

ORDINANCE NO. _____

1 **AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE**
2 **PROPERTY COMMONLY KNOWN AS THE OERTLI PLANNED UNIT**
3 **DEVELOPMENT LOCATED AT 12422 AND 12424 DESSAU ROAD AND 1200**
4 **EAST PARMER LANE, FROM DEVELOPMENT RESERVE (DR) DISTRICT**
5 **AND SINGLE FAMILY RESIDENCE STANDARD LOT (SF-2) DISTRICT TO**
6 **PLANNED UNIT DEVELOPMENT (PUD) COMBINING DISTRICT.**

7
8 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**
9

10 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
11 change the base district from development reserve (DR) district and single family
12 residence standard lot (SF-2) district to planned unit development (PUD) combining
13 district on the property described in Zoning Case No. C814-2008-0146, on file at the
14 Neighborhood Planning and Zoning Department, as follows:

15
16 A 94.535 acre tract of land, more or less, out of the Memucan Hunt Survey No. 88,
17 Abstract No. 397, and the Samuel Cushing Survey No. 70, Abstract No. 164,
18 Travis County, the tracts of land being more particularly described by metes and
19 bounds in Exhibit "A" incorporated into this ordinance (the "Property"),
20

21 locally known as 12422 and 12424 Dessau Road and 1200 East Parmer Lane, in the City of
22 Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".
23

24 **PART 2.** This ordinance, together with the attached Exhibits A through C, are the land use
25 plan for the Oertli planned unit development district (the "PUD") created by this
26 ordinance. The PUD shall conform to the limitations and conditions set forth in this
27 ordinance and in the Oertli planned unit development land use plan (the "Land Use Plan").
28 If this ordinance and the attached exhibits conflict, the ordinance applies. Except as
29 otherwise specifically provided by this ordinance, all other rules, regulations and
30 ordinances of the City effective as of the date of this ordinance, apply to the PUD.

31 In accordance with Part 3 of Ordinance No. 20080618-098, the PUD is subject to the
32 standards in effect on June 18, 2008.

33 **PART 3.** The attached exhibits are incorporated into this ordinance in their entirety as
34 though set forth fully in the text of this ordinance. The exhibits are as follows:
35

1 Exhibit A: Description of Property
2 Exhibit B: Zoning Map
3 Exhibit C: Land Use Plan
4

5 **PART 4.** In accordance with Chapter 25-2, Article 2, Division 5, Subpart B, (*Planned*
6 *Unit Developments*) of the City Code, the following regulations apply to the PUD instead
7 of otherwise applicable City regulations.
8

- 9 A. Except as otherwise provided in this ordinance and Land Use Plan, the PUD is
10 subject to community commercial (GR) uses and site development regulations.
11
12 B. A property developed with a residential use shown in Section C of this Part
13 shall comply with the multifamily residence low density (MF-2) site
14 development regulations.
15

- 16 C. The following uses are additional permitted uses of the Property:
17

18 Condominium residential	Multifamily residential
19 Townhouse residential	Convalescent services
20 Construction sales & services	Custom manufacturing
21 Electronic prototype assembly	Electronic testing
22 Light manufacturing	Limited warehousing &
23 Retirement housing (large)	distribution

24

- 25 D. The following uses are prohibited uses of the Property:
26

27 Automotive repair services	Automotive rentals
28 Automotive sales	Automotive washing (of any type)
29 Bail bond services	Commercial off-street parking
30 Drop-off recycling collection facility	Exterminating services
31 Funeral services	Hotel-motel
32 Indoor entertainment	Off-site accessory parking
33 Outdoor entertainment	Outdoor sports & recreation
34 Pawn shop services	Plant nursery
35 Theater	Club or lodge
36 College & university facilities	Community recreation (private)
37 Community recreation (public)	Cultural services
38 Counseling services	Group home, Class II
39 Hospital services (general)	Guidance services
40 Public primary educational facilities	Private primary educational

Public primary educational facilities
Public secondary educational facilities

facilities
Residential treatment

E. Buffers and setbacks.

1. A 50-foot wide vegetative buffer shall be provided and maintained along the north property line adjacent to the single family residential development known as Harris Ridge Subdivision ("Harris Ridge"). Improvements permitted within the buffer zone are limited to drainage, underground utility improvements, tree plantings, landscaping, or those improvements that may be otherwise required by the City of Austin or specifically authorized in this ordinance.
2. A minimum 100-foot wide setback shall be established from a property developed with a construction sales and services use, a limited warehousing and distribution use, or a custom manufacturing use, and the north property line adjacent to Harris Ridge.
3. A minimum 200-foot setback shall be established from a property developed with a light manufacturing use and the north property line adjacent to Harris Ridge.
4. The 100-foot and 200-foot setback areas shall be measured from the property line of a property developed with the uses identified in Subsections 2 and 3, to the north property line adjacent to Harris Ridge.

F. A loading dock associated with the uses identified in Section C of this Part, may not face the north property line.

G. Subsection F does not apply if a building or structure is located between a loading dock and the north property line and screens it from view from the adjacent single family residential zoned properties.

H. Except as set for in Section I of this Part, Subchapter E (*Design Standards and Mixed Use*) of Chapter 25-2 applies to development within the PUD.

I. If a property is developed with a multifamily residential or an industrial use, then Subchapter E 2.2.5 B.1, C.1 and C.2, and D.1 (*Internal Circulation Routes: Sidewalk and Building Placement*) does not apply.

- 1
- 2 J. An Internal Circulation Route for the PUD shall connect Parmer Lane and
- 3 Dessau Road and may be phased development. It shall contain sidewalks and
- 4 bike lanes.
- 5
- 6 K. Parkland Dedication
- 7
- 8 1) Prior to the issuance of a certificate of occupancy for the first building in the
- 9 PUD, approximately 6.0 acres of parkland shall be dedicated. The parkland
- 10 shall be located within the area depicted on Exhibit C (*Land Use Plan*).
- 11
- 12 2) The dedication of parkland shall satisfy all parkland dedication and fee
- 13 requirements and open space requirements for development within the PUD.
- 14
- 15 3) All development rights within the parkland area may be used for
- 16 development within the PUD. For purposes of site plan approvals, the area
- 17 dedicated as parkland shall be included in the site calculations. The joinder
- 18 of the City of Austin in any site plan application is not required
- 19 notwithstanding the inclusion of the parkland area within the site plan.
- 20 Twenty percent or 1.2 acres of impervious cover out of the 6.0 acres shall be
- 21 allocated for improvements or development of the public parkland.
- 22
- 23 L. At the time of site plan a wet pond shall be provided as mitigation for wetland
- 24 features as set forth under Section 25-8-282 (*Wetland Protection*). A wet pond
- 25 system shall comply with the requirements of Section 1.3.0(B)(1)(f)(5) of the
- 26 Environmental Criteria Manual.
- 27
- 28 M. All residential and commercial development shall comply with Austin Energy
- 29 Green Building Program (GBP) for a minimum two-star rating. Certification
- 30 from the GBP shall be met as specified by the version of the rating system
- 31 current at the time of design.
- 32
- 33 N. At the time an application for approval of a site plan is submitted for
- 34 development of the Property, or any portion of the Property, an Integrated Pest
- 35 Management (IPM) plan shall be submitted to the Watershed Protection and
- 36 Development Review Department for review and approval. The IPM plan shall
- 37 comply with the guidelines in Section 1.6.9.2 (D) and (F) of the Environmental
- 38 Criteria Manual that are in effect on the date of this ordinance.
- 39

- O. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds the total traffic generation for the Property as specified in that certain Traffic Impact Analysis (“TIA”) prepared by Alliance Transportation Group, Inc., dated January 2009, or as amended and approved by the Director of the Watershed Protection and Development Review Department. All development on the Property is subject to the recommendations contained in the memorandum from the Transportation Review Section of the Watershed Protection and Development Review Department, dated March 17, 2009. The TIA shall be kept on file at the Watershed Protection and Development Review Department.
- P. Development of the PUD shall comply with the criteria for the City’s Art in Public Places Program as set forth in Chapter 25-2, Article 2, Division 5, Subpart B, Section 2.4 (*Tier Two Requirements*).

PASSED AND APPROVED

APPROVED: _____ **ATTEST:** _____
David Allan Smith Shirley A. Gentry
City Attorney City Clerk