

**Zoning Ordinance Approval  
CITY OF AUSTIN  
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 45  
AGENDA DATE: Thu 08/05/2004  
PAGE: 1 of 1**

**SUBJECT:** C14T-03-0001 - Pioneer Hill Traditional Neighborhood District - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as East Dessau Road, located across from the intersections of Dessau Road and Applegate Drive, Dessau Road and Meadowmead Drive, and Dessau Road and Childress Drive (Walnut Creek Watershed) from interim-rural residence (I-RR) district zoning to traditional neighborhood (TN) district zoning. First reading on May 6, 2004. Vote: 7-0. Conditions met as follows: No conditions were imposed. Applicant: Estate of Fred C. Morse, Sr., Deceased (Scott N. Morse, Frederic C. Morse, III), JP Morgan Chase Bank, N.A. (Scott DeNeen), Continental Homes of Texas, L.P., dba Milburn Homes, L.P./ D.R. Horton Homes, L.P. (Dale Thorton). Agent: Milburn Homes, L.P./ D.R. Horton Homes, L.P. (Dale Thorton). City Staff: Sherri Gager, 974-3057.

**REQUESTING** Neighborhood Planning  
**DEPARTMENT:** and Zoning

**DIRECTOR'S**  
**AUTHORIZATION:** Greg Guernsey

## SECOND/THIRD READING SUMMARY SHEET

**ZONING CASE NUMBER:** C14T-03-0001

**REQUEST:**

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code, zoning the property locally known as East Dessau Road- located across from the intersections of Dessau Road and Applegate Drive, Dessau Road and Meadowmead Drive, and Dessau Road and Childress Drive from I-RR, Interim-Rural Residence District, zoning to TN, Traditional Neighborhood District, zoning.

**PROPERTY OWNER:** Estate of Fred C. Morse, Sr., Deceased (Scott N. Morse,  
Frederic C. Morse, III)  
JP Morgan Chase Bank, N.A. (Scott DeNeen)  
Continental Homes of Texas, L. P. dba Milburn Homes/D. R. Horton  
Homes, L.P. (Dale Thorton)

**AGENT:** Milburn Homes, L.P./D. R. Horton Homes, L. P. (Dale Thorton)

**DEPARTMENT COMMENTS:**

This is the second application for a Traditional Neighborhood District (TND), since the ordinance was passed in 1997. The first application was for Brandt's Crossing TND, which was withdrawn before a public hearing at City Council on May 3, 2001.

The current application is a request for a TND on a 278 acre tract along Dessau Road. The property in question is currently undeveloped. This site was annexed by the City of Austin on July 17, 2003. The proposed land use plan for the Pioneer Hill TND is provided as "Attachment A" to this report. The project contains a mix of single-family and multi-family residential, office, commercial, industrial civic and parkland uses. The following is a table of the uses proposed:

Mixed Residential Area-1	132.27 acres	47.5%
Mixed Residential Area-2	23.83 acres	9.0%
Neighborhood Center Area	15.29 acres	5.0%
Workshop Area	29.28 acres	11.0%
Public Parkland	76.72 acres	27.5%
<b><i>TOTAL GROSS SITE AREA</i></b>	<b><i>277.39 acres</i></b>	<b><i>100.0%</i></b>

In this case, the applicant is requesting 38 modifications, variances, clarifications and waivers to Land Development Code requirements for this TND development. This request list is provided as "Attachment B" to this report. The staff's recommendation on the variance, clarification, and waiver requests is highlighted below each item. These items have all been recommended and are supported by the staff.

The applicants will also be required to submit preliminary and final subdivision plats, as well as construction plans. A site plan is not required for development in a traditional neighborhood district. Submittal of plot plan(s) is required prior to approval of building or construction permit applications.

The applicant agrees with the Planning Commission's recommendation.

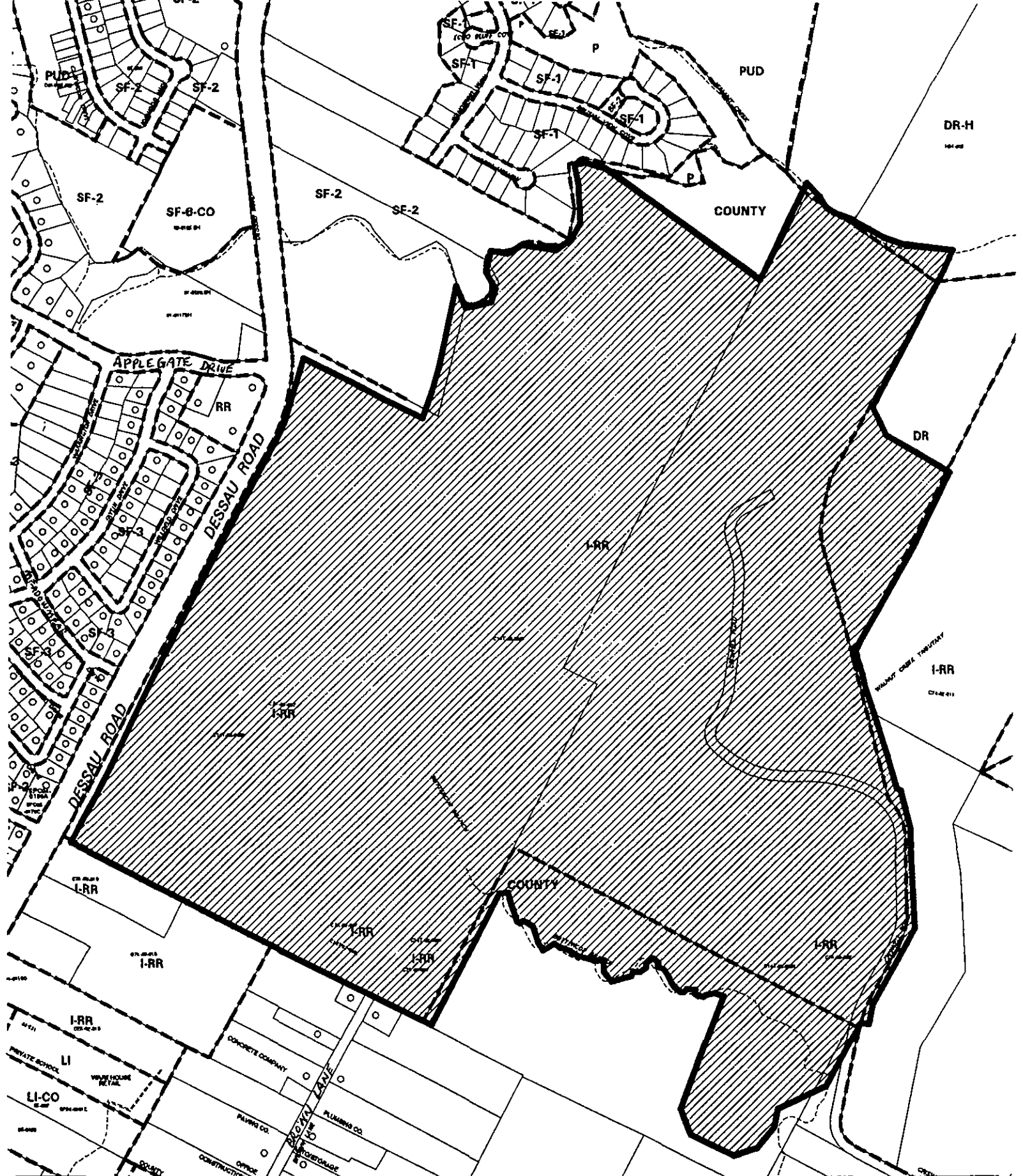
**DATE OF FIRST READING/VOTE:** May 6, 2004/ Granted TND zoning (7-0); 1<sup>st</sup> reading


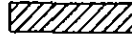


**CITY COUNCIL DATE:** August 5, 2004

**CITY COUNCIL ACTION:**

**ASSIGNED STAFF:** Sherri Gager

**PHONE:** 974-3057  
sherri.gager@ci.austin.tx.us



 1" = 600'	SUBJECT TRACT		<b>ZONING</b>	CITY GRID REFERENCE NUMBER M&N 29-30
	PENDING CASE			
	ZONING BOUNDARY			
	CASE MGR: S. GAGER			
	CASE #:	C14T-03-0001		
	ADDRESS: PIONEER HILL	DATE: 03-12		
	SUBJECT AREA (acres): N/A	INTLS: SM		

**ZONING CHANGE REVIEW SHEET****CASE:** C14T-03-0001**Z.A.P. DATE:** March 16, 2004  
April 6, 2004**ADDRESS:** East Dessau Road-Located across from the intersections of Dessau Road and Applegate Drive,  
Dessau Road and Meadowmead Drive, and Dessau Road and Childress Drive**OWNER/APPLICANT:** Estate of Fred C. Morse, Sr., Deceased (Scott N. Morse,  
Frederic C. Morse, III)  
JP Morgan Chase Bank, N.A. (Scott DeNeen)  
Continental Homes of Texas, L. P. dba Milburn Homes (Dale Thorton)**AGENT:** Milburn Homes, L.P./D. R. Horton Homes, L. P. (Dale Thorton)**ZONING FROM:** I-RR**TO:** TND**AREA:** 277.393 acres**SUMMARY STAFF RECOMMENDATION:**

Staff recommends approval of the request for Traditional Neighborhood District (TND) zoning and the associated modifications (Sec Zoning Variance, Clarifications, and & Waivers List – “Attachment B”).

**ZONING & PLATTING COMMISSION RECOMMENDATION:**

3/16/04: Postponed to April 6, 2004 at the request of the Neighborhood (8-0, K. Jackson-absent);  
J. Martinez-1<sup>st</sup>, J. Cortez-2<sup>nd</sup>.

4/6/04: Approved staff's recommendation for TND zoning (7-0, K. Jackson-absent); M. Whaley-1<sup>st</sup>,  
J. Martinez-2<sup>nd</sup>.

**ISSUES:**

The case under consideration was initially filed on August 5, 2002, as case number C14T-02-0001. Since that time, the staff has worked with the applicant/agent to address issues regarding the case. During the review of this case, there have been five updates requested by the staff to resolve outstanding comments concerning the layout of the proposed TND, parkland locations, transportation issues, and requested variances/clarifications to City of Austin code requirements. On August 1, 2003, the case was withdrawn and resubmitted under the current case number, C14T-03-0001. After the re-submittal of the case, the applicant submitted a final update that cleared the remaining outstanding issues for the case. The staff recommends this request and is ready to proceed forward to the Zoning & Platting Commission and City Council for review of the proposed TND project.

The staff received a letter from Mr. Bobby Parker on January 31, 2003, requesting that Brown Lane be extended to connect with Dessau Road (Surrounding Property Owner Comments - “Attachment R”). This zoning request does not propose the extension of Brown Lane as part of the TND development.

**DEPARTMENT COMMENTS:**

This is the second application for a Traditional Neighborhood District (TND), since the ordinance was passed in 1997. The first application was for Brandt's Crossing TND, which was withdrawn before a public hearing at City Council on May 3, 2001.

The current application is a request for a TND on a 278 acre tract along Dessau Road. The property in question is currently undeveloped. This site was annexed by the City of Austin on July 17, 2003. The proposed land use plan for the Pioneer Hill TND is provided as "Attachment A" to this report. The project contains a mix of single-family and multi-family residential, office, commercial, industrial civic and parkland uses. The following is a table of the uses proposed:

Mixed Residential Area-1	132.27 acres	47.5%
Mixed Residential Area-2	23.83 acres	9.0%
Neighborhood Center Area	15.29 acres	5.0%
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<b><i>TOTAL GROSS SITE AREA</i></b>	<b><i>277.39 acres</i></b>	<b><i>100.0%</i></b>

In this case, the applicant is requesting 38 modifications, variances, clarifications and waivers to Land Development Code requirements for this TND development. This request list is provided as "Attachment B" to this report. The staff's recommendation on the variance, clarification, and waiver requests is highlighted below each item. These items have all been recommended and are supported by the staff.

The applicants will also be required to submit preliminary and final subdivision plats, as well as constructions plans. A site plan is not required for development in a traditional neighborhood district. Submittal of plot plan(s) is required prior to approval of building or construction permit applications.

The applicant agrees with the staff's/Zoning & Platting Commission's recommendation.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	I-RR	Undeveloped
<i>North</i>	SF-2, SF-1, P, DR-H	Undeveloped Tract, Single-Family Residential Neighborhood, Parkland, Undeveloped Tract
<i>South</i>	County	Single-Family Residences, Industrial and Warehouse Uses
<i>East</i>	DR, I-RR	City of Austin Parkland
<i>West</i>	SF-3, RR, SF-2	Single-Family Residential Neighborhood, Drainage Channel

**AREA STUDY:** N/A

**TIA:** Required

**WATERSHED:** Walnut Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

114 - North Growth Corridor Alliance  
 149 - Woodcliff Homeowners Association  
 474 - Windsor Hills Neighborhood Association  
 511 - Austin Neighborhoods Council  
 643 - North East Action Group  
 937 - Taking Action, Inc.

**SCHOOLS:**

Barrington Elementary School  
 Graham Elementary School  
 Hart Elementary School  
 Dobie Middle School  
 Lanier High School

**CASE HISTORIES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-01-0128.SH	SF-2 to LO	10/16/01: Approved LO-MU-CO w/ conditions (8-1, VA-No)	11/01/01: Approved ZAP rec. for LO-MU-CO (5-0-2, BG/DT-Abstained); 1 <sup>st</sup> reading  11/08/01: Approved LO-MU-CO (5-1-1, DT-No, BG-Abstain); 2 <sup>nd</sup> reading -Case Expired-
C14-01-0117.SH	Withdrawn & resubmitted as case C14-01-0128.SH	N/A	N/A
C14-95-0159	TR1: SF-3 to LR-CO TR2: SF-3 to LI-CO	11/28/95: LR-CO & LI-CO w/conditions (8-0)	1/4/96: Approve LR-CO (TR1) & LI-CO (TR2) subject to conditions (5-0); all 3 readings
C14-95-0097	SF-3 to LI, GO	8/29/95: Approved GO-CO & LI-CO w/ conditions (5-0)	9/29/95: Approved GO-CO & LI-CO w/ conditions (5-0); all 3 readings
C14-94-0005	I-RR to LI	3/1/94: Approved staff alternate rec. of LI-CO w/IPM (6-0)	3/24/94: Approved LI-CO (5-0); 1 <sup>st</sup> reading  6/9/94: Approved LI-CO (5-0); 2 <sup>nd</sup> /3 <sup>rd</sup> readings

**RELATED CASES:** N/A

**ABUTTING STREETS:**

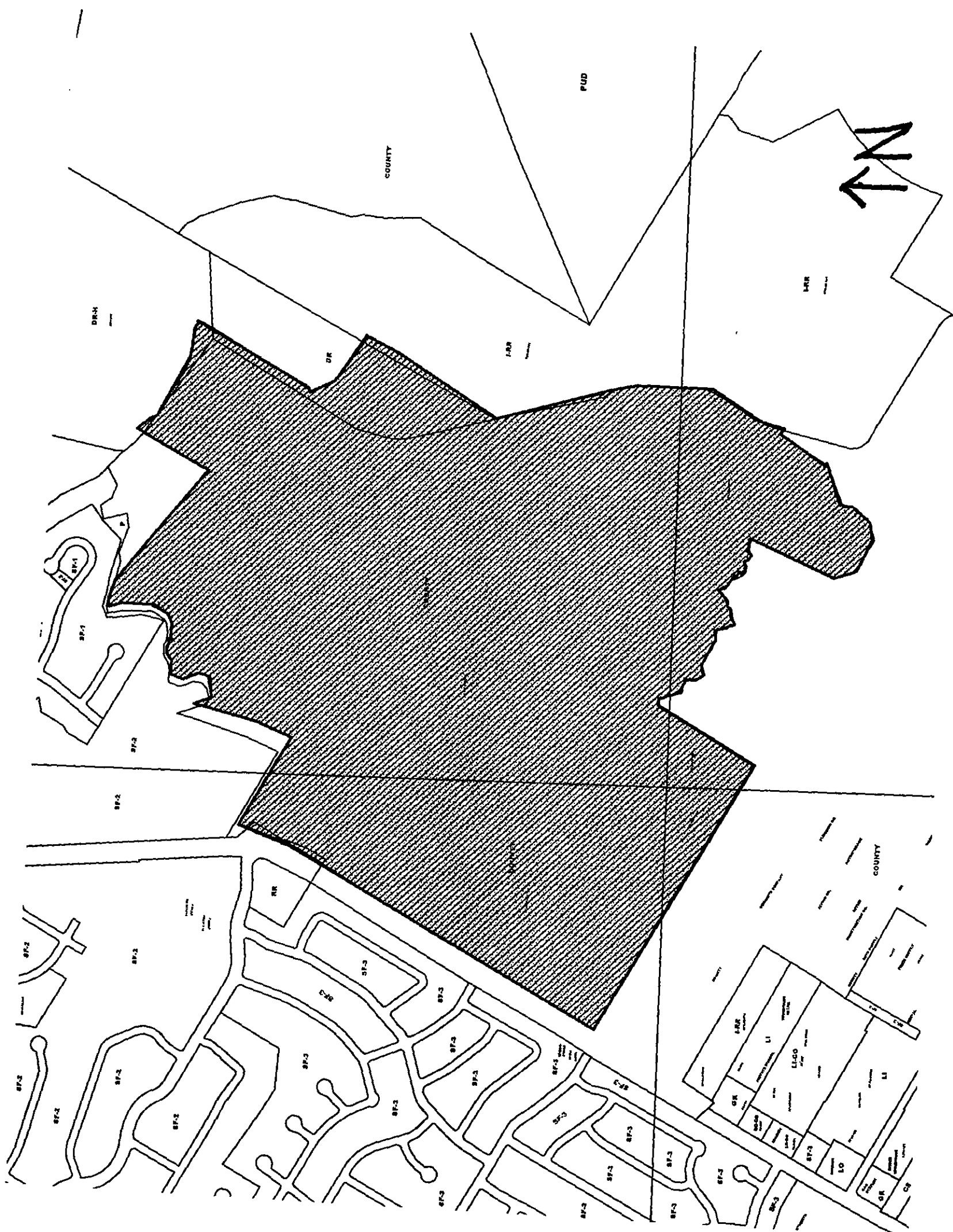
STREET		RIGHT-OF-WAY	PAVEMENT WIDTH	CLASSIFICATION	DAILY TRAFFIC
Dessau Road		120'	2@30'	Major Arterial	20,161 vpd
Brown Lane		-	-	Collector	2,000 vpd

**CITY COUNCIL DATE:** May 6, 2004**ACTION:** Granted TND zoning on 1<sup>ST</sup> reading (7-0)

July 29, 2004

**ACTION:****ORDINANCE READINGS:** 1<sup>st</sup>2<sup>nd</sup>3<sup>rd</sup>**ORDINANCE NUMBER:****CASE MANAGER:** Sherri Gager**PHONE:** 974-3057**EMAIL:** sherri.gager@ci.austin.tx.us







## STAFF RECOMMENDATION

Staff recommends approval of the request for TND zoning and the associated modifications (See Zoning Modifications, Variances, Clarifications, and & Waivers List – “Attachment B”).

## BACKGROUND

This is the second application for a Traditional Neighborhood District (TND) since the ordinance was passed in 1997. The first application was for Brandt’s Crossing TND, which was withdrawn before a public hearing at City Council on May 3, 2001.

The current application is a request for a TND on a 278 acre tract along Dessau Road. The property in question is currently undeveloped. This site was annexed by the City of Austin on July 17, 2003. The proposed land use plan for the Pioneer Hill TND is provided as “Attachment A” to this report. The project contains a mix of single-family and multi-family residential, office, commercial, industrial civic and parkland uses. The following is a table of the uses proposed:

Mixed Residential Area-1	132.27 acres	47.5%
Mixed Residential Area-2	23.83 acres	9.0%
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The applicants will also be required to submit preliminary and final subdivision plats, as well as constructions plans. A site plan is not required for development in a traditional neighborhood district. Submittal of plot plan(s) is required prior to approval of building or construction permit applications.

The applicant agrees with the staff’s recommendation.

## BASIS FOR RECOMMENDATION

1. The project follows the guidelines set forth in both the Land Development Code (25-3) and the Traditional Neighborhood Criteria Manual.
2. The project promotes the goals of a Traditional Neighborhood Development (TND) by encouraging mixed used, compact development that is sensitive to the environmental characteristics of the land and facilitates the efficient use of services. A TND District diversifies and integrates land uses within close proximity to each other, and it provides for the daily recreational and shopping needs of the residents. A TND District is a sustainable, long-term community that provides economic opportunity and environmental and social equity for the residents. Its design adopts the urban conventions, which were the norm in the United States from colonial times until the 1940’s.

3. The TND zoning for this project will satisfy a public need for this type of development and will promote the public health, safety and welfare by fulfilling the purposes of zoning set forth in the Texas Land Development Code (211.001).

## EXISTING CONDITIONS

### Site Characteristics

The site is currently undeveloped with a gentle rolling topography and no severe slopes. There appear to be some topographical and environmental constraints.

### Impervious Cover

At this time, no information has been provided as to whether this property has any pre-existing approvals, which preempt current water quality or Code requirements.

The maximum impervious cover allowed by the TND zoning district varies according to the TND development classification. (See table below). Under TND regulations, development or redevelopment on this site allows the following impervious cover limits:

<i>TND Development Classification</i>	<i>% of Net Site Area</i>
Employment Center Area	80%
Workshop Area Lots	80%
Neighborhood Center Area	90%
Mixed Residential Area	65%
Neighborhood Edge Area	65%
Squares/Plazas	90%
Parks/Greenbelts	10%

However, if the watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

The site is in the Walnut Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on the site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

The maximum overall impervious cover limit in a **TND is 65% of the net site area**, or the amount permitted in the watershed, which ever is less.

**Environmental**

The site is in the Walnut Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone.

According to flood plain maps, there is floodplain within, or adjacent to the project boundary. Based upon the close proximity of flood plain, offsite drainage should be calculated to determine whether transition zone exists within the project location. If transition zone is found to exist within the project area, allowable impervious cover within said zone should be limited.

At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands. With the filing of the preliminary plan application, the following information will be required for review:

- Location of all Critical Environmental Features and the required setbacks as defined by LDC 25-8-128 and 25-3-23(a)
- Location of Critical Water Quality Zone and Water Quality Transition Zone (LDC 25-892 and 25-3-23(a))
- Net site area information, and calculations using the format shown in Appendix Q-1 of the Environmental Criteria Manual
- Provide the total proposed impervious cover the development using the format shown in Appendix Q-2 of the Environmental Criteria Manual.
- Identify the spoils locations with the development.
- Discuss proposed cut/fill greater than four feet outside the Right-of-Way, and proposed methods of containment and/or stabilization of all cut and fill. (LDC 25-8-341, 25-8-342)
- Discuss all proposed environmental variances and provide letter of variance request addressing proposed Findings of Fact as shown in Appendix U of the Environmental Criteria Manual. (LDC 25-8-41, 25-8-42)
- Submit a slope map draw at a scale of no greater than 1"=100'. The slope and topographic map should be calculated based on two-foot contour intervals and contain proposed development. (LDC 25-8-301)
- Preliminary plan applications within the City limits must include a tree protection plan. This plan should contain proposed development, utilities, defined LOC, and depict all trees 8" or greater by type.
- Landscape plan in accordance with 25-2-981 and the TND Criteria Manual.
- Include an erosion/sedimentation control plan depicting the location of all proposed temporary and permanent erosion controls on the plan view with existing topographic information.
- An environmental assessment will be required in accordance with LDC 25-8-128.

At this time no further environmental information is required for approval of the zoning application.

**Transportation**

Transportation comments regarding the TIA for this property will be provided in a separate memo ("Attachment N").

**Right-of-Way**

The scope of this review is limited to the identification of needs for dedication and/or reservation of right-of-way for funded Capital Improvement Program (C.I.P.) Roadway Construction Projects and Transportation Systems Management (T.S.M.) Projects planned for implementation by the City of Austin. No aspect of the proposed project is being considered or approved with this review other than the need for right-of-way for City projects. There are separate right-of-way dedication and reservation requirements enforced by other Departments and other jurisdictions to secure right-of-way for roadway improvements contained in the Austin Metropolitan Area Roadway Plan, roadway projects funded by County and State agencies, and for dedication in accordance with the functional classification of the roadway.

We have reviewed the proposed subdivision, site plan, or zoning case and anticipate no additional requirement for right-of-way dedication or reservation for funded C.I.P. or T.S.M. projects at this location.

**Water and Wastewater**

The landowner has satisfied the TND zoning application requirements.

The landowner intends to serve the site and each proposed lot with City water and wastewater utilities. Water and wastewater utility improvements, offsite main extension and system upgrades are required. The landowner will be responsible for all costs and for providing.

**Stormwater Detention**

At the time of subdivision, 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.

**Drainage**

Release of this application does not constitute a verification of all data, information and calculations supplied by the applicant. The engineer of record is solely responsible for the completeness, accuracy and adequacy of his/her submittal, whether or not the application is reviewed for Code compliance by City engineers.

Detention Ponds to control the 2, 10, 25 and 100 will be required or a written waiver from detention is to be secured from the manager of Watershed Engineering, WPD. This waiver must be delivered to the Engineering reviewer prior to final plat release.

All waivers must be identified at preliminary stage for non-standard Ponds, ditches, channels etc. waivers should be sent directly to Frank Houston P.E. for approval and listed on coversheet.

**Drainage Report:**

A detailed drainage study will be required at the preliminary plan stage. The drainage study should provide evidence that the proposed development complies with Chapter 25-7 (Drainage; LDC) and the Drainage Criteria Manual. The report should:

- Assume fully-developed upstream conditions.
- Illustrate that the subdivision is providing conveyance for fully developed off-site flows.
- Provide topographic map of upstream area with supporting calculations of flow rates.
- Specify basis of topography as U.S.G.S., City Standard Datum, or On-site topographical survey with date of survey and surveyor's certification. Clarify boundary of proposed tract.
- Delinate the one hundred (100) year floodplain and provide supporting calculations.
- Provide calculations demonstrating adequacy of drainage facilities adjacent to this tract.
- Verify adequacy of all drainage easements and/or drainage facilities.
- Verify that no adverse flooding of other property will occur as a result of proposed improvements.
- Show location of all proposed filtration/sedimentation ponds, verify adequacy of each with calculations and contain in drainage easement(s).
- Address the need for detention Pond.
- Provide a topographic map showing locations of HEC-2 cross-sections and stations.

All Engineering Reports must be certified by a registered professional engineer.

At this time, no further drainage information is required for approval of the zoning application.

### **Flooding**

Approved.

There are no comments at this time regarding the proposed TND zoning case.

### **Parks & Recreation**

The comments from the Parks & Recreation Department have been provided in a separate memo ("Attachment O").

### **Site Plan**

On a property approved for TND zoning, a site plan is not required. However, a plot plan indicating the location of buildings, parking, and improvements will be required for review before the issuance of a building permit [LDC-Sec. 25-3-191].

There are no comments at this time regarding the proposed TND zoning case.

**BOSSE & TURNER**  
ARCHITECTS, INC.

1000 N. 10TH ST.  
SUITE 100  
DALLAS, TEXAS 75201  
TEL: 214-751-1234  
FAX: 214-751-1235

**RANDALL JONES ENGINEERING**  
Engineering, Planning, Surveying  
1000 N. 10TH ST., SUITE 100, DALLAS, TEXAS 75201  
TEL: 214-751-1234  
FAX: 214-751-1235

**Pioneer Hill**  
for Milburn Homes  
DEVELOPMENT PLAN  
PHASES OF DEVELOPMENT

Case #: C147-03-0001

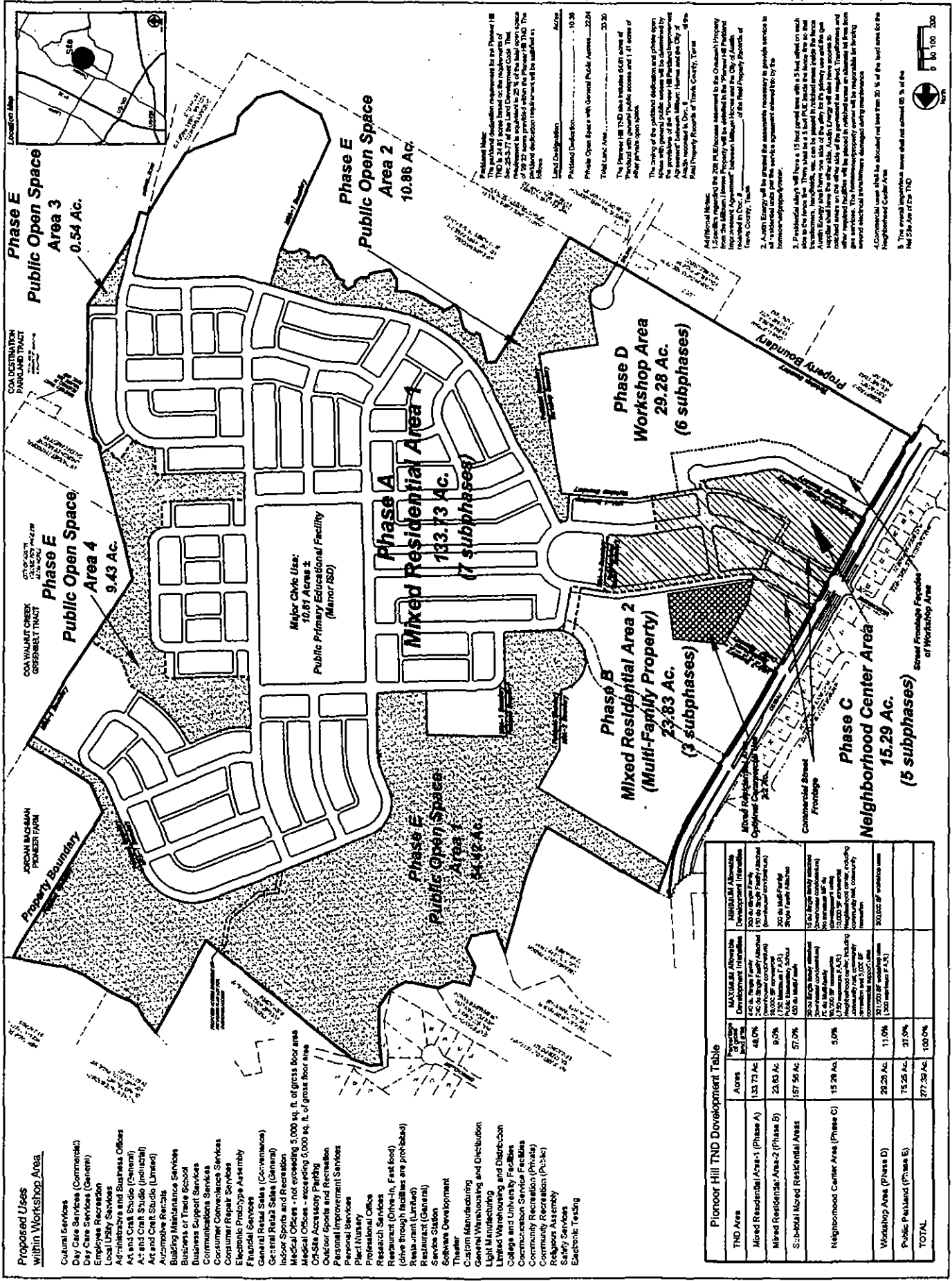
APPROVED

SCALE: 1" = 200'

DATE: 03.10.04

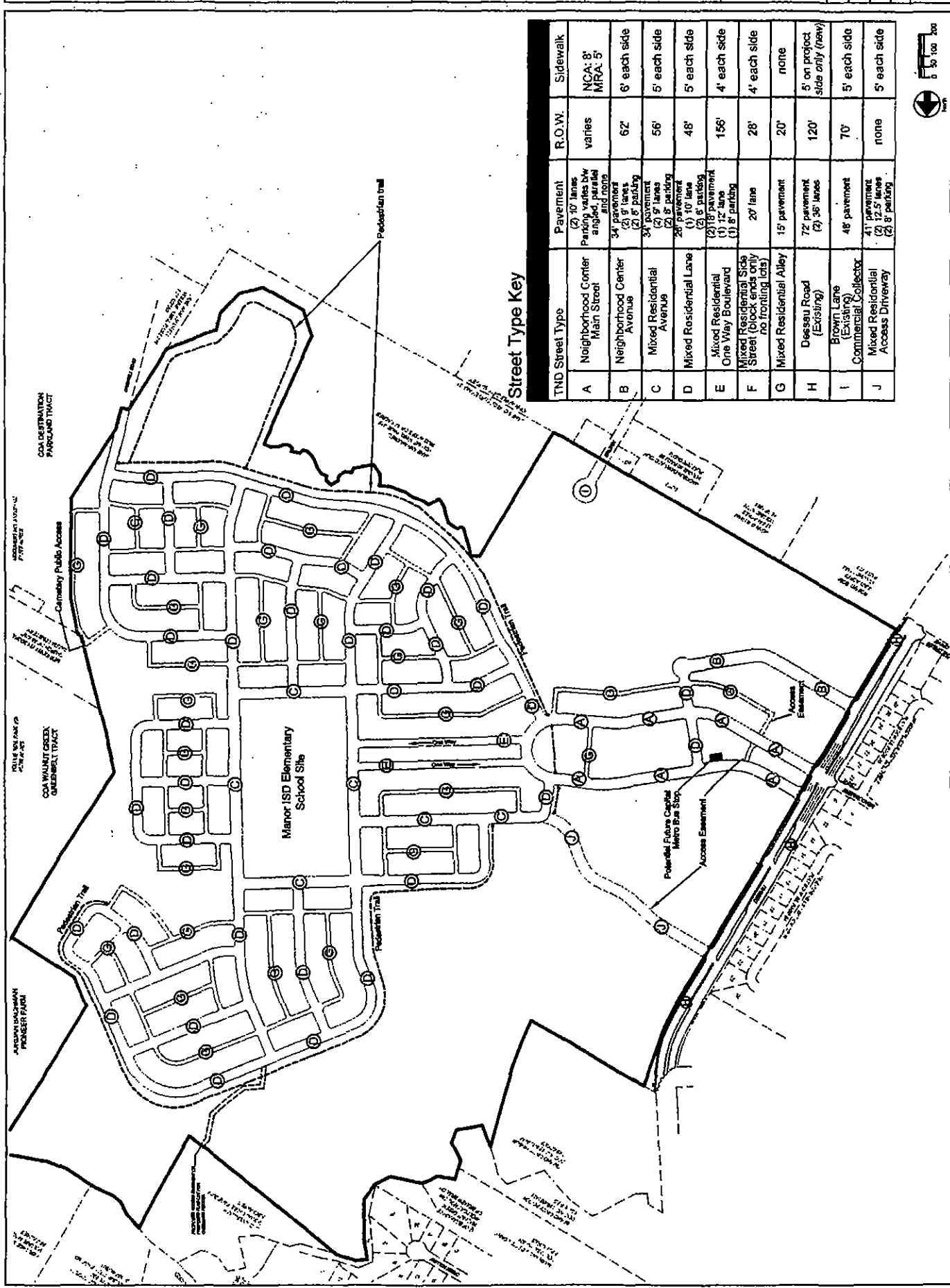
SHEET NO.

1 of 5



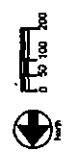
Pioneer Hill TND Development Table			
TND Area	Acres	Percentage of Total TND Area	Minimum Allowable Development Intensity
Mixed Residential Area-1 (Phase A)	133.73 Ac.	48.0%	100 to 200 units per acre
Mixed Residential Area-2 (Phase B)	29.83 Ac.	9.0%	100 to 200 units per acre
Subsidiary Mixed Residential Areas	157.56 Ac.	57.0%	100 to 200 units per acre
Neighborhood Center Area (Phase C)	15.29 Ac.	5.0%	100 to 200 units per acre
Workshop Area (Phase D)	29.28 Ac.	11.0%	100 to 200 units per acre
Public Parkland (Phase E)	10.86 Ac.	3.0%	100 to 200 units per acre
TOTAL	277.35 Ac.	100.0%	

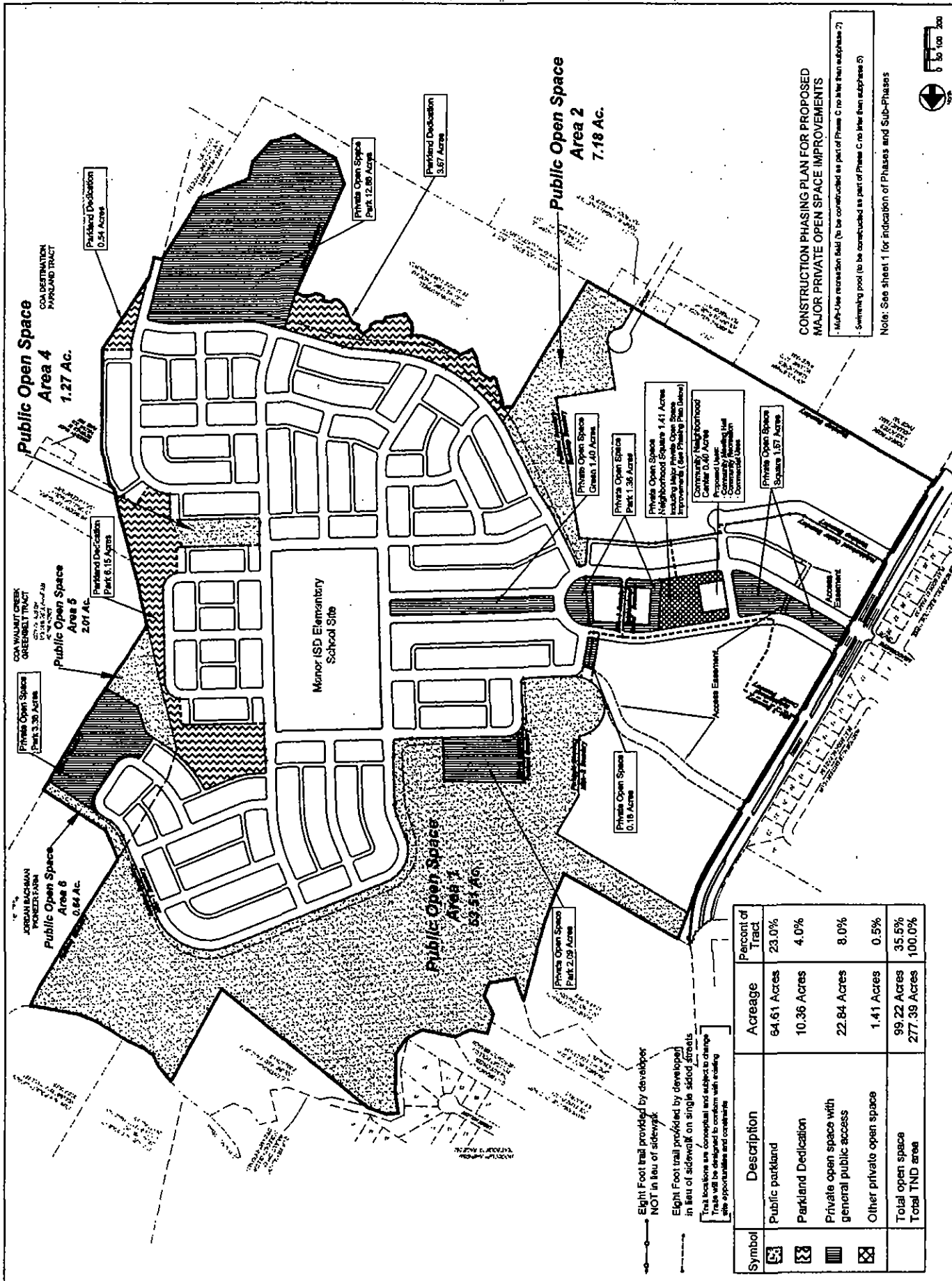




Street Type Key

TND Street Type	Pavement	R.O.W.	Sidewalk
A Neighborhood Center Main Street	(2) 10' lanes Parking varies by angled, parallel and none	varies	NCA: 8' MRA: 5'
B Neighborhood Center Avenue	34' pavement (2) 9' lanes (2) 8' parking	62'	6' each side
C Mixed Residential Arterial	34' pavement (2) 9' lanes (2) 8' parking	56'	5' each side
D Mixed Residential Lane	26' pavement (1) 10' lane (2) 8' parking	48'	5' each side
E Mixed Residential One Way Boulevard	(2) 11'8" pavement (1) 12' lane (1) 8' parking	156'	4' each side
F Mixed Residential Side Street (Block ends only no fronting lots)	20' lane	28'	4' each side
G Mixed Residential Alley	15' pavement	20'	none
H Deesau Road (Existing)	72' pavement (2) 36' lanes	120'	5' on project side only (new)
I Brown Lane (Existing) Commercial Collector	48' pavement	70'	5' each side
J Mixed Residential Access Driveway	41' pavement (2) 12.5' lanes (2) 8' parking	none	5' each side





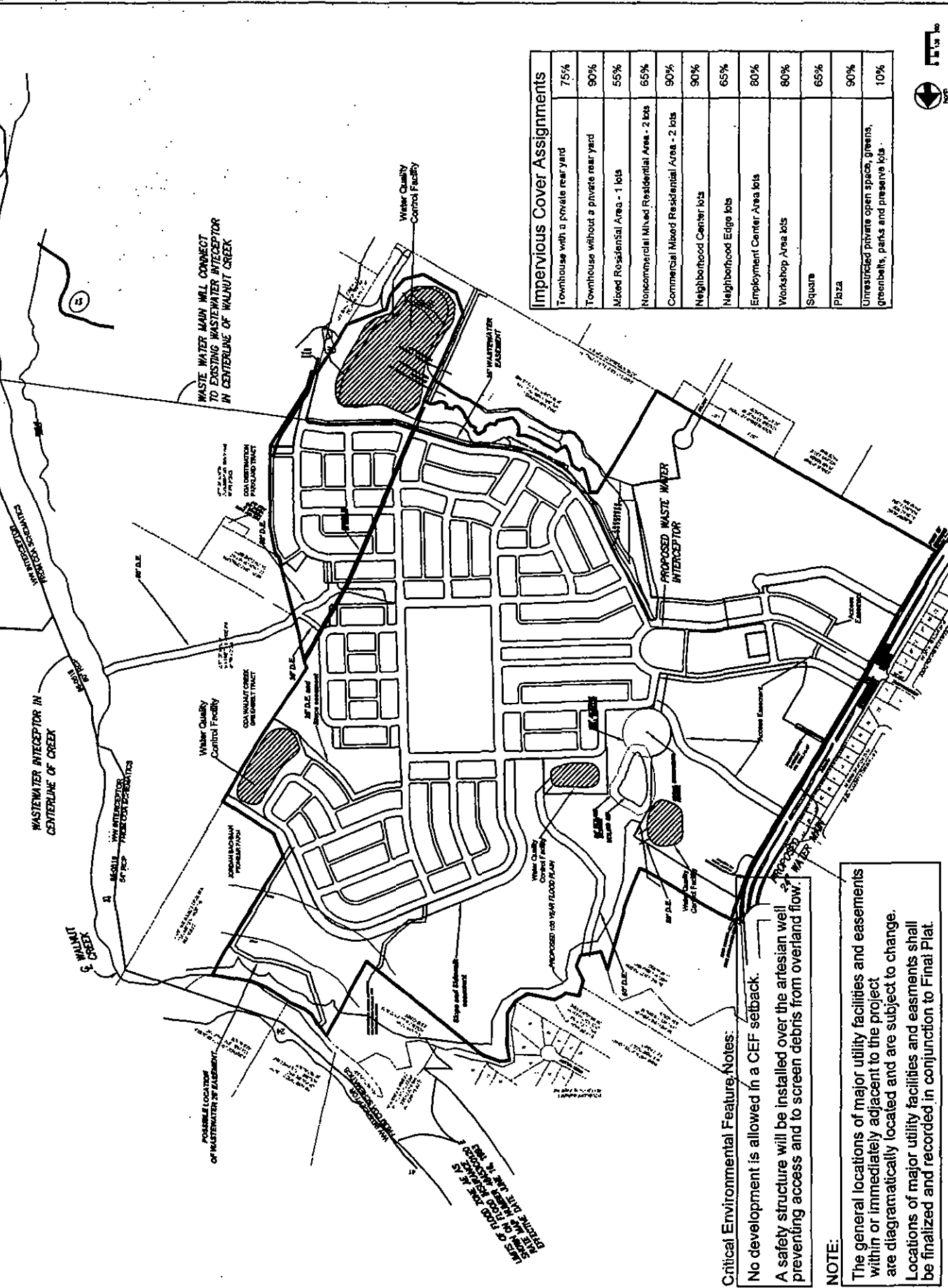


Case # C147-05-0001	DATE 01.15.04	4 of 5
APPROVED	SCALE 1" = 200'	SHEET NO.

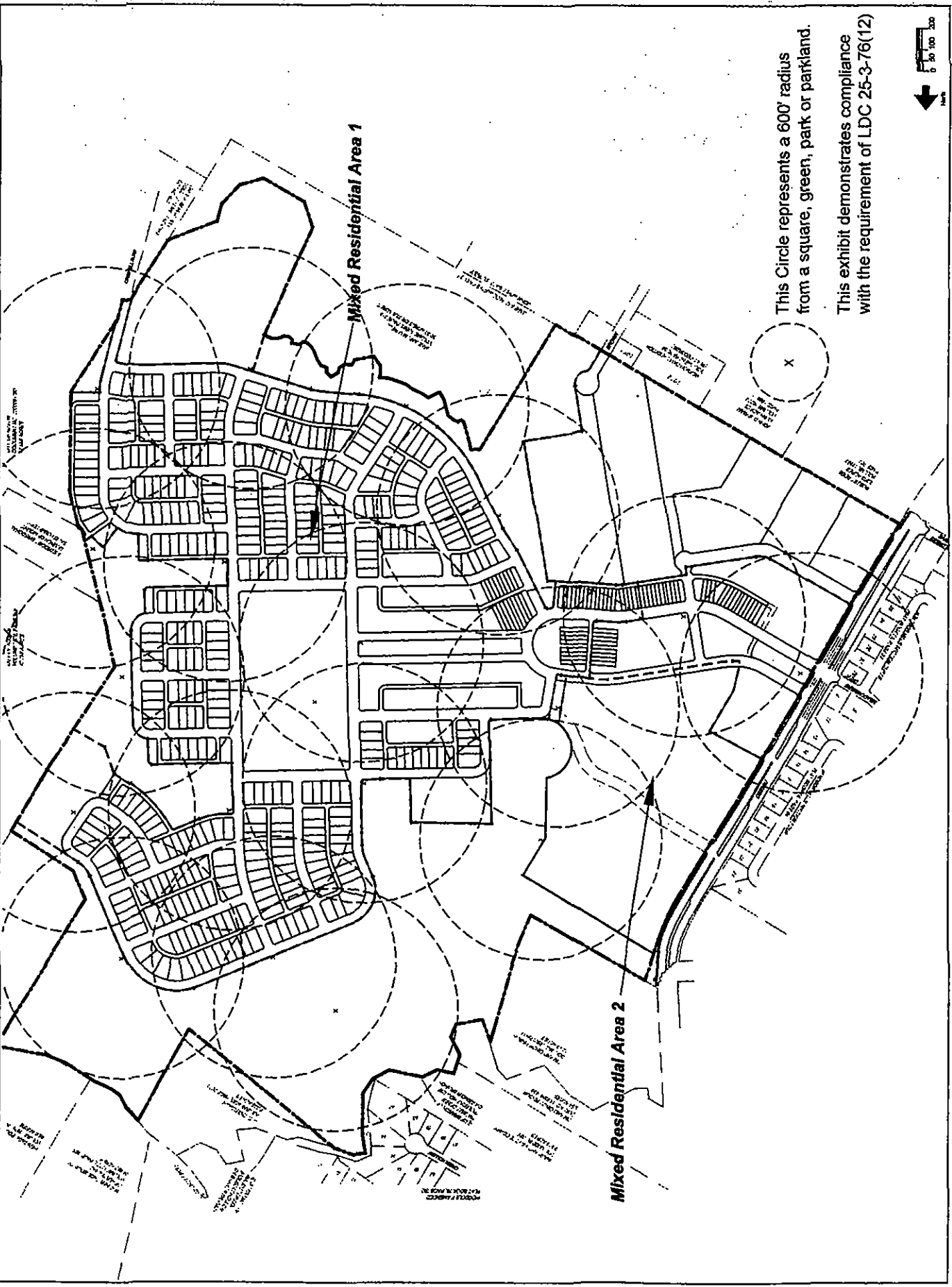
Pioneer Hill  
 for Milburn Homes  
 DEVELOPMENT PLAN  
 TREE PROTECTION PLAN

RANDALL JONES ENGINEERING  
 Registered Geologists, Planners, Surveyors  
 1111 East 10th Street, Suite 100  
 Lincoln, Nebraska 68502-1111  
 Phone: 402-441-1111  
 Fax: 402-441-1112  
 Email: rjones@rjoneseng.com

BOSS & TURNER  
 ASSOCIATES, INC.  
 1111 East 10th Street, Suite 100  
 Lincoln, Nebraska 68502-1111  
 Phone: 402-441-1111  
 Fax: 402-441-1112  
 Email: bturner@bossturner.com







**PIONEER HILL ZONING VARIANCES, CLARIFICATIONS & WAIVERS**  
**CASE # C14T-03-0001**

**15 JANUARY 2004**  
**PREPARED BY TBG PARTNERS**

REGULATION/CRITERIA	VARIANCE/CLARIFICATION
<b>1. §25-3-3 (A) OVERVIEW</b>	
A TND consists of an area of not less than 40 contiguous acres and not more than 250 contiguous acres.	Pioneer Hill TND is approximately 278 acres, which is about 28 acres over the acreage permitted in the ordinance. A variance is requested to accommodate the Pioneer Hill TND area.
<p><b>Rationale:</b> (1) Pioneer Hill contains 101 acres of open space, of which 75 acres will be public parkland. The project should not be penalized for exceeding the open space requirements of the ordinance by 16% (about 36% of the project is open space). In fact, we believe this combination of development densities associated with a TND and meaningful open space should be encouraged. (2) Limiting a TND to 250 acres unnecessarily excludes larger planned developments from "TND status". The goals of a TND can still be accomplished on larger sites through good planning.</p>	
<p><b>Staff Recommendation:</b> The staff is recommending this modification request because the increased amount of open space/parkland area will be a benefit to the TND, as it encourages pedestrian-oriented activity.</p>	
<b>2. §25-3-52 (F) SUBDIVISION LAYOUT REQUIREMENTS</b>	
Each lot in a subdivision, except a lot that fronts on a plaza and abuts an alley, shall abut a dedicated public street.	Each lot in a subdivision, except a lot that fronts on a plaza, park or square and abuts an alley, shall abut a dedicated public street.
<p><b>Rationale:</b> (1) Squares and parks fulfill a similar role as a plaza with aspect to lots fronting on them. All three types of open space are intended as a place for the community and should accommodate a wide variety of gatherings. (2) An alley is a dedicated public right-of-way, and lot access is being taken from the alley for the lots that abut the square or park. Abutment to an alley should satisfy public safety concerns. (3) Fronting on a square or park (i) reduces impervious cover (less street), (ii) instills a pedestrian and "front porch" environment, and (iii) offers the opportunity to activate the open space with adjacent residential uses. (4) This condition applies to both lots in the Neighborhood Center Area and Mixed Residential Area-1.</p>	

REGULATION/CRITERIA	VARIANCE/CLARIFICATION
<p><b>Staff Recommendation:</b> Staff is recommending this modification request. The staff agrees with the applicant's desire to exclude parks and squares from abutting a public street because one of the goals of a TND is to allow for more open space and to encourage pedestrian oriented development. Staff looks at this as a minor deviation for the code provision and the request meets the intent of the TND.</p> <p>Transportation Review has recommended approval of the modification. This recommendation is provided as Attachment C.</p>	
<p><b>3. §25-3-79 © (3) WATER QUALITY</b></p>	
<p>Impervious cover calculations shall assume the maximum impervious cover allowable for each lot within a traditional neighborhood district.</p>	<p>Impervious cover calculations shall assume the maximum impervious cover allowable for each lot within a traditional neighborhood district for purposes of calculating the water quality master plan. At the time of zoning, impervious cover for a lot may be calculated at a restricted amount less than the allowable amount for purposes of design of water quality facilities.</p>
<p><b>Rationale:</b> This change is consistent with City of Austin regulations and clarifies the actual rule while insuring a water quality plan sufficient for maximum build-out.</p>	
<p><b>Staff Recommendation:</b> The staff recommends this modification request because instead of using an assumption for the maximum impervious cover allowed for the TND, the applicant has agreed to limit the actual amount of impervious cover on each individual lot, which provides less land disturbance overall and maintains greater open space in the TND.</p>	
<p><b>Cleared with condition</b></p>	
<p><b>4. §25-3-75 (2) (a) LAND USE ALLOCATIONS FOR A MIXED RESIDENTIAL AREA</b></p>	
<p>Single-family residential use shall be allocated not less than 50% and not more than 80% of the land area.</p>	<p>Single-family residential use for a Mixed Residential Area shall be allocated not less than 45% and not more than 80% of the land area.</p>
<p><b>Rationale:</b> This project is a special circumstance. The project provides a large amount of open space within the TND exceeding the open space requirements of the ordinance. Further, this open space is open to the general public. The request for the revision of the percentages is to compensate for the inclusion of this additional open space in the calculation of the required allocation of residential uses.</p>	



REGULATION/CRITERIA	VARIANCE/CLARIFICATION
<p><b>Staff Recommendation:</b> The staff agrees with the applicant's request to decrease the available area dedicated for residential development by 5% because of the offset of the increased open space (16%) that is required by the TND ordinance. Given the additional 28 acres of land area, which the majority of is devoted to open space, the project would still comply with the 50% minimum allocation if the overall size of the TND were limited to 240 acres.</p>	
<p><b>5. §25-3-75 (B) (2) (d) LAND USE ALLOCATIONS FOR A MIXED RESIDENTIAL AREA</b></p>	
<p>Commercial uses shall be allocated between 1% and 2% of Mixed Residential Area.</p>	<p>Commercial uses are permitted, but not required, to be allocated between 1% and 2% of the Mixed Residential Area-1. Commercial uses may be allocated up to 10% of the Mixed Residential Area-2.</p>
<p><b>Rationale:</b> Commercial uses are not well suited for Mixed Residential Area-1. This area is located such that there will be very little traffic outside of internally generated traffic and it is highly unlikely that a retail use can be supported. With approximately 620 single family residential units in the Mixed Residential Area-1 of Pioneer Hill, the internal traffic will generate around 6,200 trips per day. For comparison, a convenience store typically demands street frontage with over 20,000 trips per day.</p> <p>Ten percent of Mixed Residential Area-2 equals 2.2 acres. The area is positioned for possible commercial use being located amongst the highest residential density of the project. Potential commercial uses compatible with apartments include work-live residential units and first floor neighborhood commercial uses. The 2.2 acres represents about 1% of the total Mixed Residential Area of the project.</p> <p>Commercial use may be feasible in Mixed Residential Area-2, depending on the success of the Neighborhood Center commercial market. Based on the market success of capturing drive-by traffic along Dessau Road, combined with the ability to create a critical mass of residential users in Mixed Residential Area-1, Mixed Residential Area-2 and within Neighborhood Center (lofts and apartments), it is feasible to generate neighborhood-oriented commercial uses in the Mixed Residential Area-2. This variance will allow this possibility to occur. Locating the optional commercial area adjacent to the Neighborhood Center Area allows for the potential commercial market to be realized.</p> <p>By making commercial uses optional in the Mixed Residential Area-2, this variance allows the project to potentially achieve a higher degree of mixed-use characteristics. The impervious cover limitation of 90% for this use is established (sheet 5 of the development plan) so it removes this as an issue. The flexibility allows the ultimate multi-family developer to consider the market timing of this land use and maturation of the project as a whole as it relates to commercial use within the development.</p>	

REGULATION/CRITERIA	VARIANCE/CLARIFICATION
<p><b>Staff Recommendation:</b> Staff supports this request because the general layout of the Mixed Residential Area-1 in this TND does not lend itself to support a small commercial tract. However, the Neighborhood Center Area has adequate pedestrian access to serve the Mixed Residential Areas- 1 &amp; 2.</p>	
<p><b>6. §25-3-83 (A) (i) PARKING</b></p>	
<p>A parking lot or garage may not be adjacent to a square or adjacent to or opposite a street intersection.</p>	<p>Except in a Workshop Area, a parking lot or garage may not be adjacent to a square or adjacent to or opposite a street intersection, provided that a parking garage located in the Workshop Area must be located behind street frontage facades. Additional landscaping is required to buffer pedestrian activity along the street when adjacent to a parking lot and/or garage in this condition.</p>
<p><b>Rationale:</b> (1) The Workshop Area is considered an adjunct to the core TND land uses (those being the Neighborhood Center and Mixed Residential Areas) and should be considered a distinct and different area within the TND. (2) Job creation should be one of the benefits of utilizing TND and the Workshop Area plays a critical role in this regard. Though packaged within a TND framework, the Workshop Area is nonetheless an area containing conventional employment and business uses, many of which require more customary parking arrangements as well as accessibility for delivery vehicles and large trucks. The Workshop Area will draw its employees and customers from a greater area than just the residents of the TND and will therefore be a more auto-reliant land use. (3) The majority of the auto-intensive parking and staging areas of the Workshop Area are located behind the interface between the Neighborhood Area as well as along Dessau Road. (4) Since Brown Lane does not extend through the Workshop Area, provision should be made for supplemental access and parking outside public rights-of-way.</p>	
<p><b>Staff Recommendation:</b> Staff agrees with the applicant's request for this modification because the proposed parking lots and parking garages in the TND will be shielded from view from the Neighborhood Center and Mixed Residential Areas.</p> <p>The staff's recommendation for this modification is provided by Transportation Review as Attachment D.</p>	

REGULATION/CRITERIA	VARIANCE/CLARIFICATION
<b>7. §25-3-83 (A) (2) PARKING</b>	
<p>A parking lot shall be located at the rear or side of a building.</p>	<p>Buildings in the Neighborhood Center Area must front along the internal streets of the TND and not front Dessau Road. A parking lot along the front of the building or along the side of a building abutting Dessau Road may be only one-half of one bay deep. Driveways along the internal streets of the Neighborhood Center Area may access parking lots no greater than one full-bay deep parallel to the internal street frontage. Parking lots at the rear of the building have no limitation on the number of parking bays.</p> <p>Off-street parking lots in the Workshop Area may be located in the front of the building provided they are no greater than one full-bay deep.</p>
<p><b>Rationale:</b> (1) The pedestrian-oriented nature of Pioneer Hill's main street (opposite Meadowcare) remains intact. The majority of Pioneer Hill, including the central core of the development, will comply with the requirement of off-street parking areas being located to the side or rear of buildings. Further, this provision will allow automobiles to be accommodated in a manner that provides for convenience but does not undermine the integrity of the public environment or the quality of the pedestrian realm. (2) The Neighborhood Center Area will draw its customer base from a greater area than just the residents of Pioneer Hill and will therefore be a more auto-reliant land use. (3) Retail and neighborhood commercial uses relying on drive by customers, as this project will require, needs front parking to 'draw in' these drive by customers. (4) The Workshop Area will draw its employees and customers from a greater area than just the residents of the TND and will therefore be a more auto-reliant land use. The majority of the auto-intensive parking and staging areas of the Workshop Area are located behind the interface between the Neighborhood Area as well as along Dessau Road. (5) The developer has voluntarily imposed a higher standard of pedestrian-oriented design features along the internal streets of the Neighborhood Center Area than is prescribed in the Code. These features, under the heading of commercial street frontage, are described in 4.01(b) of the Architectural Standards.</p>	

REGULATION/CRITERIA	VARIANCE/CLARIFICATION
<p><b>Staff Recommendation:</b> The staff recommends this modification because of the layout of the TND. In this TND, the Neighborhood Center Area and Workshop Area are designed for users other than just within the TND boundaries, yet the layout of the TND preserves the integrity of the pedestrian orientation of the TND internally.</p> <p>The basis for the staff's recommendation of this modification request is provided by Transportation Review in Attachment E.</p>	
<p><b>8. §25-3-83 (B) (2) PARKING</b></p>	
<p>In a Neighborhood Center, not more than 125 percent of the required parking for a use may be provided on-site.</p>	<p>For commercial uses in a Mixed Residential Area, not more than 125 percent of the required parking for a use may be provided on-site. For commercial uses (other than restaurant use) in a Neighborhood Center Area, required parking that is located on-site shall not exceed a ratio of one (1) space per 300 square feet. For restaurant use in a Neighborhood Center Area, required parking located on-site shall not exceed a ratio of not exceed one (1) space per 100 square feet.</p>
<p><b>Rationale:</b> While pedestrian friendly development is one of the primary goals of the project, the commercial uses must accommodate the automobile in order for the mixed-use component of this development to succeed. For this reason, the Neighborhood Center is located on Dessau Road. This location will draw surrounding residents, as well as drive-by consumers, to the commercial uses within the TND. Greater parking requirements than are permitted under the ordinance are needed in order to accommodate the additional traffic that will be coming into the Neighborhood Center Area. Restaurant uses in particular require a reduced parking ratio and deserve special consideration.</p>	
<p><b>Staff Recommendation:</b> The staff recommends this modification request because the Neighborhood Center Area will act to draw people in from beyond the boundaries of the TND to utilize the services provided by the development in this Area.</p> <p>The staff's rationale for the recommendation of this request is provided by Transportation Review in Attachment F.</p>	

**9. §25-3-83 (C) PARKING**

In the Mixed Residential Area, the required parking for a use must be provided on-site.

In Mixed Residential Area 1, the required parking for a use must be provided on-site. The required parking for a use may be located anywhere in Mixed Residential Area 2; a use may apply adjacent on-street parking (parking located on the same side of the street as the Mixed Residential Area-2) towards the required parking.

**Rationale:** (1) On-street parking will help minimize large, non-pedestrian friendly off-street parking lots required for multi-family developments by redistributing a portion of required parking to the surrounding streets. (2) On-street parking is compatible with one of the fundamental TND tenets - pedestrian safety - by acting as a traffic calming strategy. (3) Shared off-street parking will allow for better TND-type multifamily development by allowing parking to be distributed at appropriate parking locations regardless of individual lot configuration. This is particularly appropriate in a TND because of the pedestrian friendly environment of the connecting streets.

**Staff Recommendation:** The staff recommends this modification request because the applicant's desire to utilize on-street and shared parking within the TND will reduce impervious cover, the visual appearance of parking lots, contribute to traffic calming, and encourage pedestrian activity within the TND.

Reasons for recommendation of this modification request are provided by Transportation Review in Attachment G.

**Variance second paragraph: Applicant withdraws variance request**  
**10. §25-3-87 (F) ADDITIONAL REGULATIONS FOR ALL DEVELOPMENT**

A townhouse must have a private rear yard not less than 200 square feet in size. A townhouse must have a finished first floor elevation not less than eighteen inches above the elevation of the sidewalk at the front lot line.

Unless a townhouse faces a park, square, plaza or green, a townhouse must have a private rear yard not less than two hundred (200) square feet in size. If a townhouse faces a park, square, plaza or green, the size of the open space lot must be equal to or greater than the area obtained by multiplying the number of townhouses by 200 square feet, and the open space must be available for use by the townhouse residents.

A townhouse must have a finished first floor elevation not less than eighteen inches above the elevation of the sidewalk at the front lot line.

**Rationale:** (1) The majority of the townhouses in Pioneer Hill are strategically located facing open space (either public or private open space open to the general public). This design allows the residents of the townhouses to enjoy the amenities of adjacent open space without the burden of maintenance for such open space. Market studies indicate that one primary reason residents choose a townhouse is to achieve this low maintenance lifestyle.

**Staff Recommendation:** The staff supports this modification request because the public space that will front the townhouses in the TND will allow for more open space than what would have been provided in private backyards. The strategic placement of the open space meets the intent of the TND to encourage pedestrian activity.

# **11. §25-3-103 LOCATION OF NEIGHBORHOOD CENTER AREA**

A Neighborhood Center must be easily accessible by pedestrians from all parts of the Mixed Residential Areas. At least 90 percent of the lots in the Mixed Residential Area must be within 2000 linear feet of a Neighborhood Center Area boundary.

A Neighborhood Center must be easily accessible by pedestrians from all parts of the Mixed Residential Areas. At least eighty (80) percent of the units in the Mixed Residential Area must be within two thousand (2,000) linear feet of a Neighborhood Center Area boundary.

**Rationale:** (1) The intent of this provision is to maximize the number of residents who are in close proximity to the Neighborhood Center Area. This is best accomplished by representing the number of units instead of the number of lots in proximity to the Neighborhood Center, as the number of lots may be a false representation (e.g. the condominiums may be platted on one lot). (2) The configuration of Pioneer Hill is such that the Neighborhood Center is located next to the edge of the TND (along Dessau Road) rather than the geographic center of the tract in order to ensure market viability. A special allowance must be made for this design aspect of Pioneer Hill. (3) Another aspect that must be taken under consideration is that the site constraints of this tract are not conducive to a uniform distribution of lots. The geographic center of the tract is actual a topographic saddle with slopes extending away in both directions. This means that the site is almost divided into two sections by these two swales. This inclusion of open space located at the center of the development conflicts with meeting the ninety percent goal as set forth in the ordinance. (4) Additional provision is made for ease of pedestrian access to the Neighborhood Center Area. An eight (8) foot wide pedestrian trail is located off-street along the perimeter of both sides of the residential area as well as within a green extending into the residential area, all which connect to the Neighborhood Center Area. (5) The Mixed Residential Area abuts a Destination Park and Greenway. Therefore, residents are afforded the choice of locating close to the Neighborhood Center at one end or a large public park on the other end, with generous on and off street pedestrian circulation in-between.

**Staff Recommendation:** The staff supports this modification request due to the layout of this TND site. The Pioneer Hill TND seeks to serve the internal areas, within the TND, as well as surrounding residential areas outside of the TND boundaries. The design of this TND has clustered the residential units with the highest density closest to the Neighborhood Center Area.

The topography of the property also affects the layout the proposed TND development. The location of the swales in the tract create a physical division of the property that is not easily traversed by pedestrians and does not allow the Neighborhood Center Area and Mixed Residential Area to be contiguous.

12. §25-3-104 SITE REGULATIONS FOR NEIGHBORHOOD CENTER AREA	
<u>Commercial/Multifamily/Condominium</u> Maximum Lot Size: 43,560 SF Maximum Site Area: 43,560 SF	Maximum Lot Size: 4 acres Maximum Site Area: 4 acres
<p><b>Rationale:</b> The one acre maximum size unnecessarily restricts the type of commercial, multi-family or condominium development in the Neighborhood Center Area. Most feasible multi-tenant retail spaces will need to be larger than one acre in order to attract the appropriate users/tenant mix.</p>	
<p><b>Staff Recommendation:</b> The staff recommends this request because the staff agrees that the maximum size of the Neighborhood Center Area is not sufficient to allow for the development of these uses. The 1-acre limit required by the TND ordinance is very small for commercial types of development.</p>	
13. §25-3-122 SITE DEVELOPMENT REGULATIONS FOR MIXED RESIDENTIAL AREA	
<u>Civic</u> Maximum Lot Size: 20,000 SF Maximum Site Area: 20,000 SF  <u>Townhouse</u> Maximum Impervious Cover: 65%  Maximum Building Coverage: 55%  <u>Commercial/Multi-Family/Condominium</u> Maximum Lot Size: 20,000 SF Maximum Site Area: 20,000 SF Maximum Front Yard Setback: 10 feet Maximum Building Footprint: 5,000 SF	<u>Civic Lots</u> Maximum Lot Size: 12 acres Maximum Site Area: 12 acres  <u>Townhouse Lots</u> Maximum Impervious Cover: 75% for a Townhouse that includes a private rear courtyard and 90% for a Townhouse that does not include a private rear courtyard.  Maximum Building Coverage: 70%  <u>Commercial Lots</u> The Maximum Lot Size: 4 acres Maximum Site Area: 4 acres  <u>Multi-Family Lots in Mixed Residential Area 2</u> Maximum Lot Size: 12 acres Maximum Site Area: 23 acres A site plan may be permitted for multiple lots within the site area. Maximum Front Yard Setback: 50 feet along Dessau Road Maximum Building Footprint: 10,000 SF  <u>Condominium Lots</u> The Maximum Lot Size: 3 acres Maximum Site Area: 3 acres



***Rationale:***

(1) Civic Lots: The civic site limitation does not provide for the needs of the elementary school. We have worked with the Manor school district to minimize the site area of this school without compromising functionality.

(2) Townhouse Lots: (a) The building coverage for a townhouse is much higher than for a single family dwelling and 65% impervious cover is inappropriate for a townhouse with a private rear courtyard. (b) Townhouses without courtyards are targeted for live/work units. For this concept to succeed, it would be more practical for units to delete the courtyard in order to have an alley accessed garage with direct resident access into the downstairs work unit. This design allows the residents of the townhouses to enjoy the amenities of adjacent open space without the burden of maintenance for such open space. In addition, townhouses that do not include a courtyard have a very urban character and require an even higher impervious cover requirement. For the reasons stated above, the maximum building coverage has been increased to 70% to correspond to the increase in allowable impervious cover. The ordinance allows a maximum 70% building coverage for townhouses in the Neighborhood Center site development regulations.

(3) Commercial Lots: This size is consistent with the modification for commercial lots in the Neighborhood Center Area and will provide the flexibility necessary to attract potential commercial users.

(4) Multi-Family Lots:

(a) Lot Size: This modification is limited to Mixed Residential Area 2 and is being requested to accommodate the multifamily component of Pioneer Hill, which is oriented to TND principles. This area is strategically located adjacent to both the Neighborhood Center Area and Dessau Road. Whether in conventional or TND developments, multifamily developments typically require some type of institutional funding. Developers who are institutionally funded typically require a larger development area than can be accommodated on a ½ acre site. Language is included in the Architectural Standards (particularly §3.09) and Architectural Guidelines that provides for necessary criteria to achieve the goals of a TND using these larger lot sizes, including building orientation to perimeter street and internal private driveways. The appearance of internal private driveways is intended to reflect the character of a public street wherever feasible. A cross section is included in the Architectural Standards. In this way, the larger lot sizes accommodate the character and spatial relationships of a TND.

(b) Front Yard Setback: This use fronts along Dessau Road, a major arterial roadway. In addition to the high volume of traffic, noise and speed along this roadway, existing overhead electric transmission line, and associated easements, extend into the property, which make the increased setback necessary.

(5) Condominium Lots: While condominium units will have the character and sense of larger single family homes, they will be arranged in organized groups on a single lot within each block. The condominiums will utilize a condominium regime and homeowners subassociation to address maintenance needs. Therefore, the lot and site area size needs to accommodate this structure.

**Staff Recommendation:** The staff agrees with the applicant's rational for requesting a modification of the TND requirements to minimize the civic area dedicated to the elementary school site because of school size requirements provided by the Manor Independent School district. The staff is supportive of the applicant's request to have higher impervious cover for townhouse development based on the justification for the provision of open space listed in variance request/item # 10 above. The staff is also in agreement with the applicant's need for larger maximum size commercial/multi-family/condominium areas because the current regulations for this type of development are very limiting.

**14. §25-3-124 (C) ADDITIONAL REGULATIONS FOR MIXED RESIDENTIAL AREA**

Commercial uses are limited to corner locations that are designated on the Development Plan.

Commercial uses are limited to corner locations, including frontage on all sides of a three-way intersection, that are designated on the Development Plan.

**Rationale:** This is a clarification of the definition of a corner location.

**Staff Recommendation:** The staff agrees with the applicant's request for this modification because of the layout of the TND site. This request meets the intent of the ordinance and is a minor deviation/clarification to the TND requirements.

**15. §25-3-124 (E) ADDITIONAL REGULATIONS FOR MIXED RESIDENTIAL AREA**

There may not be more than eight dwelling units in a single structure.

There may not be more than twenty-four dwelling units in a single structure within the Mixed Residential Area 2.

**Rationale:** (1) Multi-family structures with twenty-four dwelling units is an appropriate size for a TND multi-family structure. This size would typically translate to three stories of 8 dwellings on each story. This structure massing has a more urban character and is an appropriate building mass scaled to a TND. There are many examples of this size structure in successful TNDs around the nation. (2) This size is also consistent with the expectations of an institutional lender. (3) Limiting single structures to 8 dwelling units would either be supporting single-story apartment buildings or would be supporting tiny two-story apartment buildings. Neither configuration is realistic for multifamily dwellings, which need to be two to four stories and need to be of adequate size for scale of economy.

**Staff Recommendation:** The staff supports this modification request because the increased dwelling units per structure in the Mixed Residential Area-2 will allow for more intensive residential development adjacent to the Neighborhood Center Area.

**Applicant withdraws variance request**

**16. §25-3-172 SIZE OF WORKSHOP AREA AND EMPLOYMENT AREA**

May not exceed 10% of gross land area.	May not exceed 11% of gross land area.
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REGULATION/CRITERIA	VARIANCE/CLARIFICATION
17. §25-3-173	SITE DEVELOPMENT REGULATIONS FOR WORKSHOP AREA AND EMPLOYMENT CENTER AREA
<p>(2) Maximum lot size: 5 acres</p> <p>(3) Maximum site area: 5 acres</p> <p>(5) Minimum frontage buildout: 80%</p> <p>(8) Maximum front yard setback: 10 feet</p>	<p>(2) Maximum lot size: 7 acres Average lot size: 5 acres</p> <p>(3) Maximum site area: 28 acres A site plan may be permitted for multiple lots within the site area.</p> <p>(5) Minimum frontage buildout: 60%</p> <p>(8) Maximum front yard setback along Dessau Road: 100 feet with a limitation of one full bay of off-street parking. Maximum front yard setback along internal streets: 85 feet with a limitation of one full bay of off-street parking. Plant street trees along Workshop Area side of internal street at 25 ft. on center.</p>

REGULATION/CRITERIA	VARIANCE/CLARIFICATION
<p><b><i>Rationale:</i></b> We urge support of the proposed modifications. The Workshop Area is a very meaningful and appropriate transition from the existing industrial-strength industrial use south along Brown Lane and Dessau Road. The associated heavy vehicle use, massive scale and harsh outdoor environment of this industrial area make the Workshop Area an excellent transition to the pedestrian-scaled Neighborhood Center use. Very few land uses could make this transition meaningfully without being devalued economically. Residential, retail and office uses could not accomplish this goal. A Workshop Area use is a very practical, common-sense land use component of our project.</p> <p>The sophistication of the development-related financial community is such that if a proposed project is offered to the marketplace which does respond to market conditions, the project will not be financed. It will not be constructed. As the code is written now, a Workshop Area complying with the prescriptive codes may perhaps be entitled, but it will not be constructed or leased—certainly not at market rates. It will not succeed and the overall Pioneer Hill development risks failure.</p> <p>Workshop Area uses require a market-driven formula to succeed, just as retail and residential uses requires a market-driven formula. The Workshop Area formula may be modified slightly; but change the formula and the market will not respond. The formula which makes a Workshop Area succeed are as follows:</p> <ol style="list-style-type: none"> <li>1. Generous storefront parking for customers.</li> <li>2. Truck loading/unloading area accommodated in the rear.</li> <li>3. A modular footprint to allow flexibility in tenant use.</li> <li>4. A presence in the workplace, meaning a minimum critical mass of building square footage.</li> <li>5. Economy of scale in building construction.</li> <li>6. Market visibility.</li> <li>7. Relatively flat topography.</li> </ol> <p>The maximum lot size of 5 acres is inadequate to size the critical mass of building space footage required in the marketplace. A 75,000 SF building is considered the minimal standard for this use in the development community. The project contains only two buildings of this size. Forcing a 5-acre maximum lot size will eliminate the only two building lots meeting the industry minimum standard, thus a 7-acre maximum lot is necessary for this project. Local developers have told us this and the ULI confirms this (Urban Land Institute—a non-profit development organization focused on innovations in the development industry). Still, the average lot size of the six Workshop Area lots complies with the average 5-acre maximum size; averaging 4.6 acre lot size. We consider this a reasonable effort to achieve the stipulated requirement of the Workshop Area development standards.</p> <p>The entire Workshop Area complies with the maximum area requirement of the TND. It is therefore reasonable to expect that the Workshop Area be platted as one project, as one site plan. Therefore, a site plan of 30 acres is reasonable. It would be impractical for the developer to submit seven or more separate site plans as would be required if this modification was not made. Strict application of the 5-acre site plan regulation would add additional costs and lengthy delays to the project.</p>	

REGULATION/CRITERIA	VARIANCE/CLARIFICATION
	<p>The minimum 60% frontage buildout is a reasonable standard for a Workshop Area. While the applicant is unfamiliar with the basis for which the code's prescribed 80% buildout was derived, the applicant is also unfamiliar with comparable built "Workshop Area" projects which achieve an 80% buildout frontage. An extensive search of ULI's data bank found no comparable built projects. A sampling of nationally recognized flex space projects (a somewhat comparable land use to the created Workshop Area designation of City's code) shows buildouts from 30 to 50% of frontage. Given the specific site development criteria established for this component of the project, at this location, a 60% buildout is a reasonable standard for this project to be held. To assist in buffering the 60% frontage buildout and the front yard parking, the developer will provide street tree planting at 25' o.c. (less than the standard 30' o.c.) to further enhance the pedestrian-oriented environment on Neighborhood Center Avenue along Workshop Area frontage. This will enhance the screening of the Workshop Area and enhance the pedestrian streetscape experience along this transition street.</p> <p>While pedestrian friendly development is one of the primary goals of the project, the commercial uses must accommodate the automobile in order for the mixed-use component of this development to succeed. The code, as written, does not allow for the proper integration of the automobile with the Workshop Area—an auto-intensive land use. An adequate setback must be established in front of the Workshop Area buildings to allow for people to access these business uses. The purpose of pedestrian-oriented development will most certainly be defeated by the removal of the car. One need only look back to the maligned theory of pedestrian malls of the 1970s to see how a spirited theory of all-pedestrian environments stifled the very market they were trying to enhance. To a one, every nationally-renown pedestrian mall has been demolished and retrofitted back to a street system incorporating the car. To require a maximum front yard setback of 10 feet is to invite defeat of the very purpose the staff and applicant aspire towards.</p> <p>The Workshop Area must have adequate front door parking. It is a primary consideration in the Workshop Area market formula. Remove it or force it to unusable locations of the site and the project will fail. One full bay of parking in front of the building is a reasonable amount of parking for this land use. Therefore, the applicant's proposed internal street setback of 85 feet is a reasonable standard: 10 ft. landscape, 65 ft. full-bay parking, 10 ft. landscape/accessible sidewalk to total 85 ft.</p> <p>The Workshop Area land use dictates that customer/employee parking be separated from the truck court—a safety issue. This front yard parking and parking between buildings is for customers and employees.</p> <p>The building setbacks proposed in our variance are based on the unit of measure used in the employment industry: the car. It is rational to establish building setbacks based on units of cars—in our proposal it is one bay of parking. It is unreasonable to expect that an employment-based land use in our auto-dependent society, beyond the Austin central business district, a city that has yet to embrace light rail, be based on any other measurement.</p>

REGULATION/CRITERIA	VARIANCE/CLARIFICATION
<p>Dessau front yard: add additional 15 ft. street yard landscaping to the 85 ft. to improve and enhance the appearance of overall project to total 100ft. The applicant agrees with staff that an increased setback is justified for development along Dessau Road.</p> <p>The inclusion of a Workshop Area is particularly important feature of Pioneer Hill because it will provide employment and buffer off-site industrial uses. It will serve to bring people to Pioneer Hill even as residents depart in their cars for jobs elsewhere. For this entire mixed-use project to succeed, the Workshop Area must succeed.</p>	
<p><b>Staff Recommendation:</b> The staff is supportive of this request because the land uses adjacent to the east of the proposed TND contain industrial/ warehouse developments, which are similar in scale and intensity to the proposed Workshop Area. In addition, the Workshop Area is separated in the TND from the Mixed Residential Areas by open space and civic uses.</p>	
<p><b>18-A. §25-3-124 (A) ADDITIONAL REGULATIONS FOR MIXED RESIDENTIAL AREA</b></p>	
<p>Similar land uses should face across streets.</p>	<p>Compatible land uses should face across streets, such as townhomes facing either single-family or multi-family, single-family facing major civic use, single-family facing public and/or private open space, multi-family facing private and/or private open space.</p>
<p><b>Rationale:</b> This is a clarification. There is a significant difference between “similar” land uses and compatible land uses. In Pioneer Hill, we are striving for a wide range of land use types and therefore this clarification is critical in order to achieve this diversity.</p>	
<p><b>Staff Recommendation:</b> Staff recommends this modification request because the staff agrees with the applicant's rationale that compatible uses should be located across the street from one another to provide an appropriate transition in uses.</p>	
<p><b>18-B. §25-3-76 (13) OPEN SPACE</b></p>	
	<p>The following site development regulations do not apply to open space lots, including squares, parks and greens.</p> <ul style="list-style-type: none"> <li>(1) Maximum front yard setback</li> <li>(2) Maximum lot size</li> <li>(3) Minimum lot size</li> <li>(4) Minimum lot width</li> <li>(5) Maximum site area</li> <li>(6) Maximum frontage buildout</li> </ul>

REGULATION/CRITERIA	VARIANCE/CLARIFICATION
<p><b>Rationale:</b> The intent of a “feet first” TND with compact development and a pedestrian environment is a balance of density and meaningful open space. The code prescribes a range of specific small scale open space types, which are further defined in the TND criteria manual. Less intensive open space uses are not defined but should also be available within the TND, particularly at the edge of the TND development. Unique to this project is the edge condition in which it abuts a Destination Parkland. In addition, PARD will be acquiring edge portions of the open space for public use – these areas should not be limited by lot requirements intended for the internal portions of the TND since their use will likely be less intensive, and thus, less like the internal, small scale open space uses envisioned in the Code.</p>	
<p><b>Staff Recommendation:</b> Staff supports this requested modification for those tracts, which are currently depicted on the TND land use plan, that fail to meet the minimum standards for open space lots under the Code requirements. As a condition of support for this modification of the standards for these specific open space lots, the staff would recommend that structures built within substandard open space areas shall maintain minimum setbacks to insure the safety of pedestrians and motorists (example: limited site distance).</p>	

### Administrative Waivers in Pioneer Hill

REGULATION/CRITERIA	REQUESTED WAIVER
<p><b>19. §25-3-52 (C) SUBDIVISION LAYOUT REQUIREMENTS</b></p>	
<p>All utilities shall be located underground unless waived.</p>	<p>A waiver will be required for the following items: An overhead electric feeder line will have to be routed through the development (contact Sonny Poole at 322-6442). Existing overhead electric transmission lines remain along Dessau Road. Temporary overhead electrical connections to construction facilities are permitted.</p>
<p><b>Rationale:</b> Per the ordinance, all permanent utility improvements serving this development will be located underground. Existing and proposed overhead transmission lines not serving this project extend into the property, thereby making this waiver necessary.</p>	
<p><b>Staff Recommendation:</b> The staff is supportive of the requested modification because of pre-existing conditions and utility requirements beyond the TND boundaries along Dessau Road.</p>	
<p><b>20. §25-3-52 (G) SUBDIVISION LAYOUT REQUIREMENTS</b></p>	
<p>Each lot in a subdivision shall abut an alley, unless the Director determines that good cause exists to omit an alley or portion of an alley.</p>	<p>Workshop Area lots, Neighborhood Center commercial/mixed-use lots and multi-family lots in the Mixed Residential Area 2 are not required to abut an alley.</p>



REGULATION/CRITERIA	REQUESTED WAIVER
<p><b>Rationale:</b> While requiring alleys for single-family lots in the Mixed Residential Area 1 and in the Neighborhood Center Area is appropriate, they are unnecessary and actually counter-productive with respect to Workshop Area lots, Neighborhood Center commercial/mixed-use lots and multifamily lots in Mixed Residential Area 2.</p>	
<p><b>Staff Recommendation:</b> This request is recommended for approval. The staff comments regarding this item are listed in a memorandum from Transportation Review as Attachment H.</p>	
<p><b>21. §25-3-52 (d) SUBDIVISION LAYOUT REQUIREMENTS</b></p>	
<p>Streets, alleys, and pedestrian paths shall be designed and constructed in accordance with this chapter, the Traditional Neighborhood District Criteria Manual, the Standards Criteria Manual, and the Standard Specifications Criteria Manual.</p>	<p>Allow for the street rights-of-way to be expanded by two (2) feet to allow for expanding the typical planting strip width of six (6) feet to be enlarged to seven (7) feet. Sidewalks shall be permitted outside right-of-way within a public access easement, which shall be obtained at the time of subdivision.</p>
<p><b>Rationale:</b> Wider planting strips improve the well-being of the street trees and lessen the possibility of heaving sidewalks/curbs.</p>	
<p><b>Staff Recommendation:</b> This item is recommended for approval. The requested modification is consistent with the intent of the ordinance and would improve the pedestrian experience. The staff recommendation for this request is listed in memorandum from Transportation Review as Attachment I.</p>	
<p><b>22. §25-3-76 (9) OPEN SPACE</b></p>	
<p>A park may be not less than 10,000 square feet.</p>	<p>A park may be not less than 10,000 square feet. Open space lots and strip landscape lots used for a pedestrian path, landscaping, signage or similar use may be not less than 2,000 square feet.</p>
<p><b>Rationale:</b> This provision is consistent with City of Austin regulations and allows for required pedestrian paths and small landscape lots common in all subdivisions used for entry signs and landscaping.</p>	
<p><b>Staff Recommendation:</b> This modification request is just a clarification and maintains the intent of the ordinance. This requested change will allow for additional landscape areas, which enhance the pedestrian and residential environment.</p>	

REGULATION/CRITERIA	REQUESTED WAIVER
<b>Staff memo states that a waiver is not required. Comment addressed.</b>	
<b>23. §XXXXXX CONNECTIVITY STREET STANDARDS</b>	
Brown Lane shall be connected to Dessau Road.	Brown Lane shall end in a cul-de-sac.
<p><b>Rationale:</b> (1) Extending Brown Lane as a industrial collector through the Pioneer Hill TND would be highly detrimental to the character of the TND. Trucks and delivery vehicles accessing businesses on Brown Lane would use the intersection of Meadowmeare and Dessau Road as a convenient through way thereby negatively impacting that existing neighborhood. (2) These vehicles would also likely use the Windsor Hills subdivision to exasperate the high speed cut through traffic accessing IH-35. Residents from Windsor Hills and other nearby neighborhood association groups have clearly voiced their concern over a number of meetings about truck traffic and cut through issues on their neighborhood streets.</p>	
<p><b>Staff Recommendation:</b> This waiver is not required. Brown Lane is an industrial collector that would encourage truck traffic through the TND and the adjacent residential neighborhood to the west.</p>	
<b>24. §4.2 TND STREET CLASSIFICATIONS AND STREETSCAPE SECTIONS (TCM)</b>	
	<p><u>New street type:</u>  4.2.3A Mixed Residential one-way boulevard, which has a right-of-way of thirty-eight (38) feet, parking permitted on one side and paving section of eighteen (18) feet in one direction and four (4) foot sidewalks on either side.</p>
<p><b>Rationale:</b> The use of tandem Mixed Residential one-way boulevards will provide for a substantial Green to be located between the streets on an open space lot.</p>	
<p><b>Staff Recommendation:</b> This request is recommended for approval by the staff and is justified in Attachment J. In addition, the staff supports this request because it would allow a safer pedestrian experience crossing a one-way street.</p>	

REGULATION/CRITERIA	REQUESTED WAIVER
<b>25. §4.6.4 SECTION 4: SIDEWALKS AND CURB RAMPS OF THE TCM</b>	
<p>Sidewalk alignments shall conform to the streetscape designs shown in this Criteria Manual.</p>	<p>Sidewalk widths and alignments shall conform to the street cross sections shown in the Architectural Standards of Pioneer Hill. With approval of the Director, street sidewalks may be omitted along Mixed Residential Streets and Lanes that abut public open space or private open space open to the general public. In such instances, an eight (8) foot granite gravel walk shall be located within the open space lot adjacent to the street.</p>
<p><b>Rationale:</b> Sidewalk widths and alignments specific to Pioneer Hill are indicated in the Architectural Standards street sections. The exact configurations are unique to the site-specific applications of the Pioneer Hill TND.</p> <p>The granite gravel walk substitution is in accordance with recommendations by Parks and Recreation Department. Construction of what are effectively "hike and bike" trails in public open space and private open space open to the general public maintains a more pedestrian orientation in the open space while still providing pedestrian accessibility intended by the sidewalks.</p>	
<p><b>Staff Recommendation:</b> This request is recommended for approval with conditions. The proposed street cross sections slightly deviate from the TND street and sidewalk standards. Wider sidewalks are proposed adjacent to multi-family projects. The 8-foot granite gravel walks will enhance the pedestrian experience through the park areas. The basis for this recommendation is provided by Transportation Review as Attachment K.</p>	
<b>26. §5.1.2 UTILITY EASEMENT LOCATIONS ON LOTS (TCM)</b>	
<p>A typical five foot side yard utility easement extending the entire depth of the lot must be located on all lots in addition to the five foot by five foot reserved area for utilities at the front and rear of the lot.</p>	<p>A five-foot by five foot reserved area for utilities must be located at the front and rear property lines of the lot. Also, a five-foot side yard setback, excluding roof overhangs, shall be provided. Only if required at the time of platting, a five-foot utility easement shall be extended the depth of the lot.</p>

REGULATION/CRITERIA	REQUESTED WAIVER
<p><b><i>Rationale:</i></b> Providing a utility easement extending the entire depth of the every residential lot is excessive and unnecessary since dry utility services (i.e., cable, electric, gas, telephone, etc.) are provided to the dwelling from the alley and wet utilities (i.e., water, wastewater and drainage utilities) are provided to the dwelling from the front public right-of-way or, if necessary, a public utility easement along the R.O.W. No utility service is proposed to be extended down the side yard.</p> <p>One of the vital purposes of an alley is to provide direct utility service to the rear of the building. Alleys are not economically feasible otherwise. Alley-served residential developments, whether 40 years old or one year old are constructed in this manner. The utility assignments are very simple: dry utilities in the alley, wet utilities in the street. There is no need for a side yard utility easement. It is not used. For more information on this specific matter, you may wish to contact Central Texas cities with experience with built alley-served residential communities—in no case has a side yard utility easement ever been required.</p> <p><u>Round Rock</u> Jim Nuese, City Manager 281-5400</p> <p><u>Cedar Park</u> Sam Roberts, Director of Public Works 258-4121 x6321</p> <p><u>Kyle</u> Steve Mattis, City Manager 268-5341</p> <p><u>Pflugerville</u> Steve Jones, City Manager 990-4363</p> <p>The applicant has met with Sonny Poole with Austin Energy (322-6442). As we understand their position, since the City of Austin planning staff initially prescribed this side yard utility easement, the same must initiate its removal. The applicant requests this action.</p>	
<p><b><i>Staff Recommendation:</i></b> The staff recommends this request via a letter provided by Milburn Homes explaining the request for the five-foot utility easement (Attachment L). The proposed deviation would maintain utility access to each lot, while allowing the property owner to utilize a greater portion of their lot.</p>	

REGULATION/CRITERIA	VARIANCE/CLARIFICATION
<b>27. §7.2.1 LOCATION AND SPACING OF STREET TREES (TCM)</b>	
Street trees must be a minimum three (3) inch caliper.	Street trees must be an average of three (3) inch caliper.
<b>Rationale:</b> This is a practical issue. Many trees are purchased from out-of-state nurseries and there is no guarantee of a certain caliper size; rather they tend to average a certain size.	
<b>Staff Recommendation:</b> The director agrees with applicant's request. This request is in keeping with the intent of the Landscape Design Criteria Manual. Zoning & Platting Commission approval is not required for the approval of this request.	
<b>28. §7.2.3 INSTALLATION OF STREETScape LANDSCAPING (TCM)</b>	
Street landscaping shall be shown on subdivision construction plans and installed when the subdivision infrastructure is constructed. A phasing plan for installation of landscape materials may be proposed at the time of final plat if approved by the Director.	Street landscaping shall be shown on subdivision construction plans and installed when the subdivision infrastructure is constructed, or for streets in residential areas, installed before the house is occupied, provided that the developer posts fiscal security in an amount equal to twice the cost of the proposed landscaping improvements.
<b>Rationale:</b> Installation of landscaping and street trees in residential areas is most effective when done after construction of streets and in conjunction with occupation of the house, in order to better insure that the landscaping and street trees are maintained by the homeowner.	
<b>Staff Recommendation:</b> The director agrees with applicant's request. The provision to add landscaping once the house is occupied insures better maintenance by the homeowner and lessens the possibility of damage during the home and driveway construction. This request is in keeping with the intent of the Landscape Design Criteria Manual. Zoning & Platting Commission approval is not required for the approval of this request.	
<b>29. §10.2.4 FINAL SUBDIVISION PLAT AND SUBDIVISION CONSTRUCTION PLANS (TCM)</b>	
Street trees, streetscape landscaping, street furniture, landscape improvements in private open space, and any irrigation systems shall be installed at the time of subdivision infrastructure construction.	In residential areas, the street landscaping, including street trees, may be installed at the time the house is occupied, provided that the developer posts fiscal security in an amount equal to twice the cost of the proposed landscaping improvements.

REGULATION/CRITERIA	VARIANCE/CLARIFICATION
<p><b>Rationale:</b> Installation of landscaping and street trees in residential areas is most effective when done in conjunction with construction and occupation of the house.</p>	
<p><b>Staff Recommendation:</b> The director agrees with applicant's request. The provision to add landscaping once the house is occupied insures better maintenance by the homeowner and lessens the possibility of damage during the home and driveway construction. This request is in keeping with the intent of the Landscape Design Criteria Manual. Zoning &amp; Platting Commission approval is not required for the approval of this request.</p>	
<p><b>30. §25-3-105 (G) ADDITIONAL REGULATIONS FOR NEIGHBORHOOD CENTER AREA</b></p>	
<p>A residential use with street level living space must be eighteen (18) inches height above sidewalk. A residential use may not front at ground level on a square.</p>	<p>A residential use may front a square or park provided that the first floor living space is a minimum of eighteen (18) inches above the square or park sidewalk in front of the residential use.</p>
<p><b>Rationale:</b> This is a clarification without substantive change.</p>	
<p><b>Staff Recommendation:</b> The staff is in agreement with the request. This is a clarification only and maintains the intent of this section of the TND ordinance.</p>	
<p><b>31. §25-3-73 (A) COMMUNITY MEETING HALL</b></p>	
<p>A community meeting hall for the use of the neighborhood residents is required. The community meeting hall is a civic use.</p>	<p>A community meeting hall for the use of the neighborhood residents is required. The community meeting hall is a civic use. Commercial uses may be located on the same lot and site as the community meeting hall. A community meeting hall may either be indoors or outdoors.</p>
<p><b>Rationale:</b> This is a clarification without substantive change.</p>	
<p><b>Staff Recommendation:</b> The staff recommends this request. The ordinance does not preclude other uses on the same site as the meeting hall. A mix of uses on the meeting hall site may create a more attractive pedestrian designation by providing use, such as restaurants, that may complement each other.</p>	

REGULATION/CRITERIA	VARIANCE/CLARIFICATION
32. §25-6-86 §25-6-81	VARIANCE FROM DEDICATION REQUEST WAIVER REQUEST FOR RELIEF OF RESERVATION
<p>Transportation Comment #27: Dedicate 75ft from the centerline of Dessau Road and reserve 100ft from the centerline of Dessau Road in accordance with the Roadway Plan.</p>	<p>Variance request for the dedication of 75 feet of R.O.W. from the centerline of Dessau Road.</p> <p>Waiver request for relief for a reservation of 100 feet from the centerline of Dessau Road.</p>
<p><b>Rationale:</b> The existing Dessau Road cross section is a MAD-6 designation, and is accommodated within the existing R.O.W. This section of Dessau Road was recently upgraded and appears to adequately accommodate current design standards. It would not benefit from 15ft additional R.O.W., particularly at the expense of the TND development area. This dedication would create an undo hardship on the property. Dessau Road is essentially at odds with many of the tenants of a traditional neighborhood development. Conflicts include the travel speed, noise, air pollution and congestion associated with this type of arterial. The developer has worked to minimize the negative social and environmental impacts of the roadway on the pedestrian-oriented TND. These include increased setbacks along Dessau to accommodate a landscape buffer and limited front yard parking (see variance numbers 7, 13 and 17) even though these setbacks are in excess to the maximum allowed setbacks under a TND. Therefore, it would be counterproductive to further enlarge these setbacks any more than are absolutely necessary to accommodate roadway mobility and safety issues. Further, staff has been supportive of the developer proposal to beautify the entire section of Dessau fronting the project: street trees are proposed to be planted along the east and west sides of Dessau and within the median. The goal of these enhancements would be to 1) improve the character of Dessau Road while at the same time insuring that pavement integrity is not compromised, 2) absorb noise and air pollution and provide a cooling effect amid the massive pavement section, 3) moderate travel speeds in front of the project, 4) serve as a welcome announcement for the project and 5) assist in alleviating neighborhood concerns about the quality of their deteriorating wooden privacy fencing. The loss of 15ft along the frontage would adversely impact the developer's ability to adequately provide this landscape buffer and improvements and the necessary front yard parking for commercial uses. As part of these proposed improvements, the City has committed to extending a new 5ft sidewalk along Dessau Road offset from the street to accommodate street trees.</p> <p>The issues relating to the MAD-6 cited above only amplify when considering additional ROW requirements for a MAD-8. Forty feet of additional R.O.W. of would have an extremely detrimental effect on our development plan; it would create an undo hardship on the property. The overhead electric transmission lines along the R.O.W. would also require relocation. In addition, a large number of industrial and commercial developments and numerous residential homes up and down Dessau Road could not absorb either the 75ft or 100ft R.O.W. expansion without tremendous adverse impacts. We have prepared several exhibits to illustrate this situation. Further, the impacts of the social and environmental effects of an eight lane roadway corridor on an urbanized city district are difficult to imagine. Particularly at a location in which the City is actively encouraging a pedestrian-oriented type of development.</p>	

REGULATION/CRITERIA	VARIANCE/CLARIFICATION
	<p>The preferred roadway condition would be to keep the MAD-6 designation for Dessau Road on the 2025 Roadway Plan. In this way, the project could be developed as envisioned and the existing development in this district of the city could be kept intact.</p>
	<p><b>Staff Recommendation:</b> This variance request is recommended for approval with conditions. The basis for this recommendation is provided as Attachment M to this report. Zoning &amp; Platting Commission approval is not required for this variance request.</p>
<p><b>33 §9.1 TND TYPICAL LOTS (TND CRITERIA MANUAL)</b></p>	
<p>Not addressed.</p>	<p>A street side yard setback is not required for a lot abutting an alley.</p>
<p><b>Rationale:</b> This is a clarification without substantive change. For the purposes of determining whether street side yards are required, alleys should not be considered a street.</p>	
<p><b>Staff Recommendation:</b> The staff agrees that an alley is not a street. Interior and corner lots that abut an alley are treated as a rear yard, as indicated in the TND Criteria Manual in Sections 9.2.1 through 9.3.6.</p>	



34. §25-2-513 OPENNESS OF REQUIRED YARDS	
Not addressed.	Standards for porches, stoops, steps, and similar building projections shall comply with LDC §25-2-513, openness of required yards.
<b>Rationale:</b> This is a clarification without substantive change.	
<b>Staff Recommendation:</b> Staff agrees with the applicant's reasoning that the openness of required yards applies to all lots.	
New variance request	
35. §25-8-341 CUT AND FILL §25-8-342	
Cut or fill limitations on a tract of land.	Cut or fill of land in a roadway may not exceed eight feet of depth. Cut or fill in a roadway may be contained outside the R.O.W. within a slope easement. Cut or fill of land on a lot outside the R.O.W. may not exceed ten feet of depth. Water quality ponds shall have no limitations of cut or fill of land.
<p><b>Rationale:</b> A small lot residential development, based on a highly interconnected street and alley system, is predicated on minimal grade changes within the development. Over 200 acres of TND development using this closely interconnected street and alley arrangement will be constructed. Placed over a hilltop, the necessity of an 8-foot cut and fill variance becomes apparent. The street to building pad to garage to alley connection repeating in sequence interlocks entire blocks together in tight arrangements. Grade changes cannot be made up in the large front and back yards typical of front-loaded conventional subdivisions. On a rolling, hilltop site such as Pioneer Hill, it is necessary for grade changes to be made up over a larger distance—mandating larger cut and fill conditions.</p> <p>For example, single-family has a 15-foot MAXIMUM front yard setback and a 25-30 foot depth backyard. Townhomes, multi-family and condominiums have a 10-foot MAXIMUM front yard setback. There is not the horizontal "make-up" space to offset grading changes such that conventional subdivisions can incorporate.</p> <p>Site grading of the site will be necessary to comply with 18-inch elevation of townhomes change (LDC 25-3-87-F). As staff has emphasized, the goal of achieving the 18-inch elevation change justifies site grading to comply with this requirement. In addition to meeting this requirement, the developer will strive for elevation changes on single-family homes and condominiums.</p> <p>The four water quality ponds are located in moderately sloped areas. This will necessitate cut</p>	

and fill conditions exceeding the 10-foot limitation within the development. The removal of trees will be reduced with this waiver since the ponds can be cut deeper, less area will be disturbed.

**Staff Recommendation:** A variance not required.

### 36. §25-3-52(N) SUBDIVISION LAYOUT REQUIREMENTS

Maximum block length: 1000 ft.  
Maximum block width: 400 ft.

Maximum block length: 1000 ft., except perimeter blocks, which may exceed this length for good and sufficient reasons up to 6,200 ft.  
Maximum block widths: 400 ft., except for the block containing the elementary school.

**Rationale:** Pioneer Hill is located on a hilltop peninsula surrounded primarily by parkland. In addition to Dessau Road, only two streets abut the development. Brown Lane is designated an industrial collector and has been determined to be detrimental to the TND-nature of the project, and therefore ends in a cul-de-sac. On a 277-acre development, only Criswell Road connects to the street system. The perimeter of the development abuts open space primarily—a remarkable feature which should be supported. A drainage way flanks both the northern and southern sides of the development within the open space area.

All internal block lengths and widths comply with the development requirement. The only block exceeding the 400 ft. maximum depth is the elementary school lot. The developer voluntarily fronted all sides of this lot with streets, permitting maximum neighborhood interaction with this important civic use.

**Staff Recommendation:** The staff recommends this modification because of the location of the open space, topographic constraints, and the unusual configuration of the property staff would support the perimeter lot length extension. Staff recommends the modification to the block width for the elementary school site in order to accommodate the size necessary for an elementary school.

### 37. §25-4-33 ORIGINAL TRACT REQUIREMENTS

An applicant shall include all land in the original tract in an application for preliminary plan or plat approval.

Variance requested to waive the requirement that the 6.305 acre tract owned by James C. Overcash, pursuant to deed from the original owner of the Morse property (Pioneer Hill), Fred C. Morse, in 1971, be included in the subject tract for which zoning, preliminary plan, and plat approval is sought.

**Rationale:**

The Overcash tract was conveyed out of the Morse property over thirty years ago. At present, there are no significant improvements on the Overcash tract. The applicant does not have control over the Overcash tract nor does it have the ability to require Mr. Overcash to join in the TND zoning for Pioneer Hill or any subdivision process. The Overcash tract is not being included in the TND zoning, nor would its inclusion impact any zoning, planning, or platting decision. Provision has been made for access and utilities to the Overcash tract (in cooperation with the Parks and Recreation Department), and Mr. Overcash has no objection to the TND zoning of the subject property. It is impractical for the entirety of the "original tract" to be zoned, planned, and platted at one time, and there is no adverse impact on Mr. Overcash.

**Staff Recommendation:** This variance must be considered at the time of subdivision approval.

38-825-3-77(3)

**PARKLAND DEDICATION**

At the time of zoning, the Director of the Parks and Recreation Department shall require one of the following:

< No change in remaining sentence. >

At the time of Final Plat(s), the Director of the Parks and Recreation Department shall require one of the following:

< No change in remaining sentence. >

**Rationale:** (1) The developer will not close on the property until after the zoning is complete making this stipulation problematic. (2) The parkland dedication tracts will not be accurately described at the time of zoning making their conveyance problematic. (3) PARD typically uses Final Plat as the time of parkland dedication and finds this variance request acceptable.

**Staff Recommendation:** Staff recommends this deviation because the applicant has worked with the Parks and Recreation Department to determine that the dedication for parkland should occur with the final plat. The current code gives the PARD director wide latitude to accept land as a payment in lieu of land, general public access on up to 25% of the open space, or any combination of these.

**MEMORANDUM**

**TO:** Sherri Gager, Case Manager  
Members of the Zoning and Platting Commission

**CC:** Sean Compton, Bosse, Compton and Turner

**FROM:** Emily M. Barron, Transportation Review

**DATE:** February 6, 2003

**SUBJECT:** Variance Request for Pioneer Hill TND  
Case Number – C14T-02-0001  
25-3-52(F) Subdivision Layout Requirements

**Recommendation:** Approve

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The applicant for the above referenced subdivision is requesting a variance to Title 25; Land Development Code (LDC) Section 25-3-52(F) which requires that each lot in a subdivision, except a lot that fronts on a plaza and abuts an alley, shall abut a dedicated public street. The applicant requests the following change: Each lot in a subdivision, except a lot that fronts on a plaza, **square or park** and abuts an alley, shall abut a dedicated public street.

The development is approximately 277.393 acres located in the City of Austin on the east side of Dessau Road just north of Rundberg and south of Parmer Lane. The project consists of single family, condominiums, apartments, an elementary school, general office, shopping center and general industrial.

**Staff recommends approval of the variance for the following reasons:**

- As defined by the Land Development Code, plaza, parks and squares all serve similar functions within the TND. Plaza: means open space at the intersection of important streets, set aside for civic purposes and commercial activity, including parking, its landscape consisting of durable pavement and formal tree plantings. Park: means open space, available for recreation, its landscape consisting of paved paths and trails, some open lawn, trees, open shelters, or recreational facilities. Square: means open space that may encompass an entire block, is located at the intersection of important streets, and is set aside for civic purposes, with landscape consisting of paved walks, lawns, trees, and civic buildings.
- The requested variance applies to townhomes located on the east side of the Community Center.

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If you have any further questions or required additional information, please contact me at 974-2788.

Emily M. Barron  
Transportation Review Staff

**MEMORANDUM**

**TO:** Sherri Gager, Case Manager  
Members of the Zoning and Platting Commission

**CC:** Sean Compton, Bosse, Compton and Turner

**FROM:** Emily M. Barron, Transportation Review

**DATE:** February 7, 2003

**SUBJECT:** Variance Request for Pioneer Hill TND  
Case Number – C14T-02-0001  
25-3-83(A)(1) Parking

**Recommendation:** Approve with condition

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The applicant for the above referenced subdivision is requesting a variance to Title 25; Land Development Code (LDC) Section 25-3-83(A)(1) a parking lot or garage may not be adjacent to a square or adjacent to or opposite a street intersection. The applicant requests the following change: Except in a workshop area, a parking lot or garage may not be adjacent to a square or adjacent to or opposite a street intersection, provided that a parking garage located in the Workshop Area must be behind street frontage façade.

The development is approximately 277.393 acres located in the City of Austin on the east side of Dessau Road just north of Rundberg and south of Parmer Lane. The project consists of single family, condominiums, apartments, an elementary school, general office, shopping center and general industrial.

**Staff recommends approval of the variance with the following condition:**

- Additional landscaping is required to buffer pedestrian activity from the parking lot and/or garage as approved by the environmental reviewer at the time of plot plan.

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If you have any further questions or required additional information, please contact me at 974-2788.

Emily M. Barron  
Transportation Review Staff



# MEMORANDUM

**TO:** Sherri Gager, Case Manager  
Members of the Zoning and Platting Commission

**CC:** Sean Compton, Bosse, Compton and Turner

**FROM:** Emily M. Barron, Transportation Review

**DATE:** February 6, 2003

**SUBJECT:** Variance Request for Pioneer Hill TND  
Case Number – C14T-02-0001  
25-3-83(A)(2) Parking

**Recommendation:** Approve as requested

The applicant for the above referenced subdivision is requesting a variance to Title 25; Land Development Code (LDC) Section 25-3-83(A)(2) a parking lot shall be located at the rear or side of a building. The applicant requests the following change: Buildings in the Neighborhood center Area must front along the internal streets of the TND and not front on Dessau Road. A parking lot along the front of the building or along the side of a building abutting Dessau Road may be only one-half of one bay deep. Driveways along the internal streets of the Neighborhood Center Area may access parking lots not greater than one full bay deep parallel to the internal street frontage. Parking lots at the rear of the building have no limitation on the number of parking bays. Off street parking lots in the Workshop Area may be located in the front of the building provided they are no greater than one full bay deep.

The development is approximately 277.393 acres located in the City of Austin on the east side of Dessau Road just north of Rundberg and south of Parmer Lane. The project consists of single family, condominiums, apartments, an elementary school, general office, shopping center and general industrial.

**Staff recommends approval of the variance for the following reasons:**

- One of the intents of the Traditional Neighborhood District (TND) is to provide and promote pedestrian oriented uses along the major corridors of the district. Providing a large amount of parking in front of these businesses would defeat this intent.
- Because this area of Austin is not yet "pedestrian oriented" and a lot of travel is done vehicularly, it is noted that in order to promote the businesses within the TND some parking should be provided in front of the buildings to attract those people "passing by". Therefore, staff recommends approval of this variance as requested because the parking bays in the Neighborhood Center may not exceed ½ a bay width along Dessau Road and parking lots may not greater than one full bay deep parallel to the internal street frontage. The Workshop Area is limited to 1 parking bay width along internal streets in the TND and along Dessau Road.

If you have any further questions or required additional information, please contact me at 974-2788.

*Emily M. Barron*

Emily M. Barron  
Transportation Review Staff

**MEMORANDUM**

**TO:** Sherri Gager, Case Manager  
Members of the Zoning and Platting Commission

**CC:** Sean Compton, Bosse, Compton and Turner

**FROM:** Emily M. Barron, Transportation Review

**DATE:** February 6, 2003

**SUBJECT:** Variance Request for Pioneer Hill TND  
Case Number – C14T-02-0001  
25-3-83(B)(2) Parking

**Recommendation:** Approve

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The applicant for the above referenced subdivision is requesting a variance to Title 25; Land Development Code (LDC) Section 25-3-83(B)(2) in a neighborhood center, not more than 125 percent of the required parking for a use may be provided on site. The applicant requests the following change: For commercial uses in a Mixed Residential Area, not more than 125 percent of the required parking for a use may be provide on-site. For commercial uses (other than restaurant use) in a Neighborhood Center Area, required parking that is located on-site shall not exceed a ratio of one (1) space per 300 square feet. For restaurant use in a Neighborhood Center Area, required parking located on-site shall a not exceed a ratio of 1 space per 100 square feet.

The development is approximately 277.393 acres located in the City of Austin on the east side of Dessau Road just north of Rundberg and south of Parmer Lane. The project consists of single family, condominiums, apartments, an elementary school, general office, shopping center and general industrial.

**Staff recommends approval of the variance for the following reasons:**

- The requested parking ratios would still provide less parking than if this site were developed as a "standard" or non TND site.
- There is only a 19 space increase from what is permitted under the TND criteria manual for the commercial areas.

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If you have any further questions or required additional information, please contact me at 974-2788.

*Emily M. Barron*

Emily M. Barron  
Transportation Review Staff



# MEMORANDUM

**TO:** Sherri Gager, Case Manager  
Members of the Zoning and Platting Commission

**CC:** Sean Compton, Bosse, Compton and Turner

**FROM:** Emily M. Barron, Transportation Review

**DATE:** February 6, 2003

**SUBJECT:** Variance Request for Pioneer Hill TND  
Case Number – C14T-02-0001  
25-3-83(C) Parking

**Recommendation:** Approve with condition

---

The applicant for the above referenced subdivision is requesting a variance to Title 25; Land Development Code (LDC) Section 25-3-83(C) in the mixed residential area (or neighborhood edge area), the required parking for a use must be provided on site. The applicant requests the following change: In Mixed Residential Area 1, the required parking for a use must be provided on-site. The required parking for a use may be located anywhere in Mixed Residential Area 2; a use may apply adjacent on-street parking towards the required parking.

The development is approximately 277.393 acres located in the City of Austin on the east side of Dessau Road just north of Rundberg and south of Parmer Lane. The project consists of single family, condominiums, apartments, an elementary school, general office, shopping center and general industrial.

**Staff recommends approval of the variance with one condition for the following reasons:**

- On street parking must be located on the same side of the street as the mixed residential area.
- Including some of the required parking on street will help to reduce the large off-street parking lot
- Vehicles will be parked on street more consistently with the mixed residential use and therefore will provide some traffic calming through the area.

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If you have any further questions or required additional information, please contact me at 974-2788.

Emily M. Barron  
Transportation Review Staff





## MEMORANDUM

**TO:** Sherri Gager, Case Manager  
Members of the Zoning and Platting Commission

**CC:** Sean Compton, Bosse, Compton and Turner

**FROM:** Emily M. Barron, Transportation Review

**DATE:** February 7, 2003

**SUBJECT:** Variance Request for Pioneer Hill TND  
Case Number – C14T-02-0001  
25-3-52(G) Subdivision Layout Requirements

**Recommendation:** Approve

---

The applicant for the above referenced subdivision is requesting a variance to Title 25; Land Development Code (LDC) Section 25-3-52(G) each lot in a subdivision shall abut an alley unless the Director determines that good cause exists to omit an alley or portion of an alley. The applicant requests the following change: Workshop area lots, neighborhood center commercial/mixed use lots and multi-family lots in the mixed residential area 2 are not required to abut an alley..

The development is approximately 277.393 acres located in the City of Austin on the east side of Dessau Road just north of Rundberg and south of Parmer Lane. The project consists of single family, condominiums, apartments, an elementary school, general office, shopping center and general industrial.

**Staff recommends approve of the variance for the following reasons:**

- Alleys are counterproductive to the Workshop area lots, neighborhood center commercial/mixed use lots and the multifamily lots in the mixed residential area 2 because service to the buildings will be provide via internal driveways.

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If you have any further questions or required additional information, please contact me at 974-2788.

Emily M. Barron  
Transportation Review Staff

**MEMORANDUM**

**TO:** Sherri Gager, Case Manager  
Members of the Zoning and Platting Commission

**CC:** Sean Compton, Bosse, Compton and Turner

**FROM:** Emily M. Barron, Transportation Review

**DATE:** February 6, 2003

**SUBJECT:** Variance Request for Pioneer Hill TND  
Case Number – C14T-02-0001  
25-3-52(I) Subdivision Layout Requirements

**Recommendation:** Approve with conditions

---

The applicant for the above referenced subdivision is requesting a variance to Title 25; Land Development Code (LDC) Section 25-3-52(I) Streets, alleys, and pedestrian paths shall be designed and constructed in accordance with this chapter, the Traditional Neighborhood District Criteria Manual, the Standards Criteria Manual, and the Standard Specification Criteria Manual. The applicant requests the following change: Allow for the street rights-of-way to be expanded by two (2) feet to allow for expanding the typical planting strip width of six (6) feet to be enlarged to seven (7) feet. Sidewalks shall be permitted outside right-of-way within a public access easement.

The development is approximately 277.393 acres located in the City of Austin on the east side of Dessau Road just north of Rundberg and south of Parmer Lane. The project consists of single family, condominiums, apartments, an elementary school, general office, shopping center and general industrial.

**Staff recommends approval with conditions of the variance for the following reasons:**

- The wider planting strip provides for a safer pedestrian path because more space is being provided between the sidewalk and vehicular travel lanes
- Larger planting strips along the roadways makes the roadway appear narrower in turn causing the driver to slow their speed making it safer for pedestrians
- The portion of the sidewalk, which enters private property, will be required to be placed in a sidewalk easement at the time of subdivision.

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If you have any further questions or required additional information, please contact me at 974-2788.

  
Emily M. Barron  
Transportation Review Staff



## MEMORANDUM

**TO:** Sherri Gager, Case Manager  
Members of the Zoning and Platting Commission

**FROM:** Emily M. Barron, Transportation Review

**DATE:** February 6, 2003

**SUBJECT:** Variance Request for Pioneer Hill TND  
Case Number – C14T-02-0001  
4.2 TND Street Classifications and Streetscape Sections (TCM)

**Recommendation:** Approve with conditions

The applicant for the above referenced subdivision is requesting a variance to Title 25: Traditional Neighborhood District Criteria Manual Section 4.2 Street Classifications and Streetscapes Sections (TCM). The applicant requests the following change: A new street type, 4.2.3A Mixed Residential Street, which has a right-of-way width of thirty-eight (38) feet, parking permitted on one side and a paving section of eighteen (18) feet in one direction and four (4) foot sidewalks on either side.

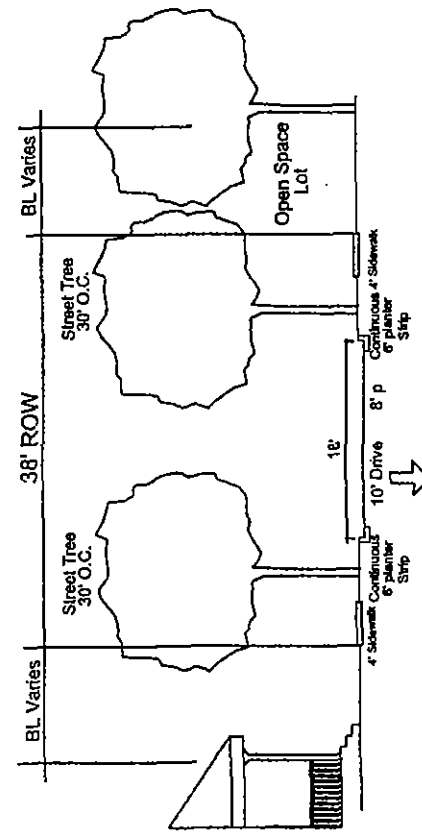
The development is approximately 277.393 acres located in the City of Austin on the east side Dessau Road just north of Rundberg and south of Parmer Lane. The project consists of single family, condominiums, apartments, and elementary school, general office, shopping center and general industrial.

**Staff recommends approval of the variance for the following reasons:**

- The cross section is similar to the existing Mixed Residential Boulevard. The change is requested so that a green space may be provide between the pavement sections and will serve as part of the hike and bike system that is present throughout the TND.
- The Transportation Planning and Sustainability Department (TPSD) has approved this proposed cross section.
- The use of the new cross section will be reviewed by TPSD during the subdivision process to ensure pedestrian safety, proper use of traffic controls, appropriate speed limit, and adequate design profiles.

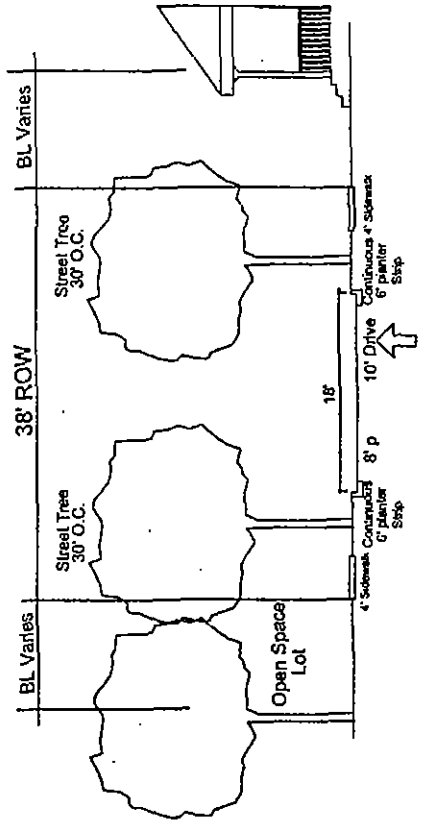
If you have any further questions or required additional information, please contact me at 974-2788.

*Emily M. Barron*  
Emily M. Barron  
Transportation Review Staff



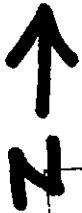
⑤ Mixed Residential Street (One Way Westbound)

PIONEER HILL



⑤ Mixed Residential Street (One Way Eastbound)

PIONEER HILL

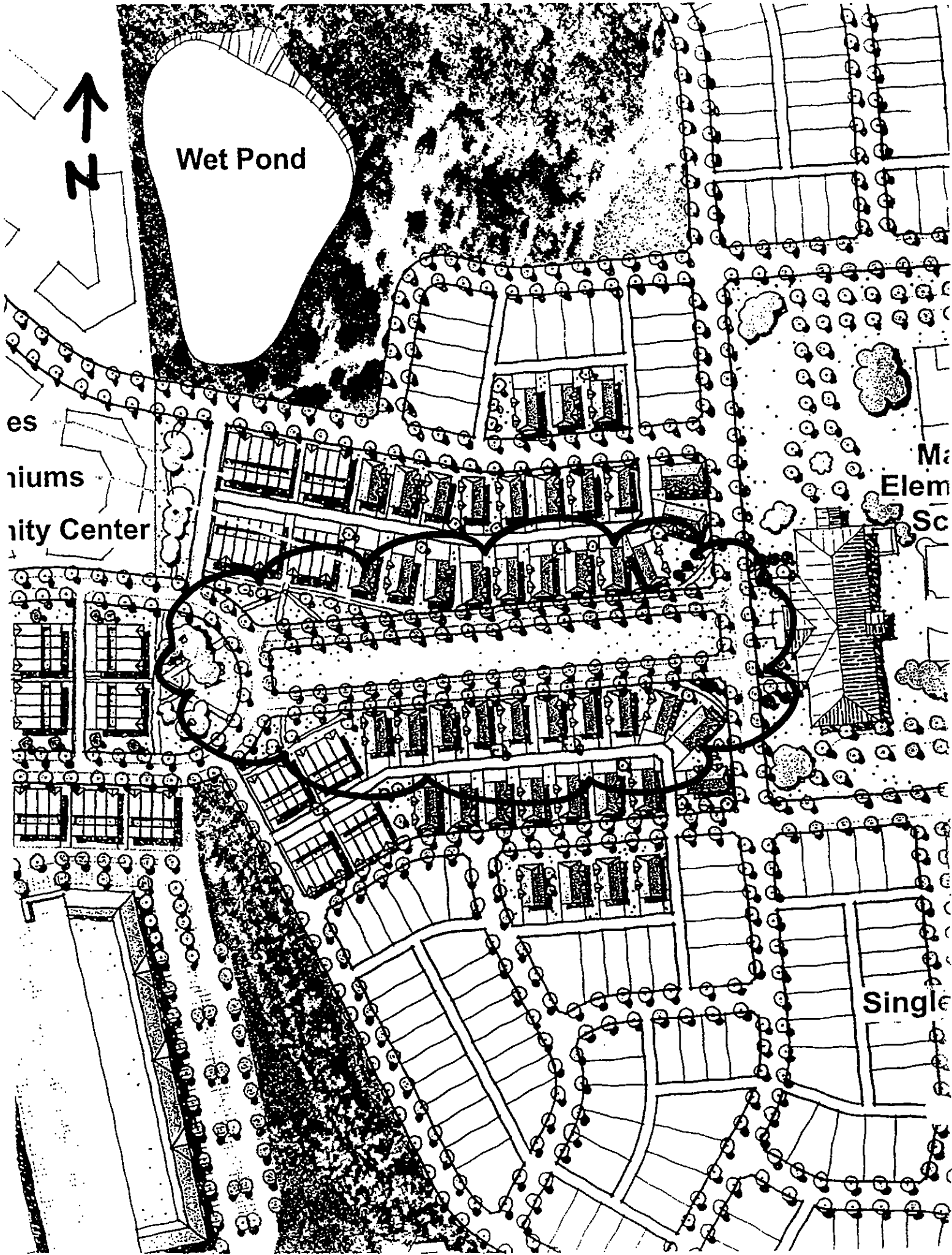


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## MEMORANDUM

**TO:** Sherri Gager, Case Manager  
Members of the Zoning and Platting Commission

**CC:** Sean Compton, Bosse, Compton and Turner

**FROM:** Emily M. Barron, Transportation Review

**DATE:** February 6, 2003

**SUBJECT:** Variance Request for Pioneer Hill TND  
Case Number – C14T-02-0001  
4.6.4 Sidewalks and Curb Ramps of the TCM

**Recommendation:** Approve with conditions

---

The applicant for the above referenced subdivision is requesting a variance to Title 25: Traditional Neighborhood District Criteria Manual Section 4.6.4 Sidewalks and Curb Ramps of the TCM states sidewalk alignments shall conform to streetscape designs shown in this Criteria Manual. The applicant requests the following change: Sidewalk widths and alignments shall conform to the street cross sections shown in the Architectural Standards of Pioneer Hill. With approval of the Director, street sidewalks may be omitted along Mixed Residential Lanes that abut public open spaces or private open space open to the general public. In such instances, an eight (8) foot granite gravel walk shall be located within the open space lot adjacent to the street.

The development is approximately 277.393 acres located in the City of Austin on the east side of Dessau Road just north of Rundberg and south of Parmer Lane. The project consists of single family, condominiums, apartments, an elementary school, general office, shopping center and general industrial.

**Staff recommends approval with conditions of the variance for the following reasons:**

- Sidewalks along Mixed Residential Lanes may be omitted along the side of the street that abuts *public/private open spaces*
- Where the sidewalk is omitted an 8-foot granite path must replace the sidewalk. The 8-foot granite paths will be required to meet the same accessibility requirements as a "normal" sidewalk.
- If the granite path is located outside of the right-of-way a sidewalk easement will be required.
- The 8-foot granite path may meander along the right-of-way in order to avoid trees etc...
- The granite path will serve as a "hike and bike" trail along the open space areas.

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If you have any further questions or required additional information, please contact me at 974-2788.

*Emily M. Barron*  
Emily M. Barron  
Transportation Review Staff



## Welcome Home

A D•R•Horton Company

August 28, 2003

Sonny Poole  
Supervisor of Public Involvement & Real Estate  
Austin Energy  
721 Barton Springs Road  
Room 102  
Austin, Texas 78704

Dear Mr. Poole:

I would like to thank you for the opportunity to visit with you last Friday and for your help in providing a solution for the Pioneer Hill subdivision alleyways and utility easements. After visiting with marketing and legal at Milburn Homes, we obtained approval for the plan that we agreed upon in the meeting. The alleys will have a 15 ft. paved area with 5 ft. on each side to the fence line. Additionally, there shall be 5 ft. PUE inside the fence line so that transformers, hand holds, etc. can be placed in notched areas in the fence. Austin Energy shall have one side of the alley for it's primary use and the gas supplier shall have the other side. Austin Energy will also have access to notched areas on the other side of the pavement for services as required. These will be placed in notched areas on alternate lot lines from gas services. Our legal department approved adding fence replacement to the CCR's of the subdivision addendum. In this scenario, the HOA will replace fencing around electrical transformers that is damaged during maintenance

It is our understanding that Austin Energy does not require a specific easement for a secondary service from the transformer to the meter. Milburn Homes intends to have the secondary service installed by one of our licensed and qualified contractors. Austin Energy has access to each house as provide by the service agreement entered into by the homeowner.

If this proposal is acceptable to Austin Energy, please sign the acknowledgment below.

  
Austin Energy

  
Date



# MEMORANDUM

**TO:** Sherri Gager, Case Manager  
**CC:** Sean Compton, Bosse, Compton and Turner  
**FROM:** Emily M. Barron, Transportation Review  
**DATE:** February 6, 2003  
**SUBJECT:** Variance Request for Pioneer Hill TND  
Case Number – C14T-02-0001  
25-6-86 Dedication of Right-of-Way  
25-6-81 Reservation of Right-of-Way  
**Recommendation:** Approval

The applicant for the above referenced subdivision is requesting a variance to Title 25; Land Development Code (LDC) Section 25-6-86 Dedication of Right-of-Way, 25-6-81 Reservation of Right-of-Way which permits a variance from right-of-way dedication and reservation. The applicant requests the removal of the dedication and reservation requirements as established in the Austin Metropolitan Area Transportation Plan.

The development is approximately 277.393 acres located in the City of Austin on the east side of Dessau Road just north of Rundberg and south of Parmer Lane. The project consists of single family, condominiums, apartments, an elementary school, general office, shopping center and general industrial.

**Staff recommends approval of the variance for the following reasons:**

- The portion of Dessau Road adjacent to the TND was currently upgraded to provide for a six (6) lane divided arterial.
- Per the Transportation Planning and Sustainability Department (TPSD) it is unlikely, due to several constraints, that Dessau Road will be upgraded to the eight (8) lane divided major arterial (MAD8) requested by the Austin Metropolitan Area Transportation Plan. Some of these constraints include landscaping projects done by the City of Pflugerville and historical signs.
- It is likely that once SH130 is constructed that the additional traffic that would use Dessau Road will be diverted to SH130.
- There is a request that is being supported by TPSD to remove the MAD8 requirement for this portion of Dessau Road. In the event that this request is not approved by City Council, City staff may re-review the waiver request to waive the additional right-of-way dedication and reservation.

If you have any further questions or required additional information, please contact me at 974-2788.

*Emily M. Barron*  
Emily M. Barron  
Transportation Review Staff





**Date:** February 7, 2003  
**To:** Sherri Gager, Case Manager  
Members of the Zoning and Platting Commission  
**CC:** Scott Feldman, Alliance Texas Engineering Company  
Carol Kaml, Fiscal Officer, City of Austin  
**Reference:** Pioneer Hill TND Traffic Impact Analysis C14T-02-0001

The Transportation Review Section has reviewed the Traffic Impact Analysis for Pioneer Hill TND dated November 2002, and offers the following comments:

### **TRIP GENERATION**

Pioneer Hill TND is a 277.393-acre development located in northeast Austin along the east side of Dessau Road, south of Parmer Lane and north of Rundberg Lane. The TIA for the project was prepared by Scott Feldman of Alliance Texas Engineering Company in November of 2002.

The proposed development consists of the following land uses:

- 420 Single Family dwelling units
- 224 Condominium dwelling units
- 524 Apartment units
- 600 student Elementary School
- 200,000sf of General Office
- 75,000sf of Shopping Center
- 121,500sf of General Industrial

The property is currently undeveloped and unzoned. The applicant has requested a zoning change to Traditional Neighborhood District (TND). Annexation of this property has also been requested. Completion of the project is expected in the year 2006. Based on the standard trip generation rates established by the Institute of Transportation Engineers (ITE), the development will generate approximately 18,022 unadjusted average daily trips.

The table below shows the trip generation by land use for the proposed development

<b>Table 1. Adjusted Trip Generation</b>						
			<b>AM Peak</b>		<b>PM Peak</b>	
<b>LAND USE</b>	<b>Size</b>	<b>ADT</b>	<b>Enter</b>	<b>Exit</b>	<b>Enter</b>	<b>Exit</b>
Single Family	420du	4,020	79	236	271	153
Condominium	224du	1,294	16	80	80	39
Apartment	524du	3,402	42	220	213	105
Elementary School	600 students	576	103	71	0	0
General Office	200,000sf	2,260	285	39	52	252
Shopping Center	75,000sf	5,312	82	52	164	178
General Industrial	121,500sf	806	48	7	1	9
<b>TOTAL</b>		<b>17,670</b>	<b>655</b>	<b>705</b>	<b>781</b>	<b>736</b>

## **ASSUMPTIONS**

1. Traffic growth rates provided by the City of Austin were as follows:

<b>Table 2. Growth Rates per Year</b>	
<b>Roadway Segment</b>	<b>%</b>
All Roads	5.6%

2. In addition to these growth rates, background traffic volumes for 1999 included estimated traffic volumes for the following projects:

Cameron Road Joint Venture  
Cameron 9000 (Phases 2 and 3)  
Cameron Road Service Center

3. Reductions were taken for pass-by capture:

Table 3. Summary of Pass By and Internal Capture Reductions					
LAND USE		Pass-By		Internal Capture	
		AM	PM	AM	PM
Single Family	420du	0	0	0	0
Condominium	224du	0	0	0	0
Apartment	524du	0	0	0	0
Elementary School	600 students	0	0	0	0
General Office	200,000sf	0	0	0	0
Shopping Center	75,000sf	0	34	0	0
General Industrial	121,500sf	0	0	0	0

4. No reductions were taken for internal capture or transit use.

## **EXISTING AND PLANNED ROADWAYS**

**Cameron Road / Dessau Road** – This roadway is classified as a six lane divided major arterial from Parmer Lane to Rundberg. The 1995 traffic volumes for Dessau Lane at Dungan were 20,161 vehicles per day. Cameron Road/Dessau Road is in the Austin Bicycle Plan as a priority 2 facility.

**Rundberg Lane** – This roadway is classified as a four lane arterial. The 1997 traffic volumes for Rundberg Lane from IH-35 to Dessau Road were 31, 270vpd. Rundberg Lane is in the Austin Bicycle Plan as a priority 2 facility (Route 217.06).

**Ferguson Lane** – This roadway is currently classified as a two-lane collector. In accordance with the Austin Metropolitan Area Transportation Plan (AMATP) Ferguson Lane will eventually become the extension of Rundberg Lane. Ferguson Lane is in the Austin Bicycle Plan as a priority 2 facility (Route 217.08).

**Dungan Lane** – This roadway is currently classified as a two-lane collector. The traffic volumes for Dungan Lane from Dessau to Brown Lane were 3,340vpd.

**Brown Lane** – This roadway is currently classified as a two-lane collector. The traffic volumes for Brown Lane from Dungan to Ferguson were approximately 2,000vpd.

**MEADOWMERE** – This roadway is classified as a residential collector with approximately 55 feet of right-of-way.

### **TRAFFIC ANALYSIS**

The impact of site development traffic on the existing area roadways was analyzed. Two time periods and travel conditions were evaluated:

- 2002 Existing Conditions
- 2006 Build-Out Conditions

The TIA analyzed 11 intersections, 4 of which are signalized. Existing and projected levels of service are as follows, assuming that all improvements included in the TIA are constructed.

<b>Table 4. Level of Service</b>				
<b>Intersection</b>	<b>2002</b>		<b>2006</b>	
	<b>AM</b>	<b>PM</b>	<b>AM</b>	<b>PM</b>
Cameron Road/Dessau Road @ Rundberg Lane*	E	B	F	D
Cameron Road/Dessau Road @ Ferguson Lane*	C	C	D	D
Ferguson Lane @ Brown Lane	C	B	C	A
Dessau Road @ Dungan Lane*	A	A	C	B
Brown Lane @ Dungan Lane	A	A	A	A
Dessau Road @ Meadowmere Drive*	A	A	D	D
Dessau Road @ Street #1			A	A
Dessau Road @ Street #2			A	C
Dessau Road @ Northern Driveway			A	A
Dessau Road @ Southern Driveway			A	A
Dessau Road @ Middle Driveway			A	A

\* = SIGNALIZED

### **RECOMMENDATIONS**

1) The applicant should, post the pro rata share of fiscal for the following improvements prior to 3<sup>rd</sup> Reading at City Council:

- Cameron/Dessau @ Rundberg:
  - Signal improvements (13.6%)
  - Eastbound Shared through/right turn lane improvements (12.4%)
  - Southbound right turn lane improvements (36.5%)
- Cameron/Dessau @ Ferguson
  - Signal Relocation (12.8%)
  - Northbound right turn lane improvements (12.8%)
- Dessau Road @ Meadowmere
  - Signal (100%)
  - Southbound left turn lane improvements (100%)

- 
- Brown @ Ferguson
    - Southbound right turn lane improvements (6.4%)

(%) = pro rata share

- 2) All proposed median breaks along Cameron/Dessau Road require the approval of the Transportation Planning and Sustainability Department. Fiscal for construction of the median openings may be required to be posted once the construction plans for the breaks have been reviewed.
- 3) Approval from the Department of Public Works and Transportation ~ Signals is required *prior* to 1<sup>st</sup> Reading at City Council.
- 4) For information: Three copies of the final version of the TIA incorporating all corrections and additions must be submitted *prior* to final reading of the zoning case.
- 5) Development of this property should be limited to uses and intensities, which will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions, and other traffic related characteristics.

If you have any questions please contact Emily M. Barron at 974-2788

---



Emily M. Barron  
Transportation Review Staff  
Watershed Protection and Development Review



## MEMORANDUM

**TO:** Sherri Gager  
Neighborhood Planning and Zoning Department

**FROM:** Butch Smith, Planner  
Parks and Recreation Department

**DATE:** October 30, 2003

**SUBJECT:** Pioneer Hill (C14T-02-0001)

This memo replaces the one dated October 22, 2003.

The Land Development Code (25-3-77) provides that parkland dedication of a traditional neighborhood district can be satisfied by a combination of dedication of land and general public access on up to 25 percent of the development's open space. The developer has proposed to dedicate 10.36 acres of land in fee simple deed to the City, and to provide 22.84 acres of private open space with general public access. The total park and open space available to the public would be 33.20 acres. Although this exceeds the required parkland (estimated to be 24.84 acres), the developer voluntarily offers this transaction to satisfy the City requirements. The Parks and Recreation Department finds the proposal as shown on the development Open Space Plan to be acceptable.

Additional details remain to fully address the requirements of the Parks and Recreation Department. These items include the following:

- 1) Trail improvements to be provided by the developer on dedicated parkland and private open space. The execution of these improvements may determine the timing of land dedication.
- 2) Utility easements to be provided across dedicated parkland and existing parkland. Easements across existing parkland adjacent to the Pioneer Hill development will have to be presented for the concurrence of the Parks and Recreation Board. Mitigation may have to be provided by the developer.
- 3) The timing and execution of land to be purchased by the Parks and Recreation Department that is part of the Pioneer Hill property.

4) Terms and conditions of public access on private open space lands.

It is recommended that these items be addressed in a **Parkland Agreement** between the developer and the Parks and Recreation Department. This agreement must be in place no later than the date of the third reading of the zoning case.

If you have any comments or questions, please let me know.

A handwritten signature in black ink that reads "Butch Smith". The signature is written in a cursive, slightly stylized font.

Butch Smith, Planner  
Parks and Recreation Department

c. Sean Compton

# **PIONEER HILL TND**

## **ARCHITECTURAL STANDARDS**

# PIONEER HILL

## ARCHITECTURAL STANDARDS

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# PIONEER HILL ARCHITECTURAL STANDARDS

## Article I GENERAL PROVISIONS

1.01 **Purpose.** The requirements of these Architectural Standards (these "*Standards*") apply to Pioneer Hill, a master planned, multi-use traditional neighborhood district consisting of approximately 276.7 acres of land located within the City of Austin, Texas, as generally shown on Exhibit "A" attached hereto (the "*Property*" or "*Pioneer Hill*"). This project is planned to integrate open space, residential, commercial and public uses. The Property is being developed as a traditional neighborhood district and is planned to encourage the integration of varying housing types that offer a range of residential opportunities with multifamily, commercial, and other uses, as described in these Standards.

1.02 **TND Arcas.** The Property will be divided into three primary development areas: (each, a "*TND Area*"): (i) the Mixed Residential Area (composed of two sub-areas), (ii) the Neighborhood Center Area and (iii) the Workshop Area. Civic uses are encouraged within both the Mixed Residential Area and the Neighborhood Center Area. In addition, there will be approximately 77 acres of public parkland owned by the City of Austin.

1.03 **TND Components.** All development areas will incorporate open space uses, which will be either public or private in nature. Public spaces are intended to form a primary structure and character of the neighborhoods. Streetscapes are designed to accommodate both vehicles and pedestrians by encouraging a walking environment and providing opportunities for social exchange. The TND Areas and land uses are reflected on the Development Plan.

1.04 **Goal of Architectural Standards.** These Standards are intended to achieve the following: (i) permit varied yet complimentary architectural design that promotes the integration and compatibility of land uses and building uses within the Property; (ii) insure the design of buildings that provide human scale within the public realm; and (iii) establish the importance of shared space, such as streets, streetscapes, squares, parks and connective open space through building locations, orientation, massing and architectural design.

1.05 **Master Architectural Control Committees.** Construction on the Property is subject to the approval of a Master Architectural Control Committee and, in some instances a "Sub-ACC" (being an Architectural Control Committee established by a Sub-Association).

(a) **Commercial Master Architectural Control Committee Composition.** The Commercial Master Architectural Control Committee is composed of three (3) persons, initially appointed by Morse. The initial members of the Commercial Master Architectural Control Committee are: Terry Mitchell, Scott Morse, and Fred Morse. The Commercial Master Architectural Control Committee may also have advisory members, selected by the voting members of the committee.

(b) **Residential Master Architectural Control Committee Composition.** The Residential Master Architectural Control Committee is composed of three (3) persons, initially appointed by Continental. The initial members of the Residential Master Architectural Control Committee are: Terry Mitchell, Scott Morse, and Steve Herring. The Residential Master Architectural Control Committee may also have advisory members, selected by the voting members of the committee.

(c) Architectural Control Committee Review and Approval Procedure. The Master Declarations set forth the review and approval procedure for all Improvements on the Property. Generally, these include submittal of the Plans and Specifications to the applicable Master Architectural Control Committee (or a Sub-ACC, where applicable) and obtaining approval of the Plans and Specifications. In addition, prior to issuance of a building or construction permit, the applicable Master Architectural Control Committee or Sub-ACC, as appropriate, shall certify that the proposed Improvements and/or development complies with these Standards.

(d) Compliance. The applicable Master Architectural Control Committee, or, where applicable, the appropriate Sub-ACC, shall determine compliance of any proposed improvements and/or development on the Property with these Standards. The appropriate Architectural Control Committee will review such provisions by determining if they reasonably comply with the purpose, overall land usage and intent of the Pioneer Hill TND.

1.06 Guidelines for Architectural Compatibility. The Master Architectural Control Committees will adopt Architectural and Development Guidelines for development on the Property (the "Guidelines"). These Standards, the Guidelines, the TND Ordinance, the TND Criteria Manual, and the Declaration serve as the basis by which the Master Architectural Control Committees or Sub-ACC, as applicable, will determine architectural compatibility of any proposed Improvements.

## Article II

### CHARACTER APPLICABLE TO ALL BUILDINGS

#### 2.01 Regional or Vernacular Architectural Elements.

(a) Diversity and individual expression. To allow for diversity and individual expression, and to avoid shallow imitations of "styles", the primary criteria for determining whether the character and style of the planned Improvements comply with these Standards shall be:

- (i) That it responds to and is sensitive to the setting of Pioneer Hill;
- (ii) That it harmonizes with the architectural styles of structures built in Central Texas which have demonstrated similar sensitivity.

(b) No specific architectural style. In general, Pioneer Hill requires no specific architectural styles or themes. Inspiration should be drawn from the forms, colors and textures of our surroundings, generating a harmonious architectural character which reinforces Pioneer Hill's unique sense of place. Pioneer Hill may reflect a variety of architectural styles and forms that complement Pioneer Hill's setting.

#### 2.02 General Architectural Character.

(a) Architectural Compatibility. A building must incorporate compatible architectural styles, building materials and color palette used in surrounding buildings within the same lot.

(b) Build-to Lines. The structure must be located at the designated build-to line, only if a build-to line is indicated on a plat for that Lot.

(c) **Main Entrance.** The main entrance of a structure facing the street must be clearly articulated through the use of architectural detailing.

**2.03 Height and Massing.** Buildings should be of a range of compatible height profiles throughout Pioneer Hill. Building heights shall comply with the maximum height limitations set forth in the TND Ordinance. Building heights should be responsive to building heights on adjacent lots. Building heights should step down when appropriate.

(a) **Relation to Nearby Structures.** The height and massing of a building shall generally not be more than twice the height and massing of structures adjacent to, or across the street. This standard will not apply to buildings in the Workshop Area, where height and massing of structures is expected to be larger than adjacent uses.

**2.04 Exterior Building Materials and Finishes.** Exterior building materials shall compliment and enhance the Property's quality and integrity. Building materials shall reinforce a pedestrian-scaled character for the Improvements. Allowance is made for appropriate materials (including reinforced concrete tilt wall construction) in the non-street façade area of the Workshop Area.

**2.05 Exterior Colors.** Color is an important and dominant aspect of building design. When selecting colors for Improvements on the Property, the architect or other designer shall consider carefully the different materials and levels of detail that color can emphasize. The field or base color is one of the most dominating features of the building; trim colors are used on the building's secondary features, while accent colors can emphasize the finer, more characteristic elements of the building's design. Typically, no more than four (4) colors may be used on one building, but additional colors may be used in special instances.

## **2.06 Rooflines and Materials.**

(a) **Commercial Buildings.** Roofs provide a visual terminus to tops of buildings. In order to avoid a truncated look at the top of the building, all structures shall have a visual "cap". Roof designs on commercial buildings shall incorporate one of the following options.

(i) *Lower pitched roofs with extended eaves.* A lower pitch roof with a minimum 4:12 pitch is allowed provided that eaves extend at least three (3) feet beyond exterior building walls.

(ii) *Steep pitch hip or gable roof form.* Steeper pitch roofs and other forms must conform to the following roof pitch requirements:

Minimum pitch	6:12
Maximum pitch	12:12
Exceptions	Steeple, bell towers and other ancillary structures, porch coverings

(iii) *False pitch roof with appearance of true hip or gable.* Single story and multiple story buildings may have a flat roof with a false pitch if (a) the roof appears to be a true hip or gable from all public vantage points, and (b) there are extending wings on each corner of the building which allow for a true hip or gable to extend out from the false hip or gable (this will avoid a mansard roof appearance).

(iv) *Flat roof with projecting cornice.* The projecting cornice provides a visual terminus to the top of commercial buildings. Cornice dimensions should be one (1) foot high for every sixteen (16) feet of building height and should protrude forward at least one-third (1/3) the cornice height dimension. Cornices must be at or near the top of the wall or parapet. Pediments may extend above the cornice. Buildings in the Workshop Area may have flat roofs without cornices or pediments.

(v) *Materials.* Views of roofs from the ground and territorial roof-scape views are an important element in the visual quality of the commercial areas. Roofing materials shall be selected according to the following criteria:

(A) Use roof materials which provide texture and shadow lines. Roofing materials which are uncharacteristic of the region shall be avoided.

(B) Avoid bright-colored or reflective roofing materials. The following roofing materials are discouraged and may only be considered by the Commercial Master Architectural Control Committee or Sub-ACC, as applicable: (1) Untreated aluminum or other metal (copper may be used); (2) Reflective materials (including aluminized hot-mopped roofs, white or light gray metals which have a metallic appearance in bright sun); (3) Brightly colored, highly visible roofing materials; (4) Bright red bar-tiles common to Spanish architecture

(C) All rooftop equipment shall be painted to match the building color.

(D) Roof material colors, such as roof gravel, shall be light in color.

(b) Residential Buildings. A variety of roof shapes consistent with Texas vernacular (gable, hip, shed roof profiles) are considered appropriate for buildings intended for Residential Use. The provisions of this Section 2.06(b) apply to Residential Use.

(i) *Flat Roofs.* Flat roofs are permitted only if useable as a roof terrace and if approved by the Residential Master Architectural Control Committee or Sub-ACC, as applicable, for the Lot on which the Improvements contemplating a flat roof are located.

(ii) *Pitch.* Principal pitched roofs should be symmetrical gable, hip, or barrel vault with a pitch no less than 5:12. Roofs on residential accessory dwelling units shall have a minimum pitch of 4:12. Porch and stoop roofs shall have a minimum pitch of 2:12.

(iii) *Materials.* Subject to the Declaration, pitched roofs should be clad in twenty (20) year (minimum) composition shingles, painted or galvanized metal, clay or concrete tile.

## 2.07 Special Architectural Features for Important Sites.

(a) Design of Improvements. Structures on prominent sites shall have an appearance which provides visual distinction. Structures on these sites should enhance the streetscape without blocking significant views or vistas.

(b) Prominent Façades. Provide architectural interest to all prominent façades. All building façades prominently visible to public vantage points shall meet the following façade requirements:

- (i) Prominent façades shall not be blank walls.
- (ii) Prominent façades shall reflect similar design and detailing which typify the building's front, including roof design, window proportion, façade variations, and building materials.
- (iii) Prominent façades may not be concealed behind high walls or privacy fences. Lower fences and walls not exceeding 3 feet in height are acceptable.

(c) Dessau Road Entrance. A building located at an entrance from Dessau Road and serving as a gateway to Pioneer Hill should use special architectural features to serve as a landmark for the project. Special architectural features include corner towers, cupolas, clock towers, spires, balconies, colonnades or other similar architectural features.

2.08 Foundations. Plans and Specifications shall minimize the amount of exposed building foundations. The elevation of exposed foundations is limited to twenty-four (24) inches on street-facing elevations.

2.09 Lighting. Lighting in all TND Areas on the Property must comply with this Section 2.09, although these lighting standards should be applied to and interpreted primarily with respect to non-single family residential use.

(a) Exterior Lighting. Lighting practices that minimize light pollution, glare and light trespass are strongly encouraged. Carefully designed exterior lighting is required to provide the best balance between site safety, security and appearance considerations. Restrained site lighting patterns for commercial development will help prevent commercial lighting from adversely impacting residential properties. The amount of light produced by exterior light sources should be kept to that necessary to maintain a minimum comfort level for safety and security purposes.

(b) Shielding. Exterior lighting should be of low intensity and shielded so that light spill out is minimized onto surrounding properties or project above the horizontal plane.

(c) Parking Area Lighting. Minimum adequate lighting should be provided with emphasis placed on appropriate lighting at the parking lot entrances, exits and barriers. Lighting should be of low intensity, with downward shielding to prevent glare. Rather than illuminate an entire parking lot after hours when most businesses are closed, a higher level of illumination only in the vicinity of the businesses still active is encouraged. When all businesses are closed, it is recommended that only a minimum of security lighting should be maintained.

(d) Lighting Impact on Residential Uses. Lighting fixtures shall be located in commercial areas to minimize interference with windows adjacent to the parking lot.

(e) Exterior Wall and Building Lighting. Except for accent lighting, wall mounted lights should be directed downward only, to prevent light spillage. Soffit mounted light fixtures should be recessed into the soffit or otherwise fully shielded. Ground mounted or other upward directional lighting will be permitted only where some form of shielding or light baffling

is provided so that a soft, uniform light quality on the wall or sign with minimum light spillage beyond is achieved.

(f) Sign Illumination. The illumination source shall be shielded so that the light intensity will not be objectionable to surrounding areas.

(g) Avoid lighting large areas with a single source. Large areas should be lit with a number of low intensity sources close to the area requiring illumination; illumination of a large area with a remote single source of light should be avoided.

### **Article III** **RESIDENTIAL BUILDINGS**

**3.01 Common Architectural Elements**. All single family houses must face the street. All detached single family houses and attached single family housing will meet the masonry requirements set forth in the Declaration as well as comply with the other requirements set forth in the Declaration and these Standards. Buildings within the same block must maintain generally consistent cornice lines in buildings of the same height within multi-family, townhome, non-residential, and mixed use structures.

**3.02 Single Family Residential Elevations**. The finished floor of the first level of all attached and detached single family houses should be a minimum of eighteen (18) inches above the elevation of the curb along the lot frontage except when such requirement should result in a slab elevation exceeding thirty-six (36) inches above grade on any portion of the slab due to topographic conditions, in which event the elevation should be reduced to the minimum amount necessary as to not cause an elevation of the slab that is thirty-six (36) inches above ground. Notwithstanding the above, variations may be considered for this requirement in order to protect an existing tree. The elevation should be measured from the location on the curb that is perpendicular to the primary entry of the principal dwelling structure.

**3.03 Articulation of Main Entry**. Doorways, windows and other openings in the façade of a building shall be proportioned to generally reflect pedestrian scale and to encourage visual interest at street level.

#### **3.04 Front Porches or Stoops**

(a) Regular Lots. Single family detached residential units, other than those constructed on a lot with a lot width that is equivalent to or less than thirty-five (35) foot, should comply with the following:

(i) Twenty-five percent (25%) of the principal dwelling structures should not be required to comply with any minimum front porch regulations set forth herein.

(ii) Seventy-five percent (75%) of the principal dwelling structures are required to include a front porch with eighty (80) square feet of area, having a minimum depth of six (6) feet.

(b) Small Lots. Single family detached residential units constructed on a lot with a lot width that is equivalent to or less than thirty-five (35) feet, should comply with the following:



(i) Forty percent (40%) of the principal dwelling structures should not be required to comply with any minimum front porch regulations set forth herein.

(ii) Sixty percent (60%) of the principal dwelling structures are required to include a front porch with fifty (50) square feet of area, having a minimum depth of six (6) feet.

(c) Compliance. Compliance with Section 3.04(a) and (b) above shall be calculated on a plat-by-plat basis. That is, the percentage of homes required to comply under either subsection (a) or (b) shall be determined based on the overall number of homes constructed on Lots in a single final plat for a section or phase of development.

(d) Front Porch Measurements. Dimensions of front porches shall be based on the extent of exposed slab.

(e) No Porch Required. There are no front porch requirements for single family attached residential and multifamily residential.

**3.05 Design of Porches and Decks.** Porches and decks should appear as an integral part of the house design. They should not appear to be "added on" elements or afterthoughts, but should blend with the house and landscape.

**3.06 Windows and Doors.** Windows should be taller than wider and second floor windows are encouraged to be shorter than first floor windows. Windows and doors should align vertically or be balanced in their composition.

**3.07 Condominium Spacing.** Each condominium building shall be at least ten (10) feet from the walls of the nearest dwelling unit, not including stoops, porches and other unairconditioned spaces. The roof overhang may extend up to two (2) feet into the side yard setback.

**3.08 Private Interior Drives.** Condominium development areas may include private interior drives, which serve the condominium residents. Private interior drives, if any, shall be maintained by a Sub-Association for the condominium development area. All private interior drives should be a minimum width of sixteen (16) feet.

**3.09 Multi-Family Housing Design.** To better integrate multi-family housing into Pioneer Hill, multifamily housing shall be designed to orient buildings to the street, thereby creating a more functional interface between public and private spaces. Lot design should enable as many dwelling units as possible to relate to the street without being funneled through a common driveway or access point.

(a) Provide street orientation for multi-family housing. Multi-family housing shall be oriented to the street providing access to the development. Street-facing façades shall be designed with street-oriented units or common use buildings. Lot design and site plans should provide side street entrances wherever possible.

(b) Balconies; Windows and Doors. Rather than attempting to meet resident's outdoor needs through the use of balconies, emphasis shall be focused on common outdoor spaces where resident interaction is best achieved. Windows and doors should generally be seen as openings in an otherwise continuous surface.

## Article IV COMMERCIAL OR MIXED USE BUILDINGS

**4.01 Neighborhood Center Buildings.** Buildings in the Neighborhood Center Area shall comply with the following standards:

(a) **Entries and Façades.** The façade of a Neighborhood Center Area building, including its corners, facing a public street on a commercial or mixed use building greater than one story should clearly delineate the boundary between each floor of the structure through belt courses, cornice lines or similar architectural detailing.

(i) All sides of a building that are visible from a public street should be compatible with or equivalent to the architectural features, materials and the articulation of the front façade of the building.

(ii) Unless otherwise approved by the Commercial Master Architectural Control Committee or Sub-ACC, as applicable, a minimum of thirty percent (30%) of the front façade on the ground floor of commercial buildings should consist of window or door openings.

(iii) Attached buildings within the same block must maintain generally consistent cornice lines in buildings of the same height within multi-family, townhome, non-residential or mixed use structures.

(b) **Commercial Frontage.** In addition to the standards described above, commercial buildings in the Neighborhood Center Area shall:

(i) unless otherwise approved by the Commercial Master Architectural Control Committee or applicable Sub-ACC, include ground level retail, commercial, or other public-oriented uses that promote pedestrian activity;

(ii) include fronts that are predominantly transparent [minimum thirty percent (30%)] of ground level façade in glass windows and entries at frequent intervals [no greater than fifty (50) feet along the building frontage];

(iii) incorporate adequate provisions for shade and pedestrian shelter;

(iv) provide direct access to pedestrian passages and to convenient parking;

(c) **Neighborhood Center Residential Elevations.** A residential use with street level living space should have a finished first floor elevation not less than eighteen (18) inches above the elevation of the curb along the lot frontage except (i) when such requirement should result in a slab elevation exceeding thirty-six (36) inches above grade on any portion of the slab due to topographic conditions, in which event the elevation should be reduced to the minimum amount necessary as to not cause an elevation of the slab that is thirty-six (36) inches above ground. Notwithstanding the above, variations should be considered for this requirement in order to protect an existing tree. The elevation should be measured from the location on the curb that is perpendicular to the primary entry of the principal dwelling structure.

(d) **Windows and Doors.** Windows and doors should generally be seen as openings in an otherwise continuous surface.

(i) Windows should be taller than wider and second floor windows are encouraged to be shorter than first floor windows.

(ii) Windows and doors should align vertically or be balanced in their composition.

(e) Neighborhood Parks. Structures that are located on or adjacent to a neighborhood park shall be a minimum of two (2) stories, or scaled to a two (2) story height.

(f) Residential Use. For areas designated as commercial space in the Neighborhood Center Area, residential use is not permitted on the street level without the approval of the Commercial Master Architectural Control Committee or Sub-ACC, as applicable.

**4.02 Location of Equipment and Service Areas**. Dumpsters, mechanical equipment, storage areas and areas used for refuse collection should be located so as to not detract from public use areas, as determined by the Commercial Master Architectural Control Committee or Sub-ACC as applicable. Designated loading and service areas are not permitted along the commercial frontage street.

**4.03 Street Trees**. Shade trees planted along all Neighborhood Center streets are required. Tree types should be varied by street to create variety. Tree spacing should be generally forty (40) feet in a regular pattern that creates or reinforces the line of the street.

**4.04 Development to a Human Scale**. Site features should be designed to human scale; these include, but are not limited to, signs, other environmental graphics, lighting, public art and amenities, public and private gathering areas, building facades and landscaping.

#### **4.05 Parking**

(a) Surface Parking Lots. Surface parking lots are permitted within the Neighborhood Center Area as shown on the Development Plan. All surface lots should be well landscaped; hedges or other types of low planting and screening should be provided along all street frontages.

(b) Location. A parking lot must be located to the rear or side of the structure wherever possible. Streetwalls should not exceed four (4) feet in height.

(c) Structured Parking. To the greatest extent possible, parking should be encapsulated within or below buildings in a manner that conceals it from predominant public view and that does not interrupt the continuity of the pedestrian environment. Freestanding parking structures are permitted within the Neighborhood Center Area, provided that they are not situated along the commercial frontage street, and in the Workshop Area. Parking structures shall be positioned to encourage maximum shared use. To the maximum extent practicable, parking structures in the Neighborhood Center Area shall incorporate active ground-level uses. Sloping floor elevations shall not occur adjacent to public streets. Entryways and stairways shall be well lit and visible. Whenever feasible, parking structures shall not front on a public street.

(d) Architectural Standards for Parking Garages.

(i) Recess vehicle entries in main façade. Garage doors and open vehicle entries for all garages must be recessed at least 6 feet from the front façade plane.

(ii) Screen parking garage façade. The front parking garage façade which is visible from the street shall conform to one or a combination of the following options:

(A) A landscape screen. Screening may be trees, shrubs or wall clinging plantings on a trellis.

(B) Store fronts. The parking garage may be faced with store fronts or display windows.

(C) Simulated store front. The openings of the garage may be designed to reflect or simulate the window pattern and material choice of the primary structure on the site.

(e) Shared Parking. Any shared parking use or adjacent on-street parking may apply toward the minimum parking requirements but shall not apply toward any parking limitation. The Director of the applicable City department shall use his/her discretion in determining minimum parking requirements for any use within the Neighborhood Center Area.

**4.06 Access to Mixed Residential Area**. Public access between the Mixed Residential Area and the Neighborhood Center Area should be incorporated into the site design of the Neighborhood Center Area.

#### **4.07 Proportions of Doorways, Windows and Other Openings**

(a) Human Scale Design. Doorways, windows and other openings in the façade of a building should be proportioned to reflect pedestrian scale and to encourage visual interest at street level.

(b) Other Design Features. A building shall avoid long, monotonous, uninterrupted walls or roof planes. The façade of a building should be divided into distinct modules of not more than 50 feet unless approved by the Commercial Master Architectural Control Committee or Sub-ACC, as applicable.

**4.08 Awnings and Covered Walkways**. Awnings, covered walkways, open colonnades or similar weather protection should be provided on at least a portion of the street façade of commercial or mixed use structures. Any unenclosed balcony must have a minimum clearance above the sidewalk of nine (9) feet above finished grade and may extend five (5) feet over a public sidewalk. Any awning or walkway covering over a sidewalk must have a minimum clearance of eight (8) feet above finished grade and may extend five (5) feet over a public sidewalk.

**4.09 Architectural Compatibility with Residential Uses**. A building that is located on the periphery of the Neighborhood Center Area shall generally not exceed twice the height and massing of adjacent structures in the Mixed Residential Area.

### **Article V CIVIC USES**

**5.01 General**. Civic uses that are oriented to the general public are permitted within the Mixed Residential Area and the Neighborhood Center Area. Schools, churches, and other prominent public buildings should be located as to create focal points and landmarks for the community.

5.02 **Site Development Character.** Improvements for civic uses on the Property should comply with the following:

(a) **Front Façade and Visible Sides.** The Front Façade should not be oriented to face directly toward a parking lot. All sides of buildings that are visible from a public street or public gathering place should be compatible with or equivalent to the architectural features, materials and the articulation of the front façade of the building.

(b) **Height.** Minimum building height shall be either two (2) stories or twenty-four (24) feet.

## **Article VI**

### **WORKSHOP AREA**

6.01 **General Development Character.** These Standards seek to encourage a distinctive pedestrian-scaled character throughout the Property regardless of land use, subject to the exceptions in this Article VI for the Workshop Area. A non-pedestrian character is permitted beyond the street-facing façades of the Workshop Area. As reflected on the Development Plan, the Workshop Area seeks to accommodate the pedestrian scale character of the Property by generally orienting the buildings so that the narrow side of the building faces the street. The expected dimensions and square footage of the buildings in the Workshop Area will range from approximately 120 feet by 320 feet (containing approximately 32,000 square feet) for the smaller buildings to approximately 120 feet by 632 feet (containing approximately 77,000 square feet) for the larger buildings. Buildings to be utilized as flex space are expected to be one-story, reinforced concrete, tilt wall structures with awnings and brick, stone or split-face concrete block units variously added to the street facing façade. Value office buildings may be multi-story with either tilt wall or brick façade construction. In order to further a pedestrian oriented environment, wing walls will be constructed, where appropriate, to shield the view of truck courts from the street. In a broader context, the Workshop Area will benefit Pioneer Hill by providing modern state-of-the-art flex space and value office buildings which will shield the Neighborhood Center and residential portions of Pioneer Hill from the older industrial development to the south.

### **6.02 Buildings and Other Improvements.**

(a) **Sidewalks.** The sidewalks in the Workshop Area should provide a safe and functional means of pedestrian circulation. This includes connecting parking areas with building entries, connecting buildings to one another, and connecting building entries with on-site amenities. On-site pedestrian circulation should be provided to meet the circulation needs of on-site users. Connections should be made between on-site and perimeter pedestrian circulation systems whenever feasible. Existing sidewalks should be incorporated into the walk system when possible.

(b) **Storage, Service and Loading Areas.** Storage, service and loading areas should be designed and located to minimize service vehicle activities and movements on the visual and pedestrian character of Pioneer Hill. No materials, supplies or equipment, including trucks or other motor vehicles, should be stored upon a site except inside a closed building or behind a visual barrier screening such materials. Any storage areas screened by visual barriers should be located upon the side or rear portions of a site.

### 6.03 Street Facing Façades.

(a) Human Scale. The façade of a Workshop Area building, including its corners, facing a public street on a building greater than one story in height should clearly delineate the boundary between each floor of the structure through belt courses, cornice lines or similar architectural detailing.

(b) Design. Doorways, windows and other openings in the façade of a building should be proportioned to reflect pedestrian scale and to encourage visual interest at street level. A building shall avoid long, monotonous, uninterrupted walls or roof planes.

## Article VII OPEN SPACE

7.01 Open Space Character. Open space should serve as areas for neighborhood gathering in the Mixed Residential Area and for community gathering in the Neighborhood Center Area. In addition to addressing the recreational needs of the residents, open space should be designed to (i) provide places and opportunities for interaction within the community, (ii) serve as landmarks and organizing elements and (iii) provide visual, aesthetic and environmental amenities.

### 7.02 Architectural and Development Standards.

(a) Activities. To encourage full use and benefit of open space areas, the following activities are allowed in open space areas: (i) food or flower carts are encouraged; (ii) temporary art displays; (iii) outdoor sales. (e.g., farmers market); and (iv) outdoor dining.

(b) Cluster development around a common open space. Development should be centered on common open space which serves as a gathering and focal point to the activities. Parking areas or parking lots do not meet this requirement.

(c) Pedestrian Links. Pedestrian path layouts shall be designed to provide connections between common areas, public greens, public buildings and anchor tenant structures. Pedestrian paths are permitted between or through parcels in addition to typical street-side walkways.

(d) Buffer pedestrian areas from moving vehicles. Sidewalks and other pedestrian areas must be separated from moving traffic lanes with parking stalls, planters, planting stops, bollards or similar buffering methods.

(e) Incorporate transit stops into activity center design. Transit stop locations shall be considered in the Neighborhood Center design. Transit stops may be incorporated into mixed-use buildings, designed as stand-alone facilities, or integrated in open space lots.

7.03 Landscape Standards. Formal landscaping provides a pleasing transition between the natural setting and the built environment and between adjacent built environments. Landscaping may not be considered adequate compensation for poor site or building design; it shall be used to enhance new development (regardless of how attractive the buildings on a site may be) and to soften the visual impacts of such urban necessities as parking lots and mechanical equipment. Natural vegetation, together with existing vista views, is an integral part of the setting and should be preserved to the extent possible.

(a) Avoid removing significant vegetation. Complete removal of significant vegetation to create new views where views do not currently exist or to create panoramic views out of existing limited views is not permitted.

## Article VIII

### STREETSCAPES AND LANDSCAPE CHARACTER

**8.01 Streetscape Character.** Street design shall balance the needs of a full range of users; streetscape design is critical to this balance. The streetscape consists of sidewalks and amenities such as street trees, street lights, planters, and benches. Street widths are reduced to slow traffic, and the interconnected street network disperses traffic and promotes efficient movement for all modes of transportation. Pedestrian activity is encouraged by providing wide sidewalks, on-street parking and an appealing streetscape.

#### **8.02 Streetscape Standards.**

(a) Neighborhood Center Main Street – right-of-way development. The main street (from the Dessau Road entry at Meadowmeare through the Neighborhood Center Area) shall be designed as a compliment to the neighborhood, not an encroachment. The vehicular function of the main street shall be balanced with pedestrian function and visual amenity as follows:

(i) Provide “boulevard-style” landscaping. The term “boulevard” often brings to mind a more formally landscaped thoroughfare characterized by street trees and landscaped islands. Similar design techniques shall be applied to the main street as follows:

(A) Provide regularly-spaced street trees. Main Street shall include street trees along both edges of the right-of-way. Trees shall be no more than thirty (30) feet apart, except at angled parking locations, where they may be no more than forty-five (45) feet apart.

(B) Select tree types which best preserve views.

(ii) Design main street for lower speeds. It shall be designed as follows:

(A) Provide on-street parking wherever possible.

(B) Promote intersecting streets. Intersections which provide access to the Neighborhood Center Area are encouraged.

(iii) Minimize street width at crosswalks:

(A) Provide “neck-downs” at primary crosswalks. The street pavement shall narrow down at crosswalks with the sidewalk flared out beyond the parking lane.

(B) Minimize turning radius at intersections.

(iv) Provide visual emphasis to pedestrian crossings. Seating, decorative pole or bollard lighting and planters around the crosswalk can help facilitate this emphasis.

(b) Identify locations for common parking lots and/or garages. To facilitate clustering of non-residential structures, common parking areas are encouraged.

(c) Street Designs. All streets on the Property shall conform to the street designs set forth in Addendum I attached to and incorporated herein.

### 8.03 Street Trees.

(a) Location. Street trees should be installed in planting strips along streets.

(b) Planting Plan. A street tree plan for planting strips and traffic islands for each phase of development of the Property shall be submitted to the applicable Master Architectural Control Committee or Sub-ACC, as applicable, for approval.

(c) Size. Street trees should be a minimum of four (4) inch caliper ball and burlap or its equivalent (twenty-four (24) inch box or sixty-five (65) gallon container).

(d) Planting Criteria.

(i) Street trees within the Mixed Residential Area and Workshop Area, which should be located in the planting strip between sidewalk and curb, should be planted on an average of every forty (40) feet taking into consideration planting criteria and coordination with existing trees. Street trees within the Neighborhood Center Area should be located between the sidewalk and the edge of the curb of a driving lane and should be planted on an average of every thirty (30) feet, taking into consideration planting criteria and coordination with existing trees.

(ii) Street trees should be kept out of (i) intersection triangles at a minimum of twenty-five (25) feet by twenty-five (25) feet from the face of the curb, and (ii) Alley/street intersection triangles at a minimum of fifteen (15) feet by fifteen (15) feet, as measured from the edge of the pavement.

(iii) Street trees should be planted to avoid interference with streetlights, signage and other fixtures.

(iv) Trees should be planted at least four (4) feet from edge of driveways.

(v) Trees should be planted at least three (3) feet from underground utilities and fifteen (15) feet from overhead lines.

(vi) Trees should be planted at least five (5) feet from hydrants.

(vii) Trees should be planted a minimum of three (3) feet from the back of the curb.

(e) Mix of Species. The specified mix of trees along any block or group of blocks must be approved by the applicable Master Architectural Control Committee.

(f) Median Trees and Landscaping. On a Mixed Residential or Neighborhood Center Boulevard, median trees and landscaping are required. Median trees should be a minimum one and one-half (1½) inch caliper, generally spaced twenty (20) feet on center. Ornamental species are preferred. Medians may also contain shrubs and plant groundcover.



- (g) Live Oaks. Live oak trees may not be planted as ornamental trees.

8.04 Recommended Plant List. Attached hereto as Addendum II is a list of plants composed of selected native and adaptive plant material suitable for Pioneer Hill. This approved plant list is made up of recommended plants for installation on the project. This is not an all-exclusive plant list, but rather a list of appropriate plant materials, which for the most part, are readily available in the local nursery trade. As regional and xeriscape planting techniques become more mainstream, additional native plant species may become available in the marketplace. Therefore, the list of approved plants may be amended from time to time by the applicable Master Architectural Control Committee or Sub-ACC, as applicable.

8.05 Landscape Planting. Due to the more structured character of Pioneer Hill, the area available for landscaping of individual lots is in many cases limited. Landscape planting is provided in the form of street trees, and landscaped open spaces such as squares and parks. Landscape planting is required for large streetyards and parking lots.

8.06 Lighting. The Developer, with the applicable Master Architectural Control Committee or Sub-ACC approval, may incorporate available alternative street lighting guidelines designed to aesthetically enhance the Property.

8.07 Signs. All signs on the Property are subject to the restrictions set forth in the Declaration and, if permitted, must be approved by the applicable Master Architectural Control Committee or Sub-ACC, as applicable, in accordance with the requirements of the Declaration.

## Article IX

### GENERAL STANDARDS

9.01 Utilities. Except for existing electrical transmission lines and temporary overhead lines installed for Temporary Construction Site Offices, utilities should be located underground. "Dry utilities" (e.g., gas, electric, telephone and fiber optic utilities) should be located within the alley, if any, if practical. Overhead service to individual lots is not permitted. All water, wastewater and drainage utilities shall be located in the front public right-of-way or, if deemed necessary, a public utility easement and/or drainage easement. If approved by the City of Austin Public Works Department, common trenches are allowed, providing safe separation distances are maintained.

9.02 Utilities and Communication Devices. All exterior components of plumbing, processing, heating, cooling and ventilating systems should not be directly visible from adjoining streets or buildings. When interior mounting is not practical, electrical equipment should be mounted in a location where it is substantially screened from public street view. In no case may exterior electrical equipment be mounted on the street-side of any building.

(a) Roof Mounted Equipment. In the case of roof mounted mechanical equipment, building parapets should be of such a height that roof mounted screening devices are not required. If building parapets do not provide the required screening, mechanical equipment should be screened by an unobtrusive screening device that will appear as an integrated part of the overall architectural design.

(b) Screening Devices. Any devices employed to screen exterior building components of plumbing, processing, heating, cooling and ventilating systems from direct street-facing view should appear as an integrated part of the architectural design whenever possible, and as such, be constructed and finished in a texture and color scheme complimentary to the overall architectural design.

9.03 **Refuse Collection Areas.** Refuse and refuse containers should not be visible from public streets and other high exposure areas (streets, entry drives, floors of adjacent buildings and common amenity areas). All outdoor refuse containers should be visually screened within a durable six (6) foot or higher enclosure, so as not to be visible from adjacent lots or streets. No refuse collection area is permitted between a street and the front of a building. Refuse collection areas should be effectively designed to contain all refuse generated on-site and deposited between collections. Deposited refuse should not be visible from outside the refuse enclosure.

(a) **Design.** Refuse collection enclosures should be designed of durable materials with finishes and colors which are unified and harmonious with the overall architectural theme. Refuse collection areas should be so located upon the lot as to provide clear and convenient access to refuse collection vehicles and thereby minimize wear-and-tear to on-site and off-site developments.

9.04 **Unightly Areas.** Other unsightly areas that require screening include street-facing views of transformers, lift stations, meters, and air conditioning units. These elements should be screened with fencing or landscaped.

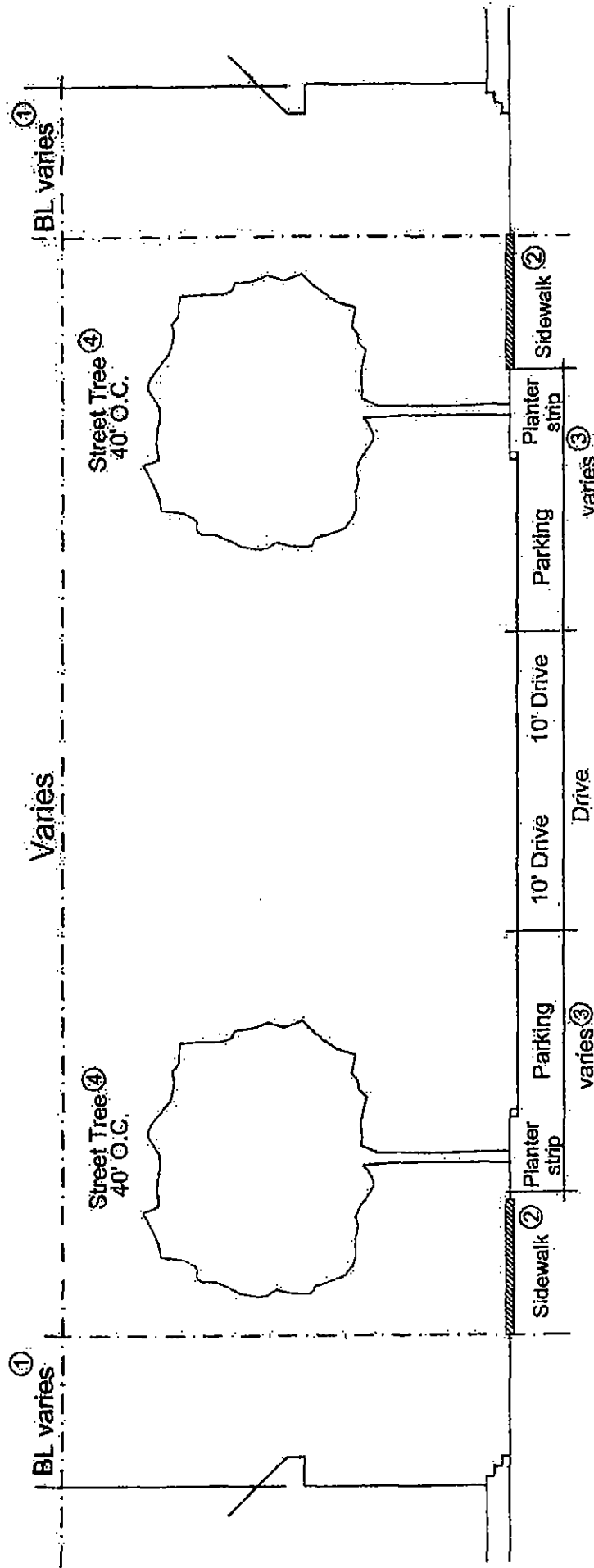
## Article X

### **REVISIONS AND STANDARDS FOR VARIANCE ITEMS**

10.01 **Revisions.** These Standards may be revised if the revisions meet the criteria of LDC Section 13-9-15.

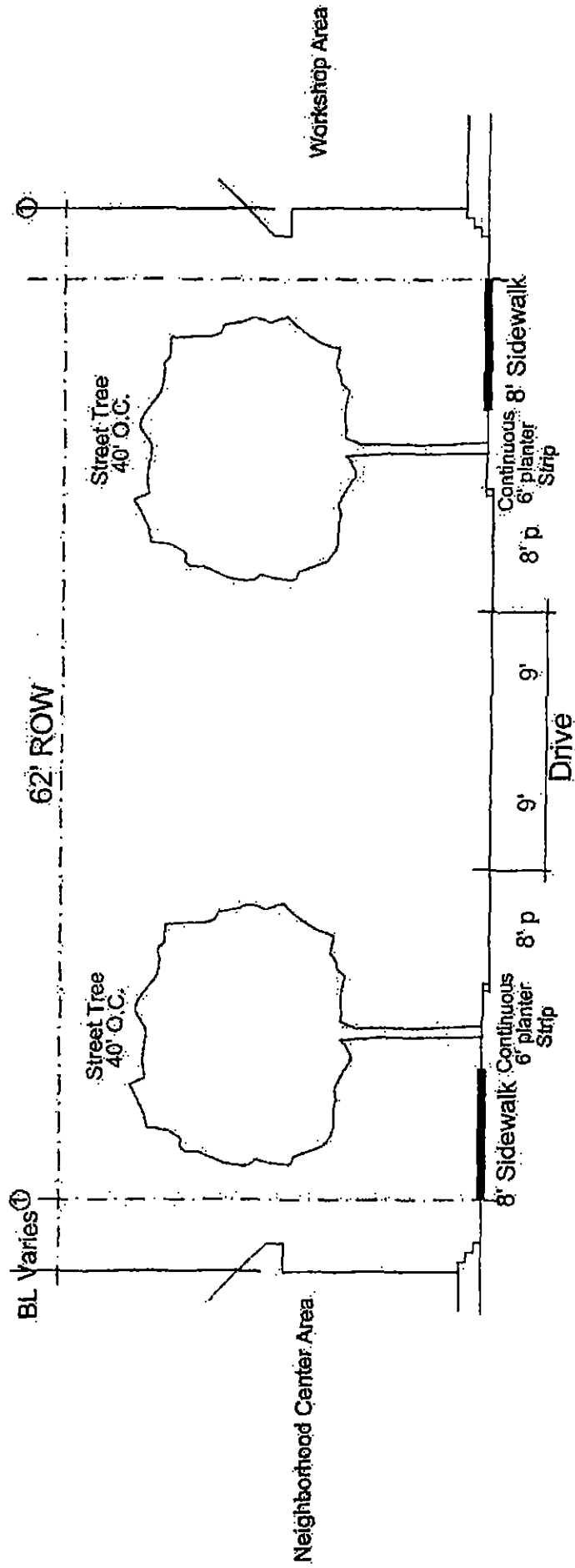
10.02 **Variances.** The applicable Master Architectural Control Committee or Sub-ACC, as applicable, may grant variances to these Standards. These Standards and the Guidelines are intended to encourage a creative approach to design by providing a flexible review standard rather than a prescriptive approval process. The applicable Master Architectural Control Committee or Sub-ACC, as applicable, is authorized to waive specific requirements if it finds that (a) an alternative design represents an equivalent or superior design solution to what would otherwise be achieved by rigidly applying specific requirements, and (b) the alternative design meets the *intent* of the general requirement. To best determine the general requirement's intent, the applicable Master Architectural Control Committee or Sub-ACC, as applicable shall consider the specific requirements as appropriate examples of compliance. Quality design is *more important than strict conformance*.

**ADDENDUM I**  
**STREET DESIGNS**



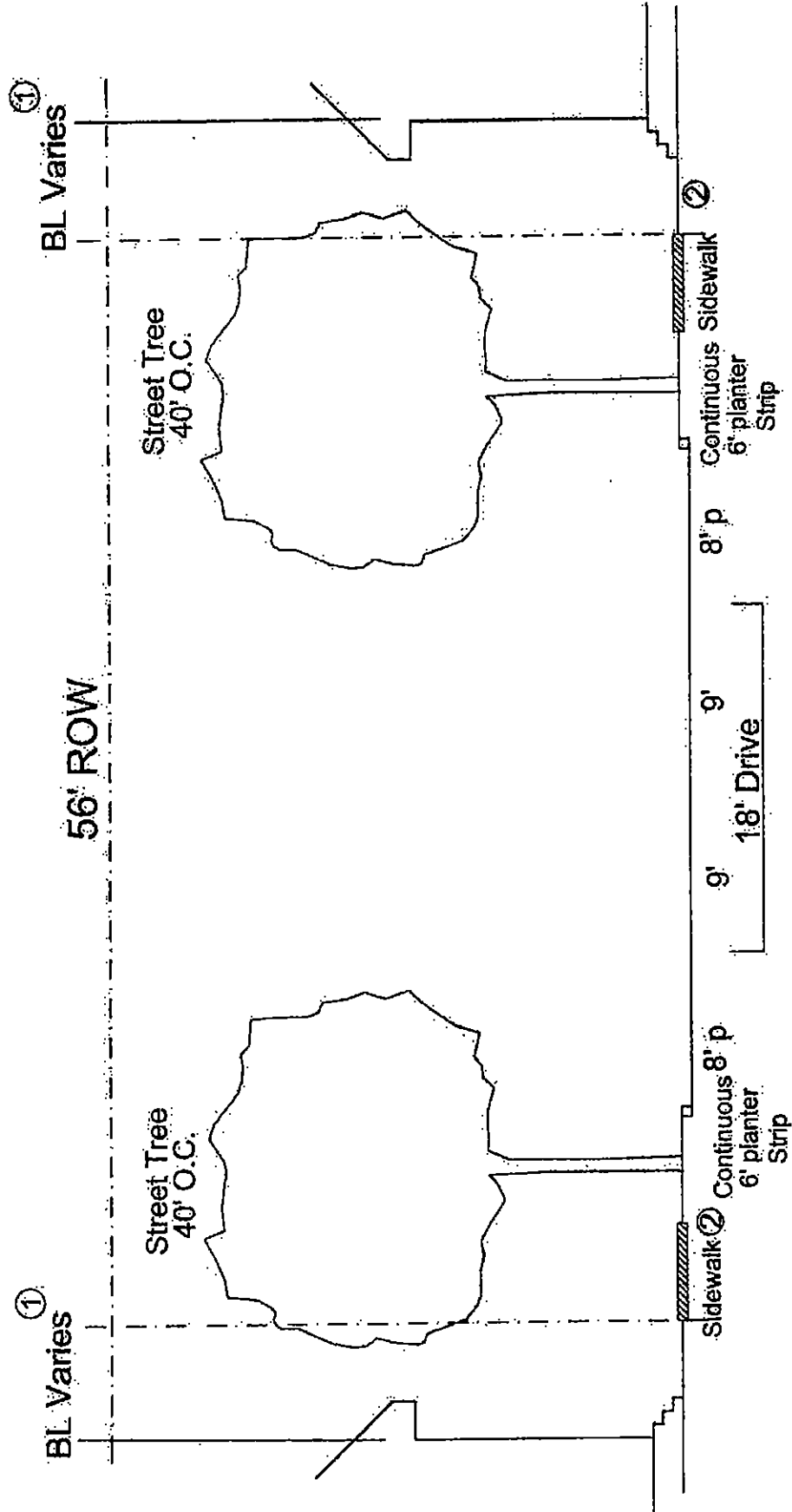
## A Neighborhood Center Main Street

- ① Colonnades, balconies, & awnings may extend into front setback a maximum of 5 ft.
- ② Neighborhood Center Area: 8' sidewalk  
Single Family Area: 5' sidewalk
- ③ 8' width parallel, 17.5' width @ 45° angled
- ④ Angled parking areas: typically 40' - 60' O.C. located in planting islands



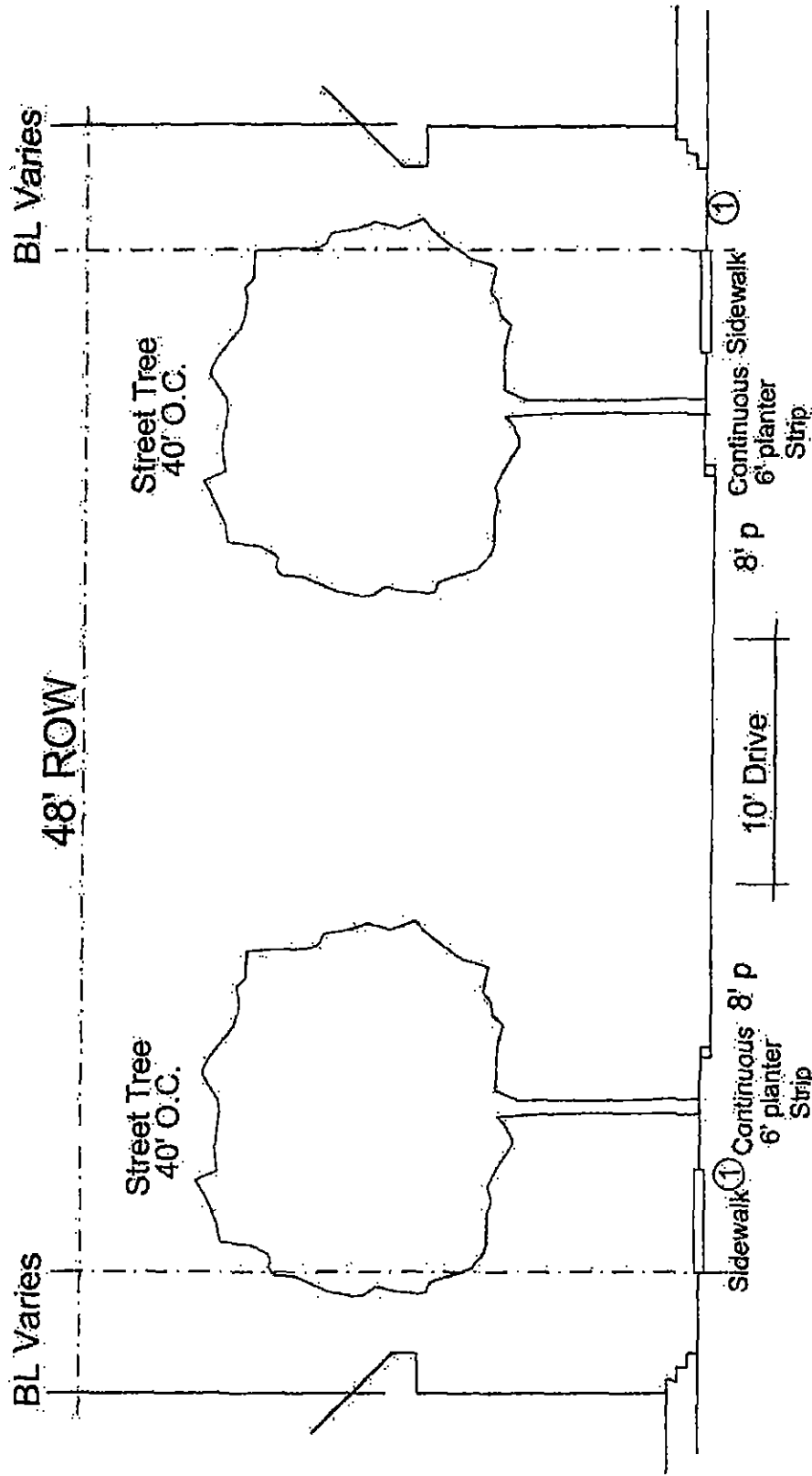
## ② Neighborhood Center Avenue (Fronting Workshop Area)

① Colonnades, balconies, & awnings may extend into front setback a maximum of 5 ft.



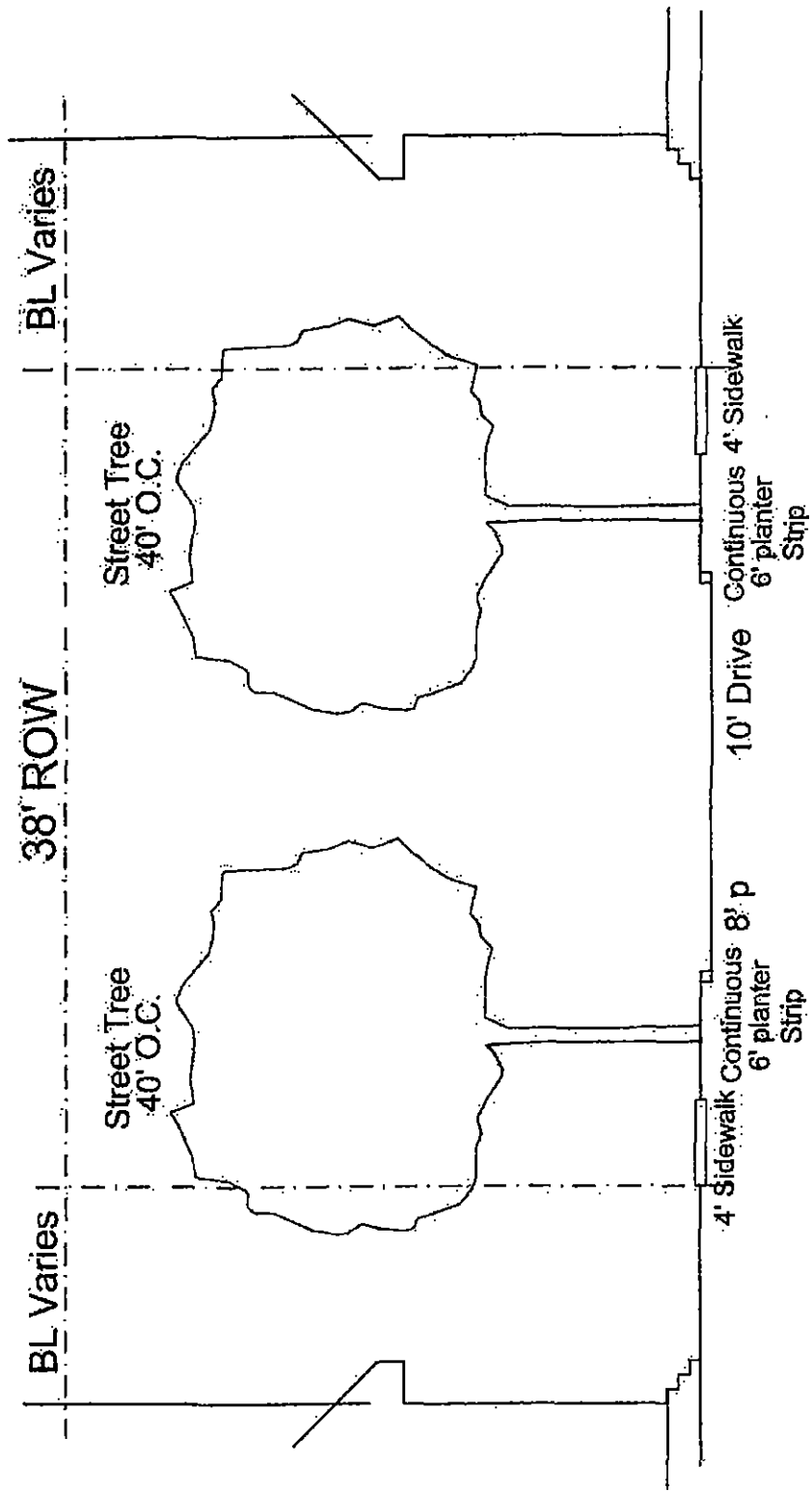
## C Mixed Residential Avenue

- ① Colonnades, balconies, & awnings may extend into front setback a maximum of 5 ft.
- ② Multi Family area: 5' sidewalk  
Single Family area: 4' sidewalk.



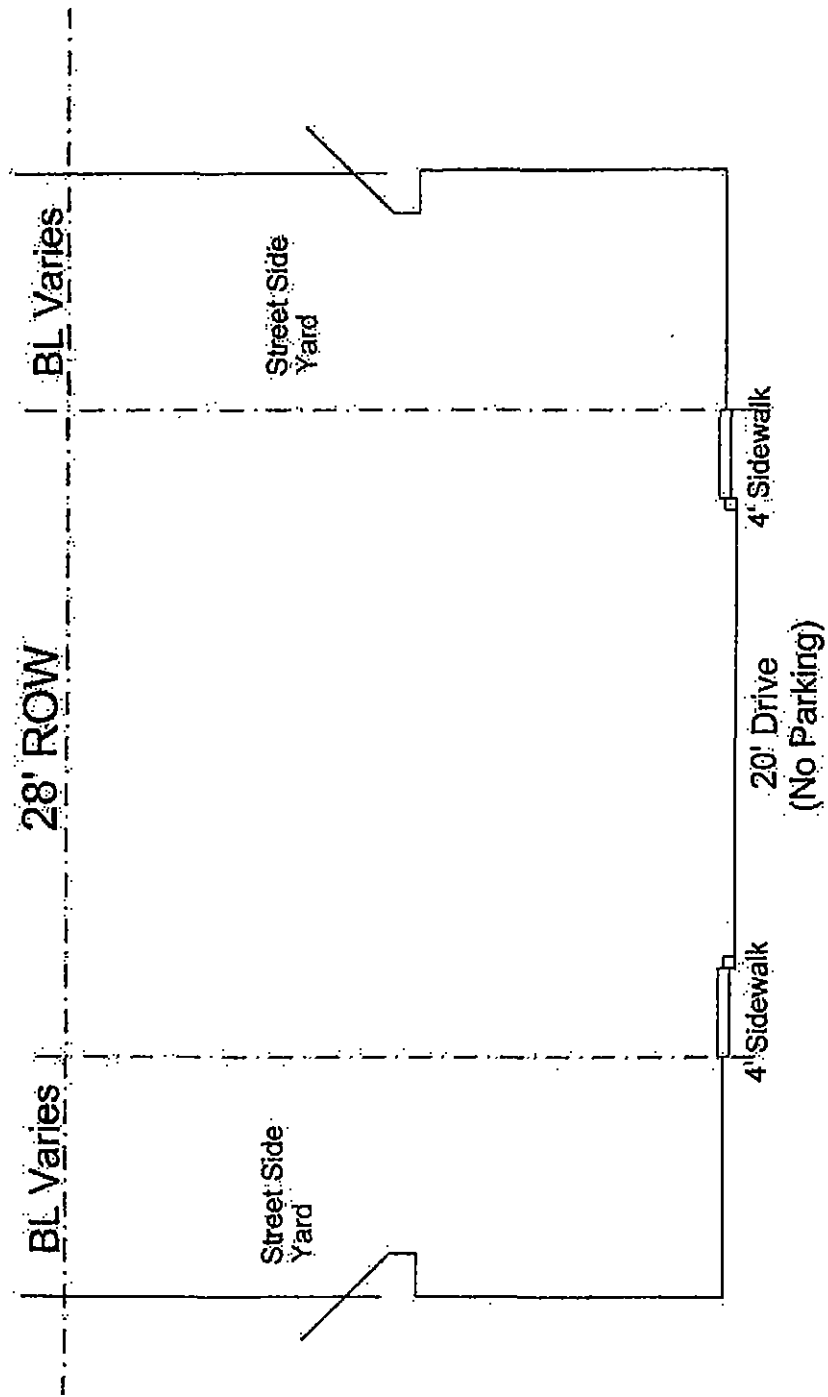
## D Mixed Residential Lane

- ① Multi Family area: 5' sidewalk
- Single Family area: 4' sidewalk

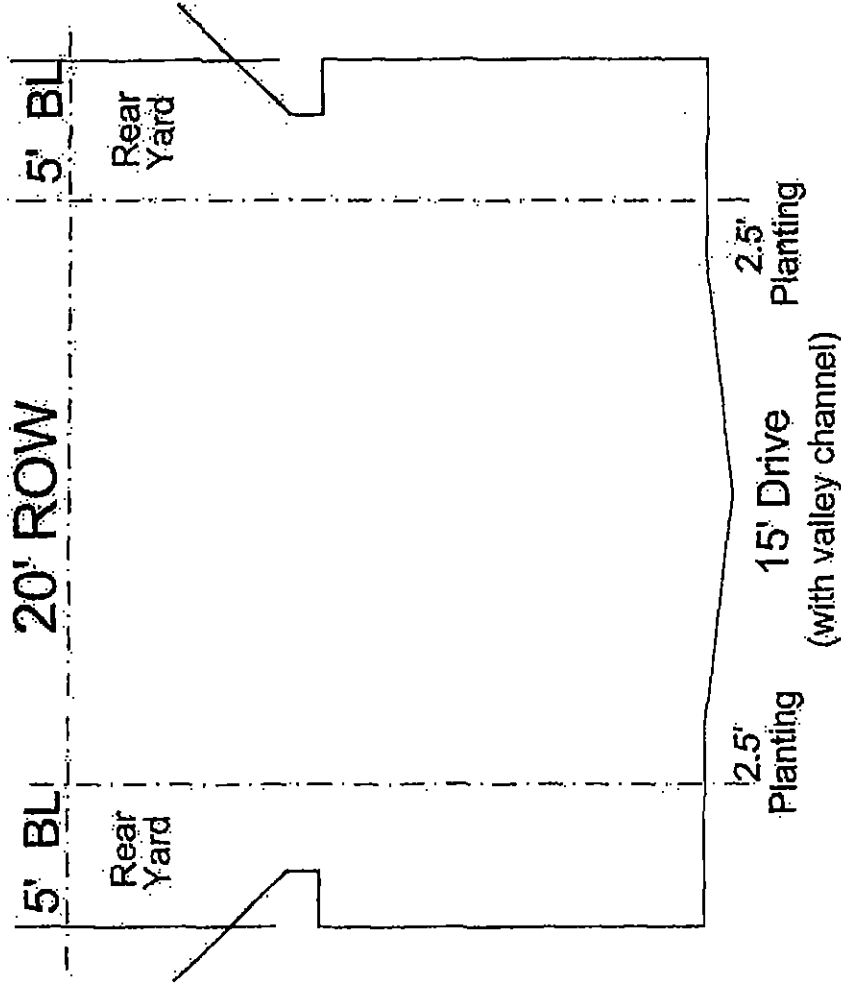


**(E) Mixed Residential Street (One Way)**

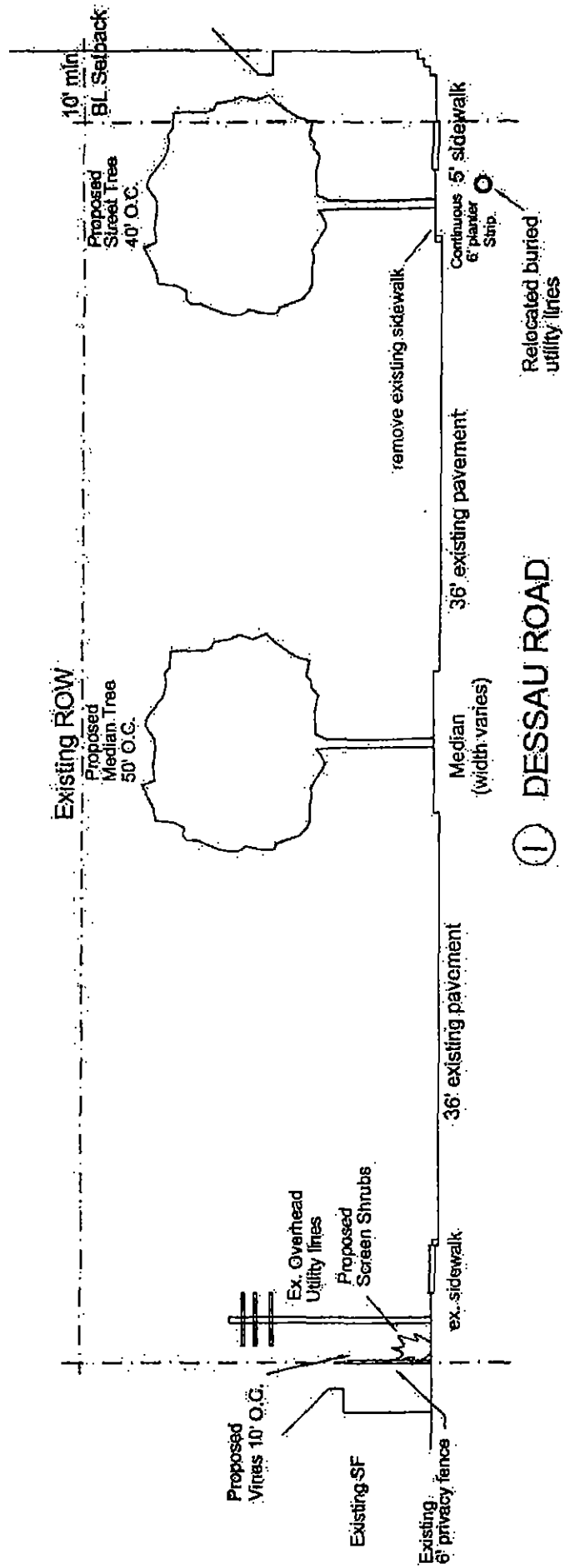




## F Mixed Residential Side Street



**G Mixed Residential Alley**



**ADDENDUM II****APPROVED PLANT LIST**

<b><u>Scientific Name</u></b>	<b><u>Common Name</u></b>	<b><u>Comments</u></b>
<b>CANOPY TREES</b>		
Acer gradidentatum	Bigtooth Maple	fall color
Acer rubrum var. Drummondii	Drummond Red Maple	
Carya illinoensis	Pecan	limb litter
Ehretia anacua	Anacua	spring/summer bloom
Fraxinus pennsylvanica	Green Ash	weak wooded, limb litter
Fraxinus texensis	Texas Ash	street tree, fast growing
Gleditsia triacanthos	Honey Locust	thornless varieties available
Juglans microcarpa	Texas Black Walnut	*
Juniperus virginiana	Eastern Red Cedar	
Pistacia chinensis	Chinese Pistache	fall color
Pistacia texensis	Texas Pistache	alley tree
Platanus mexicana	Mexican Sycamore	drought tolerant, street tree
Platanus occidentalis glabrata	Sycamore	moist areas
Quercus macrocarpa	Burr Oak	street tree
Quercus glaucoides	Lacey Oak	small sized shade tree
Quercus muhlenbergii	Chinquapin Oak	street tree, medium-sized tree
Quercus polymorpha	Mexican White Oak	
Quercus pungens "Vaseyana"	Vasey Oak	
Quercus shumardii	Shumard Oak	fall color, street tree
Quercus shumardii var. texana	Texas Red Oak	fall color/acorns, street tree, oak wilt susceptible
Quercus sinuata	Shin Oak	drought tolerant
Quercus virginiana	Live Oak	street tree/oak wilt susceptible
Sapindus drummondii	Western Soapberry	drought tolerant, fall berries
Taxodium distichum	Bald Cypress	west location tolerant
Ulmus americana	American Elm	
Ulmus crassifolia	Cedar Elm	drought tolerant, alley tree
Ulmus parvifolia	Chinese Elm	
Ulmus parvifolia 'Drake'	Drake Elm	fast growing, street tree
Taxodium mucronatum	Montezuma Cypress	
<b>ORNAMENTAL TREES</b>		
Acacia farnesiana	Huisache, Wec-satch	
Acacia wrightii	Wright's Acacia	full sun
Aesculus glabra 'arguta'	Texas Buckeye	understory
Aesculus pavia	Red Buckeye	understory
Arbutus texana	Texas Madrone	
Bauhinia congesta	Anacacho Orchid Tree	
Bumelia lanuginosa	Wooly-Bucket Bumelia	sun/drought, has thorns
Cercis canadensis alba	Whitebud	
Cercis canadensis mexicana	Mexican Redbud	sun/shade
Cercis canadensis texensis	Texas Redbud	sun/drought
Chilopsis linearis	Desert Willow	DR
Citharexylum berlandieri	Fiddlewood	sun/shade
Cordia boissieri	Mexican Olive	white flowers/bold foliage
Cornus drummondii	Rough Leaf Dogwood	shade/DR
Cotinus obovatus	Texas Smoke Tree	
Crataegus reverchonii	Reverchon Hawthorn	
Crataegus tracy	Mountain Hawthorn	fall color
Diospyros kaki	Japanese Persimmon	

Diospyros texana	Texas Black Persimmon	sun/drought/DR, fruit drop
Eriobotrya japonica	Loquat	
Eysenhardtia texana	Texas Kidneywood	moist locations, small tree
Ilex decidua	Possumhaw Holly	sun/shade, winter berries
Ilex vomitoria	Yaupon Holly	sun/drought, evergreen
Juglans microcarpa	Mexican Walnut	
Koeleruteria paniculata	Golden Rain tree	protect from freeze damage
Lagerstroemia indica	Crepe Myrtle	sun/summer color, alley tree
Leucaena retusa	Goldenball Lead tree	
Malus ionensis	Blanco Crabapple	
Parkinsonia aculeata	Retama, Jerusalem Thorn	
Pinus eldarica	Afghan/Eldarica Pine	best pine for alkaline soils
Pinus thunbergii	Japanese Black Pine	
Pithecellobium ebano	Texas Ebony	airy foliage and flowers
Prosopis glandulosa	Honey Mesquite	drought tolerant
Prunus mexicana	Mexican Plum	alley tree, spring flowers
Prunus caroliniana	Carolina Cherry Laurel	moist soils, alley tree
Prunus cerasifera 'purpurea'	Purple Leafed Plum	
Prunus serotina 'Eximia'	Escarpment Black Cherry	fall color, fruit bearing
Pyrus calleryana 'Aristocrat'	Aristocrat Pear	spring blooms, upright
Pyrus calleryana 'Bradford'	Bradford Pear	formal shape, white flower
Rhamnus caroliniana	Carolina Buckthorn	moist soils
Rhus lanceolata	Prairie Flameleaf Sumac	sun/drought/DR
Rhus glabra	Smooth Sumac	sun/drought/DR
Sabal texana	Texas Sabal Palm	drought/DR
Sophora secundiflora	Texas Mountain Laurel	sun/drought/DR
Ungnadia speciosa	Mexican Buckeye	understory, spring flowers
Vitex agnus-castus	Lilac Chaste Tree	sun, late spring blooms
Xylosma congesta	Xylosma	small patio tree

### SHRUBS

Abelia grandiflora sherwoodii	Glossy Abelia	sun, summer flowers
Agave americana	Agave/Century Plant	full sun/drought tolerant, accent
Amorpha fruticosa	Indigobush	
Acanthus wrightii	Flame Acanthus	sun/shade, orange flowers
Aucuba japonica	Japanese Acuba	
Berberis thunbergii atropurpurea	Japanese Barberry	sun
Berberis trifoliolata	Agarita	flowers, fruit, prickly
Buddleia davidii	Butterfly Bush	sun, lavender flowers
Buxus macrophylla	Japanese Boxwood	
Callicarpa americana	American Beautybush	sun/shade, purple fruit in fall
Capsicum spp.	Ornamental Pepper	
Cephalanthus occidentalis	Button Bush	sun/shade/moist soils
Chamaecrops humilis	Mediterranean Fan Palm	
Chaenomeles japonica	Flowering Quince	sun/shade, spring bloom
Continus obovatus	American Smoke Tree	sun/shade
Cotoneaster glaucophylla	Grayleaf Cotoneaster	moist areas
Cotoneaster horizontalis	Cotoneaster	
Cortaderia selloana	Pampas Grass	protect from freeze
Cycus revoluta	Sago Palm	sun, purple summer flowers
Dalea frutescens	Black Dalea	sun, long blade-like leaves
Dasyliros texanum	Texas Sotol	sun, accent plant
Diospyros texana	Texas Persimmon	sun/shade, fall blooms, large
Elaeagnus pungens	Elaeagnus	
Erythrina herbacea	Coral Bean	
Escallonia spp.	Escallonia	sun/DR
Eupatorium havanense	Shrubby Boneset	sun
Fatsia japonica	Aralia	shade/tropical effect
Feijoa sellowiana	Pineapple Guava	
Forestiera pubescens	Texas Elbow Bush	sun/drought
Forsythia intermedia spectabilis	Forsythia	sun/shade
Fouquieria splendens	Ocotillo	cacti
Garrya ovata	Silk Tassel	sun

### Addendum II

Hesperaloe parviflora  
 Hibiscus syriacus  
 Ilex cornuta 'Burfordii'  
 Ilex cornuta 'rotunda'  
 Ilex vomitoria  
 Ilex vomitoria 'Nana'  
 Jasminum humile  
 Jasminum mesnyi  
 Juniperus sp.  
 Lantana horrida  
 Leucophyllum candidum  
 Leucophyllum frutescens  
 Leucophyllum frutescens 'Convent'  
 Ligustrum sinense 'variegatum'  
 Lindera benzoin  
 Mahonia swaseyi  
 Malpighia glabra  
 Malvaviscus drummondii  
 Myrica cerifera  
 Myrica pusilla  
 Nandina domestica  
 Nerium oleander  
 Nolina lindheimeriana  
 Nolina texana  
 Opuntia phaeacantha  
 Philadelphus texensis  
 Photinia serrulata  
 Podocarpus macrophyllus  
 Prunus rivularis  
 Prunus reverchonii  
 Punica granatum  
 Raphiolepis indica  
 Rhus aromatica  
 Rhus virens  
 Rosa sp.  
 Rosmarinus officinalis  
 Sabal minor  
 Sophora affinis  
 Symphoricarpos  
 Teucrium laciniatum  
 Trachycarpus fortunei  
 Viburnum dentatum  
 Viburnum rufidulum  
 Washingtonia filifera  
 Yucca aloifolia  
 Yucca arkanisana  
 Yucca pallida  
 Yucca rigida  
 Yucca rupicola

Red Yucca  
 Althaea  
 Burford Holly  
 Dwf. Chinese Holly  
 Yaupon Holly  
 Dwarf Yaupon Holly  
 Italian Jasmine  
 Primrose Jasmine  
 Juniper  
 Texas Lantana  
 Sierra Bouquet Cenizo  
 Texas Sage  
 Convent Cenizo  
 Privet  
 Spicebush  
 Texas Mahonia  
 Barbados Cherry  
 Turks Cap  
 Wax Myrtle  
 Dwarf Wax Myrtle  
 Nandina 'Harbor Dwarf'  
 Oleander  
 Devil's Shoestring  
 Bear Grass  
 Prickly Pear  
 Texas Mock Orange  
 Chinese Photinia  
 Japanese Yew  
 Creek Plum  
 Reverchon Hog Plum  
 Pomegranate  
 Indian Hawthorn  
 Fragrant Sumac  
 Evergreen Sumac  
 Rose  
 Rosemary  
 Dwarf Palmetto  
 Eve's Necklace  
 Coralberry  
 Dwarf Germander  
 Windmill Palm  
 Arrowwood  
 Rusty Blackhaw Viburnum  
 California Fan Palm  
 Spanish Dagger  
 Arkansas Yucca  
 Pale Leaf Yucca DR  
 Blue Yucca  
 Twisted-leaf Yucca

sun, coral flower spike  
 sun, showy summer flowers  
 sun, dwarf varieties  
  
 sun/DR  
 sun/shade  
  
 sun, yellow flowers  
 sun  
 sun/shade, summer colors  
  
 sun/DR, lavender flowers  
  
 white fly problem  
 sun/drought/DR  
 sun/drought/DR  
  
 sun/drought/DR  
 shade  
 sun/shade  
 moist/DR, berries, fall color  
 sun, summer flowers  
 sun/shade  
 sun/shade  
 cacti  
  
 sun/shade  
  
 moist  
 sun/shade, bears fruit  
 sun  
 sun  
 DR, red fall color  
 antique/old fashioned suggested  
 drought/DR  
 sun/shade  
 DR, spring bloom/fall fruit  
 sun/shade  
  
 sun  
 sun/shade, spring flowers  
 sun/drought  
 sun  
  
 sun/drought/DR

#### PERENNIALS – TALL (4'+)

Artemisia 'Powis Castle'  
 Callicarpa americana  
 Caesalpinia gillisei  
 Dalea greggii  
 Erythrina herbacea  
 Hamelia patens  
 Lantana camara  
 Lavendula stachys  
 Muhlenbergia dumosa  
 Piper sanctum  
 Salvia leucantha  
 Tecoma stars 'angustata'

Artemisia  
 Beautyberry  
 Bird of Paradise  
 Dalca  
 Coralbean  
 Firebush  
 Pink Lantana  
 Spanish Lavender  
 Bamboo Muhly Grass  
 Hoja Santa  
 Lollie Jackson Mexican Sage  
 Yellowbells

shade tolerant  
  
 shade tolerant  
 sun to partial shade  
  
  
  
 shade tolerant

Teucrium fruticans

Silver Bush Germander

**PERENNIALS – MEDIUM (2'-4')**

Agapanthus orientalis	Lily of the Nile	
Aloysia macrostachya	Wooly Bee Brush	
Asclepias curassavica	Tropical Milkweed	
Capsicum annuum	Chile Petin	shade tolerant
Cuphea micropetala	Cigar Plant	sun/shade
Gaura lindheimerii 'Siskiyou Pink'	Pink Gaura	
Hibiscus coccineus	Texas Star Hibiscus	
Lantana 'Irene'	Irene Lantana	
Lantana sp. 'New Gold'	New Gold Lantana	
Leucanthemum vulgare	Ox-eye Daisy	
Monardia pringlei	Pringle's Beebalm	
Pavonia lasiopetala	Peruvian Rock Rose	
Penstemon cobea	Wild Foxglove	
Penstemon tenuis	Brazos Penstemon	shade tolerant
Plumbago auriculata	Blue Plumbago	sun/shade, low-growing
Salvia blepharophylla	Purple Leaf Sage	
Salvia chamaedryoides	Gray Shrub Sage	
Salvia coccinea	Tropical Sage	shade tolerant
Salvia farinacea	Mealy Cup Sage	
Salvia greggii	Autumn Sage	
Salvia 'Indigo Spires'	Indigo Spires Sage	
Salvia regia	Mountain Sage	shade tolerant
Tagetes lemmonii	Copper Canyon Daisy	
Vigueria stenoloba	Skeleton Leaf Goldeneye	
Vitex rotundifolia	Beach Vitex	
Wedelia texana	Zexmenia	

**PERENNIALS – LOW GROWING (0-2')**

Achillea millefolium	Yarrow	shade tolerant
Aquilegia hincleyana	Hinckley's Gold Columbine	shade tolerant, spring flowers
Callirhoe involucrata	Winecup	
Calyophus drummondianus	Compact Gold Calylophus	
Chasmanthium latifolium	Inland Sea Oats	shade tolerant
Eupatorium greggii	Gregg's Mistflower	
Gaura lindheimerii	White Gaura	
Iris sp.	Bicolor Iris	shade tolerant
Penstemon baccharifolius	Rock Penstemon	shade tolerant, summer blooms
Penstemon digitalis 'Husker Red'	Husker Red Penstemon	
Rivina humilis	Pigeonberry	shade
Rosmarinus officinalis	Prostrate Rosemary	sun/shade
Salvia greggii 'Nuevo Leon'	Nuevo Leon Sage	shade tolerant
Salvia sinaloensis	Bicolor Sage	shade tolerant
Stachys coccinea	Texas Betony	shade tolerant
Tetraneuris scaposa	Four Nerve Daisy	
Verbena canadensis 'Homestead purple'	Homestead Verbena	
Verbena sp.	Moss Verbena	
Zephyranthes candida	White Rain Lily	sun/shade

**PERENNIALS – FLOWERING**

Artemisia 'Powis castle'	Artemisia	sun, aromatic foliage
Asclepia tuberosa	Butterfly Weed	sun/shade
Aster oblongifolius	Fall Aster	sun/shade, autumn flowers
Chrysactinia mexicana	Damianita	sun, low-growing
Chrysanthemum leucanthemum	Oxeye Daisy	sun, summer flowers
Cooperia pedunculata	Rain Lily	
Coreopsis lanceolata	Coreopsis	sun, spring/fall flowers
Coreopsis tinctoria	Goldenwave	

Delphinium carolinianum	Blue Larkspur	
Echinacea purpurea	Purple Coneflower	sun/shade, spring/summer
Hemerocallis fulva	Daylily	sun, funnel-shaped flower
Hibiscus cardiophyllus	Heartleaf Hibiscus	sun/shade, flowers all summer
Hymenoxys scaposa	Hymenoxys	sun, small yellow daisy
Liatris spp.	Gayfeather	sun, flower spikes in autumn
Lobelia cardinalis	Cardinal Flower	
Melanipodium leucanthum	Blackfoot Daisy	sun, summer flowers
Oenothera missouriensis	Yellow Evening Primrose	
Penstemon spp.	Pecos Penstemon	
Penstemon baccharifolius	Rock Penstemon	
Penstemon havardii	Harvard Penstemon	
Penstemon triflorus	Hill Country Penstemon	
Plumbago sp.	Plumbago	blue flowers
Poliomenantha longiflora	Mexican Oregano	sun/DR
Ratibida columnaris	Mexican Hat	
Rudbeckia hirta	Black-eyed Susan	sun/shade, summer flowers
Ruellia nudiflora	Wild Petunia	shade, March to December
Salvia coccinea	Scarlet Sage	sun/shade, spring-fall
Salvia engelmannii	Engelmann Sage	
Salvia farinacea	Mealy Blue Sage	shade tolerant, spring/summer
Salvia leucantha	Mexican Bush Sage	sun, tall flower spikes
Salvia lyrata	Lyre-leaf Sage	
Salvia roemeriana	Cedar Sage	shade, reseeds freely
Scutellaria suffrutescens	Pink Skullcap	sun/shade, summer flowers
Sisyrinchium spp.	Blue-eyed Grass	
Stachys byzantina	Lamb's Ear	sun, low growing
Tagetes lucida	Mexican Marigold Mint	sun/shade, fall flowers
Tecoma stans	Yellow Bells/Esperanza	sun, blooms summer-fall
Verbena Blue Princess	Blue Princess Verbena	sun, light blue flowers
Verbena peruviana	Peruvian Verbena	sun, pink, purple, red or white
Wissadula holosericea	Native Mallow (velvet leaf)	
Zexmenia hispida	Zexmenia	shade, May to November

### ANNUALS, BIENNIALS AND SHORT-LIVED PERENNIALS

Asclepias asperula	Antelope, Antelope Horns
Castilleja indivisa	Indian Paintbrush
Centaurea beyrichii	Mountain Pink
Cosmos bipinnatus	Cosmos
Eustoma grandiflorum	Texas Bluebell
Gaillardia pulchella	Gaillardia "Indian Blanket"
Helianthus maximiliani	Maximillian Sunflower
Linum rubrum	Scarlet Flax
Lupinus texensis	Bluebonnet
Monarda citriodora	Horsemint
Verbena bipinnatifida	Prairie Verbena

### ANNUALS (partial list only)

Winter/Spring:	Spring/Summer	Summer/Fall
Calendula	Geranium	Acalypha
Daffodil (bulb)	Marigold	Ageratum
Hyacinth (bulb)	Periwinkle	Alyssum
Ornamental Kale	Petunia	Amaranthus
Pansy		Begonia
Poppy		Caladium
Primula		Chrysanthemum
Snapdragon		Coleus
Tulip (bulb)		Impatiens
Ornamental Pepper		Marigold
Dianthus		Ornamental Pepper
		Periwinkle



Phlox  
Portulaca  
Purslane

## GROUNDCOVERS

Achillea millefolium  
Adiantum capillus-veneris  
Ajuga reptans  
Aquilegia canadensis  
Aspidistra elatior  
Calypocarpus vialis  
Cytomium falcatum  
Dryopteris spp.  
Hedera canariensis  
Hedera helix  
Juniperus conferta 'Blue Pacific'  
Juniperus sp.  
Lantana montevidensis  
Liriope muscari  
Nolina texana  
Ophiopogon japonicus  
Pavonia lasiopetala  
Phlox drummondii  
Phlox subulata  
Rosmarinus officinalis 'Prostratus'  
Salvia greggii  
Salvia romeriana  
Santolina chamaecyparissus  
Santolina virens  
Thelypteris ovata  
Trachelospermum asiaticum  
Trachelospermum jasminoides  
Tradescantia spp.  
Verbena bipinnatifida  
Verbena elegans asperata  
Vinca major  
Vinca minor

Yarrow  
Maidenhair Fern  
Ajuga  
Columbine  
Cast Iron Plant  
Horscherb  
Holly Fern  
Wood Fern  
Algerian Ivy  
English Ivy  
Shore Juniper  
Trailing Juniper  
Purple Trailing Lantana  
Liriope  
Beargrass  
Monkey Grass  
Pavonia  
Drummond's Phlox  
Thrift  
Trailing Rosemary  
Cherry Sage  
Cedar Sage  
Gray Santolina  
Green Santolina  
River Fern  
Asiatic Jasmine  
Confederate Jasmine  
Spiderwort  
Prairie Verbena  
Hardy Verbena  
Bigleaf Periwinkle  
Littleleaf Periwinkle

sun/shade/DR  
moist areas/shade  
shade/DR  
shade  
shade, broad strap leaves  
  
shade/moist/DR  
shade/moist/DR  
  
shade, self climbing vine  
sun/DR  
not suitable in wet/humid areas  
sun/shade, summer-fall  
sun/shade  
sun/DR  
shade/DR  
sun/shade  
sun  
sun  
sun/DR  
sun/DR, summer blooms  
sun/DR  
sun/drought  
sun/drought tolerant  
  
sun/shade, evergreen  
evergreen  
shade  
sun/DR  
sun/DR  
dry shade  
shade, blue flowers

## ORNAMENTAL GRASSES

Andropogon gerardii  
Andropogon glomeratus  
Andropogon scoparius  
Aristida purpurea  
Aristida wrightii  
Bouteloua curtipendula  
Bouteloua gracilis  
Bouteloua rigidiseta  
Bouteloua trifida Thurb.  
Bromus unioloides  
Dichanthelium oligosanthese  
Eragrostis intermedia  
Erioneuron pilosum  
Festuca glauca  
Festuca spp. 'Arid'  
Hilaria belangeria  
Leptochloa dubia  
Miscanthus sinensis 'Zebrinus'  
Muhlenbergia capillaris  
Muhlenbergia lindheimeri  
Muhlenbergia reverchonii  
Muhlenbergia rigens

Big Bluestem  
Bushy Bluestem  
Little Bluestem  
Purple Threeawn  
Wright's Threeawn  
Sideoats Grama  
Blue Grama  
Texas Grama  
Red Grama  
Rescue Grass  
Wright's Threeawn  
Plains Lovegrass  
Hairy Tridens  
Blue Fescue  
Tall Fescue  
Common Curly Mesquite  
Green Sprangletop  
Zebra Grass  
Gulf Coast Muhly  
Big Muhly  
Seep Muhly  
Deer Muhly

tall seed heads  
  
  
  
  
  
drought tolerant  
  
  
  
  
  
ornamental  
drought  
shade/drought  
  
seed, dormant in winter

Panicum virgatum  
Scleropogon brevifolius  
Seteria leucopila  
Sorghastrum nutans  
Sporobolus cryptandrus  
Stipa tenuissima  
Tripsacum dactyloides

Switchgrass clump  
Burro Grass  
Plains Bristlegrass  
Indian grass  
Perennial Dropseed  
Mexican Feathergrass  
Eastern Gamagrass moist

#### LAWN GRASSES

Buchloe dactyloides

Buffalo Grass  
var. "609" full sun/drought, sod only  
var. Prairie full sun/drought, sod only  
var. Stampede sod only  
Bermuda Grass full sun/drought tolerant  
var. Tex-Turf sod only  
var. 'Sahara New Mex' seed/sod  
Zoysia Grass sod only  
var. Zeon sod only  
var. El Toro sod only

Cynodon spp.

Zoysia spp.

#### VINES

Ampelopsis arborea  
Antigonon leptopus  
Berchemia scandens  
Bignonia capreolata  
Bougainvillea sp.  
Campsis radicans  
Clematis paniculata  
Clematis pitcheri  
Ficus pumila (repens)  
Gelsemium sempervirens  
Ipomoea quamoclit  
Ipomoea tricolor  
Lonicera fragrantissima  
Lonicera sempervirens  
Mauranda antirrhiniflora  
Parthenocissus quinquefolia  
Parthenocissus tricuspidata  
Passiflora incarnata  
Polygonum aubertii  
Rosa banksia  
Rosa x bracteata  
Senecio confusus  
Smilax bona-nox  
Trachelospermum jasminoides  
Vitis spp.  
Vitis spp.

Pepper Vine  
Queen's Wreath late summer/fall  
Ratan  
Crossvine evergreen  
Bougainvillea evergreen  
Trumpet Vine aggressive  
Sweet Autumn Clematis shade tolerant  
Leather Flower delicate  
Fig ivy evergreen  
Carolina Yellow Jessamine evergreen/shade tolerant  
Cypress Vine annual  
Perennial Morningglory  
Honeysuckle  
Coral Honeysuckle shade tolerant  
Snapdragon Vine delicate  
Virginia Creeper shade  
Boston Ivy 4' apart/deciduous  
Passionflower sun/shade, summer  
Silverlace vine  
Lady Banksia spring bloom  
Climbing Rose vigorous climber  
Mexican Flame Vine  
Greenbriar  
Confederate Jasmine evergreen  
Champanel Grapes deciduous  
Black Spanish Grapes deciduous

#### SHADE TOLERANT/MOIST AREA PLANTS

Adiantum capill-veneris  
Bacopa repens  
Carex spp.  
Carex amphibala  
Carex pauciflora  
Cyrillandra pupukeensis  
Eleocharis montevidensis  
Melica nitens  
Pontederia cordata  
Spartina pectinata  
Spilandes spp.

Maidenhair Fern  
Bacopa, Creeping Waterhyssop  
Carex Sedges  
Star Sedge  
Pukea  
Spike Rush  
Three Flowered Melic  
Pickerel Weed  
Prairie Cordgrass  
Spilandes

Elymus canadensis

Canada Wildrye

**Legend:**

Full sun/sun:	A sun-loving plant
Shade:	A shade-loving plant
Moist:	A moisture loving plant
Drought/drought tolerant:	Plants generally able to survive on less supplemental water and better able to withstand droughts
Color:	Autumn leaf color
DR:	Deer-resistant plants unpalatable enough to be left alone as long as other food is available
Ornamental:	A showy plant
Clump:	Non-spreading basal growth habit
Understory:	Ornamental tree or shrub, which prefers partial shade of canopy tree

# **PIONEER HILL TND**

## **ARCHITECTURAL & DEVELOPMENT GUIDELINES**

# PIONEER HILL ARCHITECTURAL & DEVELOPMENT GUIDELINES

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# PIONEER HILL

## ARCHITECTURAL AND DEVELOPMENT GUIDELINES

### Article I GENERAL PROVISIONS

1.01 **Purpose.** Pioneer Hill is a traditional neighborhood district being developed by Milburn Homes, with the cooperation of the owner of the land, the Morse family, on Dessau Road in the City of Austin's extra-territorial jurisdiction. These Pioneer Hill Architectural and Development Guidelines (these "*Guidelines*") are intended to provide guidance to and serve as a reference for the Master Architectural Control Committee of Pioneer Hill Master Residential Owners Association, the Master Architectural Control Committee of Pioneer Hill Master Commercial Owners Association, and any Sub-ACCs of Sub-Associations created with respect to Pioneer Hill and for developers of property in Pioneer Hill. They are not requirements or standards to be strictly enforced or adhered to. In particular, these Guidelines should serve as a reference for the Master Architectural Control Committees and any Sub-ACC in considering requests for variances from the Commercial Master Declaration, the Residential Master Declaration, and/or the Architectural Standards and any Sub-Declaration.

1.02 **Other Documents and Sources.** Pioneer Hill is being developed pursuant to Chapter 25-3 of the City of Austin's Land Development Code, as in effect on April 1, 2002 (the "*TND Ordinance*" and Zoning Ordinance No. \_\_\_\_\_). Development and construction in Pioneer Hill is subject to the Residential Master Declaration of Covenants, Conditions, and Restrictions for Pioneer Hill (the "*Residential Master Declaration*") (with respect to the Residential Area), recorded under Document No. \_\_\_\_\_ in the Official Public Records of Travis County, Texas, the Commercial Master Declaration of Covenants, Conditions, and Restrictions for Pioneer Hill (the "*Commercial Master Declaration*", and collectively with the Residential Master Declaration, the "*Master Declarations*") (with respect to the Multifamily Area, the Neighborhood Center Area, and the Workshop Area), recorded under Document No. \_\_\_\_\_ in the Official Public Records of Travis County, Texas and the Pioneer Hill Architectural Standards (the "*Architectural Standards*"). In addition, development in Pioneer Hill is subject to the City of Austin TND Criteria Manual adopted August 1, 1997, setting forth the administrative rules and other criteria for development of land in the City of Austin pursuant to the TND Ordinance, as in effect on April 1, 2002, except as modified by the Morse TND Zoning and related documents (including the Master Declarations and Architectural Standards) approved by the City of Austin.

1.03 **Defined Terms.** Capitalized terms used in these Guidelines and not otherwise defined herein shall have the meaning given such term in the Master Declarations. In addition to defined terms, the following is an explanation of certain terms of art used in these Guidelines and in the Architectural Standards:

(a) "*Cornice*" means a horizontal molded projection that crowns or completes a wall or building.

(b) "*Gable*" means the portion, above eaves level, of an end wall of a building with a pitched or gambrel roof. In the case of pitched roof this takes the form of a triangle.

(c) "*Human Scale*" means a mixture of uses which create interest and activity at the street level and encourage pedestrian activity.

(d) "*Hip*" means one of the sloped faces of a hipped roof, usually referring to the narrow end.

(e) "*Landmark structure*" means a structure which is conspicuous or visually distinct from surrounding structures, usually because of increased height combined with a more stately form of architecture.

(f) "*Parapet*" means a low protective wall (usually solid) along the edge of a roof balcony.

(g) "*Pedestrian-Oriented*" or "*pedestrian orientation*" means urban design that places the comfort of people over the ease of mobility for the automobile. This can be accomplished in many fashions - signage at eye level, wide sidewalks protected from the flow of traffic, people-scaled street lighting, benches, buildings at a scale that does not dwarf and intimidate the pedestrian, pedestrian controlled crosswalks, and plenty of shade.

(h) "*Pediment*" means a wide low-pitched gable surmounting the façade of a building in a classical style; also, any similar triangular crowning elements used over doors, windows, and niches.

(i) "*Prominent Parcel*" means a parcel which is prominently visible either because of its corner location or because, when viewed from a distance on the road providing access to the parcel, they serve as a view terminus.

(j) "*Stately*" means, in terms of structures, a design having lofty dignity due to increased emphasis on height, vertical proportions, hierarchy in roof design, and added emphasis on trim details in prominent locations (e.g., the front entry).

**1.04 Architects and Other Professionals.** For so long as it deems it necessary or appropriate, the Master Architectural Control Committees may retain the services of an architect registered and licensed in the State of Texas who shall be designated by the Master Architectural Control Committee as a "Pioneer Hill Architect" (herein so called). The Master Architectural Control Committees may also retain the services of other design professionals, including urban planners and landscape architects. The fees for the services of these professionals shall be paid by the applicable Master Association.

## **Article II**

### **THE PRIMARY DEVELOPMENT GUIDELINE**

The goal of Pioneer Hill and the purpose of the Architectural Standards and these Guidelines is the creation of a genuine community developed on traditional neighborhood district principles that insure a mix of compatible land uses, pedestrian orientation, and structures built to emphasize human scale. The intent of the Architectural Standards and these Guidelines is to allow for a diversity of uses within the framework of TND principles. Architectural expression is permitted and encouraged to accommodate the full range of users that Pioneer Hill seeks to attract. The uses planned for Pioneer Hill include: single family, yard homes, condominiums, townhomes, apartments, a public elementary school, neighborhood commercial uses, a large employment area flexibly organized to accommodate a wide range of employers, and recreational users (both visitors and residents) attracted to the public parkland. While organized around basic architectural themes and TND planning principles, the Architectural Standards and these Guidelines permit individual architectural expression suitable to the real differences among the uses intended for the Property. Further, it is the intent that the Architectural Standards and

these Guidelines discourage the architectural banality and excessive uniformity that plague many planned developments and would impair the success of Pioneer Hill.

### **Article III**

#### **ARCHITECTURAL CHARACTER IN PIONEER HILL**

##### **3.01 General Architectural Character.**

(a) **Relationship Between Building Types.** The integration of varied land uses within Pioneer Hill encourages architecture that provides for visual variety and interest while retaining common human-scale elements. The use of compatible urban design and architectural elements is encouraged to relate individual structures to a coherent overall development pattern and streetscape.

(b) **Front Façade.** Windows and doors on the front façade of a building should create lines of sight between the building and the street whenever possible.

3.02 **Diversity and Accommodation of Uses.** While maintaining compatibility, the vision for Pioneer Hill is one of an integration of varied land uses that are based on traditional neighborhood and "New Urbanism" design and planning concepts. These planning principles allow the Master Architectural Control Committees to encourage a variety of diverse architectural styles that should nonetheless provide for a pedestrian-oriented environment that is focused on public and private open spaces in Pioneer Hill. Particular attention should be paid to compatibility among nearby buildings and coordination with the streetscape.

3.03 **Colors.** As set forth in the Architectural Standards, color is an important and dominant aspect of building design. Generally, field or base colors should be from a palette of colors best described visually in the exhibits attached hereto. Trim colors should be complimentary of the field and base colors. Accent colors may be brighter, as set forth in the Architectural Standards. The Master Architectural Control Committees may adopt a palette of colors for each type of exterior color (field, trim, and accent) for Pioneer Hill and for each TND Area, and it may adopt a list of colors that may not be used for each color type, both in Pioneer Hill as a whole and for each TND Area.

(a) **Finer details may be accented with brighter colors.** Accent colors should generally be brighter than field or base colors. Accent colors should be used with restraint. Appropriate areas for accent colors are those details that might otherwise go unnoticed such as moldings or molding indentations, medallions and shadow lines of window and door frames. Doors are also an appropriate location for accent colors.

(b) **Color coordination.** Color selection should show evidence of coordination with the site, street and context area of the new project.

(c) **Use of Color.** The use of varying color should also be used to articulate or reduce the apparent scale of building masses. For example, large multi-family housing developments, when painted the same color, can have negative visual impacts. The developers of larger projects should be encouraged to develop a palette of compatible hues that work to focus visual impacts.

3.04 **Regional or Vernacular Architectural Elements.** Examples of regional or vernacular architectural elements that are guidelines for the Master Architectural Control Committees and the Sub-ACCs are set forth in exhibits attached hereto. These are examples only, for guidance purposes.



3.05 **Lighting**. The Master Architectural Control Committees should review the lighting plans for all development to ensure compatibility and continuity between and among buildings, clusters of buildings, and differing land uses and to encourage effective lighting of open spaces for pedestrian use.

3.06 **Windows and Doors**. Windows and doors on all buildings should generally be seen as opening in an otherwise continuous surface. Front entries should be inviting. Doors should have a level of detail at the trim and casing around the doorway. Symmetry and/or balance to spacing and relationship of windows and doors are encouraged. All exterior window and door shutters should be generally sized to fit the opening.

#### **Article IV** **DEVELOPMENT IN TND AREAS**

4.01 **Neighborhood Center Area**. The Neighborhood Center Area serves as the focal point of Pioneer Hill, and it should contain retail, commercial, civic and residential uses. The Neighborhood Center is pedestrian-oriented and is designed to encourage pedestrian movement between the Mixed Residential Area and the Neighborhood Center Area. Usable open space is an integral component of this area. With these goals in mind, proposed buildings and other development should be evaluated for ensuring a proper mix of uses, coordination and compatibility with the Mixed Residential Areas, and pedestrian orientation. In addition, the relation of uses and buildings to open space both in the Neighborhood Center Area and in adjacent areas should be considered in evaluating proposed development or later modifications to Improvements.

(a) **Examples of Neighborhood Center Buildings**. Examples of buildings in the Neighborhood Center Area which fit the appropriate scale, proportion, massing, and spatial relationships intended for the character of Pioneer Hill are attached hereto as Exhibit "A".

(b) **Electrical Infrastructure**. Site areas appropriate for outdoor gatherings should be pre-wired for underground electric service for potential festivals and other programmed events.

4.02 **Civic Uses**. Important civic buildings that are open to the public will be located on prominent sites in the Neighborhood Center Area and the Mixed Residential Areas of the Property. These uses, including schools, government offices, libraries, museums and churches, serve as focal points and landmarks for the community.

4.03 **Mixed Residential - Single Family**. The Mixed Residential Area is intended primarily for single family residences (the "*Residential Area*") forms the core residential neighborhood of the Pioneer Hill TND. In addition to Residential Uses, the Residential Area may include a public elementary school and other civic uses.

(a) **Transition from Neighborhood Center Area**. The uses on land in the Neighborhood Center Area which abut the Residential Area should provide for a compatible transition into the residential neighborhood character of the Residential Area. The Residential Master Architectural Control Committee should consider such transition and compatibility with the Residential Area in evaluating proposed Improvements in that part of the Neighborhood Center Area.

(b) **Elementary School**. While the elementary school which is contemplated in the Residential Area is subject to the Declaration and Architectural Standards, the Residential Master Architectural Control Committee should be mindful of the needs of the school district in

evaluating any proposed construction and improvements. It is understood that certain requirements that might otherwise be readily imposed on other uses may be more difficult for an elementary school, and the Residential Master Architectural Control Committee should accept flexibility for the school's design, provided that the overall goals and vision for Pioneer Hill, as expressed in the Declaration, the Architectural Standards, and these Guidelines are met.

(c) Examples of Single Family Detached. Examples of single family detached houses which fit the appropriate scale, proportion, massing, and spatial relationships intended for the character of Pioneer Hill are attached hereto as Exhibit "B".

(d) Examples of Single Family Attached - Condominiums. Examples of single family attached condominiums which fit the appropriate scale, proportion, massing, and spatial relationships intended for the character of Pioneer Hill are attached hereto as Exhibit "C".

(e) Examples of Single Family Attached - Townhomes. Examples of single family attached condominiums which fit the appropriate scale, proportion, massing, and spatial relationships intended for the character of Pioneer Hill are attached hereto as Exhibit "D".

(f) Mailbox Centers. Individual home postal delivery service is encouraged. All mailbox receptacles, whether individual home mailboxes or clustered centers, in the Residential Area shall be based on the design approved by the Residential Master Architectural Control Committee.

**4.04 Mixed Residential - Multi-Family.** The Mixed Residential Area is intended primarily for multi-family apartments (the "*Multifamily Area*") provides denser residential dwelling adjacent to the Neighborhood Center Area. A portion of the Multifamily Area may also be developed, at the developer's option, for compatible Commercial Uses acceptable in the Mixed Residential Area, as shown on the Development Plan. Commercial Uses include ground floor commercial activities and live/work units.

(a) Examples of Multifamily Apartments. Examples of multifamily apartments which fit the appropriate scale, proportion, massing, and spatial relationships intended for the character of Pioneer Hill are attached hereto as Exhibit "E".

#### **4.05 Workshop Area.**

(a) Examples of Workshop Area - Street Frontage. Examples of the street frontage side of buildings in the Workshop Area Pioneer Hill which fit the architectural vision for the intended character of Pioneer Hill are attached hereto as Exhibit "F".

**4.06 Streets and Alleys.** The streets, alleys, and pedestrian walkways, and in particular the various streetscapes for different classes of streets, when designed and developed along TND concepts, form the community and coordinate the integration and transition between and among the TND Areas, as well as reinforcing traditional neighborhood values.

(a) Examples of Neighborhood Center Area Streets. Examples of the streets and streetscapes in the Neighborhood Center Area which fit the architectural vision for the intended character of Pioneer Hill are attached hereto as Exhibit "G".

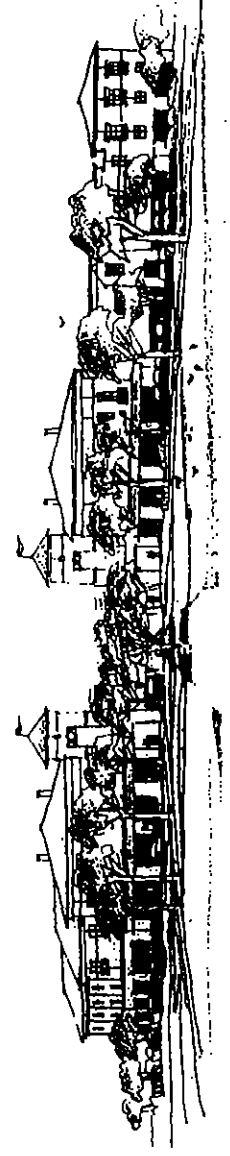
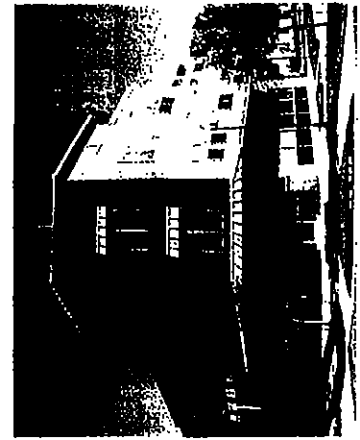
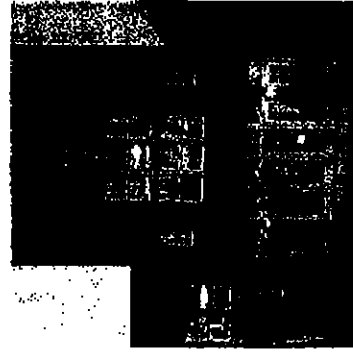
(b) Examples of Residential Area Streets. Examples of the streets and streetscapes in the Residential Area which fit the architectural vision for the intended character of Pioneer Hill are attached hereto as Exhibit "H".

(c) Examples of Residential Area Alleys. Examples of the alleys in the Residential Area which fit the architectural vision for the intended character of Pioneer Hill are attached hereto as Exhibit "I".

# APPROPRIATE CHARACTER - Visual Guideline supplement to Pioneer Hill Architectural and Development Guidelines

## EXHIBIT "A" - EXAMPLES OF NEIGHBORHOOD CENTER BUILDINGS

Below are examples of appropriate neighborhood center building facade design and site planning elements, which fit the appropriate scale, proportion, massing and spatial relationships of the intended character of Pioneer Hill.



**Visual Guidelines**

These visual guidelines are provided as a straightforward, visual guide to assist building designers, developers and the Architectural Control Committee to better understand the intent of the design guidelines. This supplement addresses the character and compatibility of architectural and site design elements. These guidelines are intended to encourage creativity and variety within a framework that promotes a compatible design character throughout the entire development.

**Pioneer Hill TND**  
for Milburn Homes  
Austin, Texas  
11 July 2002  
Prepared by:  
Bossy Compton & Turner

Sheet 1 of 9

# APPROPRIATE CHARACTER - Visual Guideline supplement to Pioneer Hill Architectural and Development Guidelines

## EXHIBIT "B" - EXAMPLES OF SINGLE FAMILY DETACHED

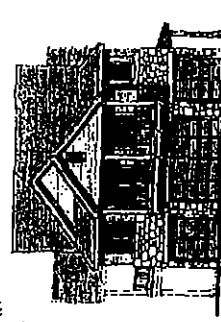
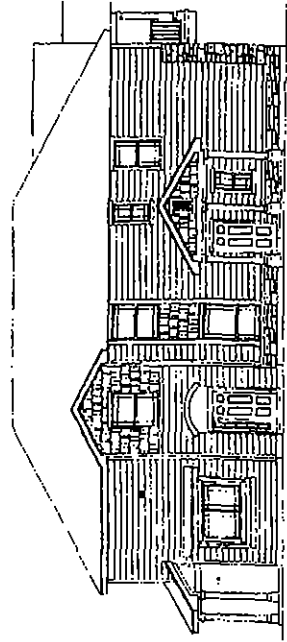
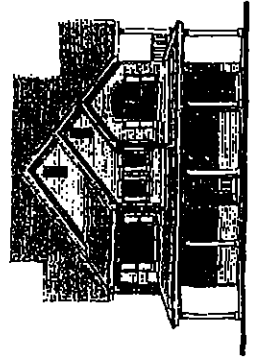
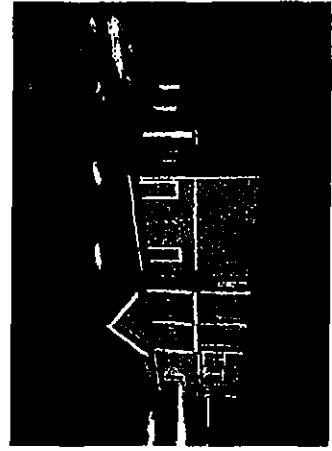
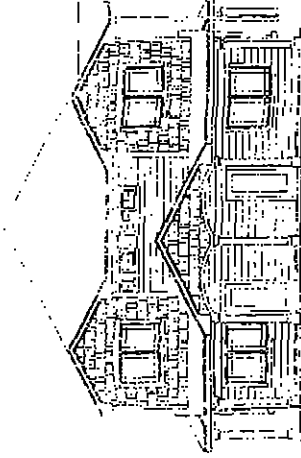
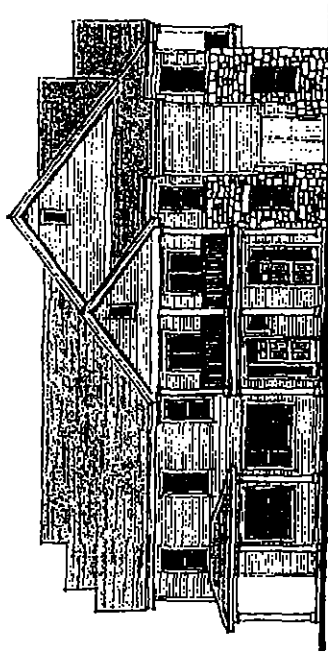
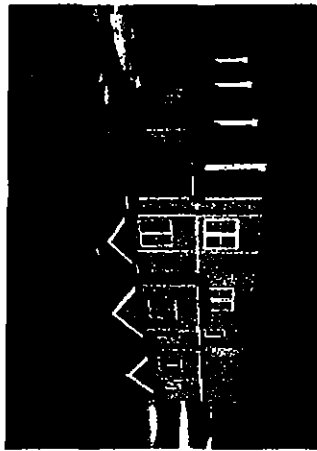
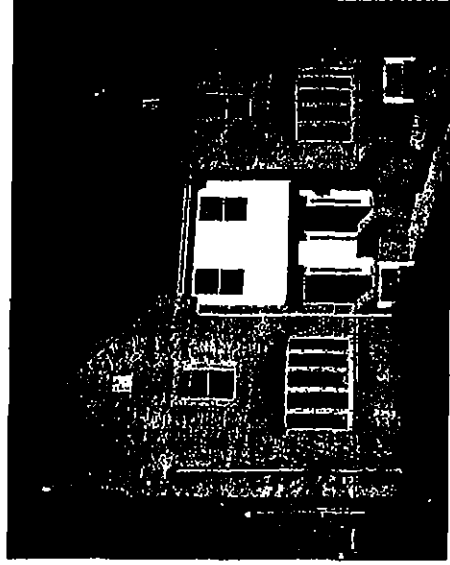
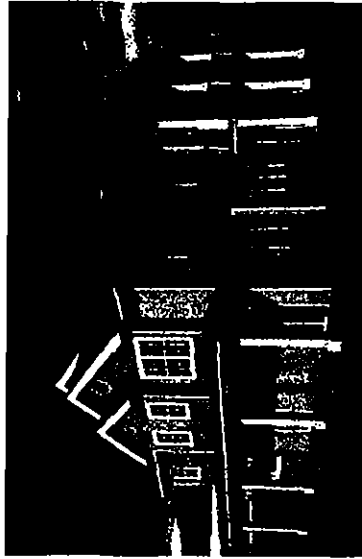
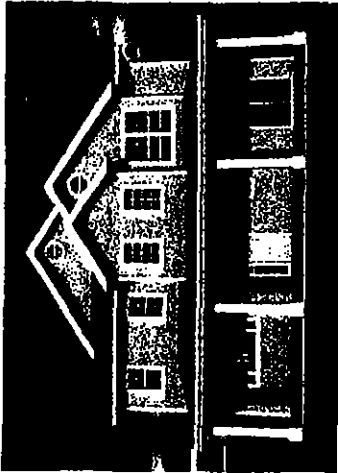
Below are examples of appropriate single family detached home facade design and site planning elements, which fit the scale, proportion, massing and spatial relationships of the intended character of Pioneer Hill.



# APPROPRIATE CHARACTER - Visual Guideline supplement to Pioneer Hill Architectural and Development Guidelines

## EXHIBIT "C" - EXAMPLES OF SINGLE FAMILY ATTACHED- CONDOMINIUMS

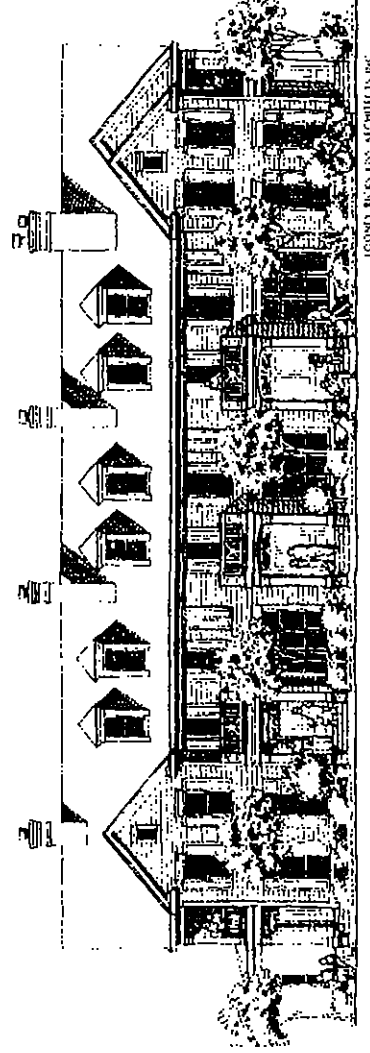
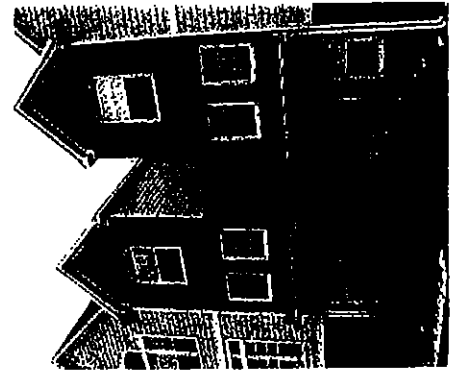
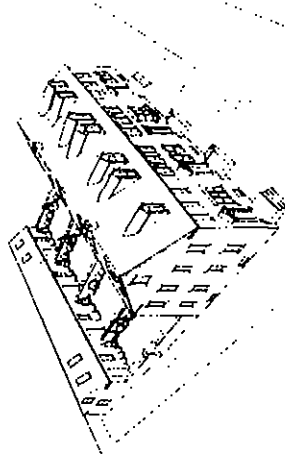
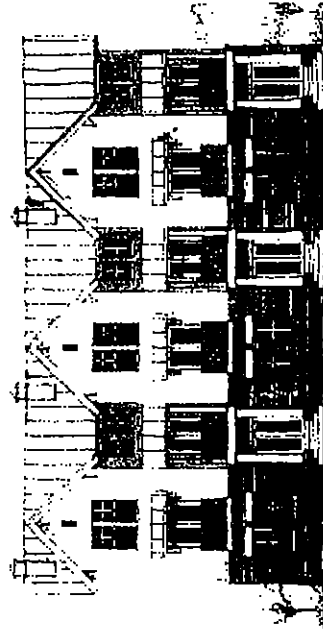
Below are examples of appropriate single family attached condominium facade design and site planning elements, which fit the appropriate scale, proportion, massing and spatial relationships of the intended character of Pioneer Hill.



# APPROPRIATE CHARACTER - Visual Guideline supplement to Pioneer Hill Architectural and Development Guidelines

EXHIBIT "D" - EXAMPLES OF SINGLE FAMILY ATTACHED-TOWNHOMES

Below are examples of appropriate single family attached townhome facade design and site planning elements, which fit the appropriate scale, proportion, massing and spatial relationships of the intended character of Pioneer Hill.



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## Pioneer Hill TND

for Milburn Homes  
Austin, Texas  
11 July 2002  
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Bossu Campton & Turner

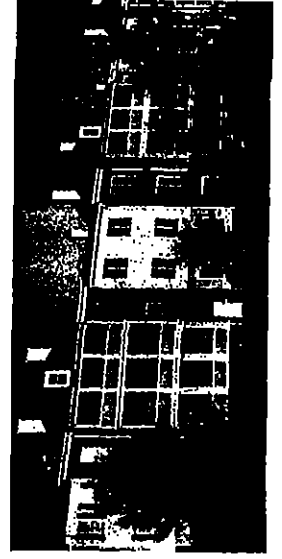
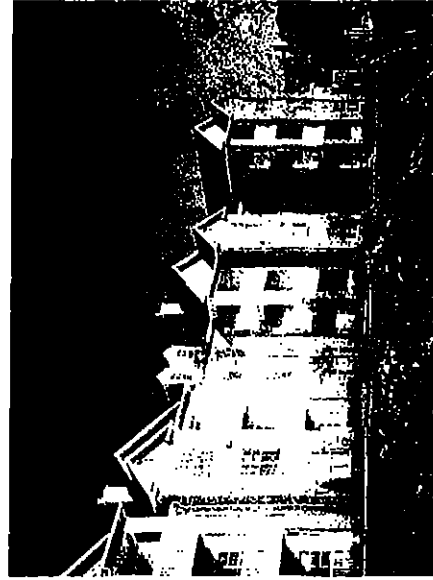
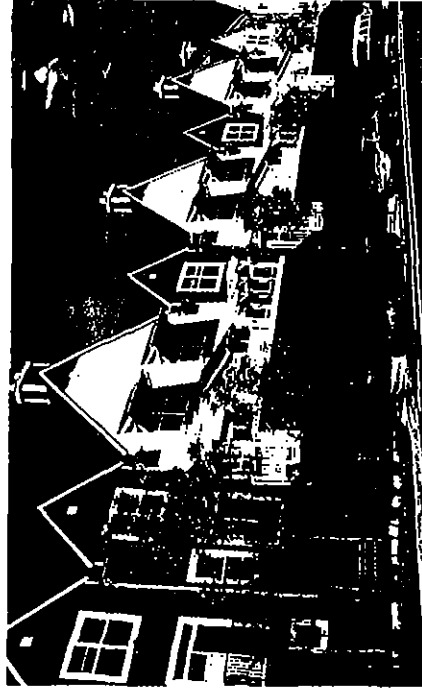
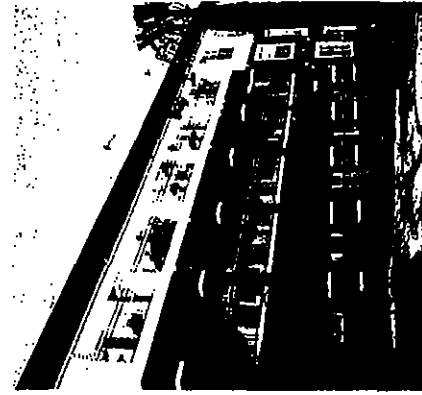
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Sheet 4 of 9

# APPROPRIATE CHARACTER - Visual Guideline supplement to Pioneer Hill Architectural and Development Guidelines

## EXHIBIT "E" - EXAMPLES OF MULTIFAMILY APARTMENTS

Below are examples of appropriate residential multi-family apartment facade design and site planning elements, which fit the appropriate scale, proportion, massing and spatial relationships of the intended character of Pioneer Hill.



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Austin, Texas  
11 July 2002  
Prepared by  
Bosse Compton & Turner

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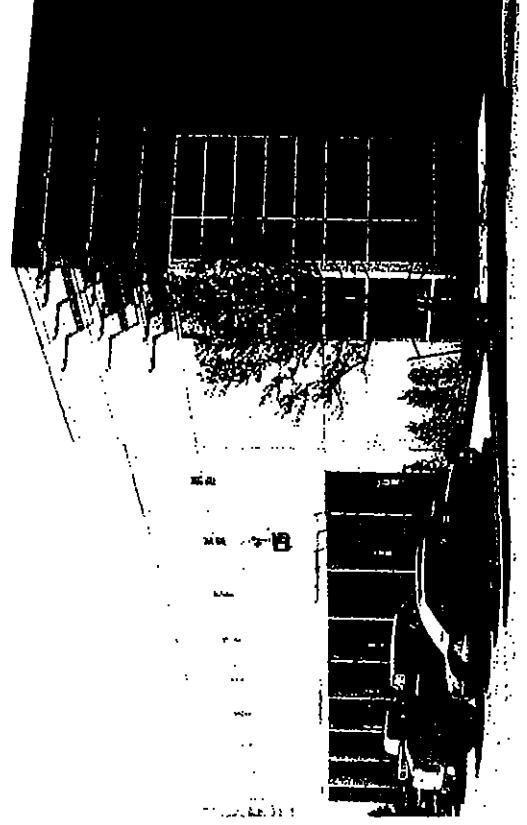
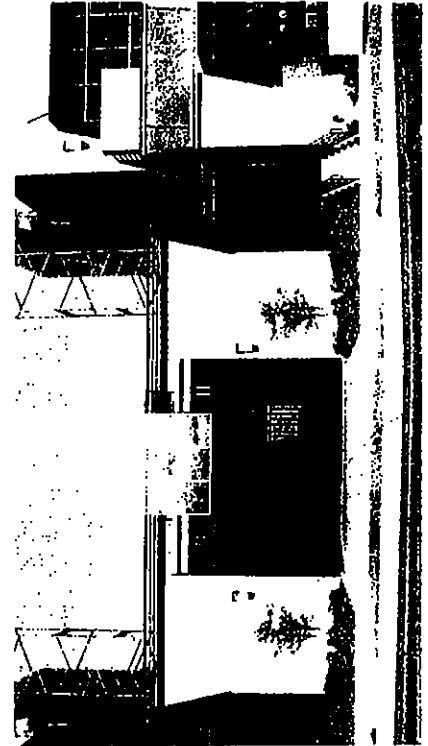
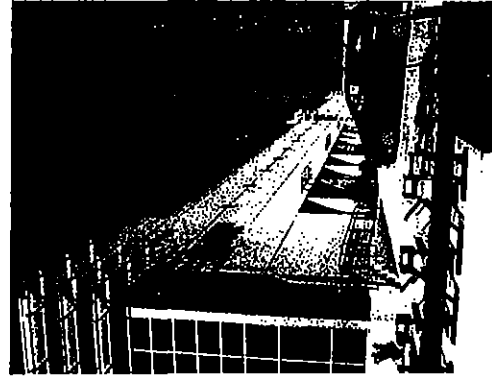
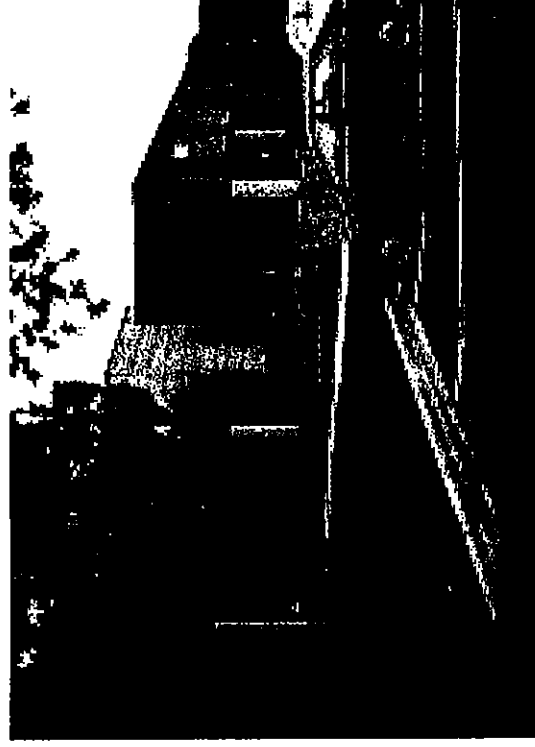
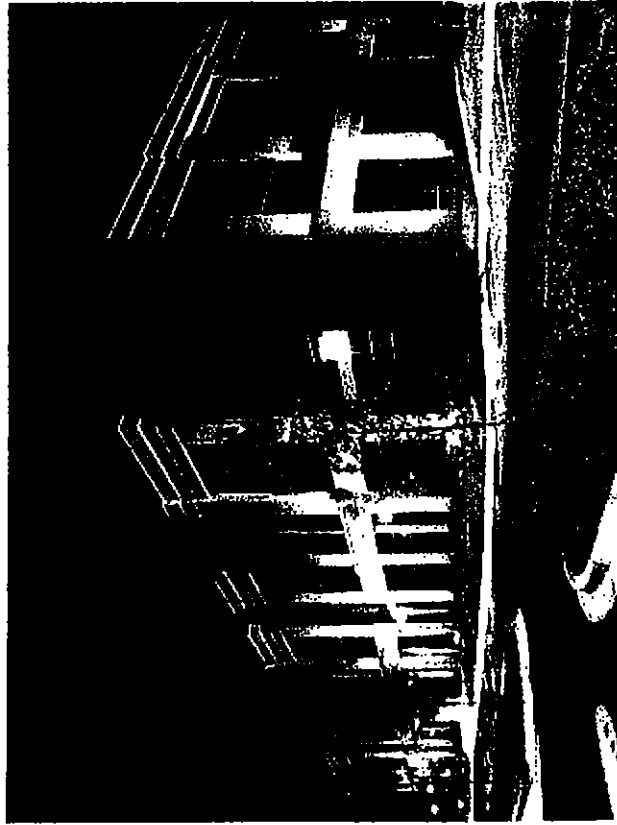
Sheet 5 of 9



# APPROPRIATE CHARACTER - Visual Guideline supplement to Pioneer Hill Architectural and Development Guidelines

## EXHIBIT "F" - EXAMPLES OF WORKSHOP AREAS- STREET FRONTAGE FACADES

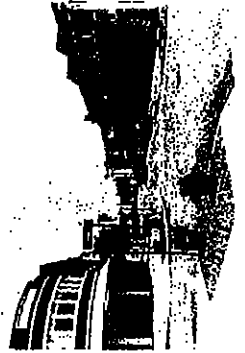
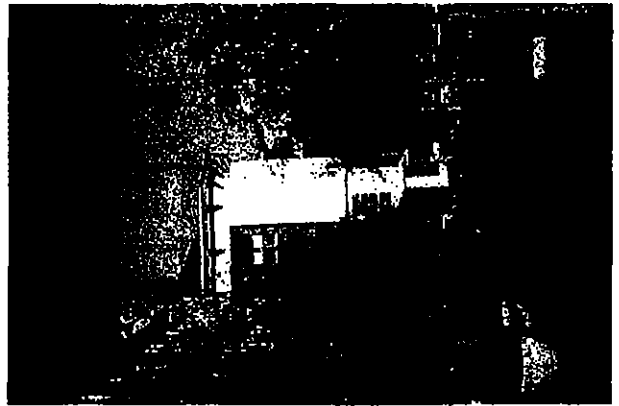
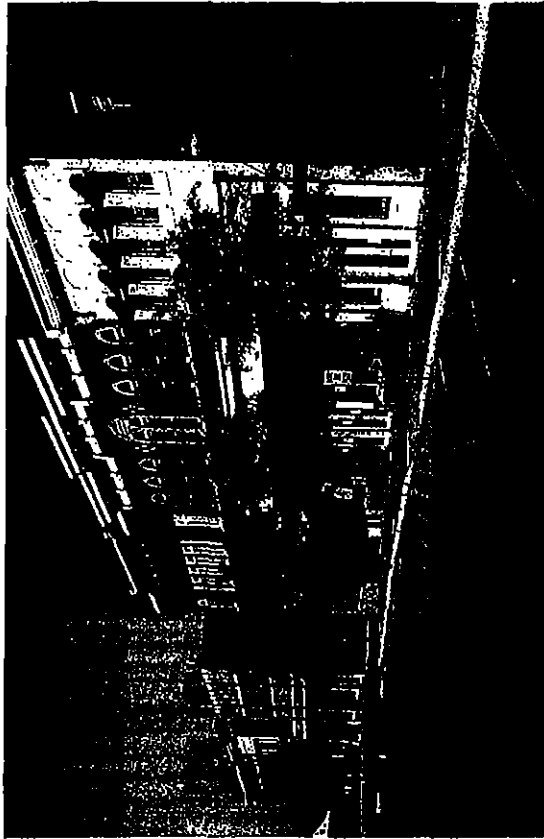
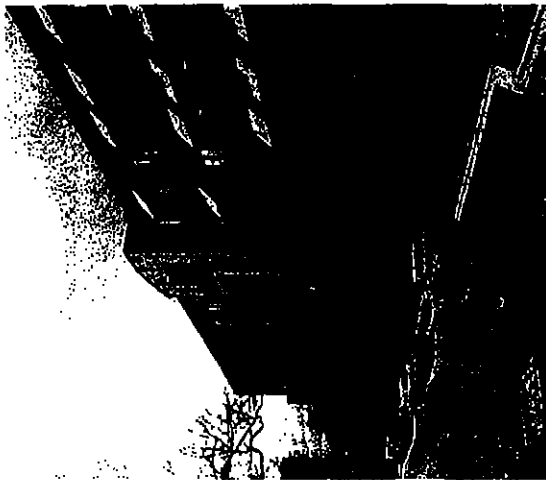
Below are examples of appropriate Workshop Area street frontage building facade design and site planning elements, which fit the architectural vision for the intended character of Pioneer Hill.



# APPROPRIATE CHARACTER - Visual Guideline supplement to Pioneer Hill Architectural and Development Guidelines

## EXHIBIT "G" - EXAMPLES OF NEIGHBORHOOD CENTER AREA STREETS

Below are examples of appropriate Neighborhood Center Area Street design and site planning elements, which fit the architectural vision for the intended character of Pioneer Hill.

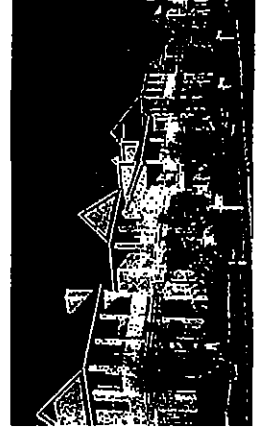
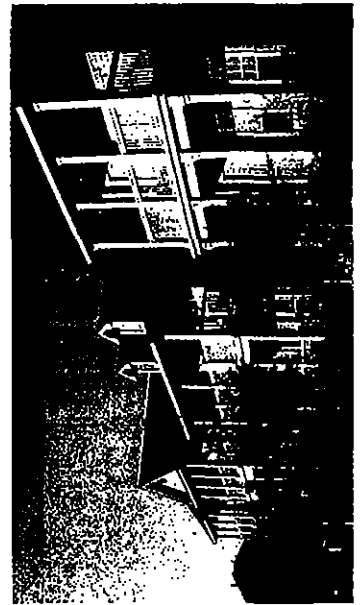
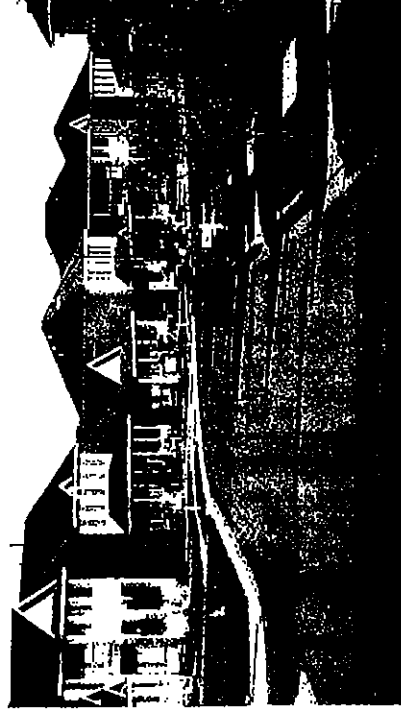
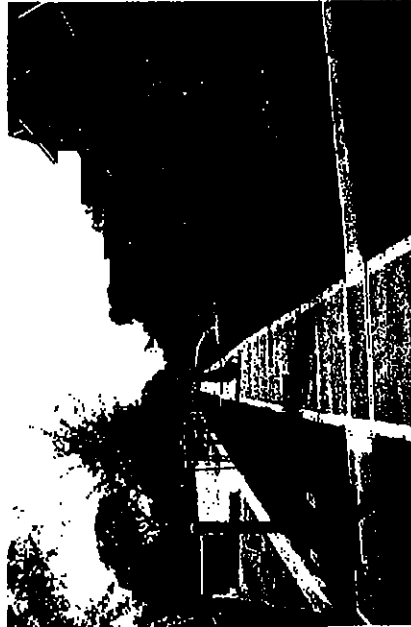
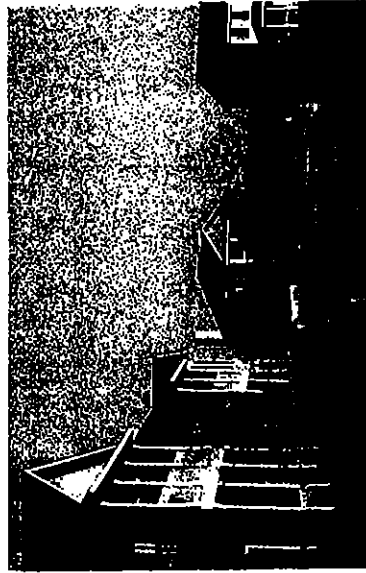
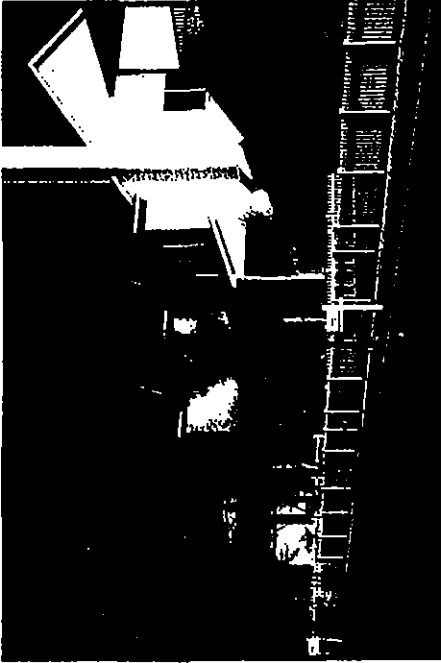
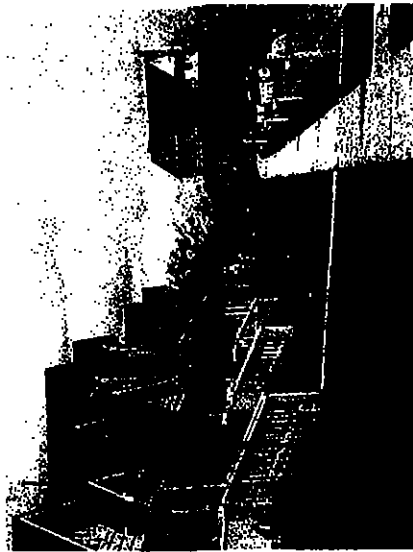


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Austin, Texas  
11 July 2002  
Prepared by:  
Bosser Corporation & Turner

# APPROPRIATE CHARACTER - Visual Guideline supplement to Pioneer Hill Architectural and Development Guidelines

## EXHIBIT "H" - EXAMPLES OF RESIDENTIAL AREA STREETS

Below are examples of appropriate Residential Area Streets design and site planning elements, which fit the architectural vision for the intended character of Pioneer Hill.



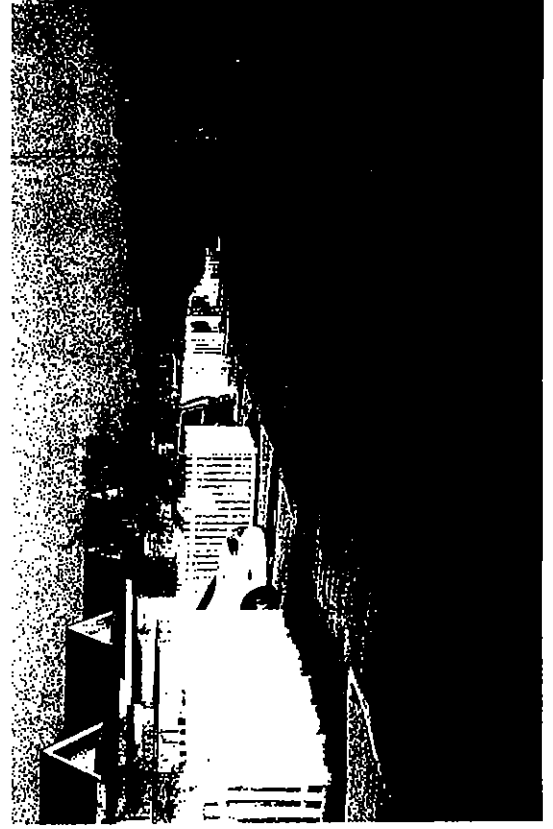
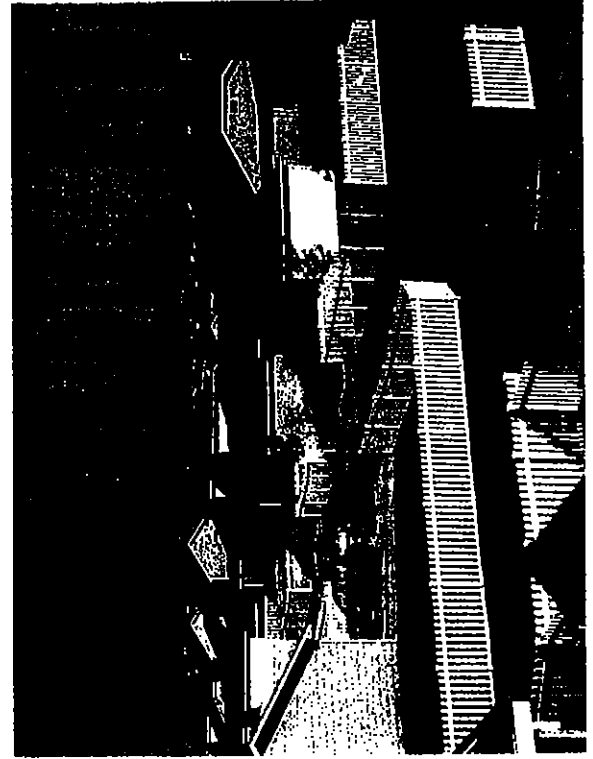
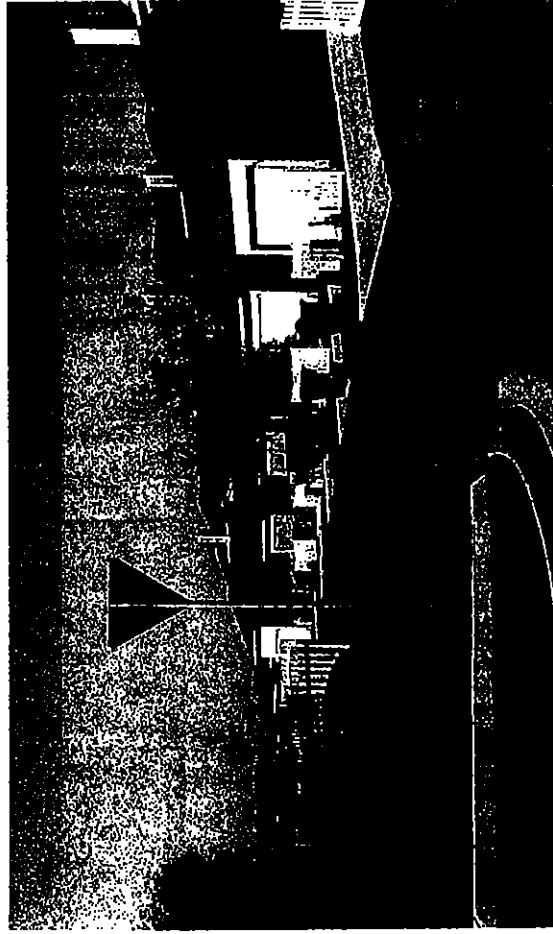
### Pioneer Hill TND

for Milburn Homes  
Austin, Texas  
11 July 2002  
Prepared by:  
Bosco Compton & Turner

# APPROPRIATE CHARACTER - Visual Guideline supplement to Pioneer Hill Architectural and Development Guidelines

## EXHIBIT "I" - EXAMPLES OF RESIDENTIAL AREA ALLEYS

Below are examples of appropriate alley site planning elements, which fit the appropriate scale, proportion, massing and spatial relationships of the intended character of Pioneer Hill.



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Austin, Texas  
11 July 2002  
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Sheet 9 of 9



**PARKER ELECTRIC**  
ELECTRICAL CONTRACTORS

Attachment R

January 31, 2003

Emily M. Barron, Planner  
Transportation Review  
Watershed Protection & Development Review Dept.  
City of Austin  
505 Barton Springs Rd. 4<sup>th</sup> Floor  
Austin, Texas 78704

Dear Ms. Barron:

As a property owner/tenant on Brown Lane we request that with the development of Pioneer Hill (Case #: C14T-02-0001) Brown Lane to be extended to connect Dessau Road.

This extension will allow for improved access and circulation to those already developed properties on Brown Lane, and those to be built in Pioneer Hill. Public safety will also be better served should a fire disaster occur on Brown Lane or in the southern perimeter of the proposed Pioneer Hill by giving emergency personnel two avenues of access.

The extension of Brown Lane is an absolute must that will be a benefit for all.

Yours truly,

Bobby Parker

You may send your written comments to the Zoning & Platting Commission Assistant, Neighborhood Planning & Zoning Department, P. O. Box 1088, Austin, TX 78767-8835.

File # C14T-03-0001-SG

Zoning & Platting Commission Hearing Date: March 16, 2004

Name (please print) CHUNG VU

☒ I am in favor  
(Estoy de acuerdo)

Address 9806 MARLBOROUGH DR

☐ I object  
(No estoy de acuerdo)

AUSTIN TX 78755

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You may send your written comments to the Zoning & Platting Commission Assistant, Neighborhood Planning & Zoning Department, P. O. Box 1088, Austin, TX 78767-8835.

File # C14T-03-0001-SG

Zoning & Platting Commission Hearing Date: March 16, 2004

Name (please print) Lesley V. Short

☐ I am in favor  
(Estoy de acuerdo)

Address 1507 Brushy View Cove, Austin, Texas 78754

☒ I object  
(No estoy de acuerdo)

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**Gager, Sherri**

**From:** Nag290@aol.com  
**Sent:** Thursday, March 11, 2004 9:11 AM  
**To:** bbaker@austintexas.org; dora.angulano@ci.austin.tx.us; sherri.gager@ci.austin.tx.us  
**Subject:** Request for Postponement

March 11, 2004

To: Ms Betty Baker, Chair  
Zoning & Platting Commission

Re: Case Number C14T-03-0001  
Pioneer Hill

Dear Ms. Baker:

I am requesting a postponement of the above referenced case for at least 30 days so that I can have an opportunity to meet with the Applicant and the City of Austin staff, mostly the watershed engineers. I received a notice of hearing on Monday that this case is set for a hearing on March 16, 2004. I do not have an item number because your agenda is not yet posted on the web. I will not be available between March 15 and March 31 due to prior arrangements.

I am the president of the NorthEast Action Group. Our group comprises of seven neighborhoods in the northeast area of town, and this project is part of our neighborhoods.

Furthermore, and more of a concern to me, I live downstream of this project and the Pioneer Crossing project. The erosion taking place along Big Walnut Creek is quite alarming. The amount of water coming down the creek, even after a small rain as we have been having in the past weeks, is tremendous along with the velocity and the duration of high water levels. I personally lost a 30-foot piece of land in July 2002.

The stretch of creek I live in is projected to have over 160% erosion as per the City of Austin Master Plan, Walnut Creek (big). When I originally purchased my property in 1977, I could not obtain flood insurance because I was not in the flood plain. The amount of high density construction on Big Walnut Creek watershed is causing me great concern.

Thank you for your concern and consideration in this matter.

Trek English  
NorthEast Action Group  
3616 Quiette Drive  
Austin, Texas 78754  
Tel: 512/929-0970  
Fax: 512/933-1926  
email: nag290@aol.com

3/11/2004