Zoning Ordinance Approval
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: 40
AGENDA DATE: Thu 02/16/2006
PAGE: 1 of 1

SUBJECT: C814-90-0003.13 - Harris Branch PUD Amendment #13 - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property located at 1375 U.S. Highway 290 East at Proposed State Highway 130 (Harris Branch, Gilleland Creek, Decker Creek Watersheds) from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning to change a condition of zoning. First reading approved on October 27, 2005. Vote: 6-0, Council Member Alvarez off the dais. Applicant: Austin HB Residential Properties (John McCullough). Agent: Minter, Joseph & Thornhill, P.C. (John M. Joseph). City Staff: Sherri Sirwaitis, 974-3057.

REQUESTING DEPARTMENT:	Neighborhood Planning and Zoning	**DIRECTOR'S AUTHORIZATION:**	Greg Guernsey

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RCA Serial#: 10732 Date: 02/16/06 Original: Yes
Disposition: Postponed~THU 02/16/2006

Published: Fri 12/09/2005
Adjusted version published:

SECOND/THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C814-90-0003.13

REQUEST:

Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code, zoning the property locally known as 1375 U.S. Highway 290 East at Proposed State Highway 130 from PUD, Planned Unit Development District, zoning to PUD, Planned Unit Development District, zoning.

Conditions met as follows:

1) "CH" district development regulations and uses on Tracts SG-1, SG-2, SG-3, SG-4, SG-6, SG-7, SG-8, SG-9, SG-10, SG-13, SG-14 and "P" district development regulations and uses on 2.17 acre Transit Tract (located at the south eastern corner of the PUD)
2) Limit height to 125 feet in Tracts SG-1, SG-2, SG-3, SG-4, SG-6, SG-7, SG-8, SG-9, SG-10, SG-13, SG-14.
3) If additional parkland requirements are triggered as a result of any residential development within the East and West PUD tracts fronting US Highway 290, this will be satisfied through the parkland dedication made and required to be made in the remainder of the Harris Branch PUD.
4) Unless it is stated else where in an ordinance, the property is subject to the site development regulations and permitted uses shown on the PUD land use plan.
5) Traffic Impact Analyses will be deferred to the site plan stage of development (LDC Section 25-6-113).
6) An administrative variance to cut (LDC Section 25-8-341) and fill (LDC Section 25-8-342) in excess of four (4) feet but less than fifteen (15) feet. There shall be no cut and fill limitations with respect to cut and fill to occur under a foundation with sides perpendicular to the ground for backfill for utility construction, in public or private roadway right-of-way, for utility construction, storm water and water quality facilities, driveways and sidewalks.
7) A block length variance shall be granted for all streets within the amended PUD (requested variance to LDC Section 25-4-153).
8) Water features found within the area of the PUD will be addressed in the manner agreed to in the proposed preliminary plan (Exhibit "B").
9) The applicant shall comply with Green Building Standards- Level 1.
10) The applicant shall provide an Integrated Pest Management Plan for all of the property within the PUD.
11) Development in the Critical Water Quality Zone and Water Quality Transition Zone shall be addressed as shown on the Equinox Centre Environmental Base Map (Exhibit "C"). A variance shall be granted to eliminate the Water Quality Transition Zone (WQTZ) on Lots 4, 5, and 6. Impervious cover in the Water Quality Transition Zone (WQTZ) for Lot 3 shall not be developed, except to allow for storm water and water quality facilities.
12) Water Quality Ponds provided on the property will be maintained as Wet Ponds. However for the Water Quality Pond located on Lot 3 as shown on the Equinox Centre Environmental Base Map (Exhibit "C"), this pond will not be required as a wet pond if the Owner can demonstrate that the cost of the controls exceeds the cost of constructing a standard, "non-wet" sedimentation/filtration and detention pond.

13) Impervious cover for the PUD will be computed on a gross site area basis. There will be no reduction in impervious cover as a result of building on slopes. This is a variance from LDC Section 25-8-62.

PROPERTY OWNER: Austin HB Residential Properties (John McCullough)

AGENT: Minter, Joseph & Thornhill, P.C. (John M. Joseph)

DEPARTMENT COMMENTS:

The property in question is undeveloped. The applicant is requesting to amend the Harris Branch Planned Unit Development (PUD) to change the designation of Tracts SG-1 through SG-14 from SF-4 (174.21 acres), SF-6 (54.26 acres), MF-2 (42.00 acres), MF-3 (53.00 acres), LR (20.98 acres), and P (2.00 acres) district uses and development regulations to CH (253.21 acres) and P (50.75 acres) district uses and development regulations. On the proposed land use plan changes, 61.34 acres of this site is now shown as designated for future right-of-way. The applicant is requesting this amendment to the Harris Branch PUD because the planned alignment of State Highway 130 will bisect the southeast corner of the approved PUD plan.

The staff does not recommend the applicant's request for the Harris Branch PUD Amendment #13 because the applicant did not submit a Transportation Impact Analysis addendum for the property under consideration as part of this application. In this substantial PUD amendment, the applicant is requesting to add 253.21 acres of CH, Commercial Highway, district uses to the Harris Branch PUD. The addition of this level of commercial development within the PUD could increase the traffic generated by this site by 103,510 vehicle trips per day. Therefore, under Section 25-6-113 of the Land Development Code, the Transportation staff is requiring the applicant to submit a TIA addendum with this rezoning application because the expected number of trips generated by the project will exceed 2,000 vehicle trips per day (See Memorandum from Transportation Review – Attachment E).

The applicant agrees with the City Council's recommendation at first reading.

DATE OF FIRST READING/VOTE: October 27, 2005/Approved ZAP recommendation for PUD amendment with additional conditions by consent (6-0, Alvarez-off dias); 1st reading

December 15, 2005/Postponed at the staff's request to January 12, 2006 (7-0)

January 12, 2006/Postponed to February 16, 2006 at the applicant's request (6-0)

CITY COUNCIL DATE: February 16, 2006

CITY COUNCIL ACTION:

ASSIGNED STAFF: Sherri Sirwaitis

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

ZONING CHANGE REVIEW SHEET

CASE: C814-90-0003.13 **Z.A.P. DATE**: September 6, 2005
September 20, 2005

ADDRESS: 1375 U.S. Highway 290 East at Proposed State Highway 130

APPLICANT/OWNER: Austin HB Residential Properties (John McCullough)

AGENT: Minter, Joseph & Thornhill, P.C. (John M. Joseph)

ZONING FROM: PUD **TO**: PUD **AREA**: 331.140 acres

The applicant is requesting to amend 331.140 acres of the Harris Branch Planned Unit Development to allow CH, Commercial Highway, district and P, Public, district uses and development standards on Tracts SG-1 through SG-14 of the PUD (Redlined PUD Land Use Plan-Attachment A). In addition, the applicant is requesting the following variances/waivers to the original conditions of the PUD through this application (Request Letter-Attachment B*):

1) ~~The definition of "site", as found in Section 25-1-21 of the City of Austin Land Development Code, shall be modified to provide that the land included within the geographic boundaries of the PUD be considered as a single site for all development purposes including landscaping and parking for water quality and storm management purposes (requested variance to LDC Sec. 25-1-21).~~ **The applicant is amended this request to ask that the Land Development Code be modified to provide that the land included within the geographic boundaries of the PUD be considered as a single site for all development purposes including parking, streets, and/or railroads or other transportation corridors in a letter to Pat Murphy, dated September 20, 2005 (Letter to Pat Murphy-Attachment G).**
2) ~~Development intensity may be transferred from tract to tract within the PUD site without concurrently platting the transferring and receiving tracts (requested variance to LDC Sec. 25-8-395(B)(2).~~ **Withdrawn by the applicant in a letter to Pat Murphy dated September 20, 2005 (Letter to Pat Murphy-Attachment G).**
3) If additional parkland requirements are triggered as a result of any residential development within the East and West PUD tracts fronting US Highway 290, this will be satisfied through the parkland dedication made and required to be made in the remainder of the Harris Branch PUD.
4) Permitted uses, conditional uses, prohibited uses, accessory uses, and site development regulations are modified to allow development in the PUD to comply with site development regulations and permitted uses of the PUD land use plan.
5) ~~Section 25-4-151 (Street Alignment) shall be modified to allow for the Director to approve a departure from the street alignment requirements if the topography, requirements for traffic circulation, or other extenuating circumstances renders a strict compliance with the Street Alignment requirements aesthetically unappealing or more costly.~~ **Removed by the applicant in a meeting with staff on 8/31/05**
6) ~~State Highway 130 is providing stormwater management and water quality controls. The Harris Branch PUD development is not required to provide for either financially or otherwise within the PUD tracts and the development on the PUD tracts will be allowed to develop without taking into consideration the development of State Highway 130 and~~

~~the expansion of US Highway 290 East.~~ **Withdrawn by the applicant in a letter to Pat Murphy dated September 20, 2005 (Letter to Pat Murphy-Attachment G).**

7) The impervious cover for State Highway 130 and U.S. Highway 290 shall not be included in the impervious cover calculations for the PUD (requested variance to LDC Sec. 25-8-65).
8) Traffic Impact Analyses shall be waived for development within the PUD that takes ingress and egress from State Highway 130 and/or U.S. Highway 290. For the developments within the PUD that take access directly from Blue Goose and/or Parmer Lane, specifically tracts SG-2, SG-11, and SG-14, the requirement for a Traffic Impact Analysis will be deferred to the site plan stage of that particular development. If developments within the PUD do not request direct access to Blue Goose Lane and/or Parmer Lane, then a TIA will not be required (requested wavier and variance to LDC Sec. 25-6-113).
9) ~~Land uses shown on the land use plan may be employed on any tract in the PUD without further approval of the City of Austin as long as development intensities do not exceed those allowed under the approved PUD. Changes may be made in the land use plan by the director as long as the change of use would be the same or more restrictive than the approved PUD land use plan.~~ **Removed by the applicant in a meeting with staff on 8/31/05**
10) Cut and fill variances shall not be required as long as cut and fill for the development of the PUD does not exceed ten (10) feet. There shall be no cut and fill limitations with respect to cut and fill that is to occur under a foundation with sides perpendicular to the ground for backfill for utility construction in a public or private right-of-way, for utility construction, storm water and water facilities, drives, and sidewalks (requested variance to LDC Sec. 25-8-341 & 25-8-342). ***In a meeting with staff and the applicant's agent on 8/31/05, the agent indicated this request would be modified to ask for an administrative waiver to allow cut/fill to exceed the four-foot limitation found in LDC Section 25-8-341 & 25-8-342, up to a maximum of 15 feet. This request was formally amended by the applicant in a letter to Pat Murphy dated September 20, 2005 (Item # 8 in the Letter to Pat Murphy-Attachment G).**
11) Water features found within the area of the PUD will be addressed in the manner previously agreed to with the staff regarding the preliminary plan (currently under review by staff).
12) The "stock tanks" that exist within the PUD shall not be considered Critical Environmental Features (CEFs). Although the applicant will recognize a "Critical Water Quality Zone" as that term is defined in the LDC, around each of these "stock tanks," as if the "stock tanks"were CEFs, there will be no designation of a Water Quality Buffer Zone and there will be no development limitations within the area that would have been designated as a Water Quality Buffer Zone.
13) Impervious cover allowances designated in the zoning granted for the PUD shall not be diminished by watershed regulations. If this is necessary, then the watershed regulations shall be varied to make the allowable impervious cover under the applicable watershed regulation the same as allowed in the CH, Commercial Highway District, zoning designation (85%).
14) ~~The owner/applicant will add an appropriate note that will provide that water quality controls may be provided on a PUD wide basis. Water quality controls will not be required on a lot by lot and/or tract by tract basis. The owner/applicant also requests the appropriate variances to allow consideration and treatment of water quality on the basis of the entire PUD area.~~ **Removed by the applicant in a meeting with staff on 8/31/05**
15) A block length variance shall be granted for all streets within the amended PUD (requested variance to LDC Section 25-4-153).

16) ~~The city shall waive the requirement for sidewalks along Parmer Lane, State Highway 130 and U.S. Highway 290 (requested waiver to TCM Sec. 25-6-351 & 25-6-352).~~ **Withdrawn by the applicant in a letter to Pat Murphy dated September 20, 2005 (Letter to Pat Murphy-Attachment G).**

*** The applicant e-mailed an updated list of requested variances/waivers to the staff on September 2, 2005 (Amended Variance Request List with Exhibits-Attachment F). In this revised list the applicant removed items 5, 9, and 14 listed above as discussed in a meeting with the staff on August 31, 2005. The applicant also modified the request in item #10 above (item # 8 in the Amended Variance Request List-Attachment F) to ask for an administrative waiver to allow cut/fill to exceed the four-foot limitation found in LDC Section 25-8-341 & 25-8-342, up to a maximum of 15 feet.**

SUMMARY STAFF RECOMMENDATION:

The staff's recommends denial of the proposed amendment to the Harris Branch PUD.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

9/06/05: Postponed to September 20, 2005 at the applicant's request (9-0); J. Martinez-1st, J. Gohil-2nd.

9/20/05: Approved PUD amendment to allow the following:

1) CH development regulations and uses on Tracts SG-1, SG-2, SG-3, SG-4, SG-6, SG-7, SG-8, SG-9, SG-10, SG-13, SG-14 and P development regulations and uses on 2.17 acre Transit Tract (located at the south eastern corner of the PUD)
2) Limit height to 125 feet in CH designated areas (Tracts SG-1, SG-2, SG-3, SG-4, SG-6, SG-7, SG-8, SG-9, SG-10, SG-13, SG-14)
3) If additional parkland requirements are triggered as a result of any residential development within the East and West PUD tracts fronting US Highway 290, this will be satisfied through the parkland dedication made and required to be made in the remainder of the Harris Branch PUD.
4) Permitted uses, conditional uses, prohibited uses, accessory uses, and site development regulations are modified to allow development in the PUD to comply with site development regulations and permitted uses of the PUD land use plan.
5) Traffic Impact Analyses will be deferred to the site plan stage of development.
6) The impervious cover for State Highway 130 and U.S. Highway 290 shall not be included in the impervious cover calculations for the PUD (requested variance to LDC Sec. 25-8-65).
7) An administrative variance to cut and fill in excess of four (4) feet but less than fifteen (15) feet. There shall be no cut and fill limitations with respect to cut and fill to occur under a foundation with sides perpendicular to the ground for backfill for utility construction, in public or private roadway right-of-way, for utility construction, storm water and water quality facilities, driveways and sidewalks.
8) Impervious cover allowances designated in the zoning granted for the PUD shall not be diminished by watershed regulations. If this is necessary, then the watershed regulations shall be varied to make the allowable impervious cover

under the applicable watershed regulation the same as allowed in the CH, Commercial Highway District, zoning designation (85%).

9) A block length variance shall be granted for all streets within the amended PUD (requested variance to LDC Section 25-4-153).

10) Stock tanks and water features shall meet the satisfaction of the Environmental staff.

11) Incorporate applicable conditions listed in the letter to Pat Murphy, the Environmental Officer, dated September 20, 2005 (Attachment G).

Vote: (9-0); K. Jackson-1st, J. Martinez-2nd.

ISSUES:

The Environmental Board requested to rehear this case on October 19, 2005 enlight of new information that was presented by the applicant to the Zoning and Platting Commission on September 20, 2005. The Environmental Board voted to recommend the applicant's request for a variance to amend the Harris Branch PUD Ordinance # 901213-4 to include exceptions to certain watershed regulations. The draft Environmental Board Motion Sheet with recommendations is included as Attachment H to this report.

The application for the Harris Branch PUD Amendment #13 was submitted on March 7, 2005. The staff reviewed the request and forwarded comments to the applicant in the form of a Master Report on March 28, 2005. The applicant responded to the staff's comments on May 31, 2005 by submitting a formal update to the city. The staff determined that the update did not address the previous comments sufficiently and therefore sent the applicant a second Master Report on June 14, 2005. The applicant and staff met on July 14, 2005 to go over the report. At this meeting, the staff and the agent for the case, John Joseph, discussed the fact that they remained in disagreement about issues regarding the proposed amendment and Mr. Joseph requested that the case be placed on the next available Environmental Board and Zoning & Platting Commission meeting agendas. The applicant submitted additional information to some of the review staff on July 20, 2005 with a brief response to the comments in Master Report #2 (The applicant did not submit a formal update to Intake for distribution as required). The staff then requested a concise/consolidated list of the variances and waivers that the applicant is requesting with the PUD amendment application. This information was delivered to the staff on August 16, 2005. The environmental reviewer for this case did not have an opportunity to review this request and make a recommendation prior to the Environmental Board meeting on August 17, 2005. The applicant decided to proceed with their presentation and the Environmental Board recommended denial of this request based on a lack of information from the applicant (Environmental Board Motion-Attachment D).

DEPARTMENT COMMENTS:

The property in question is undeveloped. The applicant is requesting to amend the Harris Branch Planned Unit Development (PUD) to change the designation of Tracts SG-1 through SG-14 from SF-4 (174.21 acres), SF-6 (54.26 acres), MF-2 (42.00 acres), MF-3 (53.00 acres), LR (20.98 acres), and P (2.00 acres) district uses and development regulations to CH (253.21 acres) and P (50.75 acres) district uses and development regulations. On the proposed land use plan changes, 61.34 acres of this site is now shown as designated for future right-of-way. The applicant is requesting this amendment to the Harris Branch PUD because the planned alignment of State Highway 130 will bisect the southeast corner of the approved PUD plan.

The staff does not recommend the applicant's request for the Harris Branch PUD Amendment #13 because the applicant did not submit a Transportation Impact Analysis addendum for the property under consideration as part of this application. In this substantial PUD amendment, the applicant is requesting to add 253.21 acres of CH, Commercial Highway, district uses to the Harris Branch PUD. The addition of this level of commercial development within the PUD could increase the traffic generated by this site by 103,510 vehicle trips per day. Therefore, under Section 25-6-113 of the Land Development Code, the Transportation staff is requiring the applicant to submit a TIA addendum with this rezoning application because the expected number of trips generated by the project will exceed 2,000 vehicle trips per day (See Memorandum From Transportation Review – Attachment E).

In addition, the applicant is requesting a number of variances and waivers to the existing PUD regulations through this amendment. The staff has reviewed these variances listed below and has made the following recommendations:

1) The definition of "site", as found in Section 25-1-21 of the City of Austin Land Development Code, shall be modified to provide that the land included within the geographic boundaries of the PUD be considered as a single site for all development purposes including landscaping and parking for water quality and storm management purposes (requested variance to LDC Sec. 25-1-21).

   Not recommended (See Memorandum From Environmental Review-Attachment C)

2) To transfer development intensity from tract to tract within the PUD site without concurrently platting the transferring and receiving tracts, as required by LDC Sec.25-8-395(B)(2)

   Recommended by staff

3) If additional parkland requirements are triggered as a result of any residential development within the East and West PUD tracts fronting US Highway 290, this will be satisfied through the parkland dedication made and required to be made in the remainder of the Harris Branch PUD.

   Recommended by staff

4) Permitted uses, conditional uses, prohibited uses, accessory uses, and site development regulations are modified to allow development in the PUD to comply with site development regulations and permitted uses of the PUD land use plan.

   Recommended by staff

5) Request removed.

6) State Highway 130 is providing stormwater management and water quality controls. The Harris Branch PUD development is not required to provide for either financially or otherwise within the PUD tracts and the development on the PUD tracts will be allowed to develop without taking into consideration the development of State Highway 130 and the expansion of US Highway 290 East.

Not Recommended. The staff received this request in a letter from the applicant (dated August 15, 2005) at 4:30 p.m. on August 16, 2005. The environmental reviewer did not have an opportunity to review this request and make a recommendation prior to the Environmental Board meeting on August 17, 2005. The Environmental Board recommended denial of this request based on a lack of information from the applicant (Environmental Board Motion-Attachment D).

7) The impervious cover for State Highway 130 and U.S. Highway 290 shall not be included in the impervious cover calculations for the PUD (requested variance to LDC Sec. 25-8-65).

Recommended by staff (See Memorandum From Environmental Review-Attachment C)

8) Traffic Impact Analyses shall be waived for development within the PUD that takes ingress and egress from State Highway 130 and/or U.S. Highway 290. For the developments within the PUD that take access directly from Blue Goose and/or Parmer Lane, specifically tracts SG-2, SG-11, and SG-14, the requirement for a Traffic Impact Analysis will be deferred to the site plan stage of that particular development. If developments within the PUD do not request direct access to Blue Goose Lane and/or Parmer Lane, then a TIA will not be required (requested wavier and variance to LDC Sec. 25-6-113).

Not Recommended (See Memorandum From Transportation Review – Attachment E)

9) Request removed.

10) Cut and fill variances shall not be required as long as cut and fill for the development of the PUD does not exceed ten (10) feet. There shall be no cut and fill limitations with respect to cut and fill that is to occur under a foundation with sides perpendicular to the ground for backfill for utility construction in a public or private right-of-way, for utility construction, storm water and water facilities, drives, and sidewalks (requested variance to LDC Sec. 25-8-341 & 25-8-342). ***In a meeting with staff and the applicant's agent on 8/31/05, the agent indicated this request would be modified to ask for an administrative waiver to allow cut/fill to exceed the four-foot limitation found in *LDC Section 25-8-341 & 25-8-342, up to a maximum of 15 feet.***

Recommended by staff (See Memorandum From Environmental Review-Attachment C)

11) Water features found within the area of the PUD will be addressed in the manner previously agreed to with the staff regarding the preliminary plan (currently under review by staff).

Not Recommended (See Memorandum From Environmental Review-Attachment C)

12) The "stock tanks" that exist within the PUD shall not be considered Critical Environmental Features (CEFs). Although the applicant will recognize a "Critical Water Quality Zone" as that term is defined in the LDC, around each of these "stock tanks," as if the "stock tanks"were CEFs, there will be no designation of a Water Quality Buffer

Zone and there will be no development limitations within the area that would have been designated as a Water Quality Buffer Zone.

Not Recommended. The staff received this request in a letter from the applicant (dated August 15, 2005) at 4:30 p.m. on August 16, 2005. The environmental reviewer did not have an opportunity to review this request and make a recommendation prior to the Environmental Board meeting on August 17, 2005. The Environmental Board recommended denial of this request based on a lack of information from the applicant (Environmental Board Motion-Attachment D).

13) Impervious cover allowances designated in the zoning granted for the PUD shall not be diminished by watershed regulations. If this is necessary, then the watershed regulations shall be varied to make the allowable impervious cover under the applicable watershed regulation the same as allowed in the CH, Commercial Highway District, zoning designation (85%).

Not Recommended. The staff received this request in a letter from the applicant (dated August 15, 2005) at 4:30 p.m. on August 16, 2005. The environmental reviewer did not have an opportunity to review this request and make a recommendation prior to the Environmental Board meeting on August 17, 2005. The Environmental Board recommended denial of this request based on a lack of information from the applicant (Environmental Board Motion-Attachment D).

14) Request removed.

15) A block length variance shall be granted for all streets within the amended PUD (requested variance to LDC Section 25-4-153).
Not Recommended (See Memorandum From Transportation Review – Attachment E)

16) The city shall waive the requirement for sidewalks along Parmer Lane, State Highway 130 and U.S. Highway 290 (requested waiver to TCM Sec. 25-6-351 & 25-6-352).

Not Recommended (See Memorandum From Transportation Review – Attachment E)

The applicant disagrees with the staff recommendation for this case.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	PUD	Undeveloped
North	County	Undeveloped
South	GR-MU-CO, County, DR, PUD, County	Office, Residential, Agricultural Uses (Cattle Grazing), Tavern (Cocktail Lounge), Undeveloped Tract, Retail Sales, Undeveloped Tracts
East	DR, County	Undeveloped
West	County, PUD	Undeveloped Tract, Office/Equipment Repair/Outdoor Storage, Single Family Residences

AREA STUDY: N/A **TIA**: Required

WATERSHED: Harris Branch, Gilleland Creek, Decker Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No **HILL COUNTRY ROADWAY**: No

NEIGHBORHOOD ORGANIZATIONS:

511 – Austin Neighborhoods Council
643 – North East Action Group

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-04-0008	I-RR to GR-MU	3/02/04: Approved staff's rec. of GR-MU-CO, with a CO for a 2,000 vtpd limit, by consent (8-0, J. Gohil-absent)	4/01/04: Granted ZAP rec. for GR-MU-CO zoning by consent (7-0); all 3 readings
C814-90-0003.12 (Harris Branch PUD)	11/08/01: PUD Revision #12	Approved Administratively 2/26/02: Approved Appeal to deny staff administrative amendment to PUD land use plan (8-0)	8/22/02: Upheld appeal (7-0)
C814-90-0003.11	8/31/00: PUD Revision #11	1/23/01: Approved staff rec. w/conditions by consent (8-0)	3/1/01: Approved PUD (7-0); all 3 readings
C814-90-0003.10	11/05/99: PUD Revision #10	11/22/99: Approved Administratively	N/A
C814-90-0003.09	12/22/97: PUD Revision #9	5/13/98: Approved Administratively	N/A
C814-90-0003.08	3/18/96: PUD Revision #8	3/15/96: Administrative Approval of Parks/Trails Package	N/A
C814-90-0003.07	1/06/94: PUD Revision #7	1/15/96: Approved Administratively	N/A
C814-90-0003.06	10/11/93: PUD Revision #6	6/06/94: Approved Administratively	N/A
C814-90-0003.05	11/09/92: PUD Revision #5	12/4/92: Approved Change Acreages to Comply with Tract Surveys-Administrative	N/A

		Revision # 5	
C814-90-0003.04	3/02/92: PUD Revision #4	6/29/92: Approved Administratively	N/A
C814-90-0003.03	9/06/91: PUD Revision #3	1/14/92: Approved Administratively	N/A
C814-90-0003.02	8/13/91: PUD Revision #2	9/05/91:Approved Administratively	N/A
C814-90-0003.01	7/08/91: PUD Revision #1	7/29/91:Approved Administratively	N/A
C814-90-0003	10/31/90: PUD Revision From DR to PUD (LI)	12/11/90: Approved PUD w/ conditions (6-0-1, WB-abstain)	12/13/90: Approved PUD (5-0); all 3 readings
C814-89-0004 (Harris Branch PUD)	SF-2, SF-4, & SF-6 to PUD	6/27/89: Granted with conditions.	7/27/89: Approved PUD w/ conditions (6-0); 1st reading 11/16/89: Approved PUD w/ conditions (5-0); 2nd/3rd readings
C14-86-188	DR, I-RR to SF-2, SF-4 DR, I-RR to SF-6, MF-2 DR, I-RR to MF-3, LR DR, I-RR to GR, GO DR, I-RR to LO, LI DR, I-RR to IP, P	11/4/86: Approved SF-2, SF-4, SF-6, MF-2, MF-3, LR, GR, LO, GO, LI, IP, P & RR w/ conditions (6-3)	12/18/86: Approved SF-2, SF-4, SF-6, MF-2, MF-3, LR, GR, GO, LO, LI, IP, & P; 1st reading 4/23/87: Approved SF-2, SF-4, SF-6, MF-2, MF-3, LR, GR, GO, LO, LI, IP, & P (4-0); 2nd reading 4/30/87: Approved SF-2, SF-4, SF-6, MF-2, MF-3, LR, GR, GO, LO, LI, IP, & P (5-0); 3rd reading

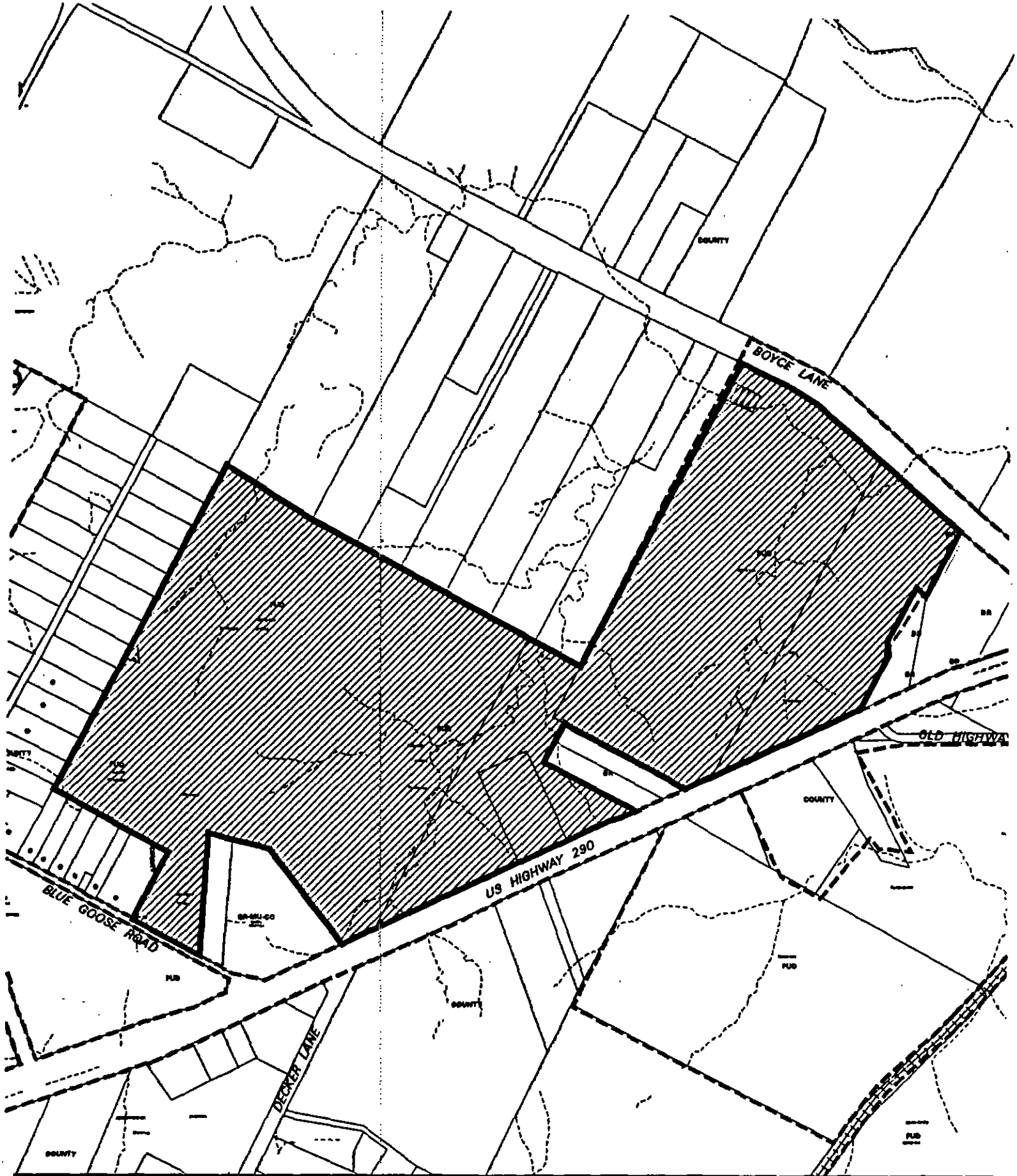
RELATED CASES: C814-90-0003

ABUTTING STREETS:

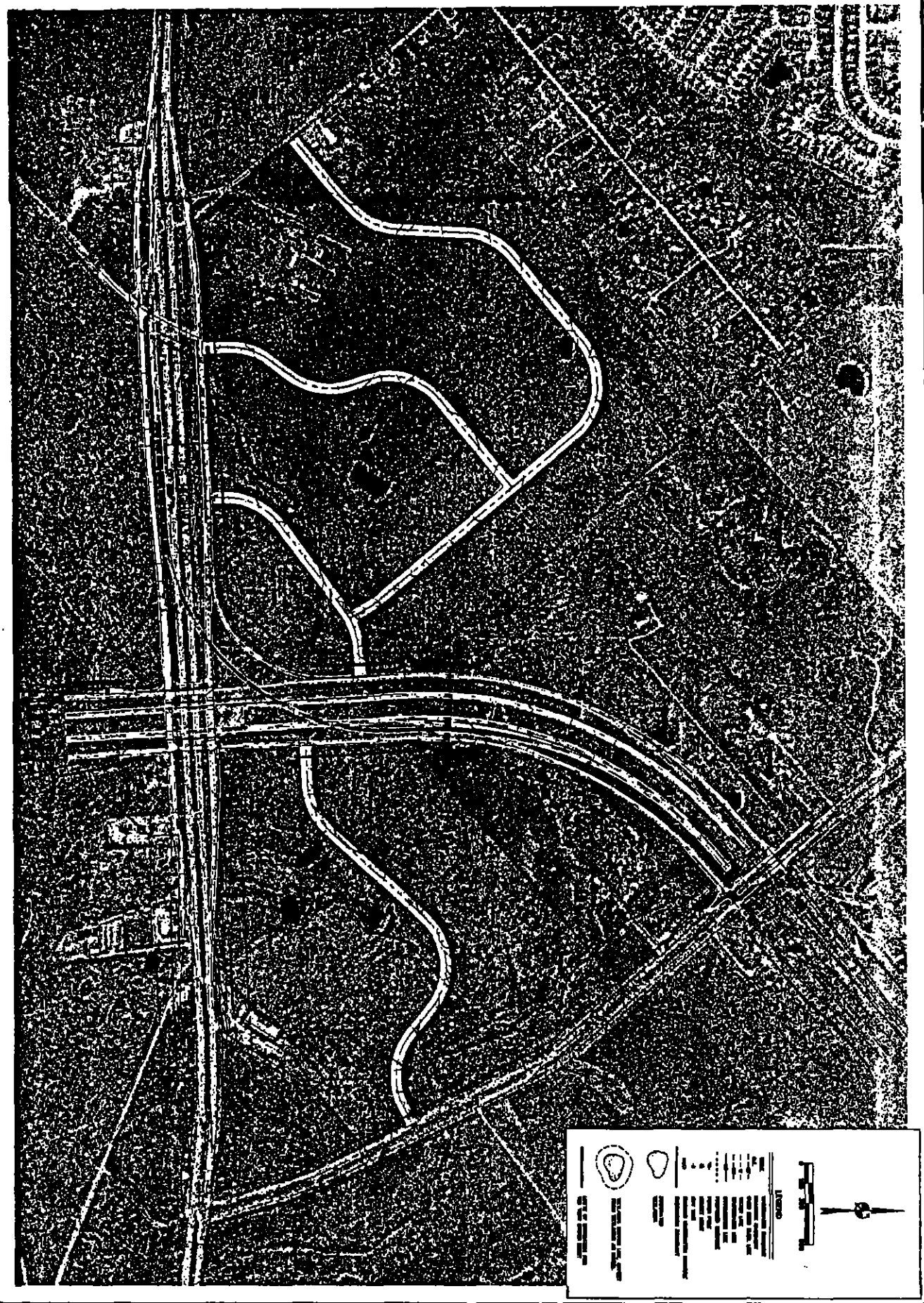
NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
Parmer Lane	200'	Varies	Arterial	
US Hwy 290	Varies	Varies	Arterial	
SH 130	Varies	Not constructed	Toll Facility	

CASE MANAGER: Sherri Sirwaitis **PHONE:** 974-3057
sherri.sirwaitis@ci.austin.tx.us

CITY COUNCIL DATE: October 27, 2005		**ACTION:** Approved ZAP recommendation for PUD amendment with additional conditions by consent (6-0, Alvarez-off dias); 1st reading
	December 15, 2005	**ACTION:** Postponed to January 12, 2006 at the staff's request (7-0)
	January 12, 2006	**ACTION:** Postponed to February 16, 2006 at the applicant's request (6-0)
	February 16, 2006	**ACTION:**
ORDINANCE READINGS: 1st 10/27/05		2nd 3rd
ORDINANCE NUMBER:		



SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: S. GAGER 1" = 1000'	PLANNED UNIT DEVELOPMENT CASE #: C814-90-0003.13 ADDRESS: 1375 FROM E US HWY 290 @ HARRIS BRANCH PKWY SUBJECT AREA (acres): 331.140 DATE: 05-03 INTLS: SM		CITY GRID REFERENCE NUMBER R29



Date: JANUARY 18, 2001
Drawn by: A. BOW
File: 13B20BDA.DWG
Area:
Project No.: 130-20.20

HARRIS BRANCH

ADVISED BY RESIDENTIAL PROPERTIES, LTD

SCOTS GLEN SUBDIVISION

BASE MAP

CSA COOK-STEINMAN & ASSOCIATES, INC.
Consulting Engineers and Land Planning
Austin, Texas Tel (512) 454-8777 Fax (512) 454-2990

STAFF RECOMMENDATION

The staff's recommends denial of the proposed amendment to the Harris Branch 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 proposed amendment to the Harris Branch PUD does not provide benefits to the overall PUD that could not be accomplished through standard CH, Commercial Highway District, zoning. The staff understands the applicant's request to amend the uses and development standards on Tracts SG-1 through SG-14 because of the bisection of the Harris Branch PUD by the development of State Highway 130. However, the staff does not support the amount (253.21 acres) of CH District uses in this request. The staff agrees that CH district uses are appropriate along the frontage of U.S. Highway 290 East and State Highway 130. However, the staff recommends a transition in the intensity of uses away from the proposed intersection of State Highway 130 and U.S. Highway 290 to the northwest. In addition, the staff recommends GR-MU, Community Commercial-Mixed Use District, uses and development standards for Tracts SG-1 and SG-3 to provide compatibility with the existing residences (large lot single family homes and ranches) located in the county to the west of these tracts. A transition in commercial uses within the PUD will still allow for flexibility in development within the Harris Branch PUD.

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 proposed amendment #13 to the Harris Branch PUD will not result in a superior development than that which could have occurred using conventional zoning. In this application, the applicant is requesting 253.21 acres of CH District uses and development standards at the southeastern edge of the approved PUD and numerous variances and waivers to the original PUD regulations. However, in this amendment the applicant has not provided any benefits/improvements to the PUD that will result in superior development through these changes for the overall PUD. The applicant did not agree to conduct a Transportation Impact Analysis (TIA) addendum with this application. Therefore, the staff cannot determine the overall impact of the increase in the intensity of uses and development standards to the PUD and to surrounding developments.

Existing Land Use

The property in question is part of an existing PUD that consists of 2113.52 acres of land located at the intersection of U.S Highway 290 East and Parmer Lane. The site is currently undeveloped.

Impervious Cover

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Harris Branch 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 property lies within the Desired Development Zone.

Drainage Construction

The applicant has not submitted a formal update to the Intake division to address/clear the following staff comments:

Please add one of the following Detention Notes to plan sheets [LDC 25-7-61, DCM 1.2.2, DCM 8.2.1, DCM 8.3.2]:

ON-SITE DETENTION
"Prior to construction on lots in this subdivision, drainage plans will be submitted to the City of Austin for review. Rainfall run-off shall be held to the amount existing at undeveloped status by ponding or other approved methods."

Electric

Comments clear on these changes to the proposed land use.

Environmental

The applicant requested the following environmental variances with the PUD application:

a) To modify the definition of "site" as found in Section 25-1-21 of the LDC, to provide that the land included within the geographic boundaries of the PUD be considered a single site for all development purposes.
b) To transfer from tract to tract within and between each of the PUD tracts without concurrently platting the transferring and receiving tracts, as required by LDC Section 25-8-395(B)(2)
c) To not account for the perimeter roadway impervious cover associated with SH 130 and US 290, as required by LDC Section 25-8-65
d) To allow cut/fill to exceed the four foot limitation found in LDC Section 25-8-341 & 25-8-342, up to a maximum of 10 feet
e) To address water features in the PUD as agreed to in the preliminary plan, currently in review by Watershed Protection and Development Review

Please see the Memorandum From Environmental Review (Attachment C) for the staff recommendations concerning the variances listed above.

The applicant requested the following additional variances in a letter dated August 15, 2005:

f) State Highway 130 is providing stormwater management and water quality controls. The Harris Branch PUD development is not required to provide for either financially or otherwise within the PUD tracts and the development on the PUD tracts will be allowed to develop without taking into consideration the development of State Highway 130 and the expansion of US Highway 290 East.

g) The "stock tanks" that exist within the PUD shall not be considered Critical Environmental Features (CIFs). Although the applicant will recognize a "Critical Water Quality Zone" as that term is defined in the LDC, around each of these "stock tanks," as if the "stock tanks"were CIFs, there will be no designation of a Water Quality Buffer Zone and there will be no development limitations within the area that would have been designated as a Water Quality Buffer Zone.

h) Impervious cover allowances designated in the zoning granted for the PUD shall not be diminished by watershed regulations. If this is necessary, then the watershed regulations shall be varied to make the allowable impervious cover under the applicable watershed regulation the same as allowed in the CH, Commercial Highway District, zoning designation (85%).

The staff received these requests (items f – h listed above) in a letter from the applicant at 4:30 p.m. on August 16, 2005. The environmental reviewer did not have an opportunity to review the requests and make a recommendation prior to the Environmental Board meeting on August 17, 2005. The Environmental Board recommended denial of these requests based on a lack of information from the applicant (Environmental Board Motion-Attachment D).

The applicant has not submitted a formal update to the Intake division to address/clear the following staff comments:

No summary letter was included with this update detailing the changes and justification. Please include this with the update.

The extent of the zoning changes does not appear to be entirely justified. In order to comply more closely with original P.U.D. agreement, the intensive CH zoning should be limited only to property that is fronting the highways.

The revision proposes more intensive uses for more the majority of the tracts, thus higher overall impervious cover. While the revision dedicates P zoning tracts over some of the existing drainage features, this does not sufficiently counterbalance the significant impervious cover increase and the corresponding environmental and water quality impact. Given this, environmental staff cannot support the revision at this time.

Floodplain

No comments received.

Industrial Waste

No requirements under Chapter 15-10 of the Austin City Code (Sewers and Sewage Disposal Ordinance). Please submit Water/Sewer plans when they become available.

Parks and Recreation

No comment.

Transportation

The applicant requested the following environmental variances with the PUD application:

a) The applicant proposes to revise Section 25-4-151(which requires streets of a new subdivision to be aligned with existing streets on adjoining properties unless the Land Use Commission determines that the Comprehensive Plan, topography,-requirements of traffic circulation, or other considerations make it desirable to depart from the alignment) to permit the Director of Watershed Protection and Development Review approval authority.

b) The applicant proposes to have the TIA waived for the development that takes ingress and egress from SH 130 and/or US 290 and for those tracts that will directly access Blue Goose Lane and/or Parmer Lane (Tracts SG-2, SG-11, and SG-14). The TIA requirement will be deferred to the time of site plan, unless no direct access to Blue Goose Lane and/or Parmer Lane is proposed then no TIA will be required (requested wavier and variance to LDC Sec. 25-6-113).

c) The applicant requests a block length variance to Section 25-4-153 (which requires a block to not exceed 1,200 feet in length with the following exceptions: A residential block that is parallel and adjacent to an arterial street may be up to 1,500 feet in length; A commercial or industrial block may be up to 2,000 feet in length if the Director determines that there is adequate traffic circulation and utility service) for all streets within the East and West portions of the PUD.

d) The applicant requests that a waiver to Section 25-6-351 and 25-6-352 (which requires the installation of sidewalks in accordance with the Transportation Criteria Manual at the time of subdivision and site plan) be granted from the requirement to provide sidewalks along Parmer Lane, SH 130, and US 290.

Please see the Memorandum From Transportation Review (Attachment E) for the staff recommendations concerning the variances listed above.

The applicant has not submitted a formal update to the Intake division to address/clear the following staff comments:

After further review of the zoning change request staff is requiring a Traffic Impact Analysis (TIA). A zoning application is not complete until the required TIA has been received. This delay in the submittal of the TIA may result in a delay in the scheduling of this zoning change request on a Land Use Commission agenda. The TIA must be submitted at least 26 calendar days (18 working days) prior to consideration of this case by the Commission. Please contact the assigned transportation reviewer for this case. [LDC, 25-6-113]

Has the Texas Turnpike Authority (TTA) acquired the property for SH130? Please note that right-of-way dedication and/or reservation may be required.

Has the Texas Turnpike Authority approved the 2 street tie-in locations shown on the revision?

Approval from the TTA for the tie-ins to SH130 and from TXDOT for the street connections to SH71 are required prior to final approval.

Existing Street Characteristics:

NAME	ROW	PAVEMENT	CLASSIFICATION
Parmer Lane	200'	Varies	Arterial
US Hwy 290	Varies	Varies	Arterial
SH 130	Varies	Not constructed	Toll Facility

Water and Wastewater

The preliminary plan comments are satisfied.

The landowner intends to serve each lot with City water and wastewater utilities. The landowner. At own expense, will be responsible for providing the necessary water and wastewater utility improvements and system upgrades to serve each lot. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City design criteria. The utility construction must be inspected by the City.

Water Quality

The applicant has not submitted a formal update to the Intake division to address/clear the following staff comments:

All engineering representations must be signed by the responsible engineer.

Please place the following note on the cover sheet of the plans: "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."

This project must have a drainage report singed dated and sealed by a Professional Engineer otherwise will be reviewed at preliminary plan and or final plat stage.

In addition, please add the following notes on plan sheets:

"Water Quality Controls are required for all development with impervious cover in excess of 20% of the Net Site Area of each lot pursuant to Land Development Code 25-8-211."

"Two-year peak flow control as determined under the Drainage Criteria Manual and the Environmental Criteria Manual is required pursuant to Land Development Code 25-7-61."

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

The applicant has not submitted a formal update to the Intake division to address/clear the following staff comments:

The proposed increased from SF/MF to CH appears to be a significant increase in building coverage, density, and impervious coverage. The summary letter did not address how this revision is superior to the existing uses shown (especially tracts SG-1, 2 & 6). Also, there appears to be some compatibility issues for tracts SG-1 and SG-3, will the proposed CH comply with this?

Does the applicant propose to use the CH zoning district development standards and regulations for these tracts? Otherwise, for all non-residential development provide a summary table indicating the site development regulations for each existing and proposed use by tract and/or phase. Uses shall be listed at a level of detail sufficient for Traffic Impact Analysis review as required in Section 25-6. Include the following information [Sec. 25-2-411(I)]:
a. The maximum floor-area ratio (to be no greater than the maximum authorized in the most restrictive base zoning district where the most intense proposed use on a tract is first authorized as a permitted use). b. Total square footage and whether structured parking facilities are proposed. c. Maximum impervious cover; d. Maximum height limitation; e. Minimum setbacks, with a minimum front yard of no less than 25 feet and minimum street site yard no less than 15 feet, and in no event shall the setback be less than required pursuant to the Compatibility Standards; f. The number of curb cuts or driveways serving a non-residential project, which shall be the minimum necessary to provide adequate access to the site; g. All civic uses by type and proposed site development regulations. Additional site development regulations may be specified by the City Council.

If structures are proposed in excess of sixty feet in height, schematic drawings shall be provided which illustrate the height, bulk and location of such buildings and line of sight analyses from adjoining properties and/or rights-of-way. See submittal requirements. Is there a proposed height limit for the proposed CH?

It is difficult to tell on sheet 2 of the PUD plan what has changed, since Revision 13 is with 11 & 12, and the changes were not clouded.

Zoning/Land Use

The applicant has not submitted a formal update to the Intake division to address/clear the following staff comments:

The initial update provided by the applicant on June 1, 2005 did not adequately respond to the staff questions in the Master Report sent out on March 28, 2005.

Please identify how the proposed PUD revision is superior to the existing uses shown on Tracts SG-1 through SG-14 of the approved Harris Branch PUD. How does the applicant explain the need for 253.21 acres of CH uses at this location? The staff requires justification for this amount

of intensive zoning within the PUD. We would like to see a transition in uses away from the proposed intersection of S.H. 130 and U.S. Highway 290 to the north, interior to the PUD. The zoning staff agrees with the comments from the Environmental reviewer for this case that state that the intensive CH zoning standards and uses should be limited only to property that is fronting onto the highways/major arterial roadways.

Please redline the approved Harris Branch PUD Land Use Plan to directly show the proposed changes for the PUD. Please redline the PUD Densities Tables - Sheet 2 to display how the proposed revisions to Tracts SG-1 through SG-14 will affect the breakdown of uses and within the PUD. Please provide information concerning the how the proposed land use changes will affect the overall building coverage and impervious cover amounts within the PUD.

9.	**Zoning:**	**C14-05-0115 - Valley Vista**
	Location:	1804 Fort View, West Bouldin Creek Watershed
	Owner/Applicant:	Sarah Vonderharr
	Agent:	Howell Company (Bill Howell)
	Prev. Postponements:	Postponed on 09/06/05 (applicant)
	Request:	**GR to LO-MU**
	Staff Rec.:	**RECOMMENDED**
	Staff:	Robert Heil, 974-2330, robert.heil@ci.austin.tx.us Neighborhood Planning and Zoning Department

POSTPONED TO 10/04/05 (NEIGHBORHOOD)
[J.M; J.G 2ND] (9-0)

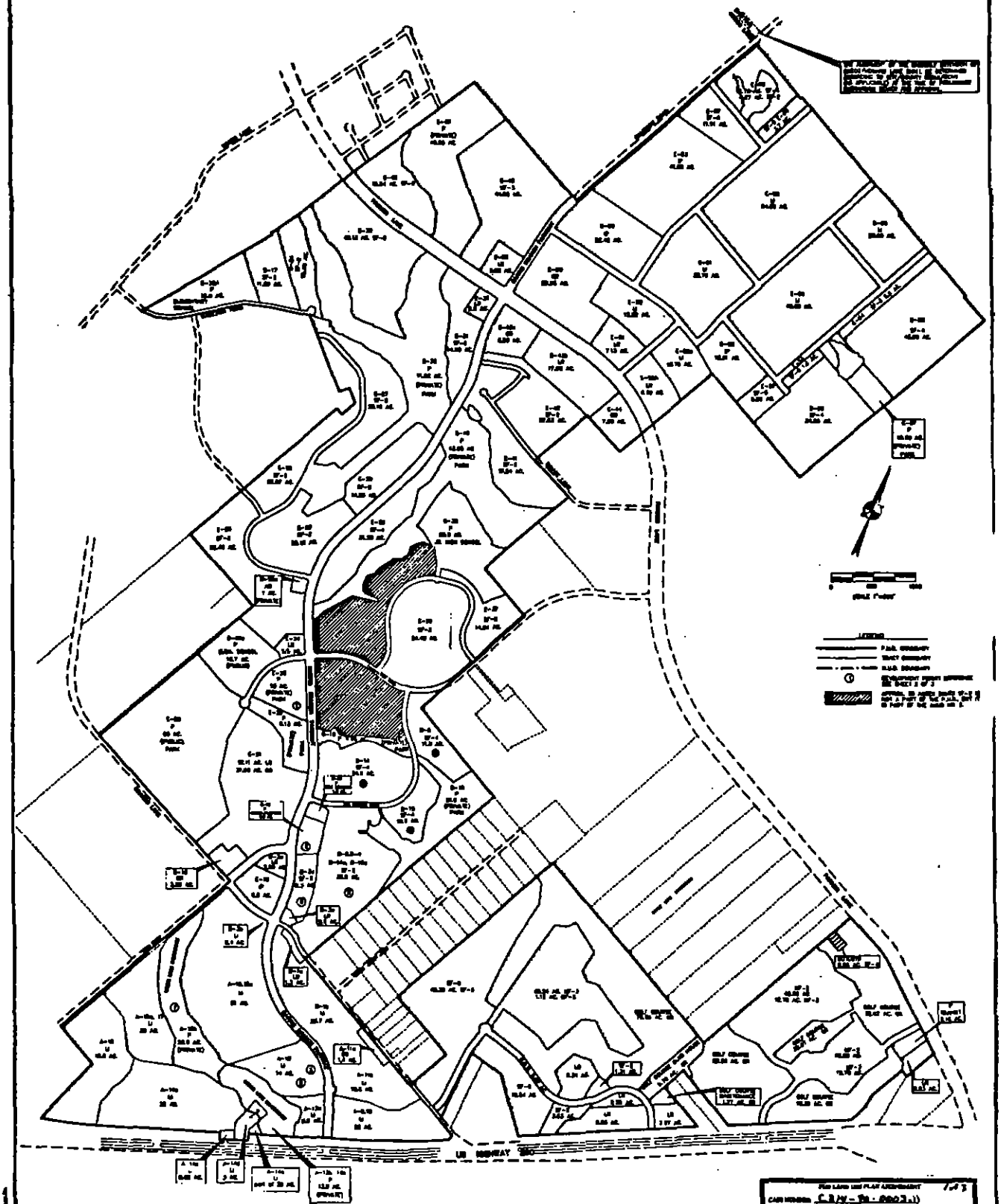
10.	**Rezoning:**	**C814-90-0003.13 - Harris Branch PUD Amendment #13 -Scots Glen**
	Location:	1375 U.S. Highway 290 East at Harris Branch Boulevard, Decker Creek Watershed
	Owner/Applicant:	Austin HB Residential Properties (John McCullough)
	Agent:	Minter, Joseph & Thornhill, P.C. (John M. Joseph)
	Prev. Postponements:	Postponed on 09/06/05 (applicant)
	Request:	**PUD to PUD**
	Staff Rec.:	**NOT RECOMMENDED**
	Staff:	Sherri Sirwaitis, 974-3057, sherri.sirwaitis@ci.austin.tx.us Neighborhood Planning and Zoning Department

APPROVE PUD ZONING;
- ALLOW CH DEVELOPMENT REGULATIONS; P-PUBLIC USES;
- LIMIT HEIGHT TO 125-FEET IN THE CH AREAS;
- ACCEPTING THE ITEMS 3, 4, 7, 10, 13, 15; AS SUBMITTED;
- TIA'S SUBMITTED WITH SITE PLAN; STOCK TANKS & WATER FEATURES MEET THE SATISFACTION OF ENVIRONMENTAL STAFF;
-ADD THE LETTER FROM PAT MURPHY
[K.J; J.M 2ND] (9-0)

Current Approved Harris Branch PUD Land Use Plan

P.U.D. LAND USE PLAN

C814-90-0003



HARRIS BRANCH

COOK-STEINMAN & ASSOCIATES, INC.
Consulting Engineers and Land Planning

SHEET 1 OF 3

P.U.D. LAND USE PLAN

C814-90-0003

P.U.D. Land Use Plan Originally prepared by:
Lichliter/Jameson & Associates, Inc.
Consulting Engineers
[illegible]

[illegible]

REVISIONS PREPARED BY:

CSA COOK-STEINMAN & ASSOCIATES, INC.
Consulting Engineers and Land Planning
[illegible]

[illegible]

PRELIMINARY & FINAL PLAT REFERENCES

[illegible]

REVISION

[illegible]

REVISION NO. 6
SUMMARY OF TRACT ADJUSTMENTS

[illegible]

SUMMARY OF TRACT ADJUSTMENTS

[illegible]

REVISION

[illegible]

REVISION

[illegible]

PUD LAND USE PLAN AMENDMENT 2 of 3
CASE NUMBER C814-90-0003.11
[illegible]

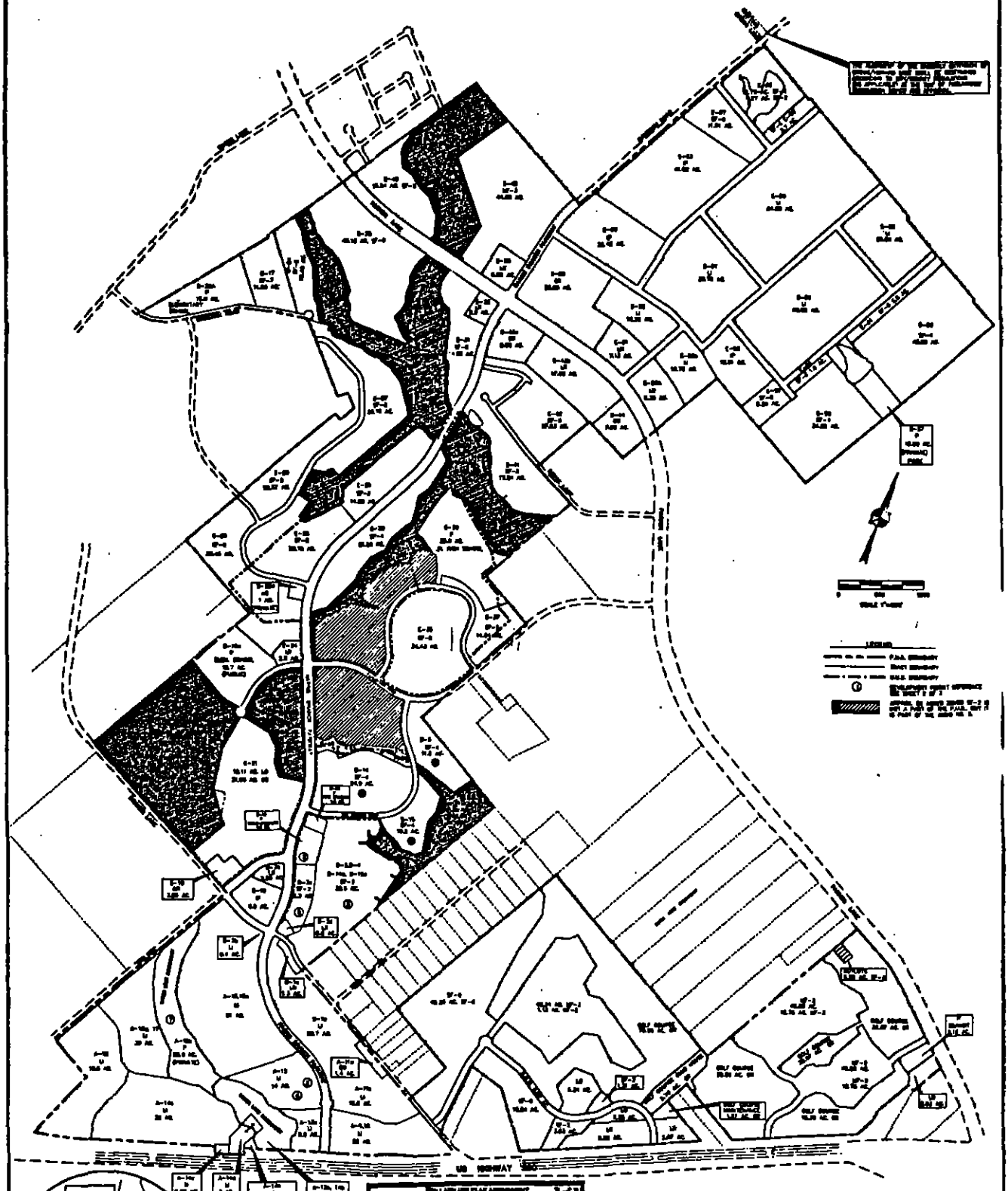
HARRIS BRANCH

CSA COOK-STEINMAN & ASSOCIATES, INC.
Consulting Engineers and Land Planning
[illegible]

SHEET 2 OF 3

P.U.D. LAND USE PLAN

C814-90-0003



SEE REVISION 7, SHEET 2 FOR NOTES GOVERNING PARKLAND REQUIREMENTS

HARRIS BRANCH

CSA COOK-STEINMAN & ASSOCIATES, INC.
Consulting Engineers and Land Planning

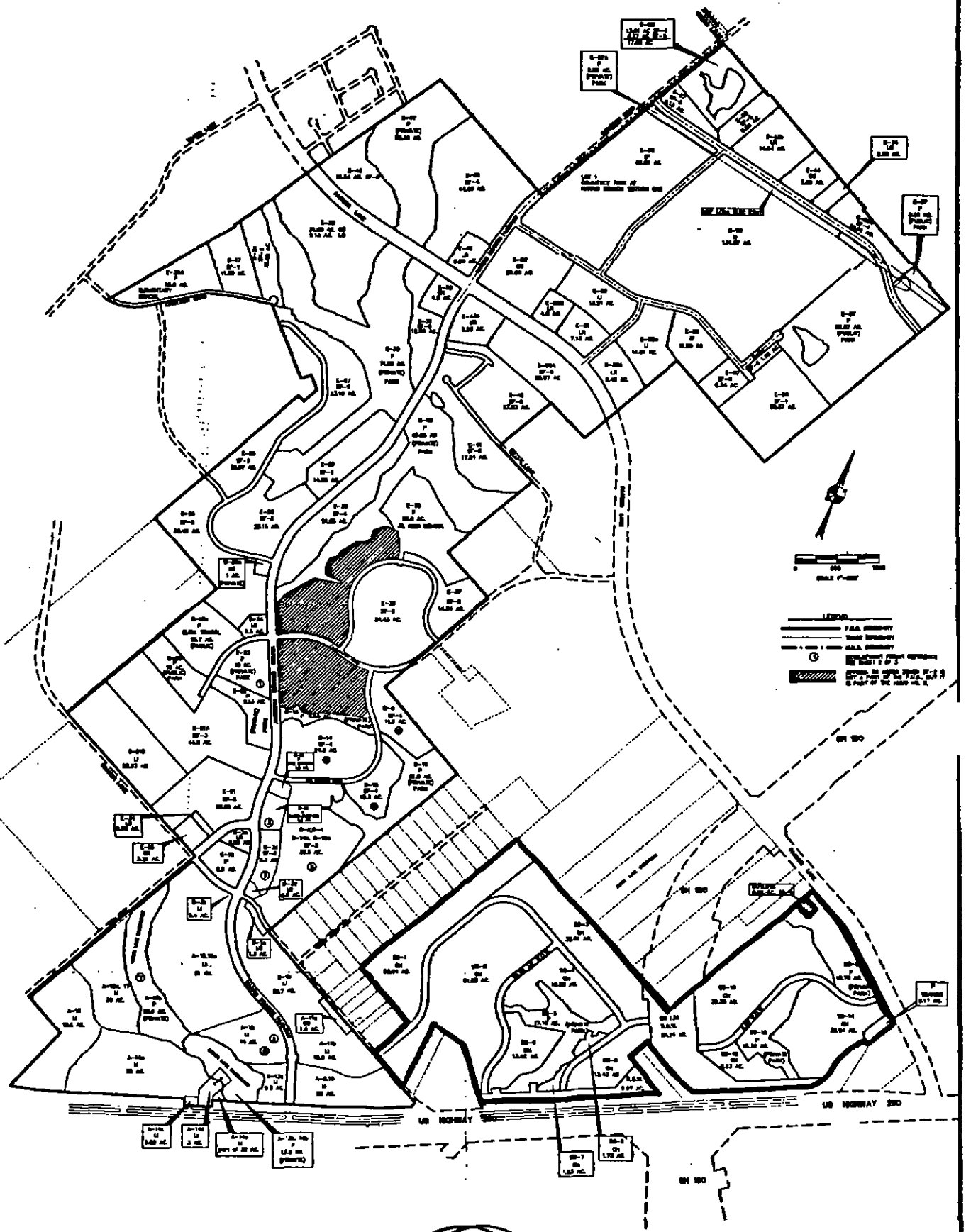
SHEET 3 OF 3

Proposed Amendment #13 "Attachment A"

P.U.D. LAND USE PLAN

C814-90-0003

EXHIBIT A-1



HARRIS BRANCH

CSA COOK-STEINMAN & ASSOCIATES, INC.
Consulting Engineers and Land Planning

SHEET 1 OF 3

P.U.D. LAND USE PLAN

C814-90-0003

P.U.D. Land Use Plan Originally prepared by:
Lichliter/Jameson & Associates, Inc.
Consulting Engineers
[illegible]
Austin, Texas 78704-1154

ORIGINAL APPROVAL
TABLE 1
P.U.D. [illegible]

[illegible]

REVISIONS PREPARED BY:

CSA COOK-STEINMAN & ASSOCIATES, INC.
Consulting Engineers and Land Planning
Austin, Texas Tel (512) [illegible] Fax (512) [illegible]

[illegible]

REVISION NO. 8
SUMMARY OF TRACT ADJUSTMENTS

[illegible]

SUMMARY OF TRACT ADJUSTMENTS

[illegible]

PRELIMINARY & FINAL PLAT REFERENCES

[illegible]

REVISION

[illegible]

REVISION

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REVISION

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REVISION

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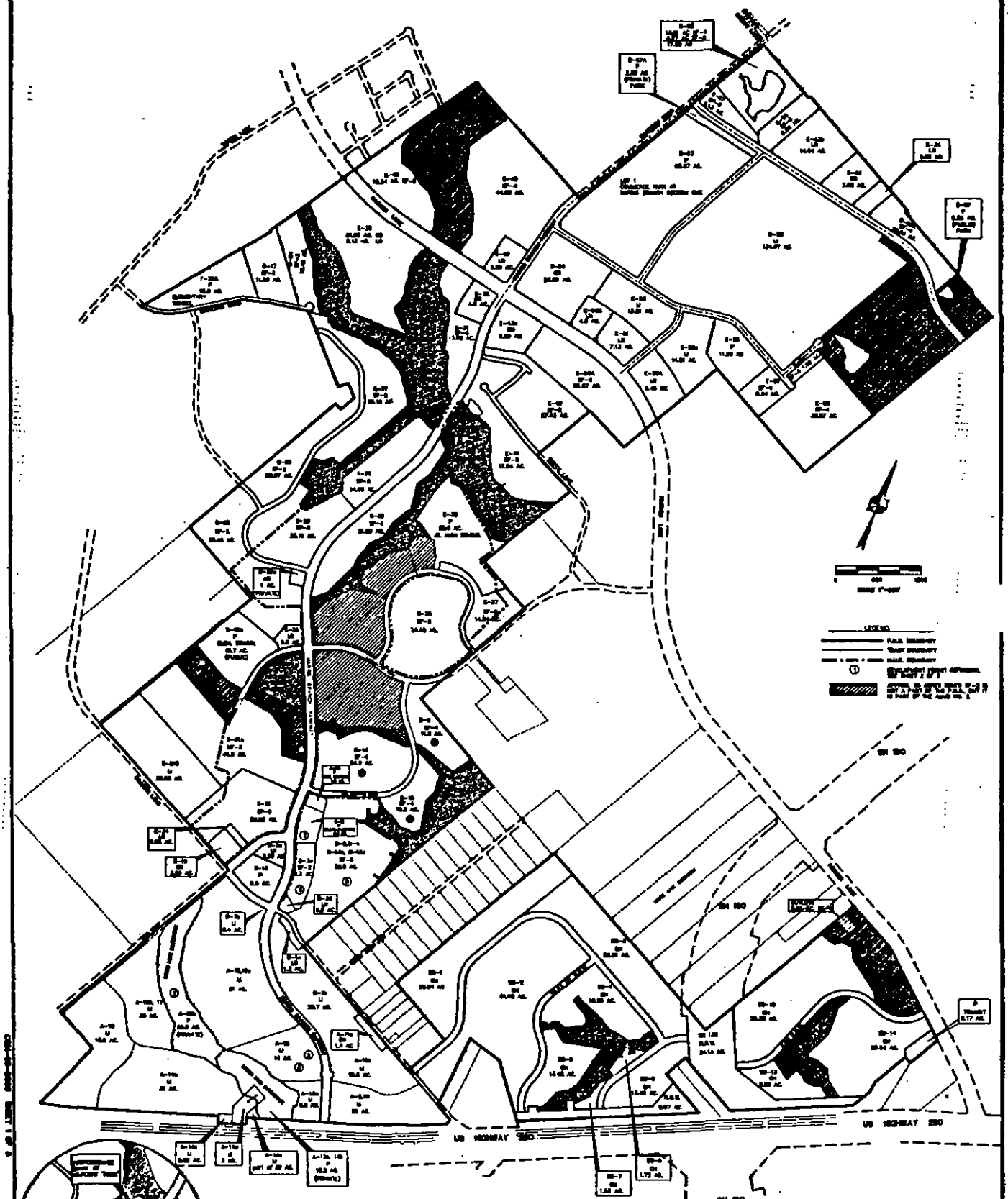
HARRIS BRANCH

CSA COOK-STEINMAN & ASSOCIATES, INC.
Consulting Engineers and Land Planning
Austin, Texas Tel (512) [illegible] Fax (512) [illegible]

SHEET 2 OF 3

P.U.D. LAND USE PLAN

C814-90-0003



SEE REVISION 7, SHEET 2 FOR NOTES GOVERNING PARKLAND REQUIREMENTS

HARRIS BRANCH

CSA COOK-STRINGHAM & ASSOCIATES, INC.
Consulting Engineers and Land Planning

SHEET 3 OF 3

"Attachment B"

M J T

MINTER, JOSEPH & THORNHILL, P.C.

811 Barton Springs Rd.
Suite 800
Austin, Texas 78704-1196
phone 512.478.1075
fax 512.478.5838
www.mjtpc.com

August 15, 2005

John M. Joseph
Ext. 109
jjoseph@mjtpc.com

Ms. Sherri Sirwaitis, Case Manager
City of Austin
Watershed Protection and Development Review Dept.
505 Barton Springs Rd., Suite 425
Austin, Texas 78704

Re: Case No.: C814-90-003.13
Harris Branch PUD Amendment
Owner/Applicant: Austin HB Residential Properties

Dear Ms. Sirwaitis:

Pursuant to your request, the following is a list of variances requested by Applicant;

1. The Owner/Applicant requests the definition of "site" as found in Section 25-1-21 of the Land Development Code of the City of Austin (LDC) be modified to provide that the land included within the geographic boundaries of the PUD be considered a single site for all development purposes including, without limitation, landscaping and parking for water quality and storm water management purposes. In this particular instance there will be two PUD Sites. One will be the East PUD Site which will be all the land, the subject of the referenced PUD amendment, located East of SH 130 and North of US 290 East. The other PUD Site will be all the land the subject of the referenced PUD amendment, located west of SH 130 and North of US 290 East, the West PUD. Within each of these PUD sites the "site" will include areas within the PUD separated by public streets and/or railroads or other transportation corridors. Development intensity may be transferred from parcel to parcel within each of the PUD "sites" regardless of the distance between the transferring and receiving tracts.

2. Development intensity may be transferred from tract to tract within and between each of the PUD sites without concurrently platting the transferring and receiving tracts.

3. Parkland requirement if any are triggered as a result of any residential development within the East and West PUD sites is satisfied through the parkland dedication made and required to be made in the remainder of the Harris Branch PUD.

4. Permitted, Conditional, Prohibited and Accessory and site development regulations are modified to allow development in the PUD to comply with site development regulations and permitted uses of the PUD land use plan.

5. Section 25-4-151 (Street Alignment) be modified to allow for the Director to approve a departure from the street alignment requirements if the topography, requirements for traffic circulation or other extenuating circumstances renders a strict compliance with the Street Alignment requirements aesthetically unappealing or more costly.

6. SH 130 is providing stormwater management and water quality controls. The PUD development is not required to provide for either financially or otherwise within the PUD sites and the development on the PUD sites will be allowed to develop without taking into consideration the development of SH 130 and the expansion of US 290.

7. The impervious cover for SH 130 and US 290 that is adjacent to the PUD shall not be included in the PUD impervious cover calculations.

8. Traffic Impact Analyses (TIA) will be waived for development that takes ingress and egress from SH 130 and/or US 290. For those development tracts that take access directly from Blue Goose Lane and/or Parmer Lane, specifically tracts SG-2, SG-11 and SG-14, the requirement for a Traffic Impact Analysis will be deferred to the site plan stage of that particular development, unless no direct access to Blue Goose Lane and/or Parmer Lane is requested, in which event a TIA will not be required.

9. Land uses as shown on the land use plan may be employed on any tract in the PUD without further approval of the City of Austin as long as development intensities do not exceed those allowed under the approved PUD. Changes may be made in the land use plan by the director as long as the change of use would be the same or more restrictive than the approved PUD land use plan.

10. Cut and fill variances shall not be required so long as cuts and fills for the development of the PUD do not exceed ten (10) feet. There will be no cut and fill limitations with respect to cut and fill that is to occur under a foundation with sides perpendicular to the ground for backfill for utility construction, in a public or private roadway right-of-way, for utility construction, storm water and water quality facilities, drives and sidewalks.

11. Water features found within the area of the PUD will be addressed in the manner previously agreed to with the staff regarding the preliminary plan, a copy of which is attached as **Exhibit "A"**.

12. The "stock tanks" that exist within the PUD shall not be considered Critical Environmental Features - CIFs. Although the Owner/Applicant will recognize a "Critical Water Quality Zone" as that term is defined in the LDC, around each of these "stock tanks", as if the "stock tanks" were CIFs, there will be no designation of a Water Quality Buffer Zone and there

will be no development limitations within the area that would have been designated as a Water Quality Buffer Zone.

13. The Owner/Applicant requests that impervious cover allowances designated in the zoning granted for the PUD not be diminished by watershed regulations and that, if such is necessary, that such watershed regulations be varied to make the allowable impervious cover under the applicable watershed regulation the same as allowed in the CH – Commercial Highway zoning designation.

14. Owner/Applicant will add an appropriate note that will provide that water quality controls may be provided on a PUD-wide basis. Water quality controls will not be required on a lot by lot and/or site by site basis and Owner/Applicant requests appropriate variances to allow consideration and treatment of water quality on the basis of the entire PUD area.

15. Owner/Applicant requests a block length variance for all streets within the East and West portions of the amended PUD.

16. Owner/Applicant requests that the waiver of the requirement for sidewalks along Parmer Lane, SH 130 and US 290.

If you should be in need of additional information please do not hesitate to contact me.

Very truly yours,

John M. Joseph

CC: John McCullough (w/o Exhibits)
Austin HB Residential Properties, LLC

Charlie Steinman, Project Engineer (w/o Exhibits)
Cook-Steinman and Associates, Inc.

Greg Guernsey, Asst. Director (w/o Exhibits)
Watershed Protection and Development Review Dept.

PROPOSED ZONING			EXISTING ZONING	
Tract No.	Use	Acres	Tract	Acres
SG-1	CH	35.04	SF-6, SF-4, SF-2	Please See Exhibit "A"
SG-2	CH	61.68	MF-3, MF-2, SF-6, SF-4, SF-2	Please See Exhibit "A"
SG-3	CH	32.01	SF-4, SF-2	Please See Exhibit "A"
SG-4	CH	18.25	MF-3, MF-2	Please See Exhibit "A"
SG-5	P	17.10	SF-2, LO, SF-4, MF-3, MF-2	Please See Exhibit "A"
SG-6	CH	13.42	SF-2, LO	Please See Exhibit "A"
SG-7	CH	1.53	SF-2	Please See Exhibit "A"
SG-8	CH	1.73	SF-4, SF-2	Please See Exhibit "A"
SG-9	CH	13.43	LR, LO	Please See Exhibit "A"
SG-10	CH	38.35	SF-4, SF-2, MF-2	Please See Exhibit "A"
SG-11	P	18.76	SF-4, SF-2	Please See Exhibit "A"
SG-12	P	12.72	SF-4, SF-2, MF-3	Please See Exhibit "A"
SG-13	CH	8.23	SF-2, SF-4	Please See Exhibit "A"
SG-14	CH	29.54	MF-2, SF-4, SF-2, LR, P, MF-3	Please See Exhibit "A"

EQUINOX CENTRE EAST
APPROVED TxDOT DRIVEWAY & ROADWAY CONNECTIONS
PROPOSED 40' STREET TxDOT C.L. STA. 1441+98 SOUTH BOUND FRONTAGE STA. 1438+33
PROPOSED 40' STREET TxDOT C.L. STA. 1437+28 SOUTH BOUND FRONTAGE STA. 1438+33
PROPOSED 40' DRIVEWAY TxDOT C.L. STA. 5184+70
PROPOSED 40' DRIVEWAY TxDOT C.L. STA. 5301+40
PROPOSED 40' STREET TxDOT STA. C.L. 4321+80
PROPOSED 40' STREET ALIGNED WITH PROPOSED FM 3177 (DECKER LANE) WBFR STA. 4701+65.32
STA. 711+263 EXISTING MEDIAN OPENING
JOSHUA WILLIAMS ROAD
PROPOSED 40' STREET TxDOT C.L. STA. 711+263 OPPOSITE EXIST. STA. 711+263

"Attachment C"

MEMORANDUM

TO: Betty Baker, Chairperson
Members of the Zoning and Platting Commission

FROM: Jason Traweek, Environmental Review Specialist
Watershed Protection and Development Review Dept.

DATE: August 1, 2005

SUBJECT: Harris Branch PUD Amendment #13

Description of PUD

The Harris Branch PUD is currently proposed over 2,113.52 acres in northeast Austin. The property contains the Harris Branch, Gilleland, and Decker Creek Watersheds, all of which are Suburban watersheds that lie in the Desired Development Zone. This PUD was originally approved as ordinance #901213-H, and has undergone twelve amendments since then. The current zoning submittal proposes further amendments that take into consideration the newly proposed SH 130 that will transect the property.

The changes in zoning apply to the southern portion of the PUD (see exhibit A). The applicant proposes CH zoning in place of the current SF, MF, LR, and LO zonings, which would allow for significantly more intensive use of the property. Currently, City review staff does not support the proposal, and many issues are still open to discussion. This memo specifically addresses proposed amendments to the PUD that relate to environmental issues.

Critical Environmental Features

Staff from ERM reviewed the property within the proposed amended area and verified seeps, wetlands, and wetland tributaries. A corresponding preliminary plan that covers half of this area is currently in review and has not been approved; therefore no specific agreements have been confirmed. As part of the current PUD land use plan, classified tributaries are generally overlaid with a P (private park) zoning classification.

Requests for amendments to the PUD - environmental issues
[Numbers in brackets refer to the item # in the applicant's request letter, dated July 20, 2005]

1. [1] To modify the definition of "site", as found in Section 25-1-21 of the LDC, to provide that the land included within the geographic boundaries of the PUD be considered a single site for all development purposes. (see applicant request letter for further details)

   Not recommended by staff – There does not appear to be sufficient justification for this request due to the high levels of impervious cover that are currently allowed for commercial developments in these watersheds. In addition, this amendment would create difficulties in demonstrating compliance of landscape regulations.

2. [2] To transfer from tract to tract within and between each of the PUD sites without concurrently platting the transferring and receiving tracts, as required by LDC 25-8-395(B)(2)

   Recommended by staff – Allowing the applicant to use an alternative method of impervious cover distribution and tracking can simplify the platting process for a large PUD such as this.

3. [7] To not account for the perimeter roadway impervious cover associated with SH 130 and SH 290, as required by LDC 25-8-65

   Recommended by staff – Highways have large right-of-ways that most often prevent any impervious cover from falling within the maximum 44' calculation range; therefore the calculation can be deemed unnecessary.

4. [10] To allow cut/fill to exceed the four foot limitation found in LDC 25-8-341/342, up to a maximum of 10 feet

   Not recommended by staff – Staff can not support this unless administrative cut / fill variances are required for cut over 4 ft and no more than 10 ft.

5. [11] To address water features in the PUD as agreed to in the preliminary plan, currently in review

   Not recommended by staff – this plan has not been approved, and comments are still outstanding regarding the treatment of critical environmental features.

Conditions:

The applicant offers the following conditions:

1. Compliance with the Green Building standards, although the applicant has not specified to what level.
2. Provide an IPM plan for all property within the PUD

If you have any questions or need additional information, please contact;
Jason Traweek - 974-2332 / jason.traweek@ci.austin.tx.us

Jason Traweek, Environmental Review Specialist
Watershed Protection and Development Review Department

Exhibit A

N

Harris Branch P.U.D.

Parmer Ln.

Proposed Amended Zoning area

Harris Branch Pkwy.

US HWY 290

M J T

MINTER, JOSEPH & THORNHILL, P.C.

811 Barton Springs Rd.
Suite 800
Austin, Texas 78704-1196
phone 512.478.1075
fax 512.478.5838
www.mjtpc.com

July 20, 2005

John M. Joseph
Ext. 109
jjoseph@mjtpc.com

Ms. Sherri Sirwaitis, Case Manager
City of Austin
Watershed Protection and Development Review Dept.
505 Barton Springs Rd., Suite 425
Austin, Texas 78704

Re: Case No.: C814-90-003.13
Harris Branch PUD Amendment
Owner/Applicant: Austin HB Residential Properties

Dear Ms. Sirwaitis:

Thanks you for meeting me last Thursday and reviewing the latest comments by the review team. Please consider this the formal response of the Owner/Applicant to the last comments submitted by you and the Watershed Protection Development Review (WPDR) staff assigned to this case.

I will respond to each of the reviewer's comments in the order in which they appear in the Master Review Report dated June 14, 2005.

I would, however, like to begin with some definitional matters which the Owner/Applicant requests included on the PUD ordinance ultimately approved by the City Council.

1. The Owner/Applicant requests the definition of "site" as found in Section 25-1-21 of the Land Development Code of the City of Austin (LDC) be modified to provide that the land included within the geographic boundaries of the PUD be considered a single site for all development purposes including, including without limitation, for water quality and storm water management purposes. In this particular instance there will be two PUD Sites. One will be the East PUD Site which will be all the land, the subject of the referenced PUD amendment, located East of SH 130 and North of SH 290 East. The other PUD Site will be all the land the subject of the referenced PUD amendment, located west of SH 130 and North of SH 290 East, the West PUD. Within each of these PUD sites the site will include areas within the PUD separated by public streets and/or railroads or other transportation corridors. Development intensity may be transferred from parcel to parcel within each of the PUD sites regardless of the distance between the transferring and receiving tracts.

2. Development intensity may be transferred from tract to tract within and between each of the PUD sites without concurrently platting the transferring and receiving tracts.

3. Parkland requirement if any are triggered as a result of any residential development within the East and West PUD sites is satisfied through the parkland dedication made and required to be made in the remainder of the Harris Branch PUD.

4. Permitted, Conditional, Prohibited and Accessory and site development regulations are modified to allow development in the PUD to comply with site development regulations and permitted uses of the PUD land use plan.

5. Section 25-4-151 (Street Alignment) be modified to allow for the Director to approve a departure from the street alignment requirements if the topography, requirements for traffic circulation or other extenuating circumstances renders a strict compliance with the Street Alignment requirements aesthetically unappealing of more costly.

6. SH 130 is providing stormwater management and water quality controls. The PUD development is not required to provide for either financially or otherwise within the PUD sites and the development on the PUD sites will be allowed to develop without taking into consideration the development of SH 130 and the expansion of SH 290.

7. The impervious cover for SH 130 and SH 290 that is adjacent to the PUD shall not be included in the PUD impervious cover calculations.

8. Traffic Impact analyses will be waived for development that takes ingress and egress from SH 130 and/or SH 290. For those development tracts that take access directly from Blue Goose Lane and/or Parmer Lane, specifically tracts SG-2, SG-11 and SG-14, the requirement for a Traffic Impact Analysis will be deferred to the site plan stage of that particular development.

9. Land uses as shown on the land use plan may be employed on any tract in the PUD without further approval of the City of Austin as long as development intensities do not exceed those allowed under the approved PUD. Changes may be made in the land use plan by the director as long as the change of use would be more restrictive than the approved PUD land use plan.

10. Cut and fill variances shall not be required so long as cuts and fills for the development of the PUD do not exceed ten (10) feet. There will be no cut and fill limitations with respect to cut and fill that is to occur under a foundations with sides perpendicular to the ground for backfill for utility construction, in a public or private roadway right-of-way, for utility construction, storm water and water quality facilities, drives and sidewalks.

11. Water features found within the area of the PUD will be addressed in the manner previously agreed to with the staff regarding the preliminary plan, a copy of which is attached as **Exhibit "A"**.

The following are the comments of the Owner/Applicant to the review comments:

Drainage Construction –

DC-1 Owner/Applicant will agree to the inclusion of appropriate notes being placed on the PUD Land Use Plan, in addition the Owner/Applicant will agree to the inclusion of the following on the approved PUD Land Use Plan:

"Prior to development on the lots in this PUD, drainage plans for the lots on which development is sought, will be submitted to the City of Austin for review. For the construction of streets drainage plans will be submitted to the City of Austin for the area streets, street drainage and street water quality. Rainfall run off shall be held to the amount existing at the undeveloped states by ponding or other approved methods."

Environmental –

EV-1 The Summary Letter was provided.

EV-2 Please note the reply of the Owner/Applicant with respect to the site development regulations, land uses, impervious cover and height limitations.

Although, the Owner/Applicant appreciates the comments of the environmental staff, Owner/Applicant disagrees with their position.

This portion of the Harris Branch PUD is basically the remnants of farming and ranching properties. The water features that the staff identified are man made structures (stock tanks) historically developed for the care of livestock. The soils in this portion of the PUD are generally fairly impervious.

The PUD is not located over pervious soils or aquifers and the surface water (rainfall), what little percolates into the soil, does not enter a subsurface feature that serves as a water supply.

However, the Owner/Applicant intends to employ these stock tanks or similar constructions as a part of the water quality and storm water detention system for the PUD.

The allowance for the treatment of the East PUD and West PUD as separate and distinct "sites" will allow for overall superior water quality and storm water management than would be realized if each individual development site was required to provide for it's own water quality and storm water management. In addition the Owner/Applicant intends to employ Green Builder, Integrated Pest Management and other innovative methods to further address water quality.

This PUD amendment proposes the treatment of water quality and storm water management in much the same manner as the prior PUD amendment (Golf Course).

Owner/Applicant proposes the application of the CH – Commercial Highway District Regulations (LDC 25-2-582), and in addition proposes the following:

1. Minimum lot size of 10,000 square feet.
2. Maximum floor to area ration of 4 to 1.
3. Maximum height of 120 feet.
4. Minimum average front yard set back of 10 feet.
5. Minimum average side yard set back of 5 feet.
6. Minimum average interior yard set back of 5 feet.
7. Maximum average impervious cover of 80%.

For the purpose of the application of site development regulations, and if the distinction is necessary, landscape and parking regulations and criteria, "site" shall mean the development area contained within the East PUD for development on lots within the East PUD. For the purpose of the application of site development regulations, and if the distinction is necessary, landscape and parking regulations and criteria, "site" shall mean the development area contained within the West PUD for development on lots within the West PUD.

For the purpose of the application and determination of impervious cover calculations, floor-to-area ratio and, site development regulations in general, the East PUD shall be treated as one distinct and separate unified development and the West PUD shall be treated as one distinct and separate unified development.

Page 2 of the attached Harris Branch PUD Summary Table (located in the lower right hand corner of page 2) demonstrates the effect of this amendment on the Harris Branch PUD. Please see the PUD Land Use Map C814-90-0003, attached as "**Exhibit A-1**".

Owner/Applicant contends that because the property the subject of this amendment is located at the intersection of SH 130 (toll road) and SH 290, both State funded highways as such comprises the northeast and northwest corners of that intersection. All access to SH 130 and SH 290 is controlled by either the Texas Turnpike Authority (TTA) for SH 130 or The Texas Highway Department (TexDot) for SH 290.

Attached as **Exhibit "B"** is a true and correct copy of the approval of the accesses for ingress and egress regarding the subject property.

Owner/Applicant submits what traffic information is available as **Exhibit "C"** attached and further requests that the requirement for a traffic impact analysis for development that takes access from Blue Goose Lane and/or Parmer Lane be deferred to the submission of site plans for such development.

The total square footage of the development of the East and West PUD will be as shown in Table 2 of this 13th revision of the PUD.

Structured parking may be employed depending on the nature of the development on any particular lot.

For Tract SG-1 the land use will be CH – Commercial Highway, but the height will be limited to 60 feet. In addition a 25 foot landscaped buffer will be provided along the property boundary between those tracts and adjacent properties that are used for residential purposes.

The number of curb cuts or drives will be the minimum necessary to provide adequate access, joint use drives will be employed where practical.

Any housing that is provided will have a "Smart Housing" component.

As much as is economically and geographically feasible the Owner/Applicant will employ Transportation Oriented Development Guidelines.

Transportation –

TR-1 Please see Site Plan Comments.

TR-2 The right of way for SH 130 and the expansion of SH 290 is in the process of being acquired by Lonestar Infrastructure (LSI) and TexDot. Please see the attached **Exhibit "B"**.

TR-3 No. And the authorization of the TTA is not required in these instances.

TR-4 Please see **Exhibit "B"**.

Water Quality –

WQ-1 Owner/Applicant will add an appropriate note that will provide that such water quality controls will be provided on a PUD-wide basis. Water quality controls will not be provided on a site by site basis.

Zoning/Land Use –

ZN-1 Please see prior comments.

ZN-2 The Harris Branch PUD Land Use Plan has a "red line" drawn around the areas subject to this amendment. Attached Please see the revised Harris Branch Density Tables – Sheet 2 showing the effect on building coverage and impervious cover.

ZN-3 Please see prior responses to the staff environmental and site plan comments.

I trust this communication provides adequate information for you and the staff to complete your review. I would greatly appreciate this matter being posted for the first meeting in August of the Planning and Zoning Commission and the next available City Council agenda. If you should need additional information please do not hesitate to contact me. However, I would request that whatever additional information is sought by staff, that such additional information be provided between now and the date of the Zoning and Platting Commission hearing. Your cooperation will be greatly appreciated.

Very truly yours,

John M. Joseph

Cc: John McCullough (w/o Exhibits)
Austin HB Residential Properties, LLC

Charlie Steinman, Project Engineer (w/o Exhibits)
Cook-Steinman and Associates, Inc.

Greg Guernsey, Asst. Director (w/o Exhibits)
Watershed Protection and Development Review Dept.

"Attachment D"

ENVIRONMENTAL BOARD MOTION 081705-B2

Date: August 17, 2005

Subject: Harris Branch PUD (Scots Glen) # 3

Motioned By: Phil Moncada Seconded By: Bill Curra, P. E.

Recommendation

The Environmental Board recommends **disapproval** of the PUD revision associated with proposed development activity and variances from the Land Development Code Sections: 1) 25-1-21 – to allow a site to cross a public roadway; 2) 25-8-395 (B) (2) – to not require concurrent platting for transfers of development rights; 3) 25-8-65 – to not require the inclusion of perimeter roadway in impervious cover calculations; and 4) 25-8-342 – to allow cut and fill in excess of 10' for Harris Branch PUD #3 project.

Rationale

The lack of staff support and inadequate information to make an informed evaluation regarding protection of the environment. Three suburban watersheds bisect this proposed development and any support by this board would set a precedent for any future cases of this nature. In conclusion it is not clear whether this proposed PUD provides superior environmental protection and water quality over what exists on the PUD as it is approved today.

Vote 5-0-0-2

For: Anderson, Ahart, Curra, Jenkins, Moncada,

Against: None

Abstain: None

Absent: Ascot, Maxwell,

Approved By:

Dave Anderson P.E., CFM, Chair

"Attachment E"

MEMORANDUM

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

DATE: September 1, 2005

SUBJECT: Variance Requests for Harris Branch PUD Amendment
Case Number – C814-90-003.13

Recommendation: Not Recommended

The applicant for the above referenced PUD has requested the following variances from the transportation requirements of the Land Development Code. These variances are requests 5, 8, 15, and 16 in the applicant's letter dated August 15, 2005.

Code Requirement: Section 25-4-151, which requires streets of a new subdivision to be aligned with existing streets on adjoining properties unless the Land Use Commission determines that the Comprehensive Plan, topography, requirements of traffic circulation, or other considerations make it desirable to depart from the alignment.

Applicant's Request: The applicant proposes to revise this section to permit the Director of Watershed Protection and Development Review approval authority.

Staff's Recommendation ~ Not Recommended: Staff is unable to support the applicant's request at this time because additional information regarding street layout is needed in order to determine the impact on surrounding neighborhoods. If this requirement became administrative the public hearing process and neighborhood involvement would be eliminated. Historically this type of variance generates numerous neighborhood concerns regarding connectivity, cut through traffic, traffic volumes etc.

Code Requirement: Section 25-6-113, which requires that a traffic impact analysis (TIA) be submitted for all zoning, rezoning, or site plan applications if the expected number of trips generated by a development will exceed 2,000 trips per day.

Applicant's Request: The applicant proposes to have the TIA waived for development that takes ingress and egress from SH130 and/or US 290 and for those tracts that will directly access Blue Goose Lane and/or Parmer Lane (tracts SG-2, SG-11 and SG-14) the TIA requirement will be deferred to the time of site plan unless no direct access to Blue Goose Lane and/or Parmer Lane is proposed then no TIA will be required.

Staff's Recommendation ~ Not Recommended: The original PUD permitted the TIA to be submitted prior to site plan approval of multi family and nonresidential tracts. With the change in intensity and therefore a possible increase in trips by 103,510 trips per day staff recommends that the TIA be submitted prior to approval of the zoning amendment. Below is a comparison of the approved land uses and the proposed land uses and their associated trip generations:

Approved Land Uses wo/ Golf Course

Zoning	Acreage	Size	ITE Code/Rate	Trip Estimate
LO	8.59	168,381sf	720	6,670
LR	21.5	234,135sf	820	11,806
MF-2	42	924du	6.60	6,098
MF-3	53	1,431du	6.60	9,445
P	2.14		411	3
ROW				
SF-2*	179.25	896du	9.55	8,559
SF-4**	77.72	486du	9.55	4,641
SF-6	64.89	779du	7.00	5,453
TOTAL	**449.09**			**52,675**

Note *: 174.31ac are shown in the golf course for this category

Note **: .88ac are shown in an outlot and 76.34ac are shown in the golf course for this category

Approved Land Uses w/ Golf Course

Zoning	Acreage	Size	ITE Code/Rate	Trip Estimate
LO	8.59	168,381sf	720	6,670
LR	21.5	234,135sf	820	11,806
MF-2	42	924du	6.6/du	6,098
MF-3	53	1,431du	6.6/du	9,445
P	2.14		411	3
ROW				
SF-2	3.94	20du	9.55/du	191
SF-4	0.86	5du	9.55/du	48
Golf Course	251.17		430	1,266
SF-6	64.89	779du	7/du	5,453
TOTAL	**448.09**			**40,980**

Proposed Land Uses

Zoning	Acreage	Size	ITE Code	Trip Estimate
CH	253.21	11,029,828	820	144,413
P	48.58		411	77
ROW	211.33			
TOTAL	**513.12**			**144,490**

Note: The land use used to figure the trip generation for P (Public) was Park (ITE 411); This trip generation will vary as there are several proposed types of uses within the P District including schools

Trip Differences	
wo/Golf Course	
Existing Approval	52,675
Proposed	144,490
Increase of 91,815 trips/day	
w/Golf Course	
Existing Approval	40,980
Proposed	144,490
Increase of 103,510 trips/day	

A TIA is critical for staff's evaluation of the project in order to provide information regarding the need for additional travel lanes, turning lanes, capacity, identify excessive intensity levels and identify possible mitigation measures for a volume of traffic that could be generated.

Code Requirement: Section 25-4-153, which requires a block to not exceed 1,200 feet in length with the following exceptions: A residential block that is parallel and adjacent to an arterial street may be up to 1,500 feet in length; A commercial or industrial block may be up to 2,000 feet in length if the director determines that there is adequate traffic circulation and utility service.

Applicant's Request: The applicant request a block length variance for all streets within the East and West portions of the PUD.

Staff's Recommendation ~ Not Recommended: Staff is unable to support the applicant's request at this time because additional information regarding street layout, topography, neighborhood connectivity, and environmental features is needed in order to assess the impact of waiving all block length requirements.

Code Requirement: Section 25-6-351, 25-6-352, which requires the installation of sidewalks in accordance with the Transportation Criteria Manual at the time of subdivision and site plan.

Applicant's Request: The applicant requests that a waiver be granted from the requirement to provide sidewalks along Parmer Lane, SH 130 and US 290.

Staff's Recommendation ~ Not Recommended: Based on the uses proposed there is a high probability of pedestrian activity in this area. Unless otherwise prohibited by the Texas Department of Transportation (TXDOT) staff recommends that sidewalks be placed along all of these roadways.

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

Emily M. Barron
Sr. Planner ~ Transportation Review
Watershed Protection & Development Review Department

"Attachment F"

Sirwaitis, Sherri

From: John Joseph [jjoseph@mjtpc.com]
Sent: Friday, September 02, 2005 3:44 PM
To: Sirwaitis, Sherri
Cc: 'John McCullough'; 'Charlie Steinman'; Paul W. Linehan; 'Kelly Cannon'; 'Kara McKenzie'
Subject: 09/02/05 Austin HB PUD Amendment - Variance Request Up-Date Case No. C814-90-003.13

Attached is the latest variance request up-date along with attachments. A hard copy will follow by fax and regular mail. As you know we have requested a postponement to September 20. Let me know if you need any additional information.

John M. Joseph
Minter, Joseph & Thornhill, P.C.
811 Barton Springs Rd., Suite 800
Austin, TX 78704
512-478-1075
512-478-5838 fax
jjoseph@mjtpc.com

September 2, 2005

John M. Joseph
Ext. 109
jjoseph@mjtpc.com

Ms. Sherri Sirwaitis, Case Manager
City of Austin
Watershed Protection and Development Review Dept.
505 Barton Springs Rd., Suite 425
Austin, Texas 78704

Re: Case No.: C814-90-003.13
Harris Branch PUD Amendment
Owner/Applicant: Austin HB Residential Properties

Dear Ms. Sirwaitis:

Thanks for meeting with me, Paul Linehan of Land Strategies, the Project Planner and Charlie Steinman the Project Engineer. I think that we accomplished a much and I appreciate the participation of Planning Director Greg Guernsey and Asst. Planning Director, Jerry Rusthoven. Pursuant to your request, the following is an updated list of variances together with our understanding of the Staff position with respect thereto.

1. The Owner/Applicant has requested that the definition of "site" as found in Section 25-1-21 of the Land Development Code of the City of Austin (LDC) be modified to provide that the land included within the geographic boundaries of the PUD be considered a single site for all development purposes including parking. For the purposes of water quality, storm water management and landscaping, each tract within a site development permit application will provide for water quality, stormwater management and landscaping pursuant to the Land Development Code. The definition of "site" will include areas within the PUD separated by public streets and/or railroads or other transportation corridors. Development intensity may be transferred from parcel to parcel within the PUD regardless of the distance between the transferring and receiving tracts.

It is our understanding that the Staff was not supporting the original variance request but may support the variance as thus clarified.

2. Development intensity may be transferred from tract to tract within the PUD without concurrently platting the transferring and receiving tracts.

It is our understanding that the staff will support this variance.

3. Parkland requirement if any are triggered as a result of any residential development within the PUD sites is to be satisfied through the parkland dedication made and required to be made in the remainder of the Harris Branch PUD.

It is our understanding that staff supports this variance.

4. Permitted, Conditional, Prohibited and Accessory and site development regulations are modified to allow development in the PUD to comply with site development regulations and permitted uses of the PUD land use plan.

It is our understanding that the staff will support this variance.

5. SH 130 is providing stormwater management and water quality controls for SH 130 and the expansion of SH 290. A variance is requested from the LDC to allow the PUD to be developed without being required to provide for, financially or otherwise, storm water management and/or water quality for SH 130 or SH 290 within the PUD and the development on the PUD sites will be allowed to develop without taking into consideration the development of SH 130 and the expansion of US 290.

It is our understanding that the Staff supports this variance.

6. The impervious cover for SH 130 and US 290 that is adjacent to the PUD shall not be included in the PUD impervious cover calculations.

It is our understanding that the Staff supports this variance.

7. Traffic Impact Analyses (TIA) will be waived for development that takes ingress and egress from SH 130 and/or US 290. For those development tracts that take access directly from Blue Goose Lane and/or Parmer Lane, specifically tracts SG-2, SG-11 and SG-14, the requirement for a Traffic Impact Analysis will be deferred to the site plan stage of that particular development, unless no direct access to Blue Goose Lane and/or Parmer Lane is requested, in which event a TIA will not be required. The PUD ordinance No. 891116-D for the Harris Branch PUD states at Part 6:

"A transportation Impact Analysis shall be submitted prior to site plan approval of multifamily and non-residential tracts. Each TIA shall be used to determine the percentage of participation in, inter alia, intersection improvements designated in the Agreement"

A copy of this portion of the PUD Ordinance is attached for your information.

It is our understanding that the Staff does not support this variance.

8. Applicant had made a request for a variance from the requirements that cuts and fills over four feet but less than ten feet would be waived and that. There will be no cut and fill limitations with respect to cut and fill that is to occur under a foundation with sides perpendicular to the ground for backfill for utility construction, in a public or private roadway right-of-way, for utility construction, storm water and water quality facilities, drives and sidewalks.

The Staff had recommended that a variance be granted to only require administrative variances for cuts and fills in excess of four (4) feet and less that ten (10) feet. Applicant would agree to the Staff recommendation if the administrative variance was with respect to cuts and fills in excess of four (4) feet but less than fifteen (15) feet and there will be no cut and fill limitations with respect to cut and fill that is to occur under a foundation with sides perpendicular to the ground for backfill for utility construction, in a public or private roadway right-of-way, for utility construction, storm water and water quality facilities, drives and sidewalks.

9. Water features found within the area of the PUD will be addressed in the manner previously agreed to with the Staff regarding the preliminary plan, a copy of which is attached as **Exhibit "A"**.

Applicant has provided additional information to Staff.

10. The "stock tanks" that exist within the PUD shall not be considered Critical Environmental Features - CEFs. Although the Owner/Applicant will recognize a "Critical Water Quality Zone" as that term is defined in the LDC, around each of these "stock tanks", as if the "stock tanks" were CIFs, there will be no designation of a Water Quality Transition Zone and there will be no development limitations within the area that would have been designated as a Water Quality Buffer Zone.

Applicant has provided additional information to Staff.

11. The Owner/Applicant requests that impervious cover allowances designated in the zoning granted for the PUD not be diminished by watershed regulations and that, if such is necessary, that such watershed regulations be varied to make the allowable impervious cover under the applicable watershed regulation the same as allowed in the CH – Commercial Highway zoning designation.

It is our understanding that if Staff supports the CH – Commercial Highway Zoning regulations that Staff will support this variance as well.

12. Owner/Applicant requests a block length variance for all streets within the East and West portions of the amended PUD.

It is our understanding that Staff will support this variance.

13. Owner/Applicant requests that the waiver of the requirement for sidewalks along Parmer Lane, SH 130 and US 290. It was pointed out by Staff that there is only a very small portion of the PUD near the intersection of Parmer Lane and SH 290 that would be impacted. The applicant is considering whether or to withdraw this request.

In addition Applicant is seeking a postponement of the September 6th public hearing, before the Zoning and Planning Commission, to September 20, 2005.

If you should be in need of additional information please do not hesitate to contact me.

Very truly yours,

John M. Joseph

CC: John McCullough (w/o Exhibits)
Austin HB Residential Properties, LLC

Charlie Steinman, Project Engineer (w/o Exhibits)
Cook-Steinman and Associates, Inc.

Paul Linehan
Land Strategies

Greg Guernsey, Asst. Director (w/o Exhibits)
Watershed Protection and Development Review Dept.

Part 5. Certain Terms Defined

For purposes of this "PUD" Planned Unit Development,

AGREEMENT means collectively the Agreements Concerning Creation and Operation of North Travis County Municipal Utility District Numbers One, Two and Three between the City of Austin, the Provident Development Company, and Municipality Districts One, Two and Three, executed on March 19, 1986 and all amendments thereto.

CODE means the Austin City Code of 1981, as amended.

PLANNING AND DEVELOPMENT DEPARTMENT means the Planning and Development Department of the City or such other department as may succeed the Planning and Development Department.

Part 6. Transportation Matters

A Transportation Impact Analysis shall be submitted prior to site plan approval of multi-family and nonresidential tracts. Each TIA shall be used to determine the percentage of participation in, inter alia, intersection improvements designated in the Agreement.

Part 7. Development Intensity

(a) This "PUD" Planned Unit Development shall conform with all site development requirements of the Code. The location and phasing of roads, parking areas, detention ponds (if applicable), utilities, lot lines, building envelopes and slab area, shall be permitted only as included in an approved Site Plan or an approved phasing agreement. The location of all permitted use categories are exclusively shown on the map attached as Exhibit "B". The uses permitted within each area are specifically and exclusively defined in the attached Exhibit "E".

(b) The Floor-to-Area Ratio (FAR) or Units per Acre (UPA) of a particular tract shown on Exhibit "B" may exceed the limits set forth in Exhibit "D" only if i) the FAR/UPA of that tract does not at any time exceed the maximum FAR/UPA of the use category for that tract as referenced on Exhibit "B", as those maximums are defined in Exhibit "F", and ii) the average FAR/UPA for the total area contained in each use category listed in Exhibit "D" is not exceeded.

Part 8. Parkland/Greenbelts

This "PUD" Planned Unit Development shall provide all parkland in conformance with the Agreement. Approximately 222 acres designated as "Park" in Exhibit "B" will be set aside for parkland purposes in accordance with the Agreement.

Part 9. In accordance with Section 13-2-683(I) of the City Code, Sec. 13-1-453 (b) of the Austin City Code of 1981 is waived for this "PUD" Planned Unit Development only. This "PUD" need not be presented to City Council for rezoning to the previous zoning category for failure to comply with Sec. 13-1-453 (b) because substantial construction and progress has already been undertaken in conformance with this "PUD" Planned Unit Development.

"Attachment G"

September 20, 2005

John M. Joseph
Ext. 109
jjoseph@mjtpc.com

Pat Murphy,
City of Austin
Watershed Protection and Development Review Dept.
505 Barton Springs Rd., Suite 425
Austin, Texas 78704

Re: Case No.: C814-90-003.13
Harris Branch PUD Amendment
Owner/Applicant: Austin HB Residential Properties

Dear Pat and Jennifer:

Thanks for meeting with me, John McCullough and Paul Linehan of Land Strategies, the Project Planner, today. It is good to have worked out all the environmental issues. Pursuant to your request, the following is an updated list of variances together with our understanding of the Staff position with respect thereto.

1. The Owner/Applicant is withdrawing it's variance request with respect to the definition of "site" as found in Section 25-1-21 of the Land Development Code of the City of Austin (LDC), requesting that the LDC be modified to provide that the land included within the geographic boundaries of the PUD be considered a single site for all development purposes including parking, streets and/or railroads or other transportation corridors. Development intensity.

2. The owner/applicant is withdrawing the variance request whereby development intensity may be transferred from tract to tract within the PUD without concurrently platting the transferring and receiving tracts.

3. Parkland requirement, if any, are triggered as a result of any residential development within the PUD sites is to be satisfied through the parkland dedication made and required to be made in the remainder of the Harris Branch PUD.

It is our understanding that staff supports this variance.

4. Permitted, Conditional, Prohibited and Accessory and site development regulations are modified to allow development in the PUD to comply with site development regulations and permitted uses of the PUD land use plan.

It is our understanding that the staff will support this variance.

5. The Owner/Applicant is withdrawing this variance request whereby stormwater management and water quality controls for SH 130 and the expansion of SH 290. A variance is no longer requested from the LDC to allow the PUD to be developed without being required to provide for, financially or otherwise, storm water management and/or water quality for SH 130 or SH 290 within the PUD and the development on the PUD sites will be allowed to develop without taking into consideration the development of SH 130 and the expansion of US 290.

6. The impervious cover for SH 130 and US 290 that is adjacent to the PUD shall not be included in the PUD impervious cover calculations.

It is our understanding that the Staff supports this variance.

7. Traffic Impact Analyses (TIA) will be waived for development that takes ingress and egress from SH 130 and/or US 290. For those development tracts that take access directly from Blue Goose Lane and/or Parmer Lane, specifically tracts SG-2, SG-11 and SG-14, the requirement for a Traffic Impact Analysis will be deferred to the site plan stage of that particular development, unless no direct access to Blue Goose Lane and/or Parmer Lane is requested, in which event a TIA will not be required. The PUD ordinance No. 891116-D for the Harris Branch PUD states at Part 6:

"A transportation Impact Analysis shall be submitted prior to site plan approval of multifamily and non-residential tracts. Each TIA shall be used to determine the percentage of participation in, inter alia, intersection improvements designated in the Agreement"

A copy of this portion of the PUD Ordinance is attached for your information.

It is our understanding that the Staff does not support this variance.

8. Applicant had initially made a request for a variance from the requirements that cuts and fills over four feet but less than ten feet would be waived. Also, there will be no cut and fill limitations with respect to cut and fill that is to occur under a foundation with sides perpendicular to the ground for backfill for utility construction, in a public or private roadway right-of-way, for utility construction, storm water and water quality facilities, drives and sidewalks. Applicant agrees to and hereby modifies it's variance request to the Staff recommendation for an administrative variance with respect to cuts and fills in excess of four (4) feet but less than fifteen (15) feet with no cut and fill limitations with respect to cut and fill to occur under a foundation with sides perpendicular to the ground for backfill for utility

construction, in a public or private roadway right-of-way, for utility construction, storm water and water quality facilities, drives and sidewalks.

Environmental Staff is recommending this variance.

9. Water features found within the area of the PUD will be addressed in the manner previously agreed to with the Staff regarding the preliminary plan, a copy of which is attached as Exhibit "A".

Environmental Staff is recommending this variance.

10. The "stock tanks" that exist within the PUD shall not be considered Critical Environmental Features - CEFs. Although the Owner/Applicant will recognize a "Critical Water Quality Zone" as that term is defined in the LDC, around each of these "stock tanks", as if the "stock tanks" were CIFs, there will be no designation of a Water Quality Transition Zone and there will be no development limitations within the area that would have been designated as a Water Quality Buffer Zone.

Environmental Staff has agreed to and supports the treatment of wetlands, water features and waterways and the construction within Water Quality Buffer Zones in the manner and as shown on the attached Exhibit "A".

11. The Owner/Applicant requests that impervious cover allowances designated in the zoning granted for the PUD not be diminished by watershed regulations and that, if such is necessary, that such watershed regulations be varied to make the allowable impervious cover under the applicable watershed regulation the same as allowed in the CH – Commercial Highway zoning designation.

The Environmental Staff agrees to and supports the determination that impervious cover for the PUD will be computed on a gross site area basis and that there will be no reduction in impervious cover as a result on building on slopes.

12. Owner/Applicant requests a block length variance for all streets within the East and West portions of the amended PUD.

It is our understanding that Staff will support this variance.

13. The Owner/Applicant withdraw its request for a waiver of the requirement for sidewalks along Parmer Lane, SH 130 and US 290. It was pointed out by Staff that there is only a very small portion of the PUD near the intersection of Parmer Lane and SH 290 that would be impacted.

If you should be in need of additional information please do not hesitate to contact me.

Very truly yours,

John M. Joseph

CC: John McCullough (w/o Exhibits)
Austin HB Residential Properties, LLC

Charlie Steinman, Project Engineer (w/o Exhibits)
Cook-Steinman and Associates, Inc.

Paul Linehan
Land Strategies

Jerry Rusthoven, Zoning Department Manager, Watershed Protection and Development Review Dept.

Ms. Sherri Sirwaitis, Case Manager
City of Austin
Watershed Protection and Development Review Dept

Jennifer Meyer, (Title)

"Attachment H"

COPY

DRAFT

ENVIRONMENTAL BOARD MOTION FORM

Date: 10-19-05 Motion by: Phil Moncada

Agenda Item: 1 Seconded by: John Dupnik P.G.

Subject: HARRIS BRANCH PUD (Scot Glen) # 3

Motion: ☐ Approval ☒ Approve with conditions ☐ Disapproval

TO RECOMMEND Conditional approval to VARIANCE to AMEND the PUD # 901213-H that includes exceptions to certain watershed requirements

Conditions: ~~Continue~~ STAFF CONDITIONS:

(1) Compliance with the Green Building standards, although the applicant has not specified to what level.

(2) Provide an IPM plan for all property within the P.U.D.

Rationale Applicant has made significant changes to original PUD that enhance proposed development in regard to providing overall water quality in this area The development has Reduced impervious cover by 21 acres

Vote:	*CONSENTING*	*DISSENTING*	*ABSTAINING*	*ABSENT*
David Anderson, P. E, Chair	(✓)	( )	( )	( )
Karin Ascot, Vice Chair	(✓)	( )	( )	( )
Phil Moncada, Secretary	(✓)	( )	( )	( )
William Curra, P. E.	(✓)	( )	( )	( )
Dr. Mary Gay Maxwell	(✓)	( )	( )	( )
Rodney Ahart	(✓)	( )	( )	( )
Julie Jenkins	( )	( )	( )	(✓)
John Dupnik, P. G.	(✓)	( )	( )	( )
Amer Gilani, P. E.	(✓)	( )	( )	( )

Chair Sign Off DJ

ITEM FOR ENVIRONMENTAL BOARD AGENDA

BOARD MEETING DATE REQUESTED:	October 19, 2005
NAME & NUMBER OF PROJECT:	Harris Branch PUD (Scots Glen) Amendment #13 C814-90-0003.13
NAME OF APPLICANT OR ORGANIZATION:	Minter, Joseph & Thornhill, P.C. John M. Joseph (Phone 478-1075)
LOCATION:	1375 From E US HWY 290 at Harris Branch PKWY
PROJECT FILING DATE:	May 31, 2005
WPDR/ENVIRONMENTAL STAFF:	Jason Traweek, 974-2332 jason.traweek@ci.austin.tx.us
WPDR/ CASE MANAGER:	Sherri Sirwaitis 974-3057 sherri.sirwaitis@ci.austin.tx.us
WATERSHED:	Decker, Gilleland, and Harris Branch Creek (Suburban) Desired Development Zone
ORDINANCE:	Harris Branch PUD
REQUEST:	Requests to amend the PUD ordinance #901213-H that include exceptions to certain watershed requirements.
STAFF RECOMMENDATION:	Recommended with conditions

M J T

MINTER, JOSEPH & THORNHILL, P.C.

811 Barton Springs Rd.
Suite 800
Austin, Texas 78704-1196
phone 512.478.1075
fax 512.478.5838
www.mjtpc.com

October 11, 2005

John M. Joseph
Ext. 109
jjoseph@mjtpc.com

Pat Murphy,
City of Austin
Watershed Protection and Development Review Dept.
505 Barton Springs Rd., Suite 425
Austin, Texas 78704

Re: Case No.: C814-90-003.13
Harris Branch PUD Amendment
Owner/Applicant: Austin HB Residential Properties

Dear Pat:

Thanks for meeting with me, John McCullough and Paul Linehan of Land Strategies, the Project Planner today. It is good to have worked out all the environmental issues. Pursuant to your request, the following is an updated list of variances together with our understanding of the Staff position with respect thereto.

1. The Owner/Applicant is withdrawing it's variance request with respect to the definition of "site" as found in Section 25-1-21 of the Land Development Code of the City of Austin (LDC), requesting that the LDC be modified to provide that the land included within the geographic boundaries of the PUD be considered a single site for all development purposes including parking. streets and/or railroads or other transportation corridors. Development intensity

2. The owner/applicant is withdrawing the variance request whereby Development intensity may be transferred from tract to tract within the PUD without concurrently platting the transferring and receiving tracts.

3. Parkland requirement if any are triggered as a result of any residential development within the PUD sites is to be satisfied through the parkland dedication made and required to be made in the remainder of the Harris Branch PUD.

It is our understanding that staff supports this variance.

4. Permitted, Conditional, Prohibited and Accessory and site development regulations are modified to allow development in the PUD to comply with site development regulations and permitted uses of the PUD land use plan.

It is our understanding that the staff will support this variance.

5. The Owner/Applicant is withdrawing this variance request whereby stormwater management and water quality controls for SH 130 and the expansion of SH 290 are not counted in the development calculations for the PUD. A variance is no longer requested from the LDC to allow the PUD to be developed without being required to provide for, financially or otherwise, storm water management and/or water quality for SH 130 or SH 290 within the PUD and the development on the PUD sites will be allowed to develop without taking into consideration the development of SH 130 and the expansion of US 290.

6. The impervious cover for SH 130 and US 290 that is adjacent to the PUD shall not be included in the PUD impervious cover calculations.

It is our understanding that the Staff supports this variance.

7. Traffic Impact Analyses (TIA) will be waived for development that takes ingress and egress from SH 130 and/or US 290. For those development tracts that take access directly from Blue Goose Lane and/or Parmer Lane, specifically tracts SG-2, SG-11 and SG-14, the requirement for a Traffic Impact Analysis will be deferred to the site plan stage of that particular development, unless no direct access to Blue Goose Lane and/or Parmer Lane is requested, in which event a TIA will not be required. The PUD ordinance No. 891116-D for the Harris Branch PUD states at Part 6:

"A transportation Impact Analysis shall be submitted prior to site plan approval of multifamily and non-residential tracts. Each TIA shall be used to determine the percentage of participation in, inter alia, intersection improvements designated in the Agreement"

A copy of this portion of the PUD Ordinance is attached for your information.

It is our understanding that the Staff does not support this variance.

8. Applicant had initially made a request for a variance from the requirements that cuts and fills over four feet but less than ten feet would be waived. Also, there will be no cut and fill limitations with respect to cut and fill that is to occur under a foundation with sides perpendicular to the ground for backfill for utility construction, in a public or private roadway right-of-way, for utility construction, storm water and water quality facilities, drives and sidewalks. Applicant agrees to and hereby modifies it's variance request to the Staff recommendation for an administrative variance with respect to cuts and fills in excess of four (4) feet but less than fifteen (15) feet with no cut and fill limitations with respect to cut and fill to

occur under a foundation with sides perpendicular to the ground for backfill for utility construction, in a public or private roadway right-of-way, for utility construction, storm water and water quality facilities, drives and sidewalks.

Environmental Staff is recommending this variance.

9. Water features found within the area of the PUD will be addressed in the manner previously agreed to with the Staff regarding the preliminary plan, a copy of which is attached as **Exhibit "A"**.

Environmental Staff is recommending this variance.

10. The "stock tanks" that exist within the PUD shall not be considered Critical Environmental Features - CEFs. Although the Owner/Applicant will recognize a "Critical Water Quality Zone" as that term is defined in the LDC, around each of these "stock tanks", as if the "stock tanks" were CIFs.

This variance request is withdrawn.

10a Staff and applicant agree to address development regarding the Critical Water Quality Zone and Water Quality Transition Zone as shown on the attached Equinox Centre Environmental Base Map and staff supports applicants request for a variance eliminating the WQTZ on Lots 4, 5 and 6 and not developing impervious cover in the WQTZ for Lot 3 but allowing storm water facilities therein.

10b. The Water Quality Ponds that are provided on the property will, where economically feasible, be maintained as Wet Ponds.

11. The Owner/Applicant requests that impervious cover allowances designated in the zoning granted for the PUD not be diminished by watershed regulations and that, if such is necessary, that such watershed regulations be varied to make the allowable impervious cover under the applicable watershed regulation the same as allowed in the CH – Commercial Highway zoning designation.

The Environmental Staff agrees to and supports the determination that impervious cover for the PUD will be computed on a gross site area basis and that there will be no reduction in impervious cover as a result of building on slopes and Staff supports a variance from calculating impervious cover on a net site area basis.

12. Owner/Applicant requests a block length variance for all streets within the East and West portions of the amended PUD.

It is our understanding that Staff will support this variance.

13. The Owner/Applicant withdraws it's request for a waiver of the requirement for sidewalks along Parmer Lane, SH 130 and US 290. It was pointed out by Staff that there is only a very small portion of the PUD near the intersection of Parmer Lane and SH 290 that would be impacted.

Applicant is withdrawing this variance request.

The above referenced variances will only apply to Scots Glen (Equinox Centre) amended area not the entire Austin H.B. PUD. Please be advised that the project name corresponding with this PUD amendment is Equinox Centre and all future correspondence will refer to what has been Scots Glen PUD as the Equinox Centre PUD.

If you should be in need of additional information please do not hesitate to contact me.

Very truly yours,

John M. Joseph

CC: John McCullough (w/o Exhibits)
Austin HB Residential Properties, LLC

Charlie Steinman, Project Engineer (w/o Exhibits)
Cook-Steinman and Associates, Inc.

Paul Linehan
Land Strategies

Jerry Rusthoven, Zoning Department Manager,Watershed Protection and Development Review Dept.

Ms. Sherri Sirwaitis, Case Manager
City of Austin
Watershed Protection and Development Review Dept

Jennifer Meyer, Environmental Review Specialist Senior

Lyday, Mike

From: Lyday, Mike
Sent: Tuesday, October 11, 2005 6:48 PM
To: Traweek, Jason
Cc: Murphy, Pat; Peacock, Ed
Subject: Harris Branch PUD.doc

Jason,

Scott Hiers and I investigated the Harris Branch PUD tract back in January of 2001 (see memo below). The recently submitted Harris Branch PUD is protecting the wetland and spring CEFs with setback areas as recommended. I understand that the PUD applicants would rather categorize the recommended wetland setbacks around the unclassified waterways as greenbelts and CWQZs rather than CEF setbacks. Since this is a PUD and it is my understanding that the waterways and wetlands will be protected in the same manner as they would with CEF setbacks, I can agree to this request.

Thank you for including Environmental Resource Management in your assessment of resources and their protection for this PUD agreement. Please call me at 974-2956 if you have any other questions or need additional information.

Mike Lyday
Senior Environmental Scientist
Watershed Protection and Development Review

INTEROFFICE MEMORANDUM

TO: Chris Dolan, Environmental Review Specialist
Environmental Review and Inspection Division

FROM: Scott E. Hiers, Hydrogeologist
Mike Lyday, Wetland Biologist
Environmental Resource Management (ERM)

DATE: January 19, 2001

SUBJECT: Harris Branch, Tract 9: north of US Hwy. 290 East, between Blue Goose Road and Boyce Lane: C8-00-2256

Environmental Resource Management staff, Scott Hiers and Mike Lyday, completed a Critical Environmental Feature (CEF) assessment on January 8, 2001 of the above referenced development site. During our site visit a number of wetland CEFs and a seep CEF, as defined by City of Austin's Land Development Code (LDC), were identified on the property.

LAND STRATEGIES INC.

PAUL LINEHAN & ASSOCIATES

Equinox Centre
September 15, 2005

Original Boundary

Uplands				N.S.A.	Imp. Cover.
0-15%	322.88 ac.	@	100%	322.88 ac.	
15-25%	7.94 ac.	@	40%	3.18 ac.	
25-35%	1.88 ac.	@	20%	0.38 ac.	
>35%	0.82 ac.	@	0%	0.00 ac.	
Total	333.52 ac.			326.44 ac.	261.15 ac. IC
				NSA	NSA
W.Q.T.Z.	16.07 ac.				
w/golf	7.55 ac.	@	17,000 s.f./ac.	=	2.95 ac.
w/o golf	8.52 ac.	@	20,000 s.f./ac.	=	3.91 ac.
Total	16.07 ac.				6.86 ac. IC
					"extra"
C.W.Q.Z.	15.64 ac.				
w/golf	15.64 ac.	@	0 s.f./ac.	=	0.00 ac.
w/o golf	0.00 ac.	@	20,000 s.f./ac.	=	0.00 ac.
Total	15.64 ac.				0.00 ac. IC

Calculated allowable impervious cover: 268.01 ac.

Desired Impervious Cover

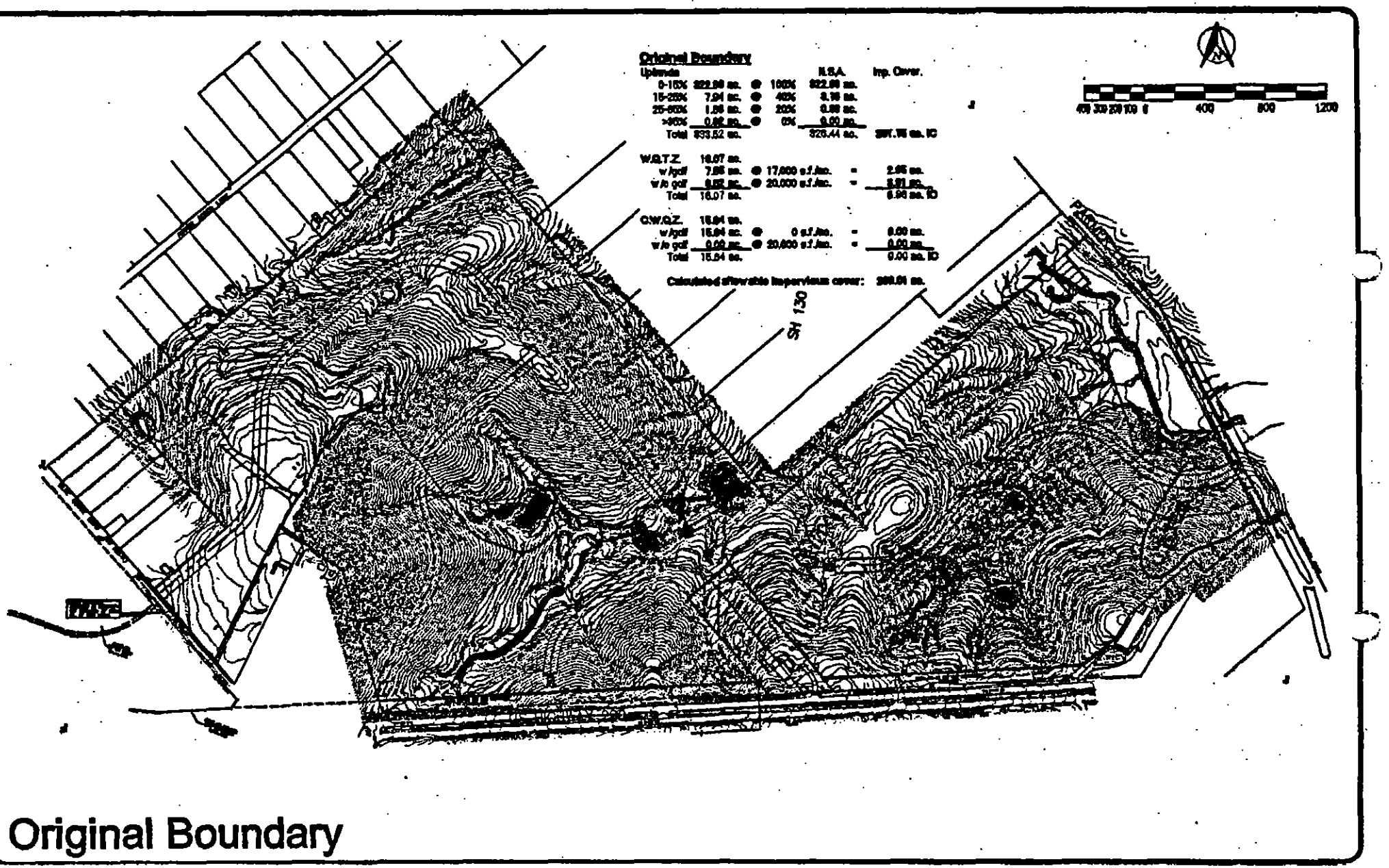
Tract	Uplands	W.Q.T.Z.	Total
1	7.50 ac.	0.00 ac.	7.50 ac.
2	26.96 ac.	5.26 ac.	32.22 ac.
3	31.62 ac.	0.00 ac.	31.62 ac.
4	13.80 ac.	0.00 ac.	13.80 ac.
5	3.74 ac.	0.00 ac.	3.74 ac.
6	13.91 ac.	0.00 ac.	13.91 ac.
7	18.93 ac.	0.00 ac.	18.93 ac.
8	62.58 ac.	0.00 ac.	62.58 ac.
9	64.28 ac.	0.00 ac.	64.28 ac.
R.O.W.			27.20 ac.
Total Development Area			275.78 ac.
Desired Imp. Cvr. @	80%	=	220.62 ac.
C.W.Q. Imp. Cover			249.14 ac.
less all W.Q.T.Z.			-7.38 ac.
Available Imp. Cover			241.76 ac.
Desired Imp. Cvr. @	80%	=	220.62 ac.

~18 acres open

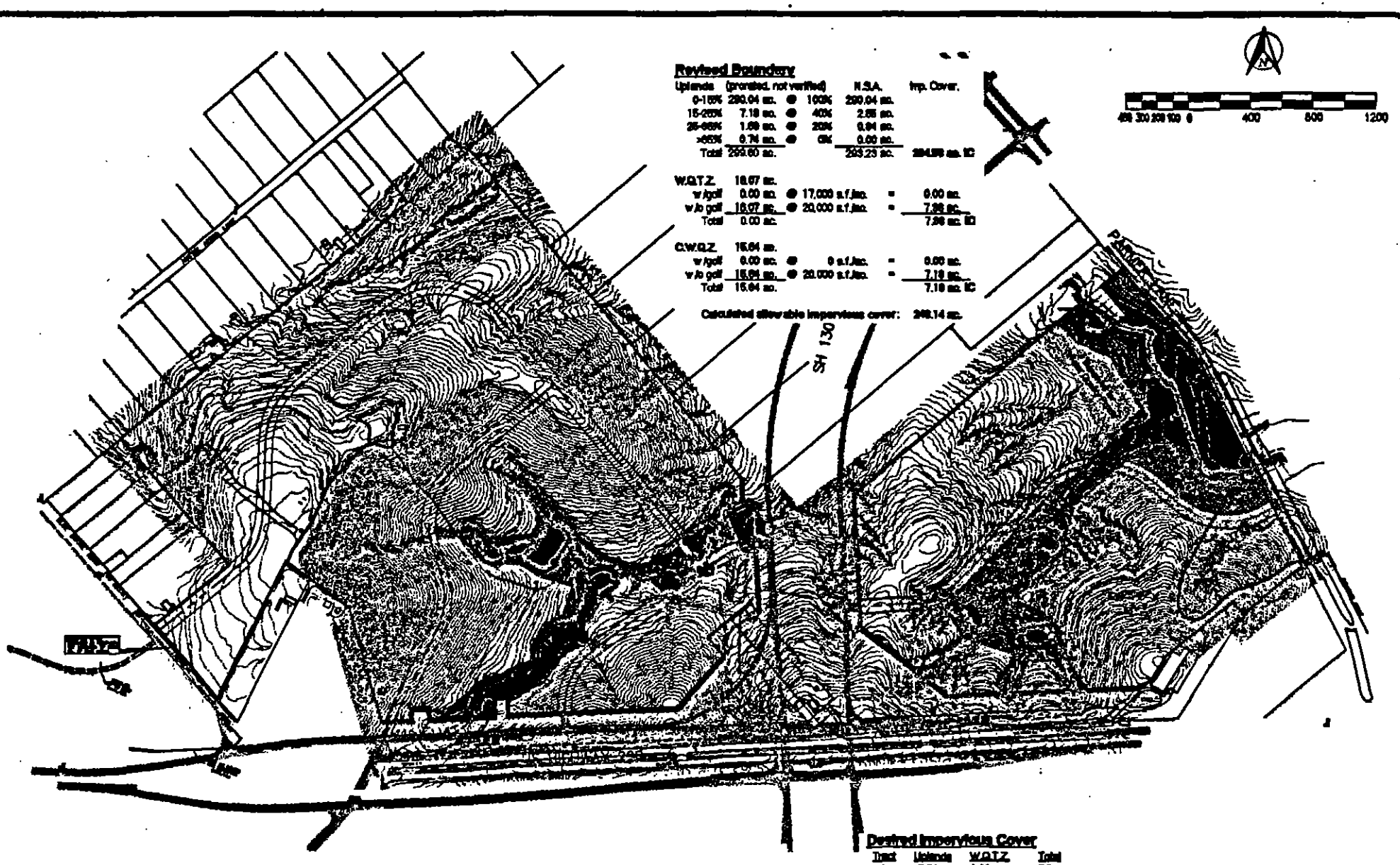
Revised Boundary

Uplands (prorated, not verified)				N.S.A.	Imp. Cover.
0-15%	290.04 ac.	@	100%	290.04 ac.	
15-25%	7.13 ac.	@	40%	2.85 ac.	
25-35%	1.69 ac.	@	20%	0.34 ac.	
>35%	0.74 ac.	@	0%	0.00 ac.	
Total	299.60 ac.			293.23 ac.	234.58 ac. IC
				NSA	
W.Q.T.Z.	16.07 ac.				
w/golf	0.00 ac.	@	17,000 s.f./ac.	=	0.00 ac.
w/o golf	16.07 ac.	@	20,000 s.f./ac.	=	7.38 ac.
Total	0.00 ac.				7.38 ac. IC
					"extra"
C.W.Q.Z.	15.64 ac.				
w/golf	0.00 ac.	@	0 s.f./ac.	=	0.00 ac.
w/o golf	15.64 ac.	@	20,000 s.f./ac.	=	7.18 ac.
Total	15.64 ac.				7.18 ac. IC

Calculated allowable impervious cover: 249.14 ac.



Original Boundary



Revised Boundary

Uplands (prorated, not verified)			N.S.A.	Imp. Cover
0-15%	280.04 ac.	@ 100%	280.04 ac.	
15-25%	7.18 ac.	@ 40%	2.88 ac.	
25-65%	1.69 ac.	@ 20%	0.84 ac.	
>65%	0.74 ac.	@ 0%	0.00 ac.	
Total	293.60 ac.		283.23 ac.	294.89 ac. IC

W.Q.T.Z.	18.07 ac.			
w/golf	0.00 ac.	@ 17,000 s.f./ac.	=	0.00 ac.
w/o golf	18.07 ac.	@ 20,000 s.f./ac.	=	7.36 ac.
Total	0.00 ac.			7.36 ac. IC

C.W.Q.Z.	15.64 ac.			
w/golf	0.00 ac.	@ 0 s.f./ac.	=	0.00 ac.
w/o golf	15.64 ac.	@ 20,000 s.f./ac.	=	7.19 ac.
Total	15.64 ac.			7.19 ac. IC

Calculated allowable impervious cover: 248.14 ac.

Desired Impervious Cover

Tract	Uplands	W.Q.T.Z.	Total
1	7.50 ac.	0.00 ac.	7.50 ac.
2	26.98 ac.	5.28 ac.	32.22 ac.
3	61.62 ac.	0.00 ac.	61.62 ac.
4	19.80 ac.	0.00 ac.	19.80 ac.
5	8.74 ac.	0.00 ac.	8.74 ac.
6	13.91 ac.	0.00 ac.	13.91 ac.
7	18.98 ac.	0.00 ac.	18.98 ac.
8	62.88 ac.	0.00 ac.	62.88 ac.
9	64.29 ac.	0.00 ac.	64.29 ac.
R.O.W.			27.20 ac.
Total Development Area			276.79 ac.
Desired Imp. Cvr. @	80%	=	220.62 ac.

C.W.O. Imp. Cover	248.14 ac.
less at W.Q.T.Z.	-7.36 ac.
Available Imp. Cover	241.76 ac.
Desired Imp. Cvr. @ 80%	= 220.62 ac.

Revised Boundary

LAND STRATEGIES INC.
PAUL LINEHAN & ASSOCIATES

Equinox Centre

September 15, 2005

Original Boundary

Uplands				N.S.A.		Imp. Cover.	
0-15%	322.88 ac.	@	100%	322.88 ac.			
15-25%	7.94 ac.	@	40%	3.18 ac.			
25-35%	1.88 ac.	@	20%	0.38 ac.			
>35%	0.82 ac.	@	0%	0.00 ac.			
Total	333.52 ac.			326.44 ac.		261.15	ac. IC
W.Q.T.Z.	16.07 ac.						
w/golf	7.55 ac.	@	17,000	s.f./ac.	=	2.95	ac.
w/o golf	8.52 ac.	@	20,000	s.f./ac.	=	3.91	ac.
Total	16.07 ac.					6.86	ac. IC
C.W.Q.Z.	15.64 ac.						
w/golf	15.64 ac.	@	0	s.f./ac.	=	0.00	ac.
w/o golf	0.00 ac.	@	20,000	s.f./ac.	=	0.00	ac.
Total	15.64 ac.					0.00	ac. IC
	Calculated allowable impervious cover:					**268.01**	**ac.**

Revised Boundary

Uplands	(prorated, not verified)			N.S.A.		Imp. Cover.	
0-15%	290.04 ac.	@	100%	290.04 ac.			
15-25%	7.13 ac.	@	40%	2.85 ac.			
25-35%	1.69 ac.	@	20%	0.34 ac.			
>35%	0.74 ac.	@	0%	0.00 ac.			
Total	299.60 ac.			293.23 ac.		234.58	ac. IC
W.Q.T.Z.	16.07 ac.						
w/golf	0.00 ac.	@	17,000	s.f./ac.	=	0.00	ac.
w/o golf	16.07 ac.	@	20,000	s.f./ac.	=	7.38	ac.
Total	0.00 ac.					7.38	ac. IC
C.W.Q.Z.	15.64 ac.						
w/golf	0.00 ac.	@	0	s.f./ac.	=	0.00	ac.
w/o golf	15.64 ac.	@	20,000	s.f./ac.	=	7.18	ac.
Total	15.64 ac.					7.18	ac. IC
	Calculatod allowable impervious cover:					**249.14**	**ac.**

Desired Impervious Cover

Tract	Uplands	W.Q.T.Z.	Total
1	7.50 ac.	0.00 ac.	7.50 ac.
2	26.96 ac.	5.26 ac.	32.22 ac.
3	31.62 ac.	0.00 ac.	31.62 ac.
4	13.80 ac.	0.00 ac.	13.80 ac.
5	3.74 ac.	0.00 ac.	3.74 ac.
6	13.91 ac.	0.00 ac.	13.91 ac.
7	18.93 ac.	0.00 ac.	18.93 ac.
8	62.58 ac.	0.00 ac.	62.58 ac.
9	64.28 ac.	0.00 ac.	64.28 ac.
R.O.W.			27.20 ac.
Total Development Area			275.78 ac.
Desired Imp. Cvr. @	80%	=	220.62 ac.
C.W.O. Imp. Cover			249.14 ac.
less all W.Q.T.Z.			-7.38 ac.
Available Imp. Cover			**241.76 ac.**
Desired Imp. Cvr. @	80%	=	220.62 ac.

DEVELOPMENT, DESIGN AND PLANNING CONSULTANTS
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