



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

**AGENDA ITEM NO.: Z-12**  
**AGENDA DATE: Thu 08/26/2004**  
**PAGE: 1 of 1**

**SUBJECT:** C814-01-0038.01 - Parmer/Walnut Creek PUD Amendment # 1 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1310-1314 Block of West Pramer Lane (Walnut Creek Watershed) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning in order to change a condition of zoning. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning. Applicant: FSKMS Ranch, Ltd. (John Scofield, Edgar and Linda Perry, Vernon Scofield, and Glen and Martha Chilek). Agent: Armbrust & Brown, L.L.P. (Richard T. Suttle, Jr.). City Staff: Sherri Gager, 974-3057.

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

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

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C814-01-0038.01

**Z.A.P. DATE:** July 20, 2004  
August 3, 2004

**ADDRESS:** 1310-1314 Block of West Parmer Lane

**APPLICANT/OWNER:** FSKMS Ranch Ltd.  
(John Scofield, Edgar and Linda Perry, Vernon Scofield, and  
Glen and Martha Chilek)

**AGENT:** Armbrust & Brown, L.L.P. (Richard T. Suttle, Jr.)

**ZONING FROM:** PUD      **TO:** PUD      **AREA:** Tract 1: 9.269 acres

The applicant is requesting an amendment to the Parmer/Walnut Creek Planned Unit Development (PUD) to change the following conditions of the existing PUD zoning:

- 1) To allow for 96 townhouse/ condominium units on Tract 1;
- 2) To limit development to yards, recreational uses and improvements related to townhouse/condominium residential use within the area located 50 to 75 feet from and along the west property line;
- 3) To reduce the building setback from 100 feet to 75 feet from the western property line;
- 4) To limit the entire PUD site to less than 2,630 vehicle trips per day (630 vehicles per day for Tract 1 and 2,000 vehicle trips per day for Tracts 3 & 4).

### **SUMMARY STAFF RECOMMENDATION:**

The staff's recommendation is to grant the proposed amendments of the Parmer/Walnut Creek P.U.D.

### **ZONING AND PLATTING COMMISSION RECOMMENDATION:**

7/20/04: Postponed to August 3, 2004 by Neighborhood (8-0, J. Pinnelli-absent); J. Martinez-1<sup>st</sup>, J. Gohil-2<sup>nd</sup>.

8/3/04: Approved staff's recommendation of PUD zoning; with conditions that apply from the agreement between applicant & neighborhood by consent (8-0, J.P. – ABSENT); K. Jackson-1<sup>st</sup>, J. Martinez-2<sup>nd</sup>.

### **ISSUES:**

On July 26, 2004, the staff received a second postponement request from the neighborhood for this zoning case (Attachment B). In their initial postponement request, the neighborhood asked for a four-week postponement of the case until August 17, 2004. The Commission granted a postponement until August 3, 2004, because the initial postponement request was not made in a timely manner and there was no one from the neighborhood present at the July 20<sup>th</sup> meeting to speak for the request.

**DEPARTMENT COMMENTS:**

The property in question currently contains a single-family residence (Chilek house-to be removed) and undeveloped land. The applicant is requesting an amendment to the Parmer/Walnut Creek PUD to add 16 residential units to Tract 1, which would result in an increase of approximately 80 vehicle trips per day for the overall site. The staff supports this request because the proposed townhouse/condominium use on Tract 1 will allow for a mixture of housing opportunities in this area of the city. There are currently single-family residential uses to the south and west of this site and undeveloped MF-3-CO and MF-2-CO zoned properties to the north and east. The applicant has agreed to limit the height of the proposed townhouse/condominium development on Tract 1 to 35 feet to be consistent with the development standards allowed on the property adjacent to the east (in the Scofield Farms Residential Neighborhood). The applicant will be required to offset the additional vehicle trips onto Parmer Lane by providing fiscal to fund improvements for the intersection of North Lamar Boulevard and Parmer Lane.

The applicant is also requesting an amendment to the PUD to reduce the current building setback by 25 feet, from 100 feet to 75 feet, along the western property line. The staff has no objection to this change because the applicant will be required to maintain a 50-foot vegetative buffer from the western property line and will still provide a building setback that is larger than what is required through Compatibility Standards in the Land Development Code.

In addition, the applicant is seeking to clarify that limited development may occur within the 50-foot vegetative buffer and the 75-foot building setback area along the western side of Tract 1. The applicant maintains that no structures are allowed within this setback area, however, development to yards, recreational uses and improvements related to townhouse/condominium residential use shall be permitted within this area. The staff agrees with the applicant's request to allow limited development between the vegetative and building setbacks because compatibility standards will be met between the existing single-family residences to the west and the proposed townhouse/condominium uses to the east, within the PUD.

The applicant agrees with the staff recommendation.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<i>Site</i>	PUD	Undeveloped Area, Single-Family Home
<i>North</i>	RR	Undeveloped (Walnut Creek)
<i>South</i>	SF-1	Single-Family Residences
<i>East</i>	RR-CO, MF-2-CO, GR	Undeveloped, Service Station/Convenience Store
<i>West</i>	SF-6, LO	Single-Family Residences, Office

**AREA STUDY:** North Lamar Area Study

**TIA:** Waived

**WATERSHED:** Walnut Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** No

**HILL COUNTRY ROADWAY:** No

**NEIGHBORHOOD ORGANIZATIONS:**

64 - River Oaks Lakes Estates Neighborhood  
114 - North Growth Corridor Alliance  
287 - North Lamar- IH 35 Association  
480 - Scofield Farms Residents Association  
902 - Scofield Residential Owners Association

**CASE HISTORIES:**

<b>NUMBER</b>	<b>REQUEST</b>	<b>COMMISSION</b>	<b>CITY COUNCIL</b>
C814-01-0038	SF-6, RR, LO to PUD	10/30/01: Approved staff's rec. of PUD zoning with conditions of: 1. No structures within 100' of the west property line; 2. No access from Dapplegrey Lane, except for emergency vehicles when needed; 3. Impervious cover of 53% for Tract 1 (Lot 1) 4. Include Environmental Board's Recommendation, with the exception of impervious cover for Tract 1 (8-0, N. Spelman- absent)	11/29/01: Approved PUD zoning with clarification that parking and carports are allowed within the 100' buffer along the west property line (7-0), 1 <sup>st</sup> reading.  8/8/02: Approved 2 <sup>nd</sup> reading with the following modified conditions (7-0):  1) One-story carport and/or garages shall be allowed within 100-feet, but not closer than 50 feet, from the western property line of Tract 1. Architectural guidelines contained within the Scofield Farms Neighborhood Homeowners Association shall apply to the construction of garages. 2) The deletion of the Environmental Board's requirement that a certificate of occupancy not be issued for Tract 1 until construction of the flood/erosion control pond is completed. 3) The proposal by the applicant to allow SF-6, Townhouse & Condominium Residence, zoning district uses to the permitted uses for Tract 1, with a unit limit of 80 townhomes/or single- family detached. 4) An increased trip limit of 2,500 vehicle trips for the entire Parmer/Walnut Creek PUD to satisfy current requirements for Tracts 2, 3, and 4 and to account

			<p>for the inclusion of the SF-6; townhouse/or single-family detached uses on Tract 1, without the requirement of a Traffic Impact Analysis (TIA).</p> <p>5) To redefine the transfer process for the dedication of Tract 2 to the City of Austin so that the entire dedication of this portion of land does not need to be made with the PUD approval at third reading. The timing of the conveyance of Tract 2 of the PUD should be as follows: a) To dedicate the dam area of Tract 2 at the approval of zoning (before third reading of the PUD ordinance); b) The dedication of a drainage easement for the remaining portion of Tract 2 at the approval of zoning (before third reading of the PUD ordinance); c) Fee simple dedication of the drainage easement on the Perry property, at the eastern side of Tract 2, before subdivision (final plat) approval; d) Fee simple dedication of the drainage easement on the Schofield/Chilek property, at the northwestern side of Tract 2, before site plan approval.</p> <p>4/24/03: Approved (6-0-1, Garcia-absent); 3<sup>rd</sup> reading</p>
C14-01-0085	GO to GR	6/26/01: Approved staff rec. of GR-CO by consent (7-0)	8/2/01: Approved Planning Commission's rec. of GR-CO by consent on all 3 readings (6-0)
C14-99-2137	I-RR to MF-3	5/9/00: Approved staff rec. of MF-3-CO, limited to 458 units, by consent (8-0)	<p>6/8/00: Approved MF-3-CO (TR1) and RR (TR2) as rec. by PC on 1<sup>st</sup> reading (7-0)</p> <p>6/29/00: Approved 2<sup>nd</sup>/3<sup>rd</sup> readings (7-0)</p>
C14-96-0008	DR to MF-2-CO, RR	3/5/96: Approved MF-2-CO, RR subject to engineering study	3/28/96: Approved MF-2-CO (TR1), RR (TR2-floodplain area); (5-0); all 3 readings
C14-91-0086	LR, GR, P to GR, LR SF-6 to SF-2, P MF-3 to MF-1	11/26/91: Approved GR, LR, SF-6, MF-1, LO, MF-3, MF-1, SF-2, P	12/19/91: Approved GR, LR, SF-6, MF-1, LO, SF-6, MF-3, SF-2, P; all 3 readings

**RELATED CASES:** There are no pending related cases.

**ABUTTING STREETS:**

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
Parmer Lane	150'	2@50'	Major Arterial	33,000 ('97)

**CASE MANAGER:** Sherri Gager

**PHONE:** 974-3057

**CITY COUNCIL DATE:** August 26, 2004

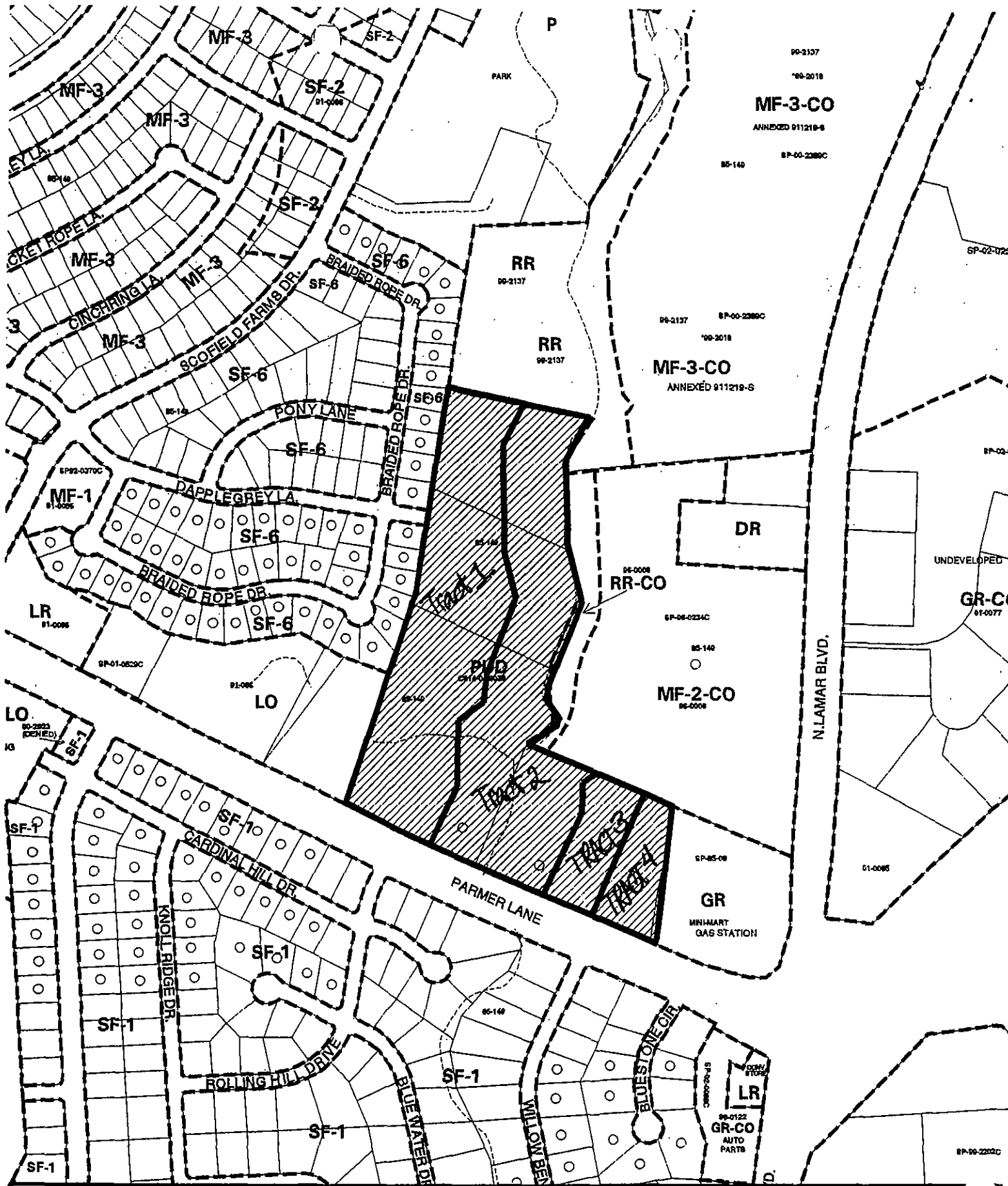
**ACTION:**





**ORDINANCE READINGS:** 1<sup>st</sup>

2<sup>nd</sup>

3<sup>rd</sup>

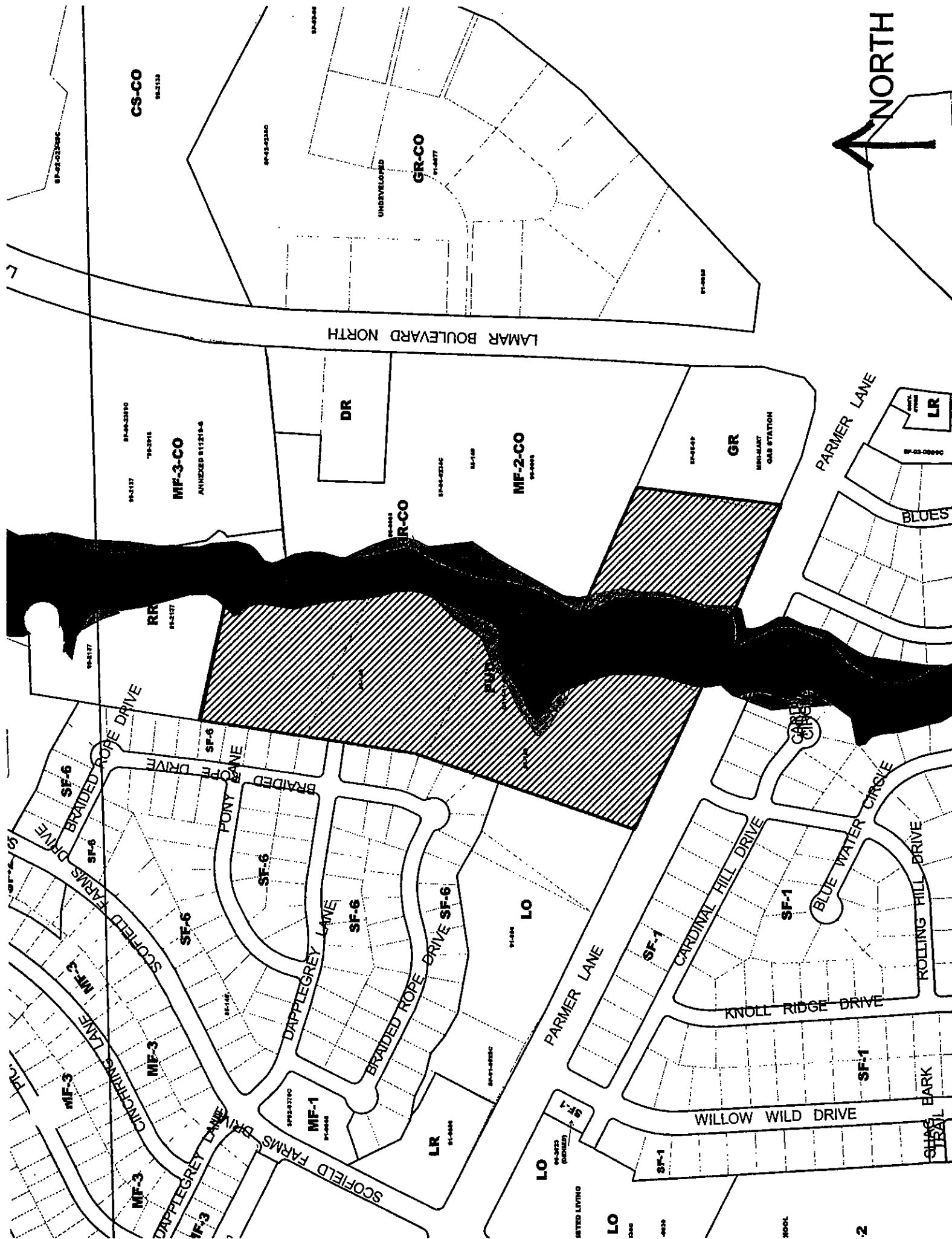
**ORDINANCE NUMBER:**



 1" = 400'	SUBJECT TRACT		PLANNED UNIT DEVELOPMENT		CITY G. REFERENCE NUMBER  M34
	PENDING CASE				
	ZONING BOUNDARY				
	CASE MGR: S. GAGER		CASE #: C814-01-0038.01	DATE: 04-07	
	ADDRESS: 1310-1314 BLK W PARMER LANE		SUBJECT AREA (acres): 21.808		







## STAFF RECOMMENDATION

The staff's recommendation is to grant the proposed amendments of the Parmer/Walnut Creek P.U.D.

## BACKGROUND

The property in question currently contains a single-family residence (Chilek house-to be removed) and undeveloped land. The applicant is requesting an amendment to the Parmer/Walnut Creek PUD to add 16 residential units to Tract 1, which would result in an increase of approximately 80 vehicle trips per day for the overall site. The staff supports this request because the proposed townhouse/condominium use on Tract 1 will allow for a mixture of housing opportunities in this area of the city. There are currently single-family residential uses to the south and west of this site and undeveloped MF-3-CO and MF-2-CO zoned properties to the north and east. The applicant has agreed to limit the height of the proposed townhouse/condominium development on Tract 1 to 35 feet to be consistent with the development standards allowed on the property adjacent to the east (in the Scofield Farms Residential Neighborhood). The applicant will be required to offset the additional vehicle trips onto Parmer Lane by providing fiscal to fund improvements for the intersection of North Lamar Boulevard and Parmer Lane.

The applicant is also requesting an amendment to the PUD to reduce the current building setback by 25 feet, from 100 feet to 75 feet, along the western property line. The staff has no objection to this change because the applicant will be required to maintain a 50-foot vegetative buffer from the western property line and will still provide a building setback that is larger than what is required through Compatibility Standards in the Land Development Code.

In addition, the applicant is seeking to clarify that limited development may occur within the 50-foot vegetative buffer and the 75-foot building setback area along the western side of Tract 1. The applicant maintains that no structures are allowed within this setback area, however, development to yards, recreational uses and improvements related to townhouse/condominium residential use shall be permitted within this area. The staff agrees with the applicant's request to allow limited development between the vegetative and building setbacks because compatibility standards will be met between the existing single-family residences to the west and the proposed townhouse/condominium uses to the east, within the PUD.

## BASIS FOR RECOMMENDATION

- 1. The Planned Unit Development District (PUD) is intended for large or complex developments under unified control planned as a single contiguous project. The PUD is intended to allow single or multi-use projects within its boundaries and provide greater flexibility for development proposed within the PUD.*

The Parmer/Walnut Creek PUD has a mixture of residential and commercial, with open space/ dedicated land to be utilized by the City of Austin for the development of a regional water quality and storm-water detention facility.

The proposed amendments to the Parmer/Walnut PUD will not alter the overall benefits or intent of the PUD development.

2. *Use of a PUD District should result in development superior to that which would occur using conventional zoning and subdivision regulations. PUD zoning is appropriate if the PUD enhances preservation of the natural environment; encourages high quality development and innovative design; and ensures adequate public facilities and services for development with in the PUD.*

The Parmer/Walnut Creek PUD will result in a superior development than that which could have occurred using conventional zoning and subdivision regulations, by allowing the applicant to create a residential and retail development on tracts of land that have topographical constraints (100-year floodplain, slopes, wetlands, etc.).

On the western portion of the property (Tract 1), the PUD amendment proposal still provides for larger 75-foot parking and building setbacks and a 50-foot vegetative buffer. This proposal increases the compatibility setbacks that are required by Sections 25-2-1051 – 24-2-1067 of the Land Development Code.

The Parmer/Walnut Creek PUD provides for additional improvements for this area of the city through the donation for the title of 9.269 acres of land (Tract 2) to the City of Austin. The City of Austin is currently utilizing this area to construct a regional water quality and stormwater detention facility, which will mitigate future flooding for the properties to the south (River Oaks Residential Neighborhood).

### **Zoning and Land Use**

The property in question is part of an existing PUD that consists of 20.21 acres that is located to the west of the intersection of North Lamar Boulevard and Parmer Lane. The site currently contains one single-family residence and undeveloped land. The property is heavily wooded and has a creek (Walnut Creek) that runs through the middle of it (known as Tract 2). The city is in the process of constructing a detention facility on Tract 2 of the PUD.

### **Impervious Cover**

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

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

According to flood plain maps, a portion of the site lies within the 100-year flood plain. The site also contains Critical and Transitional Water Quality Zones. No development is allowed in the Critical Water Quality Zone.

The adopted PUD has a 53% impervious cover limit on Tract 1 and a 60% impervious cover limit on Tracts 3 & 4.

### **Environmental**

The site is in the Desired Development Zone 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. It is not located over the Edward's Aquifer Recharge Zone.

There are a large number of trees on the site, including many protected size trees. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment. Any Critical Environmental features and wetlands that are located on the site will have to be protected as per the LDC. {Sec 25-8-281 and 25-8-282}.

### **Transportation**

Transportation staff has no objection to the proposed revision with the following condition: If the zoning is granted, development should be limited through a conditional overlay to less than 2,630 vehicle trips per day with the following breakdown: 630 vehicles for Tract 1 and 2,000 vpd for Tracts 2-4). [LDC, 25-6-117] The applicant is required to post their pro rata share of an eastbound through lane on Parmer Lane at the Lamar Boulevard intersection prior to approval of any site plans on this property (Tracts 1-4).

There are no sidewalks along Parmer Lane.

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
Parmer Lane	150'	2@50'	Major Arterial	33,000 ('97)

### **Water and Wastewater**

The preliminary plan review comments are satisfied.

The landowner intends to serve each lot with City water and wastewater utilities. Water and wastewater utility improvements are required. The landowner will be responsible for all costs and providing.

The water and wastewater utility system serving this subdivision must be in accordance with the City's utility design criteria. The utility plan must be reviewed and approved by the Austin Water Utility. The construction must be inspected by the City.

No lot will be occupied until the structure is connected to City water and wastewater utilities.

### **Water Quality**

This PUD is located at 1310 TO 1314 Block of Parmer Lane in the Walnut Creek Watershed, which is classified as a Suburban Watershed. The proposed application is for a change of use for an existing PUD.

It is this reviewer's understanding that the existing PUD will comply with the current water quality related regulations and there is no change to such status. Furthermore, it is this reviewer's understanding that the drainage review is being performed by Mr. Joe Guerro, P. E. and that the water quality control facility will not intrude into the floodplain as defined by the City of Austin

regulations. Based on these understandings, there is no outstanding water quality issue. All water quality comments are cleared.

### **Stormwater Detention**

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

### **Floodplain**

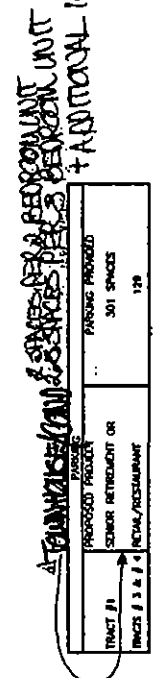
A portion of this site is within the 100-year floodplain as per FEMA FIRM 48453C 0115E, dated 16 June 1993 for Travis County, Texas.

### **Site Plan**

No comments.

PARMER / WALNUT CREEK PUD  
AUSTIN, TEXAS  
M. MYERS DEVELOPMENT, INC. /  
EDGAR & LINDA PERRY

**Burkhardt**  
Consulting Engineers and Surveyors  
10000 1st Avenue NE  
Seattle, WA 98108-3200  
Tel: 206/764-1100  
Fax: 206/764-1101



**Gager, Sherri**

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**From:** Leigh Ann Brunson [LBRUNSON@tceq.state.tx.us]  
**Sent:** Monday, July 26, 2004 5:20 PM  
**To:** Anguiano, Dora; Gager, Sherri  
**Cc:** RSUTTLE@abaustin.com  
**Subject:** Request for Postponement of Parmer PUD

Dear Zoning and Planning Commission Members,

For the Parmer PUD, I am respectfully requesting a postponement from Aug. 3 to Aug. 17 for the following reasons.

1. Aug 3 is National Nite Out - This is a nationally recognized event designed to foster community relations and awareness. Our neighborhood is very active and has numerous events planned for that night.
2. Negotiations are underway between the applicant and the neighborhood regarding a restrictive covenant. It is unclear if the covenant will be finalized by Aug. 3.

We appreciate your consideration of our request.

- a. No duplex uses shall be permitted.

*OK as to duplex uses as defined by City Code.*

- b. No public or major utility uses shall be permitted.

*OK as to major utility uses as defined by City Code.*

- c. All buildings on the west property line shall be no more than two-story in height.

*OK.*

- d. No more than 88 residential condominium units may be constructed on the Property.

*Will agree to no more than 96 condominium units.*

- e. Copy of the Site Plan showing elevations, plans, building design and materials, specifications, builder name, common areas, landscape plans, phasing plan (if any), and general development timeline shall be provided when filed with City.

*OK.*

- f. Minimum 75 foot (75') building setback from residential lots in Scofield Farms. The 50 feet (50') adjacent to Scofield to remain undisturbed to the extent landscape maintenance and irrigation can occur.

*OK provided that the 50' buffer shall remain undisturbed to the extent that landscape maintenance and irrigation can occur in the buffer.*

- g. Entrance/exit gate shall be located at least 50 feet (50') inside the Property line.

*Will investigate and will provide adequate queing space.*

- h. Project shall meet the architectural control standards of Scofield Farms.

*OK as to those of record in the Travis County records and to the extent they do not preclude the intended condominium use.*

- i. Signs. Signs shall be limited to berm signs which do not exceed four feet (4') in height as measured from the crest of the berm to the gutter or low point side of the primary building structure. Signs shall meet the following criteria:

*OK.*

1. Signs should not be of an unusual size or shape and in no event exceed sixty (60) square feet in total size.

*OK.*

2. Preserve the quality and atmosphere of The Properties.

*OK.*

3. Are not portable, banners or flag streamers.

*Except during new home marketing period, during which time we will comply with COA regulations.*

4. No flashing, blinking or moving signs shall be permitted.

*OK.*

- j. Units shall be comprised of at least 75% masonry, excluding hardi-plank.

*We'll comply with (h) above. See Scofield Ridge Condominiums for example.*

- k. 25-year/240-pound roofs shall be installed on all units.

*OK (or similar).*

- l. Dapplegrey shall remain crash gate access only as needed for emergency vehicles only. All other vehicular access to the Property shall be from Parmer Lane.

*OK subject to City approval.*

- m. Western end of Dapplegrey in the 50' buffer zone (width of street) shall be deeded to Scofield Farms Neighborhood Assn.

*Cannot agree to this.*

- n. White pavement will be used to reduce heat island effect.

*Will investigate this, but cannot commit to this at this time.*

- o. Hardwood trees of at each 3" caliper will be planted in those areas lacking trees in the 50' buffer zone between residences and project.

*Will investigate this and meet City landscape requirement.*

- p. Critical environmental features and wetlands as defined by the City will be protected.

*OK.*

- q. Project defined as SF-6 not MF-6.

*OK.*

- r. Ensure that Scofield Farms is minimally affected by dirt, dust and debris from the construction of the proposed development.

*Will make all reasonable efforts to keep the site clear and prevent inconvenience to our neighbors.*

- s. Construction shall only take place during the following hours: Monday through Friday from 8:00 a.m. to 6:00 p.m., and Saturday from 9:00 a.m. to 5:00 p.m. There shall be no construction activities on Sundays.

*Will meet City requirements for construction times.*