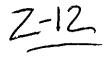
#### ZONING CHANGE REVIEW SHEET



**CASE:** C814-04-0066 **Z&P COMM. DATE:** 5-18-04

6-1-04 6-15-04

ADDRESS: Several parcels of land (known as the "Robinson Properties") generally located north and east of West Parmer Lane, west of FM 1325, south and southeast of RM 620.

APPLICANT: City of Austin AGENT: Neighborhood Planning and

Zoning Department

**PROPERTY OWNER (S)**: Robinson Ranch, Austin White Lime, Robinson Ranch Limited Partnership, Robinson Land Limited, et al.

**ZONING FROM:** I-RR\*, LI-PDA, DR **TO:** PUD

\*Upon annexation of existing ETJ areas

**AREA:** Approximately 6,058.7 acres (approximately 9.5 square miles).

### **SUMMARY STAFF RECOMMENDATION:**

Staff recommends Planned Unit Development district (PUD) zoning, subject to the land uses and site development standards outlined in the Robinson Ranch Use Summary Tables (Exhibit "B") and the site development standards (Exhibit "D", "E" & "F") with conditions and the following: 1) compliance with compatibility standards with respect to City of Austin properties adjacent to the PUD and within the MXD portion of the PUD; 2) additional building setbacks from certain residential subdivisions located at the southeast corner of the PUD (north of Parmer Land and west of FM 1325); 3) a minimum 200-foot wide setback will be provided between any residential dwelling and certain hazard "H" occupancy uses defined by the <u>Uniform Building Code</u>, as amended and the <u>Uniform Fire Code</u>, as amended; 4) allow the continuation of existing quarry & lime production activities, ranching and agricultural activities, fireworks sales (only in limited purpose jurisdiction), and hunting and non-commercial firearm activities (only in limited purpose jurisdiction).

### ZONING AND PLATTING COMMISSION RECOMMENDATION:

May 18, 2004: To continue the public hearing to June 1, 2004 meeting. Vote: 8-0. In addition, the ZAP Commission appointed a subcommittee by Chairperson Baker to review the proposed annexation and development agreement, and the proposed Robinson Property PUD. The three member subcommittee members are B. Baker, K. Jackson & J. Donisi. The subcommittee will be posted for May 24, 2004, May 25, 2004 & May 26, 2004.

June 1, 2004: To continue the public hearing to June 15, 2004 meeting. Vote: 8-0. J.P. absent. Subcommittee will meet on Monday, June 7<sup>th</sup> and Tuesday, June 8<sup>th</sup>. (Also, scheduled to meet on Monday, June 14<sup>th</sup>.)

June 15, 2004: To recommend the PUD zoning subject to the following:

1) To attach to the PUD (or the agreement) the list of "Architectural Principles" (blue handout at ZAP mtg.) handed out at the ZAP Commission meeting. These principles address building

facades, building materials, diversity of design, building spacing, roof design, ground level openings, street trees, mixed uses, paving, and landscaping;

- 2) All mechanical equipment shall be screened from adjacent pedestrian street view;
- 3) Buildings design at intersections will adhere to the standards in Section 16-7-2 of the City Code;

### § 16-7-2 PLACEMENT OF FENCES IN STREET CORNER AREAS.

It shall be unlawful for any person to permit any fence to remain, or to construct or replace, or cause to be constructed or replaced any fence on or in that portion of any corner in the city, which portion includes all property ten feet in from the curbline and 40 feet on either side from the street corner intersection of the curblines.

- 4) Mid-block passages will be provided in TOD areas;
- 5) Local utilities will be underground in T.O.D. areas; and
- 6) The Environmental Board's recommendations.

Vote: [K.J; J.D 2<sup>ND</sup>] (9-0)

Note: The Commission also voted in favor of the annexation and development agreement: subject to the following:

- 1) To make TOD areas elective and not mandatory.
- 2) To provide purchasers of land within the PUD notice that the adjacent land uses may change once the land use is declared;
- 3) To craft language the would require a T.I.A. with a site plan or a subdivision plat for the purpose of designing roadway infrastructure improvements, but not for the purpose of roadway capacity or as a site limiting function. The T.I.A. requirement would not be triggered until after the additional 2,000 vehicle trips per day provision in the current <u>Land Development Code</u> is exceeded.

Vote: [K.J; J.D 2<sup>ND</sup>] (9-0)

### **EXHIBITS:**

Exhibit "A"	Current shape description of the Robinson Property PUD
Exhibit "B"	Use Summary Table
Exhibit "C"	Land Use Plan
Exhibit "D"	MXD Site Development Standards
Exhibit "E"	TOD Site Development Standards
Exhibit "F"	OS Site Development Standards
Exhibit "H"	MXD Compatibility Standards
Exhibit "I"	Boundary Areas to comply additional setbacks beyond compatibility standards.
Exhibit "L"	Environmental Board recommendation.

### **DEPARTMENT COMMENTS:**

The property owner(s) are have agreed to limited purpose annexation, which is being processed by the City concurrently with this zoning/rezoning request. The majority of the PUD is currently located within the City of Austin's 2-mile and 5-mile extraterritorial jurisdiction (ETJ) and not subject to the City of Austin's zoning use regulations. The remaining portion of the PUD along the north side (500 feet wide) of West Parmer Lane is already limited purpose annexed and zoned limited industrial services-planned development agreement (LI-PDA) combining district zoning. The existing LI-PDA zoning currently allows a variety of commercial, industrial, residential and civic land. Since being zoned LI-PDA zoning in 1998, a Freestyle (formerly Motorola) manufacturing facility, a Stepping Stone daycare, a Chevron gas station/MacDonald's restaurant, a condominium and an apartment complex have all been developed. Upon final subdivision plat approval or site plan approval, or building permit approval if neither plat or plan are not required within the PUD, the affected area may be full purpose annexed by the City of Austin without objection from the property owner(s) for full purpose annexed annexation.

An annexation and development agreement is also being negotiated. The annexation and development agreement for the Robinson Properties was recommended Environmental Board with conditions on May 5, 2004. The Environmental Board recommendations for conditions are outlined in the attached memorandum. (see Exhibit "L").

Additional information regarding the Robinson Properties annexation and development agreement, including a draft of the agreement may be found at the following City web site: www.ci.austin.tx.us/news/2004/robinson ranch.htm

### **EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES		
Site	I-RR*, LI-PDA and DR *upon annexation of existing ETJ areas	Ranching and agricultural operations; quarry, lime production, office and residential uses		
North & Northwest	City of Round Rock ETJ (County), City of Austin ETJ (County) and DR, CS-CO, LI and GR (limited purpose annexed)	Veterinary clinic, roller rink, restaurants, auto services, banks, hair salon, other commercial development, residential subdivisions, and other various land uses along RM 620		
South and Southwest	SF-2, GR-CO, LI, LI-PDA, SF-2, RR, and City of Austin ETJ (County), including North Austin MUD No. 1.	Freescale (formerly Motorola) facility, day care, gas station/limited drive-through restaurant, condominiums, apartments, regional insurance office, residential subdivisions, food sales, gas station-convenience stores, industrial park, office, commercial, and undeveloped tracts.		
East	SF-2, RR, IP, LI-CO, LI, City of Austin ETJ (County)	Residential subdivisions, amusement park, industrial park, Abbott Labs, apartments,		
Property surrounded by PUD	City of Austin ETJ (County)	McNeil High School (R.R.I.S.D), churches, commercial uses, convenience storage, post office, undeveloped tracts, wood lot.		

AREA STUDY: No.

**TIA:** Not required (*City initiated case*)

**WATERSHED:** Lake, Rattan and Walnut Creek Watersheds

**DESIRED DEVELOPMENT ZONE: Yes.** 

### CAPITOL VIEW CORRIDOR: No.

### HILL COUNTRY ROADWAY: No.

### **NEIGHBORHOOD ORGANIZATIONS:**

Milwood Neighborhood Association #44 River Oaks Lakes Estates Neighborhood # 64 McNeil Drive Neighborhood Assn. #244 McNeil Estates Neighborhood Group #270 Neigh: Assn. Of Williamson County # 454 Davis Springs HOA #604 Preston Oaks Owners Assn. #999 Northwood Neighborhood Assn. #52 North Growth Corridor Alliance #114 Rattan Creek Neighborhood Assn. #265 Parmer/Avery Island Neigh. Assn. #313 Riviera Springs Comm. Dev. Assn. #485 Avery Ranch Neigh. Assn. #701

SCHOOLS: Roun

Round Rock Independent School District.

Austin Independent School District (near the southeast portion of the PUD adjacent to the Preston Oaks, Northwood, McNeil Estates and Hidden Estates subdivisions).

### **CASE HISTORIES:**

NUMBER	REQUEST	PLANNING	CITY COUNCIL		
		COMMISSION			
C14-02-0184	GR to CS-1	To grant CS-1-CO	To grant CS-1-CO, with no off-site consumption		
(on Parmer Lane at		zoning w/conditions.	only (proposed liquor store in existing retail		
McNeil)			center)		
C14-02-0100	GR to CS-1	To grant CS-1-CO	To grant CS-1-CO, no adult uses [proposed liquor		
(on RM 620 @)			store in existing (HEB) retail center]		
Parmer Lane					
C14-99-0048	I-RR to LI	To grant LI-CO zoning.	To grant LI-CO, with vehicle trip (warehouse		
(Howard @			office use)		
Merrilltown.		<u></u> _			
C14-98-0103	I-RR to LI-	To grant CBD-CURE	To grant LI-PDA, subj. to prohibit uses, 100-200		
(446 acres along	PDA	w/ conditions.	ft. non-single family bldg. setbacks, vehicle access		
Parmer Lane)			prohibitions (except for single family uses).		
C14-97-0030	DR to CS-	To grant CS-CO with	To grant CS-CO, with vehicle trip limit & use		
(along RM620)	CO	conditions.	prohibitions.		

### **ABUTTING STREETS:**

STREET	RIGHT-OF-	PAVEMENT	CLASSIFICATION	DAILY
	WAY	WIDTH		TRAFFIC
S.H. 45 (future)	0	0	Tollway	0
RM 620 North	140'	48'-50'	Major Arterial	39,000 (2002)
Loop 1/MoPac (future)	0	0	Major Arterial	0
FM 1325	120'	72`	Major Arterial	18,700 (2002)
West Parmer Lane	200'	2 @ 236	Major Arterial	44,000 (2002)
Anderson Mill Road	0	0	Major Arterial	0
McNeil Road	90'	40' to 2 @ 24'	Major Arterial	7,810 (1997)
Howard Lane (SH45 to McNeil)	0	0	Major Arterial	0
Howard Lane (McNeil to Loop 1)	100'	2 @ 24'	Major Arterial	14,010 (1997)

## CITY COUNCIL DATE & ACTION:

June 10, 2004: Postponed at request of Staff to June 17, 2004. Vote: 7-0.

June 17, 2004:

### **ORDINANCE READINGS:**

1<sup>st</sup>

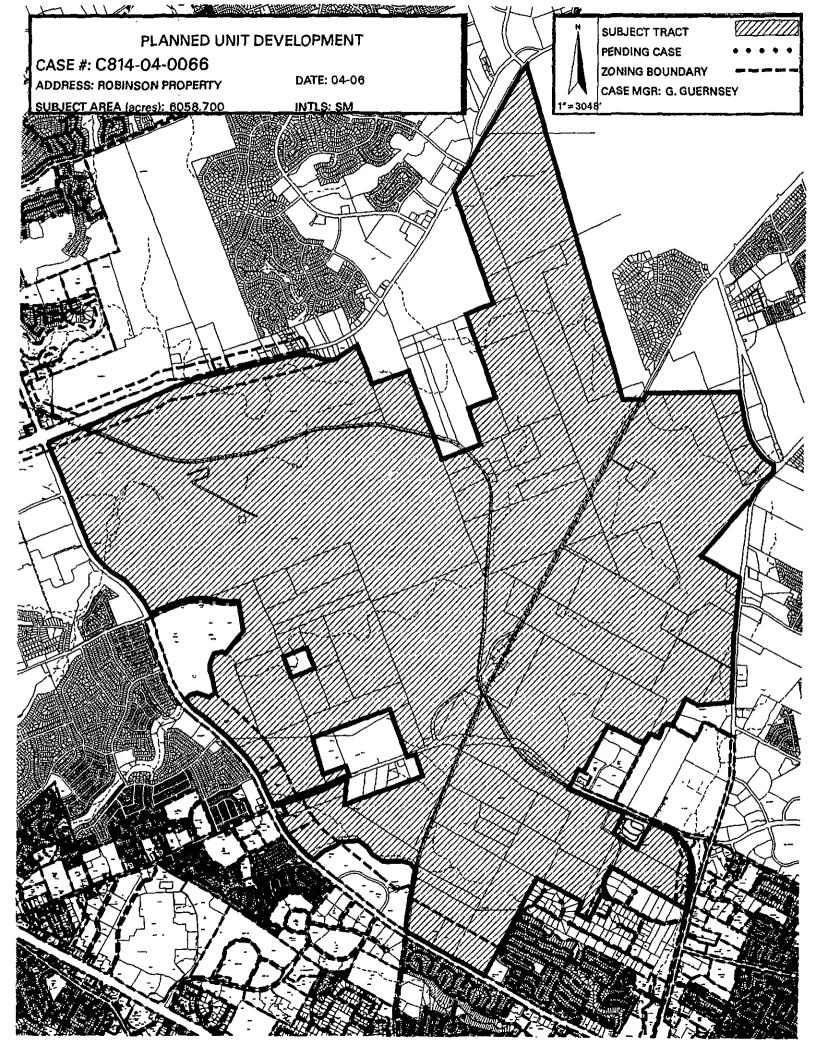
2<sup>nd</sup>

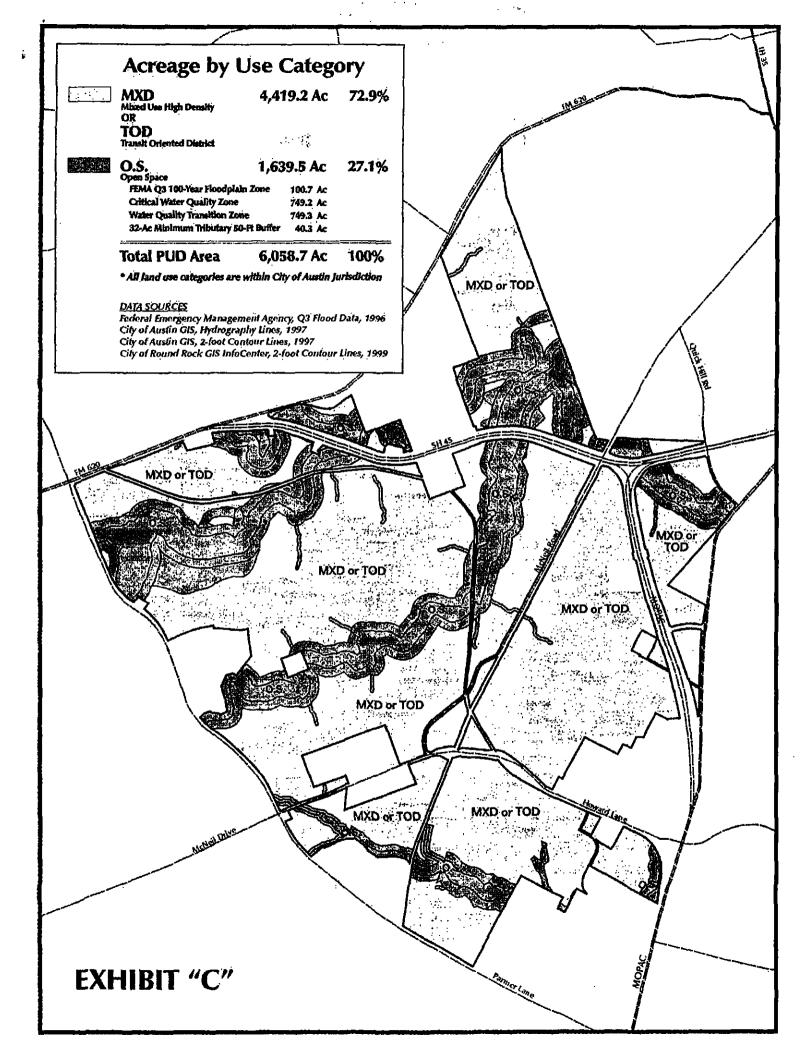
3<sup>rd</sup>

### **ORDINANCE NUMBER:**

<u>CASE MANAGER:</u> Gregory Guernsey <u>EMAIL:</u> <u>Greg.Guernsey@ci.austin.tx.us</u>

**PHONE:** 974-2387





Staff recommends Planned Unit Development district (PUD) zoning, subject to the land uses and site development standards outlined in the Robinson Ranch Use Summary Tables (Exhibit "B") and the site development standards (Exhibit "D", "E" & "F") and the following:

- The PUD will be subject to compatibility standards triggered by the SF-ROB district and SF-5 or more restrictive uses (and certain other civic uses outlined in the <u>Land Development Code</u>) within in the MXD district; and by SF-5 or more restrictive zoning or uses (and certain other civic uses outlined in the <u>Land Development Code</u>) outside the proposed PUD (see Exhibit "H")
- 2. A 200 foot industrial building setback and a 100 foot non-single family residential building setback is provided from the existing residential subdivisions (Preston Oaks, Northwood, McNeil Estates, Plaza Granado, Atkinson Acres, Hidden Estates, C.L. Sikes, Oak Craft, Dudley Estate, et. al.) located southeast of the PUD (north of Parmer Lane and West of FM1325), with exceptions for surface parking, driveways, landscaping, drainage, sidewalks, utility improvements and other improvements required by the City of Austin, as modified by compatibility standards.
- 3. A minimum 200-foot wide setback will be provided between any residential dwelling and certain hazard ("H") occupancy uses defined by the <u>Uniform Building Code</u>, as amended and the <u>Uniform Fire Code</u>, as amended. Specifically, this setback would be for storage areas or loading areas of "H" Occupancy uses defined as flammable / combustible liquids and gases, and / or toxic chemicals, and residential uses, as determined by the Austin Fire Department.
- 4. In recognition of the existing land uses on the property, the PUD will allow continuation of current uses and activities occurring with the PUD which include: 1) office uses, 2) quarrying, lime production and transportation, storage of materials and equipment for quarrying and lime production, and all related activities, including but not limited to excavating, filling, crushing and screening; 3) ranching and agricultural related operations; 4) hunting (including the use of firearms) and recreational (non-commercial) firearm activities within the limited purpose jurisdiction; and (iv) sales and use of fireworks within the limited purpose jurisdiction in compliance with all applicable state law requirements as adopted by the City.

#### PUD Overview

The proposed Robinson Property PUD is approximately 6,058.7 acres and located in the northwest corner of the City of Austin's planning jurisdiction. The majority of the PUD is currently located within the City of Austin's 2-mile and 5-mile extraterritorial jurisdiction (ETJ) and not subject to the City of Austin's zoning use regulations. Upon annexation the properties will be zoned interim rural residential (I-RR) district and is already developed with a quarry and lime production operation, a working ranch, residential homes, and offices.

### Land Use

Within the proposed PUD there are three major land use categories, that include a Transit-Oriented Development (TOD) district, a major mixed land use (MXD) district, and an open space (OS) district.

The proposed PUD describes the Transit-Oriented Development as a district that is encouraged to be of a design, configuration and mix of uses that emphasize a pedestrian-oriented environment and that

reinforce the use of mass transit (rail or bus rapid transit). The TOD is encouraged to mix residential, retail, office, open space and public uses, within a comfortable walking distance, making it convenient for residents, workers and shoppers to travel by mass transit, bicycle or foot, as well as by car. The arrangement of uses and buildings is also encouraged to allow residents, workers and shoppers to walk or bicycle to mass transit and other destinations within the TOD. A TOD would only be required within 1,320 feet (1/4 mile) of a major mass transit facility which is defined as an existing for transit agency proposed rail station or bus rapid transit transfer station. From a distance of 1,320 feet up to 2000 feet of a major mass transit facility, a TOD would be optional. The TOD would be the most intense land use category in the PUD and would allow the dense residential uses, the major of commercial land use types and mixed use buildings, but would exclude land intensive detached single family homes, duplexes and two-family residential uses (garage apartments). The TOD would allow unlimited building height for commercial uses, 12 to 1 floor-to-area ratios, zero setbacks and up to 100% impervious cover. The TOD district would not be subject to compatibility standards.

The MXD district, in combination with the TOD district would comprise about 72.9% (4,419.2 acres) of the PUD; however, the majority of the PUD would be designated as MXD. The MXD district would allow all types of residential, commercial, industrial and civic land uses, and would be subject to compatibility standards. The MXD district allows unlimited commercial building height and industrial building height of 120 feet, up to 6 to 1 floor-to-area ratios, setbacks which vary from zero to 10 feet and impervious cover between 60% to 90%.

The OS district would comprise about 27.1% (1,639.5. acres) of the PUD and would include property located within the Critical Water Quality Zone (CWTZ), Water Quality Transition Zone (WQTZ), 100-year flood plain and certain 50 foot buffer areas with a 32 acre contributing drainage area. The OS district would allow a limited number of passive uses and no impervious cover. No impervious cover is proposed within the OS district, except for certain utility, roadway and railroad crossings.

### Environmental/Water Quality

The PUD is located over the Northern Edwards Aquifer Recharge Zone. It is located in the Lake, Rattan and Walnut Creek watersheds, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The PUD is also located within the Desired Developed Zone. It has been estimated that the maximum impervious cover at final build out will be approximately 50% to 60% of the property. According to FEMA flood plain maps, there is flood plain with the PUD and it will be set aside within the OS district.

The property owner through the PUD has agreed to protect the natural character of waterways by providing for the following:

- No development in Critical Water Quality Zones and Water Quality Transition Zones of all three creeks on the tract.
- New protection for headwaters. Fifty (50) foot buffers provided on both sides of small waterways with drainage areas of 32 acres or more, providing 100 foot wide headwater protection corridors.
- No impervious cover is proposed in current 100 year FEMA flood plain areas, except for passive recreation uses; and utility, roadway and railroad crossings

In return for increased waterway protection, recharge feature protections have been modified in the following ways: Setbacks are not required for small recharge features or sinkholes, which lie outside the stream buffer areas. Major recharge features are protected with up gradient buffers of 300'

maximum and down gradient buffer of 100' maximum throughout the tract with the exception of areas within 1500' of the intersection of major roadways in the CAMPO plan.

The property owner will protect springs, wetlands, rim rocks and bluffs as per the current <u>Land</u> <u>Development Code</u>. In addition, the property owner will provide water quality controls in accordance with current <u>Land Development Code</u>.

Standard landscaping and tree protection will be required in accordance with Chapter 25-2 and 25-8 as modified, for all development.

#### BASIS FOR RECOMMENDATION

### 1. Zoning should be consistent with the purpose statement of the district sought.

Planned unit development (PUD) district is the designation for a large or complex single or multi-use development that is planned as a single contiguous project and that is under unified control. The purpose of a PUD district designation is to preserve the natural environment, encourage high quality development and innovative design, and ensure adequate public facilities and services for development within a PUD.

The proposed PUD will encourage and allow a mixture of residential, commercial, industrial, and civic uses that will be planned as a single contiguous project under unified control. The preservation of 27.1% (1,639.5 acres) of open space, the provisions to insure waterway protection and the protection of certain significant environmental cave features will preserve the natural environment of the PUD site. The proposed TOD will encourage high density development around major mass transit facilities will allow and encourage innovative development of the PUD. Finally, the infrastructure is adequate to serve the PUD by being in the Austin Water Utility's service area and part of the Utility's Long Range Pan. The roadway infrastructure is also adequate to serve the PUD, since it site bisected by two State highways (SH 45 and Loop1/MoPac), two major rail lines (Union Pacific RR, Austin NW RR), and will be crossed by three major arterial roadways (Anderson Mill Road, McNeil Road & Howard Lane). The PUD is also bounded by other major arterial roadways that form the perimeter of the property to the northwest, south, and southeast (Parmer Lane and RM620).

A PUD district designation provides greater design flexibility by the permitting modifications to site development regulations. Development under the site development regulations applicable to a PUD must be superior to the development that would occur under conventional zoning and subdivision regulations.

The PUD meets the above criteria by the creation of use and site development standards in the Robinson Ranch use summary tables (Exhibit "B") and the site development standards (Exhibit "D", "E" & "F") that allows mixture of land uses and increased development intensity, while: 1) preserving the compatibility of development within the PUD through setbacks that protect residential land uses from industrial uses, 2) providing enhanced building setbacks from the majority single family uses that currently abut the PUD, and 3) maintaining the use of compatibility standards over the majority of the PUD (MXD district) and along the perimeter of the PUD.

A PUD district must include at least 10 acres of land, unless the property is characterized by special circumstances, including unique topographic constraints.

The subject tract is approximately 6058.7 acre, or approximately 9.5 square miles.

# 2. Zoning should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.

Due to the immense size of the PUD, the number of major arterial roadways or State highways that ring it, the provision to maintain compatibility standards and certain additional building setbacks from neighboring single family uses along the edge of the PUD (that are offered little or no land use protections today); this PUD does promote compatibility with the adjacent and nearby uses and should not result in greater detrimental impacts to the adjacent neighborhoods.

### 3. Zoning should promote the goal of environmental protection.

The following benefits show a level of waterway protection and open space provision superior to that required by current code:

- Over 1,639 acres (27.1%) of land will be designated undeveloped open space.
- No development is allowed in Critical Water Quality Zones and Water Quality Transition Zones of the three creeks on the tract. This results in minimum 500° wide buffers on Lake Creek, Rattan Creek and the lower reaches of Walnut Creek. Current code would require a minimum 200 foot no development buffer in the Critical Zone on either side of these creeks and would allow development on thirty percent of the Transition Zone as close as 200 feet from the creek.
- The buffer requirements will provide 1000 –1400 foot wide undeveloped stream corridors for 13.1 stream miles.
- New protection for headwaters. Fifty (50) foot buffers provided on both sides of small
  waterways with drainage areas of 32 acres or more. Current code provides protection only for
  streams that drain 320 acres or more.
- No impervious cover in current 100 year FEMA flood plain, except for passive recreation uses; and utility, roadway and railroad crossings
- Although small recharge features are not provided setbacks in the agreement, the enhanced stream buffers, headwater protection and FEMA floodplain restrictions will protect features where the most significant volumes of recharge are likely to occur
- Although watershed impervious cover limits are not applied, estimated impervious cover levels are approximately the same as would result from the watershed based limits

#### **EXISTING CONDITIONS**

### Site Characteristics

The property is fairly flat with areas of dense tree cover to almost no tree cover. Two flood control dams (Ganzart Lake & Smith Lake) and three major creeks are located on the tract. The property is currently used for an active quarry operation; lime production; ranching/agricultural operations; office and single family residential uses.

### **Transportation**

The property is bisected by State Highway 45 along the northern portion of the PUD and by proposed Loop 1/MoPac Expressway along the eastern portion of the PUD. The property is also bisected by

two major railroads, the north-south Union Pacific RR (proposed commuter rail regional service line) and the east-west Austin & NW RR (Capitol Metro's proposed commuter rail urban service line). The property is also bisected by several major arterial roadways, including Anderson Mill Road, McNeil Road and Howard Lane; and boarded by West Parmer Lane, RM 620 and FM 1325.

The adopted 2025 CAMPO and AMATP transportation plans will have capacity to accommodate significant development on the Robinson Property, as well as significant regional travel demand.

### **Environmental**

The site includes Lake Creek and Rattan Creek that drain to the Brazos River Basin and Walnut Creek that drains to the Colorado River Basin. These watersheds are classified as Suburban watersheds and are located over the Northern Edwards Aquifer Recharge Zone in northwest Travis County and southern Williamson County. The tract is in the Desired Development Zone.

According to FEMA flood plain maps, there is 100-year flood plain within the proposed PUD.

At this time, site specific information within the majority of the PUD is unavailable regarding existing trees and other vegetation, areas of steep slopes, or other environmental features such as bluffs, springs, canyons rimrock, caves, sinkholes and wetlands.

Under existing conditions the site is subject to City of Austin watershed regulations and State Edwards Rules as well as U.S. Fish and Wildlife Service protections for endangered species.

### Water and Wastewater

The City intends to serve the tract with City of Austin water and wastewater utility service. If water or wastewater utility improvements are required, the landowner will be responsible for all cost and for providing the utility improvements.

### Stormwater Detention

At the time a final subdivision plat, subdivision construction plans, or site plan is submitted, the developer must demonstrate that the proposed development will not result in additional identifiable flooding of other property. Any increase in stormwater runoff will be mitigated through on-site stormwater detention ponds, or participation in the City of Austin Regional Stormwater Management Program, if available.