

## ORDINANCE NO.

### **AN ORDINANCE CHANGING THE ZONING MAP FROM PLANNED UNIT DEVELOPMENT (PUD) COMBINING DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) COMBINING DISTRICT.**

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

**PART 1.** Camelback Planned Unit Development (Camelback PUD) is comprised of approximately 144.817 acres of land located south of Bridge Point Parkway, approximately 550 feet west of Pennybacker Bridge, and north of Lake Austin, and more particularly described by metes and bounds in **Exhibit A** 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 planned unit development (PUD) combining district to planned unit development (PUD) combining district on the property described in Zoning Case No. C814-86-023, on file at the Planning and Zoning Department, and locally known as generally west of Capital of Texas Highway and north of Lake Austin, and generally identified in the map attached as **Exhibit B**.

**PART 3.** This ordinance and the attached Exhibits A through N are the land use plan (the “Land Use Plan”) for the Camelback PUD created by this ordinance. Development of and uses within the Camelback PUD shall conform to the limitations and conditions set forth in this ordinance and in the Land Use Plan. If this ordinance and the attached exhibits conflict, this ordinance controls. Except as modified by the Camelback PUD ordinance, applications must comply with the applicable City Code.

**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 Camelback PUD

Exhibit B: Zoning Map

Exhibit C: Land Use Plan

Exhibit D: PUD Notes and Exhibits

Exhibit E: Compatibility Height and Setbacks

Exhibit F: Onsite Multi-Modal Transportation

Exhibit G: Environmental Resources

Exhibit H. Cliff Park Improvements Plan

Exhibit I. Preserve Park Improvements Plan

## **PART 5. Land Use.**

The following conditions apply:

- A. The total square footage of all office/commercial development within the Camelback PUD shall not exceed 325,000 square feet. The total square footage of office development shall not exceed 60,000 square feet. The maximum number of hotel rooms shall not exceed 80 rooms.
- B. The maximum number of residential units within the Camelback PUD shall not exceed 200 units. The maximum number of residential units may increase to 200 from 64 if commercial development is correspondingly reduced on a one-to-one square-foot basis. Hotel rooms shall count against the total number of residential units.
- C. The maximum square footage of the clubhouse and dock sanitary facility within the Camelback PUD shall not exceed 5,000 square feet.
- D. The maximum length of the cluster dock with boat slips shall not exceed 624 linear feet. The cluster dock shall be limited to residential uses only, and commercial and fuel sales are prohibited.
- E. The inclined elevator shall provide access for residents to the cluster dock from the Dock district.
- F. Total impervious cover within the Camelback PUD is limited to 15 percent of the PUD's gross site area. This total impervious cover limit applies to the PUD overall, not on an individual subdivision or site plan basis. Impervious cover includes three acres for the Bridge Point Parkway extension and 18.86 acres for development. In addition to the overall limit, land uses within the PUD shall comply with the impervious cover limits in **Exhibit B**.
- G. Total impervious cover within the Camelback PUD shall be reduced by two acres if one or more private restrictive covenants and/or private conservation easements restricting development on the property described as Lot 1, Block A, of the Champion City Park East Subdivision is not recorded within 30 days of the effective date of this ordinance (the "Champion Tract Restrictions").
- H. The Champion Tract Restrictions shall:
  - 1. reduce allowable vehicle trips per day by 75 percent;

2. reduce gross floor area (excluding parking facilities) to 120,000 square feet; and
  3. limit the use of that property to senior living, including without limitation, congregate living, convalescent services, and retirement housing or other low-intensity uses allowed by the Champion Tract Restrictions.
- I. Outdoor amplified sound in the Dock district shall be prohibited. Outdoor sound in the Commercial district shall be limited to 70 decibels from 10 a.m. to 10 p.m. and shall be prohibited from 10 p.m. to 10 a.m.

#### **PART 6. Open Space and Parkland.**

- A. The Camelback PUD shall include open (1) open space and (2) dedicated parkland for park and recreational purposes in accordance with **Exhibits H and I**. Parkland dedication requirements set forth in **Exhibits H and I** and in this ordinance satisfy all City parkland requirements, including parkland development fee requirements, for the Camelback PUD.
- B. The Camelback PUD shall include 60.46 acres of open space, as generally shown on **Exhibit B**, which satisfies open space requirements for a subdivision or site plan submitted within the Camelback PUD.
- C. The Camelback PUD shall include 26.16 acres of dedicated parkland. Park improvements shall include: shade structures; 25 off-site parking spaces; one off-site public restroom (to be located in the Commercial district in proximity to the off-site parking); one drinking fountain; four trash receptacles; four park benches; 3,400 linear feet of nature trail; 100 linear feet of an Americans with Disabilities Act-accessible multi-modal trail to the first cliff overlook; park signage; a trailhead with shade structure; sidewalk connection for on-street parking on West Bridge Point Parkway; and at least four on-site public scenic vista points.
- D. The Parkland Improvement and Operations Agreement for the parkland shall require a minimum \$1.5 million for park improvements.
- E. Boundaries of the Park district shall not be changed administratively unless the change results in an increase in the size of the Park district and an increase in the amount of shoreline and cliff frontage that will become parkland.
- F. The Parkland Improvement and Operations Agreement for the parkland shall require the Park district to be improved and dedicated prior to any certificate of occupancy being issued for any non-park building in the PUD.

#### **PART 7. Environmental.**

A. Green Building Rating

1. All buildings in the Camelback PUD will achieve a three-star or greater rating under the City's Austin Energy Green Building program or such buildings will achieve a reasonably equivalent rating under a program approved by the City, using the applicable rating version in effect at the time a rating registration application is submitted for the building.

B. The Camelback PUD shall comply with current tree protection and mitigation regulations, except for the removal of six trees identified by the City Arborist to be dead, diseased, or dying.

C. Drainage

1. Public roadways and private driveways shall span the 10-year storm elevation when cross a waterway that has more than 32 acres in drainage area.
2. Street crossings of the critical water quality zone shall span the 10-year storm elevation.

D. Docks

1. Design of dock facilities and dock access shall consider input from a design charrette comprised of a group approved by the City and the Landowner to ensure the structure is protective of the environment and minimizes adverse visual aesthetic impacts.
2. Sewage lift stations within the dock district shall include an emergency overflow tank and provide an oversized wet well to reduce the potential for sanitary sewer overflows into Lake Austin.
3. The cluster dock shall be offset from the shoreline to the minimum extent necessary to allow for restoration of the existing wetland and to minimize dredging. The outer edge of the dock may extend up to 60 feet but less than 75 feet from the shoreline. Any dredging resulting from locating the dock within these limits shall be administratively approved.
4. If requested by the Austin Fire Department or Austin Police Department within six months after approval of this ordinance, the Landowner shall provide one slip or emergency mooring or docking station on the cluster dock in the Dock district for each department that requests such dockage for emergency services.

E. An integrated pest management (IPM) plan that complies with Section 1.6.9.2 (D) and (F) of the Environmental Criteria Manual (ECM) 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 Camelback PUD.

- F. The Camelback PUD shall implement an outdoor lighting plan to minimize light pollution using “dark sky” guidelines and techniques.
- G. The Camelback PUD shall provide 100 percent on-site water quality capture volume and treat 75 percent using green innovative methods per ECM Section 1.6.7 (*Green Stormwater Quality Infrastructure*). Each development district shall have separate controls, and the Mixed Residential district shall have at least three controls.
- H. The Camelback PUD shall require a 15-foot wide vegetative setback adjacent to Lot 3, Block A, of the Sanctuary at Coldwater subdivision.

#### **PART 8. Transportation.**

- A. The Landowner shall construct Bridge Point Parkway improvements through the Property.
- B. The Landowner shall provide a 12-foot-wide multi-use trail along the Bridge Point Parkway extension.
- C. The Landowner shall construct or provide fiscal security toward transportation-related improvements on surrounding roadways and intersections, including signal timing optimization, signal modifications, turn-lane improvements, acceleration-lane improvements, re-striping, and a roundabout.

**PART 9. Housing Trust Fund Contribution.** The Landowner shall make a contribution to the Housing Trust Fund of \$2 per square foot of overall building square footage, due prior to approval of the site plan for each building constructed within the PUD. Staff should endeavor to invest the funds within District 10 for a period of seven years. If no suitable projects or opportunities are identified within seven years, staff may use the funds in other ways that advance the goals of the City’s Strategic Housing Blueprint.

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

##### **A. General**

- 1. Section 25-1-21(46) (*Definitions*) is modified to establish that the definition of gross floor area excludes parking structures.

2. Section 25-1-21(49) (*Definitions*) is modified to establish that the definition of building height of each segment of a stepped or terraced building shall be individually determined as defined and described in Exhibit D. In addition, height limitations are not applicable to any means of access to the cluster dock or shoreline uses in the Dock district.
3. Section 25-1-21(105) (*Definitions*) is modified to allow a site within the development to cross a public street or right-of-way.
4. Section 25-1-23 (*Impervious Cover Measurement*) is modified to allow impervious cover on a given site within a particular district to exceed Section 25-2-492 (*Site Development Regulations*) provided the total amount of impervious cover allowed on the Property is not exceeded on an overall basis. The impervious cover calculation shall not include any portion of the cluster dock located on the shoreline of Lake Austin as defined in Section 25-2-551(A)(1) (*Lake Austin (LA) District Regulations*) (492.8 feet above mean sea level). Allowable impervious cover is subject to the overall conditions as outlined in Exhibit D.

B. Zoning.

1. Section 25-2-4 (*Commercial Uses Described*) is modified to allow for uses associated with the cluster dock, including boat slips, clubhouse, and recreational facilities, to not be included in the overall square footage limitations for commercial use.
2. Section 25-2, Division 5, Section 3.1 (*Planned Unit Developments – Land Use Plan Expiration and Amendment*) is modified to allow administrative approval of changes to district boundaries provided the total acreage of the Preserve Open Space and Park districts each equal the acreage shown in Exhibit C.
3. Section 25-2-491 (*Permitted, Conditional and Prohibited Uses*) is modified to establish a list of land uses applicable to the PUD, as shown in Exhibit D.
4. Section 25-2-492 (*Site Development Regulations*) is modified to establish a set of site development regulations applicable to the PUD, as shown in Exhibit D.
5. Section 25-2-837 (*Community Recreation*) is modified to exempt the Property from the requirements of this section.
6. Section 25-2-894(B) (*Accessory Uses for a Principal Commercial Use*) is modified to allow for the definition of a permitted accessory use for a principal commercial use to be amended to allow:

- a. uses customarily incidental and subordinate to the principal commercial use of building;
  - b. uses that are located on the same lot with such principal use or building; and
  - c. uses occupying no more than 15 percent of the building in which the accessory use is located.
7. Section 25-2, Subchapter C, Article 10 (*Compatibility Standards*) is modified so that it shall not apply within the PUD.
  8. Section 25-2-1063(C) (*Compatibility Standards, Height Limitations and Setbacks for Large Sites*) is modified along the northern property line, as shown in Exhibit E, due to the topography sloping away from the existing single-family residences located to the north. This section is further modified along the southwest property line of the Dock district to a minimum of 15 feet. It is also modified so that it shall not apply to utility access roads and any means of access to the cluster dock, shoreline, or any civic uses in the Dock district.
  9. Section 25-2, Subchapter E (*Compatibility Standards*) is modified so that it shall exempt the PUD from the application of Compatibility Standards except for Sections 2.5 (*Exterior Lighting*) and 2.6 (*Screening of Equipment and Utilities*).
- C. Subdivision.
1. Section 25-4-153 (*Block Length*) is modified to allow block length criteria to be implemented through pedestrian easements and trails, in accordance with Exhibit F.
  2. Section 25-4-171(A) (*Access to Lots*) is modified to allow a lot to abut a public street, private street, or private drive within an access easement. Notwithstanding any other provision of the Code or Transportation Criteria Manual, any private street may be gated for private access.
- D. Site Plan.
1. Sections 25-5-81 (*Site Plan Expiration*) and 25-4-62 (*Preliminary Plan Expiration*) are modified to establish that preliminary plans, site plans, and other site development related permits expire five years after City approval, with no additional administrative or formal extension options.
- E. Transportation.

1. Section 25-6-442 (*Access Standards*) is modified to allow administrative approval of regulations related to access and driveway grades, due to topographical constraints.
2. Section 25-6-742 (*Tables of Off-Street Parking*) and Section 26-6, Appendix A (*Tables of Off-Street Parking and Loading Requirements*) are modified so that parking requirements shall not apply within the Dock district.

F. Environmental.

1. Section 25-7-92(C) (*Encroachment on Floodplain Prohibited*) is modified so that the director of the Watershed Protection Department shall grant a variance to Subsections (A) or (B) if the director determines that:
  - a. the finished floor elevation of a proposed building is at least two feet above the 100-year floodplain;
  - b. normal access to a proposed building is by direct connection via the inclined elevator and emergency stairs with an area above the regulatory flood datum, as prescribed by Chapter 25-12, Article 1 (*Building Code*);
  - c. a proposed building complies with the requirements in Chapter 25-12, Article 1, Section 25-12-3 Appendix G (*Flood Resistant Construction*) and Section 1612 (*Flood Loads*);
  - d. the development compensates for the floodplain volume displaced by the development;
  - e. the development improves the drainage system by exceeding the requirements of Section 25-7-61 (*Criteria for Approval of Development Applications*), as demonstrated by a report provided by the applicant and certified by an engineer registered in Texas;
  - f. the variance is required by unique site conditions; and
  - g. development permitted by the variance does not result in additional adverse flooding impact on other property.
2. Section 25-7-92 (*Encroachment on Floodplain Prohibited*) is modified so that the applicant shall prepare and submit a Flood Emergency Evacuation and Education Plan in addition to satisfying the conditions of Subsection (C) and in conjunction with a site plan submittal of a proposed building that encroaches into the 25-year or 100-year floodplain. The plan must be approved by the



director of the Watershed Protection Department as part of the review of the development in accordance with Subsection (C).

3. Section 25-8-213(C)(3) (*Water Quality Control Standards*) is modified so that water quality control requirements in the uplands zone shall not apply to the Property.
4. Subsections (B)(3), (E) and (F) of Section 25-9-261 (*Critical Water Quality Zone Development*) are modified to reduce a setback for a hard surface trail in the critical water quality zone from 50 feet to 25 feet.
5. Section 25-8-261(C)(1) (*Critical Water Quality Zone Development*) is modified to establish that the location of docks and appurtenances in the critical water quality zone shall be modified in accordance with Exhibits C and G in order to allow access and necessary utilities in the Dock district.
6. Section 25-8-261(D) (*Critical Water Quality Zone Development*) is modified to allow for suspended or column-supported utility crossings at driveway and trail locations along utility lines in the critical water quality zone.
7. Subsections (B)(2)(a) and (B)(3)(b) of Section 25-8-262 (*Critical Water Quality Zone Street Crossings*) is modified so that distances between street crossings in the critical water quality zone shall not apply to the Property. Street crossings in the critical water quality zone shall be allowed as set forth in Exhibit F.
8. Section 25-8-281 (*Critical Environmental Features*) is modified so that critical environmental features shall apply to the Property, except that certain development within critical environmental feature setbacks is allowed according to Exhibits D and G.
9. Section 25-8-282 (*Wetland Protection*) is modified so that wetland protection shall apply to the Property, except that certain development within the wetland setbacks is allowed according to Exhibits C and G.
10. Sections 25-8-341 (*Cut Requirements*) and 25-8-342 (*Fill Requirements*) are modified so that cut requirements and fill requirements shall not apply to the Property, except for the limitations shown in Exhibit D.
11. Section 25-8-364 (*Floodplain Modification*) is modified so that floodplain modification shall apply to the Property, except to the extent that such requirements are inconsistent with the development otherwise allowed by the PUD Exhibits and PUD Notes.

12. Section 25-8, Subchapter A, Article 11 (*Water Supply Rural Watershed Requirements*) is modified so that it shall not apply to the Property.

**PART 11.** This ordinance takes effect on \_\_\_\_\_.

**PASSED AND APPROVED**

\_\_\_\_\_, 2018      §  
                                 §  
                                 § \_\_\_\_\_  
                                 Steve Adler  
                                 Mayor

**APPROVED:** \_\_\_\_\_ **ATTEST:** \_\_\_\_\_  
Anne L. Morgan      Jannette S. Goodall  
City Attorney      City Clerk