

ORDINANCE NO. 20220421-051

AN ORDINANCE AMENDING ORDINANCE NO. 971120-L TO MODIFY THE LAND USE PLAN FOR THE PROJECT KNOWN AS THE MARY VICE ESTATES PLANNED UNIT DEVELOPMENT LOCATED AT 6301 CIRCULO DE AMISTAD IN THE MONTOPOLIS NEIGHBORHOOD PLAN AREA AND CHANGING THE ZONING MAP FROM PLANNED UNIT DEVELOPMENT-NEIGHBORHOOD PLAN (PUD-NP) COMBINING DISTRICT TO PLANNED UNIT DEVELOPMENT-NEIGHBORHOOD PLAN (PUD-NP) COMBINING DISTRICT.

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

PART 1. The Mary Vice Estates PUD was approved by City Council on November 20, 1997, under Ordinance No. 971120-L (the “Original Ordinance”).

PART 2. The Mary Vice Estates Planned Unit Development (the “Mary Vice Estates PUD”) is comprised of approximately 7.06 acres of land located on Montopolis Drive and more particularly described by metes and bounds in the land use plan incorporated into the Original Ordinance. This ordinance affects a portion of the property identified in the Mary Vice Estates PUD as described in Part 3 below.

PART 3. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from planned unit development-neighborhood plan (PUD-NP) combining district to planned unit development-neighborhood plan (PUD-NP) combining district on the property described in Zoning Case No. C814-97-0002.01, on file at the Housing and Planning Department, as follows:

Lot 27, Block A, MARY VICE ESTATES SUBDIVISION, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Book 101, Page 321, Plat Records of Travis County, Texas (the “Property”),

and locally known as 6301 Circulo de Amistad, and generally identified by the map in **Exhibit “A”** attached and incorporated into this ordinance.

PART 4. This ordinance and the attached Exhibits A and B are the zoning map and amended land use plan for the Mary Vice Estates PUD and amends the Original Ordinance for the Property. Development of and uses within the Property shall conform to the limitations and conditions set forth in this ordinance and in the amended land use plan attached as **Exhibit “B”** (the “Amended Land Use Plan”). If this ordinance and the attached exhibits conflict, this ordinance controls. Except as otherwise provided by this ordinance and the Amended Land Use Plan, all other rules, regulations and ordinances of the City apply to the Property.

PART 5. 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: Zoning Map

Exhibit B: Amended Land Use Plan

PART 6. Exhibit C of the Land Use Plan under the Original Ordinance is modified and amended as shown in this Part 6, as follow:

- (A) The maximum square footage for a building or structure on the Property is 30,000 square feet.
- (B) The building setbacks on the Property are:
 - 1. 15 feet along Montopolis Drive and Circulo de Amistad.
 - 2. 10 feet along the east and south property lines.
- (C) Condominium Residential, Duplex Residential, and Townhouse Residential, are additional permitted uses on the Property.
- (D) Section 25-2-492 (*Site Development Regulations*) and Section 25-8-392 (C) (3) (a) (*Suburban Watershed Requirements*) are modified to increase the maximum impervious cover on the Property to 70%.
- (E) The Property is subject to parkland dedication requirements in Section 25-1-601, as amended.
- (F) The Property is subject to the parking and loading requirements in Chapter 25-6 (*Transportation*).
- (G) Vehicular access from the Property to Montopolis Drive is prohibited. Access from the Property to Montopolis Drive shall be from Circulo de Amistad right-of-way.
- (H) Sidewalks adjacent to the Property shall be designed and constructed in compliance with Chapter 25-2, Article 2, Subchapter E Design Standards and Mixed Use.

PART 7. If this ordinance and the Original Ordinance conflict, this ordinance controls.

PART 8. This ordinance takes effect on May 2, 2022.

PASSED AND APPROVED

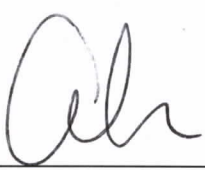
____ April 21, ____, 2022

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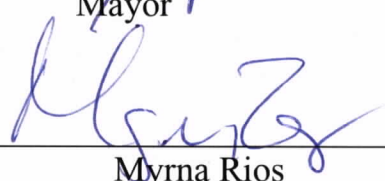
Steve Adler
Mayor

APPROVED:

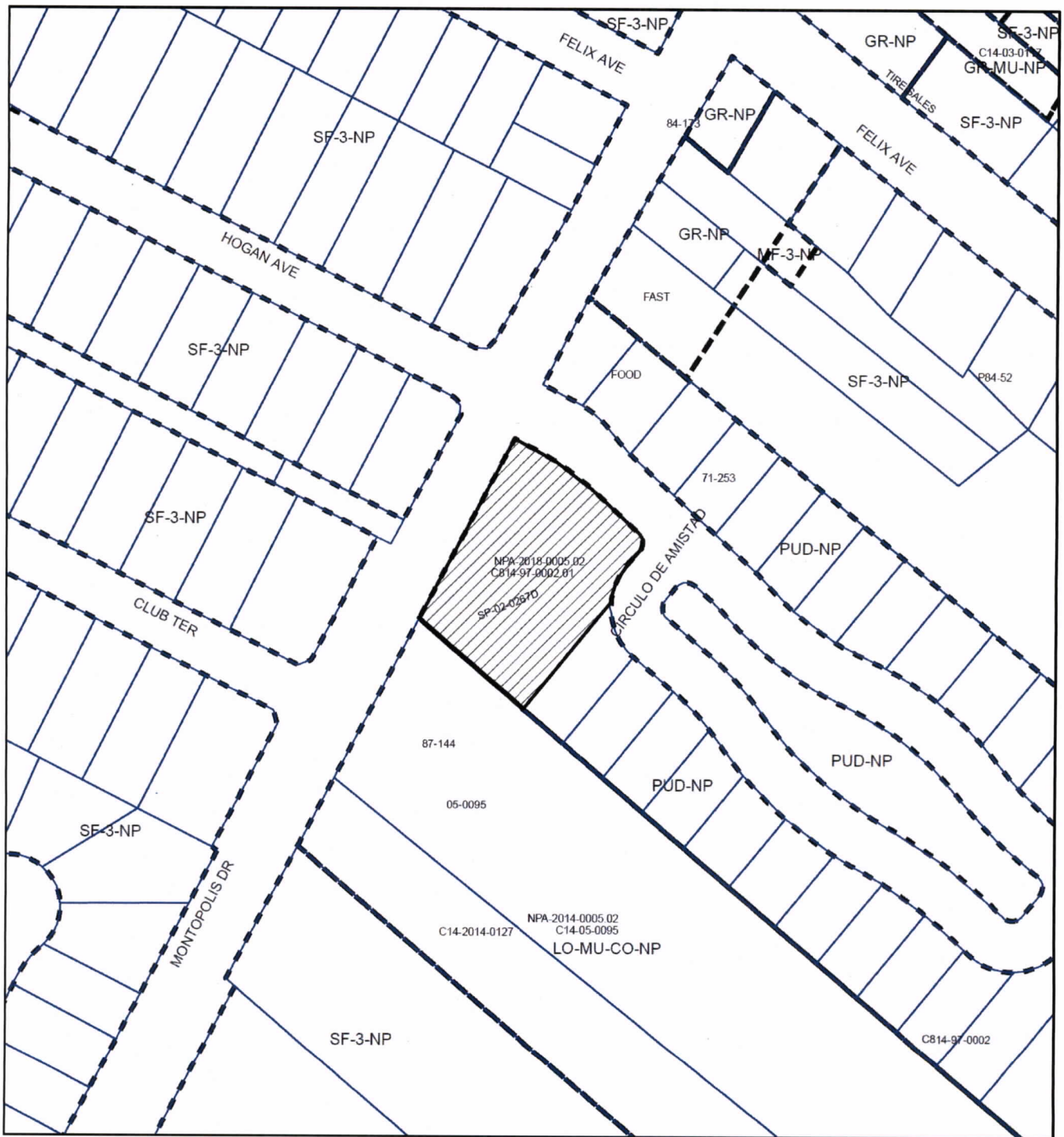


Anne L. Morgan
City Attorney

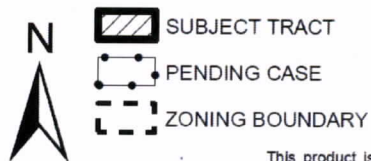
ATTEST:



Myrna Rios
City Clerk



Zoning



Zoning Case: C814-97-0002.01

Exhibit A

1" = 125'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



GENERAL NOTES

1. The owner shall bear full responsibility for all costs and provisions of improvements to the City of Austin Water and Wastewater systems required as a result of this development.
2. True survey information shall be provided as required at the time of site plan and site development permitting.
3. Any required easements shall be provided at the time of site development permitting and will be dedicated by separate instrument.
4. Prior to construction, drainage plans will be submitted to the City of Austin for review.
5. Prior to construction, site plan approval by the City of Austin staff is required.
6. Water and wastewater systems will connect to the City of Austin systems.
7. Cut and fill information will be provided at the time of site development permitting.
8. Off-street parking and loading requirements will be in accordance with Section 13-5-05 through Section 13-5-107 of the Land Development Code.
9. The responsibility for maintenance of storm water drainage facilities lies with the owner, or successor in title, of the land.
10. Fire hydrants will be installed in accordance with guidance and standards furnished by the Austin Fire Department at the time of site development permitting.
11. All signs will comply with the Sign Ordinance of the City of Austin Land Development Code Chapter 13-2, Article VII. Area 1 will comply with the ordinance based on the Neighborhood Commercial Sign District. Area 2 will comply with the ordinance as defined for Low Density Residential Sign District.
12. The home owners association shall be responsible for all maintenance and taxes relating to common areas, including Area 3.
13. The required parkland dedication for the proposed P.U.D. is a minimum of .336 acres based on the following calculation:

14. **SINGLE FAMILY**
Proposed residential P.U.D. is 500' x 500' = 330 acres
Required parkland dedication for P.U.D. is .336 acres
14-1. Prior to final approval, a parkland dedication fee equivalent to the required parkland dedication of the required land will be received by the City of Austin. The fee will be calculated as follows:
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15. The proposed landscape on the P.U.D. will meet or exceed the landscape ordinance of the City of Austin.
16. No Critical Environmental Features such as point recharge features, canyon rimrock, caves, springs, ansholes or bluffs are on or within 150 feet from the project. A certification that no CEFs are present will be submitted at the time of site development permitting.
17. No wetlands are on or within 150 feet from the project. A certification that no wetlands are present will be submitted at the time of site development permitting.
18. Access to Montopolis Drive will be provided to the public loop road and as required for access to the commercial area.
19. The design concept for the Single Family Residential Housing will be a modification of the Austin Land Development Code Chapter 13-2 Article IV Subdivision Regulations. The criteria for minimum lot area, minimum lot widths and frontage, minimum setbacks, minimum street width, and other standards are varied from the subdivision regulations and are in keeping with the design standards of the Traditional Neighborhood Development (TND) Code.
20. A pedestrian and bicycle path connection is intended from the P.U.D. to Vargas Street. The owner obtain and purchase the adjoining lot. Only emergency vehicular access will be allowed from Vargas Street to the P.U.D.
21. Compliance. Standards shall be met from the City of Austin Land Development Code 13-2-734 (Area 1 to Area 2):
A) No structure shall be erected within 25 feet of a property used or zoned for SF-5 or more restrictive (Single Family Residential, Area 2).
22. No structure shall exceed 40 feet in height within 25 feet of a property used or zoned SF-5 or more restrictive (Single Family Residential, Area 2).
23. Area 1, the "Commercial Area" will be included for water quality and detention calculations for the entire site. Detention basins shall be provided for the entire site.
24. Pedestrian sidewalks will comply with A.D.A. requirements and will be constructed in accordance with the City of Austin standard specifications. Curb ramps will be provided wherever an accessible route crosses a curb. Minimum width of the accessible route is 36 inches. These sidewalks shall be in place prior to the lot being occupied. Failure to construct the required sidewalks may result in withholding of Certificates of Occupancy or utility connections by the governing body or utility company.
25. Water quality pond and detention must be contained within a water quality easement. Operation and maintenance of the ponds shall be conducted by the owner of the commercial lot. Until the commercial lot is purchased by another owner, Habitat for Humanity will take responsibility for and maintain all ponds.
26. If public sidewalks on Montopolis Drive enter the P.U.D., city easements will be required at the time of site plan and site development permitting.
27. Construction is limited to Area 1, 2, and 3 with the exception of water control features.
28. In the extraordinary Subdivision No. 15, Book 1, Page 41 is obtained by the owner, an emergency access/pedestrian path shall be provided to connect with Vargas Street.
29. A declaration of covenants, easements, and restrictions will be recorded with the plat of the development and provide for maintenance and use easements required by the P.U.D. and use plan for the residential properties.
30. Sidewalks adjacent to Area 1 shall be designed and constructed in compliance with 25-2, Article 2, Subchapter F Design Standards and Mixed Use of the Land Development Code.
31. Sections 25-2-092 (Site Development Regulations) and 25-8-302(C)(3)(B) (Suburban Watershed Requirements) of the LDC are amended to increase the maximum impervious cover in Area 1 to 70%.

MARY VICE ESTATES

COMMERCIAL SITE

MULTIFAMILY MEDIUM DENSITY

AREA 1

TYPE OF USES

INDUSTRIAL USES

COMMON AREA

TYPE OF USES

WATER QUALITY AND DETENTION

IMPERVIOUS COVER

ADDITIONAL SITE REGULATIONS

1. The minimum area for single family residential lots shall be 5000 SQ. FT.

2. The minimum width for single family lots shall be 50 FT. fronting dimension, and the minimum depth shall be 85 FT. The smallest single family use is permitted under standards which maintain single family neighborhood characteristics.

3. The minimum front yard setback for any single family residential lot shall be 10 FT. from property line.

4. The minimum side yard setback for single family residential lots shall be 5 FT.

5. The minimum distance between dwellings on adjoining lots shall not be less than 10 FT.

6. No single family residential lot shall have more than one dwelling unit.

7. The maximum height of any residential building shall be 35 FT.

8. Off-street parking spaces will be required for each dwelling unit.

9. Public utility easements may be established along the rear, front, or side lot lines and underground utility service to all lots is required.

10. The minimum street width for all two-way vehicular streets is 28 FT., including one parallel parking lane 8 Development (TND) Code.

11. The maintenance of all common areas and access easements shall be the responsibility of the abutting property owners or homeowners association, as such responsibility is established in the declaration of covenants, easements, and restrictions.

12. Off-street parking and loading requirements will be in accordance with Section 13-5-05 through Section 13-5-107 of the Land Development Code in effect on the date the original application for PUD was submitted (03/1997), except that development of Area 1 of the PUD shall comply with the parking and loading requirements set forth in Chapter 25-4 of the Land Development Code.

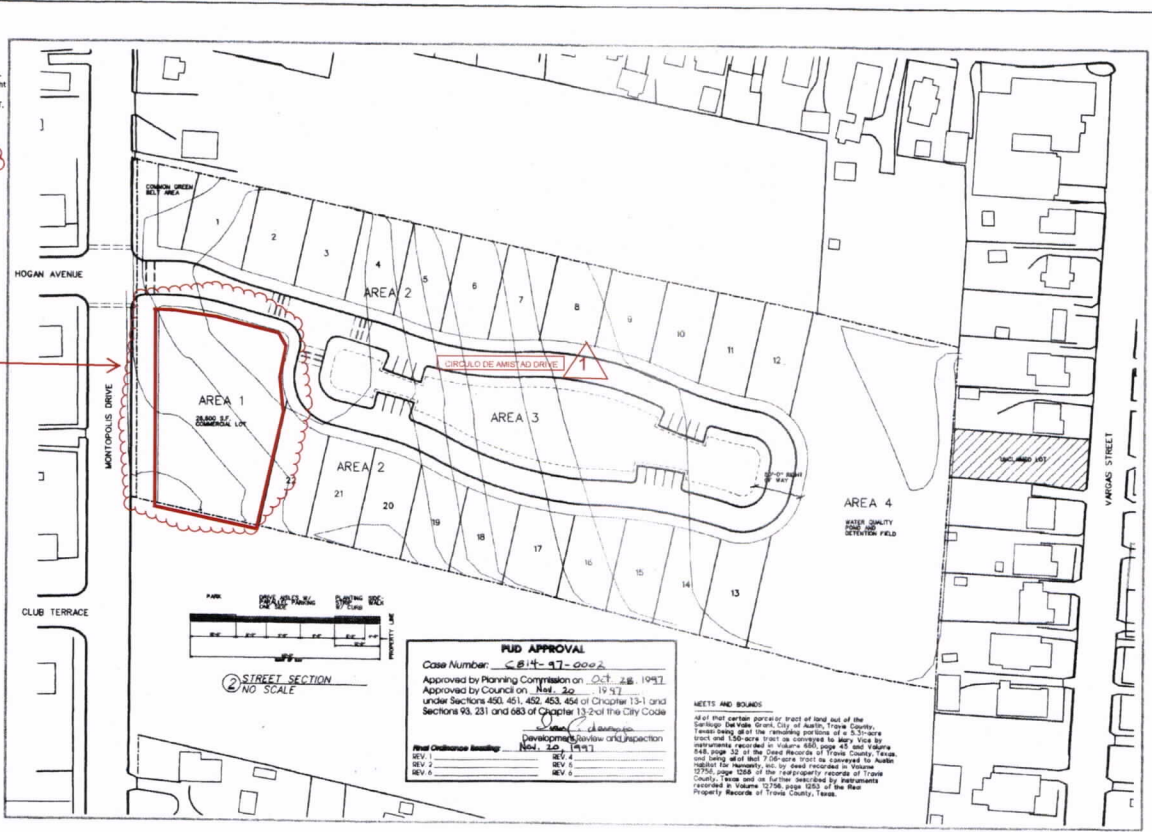


EXHIBIT B

MARY VICE ESTATES

AUSTIN HABITAT FOR HUMANITY

P.U.D. LAND USE PLAN

23 NOVEMBER, 1997

CLOVIS HEIMSATH ARCHITECTS

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CIVCON ENGINEERS

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CFX ENGINEERS

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JAMES E. GARN & ASSOCIATES

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