

**ZONING CHANGE REVIEW SHEET****CASE:** C814-01-0038.03**Z.A.P. DATE:** February 19, 2019

(Parmer-Walnut Creek PUD Amendment #3 – APC Towers TX)

**ADDRESS:** 1210 West Parmer Lane**DISTRICT AREA:** 7**APPLICANT/OWNER:** 1212 Parmer LLC (Luis Montes, Manager)**AGENT:** Vincent Gerard & Associates, Inc. (Vincent G. Huebinger)**ZONING FROM:** PUD    **TO:** PUD**AREA:** Tract 3 = 1.672 acres

The applicant is requesting an amendment to the Parmer/Walnut Creek Planned Unit Development (PUD) to add the Telecommunications Tower use as a permitted use on Tract 3 and to allow the maximum building height for a Telecommunications Tower use to be up to 100 feet on Tract 3 subject to Land Development Code Sec. 25-2-839. (Please see Request Letter-Attachment A).

**SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant the proposed amendment to the Parmer/Walnut Creek Planned Unit Development. The staff's recommendation includes the following conditions:

The City Arborist has requested the following note to be added to the PUD Land Use Plan (Please see Attachment B):

Include new wording stating that any development under the original PUD and/or its amendments will be subject to the tree preservation and mitigation requirements at the time of that development submittal.

**ZONING AND PLATTING COMMISSION RECOMMENDATION:****DEPARTMENT COMMENTS:**

The property in question is developed with a retail center (Parmer on the Creek Shopping Center) that fronts onto W. Parmer Lane. There is a multifamily residential development to the north (Ten Oaks Apartments), a six-lane major arterial roadway to the south (Parmer Lane), convenience storage, service station and convenience store uses to the east and a detention facility for Walnut Creek to the west.

The applicant is requesting an amendment to the existing PUD to erect a Broadleaf Stealth pole tower on Tract 3 of the PUD. The staff recommends the applicant's request for an amendment to the Parmer/Walnut Creek PUD because the proposed amendment will not alter the overall benefits or intent of the PUD development. The amendment will permit a Telecommunication Tower use within an existing commercial/retail center as it complies with the city's requirements in LDC Sec. 25-2-839 - TELECOMMUNICATION TOWERS (Ord. 990225-70; Ord. 000302-

36; Ord. 010607-8; Ord. 031211-11; Ord. 041202-16). The property takes access to West Parmer Lane, a major arterial roadway, and the proposed amendment will not generate additional traffic within the PUD development. The Imagine Austin Comprehensive Plan (IACP) Growth Concept Map identifies West Parmer Lane and North Lamar Boulevard as Activity Corridors in the City of Austin. The Parmer/Walnut Creek PUD has a mixture of residential and commercial, with open space/ dedicated land that that has been utilized by the City of Austin for a regional water quality and storm-water detention facility (Wells Branch Regional Detention Pond). The proposed PUD amendment will provide for additional service opportunities within this area of the city.

The applicant agrees with the staff recommendation.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	PUD	Retail Center (Parmer on the Creek Shopping Center: Mirchi Restaurant, Indian Pakistani Hala Restaurant, DC Haircuts, One Main Financial, Texas Physical Therapy Specialists, KP Indian Grocery, ATX Card House, Tran Chiropractic)
<i>North</i>	MF-2-CO	Multifamily Residence (Ten Oaks Apartments)
<i>South</i>	Arterial Roadway, SF-1	West Parmer Lane, Single-Family Residential Neighborhood
<i>East</i>	PUD, GR	Convenience Storage (888 Storage), Service Station/Convenience Store (Exxon/7-Eleven)
<i>West</i>	PUD	Detention Facility (Wells Branch Regional Detention Pond), Townhouses (Southfield Villas)

**AREA STUDY:** North Lamar Area Study

**TIA:** Waived

**WATERSHED:** Walnut Creek

**CAPITOL VIEW CORRIDOR:** No

**HILL COUNTRY ROADWAY:** No

**NEIGHBORHOOD ORGANIZATIONS:**

Austin Neighborhoods Council  
 Bike Austin  
 Friends of Austin Neighborhoods  
 Homeless Neighborhood Association  
 Neighborhood Empowerment Foundation  
 North Growth Corridor Alliance  
 Pflugerville Independent School District  
 River Oaks Lakes Estates Neighborhood  
 River Oaks Neighborhood Association  
 Scofield Farms HOA  
 SELTEXAS  
 Sierra Club, Austin Regional Group  
 Yager Planning Area

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C814-01-0038.02 (Parmer-Walnut Creek PUD Amendment #2: 1200-1210 West Parmer Lane)	PUD to PUD: To amend the PUD to 1) Incorporate a 1.792 acre tract (proposed "Tract 5"), which is currently zoned GR, into the existing PUD; 2) On the new Tract 5, allow GR District development standards; 3) Add Convenience Storage as a permitted use for Tracts 3, 4, and 5 of the PUD; 4) Allow GR District uses for Tracts 3, 4, and 5, except for (prohibit) the following uses: Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (of any type), Bail Bond Services, Congregate Living, Consumer Repair Services, Exterminating Services, Funeral Services, Off-Site Accessory Parking, Pawn Shop Services, Pet Services, Stables, Theater, Residential	3/01/05: Approved staff's recommendation of PUD zoning by consent (8-0, K. Jackson-absent); J. Martinez-1 <sup>st</sup> , J. Gohil-2 <sup>nd</sup> .	6/23/05: Approved PUD Amendment #2 by consent (7-0); 1 <sup>st</sup> reading only  8/18/05: Approved PUD Amendment on consent (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings

	Treatment, Urban Farm, 5) Incorporate Design Standards for the proposed Convenience Storage use on Tracts 3, 4, and 5		
C814-01-0038.01 (Parmer-Walnut Creek PUD Amendment #1: 1310-1314 Block of West Parmer Lane)	PUD to PUD: To amend the PUD to 1) To allow for 96 townhouse/condominium units on Tract 1; 2) To limit development to yards, recreational uses and improvements related to townhouse/condominium residential use within the area located 50 to 75 feet from and along the west property line; 3) To reduce the building setback from 100 feet to 75 feet from the western property line; 4) To limit the entire PUD site to less than 2,630 vehicle trips per day (630 vehicles per day for Tract 1 and 2,000 vehicle trips per day for Tracts 3 & 4).	8/3/04: Approved staff's recommendation of PUD zoning; with conditions that apply from the agreement between applicant & neighborhood by consent (8-0, J.P. – Absent), K. Jackson-1 <sup>st</sup> , J. Martinez-2 <sup>nd</sup> .	8/26/04: Granted PUD amendment on 1 <sup>st</sup> reading (7-0)  11/04/04: Granted PUD amendment (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C814-01-0038	SF-6, RR, LO to PUD	10/30/01: Approved staff's rec. of PUD zoning with conditions of: 1. No structures within 100' of the west property line; 2. No access from Dapplegrey Lane, except for emergency vehicles when needed;	11/29/01: Approved PUD zoning with clarification that parking and carports are allowed within the 100' buffer along the west property line (7-0), 1 <sup>st</sup> reading.  8/8/02: Approved 2 <sup>nd</sup> reading with the following modified conditions (7-0):

		<p>3. Impervious cover of 53% for Tract 1 (Lot 1)</p> <p>4. Include Environmental Board's Recommendation, with the exception of impervious cover for Tract 1 (8-0, N. Spelman- absent)</p>	<p>1) One-story carport and/or garages shall be allowed within 100-feet, but not closer than 50 feet, from the western property line of Tract 1. Architectural guidelines contained within the Scofield Farms Neighborhood Homeowners Association shall apply to the construction of garages.</p> <p>2) The deletion of the Environmental Board's requirement that a certificate of occupancy not be issued for Tract 1 until construction of the flood/erosion control pond is completed.</p> <p>3) The proposal by the applicant to allow SF-6, Townhouse &amp; Condominium Residence, zoning district uses to the permitted uses for Tract 1, with a unit limit of 80 townhomes/or single- family detached.</p> <p>4) An increased trip limit of 2,500 vehicle trips for the entire Parmer/Walnut Creek PUD to satisfy current requirements for Tracts 2, 3, and 4 and to account for the inclusion of the SF-6; townhouse/or single-family detached uses on Tract 1, without the requirement of a Traffic Impact Analysis (TIA).</p> <p>5) To redefine the transfer process for the dedication of Tract 2 to the City of Austin so that the entire dedication of this portion of land does not need to be made with the PUD approval at third reading. The timing of the conveyance of Tract 2 of the PUD should be as follows: a) To dedicate the dam area of Tract 2 at the approval of zoning (before third reading of the PUD ordinance); b) The dedication of a drainage easement for the remaining portion of Tract 2 at the approval of zoning (before third reading of the PUD ordinance); c) Fee simple</p>
--	--	--	--

			dedication of the drainage easement on the Perry property, at the eastern side of Tract 2, before subdivision (final plat) approval; d) Fee simple dedication of the drainage easement on the Schofield/Chilek property, at the northwestern side of Tract 2, before site plan approval.  4/24/03: Approved (6-0-1, Garcia-absent); 3 <sup>rd</sup> reading
C14-01-0085	GO to GR	6/26/01: Approved staff rec. of GR-CO by consent (7-0)	8/2/01: Approved Planning Commission's rec. of GR-CO by consent on all 3 readings (6-0)
C14-99-2137	I-RR to MF-3	5/9/00: Approved staff rec. of MF-3-CO, limited to 458 units, by consent (8-0)	6/8/00: Approved MF-3-CO (TR1) and RR (TR2) as rec. by PC on 1 <sup>st</sup> reading (7-0)  6/29/00: Approved 2 <sup>nd</sup> /3 <sup>rd</sup> readings (7-0)
C14-96-0008	DR to RR, MF-2-CO	3/5/96: Approved MF-2-CO, RR subject to engineering study	3/28/96: Approved MF-2-CO (TR1), RR (TR2-floodplain area); (5-0); all 3 readings
C14-91-0086	LR, GR, P to GR, LR SF-6 to SF-2, P MF-3 to MF-1	11/26/91: Approved GR, LR, SF-6, MF-1, LO, MF-3, MF-1, SF-2, P	12/19/91: Approved GR, LR, SF-6, MF-1, LO, SF-6, MF-3, SF-2, P; all 3 readings

**RELATED CASES:** C814-01-0038, C814-01-0038.01, C814-01-0038.02 (Previous Zoning Cases)

**ABUTTING STREETS:**

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
Lamar Blvd.	120'	Varies	Major Arterial	N/A
Parmer Lane	150'	2@50'	Major Arterial	33,000 ('97)

**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 512-974-3057

[sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov)

**CITY COUNCIL DATE:** March 28, 2019

**ACTION:**

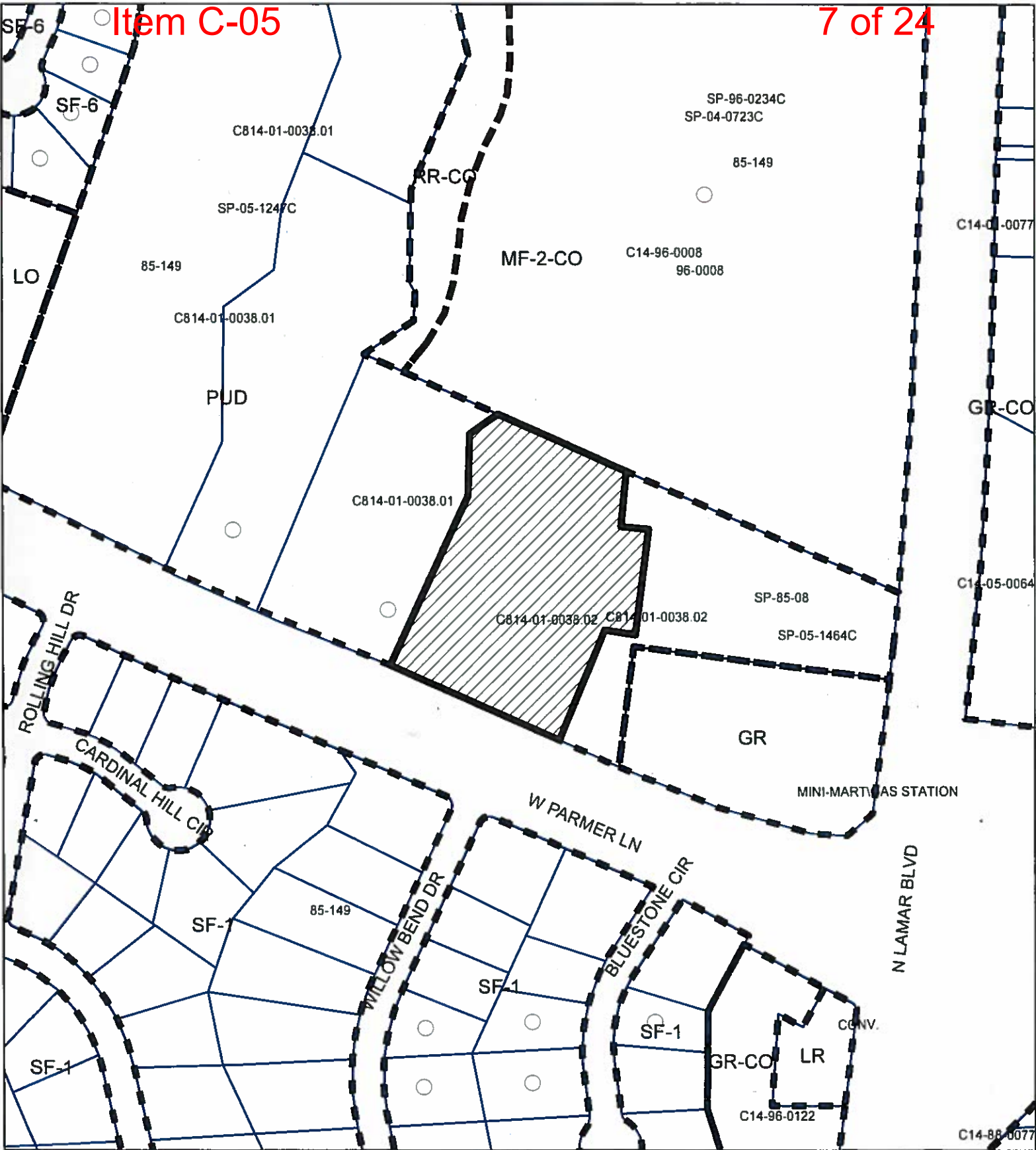
**ORDINANCE READINGS:** 1<sup>st</sup>




2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**





-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

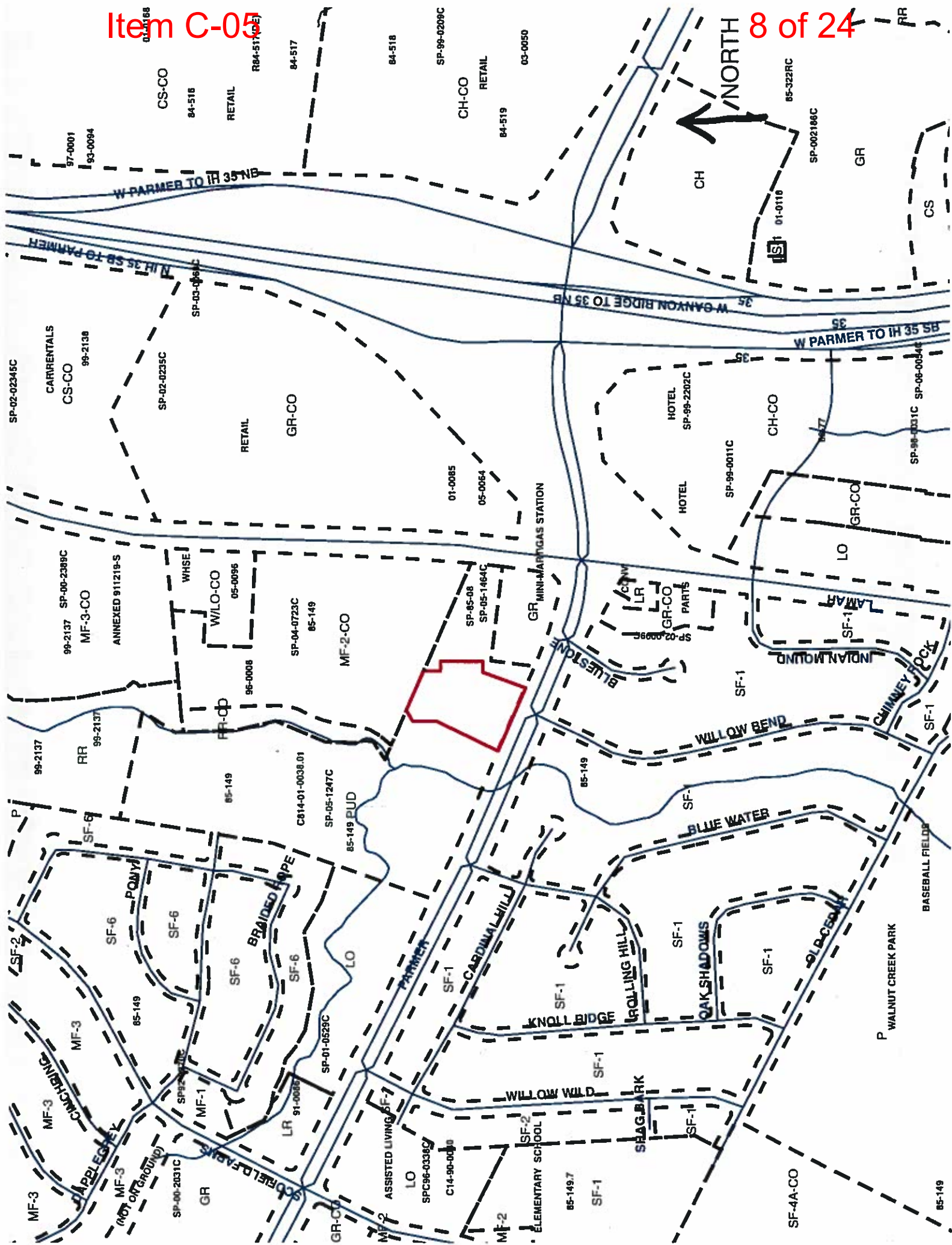
**PLANNED UNIT DEVELOPMENT**  
**ZONING CASE#: C814-01-0038.03**

1" = 200'

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.











**STAFF RECOMMENDATION**

The staff's recommendation is to grant the proposed amendment to the Parmer/Walnut Creek Planned Unit Development. The staff's recommendation includes the following conditions:

The City Arborist has requested the following note to be added to the PUD Land Use Plan:

Include new wording stating that any development under the original PUD and/or its amendments will be subject to the tree preservation and mitigation requirements at the time of that development submittal.

**BASIS FOR RECOMMENDATION**

1. *The Planned Unit Development District (PUD) 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 provide greater flexibility for development proposed within the PUD.*

The Parmer/Walnut Creek PUD has a mixture of residential and commercial, with open space/ dedicated land that has been utilized by the City of Austin for the development of a regional water quality and storm-water detention facility.

The proposed amendment to the Parmer/Walnut PUD will not alter the overall benefits or intent of the PUD development. The amendments will permit a Telecommunication Tower use on Tract 3 of the PUD behind an existing commercial/retail shopping center development.

2. *Use of a PUD District should result in development superior to that which would occur using conventional zoning and subdivision regulations. PUD zoning is appropriate if the PUD enhances preservation of the natural environment; encourages high quality development and innovative design; and ensures adequate public facilities and services for development with in the PUD.*

The proposed amendments to the Parmer/Walnut Creek PUD will result in a superior development than that which could have occurred using conventional zoning and subdivision regulations, because the proposed Telecommunication Tower use on Tract 3 will generate less vehicle traffic than some of the original uses that were allowed on these tracts and will provide for additional cellular service opportunity within this area of the city in accordance with Code requirements in LDC Sec. 25-2-839.

**Zoning and Land Use**

The property in question is part of an existing PUD that consists of 20.21 acres that is located to the west of the intersection of North Lamar Boulevard and West Parmer Lane. The site currently contains a townhouse/condo development on Tract 1 (Southfield Villas), heavily wooded undeveloped area and a detention facility for Walnut Creek on Tract 2, a retail center (Parmer on the Creek Shopping Center) and small undeveloped area on Tract 3 and a convenience storage use (888 Storage) on Tracts 4 and 5 of the PUD.

**Arborist**

The original PUD and subsequent amendments include language dating development regulations to the signing date of those documents. Please revise this amendment to remove this wording from the PUD amendment and include new wording that any development under the original PUD and/or its amendments would be subject to the tree preservation and mitigation requirements at the time of that development submittal.

**Comprehensive Planning**

1210 ½ W PARMER LN

C814-01-0038.03

PROJECT: APC TOWERS TX – 1498 GRACE

Nov 13, 2018

The site is located on the north side of W Palmer Lane, on tract that is part of a larger PUD project. The site is partially undeveloped but contains a small shopping center on the eastern portion of the property. The property is not located within a neighborhood planning area. Surrounding land uses includes two apartment complexes to the north; a large single family subdivision, a small grocery store and café to the south; a single family subdivision to the west; and a large shopping center with a variety of retail uses to the east. The applicant submitted an amendment to the Parmer/Walnut Creek PUD to install a 100-foot stall stealth monopole tower and ground equipment within a 1600 square foot lease area, which is part of a greater 1.79 acre site, in order to upgrade cellular phone coverage in the area. The current conditional overlays on this property only permits a structure to be no taller than 35 ft. in height. The agent stated in their application that the cell tower would comply with Section 25-2-839 of the Land Development Code for a 100' stealth structure.

**Imagine Austin**

The Imagine Austin Growth Concept Map, found in the Imagine Austin Comprehensive Plan (IACP) identifies West Parmer Lane and North Lamar Boulevard as an **Activity Corridor**. Activity corridors are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. They are characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices.

The following Imagine Austin policies are also applicable to this case:

- **E P15.** Invest in sustainable, affordable utility sources (communications, power, water, wastewater) to meet the needs of increasing population and employment bases.

Based on the property being located by an Activity Corridor, which support an access to services, including telecommunication connectivity, and the policy referenced above that supports expanded and affordable utilities for our growing population, this project appears to support Imagine Austin.

**Flood Plain**

Friday November 16, 2018

Reviewer Notes: Zoning change for a PUD located in the Walnut Creek watershed. The site is adjacent to the Wells Branch Regional Detention Pond. WLN XS 7199 500-yr WSE 688.52 ft.

FP 1. FYI: Our understanding of flood risk in Austin is changing. What is now known as the 500-year floodplain is a good representation of what the 100-year floodplain will be according to a National Weather Service publication called Atlas 14. This could affect the layout of this development, including the location of drainage easements, buildings, and parking areas. The City will likely be using the current 500-year floodplain as the design floodplain for commercial building permit review by the end of 2018. In order to minimize flood risk to our community and better ensure that this lot can be developed in the future, the City of Austin recommends that you consider the 500-year floodplain as a surrogate for the 100-year floodplain when designing this development. Please contact this reviewer if you have any questions.

### **Environmental**

According to flood plain maps, a portion of the site lies within the 100-year flood plain. The site also contains Critical and Transitional Water Quality Zones. No development is allowed in the Critical Water Quality Zone.

### **Floodplain**

Provided contour information is accurate, the fully developed 100-yr floodplain should not encroach on Tract 3.

### **Impervious Cover**

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

Development Classification	% of Net Site Area	% with Transfers
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

The adopted PUD has a 53% impervious cover limit on Tract 1 and a 60% impervious cover limit on Tracts 3 & 4.

### **Parks and Recreation**

Monday November 19, 2018

No PARD review comments.

### **Site Plan**

December 10, 2018

Applicant should confirm whether they propose to use existing standards like 25-2-839 and 25-2-840 or create their own for this PUD.

**Stormwater Detention**

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.

**Transportation**

Thursday November 29, 2018

There are no Transportation concerns regarding the proposed PUD Amendment.

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
Lamar Blvd.	120'	Varies	Major Arterial	N/A
Parmer Lane	150'	2@50'	Major Arterial	33,000 ('97)

**Water Quality**

This site is located on West Parmer Lane in the Walnut Creek Watershed, which is classified as a Suburban Watershed.

**Water and Wastewater**

Friday November 02, 2018

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own his expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and/or abandonments required by the proposed land uses. It is recommended that Service Extension Requests be submitted to the Austin Water Utility at the early stages of project planning. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility in compliance with Texas Commission of Environmental rules and regulations, the City's Utility Criteria Manual and suitability for operation and maintenance. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fees with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit. Typical water system operating pressures in the area are above 65 psi. Pressure reducing valves reducing the pressure to 65 psi (552 kPa) or less to water outlets in buildings shall be installed in accordance with the plumbing code.

All AWU infrastructure and appurtenances must meet all TCEQ separation criteria. Additionally, AWU must have adequate accessibility to safely construct, maintain, and repair all public infrastructure. Rules & guidelines include:

1. A minimum separation distance of 5 feet from all other utilities (measured outside of pipe to outside of pipe) and AWU infrastructure;



2. A minimum separation distance of 5 feet from trees and must have root barrier systems installed when within 7.5 feet;
3. Water meters and cleanouts must be located in the right-of-way or public water and wastewater easements;
4. Easements for AWU infrastructure shall be a minimum of 15 feet wide, or twice the depth of the main, measured from finished grade to pipe flow line, whichever is greater.
5. A minimum separation of 7.5 feet from center line of pipe to any obstruction is required for straddling line with a backhoe;
6. AWU infrastructure shall not be located under water quality or detention structures and should be separated horizontally to allow for maintenance without damaging structures or the AWU infrastructure.
7. The planning and design of circular Intersections or other geometric street features and their amenities shall include consideration for access, maintenance, protection, testing, cleaning, and operations of the AWU infrastructure as prescribed in the Utility Criteria Manual (UCM)
8. Building setbacks must provide ample space for the installation of private plumbing items such as sewer connections, customer shut off valves, pressure reducing valves, and back flow prevention devices in the instance where auxiliary water sources are provided.

FYI: Dedication of private streets and public utility easements does not obligate the City to approve the placement of City water and wastewater mains within same. Water and wastewater service shall be provided to each lot at their Right of Way frontage.



## VINCENT GERARD &amp; ASSOCIATES, INC.

October 19, 2018

Sherri Sirwaitis  
City of Austin  
Planning & Zoning Department  
505 Barton Springs Road  
Austin, Texas 78704

**RE: Proposed PUD Amendment to Allow a Wireless Telecommunication Facility at 1210 West Parmer Lane, Austin: Case Number C814-01-0038.03**

Dear Ms. Sirwaitis,

We are requesting a PUD Amendment to the Parmer/Walnut Creek Planning Unit Development Project in order to amend Zoning Ordinance No. 20050818-060 to allow a wireless telecommunication facility on Lot 2 Block A of the Frontier Storage subdivision, also known as "Tract 3" in the Parmer/Walnut Creek PUD.

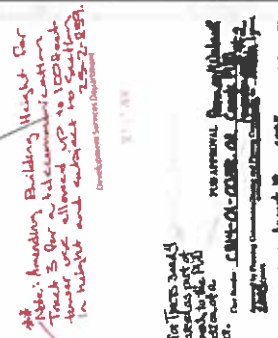
Part 6.2.C of Ordinance No. 20050818-060 states "Except as otherwise provided in this section the maximum height of a building or structure is 35 feet from ground level." We are requesting to amend this condition by revising it to allow Section 25-2-839 of the Land Development Code, which does not affect the PUD. We believe that "except as otherwise provided" should have taken in account 25-2-839, and "structure" should have been "building height." Part 11 lists all permitted uses, and we are requesting for Section 25-2-839 to be a listed permitted use as well.

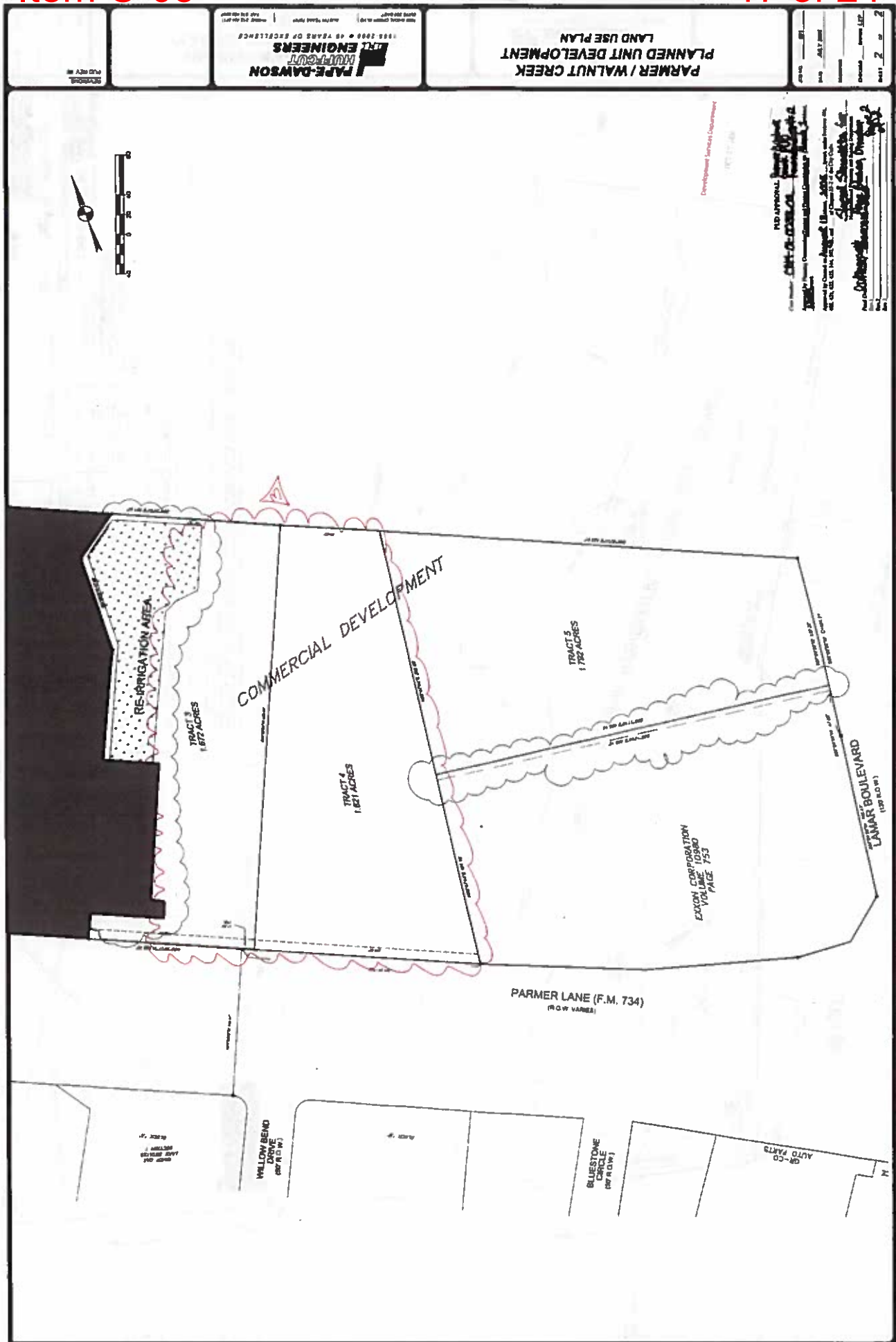
Our client is proposing a 100-foot tall Stealth monopole tower and ground equipment within a 1600 square foot lease area in order to upgrade cellular coverage to its customers. The site is located behind an existing retail strip center and meets all requirements of Section 25-2-839 of the Land Development Code.

Please contact us with any questions or concerns with our PUD Amendment request. We look forward to hearing back from you once you've reviewed our application package.

Respectfully,

Vincent G. Huebinger





**ORDINANCE NO. 20050818-060**

**AN ORDINANCE AMENDING ORDINANCE NO. 030424-30 TO INCREASE BY 1.792 ACRES THE BOUNDARIES OF THE PROJECT KNOWN AS PARMER/WALNUT CREEK PLANNED UNIT DEVELOPMENT PROJECT, AND REZONING THE 1.792 ACRES FROM COMMUNITY COMMERCIAL (GR) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT; TO MODIFY THE LAND USE PLAN, REZONING AND CHANGING THE ZONING MAP FROM PLANNED UNIT DEVELOPMENT (PUD) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT FOR THE PROPERTY LOCATED GENERALLY IN THE VICINITY OF PARMER LANE AND NORTH LAMAR BOULEVARD.**

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

**PART 1.** The Parmer/Walnut Creek Planned Unit Development ("the Original Parmer PUD") is comprised of approximately 21.808 acres of land located in the vicinity of Parmer Lane and North Lamar Boulevard in Travis County and more particularly described by metes and bounds in the land use plan incorporated into Ordinance No. 030424-30. The Parmer/Walnut Creek PUD was approved April 24, 2003 under Ordinance No. 030424-30 (the "Original PUD Ordinance") and amended November 4, 2004 under Ordinance No. 041104-44.

**PART 2.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from planned unit development (PUD) district to planned unit development (PUD) district on the property described by metes and bounds in Ordinance No. 030424-30 as approximately 21.808 acres of land, identified as Tracts One, Two, Three and Four, and to change the base district from community commercial (GR) district to planned unit development (PUD) district on the property described in Zoning Case No. C814-01-0038.02, as follows:

A 1.792 acre tract of land, more or less, out of the J. M. Swisher Survey No. 32 and the William B. Harrison Survey No. 86, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property")

the 23.600 acres being generally known as the Parmer/Walnut Creek planned unit development, ("Parmer/Walnut Creek PUD") locally known as the property located in the 1200-1210 block of Parmer Lane near North Lamar Boulevard, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".



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

Exhibit A	Description of a 1.792 acre tract (Tract 5)
Exhibit B	Zoning Map
Exhibit C	Amended PUD Land Use Plan

**PART 4.** This ordinance, together with Exhibits A, B, and C, amends the Original PUD Ordinance. The Original Parmer PUD shall conform to the limitations and conditions set forth in the Original PUD Ordinance as amended by this ordinance. If this ordinance and the attached exhibits conflict, the ordinance applies. Except as otherwise specifically provided by this ordinance, all other rules, regulations and ordinances of the City in effect on the effective date of this ordinance apply to the Parmer/Walnut Creek PUD.

*Although this reads as a PUD amendment, see below for qualifications specific to zoning.*

**PART 5.** Except as specifically provided in this ordinance, the Property shall comply with the terms and provisions of the Original PUD Ordinance, as amended.

**PART 6.** The Original PUD Ordinance, as amended, is modified as shown in this part.

1. Part 5 is amended to read as follows:

A site plan or building permit for Tract One may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 630 trips per day for Tract One and 2000 trips per day for Tracts Three, ~~and~~ Four, and Five combined.

2. Part 11 is amended as follows:

Except as otherwise provided in subsections A through H ~~and B~~, the 5.083 ~~[3.291]~~ acre tract of land identified as Tracts Three, ~~and~~ Four, and Five ("the Tracts"), shall be developed according to the community commercial (GR) district site development regulations and performance standards of the Code. *Terms of this condition refer to*

*standard GR district site development regulations and not the PUD regulations or SP.*

B. The following uses of the property are permitted uses:

Bed and breakfast residential  
(Groups 1&2)  
~~[Automotive rentals]~~

Administrative and business office  
Art and craft studio (limited)  
~~[Automotive repair services]~~

<del>[Automotive sales]</del>	<del>[Automotive washing (of any type)]</del>
<del>[Bail bond services]</del>	Business or trade school
Business support services	Commercial off-street parking
Communications services	Consumer convenience services
<del>[Consumer repair services ]</del>	<del>[Exterminating services ]</del>
Financial services	<del>[Funeral services]</del>
Food sales	General retail sales (convenience)
General retail sales (general)	Personal improvement services
Personal services	Restaurant (drive-in, fast food)
Restaurant (general)	Restaurant (limited)
Hotel-motel	Indoor entertainment
Indoor sports and recreation	Medical offices (not exceeding 5000
Medical offices (exceeding 5000	sq. ft. of gross floor area)
sq. ft. of gross floor area)	<del>[Off-site accessory parking]</del>
Outdoor sports and recreation	<del>[Pawn shop services]</del>
<del>[Pet services]</del>	Professional office
Research services	Service station
Software development	<del>[Stables]</del>
<del>[Theater]</del>	College and university facilities
Communications services facilities	Community recreation (private)
Community recreation (public)	<del>[Congregate living]</del>
Counseling services	Cultural services
Day care services (commercial)	Day care services (general)
Day care services (limited)	Family home
Group home class I (general)	Group home class I (limited)
Group home class II	Guidance services
Hospital services (general)	Hospital services (limited)
Private primary educational facilities	Private secondary education facilities
Public primary educational facilities	Public secondary educational facilities
Religious assembly	<del>[Residential treatment]</del>
Safety services	<del>[Urban farm]</del>
<u>Convenience storage</u>	

- C. Except as otherwise provided in this section the maximum height of a building or structure is 35 feet from ground level. For convenience storage use the maximum height is 38 feet from ground level. Amending this condition by revising to allow 25-2-839 Telcom which does not affect the PUD.
- D. The cumulative floor to area ratio (FAR) may not exceed a ratio of 0.7 to 1.0.

- E. The cumulative parking required may not exceed the minimum City of Austin off-street parking requirements.
- F. The maximum impervious cover for Tract Five is 80 percent.
- G. A site plan or building permit for Tract Five may not be approved, released, or issued until participation fees for the Regional Stormwater Management Program are paid to the City.
- H. The following applies for a convenience storage use on the Tracts.
  - 1. Vehicular access from Tracts shall be provided to Parmer Lane and North Lamar Boulevard.
  - 2. A fence shall be provided and maintained along the north property line of Tracts Three, Four and Five, the south property line of Tract Five, and the east property line of Tract Four.
  - 3. Exterior lighting shall be hooded or shielded so that the light source is not directly visible from the adjacent residential properties.
  - 4. A 25-foot wide vegetative buffer shall be provided and maintained along Parmer Lane. Improvements permitted within the buffer zone are limited to drainage, driveways, sidewalks, fencing, signage, irrigation, underground utility improvements or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.
  - 5. The minimum building setback from Parmer Lane is 75 feet.

**PART 7.** Except as otherwise provided in the ordinance, the terms and conditions of Ordinance No. 030424-30 remain in effect.

**PART 8.** This ordinance takes effect on August 29, 2005.

**PASSED AND APPROVED**

\_\_\_\_\_  
August 18, 2005

§  
§  
§  
§

\_\_\_\_\_  
Will Wynn  
Mayor

**APPROVED:**

\_\_\_\_\_  
David Allan Smith  
City Attorney

**ATTEST:**

\_\_\_\_\_  
Shirley A. Brown  
City Clerk

**Sirwaitis, Sherri**

---

**Subject:** FW: C814-01-0038.03 and SP-2018-0509C

**From:** Luci Gallahan <>  
**Sent:** Sunday, December 30, 2018 2:14 PM  
**To:** Edmond, Cindy <Cindy.Edmond@austintexas.gov>; Davis, Clarissa <Clarissa.Davis@austintexas.gov>  
**Cc:** Sirwaitis, Sherri <Sherri.Sirwaitis@austintexas.gov>  
**Subject:** C814-01-0038.03 and SP-2018-0509C

This is my notice to you that I am against the development proposed in the notice of filing of application for an amendment to a PUD for a cell tower at **1210 ½ W. Parmer Lane**.

This is also my notice that I qualify as an interested party for the notice of filing of application for administrative approval of a site plan for **1208 ½ W. Parmer Lane** due to my primary residence at 1310 W. Parmer Lane #602 which is within 500 feet of the proposed development.

I will be mailing in the notice. However, due to the Christmas/New Year holiday and the fact that I was out of town during this period, it may not reach you within the specified date of January 2, 2019. Hopefully, this email notice and a postmark before January 2 is sufficient.

Luci Gallahan  
Homeowner and Board of Directors Officer, Scofield Villas Condominiums HOA  
1310 W. Parmer Ln. #602  
Austin, TX 78727

P.S. to Cindy Edmond: I just attempted to email this notice using the email address listed on the notice and it was rejected. Apparently your email address is mistyped on the notice. Please alert the notification personnel about this error. Also, please let me know if this error qualifies for the requirement for corrected notices to be mailed to all affected parties.

Thanks.

Sent from [Mail](#) for Windows 10



**Sirwaitis, Sherri**

---

**Subject:** FW: Strongly opposed to Case # C814-01-0038.03

**From:** Kristen Ude <>

**Sent:** Sunday, December 30, 2018 9:09 PM

**To:** Sirwaitis, Sherri <Sherri.Sirwaitis@austintexas.gov>

**Subject:** Strongly opposed to Case # C814-01-0038.03

Dear Ms. Sirwaitis,

I live within 100 ft of proposed cell phone tower and I'm opposed to it for health and safety reasons. Please watch this video and let me know what you think. Even the first six minutes are illuminating. These things are not safe for our DNA, especially not right next to condos and apartments. At the very least they need to be located 500-1,000 ft away. Please don't force me to move.

Please kill this project.

Please don't knowingly give people cancer.

Scientists Warn Health Effects of Cell Phone Towers in Washington DC Nov. 2018:

<https://www.youtube.com/watch?v=ljLynbr5iPc>

Sincerely,

Kristen Ude

1310 W. Parmer Ln #2101

Austin, TX 78727

512-970-8883