

ZONING CHANGE REVIEW SHEET

CASE: C814-97-0001.07

P.C. DATE: January 27, 2009
February 10, 2009

ADDRESS: North F.M. 620 Road

APPLICANT/OWNER: SV ONA Lakeline Office, Ltd., Sonmar of Phoenix, LLC and
Northwoods Owners Association C/O McLean & Howard, LLP
(Jeffrey Howard)

AGENT: McLean & Howard, LLP (Jeffrey Howard)

ZONING FROM: PUD

TO: PUD

AREA: 199 acres

The applicant is requesting to amend the Leander Rehabilitation Planned Unit Development (PUD) to revise the Land Use Plan (Exhibit A) and the Development Standards Table (Exhibit E) in the State of Texas Special Board Orders to include additional notes to clarify conditions to permit the following:

- 1) Modification of the Development Standards Table (shown in this proposed amendment as Exhibit E.3) to allow for an increase in impervious cover of up to 85% for parcels CRE-6, CRE-7, CRE-14 (except for the portion of CRE-14 located at the southeastern corner of Lago Drive and Arbor Way) and CRE-15.
- 2) Modification of the Development Standards Table (shown in this proposed amendment as Exhibit E.3) to allow for an increase in impervious cover of up to 75% for parcels ECO-3, CRE-8, CRE-9, COR-1, COR-2 and COR-4.
- 3) Modification of Section 14(A) of the Order and of the Land Use Plan (Exhibit A) to eliminate the 35-foot OSE (Open Space Easement) area along portions of Lyndhurst Drive, Lakeline Mall Boulevard, and Lago Drive to allow buildings to be located closer to those streets.
- 4) Modification of the Land Use Plan set forth on Exhibit A in the Order to eliminate the "Compatibility Height and Setbacks" along Rutledge Spur, if and only if the property adjacent to parcels CRE-8 and CRE-9 along Rutledge Spur should ever be used for any use other than single-family residential use.

In lieu of the request for modification of the Development Standards Table (Exhibit E), the applicant has proposed development and mitigation standards for projects which exceed impervious cover limits on parcels ECO-3, CRE-6, CRE-7, CRE-8, CRE-9, CRE-14, CRE-15, COR-1, COR-2, and COR-4 (Please see Exhibit E-3A).

SUMMARY STAFF RECOMMENDATION:

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

- The applicant will provide twelve (12) foot sidewalks on the south side of Lakeline Boulevard along parcel CRE-6, if the applicant exceeds 75% impervious cover within this parcel. If twelve (12) foot sidewalks are constructed, the fifteen (15) foot building setback lines will be removed.

- The applicant will provide twelve (12) foot sidewalks on the east and west sides of Lyndhurst Street along parcels CRE-6, CRE-7, CRE-14, and CRE-15 in accordance with Urban Roadway standards. Where twelve (12) foot sidewalks are proposed, the existing twenty-five (25) foot building setback lines will be removed.
- The applicant will provide seven (7) foot sidewalks on the south side of Lago Drive along parcel CRE-14.
- The applicant shall comply with the following General Building Placement Standard: Notwithstanding the minimum setback requirements of the base zoning districts, at least 50 percent of the net frontage length of the property along Lyndhurst Street on parcels CRE-7, CRE-14, and CRE-15 must consist of continuous building façade.
- The applicant will provide a new OSE designated area (wet pond site) within parcel CRE-14, along Lakeline Mall Boulevard. This pond site will be used as an amenity for the PUD that will include additional designated hike and bike trails.
- The applicant will provide a new OSE buffer area along the designated drainage easement within parcel ECO-3.
- Multifamily, office, commercial and /or mixed use structures shall be designed and constructed to comply with a 2-star rating in the Austin Energy Greenbuilder Program on parcels ECO-3, CRE-6, CRE-7, CRE-8, CRE-9, CRE-14, CRE-15, COR-1, COR-2, and COR-4, if maximum impervious cover for these uses exceed the impervious cover stated on Exhibit E-3. The applicant will need to verify that these parcels of land fall within the Austin Energy service area. If they do not, then the applicant will be required to provide alternative compliance to meet the intent of these regulations.
- The applicant shall amend note #4 on the land use plan (Exhibit A) to state that, "Compatibility height and setbacks on parcels CRE-8 and CRE-9 will be required only if the uses across or adjacent to Rutledge Spur are used as an urban family residence or zoned to SF-5 or more restrictive zoning district.

PLANNING COMMISSION RECOMMENDATION:

1/27/09: Postponed to February 10, 2009 at the applicant's request (9-0); J. Reddy-1st, M. Dealey-2nd.

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 this proposed amendment, the applicant is asking to revise conditions as they apply to only parcels ECO-3, CRE-6, CRE-7, CRE-8, CRE-9, CRE-14, CRE-15, COR1, COR-2, and COR-4, which are in the southern portion of the PUD between Lakeline Boulevard and F.M. 620 Road. The staff recommends the applicant's request to modify the Development Standards Table (proposed as Exhibit E.3) to increase impervious cover for particular uses on these parcels

because the properties in question are located adjacent to a planned Transit Oriented Development station. The requested increase impervious cover at this location will permit the applicant to construct a higher density of commercial and mixed use buildings near the Northwest Park and Ride Town Center TOD center. In addition, the applicant has proposed development and mitigation standards, such as the utilization of improved water quality standards, payment of fees for mitigation of impervious cover excess and compliance with green builder standards, for projects exceeding the impervious cover limits on these parcels (Please see Exhibit E-3A).

The staff is also recommending the applicant's request to relocate the 35-foot Open Space Easements (OSE) areas along portions of Lyndhurst Drive, Lakeline Mall Boulevard, and Lago Drive, with conditions. The staff agrees with the applicant's desire to replace the OSE areas along these roadways with 12-foot sidewalks that meet the Urban Roadway requirements within a designated TOD area. The proposed relocation of these OSE areas will allow the applicant to bring buildings in this area closer to the street, thereby more closely conforming with Commercial Design Standards. In addition, the creation of a wet pond on parcel CRE-14 will add an amenity area to the PUD that will be contain designated hike and bike trails for public use.

Finally, the staff recommends the applicant's proposed change to the Board Orders for the PUD to allow City of Austin Compatibility Standards to be applied to parcels CRE-8 and CRE-9. The staff supports the applicant's request to clarify that compatibility setbacks on these parcels will only be triggered if the properties to the east, across Rutledge Spur, are used for as single family/urban residence or are zoned for an SF-5 or more restrictive district. This change conforms with regulations in the Land Development Code for all properties within the Austin city limits.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<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:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C814-97-0001.06	PUD to PUD: To clarify portions of the PUD Development Plan and to amend portions of the PUD to assist the creation of a transit oriented, urban, mixed-use development on this site adjacent to Lakeline Station.	1/27/09: Pending - The applicant has requested an indefinite postponement	
C814-97-0001.05	PUD to PUD: To amend the Leander Rehabilitation 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	2/26/08: Approved the PUD amendment by consent (7-0, P. Cavazos-arrived late); J. Reddy-1 st , T. Atkins-2 nd .	3/06/08: Approved 1 st reading of the case on consent, with additional conditions regarding Green Building as read into the record (7-0) 3/27/08: Approved PUD district zoning to change a condition of zoning, with public restrictive covenant, by consent (6-0, Cole-off the dais)

	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)		
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 st reading 1/31/08: Approved MF-4 by consent on 2 nd reading, with additional condition for staff to incorporate green building restrictions offered by applicant into appropriate documents before 3 rd 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,	7/28/05: Approved CS-CO on all 3 readings (7-0)

		and Adult Oriented Businesses by consent (8-0, K. Jackson-absent)	
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-	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 st reading (7-0) 12/12/03: Administrative-Case expired per Section 25-2-249(B), no 3 rd reading occurred

		absent)	
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 st reading (6-0, Goodman-absent) 8/31/00: Approved 2 nd /3 rd 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 st reading only (7-0) 12/14/00: Approved GO (7-0); 2 nd /3 rd 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 st reading 9/30/99: Approved 2 nd /3 rd 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	12/04/07: Approved staff's recommendation for the PUD amendment by consent (8-0)	1/10/08: Approved PUD amendment (7-0)

	for the PUD as it pertains to Tract I-D to release this tract from reservation as a "civic site".		
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 and prohibiting Cocktail Lounge), and Mobile Home Residential use on Tract II-E of the PUD.	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
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 st reading 1/12/06: Approved PUD amendment to allow additional permitted uses (6-0, D. Thomas-absent); 2 nd /3 rd 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	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

	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 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 st reading (6-0, Goodman-off dias) 4/24/03: Approved PUD (6-0, Garcia-off dias); 2 nd /3 rd 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)	10/10/02: Granted PUD on 1st reading (7-0) 1/30/03: Approved PUD amendment (7-0); 2 nd /3 rd readings

		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)	
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 st reading 5/24/01: Approved GR (6-0); 2 nd /3 rd 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 st reading 6/03/99: Approved GR (7-0); 2 nd /3 rd 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: Gerald Rusthoven

PHONE: 974-3207

jerry.rusthoven@ci.austin.tx.us

CITY COUNCIL DATE: February 12, 2009

ACTION:

ORDINANCE READINGS: 1st

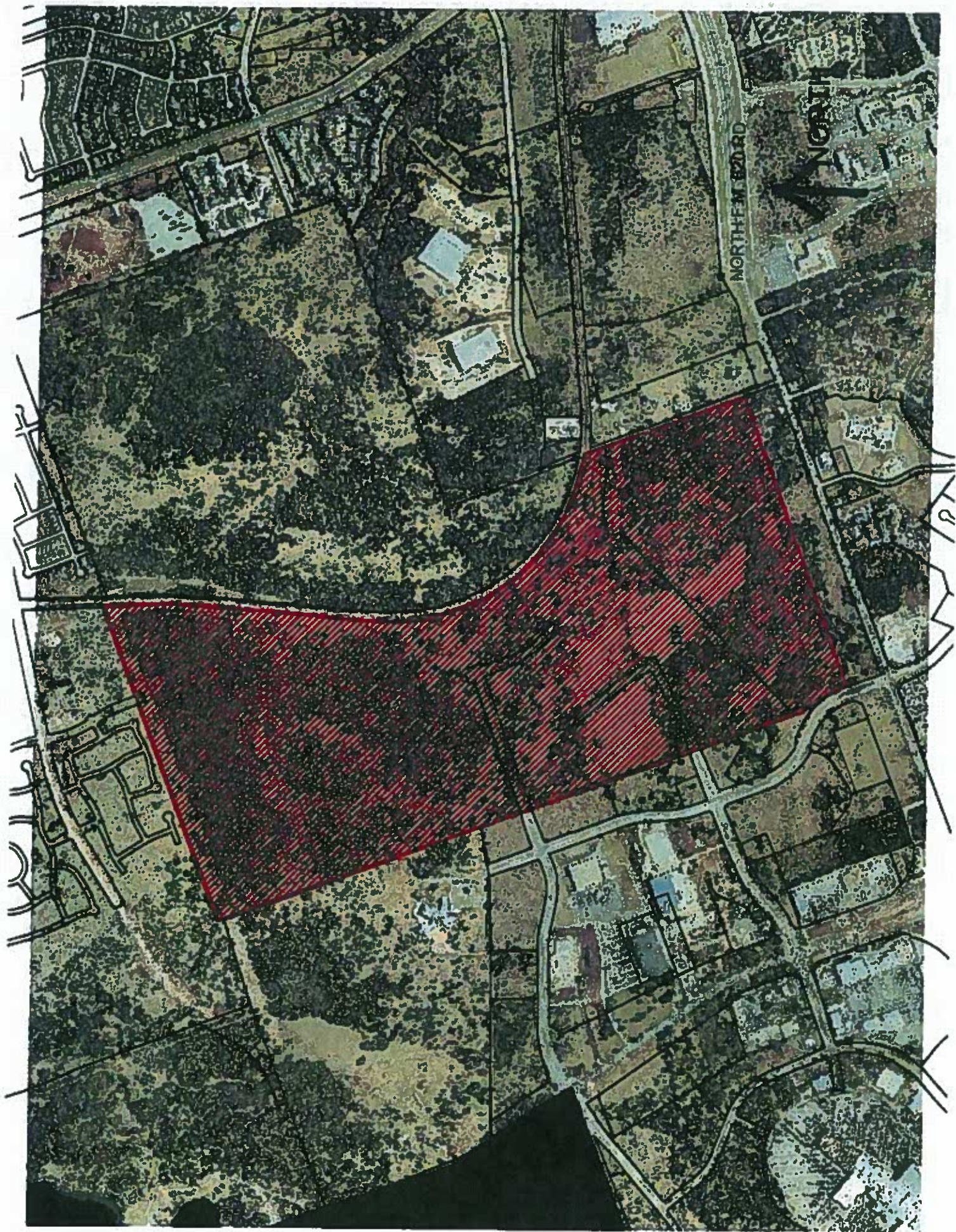
2nd

3rd

ORDINANCE NUMBER:



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.



STAFF RECOMMENDATION

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

- The applicant will provide twelve (12) foot sidewalks on the south side of Lakeline Boulevard along parcel CRE-6, if the applicant exceeds 75% impervious cover within this parcel. If twelve (12) foot sidewalks are constructed, the fifteen (15) foot building setback lines will be removed.
- The applicant will provide twelve (12) foot sidewalks on the east and west sides of Lyndhurst Street along parcels CRE-6, CRE-7, CRE-14, and CRE-15 in accordance with Urban Roadway standards. Where twelve (12) foot sidewalks are proposed, the existing twenty-five (25) foot building setback lines will be removed.
- The applicant will provide seven (7) foot sidewalks on the south side of Lago Drive along parcel CRE-14.
- The applicant shall comply with the following General Building Placement Standard: Notwithstanding the minimum setback requirements of the base zoning districts, at least 50 percent of the net frontage length of the property along Lyndhurst Street on parcels CRE-7, CRE-14, and CRE-15 must consist of continuous building façade.
- The applicant will provide a new OSE designated area (wet pond site) within parcel CRE-14, along Lakeline Mall Boulevard. This pond site will be used as an amenity for the PUD that will include additional designated hike and bike trails.
- The applicant will provide a new OSE buffer area along the designated drainage easement within parcel ECO-3.
- Multifamily, office, commercial and /or mixed use structures shall be designed and constructed to comply with a 2-star rating in the Austin Energy Greenbuilder Program on parcels ECO-3, CRE-6, CRE-7, CRE-8, CRE-9, CRE-14, CRE-15, COR-1, COR-2, and COR-4, if maximum impervious cover for these uses exceed the impervious cover stated on Exhibit E-3. The applicant will need to verify that these parcels of land fall within the Austin Energy service area. If they do not, then the applicant will be required to provide alternative compliance to meet the intent of these regulations.

The applicant shall amend note #4 on the land use plan (Exhibit A) to state that, "Compatibility height and setbacks on parcels CRE-8 and CRE-9 will be required only if the uses across or adjacent to Rutledge Spur are used as an urban family residence or zoned to SF-5 or more restrictive zoning district.

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 8th amendment to the Leander Rehabilitation PUD will revise Exhibit E of the First State Order, to create a new Exhibit E.3 that will permit an increase impervious cover for particular uses on parcels ECO-3, CRE-6, CRE-7, CRE-8, CRE-9, CRE-14, CRE-15, COR-1, COR-2, and COR-4. The requested increase impervious cover at this location will allow the applicant to construct a higher density of commercial and mixed use buildings in the Transition Zone near the Northwest Park & Ride Town Center TOD District. The applicant is offering development and mitigation standards, such as the utilization of

improved water quality standards, payment of fees for mitigation of impervious cover excess and compliance with green builder standards, for projects exceeding the impervious cover limits on these parcels (Please see Exhibit E-3A).

In addition, this proposed amendment will relocate the 35-foot Open Space Easement (OSE) areas along portions of Lyndhurst Drive, Lakeline Mall Boulevard, and Lago Drive to parcel CRE-14 within the PUD. The removal of the small green space areas along these streets will permit the applicant to construct 12-foot sidewalks that meet the Urban Roadway (Core Transit Corridor) requirements within a designated TOD area. This alteration to the land use plan will move buildings closer to the main streets within the PUD thereby conforming with the intent of Commercial Design Standards. The creation of a wet pond on parcel CRE-14 serve as focal point/amenity for the PUD with designated hike and bike trails for public use. Finally, the proposed change to the First Board Order and Exhibit A of the Leander Rehabilitation PUD to allow City of Austin Compatibility Standards to be applied to parcels CRE-8 and CRE-9 simply clarifies that compatibility setbacks on these parcels will only be triggered if the properties to the east, across Rutledge Spur, are used for as single family or are zoned for an SF-5 or more restrictive district. This change conforms with current regulations in the Land Development Code that provide for a suitable transition between residential and commercial properties within the City.

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

Monday, June 9, 2008

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.

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

DE1. Please note, detention and water quality will be reviewed at the preliminary /plat stage.

Electric

EL1. Be advised that Austin Energy requires at least a ten foot electric easement along roadways in which to place the electric lines necessary to power this tract. This easement will be required at time of final platting.

EL2. FYI: Austin Energy's default construction is of overhead lines on wooden poles. For a different method of construction (underground or steel poles), the developer will be responsible for the cost difference.

EL3. FYI: OSHA requires a ten foot clearance between electric lines and any building.

Environmental

Thursday, October 23, 2008

Update 1: 10-23-08

Please be advised that additional comments may be generated as update information is reviewed.

EV1. Will any additional trees be impacted with this increased impervious cover? If so, how many additional caliper inches will be removed due to this IC increase? If, due to this increase in impervious cover there are additional impacts to trees, then all additional caliper inches removed should be mitigated for 100% with Class 1 trees.

Update 1: Comment cleared.

EV2. Will the Open Space Easement space proposed for removal be replaced elsewhere in the PUD? This Open Space Easement proposed for removal should be made up for elsewhere in the PUD.

Update 1: Comment cleared.

Fire Review

Monday, June 16, 2008

FR1. Fire department access roads, fire flow and fire hydrant spacing must comply with the International Fire Code.

Flood Plain

Friday, May 30, 2008

IW1. No review required at this stage of the project. Review will begin as each parcel applies for a site development permit.

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.

Industrial Waste

Friday, May 30, 2008

IW1. No review required at this stage of the project. Review will begin as each parcel applies for a site development permit.

Parks and Recreation

Thursday, November 20, 2008

PA1. Parkland Dedication Fees must be paid prior to plan approval.

Site Plan

Friday, October 24, 2008

- SP 1. *Comment cleared.*
- SP 2. Please clarify Note #4. *should ever* be used for non-single family? Identify any waivers to be requested from the City Ordinances or development standards pursuant to Chapter 25-2-402. *Possibly change the note to read: Compatibility is triggered for tract CRE 8 & 9 if the uses across or adjacent to Rutledge Spur are used as an urban family residence or zoned (SF-5) or more restrictive zoning district.*
- SP 3. For all non-residential development provide a summary table indicating the site development regulations for each existing and proposed use by tract and/or phase. *Clarify the note in Exhibit E 3A – where the impervious coverage exceeded as allowed by the 3rd Order (isn't this the 3rd Order? – how much was allocated with the 2nd order?)*
- SP 4. *Typically, pond areas are not included in the open space calculations of PUDs [Sec. 25-2-411(H)], unless the area is designed and maintained as an amenity to the site. Will this be an amenity area? Will there be additional hike & bike trails designated?*
- SP 5. *Comment cleared.*
- SP 6. Will this PUD comply with the Commercial Design Guidelines? Please be aware there are requirements for block length, sidewalks, etc. The ordinance should specifically exempt Subchapter E requirements (or portions of it) in lieu of the proposed guideline. *Comments will be made at the time of site plan review (if at all?). Please clarify if this area is within the City of Austin Electric Utility to participate in the Green Builder Program; if this is another utility provider, have will the applicant comply. Comment not addressed, isn't Austin Energy a provider for only portions of this PUD? Is CRE 8 & 9 within AE service area? Please clarify the note – it says where impervious cover limits are exceeded by allowed Third Order.... (shouldn't it just be note #4 on Exhibit E – all buildings within these tracts will comply with 2 star Green Builder?)*
- SP 7. FYI - There are some new revisions to the Building Code for setbacks between buildings; any encroachment into that setback must be fireproofed (this include any openings/overhangs, soffit vents, windows, etc). Building Plan review may need to review some

the requested amendment, as well as ROW management regarding extending into the front setback, balcony extending over a sidewalk, etc.

Subdivision

The 35' OSE (Open Space Easement) and 25' set back line should continue along Lyndhurst right-of-way up (and following right-of-way) through to Avery Ranch (as shown on the existing portion of Lyndhurst 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.

Friday, October 24, 2008

TR1. The purpose of the PUD's open space easements is to provide for hike and bike trails. How do you plan to incorporate these elements into the plan if the easements along the proposed roadways are removed?

Update 1: Response noted; however, it doesn't appear that any bicycle or pedestrian amenities are being planned for the part of the PUD south of Lakeline Mall Blvd. In an effort to preserve area for similar facilities, please propose measures equivalent to what is proposed for the north side of the PUD.

Water Quality

No comments received.

Water and Wastewater

Thursday, May 29, 2008

WW1. 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 relocations, and utility abandonments. 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.

Exhibit E								
Development Standards – Applicable to ECO-3, CRE-6, CRE-174, CRE-7, CRE-15, CRE-8, CRE-9, COR-1&2, COR-4								
	Commercial	Industrial	Office	Multi-Family Residential	All Other Residential	Mixed Use	SF-4	SF-5
Density	N/A	N/A	N/A	54 du's/ac	18 du's/ac	54 du's/ac	18 du's/ac	18 du's/ac
Yards								
Front	0	10'	0	10' (1)	10'	0	15'	25'
Side	0	10'	0	10' (1)	0/5' (2)	0	3.5' or 0'	5'
Street Side	12'	25'	25'	10' (1)	10'	5'	10'	15'
Rear	0	25'	20'	10' (1)	15'	10'	5'	10'
Height (3)	6 stories	4 stories	12 stories or 180 feet	6 stories	3 stories	12 stories or 180 feet	3 stories/ 35'	3 stories/ 35'
Maximum Impervious Cover	75% - 1 story 65% * 2-6 stories	65%*	65%*	60%*	65%	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

- * Maximum impervious cover for these uses may exceed the stated impervious cover, up to a maximum of (i) 85% impervious cover for the areas depicted on Exhibit E-1 as "TOD Gateway Areas" CRE-6, 7, 14 (except for the portion of CRE-14 located at the SE corner of Lago Drive and Arbor Way) and 15, if the development and mitigation standards set forth in Paragraph 1 of Exhibit E-33A are met in association with the development of the project for which the impervious cover limit is being exceeded, and (ii) 75% impervious cover for the other areas covered by this on Exhibit E-13 that are not depicted as "TOD Gateway Areas", if the development and mitigation standards set forth in Paragraphs 1-3 of Exhibit E-33A are met in association with the development of the project for which the impervious cover limit is being exceeded.

EXHIBIT E-23A

Development and Mitigation Standards for Projects Exceeding Impervious Cover Limits

- 1.) Utilization of Improved Water Quality Standards – In the design and construction of water quality and detention improvements serving the project where impervious cover limits are exceeded as allowed by the Third Order, the Developer will comply with City of Austin standards in the design of the detention and water quality pond that are in effect at the time the project is permitted (which compliance is not currently required).
- 2.) Payment of Fees for Mitigation of Impervious Cover Excess - for a project that is developed with impervious cover greater than the amount allowed prior to the adoption of the Third Order, the Developer shall be required to donate the amount of \$4,000.00 for each acre of impervious cover in excess of such amount to the City of Austin's fund for open space property acquisition.
- 3.) Greenbuilder Standards - Where impervious cover limits are exceeded as allowed by the Third Order, multifamily, office, commercial and/ or mixed-use structures shall be designed and constructed to achieve compliance with a 2-star rating to the City's Austin Energy Greenbuilder Program in effect on March 1, 2008.