

**PLANNED UNIT DEVELOPMENT (PUD) AMENDMENT REVIEW SHEET**

**CASE:** C814-01-0114.01 – Comanche Canyon Ranch, ETJ PUD Amendment #1  
**Z.A.P. DATE:** June 2, 2009

**ADDRESS:** 12309 Bullick Hollow Road and 6708 North FM 620 Road

**OWNER & APPLICANT:** City of Austin  
Austin Water Utility  
(William P. Stauber)  
**AGENT:** Neighborhood Planning & Zoning Department  
(Wendy Rhoades)

**FROM:** PUD  
**TO:** PUD

**NATURE OF THE AMENDMENT:** To allow Areas 3 and 4 of the Comanche Canyon Ranch, ETJ PUD to be developed as a major utility facility (Water Treatment Plant 4 and pump station), and to specify that development of the major utility facility on Areas 3 and 4 will adhere to the provisions of the City's Land Development Code and Ordinance No. 20080515-035.

**AREA 3:** 12.23 acres;      **AREA 4:** 20.357 acres      **TOTAL AREA:** 32.587 acres

**SUMMARY STAFF RECOMMENDATION:** The Staff recommendation is to grant the first amendment to the Comanche Canyon Ranch, ETJ Planned Unit Development (PUD), and changing the designation on Areas 3 and 4 from Residential to Major Utility Facility and removing the front yard setback requirement on Bullick Hollow Road for Area 3, as further illustrated in Exhibit B.

**ENVIRONMENTAL BOARD RECOMMENDATION:**

May 20, 2009: *PLEASE REFER TO DRAFT ENVIRONMENTAL BOARD MOTION PROVIDED AS EXHIBIT E.*

**ZONING & PLATTING COMMISSION RECOMMENDATION:**

June 2, 2009: *APPROVED THE FIRST AMENDMENT TO THE COMANCHE CANYON RANCH, ETJ PUD, AS STAFF RECOMMENDED.*  
*[C. HAMMOND; D. TIEMANN – 2<sup>ND</sup>] (4-0)*

**EXHIBITS TO THE STAFF REPORT:**

Exhibits A and A-1: Zoning Map and Aerial View  
Exhibit B: General Land Use Plan for the Comanche Canyon Ranch, ETJ PUD, and Illustration of Amendment #1  
Exhibit C: Recorded Plat for Area Three of Comanche Canyon Ranch  
Exhibit D: Approved Ordinance for Water Treatment Plant 4

Exhibit E: Project Description for Water Treatment Plant 4  
Exhibit F: Draft Environmental Board Motion  
Exhibit G: Rendering of the Pump Station; Layout of Area 3 and Area 4

**ISSUES:**

On May 15, 2008, the City Council approved an ordinance granting variances from Sections 25-8-452 (*Critical Water Quality Zone*) to allow construction of the raw water intake facility in the critical water quality zone, and 25-8-454 (*Uplands Zone*) to allow impervious cover in the uplands zone. An administrative variance process from Sections 25-8-301 and 25-8-302 (*Construction of a Roadway or Driveway; Construction of a Building or Parking Area*), and 25-8-341 and 25-8-342 (*Cut and Fill Requirements*) was also established for development of Water Treatment Plant 4. Please refer to Exhibit D (Ordinance No. 20080515-035).

Prior to the sale of Areas 3 and 4 to the City, the sellers entered into an agreement with the City regarding the amendment of the PUD that allows the City to use, occupy and develop the property and/or remove property from the PUD. The agreement was executed on July 30<sup>th</sup> and 31<sup>st</sup>, 2008.

**DEPARTMENT COMMENTS:**

The first amendment to the Comanche Canyon Ranch, ETJ Planned Unit Development (PUD) consists of two undeveloped areas. Area 3 has frontage on Bullick Hollow Road and was designated on the original Land Plan for two single family residential lots, 40 condominium units and 24 townhome units. Area 4 is an interior tract and was designated for 21 single family residential lots on the original plan. Please refer to Exhibits A (Vicinity Map) and A-1 (Aerial View).

The City has purchased Areas 3 and 4 and is seeking an amendment to the PUD to change the land use designation on the Land Plan for both Areas from Residential to Major Utility Facility as a step in the development of Water Treatment Plant 4. The treatment plant will be located on 92 acres of development that includes Area 4 of the PUD and the raw water pump station will be located on Area 3. Additionally, the Development Agreement that accompanied the original PUD established a 25-foot wide front setback along Bullick Hollow Road for Area 3, which is a common front yard setback for residential development. The City is seeking to place a vertical cut, fence, security gate and electrical manhole within the front setback, and thus desires to remove the requirement as it pertains to Area 3. Please refer to Exhibit B (Land Plan illustrating Amendment #1). The first amendment to the PUD is consistent with the City's executed agreements and ordinances pertaining to the development of Water Treatment Plant 4, and the project will assist in meeting the Austin Water Utility's forecasted water supply needs.

A description of the Water Treatment Plant 4 project and site characteristics is provided in Exhibit E.

**EXISTING LAND USES:**

	LOCATION	LAND USES
<i>Site</i>	PUD (within 2-mile ETJ)	Undeveloped
<i>North</i>	I-RR	Undeveloped
<i>South</i>	County	Undeveloped land within the Comanche Canyon Ranch ETJ PUD
<i>East</i>	County	Undeveloped land within the Comanche Canyon Ranch ETJ PUD
<i>West</i>	County	Undeveloped land within the Comanche Canyon Ranch ETJ PUD

**NEIGHBORHOOD PLANNING AREA:** N/A**TIA:** Is not required**WATERSHED:** Lake Travis –  
Water Supply Rural**DESIRED DEVELOPMENT ZONE:** No**CAPITOL VIEW CORRIDOR:** No**SCENIC ROADWAY:** No**NEIGHBORHOOD ORGANIZATIONS:**

260 – Comanche Trail Association (CTCA)

275 – Volente Neighborhood Association

425 – 2222 Coalition of Neighborhood Associations

654 – The Parke HOA

786 – Home Builders Association of Greater Austin

1037 – Homeless Neighborhood Association

1075 – League of Bicycling Voters

1113 – Austin Parks Foundation

1168 – E-mail Notification Test Group

1169 – Lake Austin Collective

**SCHOOLS:**

The Comanche Canyon Ranch, ETJ PUD is located within the Leander ISD.

**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-04-0206 – Parke Corners, Section 1 and the Parke Recreation Area, Phase A – North FM 620 and Bullick Hollow Road	I-RR to GR-CO, as amended	To Grant GR-CO	Approved GR-CO with CO prohibiting service station and Restrictive Covenant for the conditions of the Traffic Impact Analysis (01-26-06).

**RELATED CASES:**

The Comanche Canyon Ranch, ETJ PUD and Development Agreement, which consists of 470.6 acres of land generally located between Bullick Hollow Road and Comanche Trail, and along both sides of Oasis Bluff Drive, was approved by City Council on January 29, 2004 (Ordinance No. 040129-43). The PUD established six areas of development, and included single family residences, townhomes, condominiums, office/commercial (including retail, restaurant and parking structure), a conservation area with lift station, a vineyard, water quality reirrigation area, open space and right-of-way.

The amendment area consists of Lots 40, 41 and 42 of Block B, Comanche Canyon Ranch Area Three, a subdivision plat recorded on June 13, 2006 (C8J-04-0040.3A), as well as field notes for Area 4. Please refer to Exhibit C.

**ABUTTING STREETS:**

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>	<b>Sidewalks</b>
Bullick Hollow Road	70 feet	26 feet (1 lane in each direction)	Arterial	No

**CITY COUNCIL DATE:** June 18, 2009

**ACTION:** Approved a Postponement request by a neighbor to July 23, 2009 (7-0).

July 23, 2009

Approved a Postponement request by the Staff to August 6, 2009 (7-0).

August 6, 2009

**ORDINANCE READINGS:** 1<sup>st</sup>                      2<sup>nd</sup>                      3<sup>rd</sup>

**ORDINANCE NUMBER:**

**CASE MANAGER:** Wendy Rhoades  
e-mail: wendy.rhoades@ci.austin.tx.us

**PHONE:** 974-7719

EXHIBIT B  
PUD LAND USE  
PLAN -  
AMENDMENT #1







25821



**ORDINANCE NO. 20080515-035**

**AN ORDINANCE GRANTING VARIANCES FROM CITY CODE SECTIONS 25-8-452 AND 25-8-454; AND ESTABLISHING AN ADMINISTRATIVE VARIANCE PROCESS FROM CITY CODE SECTIONS 25-8-301, 25-8-302, 25-8-341, AND 25-8-342 FOR DEVELOPMENT OF WATER TREATMENT PLANT NUMBER 4.**

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

**PART 1.** In this ordinance:

- (A) **DIRECTOR** means the director of the Watershed Protection and Development Review Department.
- (B) **WTP4 SITES** means the sites for the Water Treatment Plant Number 4 plant, the raw water intake facility, and the pump station.
- (C) **PLANT SITE** means the area of land used for Water Treatment Plant Number 4, as described in attached Exhibit A.
- (D) **RAW WATER SITE** means the area of land used for the raw water intake facility to serve Water Treatment Plant Number 4, as described in attached Exhibit B.
- (E) **PUMP SITE** means the area of land used for the raw water pump station to serve Water Treatment Plant Number 4, as described in attached Exhibit C.

**PART 2.** The variances granted in this ordinance and the administrative variance process established in this ordinance become effective only after the City Attorney files in the Travis County Official Public Records a document restricting from development, except that appropriate for conservation purposes, the property known as the Bull Creek site, as shown in Exhibit D. The document will not impair the ability of the City to transfer ownership of the site in the future, will be subject to existing easements, and will allow the construction, maintenance, repair, and replacement of transmission and distribution lines necessary to serve WTP4 sites only if the transmission and distribution lines are located at least 20 feet below the base of the Edwards Formation with no surface disturbance during construction, maintenance, repair or replacement activities.

**PART 3.** A variance is granted from City Code section 25-8-452 (*Critical Water Quality Zone*) for the Raw Water Site to allow construction of the raw water intake facility in the critical water quality zone.

**PART 4.** Variances are granted from City Code section 25-8-454(D) (*Uplands Zone*) to provide:

- (1) for the Plant Site, impervious cover may exceed 20 percent, but may not exceed 50 percent net site area; at least 25 percent of the Plant Site must be retained in or restored to its natural state to serve as a contiguous buffer to receive overland drainage; and
- (2) for the Pump Site, impervious cover may exceed 20 percent, but may not exceed 50 percent net site area; at least 25 percent of the Pump Site must be retained in or restored to its natural state to serve as a contiguous buffer to receive overland drainage.

**PART 5.** An administrative variance process is established allowing the director to grant variances from certain City Code provisions for WTP4 sites. The director may grant variances from:

- (A) Section 25-8-301 (*Construction of a Roadway or Driveway*), to allow construction of driveways on slopes greater than 15 percent on the Plant Site;
- (B) Section 25-8-302 (*Construction of a Building or Parking Area*), to allow construction of a building or parking structure on slopes greater than 25 percent and to allow a parking area on slopes greater than 15 percent on the Plant Site and the Pump Site;
- (C) Section 25-8-341 (*Cut Requirements*), to allow:
  - (1) cuts to exceed four feet but not to exceed 30 feet of depth on the Plant Site; and
  - (2) cuts to exceed four feet, but not to exceed 60 feet of depth on the Pump Site; and
- (D) Section 25-8-342 (*Fill Requirements*), to allow:
  - (1) fill to exceed four feet but not to exceed 40 feet of depth on the Plant Site; and
  - (2) fill to exceed four feet, but not to exceed 10 feet of depth on the Pump Site.

**PART 6.** The director may grant a variance under this ordinance if the director determines that:

- (A) the variance is the minimum departure from current code necessary to achieve the project's needs.
- (B) the variance minimizes, to the extent possible, any harmful consequences to the environment.
- (C) compliance with the code provision imposes an unacceptable engineering or financial impact to the project.
- (D) to the extent possible, mitigation is provided that reduces the impact of the proposed variance and meets the intent of the code provision; and to assist in this determination, the director shall consider the Variance Request Evaluation Criteria table approved by Environmental Board Resolution EB 111407 on November 14, 2007; and
- (E) granting the variance will result in water quality that is at least equal to the water quality achievable without the variance.

**PART 7.** The director shall prepare written findings to support the grant or denial of a variance request within 30 days under this ordinance and shall notify the Environmental Board of each variance granted. The director shall submit a quarterly report to Council and the Environmental Board that includes:

- (A) A list of variances granted under this ordinance and their respective findings;
- (B) the construction status of WTP4 sites granted a variance under this ordinance; and
- (C) the status of the review and permitting process for all WTP4 related projects.

**PART 8.** An interested party or the Environmental Board may appeal a decision by the director under this ordinance to the City Manager. The provisions of City Code Chapter 25-1, Article 7, Division 1 (*Appeals*) establish the process for appeals under this ordinance.

**PART 9.** This ordinance takes effect on the later of the following:

- (A) May 26, 2008, or
- (B) the date the Austin City Council adopts an amendment to Ordinance No. 040129-43 as necessary to apply the variances and variance process established in this ordinance to WTP 4 sites located within the Comanche Canyon Ranch Planned Unit Development.

**PASSED AND APPROVED**

\_\_\_\_\_, May 15 \_\_\_\_\_, 2008

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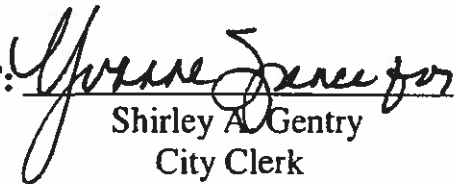
Will Wynn  
Mayor

**APPROVED:**



David Allan Smith  
City Attorney

**ATTEST:**



Shirley A. Gentry  
City Clerk



## **Comanche Canyon PUD Amendment**

**Prepared For:** Carollo  
**From:** AECOM  
**Date:** March 26, 2009  
**WO #:** SA 8.0  
**Subject:** Comanche Canyon PUD Amendment  
Project Description  
**Prepared By:** John Buser, PE

### **INTRODUCTION**

The proposed Water Treatment Plant No. 4 is located at 6708 N. RM620, at the intersection with Bullick Hollow Road. The site encompasses approximately 92 acres for development of the proposed Water Treatment Plant No. 4. In addition, the WTP4 Raw Water Pump Station is located at 12308 Bullick Hollow Road. The site encompasses approximately 12 acres for development of the raw water pump station. The project site is located within the City of Austin's 2-mile Extra-Territorial Jurisdiction (ETJ). Both sites are currently undeveloped.

Water Treatment Plant No. 4 is the newest addition to the City's water treatment facilities. Due to the size of the overall project, specific phases of the project will be constructed under different construction contracts. The proposed ultimate treatment capacity of the plant is 300 million gallons per day (MGD). However, this capacity is not required at this time. Instead, a smaller capacity plant will be constructed over the next 5 years. The construction of the first phase of the treatment plant will include the stormwater facilities, the raw water delivery system, the treatment plant facilities, and the finished water distribution facilities.

The raw water pump station is proposed to occupy Area 3 of the existing Comanche Canyon PUD. A portion of the proposed water treatment plant will occupy Area 4 of the Comanche Canyon PUD. These two areas were originally planned for residential development as part of the Comanche Canyon development, which includes other development areas and a preserve area.

### **SITE INFORMATION**

#### **Raw Water Pump Station (Area 3)**

Project Location:	Bullick Hollow Road ROW, between Oasis Bluff Drive and RM620
Property Address:	12308 Bullick Hollow Road
Area within PUD:	12 Acres (approximate)
Total Site Area:	12 Acres (approximate)





Zoning:  
Watershed:  
Watershed Classification:  
Recharge Zone:

2-Mile ETJ  
Lake Travis  
Water Supply Rural  
Portions of the Project are located within the COA designated Edwards Aquifer Recharge Zone

**Water Treatment Plant No. 4 (Area 4)**

Project Location:  
Property Address:  
Area within PUD:  
Total Site Area:  
Zoning:  
Watershed:  
Watershed Classification:  
Recharge Zone:

Intersection of RM620 and Bullick Hollow Road  
6708 RM 620  
20 Acres (approximate)  
92 Acres (approximate)  
2-Mile ETJ  
Lake Travis  
Water Supply Rural  
Portions of the Project are located within the COA designated Edwards Aquifer Recharge Zone

## **FLOODPLAIN ISSUES**

FEMA Floodplain Map 48453C0240H indicates an identified floodplain in the vicinity of the RWPS and WTP4. The mapped flood plain does not cross either the RWPS or WTP4 sites. Currently, several north-south tributaries convey drainage from the water treatment plant and the raw water pump station, south towards the Bullick Hollow Creek. Bullick Hollow Creek is the main receptor of surface water runoff in the area and drains northwesterly and eventually empties into Lake Travis located less than two miles to the northwest.

## **SOIL TYPES**

The soils on both sites are generally thin and rocky. Soils of both the Brackett and Tarrant series exist in the project area. Exploration logs from a geotechnical investigation of the project area indicate that shallow soils consist of primarily tan silty gravel (weathered limestone) with sand and clay.

The project sites lie on the western edge of the Jollyville Plateau. The majority of the each site is situated atop a ridge that slopes to the south-southeast downwards toward steeper gradients found along the property boundaries. In Area 3, the ground surface elevations range from a topographic high of approximately 1,008 feet above mean sea level (msl) on the central portion of the property to a low of about 858 feet-msl, indicating a total relief of approximately 150 feet. In Area 4, the ground surface elevations range from a topographic high of approximately 1,070 feet-msl on the east central portion of the property to a low of about 900 feet-msl, indicating a total relief of approximately 170 feet.

## **VEGETATIVE ELEMENT**

Area 3 exhibits two distinct vegetation communities. The community observed across the majority of the site consists of a semi-open juniper/live oak woodland dominated by Ashe Juniper and several species of oak. The second major community is characterized of more mesic canyon vegetation. This community was observed on the southeast portion of the Area 3 where a relatively steep canyon drains this portion of the site. Generally, the density of deciduous trees is highest along the upper slopes and in the canyon/drainage areas.

Area 4 also exhibits two distinct vegetation communities. The vegetation community of the upland areas consists primarily of a semi-open juniper/live oak woodland dominated by Ashe Juniper and several species of oak. The other major vegetation community is located in the canyon areas on the project site and consists of more mesic canyon vegetation. The project site is relatively undisturbed.

## **CRITICAL ENVIRONMENTAL FEATURES**

The previous PUD document identified one off-site spring within 150 feet of the property boundary. Additional assessment was performed after the purchase of the property by the City of Austin. Outcrops of the Edwards Limestone were observed across the uplands area of Area 3. The resulting field investigation identified two areas as Canyon Rimrock, as defined by the City of Austin's LDC. A 150 foot buffer setback from the rimrock was determined by COA WPDRD staff. One additional offsite spring was identified and a 150 foot setback was prescribed by the COA WPDRD staff. The proposed construction within Area 3 does not occur in the vicinity of these identified features.

A CEF survey was conducted in October 2006 as a component of the previous PUD documentation. No CEFs were previously identified in Area 4. Subsequent to the purchase of the property by the COA, an additional investigation was conducted. The resulting field investigation identified four areas as Canyon Rimrock within Area 4 of the PUD. The buffer setbacks from the different sections of rimrock were determined by COA WPDRD staff. Additionally, portions of the designated buffers for two off-site springs fall within Area 4. The proposed construction within Area 4 does not occur within the designated buffers of the environmental features.



## ENVIRONMENTAL BOARD MOTION 052009 4a

**Date:** May 20 2009

**Subject:** Comanche Canyon Ranch, ETJ

**Motioned By:** Phil Moncada

**Seconded By:** Mary Ann Neely

**Recommendation:** The Environmental Board recommends approval for Comanche Canyon Ranch Extra Territorial Jurisdiction, PUD. To allow areas (3) three and (4) four of the Comanche Canyon Ranch Extra Territorial Jurisdiction Planned Unit Development as a major utility facility and to specify that development of the major utility facility on areas 3 and 4 will adhere to the provision of the City of Austin's Land Development Code and Ordinance No. 20080515-035.

**Rationale:**

This project has agreed to provide updates to the Environmental Board on a regular basis this amendment will allow the City of Austin to provide water supply to citizens for future use.

**Vote:** 7-0-0-0

**For:** Ahart, Beall, Bezanson, Dupnik, Maxwell, Moncada, and Neely

**Against:**

**Abstain:**

**Absent:**

**Approved By**

Mary Gay Maxwell, Chair





 <p>             CITY OF AUSTIN, TEXAS              WATER TREATMENT PLANT NO. 4              ARCHITECTURAL RENDERING           </p>	 <p>             AECOM              10000 E. 17th Ave., Suite 100              Denver, CO 80231-1375              www.aecom.com           </p>
<p>             TCB              AECOM           </p>	<p>             JOB NO. 100011375              DATE: JULY 2008           </p>

EXHIBIT g  
RENDERING OF PUMP STATION

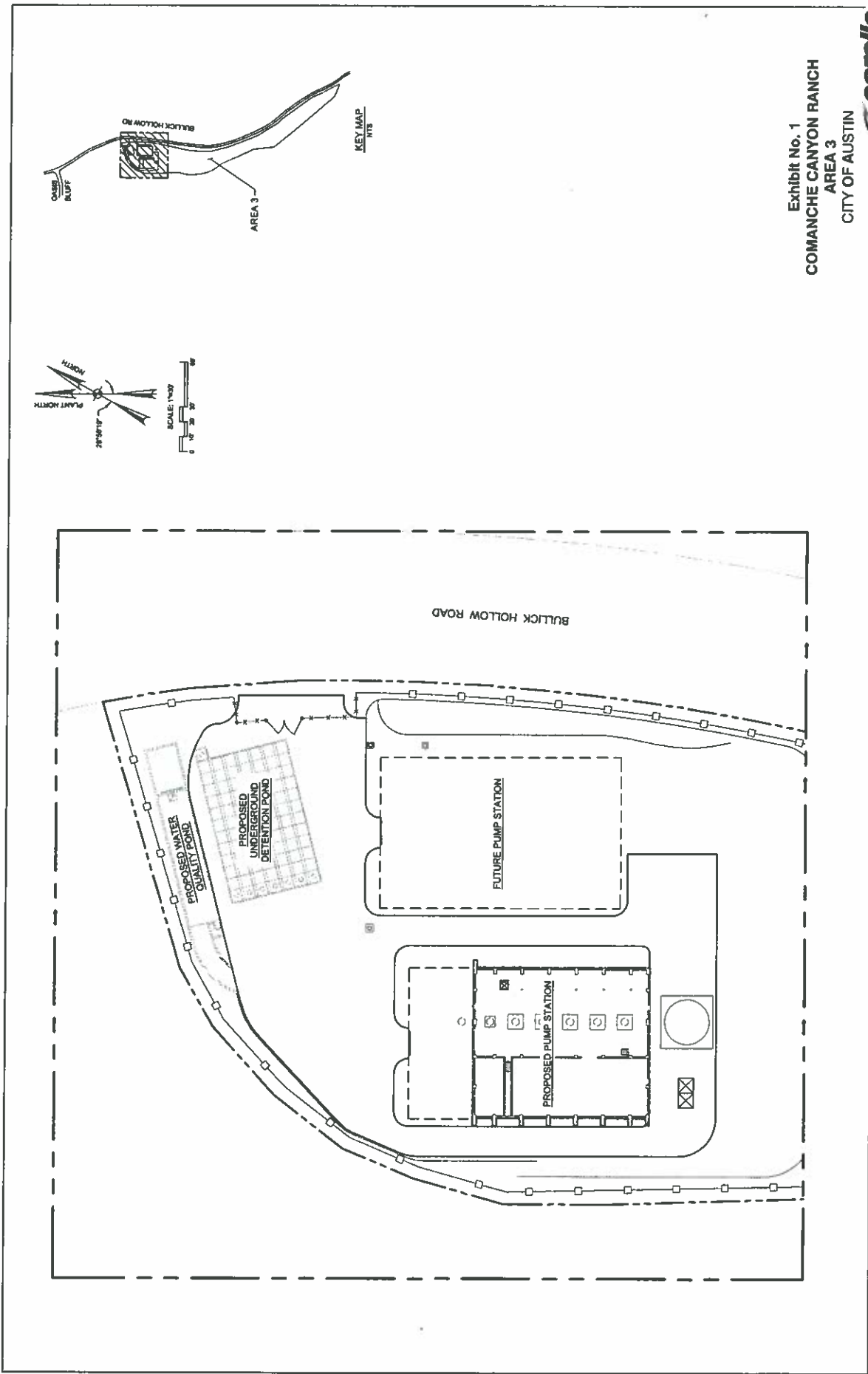
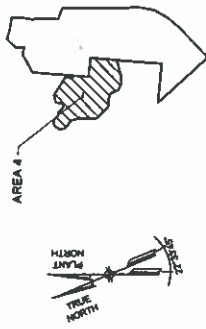


Exhibit No. 1  
COMANCHE CANYON RANCH  
AREA 3  
CITY OF AUSTIN

**carroll**  
Engineers, Planning, Scientists, Architects

EXHIBIT 9  
LAYOUT OF AREA 3





NOTE  
FACILITIES INDICATED WITH A DASHED OUTLINE ARE FUTURE

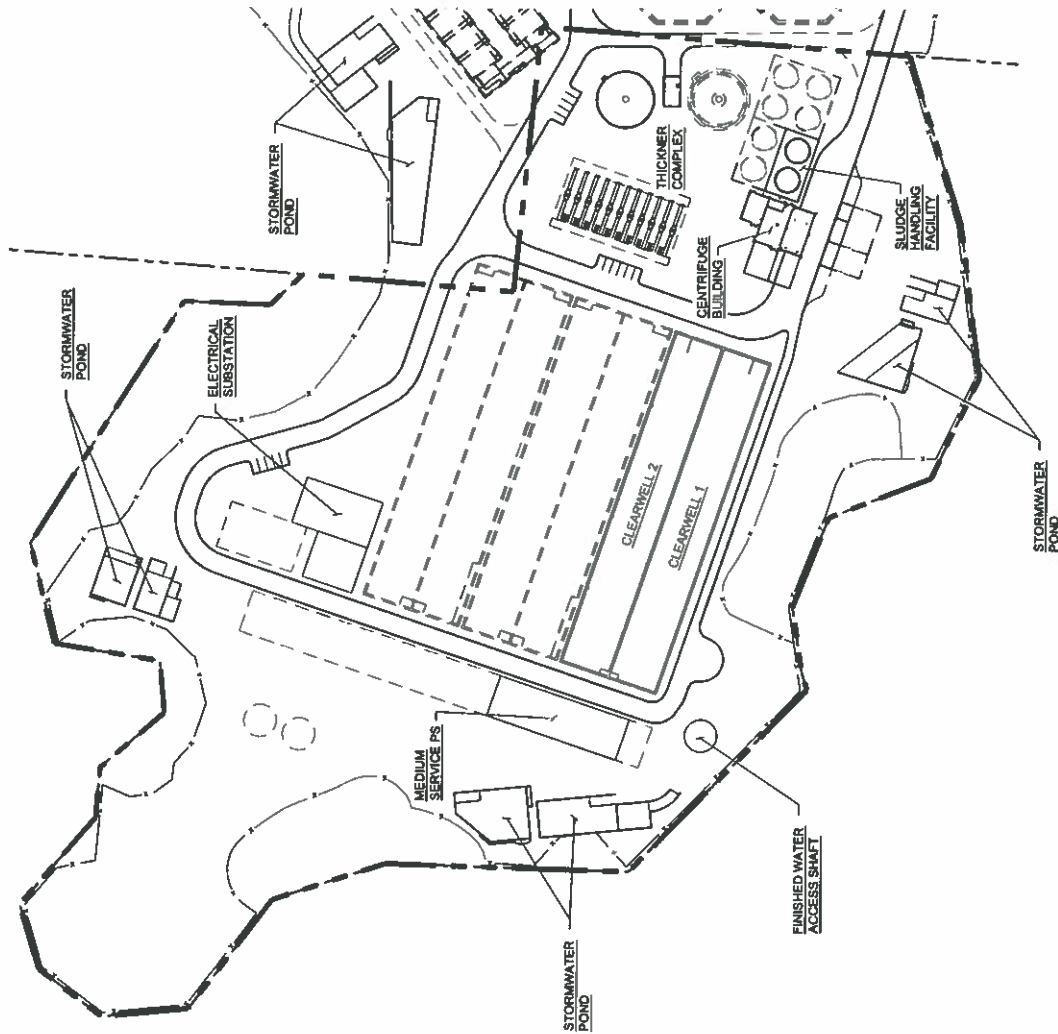


Exhibit No. 2  
COMANCHE CANYON RANCH  
AREA 4  
CITY OF AUSTIN



EXHIBIT G  
LAYOUT OF AREA 4