

MUNICIPAL UTILITY DISTRICT AMENDMENT REVIEW SHEET

CASE: C12M-07-0001 Camden Property **P.C. Date:** March 27, 2007
April 10, 2007

ADDRESS:

OWNER/APPLICANT North Austin Utility District No.1

AGENT: Bury+Partners (Melissa Matthiesen)

AREA: 25.7 acres

PROPOSED MUD AMENDMENT : Amend the North Austin Utility District No.1 to change 6.8 acres currently designated as “GR Uses” to “multi-family”.

SUMMARY STAFF RECOMMENDATION:

Staff recommends approval of the amendment to the MUD land plan.

PLANNING COMMISSION RECOMMENDATION:

March 27, 2007: Postponed by staff to April 10, 2007

April 10, 2007 – Approved the land use plan amendment by consent (9-0)

DEPARTMENT COMMENTS:

This undeveloped site is in the City of Austin 2-mile ETJ, on Parmer Lane, near the intersection with FM 620. This request, would be Amendment #11 to the North Austin Utility District No.1 Land Plan, would change 25.7 acres currently designated as “GR Uses to “multi-family”. The intent is to construct approximately 600 residential units.

MUD amendments, can frequently be approved administratively. However, this MUD consent agreement specifies that amendments that would increase the currently-approved number of residential units in the MUD require approval of the Planning Commission.

This MUD has been amended ten previous times. The cumulative effect of these amendments has been to lower the number of approved residential units. Although this amendment would raise the number of units over the current approved total, the number of proposed units, even when taken with amendment #12 (Amber Oaks) is still less than the number of residential units in original MUD land plan and consent agreement.

TIA: N/A

WATERSHED: Lake Creek

DESIRED DEVELOPMENT ZONE: No

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

CITY COUNCIL DATE:

ACTION:

ORDINANCE READINGS:

1st

2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Robert Heil

PHONE: 974-2330

e-mail address: robert.heil@ci.austin.tx.us

NPZ MUD Review - Jackie Chuter 974-2613

Monday, March 12, 2007

All review comments have been addressed.

Wednesday, March 7, 2007

Land Plan Tracts

- Please outline the AWLC tracts with a heavy bold line or other clearly distinguishable border.

Land Use Table

- The table is blank for Multifamily Acreage and Maximum Units.

Land Plan Notes

- The 16-acre Multifamily tract needs only a ★, not a **.
- The 16.21-acre Multifamily/Retail Mixed Use tract should have a **.
- The note at the top left corner with a * is no longer relevant and should be deleted. Originally, it referred to a portion of the AWLC tract which was designated for industrial use. However, since the land use on this tract was changed to GR Uses on the 3rd amended land plan, the note is now irrelevant. The note above states that it does not apply to the SASA tract, where the Industrial Park land use is located.
- The note that states "See also Exhibit D-2 of the Second Amendment..." should have a * because it refers only to the two Industrial Park tracts.
- The note referring to GO uses should have a +++ symbol because it refers only to the two General Office Tracts.

Tuesday, March 6, 2007

Land Plan Tracts

- The 4.9 acre MF/Retail Mixed Use tract should show 128 units, and the 16.21 acre MF/Retail Mixed Use tract should show 427 units, for a total of 555 units, as shown in the table.

Land Use Table

- Please list the 302 residential units permitted in the Office/Multifamily land use category in the table.
- When the final mylar is submitted, there is no need to show the original Multifamily acreage and maximum units crossed out. Please show only the approved acreage and number of units.

Land Plan Notes

- Please add the footnote about GO uses to the bottom left-hand corner of the land plan. It should state “GO Uses: Max. 60% Imp. Cover, Max. 40 ft. bldg. ht.” and have a symbol that refers to the 11.5 and 22.7 acre GO tracts on Amberglen Blvd.
- Please use distinct symbols for all headnotes and footnotes. Currently, * and ** are used twice, so it may not be clear which notes apply to which tracts.
- Be prepared to substitute slightly modified text for the “Proposed 11th amendment.” The Law Department will be drafting the consent agreement amendment soon, and the land plan should use the same language.

Submittal Summary:

- Tabular summary entitled “Existing Plan with Land Plan Revision” appears to contain a typographical error. The total acreage of proposed multifamily land use should be 51.11 acres (25.36+25.75) rather than 64.43 acres.
- The total number of multifamily units on the approved land plan tabular summary is incorrect. The sum of multifamily units noted on the individual tracts of land equals 667 units (200+316+151). This number should be used as the basis of the multifamily units calculation.
- In addition, there are 302 multifamily units in the office/multifamily land use category that should be noted on the table.

Proposed Amended Land Plan:

- The subject tract is described as 25.88 acres on the proposed amended land plan. However, the field notes, submittal summary, and other application materials describe it as a 27.75 acre tract. All references to the tract should match the field notes.
- The area of the remaining portion of the tract designated “GR uses” should be the difference between the entire tract size, 33.663 acres, and the portion proposed for multifamily uses, 25.75 acres, resulting in a remaining area for GR uses of 7.91 acres. This change should be indicated on the proposed amended land plan in the table and on the GR uses tract itself.
- According to the 5th Amendment to the Agreement Concerning Creation and Operation of North Austin Municipal Utility District No. 1, the provisions of Article XI, Paragraphs B, C, and D of the 5th amendment shall be placed on the face of the land plan.
- In addition, Article XI, Paragraph H of the 5th amendment shall appear on the plan. Paragraph H, Part 1 may be amended as appropriate to acknowledge the substitution of multifamily uses on a portion of the AWLC tract and the corresponding change in restrictive covenants, and the of the tract. Please retain the reference to single-family uses in Part 3 in the event that the adjacent tracts are ever developed as single-family uses.
- Please also place Article XI, Paragraph I of the 5th amendment on the face of the plan.
- Please indicate the original boundaries of the entire AWLC tract on the land plan. This area must be identified because the various provisions of the 5th amendment will

continue to apply, albeit with the amendment proposed herein. Please see the approved land plan for reference.

- All notes on the upper- and lower-left-hand corners of the approved land plan must be carried forward onto the proposed amended land plan. If any of these notes are unclear, please ask for clarification. In addition, please copy the zoning district conversion table onto the proposed amended plan.
- Please note that, in addition to the MUD and City of Austin, the land plan amendment must be signed by Milwood Joint Venture, Robinson Ranch, Palmer Associates, and Austin White Lime Company, or their successors or assigns, collectively known as "Milwood" in the 5th amendment.

Restrictive Covenants:

- Note that the Austin City Council must approve changes to the restrictive covenant regarding uses (Vol. 2004, Page 618 of Williamson County Records).

Drainage Construction - JANNA RENFRO 974-3422

April 26, 2007

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.

Additional comments may be generated as requested information is provided.

FYI: Development on this lot will require a site plan permit. At that time, the detention pond layout and sizing will be reviewed based on the amount of impervious cover proposed with the development.

Electric - DAVID LAMBERT 322-6109

EL 1. FYI: Any relocation of electric facilities shall be at landowner's/developer's expense.

EL 2. Comments clear. No objection to this change in the land use map.

Environmental - PATRICIA FORAN 974-3427

FYI: Please be advised that additional comments may be generated as updated information is reviewed.

Administrative Requirements [LDC Chapter 25]

1. The site is located over the northern portion of the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Lake Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code.
2. North Municipal Utility District No. 1 is proposing an amendment to its Consent Agreement and Land Plan Revision for a 33.63-acre tract within the Robinson Ranch Subdivision. Specifically, the request is to revise the permitted land uses on a 25.75 acre portion of the tract from Community Commercial (GR) to multi-family and maintain GR land use for the remaining portion of the tract. This change in land use does not increase the impervious cover.
3. According to flood plain maps, there is no floodplain within the property boundary. However, there is floodplain located near the property boundary; therefore, a critical water quality zone and water quality transition zone may be present.
4. Please note that during the site plan review, the proposed plan will be forwarded to Environmental Resource Management (ERM) since wetland plants have been identified by the environmental assessment and it is located over the Edward Aquifer Recharge Zone according to City of Austin GIS.

Site Plan - DONNA CERKAN 974-2733

SP 1. No comments for this MUD land use plan revision.

SP FYI. Because this change may require parkland dedication, be sure that PARD receives a copy of plans.

Subdivision - DAVID WAHLGREN 974-6455

SR 1. Note 11 on the final plat of the Robinson Ranch Subdivision (C8-90-0124.1A) restricts this site from residential use. You have also filed a resubdivision of Lot 2 for this plat called Resubdivision of Lot 2, Robinson Ranch Subdivision (C8J-07-0023.0A). However, a resubdivision does not remove the note. You need to file a partial vacation

application, and vacate Lot 2. Then rather than a resubdivision application, you need to change your application to a "Final Without a Preliminary". The main thing needed with the vacation application and vacation document, is to make sure that you get owners signatures from both current owners of Lot 1 and Lot 2. The vacation and replat need not be complete for this MUD Land Use Amendment to be approved, but it will be required to be approved prior to any site plan approval.

Transportation - EMILY BARRON 974-2788

Additional right-of-way may be required at the time of subdivision.

The trip generation under the request is estimated to be 3,708 trips per day assuming the development of 592 multi family units. This site is located within the North Austin MUD Number 1 which contains no requirements for a traffic impact analysis.

Water Quality - JANNA RENFRO 974-3422

April 26, 2007

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Additional comments may be generated as requested information is provided.

WQ1. The pond exhibit provided meets current water quality regulations of increased capture. Please amend the MUD agreement language to require current water quality regulations for this lot.

FYI: The pond layout is likely to change based on the amount of impervious cover proposed. Review and approval of the pond design will occur with site plan permitting.

WWW - PAUL URBANEK 974-3017

WW 1. The following is for information:

The landowner intends to serve each lot with a connection to North Austin Municipal Utility District No. 1 water and wastewater utility system. The landowner's engineer must provide written evidence that the service provider will provide water and wastewater utility service to each lot for the proposed land use and in accordance with the City of Austin utility design criteria. The landowner must post fiscal or provide written evidence that the utility service provider is not requiring fiscal posting. The landowner's engineer must provide a construction cost estimate that includes the water and wastewater utility improvements,

offsite main extensions, system upgrades, and utility relocation to serve each lot. The landowner must pay the Subdivision Engineering Review Fee

The water and wastewater utility system serving tract and subdivision must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction.

WW 2. The review comments will be satisfied once the landowner provides written evidence that the MUD will provide adequate water and wastewater utility service to the site and for the land use.