

## MASTER REVIEW REPORT

CASE NUMBER: C814-2014-0120

CASE MANAGER: Andy Moore

PHONE #: 512-974-7604

REVISION #: 00

UPDATE: 4

PROJECT NAME: Austin Oaks PUD

SUBMITTAL DATE: July 13, 2016

REPORT DUE DATE: August 4, 2016

FINAL REPORT DATE: August 16, 2016

REPORT LATE: 12 DAYS

LOCATION: Southwest Corner of Mo-Pac and Spicewood Springs Road (3409, 3420, 3429, 3445, 3520, 3636, 3701, 3721, 3724, and 3737 Executive Center Drive and 7601, 7718 and 7719 Wood Hollow Drive)

### STAFF REVIEW:

- This report includes all comments received to date concerning your proposed planned unit development. The PUD will be scheduled for Commission when all requirements identified in this report have been addressed.
- PLEASE NOTE: IF YOU HAVE ANY QUESTIONS, PROBLEMS, CONCERNS OR IF YOU REQUIRE ADDITIONAL INFORMATION ABOUT THIS REPORT, PLEASE DO NOT HESITATE TO CONTACT YOUR CASE MANAGER (referenced above) at the CITY OF AUSTIN, PLANNING AND ZONING DEPARTMENT, P.O. BOX 1088, AUSTIN, TX.

### REPORT:

- The attached report identifies those requirements that must be addressed by an update to your application in order to obtain approval. This report may also contain recommendations for you to consider, which are not requirements.
- ADDITIONAL REQUIREMENTS AND RECOMMENDATIONS MAY BE GENERATED AS A RESULT OF INFORMATION OR DESIGN CHANGES PROVIDED IN YOUR UPDATE.

## Electric Review - Jenna R Neal - 512-322-6110

EL 1. FYI: Any relocation of existing electric facilities shall be at developer's expense.

**Update 4:** Informational. Comment cleared.

EL 2. FYI: Ron Solbach at ph. 512-504-7145 or [Ronald.solbach@austinenergy.com](mailto:Ronald.solbach@austinenergy.com) is the initial Austin Energy contact for electric service design.

**Update 4:** Informational. Comment cleared.

EL 3. FYI: Austin Energy's electric system maps show an underground electric duct bank that runs along the lot line between Lot 5, Koger Executive Center Unit 3 and Lot 6A, Resub of Lot 6, Koger Executive Center Unit 3.

This duct bank not only powers the building on Lot 6A but also the properties to the south across Executive Center Drive.

**Update 4:** Informational. Comment cleared.

### New Comments (U3)

EL 4. Additional electric and telecommunications easement along and adjacent to Wood Hollow Dr, Executive Center Dr, Loop 1/ Mopac, Spicewood Springs Rd, and Hart Ln will be needed to bring power to the new development(s). The typical easements needed to bring a 3-phase main feeder along the road will need to be 15' wide.

**Update 4:** Informational – must be secured at plat or by separate instrument through site plan review process. Comment cleared.

EL 5. Only Utility Compatible trees may be planted within 10' of existing and / or proposed Austin Energy electric facilities.

*The City's Environmental Criteria Manual (ECM) 2.4.1.D and 2.4.2.C state, "In areas where utility lines are present or proposed **only trees from the Utility Compatible Shade Trees list** (see Appendix F [https://www.municode.com/library/tx/austin/codes/environmental\\_criteria\\_manual](https://www.municode.com/library/tx/austin/codes/environmental_criteria_manual))*

**Update 4:** Informational. Comment cleared.

## AE Green Building Program – Sarah Talkington - 512-482-5393.

The PUD language pertaining to Green Building is not acceptable (Ordinance, Part 9, no.1). Please change the PUD agreement as follows:

### Green Building Rating

1. A building in the Austin Oaks PUD that is served by Austin Energy must achieve a two-star rating under the City's Austin Energy Green Building program using the applicable rating version in effect at the time a rating application is submitted for the building.
2. A single family residential building in the Austin Oaks PUD that is not served by Austin Energy must achieve a two-star rating under the Austin Energy Green

Building extended area rating network using the applicable rating version in effect at the time a rating application is submitted for the building.

**Neighborhood Housing & Community Development – Regina Copic  
512-974-3180**

Continue working with NHCD to craft specific affordable housing requirements.

**Fire Department Review – Cora Urgena - 512-974-0184**

1. Fire department access roads, fire hydrant spacing and the required fire flow must comply with IFC and will be verified when the sit plans for construction are submitted.

**Parks & Recreation Dept. Planning – Marilyn Lamensdorf - 512-974-9372**

**UPDATE 4:**

**PR1. Cleared.** Open Space acreage is now shown on Exhibit G.

**PR2. Cleared,** breakdown of acreage provided on two separate Parkland Dedication calculation sheet.

**PR3: Cleared,** if detention is eliminated on the east side of the North Creek acreage.

**PR4: Cleared.**

**PR5:** Add a Note to Exhibit G and/or to PUD Ordinance Exhibit D Phasing Plan that Applicant will construct a bridge and connecting trails on parcels 3 and 4 the costs for which are not included in expenditures in Note 1 for Parcel 10. Also include that the Applicant will maintain the bridge and its associated trails. Please also include language that the bridge will be pre-engineered steel frame and at least 8-feet wide.

**PR6:** Discussions continue on a separate note on Exhibit G or in the PUD Ordinance related to expenditure on the Heritage Trail or Heritage Park for a historic marker.

**PR6:** Please remove any trails from the Exhibits that will not be built by the Applicant.

**PR7:** Discussions continue on PUD Ordinance Part 8 in relation to timing of dedication, approval of park plan and facilities included.

## WPD Environmental Office Review – Andrea Bates - 512-974-2291

*Update 4: Comment numbers have been corrected as needed.*

### **Tier 1 & Tier 2 Compliance (superiority table)**

EO 1. *Tier 1, #3, open space.* Please specify the amount of open space required based on land use, and state the exact amount of open space provided by the PUD. (Current language is “more than 10.92 acres.”)

**Update 4: Comment cleared.**

EO 2. *Tier 1, #8, minimum landscaping requirements.* Please specify how the project will exceed the minimum landscaping requirements of the Code, and clarify any references to the “Grow Green Program.” Grow Green is an educational program, not a specific set of requirements. Please note that using native and adapted plants from the Grow Green Guide and providing an IPM for the PUD are not sufficient to exceed the minimum landscaping requirements as required by Tier 1.

**Update 4: Using native and adapted plants for 50% of plant materials (excluding turf and land within dedicated parkland) and preparing an IPM plan for the PUD are not sufficient to exceed minimum landscaping requirements as required by Tier 1, especially given the requested code modifications. Please work with staff to develop a proposal to exceed the minimum landscaping requirements of the code.**

EO 3. *Tier 2, #1, open space.* Please specify the amount of open space required based on proposed land uses, and state the exact amount of open space provided by the PUD. (Current language is “more than 10 acres.”) Parks and open space areas are not shown on the Land Use Plan, as stated in the Tier 2 table narrative. Please identify all park and open space areas on the Land Use Plan.

**Update 4: Comment cleared. Exhibits G and L are sufficient in lieu of identifying park and open space areas on the Land Use Plan.**

EO 4. *Tier 2, #1, open space.* For environmental superiority, the provided open space acreage must exceed the acreage of protected environmental features – including floodplain, CWQZ, and CEF buffers. Please calculate and provide the acreage of floodplain, CWQZ, and 150’ CEF buffers that are not currently developed. Include acreage totals for each of the three categories and a combined total that accounts for any overlap. Staff will then confirm whether the provided open space is larger than the floodplain/CWQZ/CEF area that would need to be protected anyway under §25-8-25.

**Update 4: Comment cleared.**

EO 5. *Tier 2, #2, environment.* Please revise the Tier 2 table to include all of the Environmental/Drainage criteria listed in the code (Chapter 25-2(B), Article 2, Division 5, §2.4). Each code criterion should be listed in a separate row, and the Compliance and Explanation columns should state whether and how the project is meeting that criterion (i.e., yes, no, or not

applicable; for yes, a description of the proposal). Proposed superiority items that do not fit under code criteria can be added under “Employs other creative or innovative measures to provide environmental protection.” Please ensure that the description in the Explanation column is specific enough to provide a review standard for future development applications.

**Update 4: Please make the following revisions:**

**a. Add the following Tier 2 element and applicant’s response to the table: “Provides water quality treatment for currently untreated, developed off-site areas of at least 10 acres in size.”**

**b. *Complies with current code:*** Change “yes” to “not applicable.” The property does not have entitlements to follow old code provisions.

**c. *Reduces impervious cover:*** Add a statement that the maximum impervious cover otherwise allowed under the redevelopment exception is 66 percent.

**d. *Volumetric detention:*** The PUD is not proposing volumetric detention. Change “yes” to “no,” and move the description of the proposed on-site detention to the last row under Environment/Drainage (“Employs other creative or innovative measures to provide environmental protection”). Per the Environmental Officer, staff also requests that the PUD participate in the RSMP for the remaining volume of detention that would be required based on undeveloped conditions. Maximizing on-site detention and participating in RSMP for the remainder would be a significant superiority item.

**e. *Tree preservation:*** Change “yes” to “yes as modified,” since the proposal does not meet all three criteria listed in the code.

**f. *Tree plantings:*** Please discuss the feasibility of this proposal with staff.

**g. *50% increase in setbacks:*** Calculate the size of all existing and proposed setbacks, to confirm whether there will be a 50% increase in the CWQZ and each CEF buffer. When measuring existing and proposed setbacks, include undeveloped/restored area within the standard CWQZ and 150’ buffer widths.

**h. *Clusters impervious cover:*** Change “yes” to “no.” Credit for the expanded/restored CWQZ and CEF buffers is provided under several other Tier 2 elements.

**i. *“This site current has no water quality treatment...”:*** Delete this statement. Water quality treatment is required under the redevelopment exception, and impervious cover removal from the CWQZ is credited under a different Tier 2 element.

**j. *“The existing impervious cover located...”:*** Delete this statement; impervious cover removal is credited under a different Tier 2 element.

**k. *“The project shall provide for the preservation of the [CEFs]...”:*** Delete this statement; this is a code requirement and restoration is credited under a different Tier 2 element.

**l. “The updated plan preserves more than 7,000 caliper inches...”: Delete this statement; tree preservation is credited under a different Tier 2 element.**

**m. Please add letters or numbers to each Tier 2 Environment/Drainage element to make it easier to reference specific superiority elements.**

EO 6. *Tier 2, #2, environment.* As a general guideline, any statements that confirm the project will comply with code, rather than exceed code requirements, should be removed from the Tier 2 table. It is staff’s understanding that the applicant is electing to redevelop under §25-8-25 – Redevelopment Exception in Urban and Suburban Watersheds. Please use the requirements of §25-8-25 rather than the remainder of Chapter 25-8(A) to determine whether the PUD proposal is superior to current code. (Chapter 25-7 and Subchapter 25-8(B) are still applicable.)

**Update 4: Comment cleared.**

EO 7. *Tier 2, #2, environment.* Please provide the existing square footage of impervious cover within the CWQZ and 150’ CEF buffers, the square footage of impervious cover proposed to be removed, the square footage of any new non-compliant impervious cover or other development to be located in those areas, and the minimum distance of existing and proposed non-compliant development from the creek and CEF. This analysis should be performed separately for the CWQZ and each CEF setback on each parcel.

**Update 4: Please update the exhibits to identify existing and proposed non-compliant development within the CWQZ (including areas that overlap CEF buffers). All of the existing impervious cover is non-compliant, but some of the proposed development may be allowed by code. For example, the pedestrian bridge would be allowed under 25-8-262. Part of the trail running parallel to the creek might comply with 25-8-261(B)(3), but other sections might be non-compliant because they are located within 25 feet of the centerline.**

**In addition to the exhibits, please prepare a table that includes the following for the CWQZ and each CEF buffer: square footage of existing non-compliant development; existing minimum distance from the feature; square footage of proposed non-compliant development; and proposed minimum distance from the feature. Please coordinate with PARD staff to determine if any other non-compliant park amenities (e.g., picnic table pads, etc.) will need to be located within the CWQZ or CEF buffers. If so, include that square footage in the calculation of proposed non-compliant development.**

EO 8. *Tier 2, #2, environment.* Please provide additional information about the proposed restoration in the CWQZ and CEF buffers. Staff suggests the following draft language: The PUD shall restore the critical water quality zone and CEF buffer areas identified in Exhibit H, Creek Plan. A restoration plan shall be submitted to the City for review and approval and implemented with each site plan for Parcels 2, 3, 4, and 5. The restoration plan shall include planting and seeding pursuant to Standard Specification 609S and must demonstrate that the following parameters of Appendix X “Scoring: Zone 2 – Critical Water Quality Zone” shall be raised to “Good (3)” or “Excellent (4)” condition: Gap Frequency, Soil Compaction, Structural Diversity, and Tree Demography.

Per the above language, Exhibit H should show all areas within the CWQZ and 150' CEF setbacks where existing impervious cover will be removed and restoration will be performed.

**Update 4: I understand the intent of the changes, but the proposed language is not acceptable. Staff suggests the following revised language, which would apply to CWQZ/floodplain and upland CEF buffer areas:**

**“The PUD shall restore the critical water quality zone and CEF buffer areas identified in Exhibit H, Creek Plan. A restoration plan shall be submitted to the City for review and approval and implemented with each site plan for Parcels 2, 3, 4, and 5. The restoration plan shall include planting and seeding pursuant to Standard Specification 609S and must demonstrate that revegetation is adequate to achieve a score of “Good (3)” at maturity for the following parameters of Appendix X “Scoring: Zone 1 – Floodplain Health”: Gap Frequency, Soil Compaction, Structural Diversity, and Tree Demography. The identified Zone 1 parameters shall apply to all restored areas within the CWQZ and CEF buffers. The restoration plan may accommodate a trail or other permitted park improvements, if the location of the improvements has been identified at the time of site plan submittal.”**

(Note that the parameters are the same as previously requested, but staff decided Zone 1 is a more appropriate reference.) Staff requests that all restoration areas identified in Exhibit H meet the four identified parameters from Appendix X. Those parameters are appropriate restoration metrics for the CEF buffers/uplands as well as the CWQZ.

As discussed during recent meetings with staff and the Environmental Officer, please update the table to include the commitment to laying back and restoring the western creek bank. Include a drawing showing a conceptual cross section, the area of bank to be laid back, how the pedestrian bridge is to be incorporated, revegetation requirements, etc., as well as text in the Tier 2 table describing the plan with estimated detention volume. Also, include text describing alternative plans in case of subsurface geology preventing maximum lay back area.

EO 9. *Tier 2, #2, environment.* Please note that pedestrian paths and a pedestrian bridge may be allowed in the CWQZ pursuant to §25-8-25, but they do not contribute to environmental superiority. Please remove these references from the environment/drainage section of the superiority table.

**Update 4: Comment cleared.**

EO 10. *Tier 2, #2, environment.* To determine the proposed reduction in impervious cover, please specify the maximum impervious cover allowed by code for the current zoning districts (on both an aggregate and parcel-by-parcel basis, if applicable).

**Update 4: Comment cleared.**

EO 11. *Tier 2, #2, environment.* Please provide any known details about the proposed inundation area on Parcel 3 (e.g., that it will be located where impervious cover is removed; whether it will be within the CWQZ or CEF buffers; approximate location, size, depth, etc.). Staff understands that the inundation area will be designed at site plan, but any additional information that can be provided at this time would be useful to include. In order to evaluate the level of superiority

provided by the detention area, please provide a comparison of the proposed volume to what the detention requirement would be if the PUD were currently undeveloped.

**Update 4: Per recent discussions, update the superiority table and exhibits to remove the detention area on the east bank. Update any related drainage information.**

EO 12. *Tier 2, #2, environment.* Please continue to work with staff to determine whether the proposed tree removal, protection, and mitigation meet code, require a code modification, and/or contribute to environmental superiority.

**Update 4: Repeat comment.**

#### **Exhibit C, Land Use Plan**

EO 13. As noted in EO 3, please identify park and open space areas on the land use plan.

**Update 4: Comment cleared. Exhibits G and L are sufficient in lieu of identifying park and open space areas on the Land Use Plan.**

EO 14. Please identify the standard 150' buffer for all CEFs.

**Update 4: Please update the label on the inner buffer for the off-site Spicewood Springs; it looks like it should be 150', not 50'.**

EO 15. The CWQZ, 100-year floodplain, and CEF buffers are difficult to read on this plan. Please revise the symbology to better illustrate the environmental features on the land use plan. Can the Erosion Hazard Zone and Drainage Easements be removed to make the plan easier to read?

**Update 4: Under 25-8-92(F), the boundaries of a CWQZ in an urban watershed coincide with the boundaries of the 100-year fully developed floodplain, with a minimum width of 50' and a maximum width of 400'. There are several places where the 100-year fully developed floodplain extends beyond the identified CWQZ. Please correct the CWQZ boundaries to follow the 100-year fully developed floodplain in areas where the floodplain width is between 50' and 400' from the creek centerline. (Maintain a minimum CWQZ width of 50' where the floodplain is narrower than 50' from centerline.)**

#### **Exhibit H, Creek Plan**

EO 16. Please identify the standard 150' buffers for all CEFs.

**Update 4: Comment cleared.**

EO 17. As noted in EO [15], the boundaries on this exhibit are difficult to read. Please revise the symbology to better illustrate the environmental features and restoration areas, and remove any information that is not necessary for PUD review (e.g., EHZ, drainage easements, etc.).

**Update 4: There are several places where the 100-year fully developed floodplain extends beyond the identified CWQZ. Please correct the CWQZ boundaries to follow the 100-year fully developed floodplain in areas where the floodplain width is between 50' and 400' from the creek centerline. (Maintain a minimum CWQZ width of 50' where the floodplain is narrower than 50' from centerline.)**

EO 18. Please delete notes 1, 2, and 5, and delete or revise notes 3, 4, and 6 to reflect requested changes to the superiority table. All significant elements of the PUD proposal should be included



in either the superiority table or a code modification table. Notes on the exhibit can repeat, reference, or add details to those proposals, but the exhibit notes should not be the only source of this information.

**Update 4: Update the restoration language in Note 2 to match the staff suggestion above. Please add a note specifying that the proposed pedestrian bridge must span the erosion hazard zone with one set of piers within the creek channel if necessary.**

**Note 2 and the restoration language suggested above only apply to areas within the CWQZ and CEF buffer. There are some areas where impervious cover will be removed that are outside of the CWQZ and CEF buffer. Staff suggests specifying that areas outside of the CWQZ and CEF buffer will be planted and seeded pursuant to Standard Specification 609S, but that those areas do not need to achieve a score of “Good” under the floodplain modification parameters.**

#### **Exhibit J, Tree Plan**

EO 19. This exhibit is hard to read. If the purpose is to designate every tree as either preserved or removed, it might be useful to incorporate color (e.g., green and red) into the plan, and add a detailed table with tree number, species, size, and proposal (preserved, removed, relocated).

**Update 4: Comment cleared**

#### **Applicant’s Draft Ordinance**

EO 20. As a general guideline, all of the environmental and drainage information in the applicant’s draft ordinance should be included in the superiority table, code modification table (if necessary), and/or exhibits. The applicant’s draft ordinance should not be the sole source of information about specific PUD proposals.

**Update 4: Comment cleared.**

EO 21. Please create a code modification table that includes any proposed changes to existing code. It is difficult to identify and understand all of the proposed code modifications from reading the draft ordinance (e.g., Exhibit F contains code modifications but does not always specify current requirements). If the applicant is proposing to use the redevelopment exception, then the only proposed code modifications to Subchapter 25-8(A) should be to §25-8-25. Please delete the proposed code modifications to §25-8-281 and -372 in Part 12 items 1, 2, and 3.

**Update 4: Repeat comment; please work with staff to clarify all proposed environmental code modifications, including the following:**

- **Any standards that will be calculated over the entire PUD;**
- **Any current code requirements that the PUD will memorialize; and**
- **Any modifications to current standards.**

EO 22. *Part 5, I, J.* Please revise the description of the Creek land use classification to clarify that it does not supersede or change the requirements for development within a CWQZ or CEF buffer established in §25-8-261, §25-8-281, and §25-8-282. Also, the reference to Parcel 1 may need to be removed; Exhibit H does not identify any Creek land use on Parcel 1.

**Update 4: Comment cleared. Staff will evaluate any proposed code modifications to ensure that the Creek land use classification does not supersede the requirements for development within a CWQZ or CEF buffer.**

EO 23. *Part 8, 2.* Please clarify that the Creek land use classification and Exhibit H do not supersede or change the requirements for development within a CWQZ or CEF buffer. Any modifications to Subchapter 25-8(A) should be to §25-8-25 and should be explicitly listed in a code modification table.

**Update 4: Comment cleared. Staff will evaluate any proposed code modifications to ensure that the Creek land use classification does not supersede the requirements for development within a CWQZ or CEF buffer.**

EO 24. *Part 8, 7.* Please clarify that the Creek land use classification and Exhibit H do not supersede or change the requirements for development within a CWQZ or CEF buffer. Any modifications to Subchapter 25-8(A) should be to §25-8-25 and should be explicitly listed in a code modifications table.

**Update 4: Comment cleared. Staff will evaluate any proposed code modifications to ensure that the Creek land use classification does not supersede the requirements for development within a CWQZ or CEF buffer.**

EO 25. *Part 9, 2 and 3.* Please delete; these code modifications are not necessary if the PUD is electing to redevelop under §25-8-25.

**Update 4: Please work with staff to clarify all proposed environmental code modifications, as requested above. Staff will review the proposed modifications once the request has been clarified.**

EO 26. *Part 9, 4.* Please continue to work with staff to determine whether the proposed tree removal, protection, and mitigation meet code, require a code modification, and/or contribute to environmental superiority.

**Update 4: Repeat comment.**

EO 27. *Part 9, 5.* Please delete or propose a specific code modification to §25-8-25.

**Update 4: Please work with staff to clarify all proposed environmental code modifications, as requested above. Staff will review the proposed modifications once the request has been clarified. Staff does not agree with the statement that 25-8-25(B)(1) and (3) shall not apply to the PUD; the applicant may request a code modification to allow those requirements to be calculated across the entire PUD.**

EO 28. *Part 9, 6.* Please delete the first sentence; it is not necessary to restate code requirements.

**Update 4: Please work with staff to clarify all proposed environmental code modifications, as requested above. Staff will review the proposed modifications once the request has been clarified.**

EO 29. *Exhibit D, D.* Please revise to clarify that the Creek “development” consists of the restoration and open space development allowed by code and specified in the superiority table and Exhibit H.

**Update 4: Will the developer construct the trail and pedestrian bridge in addition to performing the restoration?**

EO 30. *Exhibit F, 4.* Please delete; this code modification is not necessary if the PUD is electing to redevelop under §25-8-25.

**Update 4: Please work with staff to clarify all proposed environmental code modifications, as requested above. Staff will review the proposed modifications once the request has been clarified.**

EO 31. *Exhibit F, 7.* Please delete; this code modification is not necessary if the PUD is electing to redevelop under §25-8-25.

**Update 4: Comment cleared.**

EO 32. *Exhibit F, 9.* Please delete; an ERI and Hydrogeologic Report will be required with each site plan.

**Update 4: Comment cleared.**

EO 33. *Exhibit F, 11.* This is a code modification to the landscaping requirements. Tier 1 requires PUDs to exceed landscaping requirements. Any code modifications to §25-2-1008(A) must be offset by additional landscaping superiority in order to meet the Tier 1 requirements.

**Update 4: The proposed landscape superiority elements are not adequate to exceed landscaping requirements as required under Tier 1, especially given the requested code modifications.**

#### **Exhibit G, AO Park Plan and Park Space**

**EO 34. The Parkland Dedication Summary table allocates 14,000 square feet of impervious cover for the Creek Park. Is this number intended to include the trail? If the trail is public it will not count towards the impervious cover limit; however, the square footage of noncompliant development does need to be calculated and incorporated into the PUD. Please clarify whether the 14,000 square feet includes the trail and if so, provide the estimated size of the trail. Any requested park development that would not comply with CWQZ or CEF buffer requirements should be subtracted from the proposed restoration area. See comment EO 7.**

**WPD Drainage & Water Quality Engineering Review – Reem Zoun - 512-974-3354**

1. Please provide a drainage report with relevant hydrologic and hydraulic analyses showing the proposed detention pond with a volume at least 20,000CF in addition to the existing detention pond on-site (Kroger Pond); the existing and proposed drainage plan for the site; and no adverse impact downstream for 2yr, 10yr, 25yr and 100 yr storm events.
2. Please provide hydrologic analysis to show the required detention pond size for the Austin Oaks site treating the site as green field development and hydraulic analysis to show the impact of such detention volume downstream. Please document this in the drainage report.
3. Consider providing additional detention volume at the water quality pond location.

4. Consider providing detention volume by sloping the banks outward from existing channel.

### Hydro Geologist Review - Sylvia R. Pope, P.G. - 512-974-3429

Please note: Update 3 is considered a new plan due to the change in design and applicant's consultants. Therefore, all comments should be considered new.

Update 4. Submitted 7/13/2016

HG 1. There are two geological Critical Environmental Features on Parcel 2 at the southeastern corner of Wood Hollow Drive and Executive Center Drive. These are a canyon rimrock and a seep that is within the canyon rimrock. Their locations are shown on the PUD plan sheets, Exhibits C, H and K. Critical Environmental Feature (CEF) buffers of 50 feet are shown for future reference within this redevelopment. An existing parking lot upslope of the CEFs will be removed within 50 feet of the CEFs. This action may be viewed favorably and contribute to an element of environmental benefit as part of the redevelopment under Chapter 25-8-25. However, additional specific restoration details need to be provided in order for staff to support the proposed restoration as a Tier 2 component.

U4. Applicant responded by saying that the restoration details have been included in the Ordinance. There is a note on Exhibit H that the CWQZ and CEF 50' buffers will be restored per a restoration plan submitted with the site plans for Parcels 2, 3, 4 and 5. The restoration plan shall include planting and seeding pursuant to Standard Specification 609S. This meets current Code and Criteria Manual requirements and may be counted as a Tier 1 component. *Comment cleared.*

HG 2. There is an offsite spring located to the north of Parcel 7 and north of Spicewood Springs Road. Exhibit K of the Land Use Plan shows a 300-foot radius buffer from the spring and the legend states that the area will be limited to 50% impervious cover. However, this pledged restriction is not repeated in the Tier 1 & Tier 2 compliance table. Please add specific restrictions to the Tier 1 & Tier 2 compliance table.

U4. Applicant responded that the Tier Table has been revised. Tier II, item 2. Environment/Drainage, Page 9 of the table states that the area will be limited to 50% impervious cover within 300 feet of the spring. Please provide a tally of the existing impervious cover within this area for comparison. *Comment pending.*

HG 3. Portions of the PUD are within the Recharge Zone of the Northern Edwards Aquifer and portions close to the eastern perimeter are outside, per surface exposure of geologic units. Although not required under the Redevelopment Exception (LDC 25-8-25), the recommendation is that the PUD agreement should comply with the City of Austin's Void and Water Flow Mitigation Rule (LDC 25-8-281 (D), ECM 1.12.0 and COA Item No. 658S of the SSM). This is a standard provision for development over the

recharge zone and would demonstrate a commitment to protection of groundwater resources.

U4. The applicant responded that they will consider this at the time of site plan. The net effect will be compliance due to the requirement of LDC 25-8-25 (B)(5) that the redevelopment does not increase non-compliance with LDC 25-8-281. ***Comment cleared.***

HG 4. Please note that construction of underground parking structures has the potential to intercept shallow groundwater. Due to the proximity of Spicewood Springs, disturbance to groundwater flow paths may have an impact to the Jollyville Plateau Salamander habitat at Spicewood Springs. Please describe how this situation has been evaluated and whether any underground parking structures or excavation greater than 8 feet is proposed on Parcels 7, 8, 9 and 10.

U4. Applicant responded that this matter will be considered at the time of site plan. The owner expects some excavation greater than 8 feet below structures and will conduct appropriate geotechnical investigations at the time of design. This response reflects a desire to meet the minimum Code requirements. ***Comment cleared.***

HG 5. A proposed pedestrian trail along the creek is alluded to within the documentation. Please provide additional specific alignment for Parcel 2 and how this will be incorporated into the standard protection for the CEFs. Please evaluate how the area of impervious cover removed and restored contrasts with the area restored within 150 feet of CEFs. Please incorporate proposed measures into the Tier 1 & Tier 2 Compliance table, especially on Item 6.

U4. The applicant provided an exhibit comparing existing impervious cover within 150-feet of CEFs to the proposed land use within the 150-foot radius of the CEFs. Overall, impervious cover will reduce from approximately 1.98 acres to approximately 0.95 acres. The pedestrian trail is shown within the 150-foot radius of the CEFs but only as a tentative location. Future trail construction will be determined at a later time and will be constructed by PARD. ***Comment cleared.***

HG 6. The Tier 1 & Tier 2 Compliance table lists in Item 2 of the Tier 2 section several elements of the project that warrant an “environmentally superior” rating. Please provide specific detail in the Land Use plans and Exhibits to the PUD to support that the project is superior in terms of Critical Environmental Feature protection and restoration.

U4. Applicant responded that the Tier Table has been updated and the Ordinance revised. ***Comment pending.***

HG 7. The PUD ordinance, Part 12, specifically excludes LDC sections 25-8-281(C)(1)(a) and 25-8-281(C)(2) of the Critical Environmental Feature provisions. Please strike numbers 2 and 3 from this section.

U4. Applicant responded that the Ordinance was revised. *Comment cleared.*

HG 8. Additional comments may be generated with future updates.

**Wetlands Biologist Review - Andrew Clamann - 512-974-2694**

The remaining comments (WB3 and 4) may be addressed by laying back the bank to adequately reduce storm velocities by restoring a more natural stream cross section and restore/revegetate a functional riparian zone as discussed on site July 13, 2016.

WB1. Comment cleared (wetland CEFs shown as described in ERI)

WB2. Comment Cleared. Applicant intends to pursue requesting using the redevelopment exemption, and has shown and labeled the full 150ft Standard CEF setback

WB5. Update 4. Comment Cleared. (Provision 7 of Exhibit F related to exemption to wetland protection) was deleted as requested.

WB3. Update 0. Please include language in the PUD that unambiguously states preservation of the CEFs, short term impacts to the CEF setback for restoration, and longer preservation of the CEF setbacks in a natural condition (full growth).

Update 1. 5/18/2015: Repeat comment

Update 2. 8/19/2015: The Note provided (note 33) is ambiguous and does not appear to convey the intent recommended in the original comment above. This reviewer recommends a meeting with applicant to ensure an appropriate and acceptable revision to Update 3.

Update 3. 5/11/2015: The notes provide in Exhibit H and language in the PUD does not convey the intent for restoration as discussed in previous meetings (see WB4). As requested in previous updates, please provide clear language to convey the intent for CEF setback restoration (see WB4).

**Update 4 7/21/2016. Repeat Comment. To demonstrate superiority and demonstrate compliance with mitigation for disturbance within the 150 CEF setback, previous discussions with applicant have included restoration of bank slopes to a more natural creek cross section to reduce storm velocities and improve the riparian function of the creek. The notes in the Exhibits and language in the PUD does not convey the intent for restoration as discussed in previous meetings (see WB4) and as discussed on-site July 13, 2016. As requested in previous updates, please provide clear language to convey the intent for restoration activities of the creek bank (same as WB4).**

WB4. Update 0. Please include language, plan view figures and details in the PUD that unambiguously indicate the riparian buffer restoration activities which will occur within the CEF setback. This should include removal of all impervious cover and restoration of the channel, banks, floodplain benches and riparian corridor to a more natural stream morphology and native plantings. Stream morphology of upstream reach can be used as

a template for downstream reach. Proposed restoration shall be approved by ERM prior to PUD approval. Please provide restoration plan to this reviewer.

Update 1. 5/18/2015: In order to mitigate for the reduction to the total area of the Standard CEF Setback for wetland CEFs, applicant must demonstrate compliance with mitigation guidance in ECM 1.10 (formerly ECM 1.3.0). This reviewer recommends enhancement of one bank of the channel north of Executive Center Drive. Currently the historic bank armoring of the channel north of Executive Center Drive has created a narrow cross section which creates increased velocity during storm events that scours in-channel habitat. Restoring a wider cross section to the channel may restore the creek (similar to cross section to the south of Executive Center Drive). Widening the cross section of the channel and restoration of one of the banks north of Executive Center Drive may be considered “enhancement” which shall mitigate for the reduction to the standard CEF setback for wetlands.

Update 2. 8/19/2015: The Note provided (note 52) is ambiguous and does not appear to clearly convey the intent recommended in the two comments above. This reviewer recommends a meeting with applicant to ensure an appropriate and acceptable revision to

Update 3. (7/1/2016): The notes provide in Exhibit H and language in the PUD does not convey the intent for restoration as discussed in previous meetings (see Update 0,1,2).

As requested in previous updates, and as discussed in previous meetings, please provide clear language to convey the intent for CEF setback restoration, as described above, to include restoring a wider cross section to the channel by laying back one or both of the banks and installing native revegetation. Revegetation is recommended to accomplish a score of “Good” in accordance with the Functional Assessment described in Zone 1 Appendix F.

If applicant intends to pursue requesting using the redevelopment exemption, then it will be imperative to provide superiority. An element of superiority may include the restoration of a wider cross section to the channel by laying back one or both of the banks and installing native revegetation. Revegetation is recommended to accomplish a score of “Good” in accordance with the Functional Assessment described in Zone 1 Appendix F.

**Update 4 7/21/2016. Repeat Comment. (same comment as WB3) To demonstrate superiority and demonstrate compliance with mitigation for disturbance within the 150 CEF setback, previous discussions with applicant have included restoration of bank slopes to a more natural creek cross section to reduce storm velocities and improve the riparian function of the creek. The notes in the Exhibits and language in the PUD does not convey the intent for restoration as discussed in previous meetings (see WB4) and as discussed on-site July 13, 2016. As requested in previous updates, please provide clear language to convey the intent for restoration activities of the creek bank (same as WB3).**

NPZ Environmental Review - Atha Phillips - 512-974-6303

#### Update 4

Informal comments have been given to the Environmental Officer.

## City Arborist Review - Keith Mars - 512-974-2755

CA #1: Staff does not support the proposed language in Part 9 statement 4. It is unlikely there is such refinement in conceptual site plans that the specific inches of trees to be removed is known. If submitted plans differ, and removal is greater, then the PUD would grant less mitigation than what is actually proposed on the site plan.

**Update #1: Comment cleared. Statement has been removed from the proposed ordinance.**

CA #2: Part 9 statement 4: Planting mitigation inches “to the extent feasible” shall be amended to “to the extent feasible as determined by staff”.

**Update #1: Comment was addressed by applicant and modified in the proposed ordinance.**

CA #3: Part 9 statement 4: Staff does not agree with the statement that mitigation can be transferred within the PUD as transferring requirements between site plans present tracking and owner/developer concurrence issues.

**Update #1: Comment cleared. Statement has been removed from the proposed ordinance.**

CA #4: Part 9 statement 4: Remove the statement regarding mitigation at \$200 inch. Mitigation payment, if allowed, will be subject to the rate at site plan submittal.

**Update #1: Comment cleared. Statement has been removed from the proposed ordinance.**

CA #5: Part 9 statement 4: Remove the statement regarding credits as this is not clear nor enforceable.

**Update #1: Proposed ordinance language has been amended to reflect alternative mitigation per ECM Section 3.5.0.**

CA #6: Part 9 statement 4: Staff does not agree with setting the tree survey date as 2013. Per the ECM surveys must be five years or more recent at the time of site plan submittal.

**Update #1: Staff concurs with the timeline for the tree survey.**

CA #7: Part 9 statement 4: Staff does not agree with the statement that, “no additional mitigation will be required and no other trees will be identified as protected or heritage trees”.

**Update #1: Comment cleared. Statement has been removed from the proposed ordinance**

CA #8: On the Tier 1 and Tier 2 document I do not see any documentation that supports the statement that more than 7,000 inches of trees less than 8” will be preserved.

**Update #1: Comment partially addressed. Tier II is partially met.**

### **Tier II**

**Protect all heritage - The table needs to state “met as modified”. Include the % of heritage proposed to be protected and removed.**

**Protect 75% of protected - Between protected and heritage trees, it appears greater than 75% are preserved. But, as discussed, were you able to identify the additional protected trees/inches to achieve 75% or greater of Protected Trees?**



**Protect 75% of all native inches - Please identify the size range on the “diameter inches of unprotected trees in undisturbed areas” tree sampling so we can modify this to state 75% of all native inches (insert inches) and greater.**

CA #9: Provide the tree survey including species and diameter and include the tree assessment.  
**Update #1: Comment cleared.**

<b>NPZ Drainage Engineering Review - Danielle Guevara - 512-974-3011</b>
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RELEASE OF THIS APPLICATION DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION, AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY, AND ADEQUACY OF HIS/HER SUBMITTAL, WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY CITY ENGINEERS.

DE1. Please provide a complete Tier 1 and Tier 2 table for review. Tier 1 should speak to how the project is meeting current code and asking for variances when it does not meet the requirements of current code. Tier 2 should speak to how the project will go above and beyond current code.

**UPDATE #1: Based on review of the Tier 1 and 2 table provided:**

- **You stated ‘Yes’ to volumetric detention. However you are not providing designed volumetric detention. Please change to ‘No’**
- **You stated ‘Yes’ to no modifications to the existing floodplain; However the proposed pond is in the floodplain and if one of the banks is being asked to be pulled back. FYI – any modifications in a FEMA floodplain may require a LOMR.**

DE2. Exhibit F – Please remove item #8. Any drainage studies required will be reviewed at the appropriate review process based on what is being proposed. Please also remove the statement regarding drainage studies from item #9.

**UPDATE #1: The requirement for additional drainage studies will be determined at the site plan stage per parcel. Typically, the need for onsite detention is determined at the site plan stage per parcel. For this PUD, we request demonstrating you have proposed as much onsite detention as possible. We also request Regional Stormwater Management Participation with a fee calculated based on greenfield conditions. You would receive credit for the onsite detention provided. This is in-line with what is proposed with Code Next for redeveloped properties and is recommended by staff.**

DE3. Part 9 – please remove item #6. The requirement for detention will be reviewed at each parcel’s site plan review. Factors in addition to impervious cover amount are reviewed when determining detention requirement.

**UPDATE #1: Please see comment DE2 above.**

**DE4 – DE5 Cleared.****NPZ Water Quality Review - Danielle Guevara - 512-974-3011**

RELEASE OF THIS APPLICATION DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION, AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY, AND ADEQUACY OF HIS/HER SUBMITTAL, WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY CITY ENGINEERS.

WQ1. Please provide a complete Tier 1 and Tier 2 table for review. Tier 1 should speak to how the project is meeting current code and asking for variances when it does not meet the requirements of current code. Tier 2 should speak to how the project will go above and beyond current code. Providing water quality controls and an IPM plan are listed as superior, however these are items required by Code/Criteria and would not be considered superior.

**UPDATE #1: Based on review of the Tier 1 and 2 table provided:**

- **Under the Tier 2 items, you still have included a statement regarding this project providing water quality treatment. Please remove this from the Tier 2 table as this would be a requirement per current code – it is not a Tier 2 item.**

**WQ2 Cleared.**

WQ3. EHZ Analysis – Please provide an EHZ analysis that complies with the Drainage Criteria Manual, Appendix E. At a minimum, the channel geometry, side slope, incision factor, and 2-year WSE should be provided.

**UPDATE #1: I suggest handling the EHZ analysis review at the site plan stage per parcel. Otherwise, the current analysis will need to be reviewed by our Streambank Restoration group of Watershed Protection since you are using an alternative method of analysis. Please let me know how you would like to proceed.**

**WQ4 – WQ5 Cleared.**

WQ6. Exhibit D – the IPM plan should be done at the site plan stage for each parcel as it should be specific to what is being proposed with that particular site plan.

**UPDATE #1: Please remove this from the Tier 2 items in the table provided.**

**WQ7 Cleared.****NPZ Site Plan Review - Donna Galati - 512-974-2733**

SP 1. –SP 3. Cleared.

SP 4. Ensure that there are no building locations or shapes on the land use plan.

**Update #1: Comment can be cleared by PAZ and Law Dept.**

## DSD Flood Plain Review – David Marquez - 512-974-3389

No Comments.

## NPZ Transportation Review - Bryan Golden - 512-974-3124

### **TIER I REQUIREMENTS (Division 5. Planned Unit Developments)**

- TR1. **Requirement #7:** If on-street parallel parking is provided, accessible parking should also be provided. Required spaces shall be considered cumulatively for the block face, per side, based on the number of provided on-street spaces (LDC 25-6-475)

**U1: *Comment cleared.***

- TR2. **Requirement #9:** Bike and Trails will review PUD and may provide additional recommendations. The “Heritage Trail” needs to be within a dedicated public easement to ensure access.

- Provide a mid-block pedestrian and bicycle pathway within a public easement between Parcel 8 and Parcel 7 connecting Executive Center Drive and Spicewood Springs (Min 8’ width). Specific location to be determined at time of site plan.

**U1: Please revise Streetscape Plan, Note #2 to read “with specific location subject to owner discretion.”**

- Please consult with Capital Metro regarding the need for additional mass transit (bus) stop(s) and Austin Transportation Department regarding any requirements of the “High Capacity Transit Stop”; provide the results of these consults.

**U1: *Comment cleared.***

- Additional comments pending final recommendations of the TIA.

**U1: *Comments pending.***

- TR3. On-street parking will be determined on a per project basis at site plan review. Propose a master parking tracking table to keep associated with the PUD, to be updated with each site plan.

**U1: *Comment cleared.***

- TR4. **Additional Requirements for Mixed-Use: Requirement #1.)** The proposed cross section of Wood Hollow Drive does not meet the minimum standard requirements of 25-2, Subchapter E. Planting zones should be 7' minimum. Minimum requirements of Core Transit Corridor standards required for mixed-use projects within the Urban Roadway boundary (with trees 30' on center where possible).

**U1: Add a note that trees 30' on center required, where feasible. Please note that an additional 2' from the edge of the existing sidewalks is needed for maintenance. An easement, if necessary, may be established at the time of site plan or included as a note in these cross sections. Re: the west side of Wood Hollow, a note may be added: \*Due to topography constraints, planting zone may be reduced to 6' where necessary, otherwise 7' required.**

- TR5. **Additional Requirements for Mixed-Use: Requirement #2** (Additional PUD Mixed Use requirements: This proposal is within the urban roadway boundary, therefore all sidewalks must comply with Core Transit Corridors: Sidewalks and Building Placement; Section 2.2.2, Subchapter E, Chapter 25-2 (2.2.2(B)) Due to existing site constraints, please explore alternatives for the required Core Transit Corridor standard for the southern edge of Spicewood Springs. Please note that sidewalks along Mopac will require TxDOT approval.

**U1: Due to topographic and CEF constraints, AEC was considered. The provision of a public easement between Spicewood Springs and Executive Center Drive (on Parcel 7 or 8) satisfies this requirement. Comment cleared.**

- TR6. **Additional Requirements for Mixed-Use: Requirement #2.)** Internal and abutting (Hart and Spicewood Springs) roadways must meet Subchapter E, Core Transit Corridor requirements. To comply:

- Executive Center Drive – Min. 6' sidewalks requirement. Must provide public access/sidewalk easement for "Heritage Trail" and street trees are required in the planting zone at no greater than 30' on center, where possible.

**U1: Note that a sidewalk easement may be required on the south side of Executive Center Drive.**

- Wood Hollow - Min. 6' sidewalks requirement. Must provide public access/sidewalk easement where the sidewalk enters private property and street trees are required in the planting zone at no greater than 30' on center, where possible.

**U1: Add a note that trees 30' on center required, where feasible. Please note that an additional 2' from the edge of the existing sidewalks is**

**needed for maintenance. An easement, if necessary, may be established at the time of site plan or included as a note in these cross sections.**

**A Hart Lane streetscape plan is recommended. Please include a streetscape cross section or include a note on the Streetscape Plan that Hart Lane is subject to Subchapter E Core Transit Corridor standards.**

## **TIER II REQUIREMENTS**

- TR7. 4.) Recommend inclusion of secure indoor bicycle parking for MF and Office developments at 10% of required parking.

**U1: *Comment cleared.***

- Include the “Heritage Trail” approximate location in the Land Use or Park exhibit or a new transportation exhibit. The cross section of Wood Hollow Drive does not meet the minimum standard requirements of 25-2, Subchapter E. Planting zones must be 7’ minimum; please revise. Recommend upgrading min. requirements to Core Transit Corridor standards for roadways.

**U1: Add a note that trees 30’ on center required, where feasible. Please note that an additional 2’ from the edge of the existing sidewalks is needed for maintenance. An easement, if necessary, may be established at the time of site plan or included as a note in these cross sections.**

- Additional comment pending TIA final recommendations.

**U1: *Comment cleared (duplicate of TR 2).***

## **DRAFT ORDINANCE COMMENTS** **GENERAL PROVISIONS**

- TR8. How will the shared parking be tracked? A reciprocal/off-site parking tracking table is recommended to be amended and tracked with the PUD.

**U1: *Comment cleared with proposed tracking table.***

- TR9. Remove “and valet” from the gated roadways/drives note (Exhibit E).

**U1: *Comment cleared.***

- TR10. Staff does not support Note #12. Off-street loading and delivery must be off-street. Recommend revising comment to note that off-street loading is permitted to use alternative sizing and number of spaces requirement; to be subject to approval by Staff at the time of site plan.

**U1: Using the public right-of-way for maneuvering should be an administrative waiver (currently under the TCM), to be reviewed at the time of site plan. A blanket waiver for all public ROW maneuvering is not supported at the time. All other amendments are supported, however alternate sizing and number of spaces requirement may be permitted “by the Director” at the time of site plan. Please revise the language.**

- TR11. Staff will support note #13 contingent upon it applying *only* to office, residential, and hotel. All other uses shall adhere to standard LDC, 25-6-477.

**U1: Comment cleared.**

#### **Part 8:**

- TR12. Recommend combining with Part 11 for a collective “Transportation” section.

**U1: Exhibit E: General Provision #2: Surface parking provision for retail conflicts with the structured parking requirement/provision (for retail) within the same note. “Visitor or customer parking” is too vague without limitation. How will surface parking be limited in general? A combined transportation section of draft ordinance is still recommended.**

- TR13. Note #3: Pending TIA review and TR 4 and TR 22.

**U1: Please add, “...and as required by the TIA.”**

- TR14. Note #4: Revise note – “...determined in consultation *and subject to approval* by the Development Services Department...”

**U1: Comment cleared.**

- TR15. Note #6/7: Add that these improvements are to be accessible and open to the public.

**U1: Comment cleared.**

#### **Part 11:**

- TR16. Note #1: Revise “shared parking” to “cumulative” or “reciprocal.”

**U1: Please include a reference to the provided tracking table under Note #3 (on-street parking). Note #1 comment is cleared.**

#### **EXHIBIT C: LAND USE PLAN**

- TR17. Note the proposed approximate location of the “Heritage Trail.”

**U1: Please add the Heritage Trail (approx.) location to the Streetscape Exhibit.**

#### **EXHIBIT I (STREETSCAPE PLAN)**

- TR18. Pedestrian “Heritage Trail”: Remove current note and add that this is to be within a dedicated public easement if it meanders out of the right-of-way.

**U1: *Comment cleared.***

#### **GENERAL ZONING**

- TR19. FYI - The Austin Metropolitan Area Transportation Plan calls for 140 feet of right-of-way for Spicewood Springs Road, however per the Austin Transportation Department, no additional right of way will be required at this time [LDC, Sec. 25-6-51 and 25-6-55].

**U1: *Comment cleared. ATD has indicated that no additional right-of-way will be required at this time.***

- TR20. A traffic impact analysis is required and has been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA. [LDC, Sec. 25-6-142]. Comments will be provided in a separate memo.

**U1: *Comment cleared.***

- TR21. Nadia Barrera, Urban Trails, Public Works Department and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

**U1: *Comments pending. Please email a pdf of the streetscape exhibits to the reviewer to coordinate review with other disciplines.***

- TR22. Additional comments pending TIA review. Results will be provided via separate memorandum.

- TR23. Existing Street Characteristics:

<b>Name</b>	<b>ROW</b>	<b>Pavement</b>	<b>Classification</b>	<b>Sidewalks</b>	<b>Bike Route</b>	<b>Capital Metro</b>
Loop 1/ Mopac	400'	380'	Freeway	Yes	No	Yes

Spicewood Springs	118'-140'	82'	Arterial	Yes	No	No
Executive Center Drive	70'	30'	Collector	Yes	No	No
Wood Hollow Drive	70'-80'	40'	Collector	Yes	No	Yes
Hart Lane	70'	40'	Collector	Yes	Yes	Yes

**NEW COMMENT (EXHIBIT D)**

- TR24. Note B) #2 and B) #3 – remove these notes and replace with a reference to the phasing that will be established with the TIA final memo.
- TR25. Note G) – How will the parking requirement for existing uses be tracked? Recommend adding an existing parking count by parcel to the proposed parking tracking table.
- TR26. Additional comments may be provided when more complete information is obtained.

Austin Transportation Dept. TIA Review – Scott James 512-974- 2208
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TIA still under review.

Public Works Bicycle Program Review – Nathan Wilkes 512-974-7016
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Comments pending.

NPZ Austin Water Utility Review - Bradley Barron 512-972-0078
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Monday, April 25, 2016

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and/or abandonments required by the proposed land uses. It is recommended that Service Extension Requests be submitted to the Austin Water Utility at the early stages of project planning. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility in compliance with Texas Commission of Environmental rules and regulations, the City's Utility Criteria Manual and suitability for operation and maintenance. All water and



wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fees with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Typical water system operating pressures in the area are above 65 psi. Pressure reducing valves reducing the pressure to 65 psi (552 kPa) or less to water outlets in buildings shall be installed in accordance with the plumbing code.

All AWU infrastructure and appurtenances must meet all TCEQ separation criteria. Additionally AWU must have adequate accessibility to safely construct, maintain, and repair all public infrastructure. Rules & guidelines include:

1. A minimum separation distance of 5 feet from all other utilities (measured outside of pipe to outside of pipe) and AWU infrastructure;
2. A minimum separation distance of 5 feet from trees and must have root barrier systems installed when within 7.5 feet;
3. Water meters and cleanouts must be located in the right-of-way or public water and wastewater easements;
4. Easements AWU infrastructure shall be a minimum of 15 feet wide, or twice the depth of the main, measured from finished grade to pipe flow line, whichever is greater.
5. A minimum separation of 7.5 feet from center line of pipe to any obstruction is required for straddling line with a backhoe;
6. AWU infrastructure shall not be located under water quality or detention structures and should be separated horizontally to allow for maintenance without damaging structures or the AWU infrastructure.
7. The planning and design of circular Intersections or other geometric street features and their amenities shall include consideration for access, maintenance, protection, testing, cleaning, and operations of the AWU infrastructure as prescribed in the Utility Criteria Manual (UCM)
8. Building setbacks must provide ample space for the installation of private plumbing items such as sewer connections, customer shut off valves, pressure reducing valves, and back flow prevention devices in the instance where auxiliary water sources are provided.

**P & ZD Zoning Review – Andrew Moore 512-974-7604**

#### **ORDINANCE DOCUMENT**

1. Change the title of the ordinance to "Applicant's Draft Ordinance"  
**Comment cleared.**
2. Remove the column numbering in the ordinance document.  
**Comment cleared.**
3. In first paragraph of Ordinance,
  - Change "*PUD*" to Planned Unit Development;
  - Remove "*PROJECT*" completely;

- Remove “*COMBINING*” – PUD’s are not combining districts.

**Comment cleared.**

4. PART 1 – change the department name from Development Services Department to Planning and Zoning Department.

**Comment cleared.**

5. PART 2 – Remove the last sentence of this paragraph that refers to grandfathering.

**Still in discussion.**

6. PART 5, no. 1, definitions for H and K - STREETSCAPE” and “CREEK” should not be land use classifications. If the intent is to define these areas only, please remove the reference to a land use classification in the definition.

**Still in discussion.**

7. PART 7, no. 2 – this is a restatement of current code and is not necessary to state in the PUD ordinance.

**Still in discussion.**

8. PART 8, no. 4 –

- Replace “*graphic representations and are not exact.*” with “for illustration purposes only. “
- Change “*Environmental departments*” with “Watershed Protection Departments.”

**Comment cleared.**

9. PART 10, no. 8 – please remove this item. Fee in lieu is no longer an option for affordable housing participation.

**Comment cleared.**

10. PART 11, no. 3 – this is a restatement of current code and is not necessary to state in the PUD ordinance.

**Still in discussion.**

11. PART 12 - For each code section to be modified, please be specific about what aspect is being modified and why the modification is needed.

**Comment cleared.**

12. PART 12 - add Compatibility (LDC 25-2-1062, 1063, 1065) to the list of code modifications and provide the detail requested in comment 11, above.

**Comment cleared.**

13. PART 12 - add Subchapter E (Design Standards and Mixed Use) and provide the detail requested in comment 11, above.

**Comment cleared.**

14. PART 12 – add Commercial Sign District Regulations (LDC 25-10-130 / 25-10) and provide detail requested in comment 11, above.  
**Comment cleared.**
15. Label Exhibits C, G, H, I, J, K with the case number at the lower, right-hand corner of the diagram/plan.  
**Comment cleared.**
16. Exhibit C – Provide your calculations for determining development bonuses pursuant to LDC 25-2, Division 5, Subpart B, Section 1.3.3 – Baseline for Determining Development Bonuses.  
**Comment cleared.**
17. Exhibit C – LUP - Provide a legend.  
**Still in discussion.**
18. Exhibit E - Review the proposed permitted use table with Staff.  
**Still in discussion.**
19. Exhibit E - Provide an index defining “N” and “P”.  
**Comment cleared.**
20. Exhibit F – add a column for the maximum number of floors associated with the MSL heights stated for each building type.  
**Comment cleared.**
21. Exhibit F, no. 3 – this is a restatement of current code and is not necessary to state in the PUD ordinance.  
**Still in discussion.**
22. Exhibit F, no. 4 – this is a restatement of current code and is not necessary to state in the PUD ordinance.  
**Still in discussion.**
23. Exhibit F, no.16 - Add this to the list of code modifications in Part 12 of the ordinance and provide specifics about why the modification is being requested.  
**Comment cleared.**
24. Exhibit G – add “Note 1” to Ordinance Part 8, no.1 in addition to keeping the note on the exhibit as well.  
**Comment cleared.**
25. Has Capitol Metro been consulted in the possibility of partnering for transit improvements on-site?  
**Comment cleared.**

## NPZ Comprehensive Planning Review – Kathleen Fox 512-974-7877

### REVISED REPORT FOR SUBMITTAL #3

Project: Austin Oaks PUD

C814-2014-0120

May 12, 2016

This zoning case is located on a 31.4 acre site located on the south side of Spicewood Springs Road, on both sides of Wood Hollow Drive, and adjacent to Mopac Expressway frontage road, which is to the east. The property is not located within the boundaries of a neighborhood planning area. The site contains an office complex and the developer is proposing a Planned Unit Development mixed use project, which would include commercial and residential elements including office buildings, a hotel, multi-family apartments (including affordable housing units), retail and restaurant uses, a 2 acre park, additional greenspace, and pedestrian walkways, a trail and bike lanes. The buildings on the site would range in height from one to seven stories tall. The tallest buildings would front the Mopac Expressway frontage road, while shorter buildings and the park would be located across the street single family houses, which are located to the west and north. Pedestrian-oriented uses are also proposed on the ground floor of the commercial buildings.

### **Imagine Austin**

This project is located within the boundaries of ‘Neighborhood Center’, as identified on the Imagine Austin’s Growth Concept Map (the Map). The Map illustrates the desired manner to accommodate new residents, jobs, open space, and transportation infrastructure over the next 30 years, and is intended to promote a compact and connected city, infill and redevelopment. Neighborhood Centers are defined as, *“The smallest and least intense of the three mixed-use centers are neighborhood centers. As with the regional and town centers, neighborhood centers are walkable, bikable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks or around one or two intersections. However, depending on localized conditions, different neighborhood centers can be very different places. If a neighborhood center is designated on an existing commercial area, such as a shopping center or mall, it could represent redevelopment or the addition of housing. A new neighborhood center may be focused on a dense, mixed-use core surrounded by a mix of housing. In other instances, new or redevelopment may occur incrementally and concentrate people and activities along several blocks or around one or two intersections. Neighborhood centers will be more locally focused than either a regional or a town center. Businesses and services—grocery and department stores, doctors and dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods. Neighborhood centers range in size between approximately 5,000-10,000 people and 2,500-7,000 jobs.”* (pgs. 105 – 106). The area along Mopac and Far West Boulevard is also located within the boundaries of a Neighborhood Center, although that area is larger in area than this proposed project area.

The following IACP policies are also relevant to this case:

- **LUT P1.** Align land use and transportation planning and decision-making to achieve a compact and connected city in line with the growth concept map.
- **LUT P3.** Promote development in compact centers, communities, or along corridors that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.
- **LUT P7.** Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.
- **HN P10.** Create complete neighborhoods across Austin that have a mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.
- **HN P11.** Protect neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors, and infill sites.

### **Analysis and Conclusion**

The Imagine Austin Growth Concept Map identifies this area as a Neighborhood Center, which supports compact and connected mixed use and infill redevelopment. Reviewing the revised scope of this project, the height and density of submittal Number 3, which was formulated during a charrette process between the developer and neighborhood, appears to be scaled as Neighborhood Center based on the height and proposed density, which appears an appropriate scale along a major highway, as opposed to two previous submittals for this project, which once called for a 17 story building. This project also meets half of the eight Imagine Austin priority programs, which are key policies and actions, which are multiple building blocks grouped together to make it easier to implement the plan. This proposed mixed use project appears to support Priority Program Number 1, [Investing in a compact and connected Austin] by including residential, retail, office, park/recreational within a walkable center. The project also supports Priority Program Number 2 and 4 [#2 Sustainably manage our water resources, and #4 --Use green infrastructure to protect environmentally sensitive areas and integrate nature into the city], by preserving a large number of heritage trees, enhancing the watershed and adding stream restoration, reducing the existing impervious surface coverage, installing a new park and greenspace areas, and landscaping the site with native plants and trees. Finally, by adding affordable housing units (12 units), the project is supported by Priority Program Number 6, [Develop and maintain household affordability throughout Austin.]

Based on the scale of this project, which appears to for a Neighborhood Center (as defined above) located along a major highway; providing a true mixed and walkable project where people can live, work and play (per the Imagine Austin listed policies above); and supporting four of the eight priority programs to implement the policies and vision of Imagine Austin, this project appears to be supported by the plan.

# *APPLICANT'S DRAFT*

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY COMMONLY KNOWN AS THE AUSTIN OAKS PLANNED UNIT DEVELOPMENT LOCATED AT 3409, 3420, 3429, 3445, 3520, 3636, 3701, 3721, 3724 and 3737 Executive Center Drive and 7601, 7718 and 7719 Wood Hollow Drive FROM LIMITED OFFICE (LO), NEIGHBORHOOD COMMERCIAL (LR) AND COMMUNITY COMMERCIAL (GR) TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT.**

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

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base zoning districts from limited office (LO), neighborhood commercial (LR) and community commercial (GR) districts to planned unit development (PUD) combining district on the property described in File C814-2014-0120 on file at the Planning and Zoning Department, as approximately 31.4 acres of land, being more particularly described by metes and bounds in Exhibit “A” incorporated into this ordinance (the “Property”), locally known as the property located at 3409, 3420, 3429, 3445, 3520, 3636, 3701, 3721, 3724 and 3737 Executive Center Drive and 7601, 7718 and 7719 Wood Hollow Drive, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit “B.”

**PART 2.** This ordinance, together with the attached Exhibits A through K, are the land use plan (the “Land Use Plan”) for the Austin Oaks planned unit development district (the “PUD”) created by this ordinance. Development of and the uses within the PUD shall conform to the limitations and conditions set forth in this ordinance and in the Land Use Plan. If this ordinance and the attached exhibits conflict, the ordinance applies. Except as otherwise specifically provided by this ordinance, all other rules, regulations and ordinances of the City shall apply to the PUD. All references in this ordinance and the exhibits to the City Code sections or regulations shall mean those sections and regulations as they exist on the effective date of this ordinance.

**PART 3.** 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: Description of Property
- Exhibit B: Zoning Map
- Exhibit C: Land Use Plan
- Exhibit D: Phasing Plan
- Exhibit E: Permitted Uses Table
- Exhibit F: Site Development Regulations

Exhibit G: AO Park Plan and Park Space  
Exhibit H: AO Creek Plan  
Exhibit I: Streetscape Plan  
Exhibit J: Tree Plan  
Exhibit K: Topography and Land Use Plan  
Exhibit L: Open Space

**PART 5. Definitions.**

1. In this ordinance:
  - A. **PARCEL.** The PUD is divided into ten (10) separate Parcels, which shall be used and developed according to the Land Use Plan and the Phasing Plan.
  - B. **PHASING PLAN** means the plan of development for the PUD as shown in Exhibit D. Any portion of any Parcel may be developed as a phase and any phase may be implemented at any time.
  - C. **MOPAC EXPRESSWAY OFFICE** is a land use classification for Parcels 1, 2 and 3 as shown on Exhibit C. The primary building types permitted in the MoPac Expressway Office classifications are office buildings with uses as shown in Exhibit E and with site development regulations as shown in Exhibit F.
  - D. **SPICEWOOD SPRINGS OFFICE** is a land use classification for Parcels 7 and 8 as shown on Exhibit C. The primary building types permitted in the Spicewood Springs Office classifications are mixed use office and retail buildings with uses as shown in Exhibit E and with site development regulations as shown in Exhibit F.
  - E. **AO HOTEL** is a land use classification for Parcel 6 as shown on Exhibit C. The primary building types permitted in the AO Hotel classification is a hotel with uses as shown in Exhibit E and with site development regulations as shown in Exhibit F.
  - F. **AO RESTAURANT** is a land use classification for Parcels 4 and 5 as shown on Exhibit C. The primary building types permitted in the AO Restaurant classifications are restaurant buildings with uses as shown in Exhibit E and with site development regulations as shown in Exhibit F.
  - G. **AO MULTIFAMILY** is a land use classification for Parcel 9 as shown on Exhibit C. The primary building types permitted in the AO Multifamily classification are mixed use with multifamily and retail buildings with uses as shown in Exhibit E and with site development regulations as shown in Exhibit F.

- H. STREETSCAPE is a land use classification for the portions of all Parcels as shown on Exhibit C and Exhibit I and for the public rights-of-way for Executive Center Drive and Wood Hollow Drive located within the PUD. Open Space is intended to allow limited land uses and are to be developed as provided in Part 8 of this Ordinance.
  - I. AO PARK is a land use classification for Parcel 10 as shown on Exhibit C. AO Park is intended to allow moderate and active recreation activities as provided in Part 8 of this Ordinance.
  - J. AO CREEK is a land use classification for portions of Parcels 2, 3, 4 and 5 along the Wood Hollow Branch (Unnamed Branch) and the Foster Branch that includes the critical water quality zone (CWQZ) and the 100-year flood plain as shown on Exhibit H. AO CREEK is intended to allow for the improvement and enhancement of the creeks as well as the development and maintenance of improved-surface trails and a pedestrian bridge.
  - K. CUMULATIVE PARKING permits multiple land uses to use a single parking area, based on peak areas of demand or allocating parking spaces to each land use as provided in Part 11 of this Ordinance.
- 2. All other terms have the meaning provided in the City Code.

#### **PART 6. Use Regulations.**

- 1. The locations of the Parcels and land use classifications within the PUD are shown on Exhibit C (*Land Use Plan*).
- 2. Permitted, conditional and prohibited uses applicable to each Parcel's land use classification are shown in Exhibit E (*Permitted Uses Table*).

#### **PART 7. Site development regulations.**

- 1. The site development regulations as shown on Exhibit F (*Site Development Regulations*) apply to the respective Parcels instead of otherwise applicable City regulations.
- 2. The existing subdivision plats of the various lots within the PUD may be amended pursuant to Section 212.016 of the Texas Local Government Code to be consistent with the configuration of the various Parcels as shown on Exhibit C (*Land Use Plan*). The director of the Development Services Department shall be authorized to approve such amended subdivision plats, including upon the vacation of the plat of the Resubdivision of Lot 6 Koger Executive Center Unit



Three by the Land Use Commission, an amendment of the plat of Koger Executive Center, Unit 3.

## **PART 8. AO Park, AO Creek and Streetscape Classifications**

1. The AO Park shall be developed in accordance with the provisions and requirements set forth in Exhibit G (*AO Park Plan*).
2. The AO Creek shall be developed in accordance with the provisions and requirements set forth in Exhibit H (*AO Creek Plan*).
3. The portions of the public rights-of-way of Executive Center Drive and Wood Hollow Drive within the PUD shall be developed in accordance with the provisions and requirements set forth in Exhibit I (*Streetscape Plan*).
4. The buildings, structures, parking and other improvements shown in Exhibit C (Land Use Plan), Exhibit G (AO Park Plan), Exhibit H (AO Creek Plan) and Exhibit I (Streetscape) are graphic representations and are not exact. The exact locations and specifications for the buildings, structures, parking and other improvements shall be determined in consultation with and subject to approval by the Development Services, the Parks and Recreation and the Watershed Protection departments as site development permits are issued as is consistent with the provisions of this Ordinance and the intent of Exhibit C, Exhibit G, Exhibit H and Exhibit I.
5. The completion of the development of the AO Park, the AO Creek and the Streetscape within the public rights-of-way shall be accomplished as provided in Exhibit D.
6. The AO Park classification may contain uses and improvements (that are publicly accessible) as shown on Exhibit G, and may include hard surface paths/trails/walkways, pedestrian bridges, benches, seating and similar outdoor furniture, trash receptacles, non-conditioned community facilities (boardwalks, decks, pavilions, gazebos, etc.) stormwater quality and detention facilities (including drainage outflow structures) and access and utility easements (including utility lines and systems and necessary connections to such lines and systems to provide services to the buildings and improvements within the PUD).
7. The AO Creek classification may contain uses and improvements (that are publicly accessible) as shown on Exhibit H, and may include hard surface paths/trails/walkways, pedestrian bridges, benches and seating, trash receptacles, stormwater detention facilities (including drainage outflow structures) and access and utility easements (including utility lines and systems and necessary connections to such lines and systems to provide services to the buildings and improvements within the PUD).

8. The area within the AO Park (Parcel 10) shall be included as “open space” for purposes of compliance with open space requirements under the provisions this Ordinance and under the City Code. Plazas, patios, open air gathering places, detention facilities and water quality facilities, including rain gardens, rainwater collection areas, vegetative filter strips, biofiltration and porous pavement for pedestrian use, shall be permitted within all portions of the PUD located outside the boundaries of the Critical Water Quality Zone (CWQZ), and shall be included as “open space” for purposes of compliance with the open space requirements under the provisions of this Ordinance and under the City Code. Vegetative roofs and other landscaped areas on roofs shall be permitted within the PUD and shall be included as “open space” for purposes of compliance with open space requirements under the provisions this Ordinance and under the City Code. All courtyards and other areas located within any building that are open and unobstructed from the surface to the sky and that are covered by grass, ground cover or other landscaping shall be included as “open space” for purposes of compliance with open space requirements under the provisions this Ordinance and under the City Code. See Exhibit L.
9. The owner of Parcel 10 will spend up to \$1,946,500 to redevelop Parcel 10 as a park and provide improvements prior to deeding Parcel 10 to the City as City parkland and such improvements will be implemented with the approval of the City of Austin. Parkland dedication requirements set forth herein shall satisfy all parkland requirements of the City with respect to the Property, including parkland dedication and parkland development fees.
10. At least 50% of the total required plant material planted, exclusive of turf and land within dedicated parkland, shall be native to Central Texas or on the 5<sup>th</sup> Edition of the City of Austin and Texas Agrilife Extension, "Grow Green Native and Adaptive Landscape Guide," Revised 2014.

## **PART 9. Environmental**

1. Each office, multifamily and retail building constructed within the PUD that is served by Austin Energy shall comply with the requirements of the Austin Energy Green Building (AEGB) rating system using the applicable rating version in effect at the time a rating application is submitted for the building.
2. No construction is permitted within the critical water quality zone except as provided in City Code Sections 25-8-261 (*Critical Water Quality Zone Development*) and 25-8-262 (*Critical Water Quality Zone Street Crossings*) and as provided in Exhibit H.
3. Cut and fill up to a maximum of 8 feet is allowed within the PUD. Cuts in excess of 8 feet shall not be permitted outside of the foundation of any building or structure. As provided in City Code Sections 25-8-341(A)(3) and

25-8-342(A)(3), the cut and fill limitations shall not apply to cut and fill under the foundations of all buildings and structures within the PUD.

4. Trees shall be installed in accordance with Exhibit J (*Tree Plan*) as each Parcel is redeveloped. Pursuant to Chapter 25-8, Subchapter B and the City of Austin Environmental Criteria Manual Section 3, the tree survey dated November 22, 2013 identifies the protected and heritage trees and Exhibit J identifies which protected and heritage trees will be removed or relocated; any application for a site development permit filed after November 22, 2038 will require a new tree survey. Mitigation shall be provided by planting replacement trees to the extent reasonably possible as determined by staff on each Parcel as it is redeveloped. Credits against any mitigation or any mitigation fee that may be applicable for a site shall be available for alternative mitigation pursuant to the provisions of Section 3.5.0 (*Design Criteria*) of the City of Austin Environmental Criteria Manual; including caliper inch credit for the removal of impervious cover from the Critical Root Zone of trees using the standing formula for translating caliper inches to Critical Root Zone as established by Section 3.3.2(D) (*General Tree Survey Standards*) of the City of Austin Environmental Criteria Manual. By way of example only, if an existing 18" caliper tree has 4 feet of pervious area surrounding the trunk at grade and the remaining Critical Root Zone of 36 feet diameter is impervious cover, then the maximum credit that could be obtained would be 16" caliper. The measurements of trees on the Property shall be based on the tree survey completed on November 22, 2013, and such survey may be used for site development permit applications that are filed prior to November 22, 2038. For any site plan application filed after November 22, 2038, the applicant will have to prepare a new tree survey. Subject to the City's approval and direction, replacement trees may be planted within the AO Park or AO Creek, either prior to or after the date the AO Park or AO Creek is conveyed to the City as provided in this Ordinance.
5. The provisions of City Code Section 25-8-25 (*Redevelopment Exception in Urban and Suburban Watersheds*) shall apply to the Property overall, and not on a Parcel-by-Parcel basis and, therefore, Section 25-8-25(B)(1) and (3) do not apply to the Property. The total amount of impervious cover on the Property will be less than the existing amount of impervious cover on the Property and the development will generate less than 30,086 vehicle trips a day as set forth in the Traffic Impact Analysis submitted in conjunction with this Ordinance. City Code Subchapter A of Chapter 25-8 does not apply to the Property.
6. Each Parcel of the PUD shall meet onsite water quality treatment in accordance with the standards outlined in City Code Chapter 25-8, Article 6; provided the following shall apply to all water quality facilities:

- (a) subject to the requirements for access to allow maintenance in Section 1.6.3 (*Maintenance and Construction Requirements*) of the City of Austin Environmental Criteria Manual, water quality facilities may be covered, decked or buried (and landscaped); and
  - (b) the provisions of Section 1.6.7 (*Green Storm Water Quality Infrastructure*) of the City of Austin Environmental Criteria Manual shall apply and various forms of water quality treatment, including rainwater harvesting, may be employed within PUD and receive water quality credits as provided therein.
- 7. Detention is not required for the redevelopment of the existing improvements within the PUD under Section 1.2.0 (*City of Austin Drainage Policy*) of the City of Austin Drainage Criteria Manual as the result of the total amount of impervious cover within the PUD under Exhibit C (*Land Use Plan*) being less than the existing amount of impervious cover. As reflected in Exhibit H (*AO Creek Plan*), however, 20,000 cubic feet of detention storage shall be added on Parcel 3, a portion of which will be dedicated parkland. The water captured in this detention area may be released into the AO Creek and any parkland that is deeded to the City will have a drainage easement imposed upon it to reflect the detention area and the course required for appropriate release of the detained water into the creek.

## **PART 10. Affordable Housing Program**

- 1. The PUD shall provide a total of 10% of the residential units to households whose income is 80 percent or below the median family income of the Austin metropolitan statistical area for ownership units and 60 percent or below the Austin metropolitan statistical area for rental units.
- 2. Income limits are established annually as determined by the director of the Neighborhood Housing and Community Development Office (NHCD) and the United State Department of Housing and Urban Development (HUD).
- 3. The affordability period for affordable housing units provided in this ordinance shall be 40 years for rental housing and 99 years for on-site for sale housing. The affordability period begins on the date a certificate of occupancy is issued for rental and upon sale of each individual unit for ownership.
- 4. Rents will be established annually based on the 60 percent median annual family income multiplied by 28 percent divided by 12.
- 5. On-site affordable housing units offered for sale shall be sold at a price affordable to persons whose household income is 80 percent or below the median family income in the Austin metropolitan statistical area. The affordable sales price shall be established and approved by NHCD.

6. On-site affordable housing units offered for sale shall be reserved, sold and transferred to an income eligible buyer subject to a resale restricted, shared equity agreement approved by NHCD and in compliance with Austin Housing Finance Corporation (AHFC) land trust policies. To ensure long term affordability, AHFC shall hold the shared equity agreement and/or ground lease for the affordable units. AHFC shall also have a Right of First Refusal and may also elect to purchase the homes at the affordable price and resell the units to an income eligible buyer.
7. Compliance and monitoring of these affordability housing provisions shall be performed by the NHCD. The Director of NHCD will establish rules and criteria for implementation for the affordability section.

## **PART 11. Parking**

1. Cumulative Parking shall be permitted for the AO Restaurant Parcels 4 and 5, the AO Hotel Parcel 6, and Spicewood Office Parcel 7; and for MOPAC EXPRESSWAY Office Parcels 1 and 2.
2. Parking within the PUD shall be provided in accordance with the following minimum requirements:
  - 3.5 parking spaces per 1,000 square feet of office
  - 5 parking spaces per 1,000 square feet of retail uses
  - 1.1 parking spaces per each hotel guest room
  - 8 parking spaces per 1,000 square feet of restaurant uses
  - 1 parking space per each multifamily dwelling unit

Not more than thirty (30) percent of the required parking spaces may be reserved for small or compact cars.

3. All on-street parking spaces shall apply towards satisfying the parking requirements for the buildings within the PUD on an aggregate basis.

## **PART 12. Code Modifications**

In addition to the other provisions of this Ordinance and the Exhibits, the following provisions of City Code and the City Environmental Criteria Manual have been replaced, otherwise satisfied or exceeded and do not apply within the PUD:

1. Section 25-8-25(B)(1) and (3) (*Redevelopment Exception in Urban and Suburban Watersheds*);
2. Section 2.4.3 (*Buffering*) of the Environmental Criteria Manual does not apply to Parcel 1 or Parcel 4;



## EXHIBIT A

### DESCRIPTION OF PROPERTY

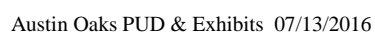
TRACT 1: Lot 5, KOGER EXECUTIVE CENTER UNIT THREE, a subdivision in Travis County Texas, according to the map or plat thereof recorded in Volume 75, Page 322 of the Plat Records of Travis County, Texas.

TRACT 2: Lots 6A and 6B, RESUBDIVISION LOT 6 KOGER EXECUTIVE CENTER UNIT THREE, a subdivision in Travis County Texas, according to the map or plat thereof recorded in Volume 77, Page 167 of the Plat Records of Travis County, Texas.

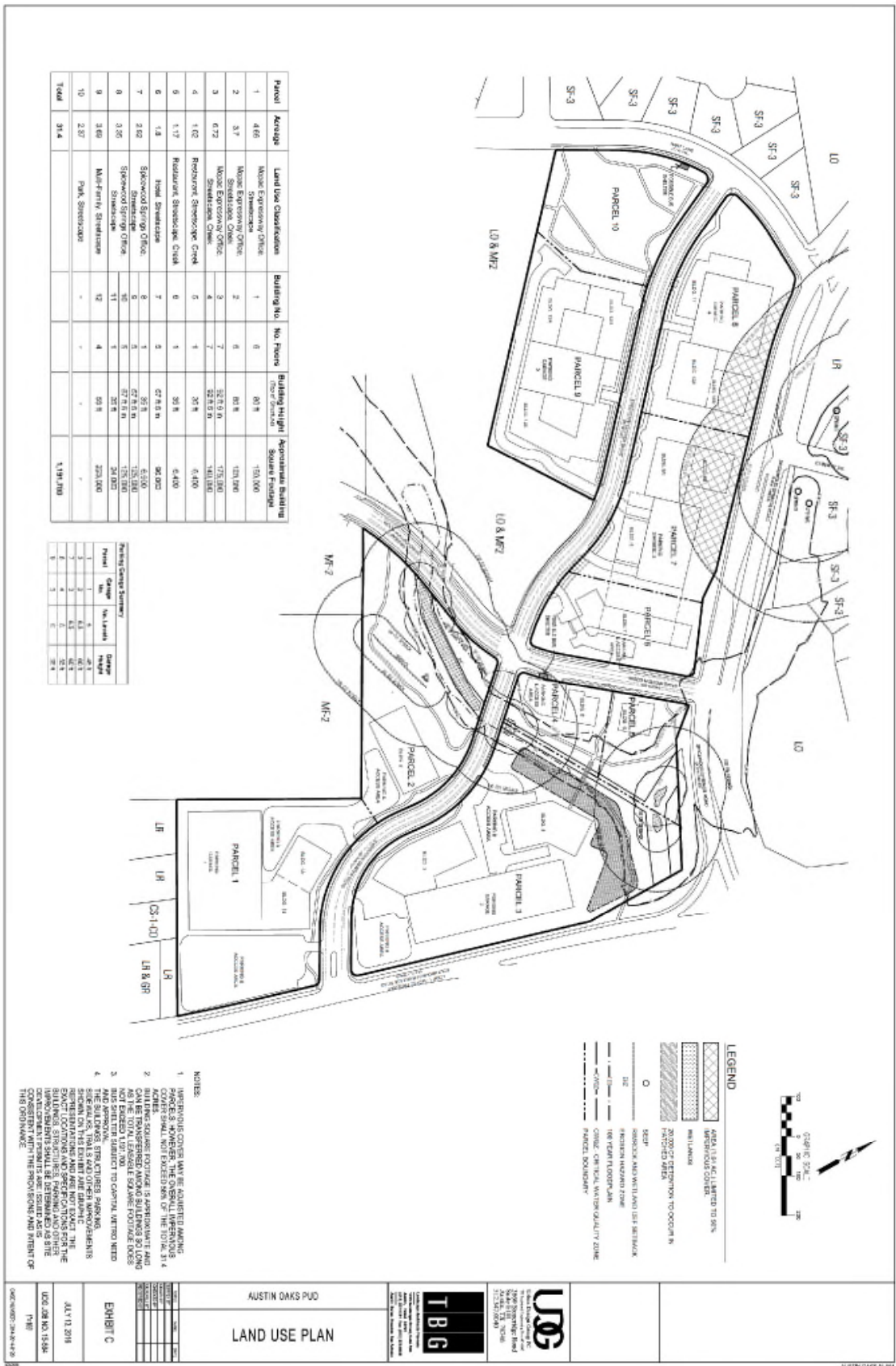
TRACT 3: Lots 8, 9 and 10, KOGER EXECUTIVE CENTER UNIT FOUR, a subdivision in Travis County Texas, according to the map or plat thereof recorded in Volume 80, Page 176 of the Plat Records of Travis County, Texas.

TRACT 4: Lots 3A, 3B and 3C, RESUBDIVISION OF A PORTION OF LOT 3, KOGER EXECUTIVE CENTER UNIT TWO, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 76, Page 50 of the Plat Records of Travis County, Texas.

TRACT 5: Lot(s) 1, 2, 4A and 4B, KOGER EXECUTIVE CENTER, UNIT FIVE, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 84, Pages 6D-7A of the Plat Records of Travis County, Texas.







## EXHIBIT D

### PHASING PLAN

A. The PUD is divided into ten (10) separate parcels identified on the PUD Land Use plan as specific classifications. The PUD shall be developed in phases to accommodate the redevelopment of the existing office building and parking improvements. Any one or more parcels may be included in a phase.

B. The following shall be developed as part of the first phase of the development of the PUD and shall be completed prior to, and as a condition to, the issuance of a permanent Certificate of Occupancy for the first new building to be constructed within the PUD:

- (1) An Integrated Pest Management Plan (IPM) that follows the Grow Green Program shall be submitted to, and approved by, the Development Services Department. The IPM will be done with the site plan for each Parcel.
- (2) The amount of \$420,000.00 shall be deposited with the City to be used for the installation of a traffic signal at the intersection of Hart Lane and Spicewood Springs Road; and
- (3) The amount of \$25,000 shall be deposited with the City to be used to provide a free eastbound right-turn movement from Spicewood Springs Road to Loop 1 Southern Bound Frontage Road.

C. The AO Park Parcel 10 shall be developed prior to or concurrently with the development of the AO Multifamily Parcel 9, and shall be completed prior to, and as a condition to, the issuance of the permanent Certificate of Occupancy for the primary building constructed on the AO Multifamily Parcel 9. The AO Park shall be conveyed to the City as a condition to the issuance of the permanent Certificate of Occupancy for the primary building constructed on the AO Multifamily Parcel 9, which conveyance shall satisfy the parkland dedication requirements otherwise applicable for the entire PUD.

D. The AO Creek may be improved consistent with the provisions of this Ordinance and related Exhibits in phases as follows:

- (1) The southern portion of the AO Creek (South of Executive Center Drive) shall be developed prior to or concurrently with the development of the MoPac Expressway Office Parcel 2, and shall be completed prior to, and as a condition to, the issuance of the permanent Certificate of Occupancy for the primary building constructed on the MoPac Expressway Office Parcel 2.

- (2) The northern portion of the AO Creek (North of Executive Center Drive) that is located on AO Restaurant Parcels 4 and 5 shall be developed prior to or concurrently with the development of improvements on all or any part of either the AO Restaurant Parcels 4 or 5, and shall be completed prior to, and as a condition to, the issuance of the permanent Certificate of Occupancy for the first building to be constructed on either of the AO Restaurant Parcels 4 or 5.
  - (3) The northern portion of the AO Creek (North of Executive Center Drive) that is located on MoPac Expressway Office Parcel 3, including the pedestrian bridge over the creek, shall be developed prior to or concurrently with the development of improvements on all or any part of the MoPac Expressway Office Parcel 3, and shall be completed prior to, and as a condition to, the issuance of the permanent Certificate of Occupancy for the first building to be constructed on the MoPac Expressway Office Parcel 3.
- E. The Streetscape shall be developed in phases as follows:
- (1) The portion of the Streetscape within the northern right-of-way of Executive Center Drive from Hart Lane to Wood Hollow Drive and within the western right-of-way of Wood Hollow Drive from Executive Center Drive to Spicewood Springs Road shall be developed prior to or concurrently with the development of the improvements on all or any part of the AO Hotel Parcel 6 or either of the Spicewood Springs Office Parcels 7 or 8, and shall be completed prior to, and as a condition to, the issuance of the permanent Certificate of Occupancy for the first building to be constructed on AO Hotel Parcel 6 or either of the Spicewood Springs Office Parcels 7 or 8.
  - (2) The portion of the Streetscape within the southern right-of-way of Executive Center Drive from Hart Lane to Wood Hollow Drive shall be developed prior to or concurrently with the development of the improvements on all or any part of the AO Multifamily Parcel 9, and shall be completed prior to, and as a condition to, the issuance of the permanent Certificate of Occupancy for the primary building to be constructed on the AO Multifamily Parcel 9.
  - (3) The portion of the Streetscape within the eastern right-of-way of Wood Hollow Drive from Executive Center Drive to Spicewood Springs Road shall be developed prior to or concurrently with the development of the improvements on all or any part of either AO Restaurant Parcels 4 or 5, and shall be completed prior to, and as a condition to, the issuance of the permanent Certificate of Occupancy for the first building to be constructed on either AO Restaurant Parcel 4 or 5.
  - (4) The portion of the Streetscape within the eastern right-of-way of Wood Hollow Drive from Executive Center Drive to the southern boundary of the PUD shall be developed prior to or concurrently with the development of the improvements on

all or any part of the MoPac Expressway Office Parcel 2, and shall be completed prior to, and as a condition to, the issuance of the permanent Certificate of Occupancy for the primary building to be constructed on the MoPac Expressway Office Parcel 2.

- (5) The portion of the Streetscape located outside of the right-of-way of Executive Center Drive and Wood Hollow Drive within each Parcel shall be developed prior to or concurrently with the development of the improvements on each such Parcel, and shall be completed prior to, and as a condition to, the issuance of the permanent Certificate of Occupancy for the primary building constructed on each such Parcel.

F. Impervious cover, building coverage, floor to area ratio, parking, landscaping and required open space are reflected on Exhibit C, in Exhibit F, and Exhibit L, and are calculated and determined on the cumulative gross site area of the PUD. The portions of the property included in any phase or the site plan/site development permit of each phase are not required to satisfy those requirements on a stand alone basis and shall be approved if consistent with Exhibit C, Exhibit F, and Exhibit L.

G. During construction of any phase, the required parking for then existing uses shall be provided on a cumulative basis on the entire PUD property.

H. During construction of any phase of the PUD, a construction office and a sales and leasing office may be located in the retail or garage portions of the building(s) within such phase.

# EXHIBIT E

## PERMITTED USES TABLE

LAND USE CLASSIFICATION:	Mopac Expressway Office	Spicewood Springs Office	AO Hotel	AO Multifamily	AO Restaurant
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### RESIDENTIAL USES

Condominium Residential	N	N	P	P	N
Multifamily Residential	N	N	N	P	N

### COMMERCIAL USES

Administrative & Business Office	P	P	N	P	N
Art Gallery	N	P	P	P	N
Art Workshop	N	P	P	P	N
Building Maintenance Services	P	P	N	P	N
Business or Trade School	P	P	N	N	N
Business Support Services	P	P	N	N	N
Cocktail Lounge	P	P	P	P	P
Commercial Off-Street Parking	P	P	P	P	P
Communication Services	P	P	N	P	N
Consumer Convenience Services	P	P	N	P	N
Consumer Repair Services	P	P	N	P	N
Electronic Prototype Assembly	P	P	N	N	N
Electronic Testing	P	P	N	N	N
Financial Services	P	P	N	P	N
Food Preparation	P	P	P	P	P
Food Sales	P	P	P	P	P
General Retail Sales (Convenience)	N	P	P	P	N
General Retail Sales (General)	N	P	P	P	N
Hotel-Motel	N	N	P	N	N
Indoor Entertainment	P	P	P	P	N
Indoor Sports & Recreation	N	P	N	P	N

LAND USE: CLASSIFICATION	MoPac Expressway Office	Spicewood Springs Office	AO Hotel	AO Multifamily	AO Restaurant
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#### COMMERCIAL USES (continued)

Liquor Sales	N	P	P	P	P
Medical Office (exceeding 5,000 sq. ft. gross floor area)	P	P	N	N	N
Medical Office (not exceeding 5,000 sq. ft. gross floor area)	P	P	N	N	N
Off-Site Accessory Parking	P	P	P	P	P
Personal Improvement Services	P	P	P	P	N
Personal Services	P	P	P	P	N
Pet Services	P	P	P	P	N
Printing & Publishing	P	P	P	P	N
Professional Office	P	P	N	P	N
Research Services	P	P	N	N	N
Restaurant (General)	P	P	P	P	P
Restaurant (Limited)	P	P	P	P	P
Software Development	P	P	P	P	N

#### CIVIC USES

College and University Facilities	P	P	N	N	N
Communication Services Facilities	P	P	N	N	N
Counseling Services	P	P	N	N	N
Cultural Services	P	P	N	N	N
Day Care Services (Commercial)	P	P	N	P	N
Day Care Services (General)	P	P	N	P	N
Day Care Services (Limited)	P	P	N	P	N
Employee Recreation	P	P	N	N	N
Guidance Services	P	P	N	N	N
Hospital Services (General)	P	P	N	N	N
Hospital Services (Limited)	P	P	N	N	N
Religious Assembly	P	P	P	P	P

Note: "P" means a use is a permitted use, "N" means a use is prohibited.

## GENERAL PROVISIONS:

1. No more than 250 residential units shall be permitted within AO Multifamily Parcel 9.
2. All parking for the office, hotel, retail and multifamily uses within the PUD shall be provided by structured parking facilities, subject to the provisions of Part 11 of this Ordinance for Cumulative Parking; provided, surface parking may be provided for retail uses, restaurant uses, leasing office uses, visitor or customer parking, temporary loading and unloading, and on-street locations.
3. Gated streets and roads are not allowed within the PUD. Private resident, retail, and restaurant parking areas may be secured with a gate.
4. Any cell towers or similar communications or information relay facilities constructed on any Parcel within the PUD shall be screened concurrently with the construction of, or architecturally incorporated into, a building to be constructed on such Parcel.
5. The Accessory Use provisions of City Code Article 5 of Chapter 25 apply within the PUD. Automotive washing shall be considered an accessory use for office uses and may be used solely by employees or patrons of the buildings.

## EXHIBIT F

### SITE DEVELOPMENT REGULATIONS TABLE

BUILDING TYPE	SETBACKS			Maximum Height MSL/STORIES*	FAR	Maximum Building Coverage	Maximum Impervious Cover
	Front Yard	Side Yard	Rear Yard				
MoPAC EXPRESSWAY OFFICE	10'	10'	10'	875'/7**	1.5:1	75%	80%
SPICEWOOD SPRINGS OFFICE	10'	0'	10'	870'/5	1.5:1	80%	80%
AO HOTEL	10'	0'	10'	825'/5	1.5:1	75%	75%
AO MULTIFAMILY	10'	10'	10'	870'/4	1.5:1	90%	90%
AO RESTAURANT	10'	0'	10'	770'/1	1:1	75%	75%

\*feet above sea level based on the Texas State Plane Coordinate System (Nad83 Texas Central Zone, Vertical datum is NAVD-88) measured from the average elevation of the highest and lowest elevations of the finished grade of the building to top of structure.

\*\*The buildings on Parcel 1 and 2 will be limited to 6 stories. See Exhibit C (Land Use Plan)

### GENERAL SITE DEVELOPMENT REGULATIONS.

1. The minimum size of any lot or site within any Parcel within the PUD is 20,000 square feet.
2. The minimum width of any lot or site within any Parcel within the PUD is 100 feet.
3. The maximum heights of buildings are subject to the exceptions in City Code Section 25-2-531 (*Height Limit Exceptions*), which shall apply to the PUD.
4. The PUD is located within an Urban Watershed, and City Code Section 25-8-62(c) (*Net Site Area*) applies to the PUD so that impervious cover is calculated on the gross site area.



5. Impervious cover is limited to a total of 58% of the gross site area for the entire PUD area. Impervious cover within the portion of the PUD located within 300 feet of the existing off-site springs as shown on Exhibit C shall be limited to 50%.

6. All signage shall comply with the Commercial Sign District regulations of City Code Chapter 25-10-130 and the other regulations of City Code Chapter 25-10, except that:

- a. Section 25-10-101(C), which regulates signs directing the movement or placement of vehicular and pedestrian traffic, shall be modified to allow that (i) the sign area may not exceed 32 square feet and (ii) the height of such a sign may not exceed, for a freestanding sign, six feet above grade.
- b. A wall sign may be a projecting sign if the sign complies with the following:
  - i. No more than 2 projecting signs for each building façade is permitted;
  - ii. The sign area of a projecting sign may not exceed 35 square feet; and
  - iii. A projecting sign may extend from the building façade not more than the lesser of six feet or a distance equal to two-thirds the width of the abutting sidewalk.
- c. A total of eight freestanding subdivision identification signs are permitted on the Property. One subdivision identification sign adjacent to MoPac Expressway (Loop 1) may be constructed to a maximum height of 60 feet and for each of the remaining seven subdivision identification signs the height may not exceed 12 feet. The sign area of a subdivision sign may not exceed 128 square feet. For purposes of this ordinance, a subdivision sign is a freestanding sign that identifies a project, including a mixed use project, and may include a subdivision identification sign. Tenant signage is prohibited on a freestanding subdivision identification sign described in this paragraph.
- d. A sign support of more than 36 inches in diameter must be set back at least 12 feet from the street pavement.
- e. All existing commercial flag poles and flags shall be permitted to be continued, maintained, repaired and replaced.

7. The requirements of City Code Sections 25-7-32 (*Director Authorized to Require Erosion Hazard Zone Analysis*) has been satisfied for the PUD, and additional studies and analyses shall not be required for any site development permit or building permit issued in connection with the development of any Parcel for the construction of the primary building on such Parcel so that this Section shall not apply to the development within the PUD. Although a drainage study may be performed pursuant to City Code Section 25-7-31 (*Director Authorized to Require Drainage Studies*) for a site development permit or building permit within the PUD Property, no further on-site detention or RSMP shall be provided or required for the PUD Property other than the 20,000 cf feet of detention which will be designed at the time of site plan for Parcel 3.

8. The PUD will comply with Section 4.4.0 (*General Provisions for Fire Safety*) of the City Fire Protection Criteria Manual, and fire access from Spicewood Springs Road will be allowed by the construction of exterior stairways, as allowed by varying topography.

9. An area equal to at least 20% of the total required landscaped area within the PUD Property must be (a) undisturbed natural area(s) or undisturbed existing trees with no potable irrigation; or (b) irrigated by stormwater runoff conveyed from impervious surfaces on the site using one or more of: overland flow, storm drains, downspouts, rainwater harvesting, retention-irrigation, or other methods of conveyance as may be prescribed by rule, and the provisions of City Code Section 25-2-1008(A) shall not apply to development within the PUD.

10. A minimum of one 30-foot off-street loading space shall be provided for all buildings within the AO Multifamily and AO Hotel use classifications and within MoPac Expressway Office, Spicewood Springs Office and AO Hotel use classifications with less than 150,000 square feet of floor area. All buildings within the MoPac Expressway Office and Spicewood Springs Office use classifications with more than 150,000 square feet of floor area shall provide a minimum of two (2) 30-foot off-street loading spaces. At the time of site plan, alternative sizing and number of spaces is permitted to achieve off-street loading requirements. No off-street loading spaces shall be required for buildings in the AO Restaurant use classification. Vehicles may use a public right-of-way to back into or out of an off-street loading area or solid waste collection area.

11. For office, residential, and hotel uses, off-street bicycle parking shall comply with the requirements of City Code Section 25-6-477 (*Bicycle Parking*) other than a minimum of twenty (20) percent of all required bicycle parking spaces shall be located within 50 feet of any principal building entrance and shall not be obscured from public view.

12. All buildings constructed within the PUD shall comply with the provisions of City Code Article 10 (*Compatibility Standards*) except the following shall not apply:

- a. Section 25-2-1062 (*Height Limitations and Setbacks for Small Sites*)
- b. Section 25-2-1063 (*Height Limitations and Setbacks for Large Sites*)
- c. Section 25-2-1065 (*Scale and Clustering Requirements*)

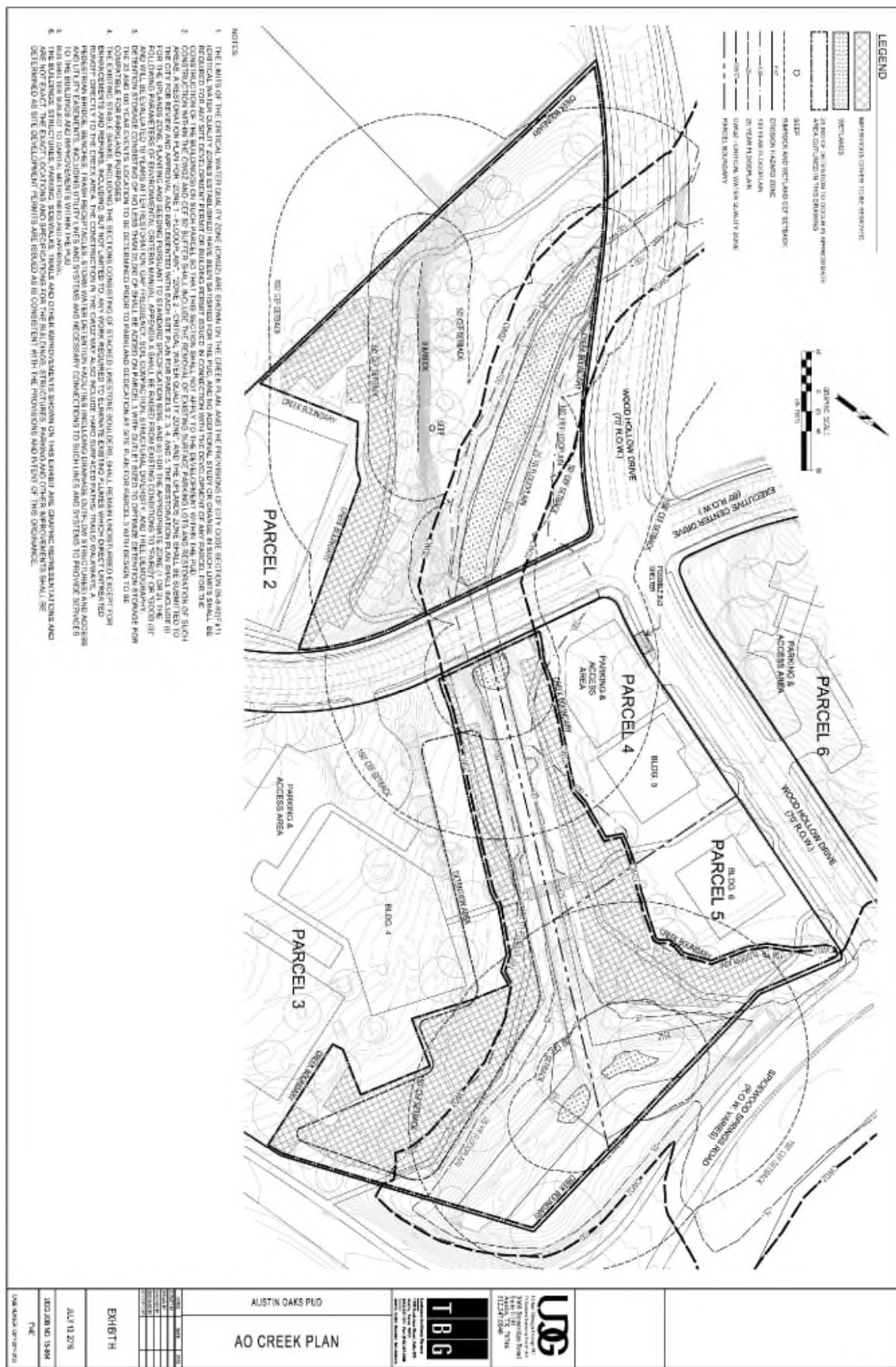
13. All buildings constructed within the PUD shall comply with the provisions of City Code Subchapter E (*Design Standard and Mixed Use*) except the following shall not apply:

- a. Section 2.2 (*Relationship of Buildings to Streets and Walkways*)
- b. Section 2.3 (*Connectivity*)
- c. Section 2.4 (*Building Entryways*)
- d. Article 4 (*Mixed Use*)

14. The provisions of City Code Section 3.2 (*Glazing and Facade Relief Requirements*) shall not apply to the AO Hotel Parcel 6 or the AO Multifamily Parcel 9.

15. The PUD shall achieve a minimum of a total of five (5) points in the aggregate for all buildings within the PUD under the provisions of Section 3.3.2 of Subchapter E (*Building Design Options*).









## 22

60'-0" R.O.W.

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\* NOTE: ON-STREET PARALLEL PARKING LOCATED WHERE NOT IN CONFLICT WITH EXISTING SITE CONDITIONS. EXISTING SIDEWALK TO BE REMOVED WHERE PARALLEL PARKING OCCURS.

STREETSCAPE PLAN

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