

## **ZONING CHANGE REVIEW SHEET**

CASE: C814-2014-0110.02.SH

DISTRICT: 1

ADDRESS: 7900 Loyola Lane  
Austin, Texas 78724

ZONING FROM: PUD

TO: PUD (amendment to update the land use plan, permitted uses, maximum densities and site development regulations.)

SITE AREA: approximately 208 acres

PROPERTY OWNER: City of Austin

AGENT: McCann Adams Studio (Jim Adams)

CASE MANAGER: Jonathan Tomko (512) 974-1057, [jonathan.tomko@austintexas.gov](mailto:jonathan.tomko@austintexas.gov)

STAFF RECOMMENDATION:

Staff recommends PUD zoning, change of conditions with all of the amendments requested.

PLANNING COMMISSION or ZONING AND PLATTING COMMISSION ACTION / RECOMMENDATION:

October 24, 2023: Planning Commission approved staff Recommendation on Consent Agenda, Motion by Commissioner Anderson, Seconded by Commissioner Maxwell, (13-0).

CITY COUNCIL ACTION:

June 8, 2023: Council Approved *Resolution No. 20230608-054* on Council Member Harper-Madison's motion, Alison Alter's second on a 10-0 vote. Council Member Pool was absent.

November 30, 2023: Case is scheduled to be heard by City Council

ORDINANCE NUMBER:

N/A

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is currently vacant, located on the north side of Loyola Lane approximately eight miles from downtown Austin. Planning began with the Colony Park Sustainable Community Challenge Grant in 2012. Colony Park must provide 20 percent of the total residential units to households earning no more than 80 percent MFI (ownership) or to households earning no more than 60 percent MFI (rental). This application revises the PUD responsive to the initial vision, but is updated to reflect current economic conditions, benefits identified by community stakeholders, the Council approved Tax Increment Reinvestment Zone Preliminary Project and Financing Plan, and ensures the PUD is viable for development.

**BASIS OF RECOMMENDATION:****Zoning should allow for reasonable use of the property.**

The proposed PUD will bring approximately 2,900 construction, and 1,200 permanent jobs, approximately 2,000 to 3,000 housing units, and over 41 acres of parks and open space to the “Eastern Crescent” in a way that expands opportunities for existing residents, creates a mix of mutually beneficial land uses, and supports sound planning principles that reasonably promote economic resilience and sustainability.

**Zoning should promote clearly identified community goals, such as creation of employment opportunities or providing for affordable housing.**

The PUD will support additional income-restricted affordable housing units. The development provided by the PUD would facilitate access to basic daily needs and services, which are currently inaccessible to residents in the area including fresh food, healthcare, parks and open space, and frequent public transportation services.

**The proposed zoning should be consistent with the goals and objectives of the City Council.**

Council approved *Resolution No. 20230608-054* in which Council initiated the rezoning of this tract and authorized the City Manager to schedule this rezoning case for public hearing at the Planning Commission without obtaining considerations or recommendations by other boards, commission, and committees; and requests the Planning Commission consider this rezoning case without considerations or recommendations from other boards, commission, or committees. Furthermore, Council authorized the City Manager to process the application for rezoning of the Colony Park PUD, identify modifications to City Code Title 25 necessary to implement the Updated Land Use Plan, take necessary steps to ensure an efficient rezoning process to avoid unnecessary delay, and return a rezoning case for City Council consideration on or before December 14, 2023.

Austin City Council has repeatedly expressed support for an increase in diversity of housing types, in part by the adoption of the Imagine Austin Comprehensive Plan and the Austin Strategic Housing Blueprint.

**EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES
<i>Site</i>	PUD	The subject property is vacant undeveloped land
<i>North</i>	SF-4A	Parker Station, single family homes
<i>South</i>	GR, GR-CO, MF-2	Vacant land, south of Loyola Lane
<i>East</i>	SF-3, MF-2 and P	Colony Meadows Neighborhood a mix of single-family homes and duplexes, Huntington Meadows Apartments, and Austin Fire Station #26
<i>West</i>	P and SF-2	Colony Park District Park (93 acres), includes Turner Roberts Recreation Center and Overton Elementary School. The Colony Park and Meadows of Walnut Creek neighborhoods (single-family homes).

**NEIGHBORHOOD PLANNING AREA:** Not in a Neighborhood Planning Area

WATERSHED: Walnut Creek, Decker Creek, and Elm Creek

SCHOOLS: A.I.S.D.

Overton Elementary School

Dobie Middle School

LBJ High School

COMMUNITY REGISTRY LIST:

Austin Independent School District, Austin Lost and Found Pets, Austin Neighborhoods Council, Colony Park Neighborhood Assn., Inc, Colony Park/Lakeside Community Development Corp, Del Valle Community Coalition, Friends of Austin Neighborhoods, Friends of Northeast Austin, Homeless Neighborhood Association, Neighborhood Empowerment Foundation, Neighbors United for Progress, Parker Station Residential Community , SELTexas, Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

<b>Number</b>	<b>Request</b>	<b>Commission</b>	<b>City Council</b>
C14-03-0010 (Colony Park)	To rezone approximately 82 acres from SF-2 to P	ZAP 02.11.2003: Recommended staff recommendation on consent	03.06.2003: Ordinance No. 030306-Z2 was approved.
C14-2017-0036 (Parker Creek Ranch Residential)	To rezone approximately 138.67 acres from I-RR and SF-2 to SF-4A	ZAP 08.15.2017: To grant SF-4A zoning as recommended by staff, on consent	08.31.2017: Approved with conditions on Council Member Renteria's motion, Council Member Troxclair's second on an 11-0 vote
C14-2023-0095 (7302 & 7400 Decker Lane)	To rezone approximately 6.571 acres from SF-2 to GR-MU	Not scheduled yet	Not scheduled yet

RELATED CASES:

<b>Number</b>	<b>Request</b>	<b>Commission</b>	<b>City Council</b>
C814-2014-0110.SH	To rezone approximately 208 acres from MF-2, SF-2, and SF-3 to PUD	09.16.2014 (ZAP): To grant PUD zoning as recommended by Staff and the EV Board with conditions of the TIA	12.11.2014: To approve Ordinance No. 20141211-150 on consent on Council Member Morrison's motion, Council Member Spelman's second; Vote 7-0.

**ADDITIONAL STAFF COMMENTS:****Comprehensive Planning**

Project Name and Proposed Use: 7900 Loyola Lane. C814-2014-0110.02.SH. Project: Colony Park Sustainable Community Initiative PUD. A PUD amendment on 208 acres of land to update the Land Use Plan, permitted uses, maximum densities and site development regulations. Related item: Council Resolution # 20230608-053. Amend the Colony Park Plan to make it less prescriptive by: Restructuring the PUD to be more flexible and less prescriptive to better respond to unforeseen opportunities and changing market conditions and to adapt to the 2020 Land Use Plan. Reconfiguring the buffer areas and setbacks for the Critical Environmental Features (CEFs) to create a more cohesive and efficient land use plan. Reducing the number of street sections and bringing them into alignment with the Transportation Criteria Manual. Refining parking requirements to bring them into conformance with current market conditions. Adding Equitable Transit-Oriented Development. Making adjustments to the Open Space Plan, while maintaining a minimum of 41.63 acres (20% of the site) in parks and open spaces. Refining parking requirements to bring them into conformance with current market conditions. Increasing the amount of developable land. Prohibiting short-term rentals. Creating special sign standards in different districts. Consider positive adjustments to affordability methodology with City Staff. Permitting more residential missing middle housing types, such as a cottage house, two unit residential, yard house, small condos, ROW/Shop House, and multifamily). The proposed PUD amendments adhere to the basic affordable housing goals of the original 2014 Colony Park PUD (i.e., 20% affordable at 60% MFI for rental and 80% MFI for ownership).

Yes	Imagine Austin Decision Guidelines
<b>Complete Community Measures</b>	
Y	<b>Imagine Austin Growth Concept Map:</b> Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. <b>Names of Activity Centers/Activity Corridors/Job Centers:</b> Within the Colony Park Station Neighborhood Center; along Loyola Lane Activity Corridor
Y	<b>Mobility and Public Transit:</b> Located within 0.25 miles of public transit stop and/or light rail station.
Y	<b>Mobility and Bike/Ped Access:</b> Adjoins a public sidewalk, shared path, and/or bike lane.
Y	<b>Connectivity, Good and Services, Employment:</b> Provides or is located within 0.50 miles to goods and services, and/or employment center.
	<b>Connectivity and Food Access:</b> Provides or is located within 0.50 miles of a grocery store/farmers market.
Y	<b>Connectivity and Education:</b> Located within 0.50 miles from a public school or university.
Y	<b>Connectivity and Healthy Living:</b> Provides or is located within 0.50 miles from a recreation area, park or walking trail.
Y	<b>Connectivity and Health:</b> Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.)
Y	<b>Housing Choice:</b> Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
Y	<b>Housing Affordability:</b> Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
Y	<b>Mixed use:</b> Provides a mix of residential and non-industrial uses.
	<b>Culture and Creative Economy:</b> Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	<b>Culture and Historic Preservation:</b> Preserves or enhances a historically and/or culturally significant site.
	<b>Creative Economy:</b> Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
Y	<b>Workforce Development, the Economy and Education:</b> Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in a particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	<b>Industrial Land:</b> Preserves or enhances industrial land.
11	<b>Total Number of "Yes's"</b>



EnvironmentalIMPERVIOUS COVER

EV 1 Total IC for the original PUD was 52.9% of gross site area. What is the current total IC? Please add this information to the revised PUD (see original Exhibit I). U1 Comment pending. Clarify whether the Council approved land use plan has a stated impervious cover allowance. Approval of the proposed 75% IC allowance is pending discussion with the Environmental review teams of DSD and WPD. Please contact me (pamela.abee-taulli@austintexas) to let me know whether Council specified an IC allowance.

**U2 COMMENT CLEARED**

EV 2 Which of the strategies recommended by the WPD study for decreasing the impact of IC are proposed?

- Increase the number of tree plantings (which intercept and retain rainfall otherwise converted to runoff).
- Disconnect impervious cover by designing roofs and paved areas to drain to adjacent landscaped areas.
- Add soil amendments to improve the infiltration capacity of soils in pervious areas (thereby allowing more infiltration, healthier plant growth, and reduced irrigation requirements).
- Install porous pavement for pedestrian or vehicular use where feasible without seeking an impervious cover credit. Logical locations for porous pavement would be adjacent to significant, existing trees to be preserved on the site, thereby preserving infiltration of water into the soil near the trees' root zones.

U1 Comment pending. I understand and agree that not all of these measures will be possible for all projects. Please include language in the amended PUD stating that these measures (and please list them) will be incorporated to the maximum extent feasible.

**U2 COMMENT CLEARED**CRITICAL WATER QUALITY ZONES / HEADWATERS PROTECTION

EV 3 What type of waterway crossing is proposed on Colony Loop at the indicated location? What is the possibility of spanning this crossing with a bridge? If this is not feasible, please specify open-bottom culverts.



**U1 Comment pending.** Applicant states that they can commit to open-bottom culverts at a minimum. Please add this language to the PUD, or let me know how this commitment will be memorialized.

**U2 COMMENT CLEARED**CODE MODIFICATIONS

**D. SITE PLANS**

*(1) Section 25-5-2 (Site Plan Exemptions) is modified to exempt the following from a site plan:*

*(b) Placement and adjustment of temporary stockpiling of spoils with approved erosion controls.*

EV 4 (b) is acceptable if the height is limited to 8 feet and the following stipulation is added: If disturbed area is not to be worked for more than 14 days, disturbed area needs to be stabilized by revegetation, mulch, tarp, or revegetation matting. [ECM 1.4.4.B.3, Section 5.I]

**U1 Comment pending** revision of language per my comment. I agree that this does not need to apply to the existing spoils piles.

**U2 COMMENT CLEARED**

**G. ENVIRONMENTAL**

*(1) Section 25-8-92 (Critical Water Quality Zones Established) Subsection (B) is modified to add Subsection (6) to reduce the Critical Water Quality Zone (CWQZ) to 50 feet in areas where no defined FEMA and/or fully developed floodplain has been established.*

EV 5 Please explain the purpose of this modification. Where there is a CWQZ there is a regulatory floodplain. Under current code there are only 2 CWQZs on the site. If the concern is that code may change in the future, a more workable modification might be to specify that if the code changes in the future to require CWQZ buffers on smaller headwaters, this PUD will not be affected.

U1 Comment in limbo. Per our discussion at the most recent meeting, I think this may not be necessary. Since passage of the Watershed Protection Ordinance in 2013, in Suburban watersheds the CWQZ is independent of the floodplain.

**U2 COMMENT CLEARED**

*(2) Section 25-8-93 (Water Quality Transition Zones Established) Subsection (B) is modified to add Subsection (4) that states to eliminate the requirement for a transition zone in areas where no defined FEMA and/or fully developed floodplain has been established.*

EV 6 This is unnecessary. There are no WQTZs in Suburban watersheds.

**U1 COMMENT CLEARED**

*(5) Section 25-8-261 (Critical Water Quality Zone Development). Subsection (H) is modified to add "Elements with public benefits including but not limited to community gardens, other forms of urban food production, sidewalks, trails and associated fitness equipment, and public access are allowed to locate within a Critical Water Quality Zone."*

EV 7 Explain how this differs from current code. See:

*25-8-1(13) OPEN SPACE means a public or private park, multi-use trail, golf cart path, the portions of a golf course left in a natural state, and an area intended for outdoor activities which does not significantly alter the existing natural vegetation, drainage patterns, or increase erosion. OPEN SPACE does not include parking lots.*

And

*25-8-261 which allows urban agriculture & hard surfaced trails. There are no restrictions on dirt trails or public access.*

U1 Comment pending discussion with the DSD & WPD Environmental teams. Please provide a written explanation of why this is being requested. Be as specific and explicit as possible.

**U2 COMMENT CLEARED**

*(6) Section 25-8-262 (Critical Water Quality Zone Mobility Crossings). Subsection (C) is modified to clarify that the development demonstrates no additional adverse impact from FEMA and/or fully-developed floodplain.*

EV 8 This is unnecessary. It does not change code.

**U1 COMMENT CLEARED**

*(11) Section 25-8-341 (Cut Requirements) shall not apply to the Colony Park PUD.*

*(12) Section 25-8-342 (Fill Requirements) shall not apply to the Colony Park PUD.*

EV 9 I would prefer to have this narrowed to specific locations or situations.

**U1 COMMENT CLEARED.** Permanent erosion controls for cut and fill will be required to follow the guidelines of ECM 1.4.6(G).

**ECM MODIFICATIONS**

EV 10 Make these changes in the appropriate code section, rather than the criteria. The comments below address the issues raised in the proposed ECM modifications.

**U1 COMMENT CLEARED.**

EV 11 #2 & 3 Buffer averaging. These changes can be shown in the exhibits and do not need to be blanket code changes.

**U1 COMMENT CLEARED.**

EV 12 #9, 11, 13, 14, 15. What is the objective of having a separate plant list for the PUD? Having a different list will complicate plan review and slow it down. Also, we are in the process of revising Appendix N. It is possible that the revised version will accommodate the design objectives of the PUD. Please contact me to discuss.

**U1 COMMENT CLEARED.**

EV 13 #11. Please explain the reason for removing the requirement for diversity. If this is a design preference for a uniform look, might I suggest that the chosen species be required to offer an ecological advantage, such as being a pollinator or habitat resource or promoting infiltration through appropriate root structure?

**U1 COMMENT CLEARED.**

EV 14 #12. Clarify whether this reduction of parking lot island width is in the original, approved PUD. If not, please suggest a method for offsetting this reduction. I am not asking for superiority, but parity with existing code.

**U1 COMMENT CLEARED.**

EV 15 #17. Increasing the area that is allowed to be irrigated by spray irrigation might not be currently allowed by AWU. It does not meet the City's goal of water conservation expressed in Water Forward. Please explain why this is proposed.

**U1 COMMENT CLEARED.**

## **U2 NEW COMMENT**

EV 16 Revise note #8, Exhibit G (page 3) as shown.

8. Reduce CWQZ within PUD boundary to enable additional housing in ETOD district.

Reduced CWQZ still meets 50' minimum from creek centerline per Colony Park PUD criteria manual. Allow temporary encroachments and street crossing and trail encroachments.

EV 17 Note #3, Exhibit G (page 4), Environmental Notes is problematic. I would like to recommend and discuss the following edits.

3. The CWQZ related to existing classified waterways has been modified as shown in Exhibit G. ~~and shall be exempt from all future CWQZ changes to currently unclassified waterways.~~ Additional protected headwater areas have been added. ~~These~~ mitigate for CWQZ reductions. (as shown in Exhibit G) ~~by providing protections for currently unclassified waterways. Additional protected headwaters shall not be subjected to CWQZ regulations. Additional protected headwater areas (designated in Exhibit G) are vegetated drainage conveyance areas draining less than 320-64 acres that promote healthy soils and vegetation along the creek corridor and allow the stream adequate space to migrate over time, thus controlling flood impacts, promoting water quality, and providing multiple community benefits. designated in Exhibit G established to enhance water quality.~~ Permitted activities and development in these areas ~~include~~ is limited to grading with revegetation, limited roadway crossings, trails and park amenities, utilities and utility crossings, and water quality facilities.

- “The CWQZ related to existing classified waterways has been modified as shown in Exhibit G and shall be exempt from all future CWQZ changes to currently unclassified waterways.”

- o I read this sentence to imply that existing classified waterways would be exempt from all future CWQZ changes. I don't think this is necessary, and I don't think it is a good idea. It is my understanding that we agreed that the headwaters would be exempt from future changes to the CWQZ code.

- 64 acres of drainage is the current definition of a minor classified waterway. The designated headwaters drain less than 64 acres.

- “Grading with revegetation” sounds like a grass-lined channel. If this is the intention, it needs to be designed with WPD so that it mimics the features of a natural channel, including sinuosity and all the things listed in note #12, Exhibit G (page 3) – “...The restoration would at a minimum need to provide grade control structures that stabilize the channels and include the installation of check dams, cobble riffles, seepage berms, and in-stream installation of root wads and large woody debris.”

- “Permitted activities and development in these areas include,” is not protective enough. This language could allow any development, making it very difficult to ensure that the headwaters perform as intended.
- The Whisper Valley PUD allows **utilities** in its “headwaters.” I do not think this is a good idea. The current standard for avoiding future exposure of utility pipes due to erosion is for the line to be 100 feet from the creek centerline or outside of the erosion hazard zone. I would want approval from WPD before allowing this.
  - o For the same reason, I would want WPD approval to allow **water quality facilities** in the headwaters

## PARD – Planning & Design Review

### **Update 2**

PR1: Please confirm the number of proposed certified affordable dwelling units for this PUD. Affordable dwelling units are exempt from parkland dedication per City Code 25-1-601 (C) (3) and (4). The proposed number of certified units is needed to evaluate whether the proposed parks and open space meet code and PUD superiority (if applicable). Provide this reviewer with an affordability certification letter, if available: [thomas.rowlinson@austintexas.gov](mailto:thomas.rowlinson@austintexas.gov)

**U1: Cleared. Applicant notes 20 percent affordable, with a maximum of 3,000 dwelling units. At 2,400 DUs, assessed at 10.4 acres per 1,000 residents under City Code superiority requirements, for high density development equal to 1.7 residents per DU, equals 42.43 acres of parkland.**

PR2: Trail and recreational amenities must be allowed within the designated open space areas. Given that large areas of the open space fall within CEFs/CEF buffers and CWQZs, please note on the open space plan that any required trails and recreational amenities are allowed within those areas. Revise Part 6, #3 of the original ordinance in such a way that improved surface trails and other recreational amenities are allowed within the entire Open Space areas with PARD approval.

U1: Note explicitly on the parks and open space plan, environmental exhibits, and in code modifications that the parks amenities contemplated are allowed by right within the open space areas, with the exception of the wetland identified by the environmental reviewer in the southern portion of OS-1, south of the convergence of the creeks; divide OS-1 into two OS areas, OS-1 and OS-1.1 (for the southern area just noted along the Central Health site), and denote restrictions to amenities within OS-1.1.

**U2: Confirm which is the actual CEF wetland area identified in Exhibit G e.g. W-4.**

PR3: Revise Part 6, #2 of the redlined ordinance so that parkland dedication requirements apply. The revised ordinance may note that any fees associated with parkland dedication may be used toward recreational improvements on future proposed public parkland in accordance with the Development Agreement.

U1: Comment remains. Revise Part 6, #2 of the redlined ordinance so that: “parkland dedication requirements apply, in accordance with City Ordinance 20220915-053 unless modified herein or in the Development Agreement. Any fees associated with parkland dedication may be used toward recreational improvements on future proposed public parkland in accordance with the Development Agreement. Phasing and timing of the park improvements and dedication of parkland may be modified by the Development Agreement.” Any code waiver to parkland dedication requirements requires executive approval.

**U2: Update applicable section to the following:**

*This PUD and the Development Agreement fully satisfy any and all parkland dedication and parkland improvement requirements set forth the City Code and any City parkland rules and regulations. The minimum amount of parkland in the Development Agreement, and the minimum investment in park improvements shall be at least the amount set forth in the Development Agreement for the entire PUD. Park development as contemplated in the Development Agreement is expected to exceed what is required per City Ordinance 20220915-053, as determined by the Parks and Recreation Department. To the extent of any conflict between the terms and provisions of this PUD and any parkland requirements in the City Code or in any rule or regulation, the terms and provisions of this PUD shall apply and govern.*

PR4: Please provide a comparison table of the open space acreage within the following categories: 25-year floodplain; 100-year floodplain; CEFs; CEF buffers; CWQZ; any existing or proposed easement areas (drainage, utility, etc.); any proposed mitigation areas (e.g. new or moved CWQZ or CEF buffers).

U1: Comment remains – provide best estimate of the comparison table.

**U2: Cleared.**

PR5: The above comments will be used to provide a comparison of the application to current code requirements for parkland dedication and superiority for parkland dedication. Please confirm that the PUD is not seeking parkland dedication superiority.

**U1: Cleared.**

Site Plan

SP 1. No comments remaining.

Austin Transportation and Public Works Department – Engineering Review

ATD 1. A traffic impact analysis (TIA) and transportation demand management (TDM) are required and have not yet been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA/TDM. [LDC 25-6-142]. Comments will be provided in a separate memo.

U1: Comment pending.

**U2: Comment cleared with recommendation that the final TIA memo should be available prior to 3rd reading of Council.**

ATD 2. The Austin Strategic Mobility Plan (ASMP) calls for 72 feet of right-of-way for **Colony Park Loop**. It is recommended that 31 feet of right-of-way from the existing centerline should be dedicated for according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

U1: Comment pending cross-section recommendations from the TIA.

**U2: Comment cleared. Please note the discrepancy between the 70' ROW identified under Exhibit I (pg. 28) and a 72' Colony Loop Drive cross section shown Exhibit I (pg. 30). ATD recommends the 72' ROW, consistent with the ASMP, and revising bike facility to the TCM recommended 10' minimum, which the applicant had previously agreed to.**

ATD 3. The Austin Strategic Mobility Plan (ASMP) calls for 72 feet of right-of-way for Colony Park Drive – Valleyfield Connector. It is recommended that 72 feet of right-of-way be dedicated for according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

**U1: Comment cleared. ATD recommends requested waiver for this ASMP roadway.**

ATD 4. The Austin Strategic Mobility Plan (ASMP) calls for 72 feet of right-of-way for **Clearsight Trail**. It is recommended that 72 feet of right-of-way should be dedicated for according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25- 6-55].

**U1: Comment cleared. ATD recommends requested waiver for this ASMP roadway.**

ATD 5. The Austin Strategic Mobility Plan (ASMP) calls for 72 feet of right-of-way for **Matthews Prairie Path**. It is recommended that 72 feet of right-of-way should be dedicated for according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

**U1: Comment cleared. ATD recommends requested waiver for this ASMP roadway.**

ATD 6. Exhibit J: Please clarify the reasoning for increasing the parking requirements from PUD's previous iteration.

- Retail/Commercial: No minimum and 1/1000 maximum revised to 1/500 with no max.
- Office: 1/1000 with 3/1000 maximum revised to 1/500 with no max.
- Condominium/MF: .5/unit and 1/max. revised to 1/unit with no max.
- Rowhouse/shophouse/duplex: .5/dwelling revised to 1/dwelling.

**U1: Comment cleared.**



- ATD 7. Exhibit C should indicate roadways as required per the ASMP or suggest alternatives:
- Please indicate Colony Loop Drive, Wilmington Drive, Colony Park Dr-Valleyfield Dr Connector, Clearlight Trail, and Matthews Prairie Path.
  - A note specifying the exact alignment to be determined at time of subdivision may be added for flexibility.

**U1: Comment cleared.**

ATD 8. Exhibit F (Pg 4):

At this time, ATD does not support the footnote allocating a “maximum of two driveways” for street frontage. Recommend deference to TCM which regulates spacing/allowances.

U1: Removal of this note is still recommended, however, if it remains, then “subject to TCM requirements” should be added.

**U2: Comment cleared.**

ATD 9. Exhibit I (Pg 1):

- TCM requires min. 10’ width for two-way cycle facility. 12’ preferred. TCM 5.1.2.2.G.
- 2’ curb buffer prescribed for bike barrier. TCM 2.8.2.3

**U1: Comment cleared.**

ATD 10. Exhibit I (Pg 2): Wilmington Street (Retail Emphasis)

- Angled parking may be permitted only if all other right-of-way zone elements are included with their minimum widths being met. TCM 9.2.2.K. ATD recommends approval of this street cross section alternative if the bike facility is increased to a minimum 10’ width.

**U1: Comment cleared.**

ATD 11. Exhibit K (Code Modifications):

- Subsection A. ATD does not recommend approval of Subsection A.1 and 2. (grandfathering TCM July 12, 2022 version)

U1: Note applicant’s revision to A.6. ATD does not recommend this modification.

**U2: Comment cleared.**

- Subsection A. ATD does not recommend A.3. (vesting to ITE 11th edition). It is possible that future ITE editions may be beneficial to the overall development trip calculation and a better reflection of contemporary driving behaviors.

**U1: Comment cleared.**

- Subsection D.1-2. ATD recommends approval, however, the PUD application should request that Colony Park street cross-sections fulfill TCM Level 1 and 2 street requirements, and not a modification to the TCM itself.

**U1: Comment cleared.**

ATD 12. Please remove “ASMP Level 1” designation to proposed streets, as described on page 5 of Exhibit I (Colony Park PUD Street Sections). Please reference one of the proposed roadway types (Exhibit I pg. 1) for new proposed streets.

**U2: Comment cleared**

ATD 13. Please clarify the intent to waive 25-6-141(B) proposed in the code modification E.4. ATD does not recommend amending this code section which establishes regulatory authority.

**U2: Comment cleared with recommendation for the addition of clarifying language to specify that amending this code section does not preclude the requirement of TIA compliance at the time of site plan or subsequent PUD amendments.**

ATD 14. PUD Draft Ordinance Part 9: Traffic and Transportation

**Section 1: Recommend adding language to clarify that development will still be subject to the Street Impact Fee and inclusion of “site plan” to the last sentence where timing of traffic mitigation/assessment is mentioned.**

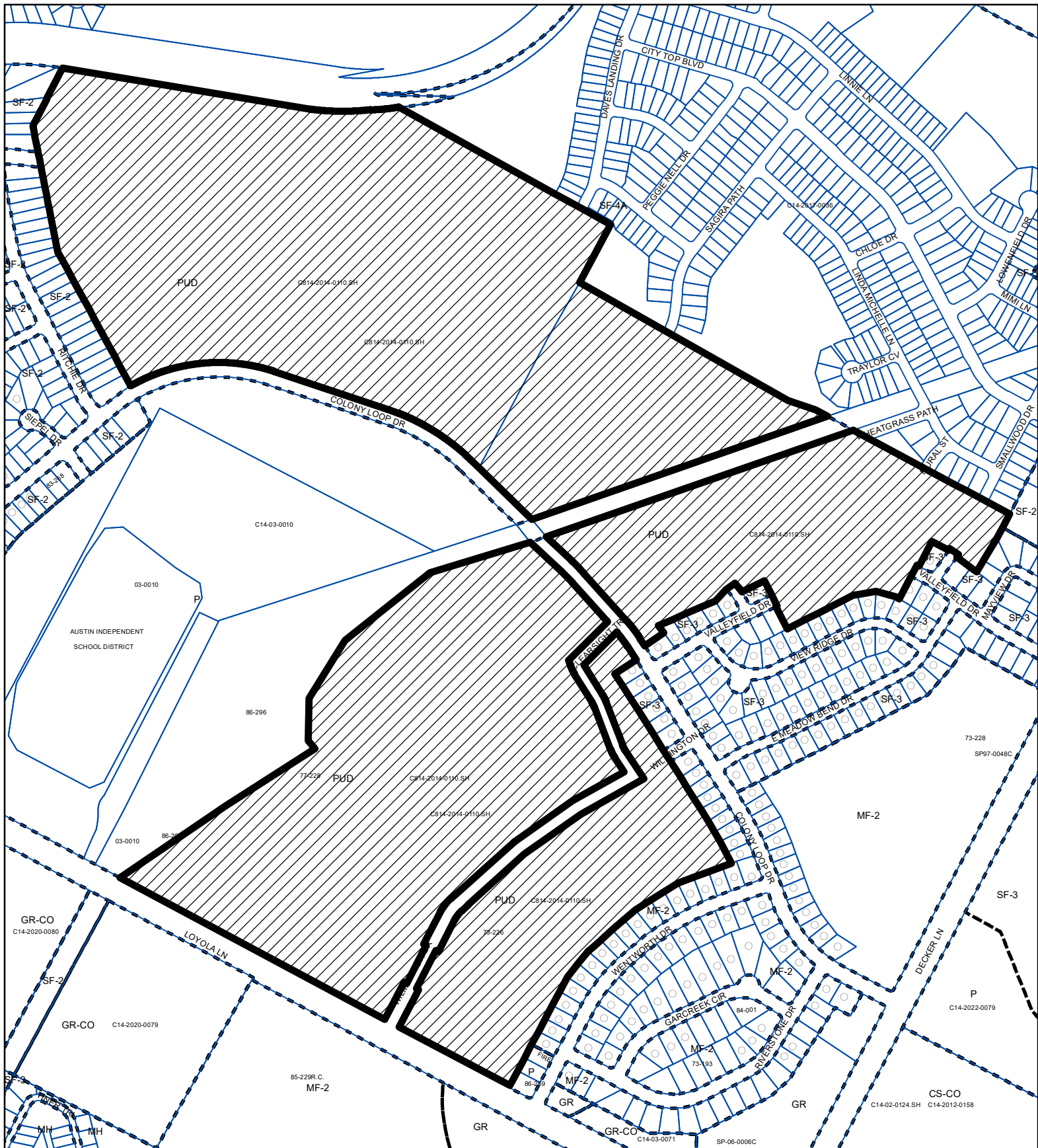
**Section 2: Recommend changing the verbiage from “traffic impacts” to “trip generation” in keeping with requested ITE methodologies.**




**EXISTING STREET CHARACTERISTICS:**

<b>Name</b>	<b>ASMP Classification</b>	<b>ASMP Required ROW</b>	<b>Existing ROW</b>	<b>Existing Pavement</b>	<b>Sidewalks</b>	<b>Bicycle Route</b>	<b>Capital Metro (within ¼ mile)</b>
Colony Loop Drive  (partially constructed)	2	72'	70'	40'	Yes	Yes	Yes
Wilmington Drive  (not built)	2	72'	~75'	None	None	Yes	Yes
Colony Park Dr-Valleyfield Dr Connector  (not built)	2	72'	None	None	None	Yes	Yes
Clearsight Trail  (not built)	2	72'	67'	None	None	Yes	Yes
Matthews Prairie Path (not built)	2	72'	~61'-67'	None	None	Yes	Yes
Loyola Lane	3	140'	~132'	70'	Yes	Yes	Yes

#### INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

- A. Zoning Map
- B. Aerial Map
- C. Applicant's Summary Letter
- D. Proposed Amendments to the Colony Park PUD – Exhibits 10.17.2023
- E. Final Responses to Informal Update Comments from Staff
- F. Colony Park PUD Criteria Manual
- G. Proposed Code Modifications
- H. Proposed Redline of Ordinance



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

## PLANNED UNIT DEVELOPMENT

### ZONING CASE#: C814-2014-0110.02.SH

1" = 600'

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.





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## Colony Park Sustainable Communities Initiative PUD

-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE
-  CREEK BUFFER

ZONING CASE#: C814-2014-0110.02.SH  
 LOCATION: 150-2250 West of Loyola Ln  
 & Wentworth Dr  
 SUBJECT AREA: 208.157 Acres  
 GRID: P24  
 MANAGER: Jonathan Tomko



This product has been produced by the Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Created: 7/26/2023





mccann adams studio

June 9, 2023

Todd Shaw, Chair  
City of Austin, Planning Commission  
and  
Joi Harden, Interim Zoning Officer,  
City of Austin, Planning Department  
Street-Jones Building  
1000 E. 11th St.,  
Austin, TX 78702

Re: Proposed Amendment to the Colony Park PUD Ordinance No. 20141211-150; City of Austin File No. C814-2014-0110.SH

Dear Mr. Shaw and Ms. Harden,

The purpose of this letter is to request a substantial amendment to the Colony Park Planned Unit Development (PUD). Pursuant to Resolution No. 20230608-54, the City of Austin Economic Development Department and its development partner, CDC Colony Parks Holdings, L.P., a Catellus affiliate (Catellus), request these amendments to facilitate the implementation of the community's vision adopted in 2014 as the Colony Park Sustainable Communities Initiative. This Colony Park PUD substantial amendment is a city initiated zoning amendment and the City of Austin is the Applicant herein. Over the past four years, Catellus has worked extensively with the City of Austin (the City) and the community to refine the Colony Park Master Plan to improve its economic feasibility and to incorporate appropriate levels of flexibility to be responsive to changing market conditions and unforeseen opportunities that may arise over the 15-to-20-year implementation period. Many of these amendments are based upon the experience gained from the partnership between the City and Catellus in the successful implementation of the Mueller redevelopment which is now nearing completion.

The substance of these changes is described in the attached document, "Proposed Amendments to the Colony Park PUD" (June 9, 2023), wherein you will find the rationale for the changes, as well as the proposed revised PUD exhibits.

Please do not hesitate to reach out if you have questions or require any additional information.

Sincerely,

Jim Adams, AIA, LEED AP  
Principal, McCann Adams Studio

**PROPOSED AMENDMENTS**  
**TO THE COLONY PARK PUD**

**EXHIBITS**

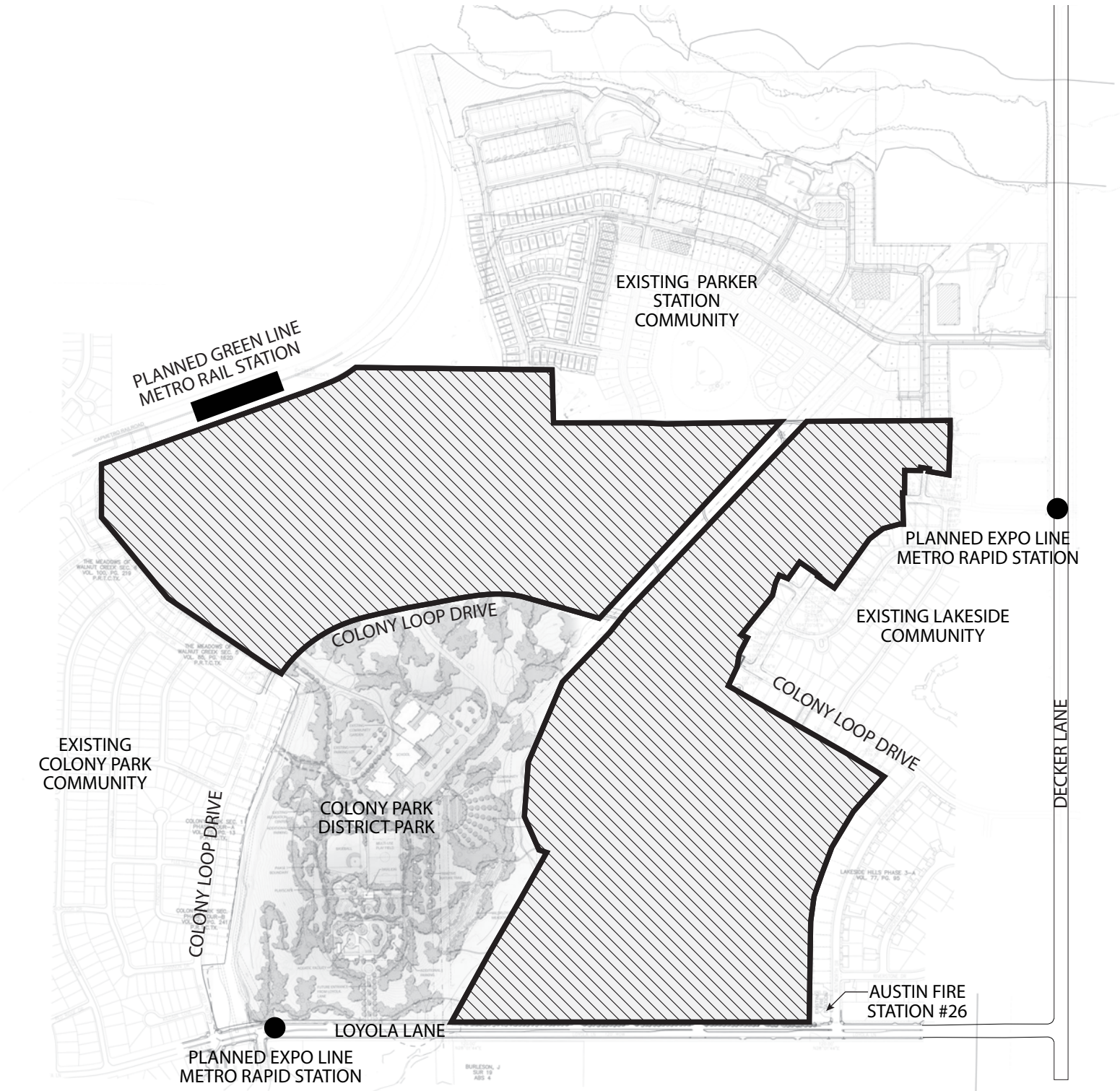
*PREPARED BY MCCANN ADAMS STUDIO*  
*OCTOBER 17, 2023*

**CASE #: C1814-2014-0110.01.SH**



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EXHIBIT B  
COLONY PARK P.U.D ZONING MAP



Draft July 28, 2023

# EXHIBIT C COLONY PARK P.U.D. LAND USE PLAN

## Legend

**ETOD** - Equitable Transit Oriented Development

**NR** - Neighborhood Residential

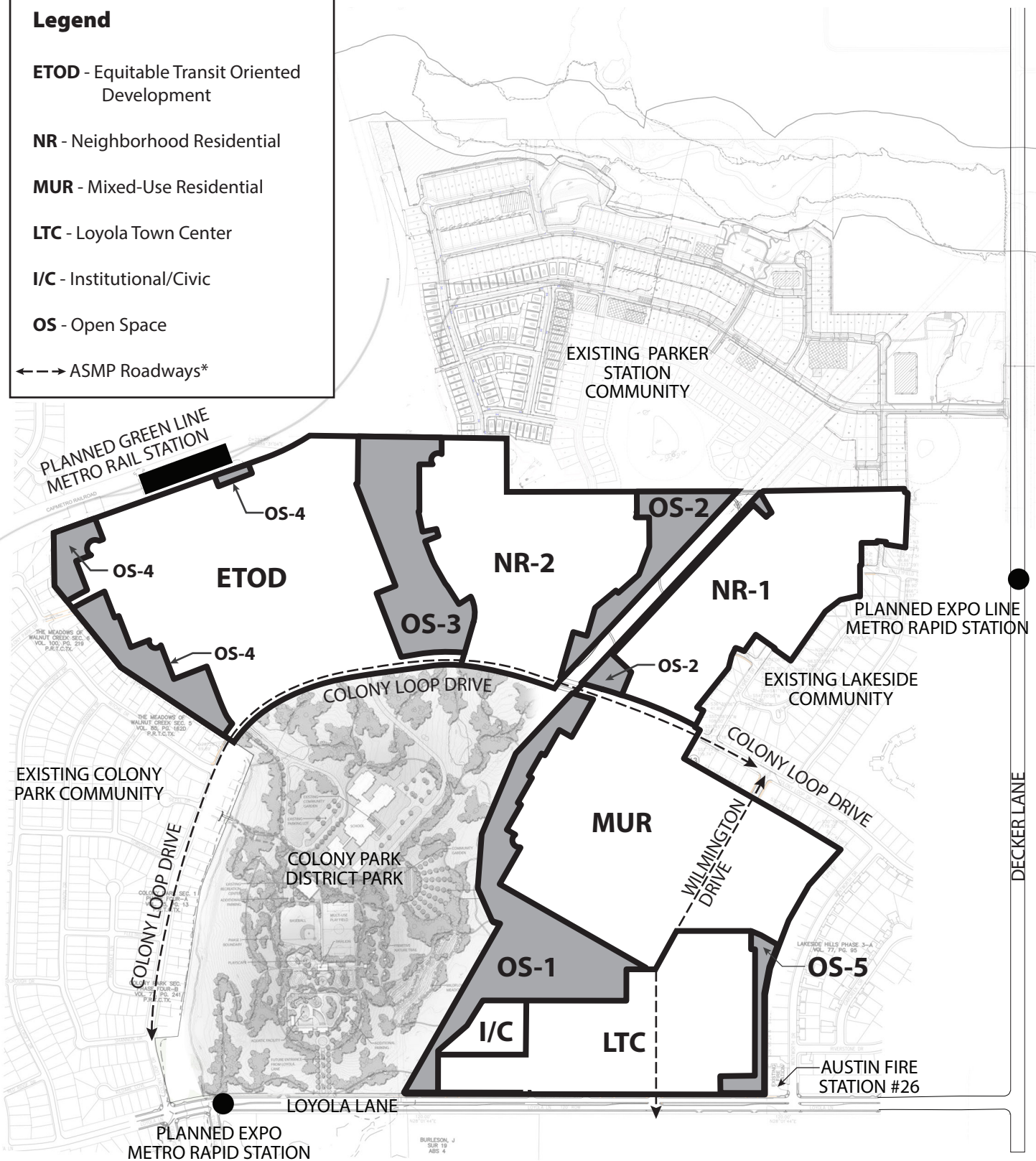
**MUR** - Mixed-Use Residential

**LTC** - Loyola Town Center

**I/C** - Institutional/Civic

**OS** - Open Space

--- ASMP Roadways\*



\*Alignments are conceptual and subject to future refinement.  
Draft September 21, 2023

0 200 400 800 Feet



# EXHIBIT D - (PAGE 1)

## COLONY PARK P.U.D. ZONING USE SUMMARY TABLE

P= Permitted; NP = Not Permitted										
RESIDENTIAL USES	LTC	IC	MUR	ETOD	NR-1	NR-2	OS-1	OS-2	OS-3	OS-4
Bed & Breakfast (Group 1)	P	NP	P	P	P	NP	NP	NP	NP	
Bed & Breakfast (Group 2)	P	NP	P	P	P	NP	NP	NP	NP	
Condominium Residential	P	NP	P	P	P	NP	NP	NP	NP	
Conservation Single Family Residential	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Cottage House <sup>1</sup>	NP	NP	P	P	P	NP	NP	NP	NP	
Duplex Residential	P	NP	P	P	P	NP	NP	NP	NP	
Group Residential	P	NP	P	P	P	NP	NP	NP	NP	
Mobile Home Residential	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Multifamily Residential	P	NP	P	P	P	NP	NP	NP	NP	
Retirement Housing (Small Site)	P	NP	P	P	P	NP	NP	NP	NP	
Retirement Housing (Large Site)	P	NP	P	NP	NP	NP	NP	NP	NP	
Row/Shop House <sup>1</sup>	P	NP	P	P	P	NP	NP	NP	NP	
Single-Family Attached Residential	P	NP	P	P	P	NP	NP	NP	NP	
Single-Family Residential	NP	NP	P	P	P	NP	NP	NP	NP	
Small Lot Single-Family Residential	NP	NP	P	P	P	NP	NP	NP	NP	
Small Site Condominium <sup>1</sup>	P	NP	P	P	P	NP	NP	NP	NP	
Townhouse Residential	P	NP	P	P	P	NP	NP	NP	NP	
Two-Family Residential	NP	NP	P	P	P	NP	NP	NP	NP	
Two-Unit Residential (Attached) <sup>1</sup>	NP	NP	P	P	P	NP	NP	NP	NP	
Two-Unit Residential (Detached) <sup>1</sup>	NP	NP	P	P	P	NP	NP	NP	NP	
Yard House <sup>1</sup>	NP	NP	P	P	P	NP	NP	NP	NP	
COMMERCIAL USES	LTC	IC	MUR	ETOD	NR-1	OS-1	OS-2	OS-3	OS-4	
Administrative and Business Offices	P	P*	P	P	NP	NP	NP	NP	NP	* Permitted with Approval of Land Developer.
Agricultural Sales and Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Alternative Financial Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Art Gallery	P	NP	P	P	P	NP	NP	NP	NP	
Art Workshop	P	NP	P	P	P	NP	NP	NP	NP	
Automotive Rentals	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Automotive Repair Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Automotive Sales	P*	NP	NP	NP	NP	NP	NP	NP	NP	*Permitted if limited to a showroom with no service or maintenance component or fleet storage and no more than 5 (five) surface parking spaces.
Automotive Washing (of any type)	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Bail Bond Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Building Maintenance Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Business or Trade School	P	NP	NP	P	NP	NP	NP	NP	NP	
Business Support Services	P	NP	NP	P	NP	NP	NP	NP	NP	
Campground	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Carriage Stable	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Cocktail Lounge	P	NP	P*	P*	NP	NP	NP	NP	NP	*Permitted up to 5,000 square feet.
Commercial Blood Plasma Center	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Commercial Off-Street Parking	P	NP	P	P	NP	NP	NP	NP	NP	
Communications Services	P	NP	P	P	NP	NP	NP	NP	NP	
Construction Sales and Services	P	NP	NP	P	NP	NP	NP	NP	NP	
Consumer Convenience Services	P	NP	P	P	P	NP	NP	NP	NP	
Consumer Repair Services	P	NP	P	P	P	NP	NP	NP	NP	
Convenience Storage	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Creative Space <sup>1</sup>	P	NP	P	P	P	NP	NP	NP	NP	
Drop-Off Recycling Collection Facility	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Electronic Prototype Assembly	P	NP	NP	P	NP	NP	NP	NP	NP	
Electronic Testing	P	NP	NP	P	NP	NP	NP	NP	NP	
Equipment Repair Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Equipment Sales	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Exterminating Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Financial Services	P	NP	P	P	NP	NP	NP	NP	NP	
Food Preparation	P	NP	P	P	NP	NP	NP	NP	NP	
Food Sales	P	NP	P	P*	P*	P*	NP	NP	NP	* Maximum cumulative gross floor area is 3,500 square feet.
Funeral Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	
General Retail Sales (Convenience)	P	P	P	P	NP	NP	NP	NP	NP	
General Retail Sales (General)	P	NP	P	P	NP	NP	NP	NP	NP	
Grocery Store <sup>1</sup>	P	NP	P	P	NP	NP	NP	NP	NP	
Hotel-Motel	P	NP	P	P	NP	NP	NP	NP	NP	
Indoor Entertainment	P	NP	P	P	NP	NP	NP	NP	NP	
Indoor Sports and Recreation	P	NP	P	P	NP	NP	NP	NP	NP	
Kennels	P*	NP	P*	P*	NP	NP	NP	NP	NP	* A kennel use must be conducted entirely within an enclosed structure.
Laundry Services	P	NP	P	P	NP	NP	NP	NP	NP	
Liquor Sales	P	NP	P	P	NP	NP	NP	NP	NP	
Live Music Venue <sup>1</sup>	P	NP	P	P	NP	NP	NP	NP	NP	
Medical Offices - Exceeding 5,000 sq. ft. gross floor area	P	P	P	P	NP	NP	NP	NP	NP	
Medical Offices - Not Exceeding 5,000 sq. ft. gross floor area	P	P	P	P	NP	NP	NP	NP	NP	

1) As defined in the Colony Park PUD Definitions

# EXHIBIT D - (PAGE 2)

## COLONY PARK P.U.D. ZONING USE SUMMARY TABLE

P= Permitted; NP = Not Permitted										
COMMERCIAL USES - continued	LTC	IC	MUR	ETOD	NR-1	NR-2	OS-1	OS-2	OS-3	OS-4
Microbrewery <sup>1</sup>	P	NP	P	P	NP	NP	NP	NP	NP	* Permitted provided that the facility be licensed by the Texas Alcoholic Beverage Commission (TABC) as a Brew Pub and follows all TABC rules and regulations (e.g. production limited to 10,000 barrels per year).
Monument Retail Sales	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Off-Site Accessory Parking	P	NP	P	P	P	P	NP	NP	NP	
Outdoor Entertainment	NP	NP	NP	NP	NP	NP	P	P	P	
Outdoor Sports and Recreation	NP	NP	NP	NP	NP	NP	P	P	P	
Pawn Shop Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Pedicab Storage and Dispatch	P	NP	NP	P	NP	NP	NP	NP	NP	* Permitted with approval of the Land Developer provided that the facility be located within 1,000 feet of a high capacity rail or bus rapid transit station with a gross square footage that does not exceed 2,500 square feet of storage and that the facility includes a customer-oriented use (e.g. bike repairs and/or sales) in accordance with the Development Agreement.
Personal Improvement Services	P	NP	P	P	NP	NP	NP	NP	NP	
Pet Services	P	NP	P	P	NP	NP	NP	NP	NP	
Plant Nursery	P	NP	P	P	NP	NP	NP	NP	NP	
Printing and Publishing	P	NP	P	P	NP	NP	NP	NP	NP	* Must not produce external noise, vibration, smoke, odor, heat, glare, fumes, electrical interference or waste runoff. Outdoor storage materials and wholesale distribution of goods is prohibited. The use is limited to printing equipment typically used in a business office.
Professional Office	P	NP	P	P	P	P	NP	NP	NP	
Recreational Equipment Maint. & Stor.	NP	NP	NP	P	NP	NP	NP	NP	NP	
Recreational Equipment Sales	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Research Assembly Services	P	NP	P	P	NP	NP	NP	NP	NP	* Must not produce external noise, vibration, smoke, odor, heat, glare, fumes, electrical interference or waste runoff. Outdoor storage materials and wholesale distribution of goods is prohibited. The use is limited to printing equipment typically used in a business office.
Research Services	P	NP	P	P	NP	NP	NP	NP	NP	* Must not produce external noise, vibration, smoke, odor, heat, glare, fumes, electrical interference or waste runoff. Outdoor storage materials and wholesale distribution of goods is prohibited. The use is limited to printing equipment typically used in a business office.
Research Testing Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Research Warehousing Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Restaurant (General)	P	NP	P	P	P	P	NP	NP	NP	
Restaurant (Limited)	P	NP	P	P	P	P	NP	NP	NP	
Scrap and Salvage	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Service Station	P	NP	NP	NP	NP	NP	NP	NP	NP	* Only permitted as an accessory use to a Grocery Store, with no more than eight gas pumps.
Software Development	P	NP	P	P	NP	NP	NP	NP	NP	
Special Use Historic	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Stables	NP	NP	NP	NP	NP	NP	P	P	P	
Theater	P	NP	P	P	NP	NP	NP	NP	NP	
Vehicle Storage	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Veterinary Services	NP	NP	NP	NP	NP	NP	NP	NP	NP	
CIVIC USES	LTC	IC	MUR	ETOD	NR-1	NR-2	OS-1	OS-2	OS-3	OS-4
Administrative Services	P	P	P	P	NP	NP	NP	NP	NP	
Aviation Facilities	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Camp	NP	NP	NP	NP	NP	NP	NP	P	P	
Cemetery	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Club or Lodge	P	NP	P	P	NP	NP	NP	NP	NP	
College and University Facilities	P	NP	P	P	NP	NP	NP	NP	NP	
Communication Service Facilities	P	NP	P	P	NP	NP	NP	NP	NP	
Community Events	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Community Recreation (Private)	P	NP	P	P	P	P	P	P	P	* Permitted with Approval of Land Developer, in accordance with the Development Agreement.
Community Recreation (Public)	P	NP	P	P	P	P	P	P	P	
Congregate Living	P	P	P	P	NP	NP	NP	NP	NP	
Convalescent Services	P	NP	P	P	NP	NP	NP	NP	NP	
Convention Center	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Counseling Services	P	P	P	P	P	P	NP	NP	NP	* Permitted with Approval of Land Developer.
Cultural Services	P	NP	P	P	P	P	P	P	P	
Day Care Services (Commercial)	P	P	P	P	P	P	NP	NP	NP	
Day Care Services (General)	P	P	P	P	P	P	NP	NP	NP	
Day Care Services (Limited)	P	P	P	P	P	P	NP	NP	NP	
Detention Facilities	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Employee Recreation	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Family Home	NP	P	NP	NP	NP	NP	NP	NP	NP	
Group Home, Class I (General)	NP	P	NP	NP	NP	NP	NP	NP	NP	
Group Home, Class I (Limited)	NP	P	NP	NP	NP	NP	NP	NP	NP	
Group Home, Class II	NP	P	NP	NP	NP	NP	NP	NP	NP	
Guidance Services	P	P	P	P	NP	NP	NP	NP	NP	
Hospital Services (General)	P	P	NP	NP	NP	NP	NP	NP	NP	
Hospital Services (Limited)	P	P	P	P	NP	NP	NP	NP	NP	
Library, Museum, or Public Art Gallery	P	NP	P	P	NP	NP	NP	NP	NP	
Local Utility Services	P	P	P	P	P	P	P	P	P	
Maintenance and Service Facilities	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Major Utility Facilities	P	P	P	P	P	P	P	P	P	* Permitted with Approval of Land Developer.
Military Installations	NP	NP	NP	NP	NP	NP	NP	NP	NP	
Park and Recreation Services (General)	P	NP	P	P	P	P	P	P	P	
Park and Recreation Services (Special)	P	NP	P	P	NP	NP	P	P	P	
Performance Venue/Theater	P	NP	P	P	NP	NP	NP	NP	NP	
Postal Facilities	P	NP	P	P	NP	NP	NP	NP	NP	

1) As defined in the Colony Park PUD Definitions

# EXHIBIT D - (PAGE 3)

## COLONY PARK P.U.D. ZONING USE SUMMARY TABLE

P= Permitted; NP = Not Permitted												
CIVIC USES - continued												
	LTC	IC	MUR	ETOD	NR-1	NR-2	OS-1	OS-2	OS-3	OS-4		
Private Primary Educational Facilities	P	NP	P	P	NP	NP	NP	NP	NP	NP		
Private Secondary Educational Facilities	P	NP	P	P	NP	NP	NP	NP	NP	NP		
Public Primary Educational Facilities	P	NP	P	P	NP	NP	NP	NP	NP	NP		
Public Secondary Educational Facilities	P	NP	P	P	NP	NP	NP	NP	NP	NP		
Railroad Facilities	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
Religious Assembly	P	P	P	P	P	P	NP	NP	NP	NP		
Residential Treatment	P	P	NP	NP	NP	NP	NP	NP	NP	NP		
Safety Services	P	NP	P	P	NP	NP	NP	NP	NP	NP		
Studio: Art, Dance, Martial Arts, Music <sup>1</sup>	P	NP	P	P	P	P	NP	NP	NP	NP		
Telecommunication tower -- subject to 25-2-839 (13-2-235 and 13-2-273)	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	NP	NP	NP	NP	NP	NP	* A telecommunications tower must be located on top of a building or be an architectural component of the building. Free standing towers are prohibited.	
Transitional Housing	NP	P	NP	NP	NP	NP	NP	NP	NP	NP		
Transportation Terminal	P	NP	NP	P	NP	NP	NP	NP	NP	NP		
INDUSTRIAL USES												
	LTC	IC	MUR	ETOD	NR-1	NR-2	OS-1	OS-2	OS-3	OS-4		
Basic Industry	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
Custom Manufacturing	P	NP	P	P	NP	NP	NP	NP	NP	NP	May not produce external noise, vibration, smoke, odor, heat, glare, fumes, electrical interference or waste runoff. Outdoor storage of materials and wholesale distribution of goods is prohibited.	
General Warehousing and Distribution	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
Light Manufacturing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
Limited Warehousing and Distribution	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
Recycling Center	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
Resource Extraction	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
AGRICULTURAL USES												
	LTC	IC	MUR	ETOD	NR-1	NR-2	OS-1	OS-2	OS-3	OS-4		
Animal Production	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
Community Garden	P	NP	P	P	P	P	P	P	P	P		
Crop Production	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
Horticulture	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
Indoor Crop Production	P	NP	P	P	NP	NP	NP	NP	NP	NP	Restricted to hydroponic agriculture	
Support Housing	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		
Urban Farm	NP	NP	NP	NP	NP	NP	P	P	P	P		
All Other Agricultural Uses	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP		

1) As defined in the Colony Park PUD Definitions



## EXHIBIT E

### COLONY PARK P.U.D. DENSITY TABLE

LAND USE	MAXIMUM ALLOWABLE DENSITIES <sup>1, 2, 3</sup>
TOTAL MAXIMUM RESIDENTIAL ALLOWED <sup>2, 3, 4</sup>	<ul style="list-style-type: none"> <li>3,000 Dwelling Units (Subject to Traffic Impact Analysis)</li> </ul>
TOTAL MAXIMUM COMMERCIAL/CIVIC ALLOWED <sup>3</sup>	<ul style="list-style-type: none"> <li>960,000 Square Feet (Subject to Traffic Impact Analysis)</li> </ul>

LAND USE AREA	LAND AREA (acres) <sup>4</sup>	% OF TOTAL	ESTIMATED DENSITIES <sup>1, 2, 3</sup>
LOYOLA TOWN CENTER (LTC)	24.397	11.72%	<ul style="list-style-type: none"> <li>Approximately 500,000 gsf of commercial/civic uses</li> <li>Approximately 700 dwelling units</li> </ul>
INSTITUTIONAL/CIVIC (I/C)	2.280	1.10%	<ul style="list-style-type: none"> <li>Approximately 60,000 gsf of institutional/civic uses</li> </ul>
MIXED USE RESIDENTIAL (MUR)	42.147	20.25%	<ul style="list-style-type: none"> <li>Approximately 700 dwelling units,</li> <li>Approximately 200,000 gsf of commercial/civic uses</li> </ul>
EQUITABLE TRANSIT ORIENTED DEVELOPMENT (ETOD)	45.804	22.00%	<ul style="list-style-type: none"> <li>Approximately 1,000 dwelling units</li> <li>Approximately 240,000 gsf of commercial/civic uses</li> </ul>
NEIGHBORHOOD RESIDENTIAL 1 (NR-1)	24.767	11.90%	<ul style="list-style-type: none"> <li>Approximately 300 dwelling units</li> <li>Approximately 10,000 gsf of commercial/civic uses</li> </ul>
NEIGHBORHOOD RESIDENTIAL 2 (NR-2)	27.110	13.02%	<ul style="list-style-type: none"> <li>Approximately 300 dwelling units</li> <li>Approximately 10,000 gsf of commercial/civic uses</li> </ul>
OPEN SPACE/COMMUNITY FACILITIES (OS)	41.652	20.01%	<ul style="list-style-type: none"> <li>Approximately 20,000 gsf of park-related ancillary structures</li> </ul>
<b>TOTAL P.U.D. AREA</b>	<b>208.157</b>	<b>100.0%</b>	

**Notes:**

1. So long as uses are permitted in a land use area, densities may be transferred administratively from one land use area to another provided that the overall project maximums for density are not exceeded.
2. The maximum allowable number of Dwelling Units may be increased by 1 unit for every 1,000 sf reduction in allowable commercial/civic development.
3. The maximum number of Dwelling Units, as it may be adjusted per Note 2, does not include any Accessory Dwelling Units (ADUs).
4. Land areas may be adjusted provided that the total open space is not less than 41.6 acres or 20% of the total site area.



# EXHIBIT F - (PAGE 1)

## COLONY PARK P.U.D. SITE DEVELOPMENT REGULATIONS

MIXED USE RESIDENTIAL (MUR) AND EQUITABLE TRANSIT ORIENTED DEVELOPMENT (ETOD) AREAS										
	YARD HOUSE	ZERO LOT LINE	ROW/SHOP HOUSE	TWO-UNIT RESIDENTIAL		COTTAGE HOUSE	SMALL SITE CONDOMINIUM	MULTI-FAMILY	CIVIC	COMMERCIAL <sup>3</sup>
				ATTACHED	DETACHED					
Minimum Lot Size	1,200 SF 1,400 SF on corner lots	1,200 SF 1,400 SF on corner lots	600 SF 800 SF on corner lots	2,400 SF		See Exhibit F Page 15	2,700 SF	12,500 SF	2,500 SF	2,500 SF
Minimum Lot Width	20 FT. 25 FT. on corner lots	20 FT. 25 FT. on corner	14 FT. 19 FT. on corner lots	28 FT. 33 FT. on corner lots		See Exhibit F Page 15	30 FT.	70 FT.	25 FT.	25 FT.
Maximum Height	45 FT. <sup>6</sup> 4 stories	45 FT. <sup>6</sup> 4 stories	45 FT. <sup>6</sup> 4 stories	45 FT. <sup>6</sup> 4 stories		See Exhibit F Page 15	45 FT. <sup>6</sup> 4 stories	85 FT. <sup>6</sup>	85 FT. <sup>6</sup>	85 FT. <sup>6</sup>
Minimum Front Yard Setback	5 FT.	5 FT.	5 FT.	5 FT.		See Exhibit F Page 15	5 FT.	5 FT.	5 FT.	5 FT.
Minimum Street Side Yard Setback	5 FT.	5 FT.	5 FT.	5 FT.		See Exhibit F Page 15	5 FT.	5 FT.	0 FT.	0 FT.
Minimum Interior Side Yard Setback	3 FT.-1 IN. <sup>1</sup> OR 0 FT. <sup>2</sup>	0 FT. OR 5 FT. <sup>2</sup>	0 FT. <sup>4</sup>	3 FT.-1 IN. <sup>1</sup> OR 0 FT. <sup>2</sup>		See Exhibit F Page 15	3 FT.-1 IN. <sup>1</sup> OR 0 FT. <sup>2</sup>	5 FT.	0 FT.	0 FT.
Minimum Rear Yard Setback	5 FT.	5 FT.	5 FT.	5 FT.		See Exhibit F Page 15	5 FT.	5 FT.	0 FT.	0 FT.
Maximum Impervious Cover	75%	95%	95%	95%		See Exhibit F Page 15	90%	90%	100%	100%
Common Courtyard Setback <sup>5</sup>	0 FT.	0 FT.	0 FT.	0 FT.		See Exhibit F Page 15	N/A	N/A	N/A	N/A
Building Separation <sup>7</sup>	0 FT.	N/A	0 FT.	0 FT.	5 FT. <sup>7</sup>	0 FT.	0 FT.	0 FT.	0 FT.	0 FT.

**Footnotes:**

1. A minimum side yard setback of 3'-1" is permitted (measured from face of building to the property line) provided that the adjoining side yard setback is a minimum of 3'-11" to create a face-of-building to face-of-building space of at least seven (7) feet.
2. One side of a yard house, zero lot line, two-unit residential, or condominium exterior wall may be located on one of the lots' side property lines, however the exterior side yard-facing building walls of adjoining lots must be separated by a minimum of five (5) feet. (Access and/or maintenance easements may need to be created by individual builders or property owners to facilitate maintenance of buildings and/or areas that are located on or very close to an interior side yard property line).
3. Commercial site development standards apply to Custom Manufacturing.
4. The minimum interior side yard setback for residential row houses and shop houses is 0 feet. This includes side yards along alleys and chamfered corners at alley intersections.
5. Common Courtyard Lot Lines are adjacent to common courtyard spaces.
6. Refer to compatibility standards in Colony Park PUD Part 11 - B. (15).
7. Minimum dimension between the Main and Secondary building on a Two-Unit Detached Lot.

**General Notes:**

- Mixed-use multi-family buildings with ground floor commercial uses shall follow commercial site development regulations.
- Covered steps or a covered porch or stoop with or without columns may project 2.5 feet into a required street yard setback, not including Cottage Houses.
- Bay windows or other architectural projections (either cantilevered or extension of the floor surface) may project into a required yard up to 2 feet.
- For parks, see site development regulations under Open Space.

# EXHIBIT F - (PAGE 2)

## COLONY PARK P.U.D. SITE DEVELOPMENT REGULATIONS

	NEIGHBORHOOD RESIDENTIAL (NR) AREAS								
	YARD HOUSE	ZERO LOT LINE	ROW/SHOP HOUSE	TWO-UNIT RESIDENTIAL		COTTAGE HOUSE	SMALL SITE CONDOMINIUM	CIVIC	COMMERCIAL <sup>3</sup>
				ATTACHED	DETACHED				
Minimum Lot Size	1,200 SF 1,400 SF on corner lots	1,200 SF 1,400 SF on corner lots	600 SF 800 SF on corner lots	2,400 SF		See Exhibit F Page 15	2,700 SF	2,500 SF	2,500 SF
Minimum Lot Width	20 FT.	20 FT. 25 FT on corner	14 FT. 19 FT. on corner lots	28 FT. 33 FT. on corner lots		See Exhibit F Page 15	30 FT.	25 FT.	25 FT.
Maximum Height	45 FT. <sup>6</sup> 4 stories	45 FT. <sup>6</sup> 4 stories	45 FT. <sup>6</sup> 4 stories	45 FT. <sup>6</sup> 4 stories		See Exhibit F Page 15	45 FT. <sup>6</sup> 4 stories	65 FT. <sup>6</sup>	65 FT. <sup>6</sup>
Minimum Front Yard Setback	5 FT.	5 FT.	5 FT.	5 FT.		See Exhibit F Page 15	5 FT.	5 FT.	5 FT.
Minimum Street Side Yard Setback	5 FT.	5 FT.	5 FT.	5 FT.		See Exhibit F Page 15	5 FT.	0 FT.	0 FT.
Minimum Interior Side Yard Setback	3 FT.-1 IN. <sup>1</sup> OR 0 FT. <sup>2</sup>	0 FT. or 5 FT. <sup>2</sup>	0 FT. <sup>4</sup>	3 FT.-1 IN. <sup>1</sup> OR 0 FT. <sup>2</sup>		See Exhibit F Page 15	3 FT.-1 IN. <sup>1</sup> OR 0 FT. <sup>2</sup>	0 FT.	0 FT.
Minimum Rear Yard Setback	5 FT.	5 FT.	5 FT.	5 FT.		See Exhibit F Page 15	5 FT.	0 FT.	0 FT.
Maximum Impervious Cover	75%	95%	95%	95%		See Exhibit F Page 15	90%	100%	100%
Common Courtyard Setback <sup>5</sup>	0 FT.	0 FT.	0 FT.	0 FT.		See Exhibit F Page 15	N/A	N/A	N/A
Building Separation <sup>7</sup>	0 FT.	N/A	0 FT.	0 FT.	5 FT. <sup>7</sup>	0 FT.	0 FT.	0 FT.	0 FT.

### Footnotes:

1. A minimum side yard setback of 3'-1" is permitted (measured from face of building to the property line) provided that the adjoining side yard setback is a minimum of 3'-11" to create a face-of-building to face-of-building space of at least seven (7) feet.
2. One side of a yard house, two-unit residential, or condominium exterior wall may be located on one of the lots' side property lines, however the exterior side yard-facing building walls of adjoining lots must be separated by a minimum of five (5) feet. (Access and/or maintenance easements may need to be created by individual builders or property owners to facilitate maintenance of buildings and/or areas that are located on or very close to an interior side yard property line).
3. Commercial site development standards apply to Custom Manufacturing.
4. The minimum interior side yard setback for residential row houses and shop houses is 0 feet. This includes side yards along alleys and chamfered corners at alley intersections.
5. Common Courtyard Lot Lines are adjacent to common courtyard spaces.
6. Refer to compatibility standards in Colony Park PUD Part 11 - B. (15).
7. Minimum dimension between the Main and Secondary building on a Two-Unit Detached Lot.

### General Notes:

- Covered steps or a covered porch or stoop with or without columns may project 2.5 feet into a required street yard setback, not including Cottage Houses.
- Bay windows or other architectural projections (either cantilevered or extension of the floor surface) may project into a required yard up to 2 feet.
- For parks, see site development regulations under Open Space.

**EXHIBIT F - (PAGE 3)**  
**COLONY PARK P.U.D. SITE DEVELOPMENT REGULATIONS**

	<b>LOYOLA TOWN CENTER MIXED USE (LTC)</b>			
	<b>ROW/SHOP HOUSE</b>	<b>MULTI-FAMILY</b>	<b>COMMERCIAL <sup>1, 3</sup></b>	<b>INSTITUTIONAL/CIVIC</b>
Minimum Lot Size	600 SF 800 SF on corner lots	12,500 SF	2,500 SF	2,500 SF
Minimum Lot Width	14 FT. 19 FT. on corner lots	70 FT.	25 FT.	25 FT.
Maximum Height <sup>2</sup>	45 FT. 4 stories	85 FT. 7 stories	85 FT. 7 stories	85 FT. 7 stories
Minimum Front Yard Setback	5 FT.	0 FT.	0 FT.	0 FT.
Minimum Street Side Yard Setback	5 FT.	5 FT.	0 FT.	0 FT.
Minimum Interior Side Yard Setback	0 FT. <sup>4</sup>	5 FT.	0 FT.	0 FT.
Minimum Rear Yard Setback	5 FT.	0 FT.	0 FT.	0 FT.
Maximum Impervious Cover	95%	90%	100%	100%

**Footnotes:**

1. A shared parking facility may be constructed to serve multiple uses within the Loyola Town Center (e.g., commercial, retail, civic, residential), which can satisfy the minimum parking requirements for each use.
2. Refer to compatibility standards in Colony Park PUD Part 11 - B. (15).
3. Commercial site development standards apply to Custom Manufacturing
4. The minimum interior side yard setback for residential row houses and shop houses is 0 feet. This includes side yards along alleys and chamfered corners at alley intersections.

**General Notes:**

- Mixed-use multi-family buildings with ground floor commercial uses shall follow commercial site development regulations.
- Uncovered steps of a porch or stoop may project into a required yard.
- Covered steps or a covered porch or stoop with or without columns may project 2.5 feet into a required street yard setback, not including Cottage Houses.
- Bay windows or other architectural projections (either cantilevered or extension of the floor surface) may project into a required yard up to 2 feet.

EXHIBIT F - (PAGE 4)  
**COLONY PARK P.U.D. SITE DEVELOPMENT REGULATIONS**

	<b>INSTITUTIONAL/CIVIC (I/C)</b>
	INSTITUTIONAL/CIVIC <sup>1</sup>
Minimum Lot Size	2,500 SF
Minimum Lot Width	25 FT.
Maximum Height	65 FT.
Minimum Front Yard Setback	0 FT.
Minimum Front Property Line Coverage <sup>2</sup>	70%
Minimum Street Side Yard Setback	5 FT.
Minimum Interior Side Yard Setback	0 FT.
Minimum Rear Yard Setback	10 FT.
Maximum Impervious Cover	95%
Parking	4 spaces per 1,000 SF

*Footnotes:*

1. Includes Central Health Community Wellness Center
2. Maximum of two (2) Driveways on Street Frontage where no alleys serve the parcel.

# EXHIBIT F - (PAGE 5) COLONY PARK P.U.D. SITE DEVELOPMENT REGULATIONS

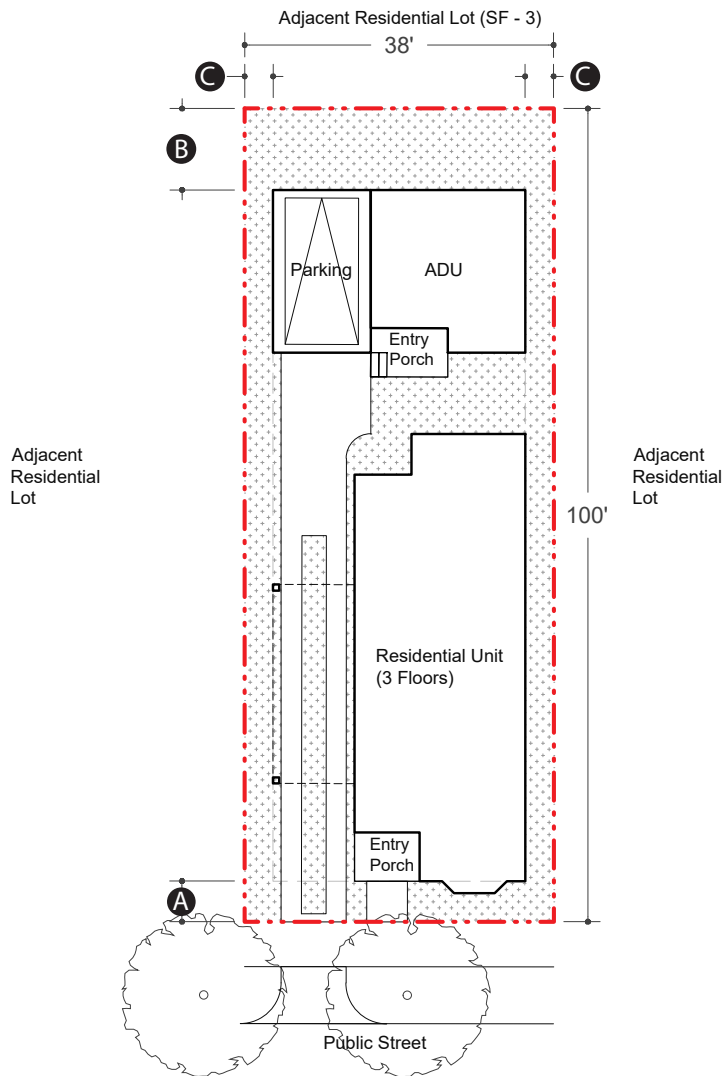


Diagram is illustrative. Table Governs.

		Yard House
	Minimum Lot Size	1200 SF 1400 SF on corner lots
	Minimum Lot Width	20 FT 25 FT on corner lots
	Maximum Height <sup>1</sup>	45 FT 4 Stories
A	Minimum Street Front Setback	5 FT
B	Minimum Rear Yard Setback	5 FT
C	Minimum Interior Side Yard Setback	3 FT-1 IN or 0 FT
	Maximum Impervious Cover	75%

### FOOTNOTES:

1. Compatibility Height - 2 Stories within 50' of shared property line with SF-3 zoned property
2. ADU may be joined to Main building

## 38' Yard House (Front Loaded) with ADU - Single Driveway

Prepared by McCann Adams Studio for Catellus - DRAFT September 7, 2023

1

# EXHIBIT F - (PAGE 6) COLONY PARK P.U.D. SITE DEVELOPMENT REGULATIONS

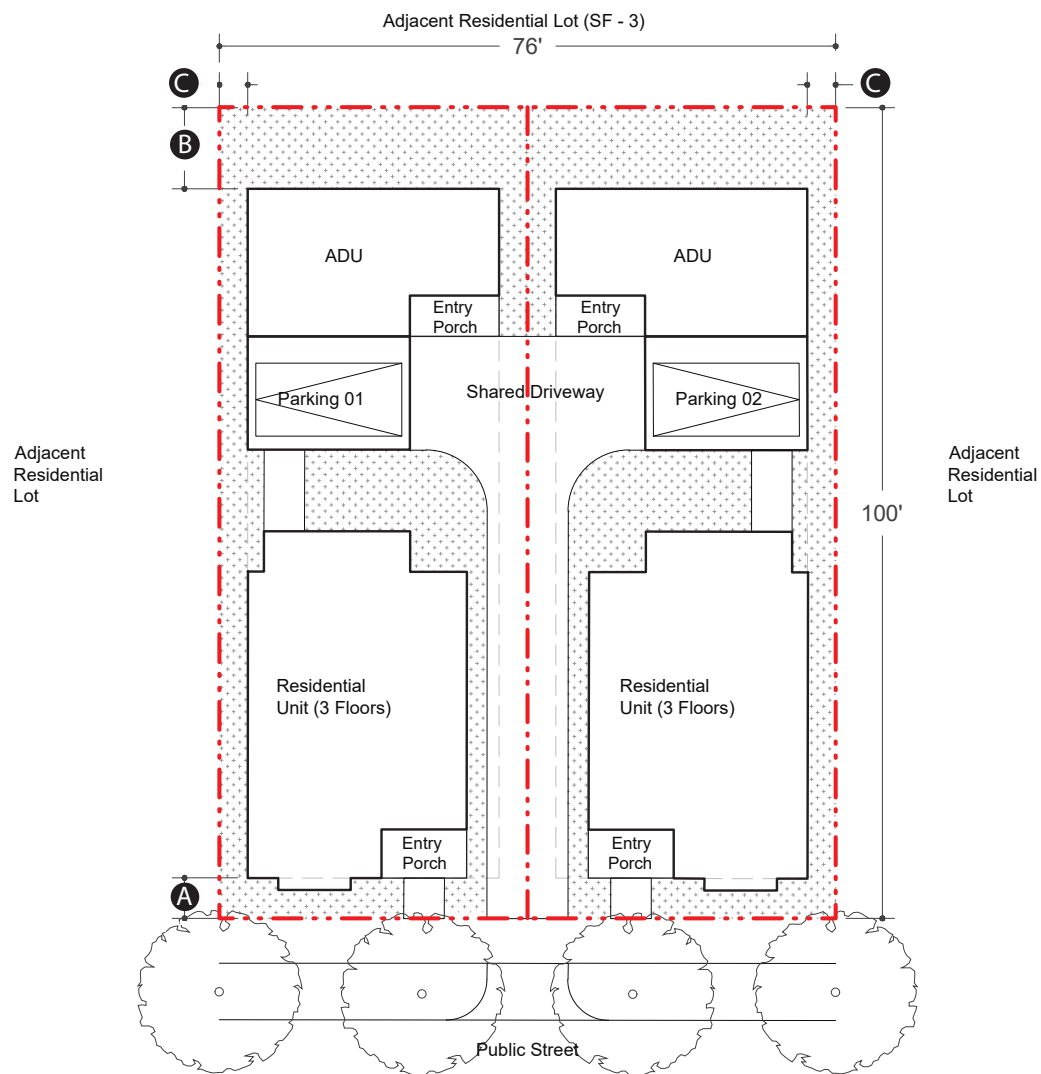


Diagram is illustrative. Table Governs.

		Yard House
	Minimum Lot Size	1200 SF 1400 SF on corner lots
	Minimum Lot Width	20 FT 25 FT on corner lots
	Maximum Height <sup>1</sup>	45 FT 4 Stories
A	Minimum Street Front Setback	5 FT
B	Minimum Rear Yard Setback	5 FT
C	Minimum Interior Side Yard Setback	3 FT-1 IN or 0 FT
	Maximum Impervious Cover	75%

FOOTNOTES:

1. Compatibility Height - 2 Stories within 50' of shared property line with SF-3 zoned property
2. ADU may be joined to Main building

38' Yard House (Front Loaded) with ADU - Shared Driveway

Prepared by McCann Adams Studio for Catellus - DRAFT September 7, 2023

EXHIBIT F - (PAGE 7)  
**COLONY PARK P.U.D. SITE DEVELOPMENT REGULATIONS**

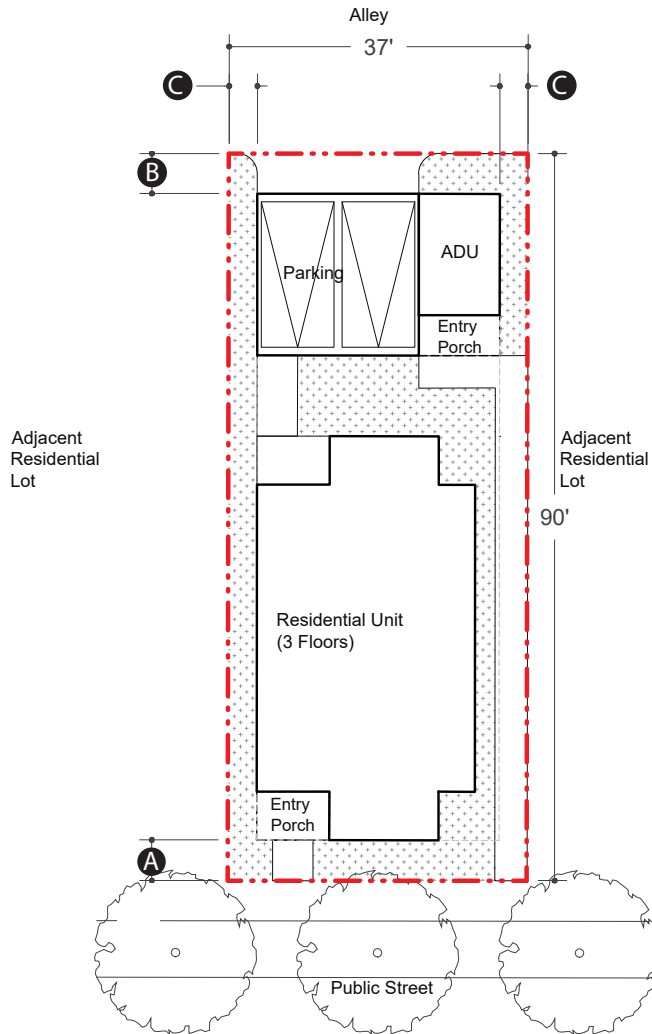


Diagram is illustrative. Table Governs.

		<b>Yard House</b>
	Minimum Lot Size	1200 SF 1400 SF on corner lots
	Minimum Lot Width	20 FT 25 FT on corner lots
	Maximum Height	45 FT - 4 Stories ADU - 3 floors max. (35ft)
<b>A</b>	Minimum Street Front Setback	5 FT
<b>B</b>	Minimum Rear Yard Setback	5 FT
<b>C</b>	Minimum Interior Side Yard Setback	3 FT-1 IN or 0 FT
	Maximum Impervious Cover	75%
	Common Courtyard Setback	0 FT

FOOTNOTES:  
 1. ADU may be joined to Main building

**37' Yard House (Rear Loaded) with ADU**  
 Prepared by McCann Adams Studio for Catellus - DRAFT July 31, 2023

3



EXHIBIT F - (PAGE 8)

**COLONY PARK P.U.D. SITE DEVELOPMENT REGULATIONS**

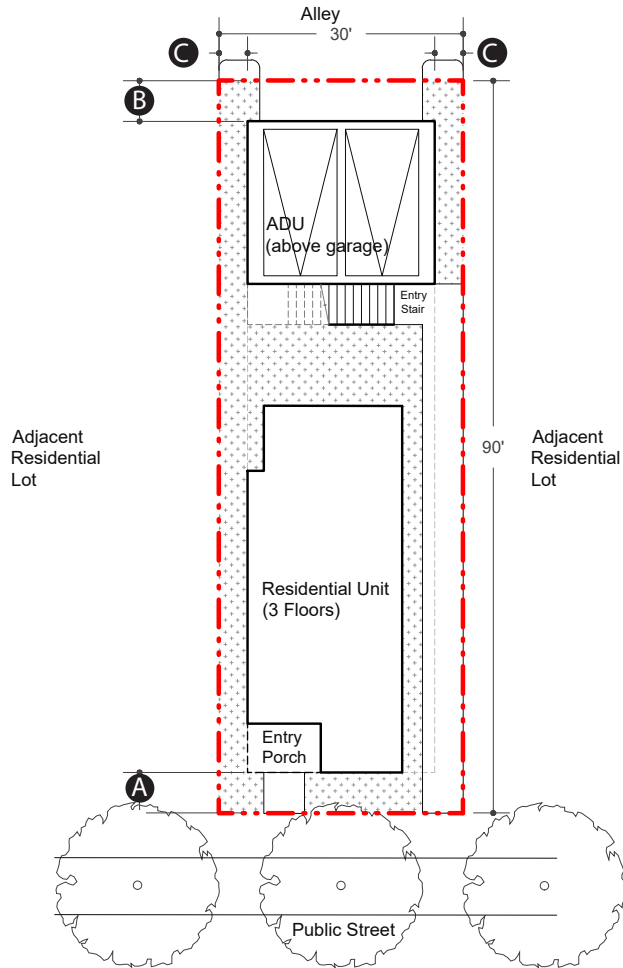


Diagram is illustrative. Table Governs.

		<b>Yard House</b>
	Minimum Lot Size	1200 SF
	Minimum Lot Width	20 FT 25 FT on corner lots
	Maximum Height	45 FT - 4 Stories ADU - 3 floors max (35FT)
<b>A</b>	Minimum Street Front Setback	5 FT
<b>B</b>	Minimum Rear Yard Setback (Alley)	5 FT
<b>C</b>	Minimum Interior Side Yard Setback	3 FT-1 IN or 0 FT
	Maximum Impervious Cover	75%
	Common Courtyard Setback	0 FT

**FOOTNOTES:**

1. ADU may be joined to Main building

**30' Yard House with ADU (Rear Loaded)**

*Prepared by McCann Adams Studio for Catellus - DRAFT July 31, 2023*

4

EXHIBIT F - (PAGE 9)

**COLONY PARK P.U.D. SITE DEVELOPMENT REGULATIONS**

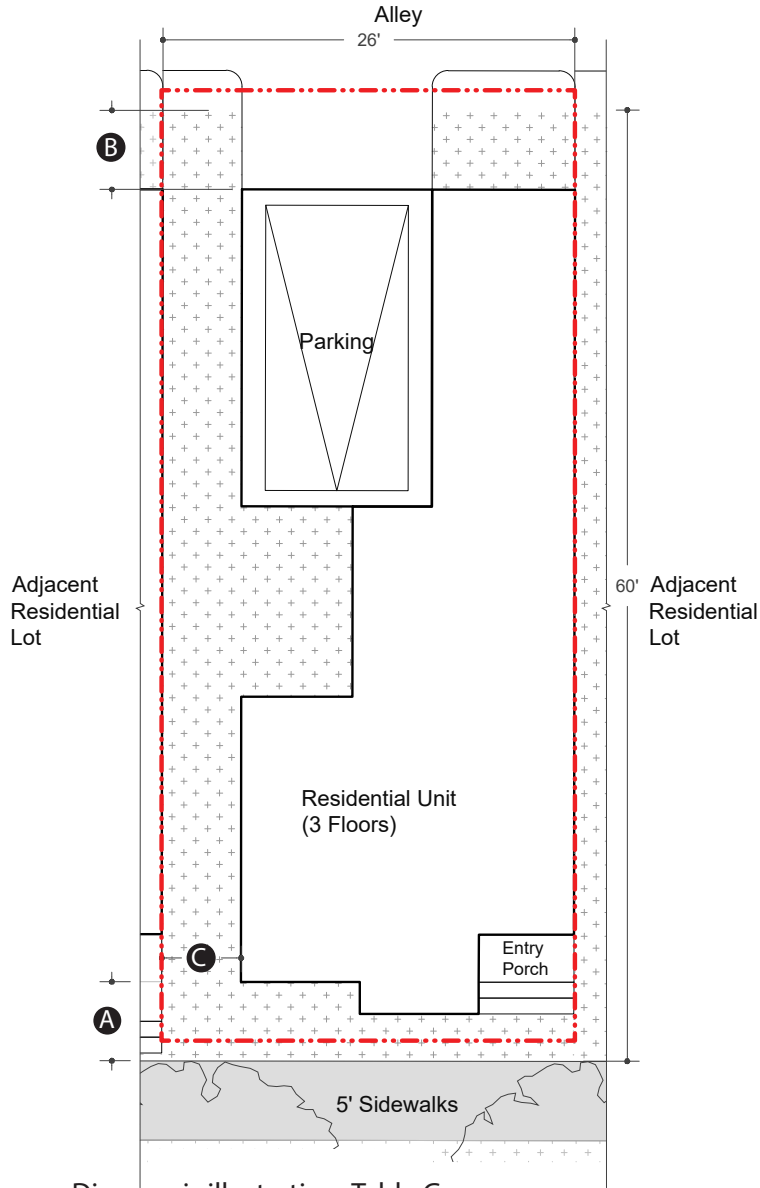


Diagram is illustrative. Table Governs.

	<b>Zero Lot-Line Residential</b>
Minimum Lot Size	1200 SF, 1400 SF on corner lots
Minimum Lot Width	20 FT
Maximum Height	45 FT 4 Stories
<b>A</b> Minimum Street Front Setback	5 FT
<b>B</b> Minimum Rear Yard Setback (Alley)	5 FT
<b>C</b> Minimum Interior Side Yard Setback	0' FT
Maximum Impervious Cover	95%

**FOOTNOTES:**

1. One side of a Zero Lot-Line Townhouse exterior wall may be located on the lot's interior side yard property line, however the exterior sideyard-facing building wall of adjoining lots must be separated by a minimum of five (5) feet. (Access and/or maintenance easements may need to be created by individual builders or property owners to facilitate maintenance of buildings and/or areas that are located on or very close to an interior sideyard property line.)

**26' Zero Lot-Line (Rear loaded) - 1 Car Garage**

Prepared by McCann Adams Studio for Catellus - DRAFT July 31, 2023

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EXHIBIT F - (PAGE 10)

**COLONY PARK P.U.D. SITE DEVELOPMENT REGULATIONS**

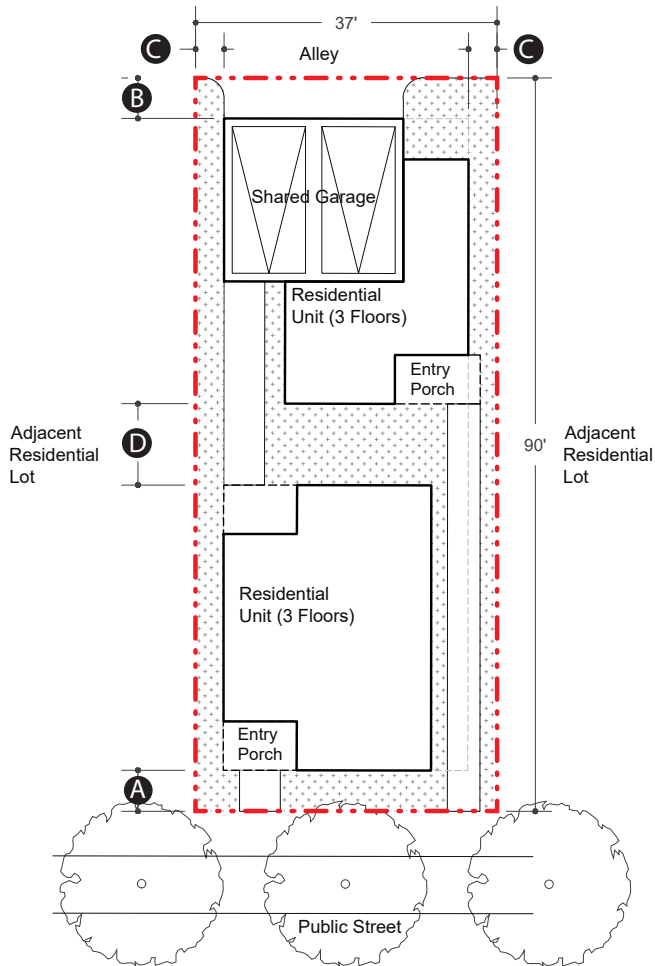


Diagram is illustrative. Table Governs.

		<b>Two-Unit Residential</b>
	Minimum Lot Size	2400 SF
	Minimum Lot Width	28 FT 33 FT on corner lots
	Maximum Height	45 FT 4 Stories
<b>A</b>	Minimum Street Front Setback	5 FT
<b>B</b>	Minimum Rear Yard Setback (Alley)	5 FT
<b>C</b>	Minimum Interior Side Yard Setback	3 FT-1 IN or 0 FT
<b>D</b>	Minimum Separation between Units <sup>1</sup>	5 FT
	Maximum Impervious Cover	95%
	Common Courtyard Setback	0 FT

**FOOTNOTES:**

1. Second Residential Unit may be attached to the Main building.

**37' Two-Unit Residential Detached - Rear Loaded**  
 Prepared by McCann Adams Studio for Catellus - DRAFT July 31, 2023

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EXHIBIT F - (PAGE 11)  
**COLONY PARK P.U.D. SITE DEVELOPMENT REGULATIONS**

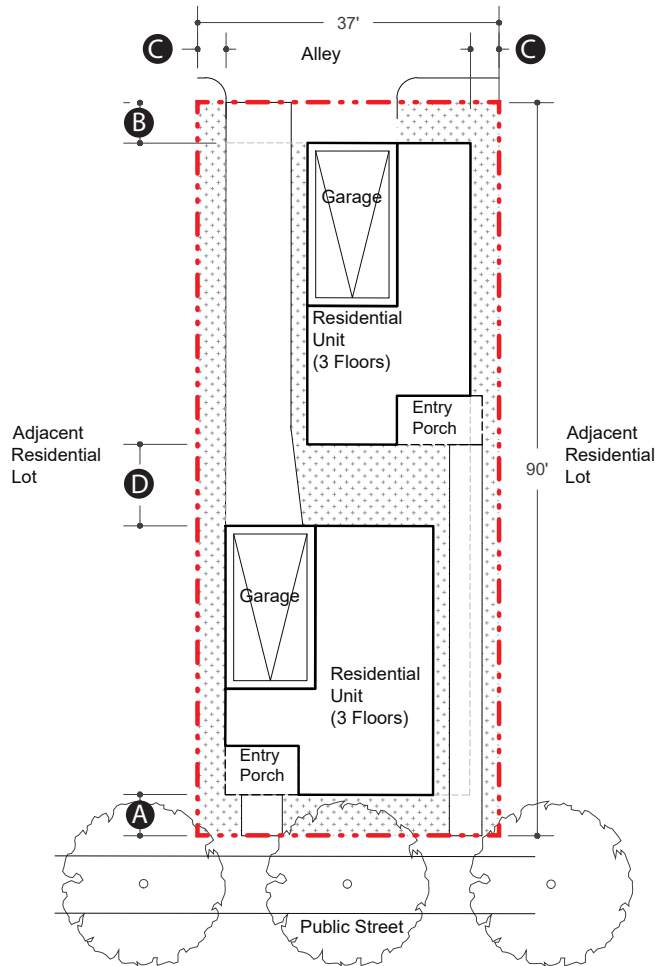


Diagram is illustrative. Table Governs.

		Two-Unit Residential
	Minimum Lot Size	2400 SF
	Minimum Lot Width	28 FT 33 FT on corner lots
	Maximum Height	45 FT 4 Stories
<b>A</b>	Minimum Street Front Setback	5 FT
<b>B</b>	Minimum Rear Yard Setback (Alley)	5 FT
<b>C</b>	Minimum Interior Side Yard Setback	3 FT-1 IN or 0 FT
<b>D</b>	Minimum Separation between Units	5 FT
	Maximum Impervious Cover	95%
	Common Courtyard Setback	0 FT

**37' Two-Unit Residential Detached - Rear Loaded with Driveway**

*Prepared by McCann Adams Studio for Catellus - DRAFT July 31, 2023*

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EXHIBIT F - (PAGE 12)

**COLONY PARK P.U.D. SITE DEVELOPMENT REGULATIONS**

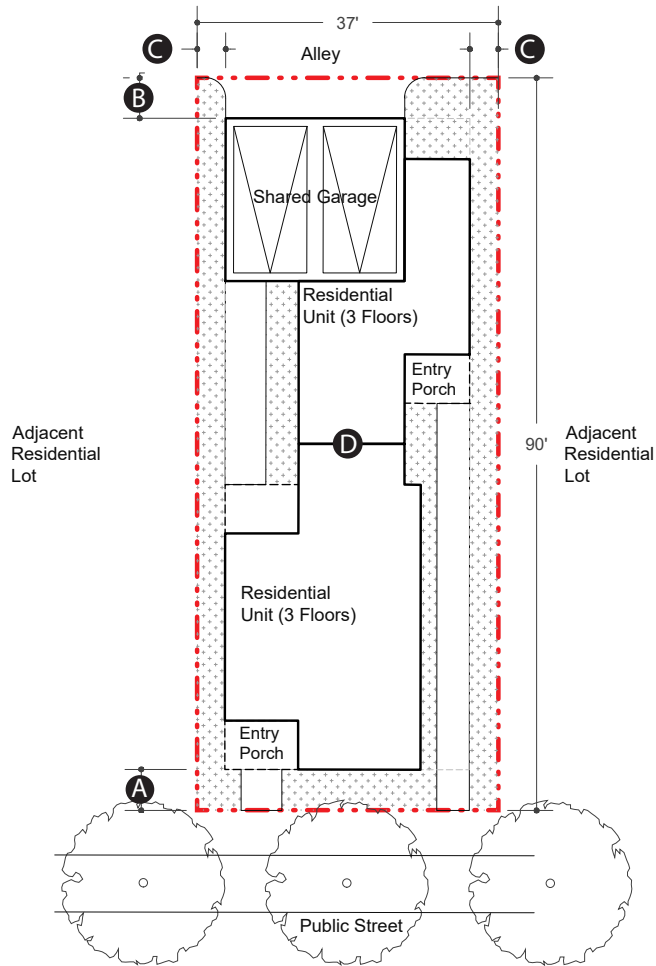


Diagram is illustrative. Table Governs.

		<b>Two-Unit Residential</b>
	Minimum Lot Size	2400 SF
	Minimum Lot Width	28 FT 33 FT on corner lots
	Maximum Height	45 FT 4 Stories
<b>A</b>	Minimum Street Front Setback	5 FT
<b>B</b>	Minimum Rear Yard Setback (Alley)	5 FT
<b>C</b>	Minimum Interior Side Yard Setback	3 FT-1 IN or 0 FT
<b>D</b>	Maximum Separation between Units <sup>1</sup>	0 FT
	Maximum Impervious Cover	95%
	Common Courtyard Setback	0 FT

**37' Two-Unit Residential Attached - Rear Loaded**

*Prepared by McCann Adams Studio for Catellus - DRAFT July 31, 2023*

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EXHIBIT F - (PAGE 13)  
**COLONY PARK P.U.D. SITE DEVELOPMENT REGULATIONS**

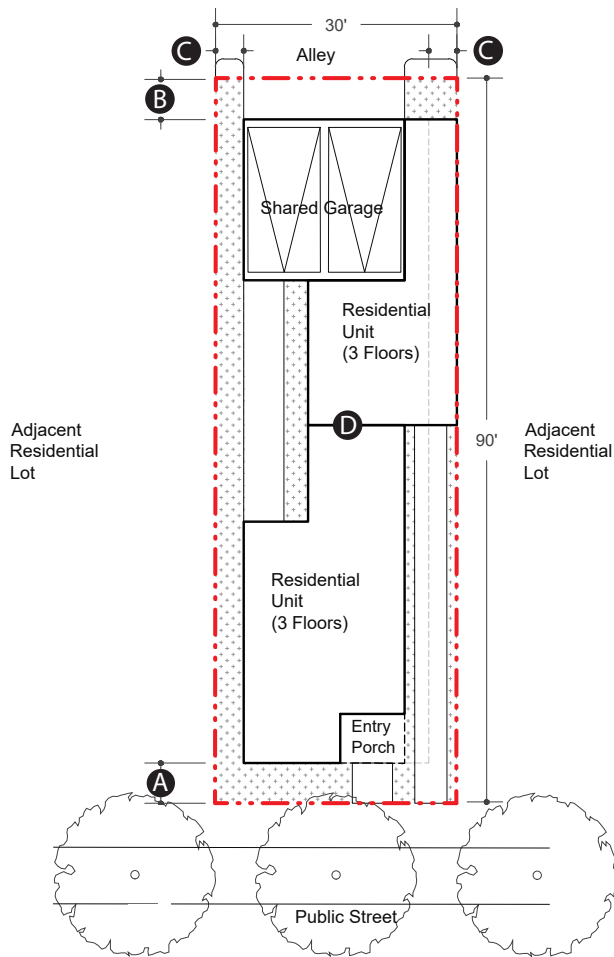


Diagram is illustrative. Table Governs.

		Two-unit Residential
	Minimum Lot Size	2400 SF
	Minimum Lot Width	28 FT 33 FT on corner lots
	Maximum Height	45 FT 4 Stories
A	Minimum Street Front Setback	5 FT
B	Minimum Rear Yard Setback (Alley)	5 FT
C	Minimum Interior Side Yard Setback	3 FT-1 IN or 0 FT
D	Minimum Separation between Units	0 FT
	Maximum Impervious Cover	95%
	Common Courtyard Setback	0 FT

**30' Two-Unit Residential Attached (Rear Loaded)**  
 Prepared by McCann Adams Studio for Catellus - DRAFT July 31, 2023

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# EXHIBIT F - (PAGE 14) COLONY PARK P.U.D. SITE DEVELOPMENT REGULATIONS

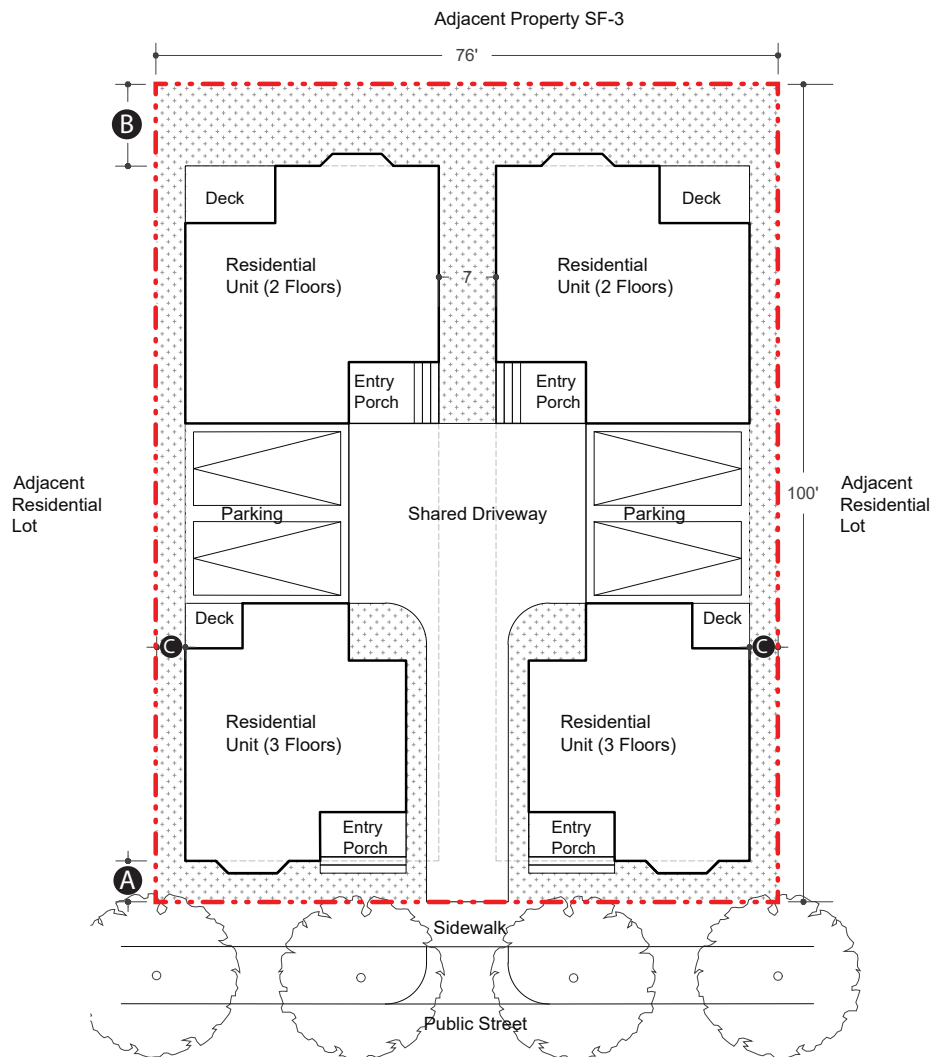


Diagram is illustrative. Table Governs.

		Small Site Condominium
	Minimum Lot Size	2700 SF on corner lots
	Minimum Lot Width	30 FT
	Maximum Height	45 FT 4 Stories
A	Minimum Street Front Setback	5 FT
B	Minimum Rear Yard Setback	5 FT
C	Minimum Interior Side Yard Setback	3 FT-1 IN or 0 FT
	Maximum Impervious Cover	90%
	Common Courtyard Setback	0 FT

# EXHIBIT F - (PAGE 15)

## COLONY PARK P.U.D. SITE DEVELOPMENT REGULATIONS

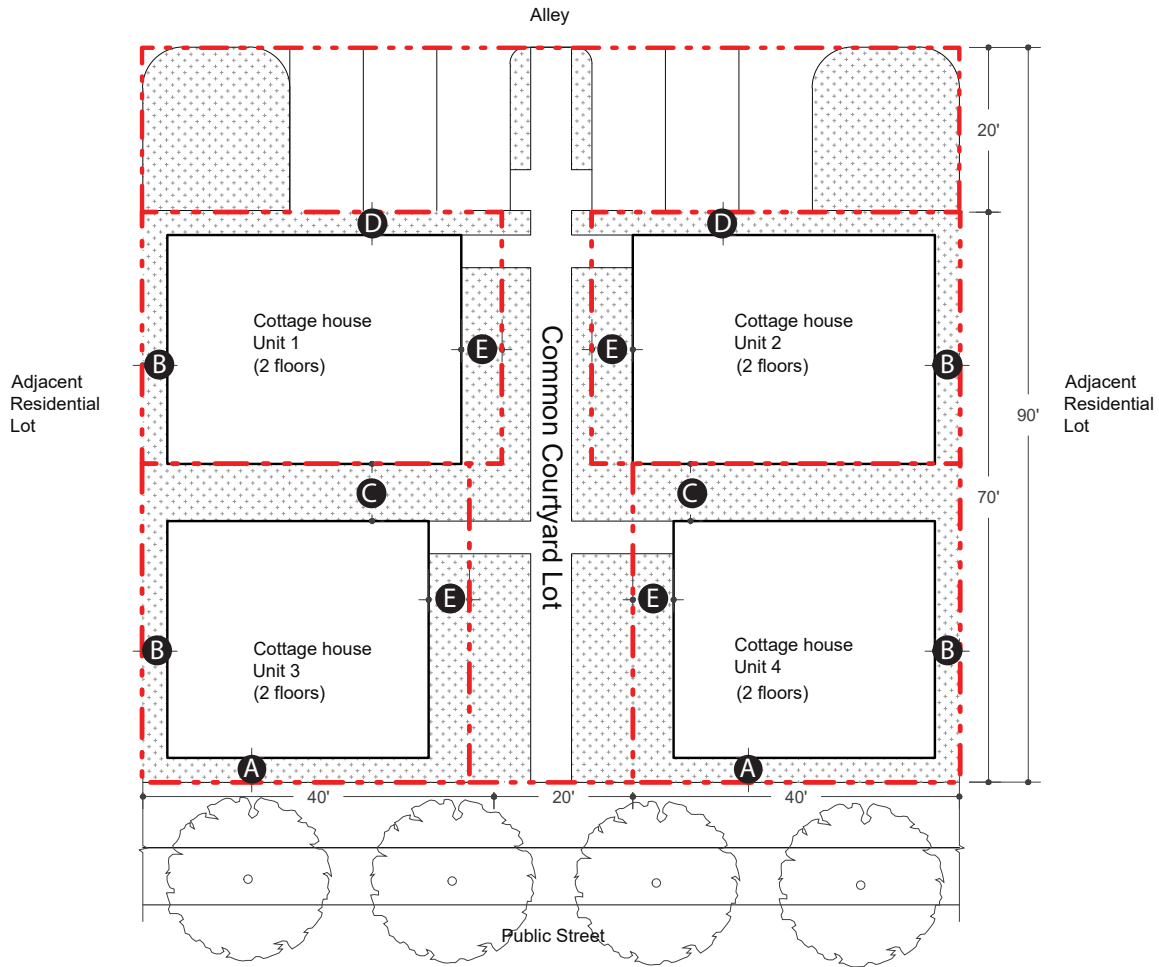


Diagram is illustrative. Table Governs.

		Cottage House Court
	Minimum Lot Size	800 SF
	Minimum Lot Width	20 FT
	Maximum Height	35 FT 2 Stories
<b>A</b>	Minimum Street Front Yard Setback	3 FT
<b>B</b>	Minimum Interior Side Yard Setback	3 FT-1 IN <sup>1</sup>
<b>C</b>	Minimum Interior Rear Yard Setback	0 FT <sup>2</sup>
<b>D</b>	Minimum Rear Yard Setback	3 FT
	Maximum Impervious Cover	95%
<b>E</b>	Common Courtyard Setback	3 FT

### FOOTNOTES:

1. A minimum side yard setback of 3'-1" is permitted (measured from face of building to property line) provided that the adjoining side yard setback is a minimum of 3'-11" to create a face-of-building space of at least seven (7) feet.
2. One side of a cottage house exterior wall may be located on the lot's interior rear yard property line, however the exterior sideyard-facing building walls of adjoining lots must be separated by a minimum of five (5) feet. (Access and/or maintenance easements may need to be created by individual builders or property owners to facilitate maintenance of buildings and/or areas that are located on or very close to an interior sideyard property line).
3. Refer to compatibility standards in Colony Park PUD Part 11-B. (15)

### 4-Unit Cottage House Court

Prepared by McCann Adams Studio for Catellus - DRAFT July 31, 2023



# EXHIBIT F - (PAGE 16) **COLONY PARK P.U.D. SITE DEVELOPMENT REGULATIONS**

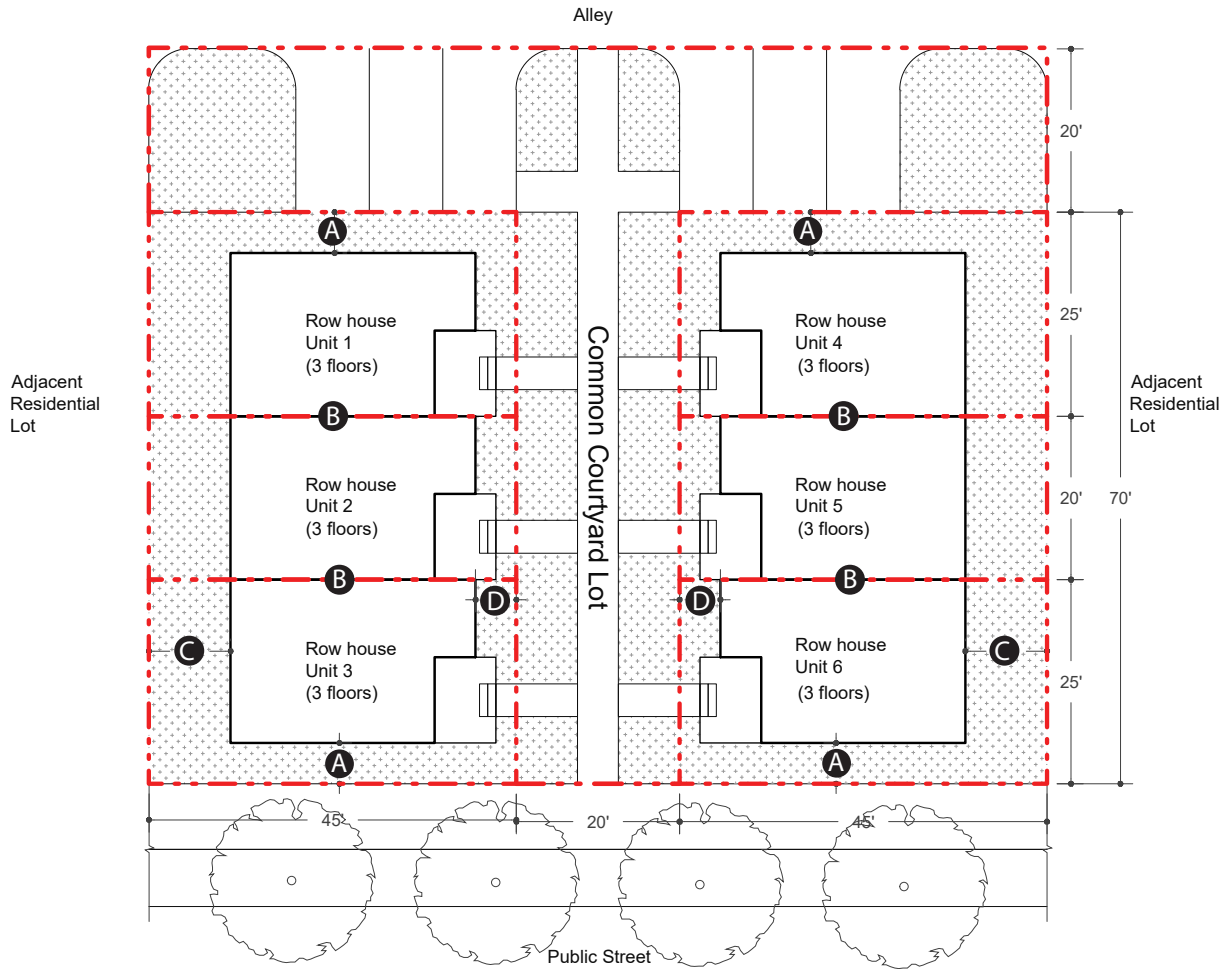


Diagram is illustrative. Table Governs.

	Row House Court	
	Minimum Lot Size	600 SF, 800 SF on corner lots
A	Minimum Lot Width	20 FT
	Maximum Height	45 FT 4 Stories
	Minimum Street and Alley Setback	3 FT
	Minimum Interior Side Yard Setback	0 FT
B	Minimum Rear Yard Setback	5 FT
C	Maximum Impervious Cover	95%
D	Common Courtyard Setback	5 FT

## **6-Unit Row House Court**

Prepared by McCann Adams Studio for Catellus - DRAFT September 7, 2023

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# EXHIBIT G (PAGE 1)

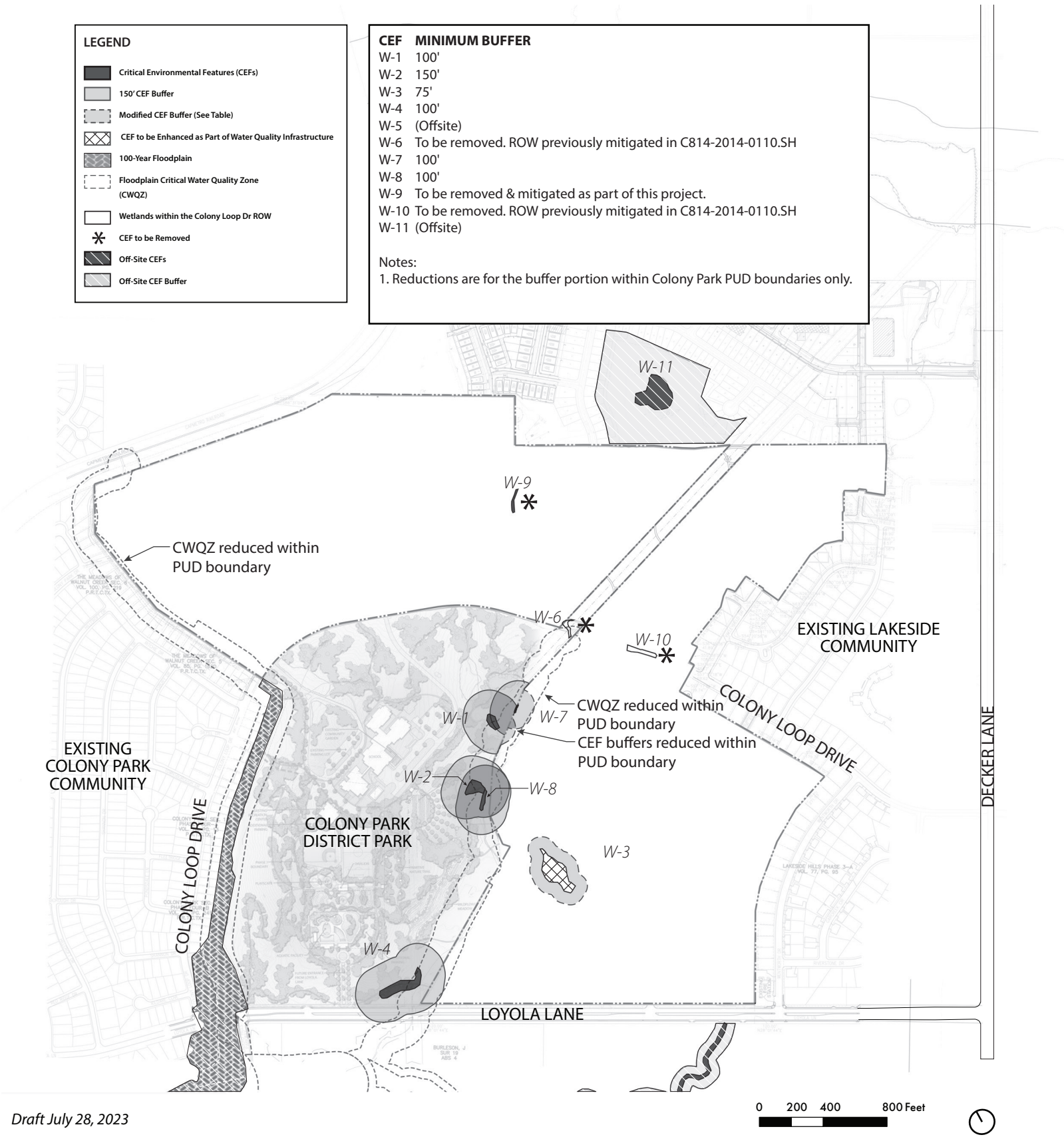
## COLONY PARK P.U.D. ENVIRONMENTAL

**LEGEND**

- Critical Environmental Features (CEFs)
- 150' CEF Buffer
- Modified CEF Buffer (See Table)
- CEF to be Enhanced as Part of Water Quality Infrastructure
- 100-Year Floodplain
- Floodplain Critical Water Quality Zone (CWQZ)
- Wetlands within the Colony Loop Dr ROW
- CEF to be Removed
- Off-Site CEFs
- Off-Site CEF Buffer

CEF	MINIMUM BUFFER
W-1	100'
W-2	150'
W-3	75'
W-4	100'
W-5	(Offsite)
W-6	To be removed. ROW previously mitigated in C814-2014-0110.SH
W-7	100'
W-8	100'
W-9	To be removed & mitigated as part of this project.
W-10	To be removed. ROW previously mitigated in C814-2014-0110.SH
W-11	(Offsite)

Notes:  
 1. Reductions are for the buffer portion within Colony Park PUD boundaries only.



Draft July 28, 2023

# EXHIBIT G (PAGE 2)

## COLONY PARK P.U.D. ENVIRONMENTAL

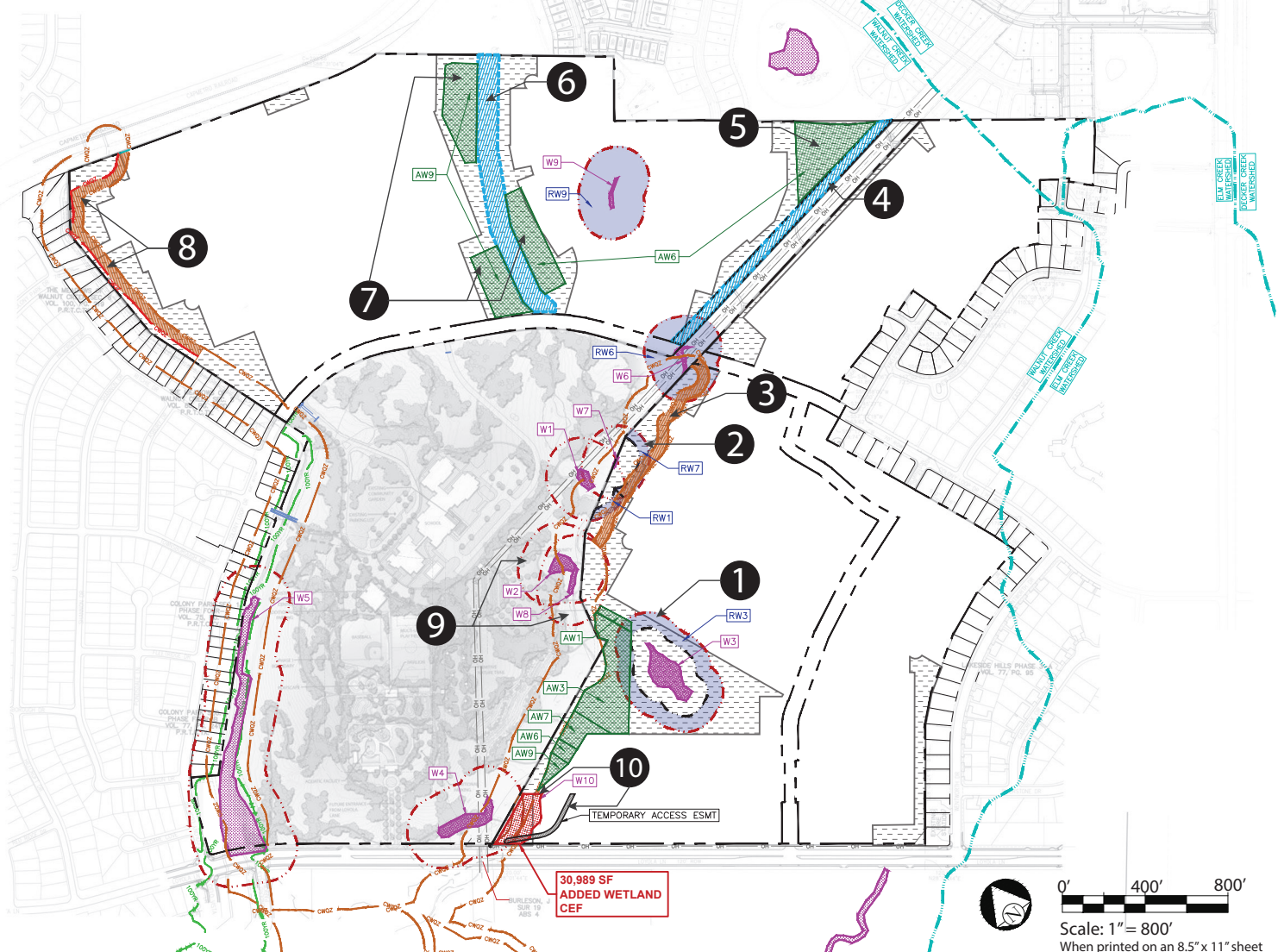
### General Notes

- Additional Protected Headwater and Wetland CEF buffer areas for mitigation are shown approximately. Exact configurations will be developed at Preliminary Plan and finalized at subdivision construction plans.
- Temporary construction activities shall be allowed within the additional Protected Headwater and Wetland CEF buffer areas.
- Mitigation and enhancement strategies may include:
  - Removal of invasive species and plant approved wetland species in existing CWQZ areas and additional Protected Headwater and wetland CEF buffer areas.
  - Explore drainage, soil, and plant design strategies that enhance linkages between creeks and wetlands along the central green spine.
  - Utilize biofiltration design with native species for all water quality ponds.
- Proposed Modifications, Mitigation and Enhancement Concepts are listed on Exhibit G , Page 3.

### Legend

- OPEN SPACE\*
- EX 100-YR FEMA FLOODPLAIN
- CWQZ & EHZ
- CEF-BUFFER
- EX WETLAND
- REDUCED WETLAND CEF BUFFER
- ADDED WETLAND CEF BUFFER
- REDUCED CWQZ
- ADDITIONAL PROTECTED HEADWATER AREA
- ADDED WETLAND CEF
- W# WETLAND NUMBER
- RW# REDUCED WETLAND AREA
- AW# ADDED WETLAND AREA

\* Note: Precise delineation of open spaces and trails will be finalized at Preliminary Plan and will be at least 41.62 acres (20% of Total Site Area).





## EXHIBIT G (PAGE 3)

### COLONY PARK P.U.D. ENVIRONMENTAL

#### Modifications, Mitigation and Enhancement Concepts

- 1 Reduce CEF buffer to enable additional housing in town center. Added additional buffer downstream to connect to green spine. Within the reduced setback open space elements and biofiltration ponds are still allowed within the buffer per Colony Park PUD Criteria Manual.
- 2 Reduce CEF buffer within PUD boundary to enable additional housing in MUR district.
- 3 Reduce CWQZ within PUD boundary to enable additional housing in MUR district. Reduced CWQZ still meets 50' minimum from creek centerline per Colony Park PUD Criteria Manual.
- 4 Additional Protected Headwater Area to offset the reduction of CWQZ downstream.
- 5 Additional Wetland CEF Buffer with wetland vegetation to be planted after grading & infrastructures are constructed to enhance linkage between wetlands throughout the green spine.
- 6 Additional Protected Headwater Area to offset the reduction of CWQZ in ETOD district.
- 7 Additional Wetland CEF Buffer with wetland vegetation to be planted after grading, biofiltration ponds and infrastructures are constructed.
- 8 Reduce CWQZ within PUD boundary to enable additional housing in ETOD district. Reduced CWQZ still meets 50' minimum from creek centerline per Colony Park PUD Criteria Manual. Allow temporary encroachments, street crossing and trail encroachments.
- 9 Temporary construction activities are allowed to encroach up to 50' into buffers of CEFs W2 and W8 with approved vegetation restoration.
- 10 W10 is added to account for mosaic wetland pockets near Loyola Ln. This wetland shall have a 0' setback. Maintenance and improvements of existing wastewater main is allowed to disturb this wetland with an approved restoration plan. Temporary Access within the easement for the Central Health site during construction is allowed with approved restoration plan.
- 11 Maximum 2 bike/pedestrian crossings are allowed along the length of the waterway between Loyola Ln and Colony Loop Dr (excluding the roadway crossings themselves).
- 12 Changes in drainage conveyance outside of the existing condition floodplain that result in modification of the vertical or horizontal extent of the floodplain, if approved by Floodplain Review, will be supportable from an environmental perspective as long as the project restores the upstream channels that serve as a part of the "green spine" and designates as additional buffer as shown. The restoration would at a minimum need to provide grade control structures that stabilize the channels and include the installation of check dams, cobble riffles, seepage berms, and in-stream installation of root wads and large woody debris.
- 13 Additional Wetland CEF buffer or additional Protected Headwater areas shown in Exhibit G Page 2 should be assessed using the Zone 2 functional assessment methodology described in Appendix X of the ECM. Any portions of these areas found to be in "Poor (1)" or "Fair (2)" condition shall be restored to at least a "Good (3)" condition.
- 14 Parks amenities contemplated are allowed by right within the open space areas, CEF buffer areas, additional Protected Headwater Areas, and CWQZ, with the exception of the actual wetland CEF area identified by Exhibit G.

#### Wetland & Critical Water Quality Zone Modifications

Wetland#	Reduced	Added	Net
W1	—	—	—
W2	—	—	—
W3	—	—	—
W4	—	—	—
W5	—	—	—
W6	0.05	—	-0.05
W7	—	—	—
W8	—	—	—
W9	0.04	—	-0.04
W10 (PROPOSED)	—	0.71	0.71
<b>Total</b>	<b>0.10</b>	<b>0.71</b>	<b>0.61</b>

Wetland Buffer	Reduced	Added	Net
W1 Buffer	0.20	0.16	-0.04
W2 Buffer	—	—	—
W3 Buffer	2.55	2.07	-0.48
W4 Buffer	—	—	—
W5 Buffer	—	—	—
W6 Buffer	2.71	3.27	0.56
W7 Buffer	0.43	0.45	0.02
W8 Buffer	—	—	—
W9 Buffer	2.73	2.83	0.10
W10 Buffer	—	—	—
<b>Total</b>	<b>8.62</b>	<b>8.78</b>	<b>0.16</b>

CWQZ & Protected Headwater Areas	Reduced CWQZ	Added Protected Headwater Areas	Net
MUR District	1.26	1.65	0.38
ETOD District	1.57	3.00	1.44
<b>Total</b>	<b>2.83</b>	<b>4.65</b>	<b>1.82</b>

EXHIBIT G (PAGE 4)  
**COLONY PARK P.U.D. ENVIRONMENTAL**

**Fiscal for Tree Removal & Mitigation Notes**

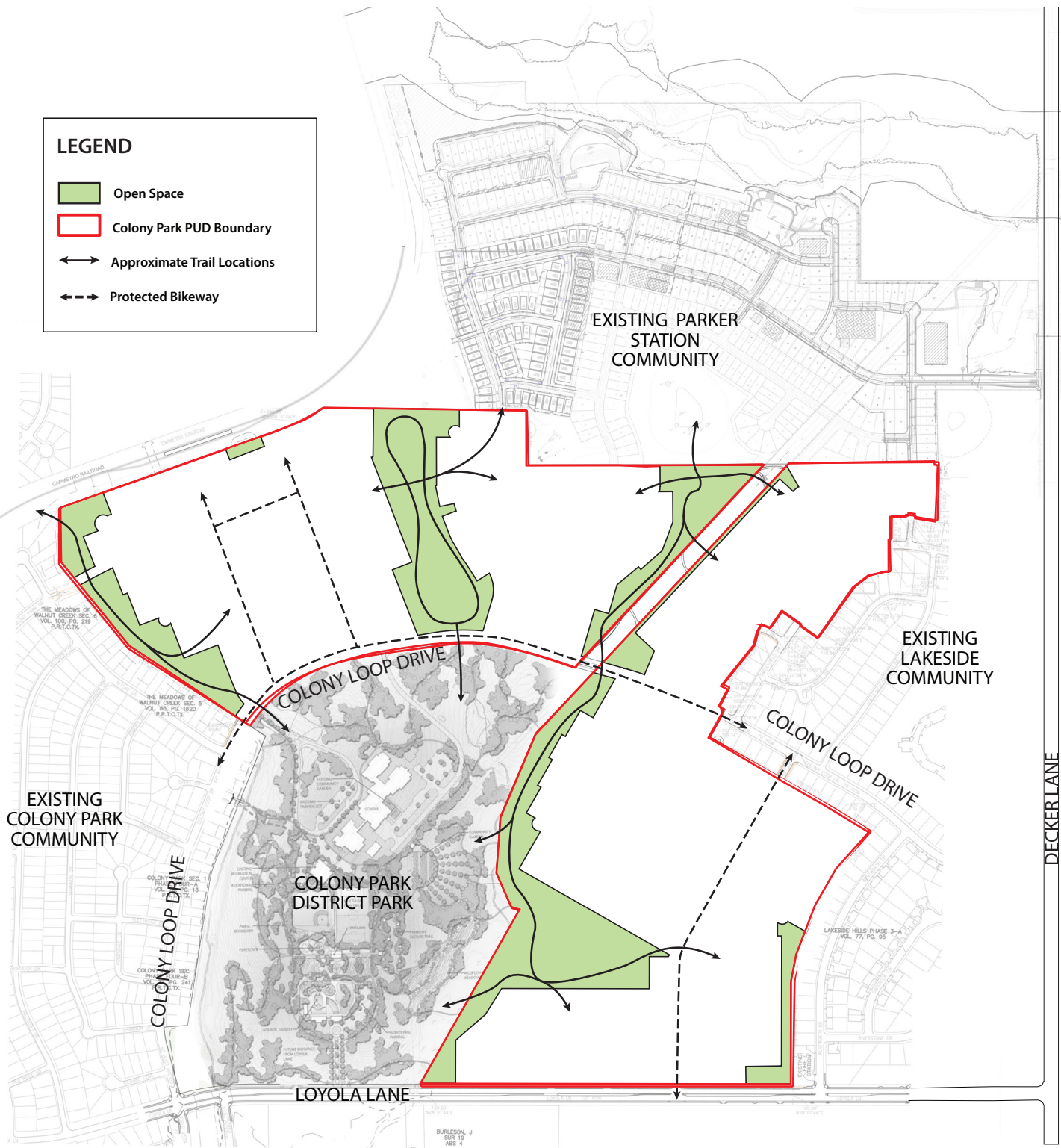
- ① A tree fiscal table showing inches caliper proposed to be removed and inches to be planted in the right-of-way & open space for the entire PUD to be provided at Preliminary Plan. The PUD as a whole shall have equal or more inches planted than removed.
- ② Each subsequent subdivision construction plan case shall have the most up to date tree fiscal table on the cover sheet showing the exact inches planted and removed within the limit of construction of that case.
- ③ If there is a negative deficit between planted vs removed within a subdivision construction case, the fiscal instrument approved to be used for the project (defined in Development Agreement) shall be posted to cover the deficit.
- ④ When a deficit is reduced in subsequent subdivision construction cases, the posted fiscal can be released accordingly.
- ⑤ Once the planted inches for the PUD as a whole exceeds the removed number, no further tree mitigation review shall be required.
- ⑥ A site development permit can either use planted inches from the row and open space to satisfy tree removal mitigation requirement or plant additional inches on site or pay fee-in-lieu.

**Environmental Notes**

- ① Major water crossing on Colony Loop Drive between ETOD and NR-2 shall be designed with open bottom culverts or approved equivalent.
- ② The city arborist shall have administrative authority to consider and approve heritage tree removal, variances, relocation, mitigation, and other tree related requests based on the criteria in §§ 25-8-642 and 25-8-643.
- ③ The CWQZ related to existing classified waterways has been modified as shown in Exhibit G. Additional Protected Headwater Areas have been added. These mitigate for CWQZ reductions (as shown in Exhibit G) by providing protections for currently unclassified waterways as Additional Protected Headwater Areas. Additional Protected Headwaters shall not be subjected to CWQZ regulations. Additional Protected Headwater Areas (designated in Exhibit G) are vegetated drainage conveyance areas draining less than 64 acres that promote healthy soils and vegetation along the creek corridor and allow the stream adequate space to migrate over time, thus controlling flood impacts, promoting water quality, and providing multiple community benefits. Permitted activities and development in these areas are limited to grading with revegetation, limited roadway crossings, trails and park amenities, utilities and utility crossings, and water quality facilities, to be designed in a manner that minimizes impact to these areas to the greatest extent feasible.
- ④ Developer intends to consider one or more of the following low impact development strategies to the extent possible on a site-by-site basis: (i) increase the number of tree plantings (which intercept and retain rainfall otherwise converted to runoff); (ii) disconnect impervious cover by designing roofs and paved areas to drain to adjacent landscaped areas; (iii) add soil amendments to improve the infiltration capacity of soils in pervious areas (thereby allowing more infiltration, healthier plant growth, and reduced irrigation requirements); and (iv) install porous pavement for pedestrian or vehicular use where feasible without seeking an impervious cover credit (with logical locations for porous pavement being adjacent to significant, existing trees to be preserved on the site, thereby preserving infiltration of water into the soil near the trees' root zones. On sites where the strategies are implemented, developer may consider one or more of the strategies, and need not implement all of them.
- ⑤ The design team will work with Watershed Protection Staff to develop project Design Guidelines that incorporate Light Pollution Reduction, Bird Strike Deterrence and Functional Green standards and criteria to the maximum extent feasible and to the extent contextually appropriate based on Council established priorities for the project.
- ⑥ As part of the site plan or subdivision construction plan review, Developer will provide to Watershed Protection Department a natural areas management plan, including an Integrated Pest Management Plan, for the restoration of the wetland CEF and the existing creek that establishes baseline maintenance practices to support a healthy riparian habitat.

EXHIBIT H

**COLONY PARK P.U.D. OPEN SPACE PLAN**



*Draft September 19, 2023*

*Notes:*

1. Precise delineation of open spaces and trails will be finalized at Preliminary Plan. Open space will be at least 41.65 acres (20% of Total Site Area).
2. Austin Energy will be included in the review and approval process of trails within or crossing or the tract of land that encumbers the transmission easement



**EXHIBIT I - (PAGE 1)**  
**COLONY PARK P.U.D. STREET SECTIONS**

<b>ROADWAY TYPE</b>	<b>ROW</b>	<b>NO. OF LANES</b>	<b>CURB BASIS</b>	<b>SIDEWALK</b>	<b>PAVING</b>	<b>PARKING</b>	<b>BIKE FACILITY</b>	<b>STREET CLASSIFICATION</b> <small>PER AUSTIN TRANSPORTATION CRITERIA MANUAL</small>
Wilmington Street (Retail Emphasis)	90'	2	25', 15'	Yes	50'	2-sides parallel and diagonal	Protected 2-Way	Level 2
Wilmington Street (Mixed-Use Emphasis)	75'	2	23', 14'	Yes	38'	2-sides parallel	Protected 2-Way	Level 2
Colony Loop Drive	70'	2	14' 14'	Yes	42'	1-side parallel	Protected 2-Way	Level 2
Connector Street w/ Bikeway	70'	2	15', 25'	Yes	30'	1-side parallel	Protected 2-Way	Level 2
Connector Street w/ Shared Use Path	70'	2	15', 19'	Yes	36'	2-sides parallel	Shared Use Path	Level 2
Connector Street	66'	2	15'	Yes	36'	2-sides parallel	No	Level 2
Neighborhood Street	53'	2	12.5'	Yes	28'	1-side Parallel <sup>1</sup>	No	Level 1
Residential Alley	20'	1 (shared for 2-way traffic)	2.5' <sup>1</sup>	No	15'	No	No	Level 0

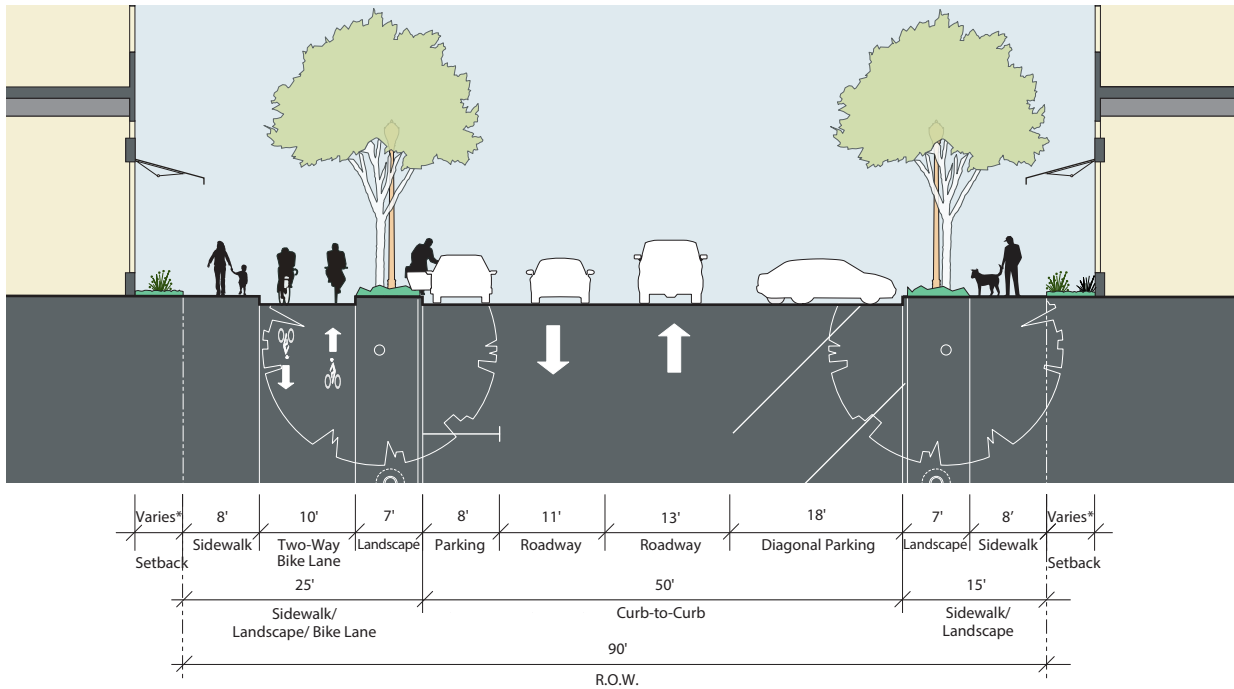
**Notes:**

- Street trees shall be spaced at average intervals of 30 feet.
- Street sections may be modified with the mutual approval of the Land Developer, Austin Transportation and Public Works Department and Watershed Protection Department or their successors.
- Street Classifications are based on the Street Level Descriptions outlined in Section 2.4 of the City of Austin Transportation Criteria Manual and on the Austin Strategic Mobility Plan (ASMP) Street Network Map (Amended June 9, 2022).
- The Wilmington Street (Retail Emphasis) cross-section may be replaced with the Wilmington Street (Mixed-Use Emphasis) cross-section.

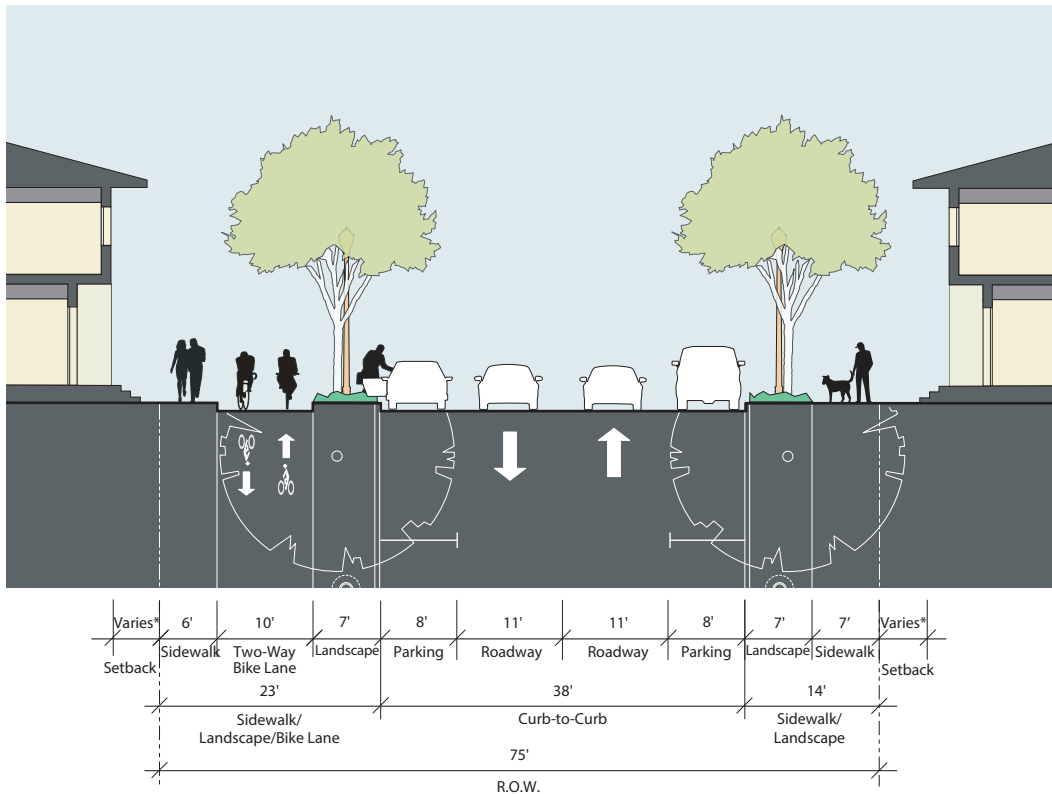
1. Curbs are not constructed on residential alleys.

# EXHIBIT I - (PAGE 2)

## COLONY PARK P.U.D. STREET SECTIONS



### Wilmington Street (Retail Emphasis)

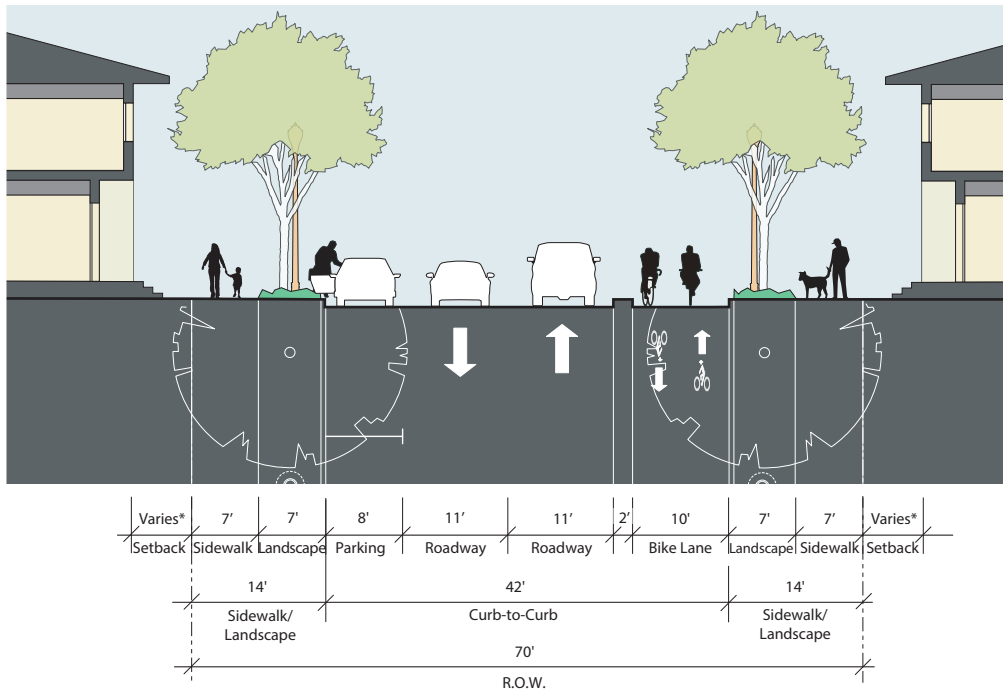


### Wilmington Street (Mixed-Use Emphasis)

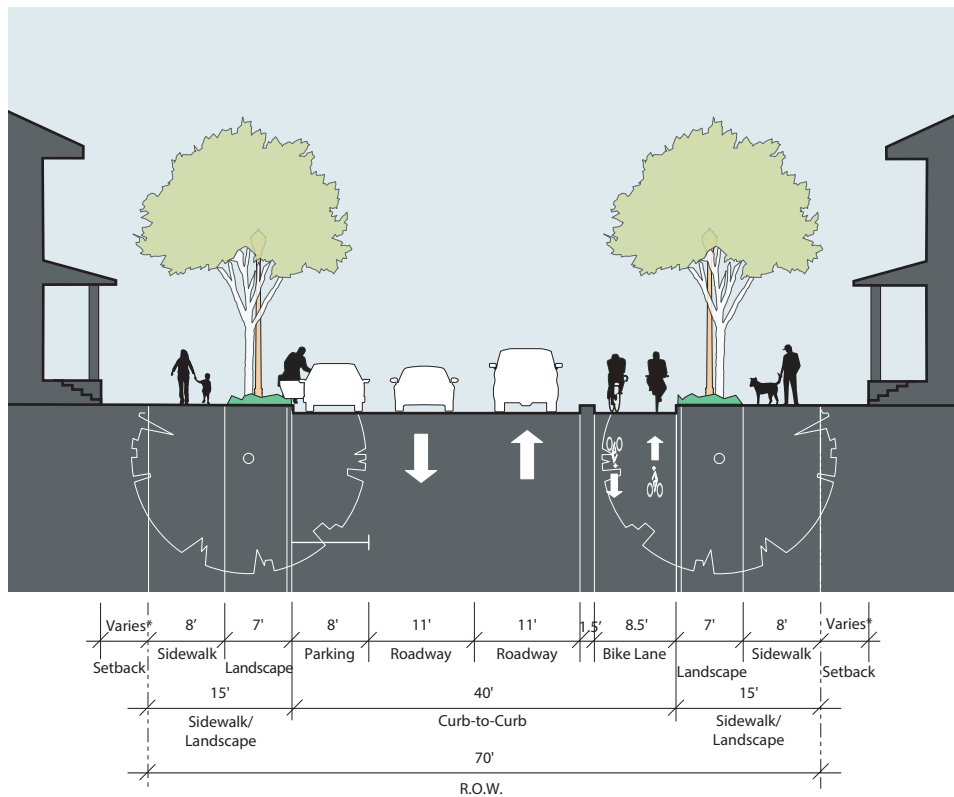
\*See Exhibit F for setback dimensions

0' 5' 10 ft.

# EXHIBIT I - (PAGE 3) COLONY PARK P.U.D. STREET SECTIONS



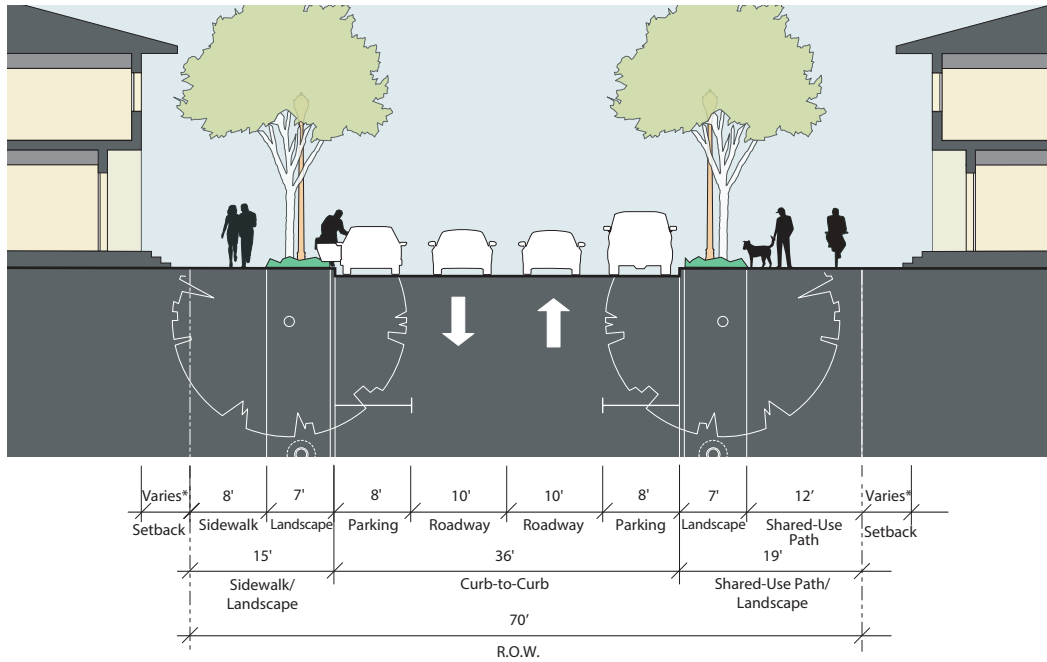
## Colony Loop Drive



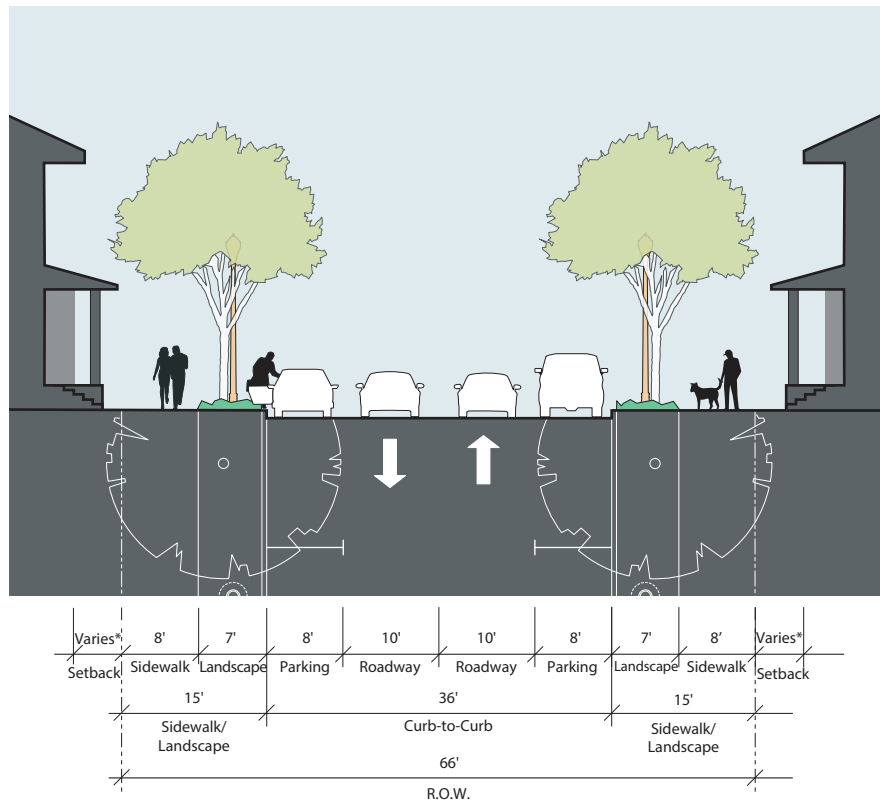
## Connector Street with Bikeway

\*See Exhibit F for setback dimensions

# EXHIBIT I - (PAGE 4) COLONY PARK P.U.D. STREET SECTIONS



## Connector Street with Shared-Use Path



## Connector Street

\*See Exhibit F for setback dimensions

The diagram illustrates a street cross-section with the following zones and widths:

Zone	Width
Setback	Varies*
Sidewalk	5'-6"
Landscape	7'
Parking	8'
Roadway	10'
Roadway	10'
Landscape	7'
Sidewalk	5'-6"
Setback	Varies*

The total width of the Right of Way (R.O.W.) is 53'.

Additional dimensions shown in the diagram include:

- 12'-6" for the combined width of the first Sidewalk and Landscape zones.
- 28' for the combined width of the two Roadway zones.
- 12'-6" for the combined width of the second Landscape and Sidewalk zones.

The diagram illustrates a residential lot layout with the following dimensions and features:

- Setback:** 5' on both sides of the roadway.
- Landscape:** 2.5' on both sides of the roadway.
- Roadway:** 15' wide.
- R.O.W. (Right of Way):** 20' total width.

## 32

# EXHIBIT I - (PAGE 6)

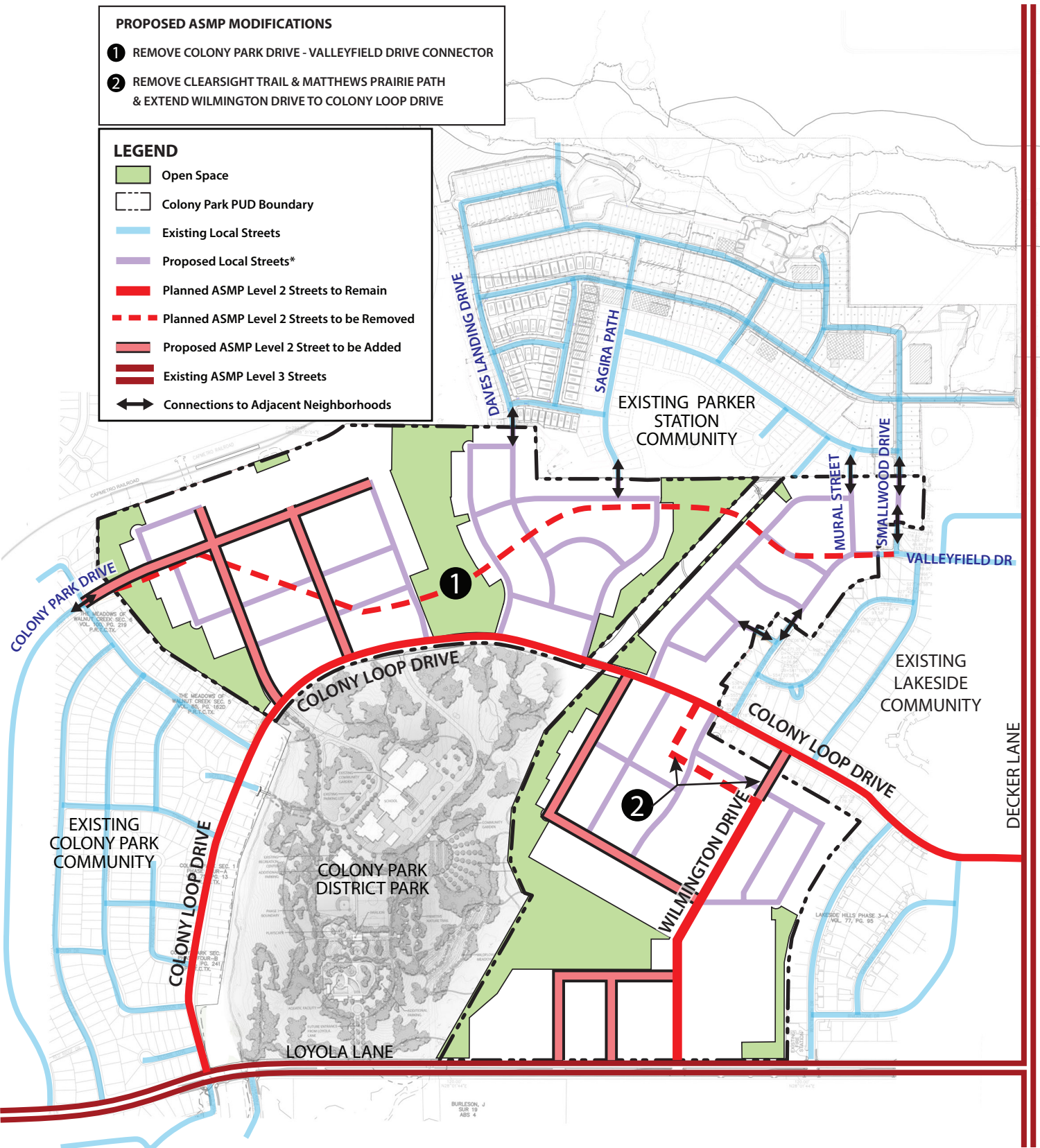
## COLONY PARK P.U.D. STREET SECTIONS

### PROPOSED ASMP MODIFICATIONS

- 1 REMOVE COLONY PARK DRIVE - VALLEYFIELD DRIVE CONNECTOR
- 2 REMOVE CLEARSIGHT TRAIL & MATTHEWS PRAIRIE PATH & EXTEND WILMINGTON DRIVE TO COLONY LOOP DRIVE

### LEGEND

- Open Space
- Colony Park PUD Boundary
- Existing Local Streets
- Proposed Local Streets\*
- Planned ASMP Level 2 Streets to Remain
- Planned ASMP Level 2 Streets to be Removed
- Proposed ASMP Level 2 Street to be Added
- Existing ASMP Level 3 Streets
- Connections to Adjacent Neighborhoods



Draft September 19, 2023

\*Proposed Local Streets are in approximate locations and are subject to change.

Information based on the Austin Strategic Mobility Plan (ASMP) (Amended June 9, 2022)



## EXHIBIT J

### COLONY PARK P.U.D. OFF-STREET LOADING AND PARKING REGULATIONS AND RATIOS

- (1) There is no off-street loading requirement for a building with less than 10,000 square feet of gross building area. The director shall determine the location, number, and dimensions of the off-street loading for a larger building.
- (2) Except as provided by the director, parking in alleys is prohibited.
- (3) This section establishes minimum vehicular parking requirements:
  - (a) Except as otherwise provided in this subsection, a commercial use shall provide one parking space for every 500 square feet of gross building area.
  - (b) An office use shall provide one parking space for every 500 square feet of gross building area.
  - (c) A condominium residential, multi-family residential, group residential and retirement housing use shall provide one parking space for each unit.
  - (d) A yard house, row house, shop house, zero lot line, two-unit residential, small-site condominium, cottage court, row house court, duplex, and group home (Class I General, Class I Limited, and Class II) shall provide one parking space for each dwelling unit.
  - (e) A yard house or row house is not required to provide additional parking for an accessory dwelling unit provided the accessory dwelling unit does not contain more than 1,100 gross square feet of floor area.
  - (f) A shop house is not required to provide additional parking for a commercial use if the commercial use does not exceed 750 square feet.
  - (g) A daycare services (commercial, general and limited), primary educational facility (private and public), or secondary educational facilities (public and private) use shall provide one parking space for each employee.
  - (h) An indoor entertainment use shall provide one parking space for every 15 seats.
  - (i) Off-street parking is not required for park and recreational facilities, community recreation facilities (private and public), community events facilities and outdoor sports and recreational facilities (such as neighborhood parks, pavilions, picnic shelters or tables, playgrounds, swimming pools, basketball/sport courts, amphitheaters, or bike rental facilities).
- (4) City of Austin parking requirements can supersede the standards listed in (3) above if they are less restrictive.
- (5) Except as otherwise provided in this section, bicycle parking shall be provided in accordance with Chapter 25-6, Appendix A of the City Code. A commercial use parking lot or garage shall provide not less than one bicycle parking space for every 20 motor vehicle parking spaces.
- (6) Within the LTC and ETOD land use areas, the required parking for a use may be located anywhere in the land use areas. Community and shared parking facilities are encouraged.

EXHIBIT K - (PAGE 1)  
**COLONY PARK P.U.D. CRITERIA MANUAL**

**A. GENERAL**

1. The following versions of the City of Austin's criteria manuals are adopted for Colony Park PUD unless otherwise superseded by the modifications listed in this Exhibit. To the extent of any conflicts, this Exhibit K shall govern. ***[NOTE: The Development Team will address this further through the Law Department and other impacted departments as part of the Council approval process. If a lock-in provision is established pursuant to A.2 below, dates may be added to this A.1 to specify applicable criteria manual versions for clarity.]***
  - a. Building Criteria Manual
  - b. Drainage Criteria Manual
  - c. Environmental Criteria Manual
  - d. Fire Protection Criteria Manual RESERVED for future version to be updated for IFC2021
  - e. Transportation Criteria Manual
  - f. Utilities Criteria Manual
  - g. Standards Manual
  - h. Standard Specifications Manual
2. Colony Park PUD shall be subject to those rules and regulations in effect as follows:  
\_\_\_\_\_ ***[NOTE: The Development Team will address this further through the Law Department and other impacted departments as part of the Council approval process.]*** .
3. Unless maximum allowable densities as shown in PUD Exhibit E are exceeded, all future updates to the Colony Park's Traffic Impact Analysis (TIA) for the Colony Park PUD shall be done administratively using the 11th edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual with modifications to reflect internal capture methodology and values as shown in the Colony Park's TIA.
4. The Colony Park PUD Design Guidelines referenced in this Criteria Manual will be established as an attachment to the Development Agreement.

**B. DRAINAGE CRITERIA MANUAL MODIFICATIONS**

1. DCM 1.2.4 (Drainage System) subsection (A) is modified to add "Within the Colony Park PUD, ponds located in parks and open spaces to be conveyed to the City of Austin will be designed to City's standards of public ponds in this section, as modified, even though they will be maintained by the Overall Land Developer for the entire project (Catellus or its designated entity). Ponds that are located within private parcels will be designed to Commercial Development standards."
2. DCM 1.2.4 (Drainage System) subsection (E) is modified to remove ramps into basins and drainage easements from the list of items to provide at Preliminary

EXHIBIT K - (PAGE 2)  
**COLONY PARK P.U.D. CRITERIA MANUAL**

Plan and Final Plat. These items shall be addressed at Site Plan or Subdivision Construction Plan stage.

3. DCM 1.2.4 (Drainage System) subsection (E) subitem 5.a. (Fencing) is modified to read “A six (6) foot high fence or a combination of retaining wall and decorative fences that add up to at least six (6) feet above adjacent ground is required [...]”.
4. DCM 1.2.6 (Floodplain Delineations) subsection (A) subitem 1. (Fencing) is modified to read “For purposes of this Drainage Criteria Manual, a drainage area of 64 acres or greater in the proposed conditions is required [...]”

**C. ENVIRONMENTAL CRITERIA MANUAL MODIFICATIONS**

1. ECM 1.3.0 (Environmental Resource Inventory) subsection (A) is modified to allow the 2023 ERI report for Colony Park PUD to be valid for the duration of the Development Agreement.
2. ECM 1.5.2 (Buffer Geometry) subsection (B) is modified to allow a minimum 50’ and 100’ maximum for Critical Water Quality zone in Minor Waterway.
3. ECM 1.5.2 (Buffer Geometry) subsection (D) is modified to delete the following restrictions: “The area proposed for reduction in width should not contain critical environmental feature (CEF) setbacks or priority or other significant woodlands and prairies as identified by the Environmental Resource Inventory.” and “If proposing to use buffer averaging on a minor waterway, the applicant will need to perform an Erosion Hazard Zone analysis in accordance with Chapter 25-7 of the Land Development Code and the Drainage Criteria Manual. The area proposed for reduction in width should not be located within the Erosion Hazard Zone.”
4. ECM 1.6.3 (Maintenance and Construction Requirements) subsection (A) is modified to add “Within the Colony Park PUD, water quality facilities located in parks and open spaces to be conveyed to the City of Austin will be designed to City’s standards as described in this PUD Criteria Manual and maintained by the Land Developer. Ponds that are located within private parcels will be designed to Commercial Development standards as described in this PUD Criteria Manual.”
5. ECM 1.6.5 subsection (A) Design Guidelines for Sedimentation/Filtration Systems is modified to add the following allowance “Within the Colony Park PUD, water quality facilities located in parks and open spaces with public access can be designed using partial sedimentation/biofiltration configuration to treat runoff including but not limited to public streets.”
6. ECM 1.10.4 (Determining Size of Critical Environmental Feature Protective Buffers) subsection (D) for Wetlands subitem 1 is modified to read “Standard Setback - The standard setback for a wetland CEF is a 50-foot CEF buffer around the outside edge of the wetland area, except for wetland CEF within Creek Buffer which will have standard setback of 150-foot. The protection of the Standard Setback may be appropriate to maintain the source water which supports saturation, or to maintain the surrounding physical or biological characteristics which support the wetland. The Standard Setback should be applied and preserved for wetlands that are fed by sheet flow from multiple directions,

EXHIBIT K - (PAGE 3)  
**COLONY PARK P.U.D. CRITERIA MANUAL**

wetlands with pronounced diversity and vigor, or wetlands located in ecologically significant or sensitive areas.”

7. ECM 1.10.4 (Determining Size of Critical Environmental Feature Protective Buffers) subsection (D) for Wetlands subitem 2 is modified to become subitem 3 and read “Administratively approved modified setback - The standard setback may be modified so that the same square footage as the standard setback is applied to the natural drainage patterns above and below the wetland, or to adjacent surface water resources that would not otherwise be protected. The minimum setback average width should not be less than 50 ft from centerline except for wetlands that are approved for removal. An administratively approved modified setback may be applied based on the source of water supporting the wetland, the biological characteristics of the wetland and the physical characteristics of the area around the wetland.”
8. ECM 1.10.4 (Determining Size of Critical Environmental Feature Protective Buffers) subsection (D) for Wetlands subitem 3 is modified to become subitem 4 to add subitem f & g below:
  - f) Elements that meet Sustainability criteria from LEED Cities & Communities
  - g) Within Loyola Town Center: Design elements with minimal environmental impacts such as green roof, pervious sidewalk, boardwalk and natural wood decking are allowed inside modified CEF buffers without impacting the wetlands themselves as long as impacts are mitigated with 1:1 ratio.
9. ECM 2.4.1 (Street Yard) subsection (A) is modified to remove reference to “Preferred Plant List (see Appendix N)” and replace it with “PUD Plant List in the Design Guidelines which is an attachment to the Development Agreement”.
10. ECM 2.4.1 (Street Yard) subsection (D) is modified to read “Within the area described as street yard in Section 2.4.0 the Colony Park PUD Design Guidelines shall govern all tree and planting requirements. No City’s review of street yard requirement is required for site permit.”
11. ECM 2.4.2 (Landscape in Parking Lots) subsection (B) subitem (2) is modified to read “Grasses not listed on the PUD Plant List in the Design Guidelines cannot be planted on islands, medians, or peninsulas. At least 80% of the required landscape area must be selected from the PUD Plant List and there is no limit on the percentage of plants that are the same species.”
12. ECM 2.4.2 (Landscape in Parking Lots) subsection (B) subitem (3) is modified to read “To provide significant space for the growth of trees planted within these areas, the minimum width for landscaped Islands, medians or peninsulas which contain new trees is six (6) feet and six (6) inches measured from the inside of the curb. Figure 2-4 in Appendix V shall be modified accordingly.”
13. ECM 2.4.3 (Buffering) is modified to read “Plants and trees used as buffering elements shall be planted in a permeable landscape area at least six (6) feet and six (6) inches wide, measured from inside of curb or pavement to the property

EXHIBIT K - (PAGE 4)  
**COLONY PARK P.U.D. CRITERIA MANUAL**

line. The quantity of elements to be included in the buffer shall follow PUD Plant List in the Design Guidelines. No more than 80% of the trees or shrubs shall be from the same species.”

14. ECM 2.4.4 (Landscape of Other Areas) is modified to remove reference to “Preferred Plant List (see Appendix N)” and replace it with “PUD Plant List in the Design Guidelines which is an attachment to the Development Agreement”.
15. ECM 3.5.4 (Mitigation) is modified to add “All new trees planted within the PUD boundaries including but not limited to parks and open space with public access as well as public rights-of-way can be used for the purpose of minimum mitigation compliance calculations.”
16. ECM Appendix O (Landscape/Irrigation Notes) subitem (1)(b) is modified to read “spray irrigation systems are allowed for landscape areas greater than six (6) feet wide (such as medians, buffer strips, and parking lot islands)”.

**D. TRANSPORTATION CRITERIA MANUAL MODIFICATIONS**

1. TCM 2.8.2.2 (Level 1 Streets) is modified to include Neighborhood Streets with ROW 53’ as defined in PUD Exhibit I as Level 1 streets.
2. TCM 2.8.2.3 (Level 2 Streets) is modified to include Collector Streets with ROW 66’ and 70’, Colony Loop Drive (70’ ROW), Wilmington Street (75’ & 90’ ROW) as defined in PUD Exhibit I as Level 2 streets.
3. TCM 10.2.0 (Traffic Impact Analysis Determination) subsection (A) is modified to remove all other sources for unadjusted trip generation data except for the 11th edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual.
4. TCM 10.3.2 (Applicability) is modified so that the approved Traffic Demand Management (TDM) plan for the Colony Park PUD shall be valid for the duration of the Development Agreement.
5. TCM 10.4.3 (Generalized Study Contents And Valid Period) is modified so that the approved Traffic Impact Analysis (TIA) for the Colony Park PUD shall be valid for the duration of the Development Agreement.

**E. UTILITY CRITERIA MANUAL MODIFICATIONS**

1. UCM 1.10.10.4 (Trees in Proximity to Electric Utility Infrastructure) subsection (iv) is modified to read “A tree may not be placed within 3 lateral feet of any underground electric equipment.” and “Any trees planted within 10 lateral feet of underground electric equipment must install root barriers between the tree and the equipment with a minimum installation of 4 feet deep and a minimum one foot between the root barrier and the equipment. See Special Detail 01 in this Exhibit subsection F.”
2. UCM 1.10.10.4 (Trees in Proximity to Electric Utility Infrastructure) subsection (iv) Table is modified to add “All large shade trees are allowed within three (3) lateral feet or more from underground electric duct bank with approved root barrier.”
3. UCM 1.10.10.4 (Trees in Proximity to Electric Utility Infrastructure) subsection (iv) is modified to add “See Street Tree Placement & Allowable Clearance from Underground Electric Special Detail 01 in this Exhibit subsection F”.

EXHIBIT K - (PAGE 5)  
**COLONY PARK P.U.D. CRITERIA MANUAL**

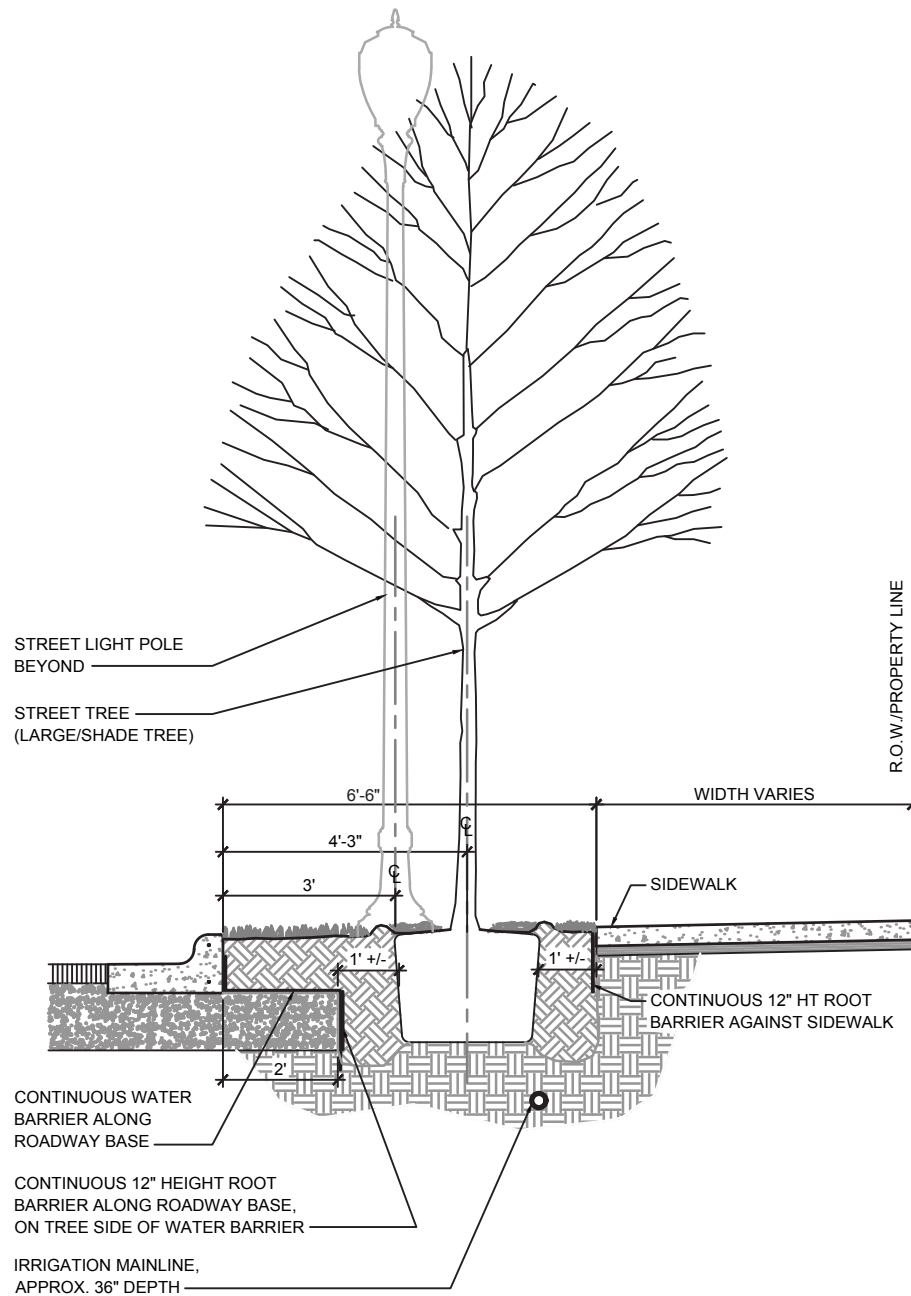
4. UCM 2.9.1 (General Criteria for Water, Reclaimed Water, and Wastewater Systems) subsection (C) is modified to remove the following paragraph *“Where Street Trees are placed within the right-of-way, root barriers shall be placed on all sides of the planting zone where AW mains and/or services are located. Root barriers shall be installed no closer than 7 feet from the tree trunk. Utilities shall be placed no closer than 2 feet from the root barrier. In no circumstances shall utility infrastructure be placed within the planting zone. Where “Street Tree Utility Gaps” are located between planting zones, the gap shall be a minimum of 8 feet wide between root barriers. Additional width will be required to allow for multiple utilities to be placed within the “utility gap”.*” and replaced with “AW mains and/or services shall be located no less than 5 feet from the center of Street Trees. AW mains and/or services located closer than 8 feet from a Street Tree (measured center line to center line) shall have a root barrier installed between the Street Tree and AW main and/or service. Root barriers shall be placed at least 2 feet from the center of the main and/or service and run at least the full root zone.”
5. UCM 2.9.2 (Water Systems) subsection (E) for Services, subitem (8) is modified to read “Individual water meter services shall not cross a highway or exceed a length of 80 feet or 100-gallon distance whichever is shorter from the water main to the water meter.”
6. UCM 2.9.4 (Wastewater Systems) subsection (G) for Service Lines, subitem (6) is modified to read “Wastewater clean-outs are not allowed in sidewalks, paved areas, load bearing pavement, or driveways except for residential driveway aprons from Alley with traffic rated lids.”



EXHIBIT K - (PAGE 6)  
**COLONY PARK P.U.D. CRITERIA MANUAL**

F. SPECIAL DETAILS

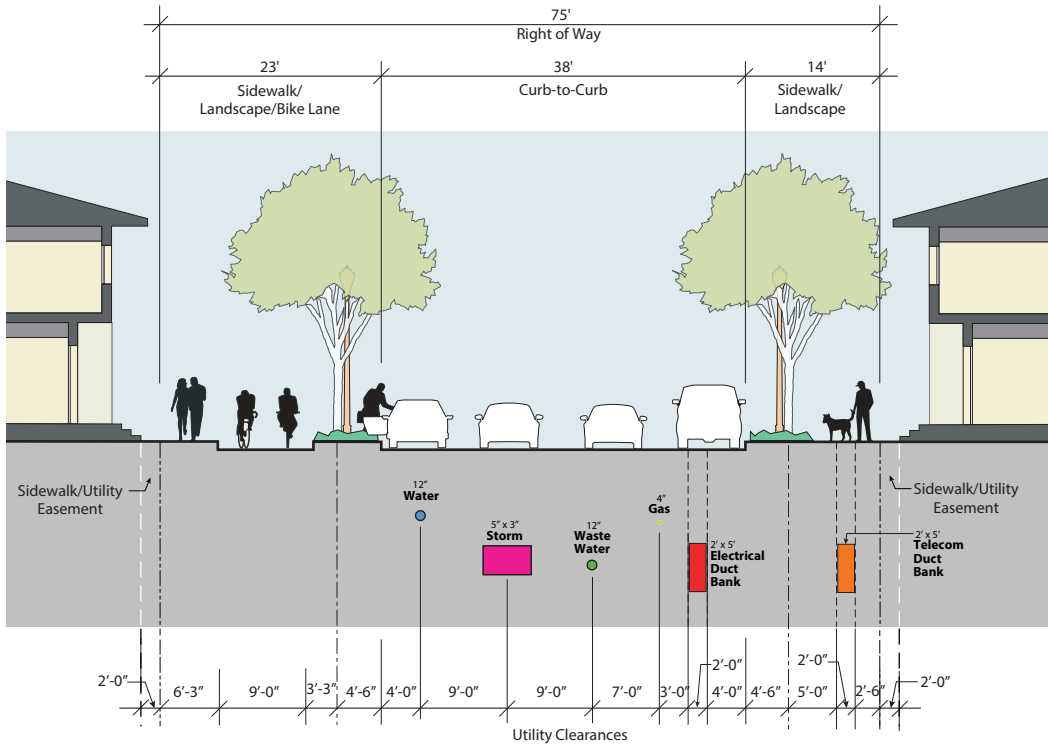
Special Detail 01 - Street Tree Installation within Public R.O.W.



# EXHIBIT K - (PAGE 7)

## COLONY PARK P.U.D. CRITERIA MANUAL

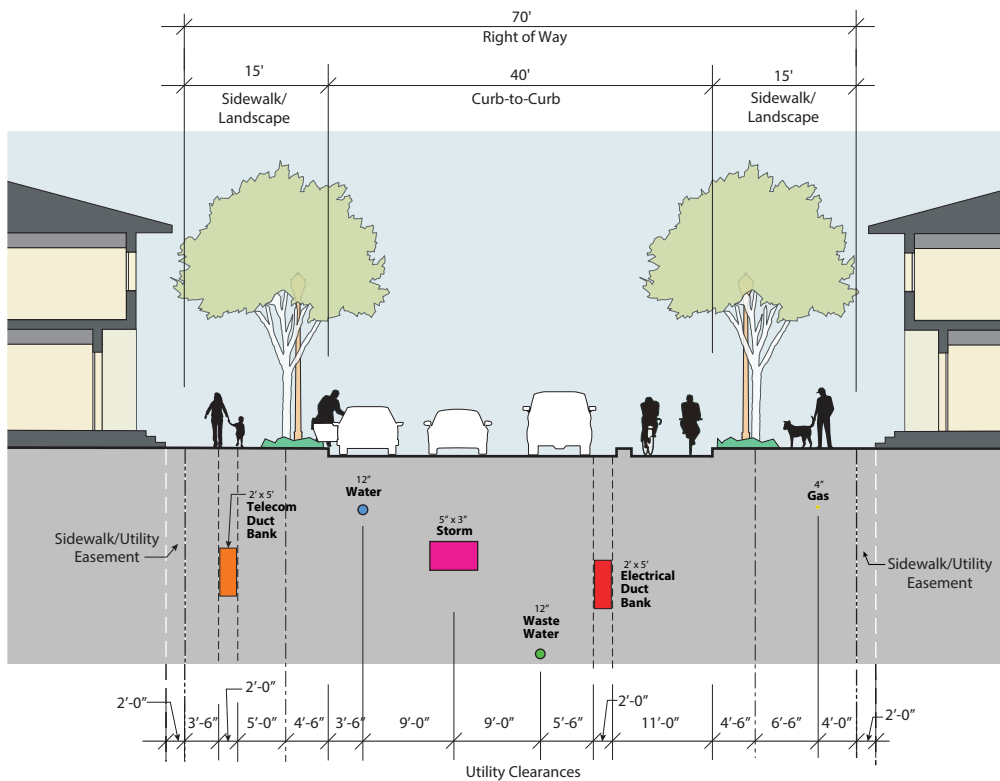
### Wilmington Street - Utility Section



#### Notes:

- 1 Utilities to be placed generally in the locations as shown in this exhibit to ensure street trees can be installed as required by the Colony Park Development Plan.
- 2 Utility installation shall comply with the City of Austin Utilities Criteria Manuals as modified by Colony Park PUD Exhibit K.
- 3 Austin Energy electrical duct bank shall be placed under pavement, and not behind curb.
- 4 Texas Gas line can be placed under pavement with minimum 2' clear from electrical duct bank & 5' clear from water & wastewater utilities.
- 5 Wastewater mains and services are allowed to cross below electrical duct bank and will cross above electrical duct bank when possible. All other utilities are allowed to cross above electrical duct bank.

### Colony Loop Drive - Utility Section



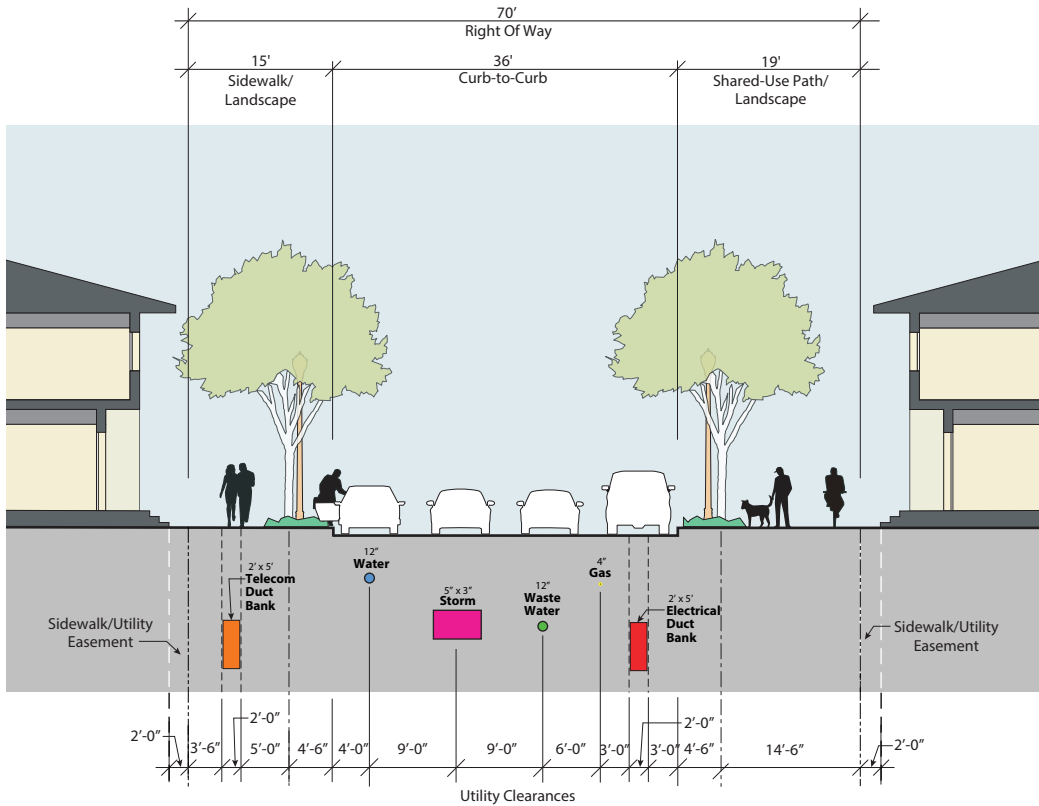
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# EXHIBIT K - (PAGE 8)

## COLONY PARK P.U.D. CRITERIA MANUAL

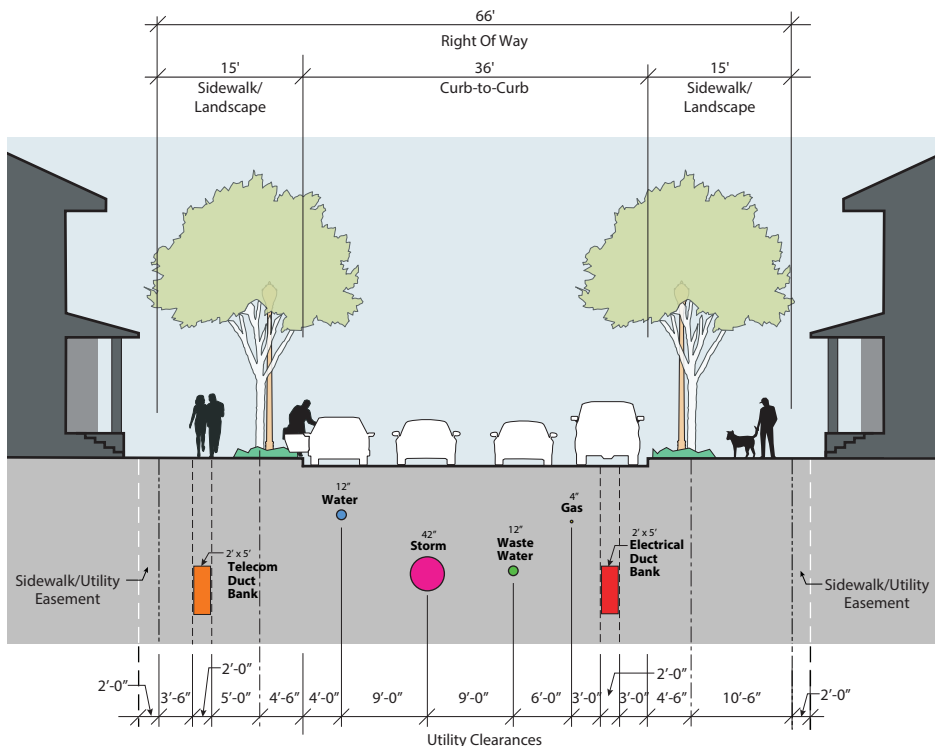
### Connector Street with Shared-Use Path - Utility Section



#### Notes:

- 1 Utilities to be placed generally in the locations as shown in this exhibit to ensure street trees can be installed as required by the Colony Park Development Plan.
- 2 Utility installation shall comply with the City of Austin Utilities Criteria Manuals as modified by Colony Park PUD Exhibit K.
- 3 Austin Energy electrical duct bank shall be placed under pavement, and not behind curb.
- 4 Texas Gas line can be placed under pavement with minimum 2' clear from electrical duct bank & 5' clear from water & wastewater utilities.
- 5 Wastewater mains and services are allowed to cross below electrical duct bank and will cross above electrical duct bank when possible. All other utilities are allowed to cross above electrical duct bank.

### Connector Street - Utility Section



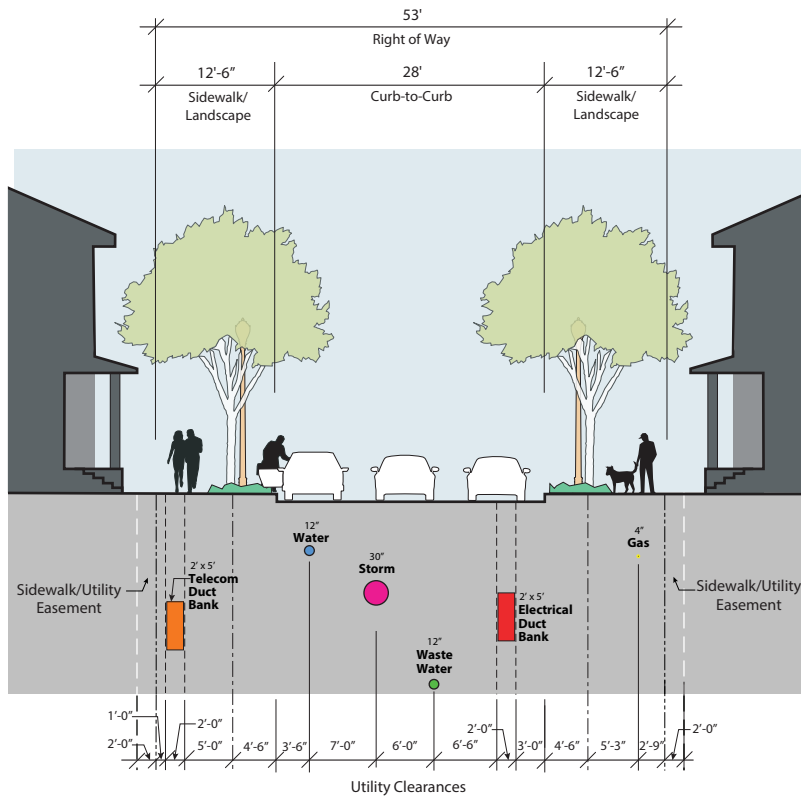
#### Notes:

- 1 Utilities to be placed generally in the locations as shown in this exhibit to ensure street trees can be installed as required by the Colony Park Development Plan.
- 2 Utility installation shall comply with the City of Austin Utilities Criteria Manuals as modified by Colony Park PUD Exhibit K.
- 3 Austin Energy electrical duct bank shall be placed under pavement, and not behind curb.
- 4 Texas Gas line can be placed under pavement with minimum 2' clear from electrical duct bank & 5' clear from water & wastewater utilities.
- 5 Wastewater mains and services are allowed to cross below electrical duct bank and will cross above electrical duct bank when possible. All other utilities are allowed to cross above electrical duct bank.

# EXHIBIT K - (PAGE 9)

## COLONY PARK P.U.D. CRITERIA MANUAL

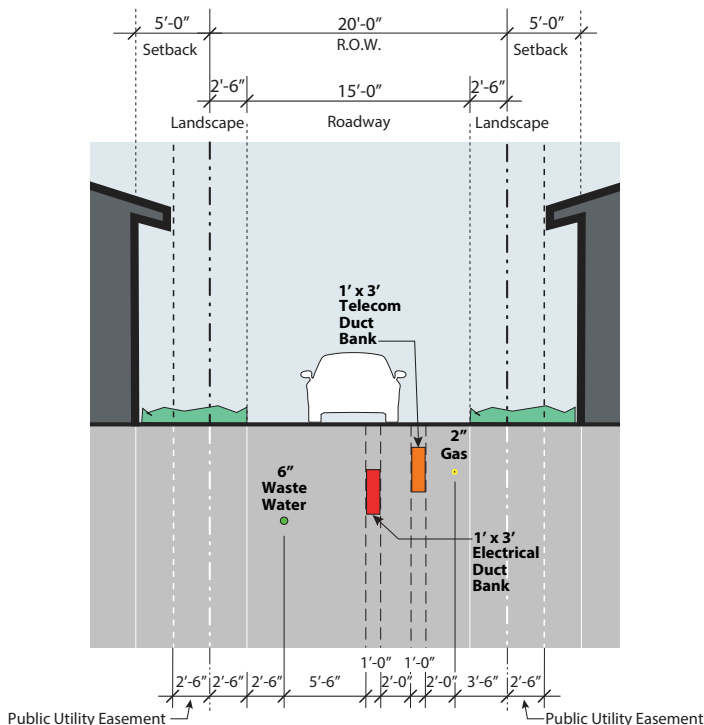
### Neighborhood Street - Utility Section



#### Notes:

- 1 Utilities to be placed generally in the locations as shown in this exhibit to ensure street trees can be installed as required by the Colony Park Development Plan.
- 2 Utility installation shall comply with the City of Austin Utilities Criteria Manuals as modified by Colony Park PUD Exhibit K.
- 3 Austin Energy electrical duct bank shall be placed under pavement, and not behind curb.
- 4 Texas Gas line can be placed under pavement with minimum 2' clear from electrical duct bank & 5' clear from water & wastewater utilities.
- 5 Wastewater mains and services are allowed to cross below electrical duct bank and will cross above electrical duct bank when possible. All other utilities are allowed to cross above electrical duct bank.

### Residential Alley - Utility Section

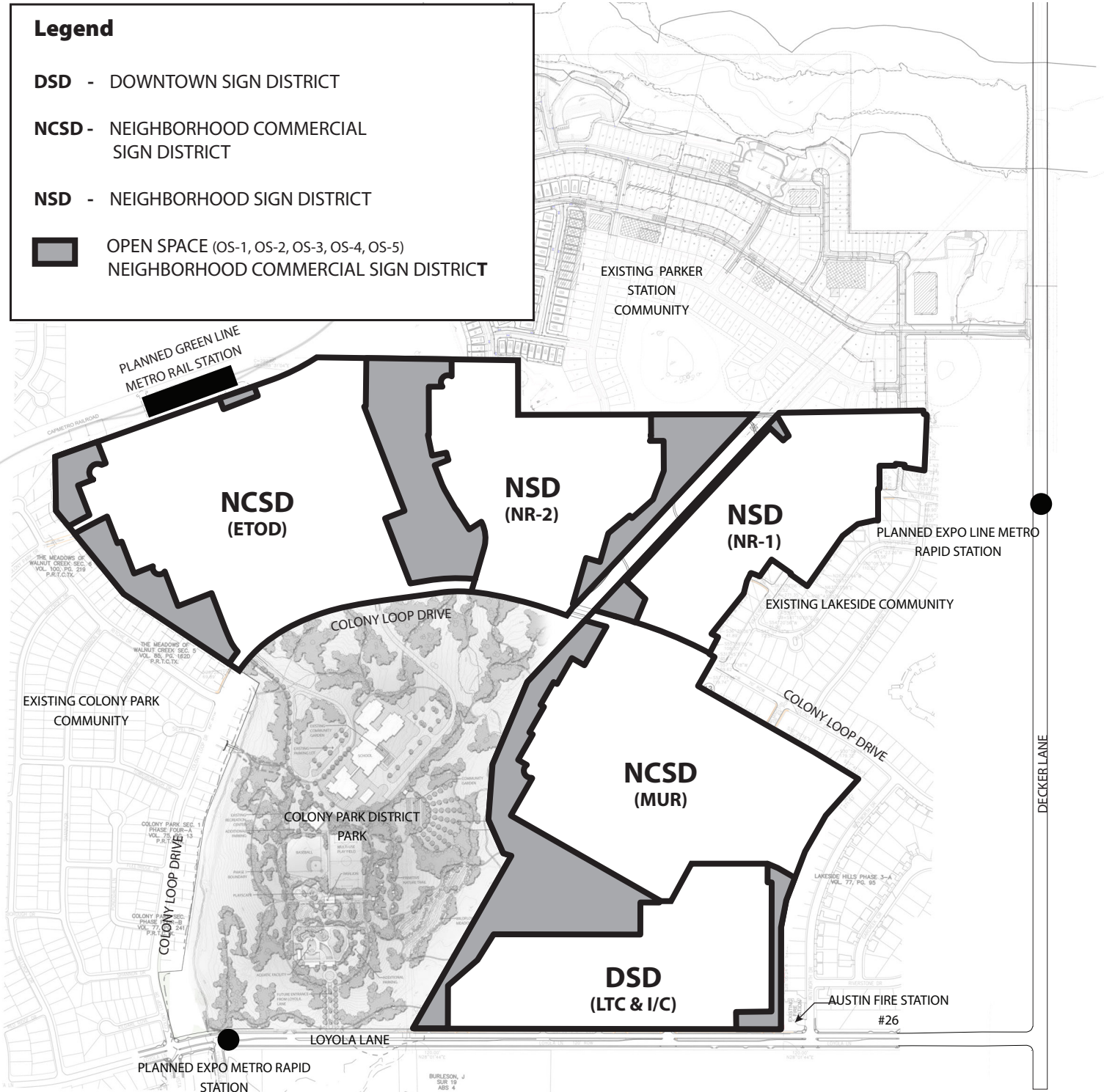


#### Notes:

- 1 Utilities to be placed generally in the locations as shown in this exhibit to ensure street trees can be installed as required by the Colony Park Development Plan.
- 2 Utility installation shall comply with the City of Austin Utilities Criteria Manuals as modified by Colony Park PUD Exhibit K.
- 3 Austin Energy electrical duct bank shall be placed under pavement, and not behind curb.
- 4 Texas Gas line can be placed under pavement with minimum 2' clear from electrical duct bank & 5' clear from water & wastewater utilities.
- 5 Wastewater mains and services are allowed to cross below electrical duct bank and will cross above electrical duct bank when possible. All other utilities are allowed to cross above electrical duct bank.

# EXHIBIT L

## COLONY PARK P.U.D. SIGNAGE DISTRICTS



### Notes

1. All signage along and within the boundaries of the Colony Park PUD, with the exception of traffic and public safety signage within the public rights-of-way will be regulated by the Colony Park Signage Guidelines to be attached to the Development Agreement.
2. No sign permit with the City of Austin will be required

Draft September 21, 2023

Colony Park PUD - Proposed Amendment Exhibits - DRAFT October 17, 2023

0 200 400 800 Feet



Project Name: Colony Park Sustainable Community Initiative PUD

Address: 7900 LOYOLA LN

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## NPZ Site Plan Review - Heather Chaffin (512) 974-2140

SP 1. No comments remaining.



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## NPZ Austin Water Utility Review - Virginia Collier 512-972-0117

Thursday September 28, 2023

Continue to coordinate final approval of street cross sections with regards to utility layout. Per AD Kevin Crittendon, final language must be vetted:

We have discussed the proposed Street and Utility Section Exhibits of Colony Park presented by Civlitude and are generally comfortable with the approach. We would ask that the sections be annotated to clarify that the exhibits are for general reference and do not represent a waiver of Austin Utility Criteria Manual requirements.

## ATD Engineering Review - Bryan Golden - 512-974-2426

- ATD 1. A traffic impact analysis (TIA) and transportation demand management (TDM) are required and have not yet been received. Additional right-of-way, roadway improvements, or limitations on development interchanges should be provided based on review of the TIA/TDM. [LDC 25-6-142]. Comment pending separate memo.
- U1: Comment pending.
- U2: Comment cleared with recommendation that the TIA/TDM should be available prior to 3<sup>rd</sup> reading of Council.**
- RESPONSE:** Add the following language to conditional approval: "Unless allowed otherwise by Council to be deferred to Preliminary Plan due to time constraint. That said, the project team expect to have final TIA draft ready prior to this meeting pending ATD's review."
- ATD 2. The Austin Strategic Mobility Plan (ASMP) calls for 72 feet of right-of-way for Colony Loop. It is recommended that 31 feet of right-of-way from the existing centerline should be dedicated for according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].
- ATD: Comment cleared.**
- U1: Comment pending cross-section of the TIA.
- U2: Comment cleared. Please note that the 72' ROW identified under Exhibit I (pg. 28) and a 72' Colony Loop Drive cross section shown Exhibit I (pg. 30). ATD recommends the 72' ROW, consistent with the ASMP, and revising bike facility to the TCM recommended 10' minimum, which the applicant had previously agreed to.**
- RESPONSE:** We can achieve 10' bike lane width or 42' total pavement width within 70' ROW. See attached updated section.
- ATD 3. The Austin Strategic Mobility Plan (ASMP) calls for 72 feet of right-of-way for Valleyfield Drive – Valleyfield Connector. It is recommended that 72 feet of right-of-way be dedicated for according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].
- ATD: Comment cleared.**
- U1: *Comment cleared.* ATD recommends requested waiver for this ASMP roadway.
- ATD 4. The Austin Strategic Mobility Plan (ASMP) calls for 72 feet of right-of-way for Clearlight Trail. It is recommended that 72 feet of right-of-way should be dedicated for according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].
- U1: *Comment cleared.* ATD recommends requested waiver for this ASMP roadway.
- ATD 5. The Austin Strategic Mobility Plan (ASMP) calls for 72 feet of right-of-way for Matthews Prairie Path. It is recommended that 72 feet of right-of-way should be dedicated for according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].
- U1: *Comment cleared.* ATD recommends requested waiver for this ASMP roadway.

ATD 6. Exhibit J: Please clarify the reasoning for increasing the parking requirements from PUD's previous iteration.

- Retail/Commercial: No minimum and 1/1000 maximum revised to 1/500 with no max.
- Office: 1/1000 with 3/1000 maximum revised to 1/500 with no max.
- Condominium/MF: .5/unit and 1/max. revised to 1/unit with no max.
- Rowhouse/shophouse/duplex: .5/dwelling revised to 1/dwelling.

U1: *Comment cleared.*

ATD 7. Exhibit C should indicate roadways as required per the ASMP or suggest alternatives:

- Please indicate Colony Loop Drive, Wilmington Drive, Colony Park Dr-Valleyfield Dr Connector, Clearsight Trail, and Matthews Prairie Path.
- A note specifying the exact alignment to be determined at time of subdivision may be added for flexibility.

U1: *Comment cleared.*

ATD 8. Exhibit F (Pg 4):

At this time, ATD does not support the footnote allocating a "maximum of two driveways" for street frontage. Recommend deference to TCM which regulates spacing/allowances.

U1: Removal of this note is still recommended, however, if it remains, then "subject to TCM requirements" should be added.

**U2: *Comment cleared.***

ATD 9. Exhibit I (Pg 1):

- TCM requires min. 10' width for two-way cycle facility. 12' preferred. TCM 5.1.2.2.G.
- 2' curb buffer prescribed for bike barrier. TCM 2.8.2.3

U1: *Comment cleared.*

ATD 10. Exhibit I (Pg 2): Wilmington Street (Retail Emphasis)

- Angled parking may be permitted only if all other right-of-way zone elements are included with their minimum widths being met. TCM 9.2.2.K. ATD recommends approval of this street cross section alternative if the bike facility is increased to a minimum 10' width.

U1: *Comment cleared.*

ATD 11. Exhibit K (Code Modifications):

- Subsection A. ATD does not recommend approval of Subsection A.1 and 2. (grandfathering TCM July 12, 2022 version)

U1: Note applicant's revision to A.6. ATD does not recommend this modification.

**U2: Comment cleared.**

- Subsection A. ATD does not recommend A.3. (vesting to ITE 11th edition). It is possible that future ITE editions may be beneficial to the overall development trip calculation and a better reflection of contemporary driving behaviors.

U1: Comment cleared.

- Subsection D.1-2. ATD recommends approval, however, the PUD application should request that Colony Park street cross-sections fulfill TCM Level 1 and 2 street requirements, and not a modification to the TCM itself.

U1: Comment cleared.

- ATD 12. Please remove "ASMP Level 1" designation to proposed street Exhibit I (Colony Park PUD Street Sections). Please reference types (Exhibit I pg. 1) for new proposed streets.

**U2: Comment cleared.**

- ATD 13. Please clarify the intent to waive 25-6-141(B) proposed in the code modification does not recommend amending this code section which establishes regulatory

**U2: Comment cleared with recommendation for the addition of clarifying specify that amending this code section does not preclude compliance at the time of site plan or subsequent PUD**

- ATD 14. **PUD Draft Ordinance Part 9: Traffic and Transportation**

**Section 1: Recommend adding language to clarify the subject to the Street Impact Fee and inclusion of "site plan" where timing of traffic mitigation/assessment is merited**

**Section 2: Recommend changing the verbiage from "trip generation" in keeping with requested ITE methodology**

- ATD 15. The adjacent street characteristics table is provided below:

Name	ASMP Classification	ASMP Required ROW	Existing ROW
Colony Loop Drive (partially	2	72'	70'

RESPONSE: (1) Section 25-6-141 (*Action on Application*). Subsection (B) shall be modified to read: "The council or director may approve an application if the applicant has satisfactorily comply with the TIA as it maybe administratively amended or updated."

ATD: Agrees to maintain pending Legal review.  
Agreed with applicant to keep administrative approval.

RESPONSE: Part 9 section 1) The updated Colony Park PUD shall have a maximum amount of potential allowable vehicle trips per day ("VPDs") and peak hour trips ("PHTs"). Traffic generation up to those maximum VPDs and PHTs shall be allowed administratively. Traffic mitigation, however, shall be required only for actual traffic generation based on actual land uses and intensities and any allowable adjustments thereto proposed by a particular development project, to be determined at Preliminary Plat or Site Plan."  
The following language has been added:  
2) Unless otherwise waived by Council, Development within the Colony Park PUD will comply with Street Impact Fee requirements to the extent that such requirements apply and subject to any credits and/or offsets allowed or required in the TIA (including but not limited to internal level 2 shown on Exhibit I and other internal and offsite improvements) or by applicable law.  
Item 2 to become 3 and modified to read:  
3) Trip generation, trip calculation, and trip impacts shall be calculated in the Colony Park PUD C

ATD:  
1. Comment cleared.  
2. Comment cleared. To be addressed with Legal.  
3. Comment cleared.  
Applicant agreed to change to just "trip generation."

ATD: Comment cleared. No change.

ATD Please change this to 70' ROW as modified by this PUD or add asterisk note

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constructed)							
Wilmington Drive (not built)	2	72'	~75'	None	None	Yes	Yes
Colony Park Dr-Valleyfield Dr Connector (not built)	2	72'	None	None	None	Yes	Yes
Clearsight Trail (not built)	2	72'	67'	None	None	Yes	Yes
Matthews Prairie Path (not built)	2	72'	~61'-67'	None	None	Yes	Yes
Loyola Lane	3	140'	~132'	70'	Yes	Yes	Yes

## NPZ AE Review – Andrea Katz – [Andrea.Katz@austinenergy.com](mailto:Andrea.Katz@austinenergy.com)

### INFORMAL STATUS

AE 1, AE 3, AE 4, AE 6. U1: **Comments cleared**

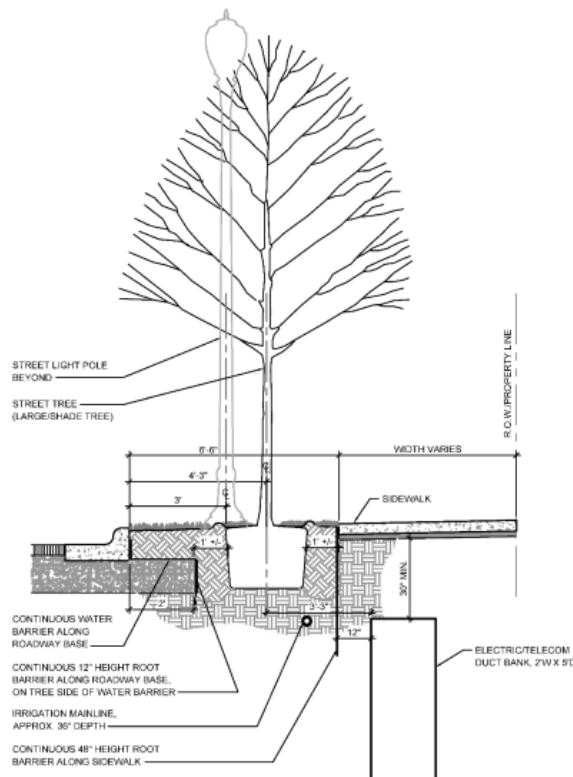
**Note:** The U2 Draft PUD (Pg. 40) Exhibit K – F. Special Detail has the correct detailed attached. It depicts the solution AE and other COA utilities agreed upon moving AE facilities within the roadway.

- The U2 Exhibit K edits 9/25/23 and U2 Exhibit K Final 9/25/23 have the incorrect “F. Special Detail” attached. Please replace to match the one shown/provided in the U2 Draft PUD.
- Incorrect detail:

RESPONSE: WORD DOC  
HAS BEEN UPDATED

#### F. SPECIAL DETAILS

##### Special Detail 01 - Street Tree Placement & Allowable Clearance from Underground Electric





## NPZ Environmental Review - Pamela Abee-Taulli 512-974-1879

Friday October 6, 2023

### IMPERVIOUS COVER

EV 1 Total IC for the original PUD was 52.9% of gross site area. What is the current total IC? Please add this information to the revised PUD (see original Exhibit I).

U1 Comment pending. Clarify whether the Council approved land use plan has a stated impervious cover allowance. Approval of the proposed 75% IC allowance is pending discussion with the Environmental review teams of DSD and WPD. Please contact me ([pamela.abee-taulli@austintexas](mailto:pamela.abee-taulli@austintexas)) to let me know whether Council specified an IC allowance.

### **U2 COMMENT CLEARED**

EV 2 Which of the strategies recommended by the WPD study for decreasing the impact of IC are proposed?

- Increase the number of tree plantings (which intercept and retain rainfall otherwise converted to runoff).
- Disconnect impervious cover by designing roofs and paved areas to drain to adjacent landscaped areas.
- Add soil amendments to improve the infiltration capacity of soils in pervious areas (thereby allowing more infiltration, healthier plant growth, and reduced irrigation requirements).
- Install porous pavement for pedestrian or vehicular use where feasible without seeking an impervious cover credit. Logical locations for porous pavement would be adjacent to significant, existing trees to be preserved on the site, thereby preserving infiltration of water into the soil near the trees' root zones.

U1 Comment pending. I understand and agree that not all of these measures will be possible for all projects. Please include language in the amended PUD stating that these measures (and please list them) will be incorporated to the maximum extent feasible.

### **U2 COMMENT CLEARED**

### CRITICAL WATER QUALITY ZONES / HEADWATERS PROTECTION

EV 3 What type of waterway crossing is proposed on Colony Loop at the indicated location? What is the possibility of spanning this crossing with a bridge? If this is not feasible, please specify open-bottom culverts.



U1 Comment pending. Applicant states that they can commit to open-bottom culverts at a minimum. Please add this language to the PUD, or let me know how this commitment will be memorialized.

### **U2 COMMENT CLEARED**

### CODE MODIFICATIONS

#### **D. SITE PLANS**

- (1) Section 25-5-2 (Site Plan Exemptions) is modified to exempt the following from a site plan:
- (b) Placement and adjustment of temporary stockpiling of spoils with approved erosion

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*controls.*

EV 4 (b) is acceptable if the height is limited to 8 feet and the following stipulation is added: If disturbed area is not to be worked for more than 14 days, disturbed area needs to be stabilized by revegetation, mulch, tarp, or revegetation matting. [ECM 1.4.4.B.3, Section 5.I]

U1 Comment pending revision of language per my comment. I agree that this does not need to apply to the existing spoils piles.

**U2 COMMENT CLEARED**

#### G. ENVIRONMENTAL

*(1) Section 25-8-92 (Critical Water Quality Zones Established) Subsection (B) is modified to add Subsection (6) to reduce the Critical Water Quality Zone (CWQZ) to 50 feet in areas where no defined FEMA and/or fully developed floodplain has been established.*

EV 5 Please explain the purpose of this modification. Where there is a CWQZ there is a regulatory floodplain. Under current code there are only 2 CWQZs on the site. If the concern is that code may change in the future, a more workable modification might be to specify that if the code changes in the future to require CWQZ buffers on smaller headwaters, this PUD will not be affected.

U1 Comment in limbo. Per our discussion at the most recent meeting, I think this may not be necessary. Since passage of the Watershed Protection Ordinance in 2013, in Suburban watersheds the CWQZ is independent of the floodplain.

**U2 COMMENT CLEARED**

*(2) Section 25-8-93 (Water Quality Transition Zones Established) Subsection (B) is modified to add Subsection (4) that states to eliminate the requirement for a transition zone in areas where no defined FEMA and/or fully developed floodplain has been established.*

EV 6 This is unnecessary. There are no WQTZs in Suburban watersheds.

**U1 COMMENT CLEARED.**

*(5) Section 25-8-261 (Critical Water Quality Zone Development). Subsection (H) is modified to add "Elements with public benefits including but not limited to community gardens, other forms of urban food production, sidewalks, trails and associated fitness equipment, and public access are allowed to locate within a Critical Water Quality Zone."*

EV 7 Explain how this differs from current code. See:

*25-8-1(13) OPEN SPACE means a public or private park, multi-use trail, golf cart path, the portions of a golf course left in a natural state, and an area intended for outdoor activities which does not significantly alter the existing natural vegetation, drainage patterns, or increase erosion. OPEN SPACE does not include parking lots.*

And

25-8-261 which allows urban agriculture & hard surfaced trails. There are no restrictions on dirt trails or public access.

U1 Comment pending discussion with the DSD & WPD Environmental teams. Please provide a written explanation of why this is being requested. Be as specific and explicit as possible.

**U2 COMMENT CLEARED**

*(6) Section 25-8-262 (Critical Water Quality Zone Mobility Crossings). Subsection (C) is modified to clarify that the development demonstrates no additional adverse impact from FEMA and/or fully-developed floodplain.*

EV 8 This is unnecessary. It does not change code.

**U1 COMMENT CLEARED.**

*(11) Section 25-8-341 (Cut Requirements) shall not apply to the Colony Park PUD.*

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*(12) Section 25-8-342 (Fill Requirements) shall not apply to the Colony Park PUD.*

EV 9 I would prefer to have this narrowed to specific locations or situations.

**U1 COMMENT CLEARED.** Permanent erosion controls for cut and fill will be required to follow the guidelines of ECM 1.4.6(G).

#### ECM MODIFICATIONS

EV 10 Make these changes in the appropriate code section, rather than the criteria. The comments below address the issues raised in the proposed ECM modifications.

**U1 COMMENT CLEARED.**

EV 11 #2 & 3 Buffer averaging. These changes can be shown in the exhibits and do not need to be blanket code changes.

**U1 COMMENT CLEARED.**

EV 12 #9, 11, 13, 14, 15. What is the objective of having a separate plant list for the PUD? Having a different list will complicate plan review and slow it down. Also, we are in the process of revising Appendix N. It is possible that the revised version will accommodate the design objectives of the PUD. Please contact me to discuss.

**U1 COMMENT CLEARED.**

EV 13 #11. Please explain the reason for removing the requirement for diversity. If this is a design preference for a uniform look, might I suggest that the chosen species be required to offer an ecological advantage, such as being a pollinator or habitat resource or promoting infiltration through appropriate root structure?

**U1 COMMENT CLEARED.**

EV 14 #12. Clarify whether this reduction of parking lot island width is in the original, approved PUD. If not, please suggest a method for offsetting this reduction. I am not asking for superiority, but parity with existing code.

**U1 COMMENT CLEARED.**

EV 15 #17. Increasing the area that is allowed to be irrigated by spray irrigation might not be currently allowed by AWU. It does not meet the City's goal of water conservation expressed in Water Forward. Please explain why this is proposed.

**U1 COMMENT CLEARED.**

#### U2 NEW COMMENT

EV 16 Revise note #8, Exhibit G (page 3) as shown.

8. Reduce CWQZ within PUD boundary to enable additional housing in ETOD district. Reduced CWQZ still meets 50' minimum from creek centerline per Colony Park PUD criteria manual. Allow temporary encroachments and street **crossing** and trail encroachments.

EV 17 Note #3, Exhibit G (page 4), Environmental Notes is problematic. I would like to recommend and discuss the following edits.

3. The CWQZ related to existing classified waterways has been modified as shown in Exhibit G. ~~and shall be exempt from all future CWQZ changes to currently unclassified waterways.~~ Additional protected headwater areas have been added. **These** mitigate for CWQZ reductions

(as shown in Exhibit G) by providing protections for currently unclassified waterways. Additional protected headwaters shall not be subjected to CWQZ regulations. Additional protected headwater areas (designated in Exhibit G) are vegetated drainage conveyance areas draining less than 320 64 acres that promote healthy soils and vegetation along the creek corridor and allow the stream adequate space to migrate over time, thus controlling flood impacts, promoting water quality, and providing multiple community benefits. designated in Exhibit G established to enhance water quality. Permitted activities and development in these areas include is limited to grading with revegetation, limited roadway crossings, trails and park amenities, utilities and utility crossings, and water quality facilities.

- “The CWQZ related to existing classified waterways has been modified as shown in Exhibit G and shall be exempt from all future CWQZ changes to currently unclassified waterways.”
  - I read this sentence to imply that *existing* classified waterways would be exempt from all future CWQZ changes. I don’t think this is necessary, and I don’t think it is a good idea. It is my understanding that we agreed that the *headwaters* would be exempt from future changes to the CWQZ code.
- 64 acres of drainage is the current definition of a minor classified waterway. The designated headwaters drain less than 64 acres.
- “Grading with revegetation” sounds like a grass-lined channel. If this is the intention, it needs to be designed with WPD so that it mimics the features of a natural channel, including sinuosity and all the things listed in note #12, including restoration would at a minimum need to provide grade control structures, stabilize the channels and include the installation of check dams, culverts, and in-stream installation of root wads and large woody debris.
- “Permitted activities and development in these areas include utilities and utility crossings, and water quality facilities.”
  - This language could allow *any* development, making it very difficult to ensure that the headwaters perform as intended.
- The Whisper Valley PUD allows utilities in its “headwaters.” I do not think this is a good idea. The current standard for avoiding future exposure of utility pipes due to erosion is for the line to be 100 feet from the creek centerline or outside of the erosion hazard zone. I would want approval from WPD before allowing this.
  - For the same reason, I would want WPD approval to allow water quality facilities in the headwaters.

RESPONSE: we need this to avoid problems with things like manholes or bends in pipes that may not fit the definition of “crossing”. There is no erosion hazard zone along these APH.

RESPONSE: similarly there is no erosion hazard zone, and the facilities will be maintained by the POA if there is erosion’s concern. That said we likely will stay out of it and use low impact design, this is just for the rare case we need to have discharge headwalls near or in the APH.

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NPZ Drainage Engineering Review - Kena Pierce 512-978-1832

RELEASE OF THIS APPLICATION DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION, AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY, AND ADEQUACY OF HIS/HER SUBMITTAL, WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY CITY ENGINEERS.

**Please note: these are not new comments. These are off-line comments from emails and meetings that have been going on since this application started.**

**DE 1. Any deviation from the DCM (waivers) will require approval from the Watershed Protection Department. This includes the items in Exhibit K Colony Park P.U.D. Criteria Manual Section B "Drainage Criteria Manual Modifications 1 through 9.**

- a. **APPROVED.** 1. **RESPONSE: DCM mod withdrawn. Special details to be worked out with WPD at a later date.** stem) subsection (A)
- b. **APPROVED.** 2. stems) subsection (E) -
- c. **APPROVED.** 3. DCM 1.2.4. (Drainage System) subsection (E)
- d. Not DE/WQ 4. DC< 1.2.6 (A) Floodplain needs to look at this.
- e. **NOT CLEARED. Remove.** 5. DCM 5.7.1 (Clearance) subsection (F) is modified to read ~~"The minimum horizontal clearance shall be 60 inches (5 ft) for storm pipes over 24" in diameter. The minimum horizontal clearance shall be 30 inches (2 ft) for storm drain manholes, inlets, or other appurtenances. Storm pipes at or smaller than 24" in diameter can reduce horizontal clearance to 2' for limited length to accommodate street trees, other utilities, and non-building elements."~~ **DELETE.**

**Update 1:**

- **WPD Response:** WPD B6. DCM 5.7.1.F - Horizontal clearance- WPD does not support this request. The proposed horizontal clearance would make it not possible to access and maintain storm drains. Also, this distance is a UCM criteria not just the DCM.

**Update 2:**

- **Applicant Response:** The Development Team has regularly encountered this in practice. We intend to minimize the condition in which street trees are at a minimum distance to storm infrastructures (thus there is reference to "limited distance"). In the case of street trees, we will carefully select species to minimize impacts. It is important for a successful urban mixed-use development to have abundant street trees without many layers of restrictions and to have flexibility built-in to accommodate ever increasing amounts of utilities in the ROW. The intention is to avoid continuous administrative waiver requests. The Development Team would like to maintain this requested modification. We only see references in UCM related to spacing to AE and AWU infrastructures, please advise which specific sections in UCM for storm we need to edit if this request can be supported.

- WPD RE-Response:** The spacing criteria is firstly to be able to access, and perform operations and maintenance of the storm drain asset via open cut excavation. The spacing requirements are necessary to 1) ensure utilities can be safely excavated per OSHA and COA safety standards and space is allowed to use a trench protection system. 2) spacing is required to mitigate the likeliness of damaging adjacent utilities or infrastructure during the excavation process. 3) Spacing is necessary so that pressurized utilities do not share the same trench with pressurized utilities.

RESPONSE: DCM mod withdrawn. Special details to be worked out with WPD at a later date.

- f. **NOT CLEARED. Remove** 6. DCM 5.7.1 (Clearance) subsection (G) is modified to read "For storm drains smaller than 42 inches with a depth of cover of 6 feet or less, the minimum vertical clearance will be 12 inches above the storm drain and 18 inches below the storm drain. Vertical clearance can be **DELETE.** use of flowable backfill. For storm drains 42 inches or larger or with a depth of cover greater than 6 feet, the minimum vertical clearance will be 18 inches above the storm drain and 24 inches below the storm drain. Vertical clearance can be reduced by half with the use of flowable backfill."

**Update 1:**

- **WPD Response B7.** DCM 5.7.1.G - Vertical clearance- WPD does not support this request. WPD would need to get more information and review details to consider. What is meant by flowable fill? Thickness, sand layer to protect the pipes, etc. This would also need to be coordinated with other utilities.

**Update 2:**

- **Applicant Response:** The Development Team has regularly encountered this in practice. The request is to avoid continuous administrative waiver requests. The Development Team would like to maintain this requested modification. Flowable fill is a common industry term that refers to Controlled Low Strength Material (CLSM) that is used for trench backfill, filling abandoned pipes, and other uses as allowed by WPD Field Operations Closed Systems Division. CLSM has been allowed via waiver by WPD Field Ops in areas of reduced storm and other utility separation distances. CLSM is listed as City of Austin Standard Specification Item No. 402 - Controlled Low Strength Material 09-13-22. We understand this requires coordination with other utilities, but we would like to obtain this flexibility from WPD now to avoid future delays.

- **WPD RE-Response:** On Friday August 25, 2023 @ 4:00pm representatives with the Colony Park consulting team met with COA staff representing various subsurface utilities, in the me **RESPONSE: DCM mod withdrawn. Special details to be worked out with WPD at a later date.** section utility location cross-sections were reviews and it was sta **DELETE.** reets and utilities would be new build that the layouts would co **DELETE.** ards in COA design criteria. The original comment was not addressed. The City can agree to separation distance standards and modifications via a waiver process if the existing DCM standards cannot be met. This waiver process could be expedited if pre-approved details showing proposed solutions for various separation scenarios when spacing requirements cannot be met.

- g. **CLEARED. Remove** 7. DCM 5.7.1 (Clearance) subsection (I) is modified to read "New street trees placed within the right-of-way shall have a horizontal clearance of 5 feet from the edge of the tree well to the outer edge of t **DELETE.** e, inlet, or other appurtenance. Clearance can be reduced to 3 feet minimum with root barriers at 48" minimum depth."

**Update 1:**

- **WPD Response B8.** DCM 5.7.1.I – WPD may be able to support this request, but would need to review details of the proposed root barriers and tree wells

**Update 2:**



- **Applicant Response:** As shown in our Special Detail 01 at the end of Exhibit K Subsection F, we intend to install a continuous 48" deep root barrier along the sidewalk edge between sidewalk and street trees. The proposed DCM edit referenced the same root barrier that we can install to reduce clearance, if WPD has another specific depth and or other requirements necessary to support this request please clarify.
- **RE-Response:** comment cleared

h. **NOT CLEARED. Modify to what is below** DCM 5.7.1 (Clearance) subsection (K) shall not apply.

**Update 1:**

- **WPD Response B9.** DCM 5.7.1. K - WPD does not support this request. Steel encasement is needed to protect utilities that are very close to storm drains; there may be exceptions, but they would need to be reviewed on a case-by-case basis. The criteria are already written to allow exceptions. There is also a requirement in the UCM for steel encasement.

**Update 2:**

DELETE

- **Applicant Response:** Our understanding of this requirement is that it is intended for the crossing utilities (like water) not the storm line itself, we agree it is already specified in UCM and will use it where required (we did not modify that section in UCM). The intention here is to allow reduced clearances as explained in response to comments B6 & B7. Again, the goal is to avoid the continuous administrative waiver process.
- **WPD RE-Response:** See response to B6 above. The larger the storm pipe the larger the equipment that will be necessary to excavate. The larger equipment has a higher likelihood of causing incidental damage to adjacent utilities thus warranting steel encasement. Waivers could be expedited by providing the utility owner's permission for not using steel encasing.
- **K. When vertical clearance is less than values in Table 5.8, the crossing utility shall utilize steel encasement pipe, unless otherwise allowed by the Owner of the crossing utility.**

RESPONSE: DCM mod withdrawn. Special details to be worked out with WPD at a later date.

NPZ Water Quality Review - Kena Pierce 512-978-1832

Release of this application does not constitute a verification of all data, information, and calculations supplied by the applicant. The engineer of record is solely responsible for the completeness, accuracy, and adequacy of his/her submittal, whether or not the application is reviewed for code compliance by city engineers.

**Please note: these are not new comments. These are off-line comments from emails and meetings that have been going on since this application started.**

**Please see the uploaded Exhibit K with the mark ups.**

WQ 1. Please confirm that there are no deviations from the ECM concerning water quality control requirements and/or the design and maintenance of water quality controls.

**Update 1: Comment pending.** Applicant said that there were modifications to the ECM. They are below with the responses from WPD

**Update 2: Comments pending. Please see comments below**

C. Environmental Criteria Manual Modifications (that are not in the PUD Criteria Manual)

- a. **NOT CLEARED. Modify to the following.** 4. ECM 1.6.3 (Maintenance and Construction Requirements subsection (A). is modified to add "Within the Colony Park PUD, Water quality facilities located in parks and open spaces to be conveyed to the City of Austin will be designed to City's standards **as described in the PUD Criteria Manual** and maintained by the Land Developer. Ponds that are located within private parcels will be designed to Commercial Development standards as described in the PUD Criteria Manual."
- b. **NOT CLEARED. Remove** ECM 1.6.5 subsection (A). Design Guidelines for Sedimentation/Filtration Systems is modified to add the following allowance "Within the Colony Park PUD, water quality facilities located in parks and open spaces with public access can be designed using partial sedimentation/biofiltration configuration to treat runoff including but not limited to public streets."

- **WPD Response for both a and b:** This concession is not needed in the PUD documents because ECM 1.6.5 allows for partial sed/biofil for residential developments when using a full sed/biofil is unfeasible. "Full sedimentation/filtration or full sedimentation/biofiltration systems shall be required where the City is responsible for maintenance unless topographic constraints make this design unfeasible. Unfeasible is considered: assuming (for the purposes of this selection process only) a maximum ponding depth of three feet in the sedimentation basin, if it is not feasible to obtain an outlet for the drainage from the filtration basin within one hundred (100) feet of the crest of the filtration embankment, then the partial sedimentation/filtration configuration system may be used."

RESPONSE: Reviewer has agreed to our proposed language and should withdraw this comment with no further action.

RESPONSE: Reviewer has agreed to our proposed language and should withdraw this comment with no further action.

## NPZ Flood Plain Review - Shamir Dorsey 512-974-6099

Friday October 6, 2023

FP1 – A contributing drainage area of 64 acres or more to a creek which is on or adjacent to your site, the applicant is required to do a floodplain study in compliance with Austin's Drainage Criteria Manual (DCM) as outlined in DCM section 1.2.6. The existing and propose floodplain must be determined. If the existing floodplain is not determined it will nullify sections of the environmental regulations. Which cannot be approved without consent from the ERM reviewer.

U1 – Comment cleared.

FP2 – The director may require the owner of real property to provide, at the owner's expense and as a condition for development applicant approval, a drainage study for the total area to be ultimately developed as outline in LDC 25-7-31.

U1 – Comment cleared.

FP3 – If modifications to the floodplain are proposed, the applicant must show that there are no adverse impacts to the floodplain as a result of the modification. Adverse impacts include a loss of floodplain storage volume and rises in flood elevations on adjacent properties. Applicant may have to provide supporting documentation, including modeling to show no adverse impacts as a result of the proposed development.

U1 – Comment pending response, In the proposed code modification exhibit section F parts one, two, and three that reference LDC 25-7-6, 25-7-7, and 25-7-33 subsection B should be withdrawn, since changes to the floodplain will not require a council variance or waiver from a floodplain standpoint.

**U2 – Comment stands, although one and two have been removed from the proposed code modification exhibit section F, the additional note to Exhibit G will not be required and needs to be removed.**

FP4 – Per LDC 25-7-3 following must be delineated:

- Location of the Fully Developed 100-year Floodplain.
- Location of the proposed site conditions Fully Developed 100-year Floodplain.
- Location of the existing site conditions Fully Developed 25-year Floodplain.
- Location of the proposed site conditions Fully Developed 25-year Floodplain.
- Location of the FEMA 100-year Floodplain.
- Location of previously dedicated drainage easement.
- Location of additional proposed drainage easement.

Applicant may obtain electronic copies of the City's regulatory models by visiting [www.ATXFloodPro.com](http://www.ATXFloodPro.com). (Please note that this watershed, the FEMA floodplain is not equal to the Fully-Developed Floodplain.)

**NOTE:** 25-year is not REQUIRED to be delineated on all plan types, however, due to No Adverse Impact and floodway management requirements, it must be shown what

RESPONSE: this note on exhibit G has been removed.

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improvements (including any land moving activity) are located within the 25-year floodplain/floodway.

**NOTE:** The 100-year floodplains are not REQUIRED to be delineated on final plats, but it must be proven to the floodplain reviewer that the easements shown contain the relevant 100-year floodplains per LDC 25-7-152/LDC 30-4-152 or the site is otherwise in compliance with all portions of LDC 25-7-33/LDC 30-4-33

U1 – Comment cleared.

FP 5 - The applicant is required to contain the limits of the FEMA and City of Austin Regulatory floodplain within a drainage easement per LDC 25-7-152 and/or LDC 30-4-152.

U1 - In the proposed code modification exhibit section F part 4, referring to LDC 25-7-33 subsection D2, the amendment should be restated to defer the drainage easement dedication to the subdivision construction plans instead of the final plat. **RESPONSE: this code mod has been updated**

**U2 – Comment stand, include deferring dedication to the subdivision construction plans and/or site plan.**

FP 6 – Floodplain is considered life and safety; the DCM cannot be behold to a specific date. The floodplain changes and the criteria will change as it changes.

U1 - In exhibit K Colony Park P.U.D Criteria Manual section A part 2, the grandfathering from all future modifications and additions to the City of Austin's reason of life and safety. It's understood that "life-safety" **RESPONSE: Exhibit K note 1 has been updated such that if grandfathering is allowed through discussion with City Legal and Council then a specific date will be added to each criteria manual.**

**U2 – Comment stands, the response also needs to apply to the Criteria Manual Section A part 1 and 2. The dates in the Criteria Manual should be grandfathered as well.**

FP 7 – Omitting 25-7-33 subsection (D)(2) and (E) needs floodplain study completion and completion of the project proposal. **RESPONSE: Exhibit K note 1 has been updated such that if grandfathering is allowed through discussion with City Legal and Council then a specific date will be added to each criteria manual.**

U1 – In the proposed code modification exhibit section F part 4, referring to LDC 25-7-33 subsection D2, the amendment should be restated to defer the drainage easement dedication to the subdivision construction plans instead of the final plat. Subsection E can remain the same to applying to the P.U.D.

**U2 – Comment stand, include deferring dedication to the subdivision construction plans and/or site plan.**

**RESPONSE: this code mod has been updated**

## NPZ Wetlands Biologist Review - John Clement, john.clement@austintexas.gov

**Note:** the previous reviewer, Leslie Lilly, is out of the office for the next several days. Please copy Leslie, myself and Liz Johnston on any correspondence regarding Wetland Biologist or Environmental Office reviews.

**WB2 Update 0.** WPD staff conducted field work to verify the ERI and found an intermittent fringe wetland along the main Walnut Creek tributary running through the site. Additionally, a large mosaic wetland feature associated with the boundaries of the CWQZ was identified downstream of CEF features W-2 and W-8 and extending to W-4. The ERI does not show any wetland CEFs in this area nor was any data collected in this location. Please contact this reviewer to further discuss.

**Update 1.** Staff recommends that no development (temporary or permanent) be allowed in the CWQZ extending south from the confluence of the southern most tributary (shown highlighted below). Additionally, only 2 trail crossings will be allowed in the remaining portion of CWQZ (location to be approved by the Director of Watershed)



**RESPONSE:** It is our understanding that John has agreed this comment is outdated at the meeting and should withdraw this comment with no further action.

**Update 2. Comment not cleared.** Wetland W10 provided on Exhibit G, Page 2, does not include the extent of wetland shown above.

**WB3 Update 0.** Wetland CEF buffers are proposed to be reduced without a clear 1:1 mitigation plan both in Exhibit G and Exhibit K, Section (C) ENVIRONMENTAL CRITERIA MANUAL MODIFICATIONS (5). Instead of reducing the buffers, this reviewer recommends modifying the buffer to retain the same area of wetland CEF buffer within the PUD boundaries, not to be reduced to less than 50 feet.

**Update 1.** The area proposed for AW9 wetland CEF buffer mitigation is not geographically or hydrologically connected to the wetland CEF buffer impacted by the reduction (see highlighted area below). CEF buffer mitigation must be connected to the same tributary that it was impacted.



RESPONSE: It is our understanding that John has agreed this comment is outdated at the meeting and should withdraw this comment with no further action.

**Update 2. Comment not cleared.** Mitigation should be in addition to protection described in Comment WB2.

**WB4 Update 0.** The PUD amendment proposes to reduce the CWQZ to 50 feet in areas where the floodplain has not been established. However, floodplain modeling is required for drainage areas of 64 acres or more and it does not appear that floodplain modelling has occurred for this site. We do not support the reduction of the CWQZ as proposed because modeling has not demonstrated the extent of the floodplain and an unidentified wetland CEF is in the CWQZ at the location proposed for CWQZ reduction.

**Update 1.** Please add this language to the PUD. As agreed upon with the applicant, changes in drainage conveyance outside of the existing condition floodplain that result in modification of the vertical or horizontal extent of the floodplain, if approved by Floodplain Review, will be supportable from an environmental perspective if the project commits to restoring the upstream channels that serve as a part of the "green spine" and will be designated as CWQZ. The restoration would at a minimum need to provide grade control structures that stabilize the channels and include the installation of check dams, cobble riffles, seepage berms, and in-stream installation of rootwads and large woody debris.

Areas that are newly designated with a CWQZ or CEF buffer should be assessed using the Zone 2 functional assessment methodology described in Appendix X of the ECM. Any areas where the CWQZ or CEF buffer is found to be in "Poor (1)" or "Fair (2)" condition shall be restored to "Good (3)" or "Excellent (4)" condition.

**Update 2. Comment not cleared.** There seems to be a conflict between the restoration requirements of Modifications, Mitigation and Enhancement Concepts #12 and #13 and the development allowed in #14 and Environmental Note #3. Clarify to be protected from development.

RESPONSE: It is our understanding that John has agreed this comment is outdated at the meeting and should withdraw this comment with no further action.



**WB5 Update 0.** Please clarify why the following code section is being requested and how a conveyance floodplain is being defined- (4) *Section 25-8-261 (Critical Water Quality Zone Development)*. Subsection (G) is modified to add Subsection (4) to state that floodplain modification provisions only apply to FEMA and fully-developed floodplains and not conveyance floodplains.

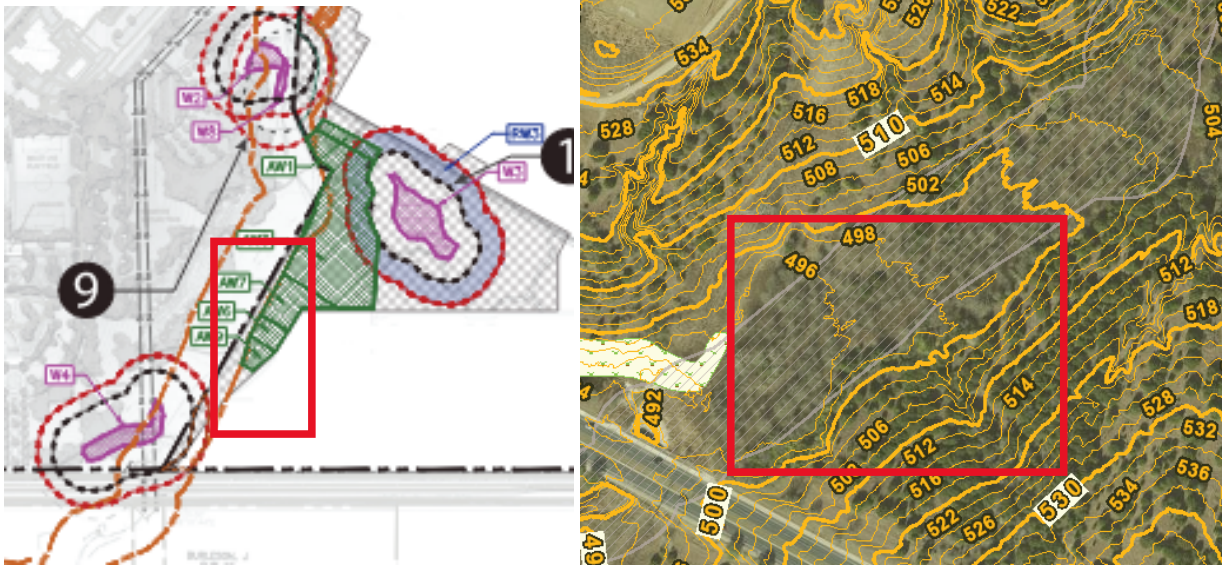
**Update 1.** See response to comment WB4. All new dedicated CEF and wetland Buffer areas will be sufficient to meet the requested restoration requirements.

**Update 2. Comment cleared.**

**WB6 Update 0.** The representation of removed/reduced/modified wetland CEFs and CEF buffers is difficult to track. Please adjust the symbology to clarify CEF/CEF setback areas removed and or added. Additionally, please add a table documenting the changes in area for each wetland CEF separately.

**Update 1.** Partially addressed. Include the following changes to the environmental Exhibit G

1. Distinguish between mitigation designated for the wetland CEF and the wetland CEF setback. The balance table should reflect the reduction and addition of CEF and CEF buffer in separate columns.
2. The wetland CEF mitigation should be added to the area spanning the CWQZ and the 500' elevation line (see below) . This area contains the undelineated mosaic wetland features described in the original WPD site analysis for the Colony Park PUD.

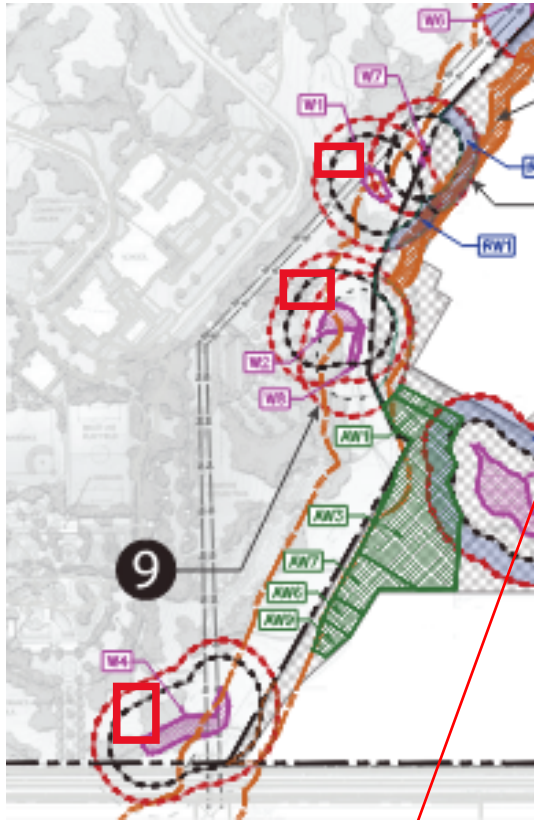


3. Please remove any extraneous line work from the exhibit unless it indicates a reduction or addition of area (see example below showing red X's).

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RESPONSE: It is our understanding that John has agreed this comment is not necessary at the meeting and should withdraw this comment with no further action.

**Update 2. Comment not cleared.** See Comment 2 above regarding W10.

**WB8 Update 0.** Please remove the ENVIRONMENTAL CRITERIA MANUAL MODIFICATIONS (6) because ECM 1.10.3 already exempts wetlands resulting from artificial hydrology from wetland protection and mitigation requirements.

**Update 1.** This modification is not necessary. The wetlands established in the PUD ordinance define the regulatory boundaries of the wetlands. No additional wetland CEFs can be regulated without an amendment to Exhibit G.

RESPONSE: this item has been deleted in exhibit K

**Update 2. Comment not cleared.** The modification still appears to be present as ECM Modifications (7). Please provide clarification.

**WB9 Update 0.** Please update the ENVIRONMENTAL CRITERIA MANUAL MODIFICATIONS (8) to include “as approved by the Director of Watershed Protection” and exclude subitems (a), (f), (g) from the list of approved enhancements/replacements for wetland CEF and CEF setbacks.

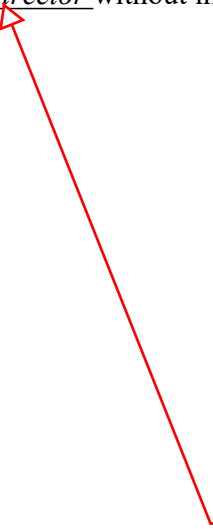
**Update 1.** Comment pending. The ECM provides guidance on wetland mitigation and does not mandate the use of wet ponds in wetland mitigation. WPD staff does not support the request to grant blanket approval of these mitigation strategies. Further resolution of the requested ECM updates will require meeting with city legal.

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**Update 2. Comment not cleared.** Regarding Item (f) it is not clear to this reviewer how unnamed sustainability criteria can be assessed as potential wetland mitigation. For Item (g), staff needs the ability to negotiate development within the buffer to prevent unintended impacts. Consider modifying (g) to say "... are allowed inside modified CEF buffers with approval of the WPD Director without impacting the wetlands..."



RESPONSE: It is our understanding that John has agreed this comment is not necessary at the meeting because the original text already references WPD Director which we are not modifying and should withdraw this comment with no further action.

RESPONSE: this note  
on exhibit G has been  
updated per Leslie's  
markup with minor edits.

Environmental Office – John Clement, john.clement@austintexas.gov

**EO1 U0** Consider incorporating light pollution reduction criteria into the development by committing to compliance with Austin Energy Green Building ST7 Light Pollution Reduction criteria as a part of achieving 2-star Austin Energy Green Building Rating.

**Update 1.** Comment partially cleared. Please indicate commitment to the ST7 criteria standards as a PUD note.

**Update 2. Comment not cleared.** Revise note to state: “Developer will comply with Austin Energy Green Building ST7 Light Pollution Reduction criteria as a part of achieving 2-star Austin Energy Green Building Rating.”

**EO2 U0** Consider incorporating bird friendly design criteria into the development by committing to compliance with Austin Energy Green Building STEL5 Bird Collision Deterrence criteria as a part of achieving 2-star Austin Energy Green Building Rating.

RESPONSE: this note  
on exhibit G has been  
updated per Leslie's  
markup with minor edits.

**Update 1.** Understood. Request withdrawn. **Comment cleared.**

**EO3 U0** Since the project is proposing several landscape enhancements, consider compliance with the proposed Functional Green standards to demonstrate the ecosystem services provided by the project through the incorporation of innovative landscape elements including but not limited to green walls and roofs, native plantings, rain gardens, porous pavement, and beneficial reuse of water for irrigation.

**Update 1.** Comment partially cleared. Please indicate commitment to the Functional Green standards as a PUD note or exhibit.

**Update 2. Comment not cleared.** Revise note to state: “Developer will comply with the City’s proposed “Functional Green” standards through the incorporation of innovative landscape elements including but not limited to green walls and roofs, native plantings, rain gardens, porous pavement, and beneficial reuse of water for irrigation.”

**EO4 U0** Consider the development of a natural areas management plan, including an Integrated Pest Management Plan, for the restoration of the wetland CEF and the existing creek to be approved by the Director of WPD at the time of site plan approval. The plan would establish baseline maintenance practices to support a healthy riparian habitat including but not limited to the management of invasive species, establishment and monitoring of native plant community, and activities to support the health of canopy and understory trees.

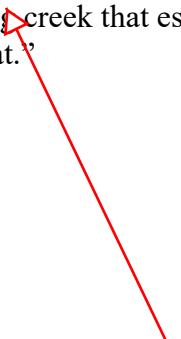
**Update 1.** See comment to EO3.

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**Update 2. Comment not cleared.** Revise note to state: “Developer will develop a natural areas management plan, including an Integrated Pest Management Plan, for the restoration of the wetland CEF and the existing creek that establishes baseline maintenance practices to support a healthy riparian habitat.”



RESPONSE: this note on exhibit G has been updated per Leslie's markup with minor edits.

## NPZ PARD/Planning & Design Review - Thomas Rowlinson 512-974-9372

Friday October 6, 2023

### UPDATE 2

PR1: Please confirm the number of proposed certified affordable dwelling units for this PUD. Affordable dwelling units are exempt from parkland dedication per City Code 25-1-601 (C) (3) and (4). The proposed number of certified units is needed to evaluate whether the proposed parks and open space meet code and PUD superiority (if applicable). Provide this reviewer with an affordability certification letter, if available: [thomas.rowlinson@austintexas.gov](mailto:thomas.rowlinson@austintexas.gov)

U1: Cleared. Applicant notes 20 percent affordable, with a maximum of 3,000 dwelling units. At 2,400 DUs, assessed at 10.4 acres per 1,000 residents under City Code 25-1-601 (C) (3) and (4), for high density development equal to 1.7 residents per DU, equals 42.4 acres.

PR2: Trail and recreational amenities must be allowed within the open space areas. Given that large areas of the open space fall within CEFs/CEF buffers, the applicant must ensure that any required trails and recreational amenities are allowed by rights in the wetland features themselves and internal conversation with Leslie has occurred. Therefore this comment should be withdrawn with no further action. Revise Part 6, #3 of the original ordinance in such a way that improved surface trails and recreational amenities are allowed within the entire Open Space areas with PARD approval.

U1: Note explicitly on the parks and open space plan, and in code modifications that the parks amenities contemplated are allowed by right within the open space areas, with the exception of the wetland identified by the environmental reviewer in the southern portion of OS-1, south of the convergence of the creeks; divide OS-1 into two OS areas, OS-1 and OS-1.1 (for the southern area just noted along the Central Health site), and denote restrictions to amenities within OS-1.1.

**U2: Confirm which is the actual CEF wetland area identified in Exhibit G e.g. W-4.**

PR3: Revise Part 6, #2 of the redlined ordinance so that parkland dedication requirements apply. The revised ordinance may note that any fees associated with parkland dedication may be used toward recreational improvements on future proposed public parkland in accordance with the Development Agreement.

U1: Comment remains. Revise Part 6, #2 of the redlined ordinance so that: "parkland dedication requirements apply, in accordance with City Ordinance 20220915-053 unless modified herein or in the Development Agreement. Any fees associated with parkland dedication may be used toward recreational improvements on future proposed public parkland in accordance with the Development Agreement. Phasing and timing of the park improvements and dedication of parkland may be modified by the Development Agreement." Any code waiver to parkland dedication requirements requires executive approval.



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**U2: Update applicable section to the following:**

*This PUD and the Development Agreement fully satisfy any and all parkland dedication and parkland improvement requirements set forth the City Code and any City parkland rules and regulations. The minimum amount of parkland in the Development Agreement, and the minimum investment in park improvements shall be at least the amount set forth in the Development Agreement for the entire PUD. Park development as contemplated in the Development Agreement is expected to exceed what is required per City Ordinance 20220915-013, as determined by the Parks and Recreation Department. To the extent of any conflict between the terms and provisions of this PUD and any parkland requirements in the City Code or in any rule or regulation, the terms and provisions of this PUD shall apply and govern.*

PR4: Please provide a comparison table of the open space acreage within the following categories: 25-year floodplain; 100-year floodplain; CEFs; CEF buffers; CWQZ; any existing or proposed easement areas (drainage, utility, etc.); any proposed mitigation areas (e.g. new or moved CWQZ or CEF buffers).

U1: Comment remains – provide best estimate of the comparison table.

**U2: Cleared.**

PR5: The above comments will be used to provide application to current code requirements for parkland dedication and superior. Please confirm that the PUD is not seeking parkland dedication superiority.

RESPONSE: this note  
has been added to the  
redlined PUD ord.

U1: Cleared.

## EXHIBIT K

### COLONY PARK P.U.D. CRITERIA MANUAL

#### A. GENERAL

1. The following versions of the City of Austin’s criteria manuals are adopted for Colony Park PUD unless otherwise superseded by the modifications listed in this Exhibit. To the extent of any conflicts, this Exhibit K shall govern. ***[NOTE: The Development Team will address this further through the Law Department and other impacted departments as part of the Council approval process. If a lock-in provision is established pursuant to A.2 below, dates may be added to this A.1 to specify applicable criteria manual versions for clarity.]***
  - a. Building Criteria Manual
  - b. Drainage Criteria Manual
  - c. Environmental Criteria Manual
  - d. Fire Protection Criteria Manual RESERVED for future version to be updated for IFC2021
  - e. Transportation Criteria Manual
  - f. Utilities Criteria Manual
  - g. Standards Manual
  - h. Standard Specifications Manual
2. Colony Park PUD shall be subject to those rules and regulations in effect as follows:  
\_\_\_\_\_ ***[NOTE: The Development Team will address this further through the Law Department and other impacted departments as part of the Council approval process.]*** .
3. Unless maximum allowable densities as shown in PUD Exhibit E are exceeded, all future updates to the Colony Park’s Traffic Impact Analysis (TIA) for the Colony Park PUD shall be done administratively using the 11th edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual with modifications to reflect internal capture methodology and values as shown in the Colony Park’s TIA.
4. The Colony Park PUD Design Guidelines referenced in this Criteria Manual will be established as an attachment to the Development Agreement.

#### B. DRAINAGE CRITERIA MANUAL MODIFICATIONS

1. DCM 1.2.4 (Drainage System) subsection (A) is modified to add “Within the Colony Park PUD, ponds located in parks and open spaces to be conveyed to the City of Austin will be designed to City’s standards of public ponds in this section, as modified, even though they will be maintained by the Overall Land Developer for the entire project (Catellus or its designated entity). Ponds that are located within private parcels will be designed to Commercial Development standards.”
2. DCM 1.2.4 (Drainage System) subsection (E) is modified to remove ramps into basins and drainage easements from the list of items to provide at Preliminary

Plan and Final Plat. These items shall be addressed at Site Plan or Subdivision Construction Plan stage.

3. DCM 1.2.4 (Drainage System) subsection (E) subitem 5.a. (Fencing) is modified to read “A six (6) foot high fence or a combination of retaining wall and decorative fences that add up to at least six (6) feet above adjacent ground is required [...]”.
4. DCM 1.2.6 (Floodplain Delineations) subsection (A) subitem 1. (Fencing) is modified to read “For purposes of this Drainage Criteria Manual, a drainage area of 64 acres or greater in the proposed conditions is required [...]”

#### C. ENVIRONMENTAL CRITERIA MANUAL MODIFICATIONS

1. ECM 1.3.0 (Environmental Resource Inventory) subsection (A) is modified to allow the 2023 ERI report for Colony Park PUD to be valid for the duration of the Development Agreement.
2. ECM 1.5.2 (Buffer Geometry) subsection (B) is modified to allow a minimum 50’ and 100’ maximum for Critical Water Quality zone in Minor Waterway.
3. ECM 1.5.2 (Buffer Geometry) subsection (D) is modified to delete the following restrictions: “The area proposed for reduction in width should not contain critical environmental feature (CEF) setbacks or priority or other significant woodlands and prairies as identified by the Environmental Resource Inventory.” and “If proposing to use buffer averaging on a minor waterway, the applicant will need to perform an Erosion Hazard Zone analysis in accordance with Chapter 25-7 of the Land Development Code and the Drainage Criteria Manual. The area proposed for reduction in width should not be located within the Erosion Hazard Zone.”
4. ECM 1.6.3 (Maintenance and Construction Requirements) subsection (A) is modified to add “Within the Colony Park PUD, water quality facilities located in parks and open spaces to be conveyed to the City of Austin will be designed to City’s standards as described in this PUD Criteria Manual and maintained by the Land Developer. Ponds that are located within private parcels will be designed to Commercial Development standards as described in this PUD Criteria Manual.”
5. ECM 1.6.5 subsection (A) Design Guidelines for Sedimentation/Filtration Systems is modified to add the following allowance “Within the Colony Park PUD, water quality facilities located in parks and open spaces with public access can be designed using partial sedimentation/biofiltration configuration to treat runoff including but not limited to public streets.”
6. ECM 1.10.4 (Determining Size of Critical Environmental Feature Protective Buffers) subsection (D) for Wetlands subitem 1 is modified to read “Standard Setback - The standard setback for a wetland CEF is a 50-foot CEF buffer around the outside edge of the wetland area, except for wetland CEF within Creek Buffer which will have standard setback of 150-foot. The protection of the Standard Setback may be appropriate to maintain the source water which supports saturation, or to maintain the surrounding physical or biological characteristics which support the wetland. The Standard Setback should be applied and preserved for wetlands that are fed by sheet flow from multiple directions,

wetlands with pronounced diversity and vigor, or wetlands located in ecologically significant or sensitive areas.”

7. ECM 1.10.4 (Determining Size of Critical Environmental Feature Protective Buffers) subsection (D) for Wetlands subitem 2 is modified to become subitem 3 and read “Administratively approved modified setback - The standard setback may be modified so that the same square footage as the standard setback is applied to the natural drainage patterns above and below the wetland, or to adjacent surface water resources that would not otherwise be protected. The minimum setback average width should not be less than 50 ft from centerline except for wetlands that are approved for removal. An administratively approved modified setback may be applied based on the source of water supporting the wetland, the biological characteristics of the wetland and the physical characteristics of the area around the wetland.”
8. ECM 1.10.4 (Determining Size of Critical Environmental Feature Protective Buffers) subsection (D) for Wetlands subitem 3 is modified to become subitem 4 to add subitem f & g below:
  - f) Elements that meet Sustainability criteria from LEED Cities & Communities
  - g) Within Loyola Town Center: Design elements with minimal environmental impacts such as green roof, pervious sidewalk, boardwalk and natural wood decking are allowed inside modified CEF buffers without impacting the wetlands themselves as long as impacts are mitigated with 1:1 ratio.
9. ECM 2.4.1 (Street Yard) subsection (A) is modified to remove reference to “Preferred Plant List (see Appendix N)” and replace it with “PUD Plant List in the Design Guidelines which is an attachment to the Development Agreement”.
10. ECM 2.4.1 (Street Yard) subsection (D) is modified to read “Within the area described as street yard in Section 2.4.0 the Colony Park PUD Design Guidelines shall govern all tree and planting requirements. No City’s review of street yard requirement is required for site permit.”
11. ECM 2.4.2 (Landscape in Parking Lots) subsection (B) subitem (2) is modified to read “Grasses not listed on the PUD Plant List in the Design Guidelines cannot be planted on islands, medians, or peninsulas. At least 80% of the required landscape area must be selected from the PUD Plant List and there is no limit on the percentage of plants that are the same species.”
12. ECM 2.4.2 (Landscape in Parking Lots) subsection (B) subitem (3) is modified to read “To provide significant space for the growth of trees planted within these areas, the minimum width for landscaped Islands, medians or peninsulas which contain new trees is six (6) feet and six (6) inches measured from the inside of the curb. Figure 2-4 in Appendix V shall be modified accordingly.”
13. ECM 2.4.3 (Buffering) is modified to read “Plants and trees used as buffering elements shall be planted in a permeable landscape area at least six (6) feet and six (6) inches wide, measured from inside of curb or pavement to the property

line. The quantity of elements to be included in the buffer shall follow PUD Plant List in the Design Guidelines. No more than 80% of the trees or shrubs shall be from the same species.”

14. ECM 2.4.4 (Landscape of Other Areas) is modified to remove reference to “Preferred Plant List (see Appendix N)” and replace it with “PUD Plant List in the Design Guidelines which is an attachment to the Development Agreement”.
15. ECM 3.5.4 (Mitigation) is modified to add “All new trees planted within the PUD boundaries including but not limited to parks and open space with public access as well as public rights-of-way can be used for the purpose of minimum mitigation compliance calculations.”
16. ECM Appendix O (Landscape/Irrigation Notes) subitem (1)(b) is modified to read “spray irrigation systems are allowed for landscape areas greater than six (6) feet wide (such as medians, buffer strips, and parking lot islands)”.

#### D. TRANSPORTATION CRITERIA MANUAL MODIFICATIONS

1. TCM 2.8.2.2 (Level 1 Streets) is modified to include Neighborhood Streets with ROW 53’ as defined in PUD Exhibit I as Level 1 streets.
2. TCM 2.8.2.3 (Level 2 Streets) is modified to include Collector Streets with ROW 66’ and 70’, Colony Loop Drive (70’ ROW), Wilmington Street (75’ & 90’ ROW) as defined in PUD Exhibit I as Level 2 streets.
3. TCM 10.2.0 (Traffic Impact Analysis Determination) subsection (A) is modified to remove all other sources for unadjusted trip generation data except for the 11th edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual.
4. TCM 10.3.2 (Applicability) is modified so that the approved Traffic Demand Management (TDM) plan for the Colony Park PUD shall be valid for the duration of the Development Agreement.
5. TCM 10.4.3 (Generalized Study Contents And Valid Period) is modified so that the approved Traffic Impact Analysis (TIA) for the Colony Park PUD shall be valid for the duration of the Development Agreement.

#### E. UTILITY CRITERIA MANUAL MODIFICATIONS

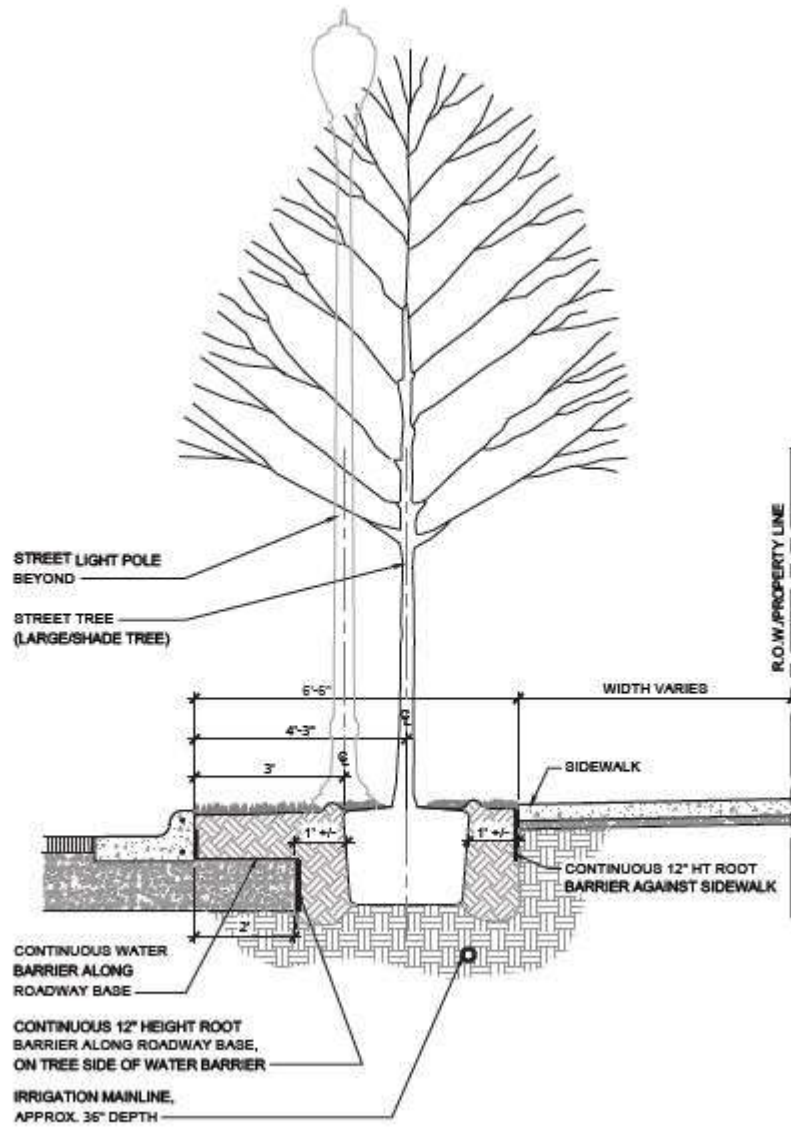
1. UCM 1.10.10.4 (Trees in Proximity to Electric Utility Infrastructure) subsection (iv) is modified to read “A tree may not be placed within 3 lateral feet of any underground electric equipment.” and “Any trees planted within 10 lateral feet of underground electric equipment must install root barriers between the tree and the equipment with a minimum installation of 4 feet deep and a minimum one foot between the root barrier and the equipment. See Special Detail 01 in this Exhibit subsection F.”
2. UCM 1.10.10.4 (Trees in Proximity to Electric Utility Infrastructure) subsection (iv) Table is modified to add “All large shade trees are allowed within three (3) lateral feet or more from underground electric duct bank with approved root barrier.”
3. UCM 1.10.10.4 (Trees in Proximity to Electric Utility Infrastructure) subsection (iv) is modified to add “See Street Tree Placement & Allowable Clearance from Underground Electric Special Detail 01 in this Exhibit subsection F”.

4. UCM 2.9.1 (General Criteria for Water, Reclaimed Water, and Wastewater Systems) subsection (C) is modified to remove the following paragraph *“Where Street Trees are placed within the right-of-way, root barriers shall be placed on all sides of the planting zone where AW mains and/or services are located. Root barriers shall be installed no closer than 7 feet from the tree trunk. Utilities shall be placed no closer than 2 feet from the root barrier. In no circumstances shall utility infrastructure be placed within the planting zone. Where “Street Tree Utility Gaps” are located between planting zones, the gap shall be a minimum of 8 feet wide between root barriers. Additional width will be required to allow for multiple utilities to be placed within the “utility gap”.*” and replaced with *“AW mains and/or services shall be located no less than 5 feet from the center of Street Trees. AW mains and/or services located closer than 8 feet from a Street Tree (measured center line to center line) shall have a root barrier installed between the Street Tree and AW main and/or service. Root barriers shall be placed at least 2 feet from the center of the main and/or service and run at least the full root zone.”*
5. UCM 2.9.2 (Water Systems) subsection (E) for Services, subitem (8) is modified to read *“Individual water meter services shall not cross a highway or exceed a length of 80 feet or 100-gallon distance whichever is shorter from the water main to the water meter.”*
6. UCM 2.9.4 (Wastewater Systems) subsection (G) for Service Lines, subitem (6) is modified to read *“Wastewater clean-outs are not allowed in sidewalks, paved areas, load bearing pavement, or driveways except for residential driveway aprons from Alley with traffic rated lids.”*



## F. SPECIAL DETAILS

### Special Detail 01 - Street Tree Placement & Allowable Clearance from Underground Electric



## PART 11. PROPOSED CODE MODIFICATIONS

### A. GENERAL

- (1) Section 25-1-21 (49) (*Definition of Height*) is modified to add a provision that states that a parking level is not considered a "story" when determining compliance with height limitations.
- (2) Section 25-1-21 (106) (*Definition of Site*) is modified to provide that a site in the Colony Park PUD may cross a public right-of-way
- (3) Section 25-1-83 (B) and (C) (*Subdivision Application Requirements and Expiration*) is modified to eliminate the 90-day expiration of an accepted preliminary plan or plat application, and the one-year expiration of an accepted subdivision construction plan application.
- (4) Section 25-1, Article 14 is modified such that the Colony Park PUD is not subject to parkland calculations and dedications. Open space is shown in the PUD Exhibit H and further defined in the Development Agreement.
- (5) Section 25-1-704 (A) and (B) (Fee Waivers) is modified to allow 100% waiver for the Colony Park PUD.
- (6) The provisions of Title 25 of the Austin City Code that require compliance with the applicable Austin Criteria Manuals, including without limitation, the Building Criteria Manual, Drainage Criteria Manual, Environmental Criteria Manual, Transportation Criteria Manual, and Utilities Criteria Manual, are all hereby modified to provide that development within the Colony Park PUD shall be subject only to compliance with such Criteria Manuals that are in effect on June 9, 2023 and only to the extent such compliance is required in Exhibit K - Colony Park Criteria Manual. The provisions of Exhibit K shall govern to the extent of any conflict with the Austin Criteria Manuals and any other administrative rules adopted by the City of Austin.

### B. ZONING

- (1) Section 25-2-243 (*Proposed District Boundaries Must be Contiguous*) does not apply to the PUD.
- (2) Subsection 2.3.1 (C) of Section 25-2-375 Division 5 (*Planned Unit Development Regulations*) is modified to clarify that the total amount of open space for the PUD will be that established in Exhibit H.
- (3) Subsection 2.5 of Section 25-2-375 Division 5 (*Planned Unit Development Regulations*) does not apply to the Colony Park PUD.
- (4) Subsection 3.1.2 (F) of Section 25-2-375 Division 5 (*Planned Unit Development Regulations*) is modified to clarify that a substantial amendment will only apply if shifting development intensity is the sole reason for the "E" or "F" level of service.

- (5) Subsection 3.2.2 of Section 25-2-375 Division 5 (*Planned Unit Development Regulations*) is modified to delete the requirement that a maximum floor area ratio be provided for multifamily development.
- (6) Subsection 3.2.3 of Section 25-2-375 Division 5 (*Planned Unit Development Regulations*) is modified to delete the requirement that a maximum floor area ratio be provided for nonresidential uses.
- (7) Subsection 3.2.3 of Section 25-2-375 Division 5 (*Planned Unit Development Regulations*) is modified to provide that the front and side yard requirements for nonresidential uses in the PUD are established in Exhibit F (*Colony Park PUD Site Development Regulations*).
- (8) Subsection 3.2.3 of Section 25-2-375 Division 5 (*Planned Unit Development Regulations*) is modified to delete the requirement that the number of curb cuts and driveways be shown on the land use plan.
- (9) Section 25-2-492 (*Site Development Regulations*) shall be replaced by Exhibit C: Land Use Plan, Exhibit D: Zoning Use Summary Table, Exhibit E: Density Table and Exhibit F: Site Development Regulations.
- (10) Section 25-2-512 (*Lot Size Minimum*) shall be replaced by Exhibit F: Site Development Regulations.
- (11) Section 25-2-1005 (*Trees*) is modified to remove the requirement for trees to be planted within a landscape yard, in consideration of the limited depth of the yards and the continuous street tree planting as shown in Exhibit I. As such, no trees in landscape yard review shall be performed as part of any site permits.
- (12) Section 25-2-1006(A) (*Visual Screening*) is modified so that water quality or storm water drainage facilities that serve as an amenity are not features that must be partially or periodically obscured from view from the street. The Colony Park PUD Criteria Manual and Design Guidelines shall govern all standards for screening.
- (13) Section 25-2-1006(C) (*Visual Screening*) is modified so that it shall not apply between uses or sites that are both located along and within the Colony Park PUD boundaries.
- (14) Section 25-2-1007 (*Parking Lots*) is modified to state that parking lots with fewer than 12 parking spaces total shall not be required to have landscaped areas.
- (15) Chapter 25-2, Subchapter C, Article 10 (*COMPATIBILITY STANDARDS*) Sections 25-2-1051 through 25-2-1068 do not apply within the Colony Park PUD. Any urban family residence (SF-5) or more restrictive zoning district or a use permitted in an SF-5 or more restrictive zoning district is located, other than a dwelling permitted by Section 25-2-894 (Accessory Uses For A Principal Commercial Use) that abuts the perimeter of the Colony Park PUD shall trigger the following compatibility standards, such that no development within:
  - (i) 50 feet of the abutting property line of the triggering property shall exceed three (3) floors; and
  - (ii) no development within 50 and 100 feet of the abutting property line of the triggering property shall exceed five (5) floors unless limited otherwise by the base height which is outlined in PUD Exhibit F.
- (16) Chapter 25-2, Subchapter E (Design Standards and Mixed Use) does not apply within or around boundaries of the Colony Park PUD. Exhibit F: Site Development Regulations as

described in this PUD and the Design Guidelines which is an attachment to the Development Agreement shall govern.

- (17) Chapter 25-2, Subchapter F (Residential Design and Compatibility Standards) does not apply within or around boundaries of the Colony Park PUD. Site Development Regulations as described in this PUD and the Design Guidelines which is an attachment to the Development Agreement shall govern.

#### C. SUBDIVISION

- (1) Section 25-4-56 (*Staff Review of Application for Preliminary Plan Approval*) is modified to provide for all preliminary plan applications including but not limited to new preliminary plans, corrections, and revisions to be prioritized for review using the SMART Housing review timeline or a faster expedited process if established.
- (2) Section 25-4-62 (*Expiration of an Approved Preliminary Plan*) is modified to extend the expiration period to fifteen (15) years after the approval date.
- (3) Section 25-4-82 (*Review of Application for Plat Approval; Expiration*) is modified to provide for all final plat applications including but not limited to new plat, amended plat, and replat applications to be prioritized for review using the SMART Housing review timeline or a faster expedited process if established.
- (4) Section 25-4-132 (*Easements and Alleys*) is modified to allow for loading and unloading to occur in any alley, provided that the alley does not serve as a fire lane.
- (5) Section 25-4-153 (*Block Length*) is modified to exempt Open Space blocks that are adjacent and parallel to a right-of-way from limitations in block lengths.
- (6) Section 25-4-157 (*Subdivision Access Streets*) are modified to allow a new subdivision to have one access street without director approval if the subdivision meets the provisions set forth in subsections (C) and (D).
- (7) Section 25-4-171 (*Access to Lots*) is modified to allow for a lot that fronts a common courtyard or an alley is not required to abut a dedicated public street. Each lot in a subdivision may also abut a private street subject to a permanent access easement.
- (8) Section 25-4-211 (*Parkland Dedication Ordinance*) is modified to provide approximately 41.6 acres of open space (or 20% of the site area) as identified in the PUD Exhibit H and further defined in the Development Agreement.

#### D. SITE PLANS

- (1) Section 25-5-2 (*Site Plan Exemptions*) is modified to exempt the following from a site plan:
  - (a) Construction or alteration of up to eight townhouse, small-site condominium, or shop house on a lot; and
  - (b) Placement and adjustment of temporary stockpiling of spoils with approved erosion controls if the following conditions are met:
    - o the Limit of Construction does not contain any floodplain

- the stockpile height is limited to 8 feet except for piles that have already existed as of August of 2023.
  - If disturbed area is not to be worked for more than 14 days, disturbed area needs to be stabilized by revegetation, mulch, tarp, or revegetation matting. [ECM 1.4.4.B.3, Section 5.I]
- (2) Section 25-5-21 (*Phased Site Plan*). Subsection (B) is revised to extend the period of a phase to seven years after the approval of a site plan, and to require Planning Commission approval if the date proposed for beginning construction of a phase is more than seven years after the approval date of the site plan.
  - (3) Section 25-5-81 (*Site Plan Expiration*). Subsection (B) is revised to extend the expiration period of the site plan to seven years.

#### E. TRANSPORTATION

- (1) Section 25-6-2 (*Driveway Approaches Described*). Subsections (A) and (B) are modified to include a yard house, row house, shop house, cottage house or a small-site condominium with four or fewer parking spaces to be served by a type 1 or type 2 driveway.
- (2) Section 25-6-116 (*Desirable Operating Levels for Certain Streets*) does not apply to the Colony Park PUD.
- (3) Section 25-6-117 (*Waiver Authorized*). Subsection (D) (1) does not apply to the Colony Park PUD.
- (4) Section 25-6-141 (*Action on Application*). Subsection (B) is modified to read “The council or director may approve an application if the applicant has satisfactorily comply with the TIA as it maybe administratively amended or updated.”
- (5) Section 25-6-171 (*Standards for Design and Construction*). Subsection (A) is modified to require that a roadway, street, or alley be constructed in accordance with the Street Cross Section Table provided in PUD Exhibit I: Street Sections. The Transportation Criteria Manual, City of Austin Standards and Standard Specifications shall apply to the extent they do not conflict with PUD Exhibit I. The director may approve the use of an innovative roadway design not included in PUD Exhibit I.
- (6) Section 25-6-172 (*Arterial Streets*) does not apply to the Colony Park PUD.
- (7) Section 25-6-173 (*Collector Streets*) does not apply to the Colony Park PUD.
- (8) Section 25-6-292 (*Design and Construction Standards*). Subsection (C) is modified to remove requirement for city manager approval for access to a lot from an alley, noting that direct vehicular access from a lot to an alley is permitted and preferred.
- (9) Article 7, Section 25-6-471 and Appendix A (*Off-Street Parking and Loading*) does not apply to the Colony Park PUD. Parking and loading requirements shall be governed by PUD Exhibit J Off-Street Loading and Parking Regulations and Ratios.

## F. DRAINAGE

- (1) Section 25-7-33 (*Floodplain Maps, Delineation and Depiction*). Subsections (D)(2) has been modified to defer all drainage easements related to floodplain to be dedicated at subdivision construction plans and/or site plans instead of the final plat.
- (2) Section 25-7-153 (*Detention Basin Maintenance and Inspection*) has been modified to include Subsection (I) that states that the Land Developer shall maintain all detention basins located in an open space land use area that has been dedicated to the City.

## G. ENVIRONMENTAL

- (1) Section 25-8-92 (*Critical Water Quality Zones Established*) Subsection (B) is modified to add Subsection (6) to reduce the Critical Water Quality Zones (CWQZ) within the PUD to be as shown in PUD Exhibit G page 2 and to provide that development within the PUD is not subject to any future CWQZ that may occur as a result of any currently unclassified waterways becoming classified waterways.
- (2) Section 25-8-231 (*Water Quality Control and Maintenance and Inspection*) has been modified to include Subsection (I) that states that the Land Developer shall maintain all water quality control facilities located in an open space land use area that has been dedicated to the City.
- (3) Section 25-8-261 (*Critical Water Quality Zone Development*). Subsection (G) is modified to add Subsection (4) to state that floodplain modification restrictions only apply to FEMA and fully developed floodplains and not conveyance floodplains.
- (4) Section 25-8-261 (*Critical Water Quality Zone Development*). Subsection (H) is modified to add "Elements with public benefits including but not limited to community gardens, other forms of urban food production, sidewalks, trails and associated fitness equipment, and public access are allowed to locate within a Critical Water Quality Zone."
- (5) Section 25-8-262 (*Critical Water Quality Zone Mobility Crossings*). Subsection (C) is modified to clarify that the development demonstrates no additional adverse impact from FEMA and/or fully-developed floodplain.
- (6) Section 25-8-281 (*Critical Environmental Features*) Subsection (B) is modified to read "A residential lot may not include a critical environmental feature or a critical environmental feature buffer zone and may not be located within 50 feet of a critical environmental feature except for a wetland CEF approved for removal as shown in PUD Exhibit G."
- (7) Section 25-8-281 (*Critical Environmental Features*) Subsection (C)(1)(a) is modified to read "Except as provided in Subsection (C)(1)(b), the width of the buffer zone is 150 feet from the edge of the critical environmental feature except for wetland CEF buffers that have been modified as shown in PUD Exhibit G."
- (8) Section 25-8-281 (*Critical Environmental Features*). Subsection (C)(2)(a) is modified to allow for the removal of invasive species and for the enhancement of wetland vegetation approved by a wetland biologist from the Watershed Protection



- Department, and Subsection (C)(2)(c) is modified for existing public wastewater infrastructure to remain within a buffer zone.
- (9) Section 25-8-282 (*Wetland Protection*) is modified to allow removal of wetlands, reduced setbacks, and add protections as shown in PUD Exhibit G.
  - (10) Section 25-8-341 (*Cut Requirements*) shall not apply to the Colony Park PUD.
  - (11) Section 25-8-342 (*Fill Requirements*) shall not apply to the Colony Park PUD.
  - (12) Section 25-8-642 (*Heritage Trees: Removal Prohibited*) is modified to add “The City Arborist shall have administrative authority to consider and approve Heritage Tree removal, variance, relocation, mitigation, and other tree requests based on the criteria in LDC §§ 25-8-642 and 25-8-643.”
  - (13) Section 25-8-643 (*Heritage Trees: Administrative Variance*) is modified to add “The City Arborist shall have administrative authority to consider and approve Heritage Tree removal, variance, relocation, mitigation, and other tree requests based on the criteria in LDC §§ 25-8-642 and 25-8-643.”
  - (14) Section 25-10-1 (*Sign Regulations: Purpose and Applicability*) is modified to add “Along and within the boundaries of Colony Park PUD, Design Guidelines which is an attachment to the Development Agreement shall govern all signages. No sign permit with the City of Austin is required.”

#### H. WATER AND WASTEWATER

- (1) Section 25-9-347 (*Exemption of Certain Affordable Housing*) is modified to exempt the Colony Park PUD from the 1,500 unit annual cap of affordable housing.
- (2) Section 25-9-411 (*Reclaimed Water Connection Requirements*) is modified to exclude Colony Park PUD from reclaimed water SER and plan review in its entirety.

#### I. SIGN

- (1) Section 25-10-1 (*Sign Regulations: Purpose and Applicability*) is modified to state that all signage within the boundaries of the Colony Park PUD, with the exception of traffic and public safety signage within the public rights-of-way will be regulated by the Colony Park Signage Guidelines to be attached to the Development Agreement, and as such no sign permit from the City of Austin will be required.
- (2) Section 25-10-81 (*Sign Districts Described; Hierarchy Established*) is modified to provide that the PUD is divided in the sign districts shown in Exhibit L *Sign Districts*. Specific regulations for each of these sign districts will be incorporated within the Colony Park Signage Guidelines to be attached to the Development Agreement.
- (3) Section 25-10-191 (*Sign Setback Requirements*). Subsections (D), (E) and (F) are modified to establish the setback area as the zone outside of the sight safety triangle as established in Figure 6-6 of the Transportation Criteria Manual.

## J. FIRE PROTECTION

- (1) Section 25-12-173 (*Local Amendments to the International Fire Code*) is modified to adopt IFC2021 Subsection 503.2.1 (*Dimensions*) with modifications to read “Fire apparatus access roads shall have an unobstructed width of not less than 25 feet (7620 mm), except for approved security gates in accordance with Section 503.6 and the Fire Protection Criteria Manual, and an unobstructed vertical clearance of not less than 14 feet (4267 mm). Fire access dimensions for streets and alleys, and driveway approaches in public right-of-way shall follow dimensions in Transportation Criteria Manual unless an Alternative Method of Compliance is approved by the Austin Fire Department.”
- (2) Section 25-12-173 (*Local Amendments to the International Fire Code*) is modified to adopt IFC2021 Subsection 903.3.1 (NFPA 13R Sprinkler Systems) with modifications to exempt attached or detached residential structures with no vertically stacked units from requirement number 2 of this subsection regarding the floor level of the highest story.

**Proposed Redline of Ordinance**

**ORDINANCE NO. 20141211-150**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY BOUNDED BY LOYOLA LANE ON THE NORTH BETWEEN JOHNNY MORRIS ROAD AND DECKER LANE AND CHANGING THE ZONING MAP FROM ~~SINGLE FAMILY RESIDENCE STANDARD LOT (SF-2) DISTRICT, FAMILY RESIDENCE (SF-3) DISTRICT AND MULTIFAMILY RESIDENCE LOW DENSITY (MF-2) DISTRICT~~ PLANNED UNIT DEVELOPMENT (PUD) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT.**

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

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the ~~base districts from single family residence standard lot (SF-2) district, family residence (SF-3) district and multifamily residence low density (MF-2) district to~~ planned unit development (PUD) district to planned unit development (PUD) district on the property described in Zoning Case No. ~~C814-2014-0110.SH~~, on file at the Planning ~~and Development Review~~ Department, consisting of approximately ~~203.629~~208.157 acres in Travis County, Texas, shown in Exhibit “A” (the “Property”). The Property is locally known as the area bounded by Loyola Lane on the north between Johnny Morris Road and Decker Lane and generally identified in the map attached as Exhibit “B”.

**PART 2.** This ordinance and the attached Exhibits A through ~~I-K~~ are the land use plan (the “Land Use Plan”) for the Colony Park Sustainable Community Initiative planned unit development district (the “PUD”) created by this ordinance. Development of and uses within the PUD shall conform to the limitations and conditions set forth in this ordinance, and the Land Use Plan, attached as Exhibit “C”. If this ordinance and any of the attached exhibits conflict, this ordinance controls. Except as otherwise provided by this ordinance, development within the PUD is subject to the City's ordinances, regulations, and rules.

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

- Exhibit A: Legal description of the Property
- Exhibit B: Zoning Map
- Exhibit C: Land Use Plan
- Exhibit D: ~~Site Development Standards by Building Type~~Zoning Use Summary Table
- Exhibit E: ~~Zoning Use Summary Table~~Density Table

Exhibit F: ~~Site Development Regulations by Neighborhood~~Site Development Regulations

Exhibit G: ~~Street Sections~~Critical Environmental Features

Exhibit H: ~~Off Street Parking Requirements~~Open Space Plan

Exhibit I: ~~Allowed Impervious Cover~~Street Sections

Exhibit J: Off Street Loading and Parking Regulations and Ratios

Exhibit K: Colony Park Sustainable Community Initiative PUD Criteria Manual

Exhibit L: Colony Park Sign Districts

PART 4. Definitions.

Replace with list of Definitions provided

A. In this ordinance

1. ACCESSORY DWELLING UNIT is a secondary residential structure that may be attached or detached from the primary structure on the property.
2. AFFORDABLE means a household spends no more than 30 percent of their income towards rent or mortgage (PITI) and utilities .
3. ATTACHED RESIDENTIAL is a land use zone. The primary building types permitted in Attached Residential are Single Family Attached (duplex) and Multifamily Attached (townhouse).
4. BUNDLED / UNBUNDLED PARKING are methods of allocating parking spaces. A bundled parking method directly assigns parking to dwelling units or building square footage. Unbundled parking allows for parking to be allocated separate from each dwelling unit or unit of building square footage.
5. CAR SHARE is a transportation option that may allow flexibility in parking requirements for the PUD. Examples of car share programs include but are not limited to Car2Go and ZipCar. If car share stations are provided in the vicinity of a proposed development, parking reductions may be administratively determined by City staff.
6. COURTYARD is a building type that features a courtyard at ground level.
7. ECO-COTTAGE zone is a land use zone. An eco-cottage is the only building type permitted in this zone. Structures shall be developed as

attached or detached condominiums, as defined in the Texas Property Code. The eco-cottage building type and land use zone provide for small structures that allow low intensity land uses.

8. **GROUND FLOOR RETAIL** is a land use zone. Retail and Vertical Mixed Use building types are permitted in this zone which is intended primarily for commercial land uses and residential land uses.
9. **INSET LOTS** are corner lots that do not have a driveway connection to the alley.
10. **INSTITUTIONAL/ CIVIC** is a land use zone for community based land uses.
11. **LIVE/WORK** is a land use that allows for both residential and commercial uses.
12. **LIVE/WORK ENABLED** is, a building required to be equipped with a structure that has a front facade and that allows future redevelopment to include a storefront.
13. **LIVE/WORK PERMITTED** signifies that a Live/Work land use is permitted in an Attached Residential land use zone when abutting a Neighborhood Center land use zone. A Live/Work Permitted structure is not required to provide a structure within the front facade that allows for future redevelopment to include a storefront.
14. **MIXED USE / MIXED USE 2** are land use zones intended to allow a mix of building types and land uses to be developed in close proximity to each other. Mixed Use 2 allows a less intense mix of building types and land uses than Mixed Use.
15. **MULTI-FAMILY ATTACHED (TOWNHOMES)** is a building type intended for townhouse/condominium scale development.
16. **NEIGHBORHOOD CENTER** is a land use zone that is the focal point of a neighborhood and includes a mix of building types and land uses.
17. **NEIGHBORHOOD RESIDENTIAL** is a land use zone primarily intended to allow residential land uses. This zone provides access to lots through an alley.
18. **NEIGHBORHOOD RESIDENTIAL-FRONT SERVED** is a land use zone

primarily intended to allow residential land uses. Alley access is not available in this zone.

19. OPEN SPACE is a land use zone with limited land uses and development options.
20. PARK is a subset of the Open Space land use zone. Park is intended to allow moderate and active recreation activities.
21. RETAIL is a building type intended primarily for commercial land uses.
22. SHARED PARKING permits multiple land uses to use a single parking area, based on peak areas of demand or allocating parking spaces to each land use.
23. SINGLE FAMILY ATTACHED (DUPLEX) is a building type containing two dwelling units.
24. SINGLE FAMILY DETACHED is a building type that allows residential land uses as the primary land use, and does not allow multiple dwellings in one structure.
25. STACKED MULTIFAMILY is a building type primarily intended to allow residential land uses in a multi-story structure.
26. TOWN CENTER is an area that is a main focal point of the PUD and the surrounding vicinity. A Town Center includes a mix of building types and land uses that are typically more intensive in nature than Neighborhood Centers.
27. VERTICAL MIXED USE is a building type primarily intended to allow a mix of land uses to occupy one or more multi-story buildings on a single site.

## **PART 5. Site development regulations and Permitted Uses**

1. Development in the PUD is regulated by land use zones-areas and building type. Site development standards are determined by land use area and building type as shown on Exhibit “DF”.
2. Development of the PUD is subject to the Design Guidelines attached to and made



part of the Development Agreement.

3. Exhibits “C” and “D” describe the land use areas and the permitted uses within each area.
4. Total maximum density is set forth in Exhibit “E”. Densities listed by land use areas are estimates only.
- ~~2. Development of the PUD is subject to the Colony Park Sustainable Communities Initiative Master Plan, Design Guidelines and Implementation Plan.~~
- ~~3. Porches are required in the front of all single family residences. The minimum porch depth shall be 8 feet, the minimum porch width shall be 10 feet and must be a minimum of 12 inches above grade of an adjacent public sidewalk. A porch must include railing, balusters or screening to define the area.~~
- ~~4. Porches may extend into required yards unless under a second floor portion of the house as per City Code 25-2-513 (*Openness of Required Yards*). The second story of a residence may not overhang beyond a porch. The allowance of porches into required yards in this ordinance does not waive any requirement of the City Code.~~
- ~~5. Buildings must be a minimum 10 feet apart or they must have a fire suppression system.~~
- ~~6. Exterior walls less than 5 feet from the property line must have a 1 HR fire rating and are limited to 25 percent of the area for wall openings. Walls less than 3 feet from the property line must have a 1 HR fire rating and may not have any wall openings.~~
- ~~7. Roof overhangs less than 5 feet from the property line must have a 1 HR fire rating and cannot project closer than 2 feet from the property line, with the following exception: a garage roof overhang located within 2 feet of a property line may have a 4 inch projection.~~
- 8.5. Gated roadways are prohibited within the PUD.
- ~~6. All retail, commercial or mixed use development must contain pedestrian oriented uses as defined in City Code 25-2-691(C) (*Waterfront Overlay (WO) District Uses*).~~

- 9.7. All signage along and within the boundaries of the PUD shall follow the Colony Park Design Guidelines attached to and made part of the Development Agreement. No sign permit with the City of Austin is required along or within the boundaries of the PUD.

**PART 6. Open Space and Parkland.**

1. All open space and parks will be open to the public. A minimum of 41.63 acres of open space (20 percent of the total site area) as illustrated in the Open Space Plan, Exhibit "H", shall be provided. The precise delineation and boundaries of the Open Space shall be finalized at Preliminary Plat.
2. This PUD and the Development Agreement fully satisfy any and all parkland dedication and parkland improvement requirements set forth in the City Code and any City parkland rules and regulations. The minimum amount provided in the Development Agreement, and the minimum investment in park improvements shall be at least the amount set forth in the Development Agreement for the entire PUD. Park development as contemplated in the Development Agreement is expected to exceed what is required per City Ordinance 20220915-053, as determined by the Parks and Recreation Department. To the extent of any conflict between the terms and provisions of this PUD and any parkland requirements in the City Code or in any rule or regulation, the terms and provisions of this PUD shall apply and govern. The PUD shall not be subject to the City's parkland dedication and park development fees. Dedication, development, and maintenance obligations are described in the Development Agreement of open space areas, dedication and development of parkland shall be accomplished as part of an Implementation Plan and Master Developer Agreement for the PUD.
- 2.3. Open space and trail connections to the Colony Park District Park may be approved administratively with no further variance required from City Boards and Commissions and/ or City Council. Exact locations and types of connections will be coordinated with the Parks and Recreation Department.
3. Improved surface trails shall connect the open space areas to Colony Park District Park. The trails shown are graphic representations and are not exact. The developer will finalize the exact locations and specifications for trails in consultation with Parks and Recreation, Watershed Protection, Public Works and Planning and Development Review departments as development occurs.
4. Notes on the sheet titled "CEF Setbacks" contain specific restrictions, requirements and allowances within designated CEF setbacks in the open space.

- ~~5. Unless otherwise indicated on the Land Use Plan attached to this ordinance, the following are prohibited in open space areas: off-street parking, streetlights and streets.~~
- ~~6. Open Space not within a critical water quality zone (CWQZ) or CEF setback may contain uses including paths/trails, non-conditioned community facilities (boardwalks, decks, pavilions, gazebos, etc.), stormwater quality and detention facilities consistent with the Colony Park Sustainable Community Initiative Master Plan Design Guidelines, community gardening, park facilities, community solar, community supportive facilities (benches, drinking fountains, fire hydrants, etc.), access and utility easements, navigational signage, and wildlife crossings.~~

## **PART 7. Environmental.**

1. Development of the Property shall comply with the requirements of Exhibit “G” (Environmental) and the Austin Energy Green Building Program (AEGBP) multifamily, single family, or commercial rating system for a minimum two-star rating. Certification from the AEGBP shall be based on the version in effect at the time ratings applications are submitted for individual buildings.
2. Critical Water Quality Zone and wetland CEF's and their associated setbacks are hereby removed and modified as shown on Exhibit “G” (Environmental). Additional off-site mitigation for wetland removal and CEF buffer modifications may be provided in the Development Agreement.
3. Community-benefiting elements including but not limited to non-vehicular paths/trails, boardwalks, decks, pavilions etc. and limited access for emergency vehicles designed in accordance with the Colony Park Criteria Manual, Exhibit “K”, shall be allowed to be within and cross Critical Water Quality Zones (“CWQZ”) and Floodplains administratively with no further variance from City Boards and Commissions or Council.
- 2.4. Upon approval from the City Watershed Protection Department, structural modifications to the existing man-made stock pond berm shall be allowed as required to achieve the Land Use Plan for health and safety reasons. A wetland biologist from the Watershed Protection Department shall review and approve to determine compliance with wetland requirements and that disturbance is ~~minimal~~ and mitigated.
- ~~3. No construction is permitted within the critical water quality zone except as provided in City Code 25-8-261 (Critical Water Quality Zone Development) and~~

~~25-8-262 (Critical Water Quality Zone Street Crossings).~~

- ~~4.5. Obligations for M~~aintenance and inspection of water quality and control facilities are set forth in the as designated in City Code 25-8-231 (Critical Water Quality Zone Street Crossings) shall be accomplished as part of an Implementation Plan and Master Development Agreement. Additional off-site mitigation requirements to mitigate the impacts of CEF buffer and wetland removal may be set forth in the Development Agreement.
- ~~6. Street Trees-trees~~ shall be planted at an average spacing of 30 feet apart and as set forth in the Colony Park Criteria Manual, Exhibit "K" on streets fronted by alley-served single family lots and multifamily attached lots. Trees shall be planted at an average spacing of 40 feet apart on streets fronted by front served single family lots and single family attached lots, as per 25-2 Subchapter E (Design Standards and Mixed Use) for stacked multifamily, mixed use, retail, and institutional/civic lots.
- ~~5.7. Impervious cover requirements are set forth in the Site Development Regulations, Exhibit "F".~~

**PART 8. Affordable Housing Program.**

1. The PUD shall provide 20 percent of the total residential units to ~~households whose income is 80 percent or below the median family income of the Austin metropolitan statistical area for ownership units and 60 percent or below the Austin metropolitan statistical area for rental units.~~ be income-restricted as set forth in the Development Agreement.
2. Income limits are established annually as determined by the director of the ~~Neighborhood Housing and Community Department Development Office (NHCD) and the United State Department of Housing and Urban Development (HUD).~~
3. ~~The affordability period for affordable housing units shall be set forth in the Development Agreement. provided in this ordinance shall be 40 years for rental housing and 99 years for on-site for sale housing. The affordability period begins on the date a certificate of occupancy is issued for rental and upon sale of each individual unit for ownership.~~
4. ~~Rents will be established annually based on the 60 percent median annual family income multiplied by 28 percent divided by 12 and as set forth in the Development Agreement.~~

- ~~5. On-site affordable housing units offered for sale shall be sold at a price affordable to persons whose household income is 80 percent or below the median family income in the Austin metropolitan statistical area and as set forth in the Development Agreement. The affordable sales price shall be established and approved by NHCD.~~
- ~~6. On-site affordable housing units offered for sale shall be reserved, sold and transferred to an income eligible buyer subject to a resale restricted, shared equity agreement approved by the Neighborhood Housing and Community Development and in compliance with Austin Housing Finance Corporation (AHFC) land trust policies. To ensure long term affordability, AHFC shall hold the shared equity agreement and/or ground lease for the affordable units. AHFC shall also have a Right of First Refusal and may also elect to purchase the homes at the affordable price and resell the units to an income eligible buyer.~~
- ~~7. Compliance and monitoring of these affordability housing provisions shall be performed by the Neighborhood Housing and Community Development Office. The director of NHCD will establish rules and criteria for implementation for the affordability section.~~
- ~~8.3. Per City Code Section 25-1-704(B)(2)(b), the~~ The ~~development~~ may shall be eligible for a waiver of 100 percent of the fees as provided by the S.M.A.R.T. Housing program provided that the applicant complies with the S.M.A.R.T. Housing Code provisions. Participation is subject to application approval and certification by NHCD Housing Department.
- ~~9.4.~~ Although there shall be no requirement that each project or plat within the PUD contain a specific number of affordable units, the Developer will be responsible for ensuring that ultimately the entire PUD contains the requisite number of affordable units. The Developer shall report to the Director of the Neighborhood Housing and Community Development on the status of the number and location of affordable units within the PUD on a semi-annual basis beginning on the date the first plat is recorded.

## **PART 9. Traffic and Transportation.**

1. The updated Colony Park TIA shall establish the maximum amount of potential allowable vehicle trips per day ("VPDs") and peak hour trips ("PHTs"). Traffic generation up to those maximum VPDs and PHTs shall be allowed administratively. Traffic mitigation, however, shall be required only for actual traffic generation based on actual land uses and intensities and any allowable

adjustments thereto proposed by a particular development project, to be determined at Preliminary Plat or Site Plan.

2. Trip generation shall be calculated using ratios and formulas outlined in the Colony Park PUD Criteria Manual, Exhibit “K”.
3. Adjustments to the traffic calculations during the development process that do not exceed the maximum allowable density VPDs and PHTs are allowed to be done administratively by an administrative update to the approved Colony Park TIA.
4. Unless otherwise waived by Council, development within the Colony Park PUD will comply with Street Impact Fee requirements to the extent that such requirements apply and subject to any credits and/or offsets allowed or required in the TIA (including, but not limited to, internal level 2 streets shown on Exhibit I and other internal and offsite improvements) or by applicable law.

#### **PART 10. Utilities.**

1. Minimum clearance between street trees and Austin Energy infrastructure elements are described in the Colony Park PUD Criteria Manual, Exhibit “K”.

**PART 911. Code Modifications.** In accordance with City Code Chapter 25-2, Subchapter B, Article 2, Division 5 (*Planned Unit Development*), the following site development regulations supersede City regulations indicated in this part:

A. Zoning

**Replace with list of Code modifications provided.**

1. Section 25-2-491 (*Permitted, Conditional and Prohibited Uses*) does not apply to the PUD; such regulations are controlled by Exhibit “E” of this ordinance.
2. Section 25-2-492 (*Site Development Regulations*) of the City Code does not apply to the PUD; such regulations are controlled by Exhibits “F” and Exhibit “D” of this ordinance.
3. Development within the PUD will comply with Subchapter E (*Design Standards and Mixed-Use*) of the City Code which may include alternative equivalent compliance.
4. Section 25-2-1051 (*Compatibility Standards*) does not apply to development within the PUD. Compatibility standards shall be required

adjacent to properties used or zoned urban family residence (SF-5) district or more restrictive zoning district.

5. Section 25-2-1007 (*Parking Lots*) is modified so that a parking area with 12 motor vehicle parking spaces or less is not required to have landscaped islands, peninsulas or medians.
6. Section 25-6-171(A)(B) (*Standards for Design and Construction*) is modified to allow roadways to be designed and constructed in accordance with the Street sections chart attached as Exhibit “G”. This modification does not extend to 25-6-171(C).
7. 25-6, Appendix A (*Tables of Off Street Parking and Loading Requirements*) does not apply to the PUD. Such regulations are controlled by Exhibit “H” of this ordinance.
8. 25-6-292 (*Design and Construction Standards*) is modified to permit direct vehicular access from a lot to an alley.
9. 25-5-2(B)(1) is modified to allow single-family attached residential to include multifamily attached (townhomes) and to allow duplex residential to include multifamily attached (duplex) as defined in this PUD.
10. Section 25-2-243 (*Proposed District Boundaries Must Be Contiguous*) of the Code does not apply to the PUD.
11. The definition of “site” in Section 25-1-21 (*Definitions*) of the City Code is modified to provide that the land in the PUD is a single site for development purposes so that the site includes areas separated by public streets or other right-of-way.

B. Environmental

1. 25-8-64 (*Impervious Cover Assumptions*) and 25-8-392(c)(5) (*Uplands Zone*) does not apply within the PUD. Impervious cover regulations are controlled by Exhibit “I”.

**PART 1012.** This ordinance takes effect on \_\_\_\_\_, ~~2023~~December 22, 2014.



**PASSED AND APPROVED**

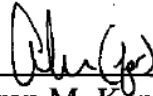
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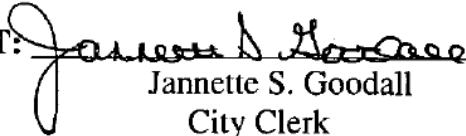
Lee Leffingwell  
Mayor

**APPROVED:**



Karen M. Kennard  
City Attorney

**ATTEST:**



Jannette S. Goodall  
City Clerk

## **COLONY PARK PUD ORDINANCE INSERT – DEFENITIONS**

### **PART 4. Definitions.**

#### **A. In this ordinance**

1. ACCESS LOT is a lot on a plat that provides street frontage and joint access for lots that are served only by an alley.
2. ACCESSORY DWELLING UNIT is a secondary residential structure to the primary structure on the property, up to a maximum floor area of 1,100 square feet. A Creative Space is permitted as an accessory use, including home studios and artist workshops. The sale of finished work is permitted including performance art.
3. AFFORDABLE means a household spends no more than 30 percent of their income towards rent or mortgage as set forth in the Development Agreement.
4. COLONY PARK SUSTAINABLE COMMUNITY INITIATIVE is the community driven process that established the overall vision for the redevelopment of the 208-acre, city-owned property located at 7900 Loyola Lane, resulting in the 2014 Council-adopted Master Plan and Design Guidelines.
5. COTTAGE HOUSE is a grouping of up to eight detached single-family homes oriented to a common courtyard.
6. COMMON COURTYARD is a lot on a plat that provides street frontage and common green area for lots that are served only by an alley.
7. CREATIVE SPACE is either a principal commercial use OR an allowable accessory use to commercial and residential uses that allows one or more of the following occupancies:
  - a) library, museum, or art gallery;
  - b) performance venue/theater;
  - c) art, dance, martial arts, or studios for performing art, music, or visual art;
  - d) art workshop; or
  - e) live music venue
8. DEVELOPMENT AGREEMENT is that certain Development Agreement between the City of Austin and CDC Colony Park Holdings, LP, a Catellus affiliate, or its permitted assigns, for the development of the Property.
9. EQUITABLE TRANSIT-ORIENTED DISTRICT is a land use zone identified on the Land Use Plan, Exhibit “C”, as ETOD intended for a mix of residential and commercial uses oriented to high capacity transit. Mixed-use buildings are permitted.

10. GROCERY STORE is a food sales use with a minimum floor area of 10,000 square feet.
11. INSTITUTIONAL/ CIVIC is a land use zone identified on the Land Use Plan, Exhibit "C", as I/C intended for community based land uses.
12. LAND DEVELOPER is the development entity, its successors or assigns, that enters into a Development Agreement with the City of Austin for the Colony Park PUD.
13. LAND USE AREA means the following use categories into which the PUD is divided and as identified on the Land Use Plan, Exhibit "C": Loyola Town Center ("LTC"), Institutional/Civic ("I/C"), Mixed Use Residential ("MUR"), Equitable Transit Oriented District ("ETOD"), Neighborhood Residential ("NR") and Open Space ("OS").
14. LIBRARY, MUSEUM, OR PUBLIC ART GALLERY means uses that are public or quasi-public facilities examples of which include: aquariums, arboretums, art galleries and exhibitions, botanical gardens, historic sites and exhibits, libraries, and museums. May also include accessory retail uses including, but not limited to, gift/book shops and restaurants.
15. LIVE MUSIC VENUE is an establishment used for the presentation of live music and performances typically for a fee or admission charge for participants or spectators. May feature other live performances, including plays, motion pictures, or other dramatic performances, so long as such performances constitute less than 50 percent of all events. The venue must clearly establish the ability of an artist to receive payment for work by percentage of sales, guarantee, or other mutually beneficial formal agreement.
  - a) INDOOR. An indoor facility, including, but not limited to, performance venues, music venues, theaters, movie theaters, and performing arts centers.
  - b) OUTDOOR. An outdoor facility where the stage or entertainment is located outdoors, including, but not limited to, amphitheaters, outdoor stages, and permanent outdoor movie theaters.
16. LIVE-WORK is an integrated housing unit and workspace occupied and used by a single household or households in a structure that has been designed or structurally modified to jointly accommodate residential occupancy and work activity.
17. LOYOLA TOWN CENTER is the land use area identified on the Land Use Plan, Exhibit "C", as LTC. The Loyola Town Center land use area is a mixed-use area providing uses including but not limited to neighborhood retail/commercial, residential, and service uses with multiple sites for higher density.

18. MICROBREWERY is the use of a site for the production, bottling, packaging, sale and onsite consumption of beers, wines and other brewed and fermented products. This use does not include distillery and spirits storage. To be considered a microbrewery, the facility must produce a minimum of 50 barrels of product(s) a year. Food sale is permitted but is not required. Onsite consumption is not limited by square footage but must comply with applicable State laws.
19. MIXED USE RESIDENTIAL is a land use area identified on the Land Use Plan, Exhibit "C", as MUR, with a mix of both residential and commercial uses located adjacent to the Loyola Town Center.
20. NEIGHBORHOOD-RESIDENTIAL are the land use areas identified on the Land Use Plan, Exhibit "C", as NR-1 and NR-2 that supports a diversity of housing types with a limited amount of neighborhood-serving commercial uses.
21. OPEN SPACE are the land use areas identified on the Land Use Plan, Exhibit "C", as OS-1, OS-2, OS-3 and OS-4. The Open Space land use areas are intended to provide a system of greenways that provide for recreational trails and other amenities as well as provision for site drainage, environmental features, and utility easements.
22. PARK is a subset of the Open Space land use zone. Park is intended to allow moderate and active recreation activities.
23. PERFORMANCE VENUE/THEATER is an establishment used for the presentation of live performances, plays, motion pictures, or other dramatic performances, typically for a fee or admission charge for participants or spectators. May feature live music if performances constitute less than 50 percent of all events.
24. MULTI-FAMILY is a building type primarily intended to allow residential land uses in a multi-story structure.
25. ROW HOUSE means up to two attached townhouses and up to four stories in height on its own lot. A minimum lot size of 2,000 square feet is required for lots containing two townhouses. An accessory dwelling unit may be constructed for each townhouse.
26. SHARED PARKING permits multiple land uses to use a single parking area on site or off site, based on peak areas of demand or allocating parking spaces to each land use.
27. SHOP HOUSE is a live-work townhouse with a ground level workspace or commercial space and upper-level living space.
28. SMALL-SITE CONDOMINIUM means three to eight townhouses or detached structures on one lot, each with an individual entry.

29. STUDIO: ART, DANCE, MARTIAL ARTS, MUSIC mean small-scale facilities focused on the instruction of students of any age group. Also includes production studios for musicians, painters, sculptors, photographers, and other artists. Examples of these facilities include, but are not limited to, instruction and training in the arts, production rehearsal, photography and the processing of photographs produced only by users of the studio facilities, martial arts training studios, and aerobics with no other fitness facilities or equipment.

30. TWO-UNIT RESIDENTIAL means two attached or detached structures on one lot.

31. YARD HOUSE is a single-family detached building type on its own lot. An accessory dwelling unit may be constructed on the lot.

B. All other terms have the meaning provided in the Code, subject to final determination by the Director to ensure that consistency with the goals of the Colony Park Sustainable Community Initiative.