

ORDINANCE NO. 20090115-095

AN ORDINANCE AMENDING ORDINANCE NO. 040805-45 TO MODIFY THE DEVELOPMENT PLAN, REZONING AND CHANGING THE ZONING MAP FROM TRADITIONAL NEIGHBORHOOD DISTRICT (TND) DISTRICT TO TRADITIONAL NEIGHBORHOOD DISTRICT (TND) DISTRICT FOR THE PROPERTY GENERALLY KNOWN AS THE PIONEER HILL PROJECT, LOCATED ALONG THE EAST SIDE OF EAST DESSAU ROAD NEAR THE INTERSECTIONS OF DESSAU ROAD AND APPLGATE DRIVE, DESSAU ROAD AND MEADOWMEAR DRIVE AND DESSAU ROAD AND CHILDRESS DRIVE.

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

PART 1. Pioneer Hill traditional neighborhood district development is comprised of approximately 278 acres of land located generally in the vicinity of East Dessau Road and more particularly described by metes and bounds (the "Property") in the development plan incorporated into Ordinance No. 040805-45.

PART 2. Pioneer Hill traditional neighborhood district development was approved August 5, 2004, under Ordinance No. 040805-45 (the "Original Ordinance").

PART 3. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from traditional neighborhood district (TND) district to traditional neighborhood district (TND) district on the Property generally known as the Pioneer Hill project ("Pioneer Hill TND"), described in Zoning Case No. C14T-03-0001.01, on file at the Neighborhood Planning and Zoning Department, locally known as the property located along the East side of East Dessau Road near the intersections of Dessau Road and Applegate Drive, Dessau Road and Meadowmead Drive and Dessau Road and Childress Drive., in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

PART 4. This ordinance, together with the attached Exhibits A and B, constitutes the amended Development Plan ("Development Plan") for the Pioneer Hill TND and amends the Original Ordinance. The Pioneer Hill TND shall conform to the limitations and conditions set forth in the ordinance and the Development Plan on record at the Neighborhood Planning and Zoning Department. If this ordinance and the attached exhibits conflict, the ordinance applies.

PART 5. The attached exhibits are incorporated into this ordinance in their entirety as though set forth fully in the text of this ordinance. Exhibit "C" of the Original Ordinance is deleted and is no longer in effect. Exhibit "B" (Amended Development Plan) attached to this ordinance is substituted in its place. The exhibits are as follows:

Exhibit A: Zoning map

Exhibit B: Amended Development Plan (Pages 1-5 and Exhibits A: "Land Use" & B: "600 Foot Offset Diagram")

PART 6. In accordance with Section 25-3-25(B) (*Revisions to Development Plan*) of the Code, the following revisions apply to the Development Plan and Original Ordinance of the Pioneer Hill TND.

PART 7. Part 4 of the Original Ordinance is amended as to specific sections shown below. As a result of the revisions, the sections are reordered as shown in this Part. Otherwise, no modifications to the remaining sections are made.

A. Section A is revised to divide into two parts as follows:

A. Section 25-3-3 (A) (C) (*Overview*) is modified as follows:

1. Subsection (A) is modified to increase the allowable area of the TND to 278 contiguous acres.
2. Subsection (C) is modified to provide that a square is not required to be located in the Neighborhood Center Area of the TND.

B. A new Section B is added to Part 4 as follows:

B. Section 25-3-51(5) (*Subdivision Procedure*) is modified so that until final construction of the community meeting hall has begun, a final plat may be approved for no more than 50 percent of the MRA-1 area.

C. Section K is amended as follows:

K. Section 25-3-103 (*Location of Neighborhood Center Area*) is modified to provide that at least 75 percent of the units in the Mixed Residential Areas 1 and 2 must be within 2,000 linear ~~[square]~~ feet of a Neighborhood Center Area boundary.

D. Section O is amended as follows:

O. Section 25-3-124 (A) (C) (E) (H) (*Additional Regulations For Mixed Residential Area*) is modified as follows:

1. Subsection (A) is modified to provide that compatible land uses should face across streets.
2. Subsection (C) is modified to provide that, at a three-way intersection, a commercial use is permitted at a corner location and opposite a corner location that is designated on the TND development plan.
3. Subsection (E) is modified to provide that in the Mixed Residential Area-2, there may not be more than 24 dwelling units in a single structure.
4. A garage may face the street on a lot not accessed by a private alley, provided the garage is at least five feet behind the front building fascia, or porch fascia, of the principal structure.

E. A new Section U and Section V are added to Part 4, as follows:

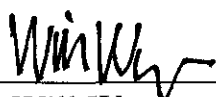
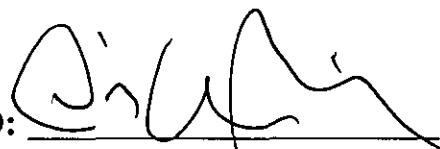
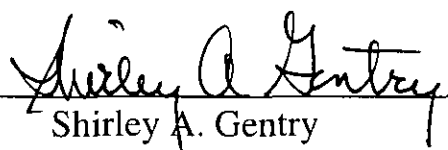
U. The 11 acre, more or less, potential civic site in MRA-1 identified as "Optional Civic Use" on Exhibit A of the Development Plan shall be held as a civic site until August 1, 2012. If, at that time, the site is not used as a civic site, it may revert to a residential or a parkland use consisting of 24 lots for single family use and 12 lots for duplex/semi-attached use. The remainder of the site may be used for parkland and public right-of-way.

V. A directional sign shall be provided that indicates egress from the Property to Dessau Road at Meadowmere intersection shall be to the right and left only.

PART 8. Except as otherwise provided for in this ordinance, the terms and conditions of Ordinance No. 040805-45 remain in effect.

PART 9. This ordinance takes effect on January 26, 2009.

PASSED AND APPROVED

	§	
	§	
<u>January 15</u> , 2009	§	<u></u>
		Will Wynn
		Mayor
APPROVED: <u></u>	ATTEST:	<u></u>
David Allan Smith		Shirley A. Gentry
City Attorney		City Clerk

This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



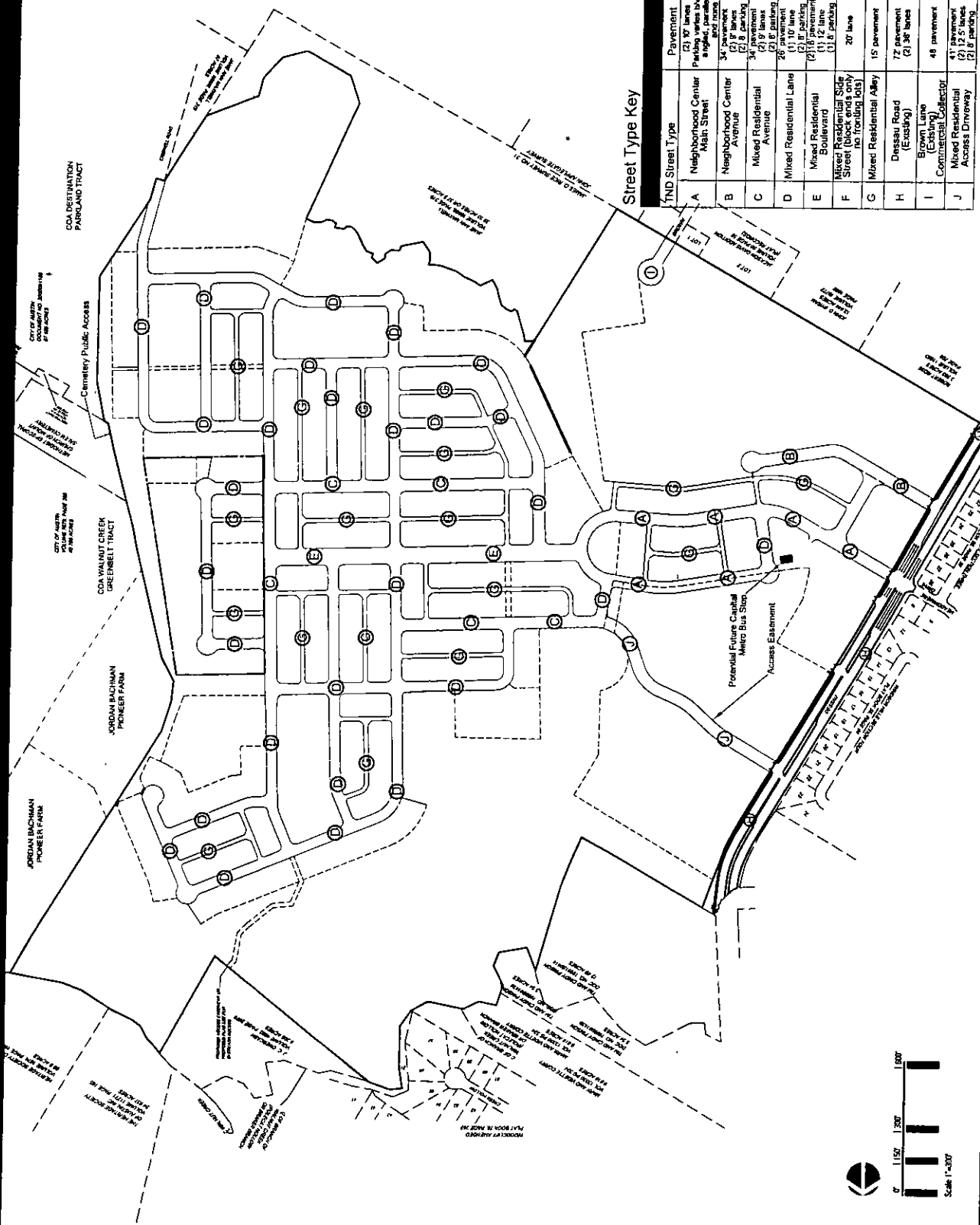
Exhibit 3 of 5

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January 15, 2009
 The above was not a date to be entered on

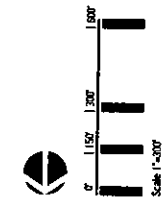
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Exh. b. + B



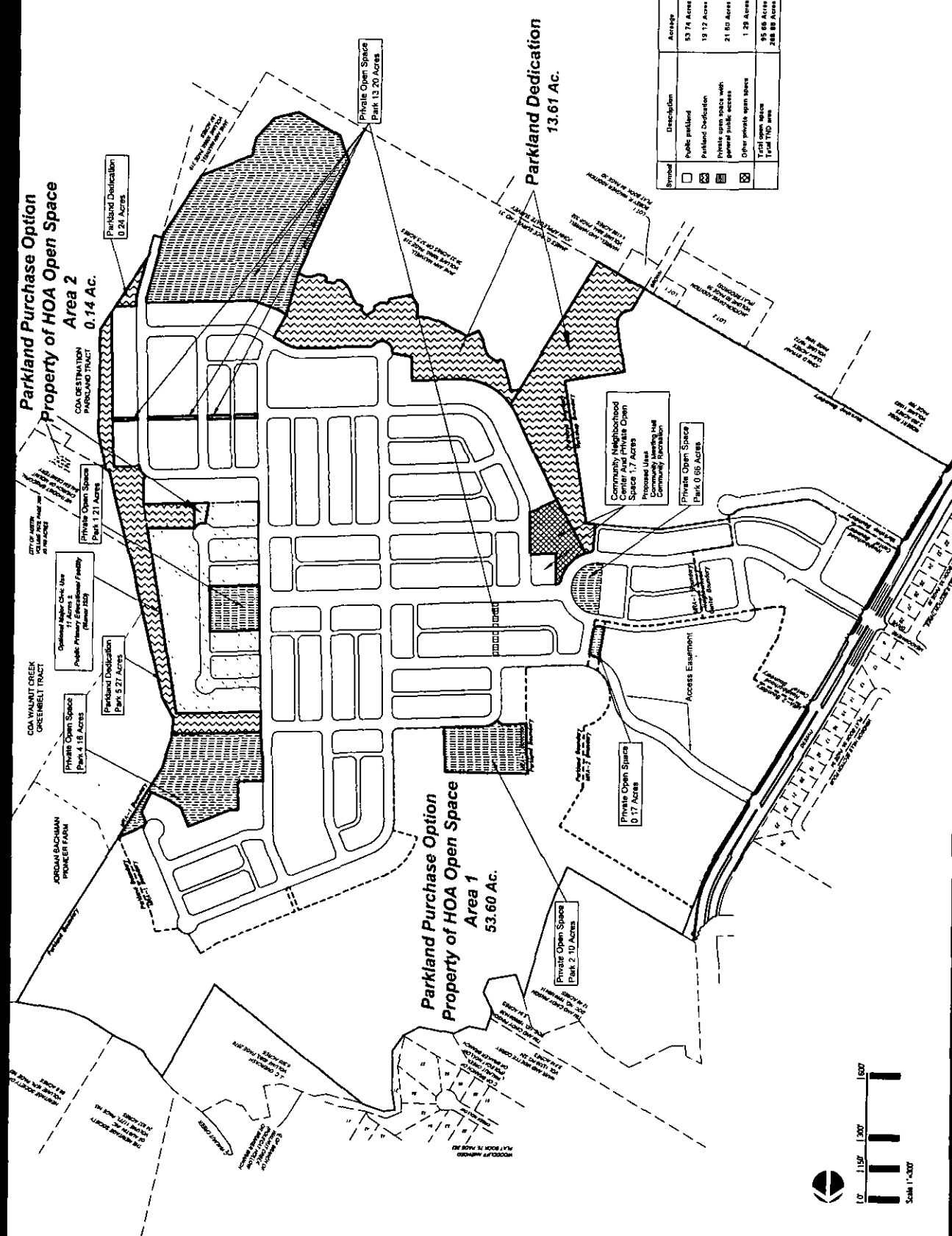
Street Type Key

TND Street Type	Pavement	R.O.W.	Sidewalk
A Neighborhood Center Main Street	(2) 10' lanes Paved with angled, parallel and none	varies	NCA: 8' MRA: 5'
B Neighborhood Center Avenue	34' pavement (2) 10' lanes (2) 8' parking	62'	6' each side
C Mixed Residential Avenue	34' pavement (2) 9' lanes (2) 8' parking	56'	5' each side
D Mixed Residential Lane	28' pavement (1) 10' lane (1) 8' parking	48'	5' each side
E Mixed Residential Boulevard	(2) 18' pavement (1) 12' lane (3) 8' parking	78'	4' each side
F Mixed Residential Side Street (block ends only no fronting lots)	20' lane	28'	4' each side
G Mixed Residential Alley	15' pavement	20'	none
H Dressau Road (Existing)	72' pavement (2) 36' lanes	120'	5' on graded side only (new)
I Brown Lane (Existing)	48' pavement	70'	5' each side
J Mixed Residential Access Driveway	41' pavement (1) 10' lane (2) 8' parking	none	5' each side



Pioneer Hill Center 2 of 6 Transportation Network Plan





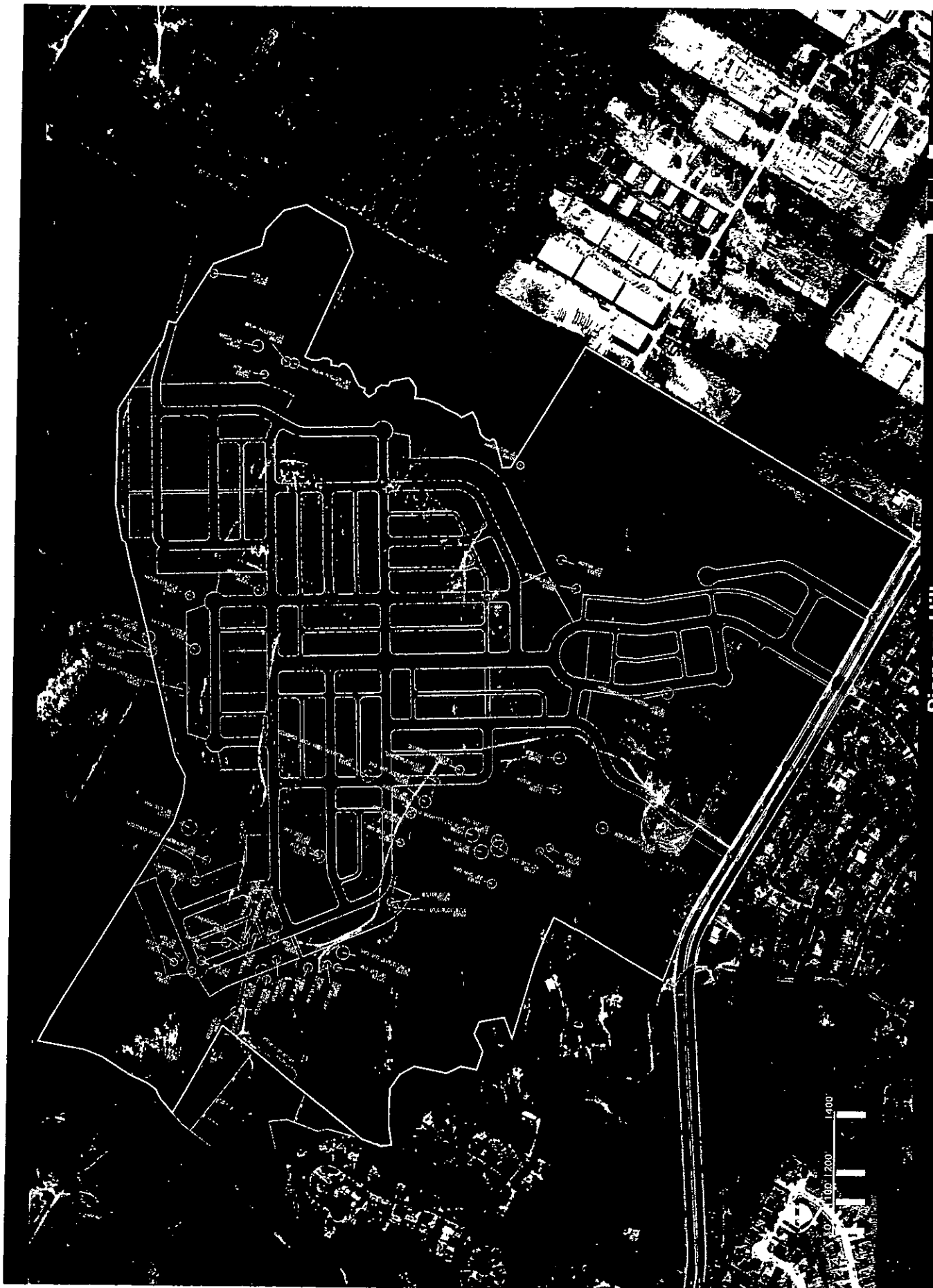
Symbol	Description	Acreage	Percent of Total	Percent of Total D.D.
	Public parkland	53.74 Acres	20.0%	50.2%
	Parkland Dedication	19.12 Acres	7.1%	20.0%
	Private open space with general public access	21.80 Acres	8.6%	22.5%
	Other private open space	1.20 Acres	0.5%	1.3%
	Total open space	95.86 Acres	36.2%	100%
	Total 130.00 Acres	268.88 Acres	100.0%	

Pioneer Hill
 E-1088, 3 of 5
 Construction Phasing Plan for Proposed
 Pioneer Hill Open Space Improvements

January 15, 2009

Prepared by: [Faint text]
 Checked by: [Faint text]
 Approved by: [Faint text]



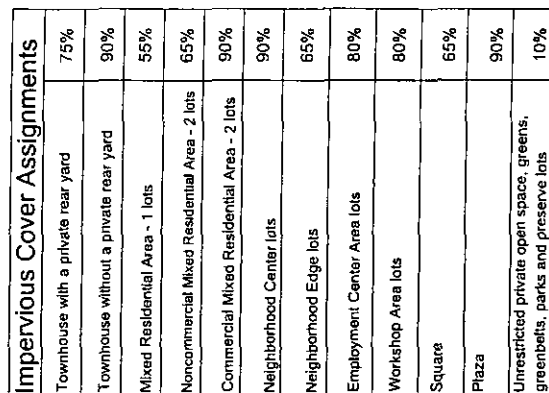


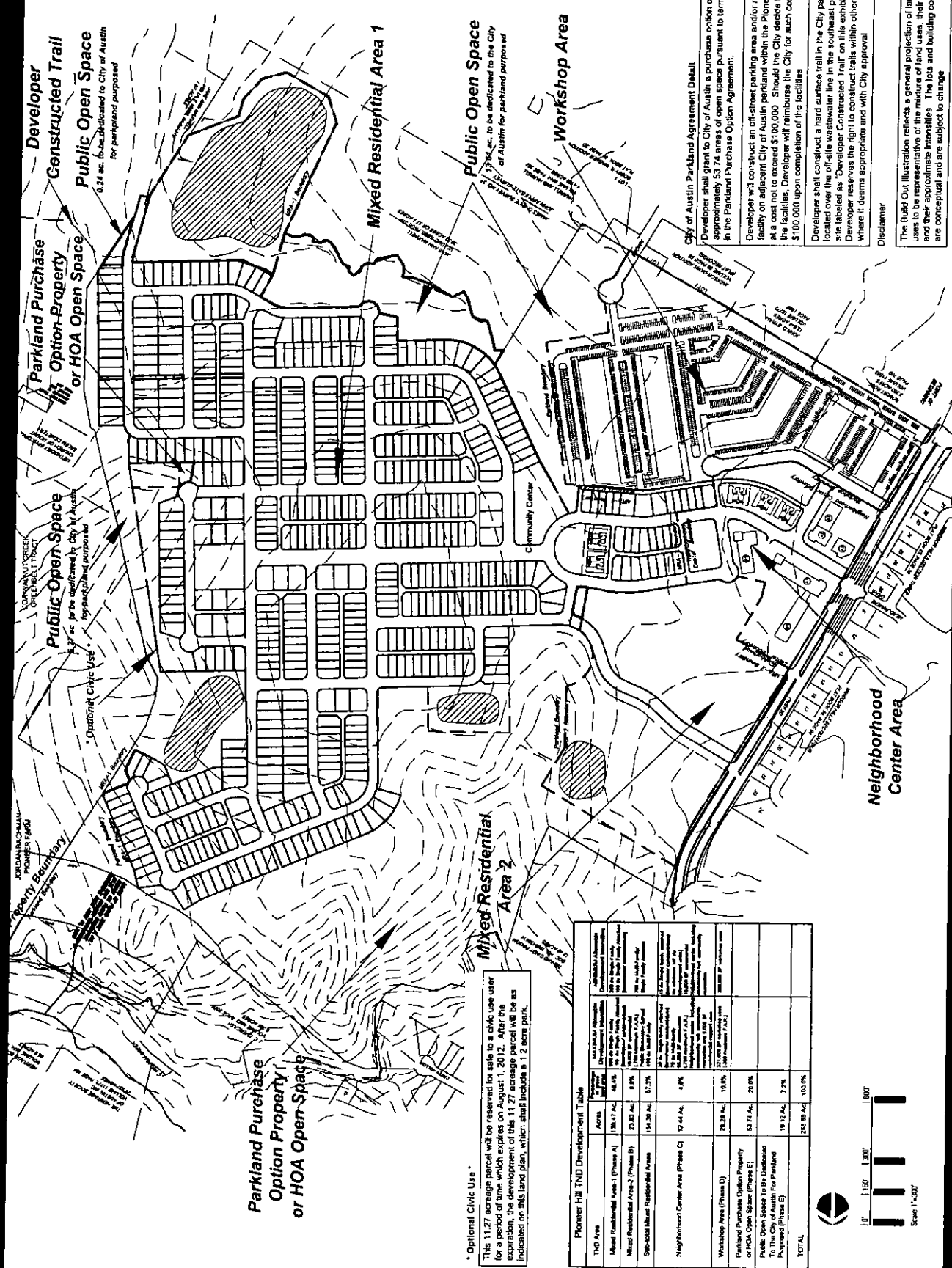
T B G

Pioneer Hill
Tree Protection Plan

January 15, 2009

100% Final Design - 100% Final Design - 100% Final Design



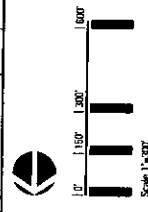


Optional Civic Use *

This 11.27 acre parcel will be reserved for sale to a civic use user for a period of time which expires on August 1, 2012. After the expiration, the development of this 11.27 acre parcel will be as indicated on this land plan, which shall include a 1.2 acre park.

Pioneer Hill TND Development Table

TND Area	Acres	Percentage of Total TND Area	Percentage of Total TND Area (Excluding Optional Civic Use)
Mixed Residential Area 1 (Phase A)	18.17 Ac.	48.1%	48.1%
Mixed Residential Area 2 (Phase B)	23.85 Ac.	59.9%	59.9%
Subsidiary Mixed Residential Areas	14.58 Ac.	37.3%	37.3%
Neighborhood Center Area (Phase C)	12.41 Ac.	31.6%	31.6%
Workshop Area (Phase D)	28.28 Ac.	72.4%	72.4%
Parkland Purchase Option Property or Public Open Space (Phase E)	53.17 Ac.	135.1%	135.1%
Public Open Space To Be Dedicated To The City of Austin For Parkland Purposes (Phase F)	19.12 Ac.	48.7%	48.7%
TOTAL	288.88 Ac.	100.0%	100.0%



City of Austin Parkland Agreement Detail

Developer shall grant to City of Austin a purchase option on approximately 53.17 acres of open space pursuant to terms outlined in the Parkland Purchase Option Agreement.

Developer will construct an off-street parking area and/or restroom facility on adjacent City of Austin parkland within the Pioneer Hill TND at a cost not to exceed \$100,000. Should the City decide to construct the facilities, Developer will reimburse the City for such cost up to \$100,000 upon completion of the facilities.

Developer shall construct a hard surface trail in the City parkland located over the off-site wastewater treatment plant's southeast portion of the site labeled as "Developer Constructed Trail" on the exhibit. Developer reserves the right to construct trails within other open space where it deems appropriate and with City approval.

Disclaimer

The Build Out illustration reflects a general projection of land uses to be representative of the nature of land uses, their locations and their approximate intensities. The lots and building configurations are conceptual and are subject to change.

Pioneer Hill Exhibit A Land Use Exhibit

