ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 4907 RM 2222 FROM LAKE AUSTIN RESIDENCE (LA) AND SINGLE-FAMILY RESIDENCE STANDARD LOT (SF-2) TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT.

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

PART 1. Holdsworth Center Planned Unit Development (the "***PUD***") is comprised of approximately 44.17 acres of land located generally at 4907 RM 2222 and more particularly described by metes and bounds in **Exhibit A: Legal Description of the PUD**, incorporated into this ordinance (the "***Property***").

PART 2. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from Lake Austin residence (LA) and single-family residence standard lot (SF-2) district to planned unit development (PUD) district on the property described in Zoning Case No. C814-2017-0024, on file at the Planning and Zoning Department and locally known as 4907 RM 2222, and generally identified in the map attached as **Exhibit B: Zoning Map**.

PART 3. This ordinance, including exhibits, constitutes the land use plan (the "***Land Use Plan***") for the PUD. Development of and uses within the PUD shall conform to the limitations and conditions set forth in this ordinance and in the land use plan. If this ordinance and an attached exhibit conflicts, this ordinance controls. Except as otherwise specifically modified by this ordinance, all other rules, regulations, and ordinances of the City in effect at the time of permit application apply to development within the PUD. In this ordinance, Landowner (the "***Landowner***") means the owner of property located within the 44.17 acres of land described in **Exhibit A**, or the owner's successors and assigns.

PART 4. The attached exhibits are incorporated into this ordinance in their entirety as though set forth fully in the text of this ordinance. The exhibits are as follows:

Exhibit A: Legal Description of the PUD

Exhibit B: Zoning Map

Exhibit C: Land Use Plan

Exhibit D: PUD Notes

Exhibit E: Critical Environmental Feature Buffers

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Exhibit F: Heritage Trees

Exhibit G: Open Space

Exhibit H: Drainage Area Map – Existing Conditions

Exhibit I: Drainage Area Map – Proposed Conditions

Exhibit J: Conceptual Mitigation Plan

Exhibit K: Mobility and Access

PART 5. Land Use.

The following conditions apply:

A. Development of the Property is limited to a non-profit retreat center, including meeting facilities, dormitories for up to 250 invitees, common area dining facilities, administrative offices, recreational facilities, one permanent residence, three docks, parking facilities with 300 onsite spaces, a research and educational facility, and related uses for training public educators. The Property and facilities may be leased by others from time to time, subject to the limitations and use restrictions of the PUD. The facilities may be leased to third parties for up to a maximum of 150 days per year. Any rental of the facilities for all or part of a day for any use other than the non-profit educational retreat center described above shall be counted as one of the 150 days.

B. Development of the Property shall follow the development standards of the Lake Austin residence (LA) district, except as modified in Part 10. A. 1.

C. Hotel-motel is a prohibited use of the Property.

PART 6. Open Space.

The PUD shall include a minimum of 24.29 acres of open space as generally shown in **Exhibit G: Open Space**.

PART 7. Environmental.

A. Green Building Rating.

All buildings in the PUD will achieve a three-star or greater rating under the Austin Energy Green Building program using the applicable rating version in effect at the time a rating registration application is submitted for the building.

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B. Impervious Cover

Impervious cover is limited to 8.8 acres as shown on **Exhibit C: Land Use Plan**.

C. Landscaping

1. All required tree plantings shall use native tree species selected from Appendix F (*Descriptive Categories of Tree Species*) of the Environmental Criteria Manual (the "***ECM***").

2. All required tree plantings shall use Central Texas native seed stock.

3. All planted landscape materials shall be selected from the ECM Appendix N (*City of Austin Preferred Plant List*) or the "Grow Green Native and Adapted Landscape Plants Guide".

4. Storm water runoff from impervious surfaces shall be directed to a landscaped area at least equal to the total required landscape area, in compliance with Section 25-2-1008 (*Irrigation Requirements*).

D. Water Quality

1. Runoff from the 95th percentile rainfall event shall be retained and beneficially used on site through practices that infiltrate, evapotranspire, or harvest and use rainwater.

2. The PUD shall use green storm water quality controls, as described in ECM Section 1.6.7 (*Green Storm Water Quality Infrastructure*), to treat 100 percent of the required water quality volume. Water quality treatment shall be provided by small-scale, distributed controls that utilize natural design and infiltration to the maximum extent feasible. The project will utilize a minimum of three different types of green water quality controls. Biofiltration ponds may only be used if constructed with natural materials, including earthen berm slopes, and approved by the Watershed Protection Department.

3. Green storm water quality controls as described in D.2 shall also be provided for a minimum of 10 acres of the 17.5 acre untreated, developed, offsite area show in **Exhibit I: Drainage Area Map – Proposed Conditions**.

E. Tree Preservation

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1. The PUD shall preserve 100 percent of the heritage trees on site, as shown in **Exhibit F: Heritage Trees**.

2. The PUD shall preserve a minimum of 75 percent of the caliper inches associated with native protected trees and a minimum of 75 percent of all native caliper inches, including trees 6 inches or larger in diameter at breast height. Each subdivision, site plan, and building permit application that includes a tree removal request shall demonstrate that the PUD is in compliance with this requirement.

F. Other Environmental Elements

1. The PUD will include at least one acre of riparian restoration within the critical water quality zone along Lake Austin. Restoration shall include removing invasive species, planting native species, and creating new wetland areas on the landward side of existing levee, as described in **Exhibit E: Critical Environmental Feature Buffers** and **Exhibit J: Conceptual Mitigation Plan**. A final mitigation plan approved by the Watershed Protection Department shall be submitted and implemented with the first site plan application.

2. The PUD shall use porous pavement, designed in accordance with the ECM, for a minimum of 50 percent of all paved pedestrian areas.

3. The Landowner shall install educational signage at each type of water quality control and at the riparian restoration area. Signage installation shall occur simultaneously to construction of other elements on the site plan. The minimum size for an educational sign is 11 inches by 17 inches. The design and location of the signs shall be reviewed and approved by the Watershed Protection Department at the time of site plan application.

4. An integrated pest management (the "***IPM***") plan that complies with ECM Section 1.6.9.2(D) and (F) shall be submitted for approval with each site plan application. The Landowner shall provide copies of the IPM plan to all property owners within the PUD.

PART 8. Transportation.

A. At the time of site plan application, an 8-foot wide public-access easement intended to accommodate multi-modal improvements will be dedicated to the City along the RM 2222 frontage.

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B. The Landowner and the Texas Department of Transportation will enter into a binding Donation Agreement for construction of improvements within the RM 2222 right-of-way to include a left-turn bay for northbound vehicular traffic, and a southbound right-turn taper lane. The City supports the agreement.

C. The Landowner shall comply with a Transportation Demand Management program approved by the Director of the Austin Transportation Department to reduce vehicular trips to and from the PUD. The TDM program may implement both on-site and off-site demand measures. The on-site demand management measures and strategies must ensure efficient use of parking spaces; avoid double-parking, parking on the curb, or parking in unmarked spaces; and avoid spillover outside the lot in the PUD. The TDM program will be applicable and enforceable against the Landowner. Landowner shall submit the TDM program before approval of the first site development permit on the PUD.

1. The TDM program, at a minimum, will outline the content of the memorandums of understanding between the PUD and each entity (e.g., school districts) that uses the retreat center, and will include the following:

a. Recommendation for entities to utilize the Landowner-provided vanpools, shuttles, or other transportation coordination efforts. The TDM program shall be applicable to and be enforceable against the Landowner and subsequent landowners should ownership change;

b. Specific information for how to organize vanpools, carpools, and shuttles if the entity chooses to opt out of the transportation options; and

c. Mitigation payments if the Landowner exceed 400 daily vehicle trips.

2. Daily trips to and from the PUD for the two anticipated highest attended events shall be monitored and reported to the Director of ATD annually (the "***traffic counts report***"). The Landowner shall provide a spreadsheet showing all booked events and estimated attendance to determine the two anticipated highest attended events. Means and methodology for conducting traffic counts for the traffic counts report shall be submitted by the Landowner and approved by the Director of ATD as part of the submitted TDM plan. If the Landowner meets the trip cap each year with proof in the traffic counts report for two consecutive years, then annual reporting will no longer be required. ATD may require additional traffic counts reports if complaints are received within the first five years the non-

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profit retreat center is in operation. No additional reporting shall be required after the fifth year in operation.

3. ATD shall notify the Landowner by certified mail of noncompliance with the TDM program if the PUD exceeds the trip cap of 400 daily trips. The Landowner shall implement measures to ensure compliance with the TDM program and submit a traffic counts report for an event with comparable daily trip demand during the summer within the same calendar year. If the Landowner exceeds the trip cap for a second time within the same calendar year, then the Landowner shall make a mitigation payment to the City in the amount of $12,000 and be required to submit a traffic counts report for the following year. A mitigation payment and future year traffic counts report shall be required until the landowner is back in compliance, or the mitigation payment total has reached $60,000, whichever has occurred first. The mitigation payment shall not exceed $60,000 for the five-year monitoring period, and shall be used to offset the costs to implement additional on-site TDM measures at the direction of ATD. The City shall place the mitigation payments in a fund established by the City.

PART 9. Lighting.

The PUD shall implement an outdoor lighting plan to minimize light pollution using "dark sky" design guidelines and techniques. When operated, light fixtures must not produce an intense glare or direct illumination across the property line, except for boat dock lighting, which may be installed across property lines where authorized by applicable City regulations. All lights shall be a LED source and a light beam shall be controlled and not directed across any property line above a height of three feet. All exterior light fixtures must be fully shielded, indirect, down lights, and diffused. The maximum intensity measured at the property line shall be .5 foot candles.

PART 10. Code Modifications. In accordance with City Code Chapter 25-2, Subchapter B, Article 2, Division 5 (*Planned Unit Developments*) of the Code, the following site development regulations apply to the PUD instead of otherwise applicable City regulations:

A. Zoning

1. Section 25-2-492 (*Site Development Regulations*) is modified so that the maximum height is 40 feet for portions of the site located at 520 feet or less above sea level and the maximum height is 25 feet for any portion of the site located higher than 520 feet above sea level.

2. Section 2.5.2.B.2 (*Requirements for Exceeding Baseline*) of Chapter 25-2, Subchapter B, Article 2, Division 5 (*Planned Unit Developments*), Subpart B (*Planned Unit Development Standards*) is modified to not require an in-lieu donation related to increasing the maximum building height to 40 feet as described in Part 10. A. 1.

3. Sections 25-2-897 (*Accessory Uses for a Principal Civic Use*) and 25-2-1176(A)(9)(a) (*Site Development Regulations for Docks, Marinas, and Other Lakefront Uses*) are modified to allow no more than three docks on the Property. One of the three docks may have two slips with mechanical lifts and may extend up to 60 feet from the shoreline. The other two docks shall not have mechanical equipment and may extend up to 30 feet from the shoreline. The maximum footprint for the three docks in aggregate shall be 3,900 square feet. Each dock shall be permitted a single means of access from the shoreline through the critical water quality zone.

4. Section 25-2-899 (*Fences as Accessory Uses*) is modified to allow a fence to be a maximum height of ten (10) feet along the east property line.

5. Subchapter E (*Design Standards and Mixed Use*) of Chapter 25-2 does not apply to the PUD.

B. Transportation

Section 25-6-472 (*Parking Facility Standards*) is replaced by the Request for Special Parking Determination Schedule B incorporated in **Exhibit D: PUD Notes**.

C. Environmental

1. Section 25-8-281 (*Critical Environmental Features*) and ECM Section 1.10.4 (*Determining Size of Critical Environmental Feature Protective Buffers*) are modified as shown on **Exhibit E: Critical Environmental Feature Buffers**.

2. Section 25-8-341 (*Cut Requirements*) is modified to allow for cuts up to 10 feet in depth for the access drive design, as shown on **Exhibit C: Land Use Plan**.

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PART 11. This ordinance takes effect on _____, 2017.

PASSED AND APPROVED

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_____, 2017 § _____
Steve Adler
Mayor

APPROVED: _____ **ATTEST:** _____
Anne L. Morgan
City Attorney

Jannette S. Goodall
City Clerk

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