acreage in each of the following land use categories:

Single Family / Duplex \_\_\_\_\_ Townhouse / Condo / Multi-family \_\_\_\_\_ Office \_\_\_\_\_Commercial \_\_\_\_\_ Industrial / R&D \_\_\_\_\_ Other (Specify) Retail/Restaurant/Daycare/Office 9.107ac.Total acreage: 9.107 Watershed Williamson Creek Watershed Classification Barton Springs Zone

This proposed project application will still be reviewed under those rules and regulations that are not subject to Chapter 245, such as those to prevent imminent destruction of property or injury to persons, including regulations dealing with stormwater detention, temporary erosion and sedimentation controls, and regulations to protect critical/significant recharge features.

Signature - Property Owner or Agent [Signature] Date: 12/11/15Printed Name Paul J. Viktorin, P.E.Phone / Fax 512-439-4700/512-439-4716

Form Date 5/06/2005



City of Austin  
Planning and Development Review Department  
P.O. Box 1088, Austin, Texas 78676

## VESTED RIGHTS DETERMINATION

### *Findings*

*This determination is made under City Code 25-1-541 in response to a claim that the project identified below is vested to earlier regulations and entitled to be reviewed under those regulations. The determination may be reconsidered once at the request of the applicant.*

**Project Name:** Lantana IV

**Address:** 7775 Southwest pkwy

**Case No.** SP-2015-0571C

**Date of Application:** 12/11/2015

**Date of Determination:** 12/15/2015

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

*See "Grounds for Determination" (reverse) for a summary of the most common grounds for approval or denial. Additional grounds may also apply.*

**( ) APPROVED**

**Vesting Date:** NA; Lantana Letters dated 2001

**Findings:** The proposed site plan is consistent with the conditions of the Lantana letters.

:



## GROUNDINGS FOR DETERMINATION

In general, the evaluation of a vested rights claim is based on comparing (1) the development that is now being proposed, and (2) an original project for which fair notice was provided to the City of Austin, usually in the form of a permit application. If these two are linked together as a single and continuous project, then all permits for the project are vested (i.e., "grandfathered") to the older regulations in effect on the date that the first application for the project was submitted. A permit may not be entitled to vested rights, however, if it is for a different project or if the original project has expired or become dormant. The following is a summary of the most common grounds for approval or denial of vested rights claims.

### APPROVAL:

**ONGOING PROJECT:** *Development now being proposed would initiate, continue, or complete a project for which vested rights are claimed and for which fair notice was provided to the City of Austin. The project remains active and has not expired or become dormant.*

**OTHER:** *Development now being proposed is subject to earlier regulations based on other grounds, such as entitlements under common law, a development agreement, or a special city enactment unique to the project.*

### DISAPPROVAL:

**NEW PROJECT:** *Development now being proposed is not an initiation, continuation, or completion of the original project for which vested rights are claimed. Not every deviation will prevent subsequent vesting, but significant changes in use or in the scale or intensity of a project may result in a New Project determination.*

**CHANGE OF PROJECT:** *Development has already occurred which differs from the original application to such an extent that it would constitute a New Project if proposed today. Not every deviation is sufficient to change a project. However, a prevalence of actual build-out that materially differs from an original project breaks the "series of permits" required to establish vested rights to an initial application and will result in a Change of Project determination.*

**PROJECT COMPLETE:** *Development has already occurred that is sufficient to establish the uses shown on the original application for the project. Once a project is complete, further development must comply with current regulations and cannot vest back to the original application.*

**NO FAIR NOTICE:** *The original application for which vested rights are claimed does not provide "fair notice" of a project or was not submitted to the City of Austin.*

**DORMANT PROJECT:** *The project is vested to a permit that doesn't have an expiration date and for which no progress towards completion has been made as specified under City Code 25-1-554 (Dormant Projects).*

**PROJECT EXPIRATION:** *Either: (1) all permits for the project have expired; or (2) for a project begun after June 23, 2014, the project was not completed or kept active prior to the expiration dates established under City Code 25-1-552 (Expiration of Projects Begun on or After June 23, 2014).*

**INSUFFICIENT INFORMATION:** *Vested Rights Petition submitted by applicant does not include required information necessary to determine whether project is entitled to vested rights*

**ARMBRUST BROWN & DAVIS, L.L.P.**

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300  
AUSTIN, TEXAS 78701-4042  
(512) 435-2300

TELECOPIER (512) 435-2340

RICHARD T. SUTTLE, JR.  
435-2310  
EMAIL: RSUTTLE@ABDLAW.COM

April 3, 2000

VIA HAND DELIVERY  
AND TELECOPY 499-3010

Mr. Pat Murphy  
Watershed Protection Dept.  
City of Austin  
505 Barton Springs Road, 2<sup>nd</sup> Floor  
Austin, Texas 78701

RE: Lantana Phase I, Section 2 Subdivision Plat

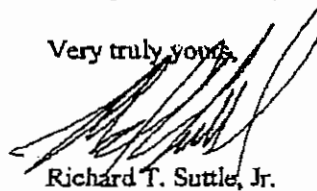
Dear Pat:

As you requested, this letter is written on behalf of Stratus Properties Operating Co. ("Stratus") to confirm the ordinances that Stratus and the City have agreed will be applicable to all development of and within the Lantana Phase I, Section 2 plat, which is scheduled to be considered by the Planning Commission tomorrow, April 4, 2000. The controlling ordinances, as modified, are set forth on Exhibit 1, attached to this letter.

Please confirm that the ordinances and specific modifications attached on Exhibit 1 are the ordinances that will apply to the development of this project by signing the space provided below and returning a copy to me.

Thank you for your help and please call me if you have any questions.

Very truly yours,



Richard T. Suttle, Jr.

CITY OF AUSTIN

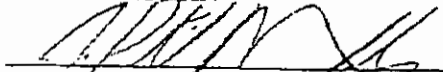
  
By: Pat Murphy, Watershed Protection  
Development Review & Inspection Dept.



EXHIBIT 1

1. The Comprehensive Watersheds Ordinance (Ordinance No. 860508-V) will be the base ordinance governing development in Lantana Phase 1, Section 2, with the following exceptions:
  - a. The definitions of "Minor Waterway", "Intermediate Waterway", and "Major Waterway" as identified in Williamson Creek Watershed Ordinance No. 810319-M shall govern;
  - b. Delete Section 13-15-223(e),(f);
  - c. Replace Section 13-15-232 with Section 103.3 of Williamson Creek Watershed Ordinance No. 810319-M, but delete Subsection 103.3(c)(5) of Ordinance No. 810319-M;
  - d. Modify Section 13-15-235 to
    - 1) replace the term "four (4)" with "twelve (12)" in Subsections (a) and (b),
    - 2) delete the phrase "but must be placed in a manner consistent with Section 13-15-237" in Subsection (a),
    - 3) delete the phrase "consistent with Section 13-15-237" in Subsection (b),
    - 4) delete the language in Subsection (c), and replace it with the sentence, "Cut and fill for roadways may extend outside of the allowable roadway clearing widths to the extent necessary to achieve a 3 to 1 slope ratio without structural support; provided, however, that in no event shall cut and fill violate the setback requirements of Subsection (e) below.",
    - 5) delete the sentence "Techniques to be used are to be specified with the final plat." in Subsection (d),
    - 6) delete the phrase "and approved by the Director of the Office of Land Development Services" in Subsection (d), and
    - 7) add Subsection (e) to state "No cut and fill shall occur within one hundred (100) feet of the centerline of a minor waterway or within one hundred fifty (150) feet of a critical environmental feature, unless otherwise allowed under this Section, Section 13-15-239, or Section 103.3 of Williamson Creek Watershed Ordinance No. 810319-M. All utilities may be located outside of the Critical Water Quality Zone within one hundred (100) feet of the centerline of a minor waterway.";
  - e. Delete Section 13-15-237, but include the construction on slopes criteria identified in Section 104.2(c) of Williamson Creek Watershed Ordinance No. 810319-M;
  - f. Modify Section 13-15-238(a) to include the provision that the capture volume of required water quality basins be increased by one tenth (.10) of an inch above the minimum one-half (.50) inch of runoff for each 10% increment of gross impervious cover over 20% within the area draining to the basin (reference Ordinance Nos. 931209-H and 931216-R);
  - g. Delete Section 13-15-248(a); and
  - h. Delete Section 13-15-274, but include Section 104.2(a),(b) of Williamson Creek Watershed Ordinance No. 810319-M.

EXHIBIT 1

2. As a clarification, the requirements identified in Section 13-15-223(a),(b)2.,(d) of the Comprehensive Watersheds Ordinance will be satisfied by the FM Properties Operating Co. USFW 10(a) Permit Environmental Assessment/Habitat Conservation Plan, dated July 25, 1994, by SWCA Inc., in conjunction with the report entitled Topography, Geology, and Soils of the Lantana Tract, Oak Hill Vicinity, Travis County, Texas, dated November 28, 1994, including Addendum Nos. 1, 2, 3 and 4, by Charles Woodruff, Jr., Consulting Geologist.
3. As a clarification, the tree survey described in Section 13-15-223(b)1. will only be required at the site development permitting stage of the development process.
4. Development will consist of raised curb and gutter street cross sections approved with the Preliminary Plan for Patton Ranch (C8-84-102), as revised, including an associated enclosed storm sewer drainage system.
5. Storm runoff captured in water quality basins will be discharged, wherever practicable, to vegetated buffer areas or grass-lined swales. There will be no requirements for calculated pollutant removal performance standards associated with these buffer areas and swales.
6. The modifications and clarifications to the Comprehensive Watersheds Ordinance described herein shall extend to and control all related references in other sections of the ordinance so as to allow the modifications and clarifications to be fully implemented.



**FILED**

## City of Austin

Founded by Congress, Republic of Texas, 1839

Municipal Building, Eighth at Colorado, P.O. Box 1088, Austin, Texas 78768 Telephone 512-499-2

July 10, 2001

William H. Armstrong, III  
Stratus Properties Inc.  
98 San Jacinto Blvd., Suite 220  
Austin, Texas 78701

Re: The project commonly known as "Lantana," described in the Patton Ranch Revised Preliminary Plan, number C8-84-102(88), approved on August 23, 1988.

Dear Mr. Armstrong:

This letter will memorialize our agreement and avoid a dispute between the City and Stratus Properties Inc., concerning the application of Chapter 245 of the Texas Local Government Code to the project described above. The City and Stratus Properties Inc., agree that the first permit for the project was filed on July 17, 1984, and that the rules and regulations in effect on that date shall govern the project, except as modified and clarified herein. The parties further agree that, except as modified or clarified herein, the project will be subject to those rules and regulations that would be exempt from Chapter 245.

1. Excluding development within (1) ~~Lantana~~ Phase 1, Section 2, (2) Rialto Park at Lantana, and (3) Lantana Lot 6, Block A, ~~the~~ Comprehensive Watershed Ordinance (Ordinance No. 860508-V) will be the base ordinance governing development in "Lantana," with the subject to the following exceptions modifications and clarifications:
  - a. The definition of "Minor Waterway," "Intermediate Waterway," and "Major Waterway" as identified in Williamson Creek Watershed Ordinance No. 810319-M shall govern.
  - b. Delete Section 13-15-223(e), (f).
  - c. Replace Section 13-15-232 with Section 103.3 of Williamson Creek Watershed Ordinance No. 810319-M, but delete Subsection 103.3(c)(5) of Ordinance No. 810319-M. (C.W.W.)
  - d. Modify Section 13-15-235 to:
    - 1) replace the term "four (4)" with "twelve (12)" in Subsections (a) and (b),
    - 2) delete the phrase "but must be placed in a manner consistent with Section 13-15-237" in Subsection (a),
    - 3) delete the phrase "consistent with Section 13-15-237" in Subsection (b),
    - 4) delete the language in Subsection (c), and replace it with the sentence, "Cut and fill for roadways may extend outside of the allowable roadway clearing widths to the extent necessary to achieve a 3 to 1 slope ratio without

- structural support; provided, however, that in no event shall cut and fill violate the setback requirements of Subsection (e) below,”
- 5) delete the sentence “Techniques to be used are to be specified with the final plat,” in Subsection (d),
  - 6) delete the phrase “and approved by the Director of the Office of Land Development Services” in Subsection (d), and
  - 7) add Subsection (e) to state “No cut and fill shall occur within one hundred (100) feet of the centerline of a minor waterway or within one hundred fifty (150) feet of a critical environmental feature, unless otherwise allowed under this Section, Section 13-15-239, or Section 103.3 of Williamson Creek Watershed Ordinance No. 810319-M. All utilities may be located outside the Critical Water Quality Zone within one hundred (100) feet of the centerline of a minor waterway.”
- e. Delete Section 13-15-237, but include the construction on slopes criteria identified in Section 104.2(c) of Williamson Creek Watershed Ordinance No. 810319-M.
  - f. Delete Section 13-15-238, Section 13-15-277 and Section 13-15-287 and replace with the following:  
 Structural water quality controls shall be required for all development with impervious cover exceeding twenty (20) percent of the net site area, and shall consist of retention/irrigation basins. The design of the retention/irrigation basins and associated irrigation areas shall be based on the parameters presented in the LCRA Nonpoint Source Pollution Control Technical Manual, Third Edition, dated July 10, 1998. In particular, capture volume for the basins, which will include and satisfy the requirements for stream bank erosion control, will be solely based on Table B-5, Appendix B of the manual. The capture volume will also be deemed to satisfy the City of Austin’s 2-year detention requirements. The irrigation area shall be sized in accordance with the formula presented in Appendix C, part 1.g.ii.(3) of the manual. As a clarification, water quality irrigation areas, including irrigation lines and limited removal of vegetation for irrigation purposes, shall be allowed within any required natural areas if/as necessary to reasonably meet the irrigation area requirements. Any disturbance of required natural areas shall be restored to preserve the aesthetic quality of the natural area to the greatest extent feasible. Installation of irrigation lines and associated removal of vegetation for irrigation purposes will not be allowed within the 50-foot roadway vegetative buffer adjacent to Southwest Parkway.
  - g. In Section 13-15-239(a), add the phrase “wastewater lines,” to the first sentence between the phrases “other than for” and “yards or hiking trails”. Also, the Lantana Southwest Preliminary Plan (C8-84-102.03) is exempt from the provisions of Section 13-15-239 as long as the street and lot configuration and general land use remain substantially consistent with the approved preliminary plan.
  - h. Delete Section 13-15-248(a).
  - i. Delete Section 13-15-274, but include Section 104.2(a), (b) of Williamson Creek Watershed Ordinance No. 810319-M. (w b t e)
  - j. Delete Section 13-15-275, Section 13-15-276, Section 13-15-285 and Section 13-15-286, and replace with the following:

For commercial tracts, the calculated impervious cover shall not exceed forty (40) percent of net site area in the uplands zone, exclusive of adjacent right-of-way impervious cover within the Williamson Creek Watershed. In all cases, right-of-way

impervious cover for adjacent, existing streets (Southwest Parkway, William Cannon Drive, Vega Avenue) shall not be calculated as part of the allowable impervious cover for any commercial tract. For the portion of the Lantana Southwest Preliminary Plan (C8-84-102.03) covered by this document, the calculated impervious cover shall not exceed twenty-five (25) percent of net site area in the uplands zone.

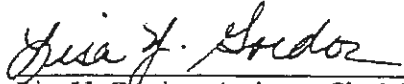
2. As a clarification, the requirements identified in Sections 13-15-223(a), 13-15-223(b)2., and 13-15-223(d) of the Comprehensive Watershed Ordinance will be satisfied by the FM Properties Operating Co. USFW 10(a) Permit Environmental Assessment/Habitat Conservation Plan, dated July 25, 1994, by SWCA, Inc., in conjunction with the report entitled Topography, Geology, and Soils of the Lantana Tract, Oak Hill Vicinity, Travis County, Texas, dated November 28, 1994, including Addendum Nos. 1, 2, 3 and 4, by Charles Woodruff, Jr., Consulting Geologist.
3. As a clarification, the tree survey described in Section 13-15-223(b)1 will only be required at the site development permitting stage of the development process.
4. Development will consist of raised curb and gutter street cross sections approved with the Preliminary Plan for Patton Ranch (C8-84-102), as revised, including an associated enclosed storm sewer drainage system.
5. Concentrated storm runoff will be dispersed and discharged, wherever practicable, to vegetated buffer areas or grass-lined swales. There will be no requirements for calculated pollutant removal performance standards associated with vegetated buffer areas or retention/irrigation basins.
6. The modifications and clarifications to the Comprehensive Watershed Ordinance described herein shall extend to and control all related references in other sections of the ordinance, so as to allow the modifications and clarifications to be fully implemented.
7. Further, if provisions contained in other sections of the City's Land Development Code and criteria manuals relating to cut and fill, construction on slopes, impervious cover, critical environmental features, water quality, and two-year detention impose different or more restrictive requirements than those contained in the Comprehensive Watershed Ordinance as modified and clarified herein, then the Comprehensive Watershed Ordinance as modified and clarified herein controls.
8. This project predates the Hill Country Roadway requirements. However, Stratus Properties Inc., in order to avoid a dispute regarding the application of those requirements, agrees that development in the project will comply with the height, setback, building materials, and landscaping provisions of the Hill Country Roadway requirements, within 1000 feet of Southwest Parkway, as that ordinance provides. Site plans within the project shall be reviewed administratively. Planning Commission review and approval of any site plan required to develop all or part of this project will not be sought or required, and Stratus Properties Inc. agrees not to assert any claim in litigation or otherwise that Chapter 245 entirely exempts the project from compliance with the agreed upon Hill Country Roadway requirements.

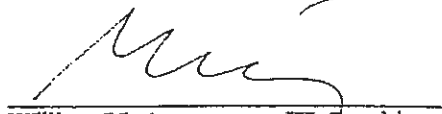


If this letter accurately describes your understanding of our agreement, please indicate your agreement by signing below.

Very truly yours,

Stratus Properties Inc.

  
\_\_\_\_\_  
Lisa Y. Gordon, Assistant City Manager

  
\_\_\_\_\_  
William H. Armstrong, III, President

xc: Mayor and City Council  
Mike Heitz, Director

**L C R A**

# **NONPOINT SOURCE POLLUTION CONTROL TECHNICAL MANUAL**



**B. R. (BOB)  
CRITENDON P.E.**  
Engineer

P.O. BOX 220  
AUSTIN, TEXAS 78767-0220  
(512) 473-3200 Ext. 2091  
1-800-776-5272  
Fax: (512) 473-3501

LOWER COLORADO RIVER AUTHORITY

**Effective: July 10, 1998**

**Third Edition**

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**LOWER COLORADO RIVER AUTHORITY**

## 7. Streambank Erosion Control Requirements

The basic design approach to controlling streambank erosion is to detain post-development runoff long enough so that the pre-development bankfull flooding condition is approximately maintained for all storm events. This approach requires reducing both the peak and the frequency of bankfull conditions. In the absence of a detailed hydrologic analysis, a simplified approach of detaining and releasing the pre-development 1-year 3-hour design storm over a 24-hour period will be accepted. Table B-5 presents stormwater detention volumes necessary to meet streambank erosion prevention requirements for a range of impervious cover values. Typically, a single water quality BMP or series of BMPs can serve to meet streambank erosion control detention requirements.

TABLE B-5.

### Streambank Erosion Control Required Detention Volumes

Impervious Cover Percentage	Detention Volume (in.)
20%	0.53
30%	0.66
40%	0.79
50%	0.92
60%	1.05
70%	1.18
80%	1.31
90%	1.44
100%	1.57



- (2) Pump and Wet Well System - A reliable pump, wet well, and rainfall sensor system must be used distribute the water quality volume. System specifications must be approved by LCRA. The irrigated water may require additional pretreatment to ensure that TSS concentrations are within the acceptable specifications for the irrigation system.
- (3) Irrigation System - Generally a spray irrigation system is required to provide an adequate flow rate for timely distribution of the water quality volume. Alternative irrigation approaches are acceptable but must be approved by LCRA. In the absence of site-specific soil test results documenting a different infiltration rate, the land area required for irrigation shall be as follows:

**Formula:**  $A = V * 1.25$

where:  $A$  = Required irrigation area (square feet)

$V$  = Water Quality Volume to be irrigated (cubic feet)

- (4) Offline Design - The pond shall be designed as an offline facility with a splitter structure to isolate the water quality volume. The splitter box shall be designed to convey the 25-year event without causing overtopping of the pond sideslopes.
- (5) Detention Time - The irrigation schedule should allow for complete drawdown of the water quality volume within 2 dry days.
- (6) Safety Considerations - Safety is provided either by fencing of the facility or by managing the contours of the pond to eliminate dropoffs and other hazards. Earthen sideslopes should not exceed 3:1 (h:v) and should terminate on a flat safety bench area. Landscaping can be used to impede access to the facility. The primary spillway opening must not permit access by small children. Outfall pipes above 48 inches in diameter should be fenced.
- (7) Landscaping Plan - A landscaping plan shall be provided indicating how aquatic and terrestrial areas will be stabilized.

# Land Use Review Site Plan Completeness Check



### Completeness Check Results Due:

A completeness check application must be deemed complete before formal application can be submitted.

Completeness Check Results:		45 Day Expiration date: 01/25/2016	
Tracking #: <b>11459060</b>	Revision #: <b>00</b>	Watershed: <b>Williamson Creek</b>	
Project Name: <b>Lantana Tract IV</b>			
Ch.245 Team Review Req'd: <b>No</b>	Orig. Submittal Date: <b>12/11/2015</b>	Resubmittal Date:	
Date Sent to Ch.245:	Current Results to Applicant:		
Date Rec'd.back in LUR:			

### Checked for Completeness by the following reviewers:

			Complete/Incomplete	Initials
Drainage Construction	Joydeep Goswami	974-3568		JG
DRD Transportation	Sangeeta Jain	974-2219		SJ
Site Plan	Lynda Courtney	974-2810		LC
Environmental	Sue Barnett	974-2711		SB
Water Quality Eng.	Joydeep Goswami	974-3568		JG
Env.Res.Mgmt.		974-		
Floodplain	Henry Price	974-1275		HP
ORES	Andy Halm	974-7185		AH
Utility Coord.	Reza Sedghy	974-7912		RS
AWU-DPR	Ben Sanders	972-9161		BS
AWU Development	Neil Kepple	972-0077		NK
UST	Craig Carson	974-3024		
ATD ROW.	Reza Sedghy	974-7912		RS
ATD Traffic Control	Eva Moore	974-7671		EMM

### Mandatory Distribution:

### Case Manager:

Rosemary Avila (SP)	Jim Dymkowski (EV)	Natalia Rodriguez (TR)	David Marquez (DR/WQ)
Christine Barton-Holmes (SP)	Taylor Horton (EV)	Jay Baker (DR/WQ)	John Powell (DR/WQ)
Donna Galati (SP)	Mike McDougal (EV)	Ron Czajkowski (DR/WQ)	Tomas Rodriguez (DR/WQ)
Scott Grantham (SP)	Atha Phillips (EV)	Leslie Daniel (DR/WQ)	RSMP
Nikki Hoelter (SP)	Amanda Couch (TR)	Michael Duval (DR/WQ)	
Brad Jackson (SP)	Bryan Golden (TR)	Benny Ho (DR/WQ)	Keith Mars (HT)
Michael Simmons-Smith (SP)	Sangeeta Jain (TR)	Danielle Guevara (DR/WQ)	
Pamela Abee-Tauli (EV)	Ivan Naranjo (TR)	Joydeep Goswami (DR/WQ)	

### Partner Department Mandatory Distribution:

ATD ROW	ATD Traffic Control	AWU Development Services	AWU Pipeline Services
Electric (3)	Fire	Floodplain	Mapping
Plumbing			

### Optional Distribution: Circle to receive distribution

AWU Facilities Engineering	Hydrogeologist	Industrial Waste	PARD
Wetlands Biologist			
ERM Review Comment (Functional Assessment):			

**Item C-07** **25 of 38**  
A formal application must be filed within 45 calendar days of the initial completeness check (by 01/25/2016) or the application will expire and a new completeness check application must be filed.

Applicants must pick up the completeness check packet at the Intake office within 72 hours of receiving a response. The City is not responsible for lost or stolen packets. **The applicant must schedule an appointment with the Intake office for formal application submittal.** Please call 974-2681, 974-2350, or 974-7208 for more information.

---

RSMP: Yes/No                      Waiver:              Yes/No              Onsite Drainage:              Yes/No  
Offsite Drainage: Yes/ No

Additional Copies to:

Small Project: Yes/No

Fees:

Total # of Plans \_\_\_\_/ Engineering Reports \_\_\_\_ required at formal

The City of Austin encourages applicants to contact neighborhood organizations prior to formal submittal. To find out contact information for neighborhood associations visit our web page at <http://www.ci.austin.tx.us/neighborhoodservices/> or contact our Neighborhood Liaisons for more information: Carol Gibbs @ 974-7219 or Jody Zemel @ 974-7117.

**This project will require an Electronic Submittal (flash drive) at time of formal submittal as described in Exhibit VII of application packet. Exhibit VII Worksheet also due at time of formal submittal.**

**Comments: (Please respond to each comment in letter form)**



Cent. Yr.	Sequence	Sec.	Rev.	Type	Status			
Number	20	15	148359	C	00	SP	Site Plan	CC Pending

Property							Indicators	
House	Prefix	Street	Type	Direction	Unit Type	Unit	Violations	<input type="checkbox"/>
Address			SOUTHWEST	PARKWAY			Properties	<input type="checkbox"/>
	City	Postal Code	Roll	Property Row ID			Parent	<input type="checkbox"/>
	AUSTIN			11,430			Child	<input type="checkbox"/>
Location						Folder Unit	Due	\$ .00

In Date	Dec 11, 2015	Issue/Approval		Expires	
Reference File #	SP-2015-0571C	By		Final Date	
Sub	Site Plan Administrative	Work	Consolidated		
Name	Lantana Tract IV	Priority			
Description	The applicant is proposing to construct 4 mixed retail/office buildings with associated improvements.				
Conditions	Susan Needs For Chapter 245 Review				
Group	Land Development	Parent ID		Row ID	11459060

**LJA Engineering, Inc.**

5316 Highway 290 West  
Suite 150  
Austin, Texas 78735  
TBPE No F-1386

Phone 512.439.4700  
Fax 512.439.4716  
[www.ljaengineering.com](http://www.ljaengineering.com)

December 11, 2015

Mr. Rodney Gonzales, Director  
Development Services Department  
City of Austin  
P.O. Box 1088  
Austin, Texas 78767

Re: **Lantana IV**  
**Summary Letter**  
**LJA Project Number A324-401-430**

Dear Mr. Gonzales:

LJA Engineering, Inc., on behalf of JDI Holdings, LP, is submitting this Consolidated Administrative Site Plan entitled "*Lantana IV*". The Lantana IV Consolidated Administrative Site Plan is a proposed 9.107 acre development located within the city limits of Austin and within Travis County. More specifically, it is located in southwest Austin at the intersection of Terravista Drive and Southwest Parkway. The proposed development will consist of four (4) buildings. The building types will include a Daycare Center, Retail/Office/Restaurant mix, stand-alone Restaurant, and Office Building. The project will include surface drive aisles, parking spaces, utility improvements, and water quality improvements. The project is proposed to be constructed in four (4) phases.

The property is identified as Lot 1, Block D within the Lantana Phase 1, Section 2 Final Plat recorded in Document No. 200000150 of the Real Property Records of Travis County, Texas.

The Lantana IV project is located in the Williamson Creek watershed. The layout of the Consolidated Administrative Site Plan has been prepared in conformance with the negotiated agreement, dated April 3, 2000, between the City of Austin and Stratus Properties Inc. (Agreement). The Agreement allows development in general conformance with the Comprehensive Watersheds Ordinance (No. 860508-V), with certain exceptions, including but not limited to:

- Definition of waterways;
- Critical Water Quality Zone and Water Quality Transition Zone designations;
- Cut and fill limitations;
- Criteria for construction on slopes;
- Water quality controls;
- Criteria for setbacks; and
- Impervious cover.

The Consolidated Administrative Site Plan has also been prepared in conformance with the negotiated agreement, dated July 10, 2001, between the City of Austin and Stratus Properties Inc. ("Agreement"). The applicable items of the July 10<sup>th</sup> Agreement are items 2 through 8.

The project has been designed with consideration for the Subchapter E, Commercial Design Standards, within the City of Austin Land Development Code. The project will be requesting Alternative Equivalent Compliance (AEC) for certain sections of the code. These items will be coordinated with the City Reviewers once they are determined.

The following is a summary of the project.

1. Acreage: 9.107 acres
2. Drainage Basin: Williamson Creek
3. Type of Development: Commercial
4. Phasing: Four phases of development.
5. Method for Handling Stormwater Runoff: The stormwater runoff from the developed site area will be collected in storm drain inlets and storm drain pipes and conveyed to a water quality sedimentation/filtration pond that will also be used to provide 2-year detention. The pond is located near the western boundary of the property. Excess stormwater runoff will bypass the water quality pond through the use of a splitter box and flow to the adjacent drainageway at the western boundary of the property. The drainageway from the property will continue to convey water to the Regional Detention Pond immediately upstream of Rialto Boulevard and ultimately to the Motorola Tributary through existing easements. This existing "regional" detention pond at Rialto Boulevard was permitted in conjunction with the Lantana Apartments (SP-94-0464C). A second "regional" detention pond is located immediately upstream of Terravista Drive and was permitted with under City Permit SP-94-0237D. The combination of these two detention ponds will provide detention for the Lantana Block P, Lot 3 site. The report prepared by Espey Padden Consultants, Inc., "*Lantana Development, Stormwater Management Master Plan Update*", dated May 2000, includes sections 3.3 (maximum impervious cover analysis) and 3.4 (ultimate development conditions analysis) that demonstrate the "regional" detention ponds at Terravista Drive and Rialto Boulevard will sufficiently control the stormwater runoff from the 5-year, 10-year, 25-year and 100-year storm events to not increase the stormwater runoff conveyed downstream from the Lantana Development.
6. Effects of Proposed Development on Existing Drainage Systems: The effects of the proposed development on existing drainage systems will be minimal due to the amount of impervious cover proposed with the site development and the method of treating the runoff.
7. Environmental: Environmental controls will be designed, constructed, and maintained in accordance with the City of Austin Environmental Criteria Manual. The following measures have been taken to minimize the environmental impact of the development:
  - a. Those trees that are within the limits of construction and not designated to be removed will be protected with tree protection per standards of the City of Austin.
  - b. Temporary erosion and sedimentation controls will be installed and maintained during the entire construction period. Any disturbed areas will be revegetated prior to final acceptance of the project.




8. With regard to the referenced project, we hereby certify to the following items:

- a. That all proposed grades are such that water will not gather in pools which may become stagnant or foul; and
- b. That the proposed development will not result in additional identifiable adverse flooding of other property; and
- c. That both temporary and permanent erosion and sedimentation controls are adequate to minimize siltation of the waterway.

We trust this information will help in your evaluation of the project. If you have any questions, please call.

Sincerely,  
LJA Engineering Inc. FRN F-1386

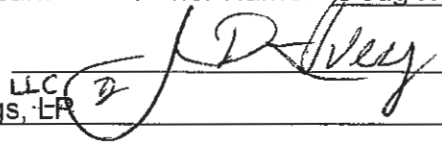


Paul J. Viktorin, PE  
Senior Project Manager



**Section 3: Owner Information**

☐ Same as Applicant      Owner Name: Doug Ivey

Owner Signature: 

Firm: JDI Holdings, LLC

Owner Mailing Address: PO Box 3014

City: Marble Falls      State: Texas      Zip: 78654

Email: jdouglasivey@gmail.com      Phone 1: (979) 885-8229      Type 1: Mobile

Phone 2: \_\_\_\_\_      Type 2: Select      Phone 3: \_\_\_\_\_      Type 3: Select

**Section 4: Engineer Information**

☐ Not Applicable      ☒ Same as Applicant      Name: \_\_\_\_\_

Firm: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_      State: \_\_\_\_\_      Zip: \_\_\_\_\_

Email: \_\_\_\_\_      Phone 1: \_\_\_\_\_      Type 1: Select

Phone 2: \_\_\_\_\_      Type 2: Select      Phone 3: \_\_\_\_\_      Type 3: Select

**Section 5: Other Professional/Trade Information**

☐ Not Applicable      ☐ Same as Applicant      Type: Architect

Name: Carolyn Roosen

Firm: Cornerstone Architects

Mailing Address: 7000 Bee Cave Road

City: Austin      State: Texas      Zip: 78746

Email: carolynr@cornerstonearchitectsllp.com      Phone 1: (512) 329-0007      Type 1: Work

Phone 2: \_\_\_\_\_      Type 2: Select      Phone 3: \_\_\_\_\_      Type 3: Select

**Section 6: Property Attributes**

Is this a S.M.A.R.T. Housing Project? ☐ Yes ☒ No      (If Yes, submit a copy of the  
Pre-Certification letter from Neighborhood Housing and Community Development.)

☐ Smart Growth Zone      -OR-      ☒ Drinking Water Protection Zone

Watershed: Williamson Creek      Watershed Class: Barton Springs Zone

In City of Austin Edwards Aquifer Recharge Zone? ☐ Yes ☒ No

Land Development Jurisdiction: ☒ Full-Purpose      ☐ Limited-Purpose

Project Street Address (or range):

7175 Southwest Parkway

Zip: 78735

Description of Proposed Development:

The project will include 4 buildings; 21,500 square foot office, 21,500 square foot mixed retail/office, 14,000 square foot daycare and 4,000 square foot restaurant. Also, associated parking, utilities and water quality.

Provide either Legal Description or Subdivision Reference:

☐ Legal Description:

☐ Subdivision Reference

Name: Lantana Phase 1, Section 2 Final Plat

Block(s): D Lot(s): 1 Outlot: \_\_\_\_\_

Plat Book: \_\_\_\_\_ Page Number: \_\_\_\_\_

Document Number: 200000150 Case Number: C8-84-102.03.1A

Deed Reference of Deed Conveying Property to the Present Owner

Volume: \_\_\_\_\_ Document Number: 2015130500

Page(s): \_\_\_\_\_ Sq. Ft.: \_\_\_\_\_ or Acres: \_\_\_\_\_

Tax Parcel Number(s): 01-0138-0303-0001

## Section 2: Applicant/Agent Information

Applicant Name: Paul J. Viktorin

Firm: LJA Engineering, Inc.

Applicant Mailing Address: 5316 Highway 290 West, Suite 150

City: Austin State: Texas Zip: 78735

Email: pviktorin@ljaengineering.com Phone 1: (512) 439-4700 Type 1: Work

Phone 2: \_\_\_\_\_ Type 2: Select Phone 3: \_\_\_\_\_ Type 3: Select



Is your project subject to all current watershed protection regulations? ☐ Yes ☒ No

School District:  AISD

On a Hill Country Roadway? ☒ Yes ☐ No

Specify Hill Country Roadway:  Southwest Parkway

Principal Street Type (Full-Purpose): ☐ Core Transit Corridor ☐ Urban Roadway

☐ Internal Circulation Route ☐ Suburban Roadway ☒ Hill Country Roadway ☐ Highway

In a Neighborhood Plan? ☒ Yes ☐ No

If Yes, name of Neighborhood Plan:  Oak Hill Neighborhood Plan

In a Transit-Oriented Development (TOD) District, the North Burnet/Gateway (NBG), the East Riverside Corridor (ERC), or Other? ☐ Yes ☒ No

If Yes, name of TOD, NBG, ERC, or Other: \_\_\_\_\_

Is a Vertical Mixed Use building proposed? ☐ Yes ☒ No

(See Consolidated Site Plan Application Instructions for important pre-submittal requirements.)

Electric Utility Provider:  Austin Energy

Water Provider:  Austin Water Utility

Wastewater Disposal Provider:  Austin Water Utility

## Section 7: Application Assessment

Large Retail Use, as defined in Sec. 25-2-813? ☐ Yes ☒ No

Is a Traffic Impact Analysis (TIA) required? ☒ Yes ☐ No (See Section 12: TIA Determination Worksheet.)

Is this use Conditional within the site's zoning district? ☐ Yes ☒ No

Has there been a Development Assessment? ☐ Yes ☒ No File Number: \_\_\_\_\_

Small Project? ☐ Yes ☒ No

If residential, are there other Tax Credits or State/Federal funding? ☐ Yes ☒ No

Will all parking be located on site? ☒ Yes ☐ No (If No, an Off-Site/Shared Parking Application and fees are required.)

Shared parking? ☐ Yes ☒ No (If Yes, an Off-Site/Shared Parking Application and fees are required.)

## Section 8: Site Area Information

Gross Site Area: Acres  9.11  Limits of Construction =  6.864 Ac.  -OR- Sq. Ft. \_\_\_\_\_

Net Site Area: Acres  8.47  -OR- Sq. Ft. \_\_\_\_\_

Is Demolition proposed? No If Yes, how many residential units will be demolished? \_\_\_\_\_

Number of Newly Proposed Residential Units (if applicable): \_\_\_\_\_

<u>EXISTING ZONING</u>	<u>EXISTING USE</u>	<u>TRACT #</u>	<u>ACRES / SQ FT</u>	<u>PROPOSED USE</u>
LR-NP	Undeveloped	1	9.11 /	Commercial
			/	
			/	
			/	

Existing Impervious Cover (%): \_\_\_\_\_ Proposed Impervious Cover (%): 51

Are any underground storage tanks existing or proposed? ☐ Yes ☒ No

### Section 9: Related Cases

Zoning Case? ☒ Yes ☐ No

Restrictive Covenant? ☒ Yes ☐ No

Subdivision? ☒ Yes ☐ No

Land Status Report? ☐ Yes ☒ No

Existing Site Plan? ☐ Yes ☒ No

#### FILE NUMBERS

C14-85-288.8

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C8-84-102.03.1A

### Section 10: Land Use Site Plan Data - as applicable

Subject to Compatibility Standards? ☐ Yes ☒ No

In Combining District/Overlay Zone? (NCCD, CVC, WO, AO, etc.): ☐ Yes ☒ No

If Yes, please specify: \_\_\_\_\_

Requires a Green Building Program Rating? ☐ Yes ☒ No (If Yes, attach Letter of Intent.)

### Section 11: Waiver / Variance / Etc. - as applicable

☐ Compatibility Standards Waiver - Section(s): \_\_\_\_\_

☐ Driveway Spacing - Section(s): \_\_\_\_\_

☐ Hill Country - Section(s): \_\_\_\_\_

☐ Waterfront Overlay District - Section(s): \_\_\_\_\_


☐ Environmental - Section(s): \_\_\_\_\_

☐ Shared Parking Analysis ☐ Off-Site or Remote Parking

☐ Detention Pond Waiver ☐ Alternative Landscape Compliance

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that proper City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc., may delay the proper review of this application.

Please type or print Name below Signature, and indicate Firm represented, if applicable:

 \_\_\_\_\_

Signature

December 11 2015

Month Day Year

Name (Typed or Printed)

Firm

Please type or print Name below Signature, and indicate Firm represented, if applicable:

Name (Typed or Printed)

Firm



**Section 15: Acknowledgment Form**

I, Paul J. Viktorin have checked for any information that may  
(Printed Name of Applicant)

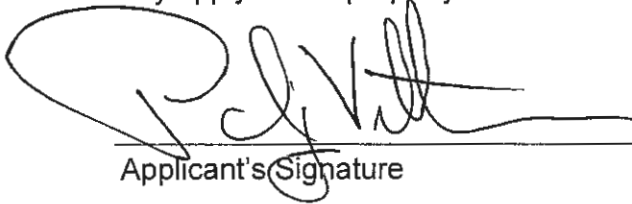
affect the review of this project, including but not limited to: subdivision plat notes, deed notes, deed restrictions, restrictive covenants, zoning conditional overlays, and/or Subchapter E design standards prohibiting certain uses and/or requiring certain development restrictions (height, access, screening, etc.) on this property, located at:

(Address or Legal Description):

7775 Southwest Parkway

If a conflict should result with the request I am submitting to the City of Austin due to any of the aforementioned information, it will be my responsibility to resolve it. I also acknowledge that I understand the implications of use and/or development restrictions that are a result of the aforementioned information.

I understand that if requested I must provide copies of any and all of the aforementioned information that may apply to this property.



Applicant's Signature

December  
Month

11  
Day

2015  
Year

**For Submittal Requirements and Exhibits**

Please see Consolidated Site Plan Application Instructions at  
<http://www.austintexas.gov/page/land-use-applications#site>

**CITY OF AUSTIN****Development Services Department**

One Texas Center | Phone: 512.978.4000

505 Barton Springs Road, Austin, Texas 78704

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**Consolidated Site Plan Application**  
**Administrative and Land Use Commission (C Plan)**

**PURPOSE:** This application is for obtaining a consolidated site plan permit within the City of Austin jurisdiction (full-purpose and limited-purpose city limits). For the following information, please visit <http://www.austintexas.gov/page/land-use-applications#site>: See Consolidated Site Plan Overview and Review Procedures for site plan general information and review procedures; see Consolidated Site Plan Application Instructions for instructions on completing this application and submittal requirements.

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, [click here to Save](#) the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. ***If more space is required, please complete the last section as needed***, and check the Additional Space box at the top or end of this application.

All information is required (if applicable).

**For Office Use Only**

Development Review Type: \_\_\_\_\_

Application Accepted By: \_\_\_\_\_

Application Type: \_\_\_\_\_

Case Manager: \_\_\_\_\_

☐ Additional space was required to complete this application. I have completed the Additional Space section. (This check box is also at end of the application.)

**Section 1: Project Information**Project Name: LANTANA TRACT IV

**SECTION 10 – PROJECT DESCRIPTION FORM**

A project description form, attached as Exhibit A, must be submitted with a subdivision, site plan, and building permit application. A project description form must also be submitted with a water or wastewater service extension request.

### EXHIBIT A PROJECT DESCRIPTION FORM

The purpose of this form is to provide information that may clarify the nature of the project. Clarification may affect the City's determination on the application of Chapter 245 to the project. However, the form is not intended to affect the status of a project in progress, unless there are changed circumstances. This form does not preclude presentation of additional information to assist in the Chapter 245 determination. The information contained in this form will not result in any waiver of a Chapter 245 claim. The right to make a Chapter 245 claim, notwithstanding the information below, is reserved to the applicant.

Is the property currently developed? No If yes, how \_\_\_\_\_

Permit number: \_\_\_\_\_ Submittal Date: \_\_\_\_\_

Permit type: Preliminary Plan \_\_\_\_\_; Final Plat \_\_\_\_\_; Site Plan X; Sudivision; \_\_\_\_\_  
Building Permit \_\_\_\_\_; Water or wastewater service extension request \_\_\_\_\_

Legal Description/Subdivision Reference: Lot 1 Block D Lantana Phase 1 Section 2 recorded in  
Doc# 200000150 of the Official Public Records Travis County, Texas.

Lot(s) ID \_\_\_\_\_

**Please check the appropriate project description for this lot within the city limits:**

☐ No defined project

☐ Residential Mixed Use (contains a mixture of residential uses)

☐ Commercial Mixed Use (contains a mixture of one or more commercial, industrial and/ or civic uses)

☐ Commercial and Residential Mixed Use (contains a mixture of one or more residential, commercial, industrial and/ or civic uses)

☐ Residential Class I (one or more of the residential uses permitted in the SF-5 or more restrictive base zoning districts)

☐ Residential Class II (one or more of the residential uses permitted in the SF-4A or less restrictive base zoning districts)

☐ Commercial Class I (commercial uses containing at least 50% Administrative and Business Office, Medical Offices, Professional Office ("Office Uses"))

☐ Commercial Class II (commercial uses containing no more than 50% Office Uses)

☐ Industrial

☐ Civic

☒ Other use not listed. Specify: LR-NP

Please check the appropriate project description for this lot within the city's ETJ:

☐ Mixed Use      ☐ Commercial      ☐ Civic  
☐ Residential      ☐ Industrial

**FURTHER COMMENTS DESCRIBING PROJECT (OPTIONAL):**

Project Name: Lantana Tract 4

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Owner or Authorized Representative:

I certify that this Project Description Form is true and accurate

Print Name Mr. Jeremy Reyes

Signature \_\_\_\_\_ Date: 12-8-15

Address 5316 Highway 290 W. Suite 150 Austin, TX 78735

Phone/Fax (512) 439-4700 / (512) 439-4716