

**Zoning Ordinance Approval
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**



**AGENDA ITEM NO.: 61
AGENDA DATE: Thu 04/28/2005
PAGE: 1 of 1**

SUBJECT: C814-96-0003 - Pioneer Crossing PUD - Approve second/third readings of an ordinance amending Ordinance No. 970410-I to add 138 acres to the Pioneer Crossing Planned Unit Development project and zoning the 138 acres from interim-rural residence (I-RR) district zoning to planned unit development (PUD) district zoning; to modify the land use plan, rezoning and changing the zoning map from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning; and to approve the applicant's request to extend the zoning application for the property located generally in the vicinity of Parmer Lane south of Gregg Lane, east of Dessau Road, West and north of Cameron Road (Walnut Creek Watershed). First reading on April 24, 2003. Vote: 5-0, Council Member Alvarez off the dais, Mayor Garcia absent. Conditions met as follows: Conditional Overlay incorporates the conditions imposed by Council on first ordinance reading. Applicant: American Realty Trust, Inc., Art Collections, Inc., Anderson Development Corp. Agent: Prime Strategies, Inc. (Ralph Reed). City Staff: Greg Guernsey, 974-2387.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

SECOND/THIRD READINGS SHEET

ZONING CASE NUMBER: C814-96-0003

REQUEST:

Approve second/third readings of an ordinance amending ordinance No. 970410-I to increase by 138 acres the boundaries of the project known as Pioneer Crossing Planned Unit Development project and zoning the 138 acres from interim-rural residence (I-RR) district zoning to planned unit development (PUD) district zoning; to modify the land use plan, rezoning and changing the zoning map from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning; and to approve the applicant's request to extend the zoning application for the property located generally in the vicinity of Farmer Lane south of Gregg Lane, east of Dessau Road, West and north of Cameron Road (Walnut Creek Watershed).

APPLICANT: American Realty Trust, Inc; Art Collections, Inc., Anderson Development Corporation

AGENT: Prime Strategies (Ralph Reed)

DEPARTMENTAL COMMENTS:

Staff recommends this case be postponed until May 12, 2005, in order to finalize legal documents with the applicant. The applicant agrees with this postponement request.

DATE OF FIRST READING DATE & ACTION:

April 24, 2003: The first reading of the ordinance for PUD was approved on Council Member Thomas's motion, Council Member Wynn's second on a 5-0 vote. Council Member Alvarez was off the dais. Mayor Garcia was absent.


CITY COUNCIL DATE: April 28, 2005

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

CITY STAFF: Greg Guernsey, 974-2387



 SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: A. BEAUDET	<p align="center">PLANNED UNIT DEVELOPMENT</p> <p>CASE #: C814-96-0003</p> <p>ADDRESS: PIONEER CROSSING PUD</p> <p>SUBJECT AREA (acres): N/A</p> <p align="right">DATE: 02-03</p> <p align="right">INTLS: 8M</p>	<p align="center">CITY GRID REFERENCE NUMBER</p> <p align="center">'P28-32 N28- 32</p>
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ZONING CHANGE REVIEW SHEET

CASE: C814-96-0003

Z.A.P. DATE: February 25, 2003
March 4, 2003
March 11, 2003
March 25, 2003

ADDRESS: The property located generally in the vicinity of Farmer Lane south of Gregg Lane, east of Dessau Road, West and north of Cameron Road (Walnut Creek Watershed).

OWNER/APPLICANT: American Realty Trust, Inc. Art Collections, Inc., Anderson Development Corporation

AGENT: Prime Strategies (Ralph Reed)

ZONING FROM: PUD, I-RR

TO: PUD

AREA: Approximately, 1548 acres (acres amended approximately 236 of the original 1,410 acres; new; land to be added is approximately 138 acres)

SUMMARY STAFF RECOMMENDATION:

Staff's recommends the proposed amendment to the Poiner Crossing PUD, Planned Unit Development district zoning, subject to the dedication of 114 feet of right-of-way for Gregg Howard Lane, dedication of parkland and dedication of land for a the Austin Fire Department/Emergency Medical Services Department and other conditions summarized below:

Land Use

The applicant agrees to the following:

- To provide a mix of housing opportunities, including large lot single family, standard lot single family, small lot single family, multi-family and townhouse development.
- Provisions to allow compatible mixed use buildings in certain parcels and compatible neighborhood and community support services.
- To require all residential within the entire PUD area to meet Austin Energy Green Building Program standards at a minimum rating of "One Star." (Approximately, 787 acres of this PUD allows residential uses.)
- To require all commercial development within the entire PUD to meet Austin Energy Green Building Program standards at a minimum "certified level." (Approximately, 365 acres of this PUD allows commercial uses, excluding golf course areas, parkland and street right-of-way).
- To provide the option of a 5% reduction in required off-street parking for commercial development, if shower facilities are provided for employees on the site.
- To require bicycle parking for multi-family development, 50% of which is covered.

- To require garages of the single family residential development to be located at least ten (10) feet behind the front façade of a home, if the minimum front yard setback is reduced from 25 feet (standard front yard setback) to 15 feet. This 10 foot setback requirement may be reduced to seven (7) feet, if the front of the garage does not face the front yard.
- To dedicate two (2) acres of land for the Austin Fire Department prior to 3rd reading of the PUD ordinance, subject to the current and normal dedication requirements as recommended by the City of Austin.
- To dedicate land for a greenbelt and parkland uses prior to or at the time of 3rd ordinance reading of the PUD ordinance, subject to current and normal dedication requirements as recommended by the City of Austin. In addition, the revised area and new area includes park and trails.
- To meet current Code if not otherwise indicated on the Land Use Plan, PUD ordinance or any other Exhibit of the PUD.
- Under the proposed amendment residential density will decrease in the original PUD area; however, with the addition of approximately 138 acres of land the overall residential units will increase by a total of approximately 800 units. The overall commercial square footage will decrease by approximately 115,649 units; and with the addition of the golf course use the overall impervious cover will decrease.

Environmental/Water Quality

*The Environmental Board recommendation is attached as Exhibit "D" of this report.

Environmental Staff recommends the request based on the following benefits of the proposal over and above the standard zoning and subdivision recommendations.

- There will be an Integrated Pest Management Plan (IPM) for the land areas of the original PUD as well as the amended and new acreage;
- A turf grass management plan is required for the proposed golf course (to be submitted at the site plan stage).
- The applicant has agreed to a minimum "one star" and "certified" rating per Austin Energy's Green Building Program standards for residential and commercial development respectively; and
- The applicant has agreed to a minimum Critical Environmental Feature (CEF) buffer (or conservation easement) of fifty (50') from the stream centerline be applied to all waterways draining from 64 to 320 acres.

An IPM for all new development will provide valuable water quality benefits in the form of source pollutant reduction at minimal cost. A residential IPM plan can be prepared now, while the details of commercial IPM's can be worked out at the site plan stage. The Watershed Protection and Development Review (WPDR) Department is compiling data concerning the effect of golf course runoff on water quality. Based on this data, we are requiring a turf management plan for the golf course, which will produce water quality and environmental benefits superior to that required by current code. In keeping with the recommendations of the Environmental Review Management staff,

we have requested a minimum 50' setback from streams draining from 64 to 320 acres in order to provide continuous rather than segmented buffers to encourage riparian corridors.

The applicant is not requesting any variances from code for the amended and new area of the PUD and is not changing any of the previous language over what is described above for the original acreage of the PUD.

Transportation

The proposed 160-acre golf course will generate approximately 806 vehicle trips per day. Total overall trips generated by the PUD are 109,424.

For information: an amendment to the original TIA has been submitted to address the realignment of SH 130 out of the area of this development and the additional acreage north of Farmer Lane. An administrative amendment to the Phasing Agreement for this development will be required to reflect the findings of the amended TIA. Overall adjusted trip generation for the PUD has decreased from 140,343 in the original TIA to 109,424 in the amended TIA.

In accordance with the Austin Metropolitan Area Transportation Plan (AMATP), dedication of 114 feet of right-of-way for Gregg/Howard Lane must be completed at the earlier of the following:

- 1) Notification from the City of Austin or Travis County that final alignment, design and right-of-way maps for Gregg/Howard Lane are complete and a legal description of the right-of-way is available.
 - 2) At the time of final plat for the adjoining property
- *Provide this right-of-way requirement information as a note on the PUD Land Use Plan.

List of Amendments:

Exhibit A – Vicinity Map
Exhibit B – Land Plan
Exhibit C – Site Development Criteria
Exhibit D – Permitted/Prohibited Use Table
Exhibit E – Optional Permitted Special Uses
Exhibit F – Environmental Board Minutes
Exhibit G – Parks Network Plan
Exhibit H – Manor ISD letter

ZONING AND PLATTING COMMISSION (ZAP) RECOMMENDATION:

2-25-03: Postponed to March 4, 2003 (ZAP)
3-4-03: Postponed to March 11, 2003 (Applicant)
3-11-03: Postponed to March 25, 2003 (Applicant)
3-25-03: Approved staff's recommendation of PUD. Vote: 8-0, JM – absent

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	PUD, I-RR	Undeveloped
<i>North</i>	Varies	Mostly undeveloped and residential
<i>South</i>	PUD, LI-PDA, County	Undeveloped, Light Manufacturing
<i>East</i>	County	Mostly undeveloped and residential
<i>West</i>	Varies	Mostly undeveloped and residential

AREA STUDY: No.**TIA:** Yes.**WATERSHED:** Walnut Creek**DESIRED DEVELOPMENT ZONE:** Yes.**CAPITOL VIEW CORRIDOR:** No.**HILL COUNTRY ROADWAY:** No.**NEIGHBORHOOD ORGANIZATIONS / INTERESTED PARTIES:**

North Growth Corridor Alliance
Austin Neighborhoods Council
North East Action Group
Taking Action Inc.
Bennie and Gail Hammett
Ron Goodengough
Jack Gullahorn
Ron Kinney

SCHOOLS:

A support letter from Manor Independent School District is enclosed as Exhibit H.

CASE HISTORIES:

Two notable case histories are the LI-PDA (C14-96-0007) site, approximately 300 acres, located in the approximate center of this PUD. The site is used for light manufacturing and is now an out parcel of the PUD and C7A-02-0007 (annexation case).

RELATED CASES:

C8-98-115.10A Pioneer Crossing West Sec. 1 Recorded 07-16-02; plat was purely an extension of Braker Lane.

C8-98-0115.9A Pioneer Crossing East Sec. 1 Recorded; plat was purely an extension of Samsung Blvd.

C8-85-098.04.1A Pioneer Crossing Phase A , Sec. 3 Recorded 06-04-02; 11-single-family lots, two commercial lots.

C8-78-115.7A Pioneer Crossing West Sec. 2, Recorded 11-19-02; 101 single-family lots and associated R.O.W.

SP-02-0209D – Released utility line plan

ABUTTING STREETS:

Name	Right-of-way	Pavement	Classification	Daily Traffic	Sidewalks	Bus Service	Bicycle Route
Dessau Road	114'	2@ '36	Major Arterial	24,640 ('01)	Yes	Yes	Yes
Parmer Lane	200'	Varies	Major Arterial	21,300 ('01)	No	No	Yes
Braker Lane	90'	Varies	Major Arterial	8,700 ('01)	Yes	Yes	Yes
Gregg/Howard Lane	54'	26'	Local	N/A	No	No	No

CITY COUNCIL DATE: April 14,2005

ACTION:

ORDINANCE READINGS:

1st 4-24-05

ACTION: The first reading of the ordinance for PUD was approved on Council Member Thomas's motion, Council Member Wynn's second on a 5-0 vote. Council Member Alvarez was off the dais. Mayor Garcia was absent.

2nd & 3rd

ACTION:

ORDINANCE NUMBER: N/A

CASE MANAGER: Gregory Guernsey

EMAIL: greg.guernsey@ci.austin.tx.us

PHONE: (512) 974-2387

Land Use

The applicant agrees to the following:

- To provide a mix of housing opportunities including large lot single-family, standard lot single-family, small lot single-family, multi-family and town home development.
- Provisions to allow compatible mixed use buildings in certain parcels and compatible neighborhood and community support services.
- To require all residential within the entire PUD area to meet Austin Energy Green Building Program standards at a minimum rating of "One Star". (Approximately 787 acres of this PUD permits residential uses).
- To require all commercial development within the entire PUD area to meet Austin Energy Green Building Program standards at minimum "certified level". (Approximately 365 acres of this PUD permits commercial uses, excluding golf course areas, parkland, and right of way).
- To provide the option of a 5% reduction in required off site parking for commercial development, if shower facilities are provided for employees on the site.
- To require bicycle parking for multifamily development, 50% of which is covered.
- To require garages of single-family residential development to be located at least 10 feet behind the front façade of a home if the minimum front yard set back is reduced from 25 feet (standard front yard setback) to 15 feet. This 10-foot garage set back requirement may be reduced to 7 feet if the front of the garage does not face the front yard.
- To dedicate approximately two acres of land for the Austin Fire Department prior to or at the time of 3rd reading of the PUD ordinance, subject to the current and normal dedication requirement as recommended by City of Austin.
- To dedicate land for greenbelt and parkland uses prior to or at the time of 3rd reading of the PUD ordinance, subject to the current and normal dedication requirements as recommended by City of Austin. In addition, the revised area and new area includes a neighborhood park and trails.
- To meet current code if not otherwise indicated on the Land Use Plan, PUD Ordinance, or any other Exhibit of the PUD.
- Under the proposed amendment residential density will decrease in the original PUD area, however with the addition of 137.8 acres the overall residential density will increase by a total of 1035 units. The overall commercial square footage will decrease by approximately 115,649 units; and with the addition of the golf course use the overall impervious cover will decrease.

Environmental/Water Quality

* The Environmental Board recommendation is attached as Exhibit D of this report.

Environmental Staff recommends the request based on the following benefits of the proposal over and above standard zoning and subdivision requirements:

- There will be an Integrated Pest Management Plan (IPM) for the land areas of the original PUD as well as the amended and new acreage;
- A turf grass management plan is required for the proposed golf course;
- The applicant has agreed to a minimum one star and certified rating per Austin Energy's Green Building Program standards for residential and commercial development respectively; and
- The applicant has agreed to a minimum Critical Environmental Feature (CEF) buffer (or conservation easement) of 50' from the stream centerline be applied to all waterways draining from 64 to 320 acres.

An IPM for all new development will provide valuable water quality benefits in the form of source pollutant reduction at minimal cost. A residential IPM plan can be prepared now, while the details of commercial IPM's can be worked out at the site plan stage. The Watershed Protection and Development Review (WPDR) Department is compiling data concerning the effect of golf course runoff on water quality. Based on this data, we are requiring a turf management plan for the golf course, which will produce water quality and environmental benefits superior to that required by current code. In keeping with the recommendations of the Environmental Review Management staff, we have requested a minimum 50' setback from streams draining from 64 to 320 acres in order to provide continuous rather than segmented buffers to encourage riparian corridors.

The applicant is not requesting any variances from code for the amended and new area of the PUD and is not changing any of the previous language over what is described above for the original acreage of the PUD.

Transportation

The proposed 160-acre golf course will generate approximately 806 vehicle trips per day. Total overall trips generated by the PUD are 109,424.

For information: an amendment to the original TIA has been submitted to address the realignment of SH 130 out of the area of this development and the additional acreage north of Parmer Lane. An administrative amendment to the Phasing Agreement for this development will be required to reflect the findings of the amended TIA. Overall adjusted trip generation for the PUD has decreased from 140,343 in the original TIA to 109,424 in the amended TIA.

In accordance with the Austin Metropolitan Area Transportation Plan (AMATP), dedication of 114 feet of right-of-way for Gregg/Howard Lane must be completed at the earlier of the following:

- 3) Notification from the City of Austin or Travis County that final alignment, design and right-of-way maps for Gregg/Howard Lane are complete and a legal description of the right-of-way is available;
 - 4) At the time of final plat for the adjoining property
- * Provide this right-of-way requirement information as a note on the PUD Land Use Plan.

List of Attachments:

Exhibit A – Vicinity Map
Exhibit B – Land Plan
Exhibit C – Site Development Criteria
Exhibit D – Permitted/Prohibited Use Table
Exhibit E – Optional Permitted Special Uses
Exhibit F – Environmental Board Minutes
Exhibit G – Parks Network Plan
Exhibit H – Manor ISD letter

BACKGROUND

The Pioneer Crossing PUD was originally unanimously approved by the City Council in 1997 and at the time was the largest PUD of its kind. Preservation of the natural environment, high quality development, innovative design and adequate public facilities and services were all addressed in the initial proposal and will remain unchanged. The purpose of this submittal is to simply amend the approved plan to allow for any additional public facility (an 18-hole golf course), which will reduce impervious cover and density in the area while adhering to previous regulations set forth in the PUD.

The proposed amendment adds flexibility to the residential uses around the golf course to encourage a greater residential mix of housing and to also allow the option of small-scale neighborhood support commercial.

BASIS FOR RECOMMENDATION

1. The proposed zoning should be consistent with the purpose statement of the district sought. The purpose statement of the PUD zoning district is below:

Planned unit development (PUD) district is the designation for a large or complex single or multi-use Development that is planned as a single contiguous project and that is under unified control. The purpose of a PUD district designation is to preserve the natural environment, encourage high quality development and innovative design, and ensure adequate public facilities and services for development with a PUD. A PUD district designation provides greater design flexibility by permitting modifications of site development regulations. Development under the site development regulations applicable to a PUD must be superior to the development that would occur under the conventional zoning and subdivision regulations. A PUD district must include at least 10 acres of land, unless the property is characterized by special circumstances, including unique topographical constraints.

The ways in which the proposed PUD amendment meets the above statement are summarized below:

The site proposes a mix of large-scale residential, commercial, and industrial uses planned as a single contiguous project under unified control. Upon approval it will be subject to the regulations and restrictions set forth in the related exhibits (Land Use Plan, Permitted/Prohibited Use Chart, Site Development Regulations, Park Network Plan and PUD Agreement/Ordinance, and any other Exhibits deemed appropriate). Because the site was planned in a comprehensive manner with careful attention to land use compatibility, land use variety, environmental and water quality elements,

density, and transportation elements, it is staff's opinion that the resulting development would be superior to what could be accomplished via current development regulations.

In addition, due to the location of this site on the fringe of the urban core City of Austin Smart Growth principals are key to providing responsible growth within the Austin area. This proposal meets the following Smart Growth principals numbered below:

1. *Provide a variety of housing for a variety of generation and income level.*

There are two residential districts applied to the PUD: Mixed Density Residential (MDR), Low/Moderate, and High. Mixtures of residential uses are permitted within each MDR parcel ranging from standard lot (5,750 square foot maximum) to multifamily, town home and retirement housing development. To assure a mix of housing choices at least 20% and 50% of the net site area of each MDR (Low/Mod) and MDR (High) parcel respectively must be developed with a residential use other than single family detached.

2. *Develop new communities that give residents the option of living, working, shopping and playing in walkable neighborhoods.*

The option of neighborhood friendly and compatible commercial and retail uses are provided for in close proximity to the designated residential parcels. Most parcels will be connected by a hike and bike trail that parallel the main arterial roadway through the amendment area of the PUD. In addition, the PUD regulations allow for small percentages of neighborhood support services within residential parcels, if desired, to promote options for services and employment close to home.

3. *Encourage both sustainable and quality building practices.*

A summary of the benefits to the agreed upon Austin Energy Green Building Program standards for both residential and commercial development is provided below:

Development and construction practices are significant contributors to the depletion of natural resources and a major cause of air and water pollution, solid waste, deforestation, toxic wastes, health hazards, global warming, and other negative consequences. Building construction, operations and demolition directly or indirectly consume over 40 percent of all U.S. energy and 66 percent of all U.S. electricity. Building use 25-30 percent of all the world's wood and raw materials, 25 percent of water, and account for 35-40 percent of municipal solid waste (28% of this coming from construction and demolition debris). In addition, buildings are a major source of the pollution that causes urban air quality problems, and the pollutants that many scientists believe cause climate change.

The built environment has a profound impact on our natural environment, economy, health and productivity. Green building practices provide the framework and tools to build in an efficient, healthy, and ecologically responsible manner. Encouraging green building practices is in the public's interest because these techniques maximize environmental, economic and social benefits. Specific benefits include:

Environmental Benefits

- Minimization of local ecological degradation (habitat, air, soil, and water) by enhancing and protecting natural habitats through efficient site and building design, sustainable construction practices, and low impact building materials and operational practices.
- Improved air and water quality.

- Reduction of solid waste.
- Conservation of energy, water and other natural resources.

Economic Benefits

- Monthly savings to building owners and tenants through reduced operation costs and increased operation and maintenance efficiencies.
- Enhanced asset value and profits.
- Improved employee productivity and satisfaction.
- Keeping money in the local economy and creation of new local industries and jobs.
- Reduction of public infrastructure costs related to development

Social Benefits

- Improved air, thermal, and acoustic environments.
- Enhanced occupant comfort, well-being and health.
- Strengthened existing goals related to increased density, mixed use and transit-oriented development, storm water and erosion control, brownfield development, and increased bicycle and pedestrian access.
- Contribution to community health, vitality and aesthetics

4. Promote and foster distinctive, attractive places with a strong sense of place.

An urban design feature requiring residential garages to be located at least 10 feet behind the front façade of a structure has been incorporated into this PUD agreement. If the garage does not face the front of the lot then the setback may be reduced to 7 feet. This feature takes focus away from the automobile for stronger focus on the home and more attractive architectural features usually associated with the residential structure such as roof pitches, porches, windows, etc.

5. Implement transportation improvements that reduce congestion while encouraging alternatives to the automobile.

A main arterial roadway is planned for the amended and new area of the PUD. In addition, there is a parallel hike and bike trail network that will provide options for bicycling and walking for transportation. Bicycle parking is required for all multifamily development, 50% of which must be covered, in order to encourage this mode of transportation.

6. Incorporate civic uses within the development.

Conveyance of ownership of parkland and land for City of Austin Fire/EMS services will be dedicated to the City of Austin upon approval of this PUD zoning.

EXISTING CONDITIONS

Site Characteristics

The site is mostly undeveloped with gently rolling terrain.

Environmental

Subject to an Integrated Pest Management (IPM)/Turf Management Plan. IPM Plan recommended by the Environmental Board on January 16, 2003. Exhibit F.

Transportation

The proposed 160-acre golf course will generate approximately 806 vehicle trips per day. Total overall trips generated by the PUD is 109,424.

For information: an amendment to the original TIA has been submitted to address the realignment of SH 130 out of the are of this development and the additional acreage north of Parmer Lane. An administrative amendment to the Phasing Agreement for this development will be required to reflect the findings of the amended TIA. Overall adjusted trip generation for the PUD has decreased from 140,343 in the original TIA to 109,424 in the amended TIA.

In accordance with the Austin Metropolitan Area Transportation Plan (AMATP), dedication of 114 feet of right-of-way for Gregg/Howard Lane must be completed at the earlier of the following:

- 5) Notification from the City of Austin or Travis County that final alignment, design and right-of-way maps for Gregg/Howard Lane are complete and legal description of the right-of-way is available.
 - 6) At the time of final plat for the adjoining property
- * Provide this right-of-way requirement information as a note on the PUD Land Use Plan.

Name	Right-of-way	Pavement	Classification	Dally Traffic	Sidewalks	Bus Service	Bicycle Route
Dessau Road	114'	2@ '36	Major Arterial	24,640 ('01)	Yes	Yes	Yes
Parmer Lane	200'	Varies	Major Arterial	21,300 ('01)	No	No	Yes
Braker Lane	90'	Varies	Major Arterial	8,700 ('01)	Yes	Yes	Yes
Gregg/Howard Lane	54'	26'	Local	N/A	No	No	No

Water and Wastewater

The landowner intends to serve the tract with City of Austin water and wastewater utility service. If water or wastewater utility improvements are required, the landowner will be responsible for all cost and for providing the utility improvements.

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.

Compatibility Standards

Current code requirements regarding compatibility will apply to development within the PUD. A variance from the requirements of the Compatibility Standards for development in a PUD may only be granted by the land use plan or by amendment of the land use plan. [Sec. 25-2-412].



	<p>SUBJECT TRACT </p> <p>PENDING CASE </p> <p>ZONING BOUNDARY </p> <p>CASE MGR: A. BEAUDET</p>	<p align="center">PLANNED UNIT DEVELOPMENT</p> <p>CASE #: C814-96-0003</p> <p>ADDRESS: PIONEER CROSSING PUD</p> <p>SUBJECT AREA (acres): N/A</p>		<p>CITY GRID REFERENCE NUMBER</p> <p>'P29-32 N29-32</p>
		<p>DATE: 02-03</p> <p>INTLS: SM</p>		



VICINITY MAP

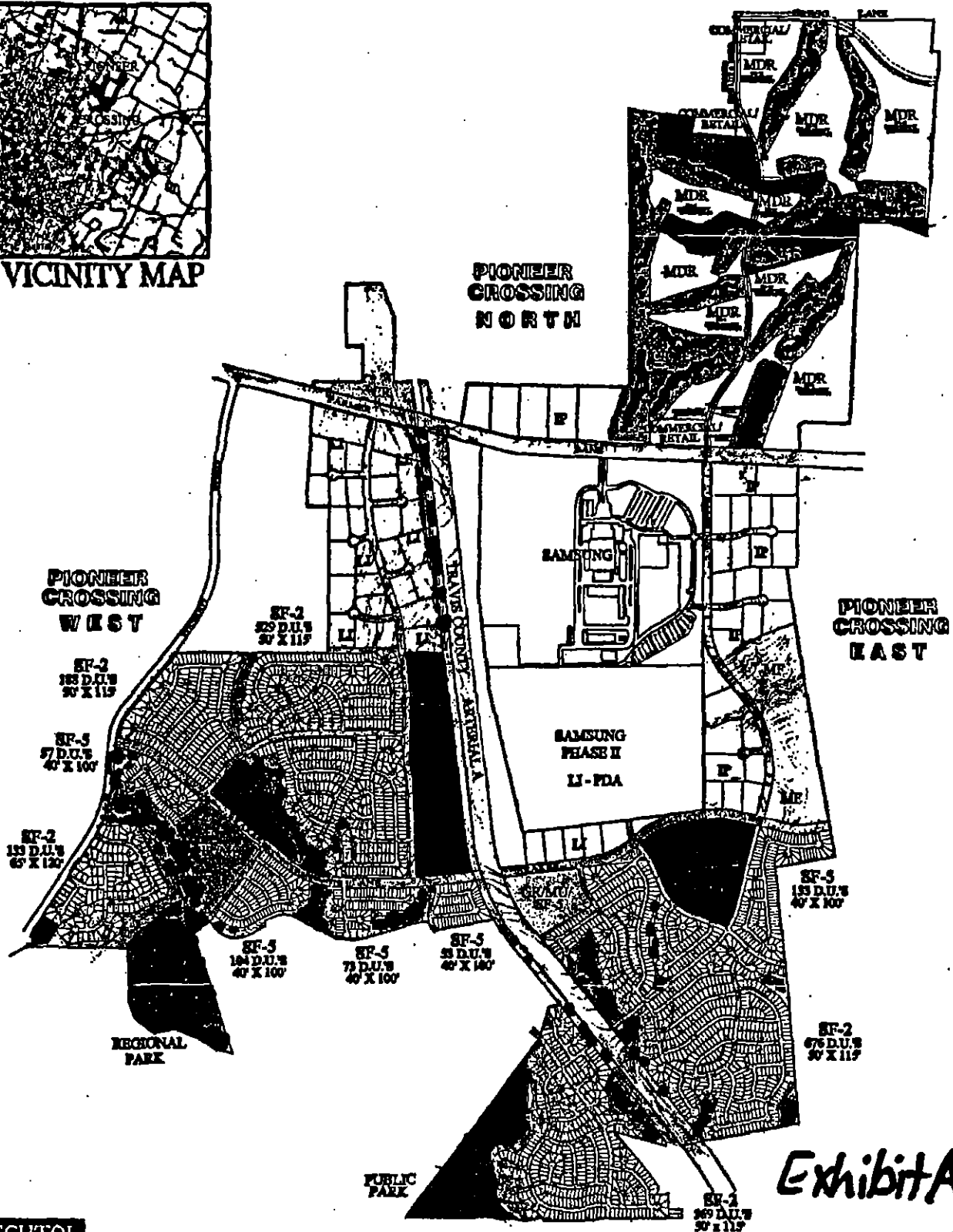
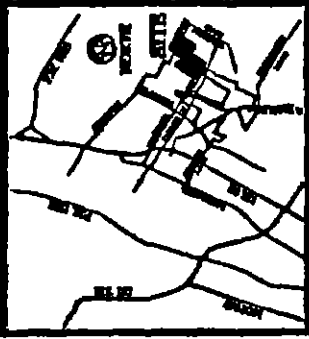


Exhibit A



PIONEER CROSSING P.U.D.





PIONEER CROSSING **ANNEDED PLANNED UNIT DEVELOPMENT** **CONCEPTUAL LAND PLAN**

ANNEDED LAND USE SUMMARY

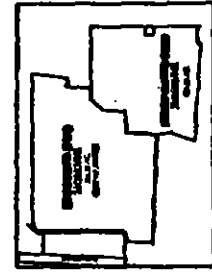
PUBLIC/RECREATION COMMERCIAL/INDUSTRIAL COMMERCIAL/RESIDENTIAL RESIDENTIAL TOTAL	4.8 AC 1.8 AC 1.8 AC 1.8 AC 10.2 AC
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LAND USE SUMMARY

PUBLIC/RECREATION COMMERCIAL/INDUSTRIAL COMMERCIAL/RESIDENTIAL RESIDENTIAL TOTAL	1.8 AC 1.8 AC 1.8 AC 1.8 AC 7.2 AC
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LEGEND

- PUBLIC/RECREATION
- COMMERCIAL/INDUSTRIAL
- COMMERCIAL/RESIDENTIAL
- RESIDENTIAL
- ROAD
- WATER
- TOPOGRAPHY



BECHTOL
RUSSELL
PLANNING DIVISION

**Pioneer Crossing
Exhibit C
Site Development Criteria Land Use Summary (DRAFT)
11/28/02**

Parcel	Land Use	Total Gross Acres	Floodplain (Acres)	Maximum Units/Acre of P.A.R. for TIA	# of Units/Square Footage for TIA
Residential					
RA-3	Mixed Development Residential (a)	8.56	8.17	12	76.3
RA-4 see notes	Mixed Development Residential (a)	8.39	9	12	112.7
RA-5 see notes	Mixed Development Residential (b)	83.62	8.00	18	894.4
RA-6	Mixed Development Residential (b)	29.29	1.82	18	226.7
RA-10	Mixed Development Residential (b)	22.26	6.08	18	400.7
RA-11	Mixed Development Residential (a)	8.66	3.10	12	79.8
RA-12	Mixed Development Residential (b)	16.40	8.00	18	278.8
RA-14 see notes	Mixed Development Residential (b)	29.43	4.85	18	629.7
RA-16 see notes	Mixed Development Residential (b)	44.60	1.50	18	783.6
Subtotal		196.95	25.31		3,302.7
Non-Residential					
RA-1	CR Golf Public	149.9	n/a	8.05	326,482.20 sq. ft.
RA-2	QR Comm/Retail	8.5	1.09	8.39	83,436.20 sq. ft.
RA-6	QR/CS-1 Comm/Retail	7.31	6	8.3	85,827.68 sq. ft.
RA-7	P Public Park	7.65	2.76	12	n/a
RA-8	CS - Comm/Retail	3.16	6	8.3	41,294.68 sq. ft.
RA-13	QR Comm/Retail	8.58	8	8.3	48,391.40 sq. ft.
RA-16	QR Comm/Retail	1.04	6	8.3	13,660.72 sq. ft.
Subtotal		176.11	8.85		
TOTAL		374.06	34.16		

NOTES

1. Mixed Development Residential (a) is defined as a single designation for low to medium density residential uses. The purpose of the designation is to encourage a variety and distribution of residential types to be specifically determined during the subdivision process. The district allows flexibility in the layout and design of residential units and lots with criteria similar to the City's SF-3, SF-3A, SF-4A, SF-4B, SF-5 and SF-6 zoning districts. The gross density for each parcel may range from a minimum of 1 unit per acre to a maximum of 12 units per acre such that the gross sum of all residential units on all parcels within a single tract shall not exceed the gross sum for residential units established for that tract. Lots designated at the time of subdivision for townhouses or condominium residences shall require site plan approval prior to issuance of a building permit.

2. Mixed Development Residential (b) is defined as a single designation for higher density residential uses. The purpose of the designation is to encourage a variety and distribution of residential types to be specifically determined during the subdivision process. The district allows flexibility in the layout and design of residential units and lots with criteria similar to the City's SF-3, SF-4A, SF-4B, SF-5, SF-6, MF-1, and MF-2 zoning districts. The gross density for each parcel may range from a minimum of 7 units per acre to a maximum of 18 units per acre such that the gross sum of all residential units on all parcels within a single tract shall not exceed the gross sum for residential units established for that tract. Lots designated at the time of subdivision for townhouses or condominium residences shall require site plan approval prior to issuance of a building permit.

3. See Exhibit B for specific regulations applicable to Corner Store, Neighborhood Mixed-Use Building, Urban House, Cottage, and Secondary Apartment special uses.

4. See Exhibit C-1 for other specific site development regulations applicable to Mixed Development Residential (a) & (b).

**EXHIBIT C-1
DRAFT 11-20-02**

**ADDITIONAL SITE DEVELOPMENT REGULATIONS APPLICABLE
TO MIXED DEVELOPMENT RESIDENTIAL (a) and (b)**

SE-2 through SE-6 will apply to Parcels RA-3, RA-4 and RA-11 (MORRIS). SE-3 through SE-6, MORRIS. SE-3 through SE-6, RA-3, RA-4, RA-11, RA-12, RA-14 and RA-15.

	Single Family Residential Standard Lot (SF-2)	Family Residence (FR-3)	Small Lot Single Family Residential (SF-4A)	Single Family Residential Cottages (SF-4B)	Urban Family Residential (SF-5)	Urban Family Cottages (SF-6)	Small Family Residential Limited Density (SF-7)	Medium Family Residential Low Density (SF-8)
MINIMUM LOT SIZE (square feet)	5750	5750	3600	00	3600	3600	0000	0000
MINIMUM CORNER LOT AREA (square feet)			4000	00				
MINIMUM LOT WIDTH	50	50	40	00	50	50	50	50
MINIMUM CORNER LOT WIDTH			50	00	50			
MAXIMUM DWELLING UNITS PER LOT	1	2	1	00			0000	0000
MAXIMUM HEIGHT	35	35	35	00	35	35	40	40 or 3-stories
MINIMUM SETBACKS								
FRONT YARD	15	15	15	00	15	15	25	25
STREET SIDE YARD	15	15	10	00	15	15	15	15
INTERIOR SIDE YARD	5	5	5	15	5	5	5	5
REAR YARD	5	5	5	15	5	5	10	10
MAXIMUM BUILDING COVERAGE	40%	40%	50%	40%	40%	40%	40%	50%
MAXIMUM IMPERVIOUS COVER	40%	40%	60%	60%	50%	50%	50%	60%

See Section 25-3-357 (Single-Family Residential Small Lot District Regulations).

See Section 25-3-358 (Single-Family Residential Cottages District Regulations).

See Section 25-3-359 (Urban Family Residential District or Townhouse and Cottages District Regulations).

See Section 25-3-361 (Multi-Family Residential Low Density District Regulations).

Exhibit D
02-27-03
Revised Permitted Uses Table

The entirety of the Pioneer Crossing "PUD" Land Use Plan has been divided into Parcels, which are identified with a letter and a number, for example Parcel W15, or Parcel RA-2. RA is an abbreviation for Planned Area. Several of the Parcels are further identified on the Land Use Map using a familiar City of Austin zoning designation. In each case, the permitted uses in the base zoning district as set out in Chapter 25-2 of the Austin City Code, as it existed on the date of this document, are intended to be the permitted uses for that Parcel within the Pioneer Crossing PUD Land Use Plan, with certain additions or exclusions as detailed below. For those Parcels designated with Mixed Development Residential (MDR) as the base district, the permitted uses are presented below. The Mixed Development Residential (MDR) base district allows flexibility in the layout and design of residential units and lot width criteria similar to the City's SF-2 through SF-6 for MDR (a) low to moderate, and SF-3 through MF-2 for MDR (b) high.

Parcel No.	Base District	Additional Permitted Uses	Excluded Uses
RESIDENTIAL			
RA-1	CR	None	None
RA-2	GR	Postal Facility, Plant Nursery	None
RA-3	MDR (a) low / med	Parks and Recreation Services (General), Urban Lot ^{***} , Condominium Residential, Duplex Residential, Townhouse Residential, Two Family Residential, Single Family-Attached Residential, Retirement Housing (small site) Bed and Breakfast Residential (Group I & II), Cottage Lot ^{***} Secondary Apartment ^{***} , Small Lot Single Family Residential Group Home Class II, II, Single Family Residential (maximum lot size 8400 s.f.), Religious Assembly, Family Home. A minimum of 20% of NSA for MDR(a) must be reserved for uses other than detached SF residential.	N/A
RA-4	MDR (a) low / med	Parks and Recreation Services (General), Urban Lot ^{***} , Condominium Residential, Duplex Residential, Townhouse Residential, Two Family Residential, Single Family-Attached Residential, Retirement Housing (small site) Bed and Breakfast Residential (Group I & II), Cottage Lot ^{***} Secondary Apartment ^{***} , Small Lot Single Family Residential Group Home Class I & II, Single Family Residential (maximum lot size 8400 s.f.), Religious Assembly, Family Home. A minimum of 20% of NSA for MDR(a) must be reserved for uses other than detached SF residential.	N/A
RA-5	MDR (b) high	Parks and Recreation Services (General), Multi-Family Residential, Town House Residential, Condominium Residential, Religious Assembly, Group Home Class I & II, Family Home. A minimum of 50% of NSA is reserved for uses other than SF detached residential.	Detached condominium residential
RA-6	GR with CS-1 Footprint	None	Vehicle Storage, Scrap and Salvage Resource Extraction, Kennels, Agriculture Sales and Services, Adult Oriented Business, Automotive Sales, Automotive Repair, Automotive Wash, off site accessory parking.
RA-7	P	None	Any non-parks and recreation use.
RA-8	CS	None	None
RA-9	MDR (b) High	Parks and Recreation Services (General), Multi-Family Residential, Town House Residential, Condominium Residential, Religious Assembly, Group Home Class I and II, Family Home. A minimum of 50% of NSA is reserved for uses other than SF detached residential.	Detached condominium residential
RA-10	MDR (b) High	Parks and Recreation Services (General), Multi-Family Residential, Town House Residential, Condominium Residential, Religious Assembly, Group Home Class I and II, Family Home. A minimum of 50% of NSA is reserved for uses other than SF detached residential.	Detached condominium residential
RA-11	MDR (a) low / med	Parks and Recreation Services (General), Urban Lot ^{***} , Condominium Residential, Duplex Residential, Townhouse Residential, Two Family Residential, Single Family-Attached Residential, Retirement Housing (small site) Bed and Breakfast Residential (Group I & II), Cottage Lot ^{***} Secondary Apartment ^{***} , Small Lot Single Family Residential Group Home Class I & II, Single Family Residential (maximum lot size 8400 s.f.), Religious Assembly, Family Home. A minimum of 20% of NSA for MDR(a) must be reserved for uses other than detached SF residential.	N/A
RA-12	MDR (b) High	Parks and Recreation Services (General), Multi-Family Residential, Town House Residential, Condominium Residential, Religious Assembly, Group Home Class I and II, Family Home. A minimum of 50% of NSA is reserved for uses other than SF detached residential. A minimum of 50% of NSA is reserved for uses other than SF detached residential.	Detached condominium residential
RA-13	GR	None	None
RA-14	MDR (b) High	Parks and Recreation Services (General), Multi-Family Residential, Town House Residential, Condominium Residential, Religious Assembly, Group Home Class I and II, Family Home. A minimum of 50% of NSA for MDR(a) must be reserved for uses other than detached SF residential.	Detached condominium residential
RA-15	MDR (b) High	Parks and Recreation Services (General), Multi-Family Residential, Town House Residential, Condominium Residential, Religious Assembly, Group Home Class I and II, Family Home. A minimum of 50% of NSA for MDR(a) must be reserved for uses other than detached SF residential.	Detached condominium residential
NON-RESIDENTIAL			
RA 8, 9, 14 and 16	MDR (b) / LR	Corner Store ^{***} , Neighborhood Mixed Use Building ^{***} , all LR uses (not to exceed 10% of net site area) are permitted, except as indicated under Excluded Uses.	Service Stations, Off-Site Accessory parking, Drive-In Services, Drive Through Services as an accessory use
RA-4	MDR (a) / LR	Corner Store ^{***} , Neighborhood Mixed Use Building ^{***} , all LR uses (not to exceed 20% of net site area) are permitted, except as indicated under Excluded Uses.	Service Stations, Off-Site Accessory parking, Drive-In Services, Drive Through Services as an accessory use

* The Developer reserves the option to allow for up to 10% of Non-Residential uses on these MDR parcels within this PUD
 ** The Developer reserves the option to allow for up to 20% of Non-Residential uses on these MDR parcels within this PUD
 *** Cottage, Corner Store, Secondary Apartment, Neighborhood Mixed Use Building, and Urban Home are special uses permitted on Parcels RA 4, 8, 9, 14 and 16 and are further defined and regulated in Exhibit "E".

EXHIBIT E

OPTIONAL SPECIAL PERMITTED USES

"Cottage Lot", "Corner Store", "Neighborhood Mixed Use Building", "Secondary Apartment" and "Urban Lot" are special uses permitted, at the option of the developer, on certain Parcels in the Pioneer Crossing PUD under specific site development regulations.

The non-residential special uses, specifically the Corner Store and Neighborhood Mixed Use Building special uses, are limited to Parcels RA-4, RA-5, RA-9, RA-10, RA-14, and RA-15. Up to ten percent (10%) of the net site area of each of Parcels RA-5, RA-9, RA-10, RA-14, and RA-15 may be developed with Corner Store and/or Neighborhood Mixed Use Building uses. Up to twenty percent (20%) of the net site area of Parcel RA-4 may be developed with Corner Store and/or Neighborhood Mixed Use Building uses.

The residential special uses, specifically the Cottage Lot, Secondary Apartment, and Urban Lot uses, shall be permitted on those Parcels specified in Exhibit D to the Ordinance.

The definitions and site development regulations applicable to the Optional Special Uses are as set out below.

- 1. "Cottage Lot" special use is the use of a site of limited size for a single family residential dwellings on lots of at least 2500 square feet in size. (25-2-1403 [B] [3])**

A Cottage Lot special use development may not exceed two acres in size. For a Cottage Lot special use development of more than eight lots, 250-square feet of community open space is required for each lot. (25-2-1443)

For a Cottage Lot special use:

- (1) the minimum lot width is 30 feet;**
- (2) the maximum height of a structure is 35 feet;**
- (3) the minimum front yard setback is 15 feet;**
- (4) the minimum street side yard setback is 10 feet;**
- (5) the minimum interior side yard setback is 5 feet**
- (6) the minimum rear yard setback is 5 feet;**
- (7) the maximum building coverage is 55 percent; and**
- (8) the maximum impervious coverage is 65%. (25-2-1444 [A])**

The minimum lot area for a Cottage Lot special use is:

- (1) 2,500 square feet; or**
- (2) 3,500 square feet for a lot that is located in an SF-3 district; and**

- (a) is a corner lot; or
- (b) adjoins a lot that is:
 - (i) zoned SF-3;
 - (ii) has a lot area of at least 5,750 square feet; and

(3) is developed as a single-family residence. (25-2-1444 [B])

For a Cottage Lot special use with a front driveway, a garage, if any, must be located at least 20 feet behind the building facade. (25-2-1444 [C])

For a Cottage Lot special use, other than a driveway, parking is not permitted in a front yard. (25-2-1444 [D]).

For a Cottage Lot special use, the main entrance of the principal structure must face the front lot line. (25-2-1444 [E])

For a Cottage Lot special use a covered front porch is required. The minimum depth of the porch is five feet. The minimum width of the porch is 50 percent of the width of the front facade. (25-2-1444 [F])

For a Cottage Lot special use 200 square feet of private open space is required for each dwelling. (25-2-1444-[G]).

2. "Corner Store" special use is the use of a site to provide good or services to local residents.

A Corner Store special use is limited to the following commercial uses: (1) consumer convenience services; (2) consumer repair services; (3) food sales; (4) general retail sales (convenience); (5) personal services; (6) restaurant (general); and (7) restaurant (limited). (25-2-1483 [A])

A Corner Store special use must be located at a street intersection and may not be located within 600 feet of another Corner Store. (25-2-1484)

A Corner Store is subject to the following site development regulations:

- (A) For a Corner Store special use:
 - (1) the minimum lot area is 5,750 square feet;
 - (2) the minimum lot width is 50 feet;
 - (3) the maximum building height is 50 feet;
 - (4) minimum front yard setback is 5 feet;
 - (5) the maximum front yard setback is 15 feet;

- (6) the minimum street yard side setback is 10 feet;
- (7) the minimum interior side yard setback is 5 feet;
- (8) the minimum rear yard setback is 10 feet;
- (9) the maximum building coverage is the lesser of 55 percent or 3,000 sq. feet; and
- (10) the maximum impervious coverage is 65%.

(B) A Corner Store may not include a drive through facility.

(C) A Corner Store may not be open to the public between the hours of 11 pm and 6 am.

(D) Exterior lighting:

- (1) must be hooded or shielded so that the light source is not directly visible across the source property line; and
- (2) may not exceed 0.4 foot candles across the source property line.

(E) A building facade:

- (1) may not extend horizontally in an unbroken line for more than 30 feet;
- (2) must include windows, balconies, porches, stoops, or similar architectural features;
- (3) must have awnings along at least 50 percent of the length of the ground floor facade; and
- (4) at least 50 percent of the wall area of the ground floor facade must consist of doors or clear or lightly tinted windows.

(F) A street yard of 1,000 square feet or less is not required to be landscaped, and a parking area with 12 or fewer parking spaces is not required to have landscaped islands, peninsulas, or medians. (25-2-1485)

3. "Neighborhood Mixed Use Building" is the use of a building for both commercial and residential uses". (25-2-1403 [B] [4])

(A) Neighborhood Mixed Use Building use is permitted in MDR (a) zoning base districts;

(B) A Neighborhood Mixed Use building use may contain dwelling units:

- (1) above the ground floor; and
 - (2) in not more than 50 percent of the gross floor area of the ground floor.
- (25-2-1503)

(C) The Neighborhood Mixed Use Building use is subject to the following regulations:

- (1) the maximum site area is one acre;
- (2) the minimum lot size is 5,750 square feet;
- (3) the minimum lot width is 50 feet;
- (4) the minimum street side yard setback is 10 feet;
- (5) the minimum front yard setback is 5 feet; and

(6) the maximum front yard setback is 10 feet. (25-2-1504 [A]).

(D) For a Neighborhood Mixed Use Building use adjacent to a roadway with not more than two lanes, the building height may not exceed 40 feet. (25-2-1504 [B]).

(E) The building facade of a Neighborhood Mixed Use Building use :

- (1) may not extend horizontally in an unbroken line for more than 30 feet;**
- (2) must include windows, balconies, porches, stoops, or other similar architectural features;**
- (3) must have awnings along at least 50 percent of the length of the ground floor facade; and**
- (4) at least 50 percent of the wall area of the ground floor facade must consist of doors or clear or lightly tinted windows. (25-2-1504 [C])**

(F) The Neighborhood Mixed Use Building use is subject to the following parking requirements:

- (1) For the commercial portion of the Neighborhood Mixed Use Building use, one vehicle parking space for each 500 square feet of gross floor area is required;**
- (2) For the residential portion of a Neighborhood Mixed Use Building use, parking requirements of Chapter 25-6, Appendix A, Schedule A of the Austin City Code applies;**
- (3) Parking in front of a Neighborhood Mixed Use Building use, other than on a street, is prohibited; and**
- (4) At least 50 percent of the parking must be located to the rear of the building. (25-2-1504 [D])**

(F) Exterior lighting for a Neighborhood Mixed Use Building use must be shielded so that the light source is not directly visible across the source property line and may not exceed 0.4 candles across the source property line. (25-2-1504 [E])

(G) A street yard of 1,000 square feet or less is not required to be landscaped, and a parking area with 12 or fewer parking spaces is not required to have landscaped islands, peninsulas, or medians. (25-2-1504 [F])

4. "Secondary Apartment " is the use of a developed single family residential lot for a second dwelling. (25-2-1403 [B] [6])

(A) Secondary Apartment use is permitted in MDR (a) zoning base districts.

- (B) A Secondary Apartment is not permitted in combination with a Cottage Lot or Urban Lot use; (25-2-1463 [A])
- (C) A Secondary Apartment must be located in a structure other than the principal structure. The apartment may be connected to the principal structure by a covered walkway; (25-2-1463 [B])
- (D) A Secondary Apartment must be located at least 15 to the rear of the principal structure or above a garage; (25-2-1463 [C])
- (E) A Secondary Apartment may not exceed 850 square feet of gross floor area; (25-2-1463 [D])
- (F) The entrance to a Secondary Apartment must be on the side of the structure that is the greatest distance from the corresponding side lot line. (25-2-1463 [E])
- (G) One parking space is required in addition to the parking otherwise required for the principal use. (25-2-1463 [F]) .

5. **"Urban Lot" use** is the use of a site for a single family residential dwelling on a lot of at least 3,500 square feet in size. (25-2-1403 [B][7]).

- (A) Urban Lot is permitted in MDR (a) zoning base districts.
- (B) For an Urban Lot use development of more than eight lots, 250 square feet of community open is required; (25-2-1423)
- (C) The minimum lot size is 3,500 square feet;
- (D) The minimum lot width is 40 feet;
- (E) The maximum height of a structure is 35 feet;
- (F) The minimum street side yard setback is 10 feet;
- (G) The minimum interior side yard setback is 5 feet;
- (H) The minimum rear yard setback is 5 feet;
- (I) The maximum building coverage is 55%; and
- (J) The maximum impervious coverage is 65%. (25-2-1424[A])
- (K) Except as otherwise provided herein, the minimum front yard setback is 20 feet:
 - (1) If Urban Lot uses are proposed for the entire length of a block face, the minimum front yard setback is 15 feet;
 - (2) For an Urban Lot use that adjoins a legally developed lot with a front yard setback of less than 25 feet, the minimum front yard setback is equal to the average of the front yard setbacks applicable to adjoining lots. (25-2-1424 [B]).
- (L) For an Urban Lot use with a front driveway:
 - (1) The garage, if any, must be at least five feet behind the front facade of the principal structure; and
 - (2) For a garage within 200 feet of the front facade, the width of the garage may not exceed 50 percent of the width of the front facade; (25-2-1424 [C]).

(M) Other than in a driveway, parking is not permitted in a front yard;

- (N) The main entrance of an Urban Lot use must face the front lot line; (25-2-1424 [E])
- (O) A covered front porch is required for an Urban Lot use. The minimum depth of the porch is five feet. The minimum width of the porch is 50 percent of the width of the building facade; (25-2-1424 [F])
- (P) Two hundred square feet of private open space is required for each dwelling. (25-2-1424 [G])



ENVIRONMENTAL BOARD MOTION 011603-C1

Date: January 16, 2003

Subject: Pioneer Crossing PUD Amendment

Motioned By: Tim Jones

Seconded By: Dr. Mary Gay Maxwell

Recommended Action

The Environmental Board recommends conditional approval of the addition to Pioneer Crossing PUD

Conditions

The board recommends all staff conditions as follows:

1. At the time of site plan or final plat a 50-ft wide buffer zone shall be established on either side of the centerline of the waterways that drain 64 to 320 acres on Parcels RA-1 through RA-15. Only development allowed within the CWQZ as defined in section 25-8-261 of the LDC shall be allowed within such buffer zones. The buffer zones will be left in or restored to a native vegetative state and no fertilizers or pesticides will be used therein. For golf course related development, the width of the buffer zone may vary, but shall not be less than 20 ft and shall average 50 ft. Golf course rights of way (cart/service paths) shall be allowed to cross the buffer zones. The northern extension of Samsung Blvd. and other roadways meeting the requirements of LDC 25-8-262 (CWQZ crossings) shall be allowed to cross the buffer zones.
2. The applicant shall provide an Integrated Pest Management Plan for all proposed Subdivision and Commercial construction within Parcels RA-1 through RA-15.
3. The applicant shall provide a Turf Management Plan for the proposed golf course.
4. The applicant has agreed to a minimum one star and certified rating per Austin Energy's Green Building Standards for residential and commercial development respectively.

Exhibit F

Rationale

The Board believes that, with the incorporation of the above conditions (to which the applicant has agreed), a superior environmental result will be achieved. Of particular importance is the added setback protection for headwaters streams which drain 64 to 320 acres. Without the PUD condition, only streams with drainage areas of more than 320 acres would be afforded this protection.

Vote 6-0-1-2

For: Almanza, Ascot, Jones, Leffingwell, Maxwell, Morris

Against: None

Abstain: Moncada

Absent: Anderson, Watson

Approved By:


Lee Leffingwell, Chair



John Hardwick, Ed.D., Superintendent

January 24, 2003

Ms. Annick Beaudet
City of Austin
Neighborhood Planning & Zoning Department
P. O. Box 1038
Austin, Texas 78767

*Re: C8-14-02-0010 City of Austin Zoning Case
Pioneer Crossing*

Dear Ms. Beaudet:

I have reviewed the referenced zoning case with the applicant and have no objections.

Yours for quality education,

John Hardwick, Ed.D.
Superintendent of Schools

Exhibit H

P. O. BOX 150365
AUSTIN, TEXAS 78715
MAY 23, 2002

MS. ANNICK BEAUDET
CITY OF AUSTIN,
NEIGHBORHOOD PLANNING & ZONING DEPT.
505 BARTON SPRING ROAD
AUSTIN, TEXAS 78767

DEAR MS BEAUDET,

I AM WRITING THIS LETTER IN REFERENCE TO NOTICE
OF FILING OF APPLICATION FOR REZONING, FILE NUMBER:
C814-96-0003, OWNER AMERICAN REALTY, TRUST, INC.
(MICHAEL E. BOGEL).

THIS PROJECT DOES ABOUT THE METHODIST EPISCOPAL
CHURCH OF MOUNT SALEM CEMETERY, 3 ACRES. THE
INCLOSED MAP SHOWS THE LOCATION OF THESE TWO
AJOINTING PROPERTIES.

THE CEMETERY WAS ESTABLISHED, ON MARCH 25, 1882.
IT RECEIVED ITS DECLARATION OF DEDICATION OF AN
OFFICIAL HISTORIC TEXAS CEMETERY ON AUGUST 2, 1999.

WE HAVE FOR 50 YEARS ACCESSED THIS CEMETERY
VIA THE CRISWELL ROAD AND FRED MORSE PROPERTY.
HOWEVER, PRIOR TO THAT, AFTER THE CEMETERY AND
CHURCH WERE ESTABLISHED IN 1882, THE ACCESS WAS FROM
CAMERON ROAD AT WALNUT CREEK.

OUR CONCERN IS THAT THIS HISTORIC CEMETERY
MUST HAVE A PUBLIC ACCESS FROM EITHER THE AMERICAN
REALTY, TRUST, INC PROPERTY OR THE FRED MORSE
PROPERTY THAT IS BEING DEVELOPED BY MILBURN
PROPERTIES.

ENCLOSED YOU WILL FIND OUR DOCUMENTATION
FROM THE TEXAS HISTORICAL COMMISSION.

I AM AVAILABLE TO DISCUSS THIS MATTER WITH YOU
AT YOUR CONVIENCE, PHONE NO. 512-447-3185.

SINCERELY,


THOMAS M. MADISON

447 3185



**TEXAS
HISTORICAL
COMMISSION**

The State Agency for Historic Preservation

GEORGE W. BUSH, GOVERNOR

JOHN L. NALL, III, CHAIRMAN

F. LAWRENCE OAKS, EXECUTIVE DIRECTOR

August 3, 1999

Mr. Thomas Maok Madison
7801 Keswick Drive
Austin, TX 78745

RE: TV-C04: Official Historic Texas Cemetery Designation: Methodist Episcopal Church of Mount Salem Cemetery, Travis County, Texas

Dear Mr. Madison:

This letter is in reference to our receipt and review of the application for an Official Historic Texas Cemetery Designation for the Methodist Episcopal Church of Mount Salem Cemetery in Travis County. We have reviewed the submitted material and find that the Methodist Episcopal Church of Mount Salem Cemetery meets our criteria for designation as a historic cemetery and thereby approve the application. I am enclosing a Declaration of Dedication along with "Attachment A" to be recorded in the Travis County Deed Records indexed to the owners of lands that either surround or share common borders with the cemetery: Methodist Episcopal Church of Mount Salem Cemetery; City of Austin c/o Real Estate Division; Moe Rose & Jerry D. Davidson; Fiestas Patrias of Austin, Inc.; Fred C. Morse, et al.; Arthur B. Strong & Morris R. Strong Trs & WBS Ivory.

Under this program the Declaration of Dedication can be considered to be a cemetery easement. Please secure a certified copy of the applicable filed for record document(s) indicating the volume and page number or other reference number of each recordation and send it/them to the Texas Historical Commission*. Check with the County Clerk to determine the fees that may be associated with this request. We will send you an Official Historic Texas Cemetery Designation certificate upon receipt of the certified copy or copies.

Please feel free to contact me if you have any questions about the preservation of this historic cemetery.

Sincerely,

Geron S. Hite, RA
Cemetery Preservation Coordinator
Texas Historical Commission

GSH/nrc
Enclosures

*We have found that counties vary in the way that they handle these recordations. Some County Clerks may only require one Declaration of Dedication which they will index to each of the adjacent property owners while others will require a separate Declaration of Dedication for each adjacent property owner. If there are multiple property owners we have provided the appropriate number of documents on the chance that they will be required, but if one Declaration of Dedication will suffice you may dispose of the extras.



**TEXAS
HISTORICAL
COMMISSION**

The State Agency for Historic Preservation

GEORGE W. BUSH, GOVERNOR

JOHN L. NAU, III, CHAIRMAN

F. LAWRENCE OAKS, EXECUTIVE DIRECTOR

**DECLARATION OF DEDICATION
OF THE
METHODIST EPISCOPAL CHURCH OF MOUNT SALEM CEMETERY**

THE STATE OF TEXAS

§

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRAVIS

§

That the Texas Historical Commission, an agency of the State of Texas, whose purpose is to provide leadership and coordinate services in the fields of archeology and historic preservation, does hereby certify and declare:

That the Methodist Episcopal Church of Mount Salem Cemetery, in the County of Travis, Texas, more particularly described in Exhibit A attached hereto, has been set aside and dedicated for cemetery purposes through historic use and that such property is now occupied by human graves and is a cemetery.

That the following property owners own lands that have common borders with the Methodist Episcopal Church of Mount Salem Cemetery: City of Austin c/o Real Estate Division; Moe Rose & Jerry D. Davidson; Fiestas Patrias of Austin, Inc.; Fred C. Morse, et al.; Arthur B. Strong & Morris R. Strong Trs & WBS Ivory.

That the Texas Historical Commission has duly considered the evidence of existence and historic use of said cemetery and has listed it as an Official Historic Texas Cemetery, worthy of preservation.

That this dedication is subject to all the laws, rules, and regulations of the State of Texas regarding cemeteries now in effect and to those adopted after the effective date of this dedication, and is made in accordance with 13 Tex. Admin. Code § 21.30.

This Declaration of Dedication is signed and executed on the 2nd day of

August, 1999.

F. Lawrence Oaks
Executive Director
Texas Historical Commission

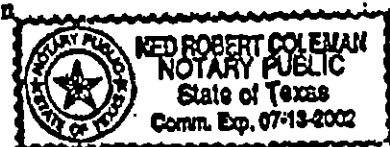
THE STATE OF TEXAS

§

§

COUNTY OF TRAVIS

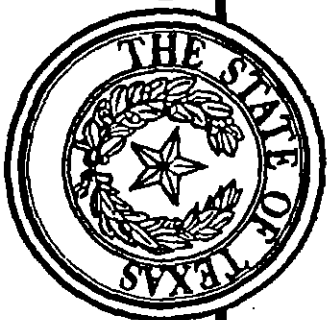
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BEFORE ME, the undersigned authority, on this day personally appeared F. Lawrence Oaks, known to me to be a credible person, whose name is above subscribed, and said person swore to me the statements contained herein are true and correct.

SUBSCRIBED AND SWORN TO BEFORE ME on this 2nd day of August, 1999.

Ned Robert Coleman
NOTARY PUBLIC in and for the STATE OF TEXAS



TEXAS HISTORICAL COMMISSION

CERTIFIES THAT

METHODIST EPISCOPAL CHURCH
OF MOUNT SALEM CEMETERY
IS LISTED AS AN

OFFICIAL HISTORIC TEXAS CEMETERY

A handwritten signature in cursive script, likely belonging to the Executive Director of the Texas Historical Commission.

EXECUTIVE DIRECTOR, TEXAS HISTORICAL COMMISSION

A handwritten signature in cursive script, likely belonging to Frances Richardson, a member of the Historic Placenames Division.

HISTORIC PLACENAMES DIVISION

ATTACHMENT A

I, Dana DeBeauvoir, County Clerk, Travis County, Texas, do hereby certify that this is a true and correct copy as same appears of record in my office. Witness my hand and seal of office on 8/11/99



Dana DeBeauvoir, County Clerk
By Deputy: *B. Williams*
B. Williams



SCALE

Land Owner: City of Austin
c/o Real Estate Division

Land Owner: Fiestas
Patrias of Austin,
Texas, Inc.

Land Owner: Morse, Fred C et al
c/o Scott Morse

**Methodist Episcopal Church
of Mount Salem Cemetery
3 acres**

Land Owner: Strong, Arthur B. &
Norris R. Trs & W.B.S. Ivory

Criswell Road

Norwood Plot
150 feet by 60 feet

Land Owner: Moe Rose & Jerry D. Davidson
c/o R. E. Moehnke

Anderson Lane

Lucas Munos Survey 55 A- 513
Methodist Episcopal Church of Mount Salem Cemetery: Book 52, page 150-
152, Travis County Deed Records
Norwood Plot: Vol. 305, page 503 Travis County Deed Records

**Methodist Episcopal Church of Mount
Salem Cemetery**
Travis County

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

08-11-1999 10:23 AM 1999085071

WILLIAMS \$15.00

Dana DeBeauvoir, COUNTY CLERK
TRAVIS COUNTY, TEXAS

Return:

THOMAS MACK MADISON

P.O. BOX 150365

AUSTIN TEXAS 78715-0365

I, Dana DeBeauvoir, County Clerk, Travis County,
Texas, do hereby certify that this is a true and
correct copy as same appears of record in my office.
Witness my hand and seal of office on 8/11/99



Dana DeBeauvoir, County Clerk
By Deputy: *B Williams*
B Williams

.....
You may send your written comments to the Zoning & Platting Commission Assistant, Neighborhood Planning & Zoning Department, P. O. Box 1088, Austin, TX 78767-8835.

File # C814-96-0003-AB

Zoning & Platting Commission Hearing Date: February 25, 2003

Name (please print) Richard & Sherry Pyle

Address 1509 Payton Falls Dr (78754)

- ☒ I am in favor
(Estoy de acuerdo)
☐ I object
(No estoy de acuerdo)

You may send your written comments to the Zoning & Platting Commission Assistant, Neighborhood Planning & Zoning Department, P. O. Box 1088, Austin, TX 78767-8835.

File # C814-96-0003-AB

Zoning & Platting Commission Hearing Date: February 25, 2003

Name (please print) KIERSON CARRINGTON

☐ I am in favor
(Estoy de acuerdo)

Address 1413 MUSSETT ST. AUSTIN, TX. 78754

☒ I object!!!!
(No estoy de acuerdo)!!!

March 3, 2003

Zoning and Platting Commission Assistant
Neighborhood Planning & Zoning Department
P.O. Box 1088
Austin, TX 78767-8835

Re: File # C814-96-0003-AB

To Whom It May Concern:

I was out of the country when the hearing was held regarding the above file, which refers to a change in zoning for "1500 acres located on Gregg Lane, Cameron Road, Dessau Road, and approximately 2000 feet to the west of Cameron Road, excluding the Samsung property". Since I just purchased a new home in the Pioneer Estates sub-division, I would most definitely NOT be in favor of such a zoning change because large or complex developments, which sounds to me like apartment and condo buildings would most likely decrease the value of my property. In addition, I purchased a new home in that area due to the relative lack of development near there and its proximity to the Pioneer Farms preserve area.

Please show me on your records as being opposed to this change in zoning.

Thank you for the opportunity to comment about this proposed change in zoning, and I would be interested in knowing the outcome of this proposal.

Sincerely Yours,



Richard Hoeth
1636 Payton Falls Drive
Austin, Texas 78754
Home Phone: 339-8319

MEMORANDUM

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

FROM: Dora Anguiano, Zoning and Platting Commission Coordinator
Neighborhood Planning and Zoning Department

DATE: April 7, 2003

SUBJECT: Zoning and Platting Commission Summary

Attached is a Zoning and Platting Commission summary, which will be forwarded to the City Council.

CASE # C814-96-0003

4. C814-96-0003 - AMERICAN REALTY, TRUST, INC. (Michael E. Bogel), ART COLLECTIONS, INC. (Bruce Edendyk), ANDERSON DEVELOPMENT CORP. (Jennifer Byrd), PRIME STRATEGIES, INC. (Ralph Reed), By: Planned Environments Inc. (Jim Vater), Henry Gilmore, Approximately 1500 acres located on Gregg Lane, Cameron Road, Dessau Road and approximately 2000-feet to the west of Cameron Road, excluding the Samsung Property. (Walnut Creek). **FROM I-RR-PUD TO PUD. RECOMMENDED WITH CONDITIONS.** City Staff: Annick Beaudet, 974-2975. **POSTPONED FROM 2-25 (ZAP), 3-4 (NEIGHBORHOOD), 3-11 (APPLICANT).**

SUMMARY

Commissioner Baker - "Why is this a discussion item? Is there someone in opposition?"

A gentleman stood up stating that he was in opposition.

Commissioner Baker - "You're in opposition sir, to the change in zoning from Interim RR PUD to Planned Unit Development?"

[Inaudible]

Commissioner Baker - "Can we have a presentation please?"

Annick Beaudet, staff - "This is a PUD amendment; the original PUD was approved in 1996. This amendment is to revise 236-acres of the original, approximate 1,410-acres. The provision also includes the addition of approximately 138-acres. So the total area revision of this PUD; the original, plus the new land, is 374-acres. Staff recommends this amendment with conditions; and the applicant agrees with the staff recommendation. The conditions in summary are: The amendment area assures a mix of residential development including single-family and multi-family; it assures land dedication for parkland, open space and greenways; it also assures land dedication for a new fire and EMS Station within the original boundaries of the PUD. It will also require Green Building Standards for the entire acreage of the PUD for residential and commercial development. There will be language for the new area pertaining to Urban Design elements. Integrated Pest Management Plan would be required for the entire area, as well as a Turf Management Plan for the golf area, which is majority or a good part of the revised area. Last, they are going to dedicate right-of-way for Gregg Howard Lane at the sooner of notification of final alignment of that roadway or at final subdivision of the area adjacent to the roadway. The overall traffic in the TIA for the approved area is decreasing. I'd like to make one correction to my staff report, in the Land Use section, I stated that the overall residential density will increase by 1,035 units; the actual number is 800 units because of recent agreements to dedicate more parkland. The area that is dedicated as parkland was originally designated as a residential area".

Commissioner Pinnelli - "Is the applicant agreeable to the 800?"

Ms. Beaudet -- "Yes".

Commissioner Baker -- "And the applicant concurs with the staff's recommendation?"

Ms. Beaudet -- "Yes".

Commissioner Baker -- "Before the applicant comes up; could we hear from the gentleman who wishes to speak that way it might make this a little shorter".

OPPOSITION

Jack Gullahorn, President of Great Neighborhood Association -- "I am not here to speak in opposition, as much as I am to present to you some things that are very important to our neighborhood, which I hope you'll keep on your radar screen as you consider this application. Our neighborhood is facing considerable construction pressure; we're in the desired development zone of the city. We got a two-lane county residential road, which is Gregg Lane. Our road is scheduled to become at some point, Howard Lane extension. The concerns of our neighborhood are not the use of the property; as it is the traffic infrastructure. I was here about 1-year ago and talked to you about the problems that we were facing because of Harris Branch; and because of the action that you took as a commission more than 1-year ago, you saved Howard Lane as a major east/west artery for the City of Austin. I think that it's very important that you understand the pressures that are out. Today, I'm here with limited priorities. We have been working with the developers and staff. Let me tell you, there's a lot of difference between this and a previous project that I worked on. The developers have been very interested in this; and staff has bent over backwards in looking at it; but, from our stand point we believe there are three things that are critical. First, when you're granting PUD approval, what is superior development? I believe that staff has done a good job at qualifying superior development for this project. We ask that you hold them to that, we ask that you help us define that because Superior Development is often in the eyes of the beholder. It is critical that when you're dealing with projects like this, that that be something that gives us a real opportunity to have a project that is going to be build better than it would have been built otherwise. So the key elements that the staff put in here are very important. Secondly, the transportation infrastructure is critical; the developer has agreed to dedicate the right-of-way for the expansion of Howard Lane at the time that the County comes forward. We would also ask you to consider, if possible, to work with the developers and to require that at the time the county comes in to build that road, then to post fiscal; not now, but when that road is build, which is probably somewhere between 2005 and 2007". "Finally, construction limitations; our road is a two-lane road and if construction is going to enter the Gregg Lane side of that property, for construction staging or for development with heavy construction equipment, it's going to be a nightmare. We're already facing between 15 and 25 thousand trips per day extra, along our two-lane road. Until it's a four-lane road, if you can't limit construction access, that at least you limit it to the number of cuts and I would suggest one on Gregg Lane; and to limit construction traffic on Gregg Lane".

Commissioner Hammond – "What do you want the fiscal posted for?"

Mr. Gullahorn – "The problem that we have is trying to figure out how to get the money to pay for Howard Lane. I'm told that the county is going to ask the developers along Howard Lane, as they are developing, to post fiscal and help pay for their half Howard Lane as it comes up. So we're trying to assist them in that; we're working with the county and with the city".

Commissioner Cortez – "It's eventually going to tie into Texas 130, is that right?"

Ms. Gullahorn – "That's what we're working on right now. This would eventually tie into 290; it's going to cross 130...that's what we're working on right now".

Commissioner Cortez – "Why would you want to get on 130?"

Mr. Gullahorn – "There are a few east/west corners; from our stand point, this has been in the CAMPO Plan for a long time. This is going to be one of the major east/west arteries. Parmer Lane is already there; it is primarily residential and commercial". "The cut needs to be made on 130 because if it's not, that traffic is going to come off either at Cameron Road or at Parmer Lane; and it's going to detour down to Gregg Lane or Howard Lane".

Commissioner Baker – "Will you need to subdivide?"

Henry Gilmore, applicant – "We will eventually need a subdivision at the final plat".

Commissioner Baker – "At that time, right-of-way, posting of fiscal and everything would be required?"

Mr. Gilmore – "That's the normal rule".

Commissioner Baker – "I understand, I just wanted to clarify something".

Mr. Gilmore – "This is a 1400-acre PUD in northeast Austin in the city's desired development zone that was unanimously approved by City Council back in 1997 and was supported by 8 neighborhood associations. All we're doing with this amendment is adding about 137-acres, to add a golf course to this PUD and to add some additional residential development. By adding a golf course, we're actually eliminating about 70,000 square feet of commercial and industrial space that was already approved; and about 30,000 trips per day". "Our development is superior to the ordinances that you could build under normal; for example, we have two traditional or urban village town centers incorporated into our project, that was in 1997, three years before the city adopted its own traditional neighborhood design regulations. We have a PUD wide hike and bike trail network; we exceed the parkland requirement by 18% and adding a new 7-acre parkland site to the amendment area. We've agreed to establish buffer zones in the amendment area for drainage ways or waterways that drain 64-acres or greater. Those waterways are 5 times smaller than what the ordinance currently requires. We've agreed

to the Green Builder Program for the entire PUD for commercial and residential. We've agreed to IPM Plan for the entire PUD. And our golf course has also been design to minimize impact on repairing woodlands. It'll have at least 9 constructive wetlands and it'll have a turf grass management plan that will produce water quality and environmental benefits superior to the current code. As far as Howard Lane is concern, we did get a chance to meet with Mr. Gullahorn. We have no problem with Howard Lane/Gregg Lane, unlike some of the other cases you've seen before you in the past year. We just don't want to have to commit to it prematurely. We have agreed in language that we have worked out with staff, to dedicate the right-of-way upon the earlier of the time that we're ready to final plat it or when there's a final alignment and the design is set for Howard Lane. This thing could move, depending upon environmental conditions. We don't want to be locked in dedicating right-of-way; and then have to turn around and undedicated it, if the road moves. We have worked out that language with staff, and we're not in opposition to Howard/Gregg Lane in any way. We're actually reducing trips per day with this amendment".

FAVOR

Thomas Madison – Spoke in favor. "I want to make the community and the developers aware that there is a cemetery. It has been designated as an official historical cemetery and right now it does not have a public access. I'm looking into getting public access and well as protection for this cemetery".

Commissioner Whaley – "Where is the cemetery in relation to the PUD?"

Commissioner Baker – "It's right at the tip, see the little square? (Showing it on the map)".

Mr. Madison – "According to the map that was sent to me, the cemetery abuts the property that they want to develop on".

Commissioner Cortez – "You said that there isn't an access for that cemetery now?"

Mr. Madison – "There's a road that no one wants to identify or own; the city shift it off tot he county and the county shift it off to the city. That only goes half way from Cameron Road to the cemetery. So we use Mr. Morrison's property to access the cemetery".

Commissioner Baker – "Is this still an active cemetery?"

Mr. Madison – "Yes".

Commissioner Baker – "By the action of this applicant, his action is not necessarily land locking your property, is it?"

Mr. Madison – "I don't know".

Commissioner Baker -- "You have the church that also comes down to his property; is the cemetery next to the church?"

Mr. Madison -- "The church and the cemetery were joint; the church burnt down in the late 50's".

Commissioner Baker -- "Mr. Gillmore, can you help us out with the cemetery?"

Mr. Gillmore -- "As far as we know, that is not on our property. It may be abutting us, but we've done Phase Ones on the entire property and we're aware of where there are cemetery issues. As far as we know, that is not on our property".

Commissioner Baker -- "I realize that, my question is, can you provide access some way?"

Commissioner Jackson -- "It would require a bridge and some kind of road through the park and bridging Walnut Creek".

Commissioner Baker -- "So it's adjacent to the park land?"

Commissioner Jackson -- "Yes".

Commissioner Baker -- "Mr. Madison, I would respectfully suggest that you contact the Parks Department".

Commissioner Jackson -- "What's the problem with access on Criswell Road?"

Commissioner Baker -- "It doesn't go to Criswell Road, they no longer own that; that burnt, so this is all they have left (showing on the map)".

Commissioner Jackson -- "Well, if that's the case, if the church doesn't own this and this is the land that the applicant owns, it doesn't even abut the applicant's land".

Commissioner Baker -- "Mr. Madison, when you come down to the point on the map there (speaking of the map before the commission); the cemetery is where? Where is the church owned property? The church that burned?"

Mr. Madison -- Showed the commission on the point.

Commissioner Baker -- "Why isn't there access to Criswell Road? The church fronts that property, abuts Criswell Road. If the church still owns that property, why wouldn't there be access there, sir?"

Mr. Madison -- "Well, because I believe, I don't have any documentation on it, that before in the old days, if you crossed the bridge in Onion Creek and go for about 1,000-

feet, there's a gate. The use to go in that gate up to the cemetery. Well what happened in 1950, that access was no longer available, so they started using Criswell Road and then they got permission from the Morris Family to go ahead and cross their property".

Commissioner Jackson - "Can the cemetery be access via Criswell Road?"

Mr. Madison - "Criswell Road doesn't go all the way to the cemetery".

Commissioner Baker - "It goes to the property, according to our map".

Mr. Madison - "If you check with the county and city, they will not do anything to that road beyond a certain distance from Cameron Road".

Commissioner Cortez - "So the road terminates before it gets to the cemetery?"

Mr. Madison - "That's right".

Commissioner Baker - "Look at A4-29 in the back-up, that's what I'm looking at".

REBUTAL

Mr. Gilmore - "The only other thing I can add on Mr. Madison's comments; I'm told that access to that cemetery was actually addressed as part of the Morris Tract PUD. I'm not 100% sure of that, but that's what I'm told. In order for us to do it, we'd have to cross Williamson Creek, and that's about a 40' bluff there. It's not something that I believe the city would be in favor of having another bridge across Walnut Creek; but it is about a 40-foot drop off in height".

Commissioner Whaley and Jackson moved to close the public hearing.

Commissioner Cortez - "I'm just hesitant because I'm confused about the access to that historic site; especially if the cemetery is still in use. I was wondering if it's appropriate for us to postpone this a week so they can get it sorted out?"

Commissioner Baker - "This is the fourth time on the agenda. I would ask Mr. Gilmore if he has spoken to Mr. Madison prior to this evening?"

Mr. Gilmore - "No, I have not".

Commissioner Baker - "So you were not aware of this issue?"

Mr. Gilmore - "No".

Commissioner Baker - "Would a two-week postponement, in any way impede the process of your case so that you could look into it?"

Mr. Gilmore – "We've been in this process for over 12-months now and we're very anxious to get out of the process. If that's the only way we can get a recommendation, then obviously we'll support a postponement; but it is something that we can look at between now and Council, to see if there's actually already a solution for it".

Commissioner Jackson – "I'd like to ask staff if anybody can lend or shed any light on the Criswell Road issue. Whether it's a county road, a city road, what do we know about that? Or the other PUD?"

Mr. Beaudet – "It is in the original portion of the PUD; and we do not have any information if it's city maintained; if it's a public road; or if it's a county road, not at this point".

Commissioner Baker – "I'd like to suggestion a postponement to April 8th; and let staff try to address these issues. If someone would like to make that motion?"

Commissioner Cortez – "So move".

Commissioner Gohil – "Second".

Commissioner Baker – "I'm sorry, but I don't think it's fair to us tonight to respond to this without some additional information".

Susan Villarreal, staff – "I would just like to offer that we could quickly go find out the issue of whether it's a city or county road; and see if the right-of-way has been dedicated to this tract".

Commissioner Baker – "How quickly?"

Ms. Villarreal – "About 15 minutes".

Commissioner Jackson – "Could you find the Morris PUD too, and see if it's addressed in that?"

Ms. Villarreal – "I could certainly try".

Commissioner Baker – "Then could we have a motion to table, please?"

Commissioner Whaley – "I'd like to make a substitute motion to table".

Commissioner Jackson – "Second".

Aye! (8-0)

[Item Tabled.]

Annick Beaudet, staff -- "Access to the cemetery is provided by another project called Pioneer Hill, which has not yet come to this commission. It's a traditional neighborhood design project. The case manager is Sherri Gager. I pulled the plans to date for that project, and they are providing an extension to Criswell Road, which will also have access off the extension of Criswell Road to the cemetery and the church site". "Criswell Lane is going to be continued through this Pioneer Hill Project. It has gone to the Environmental Board; it has not yet come to this commission or approved by Council. We suggested to the gentleman that he follow up with Ms. Gager on this case because it is not final until the case is finalized by Council".

Commissioner Baker -- "Mr. Madison is very tenacious, he'll follow up. Okay commissioners, what is your pleasure on item #4?"

Motion

Susan Villarreal, staff -- "There really isn't any frontage, they hit at an angle. The right-of-way is not dedicated all the way to the cemetery tract; but it's shown on some of the maps".

Commissioner Baker -- "After this other subdivision there will be access to the church site and cemetery?"

Mrs. Villarreal -- "Correct".

Commissioner Jackson -- "I make a motion to approve the PUD zoning with staff recommendations, with the additional recommendation that the right-of-way for Howard Lane be dedicated at the earlier of platting or upon commencement of construction or prior to actual construction of Howard Lane".

Commissioner Whaley -- "I'll second that".

Commissioner Baker -- "I'll comment that dedication of park land and the dedication for the right-of-way would have to occur prior to the finalization of zoning".

Commissioner Jackson -- "That's part of staff recommendation?"

Commissioner Baker -- "Yes".

Commissioner Jackson -- "Okay".

Commissioner Baker -- "So you don't need that additional condition".

Commissioner Jackson -- "Well, Howard Lane, that covers Greg Howard Lane?"

Commissioner Baker -- "Yes".

Commissioner Jackson -- "Okay".

Commissioner Baker - "I think the staff recommendation is what you're saying".

Commissioner Jackson - "Okay".

Commissioner Baker - "We have a motion and a second on A4 for staff recommendation. All in favor say aye".

Aye.

**COMMISSION ACTION:
MOTION:**

**JACKSON, WHALEY
APPROVED STAFF'S
RECOMMENDATION OF PUD
ZONING.**

AYES:

**PINNELLI, CORTEZ, GOHIL, BAKER,
JACKSON, WHALEY, DONISI,
HAMMOND**

ABSENT:

MARTINEZ

MOTION CARRIED WITH VOTE: 8-0.