ZONING CHANGE REVIEW SHEET

CASE: C814-2014-0083.01 – Sunfield PUD Amendment, DISTRICT: 5

<u>ZONING FROM / TO:</u> PUD, to permit industrial uses, update provisions for water service, increase impervious cover, reconfigure the location and massing of affordable housing units within residential portions of the PUD, and request modifications to cut and fill requirements.

<u>ADDRESS:</u> 1901 Turnersville Road, southwest corner of Turnersville Road and South Turnersville Road

<u>SITE AREA (Total):</u> 482.5 acres (PUD); 91 acres (PUD amendment area)

<u>PROPERTY OWNER:</u> Sunfield Investments LLC; Sunfield Development LLC (Ryan Burkhardt)

AGENT: Jackson Walker, LLP (Pamela Madere)

CASE MANAGER: Nancy Estrada (512-974-7617, nancy.estrada@austintexas.gov)

STAFF RECOMMENDATION:

The Staff recommendation is to grant the first amendment to planned unit development (PUD) district zoning, as shown in the Proposed PUD Amendment summary on pages 4-5 of this report and as referenced in the applicant's draft redlined ordinance and replacement Exhibits C-I. *Please refer to Attachment A.*

ENVIRONMENTAL COMMISSION ACTION:

May 15, 2024: Approved an amendment to the Planned Unit Development (PUD) as Staff recommended, with the following conditions:

Staff Conditions:

- 1. This project shall comply with current PUD requirements, except for the following exceptions:
 - a. Section 25-8-341 modified to allow cut up to20 ft
 - b. Section 25-8-342 modified to allow fill up to 20 ft
 - c. Modification of protected CWQZs as shown in Exhibit F
 - d. Modification to Land Use Plan to permit a light industrial/warehouse use on approximately 91 acres.
- 2. The project shall incorporate bird-friendly design criteria into the development including compliance with the following Austin Energy Green Building Star Rating System criteria for:
 - a. ST7 Light Pollution Reduction;
 - b. STEL5 Bird Collision Deterrence

- 3. Water quality treatment will adhere to current COA code requirements. Where feasible, the project shall be designed to direct stormwater to vegetated pervious areas before water enters the gray stormwater system, including but not limited to swales, filter strips, infiltration trenches and infiltration basins.
- 4. The project will require 10% more trees than minimally required by the current PUD ordinance and current code regulations.
- 5. The project will provide enhanced stabilization measures including terracing and retaining walls for areas exceeding 8 feet of cut or fill.
- 6. A minimum of 100 square feet of landscape islands for every 12 parking spaces will be provided. The landscape islands will be a minimum of 10 feet wide.
- 7. A minimum of two electric vehicle charging stations per multifamily apartment complex will be provided in parking lots adjacent to multi-family apartments.

Environmental Commission Conditions:

- 1. Research the feasibility of adding solar power to the property where practical/possible.
- 2. Continue to work with Capital Metro about adding access to public transformation at the property as the project progresses.
- 3. 10 percent of all parking shall be pre-wired for electric vehicle capability.

[P. Bedford; M. Krueger – 2nd] (8-1) R. Brimer – Against; J. Bristol – Absent

Please refer to Environmental Commission Motion 20240515-004 in Attachment B.

PLANNING COMMISSION ACTION / RECOMMENDATION:

August 13, 2024: APPROVED THE FIRST AMENDMENT TO PUD-NP DISTRICT ZONING AS STAFF RECOMMENDED, AND ALL CONDITIONS OF THE ENVIRONMENTAL COMMISSION, BY CONSENT

[A. AZHAR; A. WOODS – 2nd] (10-0) G. ANDERSON, A. HAYNES – RECUSED; P. HOWARD – ABSENT

July 23, 2024: APPROVED A POSTPONEMENT REQUEST BY STAFF TO AUGUST 13, 2024

[A. WOODS; R. JOHNSON – 2ND] (9-0) J. MUSHTALER – ABSTAINED; G. ANDERSON – RECUSED; C. HEMPEL, D. SKIDMORE – ABSENT

May 28, 2024: APPROVED A POSTPONEMENT REQUEST BY STAFF TO JULY 23, 2024 [F. MAXWELL; A. WOODS – 2ND] (10-0) G. COX, P. HOWARD, A. PHILLIPS – ABSENT

April 9, 2024: APPROVED A POSTPONEMENT REQUEST BY STAFF TO MAY 28, 2024 [A. AZHAR; F. MAXWELL – 2ND] (12-0) A. PHILLIPS – OFF THE DIAS

March 12, 2024: APPROVED A POSTPONEMENT REQUEST BY STAFF TO APRIL 9, 2024

[A. WOODS; F. MAXWELL – 2ND] (11-0) C. HEMPEL, J. MUSHTALER – ABSENT

January 23, 2024: APPROVED A POSTPONEMENT REQUEST BY STAFF TO MARCH 12, 2024

[G. ANDERSON; F. MAXWELL -2^{ND}] (11-0) J. CONNOLLY, A. WOODS - ABSENT

November 28, 2023: APPROVED A POSTPONEMENT REQUEST BY STAFF TO JANUARY 23, 2024

[A. AZHAR; F. MAXWELL – 2ND] (10-0) A. PHILLIPS – OFF THE DIAS; C. HEMPEL, A. WOODS – ABSENT

CITY COUNCIL ACTION:

October 10, 2024:

September 26, 2024: APPROVED A POSTPONEMENT REQUEST BY STAFF TO OCTOBER 10, 2024 [Z. QADRI: L. POOL-2ND] VOTE: (10-0, A. ALTER-OFF DAIS)

September 12, 2024: APPROVED A POSTPONEMENT REQUEST BY STAFF TO SEPTEMBER 26, 2024 VOTE: 11-0.

ORDINANCE NUMBER:

ISSUES:

None at this time.

CASE MANAGER COMMENTS:

The Sunfield PUD was approved in 2015 and comprises of 482.5 acres. It is located east of IH 35 at the southwest corner of Turnersville Road and South Turnersville Road along the Travis and Hays County border. This PUD area is known as Sunfield Municipal Utility District No. 2. Other Sunfield Municipal Districts are located within Buda's jurisdiction.

The Sunfield PUD is adjacent to the Amazon warehouse facilities located in Buda, Texas. It is directly west of the proposed commercial and industrial areas of the PUD. There is single family and multifamily residences both to the west and south. The area to the east across South Turnersville Road is mainly undeveloped with a few single family residences on large tracts. Agricultural land is to the north of the PUD area. *Please refer to Exhibits A (Zoning Map) and A-1 (Aerial)*.

There are two significant changes being proposed to the Sunfield PUD. The first proposed amendment is to revise the Land Use Plan to permit industrial uses on approximately 91 acres mainly located on the western side of the Sunfield PUD area, north of Main Street. In addition, the proposed amendment will include significant contributions to infrastructure for water improvements and is more fully detailed within the MUD amendment. The proposed amendment will not modify the PUD's 10% affordable housing provisions of 80% MFI for owner occupied dwellings and 60% MFI for rental units. The proposed revisions would slightly reconfigure the location and massing of affordable housing units within the residential portions of the PUD.

The Applicant's letter states:

The proposed amendments are sought to update the PUD to current market conditions and to provide for additional public water infrastructure, enhancing the benefit the development will provide to south Austin and southern Travis County. The chief change is to revise the Land Use Plan to permit a light industrial/warehouse use on approximately 91 acres. The Land Plan would retain commercial uses as a permitted use for this 91 acre tract, allowing flexibility as the tract is developed. Cut and fill variances are being sought to allow for the construction of warehouses of a typical size in the Austin area.

PROPOSED PUD AMENDMENT

Exhibits: Part 4 of the existing PUD ordinance will be revised to replace Exhibits C through I. Note: Exhibit J is not changing.

Open Space and Parkland: The proposed amendment will update the provision of open space and parkland to adhere to Exhibit E.

Austin Energy Green Building: <u>Part 6 A</u> of the existing PUD ordinance will be revised to incorporate bird-friendly design criteria, light pollution reduction, and bird collision deterrence.

Environmental: Part 6 B of the existing PUD ordinance will be revised so that water quality treatment will comply with the Environmental Criteria Manual (ECM) requirements in effect on the date of this ordinance.

Tree Requirements: Part 6 E of the existing PUD ordinance will revise the tree requirement to be based on the entire proposed lot area rather than the street yard area plus 10 percent more trees required by regulations. Required trees may be dispersed throughout the entire lot rather than be confined to the street yard.

Environmental: Part 6 K and L will be added to the existing PUD ordinance to provide superior stabilization measures and a minimum of 100 square feet of landscape islands for every 12 parking spaces. The landscape islands will be a minimum of 10 feet wide.

Public Facilities: Part 7 B conditions will be revised regarding the dedication of a 5.0 acre site for a water reservoir which must be approved by Austin Water.

Affordable Housing Program: Part 8 A(3) of the existing PUD ordinance will be revised to remove the intention that the Affordable Ownership Units be spread across the various housing product types within the PUD.

Affordable Housing Program: Part 8 G will be added to the existing PUD ordinance to specify that affordable units which are certified under the S.M.A.R.T. Housing program cannot be used to meet the Affordable Housing Requirements.

Transportation and Bicycle Plan: Part 9 G will be added to the existing PUD ordinance to require a minimum of two electric vehicles per multifamily apartment complex.

Code Modification: Part 10 B(2) – Zoning Section 25-2-491 (*Permitted, Conditional and Prohibited Uses*) is modified to include Part (d)(i) which will establish the following Industrial uses as additional Permitted uses within the Sunfield PUD:

- custom manufacturing
- general warehousing and distribution
- light manufacturing
- limited warehousing and distribution

Code Modification: Part 10 D – Environmental Section 25-8-42 (Administrative Variance) is modified to provide that the director may grant a variance from Section 25-8-341 (Cut Requirements) or Section 25-8-342 (Fill Requirements) for a cut or fill of not more than 20 feet within the area shown on Exhibit F (Environmental Exhibit).

The proposed modifications to the PUD ordinance and accompanying land use plan are summarized in *Attachment A (Applicant's Summary Letter and Proposed Revisions to Ordinance No. 20150910-015)*.

BASIS OF STAFF RECOMMENDATION:

1. The proposed zoning should be consistent with the purpose statement of the district sought.

Per the Land Development Code, PUD district zoning was established to implement goals of preserving the natural environment, encouraging high quality, sustainable development and innovative design, and ensuring adequate public facilities and services. The City Council intends PUD district zoning to produce development that achieves these goals to a greater degree than and thus is superior to development which could occur under conventional zoning and subdivision regulations. The PUD provides a canvas for the design of a large-scale project, with the end goal to allow flexibility, and also inform and communicate the possibilities for development.

2. Zoning changes should promote an orderly and compatible relationship among land uses.

The proposed PUD amendment still offers a development on the subject property that includes a set of compatible uses. It will add an industrial component to the PUD while still providing compatibility with the planned residential uses to the east.

	ZONING	LAND USES
Site	PUD	Undeveloped
North	Austin ETJ	Undeveloped

EXISTING ZONING AND LAND USES:

South	Buda ETJ	Single family residential; Single family new construction;
		Undeveloped
East	Austin ETJ	Undeveloped
West	Buda ETJ;	Industrial warehouses and services; single family
	Buda Full Purpose	residential

MUNICIPAL UTILITY DISTRICT: Sunfield MUD No. 2

WATERSHED: Rinard Creek, Plum Creek, Onion Creek – Suburban

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

<u>SCHOOLS:</u> The property is within the Hays Consolidated Independent School District. Tom Green Elementary School R.C. Barton Middle School Jack C Hays High School

COMMUNITY REGISTRY LIST:

Del Valle Community Coalition Onion Creek HOA Sierra Club, Austin Regional Group Austin Lost and Found Pets Friends of Austin Neighborhoods

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C814-2014-0083 -	I-RR to PUD	To Grant PUD	Apvd PUD
1901 Turnersville		(5-26-2015)	as PC recommended
Road			(9-10-2015).

RELATED CASES:

PUD Zoning case

Council approved the Sunfield PUD which includes approximately 482.5 acres of land on September 10, 2015 (Ordinance No. 20150910-015). The subject request is the first amendment, titled Sunfield PUD Amendment #1 comprised of approximately 91 acres.

Annexation

The City annexed this area for limited purposes in 2006 and an interim-rural residential (I-RR) zoning designation was assigned to the area (C7L-06-001).

ADDITIONAL STAFF COMMENTS:

Comprehensive Planning

Project Name and Proposed Use: 1901 TURNERSVILLE RD. C814-2014-0083.01. Sunfield PUD Amendment #1. Revise the Land Use Plan to permit a light industrial/warehouse use on approximately 91 acres. The property is adjacent to the Amazon facility located in Buda, Texas, and there is a significant need for this type of facility located near and with ready access to IH-35.

Yes	Imagine Austin Decision Guidelines
	Complete Community Measures *
Y	Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity Center,
	Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map.
	Names of Activity Centers/Activity Corridors/Job Centers: 0.17 miles south of the Southside Regional
	Center
	Mobility and Public Transit: Located within 0.25 miles of public transit stop and/or light rail station.
Y	Mobility and Bike/Ped Access: Adjoins a public sidewalk, shared path, and/or bike lane. (will include when built)
Y	Connectivity, Good and Services, Employment: Provides or is located within 0.50 miles to goods and
	services, and/or employment center.
	Connectivity and Food Access : Provides or is located within 0.50 miles of a grocery store/farmers market.
	Connectivity and Education : Located within 0.50 miles from a public school or university.
Y	Connectivity and Healthy Living: Provides or is located within 0.50 miles from a recreation area, park or
	walking trail.
	Connectivity and Health : Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care,
	doctor's office, drugstore clinic, and/or specialized outpatient care.)
Y	Housing Choice: Expands the number of units and housing choice that suits a variety of household sizes,
	incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units,
	cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
Y	Housing Affordability: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or
	fee in lieu for affordable housing.
Y	Mixed use: Provides a mix of residential and non-industrial uses.
	Culture and Creative Economy: Provides or is located within 0.50 miles of a cultural resource (ex: library,
	theater, museum, cultural center). *
	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
	Creative Economy: Expands Austin's creative economy (ex: live music venue, art studio, film, digital,
	theater.)
Y	Workforce Development, the Economy and Education: Expands the economic base by creating permanent
	jobs, especially in industries that are currently not represented in a particular area or that promotes a new
	technology, and/or promotes educational opportunities and workforce development training.
Ŷ	Industrial Land: Preserves or enhances industrial land.
9	Number of "Yes's"
	Imagine Austin Priority Program PUD Specific Bonus Features
	Public Space Features and Public Art: Incorporates public space features and/or public art into project (Ex:
	plazas, streetscapes, gardens, and other people-friendly spaces where different ages can socially interact).
Y	Integrates and/or Expands Green Infrastructure: Preserves or expands Austin's green infrastructure (ex:
1	parkland, community gardens, green streets, creeks, stormwater features that mimic natural hydrology) into the
	urban environment and transportation network.
Y	Protects the Environment: Reduces greenhouse gas emissions, water, energy usage, and/or increases waste
	diversion.
	Protects Environmentally Sensitive Lands: Protects Austin's natural resources and environmental systems
	by limiting land use and transportation development over or near environmentally sensitive areas, preserves
	open space, and protects natural resources more than ordinance requirements.
Y	Water/Wastewater Infrastructure: Sustainably manages Austin's water resources and stream corridors
	through on-site use of storm water, effective landscaping, flood mitigation, and other low-impact development
	techniques more than ordinance requirements.
12	Total Number of "Yes's"

Austin Water Utility

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 the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocations and or abandonments required.

Each lot in the P.U.D. shall have separate wastewater taps, separate water meters, and their respective private water and wastewater service lines shall be positioned or located in a manner that will not cross lot lines. No lot shall be occupied until the structure is connected to the City of Austin water and wastewater utility system.

The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by Austin Water. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee 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.

Dedication of private streets and public utility easements does not obligate the City to approve the placement of City water and wastewater mains within same. Water and wastewater service shall be provided to each lot at their Right of Way frontage.

Impervious Cover

The overall impervious cover will change from 57.87 percent (279.20 acres) to 61.26 percent (295.55 acres) with the first amendment.

Austin Transportation Department – Engineering Review

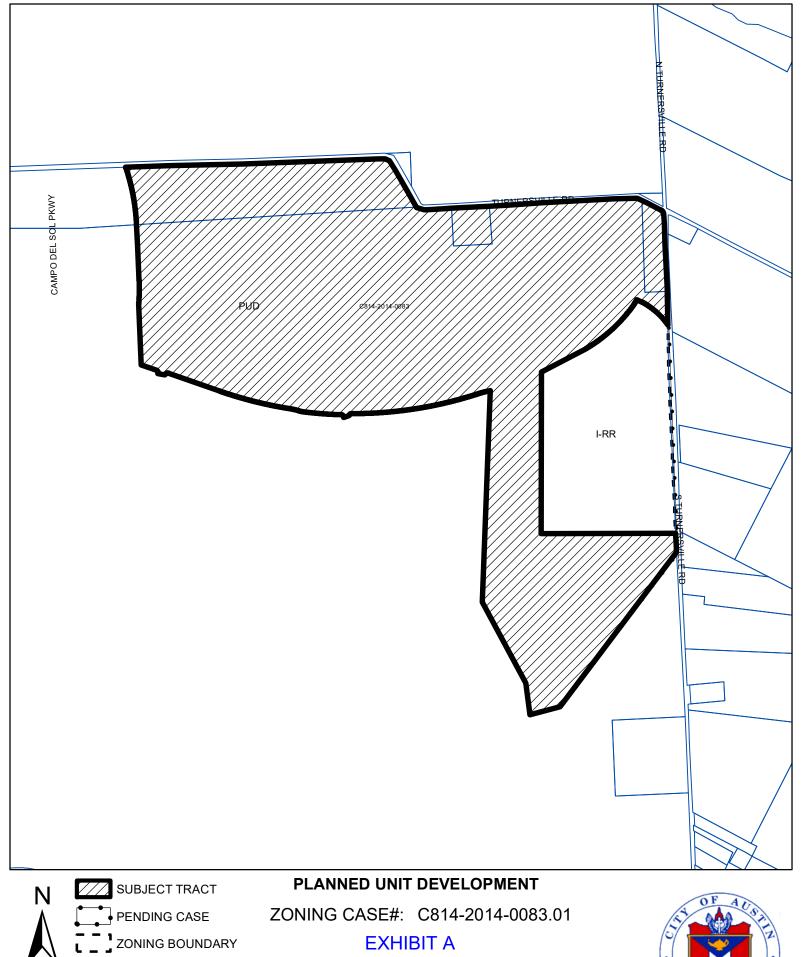
The next site plan filed under this PUD will need to provide an updated TIA which complies with this PUD amendment.

EXHIBITS AND ATTACHMENTS TO THE STAFF REPORT:

Exhibit A: Zoning Map Exhibit A-1: Aerial Map

Attachment A: Applicant's Summary Letter with Proposed Revisions to 2015 Sunfield PUD (Ordinance No. 20150910-015)

Attachment B: Environmental Commission support materials

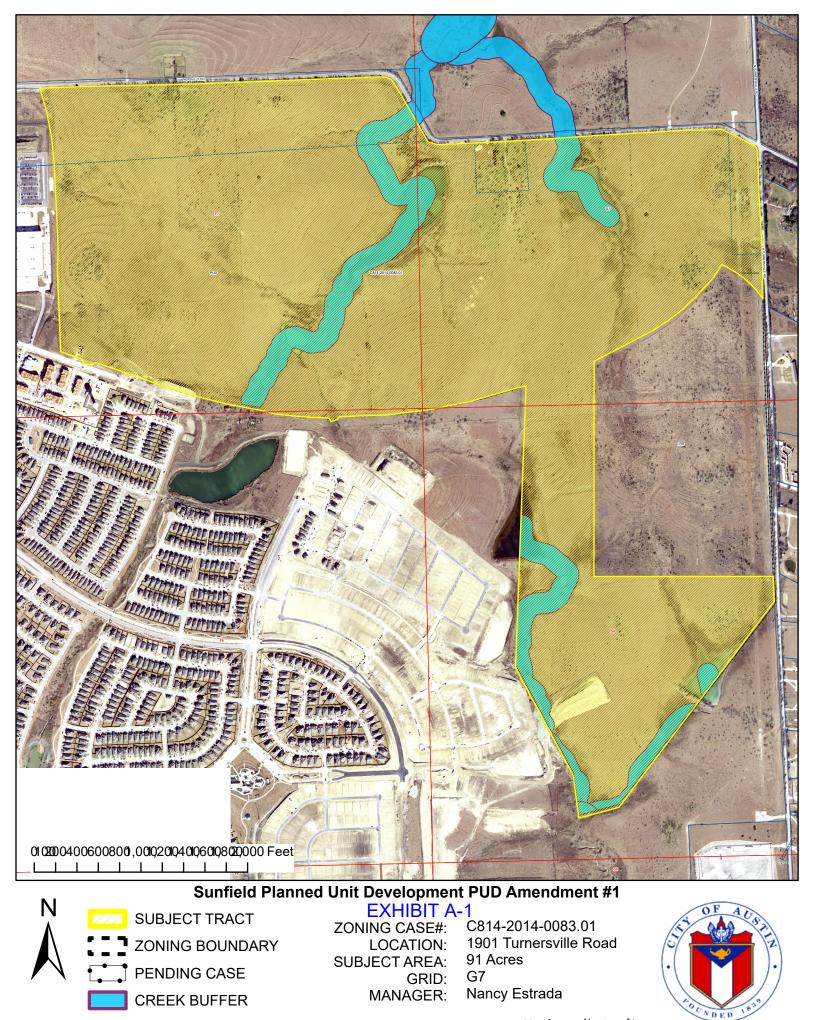


This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

1 " = 1,200 '

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

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Created: 7/26/2023





Pamela Madere (512) 236-2048 (Direct Dial) (512) 236-2002 (Direct Fax) pmadere@jw.com

April 13, 2023

Joi Harden Division Manager, Zoning and Urban Design City of Austin Housing and Planning Department 1000 E. 11th Street, Suite 200 Austin, TX 78702

Re: Sunfield Planned Unit Development ("PUD") Amendment #1 to Ordinance No. 20150910-015 (the "Ordinance")

Dear Ms. Harden:

As the authorized agent of the owners, Sunfield Investments, LLC and Sunfield Development, LLC, we respectfully submit this amendment to the PUD Ordinance. The PUD comprises 482.5 acres in southern Travis County, bearing Travis Central Appraisal District Geographic Nos. 0464180116 and 0464180119.

The original PUD ordinance was approved in 2015. The proposed amendments are sought to update the PUD to current market conditions and to provide for additional public water infrastructure, enhancing the benefit the development will provide to south Austin and southern Travis County.

The chief change is to revise the Land Use Plan to permit a light industrial/warehouse use on approximately 91 acres. The property is adjacent to the Amazon facility located in Buda, Texas, and there is significant need for this type of facility located near and with ready access to IH-35. The Land Plan would retain commercial uses as a permitted use for this 91 acre tract, allowing flexibility as the tract is developed. Cut and fill variances are being sought to allow for the construction of warehouses of a typical size in the Austin area. Because light industrial has a higher permitted impervious cover requirement than the residential uses that it will replace, the applicant is seeking a small overall increase in impervious cover permitted by the original Sunfield PUD ordinance.

Another significant change is to update the provisions for water improvements as set forth in recent Service Extension Requests ("SERs"). These SERs will contribute significant public infrastructure at the applicant's expense in addition to those provided for in the existing PUD and SERs, including Sunfield's cost participation in a 2,000,000 gallon reservoir on a site being donated by Sunfield and water line looping along the perimeter and within the interior of the PUD.

The applicant is not proposing to modify the PUD's 10% affordable housing provisions of 80% MFI for owner occupied dwellings and 60% MFI for rental units. The proposed revisions would slightly reconfigure the location and massing of affordable housing units within the

April 13, 2023 Page 2

residential portions of the PUD. These revisions have been formulated in consultation with Austin Habitat for Humanity, which the applicant anticipates will be the owner-occupied affordable housing provider. Sunfield anticipates transferring approximately 150 lots to Habitat for Humanity for the construction of single-family housing, which will constitute a significant source of affordable housing for south Austin and southern Travis County.

The applicant is proposing no changes to the enhanced water quality regulations applicable to the PUD, nor does the applicant seek to reclassify or alter critical water quality zones established by the PUD ordinance. Although the proposed revision will reduce the residential density of the PUD, and thus the required parkland contribution, the applicant will continue to provide the amount of parkland and amenities required by the current PUD ordinance.

The proposed revisions will substantially enhance the Sunfield development, and will provide significant additional public benefits, particularly through the developer-funded public water infrastructure improvements. The redlined PUD Ordinance amendment is attached, along with the updated Land Plan and other exhibits to the Ordinance.

Thank you for your time and attention to this project.

Sincerely,

Pal Mal

Pamela Madere

Enclosures: Redlined Ordinance

ORDINANCE NO. 20150910-015

AN ORDINANCE <u>AMENDING ORDINANCE NO. 20150910-0015</u> ESTABLISHING <u>INITIAL PERMANENT ZONING THE SUNFIELD PUD</u> FOR THE PROPERTY LOCATED AT 1901 TURNERSVILLE ROAD, AND THE SOUTHWEST CORNER OF TURNERSVILLE ROAD AND SOUTH TURNERSVILLE ROAD AND CHANGING THE ZONING MAP FROM INTERIM-RURAL RESIDENCE (I-RR) DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) COMBINING DISTRICT.

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

PART 1. Sunfield Planned Unit Development (Sunfield PUD) is comprised of approximately 482.5 acres of land located generally at 1901 Turnersville Road, and the southwest corner of Turnersville Road and South Turnersville Road, and more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance.

PART 2. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from interim-rural residence (I-RR) district to planned unit development (PUD) district on the property described in Zoning Case No. C814-2014- 0083, on file at the Planning and Zoning Department and locally known as 1901 Turnersville Road, and the southwest corner of Turnersville Road and South Turnersville Road, in the City of Austin, Travis County and Hays County, Texas, and generally identified in the map attached as Exhibit B.

PART 3. This ordinance and the attached Exhibits A through J are the land use plan (Land Use Plan) for the Sunfield PUD <u>createdamended</u> by this ordinance. Development of and uses within the Sunfield PUD shall conform to the limitations and conditions set forth in this ordinance and in the Land Use Plan including, but not limited to, the base zoning districts shown on Exhibit D. If this ordinance and the attached exhibits conflict, this ordinance controls. Except as otherwise specifically provided by this ordinance, all other rules, regulations, and ordinances of the City in effect at the time of permit application apply to development within the Sunfield PUD.

PART 4. The attached exhibits are incorporated into this ordinance in their entirety as though set forth fully in the text of this ordinance. <u>and replace in their entirety the Exhibits to Ordinance No.</u> 20150910-0015. The exhibits are as follows:

Exhibit A:	Legal description of the Sunfield PUD
Exhibit B:	Zoning Map
Exhibit C:	Land Use Plan
Exhibit D.	Zoning Exhibit
Exhibit E.	Parkland and Open Space Exhibit
Exhibit F.	Environmental Exhibit
Exhibit G.	Slope Map Exhibit

Exhibit H.	Slope Map and Land Use Plan
Exhibit I.	Compatibility Exhibit
Exhibit J.	Typical Street Sections

PART 5. Open Space and Parkland.

The provision of open space and parkland within the Sunfield PUD, as generally shown on the Land Use Plan (Exhibit C) attached hereto, is detailed in the *First Amendment to Agreement Concerning Creation and Operation of Winfield Municipal Utility District Nos, I, 2, 3 and 4, Article IX F. Parkland Dedication*, shall adhere to Exhibit E (Parkland and Open Space Exhibit). Prior to the approval of the first final plat in the subdivision, the Parks and Recreation Department, the Planning and Zoning Department and Sunfield Municipal Utility District No. 2 shall approve a Park Master Plan developed by A&M Option, LLC (the "Landowner") that includes a trail and bike network, park amenities and a phasing plan for construction of park and recreational Facilities.

PART 6. Environmental.

- A. Green Building Rating
 - 1. A building in the Sunfield 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 Sunfield 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.
 - 3. A multifamily or commercial building in the Sunfield PUD that is not served by Austin Energy must achieve a rating that is reasonably equivalent to the City's two-star rating under a program approved by the City.
- B. Wet ponds shall be used for water quality controls in lieu of sedimentation filtration ponds. If the use of regional wet ponds is not feasible for water quality controls, green water quality controls may be utilized with approval from the director of the Development Services Department. All proposed wet ponds on the Property will be maintained by the Landowner.
 - 4. An owner shall incorporate bird-friendly design criteria into the development including compliance with the following Austin Energy Green Building Star Rating System criteria for:

a. ST7 Light Pollution Reduction;

b. STEL5 Bird Collision Deterrence.

- B. Water quality treatment will adhere to the Environmental Criteria Manual (ECM) requirements in effect on the date of this ordinance. Where feasible, the project shall be designed to direct stormwater to vegetated pervious areas before water enters the gray stormwater system, including but not limited to swales, filter strips, infiltration trenches and infiltration basins.`
- C. This section applies to an application for a single-family residential subdivision and to a site plan application filed for commercial, industrial, mixed use, multifamily residential or open space development. An integrated pest management plan that complies with Section 1.6.9.2 (D) and (F) of the Environmental Criteria Manual (ECM)ECM must be submitted for approval.
- D. A site plan application filed for open space, commercial, or multifamily development shall only utilize plant material recommended in Appendix F (*Descriptive Categories of Tree Species*) and Appendix N (*City of Austin Preferred Plant List*) of the ECM for use in the development.
- E. The tree requirement for a commercial or multifamily residential site shall be based on the entire proposed lot and not the street yard area area rather than the street yard area plus ten percent more trees than required by the regulations in effect on the date of this ordinance. Required trees may be dispersed throughout the entire lot rather than be confined to the street yard.
- F. Riparian Restoration. This section applies along all classified waterways.
 - 1. The existing condition of each critical water quality zone (CWQZ) shall be assessed using the Zone 2 functional assessment methodology described in Appendix X of the ECM. The assessment of existing conditions shall be submitted for review and approval with each residential subdivision and commercial site plan.
 - 2. A CWQZ that is in "Poor (l)" or "Fair (2)" condition shall be restored to "Good (3)" or "Excellent (4)" condition.
 - 3. A CWQZ that is in "Good (3)" or "Excellent (4)" condition shall not be disturbed, except as otherwise allowed by City Code.
 - 4. A Riparian Restoration Plan (the "Plan") shall be submitted to the City for review and approval with each residential subdivision and commercial site plan. The Plan must demonstrate that all parameters of the Appendix X "Scoring: Zone 2 Critical Water Quality Zone" table shall be raised to "Good (3)" or "Excellent (4)" condition.
- G. A tree planting plan shall be prepared and submitted to the City for review and approval during the final platting of a residential lot, commercial lot, a lot that contains a section of the trail network, or a lot that has dedicated parkland with

trails to determine the proposed trees to be placed along the trail network. In addition, 150 trees will be planted along the trail segments outside of dedicated parkland.

- H. When reclaimed water is available to the Sunfield PUD, reclaimed water shall be used for irrigation in open space areas as determined by the City, subject to any applicable water use restrictions imposed by the City. Reclaimed water shall not be used for irrigation in CWQZs, CEF buffers, or floodplain.
- I. All required tree plantings shall use Central Texas native seed stock and provide adequate soil volume, as approved by the City at the time of the development application.
- J. Not more than 25 percent of any one species shall be used to meet any landscaping or revegetation requirement.
- K. Superior permanent stabilization measures, such as terracing and structural retaining walls, will be utilized where grading exceeds eight feet.
- L. A minimum of 100 square feet of landscape islands for every 12 parking spaces will be provided. The landscape islands will be a minimum of 10 feet wide.

PART 7. Public Facilities.

- A. The Landowner shall dedicate a 2.0 net buildable acre site for a future City of Austin Fire/EMS station, approximately in the area shown on Exhibit C. The Austin Fire Department must approve the site. The dedication must occur not later than the earliest occurrence of the following two conditions:
 - 1. the date of the dedication of any roadway adjacent to the site; or
 - 2. March 31, 2025, as further described in "The First Amendment to the Agreement Concerning Creation and Operation of Winfield Municipal Utility District Nos. 1, 2, 3, and 4."
- B. The Landowner shall dedicate a 5.0 acre site for a water reservoir site, approximately in the area shown on Exhibit C. Austin Water Utility must approve the site. The dedication of the site and associated easements must occur not later than the earliest occurrence of the following two conditions:
 - 1. the date immediately prior to <u>Sunfield Municipal Utility District No. 2</u> exceeding 600 <u>LUE of service units on any single fed system off of from</u> the <u>existing 42-inchFar South</u> water <u>transmission mainbooster pump</u> <u>station</u>; or
 - 2. March 31, 2025, as further described in "The First Amendment to the Agreement Concerning Creation and Operation of Winfield Municipal Utility District Nos. 1, 2, 3, and 4."

2.

PART 8. Affordable Housing Program.

- A. Ten percent of the total number of lots or units sold as owner-occupied residential housing units located within the Sunfield PUD will be set aside for occupancy by households whose income is equal to or less than 80% of the median family income of the Austin metropolitan statistical area (each an "Affordable Ownership Unit," collectively, the "Affordable Ownership Units") for an ownership affordability period of forty (40) years (collectively, the "Ownership Affordability Requirement").
 - 1. The Ownership Affordability Requirement period shall begin on the date of the recordation of a final plat containing lots designated for Affordable Ownership Units.
 - 2. The Ownership Affordability Requirement for Affordable Ownership Units (either attached or detached) shall be calculated based on the total number of owner-occupied residential housing units.
 - 3. To the extent economically feasible, the Affordable Ownership Units shall be spread across the various product types within the Sunfield PUD. Notwithstanding the foregoing, however, Affordable Ownership Units must be constructed in at least three separate areas within the Sunfield PUD with at least 25 lots in each area. The lots containing the Affordable Ownership Units shall be integrated with other residential lots and located within walking distance of amenities. The Affordable Ownership Units shall have substantially similar architectural design and restrictions as other residential units offered for sale to the general public.
 - 4. Each Affordable Ownership Unit offered for sale and meeting the Ownership Affordability Requirement shall be reserved, sold, and transferred at the time of sale to an income eligible buyer subject to a resalerestricted, shared-equity agreement and restrictive covenant in a form approved by the Director of the City's Neighborhood Housing and Community Development Department (Director) and recorded in the official public records of the county where the Affordable Ownership Unit is located. At the election of the City, the City, or an entity designated by the City that is an instrumentality of the City, may purchase any Affordable Ownership Unit at the affordable price and resell the Affordable Ownership Unit to an income eligible buyer.
- B. Ten percent of the total number of multifamily rental housing development units located within the Sunfield PUD will be set aside for occupancy by households whose income is less than 60% ⋅of the median family income (each an "Affordable Rental Unit," collective "Affordable Rental Units") in the Austin metropolitan

statistical area for a rental affordability period of forty (40) years (collectively, the "Rental Affordability Requirement").

- 1. The Rental Affordability Requirement period for each multifamily development with Affordable Rental Units (the "Affordable Development") begins on the date a certificate of occupancy is issued for any phase of the Affordable Development.
- 2. The Rental Affordability Requirement for each Affordable Development shall be based on the total number of units in each Affordable Development.
- 3. Each lot sold or developed for use as an Affordable Development shall be subject to a restrictive covenant at the time of the sale or development approved by the Director and recorded in the official public records of the county where the Affordable Development is located.
- 4. Notwithstanding the foregoing, if more than 10% of the total number of units in the Affordable Development are Affordable Rental Units, then the total number of Affordable Rental Units required to meet the Rental Affordability Requirement within the Sunfield PUD shall be reduced as follows: (i) up to three percent of the total number of Affordable Rental Units in the Affordable Development (rounded down to the nearest whole number) exceeding the 10% Rental Affordability Requirement on a ratio of 1.5:1.0 within the Sunfield PUD; and (ii) up to an additional 2% of the total number of Affordable Rental Units in the Affordable Development (rounded down to the nearest whole number) exceeding the 10% Rental Affordability Requirement on a ratio of 4.0:1.0 within the Sunfield PUD; provided, however, in no event shall the total number of units required to meet the Rental Affordability Requirement within the Sunfield PUD be reduced below five percent of the total number of multifamily rental housing development units within the Sunfield PUD.
- 5. The ratio of the number of single-bedroom Affordable Rental Units to the number of multi-bedroom Affordable Rental Units in each Affordable Development shall be not less than the ratio of the total number of single-bedroom multifamily rental housing development units located within the Sunfield PUD to the total number of multi-bedroom multifamily rental housing development units located within the Sunfield PUD. The Affordable Rental Units within each Affordable Development shall be interspersed with market rate units.
- C. The Ownership Affordability Requirement and the Rental Affordability Requirement (collectively the "Affordable Housing Requirements") cannot be used to meet any other City affordable housing bonus requirement or exception. Conversely, no other City affordable housing bonus requirement or exception can be used to meet the Affordable Housing Requirements.

- D. Income limits for the Affordable Housing Requirements shall be established annually as determined by the United States Department of Housing and Urban Development.
- E. The Landowner shall file a written report with the Director on the number and location of each Affordable Ownership Unit and Affordable Rental Unit meeting the Affordable Housing Requirements within the Sunfield PUD (the "Affordability Report"). The initial Affordability Report shall be filed within 15 calendar days following the March 31 or September 30 next following the date of recordation of a plat within the Sunfield PUD and be continuously filed on a semi-annual basis until the end of the term of the Affordable Housing Requirements.
- F. Compliance with the Affordable Housing Requirements will be monitored by the City's Neighborhood Housing and Community Development Department through an annual audit of the sale and rental of Affordable Ownership Units and Affordable Rental Units within the Sunfield PUD.
- G. Developer or builder may apply for and receive fee waivers from the S.M.A.R.T. Housing program if certified by the City's Neighborhood Housing and Community Development Department. The City of Austin provides certain waivers (including Permit, Capital Recovery, and Construction Inspection fees) and S.M.A.R.T. Housing development review for certified developments. Pursuant to Part 8, Subsection C of this Ordinance, affordable units which are certified under the S.M.A.R.T. Housing program cannot be used to meet the Affordable Housing Requirements.

PART 9. Transportation and Bicycle Plan.

- A. Typical street sections shall be provided in accordance with Exhibit J. Modifications of the street sections shall occur through joint approval of the City and Travis County until the property is annexed. After annexation, the City shall assume full responsibility.
- B. Five-foot wide bike lanes shall be provided along entry roads, as generally shown on Exhibit C. The bike lanes shall connect to other bike lanes within the Sunfield PUD and shall connect to bike lanes outside of the Sunfield PUD.
- C. A network of trails shall be provided throughout the Sunfield PUD and shall provide connectivity to the adjacent Sunfield development and transportation infrastructure, as generally shown on Exhibit C.
- D. A pedestrian and bicycle connection that is compliant with Americans with Disability Act standards shall be installed across Main Street, as generally shown on Exhibit C.
- E. Gated roadways are prohibited.

- F. The Landowner shall contact Capital Metro every five years for the first 15 years after the effective date of the ordinance regarding the status of transit services for the area.
- <u>G.</u> A minimum of two electric vehicle charging stations per multi-family apartment complex will be provided in parking lots adjacent to multi-family apartment complexes.

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

A. General.

Section 25-1-21(103) (*Definition of Site*) is modified to provide that a site in the Sunfield PUD may cross a public street or right-of-way.

- B. Zoning.
 - 1. City Code Section 25-2-243 (*Proposed District Boundaries Must Be Contiguous*) is amended to provide that the boundaries of the Sunfield PUD may be noncontiguous.
 - 2. Section 25-2-491 (*Permitted, Conditional and Prohibited Uses*) is modified as follows:
 - a. Residential.
 - i Except as otherwise provided, the residential uses allowed in the single family residence - small lot (SF-4A) zoning district and multifamily residence-high density (MF-5) zoning district are permitted in the Sunfield PUD.
 - ii The following use is prohibited:

bed and breakfast residential (group 1)

- b. Commercial.
 - i Except as otherwise provided, the uses allowed in the neighborhood office (NO) zoning district, the limited office (LO) zoning district, the general office (GO) zoning district, the community commercial (GR) zoning district, the general commercial services (CS) zoning district, and the commercial-liquor sales (CS-1) zoning district are permitted in the Sunfield PUD.
 - ii The following uses are prohibited:

adult-oriented businesses

bail bond services

carriage stable

equipment sales

and salvage stables

- c. Civic.
 - i The following civic uses are additional permitted uses in the Sunfield PUD:

club or lodge college and university facilities

community events

community recreation (private)

community recreation (public)

congregate living

convalescent services

counseling services

cultural services day care services (general)

day care services (commercial)

employee recreation

group home, class I (general)

group home, class II

guidance services

hospital services (general)

hospital services (limited)

local utility services

park and recreation services (general)

postal facilities

private primary educational facilities

private secondary educational facilities

safety services

telecommunication tower

transitional housing

transportation terminal

- d. Industrial.
 - i. The following industrial uses are additional permitted uses within the Sunfield PUD:

custom manufacturing

general warehousing and distribution

light manufacturing

limited warehousing and distribution

- 3. Not more than 10 percent of the single family residential lots may be one acre or larger.
- 4. City Code Section 1063(C) (*Height Limitations and Setbacks for Large Sites*) are waived for the areaareas designated on Exhibit I.
- 5. Section 25-2-1032 (*Trees Required*) is modified to provide that a minimum of three trees are required to be planted on each single-family residential lot.
- C. Subdivision
 - 1. Section 25-4-152(A) (*Dead-end Streets*) is modified to provide that a street may terminate in a cul-de-sac.
 - 2. Section 25-4-1 52(B) (*Dead-end Streets*) is modified to provide that, except as otherwise provided, Land Use Commission approval is required for a dead-end street more than 2,000 feet long. Land Use Commission approval is not required if the preliminary plan or final plat shows that the street will be extended in the future or that other street connections will be made in the future that will reduce the dead-end street to not more than 2,000 feet.

- 3. Section 25-4-173 (*Lot Arrangement*) is modified to provide that a key lot or comer lot may be placed at a right angle to another lot.
- 4. Section 25-4-193 (*Gas Lines*) is modified to provide that a subdivider is not required to prepare plans for installation of natural gas lines or to install natural gas lines when natural gas from a public utility is within 2,000 feet of a subdivision. The subdivider shall provide reasonable space to accommodate the natural gas lines. If natural gas lines are not installed, the subdivider shall include a note on the plat stating that the natural gas lines have not been installed.
- D. Environmental Section 25-8-42(D)(47) (Administrative Variances) is modified to provide that the director of the Watershed Protection Department may grant a variance described in City Code Section 25-8-42(8)(67) if the cut or fill is not located on a slope with a gradient of more than 15 percent, or within 100 feet of a classified waterway, except as required for the construction of a water quality control within 100 feet of a classified waterway. Notwithstanding the foregoing, Section 25-8-42 (Administrative Variance) is modified to provide that the director may grant a variance from Section 25-8-341 (Cut Requirements) or Section 25-8-342 (Fill Requirements) for a cut or fill of not more than 20 feet within the area shown on Exhibit F (Environmental Exhibit).

PART 11. Traffic Impact Analysis. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds the total traffic generation for the Property as specified in that certain Traffic Impact Analysis ("TIA") prepared by Kimley-Horn Associates, Inc., dated March 30, 2015, or as amended and approved by the Director of the Development Services Department. All development on the Property is subject to the Development Services Department, Transportation Review Section's staff memorandum ("memorandum") dated May 22, 2015, and any amendments to the memorandum that address subsequent TIA updates for the Property. The TIA and memorandum shall be kept on file at the Planning and Zoning Department.

PASSED AND APPROVED

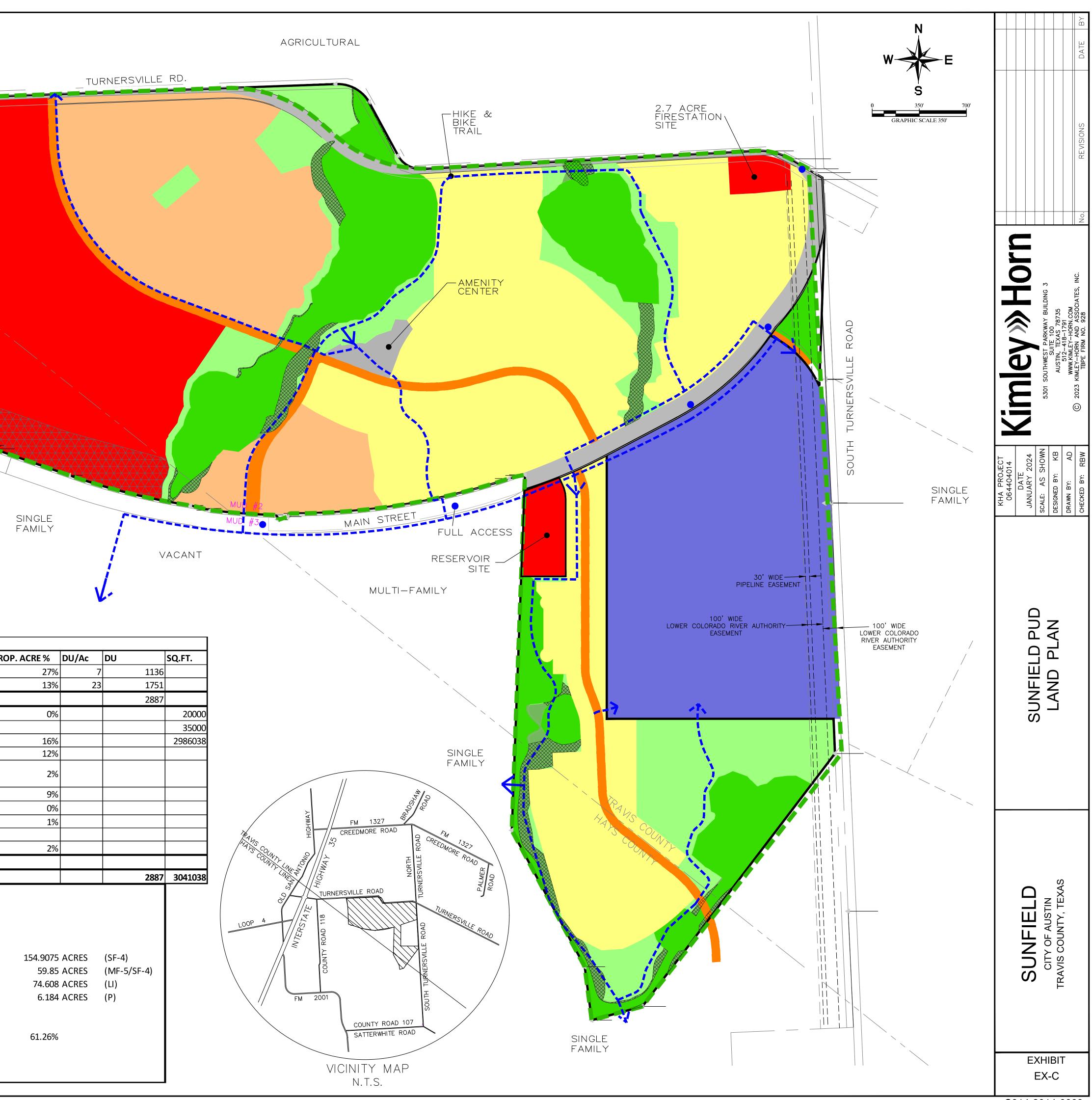
PART 12. This ordinance takes effect on , 20232024.

<u>, 20232024</u>

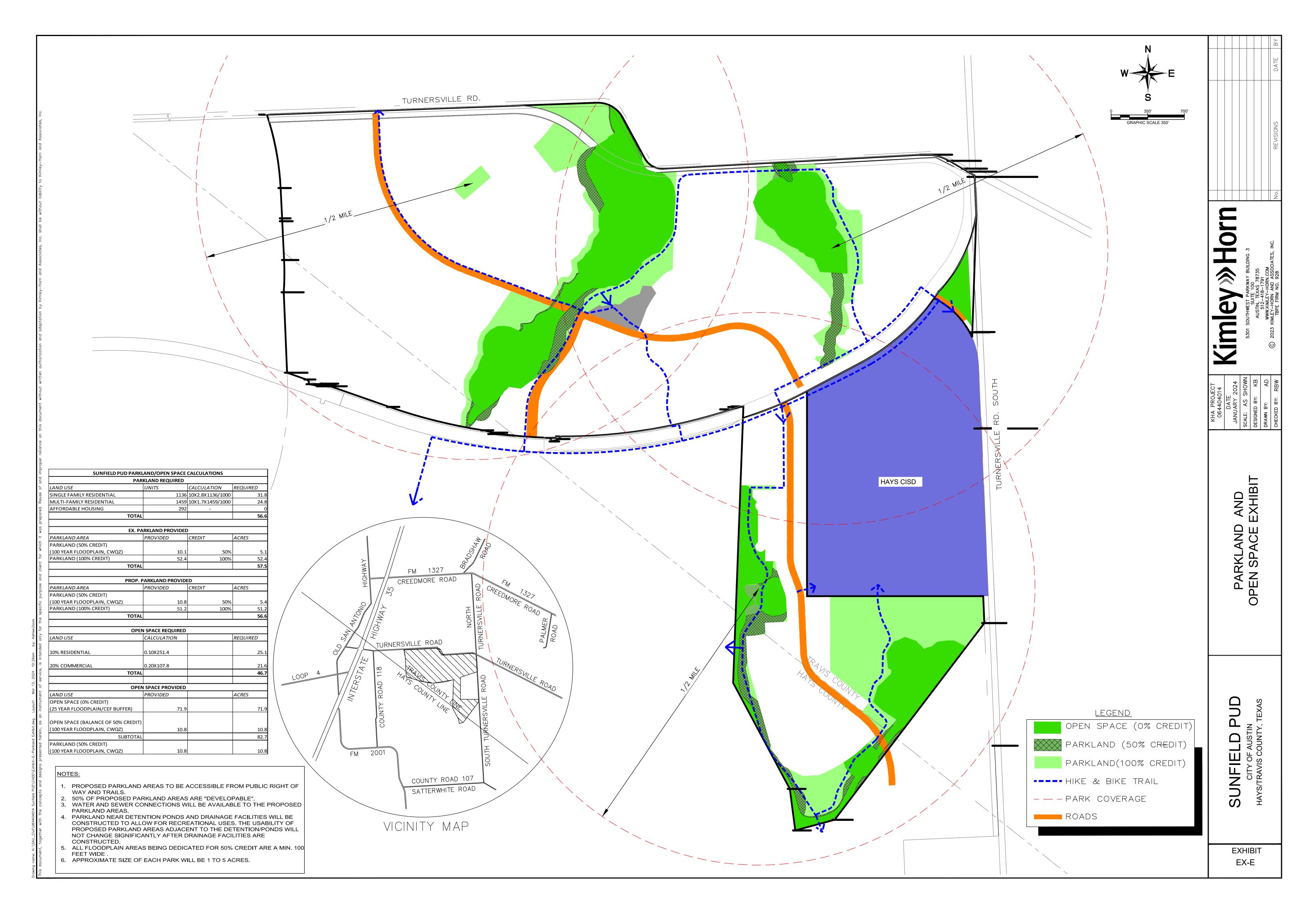
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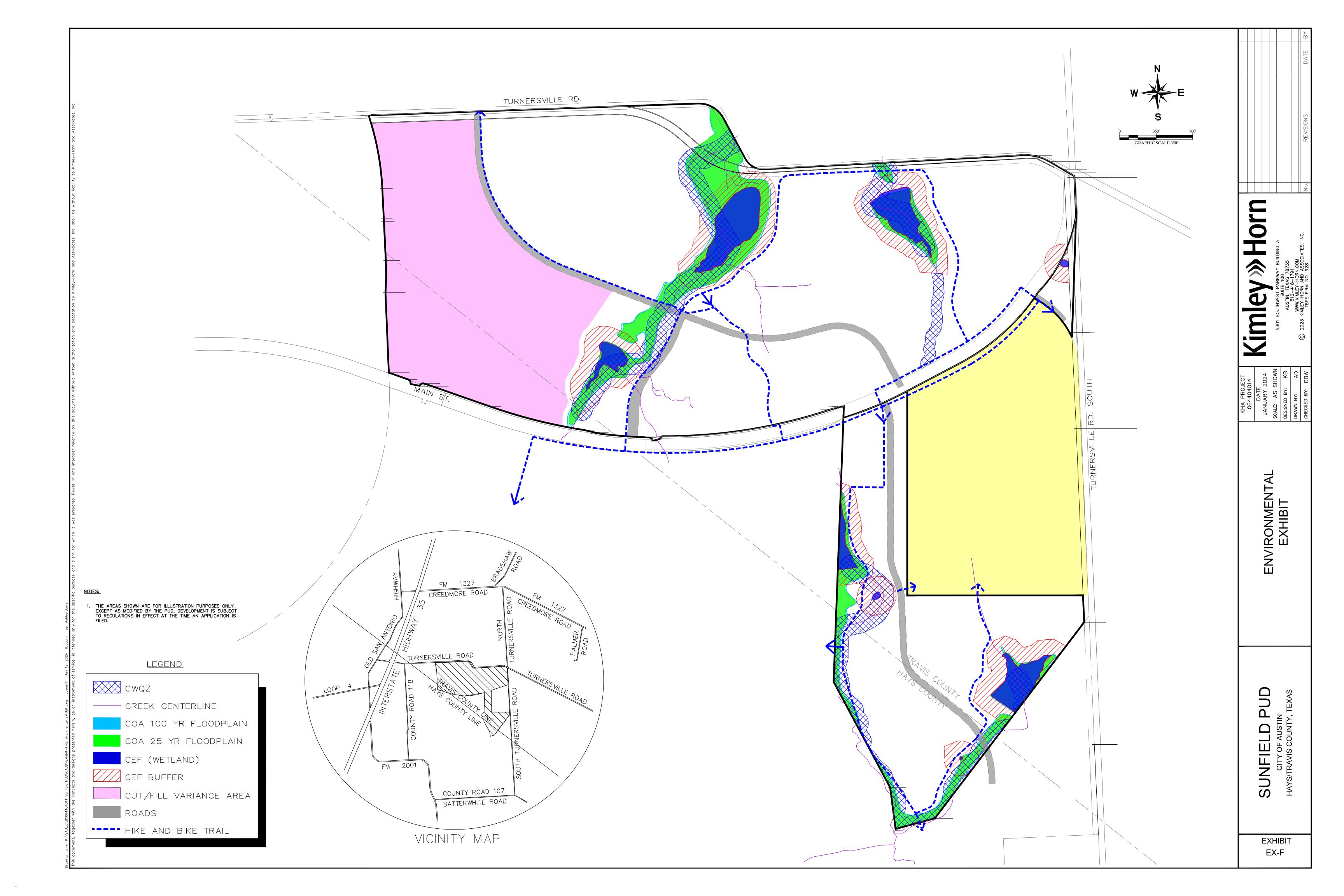
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