

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 901213-H FOR THE PROJECT KNOWN AS HARRIS BRANCH PLANNED UNIT DEVELOPMENT PROJECT TO MODIFY THE LAND USE PLAN, REZONING AND CHANGING THE ZONING MAP FROM PLANNED UNIT DEVELOPMENT (PUD) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT FOR THE PROPERTY LOCALLY KNOWN AS 1375 U.S. HIGHWAY 290 EAST AT STATE HIGHWAY 130 (PROPOSED).

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

PART 1. Harris Branch Planned Unit Development ("Harris Branch PUD") is comprised of approximately 2,113 acres of land located at U.S. Highway 290 East and Parmer Lane in Travis County and more particularly described by metes and bounds in the land use plan incorporated in Ordinance No. 901213-H.

PART 2. Harris Branch PUD was approved December 13, 1990 under Ordinance No. 901213-H, and amended March 1, 2001, under Ordinance No. 010301-66.

PART 3. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from planned unit development (PUD) district to planned unit development (PUD) district on the property described in Zoning Case No. C814-90.0003.13, on file at the Neighborhood Planning and Zoning Department, as follows:

A 332.34 acre tract of land, more or less, identified as Tracts SG-1, SG-2, SG-3, SG-4, SG-6, SG-7, SG-8, SG-9, SG-10, SG-13 and SG-14, and comprised of a 216.002 acre parcel of land and a 116.338 acre parcel of land out of the William H. Sanders Survey No. 54, Abstract No. 690 in Travis County, the tracts of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 1375 U. S. Highway 290 East at State Highway 130 (proposed), in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 4. This ordinance, together with the attached Exhibits "A" through "D" shall constitute the land use plan for the Harris Branch PUD (the "PUD") created by this ordinance. The PUD shall conform to the limitations and conditions set forth in the

1 ordinance and the Harris Branch planned unit development land use plan (the "PUD land
2 use plan"). If this ordinance and the attached exhibits conflict, this ordinance applies.
3 Except as otherwise specifically provided by this ordinance, all other rules, regulations and
4 ordinances of the City in effect on the effective date of this ordinance apply to the PUD.
5

6 **PART 5.** The attached Exhibits "A", "B", "C", and "D" are incorporated into this
7 ordinance in their entirety as though set forth fully in the text of this ordinance. The
8 exhibits are as follows:
9

- 10 Exhibit A: Field note description of 332.34 acres.
11 Exhibit B: Zoning map
12 Exhibit C: Amended PUD land use plan, sheets 1 through 4 (includes Exhibit D)
13 Exhibit D: Environmental Base Map, sheet 4 of 4 ("Base Map")
14

15 **PART 6.** In accordance with Section 25-2-411(A) (*Planned Unit Development District*
16 *Regulations*) of the City Code, the following regulations apply to the Property instead of
17 otherwise applicable City regulations.
18

- 19 A. Except as provided in Subsection B of this Part 6, commercial highway
20 (CH) district uses and site development regulations are permitted on
21 Tracts SG-1, SG-2, SG-3, SG-4, SG-6, SG-7, SG-8, SG-9, SG-10, SG-13
22 and SG-14.
23
24 B. The maximum height of a building or structure on Tracts SG-1, SG-2,
25 SG-3, SG-4, SG-6, SG-7, SG-8, SG-9, SG-10, SG-13 and SG-14 is 125
26 feet from ground level.
27
28 C. Public (P) district site uses and site development regulations are
29 permitted on the 2.17 acre Transit Tract located at the southeast corner of
30 the Property.
31
32 D. Residential development within the Property for tracts located along U.S.
33 Highway 290 East will not trigger parkland dedication requirements
34 under Section 25-4-212 (*Dedication of Parkland Required*).
35
36 E. Unless otherwise provided in this ordinance, development of the Property
37 is subject to the site development regulations and uses as shown on the
38 PUD Land Use Plan.
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- 1 F. Section 25-6-113 (*Traffic Impact Analysis Required*) is modified to allow
2 a traffic impact analysis to be deferred to the site plan approval process.
3
4 G. Section 25-8-42 (*Administrative Variances*) is modified to allow for a cut
5 and fill of more than four feet but not to exceed 15 feet.
6
7 H. Section 25-4-153 (*Block Length*) is modified to allow a block length of
8 5,800 feet.
9
10 *Am 6.* I. Section 25-8-62 (B) (*Net Site Area*) is modified to allow for calculations
11 to be based on gross site area. *THERE WILL BE NO REDUCTION, IN*
12 *IMPERVIOUS COVER AS THE RESULT OF SHELING ON SLOPES.*
13 J. Energy Green Building Program (GBP) for a minimum one-star rating.
14 All commercial development shall comply with the GBP for a minimum
15 one-star rating, or, shall be designed and built according to the US Green
16 Building Council's Leadership in Energy and Environmental Design
17 ("LEED™") Green Building Rating System, Certified Level.
18 Certification from either the GBP or the LEED™ shall be met as
19 specified by the version of the rating system current at the time of design.
20
21 K. At the time an application for approval of a site plan is submitted for
22 development of the Property, or any portion of the Property, an
23 Integrated Pest Management (IPM) plan shall be submitted to the
24 Watershed Protection and Development Review Department for review
25 and approval.
26
27 L. The IPM plan shall comply with the guidelines in Section 1.6.9.2 (D) and
28 (F) of the Environmental Criteria Manual that are in effect on the date of
29 this ordinance.
30
31 M. A water feature as identified on the Base Map shall be maintained as a
32 water feature as shown on the Base Map.
33
34 *Per* (N.) Water quality and detention facilities that are required to be provided on
35 the Property under applicable provisions of the City Code shall be
36 designed, engineered, constructed, and maintained as wet ponds, as the
37 term is commonly used in the real estate development community in the
38 City of Austin on the effective date of this ordinance, unless the owner of
39 the Property, at the time a site plan is sought, demonstrates to the
40 Director of the Watershed Protection and Development Review

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Department, or his successor, assignee, or designee, that the cost of the design, engineering, construction and maintenance of water quality and detention facilities as wet ponds exceeds the cost of the design, engineering, construction, and maintenance of water quality and detention facilities that are not designed, engineered, constructed and maintained as wet ponds. DEVELOPMENT WITHIN TRACTS 30, 31, 32, AND 33 SHALL BE LIMITED TO VEHICULAR ROADWAY AND UTILITY CROSSINGS, AND HIKE AND BIKE TRAILS.

A waiver to the requirements of Section 25-8-393 (Water Quality Transition Zone) is granted as it relates to development on property identified as Lots 4, 5, and 6 on Exhibit "D".

P. Within Lot 3, identified on Exhibit "D", development in the Water Quality Transition Zone in the area marked "reserved for water quality pond" on the Base Map shall be limited to storm water and water quality facilities, AND HIKE AND BIKE TRAILS.

PART 7. In all other respects the terms and conditions of Ordinance No. 901213-H, as amended, remain in effect.

PART 8. This ordinance takes effect on _____, 2006.

PASSED AND APPROVED

_____, 2006 §
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Will Wynn
Mayor

APPROVED: _____ ATTEST: _____
David Allan Smith Shirley A. Gentry
City Attorney City Clerk