

City Council Meeting
July 26, 2022
Agenda Item Transmittal

Agenda Title: Discuss and consider action regarding Ordinance No. 480, which repeals and replaces Ordinances No. 334 and 375, the zoning and development standards related to a planned development mixed-use district (PD-MU) known as “The Terraces,” with zoning and development standards for a new planned development multifamily and single-family attached residential district (PD-MF1 and SFA) known as “The Pearl,” the subject properties being generally located on Bee Cave Parkway at RM 620.

Commission Action: Discuss and Consider Action

Initiating Department: Planning & Development

Staff Contact: E. Megan Will, Director, Planning & Development

1. INTRODUCTION/PURPOSE

The purpose of this agenda item is to consider a rezoning the Planned Development District – Mixed Use for the project known as The Terraces to a Multifamily and Single-family Attached Planned Development District the project known as the “The Pearl Bee Cave.” The subject properties being generally located northeast of the intersection of RR 620 and Bee Cave.

2. DESCRIPTION/ JUSTIFICATION

a) Background

The applicant is requesting to amend the Planned Development District Ordinance for a project originally known as the Terraces at Bee Cave and approved by City Council in April 2017 ([Ord. 334](#)) with a limited amendment related to impervious cover approved in May 2018 ([Ord. 375](#)). The project is located on Bee Cave Parkway (north side), east of RR 620. The approved Terraces project included condominiums, offices, a restaurant, parking garages, and a scenic overlook. The Terraces project was proposed to be developed in 3 Phases over a 7 to 10 year period. A Site Plan for Phase 1 of the Terraces project, composed of condominiums, townhomes, an office/restaurant building, a scenic overlook and associated infrastructure, was presented to [City Council on July 10, 2018](#) but denied on the grounds it did not comply with the PDD ordinance. To date no development of the Terraces Project as depicted by the Concept Plan in Ord. 334 has occurred.

The proposed project, The Pearl Bee Cave, includes apartments with structured garage and surface parking, single-family attached townhomes, private amenities for the apartments and townhomes, onsite and off-site public trails, and scenic overlooks. Tracts A and B within the Pearl Project are each intended to be constructed in a single phase, the project is anticipated to develop over a 3 to 5 year period. Because the proposed project is such a departure from the project approved via Ord.

334 and 375, Staff is recommending repealing and replacing the adopted ordinances (Nos. 334 & 375) rather than amend them.

Project Summary

Location:	<p>Bee Cave Parkway west of the Hill Country Galleria and east of RR 620.</p> <p>19.5 total acres in 2 noncontiguous tracts with additional improvements on the City-owned “Crescent Tract”</p> <ul style="list-style-type: none"> • North Tract: 13.45 acres • South Tract: 6.1 acres • Crescent Tract: 3.45 acres
Adjacent Neighbors:	<ul style="list-style-type: none"> • North – Balcones Canyonland Preserve (3000’ border) • West – RR 620 • East – Balcones Canyonlands and HCG • South –City owned water quality reirrigation area known as “Crescent Tract”; Offices <p>The North and South tracts are separated by approximately 350 feet by a 1.8 acre lot under separate ownership. This vacant lot is zoned Town Center.</p>
Future Land Use Map:	Town Center / Urban Corridor
Existing Conditions	<ul style="list-style-type: none"> • North Tract: Existing water quality pond at corner of RR 620 and BC Pwky will remain and be used for Project. • South Tract: Existing building currently used as a project office. To be demolished
Proposed Development	<ul style="list-style-type: none"> • North Tract: 340 multifamily units with structured and surface parking, leasing office, amenity building, pool, public and private trails, and 2 public scenic overlooks • South Tract: 59 townhomes with in-unit garages and on-street parking for guests, pool, and private trails • Crescent Tract: Public trails

b) Issues and Analysis

UPDATE FOR 7/26/22 Council Meeting

At the [6/28/22 City Council](#) continued consideration of the proposed Pearl PDD to their next meeting. On [July 12, 2022](#) Council held a lengthy discussion of the proposed Pearl PDD and ultimately directed staff and the applicant to make the following change to the proposed development standards:

1. Revised architectural standards for the Project to prohibit the following:
 - a. Concrete Masonry Units (CMU block)
 - b. Concrete tilt-wall panels
 - c. Metal panel fencing
2. Restrict Tract B to three 4-story buildings with a maximum height of 60 feet that shall be located parallel to the property line shared with the Balcones Preserve and no closer than 225 feet from Bee Cave Parkway. Additionally, the building on Tract B parallel to

Hwy 620 shall be no closer than 125 feet to 620 and limited to 3 stories and a maximum height of 50 feet.

3. Restrict maximum heights of 50' and 60' to buildings with pitched roofs.
4. Increase the guest parking required for Tract B to 1 guest space per 5 dwelling units
5. Limit the maximum number of dwelling units for Tract B to 322
6. Add a requirement for a minimum of 34 units on Tract B to be set aside for Workforce Housing with deed restrictions requiring an affordability for households earning no more than 80% of the area median income (AMI) for the Austin Metropolitan Statistical Area (MSA) for a period of forty years. Set aside units to be proportionate to the overall mix of bedroom types offered on Tract B. Affordability compliance to be monitored by a 3rd party agency with annual reports provided to the City.
7. Require a driveway connection from Tract B to RM 620.
8. Require traffic signal with pedestrian cross-walk and pedestrian signal at the Tract A driveway across from Galleria Oaks offices.
9. Require pedestrian cross walk and pedestrian activated signal at full access driveway to Tract B.
10. Require an easement from Tracts A & B to the benefit of Lot 3, the intervening parcel, easement shall include terms for construction and maintenance of the cross-access drive.
11. Pursuant to WTCPUA approval, greywater to be used for irrigation on Tract A & B.
12. Require a pedestrian bridge landing easement Tract B that will allow for connection of a pedestrian bridge over Hwy 620 to the loop trail on Tract B.
13. Require a Landowner contribution to be used for the construction and maintenance of the pedestrian bridge over Hwy 620.
14. Provide a 2,400 linear foot right-turn lane on Bee Cave Parkway to be constructed prior to issuance of the first Certificate of Occupancy for the Project.
15. Provide median landscaping on Bee Cave Parkway from Bee Cave Road to Hwy 620. Landscaping to be drought tolerant with irrigation for establishment. Landowner to maintain the medians for a period of 15 years.

In addition to the changes listed above, additional edits have been made to the development standards due to changes in the site layout for Tract A (townhomes) that required additional development standards for Fire Code compliance.

A version of the previously published draft Ordinance 480 with all edits shown in redline format is attached.

The Proposed Pearl PDD encompasses the same properties as the Terraces PDD. The Pearl PDD provides for the development of a mix of residential uses including multifamily apartments and

attached townhomes on the Northern 13.45-acre tract (Tract B) and attached townhomes on the 6.08-acre Southern tract (Tract A). The proposed building heights and density of dwelling units proposed for Tracts exceeds what would be permissible under the City's current Single-family Attached (SFA) and Multifamily (MF-1) zoning districts. The PDD Development Standards (Exhibit C) are proposed to mitigate for this increased density by providing for a superior design of buildings and amenities provided. The Project will also provide increased recreation and open space opportunities for public use by causing the construction of public trails and open space area that will be available for public community use. Natural amenities and view-scapes of the Property will be highlighted via public scenic overlooks with views of the Balcones Canyonland Preserve. The Pearl PDD aims to provide differentiated, high-quality housing types that will support existing commercial and retail development within the adjacent Town Center district. Tracts A and B within the Project are each intended to be constructed in a single phase; the project is anticipated to develop over a 3 to 5 year period.

The Pearl PDD generally aligns with the goals and objectives of the City's comprehensive plan. Specifically, the PDD relates to the following goals:

- Housing and Neighborhood Goal #2 - Promote a variety of housing choices within Bee Cave and the region by providing a "mix of unit types, including apartments and townhomes within the urban corridors and Central Business District (CBD) where established neighborhoods will not be impacted".
- Community Character Goal # 2 - Ensure that Bee Cave is balanced in its array of residential and commercial land uses, and offers quality, livable suburban and semi-rural settings, offering greater choice among neighborhoods and lifestyles, while preserving Bee Cave's natural assets by "offering greater choice among neighborhoods and lifestyles, while preserving Bee Cave's natural assets".
- Community Character Goal #3 - Develop a unique and memorable design quality, tailored to our natural and cultural context to compatible scale and harmonious building materials. The project will help achieve this goal by using masonry and muted earth tones and provide a connection to the surrounding landscape.
- Economic Development, Culture, and Education Goal #1 – strengthen and diversify the employment base in Bee Cave by providing more residents close to jobs in the Town Center at varying housing price points.
- Environment and Resource Protection Goal #2 - Increase the conservation of undeveloped open space as development occurs and the City's population continues to increase by improving and perpetually maintaining Crescent Tract with public trails and providing a public loop trail and scenic overlooks around Tract B.
- Environment and Resource Protection Goal #3 - Conserve rural and open space views and increase Bee Cave's tree canopy by providing public scenic overlooks on Tract B and providing enhanced landscape including 2x the caliper inches of trees per 100 linear feet than typically required along Bee Cave Parkway and FM 620.

- Parks and Recreation Goal # 1 - Provide a comprehensive system of greenbelts with multi-use trails and parks that is compatible with the environment, provides green infrastructure benefits, and improves non-motorized connectivity throughout Bee Cave by improving and perpetually maintaining Crescent Tract with public trails and providing a public loop trail and scenic overlooks around Tract B.
- Parks and Recreation Goal #2 - Operate and maintain parks, plazas, and recreational facilities through new and existing partnerships to allow opportunities for all Bee Cave residents and visitors to experience and enjoy the City’s open space and recreation. The district standards include building and privately maintaining trails on the Crescent Tract and the public trails on Tract B in perpetuity.
- Future Land Use and Annexation Goal #1 - Encourage coordinated, phased, and well-planned growth and development that is consistent with the Future Land Use Map, Thoroughfare Plan, and Utilities Plan, while retaining the “Hill Country” and “small town” character of the City. The PDD area is depicted as Town Center and Urban Corridor on the adopted Future Land Use Map.

The following tables provide comparison of the Approved Terraces PDD to the proposed Pearl PDD as well as comparison of the Pearl PDD to the applicable standards in the [City’s Current Zoning Ordinance](#) and the Draft [Unified Development Code](#) where relevant.

Uses

Adopted Terraces PDD	Proposed Pearl PDD	Current Code	UDC
Mixed Use <ul style="list-style-type: none"> • North Tract: Office/Restaurant: Six office buildings with one including a restaurant. Parking underground (majority) and surface. Scenic Overlook: Located in NE corner of tract overlooking Balcones Canyonland required to include .22 ac park with benches, educational signage, trails, viewing deck, and telescope. • South Tract: Residential: 57 units. 41 stacked units and 16 attached townhouses (each with required two car garage). Includes a garden and apiary in front of site closest to BC Pwky, and a pool amenity. • Crescent Tract: .4 acre City-owned re-irrigation area (south side of street). Developer responsible for improving (benches, trails, landscaping) and maintaining (20 yrs). 	Residential <ul style="list-style-type: none"> • North Tract: 340 Multi-family units (25.19 units/acre), 10’ public trail accessing 2 scenic overlooks, will make use of existing water quality pond. • South Tract: 59 Townhomes (9.83 units/acre), private trail, pool amenity, water quality pond. • Crescent Tract: Developer responsible for 10’ Public Trail and its perpetual maintenance. 	<ul style="list-style-type: none"> • MF-1 district allows for 13 units/acre • SFA district allows for 9 units/acre 	<ul style="list-style-type: none"> • R4 (TH) district allows for 9 units/acre • R5 (MF) district allows for 13 units/acre

<ul style="list-style-type: none"> • Water Well For irrigation. • Supporting uses: Allows accessory uses to office internal to the main structures e.g. coffee shop, dry cleaner. • Trees in Medians of BC Pkwy (off-site): developer responsible for designing, landscaping, and maintaining medians on BC Pkwy between RR 620 and 2244. 			
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Building Massing and Height

Adopted Terraces PDD	Proposed Pearl PDD	Current Code	UDC
<ul style="list-style-type: none"> South Tract: Stacked units: 2 buildings, 4 above ground levels (+1 underground parking), 47' tall. Townhouses: 3 buildings, with 3-7 units each, 2-3 stories each, 29.5-41 feet tall. North Tract: Offices: 6 buildings, 2-3 stories, 35-47' tall, 6,500- 19,800 sf footprint, 13,000-59,400. Buildings B & C connected by pedestrian skyway. Plazas between buildings (and over underground garage). Restaurant: within the smallest office building, includes rooftop bar/deck and patio. Parking Structures: Underground, under offices and plazas. <p>Height Measurement Methodology: Current Code methodology.</p>	<ul style="list-style-type: none"> North Tract: The maximum height for buildings consisting of three (3) stories (as shown in Exhibit B-3) will be 50'. The maximum height for buildings consisting of four (4) stories (as shown in Exhibit B-3) will be 60'. Accessory buildings: Building 1 and Building 10 as depicted in Exhibit B-3, to be up to two (2) stories and 35'. South Tract: Maximum of 50' for units fronting BC Pkwy, anything not fronting BC Pkwy shall be a maximum of 60'. <p>Height Measurement Methodology: Same as UDC methodology</p>	<p>MF-1 District: No more than three (3) stories limited to a maximum of forty feet (40') in height.</p> <p>SFA District: 2.5 stories, not to exceed 35 ft for the main building or house, unless a pitched roof of at least 4:12 is provided, in which case a maximum of 40 ft is permitted</p> <p>Height Measurement Methodology: Height is measured from the highest parapet or roof ridge to natural grade or finish grade at the lowest point adjacent to the building exterior, whichever yields the greatest height.</p>	<p>R5 District (MF): 50 ft.</p> <p>R4 District (TH): 40 ft.</p> <p>Height Measurement Methodology: Height is measured from the midpoint of the highest and lowest grade adjacent to the building, to the highest point of the coping of a flat roof, deck line of a mansard roof, or the height of the highest gable on a pitched or hipped roof.</p>

Building Materials & Design

Adopted Terraces PDD	Proposed Pearl PDD	Current Code	UDC
<p>Submittal of Elevations: Included in PDD Concept Plan.</p> <p>Building Materials: Per elevations in Concept Plan</p> <ul style="list-style-type: none"> • North Tract: Offices - copper, glass; Restaurant/Office: stucco, stone, metal panels • South Tract: glass, stone. <p>Building Design: Per elevations in Concept Plan approved with PDD Ordinance.</p>	<p>Submittal of Elevations: Applicant has requested postponement of elevations to either Architectural Pre-approval process (like VSO and BY) or Site Plan.</p> <p>Building Materials: Up to 20% masonry alternatives including: CMU, concrete tilt wall, metals panels, wood, and glass curtain walls.</p> <p>Double paned windows and sound deadening material or other measures to prevent reduce road noise for units facing BC Pkwy.</p> <p>Building Design:</p> <ul style="list-style-type: none"> • North Tract: Adheres to design requirements of UDC, provides or exceeds the required 7 features from each category. Also allows for cantilevered upper floors (up to 5 ft.). • South Tract: Generally, adheres to design requirements of the UDC in terms of number of features (4). Also allows for cantilevered upper floors (up to 5.5 ft.). 	<p>Submittal of Elevations: Required with PDD Concept Plan.</p> <p>Building Materials: 75% masonry required, concrete and metal not permitted</p> <p>Building Design: not applicable to residential uses.</p>	<p>Submittal of Elevations: Required at Site Plan.</p> <p>Building Materials: Not prescribed, but applicant may choose design options including materials specifications, such as 100% or 80% masonry.</p> <p>Building Design: Required Items - Interior stairwells between floors & 75% of units must have balconies or patios of at least 50 SQ FT. Additionally, developer must choose a minimum number of features from menus based on number of dwelling units.</p> <ul style="list-style-type: none"> • North Tract: 7 features required. • South Tract: 4 features required.

Vehicular Circulation & Parking

Adopted Terraces PDD	Proposed Pearl PDD	Current Code	UDC
<p>Access/Max BC Pkwy Curb Cuts: Max 3 total. Two to northern tract (one signalized, one RIRO) and one to southern tract (full access and unsignalized). Also includes an additional right turn lane on Bee Cave Parkway.</p> <p>Internal Drives: ~Min 24' wide or as approved by LTFR. Recorded shared reciprocal access easement across intervening lot required as condition of issuance of first site permit.</p> <p>Parking:</p> <ul style="list-style-type: none"> North Tract: underground for the offices. The restaurant to have some surface parking and access to the garage. South Tract: condos primarily by underground parking. The townhouses will each have a two car garage, but the driveways are not long enough to accommodate cars. <p>Construction Traffic Plan: Required to be submitted prior to issuance of site plan</p>	<p>Applicant is requesting to postpone the TIA for the project to the submittal of the 1st Site Plan. The TIA will determine the required onsite/site access related improvements to be fully paid/constructed by applicant and off-site traffic mitigation improvements and the pro-rata share of the costs to be paid by the developer.</p> <p>Access/BC Pkwy Curb Cuts: 2 to each tract.</p> <ul style="list-style-type: none"> Tract A: Western full access, alighted with offices driveway on So. side of BC Pkwy, eastern RI/RO Tract B: BCP access Western RI/RO eastern full access. Tract B may also RI/RO access from RM 620. This access is pending TxDOT approval. <p>Internal Drives:</p> <ul style="list-style-type: none"> North Tract: 26' fire lanes South Tract: public street & alleys that meet current Code requirements, small section of 26' fire lane <p>Parking: North Tract: 1.5 space/unit 50% in tuck under garage/structured garage 10% required guest parking (~34 spaces) South Tract: 2 in unit garages spaces per unit. 1:4 guest parking on-street.</p> <p>Construction Traffic Plan: Not addressed in PDD, but is current staff's practice to require prior to issuance of site plan</p>	<p>Parking:</p> <ul style="list-style-type: none"> MF-1 requires mix of covered and surface parking with the number of required spaces determined by bedrooms in each unit. 1:5 for guest parking. SFA requires 2 in unit garages spaces per unit. 1:4 guest parking off-street 	<p>Parking: R4 & R5 a minimum of 75% of required parking must be in enclosed garage or structured parking garage.</p> <ul style="list-style-type: none"> Multifamily units require 1.5 spaces per unit Townhouses require 2 spaces per unit. Guest parking 1:5

Traffic Impact Analysis Submittal

Approved Terraces PDD	Proposed Pearl PDD	Current Code	UDC
TIA: Submitted and approved with PDD	TIA: Applicant has requested to defer submittal of the TIA until the first Preliminary Plat or Site Plan, whichever is first.	TIA: Required with PDD submittal.	TIA: required with Plat or Site Plan submittal, whichever is first. whichever comes first. Note: A PDD such as this would not be permitted under the UDC. Project would be under R4 and R5 zoning districts.

Trip Generation / Traffic

A comparison of the traffic generated by the Approved Terraces PDD and Proposed Pearl PDD indicates an overall reduction in total daily trips. There is a ~40% increase in AM peak hour exiting traffic, which is consistent with the shift from predominately office to exclusively residential uses.

From Approved Terraces PDD TIA

Table 1.
Summary of Unadjusted Daily and Peak Hour Trip Generation

Proposed Land Use	Size	24 Hour Two-Way Volume	AM Peak Hour		PM Peak Hour	
			Enter	Exit	Enter	Exit
Phase 1						
Residential Condo/Townhouse	57 Units	394	6	27	25	13
Phase 2						
General Office	243,835 SF	2,585	344	47	60	292
Quality Restaurant	17,875 SF	1,608	-	-	90	44
<i>Subtotal</i>		4,193	344	47	150	336
Total		4,587	350	74	175	349

From Pearl PDD Traffic & Driveway Memo

Table 1. Summary of Unadjusted Daily and Peak Hour Trip Generation

Site	Land Use Code	Land Use	Units	Trip Generation Method	Weekdays	AM Peak		PM Peak	
					Trips	Enter	Exit	Enter	Exit
South Site	220	Multifamily Housing (Low-Rise)	60 DU	Fitted Curve	413	6	23	23	14
North Site	221	Multifamily Housing (Mid-Rise)	370 DU	Rate	2,015	34	99	99	64
Total					2,428	40	122	122	78

Terraces to Pearl Comparison

Site	24 Hour Trips	AM Peak		PM Peak	
		Enter	Exit	Enter	Exit
North Tract	-51.94%	-90.12%	52.53%	-51.52%	-80.95%
South Tract	4.82%	0.00%	-17.39%	-8.00%	7.69%
Overall	-47.07%	-88.57%	39.34%	-30.29%	-77.65%

Pedestrian Circulation

Approved Terraces PDD	Proposed Pearl PDD	Current Code	UDC
<ul style="list-style-type: none"> North Tract: 6' public trail to scenic overlook and 10' concrete trail along BC Pkwy frontage at eastern entrance. Internal private 6' trail. South Tract: 10' concrete trail on BC Pkwy along South Tract. Crescent Tract: 10' Public trails. 	<ul style="list-style-type: none"> North Tract: A 10' public trail / sidewalk looping the entire site. Private trails and sidewalks from the buildings/parking areas will connect to this trail. All privately maintained. South Tract: 10' sidewalk along BC Pkwy, 5' sidewalk on both sides of street w/in development and 3' walkways to individual units as well as a 6' private trail through open space areas Crescent Tract: 10' public trail through tract to be privately maintained 	<ul style="list-style-type: none"> 5' sidewalk on both sides of public (local) streets 	<ul style="list-style-type: none"> 5' sidewalk on both sides of public (local) streets Easement for 10' trail in landscape buffer along BC Pkwy & RM 620, trail to be constructed by City

Utilities

Approved PDD	Proposed PDD
<ul style="list-style-type: none"> Utilities located along Bee Cave Parkway and within the boundaries of the Project must be buried 	<ul style="list-style-type: none"> North Tract: Proposed and existing power lines located along Bee Cave Parkway, and within the tract will be buried. (No existing overhead powerlines on this tract) South Tract: Proposed utilities located along Bee Cave Parkway and within the Tract shall be buried. Existing overhead powerlines adjacent to Bee Cave Parkway may remain

Setbacks & Landscape Buffers

Approved Terraces PDD	Proposed Pearl PDD	Current Code	UDC
<ul style="list-style-type: none"> Landscape Buffer: 50' with strategically located 3-5' tall, landscaped berms for screening. Identified spots include on southern lot along BC Pkwy and along the eastern face of Building E. Water quality and detention: Retaining walls, rock rip rap, and safety fencing associated with water quality and detention facilities are permitted to encroach the setback as shown on the Concept Plan (northeast corner of southern site). Dumpster: Encroachment on side yard on southern lot allowed as depicted. Entry features: Permitted to be located within the 50' front setback as shown on the Concept Plan. 	<ul style="list-style-type: none"> Landscape Buffer: 50' with allowance for driveways oriented parallel to BC Pkwy to be located within buffer area. Water quality and detention: Water quality and detention facilities are permitted to encroach the setback at the northeast corner of southern tract. Dumpster: N/A no encroachment Entry features: N/A not proposed 	<ul style="list-style-type: none"> Landscape Buffer: 75' required on BC Pkwy and RM 620 Water quality and detention: not permitted within setbacks 	<ul style="list-style-type: none"> Landscape Buffer: 75' required on BC Pkwy and RM 620 Water quality and detention: not permitted within setbacks

Screening

Approved Terraces PDD	Proposed Pearl PDD	Current Code	UDC
<ul style="list-style-type: none"> 2x landscaping in BC Pkwy, no cut zones, and berms required in strategic locations—in 50' front buffer in front of condos; in front of restaurant parking; south and west of office Building A and west of office Building B. 	<ul style="list-style-type: none"> 2x landscaping in 50' BC Pkwy and 75' RM 620 buffers. 	<ul style="list-style-type: none"> 75' landscape buffer required on BC Pkwy & RM 620. 	<ul style="list-style-type: none"> 75' landscape buffer required on BC Pkwy & RM 620.

Open Space& Trees

Approved Terraces PDD	Proposed Pearl PDD	Current Code	UDC
<ul style="list-style-type: none"> • Open Space Amount: 3.94 ac. of open space required. <ul style="list-style-type: none"> ○ North Tract: 19% (2.7 acres) ○ South Tract: 21.88% (1.33 acres) • Including reirrigation areas • Tree Preservation: <ul style="list-style-type: none"> ○ Current Code, ○ No removal of trees 18" caliper or greater 	<ul style="list-style-type: none"> • Open Space Amount: 4 ac. total <ul style="list-style-type: none"> ○ North Tract: 2 ac. req.; 50% of 1st floor units to have 75 SQ yard ○ South Tract: 2 ac. req.; each unit to have 200 SQ yard • Including trails, landscaped buffers, reirrigation areas improved with amenities, landscaped areas a min. of 30' wide • Does not include 200 sq. private yards provided for each unit on South Tract. <p>Tree Preservation: Applicant has requested to postpone tree survey to the submittal of the 1st site plan. Required to meet current code requirements for tree preservation: 60% for each tract. Crescent tract may be used for off-site planting if mitigation cannot be accommodated onsite</p>	<ul style="list-style-type: none"> • South Tract: SFA district requires 30% usable open space or 300 SQ per unit, whichever is greater. 1.82 ac would be required for this tract. Additionally, each unit requires a 400 SQ yard • North Tract: MF1 district requires 30% usable open space or 300 SQ per unit, whichever is greater. 4.04 ac would be required for this tract. 	<ul style="list-style-type: none"> • In R4 & R% districts Not less than half of the pervious area of the development, excluding setbacks, reirrigation fields, detention ponds and areas of steep slopes shall be devoted to open space containing passive or active recreational facilities. Based on Max. IC for the project (w/RWH) this would require 4.68 ac of open space

Hours of Operation

Approved PDD	Proposed PDD
<ul style="list-style-type: none"> • Mixed Use Hours of Operation in Code: 8am to 8pm; Restaurant open until 2am with outdoor service ending at 12am 	<ul style="list-style-type: none"> • Not applicable, residential project.

Impervious Cover

Approved Terraces PDD	Proposed Pearl PDD	Current Code	UDC
<ul style="list-style-type: none"> • Maximum IC: 44.26%/10.17ac. Credit for Crescent Tract, rainwater harvesting (5%) • Credit for Fire Lanes: Allowed 50 percent credit for pervious pavers or grass pave used as fire lanes but closed to regular vehicular traffic. 	<ul style="list-style-type: none"> • Maximum Base IC: 9.19 acres; N Tract 6.69ac, S Tract 2.5ac. This which <i>may</i> be increased by up to 5% for rainwater harvesting • Max. IC w/ approved RWH: 10.16 acres; 7.39 ac for N. Tract, 2.77ac for S. Tract. • Trails: Paved (concrete) or stabilized decomposed granite trails that are PUBLIC do not count towards IC max. • Pervious pavement/paver private trails up to 50% IC credit, but must be 100% treated in WQ ponds • Decomposed granite trails not counted as IC, but must be 100% treated in WQ ponds • Fire Lanes: Allowed 50% IC for pervious pavers or grass pave used as fire lanes but closed to regular vehicular traffic. 	<ul style="list-style-type: none"> • 40% max with up to 5% credit for RWH • No credit for pervious pavers or grass pave • Decomposed granite trails counted as IC • Has been city policy to give credit for PUBLIC trails. 	<ul style="list-style-type: none"> • 40% max with up to 5% credit for RWH • Up to 50% credit for pervious pavement/paver pedestrian ways • 100% credit for grass pave for fire lanes • Decomposed granite counted as IC • 100% credit for PUBLIC trails.

Phasing

Adopted Terraces PDD	Proposed Pearl PDD
<p>3 Phases over 7-10 years</p> <p>Phase 1: Condominiums (Building G1, G2, and G3), Townhouses (Buildings G4-G5) and the Office/Restaurant (Building F), the Scenic Overlook, internal drives as depicted on the Concept Plan, new right turn lane on Bee Cave Parkway, water wells, the existing water quality ponds, one new detention/water quality pond, Crescent Park trail system, and enhanced vegetated medians on Bee Cave Parkway from RR 620 to FM 2244.</p> <p>Phase 2: Office Buildings A, B, C, high intensity landscaping and buffer areas along the western property line adjacent to RR 620, plazas between buildings B and C, remaining internal drives, and a portion of the underground garage. Construction of right in and right out driveway access to Highway 620.</p> <p>Phase 3: Office Buildings D & E, plazas between offices C and D, and the remainder of the underground garage.</p>	<p>Tract A and Tract B + Crescent Tract Trails are separate “Projects” but are each to be developed in a single phase, both to be completed in 3-5 years.</p> <p>Crescent Tract Trails must be completed prior to issuance of first CO for Tract B.</p> <p>Traffic Improvements, TBD by TIA required at first Plat or Site Plan. Required improvements will be constructed before issuance of 1st CO of associated Tract.</p>

3. FINANCIAL/BUDGET

N/A

4. TIMELINE CONSIDERATIONS

5. RECOMMENDATION

Staff Recommendation: Staff recommends approval of The Pearl PDD. While it must be acknowledged that the proposed density of the multifamily portion of the project (North Tract/Tract B) is greater than what is permitted in current Code and the UDC and the proposed building heights on both Tracts exceed what is allowed in current Code and the UDC, staff finds these deviations are balanced by two factors. The Project's proposed development standards generally meet or exceeds the design intent of the proposed UDC and the change in uses provides a significant reduction in traffic from what is forecast to be generated by the development approved in the Terraces PDD.

Planning & Zoning Commission Recommendation: The Planning & Zoning Commission considered the Pearl PDD at their [May 17, 2022](#), meeting. However, after lengthy discussion ([recording available here](#)) the Commission decided not to take action and tabled the item to their next meeting. At the [June 7, 2022](#), meeting the Commission recommended denial of the Pearl PDD by unanimous vote. In the motion for denial P&Z cited the following reason: the application was incomplete due to lack of a Traffic Impact Analysis (TIA) [as required by Code Section [32.03.015\(e\)\(4\)](#)] and elevations (i.e. color renderings) of all sides of the buildings within the project [as required by Code Section [32.02.006\(k\)\(3\)\(D\)](#) as referenced in 32.03.015(e)(2).] Note: The applicant requested a Code deviation/development standard to allow postponement of the submittal of a TIA until the submittal of the first preliminary plat or site plan, whichever comes first for the Project. Likewise, the applicant also requested a Code deviation/development standard to allow postponement of the submittal of elevations/submittal of elevations through a subsequent "Architectural Pre-approval process" or site plan.

Per Code Section 32.02.004(g) when the Commission recommends denial of an application it is not forwarded to City Council unless the applicant files and appeals with the City Secretary within ten (10) days of the Commission's decision. The applicant filed an appeal on June 10, 2022 (attached).

In making a determination regarding a requested zoning change, Code requires the Commission and the City Council to consider the following factors (Sec. 32.02.004 (a)):

- (A) Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to the general area and the city as a whole;
- (B) Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area;
- (C) The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the city, and any special circumstances which may make a substantial part of such vacant land unavailable for development;

- (D) The recent rate at which land is being developed in the same zoning classification as the written request, particularly in the vicinity of the proposed change;
- (E) How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved; and
- (F) Any other factors which will substantially affect the public health, safety, morals, or general welfare.

6. ATTACHED FILES

- [Adopted Terraces Concept Plan](#)
- [DRAFT Ord. 480 – The Pearl PDD](#)
- [Pearl Driveway Memo](#)
- [Appeal of June 7th P&Z Decision](#)