

## Land Plan Study

**Bull Creek Rd and 45<sup>th</sup> St  
Austin, TX**

**October 6, 2014**

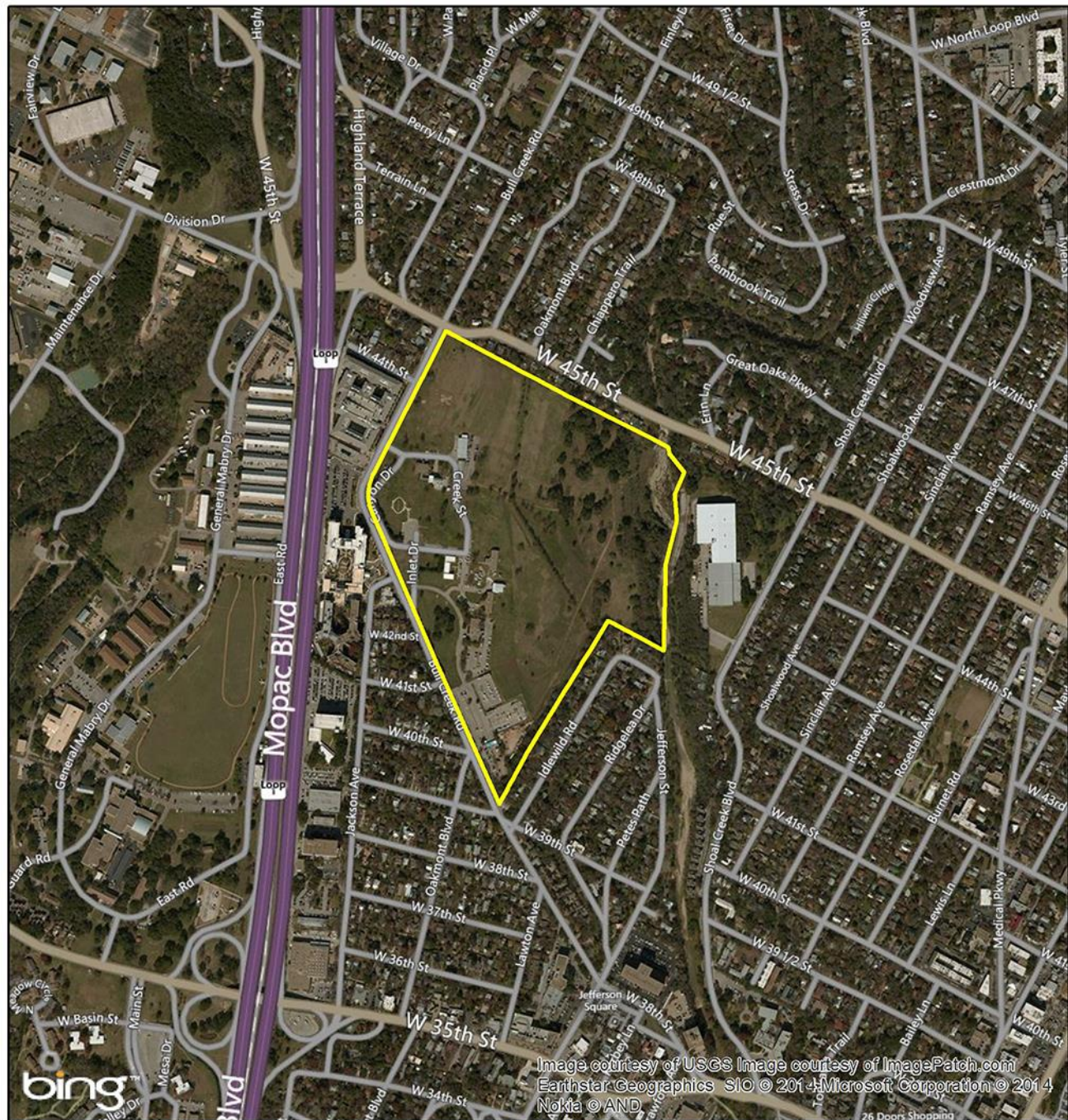
Prepared for  
**City of Austin ORES**

Prepared By



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### Location

1 inch = 1,000 feet



**alterra design group**  
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**Purpose**

The purpose of this study is to examine the development potential of the subject property. This report will detail the results of our investigation into all the factors affecting the development of the subject. The study was undertaken to assist the appraisers in their opinion of highest and best use and value.

**Location**

The subject property is located in central Austin within the Rosedale neighborhood. It is just east of Loop 1 (Mopac Expressway) at the SEC of Bull Creek Rd and 45<sup>th</sup> St. The street address of the subject is 4305 Bull Creek Rd and the site has approx. 3,260' of frontage on Bull Creek Rd.

**Whole Property**

According to the Travis Central Appraisal District (TCAD), the subject contains 75.79 Ac. The property currently houses Texas Department of Motor Vehicles (TxDMV) offices. The offices, collectively known as the Bull Creek Campus, total approximately 20,000 SF according to the TxDMV 2015-2019 Strategic Plan. A site inspection was performed on September 23, 2014.

**Easements**

The subject does not contain any apparent easements that would impact development.

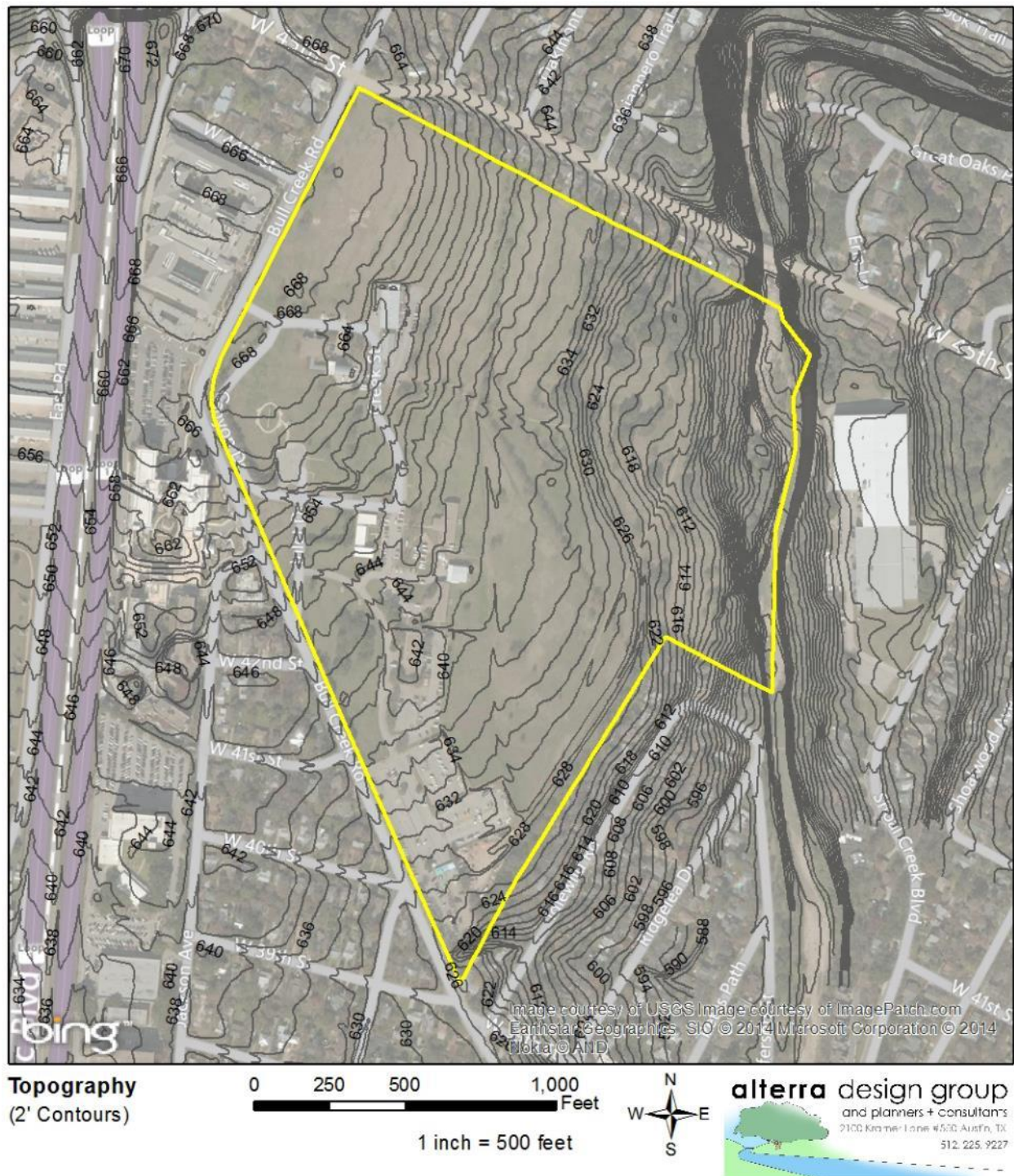
**Floodplain**

According to FEMA flood map numbers 48453C0455H, 48453C0435H and 48453C0445H effective on Sept 26, 2008, the subject property contains floodplain along the eastern edge of the site. GIS measurement showed that the 100-year floodplain area is approx. 4.071 Ac.

**Topography**

The subject property contains moderate topographic change across the site. The highest point is located near the west property boundary at approx. 670' AMSL. The property slopes down to Shoal Creek on the east property boundary where the lowest point is approximately 565' AMSL.

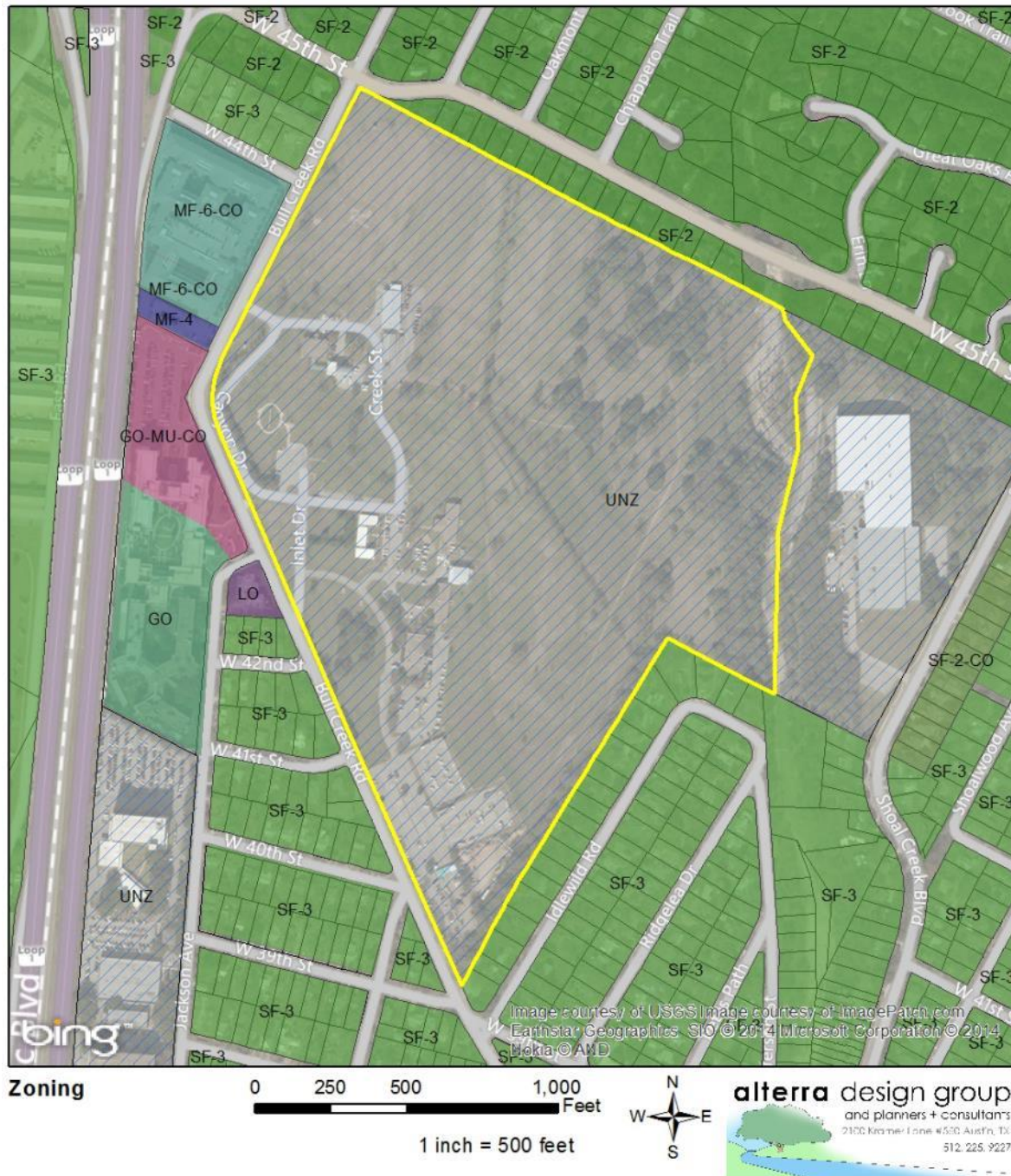






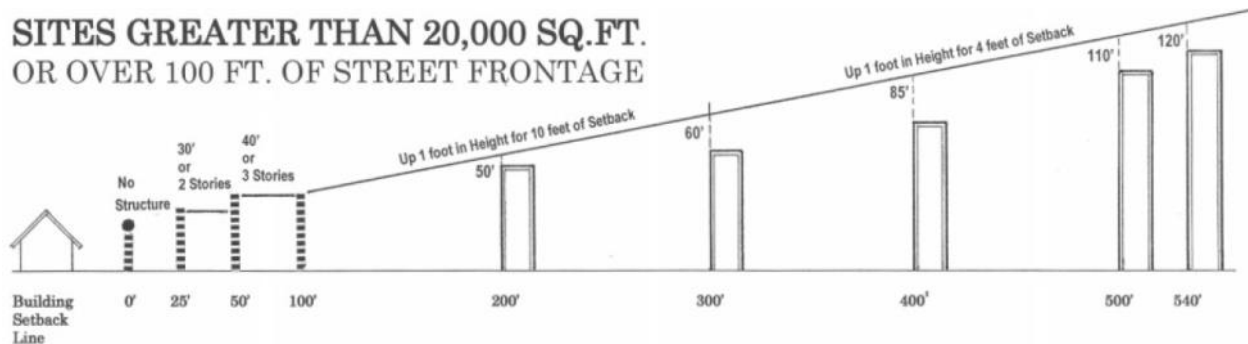
## Zoning

The subject property is in the full-purpose zoning district of the City of Austin and is currently unzoned as the property is owned by the State of Texas. Adjacent zoning includes SF-2 to the north, SF-3 to the east, south and southwest, and a mix of LO, GO-MU and MF districts across Bull Creek Rd to the west.



### Compatibility Standards

The subject property is adjacent to single family residential development and is subject to the City of Austin's Compatibility Standards. These standards limit the height of structures within certain setback distances of SF-5 and more restrictive residential districts. Height restrictions that apply to the subject property can be seen on the following graphic from the City of Austin Land Development Code (LDC).



This section of the City's LDC also specifies that buildings must provide a 25' front yard setback from the ROW if the tract adjoins property in an SF-5 or more restrictive zoning district. This means that unless the property is subdivided, all buildings on the subject must be at least 25' from the Bull Creek Rd ROW. Likewise, all buildings must be set back 25' from all property boundaries adjacent to residential districts.

### Watershed Protection Ordinance

The property is subject to the development regulations of the City of Austin Watershed Protection Ordinance (WPO). The property is located within the Urban Desired Development Zone (DDZ). This portion of the DDZ carries no additional impervious cover (IC) restrictions beyond those of the base zoning for upland development. The Urban DDZ designation does provide specific setback distances from areas defined by the City as Critical Water Quality Zones (CWQZ). These setbacks require development to be set back 50-400' from the CWQZ's. The exact setback distance coincides with the edge of the 100-year fully-developed floodplain. The WPO also restricts how water is treated on-site for the different zones. Within the Urban DDZ, all new or redeveloped sites with an IC over 8,000 SF must provide Sedimentation/Filtration



basins to treat stormwater before release to the watershed. In the Urban DDZ, these basins are permitted within the CWQZ but not within the 100-year floodplain. Based on conversations with the City, the current water quality and detention basin requirement for development is to match flows; whereby the post development flows from a site are equal to or less than the pre development flows. As a rule of thumb, a pond covering the equivalent of approx. 10-15% of the developed area would be sufficient to provide pre-post-development peak flow matching.

The City's Watershed Protection Department is developing a new program that may soon replace the current peak flow matching (PFM) system for determining the volume of WQ and detention basins. The new system, called the volumetric detention procedure (VDP), is designed to control the total volume of discharge downstream to the watershed outlet rather than just the flow from the individual site. This watershed-wide consideration is favorable as it would better mitigate impacts at downstream locations. Once the VDP program is developed, the City would look to implement its detention standards at large or complex new developments such as PUDs, MUDs or other projects located within sensitive flooding areas. Considering the large number of residential properties directly downstream from the subject, it is likely that the development of the subject would be considered to be within a sensitive flooding area. While exact models for the VDP and PFM systems have not been run on the site, it is estimated that the WQ and detention basin area required under the VDP would be approximately twice that of the PFM. This means that under the VDP system, we could assume a required WQ and detention basin area equivalent to approx. 20-30% of the developed area.

#### **Parkland Dedication Ordinance**

The City of Austin requires a parkland dedication for all new residential subdivisions and site plans with three or more dwelling units. The amount of parkland dedicated corresponds directly to the number of residents. The ratio that the City uses is five acres of parkland dedicated per 1,000 residents. 50% of the dedicated parkland within the 100-year floodplain may be credited toward fulfilling this requirement, so long as any adjacent 25-year floodplain is also dedicated as parkland. The land within the 25-year floodplain cannot be credited toward fulfilling this requirement. According to the City of Austin's FloodPro web map, the site

contains approx. 3.357 Ac of within the 25-year floodplain. If the 100 and 25-year floodplains were completely dedicated as part of this ordinance, up to 50% of the area within the 100-year floodplain and outside the 25-year floodplain could be credited toward fulfillment of the ordinance. With a total 100-year floodplain of approx. 4.071 Ac and a 25-year floodplain of approx. 3.357 Ac, the most land that can be credited as part of this ordinance is 0.357 Ac.

$$\frac{5 \times (\text{Number Of Units}) \times (\text{Residents Per Unit})}{1000} = \text{Acres of parkland}$$

Dwelling Units Per Acre	Residents In Each Dwelling Unit
Not more than 6	2.8
More than 6 and not more than 12	2.2
More than 12	1.7

### Tree and Natural Area Protection

The City of Austin LDC restricts the removal of certain species of trees over specific size thresholds within the City's jurisdiction. This section of the LDC defines "Protected" trees as those with a diameter of 19" or more and "Heritage" trees as those of certain species with a diameter of 24" or more. While both are guarded under this ordinance, "Protected" trees may be removed with a permit, but "Heritage" trees are far more difficult to legally remove and should be planned around rather than over. A cursory tree survey was performed as part of the site visit on September 23, 2014. We have located trees that would likely be protected under this ordinance and have taken these into consideration when preparing the street layouts for our various development scenarios. An official survey should be performed prior to development.

### Utilities

Water and wastewater are currently available to the subject property from the City of Austin. According to Phillip Jaeger of the Austin Water Utility, development of the subject could connect to the 42" wastewater main that exists in Shoal Creek along the eastern boundary of the property. According to Mr. Jaeger, the property has access to a 12" water main on Bull Creek Rd that would be able to support a low density single-family subdivision with the



replacement of an existing connecting 6" line with a new 12" line to compensate for increased flow demand. The cost of this water main replacement was estimated by Mr. Jaeger to be between \$100,000 and \$150,000. If the site were to be developed at a density greater than single family residential, the existing 12" line would no longer be sufficient. To meet the water demands of a more intensive development, Mr. Jaeger explained that an extension from a larger main closer to the pumping station would need to be done. The extension proposed by Mr. Jaeger would tie into an existing 36" water main located at the NWC of Perry Lane and Valley Oak Drive on the west side of Mopac. A quote was provided by the City showing the cost of extending a 36" water main over 4,100' to be in the range of \$2.75 million and \$3.5 million. The City would participate in some cost reimbursement for the cost of the utility extension; exactly how much depends on the water demand tied directly to the development, though a range of 33% to 56% cost reimbursement would be expected.

#### **Transportation and Connectivity**

The subject is served by Capital Metro route #19. The route runs between Northcross Mall and Downtown Austin with stops west of Mopac on Mesa Dr, Wood Hollow Dr and Balcones Dr before crossing east along 38<sup>th</sup> St to Guadalupe and south to the State Capital and Downtown area.

Bull Creek Rd is identified on the City of Austin Bike Map as a medium comfort bike trail and provides bike lanes on either side of the road. Cyclists use Bull Creek Rd as a north-south connector running from Hancock to 35<sup>th</sup> St.

The subject is located along Shoal Creek just north of the current northern trail head for the Shoal Creek Trail. The Austin Urban Trails Program proposes an extension to the Shoal Creek Trail in the recent council-approved Urban Trails Master Plan. The proposed extension would lead north from Shoal Creek and 38<sup>th</sup> St along the creek bed crossing the subject and extending farther north.

**Community Involvement**

The Bull Creek Road Coalition (BCRC) was formed in 2012 when it became clear that the State intended to sell the 75 Ac. subject property. The BCRC was formed by representatives of the adjacent neighborhoods to work with the state, the city and any prospective developers of the subject to ensure that development was compatible with and enhanced the existing neighborhoods. The BCRC performed surveys of over 700 residents to determine priorities for the community and used the information to draft a series of recommendations. These recommendations include preferred types of development, open space preservation, flood hazard mitigation and connectivity to the surrounding neighborhoods. The BCRC supports some form of mixed-use development, so long as it is executed in a manner that complements the surrounding neighborhood development.

**Development Scenarios**

Through our investigation of the site and factors affecting its development, we determined that traffic along Bull Creek Rd represented a primary concern and that development intensity would be guided by the ability of Bull Creek Rd to handle additional traffic. Conversations with the Austin Transportation Department (ATD) have led to the conclusion that the intersection of 45<sup>th</sup> and Bull Creek is already overloaded and barring major modification to the intersection, any additional development directly increasing vehicle traffic on Bull Creek Rd would be discouraged. That being said, the city appears willing to investigate the possibility of modifying the intersection in such a way as to permit additional vehicular traffic caused by new development on the subject. The City provided traffic modeling information showing how the current configuration of the intersection of 45<sup>th</sup> and Bull Creek has received failing grades for long wait times. These models also provided information on the potential impact of adding new eastbound and westbound left-turn lanes on 45<sup>th</sup> St. The purpose of these models is to be able to determine how much additional traffic the intersection of 45<sup>th</sup> and Bull Creek can handle after improvements are made to the intersection. Based on the model, indications are that once turn lanes are added, the intersection could handle approx. 10,000 additional daily trips while meeting current wait times. The trip-generation estimates that are provided in the



following development scenarios were calculated using data from the Trip Generation manual of the Institute of Transportation Engineers (ITE).

### **TxDOT Proposal**

This scenario, originally proposed in a TxDOT appraisal report, shows the property as a residential subdivision. The appraisal contains information and opinions provided by land planner BJ Cornelius of Site Specifics. At the time of the appraisal Ms. Cornelius believed that the most likely development scenario for the site was a combination of single and multi-family residential districts. She provided a breakdown of the districts by acreage, with MF-2 on 12 Ac, SF-6 on 24 Ac and SF-3 on 35.58 Ac. Likewise, Ms. Cornelius provided information on the density of each district. The least dense SF-3 districts would provide 6-9 units per Ac, the SF-6 districts would provide up to 12 units per Ac and the MF-2 would provide 18-20 units per Ac. Using these numbers, Ms. Cornelius' plan would provide approx. 783 units.

Ms. Cornelius fails to recognize several items in her land plan study. The first is that it is unclear how much land is provided for roadway infrastructure in the proposed residential development. By our measure, a residential neighborhood with a grid organization and similar block length to those adjacent neighborhoods would require approx. 0.29 Ac of roadway for every 1 Ac of residential area.

The second issue not addressed in Cornelius' plan is that the City of Austin Land Development Code (LDC) requires a certain amount of parkland to be dedicated for all residential subdivisions. The City Code states that 5 Ac must be dedicated to the City for every 1,000 residents. Using the information from Ms. Cornelius' report and the parkland dedication information from the LDC, we are able to determine that the 783 proposed units would house approx. 1,768 residents and require a parkland dedication of approx. 8.84 Ac. With all but 4.21 Ac out of the total 75.79 Ac being accounted for with residential lots, Ms. Cornelius did not leave enough open space for the parkland dedication.

The third item the Cornelius' plan fails to recognize is that the City requires stormwater treatment basins as part of the WPO. The exact size of these basins is determined by an

engineering study, but generally speaking, under current regulations, a new development will require between 10-15% of the developed land area for water quality and detention basins. For a residential plan such as Cornelius', we can use the lower 10% rate as there is a lower percentage of IC permitted by zoning than you would see with a mixed-use or commercial development where the 15% rate would be more accurate. Using the base numbers provided in Cornelius' plan, the total development area with roadways is 62.55 Ac and the amount of land that would need to be devoted to WQ and detention basins would total approx. 6.26 Ac. This treatment area must be located completely outside the 100-year floodplain.

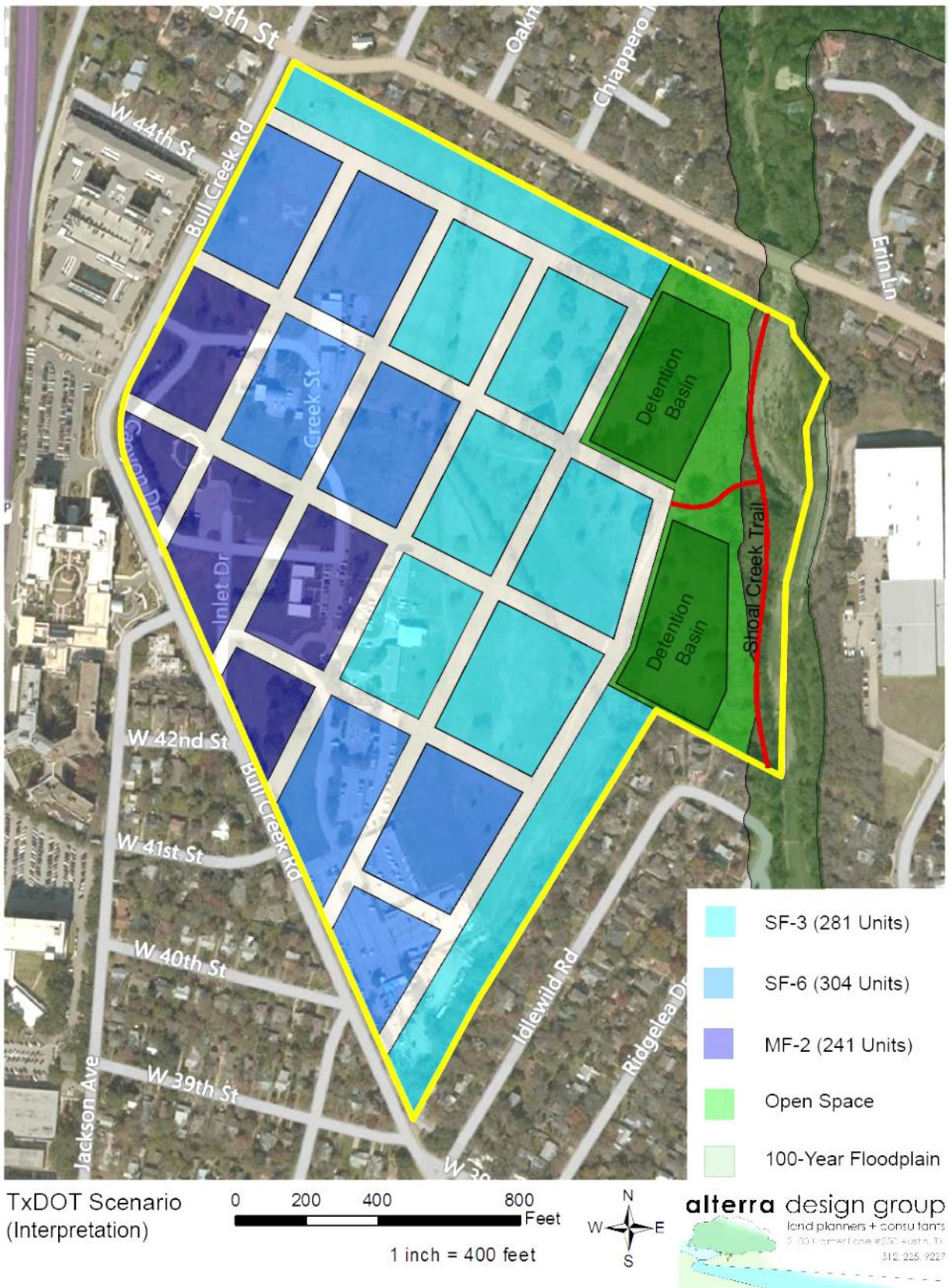
TxDOT Residential (6,800 VDT Added)			
Residential Land Use	MF-2	SF-6	SF-3
Area (Ac)	8.02	16.00	23.73
Percent	16.8%	33.5%	49.7%
Net Density (DU/Developed Ac)	30	19	11.85
Gross Density (DU/Ac)	19	12	7.5
Total DU	240.7	303.9	281.2
Residents per DU	1.7	2.2	2.8
Residents	409	669	787
Parkland Dedication (Ac)	2.0	3.3	3.9
Total Parkland Dedication (Ac)	9.33		
Parkland within FP (Ac)	0.36		
Floodplain Not Parkland (Ac)	3.71		
WQ and Detention Area (Ac)	6.26		
WQ and Det. Area Outside Parkland/FP (Ac)	0		
Roadway Allocation (Ac)	14.8		
Total Open Space (Ac)	13.24		

Ms. Cornelius' housing ratios are reasonable and we feel that the zoning districts chosen are sensible; however, her plan does not address the area of the subject required by the LDC for parkland dedication. A reasonable response to this omission would be to scale back the total number of units per district proportionally until ample open space is available for parkland dedication. Utilizing Ms. Cornelius' residential land allocation

ratios, we reduced the land area per zoning district to allow for the required amount of WQ and detention basin area and parkland dedication. This reduction resulted in a development of approx. 826 units housing 1,865 residents and providing a 9.33 Ac parkland dedication.

Using the ITE standards for trip-generation estimation, we determined that Ms. Cornelius' mixed-density residential development scenario would generate approximately 6,800 daily trips on Bull Creek Rd. Based on the information in her report, we have produced the following layout showing the spatial distribution of the different housing types discussed by Cornelius:





**Low-Density Residential Development**

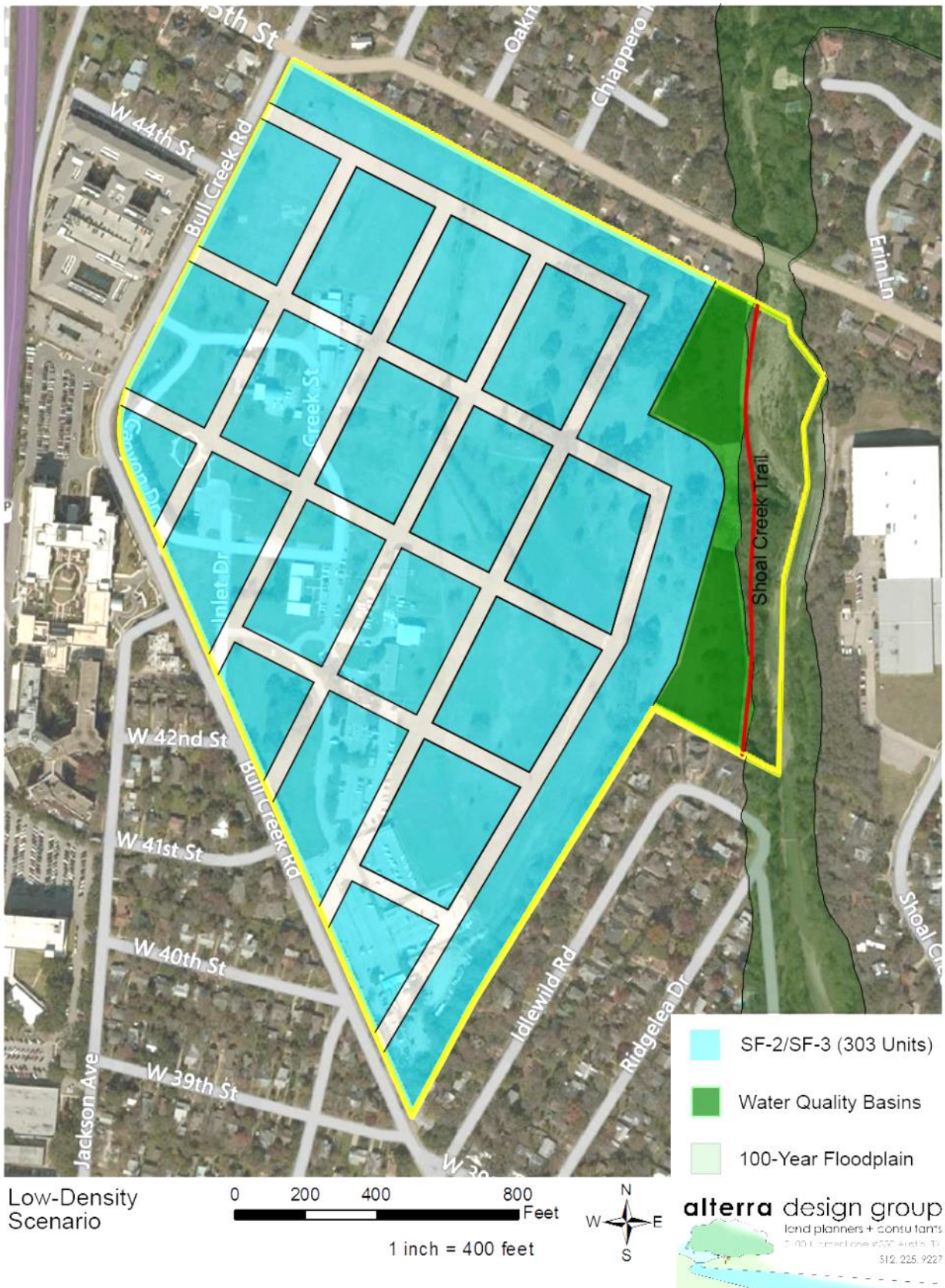
In this scenario we consider the development of the subject as a single-family neighborhood with a combination of SF-2 and SF-3 zoning districts. This scenario is similar to the previously-discussed Cornelius plan; it covers nearly the same amount of space, is a purely residential development, and in our

Low-Density Residential (2,900 VDT Added)	
Residential Land Use	SF-2/SF-3
Area (Ac)	49.7
Net Density (DU/Developed Ac)	6.1
Gross Density (DU/Ac)	4.0
Total DU	303.17
Residents per DU	2.8
Residents	849
Parkland Dedication Required (Ac)	4.24
Parkland within FP (Ac)	0.36
Floodplain Not Parkland (Ac)	3.71
WQ and Detention Area (Ac)	6.45
WQ and Det. Area Outside Parkland/FP (Ac)	2.56
Roadway Allocation (Ac)	14.8
Total Open Space (Ac)	11.29

interpretation of the Cornelius plan even shares the same street grid. This scenario however does not include a multi-family (MF) component. The reason for this is tied to the utility infrastructure in place vs what would be required with development densities higher than SF-3. The site is currently served by a 12" main that would be able to support SF-2/SF-3 development with the replacement of a section of 6" main with a 12" main at a cost of \$100K to \$150K. With a development density beyond single-family, a developer would have to work with the city on an estimated \$2.75 million to \$3.50 million water main extension.

This development scenario utilizes a grid organization with similar block dimensions to the adjacent SF-2 and SF-3 neighborhoods. Utilizing City of Austin standards and average lot size data from the surrounding neighborhoods, we determined that a net density of 6.1 dwelling units per acre in this SF-2 and SF-3 scenario was ideal. This density provides approx. 303 homes on 49.7 Ac of the subject. Using ITE standards, this plan will generate approx. 2,900 daily trips. As a baseline, we estimate that the current traffic attributed to the TxDMV offices is around 600 daily trips. After discounting those current 600 daily trips from our estimated 2,900 trips, we can assume that while traffic will increase, it will not reach a point where the city would require the installation of left turn lanes on 45<sup>th</sup> as they have proposed in cases of higher development density. This scenario provides enough open space to meet WQ and detention basin requirements under the PFM model but would need to be scaled back to meet the more demanding standards of a VDP model.







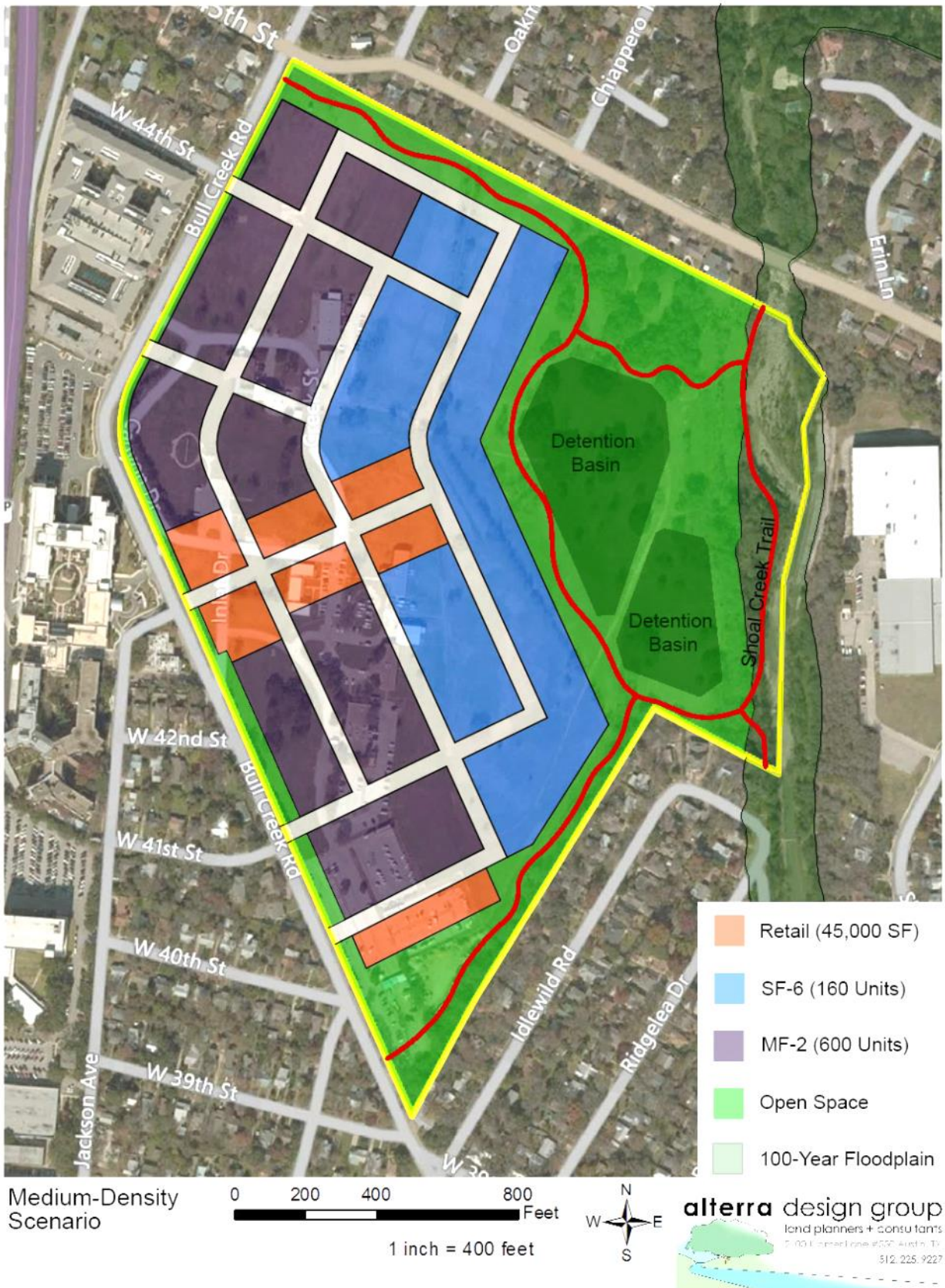
**Mid-Density Mixed-Use**

This scenario was developed in response to the findings of the ATD that with improvement to the intersection of 45<sup>th</sup> and Bull Creek, up to 10,000 daily trips could be added and still meet current traffic levels. In this scenario we considered the maximum development potential of the site to be a mix of commercial and residential development.

Medium-Density Mixed-Use Development (10000 VDT Added)			
Land Use	MF-3	SF-6	Retail
Area (Ac)	16.67	13.33	4.72
Net Density (DU/Developed Ac)	36	12	
Gross Density (DU/Ac)	18	6	
Total DU	600	160	
Residents per DU	1.7	2.2	
Residents	1020	352	
Parkland Dedication (Ac)	5.100	1.760	
Total Parkland Dedication:			6.860
Parkland within FP (Ac)			0.36
Floodplain Not Parkland (Ac)			3.71
WQ and Detention Area (Ac)			6.74
WQ and Det. Area Outside Parkland/FP (Ac)			0.24
Roadway Allocation			10.2
Total Open Space (Ac)			30.87

The residential development would typically include a mix of densities, utilizing SF and MF districts. Spatially the commercial space would be located close to Bull Creek Rd to maximize visibility and minimize on-site traffic. Denser MF-3 residential districts are located close to Bull Creek Rd and the less dense SF-6 townhomes and condominiums are located to the east farther from Bull Creek Rd. This scenario would provide housing for approx. 1,372 residents in 760 total dwelling units. This plan provides 160 dwelling units in SF-6 zoned townhouses and 600 units in medium density multi-family (MF-3) residences. Additionally, it provides 45,000 SF of Retail on 4.72 Ac. Based on City of Austin standards and the 1,372 potential residents in this scenario, 6.86 Ac of parkland would be dedicated.

The density created by replacing the SF-2 and SF-3 zoning seen in previous scenarios with SF-6 and MF-3, coupled with the desire to meet the ATD's additional daily trips cap, has created a development scenario with over 30 Ac of open space available. Parkland to be dedicated is primarily on the eastern portion of the site to take advantage of the natural amenities present in the large Heritage Trees and probable connection to the Shoal Creek Trail. This scenario is capable of meeting the open space, flood hazard mitigation, connectivity and tree preservation desires of the BCRC and provides enough open space to meet WQ and detention basin requirements under both the PFM and VDP models.



### High-Density Mixed-Use

The scenario is represented by the plan produced by Stratus Properties, a commercial and residential developer located in Austin. This plan was submitted to the BCRC without solicitation in August 2012. This scenario shows the highest development density of those presented in this report and in our view represents the very upper limits of density that can be built on the subject.

Stratus (27,700 VDT added)			
Residential Land Use	MF-6	Office	Retail
Area (Ac)	12	5.5	21
Density (DU/Ac)	62.5		
Total DU	750		
Residents per DU	1.7		
Residents	1275		
Parkland Dedication (Ac)	6.375		
Total Parkland Dedication:			6.375
Parkland within FP (Ac)			0.36
Floodplain Not Parkland (Ac)			3.71
WQ and Detention Area (Ac)			5.775
WQ and Det. Area Outside Parkland/FP (Ac)			0
Roadway Allocation (Ac)			11.2
Total Open Space (Ac)			26.125
Excess Open Space (Ac)			16.28

Before discussing the specifics of the Stratus scenario, it is important to note that the amount of land included in Stratus' proposal is larger than our 75.79 Ac subject as it includes an additional section of State property connecting the subject to Shoal Creek Blvd. Likewise, because of the inclusion of this section of property in their proposal, they were able to connect the property to Shoal Creek Blvd via a bridge over Shoal Creek. The section of land illustrated in Stratus' proposal is not being offered by TxDOT in the sale of land tied to the subject; therefore, a connection to Shoal Creek Blvd is not assumed possible in this report.

The Stratus proposal provides high-density multi-family (MF-6) with a mix of office and retail uses. Specifically, the Stratus plan highlights the inclusion of an HEB shopping center as the retail anchor for an estimated 200,000 SF retail development. The proposal includes 750 units of MF-6 housing and 150,000 SF of office. Based on this mix and utilizing ITE standards, we estimate that this development scenario would add approx. 27,700 daily trips to the intersection of 45<sup>th</sup> and Bull Creek Rd. In presenting this scenario, we assume that major improvements could be made to Bull Creek Rd and to 45<sup>th</sup> St as part of a development agreement with the City of Austin. This scenario provides enough open space to meet WQ and detention basin requirements under both the PFM and VDP models.





**Community Benefits Summary**

Our medium-density mixed-use development scenario, while not expressly created to maximize community benefits as communicated by the neighborhood representatives and the BCRC report, does provide ample space for community programming. The plan provides connections for vehicles, public transit, bicycles and pedestrians near existing intersections and green spaces. The plan provides a mix of densities, with multi-family housing capable of being devoted to affordable housing. It also provides commercial space that can serve the needs of the surrounding neighborhoods. The plan shows an abundance of park space that not only preserves existing old growth trees but also connects an extended Shoal Creek trail to the existing bike lanes along Bull Creek Rd via parkland buffers on the north and southeast sides of the development. The development is compact and connected and reflects a development density that does not overburden the adjacent infrastructure.

**Conclusion**

These findings will be used by the real estate appraiser to help determine the highest and best use and value for the 75.79 Ac subject property. We trust that this report is responsive to your request and meets the terms of the agreed-upon scope of work. We are available to answer any questions you may have and can provide additional assistance if needed.

Respectfully,

A handwritten signature in black ink, appearing to read 'Matthew Beard', with a stylized flourish at the end.

Matthew Beard, Land Planner  
Alterra Design Group



Appendix



*45<sup>th</sup> Street Crossing Shoal Creek near NEC of Subject*



*Looking north from open fields SE of TxDMV buildings*





*Looking east from open fields SE of TxDMV buildings*



*Looking toward intersection of 45<sup>th</sup> St and Bull Creek Rd from northernmost TxDMV parking lot*

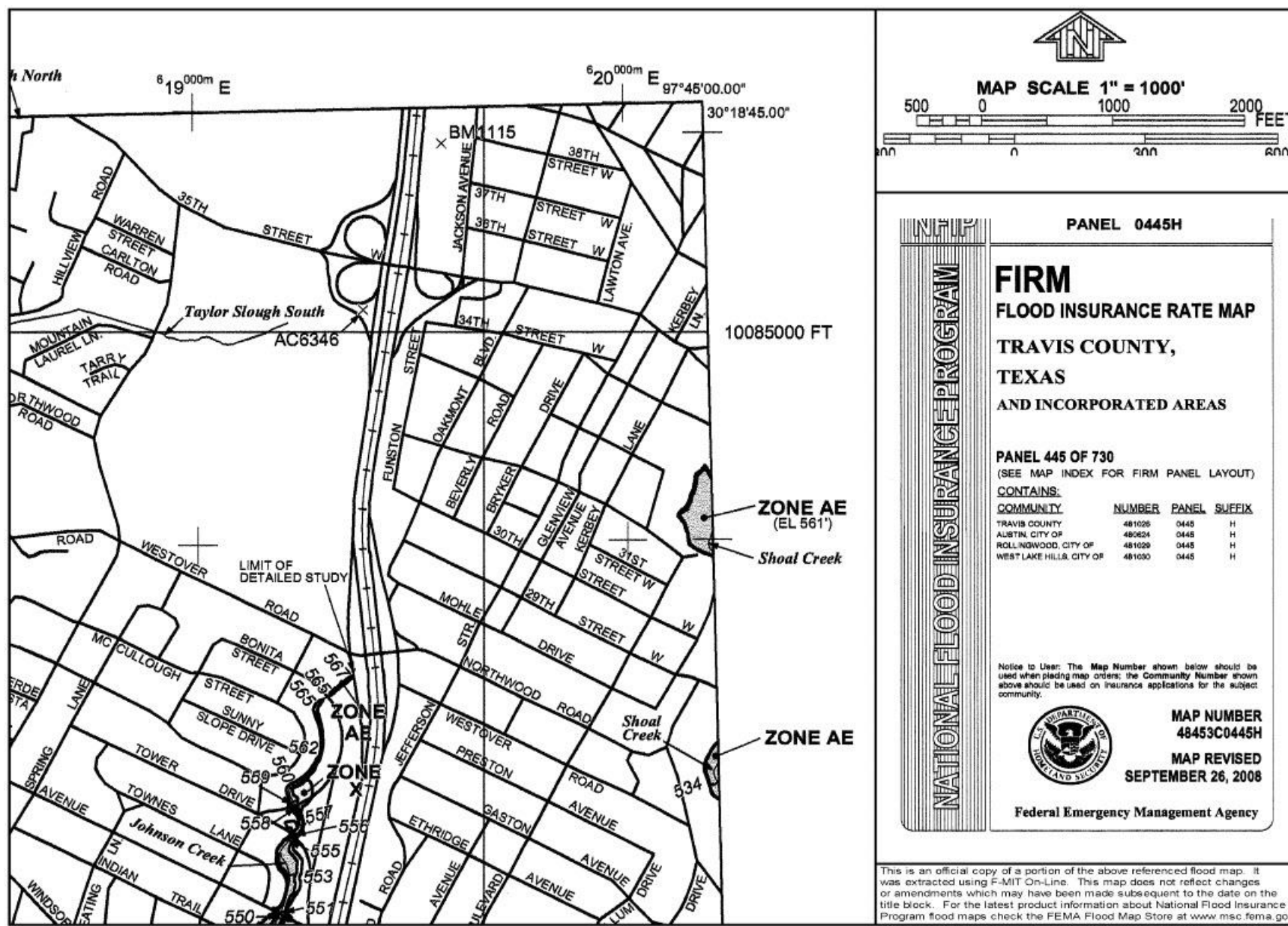




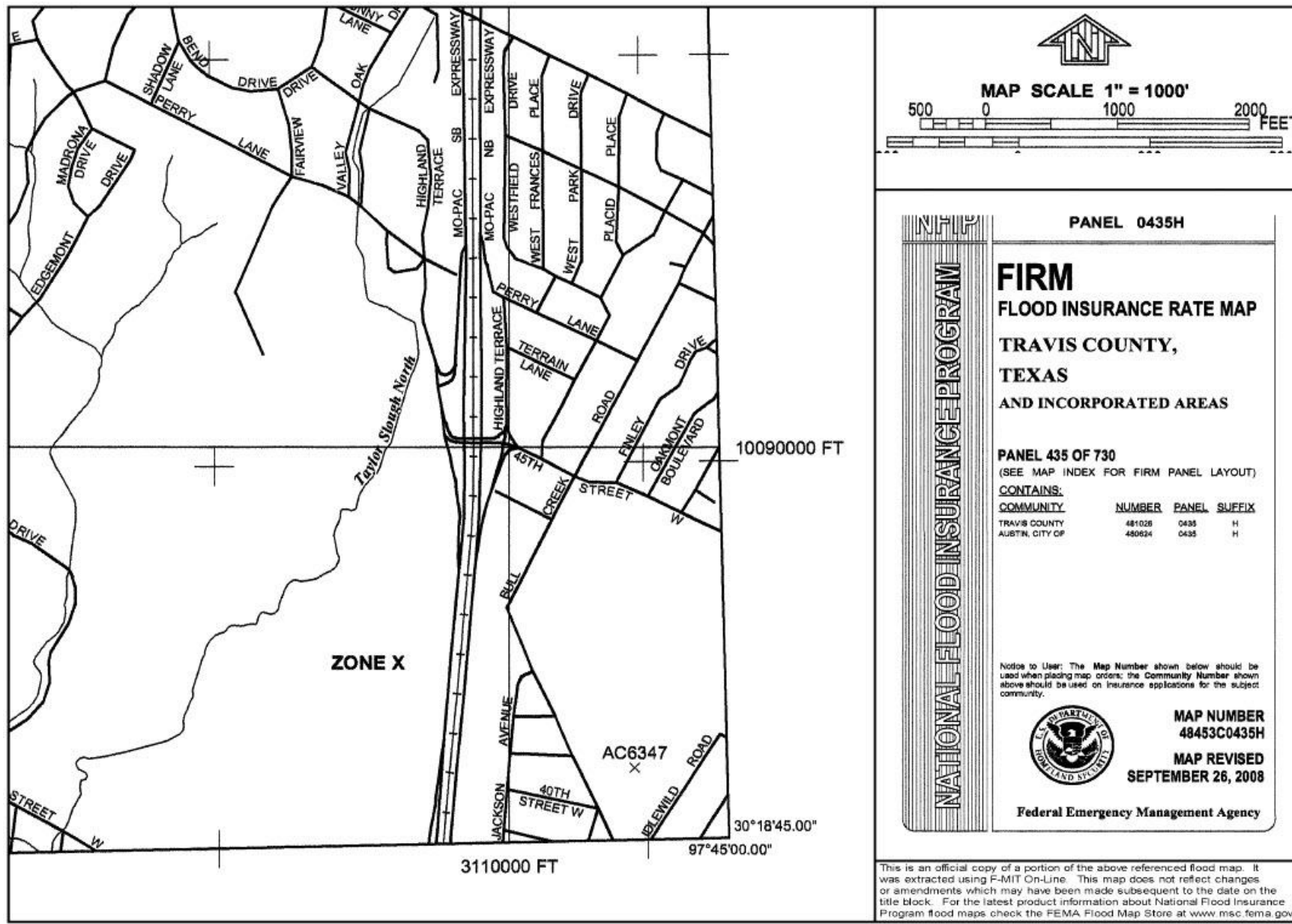
*Looking north along eastern tree line separating subject from adjacent residences*

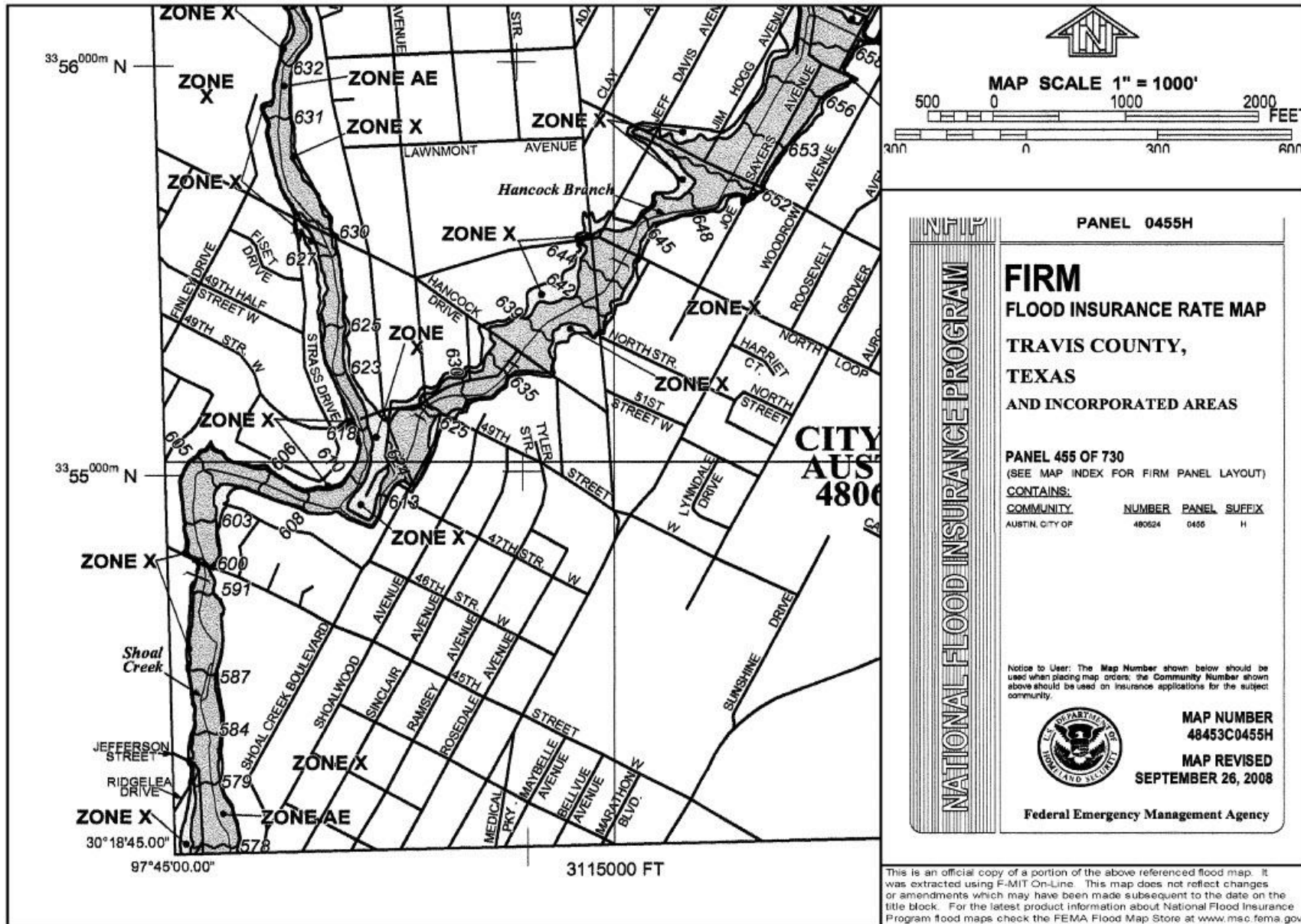


*Looking south along eastern tree line separating subject from adjacent residences*











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Map

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<b>Account</b> <b>Property ID:</b> 122169 <b>Geo. ID:</b> 0124000201 <b>Type:</b> Real <b>Legal Description:</b> ABS 697 SUR 7 SPEAR G W ACR 75.79	<b>Location</b> <b>Situs Address:</b> BULL CREEK RD TX 78731 <b>Neighborhood:</b> FORMERLY ZEXI <b>MapSCO:</b> 554H <b>Jurisdictions:</b> 01, 02, 68,...	<b>Owner</b> <b>Owner Name:</b> STATE OF TEXAS <b>Mailing Address:</b> DEPARTMENT OF HIGHWAYS, PO BOX 15426, , AUSTIN, TX 78761-5426	<b>Property</b> <b>Appraised Value:</b> \$14,856,354
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Layers

Radius Search

Map Search

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<div>  Details            Map         </div>								
Click on a title bar to expand or collapse the information. <a href="#">Expand All</a>								
<b>▼ Property</b>								
<b>Account</b>								
Property ID:	122169	Legal Description:	ABS 697 SUR 7 SPEAR G W ACR 75.79					
Geographic ID:	0124000201	Agent Code:						
Type:	Real							
Property Use Code:								
Property Use Description:								
<b>Location</b>								
Address:	BULL CREEK RD TX 78731	Mapsco:	554H					
Neighborhood:	FORMERLY ZEXMP	Map ID:	011808					
Neighborhood CD:	_ZEXMP							
<b>Owner</b>								
Name:	STATE OF TEXAS	Owner ID:	119407					
Mailing Address:	DEPARTMENT OF HIGHWAYS PO BOX 15426	% Ownership:	100.000000000000%					
	AUSTIN , TX 78761-5426							
	<a href="#">Exemptions:</a>		EX-XV					
<b>► Values</b>								
<b>► Taxing Jurisdiction</b>								
<b>▼ Improvement / Building</b>								
No improvements exist for this property.								
<b>▼ Land</b>								
#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	LAND	Land	75.7900	3301412.00	0.00	0.00	\$14,856,354	\$0
<b>► Roll Value History</b>								
<b>► Deed History - (Last 3 Deed Transactions)</b>								
<b>Questions Please Call (512) 834-9317</b> This site requires cookies to be enabled in your browser settings.								

## City of Austin Watershed Protection Ordinance Regulations Summary Table

Effective: October 28, 2013

Red Text = Change from Previous Requirements

REGULATORY CATEGORY	ZONE	DESIRED DEVELOPMENT ZONE			DRINKING WATER PROTECTION ZONE		
		Urban	Suburban City Limits	Suburban N. Edwards / ETJ	Water Supply Suburban	Water Supply Rural	Barton Springs Zone
Impervious Cover (IC)							
	Calculation Basis	Gross Site Area	Gross Site Area	Gross Site Area	Net Site Area	Net Site Area	Net Site Area
	Transfers Allowed	No	Yes	Yes	Yes	Yes	No
	Uplands: Max Pct IC	Max Pct	Max Pct	Max Pct	Max Pct	Max Pct	Max Pct
			Std / w Transfer	Std / w Transfer	Std / w Transfer	Std / w Transfer	[No Transfers]
	Single-Family Res. (Lot > 5750 ft²)	No Watershed IC Limit: Zoning Limits only	50% / 60%	45% / 50%	30% / 40%	1 unit per 1 ac. / 1 unit per 2 ac.*	R / BC / C ** 15% / 20% / 25% for all uses
	Single-Family Res. (Lot < 5750 ft²)		55% / 60%	55% / 60%			
	Multi-Family Residential Max Pct		60% / 70%	60% / 65%	40% / 55%	20% / 25%	
	Commercial Max Pct		80% / 90%	65% / 70%			
						* Min lot ¼-acre; ½-acre with transfers; Clustering: 1 unit/ac max; 2 units/ac w transfer	** R = Recharge Zone BC = Barton Creek Contributing C = Other Contributing
WQ Transition Zone: Max Pct IC (outside floodplain)	Not Applicable	Not Applicable	Not Applicable	18%	1 SF unit / 3 acres	1 SF unit / 3 acres None over recharge	
Critical WQ Zone: Max Pct IC	None (except road crossings)	None (except limited road crossings)	None (except limited road crossings)	None (except limited road crossings)	None (except limited road crossings)	None (except limited road crossings)	
Critical Environmental Feature (CEF) Max Pct IC	None within 150 to 300 ft radius	None within 150 to 300 ft radius	None within 150 to 300 ft radius	None within 150 to 300 ft radius	None within 150 to 300 ft radius	None within 150 to 300 ft radius	
Waterway Classifications	Minor		64 – 320 acres	64 – 320 acres	64 – 320 acres	64 – 320 acres	
	Intermediate	64 acres	320 – 640 acres	320 – 640 acres	320 – 640 acres	320 – 640 acres	
	Major		over 640 acres	over 640 acres	over 640 acres	over 640 acres	
	Notes	Urban creeks not classified					
Waterway Setbacks							
	Critical Water Quality Zone						
	Minor	50 – 400 ft.	100 ft.	100 ft.	50 – 100 ft.	50 – 100 ft.	50 – 100 ft.
	Intermediate		200 ft.	200 ft.	100 – 200 ft.	100 – 200 ft.	100 – 200 ft.
	Major		300 ft.	300 ft.	200 – 400 ft.	200 – 400 ft.	200 – 400 ft. (Barton mainstem 400 ft.)
	Notes	No CWQZ Downtown  Between min and max width, coincides with the 100-year fully- developed floodplain	"Buffer averaging" allows sites to reduce width of buffers by up to one-half if the overall amount protected remains the same			Between min and max width, coincides with the 100-year fully-developed floodplain	
	Water Quality Transition Zone						
	Minor	Not Required	Not Required	Not Required	100 ft.	100 ft.	100 ft.
	Intermediate				200 ft.	200 ft.	200 ft.
Major	300 ft.				300 ft.	300 ft.	
Variances from Buffers	Administrative under certain conditions	Must apply for Land Use Commission variance			Must apply for Land Use Commission variance.		
Water Quality Controls	Treatment Standard	Sedimentation/ Filtration	Sedimentation/ Filtration	Sedimentation/ Filtration	Sedimentation/ Filtration	Sedimentation/ Filtration	Non-Degradation
	When Required	All new/redeveloped if IC > 8,000 sq. ft.	All new/redeveloped if IC > 8,000 sq. ft.	All new/redeveloped if IC > 8,000 sq. ft.	All new/redeveloped if IC > 8,000 sq. ft., all IC in WQTZ	All new/redeveloped if IC > 8,000 sq. ft., all IC in WQTZ	All development
	Allowed in Creek Buffer	CWQZ = Yes per ECM WQTZ = N/A	CWQZ = Yes per ECM WQTZ = N/A	CWQZ = Yes per ECM WQTZ = N/A	CWQZ = No WQTZ = Yes per ECM	CWQZ = No WQTZ = Yes per ECM	CWQZ = No WQTZ = Yes per ECM
	Alternative Strategies Allowed	Yes	Yes	Yes	Yes	Yes	No
	Optional Payment-in-Lieu	Yes	No	No	No	No	No

Key: CWQZ = Critical Water Quality Zone; ETJ = Extra-Territorial Jurisdiction; IC = Impervious Cover; SF = Single-Family Residential; WQ = Water Quality; WQTZ = Water Quality Transition Zone

## ARTICLE 14. - PARKLAND DEDICATION.

## § 25-1-601 - APPLICABILITY.

- (A) Except as provided in Subsections (B) and (C), the parkland dedication requirements of this article apply to:
- (1) residential subdivisions; and
  - (2) site plans with three or more dwelling units.
- (B) This article does not apply in the portion of the City's extraterritorial jurisdiction that is within Travis County. Parkland dedication for that area is governed by Title 30 (*Austin/Travis County Subdivision Regulations*).
- (C) The following are exempt from the requirements of this article:
- (1) a plat with not more than four lots designated for a single-family residential use that may be approved without a preliminary plan;
  - (2) a resubdivision of land that does not increase the number of dwelling units or lots by more than three;
  - (3) a subdivision for which a preliminary plan was approved after June 30, 1984 and before July 8, 1985;
  - (4) a subdivision or site plan within a municipal utility district that has a consent agreement and land use plan approved by the City that provides for the dedication of parkland or recreational facilities or the payment of fees instead of dedication of the parkland or facilities; and
  - (5) a subdivision or site plan for which parkland was previously dedicated or payment made under this title, except for the dwelling units or lots that exceed the number for which dedication or payment was made.

Source: Ord. 20070621-027.

## § 25-1-602 - DEDICATION OF PARKLAND REQUIRED.

- (A) A subdivider or site plan applicant shall provide for the parkland needs of the residents by the dedication of suitable land for park and recreational purposes under this article.
- (B) For a subdivision, the area to be dedicated must be shown on the preliminary plan and the plat and included in the dedication statement. The subdivider shall dedicate to the City all parkland required by this article when a plat is approved.
- (C) For a site plan, the area to be dedicated must be shown on the site plan and in a deed to the City. The applicant shall dedicate to the City all parkland required by this article before the site plan is approved.
- (D) The amount of parkland required to be dedicated to the City is five acres for every 1,000 residents, as determined by the following formula:

$$\frac{5 \times (\text{Number Of Units})}{\times (\text{Residents Per Unit})} = \frac{\text{Acres of parkland}}{1000}$$



- (E) In calculating the amount of parkland to be dedicated under this section, the number of residents in each dwelling unit is based on density as follows:

Dwelling Units Per Acre	Residents In Each Dwelling Unit
Not more than 6	2.8
More than 6 and not more than 12	2.2
More than 12	1.7

- (F) If the density of a development is not known:
- (1) the density is assumed to be the highest permitted in the zoning district, or if the property is not zoned, 24 dwelling units per acre; or
  - (2) the developer may reduce the assumed density by restricting density in a restrictive covenant enforceable by the City and approved by the city attorney.
- (G) The subdivider or site plan applicant shall pay all costs of transferring the parkland to the City, including the costs of:
- (1) an environmental site assessment without any further recommendations for clean-up, certified to the City not earlier than the 120th day before the closing date;
  - (2) a Category 1(a) land title survey, certified to the City and the title company not earlier than the 120th day before the closing date;
  - (3) a title commitment with copies of all Schedule B and C documents, and an owner's title policy;
  - (4) a fee simple deed;
  - (5) taxes prorated to the closing date;
  - (6) recording fees; and
  - (7) charges or fees collected by the title company.

Source: Ord. 20070621-027.

#### § 25-1-603 - STANDARDS FOR DEDICATED PARKLAND.

- (A) Land to be dedicated as parkland must comply with the standards in the Comprehensive Plan, the Park and Recreation Action Plan, the Administrative Criteria Manual, and this section.
- (B) The director of the Parks and Recreation Department shall determine whether land offered for dedication complies with the standards for dedication.
- (C) Fifty percent of acreage in the 100 year floodplain that is dedicated as parkland may be credited toward fulfilling the requirements of this article if the adjoining land within the 25 year floodplain, if any, is also dedicated as parkland. The land within the 25 year floodplain may not be credited toward fulfilling the requirements of this article.
- (D) Land identified on the Critical Areas Map maintained by the Watershed Protection and Development Review Department that does not otherwise comply with the standards for parkland dedication may be accepted as dedicated parkland if the director of the Parks and Recreation Department determines that the land will provide recreational or educational opportunities for the surrounding

community. In this event, 50 percent of the acreage may be credited toward fulfilling the requirements of this article.

Source: Ord. 20070621-027.

#### § 25-1-604 - PRIVATE PARKLAND.

- (A) The director of the Parks and Recreation Department may allow up to a 50 percent credit toward fulfilling the requirements of this article for privately owned and maintained park and recreational facilities that are for use by the public.
- (B) The director of the Parks and Recreation Department may allow up to a 100 percent credit toward fulfilling the requirements of this article for private parkland in a subdivision or site plan located outside the city limits, if:
  - (1) the director of the Parks and Recreation Department determines that the private parkland meets City parkland standards; and
  - (2) the land owner agrees to dedicate the private parkland to the City when the City annexes the land for all purposes.
- (C) Private parkland excludes yards, setback areas, and open spaces required by this title.

Source: Ord. 20070621-027.

#### § 25-1-605 - PAYMENT INSTEAD OF LAND.

- (A) The director of the Parks and Recreation Department may require a subdivider or site plan applicant to deposit with the City a cash payment or fiscal security instead of the dedication of parkland if:
  - (1) less than six acres is required to be dedicated; or
  - (2) the land available for dedication does not comply with the standards for dedication.
- (B) A subdivider must make the deposit before the subdivision may be approved, except that for the portion, if any, of the subdivision that requires a site plan, the subdivider may defer the deposit until after a site plan is filed.
- (C) A site plan applicant must make the deposit before the site plan may be approved.
- (D) The amount of the deposit is determined by multiplying the number of dwelling units by the parkland cost for each dwelling unit, excluding the affordable dwelling units. The determination is made on the date of the deposit using the most recent parkland cost for each dwelling unit. In this subsection:
  - (1) The number of dwelling units is:
    - (a) for a deposit made at the time of subdivision, calculated in accordance with Section 25-1-602 (*Dedication Of Parkland Required*); or
    - (b) for a deposit made at the time of site plan, the number shown on the site plan.
  - (2) The parkland cost for each dwelling unit is:
    - (a) based on a report by the city manager that analyzes of the costs of acquiring and developing parkland and determines the proportionate share of those costs attributable to new residential development;
    - (b) approved by council; and
    - (c) periodically reviewed by the city manager and council.
  - (3) Affordable dwelling unit means a dwelling unit that is certified by the director of the Neighborhood Housing and Community Development Department as being reasonably priced under the S.M.A.R.T. Housing Program standards adopted by council resolution for rental or

purchase by a household earning not more than 80 percent of the median family income for the Austin statistical metropolitan area.

- (E) A deposit must be placed in the City's Neighborhood Park and Recreation Improvement Fund. The deposit must be used for the acquisition or improvement of neighborhood parks that will benefit the residents of the subdivision or site plan and that are located in the service area defined by the Parks and Recreation Department.
- (F) The City shall expend a deposit within five years from the date it is received. This period is extended by five years if, at the expiration of the initial five year period, less than 50 percent of the residential units in the subdivision or on the site plan have been constructed.
- (G) If the City does not expend a deposit by the deadline described in Subsection (F), and the actual number of residential units constructed is less than the number assumed at the time the deposit was calculated, the owner may request a refund. The request must be in writing and filed with the director of the Parks and Recreation Department not later than 180 days after the expiration of the time period described in Subsection (F). A refund is calculated by multiplying the percentage of the reduction in the number of residential units times the amount of the deposit. A refund may not exceed the unexpended amount of a deposit.

Source: Ord. 20070621-027.

§ 25-1-606 - SUBMITTAL REQUIREMENTS.

- (A) The director of the Parks and Recreation Department may request that the subdivider or site plan applicant provide information relating to proposed parkland to determine whether the proposed parkland complies with this article.
- (B) A subdivider or site plan applicant shall provide the information requested under this section.

Source: Ord. 20070621-027.



## ARTICLE 10. - COMPATIBILITY STANDARDS.

## Division 1. - General Provisions.

## § 25-2-1051 - APPLICABILITY.

- (A) Except as provided in Section 25-2-1052 (*Exceptions*) or another specific provision of this title, this article applies to the following uses:
- (1) A use in a townhouse and condominium residence (SF-6) or less restrictive zoning district and to a civic use described in Subsection (B) that is located on property:
    - (a) across the street from or adjoining property:
      - (i) in an urban family residence (SF-5) or more restrictive zoning district;
      - (ii) on which a use permitted in an SF-5 or more restrictive zoning district is located, other than a dwelling permitted by Section 25-2-894 (*Accessory Uses For A Principal Commercial Use*); or
      - (iii) in a traditional neighborhood (TN) zoning district; or
    - (b) located 540 feet or less from property in:
      - (i) an SF-5 or more restrictive zoning district;
      - (ii) a TN district; or
      - (iii) a development reserve (DR) zoning district.
  - (2) A use listed in Subsections 1.2.2(K)-(Q) of Subchapter F (*Residential Design and Compatibility Standards*), if the owner has agreed to comply with the requirements of this article in a manner prescribed by the director under Subsection 1.3.3 of Subchapter F.
- (B) In Subsection (A), a civic use is a:
- (1) college and university facilities use;
  - (2) community recreation (private) use;
  - (3) community recreation (public) use;
  - (4) day care services (commercial) use;
  - (5) park and recreation services (special) use;
  - (6) private primary educational facilities use;
  - (7) a private secondary educational facilities use;
  - (8) a public primary educational facilities use;
  - (9) a public secondary educational facilities use; or
  - (10) a religious assembly use.
- (C) Under this article, residential property in a planned unit development (PUD) zoning district is treated as property in an SF-5 zoning district if the PUD land use plan establishes the density for the residential area at 12.44 units per acre or less.

Source: Sections 13-2-731(a) and (d) and 13-2-25(2); Ord. 990225-70; Ord. 031211-11; Ord. 20061130-064; Ord. 20080618-093.

## § 25-2-1052 - EXCEPTIONS.

- (A) This article does not apply to:
- (1) construction for a residential use that is permitted in an urban family residence (SF-5) or more restrictive zoning district and that complies with SF-5 or more restrictive zoning district site development regulations;
  - (2) property in a historic landmark (H) or historic area (HD) combining district;
  - (3) a structural alteration that does not increase the square footage, area, or height of a building; or
  - (4) a change of use that does not increase the amount of required off-street parking.
- (B) This article does not apply if property that triggers the compatibility standards is located in an SF-5 or more restrictive zoning district and is:
- (1) in the 100-year floodplain, in a rural residence (RR) zoning district, and not developed with a single-family dwelling;
  - (2) a buffer zone established before March 1, 1984;
  - (3) a right-of-way, utility easement, or railroad line that is not located on property protected by this article; or
  - (4) developed with a use not permitted in an SF-5 or more restrictive zoning district, if the use fronts on:
    - (a) an arterial street defined by the Transportation Plan; or
    - (b) an industrial street with a right-of-way of at least 80 feet.
- (C) For a property that contains a structure in which a use permitted in an SF-6 or less restrictive district is located and a structure in which a use permitted in an SF-5 or more restrictive use is located, this article does not apply to that portion of the property that is closer to the structure containing the use permitted in an SF-5 or more restrictive district.
- (D) This article does not apply to a passive use, including a park and hike and bike trail, in the 100 year flood plain if:
- (1) the requirements of Chapter 25-8 (*Environment*) are met; and
  - (2) The use is within an easement dedicated to the City, if applicable.
- (E) For an area used or developed as a residential infill or neighborhood urban center special use in a neighborhood plan combining district, this article applies only to the property along the perimeter of the area.

Source: Sections 13-2-731(b), (c) and (e) and 13-2-737; Ord. 990225-70; Ord. 000406-81; Ord. 031211-11; Ord. 041202-16; Ord. 20050519-008; Ord. 20061130-064; Ord. 20090212-070; Ord. 20131017-046.

#### Division 2. - Development Standards.

##### § 25-2-1061 - STREET FRONTAGE FOR A CORNER SITE.

In Sections 25-2-1062 (*Height Limitations And Setbacks For Small Sites*) and 25-2-1063 (*Height Limitations And Setbacks For Large Sites*), street frontage for a corner site is measured along the more major street. If both streets are the same type, street frontage is measured along the shorter side of the site.

Source: Sections 13-2-733(a) and 13-2-734(b); Ord. 990225-70; Ord. 031211-11.

##### § 25-2-1062 - HEIGHT LIMITATIONS AND SETBACKS FOR SMALL SITES.

(A) This section applies to a site that has:

- (1) an area that does not exceed 20,000 square feet; and
- (2) a street frontage that does not exceed 100 feet.

(B) In this section, the term "structure" excludes a rain garden using no concrete that is designed in accordance with the Environmental Criteria Manual. If a site has a street frontage of 50 feet or less, a person may not construct a structure 15 feet or less from property:

- (1) in an urban family residence (SF-5) or more restrictive zoning district; or
- (2) on which a use permitted in an SF-5 or more restrictive zoning district is located.

(C) If a site has a street frontage that is more than 50 feet, but that does not exceed 100 feet, the side and rear setback requirements are as follows:



Length of Street Frontage (Feet)	Side and Rear Setback (Feet)
50.01 to 52.50	15.0
52.51 to 54.99	15.5
55.00 to 57.50	16.0
57.51 to 59.99	16.5
60.00 to 62.50	17.0
62.51 to 64.99	17.5
65.00 to 67.50	18.0
67.51 to 69.99	18.5
70.00 to 72.50	19.0
72.51 to 74.99	19.5
75.00 to 77.50	20.0
77.51 to 79.99	20.5
80.00 to 82.50	21.0
82.51 to 84.99	21.5



85.00 to 87.50	22.0
87.51 to 89.99	22.5
90.00 to 92.50	23.0
92.51 to 94.99	23.5
95.00 to 97.50	24.0
97.51 to 99.99	24.5
100	25.0

(D) The height limitations for a structure are:

- (1) two stories and 30 feet, if the structure is 50 feet or less from property:
  - (a) in an SF-5 or more restrictive zoning district; or
  - (b) on which a use permitted in an SF-5 or more restrictive zoning district is located; or
- (2) three stories and 40 feet, if the structure is more than 50 feet and not more than 100 feet from property:
  - (a) in an SF-5 or more restrictive zoning district; or
  - (b) on which a use permitted in an SF-5 or more restrictive zoning district is located;
- (3) for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive; or
- (4) for a structure more than 300 feet but not more than 540 feet from property zoned SF-5 or more restrictive, 60 feet plus one foot for each four feet of distance in excess of 300 feet from the property zoned SF-5 or more restrictive.

Source: Section 13-2-733; Ord. 990225-70; Ord. 000309-39; Ord. 031211-11; Ord. 20060216-043; Ord. 20060309-058; Ord. 20060622-022; Ord. 20060928-022; Ord. 20131017-046.

#### § 25-2-1063 - HEIGHT LIMITATIONS AND SETBACKS FOR LARGE SITES.

(A) This section applies to a site that has:

- (1) an area that exceeds 20,000 square feet; or
- (2) a street frontage that exceeds 100 feet.

(B) In this section, the term "structure" excludes a rain garden using no concrete that is designed in accordance with the Environmental Criteria Manual. A person may not construct a structure 25 feet or less from property:

- (1) in an urban family residence (SF-5) or more restrictive zoning district; or

- (2) on which a use permitted in an SF-5 or more restrictive zoning district is located.
- (C) The height limitations for a structure are:
  - (1) two stories and 30 feet, if the structure is 50 feet or less from property:
    - (a) in an SF-5 or more restrictive zoning district; or
    - (b) on which a use permitted in an SF-5 or more restrictive zoning district is located; or
  - (2) three stories and 40 feet, if the structure is more than 50 feet and not more than 100 feet from property:
    - (a) in an SF-5 or more restrictive zoning district; or
    - (b) on which a use permitted in an SF-5 or more restrictive zoning district is located;
  - (3) for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive; or
  - (4) for a structure more than 300 feet but not more than 540 feet from property zoned SF-5 or more restrictive, 60 feet plus one foot for each four feet of distance in excess of 300 feet from the property zoned SF-5 or more restrictive.

Source: Section 13-2-734; Ord. 990225-70; Ord. 000309-39; Ord. 031211-11; Ord. 20060216-043; Ord. 20060309-058; Ord. 20060622-022; Ord. 20060928-022; Ord. 20131017-046.

#### § 25-2-1064 - FRONT SETBACK.

A building must have a front building line setback of at least 25 feet from a right-of-way if the tract on which the building is constructed:

- (1) adjoins property:
  - (a) in an urban family residence (SF-5) or more restrictive zoning district; or
  - (b) on which a use permitted in a SF-5 or more restrictive district is located; and
- (2) fronts on the same street as the adjoining property.

Source: Section 13-2-736(a); Ord. 990225-70; Ord. 031211-11.

#### § 25-2-1065 - SCALE AND CLUSTERING REQUIREMENTS.

- (A) The massing of buildings and the appropriate scale relationship of a building to another building may be accomplished by:
  - (1) avoiding the use of a continuous or unbroken wall plane;
  - (2) using an architectural feature or element that:
    - (a) creates a variety of scale relationships;
    - (b) creates the appearance or feeling of a residential scale; or
    - (c) is sympathetic to a structure on an adjoining property; or
  - (3) using material consistently throughout a project and that is human in scale; or
  - (4) using a design technique or element that:
    - (a) creates a human scale appropriate for a residential use; or
    - (b) prevents the construction of a structure in close proximity to a single-family residence zoning district that is:

- (i) significantly more massive than a structure in a single-family residence zoning district; or
    - (ii) antithetical to an appropriate human scale; and
  - (c) allows the construction of a structure, including a multi-family structure, that exhibits a human scale and massing that is appropriate for a residential use.
  - (B) Except for good cause, the first tier of buildings in a multi-family or mixed use project must be clustered in a group that is not more than 50 feet wide, as measured along the side of the buildings that are most parallel to the property line of the site.
  - (C) The depth of the first tier of buildings described under Subsection (B) may not exceed:
    - (1) two units; or
    - (2) 60 feet.
  - (D) A building must be at least 10 feet apart from another building, as measured from wall face to wall face.
  - (E) Subsections (B), (C), and (D) do not apply to a:
    - (1) private or public primary educational facility;
    - (2) private or public secondary educational facility; or
    - (3) a college or university.
  - (F) In Subsection (B), good cause may be shown by compliance with Subsection (A).
- Source: Section 13-2-735(c) and (d); Ord. 990225-70; Ord. 000309-39; Ord. 031211-11.

#### § 25-2-1066 - SCREENING REQUIREMENTS.

- (A) A person constructing a building shall screen each area on a property that is used for a following activity from the view of adjacent property that is in an urban residence (SF-5) or more restrictive zoning district:
  - (1) off-street parking;
  - (2) the placement of mechanical equipment;
  - (3) storage; or
  - (4) refuse collection.
- (B) A person constructing shoreline access, as that term is defined in Section 25-2-1172 (*Definitions*), shall screen the shoreline access from the view of property that is in an urban residence (SF-5) or more restrictive zoning district. A person may comply with this Subsection by providing vegetation and tree canopy as prescribed by rule, and may supplement compliance with other screening methods prescribed by rule. The owner must maintain the screening provided under this section.
- (C) A person may comply with Subsection (A) by providing a yard, fence, berm, or vegetation. If a fence is provided, the height of the fence may not exceed six feet, except as otherwise permitted by Section 25-2-899 (*Fences As Accessory Uses*).
- (D) The owner must maintain a fence, berm, or vegetation provided under this section.

Source: Section 13-2-736(c); Ord. 990225-70; Ord. 031211-11; Ord. 20101209-075.

#### § 25-2-1067 - DESIGN REGULATIONS.

- (A) Exterior lighting must be hooded or shielded so that the light source is not directly visible from adjacent property:
  - (1) in an urban family residence (SF-5) or more restrictive zoning district; or



- (2) on which a use permitted in an SF-5 or more restrictive zoning district is located.
- (B) The noise level of mechanical equipment may not exceed 70 db at the property line.
- (C) A permanently placed refuse receptacle, including a dumpster, may not be located 20 feet or less from property:
- (1) in an SF-5 or more restrictive zoning district; or
  - (2) on which a use permitted in an SF-5 or more restrictive zoning district is located.
- (D) The location of and access to a permanently placed refuse receptacle, including a dumpster, must comply with guidelines published by the City. The Watershed Protection and Development Review Department shall review and must approve the location of and access to each refuse receptacle on a property.
- (E) A highly reflective surface, including reflective glass and a reflective metal roof with a pitch that exceeds a run of seven to a rise of 12, may not be used, unless the reflective surface is a solar panel or copper or painted metal roof.
- (F) An intensive recreational use, excluding a multi-use trail and including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining property:
- (1) in an SF-5 or more restrictive zoning district; or
  - (2) on which a use permitted in an SF-5 or more restrictive zoning district is located.
- (G) Unless a parking area or driveway is on a site that is less than 125 feet wide, a parking area or driveway may not be constructed 25 feet or less from a lot that is:
- (1) in an SF-5 or more restrictive zoning district; or
  - (2) on which a use permitted in an SF-5 or more restrictive zoning district is located.
- (H) If a site on which a parking area or driveway is constructed is less than 125 feet wide, the width and setback for the parking area or driveway must comply with the following schedule:



Total Site Width	Avg. Parking Width	Setback for Parking	Setback for Driveways
0 to 52.99'	45'	5'	0'
53 to 55.99'	46'	6'	1'
56 to 58.99'	47'	7'	2'
59 to 61.99'	48'	8'	3'
62 to 64.99'	49'	9'	4'
65 to 67.99'	50'	10'	5'
68 to 70.99'	51'	11'	6'
71 to 73.99'	52'	12'	7'

August 31, 2012

Mr. John Eastman  
President  
Ridgelea Neighborhood Association  
3906 Ridgelea Drive  
Austin, Texas 78731

STRATUS PROPERTIES INC.  
212 LAVACA STREET, SUITE 300  
AUSTIN, TEXAS 78701  
T: 512.478.5700  
F: 512.478.6340

Dear John,

I want to thank you for organizing the initial meeting with your neighbors and representatives from other nearby neighborhood organizations. I found it informative and productive and thought it was a great first step toward reaching an agreement on a development plan for the 79-acre state-owned Bull Creek site.

As promised, please find below a brief description of the conceptual proposal that was submitted to the Texas Facilities Commission under the Public Private Partnership legislation (S.B. 1048) that was passed last session, as well as our goals for the development. Please feel free to distribute to your neighbors and other interested parties while we work to create a visual representation that we can share.

Retail:

200,000 total square feet

An H-E-B grocery store (size undetermined until a market assessment is completed) will serve as the anchor of this village style, mixed-use project. Complementary surrounding retail with a strong emphasis on locally owned businesses will include restaurants, a liquor store, dry cleaners and other neighborhood-appropriate uses. We also envision an Alamo Drafthouse, Violet Crown or Studio Movie Grill type theater, although discussions with specific operators have just begun.

Multi Family:

750 units

No more than 60 feet (four stories) in height

Individual buildings would wrap structured parking

Office:

150,000 total square feet

2 three story buildings, no more than 60 feet in height

Flood Control:

This development presents a unique opportunity to provide much needed drainage improvements along Shoal Creek to help protect downstream neighbors from flooding. We will be meeting with the City of Austin in the near future to discuss this issue and begin to explore potential options.

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Open Space:

Approximately 37 acres

By clustering development in the areas of the site that have few or no trees, we will preserve the magnificent heritage trees at the back of the property, as well as provide an extensive trail system that connects throughout the site and to the existing surrounding neighborhoods. This approach is also compatible with the intent to effectively manage stormwater on-site to relieve downstream burdens.

Multi Modal Connectivity:

The project will be connected and accessible for pedestrians, cyclists and passenger vehicles, both surrounding and throughout the interior of the site. This will include but is not limited to new crosswalks and trails for pedestrians, dedicated lanes for bicyclists and road and intersection improvements for vehicles. We have also proposed an alleyway behind the homes adjacent to the property that face 45<sup>th</sup> Street to improve access and safety for those homeowners.

Green Building:

Former U.S. Green Building Council Chair Gail Vittori with the Austin-based Center for Maximum Potential Building Systems ([www.cmpbs.org](http://www.cmpbs.org)) will lead sustainability planning for the project. Recognizing the sustainability benefits associated with a cohesive development scale approach, we plan to pursue LEED for Neighborhood Development certification, and will also require individual buildings to meet third-party green building certification. This will position the project as a showcase of state of the art healthy, green building practices, as we did for our LEED Silver-certified W Austin/Austin City Limits Live project downtown.

It is also important to note that while the State's position is that we are not required to go through the City of Austin development review and approval process, we are voluntarily agreeing to that and will do so.

We look forward to working with the surrounding neighborhoods to ensure that this project becomes an attractive and well planned addition to the central Austin community.

Please feel free to contact us if you have any questions.

Sincerely,



Beau Armstrong  
CEO  
Stratus Properties Inc.

Cc: Mr. Terry Keel, Executive Director,  
Texas Facilities Commission



