

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C814-97-0001.05

**P.C. DATE:** February 26, 2008

**ADDRESS:** North F.M. 620

**APPLICANT/OWNER:** Pacific Summit Partners

**AGENT:** Armbrust & Brown, L.L.P.  
(David Armbrust)

**ZONING FROM:** PUD

**TO:** PUD

**AREA:** 446.40 acres

The applicant is requesting to amend the Leander Rehabilitation Planned Unit Development (PUD) to revise the Land Use Plan and Exhibit E to include additional notes to clarify conditions to permit the following: to allow the impervious cover for the areas CRE-1, CRE-2, CRE-3, CRE-5, CRE-10, CRE-11, CRE-12 and CRE-16 to be allocated and calculated on an overall basis; to clarify that the building structure for live-work units is in a townhouse type of building and to allow the Mixed Use development standards to be utilized; to revise lot width and reduce setbacks for single family and townhouse lots with detached structures; to clarify that roadways may be designed with the TND design standards, with modifications to Staked Plains Drive; and to reduce the Open Space Easement (OSE) from 35 feet to 20 feet at the northeast and northwest intersection of Lakeline Boulevard and Staked Plains Drive (along parcels CRE-5 and CRE-10).

### **SUMMARY STAFF RECOMMENDATION:**

The staff's recommends the proposed amendment to the Leander Rehabilitation PUD, with the following conditions:

- The applicant shall add the following language to the first bullet of Note 7: "With Director approval, these lots shall be allowed driveway access from a public street in the front or an alley in the rear".
- The applicant shall provide an impervious cover tracking mechanism that the Watershed Protection and Development Review Department approves.

### **PLANNING COMMISSION RECOMMENDATION:**

2/26/08: Approved the PUD amendment by consent (7-0, P. Cavazos-arrived late); J. Reddy-1<sup>st</sup>, T. Atkins-2<sup>nd</sup>.

### **DEPARTMENT COMMENTS:**

The property in question is undeveloped and moderately vegetated. To the north of the site there are single-family residential uses under development within the Avery Ranch PUD. The property to the east is bounded by the Southern Pacific Railroad and consists of the recently approved Lakeline Station PUD, which is currently undeveloped agricultural land. There are research and development facilities and a greenbelt to the southeast along Spectrum Drive and single family residences along Rutledge Spur. To the west of the there are state offices for the Texas Department of Transportation (TXDOT), office uses under development at the southeast corner of Lakeline Boulevard and North Lake Creek Parkway, and undeveloped tracts of land along North Lake Creek Parkway. The property to the south of the PUD is right-of-way area that was recently expanded for the S.H. 45 Westbound tollway (North F.M. 620 Road).

In the original application that was filed for this case on May 24, 2007, the applicant requested an administrative amendment in which they proposed changes to the transportation network within the northern part of the PUD. This request was made in response to roadway alignment issues that arose a part of the preliminary plan approval process for this property. The staff administratively approved the realignment of Lyndhurst Drive and Northwoods Circle (which will become Northwoods Drive) and the addition of Knightsbridge Way and Staked Plains Drive. However, in an update submitted to the staff by the applicant on November 6, 2007, the applicant decided to modify the PUD amendment request and this application became a formal request that requires Planning Commission and City Council approval.

In the proposed PUD amendment the applicant is asking to revise conditions as they apply to only parcels CRE-1, CRE-2, CRE-3, CRE-5, CRE-10, CRE-11, CRE-12 and CRE-16, which are located in the northeastern corner of the PUD to the north of Lakeline Boulevard (Please see the Request Letter from the Applicant – Attachment A). The applicant would like to “bucket” or allow the impervious cover to be allocated and calculated on an overall basis for these specific areas within the PUD. This transfer of impervious cover within these parcels of the PUD will allow the applicant to develop some parcels with more impervious cover while balancing less impervious cover on other parcels, without exceeding the overall impervious cover limit of 65-75% for the PUD. In addition, the applicant would like to revise lot width and reduce setbacks for single family and townhouse lots with detached structures and to clarify that roadways may be designed with the Traditional Neighborhood District (TND) design standards. The applicant proposes these changes so that they may develop residential units with a TND like feel. Therefore, the single family residences will be located in closer proximity with access that is provided through alley ways. The State Orders for the Leander Rehabilitation PUD permit the applicant to adopt City of Austin TND site development standards outright. However, the applicant is requesting further reductions to incorporate “New Urbanist” planning principles adjacent to the Northwest Park & Ride Town Center Transit Oriented Development (TOD) District. Finally, the applicant is asking to reduce the Open Space Easement (OSE) from 35 feet to 20 feet at the northeast and northwest intersection of Lakeline Boulevard and Staked Plains Drive. The applicant has stated that the proposed reduction in the OSE area at this location will allow them to create a more urban design of roadway near the TOD station site.

The staff recommends the applicant’s request to revise the PUD Land Use Plan and to add an Exhibit E.1 to the First State Order for the PUD (DOC# 9802790). The new Exhibit E.1 will allow the applicant to further define the development standards for commercial, industrial, office, multi-family residential, and mixed use and will add a category for SF-4 and SF-5 development within the PUD. This Development Standards table was administratively approved by the Texas General Land Office on November 20, 2006. These proposed changes will permit the applicant to utilize SF-4 and SF-5 development standards, to utilize reduced TND type setbacks with alley access, and to construct a greater density of residential housing opportunities with TND characteristics near a TOD center. The staff also recommends the applicant’s request to allow impervious cover to be allocated and calculated on an overall basis for specific parcels in the PUD. The proposed impervious cover “bucket” will allow the applicant to increase impervious cover for the “All Other Residential” category, while maintaining a lower overall all impervious cover of 58% for this area of the PUD. This request is consistent with similar conditions that were approved in the Avery Ranch PUD and the Lakeline PUD located adjacent to this site. Finally, the staff recommends that the applicant’s request to reduce the OSE easement area at the northeast and northwest intersection of Lakeline Boulevard and Staked Plains Drive. The proposed reduction in the OSE will allow the applicant to bring buildings in this area closer to the street, thereby more closely conforming with Commercial Design Standards.

The applicant agrees with the staff's recommendation for this case.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	PUD (Leander Rehabilitation PUD)	Undeveloped
<i>North</i>	PUD (Avery Ranch PUD)	Undeveloped
<i>South</i>	ROW, GR, MF-3, LO, GR-CO, GR-CO, RR, GR-CO, LR	Recently Expanded S.H. 45 Westbound Toll Road (North F.M. 620), Retail, Multifamily Uses, Office (State Farm Insurance), Undeveloped Tract, Vacant Uses (Penzoil Lube Center, Shell Service Station and Car Wash), Undeveloped Tracts, Vacant Convenience Store
<i>East</i>	PUD (Lakeline PUD), I-RR	Undeveloped
<i>West</i>	I-RR, CS-MU-CO, GR-MU, GR, LO	Texas Department of Transportation Cedar Park Campus, Developing Office Uses, Undeveloped Tracts

**TOD DISTRICT:** Northwest Park and Ride  
Town Center TOD

**TIA:** Not required – within the area  
covered by Senate Bill 1396

**WATERSHED:** Lake Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**HILL COUNTRY ROADWAY:** No

**NEIGHBORHOOD ORGANIZATIONS:**

485 – Riviera Springs Community Development Association  
604 – Davis Spring HOA  
690 – Avery Ranch Owners Association, Inc.  
701 – Avery Ranch Neighborhood Association

**SCHOOLS:**

This property is within the Round Rock Independent School District.

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C14-2007-0218	GR-MU to MF-4	11/20/07: Approved MF-4-CO zoning, limit the property to MF-3 density regulations/36 units per acre (7-0, S. Hale-absent, T. Rabago-left early)	12/13/07: Approved MF-4 district zoning(6-0, McCracken-off dias); 1 <sup>st</sup> reading  1/31/08: Approved MF-4 by consent on 2 <sup>nd</sup> reading, with additional condition for staff to incorporate green building

			restrictions offered by applicant into appropriate documents before 3 <sup>rd</sup> reading (7-0)
C814-06-0218 – Lakeline Station PUD	I-RR to PUD	8/14/07: Approved applicant's request for PUD zoning (7-0, C. Galindo-absent)	10/11/07: Approved PUD zoning, with the amendment from Council Member Leffingwell to incorporate all the conditions outlined in the letter from David B. Armbrust dated October 11, 2007 re: Lakeline Station Area Plan/Planned Unit Development C814-06-0218 (7-0); all 3 readings
C14-85-366(RCA2)	To amend the restrictive covenant to remove lots 9 and 10 from any limits or restrictions.	10/16/07: Approved staff's recommendation to amend the restrictive covenant by consent (6-0, C. Hammond, J. Gohil-absent)	11/29/07: Approved RCA by consent (6-0, Cole-off dais)
C14-04-0166	GO to CS	06/21/05: Approved CS-CO zoning with conditions to prohibit Pawn Shop Services, Exterminating Services, and Adult Oriented Businesses by consent (8-0, K. Jackson-absent)	7/28/05: Approved CS-CO on all 3 readings (7-0)
C14-04-0165	GR to CS	06/21/05: Approved CS-MU-CO zoning with conditions to prohibit Pawn Shop Services, Exterminating Services, and Adult Oriented Businesses by consent (8-0, K. Jackson-absent)	7/28/05: Approved CS-MU-CO on all 3 readings (7-0)
C14-04-0164	GO to CS	06/21/05: Approved CS-MU-CO zoning with conditions to prohibit Pawn Shop Services, Exterminating Services, and Adult Oriented Businesses by consent (8-0, K. Jackson-absent)	7/28/05: Approved CS-MU-CO on all 3 readings (7-0)

C14-02-0160	I-RR, SF-2 to GR	11/12/02: Approved staff's recommendation of GR-CO zoning with additional conditions (as agreed to by the Neighborhood and the Applicant) prohibiting the following uses: Automotive Rentals, Automotive Repair Services, Automotive Washing (of any type), Consumer Convenience Services, Drop-Off Recycling Collection Facility, Off-Site Accessory Parking, Outdoor Entertainment, Outdoor Sports and Recreation, Pawn Shops, Custom Manufacturing, Urban Farm, Club or Lodge, Community Recreation (Private), Community Recreation (Public), Congregate Living, Cultural Services, Guidance Services, Residential Treatment, Telecommunication Towers;by consent (6-0, A. Adams, J. Gohil-absent)	12/12/02: Granted GR-CO – Subject to dedication of 75 feet of ROW and resolution of the 200 feet of ROW reservation from the future center line of FM-620 on 1 <sup>st</sup> reading (7-0)  12/12/03: Administrative-Case expired per Section 25-2-249(B), no 3 <sup>rd</sup> reading occurred
C14-01-0173	DR to GR	1/15/02: Approved GR-CO zoning, with a condition prohibiting pawn shop services, by consent (8-0, K. Jackson-absent)	2/14/02: Approved GR-CO on 3 readings (7-0)
C14-00-2094	DR to GR	7/11/00: Approved staff rec. of GR by consent (7-0)	8/17/00: Approved GR on 1 <sup>st</sup> reading (6-0, Goodman-absent)  8/31/00: Approved 2 <sup>nd</sup> /3 <sup>rd</sup> readings (6-0, KW-absent)
C14-00-2148	GO to GR	8/15/00: Approved staff rec. of GR by consent (7-2, RC/JM-Nay)	9/28/00: Approved GR (7-0); all 3 readings

C14-00-2107	MF-3 to GO	8/29/00: Approved staff rec. of GO by consent (7-1, RC-Nay)	9/7/00: Approved GO on 1 <sup>st</sup> reading only (7-0)  12/14/00: Approved GO (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-99-2110	DR, SF-2 to CS	3/28/00: Approved staff rec. of GR by consent (5-0)	5/18/00: Approved PC rec. of GR (6-0, Lewis-absent); all 3 readings
C14-99-0090	R&D to LI	7/27/99: To Grant IP for Tract 1 and IP-CO for Tract 2	8/26/99: Approved PC rec. of IP for Tract 1 and IP-CO for Tract 2 (7-0); 1 <sup>st</sup> reading  9/30/99: Approved 2 <sup>nd</sup> /3 <sup>rd</sup> readings (7-0)
C814-99-0001.06 - Avery Ranch PUD Amendment #6	To amend the PUD to split Tract I-C into two tracts, Tracts I-C and I-C-I, to permit the development of an elevated water storage tank on Track I-C-I, o waive Compatibility Standards that apply to this tract under Section 25-2-1063 to allow a tank of 200 feet in height to be located within 123 feet of a proposed single-family subdivision, and to amend the Land Use table for the PUD as it pertains to Tract I-D to release this tract from reservation as a "civic site".	12/04/07: Approved staff's recommendation for the PUD amendment by consent (8-0)	1/10/08: Approved PUD amendment (7-0)
C814-99-0001.05 – Avery Ranch PUD Amendment #5	To amend the PUD to rezone 14.694 acres of land from I-RR to PUD to be incorporated into Tracts III-G and III-H of the Avery Ranch Planned Unit Development (PUD) and to amend the Avery Ranch PUD Land Use Table to permit Village Center Residential (VCR) uses, Service Station use, Liquor Sales use (not to exceed 6,000 square feet	4/04/06: Approved staff's recommendation for PUD amendment by consent (7-0, T. Rabago, J. Pinnelli-absent)	5/18/06: Approved PUD amendment by consent (7-0); all 3 readings

	and prohibiting Cocktail Lounge), and Mobile Home Residential use on Tract II-E of the PUD.		
C814-99-0001.04 – Avery Ranch PUD Amendment #4	To amend the PUD permitted use table for Tract II-B and Tract III-F2 to permit a Liquor Sales use on each tract that will not exceed 6,000 square feet and prohibiting Cocktail Lounge uses on these tracts within the PUD.	9/06/05: Approved staff's recommendation of PUD zoning by consent (9-0)	10/06/05: Approved PUD amendment by consent (7-0); 1 <sup>st</sup> reading  1/12/06: Approved PUD amendment to allow additional permitted uses (6-0, D. Thomas-absent); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C814-99-0001.03 – Avery Ranch PUD Amendment #3	To amend the PUD revise Exhibit "H" of the PUD, the Open Space, Parks, and Trails Plan to make changes to the alignment of the trail layout in the approved parkland areas, to relocate a proposed neighborhood park from the east side of Parmer Lane (currently shown on Tract III-D) to the west side of Parmer Lane (now shown on Tract I-C) along Avery Ranch Boulevard, and to add a Round Rock Independent School District tract and a Leander Independent School District tract of land to the PUD Land Use Plan. In addition, the applicant would like to clarify that future city parkland can first be conveyed to a third party trustee (non-profit entity approved by the Parks and Recreation Department), for the purpose of facilitating grant applications, as long as the conveyance requires re-conveyance to the City or to another City approved governmental	9/21/04: Approved staff's recommendation of PUD amendment by consent (7-0, K. Jackson-off dias, J. Gohil-absent)	1/12/06: Approved PUD amendment by consent (6-0, D. Thomas-absent); all 3 readings

	entity for public park use no later than January 1, 2006.		
C814-99-0001.02 – Avery Ranch PUD Amendment #2	To amend the PUD to remove a condition in the Avery Ranch PUD ordinance that states, “If 50 percent or more of the single family lots in the PUD have a lot size of 6,300 square feet or greater, the maximum impervious cover for commercial development within the PUD shall be limited to 60 percent of the net site area of the commercial lots.” and to amend the permitted use table for Tract II-B to allow a 4,250 square foot building footprint for a Laundry Services use.	1/28/03: Approved staff’s recommendation of PUD zoning (6-0, J. Martinez, K. Jackson-off dias)	2/27/03: Granted PUD zoning as rec. by the ZAP Commission on 1 <sup>st</sup> reading (6-0, Goodman-off dias) 4/24/03: Approved PUD (6-0, Garcia-off dias); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C814-99-0001.01 – Avery Ranch PUD Amendment #1	To amend the PUD to include Service Stations as a permitted use for Parcel III-F2	6/18/02: Posponed to 7/16/02 by the applicant (8-0, A. Adams-absent)  7/16/02: Postponed to 7/30/02 by the staff for re-notification purposes (6-0, M. Casias/ D. Castaneda/ K. Jackson-absent)  7/30/02: Postponed to 9/10/02 by the applicant and neighborhood (6-0, V. Aldridge-absent)  9/10/02: Approved staff’s recommendation for PUD zoning; by consent (6-0, D. Castaneda-absent)	10/10/02: Granted PUD on 1st reading (7-0)  1/30/03: Approved PUD amendment (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C814-97-0001.01 – Leander Rehabilitation PUD Amendment #2	PUD to PUD	4/08/05: Staff approved an administrative amendment to the PUD for a land use change from the ECO to the COR designation on Lot 3, Block A of the Leander Rehabilitation PUD	N/A



C814-97-0001 – Leander Rehabilitation PUD	I-RR to PUD	9/30/97: To Grant PUD with conditions	11/20/97: Denied PUD zoning because it does not conform to purpose and is not a superior development (7-0) (Note: By Orders of the Special Board of Review, the State overrode the City Council's action and approved PUD zoning on 7/01/99).
C14-99-0023	LR; MF-1 to GR; MF-3- CO	3/16/99: To Grant MF-3- CO with CO limit of 55% impervious cover	4/15/99: LR tract withdrawn; Approved MF-3-CO with conditions for Tract 2
C14-98-0266	DR to GR	3/2/99: Approved GR by consent (8-0)	12/2/99: Approved PC rec. of GR (6-0, WL- absent); 1 <sup>st</sup> reading  5/24/01: Approved GR (6-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings
C14-98-0253	MF-3 to GR	4/13/99: Approved staff rec. of GR (7-0); also approved MGA for 10 years	5/13/99: Approved PC rec. of GR (7-0); 1 <sup>st</sup> reading  6/03/99: Approved GR (7-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings

**RELATED CASES:** C814-97-0001 (Leander Rehabilitation PUD)

**ABUTTING STREETS:**

STREET	RIGHT- OF-WAY	PAVEMENT WIDTH	CLASSIFICATION	DAILY TRAFFIC
FM 620 N	~440'	N/A	MAU 4 (existing, but 2025 plan proposes FWY)	N/A
Rutledge Spur	50'	varies	Collector	N/A

**CASE MANAGER:** Sherri Sirwaitis

**PHONE:** 974-3057  
sherri.sirwaitis@ci.austin.tx.us

**CITY COUNCIL DATE:** March 6, 2008

**ACTION:**

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

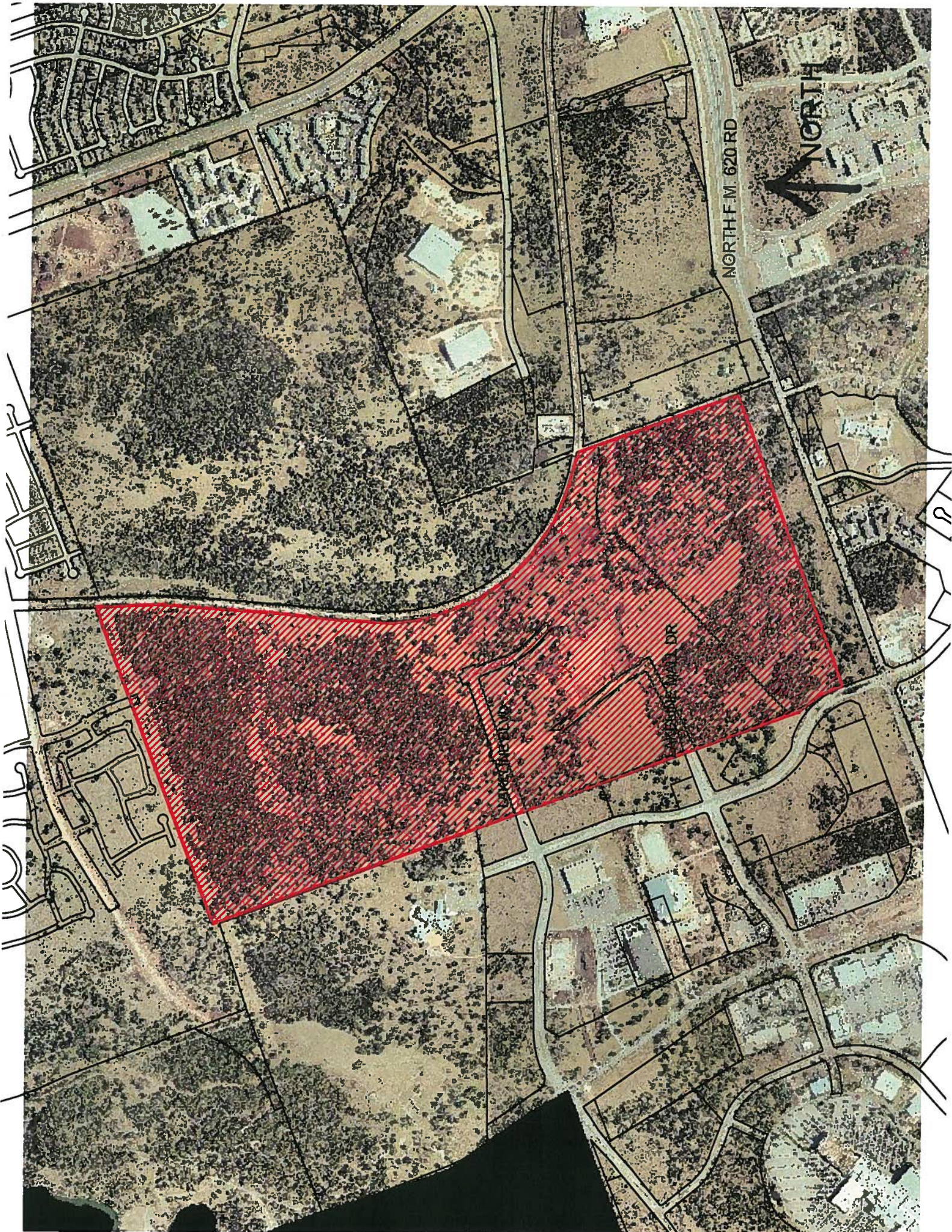
2<sup>nd</sup>

3<sup>rd</sup>

**ORDINANCE NUMBER:**







NORTH M. 620 RD

NORTH



## STAFF RECOMMENDATION

The staff's recommends the proposed amendment to the Leaner Rehabilitation PUD, with the following conditions:

- The applicant shall add the following language to the first bullet of Note 7: "With Director approval, these lots shall be allowed driveway access from a public street in the front or an alley in the rear".
- The applicant shall provide an impervious cover tracking mechanism that the Watershed Protection and Development Review Department approves.

## BASIS FOR RECOMMENDATION

1. *The Planned Unit Development District (PUD) is intended for large or complex developments under unified control planned as a single contiguous project. The PUD is intended to allow single or multi-use projects within its boundaries and provide greater flexibility for development proposed within the PUD.*

The proposed amendment to the Leander Rehabilitation PUD will revise Exhibit E of the First State Order, to create a new Exhibit E.1 that will further define the development standards for commercial, industrial, office, multi-family residential, and mixed use and will add a category for SF-4 and SF-5 development within the PUD. These proposed changes will permit the applicant to utilize SF-4 and SF-5 development standards, to utilize reduced TND type setbacks with alley access, and to construct a greater density of residential housing opportunities with TND characteristics in the Transition Zone near the Northwest Park & Ride Town Center TOD District.

In addition, the request for an impervious cover "bucket" will allow the applicant to increase impervious cover for the "All Other Residential" category of the PUD, while maintaining a lower overall all impervious cover of 58% within this area of the PUD. This request is consistent with the conditions that allowed for the impervious cover allocation and calculation on an overall basis in the Avery Ranch PUD and the Lakeline PUD, which are located adjacent to this site.

Finally, the proposed reduction in the OSE easement area at the northeast and northwest intersection of Lakeline Boulevard and Staked Plains Drive will allow the applicant to bring buildings in this area closer to the street, thereby more closely conforming with Commercial Design Standards.

## Existing Land Use

The property in question is part of an existing PUD that consists of 446.40 acres of land located to the north of the recently expanded S.H. 45 Westbound Toll Road (North F.M. 620). The site is bounded by the Avery Ranch PUD to the north, the Southern Pacific Railroad and Rutledge Spur Road to the east, the S.H. 45 Westbound Toll Road (North F.M. 620 Road) to the south, and the Texas Department of Transportation Cedar Park Campus, developing office uses, and undeveloped Tracts along North Lake Creek Parkway to the west. The parcels under consideration are currently undeveloped.

### **Drainage Construction**

Comments cleared. Adequate drainage easements dedicated to detention and water quality will be sized to the city standard at the preliminary stage of development.

### **Electric**

FYI: The area of this project located north of Lakeline Boulevard is within PEC's service territory while the area to the south will be served by Austin Energy.

FYI: Any relocation of electric facilities shall be at the expense of the developer.

### **Environmental**

Comments cleared.

### **Impervious Cover**

This project is located at NFM 620 RD and is within the South Brushy Creek watershed(s), which are classified as Suburban Watershed. This project is located within the Edwards Aquifer Contributing Zone.

The applicant has requested to share the overall impervious cover over parcels CRE-1, CRE-2, CRE-3, CRE-5, CRE-10, CRE-11, CRE-12 and CRE-16 within the PUD. Currently, there is no final plat for any portion of this property. The original Leander Rehabilitation PUD was approved in 1998 and included a preliminary plan. Last year, the Northwoods at Lakeline preliminary plan, case C8-07-0043, was submitted as a revision to the original preliminary plan. All review comments have been cleared on the Northwoods at Lakeline preliminary plan, but it still needs to be approved by Planning Commission. However, approval of the preliminary plan is pending Leander Rehab PUD Amendment #6 approval. The proposed allocation of impervious cover table will be located on the Northwoods at Lakeline preliminary plan.

Staff response:

1. Please provide an impervious cover tracking mechanism that Watershed Protection and Development Review Department (WPDRD) approves.
2. Why shouldn't this go before the EV Board for a courtesy review?

### **Site Plan**

No comments received.

### **Subdivision**

The 35' OSE (Open Space Easement) and 25' set back line should continue along Lindhurst right-of-way up (and following right-of-way) through to Avery Ranch (as shown on the existing portion of Lindhurst and last approved plan). This trail OSE and set back has been in every plan since this PUD was originally approved.

### **Stormwater Detention**

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

### **Transportation**

The site is within the area covered by State legislation (S.B. 1396), which went into effect September 1, 1995. Under this legislation, the City may not "deny, limit, delay, or condition the use of development of land...because of traffic or traffic operations that would result from the proposed use or development of the land." A traffic impact analysis is not required for any development within this area, and traffic issues may not be considered in the approval of the application. Right-of-way dedication, however, may still be required.

The applicant shall add the following language to the first bullet of Note 7: "With Director approval, these lots shall be allowed driveway access from a public street in the front or an alley in the rear".

### **Water Quality**

This project is located at NFM 620 RD and is within the South Brushy Creek watershed(s), which are classified as Suburban Watershed. This project located within the Edwards Aquifer Contributing Zone.

### **Water and Wastewater**

The landowner intends to serve the site and each lot with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocation, and abandonment. The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

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

ATTORNEYS AND COUNSELORS

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February 19, 2008

Sherri Sirwaitis  
City of Austin  
Neighborhood Planning and Zoning Department  
505 Barton Springs, 5th Floor  
Austin, Texas 78704

Re: Leander Rehabilitation PUD Amendment #6 (C814-97-0001.05)

Dear Sherri:

Attached are three copies of the revised land use plan and Exhibit E.1 for the Leander Rehabilitation PUD amendment. The PUD amendments being requested are applicable only to areas CRE-1, CRE-2, CRE-3, CRE-5, CRE-10, CRE-11, CRE-12 and CRE-16. The information below outlines the PUD amendments being requested and reasons for them.

1. **Land Use Plan** – Decrease the open space easement along Lakeline Boulevard from 35 feet to 20 feet to create a more urban designed roadway near the TOD station. This reduction was suggested by City staff.
2. **Exhibit E.1, Table** - Increase the impervious cover for the “All Other Residential” category of the PUD from 45 to 65 percent. This amendment is being requested in order to incorporate planning principles for “New Urbanist” residences, which include lot and building layouts that were not contemplated within the original PUD.

Although the impervious cover will increase for the “All Other Residential” category, the overall proposed impervious cover of 58 percent is lower than the PUD’s allowed impervious cover of approximately 65 to 75 percent for the mixed use, commercial, and office categories, which could be constructed on any portion of the site. This revision was previously reviewed and approved by the State of Texas’ General Land Office in November 2006. However, it was never ratified by the City.

3. **Exhibit E.1, Table** - Allow single family residences to be constructed with SF-4 and SF-5 site development regulations. This amendment is being requested in order to incorporate planning principles for “New Urbanist” residences, which include lot and building layouts that were not contemplated within the original PUD.

These are categories allowed within the City's current code, but were not contemplated as part of the PUD when originally approved in 1998. This revision was also previously reviewed and approved by the State of Texas' General Land Office in November 2006. However, as stated in Item 2 above, it was never ratified by the City.

4. **Exhibit E.1, Note #4** - Allow for the site to have the flexibility to allocate higher impervious cover to some lots and lower impervious cover to other lots. This amendment is being requested for various reasons. First, the site is in close proximity to the Northwest Park and Ride Facility. Typically, higher density development is located closest to the TOD station, while less dense development is located further away. Second, there are several "New Urbanist" building types proposed, including Paseo Courts and Green Courts. These product types subdivide attached residences around a large, platted community green space. The attached residences have a higher impervious cover because there are small yard spaces. However, this is offset since individual yards are turned into a large, platted, community green space, which serves all of the attached residences.

The overall proposed impervious cover of 58 percent is lower than the PUD's allowed impervious cover of approximately 65 to 75 percent using other permitted uses. Attached is a copy of the impervious cover allocation table that is proposed to be included on the preliminary plan.

5. **Exhibit E.1, Note #5** - Clarify how live-work units and multiple use buildings fit into the framework of the PUD. TOD's and Traditional Neighborhood Design's (TND) typically include live-work units. However, they were not contemplated as part of the PUD when originally approved in 1998.
6. **Exhibit E.1, Notes #6 and #7** - Clarify how single family and townhouse lots fit into the framework of the PUD. TOD's and Traditional Neighborhood Design's (TND) typically include a more urban style of single family and townhouse lots. However, they were not contemplated as part of the PUD when originally approved in 1998.
7. **Exhibit E.1, Notes #6 and #7** - Decrease setback standards for single family and townhouse lots, so that they may be accessed utilizing alleys that will reduce the number of driveways onto the adjacent streets. Many of the "New Urbanist" single family residential products are alley accessed, so that resident's vehicles are not parked in the front yard. Detached garages are placed directly behind the home and near to the alley, so that residents are encouraged to park within the garage, and not within driveways or on the street.
8. **Exhibit E.1, Note #8** - Clarify that roadways may be designed with TND standards, with modifications to Staked Plains Drive. The existing PUD already



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

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states that TND site development standards may be used. However, it did not specifically address TND roadway standards.

Please feel free to contact me if you have any questions or need additional information.

Sincerely,

A handwritten signature in cursive script that reads "Lynn Ann Carley".

Lynn Ann Carley, P.E.

Senior Land Development Consultant

cc: Greg Guernsey  
Jerry Rusthoven  
David Armbrust  
Steven Levenson  
Steve Shanks  
Syd Xinos





## IMPERVIOUS COVER ALLOCATION BY LAND USE

P.U.D. DESIGNATION LAND USE	PRELIMINARY PLAN			ALLOWED PER P.U.D. NET SITE AREA		PROPOSED PER PLAN NET SITE AREA	
	PRODUCT TYPE	NO. LOTS	AREA (Ac.)	IMPERVIOUS COVER %	IMPERVIOUS COVER (Ac.)	IMPERVIOUS COVER %	IMPERVIOUS COVER (Ac.)
MIXED USE	MIXED USE LIVE-WORK HOMES	77	2.49	65%	1.62	96%	2.39
MIXED USE	SINGLE FAMILY TOWNHOMES	295	11.36	65%	7.38	98%	10.91
MIXED USE	SINGLE FAMILY GREEN COURT	39	2.04	65%	1.33	77%	1.57
MIXED USE	SINGLE FAMILY PASEO COURT	151	6.46	65%	4.20	77%	4.97
ALL OTHER RESIDENTIAL	SINGLE FAMILY SMALL LOT	197	19.15	65%	12.45	68%	13.02
ALL OTHER RESIDENTIAL	SINGLE FAMILY STANDARD LOT	241	34.32	65%	22.31	68%	23.34
N/A	ACCESS LOT - EASEMENT	7	0.21	65%	0.14	55%	0.12
N/A	COMMON COURTYARD - ESM'T.	15	4.44	65%	2.89	65%	2.89
O.S.E. - OPEN SPACE EASEMENT	OPEN SPACE - PARK	3	11.37	65%	7.39	25%	2.84
O.S.R. - OPEN SPACE RESERVE	OPEN SPACE - PRESERVE	4	9.87	65%	6.42	10%	0.99
O.S.E. - OPEN SPACE EASEMENT	OPEN SPACE - DRNG.	52	23.03	65%	14.97	10%	2.30
COMMERCIAL	COMMERCIAL CENTER	1	6.85	75%	5.14	75%	5.14
N/A	STREET RIGHT-OF-WAY	-	39.55	65%	25.71	70%	27.69
N/A	ALLEY RIGHT-OF-WAY	-	6.49	65%	4.22	75%	4.87
TOTALS		1,082	177.63	65.39%	116.14	58.00%	103.02

## NOTES:

- For CRE's 1, 2, 3, 5, 10, 11, 12 and 16, the maximum allowable impervious cover may be calculated on an overall basis instead of on an individual lot basis. However, the overall allowed maximum impervious cover shall not exceed those limits shown in Exhibit E of the Leander Rehabilitation PUD as administratively amended by the Texas General Land Office, dated November 20, 2006, and the impervious cover for this area shall be allocated through the Preliminary Plan or Final Plat process.
- The calculations on this table represent only those areas included within the Northwoods at Lakeline Preliminary Plan and do not include any off-site areas.

EXHIBIT E.1 (Applicable only to CRE areas 1, 2, 3, 5, 10, 11, 12, and 16)							
This Development Standards table and notes 1, 2, and 3 below are reproduced from Exhibit E of the Leander Rehabilitation PUD as administratively approved by the Texas General Land Office on November 20, 2006.							
DEVELOPMENT STANDARDS							
	COMMERCIAL	INDUSTRIAL	OFFICE	MULTI-FAM RESIDENTIAL	ALL OTHER RESIDENTIAL	MIXED USE	
Density	N/A	N/A	N/A	54 du's/ac	18 du's/ac	54 du's/ac	SF-4 18 du's/ac
YARDS							SF-5 18 du's/ac
Front	0'	10'	0'	10' (1)	10'	0'	25'
Side	0'	10'	0'	10' (1)	0' / 5' (2)	0'	5'
Street Side	12'	25'	25'	10' (1)	10'	5'	15'
Rear	0'	25'	20'	10' (1)	15'	10'	10'
Height (3)	6 stories	4 stories	12 stories or 180 feet	6 stories	3 stories	12 stories or 180 feet	3 stories / 35'
Maximum Impervious Cover	75% - 1 story 65% - 2 to 6 stories	65%	65%	60%	65%	65%	55%

- (1) Between any structure, or group of connected structures containing multi-family residential and the respective lot line.
- (2) Zero side setback required for attached single-family units.
- (3) In this ordinance the height of a story will vary depending on the use. For purposes of calculating height, roofs, mechanical equipment, cooling towers, ornamental cupolas or domes, skylights, visual screens, chimneys and vent stacks, communication towers, parapet walls and other similar structures are not included. Story height will be defined by the national standards for uses on the following, as amended:
- Residential uses: 12 feet - 15 feet or as set forth by National Association of Home Builders
- Commercial uses: 20 feet - 25 feet or as set forth by International Council of Shopping Centers
- Industrial uses: 30 feet - 40 feet or as set forth by National Association of Industrial and Office Property
- Mixed uses: 14 feet - 20 feet or as set forth by Urban Land Institute
- Office uses: 14 feet - 18 feet or as set forth by Building Owners and Managers Association International
- (4) The maximum allowable impervious cover may be calculated on an overall basis instead of on an individual lot basis. However, the overall maximum impervious cover shall not exceed those limits shown in Exhibit E and the impervious cover for this area shall be tracked through the Preliminary Plan or Final Plat process(es).
- (5) Townhouse or multi-family structures proposing more than one use on a single lot may be considered Mixed-Use for the purpose of identifying their development standards classification on Exhibit E. These uses shall be restricted to areas fronting on Staked Plains Drive south of Buckingham Palace Drive.
- (6) Single family and townhouse lots containing detached single family, townhouse or multi-family structures with proposed lot widths of less than 40 feet may be considered Mixed-Use for the purpose of identifying their development standards classification on Exhibit E. If the Mixed-Use guidelines from Exhibit E are utilized, the following modifications to those standards apply:
- These lots shall have garages with driveway access allowed from an alley in the rear only.
  - The minimum rear setback line shall be three feet.
  - Lots with an open space at least 10 feet wide between their side lot lines and a public roadway will be considered interior lots.
  - Building height is restricted to three stories.
  - Attached residential units shall not exceed a maximum grouping or run of 10 lots without an open space, pedestrian access, or public street or alley between them. A minimum grouping of two lots is required. A minimum grouping of one lot shall be allowed in cases where site constraints, environmental factors, or developer's desire to preserve natural elements dictates. For each grouping reduced to one lot, the developer may add one additional same type lot to another grouping not to exceed eleven lots in any single group.
  - Side yard setbacks for attached structures shall be zero feet.
  - Side yard setbacks for single family detached structures shall have a minimum six foot aggregate between occupied structures. Zero foot setbacks will be allowed between garage structures.
- (7) Single family and townhouse lots containing detached structures with proposed lot widths equal to or greater than 40 feet may be considered All Other Residential for the purpose of identifying their development standards classification on Exhibit E. The following modifications to those standards apply:
- These lots shall be allowed driveway access from a public street in the front or an alley in the rear.
  - Those lots with rear access from an alley shall have minimum rear setback lines of five feet.
  - Interior lot side yard setbacks will be a minimum aggregate of six feet between occupied structures with minimum of zero feet allowed on one side of occupied structure. Zero feet setback will be allowed between garage structures.
- (8) All streets may be developed according to the TND Design Standards with modifications to Staked Plains Drive, as shown on the attached cross-sections.

