



Travis County Commissioners Court Agenda Request

Meeting Date: May 13, 2014

Prepared By: Michael Hettenhausen, Planner **Phone #:** (512) 854-7563

Division Director/Manager: Anna Bowlin, Division Director, Development Services and Long Range Planning

Department Head: Steven M. Manilla, P.E., County Executive-TNR

Sponsoring Court Member: Commissioner Daugherty, Precinct Three

AGENDA LANGUAGE: Consider and take appropriate action on the Masonwood HP master development plan (910 acres - Hamilton Pool Road - no ETJ) in Precinct Three.

BACKGROUND/SUMMARY OF REQUEST:

The applicant has submitted a master development plan under Section 82.201(b)(9), Travis County Code, for 910 acres on Hamilton Pool Road in order to meet "fair notice" requirements under Chapter 245, Local Government Code, the state vested rights or "grandfathering" statute. If a landowner submits to an agency "fair notice" of a development project, the statute grants the landowner a vested right to develop that project to completion under the regulations in effect when the "fair notice" was filed. However, if the project changes significantly from what is in the "fair notice," the landowner loses vested rights; it is treated the same as a new project and must comply with any newer regulations the agency adopted after the "fair notice" was filed.

To help clarify what is and is not a significant change under the law, Travis County adopted Section 82.216(d). Under this section, if a landowner files "fair notice" of a phased development project that calculates the overall development intensity for the entire project in sufficient detail, then subsequent increases or decreases of intensity among the various individual phases are not a change that forfeits vested rights as long as the overall development intensity specified in the "fair notice" is not exceeded.

Under Section 82.102(a), an application shall consist of a written plan, supporting documentation, and a reasonably detailed map or schematic drawing. The map or drawing must include, among other items: the boundaries of the original tract(s) and phases of the development, if any; the layout and width of proposed arterials, thoroughfares and collector streets and the general configuration of proposed streets and alleys; the location, dimensions, and designations of land uses; the approximate location of the 25-year flood plain and the 100-year flood plain; the estimates of the

amount of water to be used and wastewater to be generated in all phases of the development, identification of the source(s) of the water, a description of the new or existing water and wastewater facilities that will serve the development, a statement by a qualified engineer or geoscientist that the water source and the water and wastewater facilities will be of adequate capacity to serve the development, the owner and operator of the water and wastewater facilities and location of the development with respect to any applicable certificates of convenience and necessity, and the schedule for creating any entity that will own or operate the facilities; and the proposed location of drainage courses and any necessary off-site extensions.

The master development plan application states water service will be provided by West Travis County Public Utility Agency, and wastewater service will be provided by Travis County Municipal Utility District #22. Parkland dedication, fees in lieu of parkland dedication, or fiscal surety are not required with the master development plan application.

STAFF RECOMMENDATIONS:

Staff finds that the application meets the requirement to properly calculate development intensity under Section 82.216(d) and recommends approval.

ISSUES AND OPPORTUNITIES:

Approval does not mean that Travis County has concluded that the project meets all regulatory standards and requirements of the Travis County Code. Whether the project meets those standards and requirements can only be determined in the future when the landowner files complete applications for preliminary plans, final plats, or development permits for the project. Approval of the landowner's current request would mean only that the County finds the landowner has calculated impervious cover correctly, that the project's overall impervious cover complies with County standards, and that the landowner can shift impervious cover among the project's various phases without losing vested rights as long as the overall limit is not exceeded. Even though Travis County does not enforce impervious covers limits for individual lots, the county does recognize a maximum impervious cover based on environmental setbacks for an entire development.

Staff has met with several adjacent property owners individually and attended a town hall meeting at the City of Bee Cave City Hall on December 16, 2013, regarding this application. Most adjacent property owners have been opposed to the proposed density and the increase in traffic in the area as well as inquired about the water availability for the development. In addition to these meetings, numerous open records requests have been submitted and completed for the applicant's updates and staff's comment report. The applicant will be required to submit additional information for review, such as a traffic impact analysis, with the first preliminary plan

submittal; however, this information is not a requirement for a master development plan application. Considering the level of interest in the proposed development, staff expects constituents to attend the hearing with a desire to testify for the record.

FISCAL IMPACT AND SOURCE OF FUNDING:

None.

ATTACHMENTS/EXHIBITS:

- Precinct map
- Location map
- Proposed master development plan

REQUIRED AUTHORIZATIONS:

Cynthia McDonald	Financial Manager	TNR	(512) 854-4239
Steven M. Manilla	County Executive	TNR	(512) 854-9429

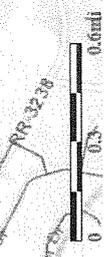
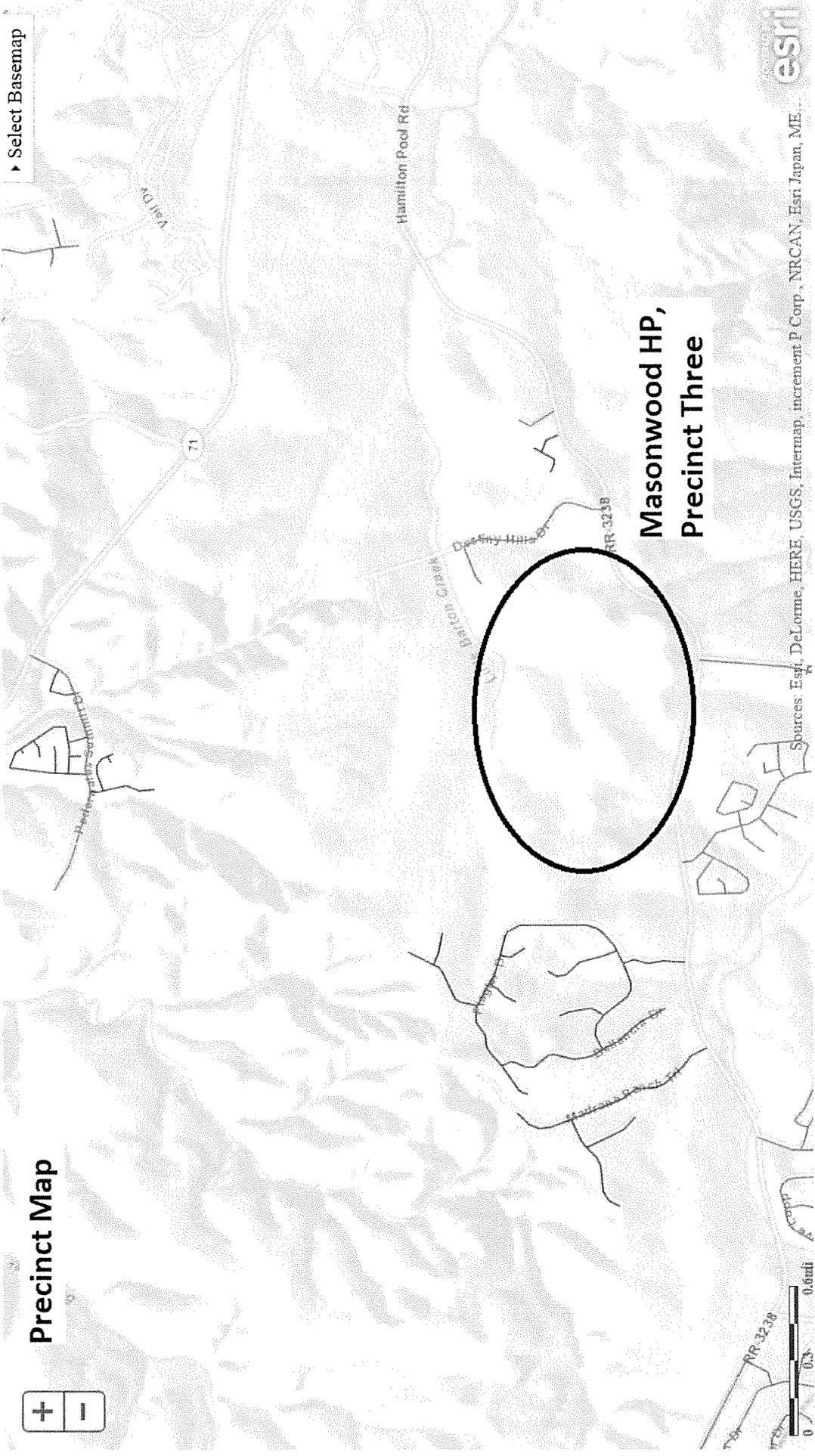
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SM:AB:mh
1101 - Development Services Long Range Planning - Masonwood HP master development plan

Precinct Map



► Select Basemap



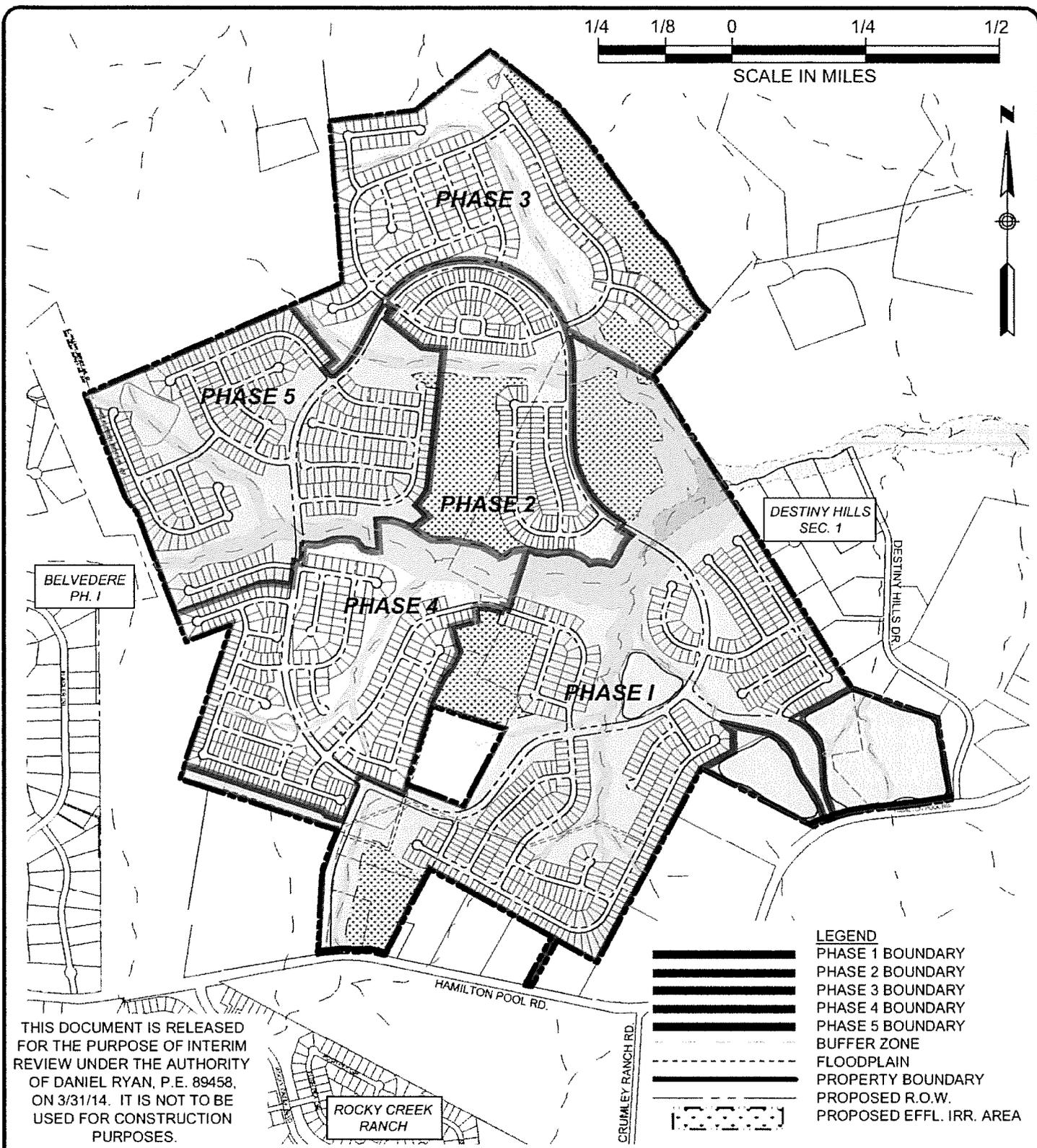
Sources: Esri, DeLorme, HERE, USGS, Intermap, increment P Corp., NRCAN, Esri Japan, ME...

Location Map



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- LEGEND**
- PHASE 1 BOUNDARY
 - PHASE 2 BOUNDARY
 - PHASE 3 BOUNDARY
 - PHASE 4 BOUNDARY
 - PHASE 5 BOUNDARY
 - BUFFER ZONE
 - FLOODPLAIN
 - PROPERTY BOUNDARY
 - PROPOSED R.O.W.
 - PROPOSED EFFL. IRR. AREA

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MASONWOOD H.P.

BOUNDARY MAP

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