THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C814-06-0175 – East Avenue PUD

REQUEST:

C814-06-0175 - East Avenue PUD - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3400 North IH-35 Service Road (Waller Creek and Boggy Creek Watersheds) from general office-neighborhood plan (GO-NP) combining district zoning; limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning; and general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning to planned unit development-neighborhood plan (PUD-NP) combining district zoning. Staff Recommendation: To grant planned unit development-neighborhood plan (PUD-NP) combining district zoning with conditions. First reading approved on March 1, 2007. Vote: 6-0 (Kim off dias). Applicant: Concordia University (David Kluth). Agent: Alice Glasco Consulting (Alice Glasco) and Armbrust and Brown, L.L.P. (Richard Suttle). City Staff: Jorge E. Rousselin, 974-2975.

PROPERTY OWNER: Concordia University (David Kluth)

AGENT: Alice Glasco Consulting (Alice Glasco) and Armbrust and Brown, L.L.P. (Richard Suttle)

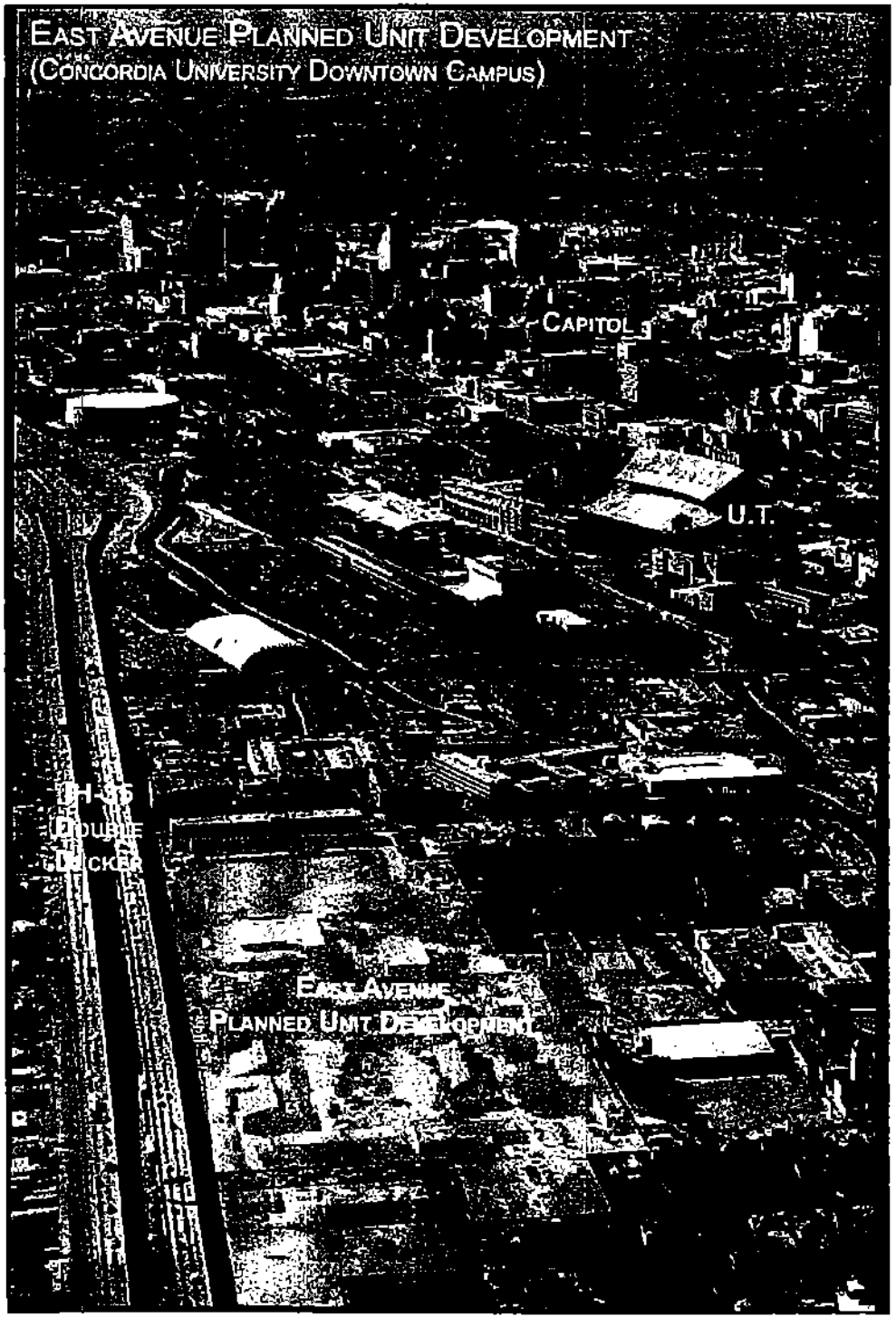
DATE OF SECOND READING/VOTE: March 8, 2007. Vote: 6-0

CITY COUNCIL DATE: March 22, 2007

CITY COUNCIL ACTION:
March 8, 2007:
The public hearing was held open and the second reading of the ordinance, as adopted on the first reading, was approved on Council Member Cole's motion, Council Member Martinez' second on a 6-0 vote. Council Member McCracken was absent. Council requested that the item be brought back for final action on March 22, 2007.

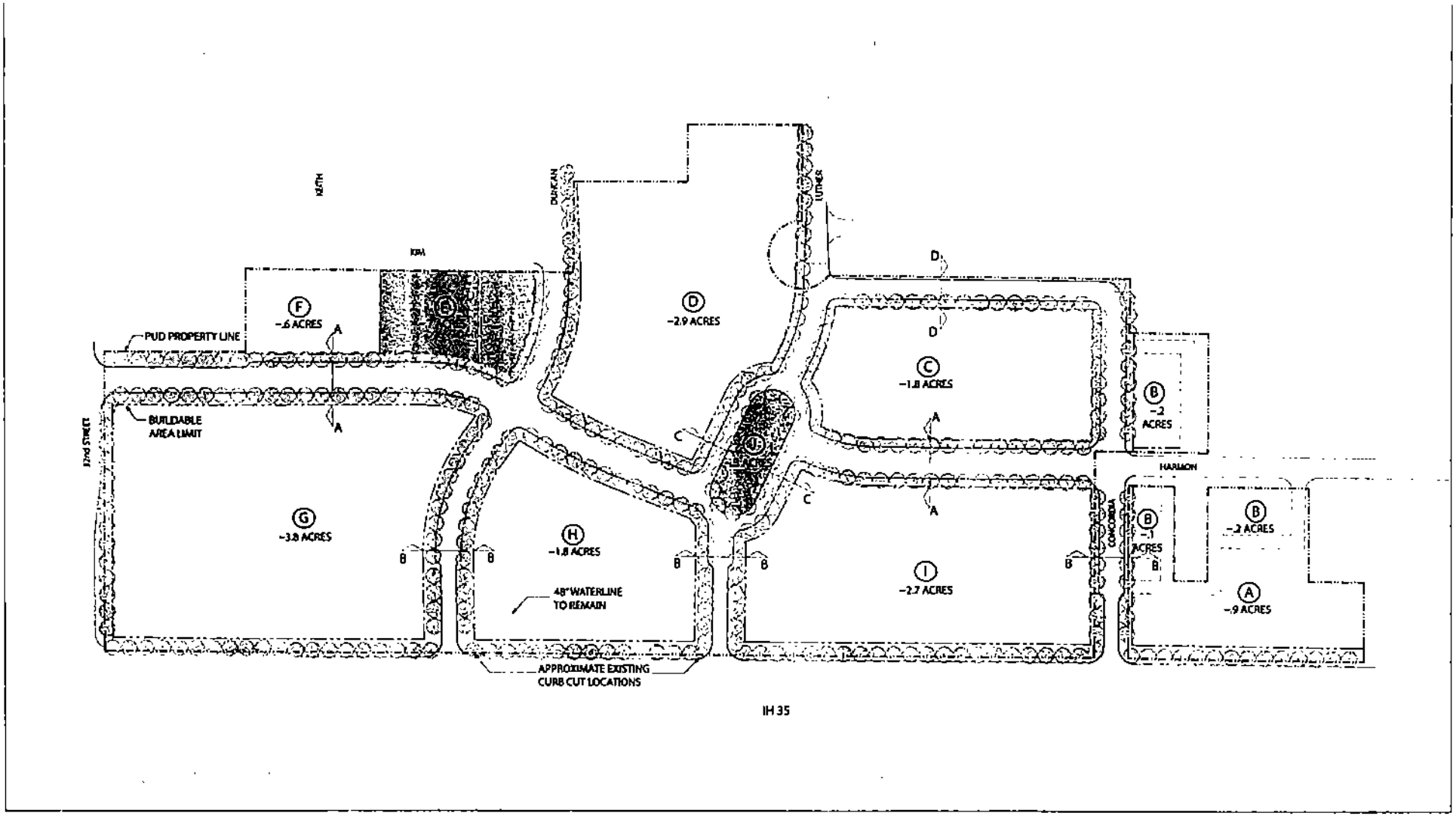
ASSIGNED STAFF: Jorge E. Rousselin, NPZD **PHONE:** 974-2975

E-MAIL: jorge.rousselin@ci.austin.tx.us



East Avenue Vision: 22-acre Mixed-use Urban Village

- ~250,000 SF Retail and Mixed-Use Commercial, Restaurants
- ~1250 Residential Dwelling Units
- 175,000 SF Medical Office
- ~135,000 SF General Office
- ~235 Room Hotel with Hotel Related Uses



EAST AVENUE PUD

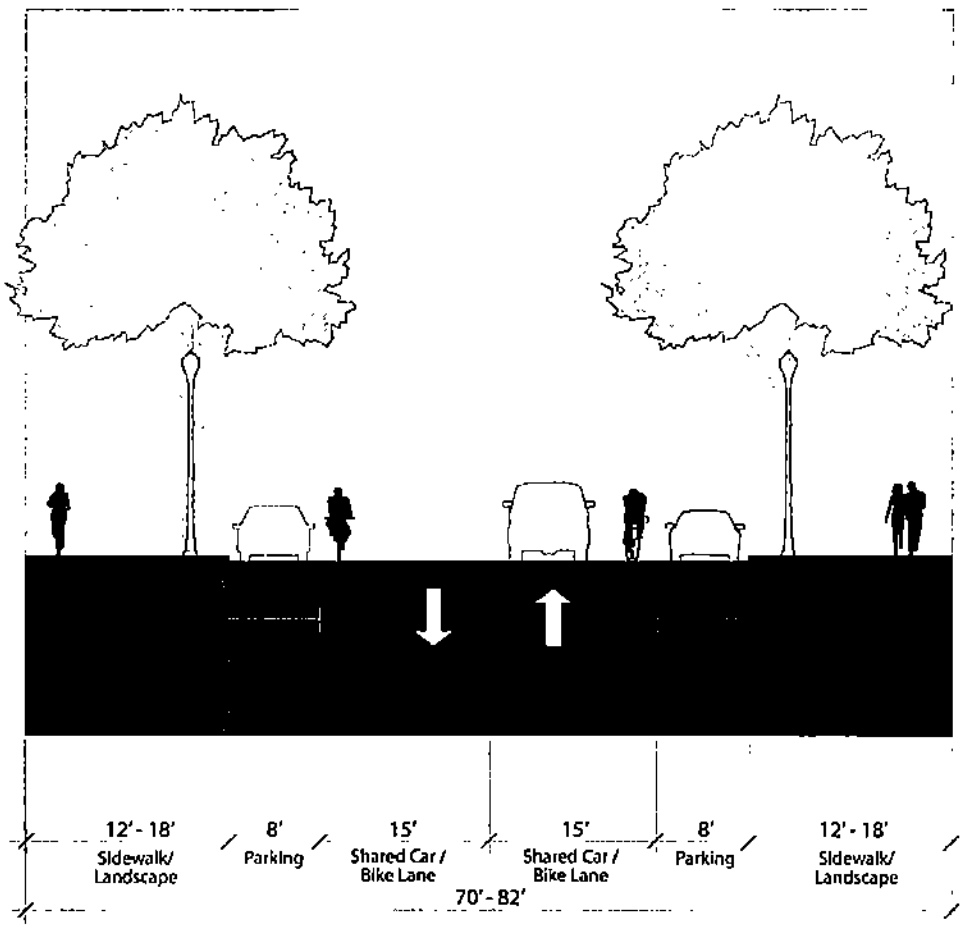
CONCEPTUAL INTERNAL DRIVE AND BLOCK PLAN

Prepared for Hancock Neighborhood Association and East Avenue IG by ROMA Design Group

March 1, 2007

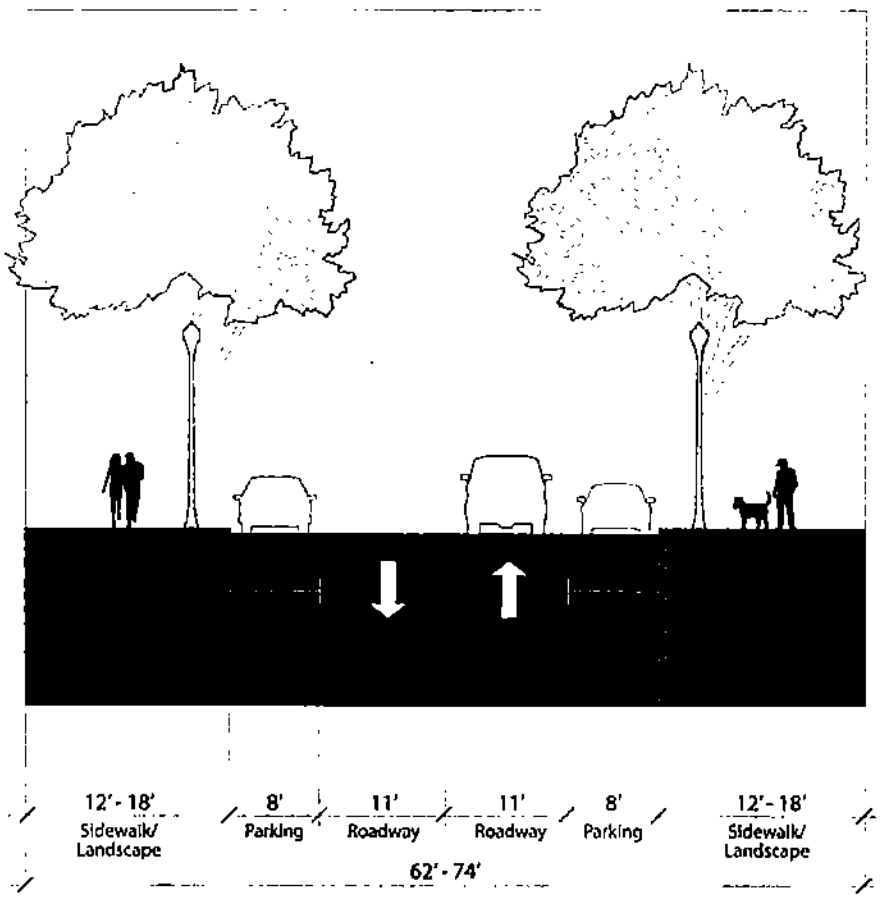
DRAFT

Conceptual Internal Drive & Block Plan



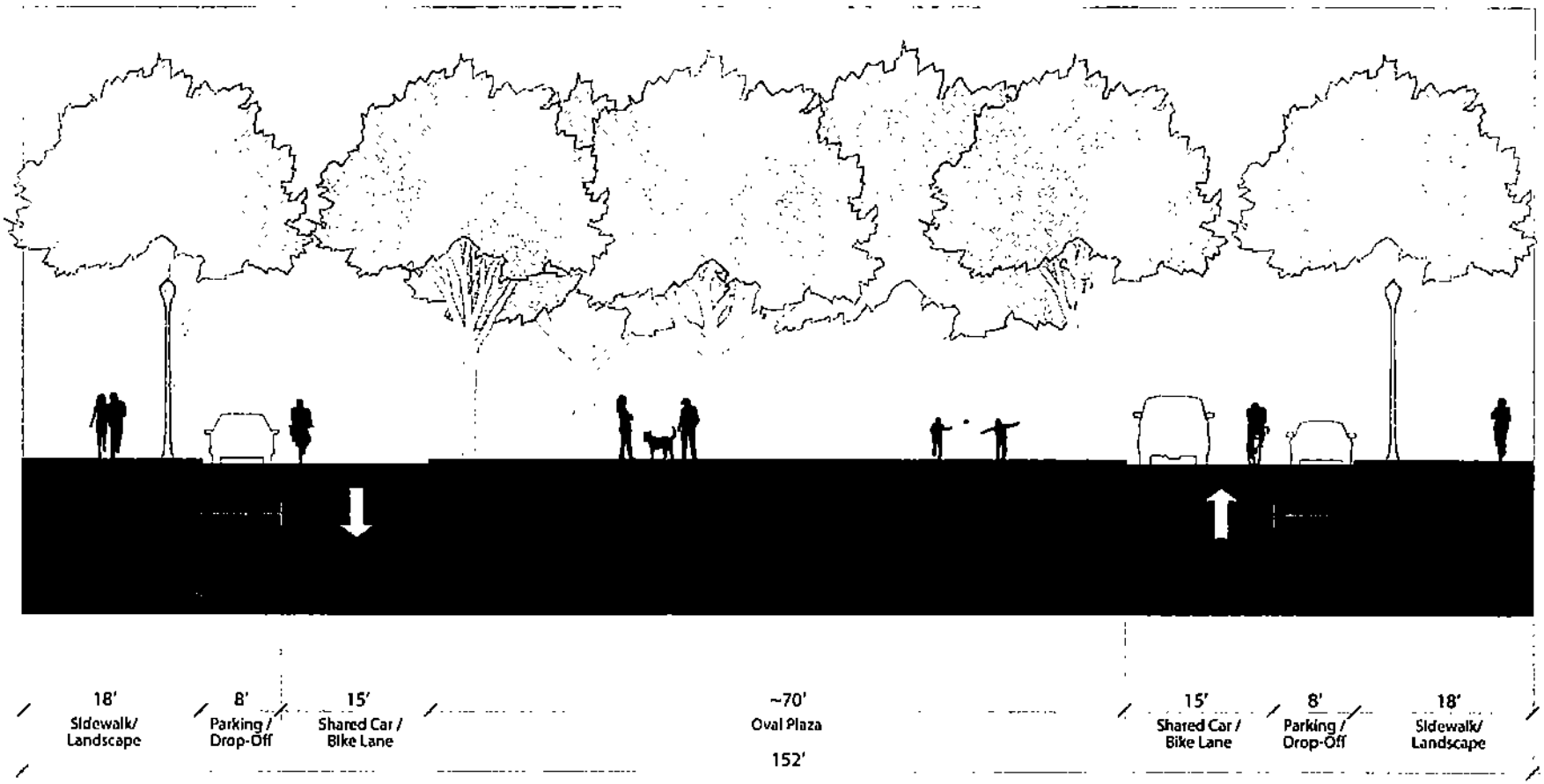
EAST AVENUE PUD
SECTION AA : NORTH / SOUTH INTERNAL DRIVE
Prepared for Hancock Neighborhood Association and East Avenue IG by ROMA Design Group
February 21, 2007
DRAFT

Section AA: North / South Internal Drive



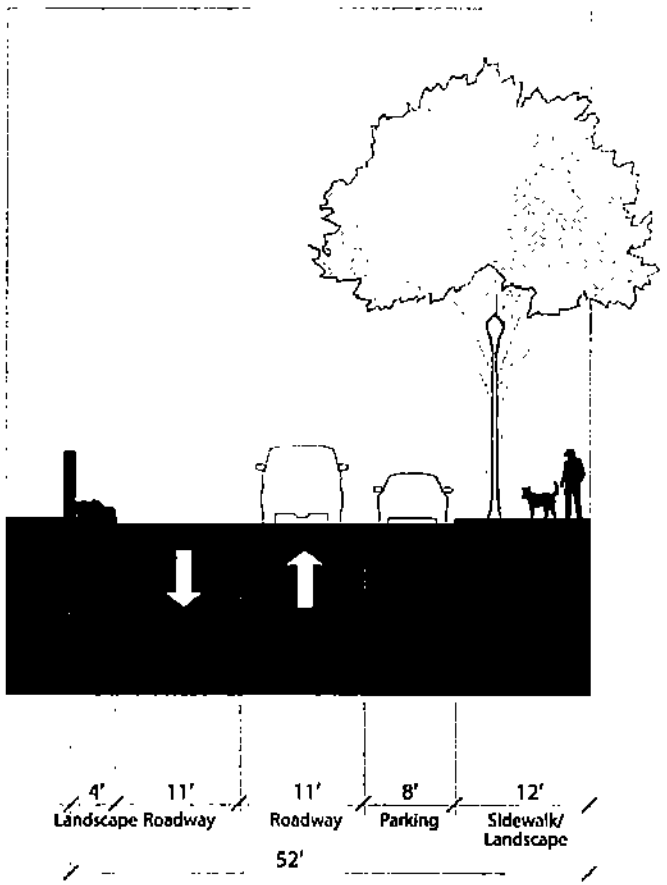
EAST AVENUE PUD
SECTION BB: EAST / WEST DRIVES
Prepared for Hancock Neighborhood Association and East Avenue IG by ROMA Design Group
February 21, 2007
DRAFT

Section BB: East / West Drives



EAST AVENUE PUD
SECTION CC: INTERNAL OVAL DRIVE
Prepared for Hancock Neighborhood Association and East Avenue IG by ROMA Design Group
February 21, 2007
DRAFT

Section CC: Internal Oval Drive



EAST AVENUE PUD
SECTION DD : INTERNAL DRIVE AT CHURCH PROPERTY EDGE
Prepared for Hancock Neighborhood Association and East Avenue IG by ROMA Design Group
February 21, 2007
DRAFT

Section DD: Internal Drive at Church Property Edge

APP. REQ. AS MODIFIED BELOW:

General Working PUD Terms:

1. Conceptual Internal Drive & Block Plan
2. Great Streets Streetscape Cross-Sections
3. Maximum Building Height Zones Plan
4. *Zoning District Default to be determined
5. *Maximum Impervious Cover Limit
6. Cap of 175,000 SF Medical Office Use
7. *List of Prohibited Uses
8. Urban Core Parking Standards
9. Design Standards & Mixed Use Ordinance
10. *List of Project-Specific Design Standards (eg, Parking Garages)
11. *Maximum Footprint Limitations for Towers, Certain Retail Users
12. One Acre in Publicly-Accessible Green Space & Central Plaza Space
13. $750,000 Contribution Earmarked for Area Parks Improvements
14. *On-Site Water Quality through Sustainable Environmental Site Design Techniques
15. *Sustainable Building Design – Minimum 2-Star GBP Rating
16. *Offsite TIA- Recommended Roadway Improvements, On-site Controls Traffic Controls
17. *Affordable Living – Car Share for 5% Units @ 80% MFI
18. Continued Neighborhood Communication of Project Updates
19. Required Architectural Design Review Process
20. *NH Plan Amendment to Establish Maximum Height Limits for CANPAC & Use/Site Development Regulations for Church Property
21. FLUM to reflect proposed zoning

Outstanding Issue:

Affordable Housing Component (developer assumed no affordable housing in agreeing to maximum building heights)

ZONING REVIEW SHEET

CASE: C814-06-0175

P. C. DATE: December 14, 2006
January 16, 2007
January 30, 2007
February 13, 2007

ADDRESS: 3400 North IH- 35 Service Road

OWNER: Concordia University (David Kluth)

AGENT: Alice Glasco Consulting (Alice Glasco); Armbrust and Brown, LLP (Richard Suttle)

REZONING FROM: GO-NP (General office – neighborhood plan), LO-MU-NP (Limited office-mixed use- neighborhood plan), and CS-MU-NP (Commercial services-mixed use-neighborhood plan)

TO: PUD-NP (Planned unit development – neighborhood plan) combining district

AREA: 22.205 Acres

SUMMARY PLANNING COMMISSION RECOMMENDATION:
February 13, 2007:
APPROVED PUD-NP ZONING AS MODIFIED BY PRESENTER, JANA MCCANN; AND REQUIREMENTS OF THE T.I.A.
[J.REDDY, G.STEGEMAN 2ND] (5-3-1) D.SULLIVAN, S.KIRK, P.CAVAZOS – NAY; C.RILEY – ABSTAINED

SUMMARY STAFF RECOMMENDATION:

Staff recommends the rezoning request from GO-NP, LO-MU-NP, and CS-MU-NP to PUD-NP with conditions. The recommended conditions are as follows:

1. Maximum base height of 60 feet;
2. Maximum tower height of 120 feet;
3. Maximum height of 120 feet;
4. Maximum floor-to-area ratio (FAR) of 2:1;
5. Maximum impervious cover of 85%;
6. The following uses shall be prohibited:
    - Automotive Rentals;
    - Automotive Repair Services;
    - Automotive Sales;
    - Automotive Washing (of any type);
    - Scrap and Salvage;
    - Service Station;
    - Custom Manufacturing;
    - Pawn Shop Services;
    - Drive-in services as an accessory to a commercial use;
7. Commercial-liquor sales (CS-1) shall be limited to a total of 9,000 square feet within the proposed PUD with a limitation of 3,000 sq. ft. per CS-1 use;
8. Implementation of Integrated Pest Management (IPM);
9. Implementation of a minimum 2-star rating under the Austin Green Building Program;

10. Re-creation of the 2nd Street pedestrian environment addressing pedestrian activity, landscaping, and circulation;
11. Compliance with LDC Article 10 – Compatibility Standards;
12. No unbroken wall planes exceeding 160' shall be permitted in the PUD in accordance with [LDC 25-2-721 (E)(4)]. Break of massing along Interstate 35 shall prevent continuous base walls parallel to the interstate;
13. Proposed PUD shall meet parking requirements as allowed under the LDC Article 7;
14. Implementation of all Traffic Impact Analysis (TIA) recommendations;
15. Implementation of Environmental Board recommendations;
16. Implementation of Environmental Staff recommendations; and
17. Approval of waiver from Section 25-2-243 - Proposed District Boundaries must be Contiguous.

The Staff recommendation is based on the following considerations:

1.) The proposed land uses are compatible with existing and proposed commercial development in the area;
2.) The Future Land Use Map for the Central Austin Combined – Hancock Neighborhood Plan will recommend mixed uses for this site;
3.) Recommended conditions will yield a superior development vs. traditional rezoning; and
4.) All other terms and conditions in of Ordinance No. 040826-59 shall remain in place.

DEPARTMENT COMMENTS:

The subject rezoning area consists of a 22.205 acre site fronting Harmon Avenue, East 32nd Street, and Interstate 35 zoned GO-NP, LO-MU-NP, and CS-MU-NP. The site was rezoned as part of the Central Austin Combined Neighborhood Plan by Ordinance No. 040826-59 (Please see Attachment A). The plan designates this site for civic uses in accordance with the Future Land Use Plan. A neighborhood plan amendment is in progress and will incorporate a mixed-use designation. The proposed amendment would change the land use designation on the Central Austin Combined Neighborhood Planning Area (CACNPA) for the Concordia University site, 3400 North IH-35, from Civic to a recommended Mixed-Use. The change in designation will allow for the redevelopment of the Concordia University site into a mixed-use development.

A portion of the site was rezoned to from MF-4 to GO under Ordinance No. 020404-Z-8 under Ordinance 920820-I. (Please see Attachments B). The applicant seeks to rezone the property to PUD-NP to allow for the redevelopment of the existing Concordia University Campus.

As part of the request, the applicant offers the following:

1. Maximum impervious cover of 85%;
2. Implementation of Integrated Pest Management (IPM);
3. Implementation of the City's Integrated Pest Management Program;
4. A 2-star rating under the Austin Green Building Program;
5. For buildings over two-hundred feet, green roofs will be integrated into the project;
6. Rainwater harvesting;
7. Well configured open spaces that are woven into the development through landscaped internal driveways - all designed for the enjoyment of residents, visitors and employees;
8. The East Avenue Development will use plants listed under the City of Austin's Grow Green Native and Adapted Plants program for landscaping;
9. Re-creation of the 2nd Street pedestrian environment, e.g. with trees every 60 feet;
10. Compatibility between buildings and other improvements as reflected by the arrangement, bulk, and form of structures. Additionally, the project will comply with design guidelines

appropriate to the site, which substantially mimic the city's design standards. (Please see Attachment C);

11. Base zoning district of GR;
12. All land uses allowed under GR and MF-6 to include:
    - Administrative Services;
    - Cocktail Lounge;
    - College and University Facilities;
    - Custom Manufacturing;
    - Food Preparation;
    - Hospital Services (General);
    - Hospital Services (Limited);
    - Liquor Sales;
    - Outdoor Entertainment;
    - Park and Recreation Services (General);
    - Park and Recreation Services (Special); and
    - Plant Nursery
13. Building setbacks as depicted in the attached land use plan (Please see Attachment D);
14. Maximum height as depicted in "Zones 1-11" in the attached land use plan (Please see Attachment D);
15. Maximum floor to area ratio: 3.25:1;
16. Maximum heights as depicted in the attached land use plan (Please see Attachment D); and
17. Parking requirements shall conform to urban core reduction requirements.

The applicant has also identified the following variances to the Land Development Code:

1. Waiver from Article 10, Compatibility standards applying only to height and setbacks; and
2. Waiver from Section 25-2-243 - Proposed District Boundaries must be Contiguous

The Applicant and the City Staff continue to discuss the details of this proposed PUD.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	GO-NP, LO-MU-NP, and CS-MU-NP	Concordia University
North	CS-MU-NP	Apartments
South	GO-MU-NP, CS-NP	St. David's Hospital
East	N/A	Interstate 35
West	MF-4-CO-NP, MF-4-NP,GO-MU-NP	Single Family residences/ Apartments / St. David's Hospital

NEIGHBORHOOD PLAN: Central Austin Combined – Hancock Neighborhood

TIA: Yes (Please see Transportation comments)

WATERSHED: Waller Creek & Boggy Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

SCENIC ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

25--Eastwoods Association
31--Hancock Neighborhood Assn.
141--Cherrywood Neighborhood Assn.
283--North Austin Neighborhood Alliance

493--Dellwood Neighborhood Assn.
511--Austin Neighborhoods Council
603--Mueller Neighborhoods Coalition
689--Upper Boggy Creek Neighborhood Planning Team
700--Keep the Land
742--Austin Independent School District
754--Central Austin Neighborhoods Planning Area Committee
786--Home Builders Association of Greater Austin
937--Taking Action Inc.
972--PODER People Organized in Defense of Earth & Her Resources
981--Anberly Airport Assn.

SCHOOLS:

Austin Independent School District

- Lee Elementary School
- Kealing Middle School
- McCallum High School

RELATED CASES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-02-0014	MF-4 to GO	02/26/02: APVD STAFF REC OF GO (7-0)	04/04/02: APVD GO (6-0); ALL 3 RDGS
C14-04-0023	Central Austin Combined Neighborhood Plan	04/27/04: APVD STAFF REC W/AMDTS (7-0)	06/10/04: APVD PC REC (7-0), 1ST RDG 08/05/04: APVD 2ND RDG (6-0) 08/26/04: APVD ALL EXCEPT 2 TRACTS WHICH WERE PP TO 9-2-04 (CC); (7-0) 09/02/04: APVD (7-0) EXCEPT FOR FLWG PP TRACTS: 34, 35, 44 & 80A: PP TO 9-30-04; TR 148A PP TO 10-7-04 09/30/04: FOR TR 34, 35, 44 & 80A: PP TO 10-21-04 (7-0) 10/21/04: APVD SF-2-CO-NP FOR TR 2104A/2104B; APVD MF-6-CO-NP TR 2104C & 3406 RED RIVER

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-04-0190	SF-2-CO-NP to SF-3-CO-NP	▪ 02/22/05: PP TO 3-22-05 (STAFF/NEIGH), (7-0) ▪ 03/22/05: PP TO 4-12-05 (7-0) ▪ 04/12/05: PP TO 5-10-05 (STAFF); (8-0)	05/26/05: W/D BY CC (7-0)

		▪ 05/10/05: PP TO 5-24-05 (STAFF); (7-0) ▪ 05/24/05: NOT ON AGENDA	
C14-04-0191	SF-2-CO-NP to SF-3-CO-NP	▪ 02/22/05: PP TO 3-22-05 (STAFF/NEIGH), (7-0) ▪ 03/22/05: PP TO 4-12-05 (7-0) ▪ 04/12/05: PP TO 5-10-05 (STAFF); (8-0) ▪ 05/10/05: PP TO 5-24-05 (STAFF); (7-0) ▪ 05/24/05: NOT ON AGENDA	05/26/05: W/D BY CC (7-0)
C14-04-0192	SF-2-CO-NP to SF-3-CO-NP	▪ 02/22/05: PP TO 3-22-05 (STAFF/NEIGH), (7-0) ▪ 03/22/05: PP TO 4-12-05 (7-0) ▪ 04/12/05: PP TO 5-10-05 (STAFF); (8-0) ▪ 05/10/05: PP TO 5-24-05 (STAFF); (7-0) ▪ 05/24/05: NOT ON AGENDA	05/26/05: W/D BY CC (7-0)
C14-04-0193	SF-2-CO-NP to SF-3-CO-NP	▪ 02/22/05: PP TO 3-22-05 (STAFF/NEIGH), (7-0) ▪ 03/22/05: PP TO 4-12-05 (7-0) ▪ 04/12/05: PP TO 5-10-05 (STAFF); (8-0) ▪ 05/10/05: PP TO 5-24-05 (STAFF); (7-0) ▪ 05/24/05: NOT ON AGENDA	05/26/05: W/D BY CC (7-0)
C14-04-0194	SF-2-CO-NP to SF-3-CO-NP	▪ 02/22/05: PP TO 3-22-05 (STAFF/NEIGH), (7-0) ▪ 03/22/05: PP TO 4-12-05 (7-0) ▪ 04/12/05: PP TO 5-10-05 (STAFF); (8-0) ▪ 05/10/05: PP TO 5-24-05 (STAFF); (7-0) ▪ 05/24/05: NOT ON AGENDA	05/26/05: W/D BY CC (7-0)
C814-06-0075	GO-NP to PUD-NP	PENDING	PENDING
C14-92-0071	LO and MF-3 to GR-CO	08/18/92: APVD GR-CO. GO USES AND COMMERCIAL OFF-STREET PARKING	8/20/92: APVD GR-CO ALL 3 READINGS
C14-02-0150	GO to CS	12/11/02: DENIED CS-CO (5-3-1)	01/16/03: APVD STAFF ALT REC OF CS-CO (6-0); 1ST RDG; 01/30/03: APVD CS-CO (7-0); 2ND/3RD RDG
C14-06-063	Variance for additional height	05/08/06: BOA APVD 120' HEIGHT (7-0)	N/A

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Daily Traffic	Bicycle Plan
IH-35	Varies	Varies	Freeway	251,000 ('04)	No
Red River	Varies	Varies	Major arterial	18,300 ('06)	Priority 1
38½ Street	50'	Varies	Two lane minor arterial	11,000* ('06)	Priority 1
32nd Street	60'	Varies	Collector	8,100 ('03)	No
Dean Keeton Street	126'	100'	Arterial	15,000* ('06)	Priority 1
Luther Lane	50'	28'	Local	1,500* ('06)	No
Duncan Lane	50'	29'	Local	700* ('06)	No
Keith Lane	50'	30'	Local	700* ('06)	No
Concordia Avenue	50'	30'	Local	500* ('06)	No
Harmon Avenue	50'	30'	Collector	400* ('06)	No
Kim Lane	50'	30'	Local	n/a	No

CITY COUNCIL DATE:

ACTION:

February 15, 2007

The public hearing was continued to March 1, 2007 and no action was taken.

March 1, 2007

The first reading of the ordinance for planned unit development-neighborhood plan (PUD-NP) combining district zoning with conditions, as requested by the applicant and modified by Exhibit A:

1. Maximum impervious cover of 85%;
2. Implementation of Integrated Pest Management (IPM);
3. Implementation of the City's Integrated Pest Management Program;
4. A 2-star rating under the Austin Green Building Program;
5. For buildings over two-hundred feet, green roofs will be integrated into the project;
6. Rainwater harvesting;
7. Well configured open spaces that are woven into the development through landscaped internal driveways - all designed for the enjoyment of residents, visitors and employees;
8. The East Avenue Development will use plants listed under the City of Austin's Grow Green Native and Adapted Plants program for landscaping;
9. Re-creation of the 2nd Street pedestrian environment, e.g. with trees every 60 feet;
10. Compatibility between buildings and other improvements as reflected by the arrangement, bulk, and form of structures. Additionally, the project will comply with

design guidelines appropriate to the site, which substantially mimic the city's design standards;
11. Base zoning district of GR;
12. All land uses allowed under GR and MF-6 to include:
    - Administrative Services;
    - Cocktail Lounge;
    - College and University Facilities;
    - Custom Manufacturing;
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The applicant has also identified the following variances to the Land Development Code:
1. Waiver from Article 10, Compatibility standards applying only to height and setbacks; and
2. Waiver from Section 25-2-243 - Proposed District Boundaries must be Contiguous

March 8, 2007

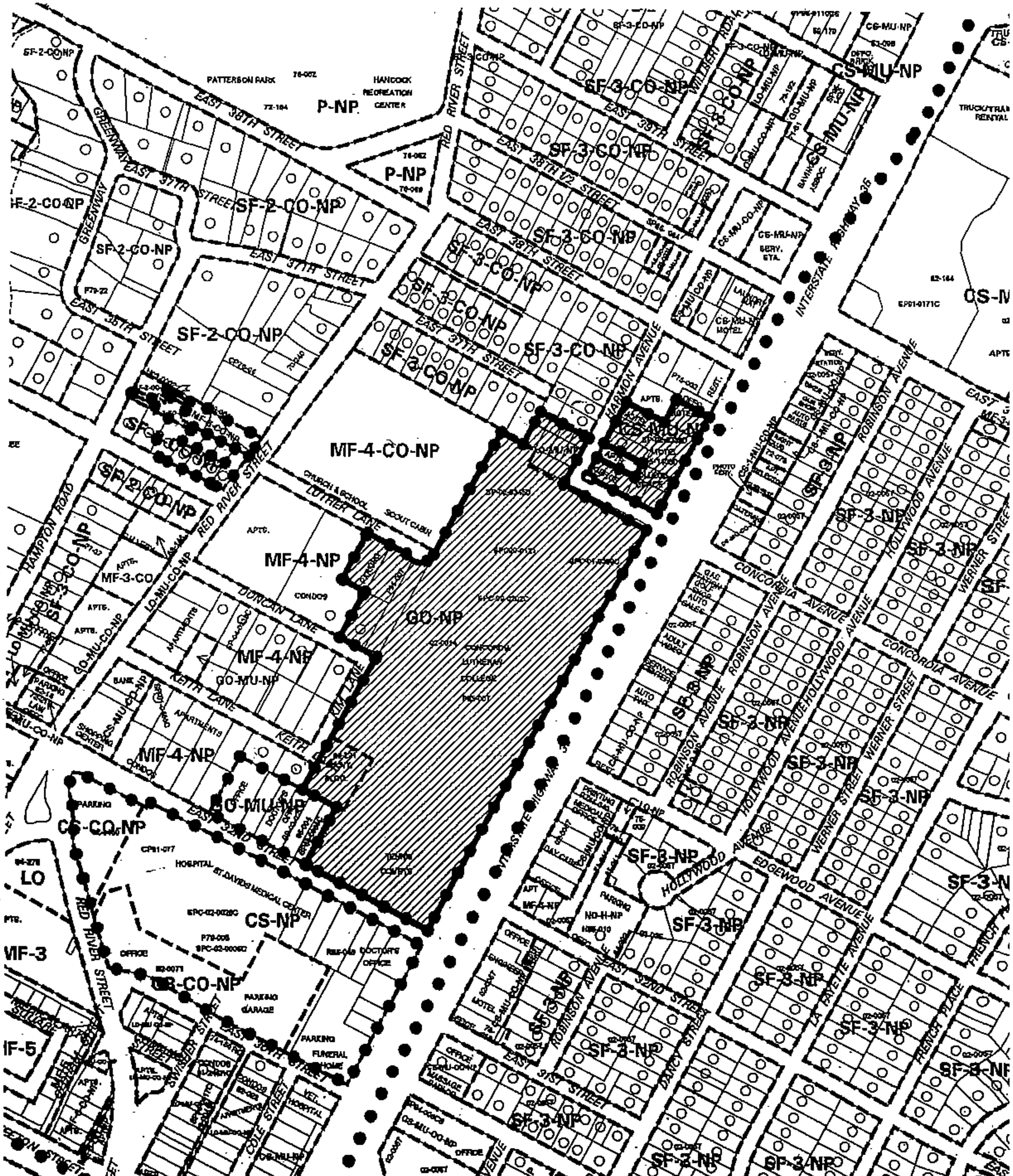
The public hearing was held open and the second reading of the ordinance, as adopted on the first reading, was approved on Council Member Cole's motion, Council Member Martinez' second on a 6-0 vote. Council Member McCracken was absent. Council requested that the item be brought back for final action on March 22, 2007.

ORDINANCE READINGS:
1st – March 1, 2007
2nd – March 8, 2007
3rd – March 22, 2007

ORDINANCE NUMBER:

CASE MANAGER: Jorge E. Rousselin, NPZD **PHONE:** 974-2975

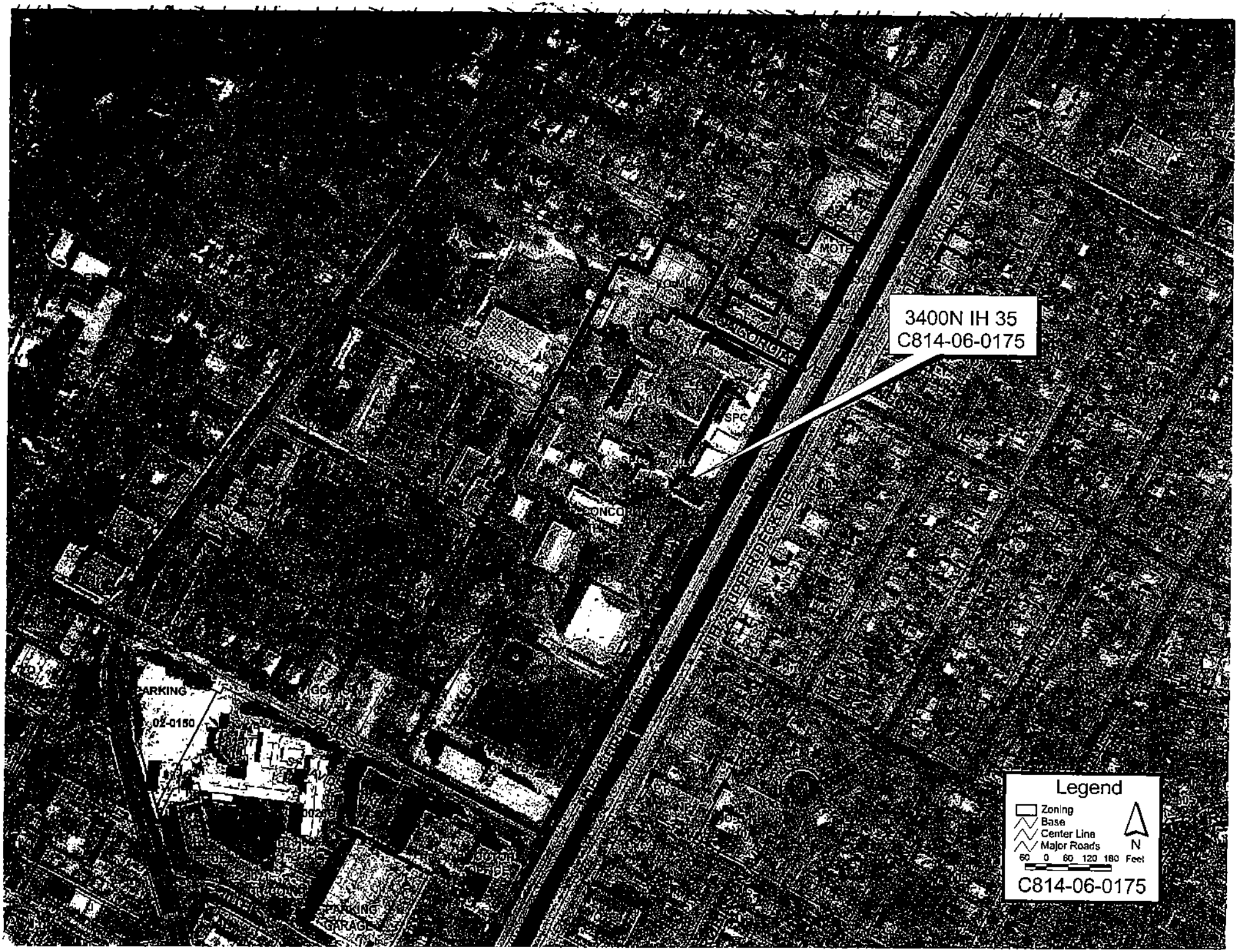
E-MAIL: jorge.rousselin@ci.austin.tx.us

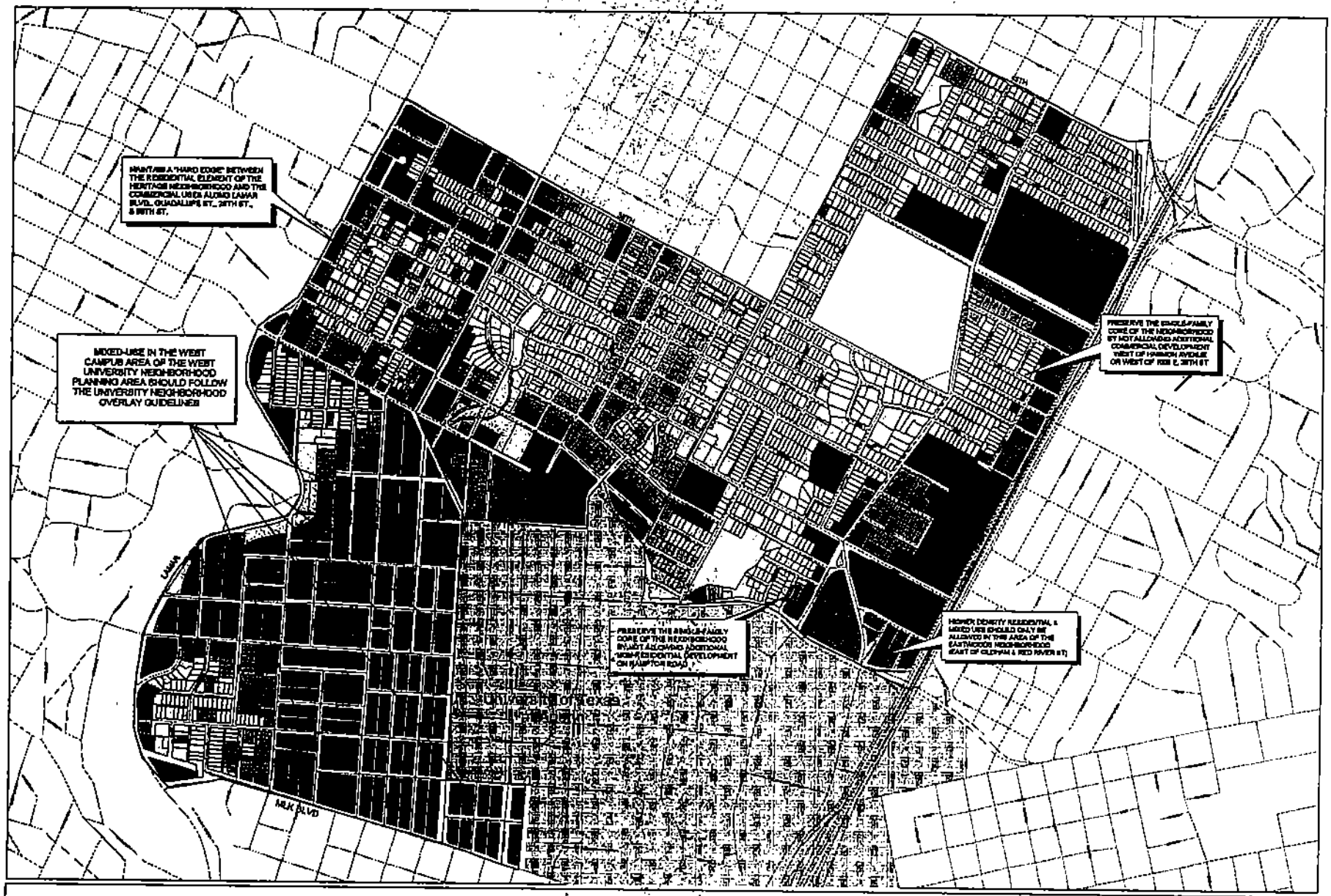


SUBJECT TRACT	(hatched)	PLANNED UNIT DEVELOPMENT	CITY GRID REFERENCE NUMBER
PENDING CASE	• • • • •	CASE #: C814-06-0175	
ZONING BOUNDARY	— — —	ADDRESS: 3400 N IH 35 SVRD DATE: 06-08	K25
CASE MGR: J. ROUSSELIN		SUBJECT AREA (acres): 22.205 INTLS: SM	

N

1" = 400'

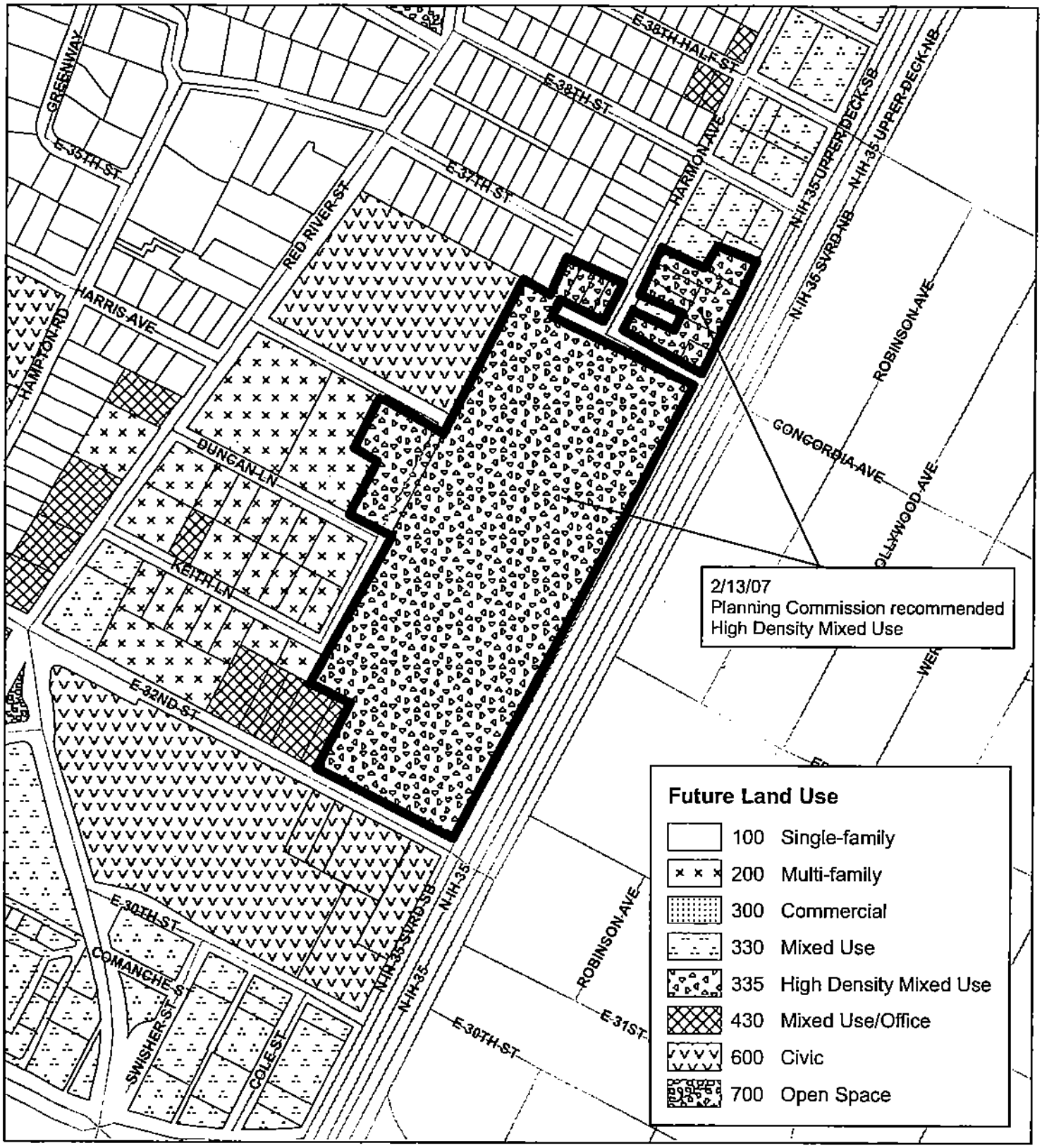

3400N IH 35
C814-06-0175
Legend
Zoning
Base
Center Line
Major Roads
N
60 0 60 120 180 Feet
C814-06-0175



Central Austin Combined Neighborhood Planning Area: Future Land Use Map As Amended on 5/19/05

City of Austin
Neighborhood Planning and Zoning Department
Revised July 29, 2005

A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.

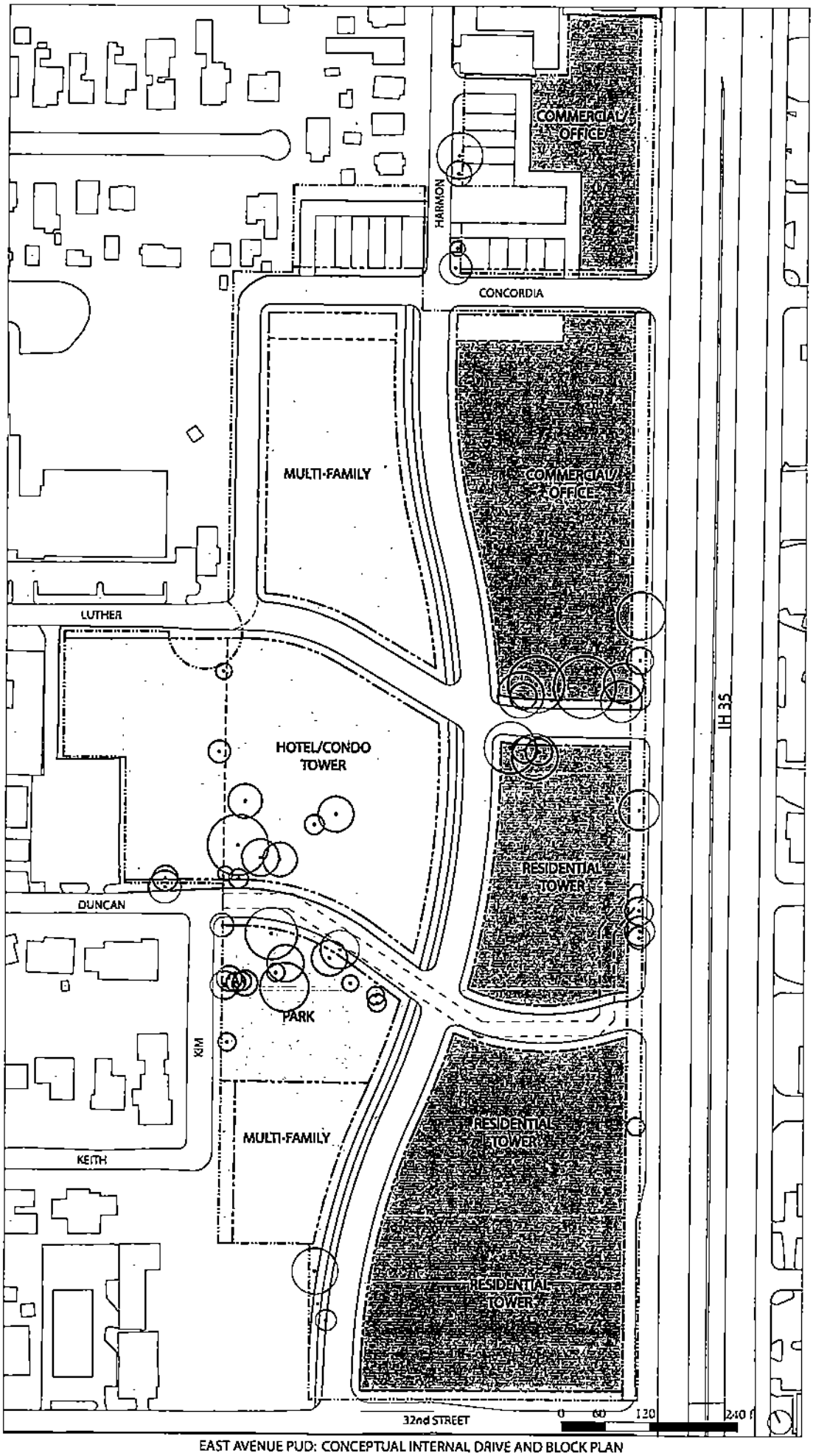


NPA-06-0019.01
East Avenue PUD
3400 N IH-35 SVRD
Proposed FLUM
City Council Hearing 3-1-07

500 250 0 500 Feet

N

Created by NPZD
2/22/07



EAST AVENUE PUD: CONCEPTUAL INTERNAL DRIVE AND BLOCK PLAN

Prepared for Hancock Neighborhood Association and East Avenue IG by ROMA Design Group

February 13, 2007

1. Internal Drives will create a grid-like circulation system, that will break down site into well-scaled parcels.
2. Blocks complying with the recently-adopted Commercial Design Standards will be delineated.
3. Height Zones within Parcels will be established, including approximate locations and footprints of proposed four towers.
4. Compliance, but even further tailoring to site is desired.
5. Design the streetscape cross-sections, so they are specific to the site, rather than left general.
6. Providing a Class One bike/ped path with double row of trees on west side of north-south retail spine.
7. Austin Car Share Program
8. Developer committed to providing the following:
    - 2 acres of pervious green space at ground level
    - One acre of green roffs across site
    - Use of pervious concrete at site
    - To max extent possible, preserve every Class 1 tree over 19" (31 trees) in their current locations.
    - One acre of additional open space on ground (such as streetscapes, hike & bike path.
    - Will meet/exceed stormwater quality requirements, using combination innovative stormwater management, including bio-swales, rainwater collection, to be approved/monitored by City Environmental staff.

STAFF RECOMMENDATION

Staff recommends the rezoning request from GO-NP, LO-MU-NP, and CS-MU-NP to PUD-NP with conditions. The recommended conditions are as follows:

1. Maximum base height of 60 feet;
2. Maximum tower height of 120 feet;
3. Maximum height of 120 feet;
4. Maximum floor-to-area ratio (FAR) of 2:1;
5. Maximum impervious cover of 85%;
6. The following uses shall be prohibited:
    - o Automotive Rentals;
    - o Automotive Repair Services;
    - o Automotive Sales;
    - o Automotive Washing (of any type);
    - o Scrap and Salvage;
    - o Service Station;
    - o Custom Manufacturing;
    - o Pawn Shop Services;
    - o Drive-in services as an accessory to a commercial use;
7. Commercial-liquor sales (CS-1) shall be limited to a total of 9,000 square feet within the proposed PUD with a limitation of 3,000 sq. ft. per CS-1 use;
8. Implementation of Integrated Pest Management (IPM);
9. Implementation of a minimum 2-star rating under the Austin Green Building Program;
10. Re-creation of the 2nd Street pedestrian environment addressing pedestrian activity, landscaping, and circulation;
11. Compliance with LDC Article 10 – Compatibility Standards;
12. No unbroken wall planes exceeding 160' shall be permitted in the PUD in accordance with [LDC 25-2-721 (E)(4)]. Break of massing along Interstate 35 shall prevent continuous base walls parallel to the interstate;
13. Proposed PUD shall meet parking requirements as allowed under the LDC Article 7;
14. Implementation of all Traffic Impact Analysis (TIA) recommendations;
15. Implementation of Environmental Board recommendations;
16. Implementation of Environmental Staff recommendations; and
17. Approval of waiver from Section 25-2-243 - Proposed District Boundaries must be Contiguous.

The Staff recommendation is based on the following considerations:

1.) The proposed land uses are compatible with existing and proposed commercial development in the area;
2.) The Future Land Use Map for the Central Austin Combined – Hancock Neighborhood Plan will recommend mixed uses for this site;
3.) Recommended conditions will yield a superior development vs. traditional rezoning; and
4.) All other terms and conditions in of Ordinance No. 040826-59 shall remain in place.

BASIS FOR RECOMMENDATION

1. ***The Planned Unit Development District (PUD) is intended for large or complex developments under unified control planned as a single contiguous project. The PUD is intended to allow single or multi-use projects within its boundaries and provide greater flexibility for development proposed within the PUD.***

The proposed PUD does provide benefits that could not be accomplished through standard zoning. The staff supports an alternative maximum height to the requested height to provide for a transition to the

established neighborhood while maintaining the integrity and character of the residences. Waivers of compatibility standards are not recommended as it may infringe on the surrounding residential uses.

2. ***Use of a PUD District should result in development superior to that which would occur using conventional zoning and subdivision regulations. PUD zoning is appropriate if the PUD enhances preservation of the natural environment; encourages high quality development and innovative design; and ensures adequate public facilities and services for development with in the PUD.***

The Staff has determined that with the recommended conditions, the proposed PUD will result in a superior development than that which could have occurred using conventional zoning. In this application, the applicant is requesting additional height, inclusion of compatible land uses, and inclusion of design standards that demonstrate an improvement to the PUD that will result in superior development of the site.

EXISTING CONDITIONS

Site Characteristics

The subject rezoning area consists of a 22.205 acre site fronting Harmon Avenue, East 32nd Street, and Interstate 35 zoned GO-NP, LO-MU-NP, and CS-MU-NP. The site was rezoned as part of the Central Austin Combined Neighborhood Plan by Ordinance No. 040826-59 (Please see Attachment A). The plan designates this site for civic uses in accordance with the Future Land Use Plan. A neighborhood plan amendment is in progress and will incorporate a mixed-use designation. The proposed amendment would change the land use designation on the Central Austin Combined Neighborhood Planning Area (CACNPA) for the Concordia University site, 3400 North IH-35, from Civic to a recommended Mixed-Use. The change in designation will allow for the redevelopment of the Concordia University site into a mixed-use development.

Portions of the site were rezoned to from MF-4 to GO under Ordinance No. 020404-Z-8 which included a restrictive covenant and to GR-CO-NP under Ordinance 920820-I. (Please see Attachments B). The applicant seeks to rezone the property to PUD-NP to allow for the redevelopment of the existing Concordia University Campus.

Industrial Waste - MICHAEL NEBERMAN 972-1060

8/18/06

IW 1. No Comment.

WWW - PAUL URBANEK 974-3017

Description

WW 1. The site is currently served with City of Austin water and wastewater utilizes. If water or wastewater utility improvements, or offsite main extension, or system upgrades, or utility adjustments, or

utility relocation are required, the landowner, at own expense, will be responsible for providing. Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay the City inspection fee with the utility construction and all other associated and applicable City fees.

WW 2. If an onsite or offsite easement is necessary for City water or wastewater service, the subject landowner, at own expense, will be responsible for providing. The easement must be for a location defined and approved by the Austin Water Utility and the easement dedication must be in a form acceptable by the City.

Electric - DAVID LAMBERT 322-6109

REJECTED

EL 1. A fifteen foot building setback is required along East 32nd Street and the north side of Concordia Avenue to ensure adequate safety clearances between the existing overhead electric lines and any future building.

EL 2. For information: Any relocation of existing electric facilities shall be at landowner's/developer's expense.

Transportation - JOE ALMAZAN 974-2674

TR 1. 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.*

TR 2. The PUD land use plan proposes a CBD parking reduction of 65% on site parking. For information: Within the CBD and DMU districts, the minimum number of parking spaces is **20%** and the maximum number is **60%** of the number of spaces otherwise required. LDC, 25-6-591. Allowable parking may be increased without limit if all parking is contained within a parking structure or the excess parking is approved by the Land Use Commission based on the criteria in Section 25-6-501(D)

a.) *Any parking reduction should be documented by more detailed information such as a shared parking analysis using the methodology established by the Urban Land Institute or upon other methodologies considered appropriate for this type of mixed-use development. Other design considerations include pedestrian links between the development and shared parking areas using special attention to sidewalk design, access across internal drives and streets and access with parking garages; use of public transportation; bike planning; or other strategies such as valet parking between hotel and restaurant use or hours of operation based on land uses with different operating hours.*

b.) *If enclosed parking garages are proposed, it is recommended that pedestrian oriented uses (as defined in LDC, 25-2-691) will be provided at the ground level for separation from the adjacent street.*

TR 3. For information: In the CBD and DMU Districts, residential uses are required to provide at least **60%** of the number of parking spaces otherwise required by Sec. 25-6-472, Appendix A. LDC, 25-6-591(A)(4).

TR 4. Please specify whether phasing of the development is proposed. *Phasing of the development and the manner in which each phase can exist as a stable independent unit should be shown based on required/provided parking, impervious cover and zoning, landscaping, drainage facilities, water quality, and other data as requested.*

TR 5. Please specify whether public or private streets are proposed with the development. *The location of collector and arterial roadways proposed within the PUD must be shown, including right-of-way widths, the location of access points to abutting streets and roadways.*

Public Works - Signalization Division - Brian W. Craig 457-4880

PW 1. Traffic Counts were taken when school was closed and/or in finals or in summer session. Given the proximity to UT and Concordia, this is not an acceptable method of collecting traffic data.

PW 2. I am not sure that traffic patterns around a University adheres to general rule of thumb that peak volume is ten percent of the 24 hour volume.

PW 3. Why are apartment trip rates and residential condo rates shown in square footage and not by units.

PW 4. What about geometric improvements? IH 35 & 38th ½ Street. SB right turn lane

PW 5. Red River & 38th ½ will require some type of geometric improvement to alleviate the extra traffic at this intersection. NB / SB left would help the level of service.

PW 6. Increase cross –section on side streets to include two approach lanes and one departure lane. Ie. Keith Lane, Duncan Lane, Luther Lane,.

PW 7. Add EB LT at 32nd & Driveway C

PW 8. Too many WB lefts added to 38 ½ St without a left turn bay. Add a left turn bay.

Fire Review - RON BUYS 974-0183

INFORMAL UPDATE OK 8/30/06

FR 1. NEED FIRE FLOW REQUIRED FOR BUILDING OR BUILDINGS PROPOSED PER 2003 IFC TABLE B105.4

FR 2. NEED FIRE HYDRANT TESTS TO VERIFY THAT THE FIRE FLOW REQUIRED FOR BUILDING(S) IS AVAILABLE.

FR 3. NEED FIRE HYDRANTS LOCATED ONE WITHIN 400' AND SECOND WITHIN 500' OF ALL POINTS ON BUILDING(S) EXTERIOR. NOTE:THERE ARE LOCATIONS ON THIS SITE THAT DO NOT CURRENTLY MEET THIS REQUIREMENT

FR 4. NEED FIRE APPARATUS ACCESS SO WITHIN 150' OF UNSPRINKLERED OR 200' OF FIRE SPRINKLERED BUILDING EXTERIOR PERIMETER (ALL POINTS ON BUILDING). NOTE:THERE ARE LOCATIONS ON THIS SITE THAT DO NOT CURRENTLY MEET THIS REQUIREMENT.

Water Quality - KEVIN SELFRIDGE 974-2706

August 23, 2006

Acceptance or approval 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.

The proposed P.U.D. development is located in the Waller Creek and Boggy Creek watersheds, an urban water shed and a suburban watershed respectively. The project is not located in the Edward's Aquifer Recharge or Contributing Zone.

WQ 1. Except for the proposed variances and/or waivers, it is this reviewer's understanding the proposed P.U.D. ordinance will provide on-site detention and water quality per current code. Please address this in the proposed P.U.D. ordinance and exhibits. Thanks.

WQ 2. F.Y.I. Based upon the size of this proposed P.U.D. and the proposed density, it is unlikely that participation in the City's fee-in-lieu program for water quality in urban watershed will be available.

Site Plan - LYNDA COURTNEY 974-2810

SP 1. Please show proposed and prohibited uses in specified areas on the Land Use plan. The site plan cannot control uses specified as permitted by the zoning PUD plan unless compatibility applies to the project, and some uses which are normally permitted in IP, LI, CS, CS-1 may be very incompatible to surrounding neighborhoods. Limitation of uses needs to be specified at the time of zoning land use plan.

SP 2. The maximum impervious coverage proposed of 95% would not permit the 4.59 acres of parks and open space. Impervious cover should be limited to 80% overall if 4 out of 22 acres are proposed to be left open. The conformance with goal # 6 specified in the project report specified that existing open space, parks and the natural environment should be enhanced and preserved.

SP 3. Show the locations of open space locations.

SP 4. What are elevation overruns?

SP 5. Site plan review cannot support a blanket waiver of compatibility standards of height and setback, as it sets a bad and dangerous precedent for future PUD proposals. PUD proposals are grand schemes intended to incorporate more intense uses or development in certain areas with the improved designs that are supposed to be better than a design done without those modifications.

Zoning/Land Use - JORGE E. ROUSSELIN 974-2975

ZN 1. The Staff recommends all permitted and conditional uses under GR-MU with MF-6 development standards. The following land uses shall be prohibited in the GR district:

- Automotive Rentals
- Automotive Repair Services
- Automotive Sales
- Automotive Washing (of any type)
- Scrap and Salvage
- Service Station
- Custom Manufacturing
- Pawn Shop Services
- Drive-in services as an accessory to a commercial use

ZN 2. Commercial-liquor sales (CS-1) shall be limited to a total of 9,000 square feet within the proposed PUD with a limitation of 3,000 sq. ft. per CS-1 use.

ZN 3. No unbroken wall planes exceeding 160' shall be permitted in the PUD in accordance with [LDC 25-2-721 (E)(4)].

ZN 4. Complete waiver of compatibility standards under Article 10 of the LDC in not recommended. Please clarify specific compatibility waivers sought.

ZN 5. Please explain 2nd Street pedestrian environment how and where is the private road concept going to be incorporated into the proposed PUD? Will it connect to existing roadways?

ZN 6. On land use plan, please identify open space areas and clarify if such areas are for public use. Please coordinate with Parks and Recreation Department on dedication of park land.

ZN 7. Please clarify building coverage on all parcels vs. the total impervious cover and state the amount of impervious cover reduction proposed.

ZN 8. Please provide a list of all of the transportation variances to the Land Development Code requirements that the applicant will be requesting in this PUD zoning application.

ZN 9. Please provide a list of all of the environmental variances to the Land Development Code requirements that the applicant will be requesting in this PUD zoning application.

ZN 10. On land use plan, please identify all proposed Capital Metro stops. Is land being dedicated for Capital Metro transit facilities?

ZN 11. Please coordinate with Transportation on all parking requirements.

ZN 12. In the absence of design standards to address maximum height and building massing, the Staff recommends a maximum height of 90 feet for all structures within the proposed PUD.

ZN 13. Please clarify if there is to be a connection of Luther Lane to proposed PUD.

ZN 14. Please explain the removal of street patterns from the PUD land use plan.

ZN 15. On land use plan, please identify open space areas and clarify if such areas are for public use. On the Development Assessment, park areas were depicted on the land plan. Please clarify the park areas on the zoning submittal. Please coordinate with Parks and Recreation Department on dedication of park land.

ZN 16. Please clarify if there is to be a connection of Luther Lane to proposed PUD. The land plan depicts a connection. Please address.

ZN 17. Please define and provide standards for "village-style cluster" as proposed in the Retail Village component.

Date: February 7, 2007

To: Jorge Rousselin, Case Manager

CC: Kathy Hornaday, P.E. WHM Transportation Engineering
Alice Glasco, Alice Glasco Consulting
Andy Sarwal

Reference: East Avenue PUD, C814-06-0175

The Transportation Review Section has reviewed the Traffic Impact Analysis for East Avenue PUD, dated August 2006, prepared by Kathy Hornaday, P.E., WHM Transportation Engineering, and offers the following comments:

TRIP GENERATION

East Avenue PUD is a 22.205-acre development located in central Austin at the northwest corner of IH-35 and 32nd Street.

The property is currently developed with Concordia University and zoned General Office – Neighborhood Plan (GO-NP), Limited Office – Mixed Use – Neighborhood Plan (LO-NP) and Commercial Services – Mixed Use – Neighborhood Plan (CS-MU-NP). The applicant has requested a zoning change to Planned Unit Development (PUD). The estimated completion of the project is expected in the year 2011.

Based on the standard trip generation rates established by the Institute of Transportation Engineers (ITE), the development will generate approximately 32,679 unadjusted average daily trips (ADT).

The table below shows the adjusted trip generation by land use for the proposed development:

Table 1. Adjusted Trip Generation

LAND USE	Size	ADT	AM Peak	PM Peak
Shopping Center	300,000sf	10,361	273	768
Apartments	794du	4,430	355	409
Residential Condominiums	475du	2,172	162	195
General Office	59,000sf	800	111	80
Medical-Dental Office	250,000sf	8,130	558	664
Hotel	250 rooms	2,230	168	175
Bowling Alley	5,000sf	150	13	16
Movie Theatre w/o matinee	28,000sf	1,967	0	155
Subtotal		**30,240**	**1,640**	**2,462**
Existing University to be removed	1,162students	3,031	175	346
Total New Trips		**27,209**	**1,465**	**2,116**

ASSUMPTIONS

1. Traffic growth rates provided by TXDOT were as follows:

Table 2. Growth Rates per Year	
Roadway Segment	**%**
All Roads	2%

2. In addition to these growth rates, background traffic volumes for 2006 included estimated traffic volumes for the following projects:

   - SP-01-0466C River City Lofts
   - SP-01-0511CS Jade Catering
   - SP-04-0336D Paragon Condos
   - C814-06-0068 St. David's PUD

3. Reductions were taken for pass-by for the following uses:

Table 3. Summary of Pass-By Reductions		
Land Use	AM	PM
Shopping Center	0%	34%

4. A 10% reduction was taken for internal capture for the entire site with the exception of the hotel use.
5. No transit reductions were taken for this project however this area is serviced by Capital Metro and the UT Shuttle service.

EXISTING AND PLANNED ROADWAYS

Name	ROW	Pavement	Classification	Daily Traffic	Bicycle Plan	AMATP Planned Improvements
IH-35	Varies	Varies	Freeway	251,000 ('04)	No	Include high occupancy vehicle (HOV) lanes.
Red River	Varies	Varies	Major arterial	18,300 ('06)	Priority 1	n/a
38½ Street	50'	Varies	Two lane minor arterial	11,000* ('06)	Priority 1	n/a
32nd Street	60'	Varies	Collector	8,100 ('03)	No	n/a
Dean Keeton Street	126'	100'	Arterial	15,000* ('06)	Priority 1	Upgrade to a six lane divided major arterial
Luther Lane	50'	28'	Local	1,500* ('06)	No	n/a
Duncan Lane	50'	29'	Local	700* ('06)	No	n/a
Keith Lane	50'	30'	Local	700* ('06)	No	n/a
Concordia Avenue	50'	30'	Local	500* ('06)	No	n/a
Harmon Avenue	50'	30'	Collector	400* ('06)	No	n/a
Kim Lane	50'	30'	Local	n/a	No	n/a

*estimated

INTERSECTION LEVEL OF SERVICE (LOS)

The TIA analyzed 18 intersections, 6 of which are or will be signalized. Existing and projected levels of service are as follows, assuming that all improvements recommended in the TIA are built:

Table 4. Level of Service

Intersection	2006 Existing		2011 Site + Forecasted	
	AM	PM	AM	PM
IH-35 and 38½ Street*	C	D	D	F
IH-35 and 32nd Street*	C	C	D	E
Red River and Dean Keeton*	C	D	C	D
Red River and 32nd Street*	C	C	D	D
Red River and 38½ Street*	C	E	C	D
IH-35 and Concordia Avenue	A	A	A	A
Red River and Keith Lane	A	A	A	A
Red River and Duncan Lane	A	A	A	B
Red River and Luther Lane	A	A	A	A
Harmon Avenue and 38 ½ Street	A	A	A	D
IH-35 and Driveway A			A	A
IH-35 and Driveway B			A	A
Driveway C/St. David's Driveway and 32nd Street*			A	B
Kim Lane and Driveway D			A	A
Kim Lane and Driveway E			A	A
Kim Lane and Driveway F/Duncan Lane				
Driveway G and Duncan Lane			A	A

* = SIGNALIZED

CAPACITY ANALYSIS

A capacity analysis was done for Keith Lane, Luther Lane, Duncan Lane and Kim Lane in order to determine their ability to carry additional traffic from this site to Red River. The capacity analysis revealed that each of these roadways would function at a level of service "A" after the site is constructed.

RECOMMENDATIONS and CONCLUSIONS:

1) Prior to approval of the 1st site plan on any portion of the PUD, the developer's full fiscal requirement must be posted for the following improvements:

Intersection	Improvements*
IH-35 and 38½ Street*	SB Right Turn Lane***
IH-35 and 32nd Street*	SB Right Turn Lane
	Restripe EB Approach
Red River and 38½ Street*	NB Left Turn Lane

	SB Left Turn Lane
IH-35 and Concordia Avenue	Striping on Concordia Avenue
Red River and Keith Lane	Additional WB Lane
Red River and Duncan Lane	Additional WB Lane
Red River and Luther Lane	Additional WB Lane
Driveway C/St. David's Driveway and 32nd Street*	Traffic Signal**
	WB Right Turn Lane
	EB Left Turn Lane

*Cost Estimates are required to be submitted at the time of site plan
** A signal will only be installed as determined by DPWT when warrants are met
***Cost estimate will be required to include estimates for pole relocation and any additional right-of-way that may be needed

2) In order to promote alternative modes of transportation in and around the site the following are required at the time of subdivision and/or site plan:

   a) All internal roads/driveways shall have a 15 foot wide curb lane (WC15) as described by the City of Austin Bicycle Plan.

   b) Sidewalks are required along all main corridors within the development to minimum City specifications of roadways.

   At the time of site plan the following opportunities should be evaluated in coordination with the Bicycle and Pedestrian Program of Public Works:

   c) Participation in sidewalks improvements either by construction or fiscal participation along any portion of the existing Keith and Duncan Streets in order to provide better pedestrian access to and from Red River.

   d) Participation in the installation of bicycle lanes on Red River from 32nd to 38th Street.

3) TXDOT has approved this TIA.

4) Final approval from DPWT ~ Signals is required prior to 1st Reading.

5) Two copies of the TIA are required to be submitted prior to 3rd Reading.

6) Development of this property should be limited to uses and intensities which will not exceed or vary from the projected traffic conditions assumed in the TIA, including peak hour trip generations, traffic distribution, roadway conditions, and other traffic related characteristics.

If you have any questions or require additional information, please contact me at 974-2788.

Emily M. Barron
Sr. Planner ~ Transportation Review Staff
Watershed Protection and Development Review

AUSTIN DESIGN COMMISSION

February 13, 2007

Mayor Will Wynn
Council Member Sheryl Cole
Council Member Betty Dunkerley
Council Member Jennifer Kim
Council Member Lee Leffingwell
Council Member Brewster McCracken
Council Member Mike Martinez

Re: East Avenue PUD (aka: Concordia Site)

Dear Mayor and Members of the City Council,

Members of the East Avenue PUD development team, including Andy Sarwal, Larry Speck and Alice Glasco, recently presented their proposed PUD to the Design Commission on January 22, 2007 in advance of their hearing at council, and a Design Commission subcommittee also met with the developers and representatives of the adjacent neighborhoods in a separate meeting, all to prepare the Design Commission to make a recommendation to Council regarding the PUD.

The Commission is generally very supportive of the concept of dense nodal urban developments interconnected by transit, and recognizes that these nodes will have different parameters than those in downtown. Height, massing, and F.A.R. need to respond to its particular environment. The Concordia site is an ideal node due to its proximity to IH35, the University of Texas and other employment centers. Here however, connections other than roadways do not currently exist. We support the developers' intention to encourage UT and Capitol Metro to connect the PUD through bus routes, but further attention regarding impact on the roadway network and transit connections should be given by all parties. This development should be regarded as a major Transit Oriented Development, and a destination of future streetcar and commuter rail.

Additionally, the PUD as presented is lacking the kind of detailed information upon which substantive recommendations and agreements can be made. This lack of information, coupled with frequent changes in the locations of the height zones, result in conflict and confusion in the approval process. While current PUD application requirements may have been met, urban infill proposals such as this one may require greater information and detail, and this should be considered by council in the future.

The Commission agrees with the recommendations of staff regarding permitted uses, but offers these separate additional comments:

1. Some assurance should be made that the internal street system and parks will be public places and not restricted to the exclusive use of the internal residents.

Neighborhood Planning & Zoning Department
P.O. Box 1088
Austin, Texas 78767-8810

2. Connections to the existing streets to the west and north should be made which would help integrate the new development into the fabric of the city. At the least, Kim Lane should be connected to the primary interior street with a two way street adjacent to the planned park. The vehicular connection should be park-like in character. Strong pedestrian and bicycle connections should be made between the PUD and Luther Lane and between the PUD and Harmon Avenue.

3. Some significant element of affordable housing over and above the ordinance minimum should be incorporated into the plan beyond the proposed car share program.

4. The Design Commission encourages planning that utilizes height to achieve a higher F.A.R. without the need for height in zones nearer existing neighborhoods.

5. The towers should sit upon a base form which is significantly shorter than the towers, and which defines a street wall not exceeding 60 feet.

6. Mid-rise buildings should be located adjacent to the internal streets and the neighborhood in order to provide transitions and buffering.

The Design Commission commends the communication between the neighborhoods most affected by the development and the developer, and encourages a solution that can meet both the quality of life goals of the neighborhood and the development goals of the applicant.

Sincerely,

Eleanor H. McKinney

Eleanor McKinney, Chair
Austin Design Commission

Cc:
Laura Huffman, Assistant City Manager
Greg Guernsey, Director, Neighborhood Planning and Zoning
Austin Planning Commission

ENVIRONMENTAL BOARD MOTION 120606-B3

Date: December 06, 2006

Subject: East Avenue Planned Unit Development

Motioned By: Julie Jenkins Seconded By: William Curra, P. E.

Recommendation
The Environmental Board is supportive of the environmental enhancements proposed, but does not have a **recommendation** on the proposed P. U. D. zoning at this time.

Rationale
Many of the proposed Environmental improvements are tied to site development plans. With lack of definitive plans for the East Avenue Planned Unit Development, it is inadvisable to recommend any environmental treatments proposed.

Vote: 9-0-0-0

For: Dave Anderson, Karin Ascot, Phil Moncada, William Curra, Dr. Mary G. Maxwell, Rodney Ahart, Julie Jenkins, John Dupnik, and Jon Beall

Against: None.

Abstain: None.

Absent:

Approved By:

P.E.

Dave Anderson P.E., CFM
Environmental Board Chair

MEMORANDUM

TO: David Sullivan, Chairman
Members of the Planning Commission

FROM: Betty Lambright, Environmental Review Specialist Sr.
Watershed Protection and Development Review Department

DATE: January 11, 2007

SUBJECT: East Avenue Planned Unit Development/C814-06-0175
3400 N. IH 35 Service Road

As previously stated in my 12/06/06 memo concerning this project, WPDR staff is pleased to see the proposed Sustainable Technologies offered by the applicant. During the courtesy presentation to the Environmental Board, it was suggested that the applicant provide some quantification of the technologies. Since then, staff and the applicant have agreed to the environmental enhancements outlined in the January 8, 2007 letter signed by Mr. Andy Sarwal. These quantified conditions are now enforceable and therefore provide WPDR a level of assurance that they will be implemented. In addition, the applicant is continuing to work with staff to provide additional quantifiable benefits.

WPDR staff supports the zoning application, and requests that the commitments from the 1/8/07 letter be incorporated into the PUD document. If you have any questions or need additional information, please feel free to contact me at 974-2696.

Betty Lambright, Environmental Review Specialist Sr.
Watershed Protection and Development Review

Environmental Lead: Ingrid McDonald

East Avenue

8 January 2007

Betty Lambright
Watershed Protection and Development
Review Dept.
Land Use Review
505 Barton Springs Road
Austin, Texas 78704

Re: Concordia University Redevelopment—East Avenue

Dear Betty:

Concordia University current campus falls within the city's urban core and currently occupies a 22-acre site off of IH-35. It has out-grown the space and plans to relocate by the middle of 2008. Once Concordia relocates from its downtown campus, the site will be redeveloped with a vibrant mix of pedestrian-friendly uses. This new, urban-infill project takes its name from East Avenue, the original name of the North-South avenue now occupied by Interstate Highway 35 that is adjacent to the property.

East Avenue's design paradigm of a walkable urban village will be achieved through a carefully designed, mixed-use collection of stores, restaurants, housing, and office space connected by "great driveways." Assuming that PUD zoning is granted by t he City of Austin, and assuming the zoning as currently requested is granted, East Avenue commits to have and integrate the following:

- At least two (2) acres of pervious green space at the surface level (including .98 acres located on the western part of the site as indicated in the land use plan);
- At least one (1) acre of green roofs across the site;
- The use of pervious concrete at the site (with a cap of 5% for purposes of calculating pervious cover);
- Every Class 1 tree over 19 caliper inches that exists on the site shall be preserved (approximately 31 trees). East Avenue shall make every attempt to move as few trees as possible and preserve such trees in their current location;
- At least one acre of additional open space on the ground (as defined by the Open Space section of the City of Austin Code (Section 25-2-514 Open Space Standards))—could include sidewalks, etc;

- East Avenue will work with City Staff to develop a monitoring program that will assess the performance of all innovative technologies used as part of the project; and

- East Avenue will meet or exceed stormwater quality and quantity specifications using either conventional treatment measures or some or all of the following measures: bioinfiltration swales and ponds, wet ponds, and/or sand filters, or another measure agreed to by the City and East Avenue.

I hope this information is helpful. Please let me know if you have any questions or additional thoughts. Thank you.

Sincerely yours,

Andy Sarwal
East Avenue IG, LP

cc: Jorge Rousselin

ORDINANCE NO. 040826-59

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP TO ADD A NEIGHBORHOOD PLAN COMBINING DISTRICT TO THE BASE ZONING DISTRICTS ON APPROXIMATELY 541.38 ACRES OF LAND GENERALLY KNOWN AS THE HANCOCK NEIGHBORHOOD PLAN AREA AND TO CHANGE THE BASE ZONING DISTRICTS ON 184 TRACTS OF LAND.

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 add a neighborhood plan (NP) combining district to each base zoning district within the property and to change the base zoning districts on 184 tracts of land within the property described in Zoning Case No.C14-04-0023, on file at the Neighborhood Planning and Zoning Department, as follows:

Approximately 541.38 acres of land in the City of Austin, Travis County, Texas, more particularly described and identified in the attached Exhibit "A" incorporated into this ordinance, Save and Except the following tracts, (the "Property")

Tract 563A	4427 and 4429 Duval Street; and
Tract 2104A	3403, 3405, and 3407 Hampton Rd., and 3406 Red River Street,

generally known as the Hancock neighborhood plan combining district, locally known as the area bounded by Duval Street on the west, 45th Street on the north, IH-35 on the east, and Dean Keeton Street on the south, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

Except as provided in this ordinance, the existing base zoning districts and conditions remain in effect.

PART 2. The base zoning districts for the 184 tracts of land are changed from family residence (SF-3) district, family residence-historic (SF-3-H) combining district, single family residence small lot (SF-4A) district, multifamily residence low density (MF-2) district, multifamily residence medium density (MF-3) district, multifamily residence moderate high density (MF-4) district, multifamily residence high density (MF-5) district,

ATTACHMENT A

limited office (LO) district, neighborhood commercial (LR) district, neighborhood commercial-conditional overlay (LR-CO) combining district, community commercial (GR) district, community commercial-conditional overlay (GR-CO) combining district, general commercial services (CS) district, general commercial services-conditional overlay (CS-CO) combining district, and commercial-liquor sales (CS-1) district, to single family residence–conditional overlay-neighborhood plan (SF-2-CO-NP) combining district, family residence-conditional overlay-neighborhood plan (SF-3-CO-NP) combining district, family residence-historic-conditional overlay-neighborhood plan (SF-3-H-CO-NP) combining district, single family residence small lot-conditional overlay-neighborhood plan (SF-4A-CO-NP) combining district, multifamily residence low density-neighborhood plan (MF-2-NP) combining district, multifamily residence low density-conditional overlay-neighborhood plan (MF-2-CO-NP) combining district, multifamily residence medium density-neighborhood plan (MF-3-NP) combining district, multifamily residence medium density-conditional overlay-neighborhood plan (MF-3-CO-NP) combining district, multifamily residence moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district, neighborhood office-mixed use-neighborhood plan (NO-MU-NP) combining district, limited office-mixed use-neighborhood plan (LO-MU-NP) combining district, limited office-mixed use-conditional overlay-neighborhood plan (LO-MU-CO-NP) combining district, general office-mixed use-neighborhood plan (GO-MU-NP) combining district, general office-mixed use-conditional overlay-neighborhood plan (GO-MU-CO-NP) combining district, neighborhood commercial-conditional overlay-neighborhood plan (LR-CO-NP) combining district, neighborhood commercial-mixed use-neighborhood plan (LR-MU-NP) combining district, neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district, community commercial-mixed use-neighborhood plan (GR-MU-NP) combining district, community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district, general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district, general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district, general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district, commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district, and public-neighborhood plan (P-NP) combining district, as more particularly described and identified in the chart below:

TRACT	ADDRESS	FROM	TO
501	2803, 2819, 2821, 2827 SAN JACINTO BLVD	LR-CO	LR-MU-CO-NP
503	505, 507, 509 RATHERVUE PL	SF-3	MF-4-CO-NP
503A	601, 605 RATHERVUE PL	SF-3	MF-4-CO-NP
503B	607, 609 RATHERVUE PL	SF-3	GO-MU-CO-NP
504	501 BELLEVUE PL	LO	LO-MU-NP

TRACT	ADDRESS	FROM	TO
505	716 E DEAN KEETON ST; 3013 HARRIS PARK AVE	SF-3	P-NP
506	706 E DEAN KEETON ST	SF-3	MF-3-NP
507	2900, 2902 MEDICAL ARTS ST	LR	LR-MU-CO-NP
507A	2912 MEDICAL ARTS ST	LR	LR-MU-CO-NP
508	2915 HAMPTON RD	LO	SF-3-CO-NP
508A	WEST 115' OF 2910 MEDICAL ARTS ST	MF-3	MF-3-CO-NP
509	3000, 3004 MEDICAL ARTS	LO	LO-MU-CO-NP
510	814 E 31ST ST; 3100 RED RIVER ST	LO	LO-MU-CO-NP
511	3110 MEDICAL ARTS ST	GO	GO-MU-CO-NP
512	805, 811 E 32ND ST	LO	LO-MU-CO-NP
513	2901, 2911, 2915, 3001 MEDICAL ARTS ST	MF-3, MF-5, LO, CS	GR-MU-CO-NP
514	0 RED RIVER ST (COMMON AREA LESS 11 SQ FT MEDICAL ARTS SQUARE PLUS 1/2 VAC STREET)	MF-5	GR-MU-CO-NP
514A	920 E DEAN KEETON ST	GO	GR-MU-NP
515	926 E DEAN KEETON ST	GO	GR-MU-CO-NP/MF-6-CO-NP
516	924 E DEAN KEETON ST	GO	GR-MU-CO-NP/MF-6-CO-NP
517	2900 SWISHER ST	LO	GR-MU-NP
518	0 COMANCHE ST (N .255 ACR OF TRT 1 OLT 23 DIVISION C)	GO	GR-MU-NP
519	2703, 2901 SWISHER ST	SF-3, MF-5, GO	GR-MU-NP
520	2706, 2800, 2900, 2908 COLE ST	SF-3, GO	GR-MU-NP
520A	2804, 2900, 2908 N I-35 SV RD SB; 0 DEAN KEETON ST E (LOT 10 * LESS SE TRI PLUS PT OF ADJ VAC ALLEY & NW TRI OF LOT 11 BLK 1 OLT 23 DIV C FELLMAN HEIGHTS)	CS	CS-MU-NP
521	918, 924, 928, 1000, 1004 E 32ND ST	GO	GO-MU-NP
522	3203, 3205, 3211 RED RIVER ST	CS	CS-MU-CO-NP
523	812 E 32ND ST	LO	LO-MU-CO-NP
524	3200 RED RIVER ST	GR-CO	GR-MU-CO-NP
525	3208 RED RIVER ST	GO	GO-MU-CO-NP
526	3212 RED RIVER ST	GO	GO-MU-CO-NP
526A	3304 RED RIVER ST	MF-2	MF-3-NP
527	3310 RED RIVER ST	LO	LO-MU-CO-NP
527A	3308 HAMPTON RD; 0 HARRIS AVE (LOT 17 * & 1.06ACR OF LOT 18 OLT 6-9 DIV C BEAU SITE)	SF-3	P-NP
528	908 KEITH LN	GO	GO-MU-NP
529	3501 RED RIVER ST	MF-4	MF-4-CO-NP
530	1000, 1002, 1004 CONCORDIA AVE	LO	LO-MU-NP

TRACT	ADDRESS	FROM	TO
531	1009, 1011 E 38TH ST; 3503, 3505, 3507, 3701, 3703 HARMON AVE; 3500, 3502, 3506, 3700, 3702, 3704 N I-35 SVC RD SB	CS	CS-MU-NP
532	1014 E 38TH ST; 1015 E 38TH 1/2 ST	CS	CS-MU-CO-NP
532A	1016 E 38TH ST; 1017 E 38TH 1/2 ST; 3800, 3808, 3810 N IH-35 SVC RD SB	CS	CS-MU-NP
533	1013 E 38TH 1/2 ST	LO	LO-MU-NP
534	1012 E 38TH 1/2 ST	LO	LO-MU-NP
535	1016 E 38TH 1/2 ST	CS	CS-MU-CO-NP
535A	3828 N IH-35 SVC RD SB	CS	CS-MU-NP
536	1006 E 39TH ST	SF-3	LO-MU-CO-NP
536A	1008 E 39TH ST (N 100.28 FT OF S 207.2 FT OF E 52.89 FT OF LOT 1 BLK 9 OLT 20-21 DIV C PLAINVIEW HEIGHTS E 39TH ST)	SF-3	LO-MU-CO-NP
536B	1008 (S 100.29 FT OF E 52.89 FT OF LOT 1 BLK 9 OLT 20-21 DIV C PLAINVIEW HEIGHTS E 39TH ST)	SF-3	LO-MU-CO-NP
537	1019 E 39TH ST; 1009 E 40TH ST	GO	GO-MU-NP
537A	1015, 1017 E 40TH ST; 3900, 3906 N IH-35 SVC RD SB	CS	CS-MU-NP
538	1005, 1007 E 40TH ST	LO	LO-MU-NP
539	930, 1000, 1002, 1004, 1006, 1008, 1010 E 40TH ST	LO	LO-MU-NP
540	1033 E 41ST ST; 4000 N IH-35 SVC RD SB	CS	CS-MU-NP
540A	1025 E 43RD ST	CS-CO	CS-MU-CO-NP
541	905, 907, 909, 913, 915, 923, 925, 927, 931, 1007, 1013, 1017, 1021 E 41ST ST	GR	GR-MU-CO-NP
541A	4007-4011 RED RIVER ST	GR-CO	GR-MU-CO-NP
542	4003, 4005 RED RIVER ST; 902, 910, 912, 918, 920, 924, 928 E 40TH ST	SF-3, MF-3, LO	MF-3-NP
543	1000 E 41ST ST (EXCEPT 2,500 SQ FT OF OUTLOT 19, ORIGINAL CITY OF AUSTIN, TWIN LIQUORS SITE)	GR, CS	CS-CO-NP
543A	1000 E 41ST ST--2,500 SQ FT OF OUTLOT 19, ORIGINAL CITY OF AUSTIN, TWIN LIQUORS SITE AS SHOWN ON EXHIBIT C)	CS-1	CS-1-CO-NP
546	906 ELLINGSON; 4425 RED RIVER	LR	LR-MU-NP
547	4400 RED RIVER ST	LO	LO-MU-NP
548	4210, 4306 RED RIVER ST	LO	LO-MU-NP
549	811 E 41ST ST	SF-3	P-NP
549A	811 E 41ST ST	SF-3	P-NP
550	4003 DUVAL	MF-4	LR-MU-CO-NP
551	506 E 40TH ST	MF-4	MF-2-CO-NP
557	500 PARK BLVD	LR	LR-MU-CO-NP
559	4215 DUVAL ST	CS	CS-CO-NP
560	503 E 43RD ST	CS	MF-2-NP
561	4301 DUVAL ST	CS	CS-CO-NP
562	4305 DUVAL	MF-4	MF-4-CO-NP
562A	4303, 4305 DUVAL ST	CS	CS-MU-CO-NP
563	4409 DUVAL ST	CS	CS-MU-CO-NP
2001	507, 509, 511 BELLEVUE PL	SF-3	SF-3-CO-NP

TRACT	ADDRESS	FROM	TO
2002	601, 603, 605 BELLEVUE PL	SF-3	SF-3-CO-NP
2003	607, 609 BELLEVUE PL	SF-3	SF-3-CO-NP
2004	504 BELLEVUE PL	SF-3	SF-3-CO-NP
2004A	506 BELLEVUE PL	SF-3-H	SF-3-H-CO-NP
2004B	508 BELLEVUE PL	SF-3	SF-3-CO-NP
2005	604, 606, 608, 610 BELLEVUE PL; 3006 HARRIS PARK AVE; 611 RATHERVUE PL	SF-3	SF-3-CO-NP
2005A	600 BELLEVUE PL	SF-3-H	SF-3-H-CO-NP
2006	3102, 3104, 3106 HARRIS PARK AVE; 610 RATHERVUE PL	SF-3	SF-3-CO-NP
2007	3110 HARRIS PARK AVE	SF-3-H	SF-3-H-CO-NP
2008	806, 808, 810, 812, 814, 816 E 31ST ST; 703, 705, 707, 709, 711, 713, 715, 717, 719, 725, 801, 803 E 32ND ST; 3103, 3103, 3111 HARRIS PARK AVE; 702, 706, 708, 712, 716, 718, 720, 722, 724 SPARKS AVE	SF-3	SF-3-CO-NP
2009	701, 705, 707, 709 SPARKS AVE	SF-3	SF-3-CO-NP
2010	714 E DEAN KEETON ST	SF-3	SF-3-CO-NP
2011	802, 804, 806 E DEAN KEETON ST; 805, 807, 809 LEONARD ST	SF-3	SF-3-CO-NP
2012	807, 809 E 30TH ST; 2908, 2914 BEANNA ST; 800, 802, 804, 808 LEONARD ST	SF-3	SF-3-CO-NP
2013	817 E 30TH ST; 2903, 2905, 2907, 2909, 2911, 2913 2915 BEANNA ST; 810 E DEAN KEETON ST; 2900, 2902, 2904, 2910, 2914 HAMPTON RD	SF-3	SF-3-CO-NP
2014	806, 808, 810, 812, 814, 818, 820, 822, 824 E 30TH ST; 807, 809, 811, 813, 815, 817, 819 E 31ST ST; 721, 723 SPARKS AVE	SF-3	SF-3-CO-NP
2015	900, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 923 E 37TH ST; 901, 903, 905, 907, 909, 913, 915, 1001, 1003, 1005, 1007 E 38TH ST; 3504, 3506, 3700, 3702, 3704, 3706, 3708, 3710 HARMON AVE; 3511 RED RIVER ST	SF-3	SF-3-CO-NP
2016	904, 906, 908, 910, 912, 1000, 1002, 1004, 1006, 1008, 1010, 1012 E 38TH ST; 909, 913, 915, 917, 1001, 1005, 1007, 1009 E 38TH 1/2 ST; 3801, 3803, 3805 RED RIVER ST	SF-3	SF-3-CO-NP
2017	1011 E 38TH 1/2 ST	SF-4A	SF-4A-CO-NP
2018	906, 908, 910, 912, 914, 916, 1000, 1002, 1004, 1006, 1008, 1010 E 38TH 1/2 ST; 907, 911, 913, 915, 917, 919, 921, 923, 925, 1001, 1003, 1005, 1007 E 39TH ST; 3809, 3813, 3817 RED RIVER ST	SF-3	SF-3-CO-NP
2019	907 E 40TH ST; 3900, 3902, 3904, 3906, 3908, 3912, 3914 BECKER AVE; 3901, 3903, 3905, 3907, 3909 RED RIVER ST	SF-3, MF-3	SF-3-CO-NP
2020	912, 914, 916 E 39TH ST; 917, 919, 921 E 40TH ST; 3901, 3903, 3905, 3907, 3909, 3911, 3913, 3915 BECKER AVE; 3902, 3906, 3908, 3910, 3912, 3914 WILLBERT RD	SF-3	SF-3-CO-NP
2021	1004 E 39TH ST; 3901, 3905, 3907, 3909, 3911, 3913, 3915 WILLBERT RD	SF-3	SF-3-CO-NP
2022	903, 905, 907, 909, 911, 1001, 1003, 1005, 1007, 1009 E 43RD ST; 4211, 4213 RED RIVER ST	SF-3, GR	SF-3-CO-NP
2023	1011, 1013, 1015, 1017, 1019, 1021, 1023, 1025, 1027, 1029, 1031, 1033, 1035, 1037, 1039 E 43RD ST	SF-3	SF-3-CO-NP

TRACT	ADDRESS	FROM	TO
2024	902, 904, 906, 908, 1000, 1002, 1004, 1006, 1008 E 43RD ST; 905, 907, 909, 911, 1001, 1003, 1005, 1007, 1009, 1011 E 44TH ST; 4301, 4305 RED RIVER ST	SF-3	SF-3-CO-NP
2025	1010, 1012, 1014, 1016, 1018, 1020 E 43RD ST; 1013, 1015, 1017, 1019, 1021, 1023, 1025 E 44TH ST; 4302 HARMON AVE	SF-3	SF-3-CO-NP
2026	1026, 1028, 1030, 1032, 1036, 1038 E 43RD ST; 1029, 1031, 1033, 1035 E 44TH ST	SF-3	SF-3-CO-NP
2027	904, 906, 908, 1002, 1004, 1006, 1008, 1010 E 44TH ST; 905, 911, 1001, 1005, 1011 ELLINGSON LN; 4401, 4403, 4405 RED RIVER ST	SF-3, LO	SF-3-CO-NP
2028	1012, 1014, 1016, 1018, 1020, 1022, 1024, 1026, 1028, 1030, 1032, 1034 E 44TH ST; 1013, 1015, 1017, 1019, 1021, 1023, 1025, 1027, 1029, 1031 ELLINGSON LN	SF-3	SF-3-CO-NP
2029	1001, 1003, 1005, 1007, 1009, 1011 E 45TH ST; 4406 BENNETT AVE; 1000, 1002, 1004, 1006, 1008, 1010 ELLINGSON LN	SF-3	SF-3-CO-NP
2030	1013, 1015, 1017, 1019, 1021, 1023, 1025, 1027 E 45TH ST; 4407 BENNETT AVE; 1014, 1016, 1018, 1020, 1022, 1024, 1026, 1028 ELLINGSON LN	SF-3	SF-3-CO-NP
2031	4414, 4418, 4420, 4426 RED RIVER ST	SF-3	SF-3-CO-NP
2032	801, 807, 809, 811 E 45TH ST; 4413 CASWELL AVE	SF-3	SF-3-CO-NP
2033	4409 CASWELL AVE; 806, 808, 810, 812 KEASBEY ST	SF-3	SF-3-CO-NP
2034	815 KEASBEY ST; 4408, 4408, 4410, 4412 RED RIVER ST	SF-3	SF-3-CO-NP
2035	4405 CASWELL AVE; 801, 805, 807, 809, 811, 813 KEASBEY ST	SF-3	SF-3-CO-NP
2036	800, 802, 804, 806, 812 E 44TH ST	SF-3	SF-3-CO-NP
2037	801, 803, 805, 807, 809 E 44TH ST; 4308, 4310, 4312 RED RIVER ST	SF-3	SF-3-CO-NP
2038	0 CASWELL AVE (BLK 22 * 59.72AV X 139.78AV DIVISION C OLT 15 RIDGETOP ANNEX), 0 CASWELL AVE (88.4 X 68.58FT BLK 22 OLT 14 DIVISION C); 4205, 4211, 4301, 4305 CASWELL AVE; 800, 802, 804, 806, 808, 810, 812 PARK BLVD	SF-3, LO	SF-3-CO-NP
2039	701, 703, 705, 709, 711 E 45TH ST; 4412 CASWELL AVE	SF-3	SF-3-CO-NP
2040	4408 CASWELL AVE; 700, 702, 704, 706, 708, 712 KEASBEY ST	SF-3	SF-3-CO-NP
2041	4404, 4406 CASWELL AVE; 701, 703, 705, 709 KEASBEY ST	SF-3	SF-3-CO-NP
2042	706 E 44TH ST	SF-3-H	SF-3-H-CO-NP
2043	708, 712 E 44TH ST	SF-3	SF-3-CO-NP
2044	705, 707, 709 E 44TH ST; 4308 CASWELL AVE; 4307 EILERS AVE	SF-3	SF-3-CO-NP
2045	702, 706 E 43RD ST; 4300, 4304, 4306 CASWELL AVE; 4307 EILERS AVE	SF-3	SF-3-CO-NP
2046	602, 606, 610, 612 E 43RD ST; 4308, 4310, 4400, 4402, 4404, 4406, 4408 EILERS AVE	SF-3	SF-3-CO-NP
2047	602, 606 E 43RD ST	SF-3-H	SF-3-H-CO-NP
2048	605 E 45TH ST; 4315, 4401, 4413, 4415, 4417, 4419 BARROW AVE	SF-3	SF-3-CO-NP
2049	4410, 4412, 4414, 4416, 4418 BARROW AVE	SF-3, MF-2	SF-3-CO-NP
2050	4314, 4316, 4400, 4403, 4403, 4404, 4313, 4317 BARROW AVE; 4401, 4403, 4405, 4407 DUVAL ST	SF-3, MF-2, LR	SF-3-CO-NP
2051	505, 509, 511 E 43RD ST	SF-3	SF-3-CO-NP
2052	502, 504, 506, 508, 510 PARK BLVD	SF-3, MF-4	SF-3-CO-NP

TRACT	ADDRESS	FROM	TO
2053	601, 603, 605, 607, 609, 611, 615, 617, 701, 705, 707, 711, 713, 715 E 43RD ST; 600, 602, 604, 606, 610, 700, 704, 706, 716, 720, 722 PARK BLVD	SF-3	SF-3-CO-NP
2054	4205 DUVAL ST; 501, 503, 505, 507 PARK BLVD	SF-3, MF-4	SF-3-CO-NP
2055	500, 502, 504, 506, 508, 512 E 42ND ST; 4203 DUVAL ST	SF-3, MF-4	SF-3-CO-NP
2056	505, 507, 509, 511 E 42ND ST; 4105 DUVAL ST	SF-3, MF-4	SF-3-CO-NP
2057	600, 502, 506, 510, 512 E 41ST ST	SF-3, MF-4	SF-3-CO-NP
2058	700, 702, 710 E 41ST ST; 0 E 42ND ST (135.22 X 151.7FT AV & 8 X 14' OLT 14 DIVISION C); 600, 602, 604, 606, 608, 610 E 42ND ST; 4203 BARROW ST; 601, 603, 605, 607, 609, 611, 703, 709, 711, 713, 719, 721, 723, 801, 803, 805, 807, 809, 811 PARK BLVD; 4107, 4109, 4111 PECK AVE	SF-3	SF-3-CO-NP
2059	801 PARK BLVD	SF-3-H	SF-3-H-CO-NP
2060	601, 603, 605, 607 E 42ND ST; 4104 PECK AVE	SF-3	SF-3-CO-NP
2061	600, 602, 604, 606, 608 E 41ST ST; 4102 PECK AVE	SF-3	SF-3-CO-NP
2062	501, 503, 507, 509, 511 E 41ST ST; 4007 DUVAL ST; 4000 PECK AVE	SF-3, MF-4	SF-3-CO-NP
2063	510, 512, 514, 516, 518 E 40TH ST	SF-3	SF-3-CO-NP
2064	505, 509, 511, 513, 515, 517 E 40TH ST; 3911, 3913 DUVAL ST	SF-3	SF-3-CO-NP
2065	506, 508, 510, 512, 514 E 39TH ST; 3901, 3903, 3905 DUVAL ST; 3902 PECK AVE	SF-3	SF-3-CO-NP
2066	505, 507, 511, 515 E 39TH ST; 3817, 3819, 3823 DUVAL ST	SF-3	SF-3-CO-NP
2067	506, 508, 512, 514 E 38TH 1/2 ST; 3811, 3813, 3815 DUVAL ST	SF-3	SF-3-CO-NP
2068	507, 509, 511, 515, 517 E 38TH 1/2 ST; 3807 DUVAL ST; 3808 PECK AVE	SF-3	SF-3-CO-NP
2069	506, 508, 510, 512, 514 E 38TH ST; 3801, 3803, 3805 DUVAL ST	SF-3	SF-3-CO-NP
2070	503, 505, 509 E 38TH ST; 3701, 3703, 3705, 3709 DUVAL ST; 502, 506, 508 TEXAS AVE	SF-3	SF-3-CO-NP
2071	501, 505, 507, 509, 511 TEXAS AVE	SF-3	SF-3-CO-NP
2072	500, 506, 508 CAROLYN AVE; 3407 DUVAL ST	SF-3	SF-3-CO-NP
2073	503, 506, 509 CAROLYN AVE; 3409 DUVAL ST	SF-3	SF-3-CO-NP
2074	3405 DUVAL ST; 504, 506, 508 HARRIS AVE	SF-3	SF-3-CO-NP
2075	601, 603, 605, 607, 609 E 38TH ST	SF-3	SF-3-CO-NP
2076	3705 LIBERTY ST; 602, 604, 606, 608 TEXAS AVE	SF-3	SF-3-CO-NP
2077	601, 603, 605, 607, 609 TEXAS AVE	SF-3	SF-3-CO-NP
2078	600, 602, 604,608 CAROLYN AVE; 3502 MONTROSE	SF-3	SF-3-CO-NP
2079	601, 603 CAROLYN AVE; 3408 MONTROSE	SF-3	SF-3-CO-NP
2080	600, 602, 604, 606 HARRIS AVE; 3400 MONTROSE ST	SF-3	SF-3-CO-NP
2081	3707 MONTROSE ST; 701, 703, 705 E 38TH ST	SF-3	SF-3-CO-NP
2082	700, 702, 704, 706, 708 TEXAS AVE	SF-3	SF-3-CO-NP
2083	701, 703, 705, 707, 709 TEXAS AVE; 3506 WOODROW ST	SF-3	SF-3-CO-NP
2084	700, 702, 704, 706 CAROLYN AVE;	SF-3	SF-3-CO-NP
2085	701, 703, 705, 709 CAROLYN AVE	SF-3	SF-3-CO-NP
2086	700, 702, 704, 706, 708 HARRIS AVE	SF-3	SF-3-CO-NP
2087	3507, 3509 WOODROW ST	SF-3	SF-3-CO-NP
2087A	3501 WOODROW ST	SF-3	SF-3-CO-NP
2088	713, 715, 719 CAROLYN AVE	SF-3	SF-3-CO-NP
2088A	712, 714, 716, 718 HARRIS AVE	SF-3	SF-3-CO-NP
2089	3219, 3221, 3301 3305 DUVAL ST; 507, 509, 511 HARRIS AVE; 3302, 3304, 3306, 3308 LIBERTY ST	SF-3	SF-3-CO-NP

TRACT	ADDRESS	FROM	TO
2090	3215 DUVAL ST	SF-3-H	SF-3-H-CO-NP
2091	500, 502 E 32ND ST; 3209, 3215 DUVAL ST	SF-3	SF-3-CO-NP
2092	500 E 32ND ST	SF-3-H	SF-3-H-CO-NP
2093	600 E 32ND ST, 601, 603 HARRIS AVE; 3209, 3211, 3213, 3215, 3217, 3219, 3301, 3303, 3305, 3307, 3309 LIBERTY ST	SF-3	SF-3-CO-NP
2094	3200, 3202, 3204, 3206, 3208, 3210, 3212, 3214, 3216, 3218, 3300, 3302, 3304, 3306, 3308, 3310, 3312 HARRIS PARK AVE	SF-3	SF-3-CO-NP
2095	3308 HAMPTON RD; 701, 703, 705, 707, 709, 711, 713, 715, 717, 719 HARRIS AVE; 3303, 3305, 3309 HARRIS PARK AVE; 700, 702, 704, 706, 708, 710, 712, 714, 716, 720 LANDON LN	SF-3	SF-3-CO-NP
2095A	701, 703, 705, 707, 709, 711, 713, 715, 717, 719 LANDON LN; 3201, 3203, 3205, 3207, 3209, 3211, 3213 HARRIS PARK AVE;708 E 32ND ST; 3200, 3202, 3203, 3204, 3206, 3207, 3208, 3210, 3212 FAIRFAX WALK; 714, 720, 722, 800 E 32ND ST; 804 E 32ND 1/2 ST; 3202, 3204, 3206, 3208 BEANNA ST; 3208, 3210 HAMPTON RD	SF-3	SF-3-CO-NP
2095B	3215 FAIRFAX WALK	SF-3-H	SF-3-H-CO-NP
2097	806, 808 E 32ND ST; 803, 805, 807 E 32ND 1/2 ST; 3201 BEANNA ST	SF-3	SF-3-CO-NP
2098	816 E 32ND ST; 3207, 3209, 3211, 3213, 3215, 3217, 3303, 3305, 3307, 3309, 3311 HAMPTON RD	SF-3	SF-3-CO-NP
2099	3410, 3500, 3508, 3510, 3512, 3700, 3704, 3710, 3712 GREENWAY; 805 E 35TH ST; 3408 HAMPTON RD	SF-3	SF-2-CO-NP
2100	3400, 3404 HAMPTON RD	SF-3	SF-2-CO-NP
2100A	802, 804, 808 HARRIS AVE	SF-3	SF-3-CO-NP
2101	817 E 37TH ST; 3501, 3505, 3509 GREENWAY; 3500, 3504, 3700 HAMPTON RD	SF-3	SF-2-CO-NP
2102	3711 GREENWAY; 818, 822, 826, 832, 834, 836, 838, 840 E 37TH ST; 3701 HAMPTON RD; 809, 811, 817, 819, 823, 825, 831, 833, 837, 841, 843 E 38TH ST	SF-3	SF-2-CO-NP
2103	829, 841 E 37TH ST; 3501, 3509 HAMPTON RD; 3408, 3412, 3504, 3500, 3506, 3508, 3510, 3512 RED RIVER ST	SF-3	SF-2-CO-NP
2104	818, 820, 822, 824, 826, 828, 830 HARRIS AVE	SF-3	SF-2-CO-NP
2105	3313 HAMPTON RD; 819, 821, 823, 825, 827 HARRIS AVE	SF-3	SF-2-CO-NP

PART 3. The following applies to an existing legal lot with single-family residential use or secondary apartment special use within the boundaries of the NP combining district:

1. The minimum lot area is 2,500 square feet.

2. The minimum lot width is 25 feet.

3. For a lot with an area of 4,000 square feet or less, the impervious coverage may not exceed 65 percent.

PART 4. The following applies to a single-family residential use, a duplex residential use, or a two-family residential use within the boundaries of the NP:

1. Impervious cover and parking placement restrictions apply as set forth in Section 25-2-1603 of the Code.

2. Garage placement restrictions apply as set forth in Section 25-2-1604 of the Code.

3. Front or side yard parking restrictions apply as set forth in Section 25-2-1406 of the Code.

PART 5. The following tracts may be developed as a neighborhood mixed use building special use as set forth in Sections 25-2-1502 through 25-2-1504 of the Code:

501, 504, 507, 507A, 509, 510, 512, 513, 514, 514A, 515, 516, 517, 518, 519, 520, 522, 523, 524, 525, 526, 527, 536, 536A, 536B, 541, 541A, 543, 543A, 546-548, 550, 557, 559, 561, 562A, and 563.

PART 6. Tracts 543 and 543A may be developed as a neighborhood urban center special use as set forth in Section 25-2-1422 through 1424.

PART 7. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. The following conditions apply to Tracts 536, 536B, 551, 2001 through 2098, 2100, 2100A, 2104, and 2105.

   A. The maximum height of a building or structure is 30 feet from ground level.

   B. A building or structure may not exceed a height of two stories.

2. The following conditions apply to Tracts 2099, 2101, 2102 and 2103.

   A. Except as provided in Subsection C, the maximum height of a building or structure is 30 feet from ground level.

   B. A building or structure subject to Subsection A may not exceed a height of two stories.

C. If the principal structure or building is constructed 15 or more feet from all property lines, then the maximum height of a building structure is 35 feet from ground level.

3. The maximum height of a building or structure on Tracts 508A and 512 is 35 feet from ground level.

4. The following conditions apply to Tracts 503, 503A and 503B.

   A. The maximum height of a building or structure is 35 feet from ground level.

   B. The maximum building coverage is 50 percent.

   C. The maximum impervious cover is 60 percent.

   D. The maximum number of residential units permitted is 17 units per acre.

5. The maximum height of a building or structure is 40 feet from ground level on Tracts 511, 526, 529, 559, 560, 561, 562, 562A, and 563.

6. The maximum height of a building or structure is 50 feet from ground level on Tracts 513, 514, 541, and 541A.

7. For Tracts 532 and 535, the maximum width of a driveway accessing Harmon Avenue is 30 feet.

8. The following conditions apply to Tract 536.

   A. The maximum impervious cover is 50 percent.

   B. The maximum floor area ratio is 0.33 to 1.0.

9. The maximum floor area ratio is 0.57 to 1.0 for Tract 536A and 536B.

10. A site plan or building permit for Tract 540A or Tract 541A may not be approved, released, or issued, if the completed development or uses of Tract 540A or Tract 541A, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

11. The maximum building coverage for Tract 551 is 40 percent.

12. This section applies to the front yard setback of a single family residential structure in Tracts 2099, 2101, 2102, and 2103.

    A. Except as otherwise provided in Subsection B, for an interior lot, if the front yard setbacks of existing adjacent principal single family structures exceed 25 feet, then the front yard setback on the subject property may not be more than five feet different from the average of the front yard setbacks of the principal single family structures on the same side of the street on a block.

    B. If the principal single family structure has been removed from the subject property within the preceding 12 months, the minimum front yard setback for new construction on the subject property is the setback of the single family structure previously located on the site.

    C. For a corner lot, the following applies:

        1. If the lot on the side of the corner lot is legally developed, the minimum front yard setback of the corner lot is equal to the setback of the principal structure on the side lot.

        2. If the lot on the side of the corner lot is vacant, the minimum front yard setback of the corner lot is equal to the average setbacks of the principal structures on the other lots in the block on the same side of the street.

13. The width of a driveway may not exceed 18 feet for Tracts 2099, 2101, 2102 and 2103.

14. The following conditions apply to Tracts 2100, 2100A, 2104 and 2105.

    A. The maximum width of a front yard driveway is 12 feet.

    B. The maximum width of a street side yard driveway is 18 feet.

    C. The front yard setback for a parking structure is 60 feet.

    D. A circular driveway is not permitted on a lot that has less than 100 feet of front street yard width

15. Financial services use is a conditional use of Tracts 501, 507, 507A and 546.

16. The following uses are prohibited uses of Tracts 501, 507, 507A, 546, 550 and 557:

Residential treatment	Service station
Medical offices (exceeding 5000 sq.ft. gross floor area)	

17. Drive-in service is prohibited as an accessory use to commercial uses of Tracts 501, 507, 507A, 513, 514, 541, 541A, 546, 550, 557, 559, 561, 562A, and 563.

18. Drive-in service is a conditional use as an accessory use to commercial uses of Tracts 522, 532, 535, 540A, 543, and 543A.

19. The following uses are conditional uses of Tract 513 and 514:

Commercial off-street parking	Indoor entertainment
Hotel-motel	

20. The following uses are prohibited uses of Tract 513 and 514:

Automotive rentals	Exterminating services
Automotive repair services	Funeral services
Automotive sales	Indoor sports and recreation
Automotive washing (of any type)	Outdoor entertainment
Bed & breakfast residential (Group 1)	Outdoor sports and recreation
Bed & breakfast residential (Group 2)	Pawn shop services
Drop-off recycling collection facility	Service station
Research services	Residential treatment

21. The following uses are conditional uses of Tract 522:

Commercial blood plasma center	Laundry services
Commercial off-street parking	Monument retail sales
Hotel-motel	Off-site accessory parking
Indoor entertainment	Research services
Plant nursery	

22. The following uses are prohibited uses of Tract 522:

Agricultural sales and services
Automotive rentals
Automotive repair services
Automotive washing (of any type)
Bed & breakfast residential (Group 1)
Bed & breakfast residential (Group 2)
Building maintenance services
Campground
Construction sales and services
Convenience storage
Drop-of recycling collection facilities
Electronic prototype assemble
Equipment repair services
Vehicle storage
Equipment sales
Exterminating services
Funeral services
Indoor sports and recreation
Kennels
Limited warehousing and distribution
Maintenance and service facilities
Outdoor entertainment
Outdoor sports and recreation
Pawn shop services
Residential treatment
Service station
Transportation terminal

23. Off-site accessory parking use and research services use are conditional uses of Tract 524.

24. The following uses are prohibited uses of Tract 524:

Automotive rentals
Automotive repair services
Automotive sales
Automotive washing (of any type)
Bed & breakfast residential (Group 1)
Bed & breakfast residential (Group 2)
Commercial off-street parking
Consumer convenience services
Drop-off recycling collection facility
Exterminating services
Financial services
Food sales
Funeral services
Theater
Consumer repair services
General retail sales (convenience)
General retail sales (general)
Hotel-motel
Outdoor entertainment
Outdoor sports and recreation
Pawn shop services
Indoor entertainment
Indoor sports and recreation
Pet services
Personal improvement services
Residential treatment
Restaurant (general)
Restaurant (limited)
Service station

25. The following uses are conditional uses of Tracts 532 and 535:

Automotive repair services	Automotive washing (of any type)
Building maintenance services	Funeral services
Commercial blood plasma center	Hotel-motel
Commercial off-street parking	Outdoor sports and recreation
Custom manufacturing	Research services
Residential treatment	

26. The following uses are prohibited uses of Tracts 532 and 535:

Agricultural sales and services	Kennels
Automotive rentals	Limited warehousing and distribution
Automotive sales	Maintenance and service facilities
Campground	Monument retail sales
Construction sales and services	Outdoor entertainment
Convenience storage	Pawn shop services
Drop-off recycling collection facilities	Service station
Equipment repair services	Vehicle storage
Equipment sales	

27. The following uses are conditional uses of Tracts 540A and 543:

Automotive rentals	Exterminating services
Building maintenance services	Funeral services
Commercial blood plasma center	Hotel-motel
Commercial off-street parking	Monument retail sales
Custom manufacturing	Outdoor sports and recreation
Drop-off-recycling collection facilities	Research services
Residential treatment	

28. The following uses are prohibited uses of Tracts 540A and 543:

Agricultural sales and services	Kennels
Automotive sales	Limited warehousing and distribution
Automotive washing (of any type)	Maintenance and services facilities
Campground	Outdoor entertainment
Construction sales and services	Pawn shop services
Convenience storage	Vehicle storage

Electronic prototype assembly
Equipment sales
Equipment repair services

29. The following uses are conditional uses of Tracts 541 and 541A:

Automotive rentals
Automotive repair services
Commercial off-street parking
Exterminating services
Hotel-motel
Outdoor sports and recreation
Research services
Residential treatment
Funeral services

30. The following uses are prohibited uses of Tracts 541 and 541A:

Automotive sales
Automotive washing (of any type)
Outdoor entertainment
Pawn shop services

31. The following uses are conditional uses of Tract 543A:

Automotive rentals
Building maintenance services
Commercial blood plasma center
Commercial off-street parking
Custom manufacturing
Drop-off recycling collection facilities
Exterminating services
Funeral services
Hotel-motel
Outdoor sports and recreation
Research services
Residential treatment

32. The following uses are prohibited uses of Tract 543A:

Adult oriented businesses
Agricultural sales and services
Automotive sales
Automotive washing (of any type)
Campground
Kennels
Limited warehousing and distribution
Maintenance and services facilities
Construction sales and services
Convenience storage
Electronic prototype assemble
Equipment repair services
Equipment sales
Outdoor entertainment
Pawn shop services
Vehicle storage

33. Day care services (general) use is a conditional use of Tracts 503, 503A, and 551.

34. The following uses are prohibited uses of Tracts 551:

Bed and breakfast residential (Group 2)
Condominium residential
Congregate living
Townhouse residential
Multifamily residential
Residential treatment
Retirement housing (large site)

35. The following uses are conditional uses of Tracts 559, 561, 562A, and 563:

Commercial off-street parking
Congregate living
Hospital services (limited)
Laundry services
Monument retail sales
Plant nursery
Services station

36. The following uses are prohibited uses of Tract 559, 561, 562A, and 563:

Agricultural sales and services
Automotive rentals
Automotive repair services
Automotive sales
Automotive washing (of any type)
Building maintenance services
Business or trade school
Campground
College and university facilities
Commercial blood plasma center
Construction sales and services
Convenience storage
Drop-of recycling collection facilities
Electronic prototype assemble
Equipment repair services
Equipment sales
Business support services
Hospital services (general)
Exterminating services
Funeral services
Indoor sports and recreation
Kennels
Limited warehousing and distribution
Maintenance and service facilities
Outdoor entertainment
Hotel-motel
Indoor entertainment
Outdoor sports and recreation
Pawn shop services
Residential treatment
Research services
Vehicle storage
Medical offices (exceeding 5000 sq. ft. gross floor area)

37. The following uses are prohibited uses of Tracts 503 and 503A:

Congregate living
Group residential
Multifamily residential
Convalescent services
Hospital services (limited)
Residential treatment

38. The following uses are conditional uses of Tract 503B:

Day care services (commercial)	Private primary educational facilities
Day care services (general)	Private secondary educational facilities
Local utility services	Safety services

39. A college and university facilities use that exceeds 2,400 square feet gross floor area is a conditional use of Tract 503B.

40. The following uses are prohibited uses of Tract 503B:

Business or trade school	Medical offices (exceeding 5000 sq. ft. gross floor area)
Business support services	Multifamily residential
Communication services	Off-site accessory parking
Congregate living	Personal services
Convalescent services	Professional office
Counseling services	Residential treatment
Group residential	Restaurant (limited)
Guidance services	Hospital services (limited)
Hospital services (general)	Software development
Medical offices (not exceeding 5000 sq. ft. gross floor area)	

41. Except as otherwise provided in this ordinance, Tracts 515 and 516 may be developed and used according to the regulations under the following zoning districts

    A. Community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district for an area measured from ground level to a height of 15 feet.

    B. Multifamily residence highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district for an area measured from 15 feet above ground level to a height of 60 feet.

42. The following conditions apply to Tracts 515 and 516.

    A. The maximum height of a building or structure is 60 feet from ground level.

    B. The maximum building coverage is 70 percent.

C. The maximum impervious cover is 80 percent.

D. Vehicular access from the tracts to Red River Street and Dean Keeton Street is prohibited. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the respective base districts and other applicable requirements of the City Code.

PART 8. This ordinance takes effect on September 6, 2004.

PASSED AND APPROVED

§
§
August 26, 2004 §

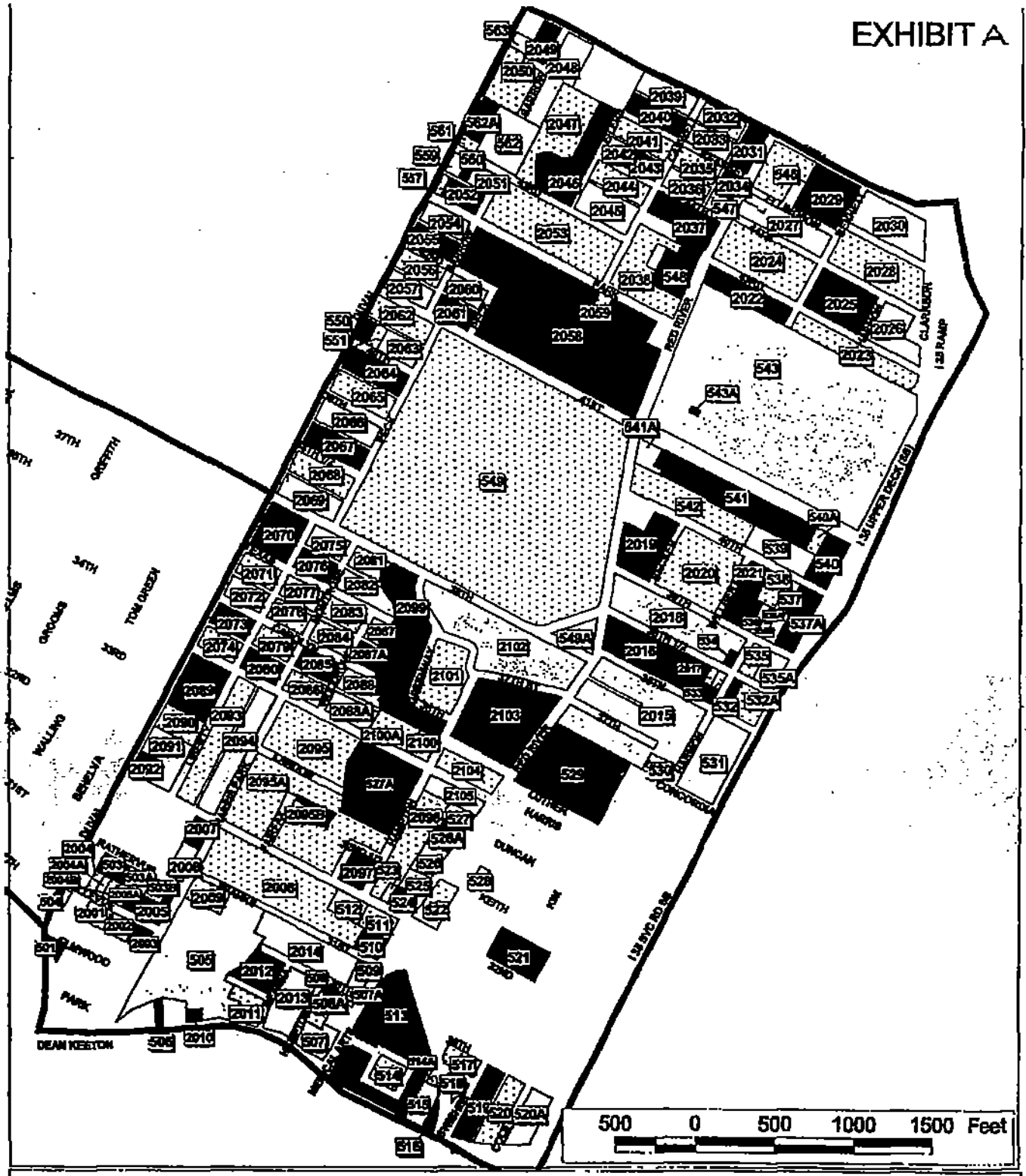
Will Wynn
Mayor

APPROVED: _____ **ATTEST:** _____

David Allan Smith
City Attorney

Shirley A. Brown
City Clerk

EXHIBIT A



Hancock Neighborhood Plan Combining District: Rezonings Approved 8-26-04

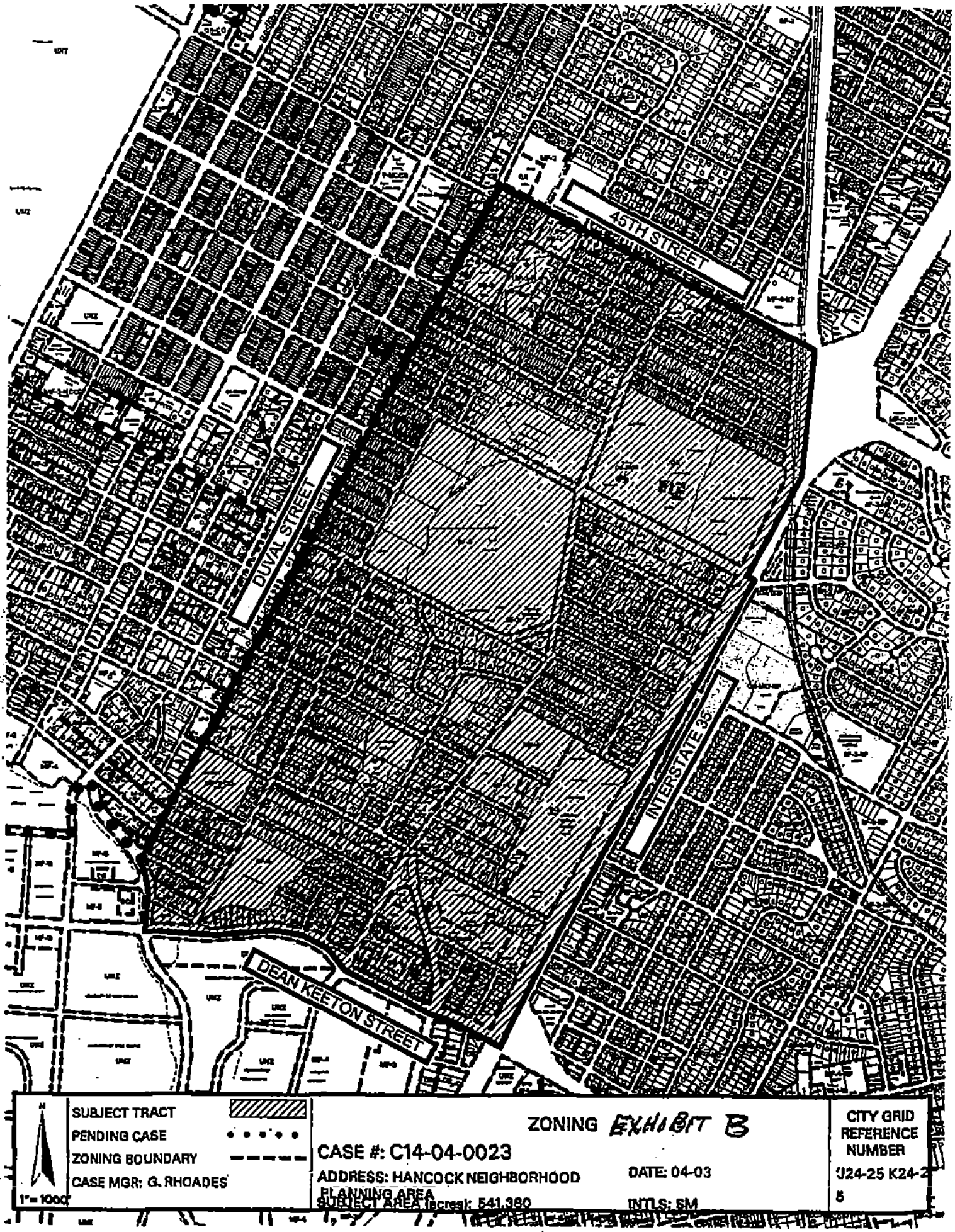
Case C14-04-0023

City of Austin
Neighborhood Planning and Zoning Department

Legend

Properties with proposed zoning changes

999 Tract Number



SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: G. RHOADES 1" = 1000'	ZONING EXHIBIT B CASE #: C14-04-0023 ADDRESS: HANCOCK NEIGHBORHOOD PLANNING AREA SUBJECT AREA (acres): 541.380	DATE: 04-03 INTLS: SM	CITY GRID REFERENCE NUMBER J24-25 K24-2 5

TRACT 5A

2,500 SQUARE FEET
AUSTIN PERMIT SERVICE
ZONING TRACT

FN. NO. 98-241 (MJJ)
JULY 20, 1998
BPI JOB NO. 765-03.97

EXHIBIT C

DESCRIPTION

OF A 2,500 SQUARE FOOT TRACT OF LAND SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, OUT OF OUTLOT 19, DIVISION "C" ORIGINAL CITY OF AUSTIN, BEING A PORTION OF THAT 34.243 ACRE TRACT OF LAND CONVEYED TO PACIFIC RETAIL TRUST BY DEED OF RECORD IN VOLUME 12723, PAGE 2153 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 2,500 SQUARE FEET BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at a P.K. nail found at the intersection of the easterly line of Red River Street (80' R.O.W.) with the northerly line of East 41st Street (80' R.O.W.), being the southwesterly corner of said 34.243 acres;

THENCE, N23°19'22"E, along the easterly line of Red River Street, being the westerly line of said 34.243 acres a distance of 158.77 feet;

THENCE, leaving the easterly line of Red River Street, over and across said 34.243 acres the following five (5) courses and distances:

1) S66°40'38"E, a distance of 182.01 feet to the **POINT OF BEGINNING** and the southwesterly corner hereof;

2) N30°01'12"E, a distance of 41.76 feet to the northwesterly corner hereof;

3) S59°58'38"E, a distance of 59.87 feet to the northeasterly corner hereof;

4) S30°01'12"E, a distance of 41.76 feet to the southeasterly corner hereof;

C14-04-0023

5) N59°58'38"W, a distance of 59.87 feet to the **POINT OF BEGINNING**, containing an area of 2,500 square feet of land, more or less, within these metes and bounds.

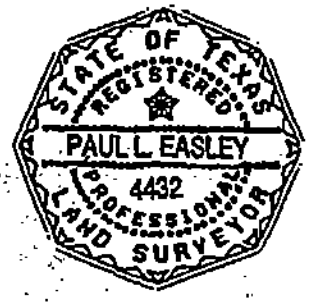
I, PAUL L. EASLEY, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION. A SURVEY EXHIBIT WAS PREPARED TO ACCOMPANY THIS DESCRIPTION.

7/20/98

BURY & PITTMAN, INC.
ENGINEERS-SURVEYORS
3345 BEE CAVE ROAD, SUITE 200
AUSTIN, TEXAS 78746

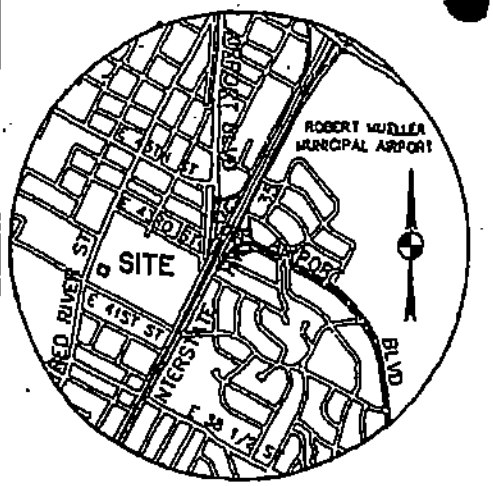
PAUL L. EASLEY
R.P.L.S. NO. 4432
STATE OF TEXAS

DATE

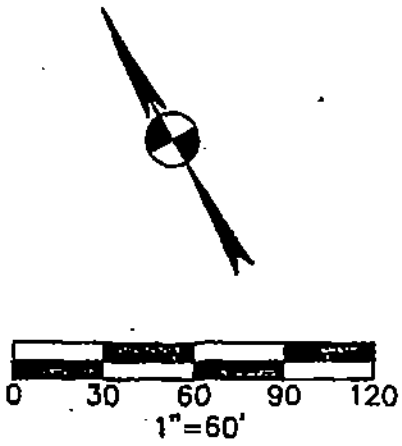


C14-04-0023

TRACT 2A

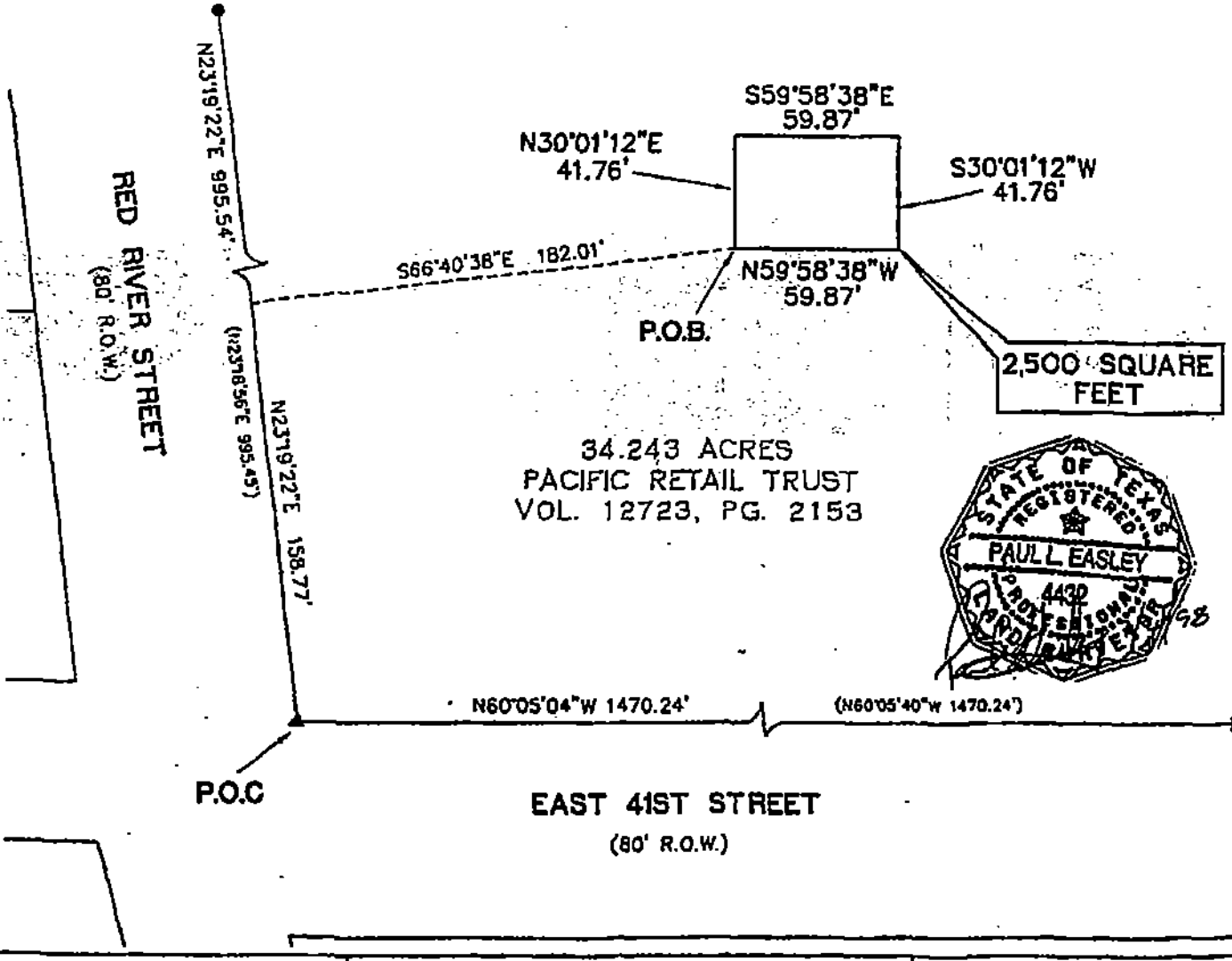


VICINITY MAP
N.T.S.



LEGEND

- ● 1/2" IRON ROD FOUND
- ▲ PK NAIL FOUND
- ■ CONCRETE HIGHWAY MONUMENT FOUND
- (XXX) RECORD INFORMATION
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT



Bury+Pittman, Inc.
Consulting Engineers and Surveyors

C14-2011-0023

SKETCH TO ACCOMPANY DESCRIPTION

OF A 2,500 SQUARE FOOT TRACT OF LAND OUT OF OUTLOT 19, DIVISION "C" ORIGINAL CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT 34.243 ACRE TRACT OF LAND CONVEYED TO PACIFIC RETAIL TRUST BY DEED OF RECORD IN VOLUME 12723, PAGE 2153 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

AUSTIN PERMIT SERVICE

ORDINANCE NO. 020404-Z-8

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 3400 NORTH IH-35 SERVICE ROAD SOUTHBOUND FROM MULTIFAMILY RESIDENCE MODERATE HIGH DENSITY (MF-4) DISTRICT TO GENERAL OFFICE (GO) 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 district from multifamily residence moderate high density (MF-4) district to general office (GO) district on the property described in File C14-02-0014, as follows:

A 19.295 acre tract of land, more or less, out of Outlots 21 and 22, Original City of Austin, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance,

locally known as 3400 North IH-35 Service Road southbound, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The Council waives the requirements of Section 2-2-3, 2-2-5, and 2-2-7 of the City Code for this ordinance.

PART 3. This ordinance takes effect on April 15, 2002.

PASSED AND APPROVED

April 4, 2002 § Gustavo L. Garcia §

Gustavo L. Garcia
Mayor

APPROVED: Sedora Jefferson **ATTEST:** Shirley A. Brown

Sedora Jefferson
City Attorney

Shirley A. Brown
City Clerk

ATTACHMENT B

EXHIBIT "A"

Job No. 96-391
November 26, 2001

FIELD NOTES

BEING 19.295 ACRES OF LAND LOCATED IN OUTLOTS 21 AND 22 OF THE ORIGINAL GOVERNMENT OUTLOTS ADJOINING THE CITY OF AUSTIN AS SHOWN ON MAP RECORDED IN THE GENERAL LAND OFFICE OF THE STATE OF TEXAS, SAID TRACT MORE PARTICULARLY BEING ALL OF LOT 34, THE REMAINDER OF LOT 35 AND ALL OF LOT 36, HANCOCK PARK RECORDED IN VOLUME 4, PAGE 345 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, THAT PORTION OF KIM LANE VACATED BY INSTRUMENT RECORDED IN VOLUME 9315, PAGE 438 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, THAT PORTION OF CONDORDIA AVENUE VACATED BY INSTRUMENT RECORDED IN VOLUME 1781, PAGE 42 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS AND THAT CERTAIN 18.656 ACRE TRACT CONVEYED TO CONCORDIA LUTHERAN COLLEGE BY DEED RECORDED IN VOLUME 1467, PAGE 57 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 19.295 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron rod found for the southeast corner of said 18.656 acre tract, same being the southeast corner of the herein described tract, said iron rod also being the intersection of the north line of East 32nd Street (60' ROW) with the west line of Interstate Highway No. 35 (East Avenue):

THENCE N 74°57'08" W along said north line of East 32nd Street a distance of 444.13 feet to a 1/2-inch iron pipe found for corner;

THENCE N 15°30'45" E leaving said north line of East 32nd Street a distance of 209.99 feet to a 1/2-inch iron rod found for corner;

THENCE through the interior of the aforesaid 18.656 acre tract the following three (3) courses:

1. S 74°25'29" E a distance of 24.98 feet to a point for corner;
2. N 15°34'31" E a distance of 191.79 feet to a point for corner;
3. N 74°25'29" W a distance of 150.00 feet to a point for corner in the east line of Kim Lane (50' ROW);

THENCE N 15°34'31" E along said east line of Kim Lane a distance of 294.09 feet to a 1/2-inch iron rod found for corner in the north line of Duncan Lane (50' ROW);

THENCE N 75°06'37" W along said north line of Duncan Lane a distance of 134.21 feet to a "X" in concrete found for the southwest corner of Lot 34, Hancock Park recorded in Volume 4, Page 345 of the Plat Records of Travis County, Texas, same being the southeast corner of Lot 2, Resubdivision of Hancock Park Annex recorded in Volume 50, Page 92 of the Plat Records of Travis County, Texas;

THENCE northerly along the common line between said Lot 2 and Lots 34 and 35, Hancock Park the following three (3) courses:

1. N 15°22'36" E a distance of 170.21 feet to a 1/2-inch iron rod set for corner;
2. N 75°00'18" W a distance of 83.63 feet to a 1/2-inch iron rod set for corner;

3. N 14°59'37" E a distance of 169.99 feet to a 1/2-inch iron pipe found for corner in the south line of Luther Lane (50' ROW);

THENCE easterly along said south line of Luther Lane the following two (2) courses:

1. S 74°59'54" E a distance of 140.14 feet to a 1/2-inch iron rod found the beginning of a non-tangent curve to the left;

2. a distance of 202.89 feet along the arc of said curve to the left having a central angle of 232°29'23", a radius of 50.00 feet and a chord which bears N 78°42'25" E a distance of 89.69 feet to a 1/2-inch iron rod found for corner;

THENCE N 15°19'21" E, at a distance of 10.26 feet passing the southeast corner of that certain 5.628 acre tract conveyed to Saint Pauls Lutheran Church by deed recorded in Volume 785, Page 457 of the Deed Records of Travis County, Texas, continuing for a total distance of 447.17 feet to a 1/2-inch iron rod found for the northeast corner of said 5.628 acre tract, same being the northwest corner of the aforementioned 18.656 acre tract;

THENCE S 74°53'49" E along the north line of said 18.656 acre tract, at a distance of 81.11 feet passing a 1/2-inch iron rod found for the southwest corner of the Resubdivision of Plainview Heights recorded in Volume 412, Page 56 of the Deed Records of Travis County, Texas, continuing for a total distance of 127.87 feet to a point for the northwest corner of that certain 0.138 acre portion of Concordia Avenue vacated by instrument recorded in Volume 8896, Page 111 of the Deed Records of Travis County, Texas;

THENCE along the common line between said 0.138 acre tract and said 18.656 acre tract the following two (2) courses:

1. S 15°36'49" W a distance of 50.56 feet to a point for corner;

2. S 74°46'11" E a distance of 129.69 feet to a 1/2-inch iron rod found for the intersection of the west line of Harmon Avenue (50' ROW) and the north line of Concordia Avenue (50' ROW);

THENCE S 74°46'11" E along said south line of Concordia Avenue a distance of 309.41 feet to a 1/2-inch iron rod found for the northeast corner of the aforementioned 18.656 acre tract, said iron rod also being in the aforementioned west line of Interstate Highway No. 35;

THENCE along said west line of Interstate Highway No. 35 the following two (2) courses:

1. S 15°36'49" W a distance of 784.19 feet to a 1/2-inch iron rod found for corner;

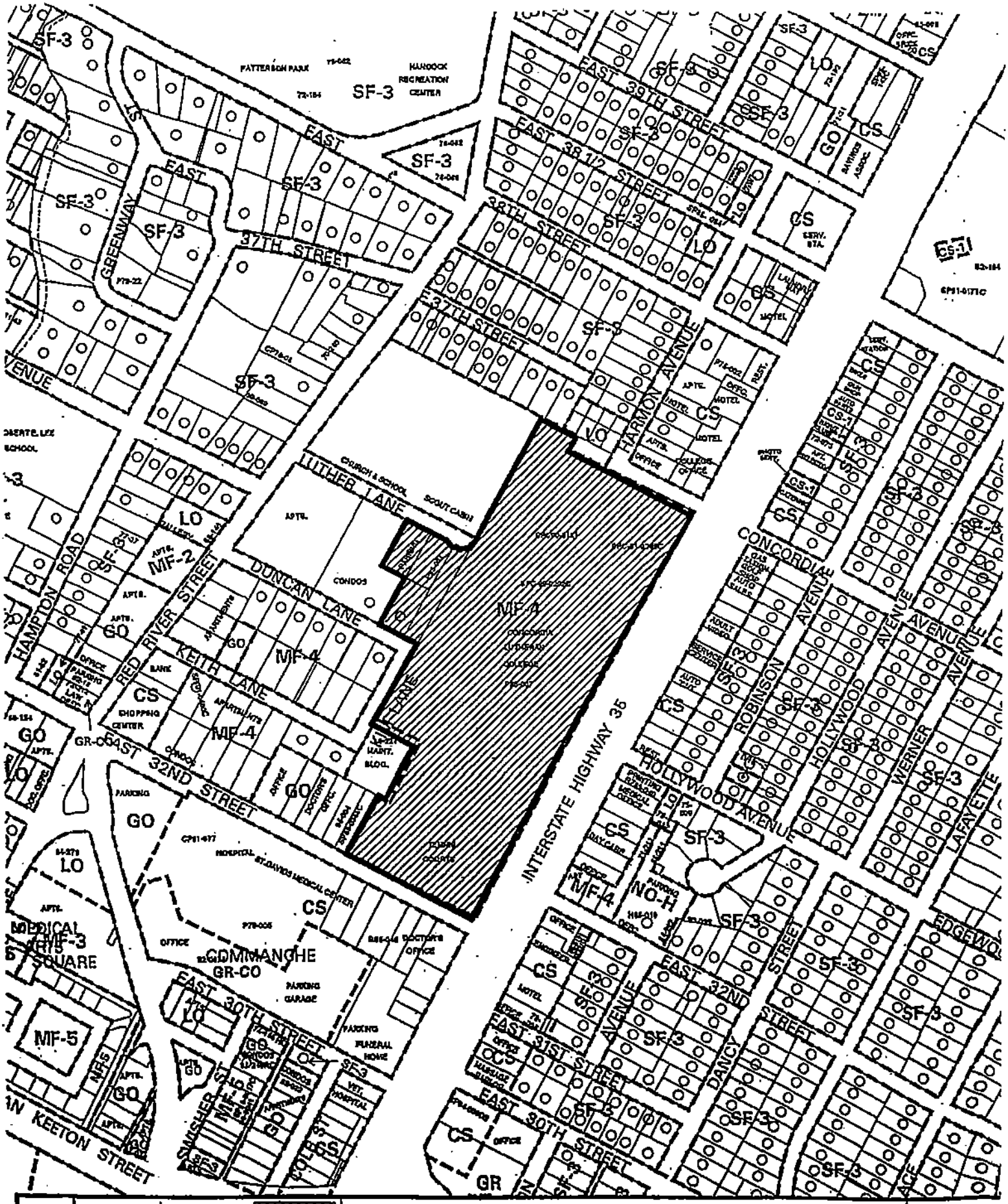
2. S 15°09'53" W a distance of 687.59 feet to the POINT OF BEGINNING of the herein described tract and containing 19.295 acres of land.

I HEREBY CERTIFY THAT THIS METES AND BOUNDS DESCRIPTION WAS PREPARED FROM A SURVEY PERFORMED IN THE FIELD UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

STATE OF TEXAS
REGISTERED
STEVEN R. McANGUS
3680
PROFESSIONAL
LAND SURVEYOR

Steven R. McAngus, R.P.L.S. No. 3680

(The bearings shown herein are referenced to deed recorded in Volume 1467, Page 57 of the Deed Records of Travis County.)



N	SUBJECT TRACT	ZONING EXHIBIT B	CITY GRID REFERENCE NUMBER
	PENDING CASE	CASE #: C14-02-0014	K24
	ZONING BOUNDARY	ADDRESS: 3400 N IH 35 SVC RD SB	DATE: 02-01
1" = 400'	CASE MGR: G. RHOADES	SUBJECT AREA (acres): 19.295	INTLS: SM

DESIGN STANDARDS
DOWNTOWN CONCORDIA REDEVELOPMENT
AUSTIN, TEXAS

BACKGROUND

These design guidelines are based and substantially mimic the recommended citywide design standards which themselves constitute the best practices of the standards adopted by communities around the nation and require design standards that reflect Austin's unique historic, landscape and architectural character...." We have taken the relevant sections and standards that apply to mixed-use and core transit corridor/highway and created comprehensive Design Guidelines for the entire Concordia Redevelopment. Unless otherwise stated otherwise in these Design guidelines or in the Land Use Plan, we shall comply with all applicable zoning requirements, including, without, limitation, section 25-2-531 regarding height limitation, and the 20% parking ratio reduction for the urban core. These Design Guidelines do replace the City's commercial design standards as far as applicability to the Redevelopment.

The Redevelopment shall be a mixed-use town center and shall encourage development that contains a compatible mix of residential, commercial, and institutional uses within close proximity to each other, rather than separating uses. It shall embrace concepts of sustainable and liveable development.

The following topics are addressed herein:

- Development orientation;
- Parking;
- Land use (attached);
- Signs;

ATTACHMENT C

• Connectivity;

• Screening and compatibility;

• Landscaping (attached); and

• Building design.

The Redevelopment shall include at least two acres of green space on the surface level and at least one acre of green roofs across the site. The Redevelopment shall update the City at each site plan on the then-current levels of Open Space, Green Space at the Surface Level, Impervious Cover, and Green Roofs.

DESIGN STANDARDS

The core transit corridors for the site include IH35 and Red River. The following Site Development Standards are intended to ensure that buildings relate appropriately to the transit and surrounding developments and streets, promote efficient pedestrian and vehicle circulation, and provide adequate parking in safe and appropriate locations, while creating a unique and identifiable image for the re-development of the Concordia University site. The standards address the following:

• Relationship of buildings to driveways and walkways;

• Connectivity;

• Parking reductions; and

• Private common open space and pedestrian amenities.

The standards are intended to use site planning and building orientation in order to:

- Ensure that buildings relate appropriately to surrounding development and driveways and create a cohesive visual identity and attractive street scene;

- Ensure that site design promotes efficient pedestrian and vehicle circulation patterns;

- Ensure the creation of a high-quality driveway and sidewalk environment that is supportive of pedestrian and transit mobility and that is appropriate to the roadway context;

- Ensure that trees, sidewalks, and buildings – three of the major elements that make up a streetscape – are arranged in a manner that supports the creation of a safe and well-defined roadway environment;

- Ensure that trees or man-made shading devices are used to create a pedestrian-friendly environment both alongside roadways and connecting roadside sidewalks to businesses and residential structures;

- Ensure that buildings relate appropriately to their roadway context, allowing for easy pedestrian access to buildings and providing well-defined edges to the roadway environment;

- Ensure that building entranceways are convenient to and easily accessible from the roadside pedestrian system;

- Provide opportunities for roadside uses that enliven and enrich the roadway and pedestrian environment, such as outdoor dining, porches, patios, and landscape features; and

- Ensure that vehicular parking is accommodated in a manner that enriches and supports, rather than diminishes, the roadside pedestrian environment, and that does not create a barrier between the roadside environment and the roadside buildings.

Relationship of Buildings and Pedestrian Areas

In order to create an environment that is supportive of pedestrian and transit mobility, public sidewalks shall be located along both sides of most

of the internal driveways. No sidewalk shall be less than ten feet in width. Sidewalks shall consist of two zones: a driveway tree/furniture zone located adjacent to the curb, and a clear zone.

Street Tree/Furniture Zone

a. The street tree/furniture zone shall have a minimum width of four feet (from face of curb) and shall be continuous and located adjacent to the curb.

b. The zone shall be planted with street trees at an average spacing not greater than 30 feet on center, or up to 60 feet on center if parallel or head-in parking is provided.

c. In addition, the zone is intended for the placement of street furniture including seating, street lights, waste receptacles, traffic signs, newspaper vending boxes, bicycle racks, and similar elements in a manner that does not obstruct pedestrian access or motorist visibility.

Clear Zone

The clear zone shall be a minimum width of four feet, shall be hardscaped, shall be located adjacent to the street tree/furniture zone, and shall comply with ADA and Texas Accessibility Standards. The clear zone shall be unobstructed by any permanent or nonpermanent element for a minimum width of four feet and a minimum height of six feet.

Supplemental Zone

In certain areas, there may be a supplemental zone. In such a case, the following elements may be located within the supplemental zone:

a. Accessory outdoor dining, provided that the dining area may be separated from the sidewalk only with planters, shrubs, or fencing with a maximum height of 54 inches;

b. Balconies, pedestrian walkways, porches, handicap ramps, and stoops;

c. Terraces, provided that they have a maximum finished floor height of 24 inches above the sidewalk elevation and shall be surrounded by a guardrail;

d. Landscape and water features;

e. Plazas;

f. Incidental display and sales; and

g. anything similar to the foregoing.

Any features in the supplemental zone should not obstruct the open pedestrian connection between the building's primary entrance and the clear zone.

Maximum Block Size

The site shall be divided into internal blocks no longer than 660 feet by 430 feet from curb to curb—the site may contain two blocks with a maximum dimension of 860 feet by 660 feet.

Parking Allowed

On-street parallel parking, head-in parking, and angle parking are allowed on each private driveway.

As we all know, parking is one of the largest uses of land in urban areas—indeed, in many cases, parking occupies more land area than the building itself. Because of the various uses on this Development, each parking lot may lie empty for long periods of time. The fact that these adjacent sites serve different purposes suggests that less parking would be needed if the lots were somehow connected, shared, and used more efficiently. This would reduce the amount of land needed for parking, create opportunities

for more compact development, more space for pedestrian circulation, and more open space and landscaping.

Based upon the Urban Land Institute (ULI) Detailed Technical Analysis on Shared Parking (including the matrices and research-based models), the Portland Metro Shared Parking Handbook, the Victoria Transport Policy Institute Online Transportation, the CRCOG Best Practices Manual, and their Demand Management Encyclopedia, 2001, the following has been determined:

Parking must be located within a reasonable walking distance of all the destinations they are intended to serve. In addition, walkways, crosswalks, decorative paving, stop signs for cars, and landscaping are needed to allow ease of walking through the parking areas, such that the shared parking area is well-integrated with each of the sites that it serves. We intend to have each shared parking structure placed within 800 feet of the space it supports.

Shared parking works best in situations where there are somewhat dissimilar land uses. East Avenue provides the prototype for shared parking—with different peak hours of use—i.e., a hotel (with heavy traffic during weekends for UTexas events and the like and office (with heavy traffic from 8-9 am and from 4-6 pm on weekdays), or neighborhood supermarket (afternoon-early evening hours) and a movie theater (evening/weekend). A traditional mix of uses (in the form of a "Main Street" environment) is not necessary. But, the shared parking will also work for complementary uses where the patrons go from store to store (e.g., a mixed-use retail center). The essential ingredient in both cases is that patrons park once.

Based upon the ULI research-based model, and the square feet allocated to the different uses on the East Avenue site, a 20% reduction is suitable for the mixed and varied uses intended for the site. The parking would be sufficient for each individual use and would be collectively reduced by 20%. The land uses have differing peak-hours, along with different peak days and seasons) of parking demand, and the total parking demand at any one time would be adequately served by the total number of parking spaces.

In no circumstance shall the residential parking be less than 60% of what is required.

Screening of Equipment and Utilities

A good faith attempt shall be made such that solid waste collection areas and mechanical equipment, including equipment located on a rooftop but not including solar panels, shall be screened from the view of a person standing on the property line on the far side of an adjacent public street.

Private Common Open Space and Pedestrian Amenities

Open air and semi-enclosed public gathering spaces can act as central organizing elements in a large development. They can also help to shape the relationship between different land uses and provide focal points and anchors for pedestrian activity. Goals and requirements for common open space and pedestrian amenities complement the Austin Code's requirements for dedicated public open space and parks, and serve similar purposes. The Development shall attempt to have as much Open Space as possible, but in no event less than 3 acres across the entire site. "Open Space" as used herein shall have the definition ascribed in the Austin City Code under section 25-2-514.

Building Design

These building design standards are intended to:

- Strengthen Austin's unique character and help buildings to better function in Austin's environment;
- Create buildings with appropriate human scale;
- Ensure that buildings contribute to the creation of a pedestrian-friendly environment through the provision of glazing, shading, and shelter at the pedestrian level; and
- Increase the quality, adaptability, and sustainability in Austin's building stock.

Glazing on Building Facades—Particularly facing the Street and IH35

Glazing provides interest for the pedestrian, connects the building exterior and interior, puts eyes on the street, promotes reusability, and provides a human-scale element on building facades.

On the façade facing the principal street:

The area between two and ten feet above grade shall consist of glazing;

and

The second floor must provide a minimum of 15 percent glazing between three and eight feet, as measured from that story's finished floor level.

The effort shall be made to ensure that the façade facing IH35 is both aesthetically pleasing and does not consist of one concrete wall.

Shade and Shelter

Austin's climate requires shade and shelter amenities in order to accommodate and promote pedestrian activity. These amenities will provide greater connectivity between sites and allow for a more continuous and walkable network of buildings:

-A shaded sidewalk shall be provided alongside at least 20 percent of all building frontages adjacent to or facing the principal driveway or adjacent parking. When adjacent to parking, the shaded sidewalk shall be raised above the level of the parking by way of a defined edge.

-Building entrances shall be located under a shade device such as an awning or portico.

ZONE HEIGHT DIAGRAM

OVERALL SITE CONTENTS *

MAX. IMPERVIOUS COVER:	85%**
FLOOR TO AREA RATIO (F.A.R.)	3.25
PERMITTED LAND USES:	COMMERCIAL MIXED USE - SEE BELOW
GREEN SPACE AT SURFACE LEVELS	2 ACRES
GREEN ROOFS	1 ACRE (ACROSS SITE)

STREET BUILDING SETBACKS

32ND STREET	0'
KIM LANE	10'
EAST AVE. PROMENADE	0'
CONCORDIA AVE.	0'
LUTHER LANE	0'
HARMON AVE.	0'
DUNCAN LANE	0'
IH 35	15'

PERMITTED USES

ALL USES ALLOWED IN GR & NF-6 AND EACH OF THE FOLLOWING SHALL BE PERMITTED USES: HOSPITAL SERVICES GENERAL, HOSPITAL SERVICES LIMITED, PLANT NURSERY, COCKTAIL LOUNGE, FOOD PREPARATION, OUTDOOR ENTERTAINMENT, ADMINISTRATIVE SERVICES, CUSTOM MANUFACTURING, LIQUOR SALES, PARK & RECREATION SERVICES (GENERAL AND LIMITED), AND COLLEGE & UNIVERSITY FACILITIES.

SIDEYARD BUILDING SETBACKS

ALL SETBACKS INCLUDING SETBACKS FROM DRIVEWAYS AND OR BOUNDARIES ARE 0' UNLESS OTHERWISE SHOWN

GENERAL NOTES

EXISTING EASEMENTS MAY BE ABANDONED OR RELOCATED AS REQUIRED DURING THE SITE DEVELOPMENT PERMIT PROCESS.

VACATION OF APPROXIMATELY +/- 180' OF LUTHER LANE AND CUL-DE -SAC, DEDICATION OF THE VACATED R.O.W. TO ADJACENT ST. PAUL'S EVANGELICAL LUTHERAN, 3501 RED RIVER, 5.6281 ACRES, UNPLATTED LOT AND PROVISION OF A 30' ACCESS EASEMENT FROM NEW TERMINATION OF LUTHER LANE TO P.U.D. SITE. CONSTRUCTION OF NEW CUL-DE-SAC OR HAMMERHEAD FOR NEW LUTHER LANE TERMINATION WILL BE PERMITTED DURING THE SITE DEVELOPMENT PERMIT PROCESS.

A 15' BUILDING SETBACK ALONG EAST 32ND STREET AND NORTH SIDE OF CONCORDIA AVENUE WILL BE PROVIDED IF OVERHEAD ELECTRIC LINES WILL REMAIN AT TIME OF BUILDING CONSTRUCTION.

EXISTING CURB CUTS MAY BE EITHER REMOVED OR RELOCATED DURING THE SITE DEVELOPMENT PERMIT PROCESS.

PARKING RATIO REDUCTION OF URBAN CORE ZONING SHALL APPLY FOR ENTIRE P.U.D.

RESIDENTIAL USES WILL PROVIDE AT LEAST 60% OF THE NUMBER OF PARKING SPACES REQUIRED.

DISTRIBUTION OF DENSITY (USES) WITHIN THE P.U.D. WILL BE DEFINED IN THE SITE PLAN.

UNLESS SPECIFICALLY STATED OTHERWISE, WILL COMPLY WITH ALL APPLICABLE CITY CODES, WITHOUT LIMITATION, SECTION 25-2531 REGARDING HEIGHT OVERRUNS.

COMPATIBILITY HEIGHT AND SETBACK LIMITS SHALL BE WAIVED.

WILL MEET OR EXCEED STORMWATER QUALITY & QUANTITY SPECIFICATIONS EITHER CONVENTIONAL TREATMENT MEASURES OR SOME OR ALL OF THE FOLLOWING MEASURES: BIOINFILTRATION SWALES AND PONDS, WET PONDS, AND/OR SAND FILTERS, OR ANOTHER MEASURE AGREED TO BY THE CITY AND EAST AVENUE.

* ALL LAND USE PLAN METRICS AND DEFINITIONS IN ACCORDANCE WITH ATTACHED DESIGN GUIDELINES.

** ASSUMES 100% CREDIT FOR PERVIOUS CONCRETE AND 75% CREDIT FOR GREEN ROOFS.

AERIAL PHOTO

NOTE: COMPATIBILITY HEIGHT AND SET-BACK RESTRICTIONS WOULD NOT APPLY TO EAST AVE. P.U.D.

UPDATED: JANUARY 2007

ATTACHMENT D

September 11, 2006 - Neighborhood Concerns on Concordia / East Avenue

Dear Neighborhood Planning and Zoning Staff,

Hancock Neighborhood Association (HNA), has the following concerns about East Avenue I.G.'s proposed development for Concordia University:

1. The developer is moving too fast. A development proposal of this magnitude should be handled delicately. The scale of this development deserves thoughtful study.
2. Concordia is not downtown Austin, and downtown development standards are inappropriate for it.
3. We are concerned about any infill development that is not carefully integrated within existing neighborhoods or that does not carefully assess transportation.
4. We feel that Austin's first infill priority is in the central business district and at planned transit oriented developments. Any significant development outside of these areas at this time will slow Austin in reaching its goal of adding residents to downtown and creating vibrant TODs.
5. Given that current mass transit plans by-pass this site, we are fearful of traffic problems. Note that neighboring St. David's PUD seeks to allow doubling their facility size.
6. The proposed development makes no attempt to manage its impact on traffic to the north and west of the site.
7. We are concerned about how density may or may not lessen traffic congestion. For example, Manhattan has achieved incredible residential density, but that hasn't stopped thousands of commuters from pouring in every day.
8. Areas around Concordia already face parking issues related to their use as informal "park and ride" locations for UT buses. Any development of the Concordia site must provide adequate parking for the traffic it will generate and must not exacerbate existing problems.
9. Heights requested in the proposal are excessive. We are willing to consider heights above the base zoning, but only in specified locations that maintain compatibility with existing residential uses and that are clearly specific to this site. Development of the Concordia property represents a special case, and it should not be used as a precedent for increased height or density in adjoining areas.
10. The proposed density for this site is too great. A FAR of 3.25:1 is too high. This density is uncharacteristic of this area and is much more density than the Triangle development.
11. Killian Hall is the original building for Concordia, and it is an eligible historic structure. TxDOT fund use will require a Section 106 historic review. New development could incorporate Killian as an adaptive re-use and positive amenity.
12. It is particularly important to scale down the development at the north and west sides, as these are the sides that abut or transition to single family areas.
13. Hancock needs further protection for single family areas, due to the precedent that development at Concordia will set.

Hancock Neighborhood Association wants to look for opportunities within our neighborhood for denser infill development. HNA does not want historic single family areas up-zoned or densified. HNA worked in their Central Austin Combined Neighborhood Plan to add significant density in the Central Austin area. We now see a significant request for more density. This pace of adding density is too quick. Concordia re-development was not considered in our plan process, thus it requires careful study. HNA hopes to work with the developer to create a quality development that does not threaten our single family areas.

We hope you will take our concerns to heart, as you evaluate this proposed development. We look for your support in our mission to guide careful, evolutionary growth in our neighborhood and preserve the rich character of our neighborhood. Please see our other letter outlining our vision for the Concordia site.

Sincerely,

Bart Whatley, Hancock Neighborhood Association President
[redacted] 907 East 37th Austin 78705

September 11, 2006 - Neighborhood Vision for Concordia / East Avenue

Dear Council Members, Aides, Planning Commission, and Neighborhood Planning and Zoning Staff:

Hancock Neighborhood Association (HNA) is working to help guide East Avenue I.G. on their proposed PUD for the Concordia University campus.

We have seen the recently submitted PUD application and were struck by how vague the application materials are and how liberally it utilizes height, density, and uses. This application falls way short of what we expect. We hope to spend more time sharing our neighborhood vision/values with the developer. We will expect the developer to show us how entitlement requests over base zoning will meet our neighborhood vision and values. We are hopeful that we can collaborate on a project that will be successful for the developer, for the neighborhood, and for the city as a whole.

This 22 acre development proposal is significant and ambitious. The height and density requested is unprecedented in this part of the city. We strongly feel that a development such as this requires thoughtful and cautious review. To help guide ourselves as we continue in our thoughtful review, we have come up with the following list of Hancock Neighborhood visions and values.

1. Existing single family areas should be protected. This project should be a positive amenity and good neighbor to single family areas, not a threat.
2. We want a high quality urban design for the Concordia property. Generally, producing density is a best practice essential to creating sustainable cities. However, it is more specifically high quality design that takes into account community values that actually sells density. Existing community fabrics need to be looked at carefully to make sure that additional density of a certain character is the right thing to do in a particular location.
3. Concordia is not downtown Austin and downtown development standards are inappropriate here. We want an appropriate scale. Medium-rise, higher density is more preferable to high-rises. High rises are not good for creating communities or space for interaction.
4. Communities in cities such as Chicago and Washington DC possess lively, mixed use, mass transit supporting neighborhoods with buildings of 4 to 5 stories. This level of density and heights is a better neighbor to historic single family areas than high rise towers.
5. A significant amount of pervious green space should be provided.
6. Transportation planning and capacities should strongly dictate how much density may be appropriate and where it may be appropriate. Utility infrastructure must not be compromised.
7. Residential use, not mixed-use, seems to be appropriate for the northwest portion of the site due to adjacency to single family areas. Thus, while mixed-use is generally favored, we would like to study different land uses within the parcel.
8. Buffers and transitions to single family areas are important, thus single family compatibility standards should be included in the PUD.
9. Tallest structures should be located in the southeast corner of the property.
10. We would like to see a mixed-use development that is pedestrian friendly.
11. A true live-work-shop-entertain development can reduce dependence on automobiles and lessen auto congestion/traffic. A regional shopping/entertainment mixed-use destination is a form that is incompatible with a true pedestrian focused community.
12. Slow growth produces richer, more vibrant, and more eclectic neighborhoods than quick planning.
13. Creating livable and sustainable cities involves careful planning and intangibles such as character, charm, distinctiveness, and provisions for a variety of residents.

Thank you for your openness to hearing from us and for your careful reflection on this proposed development. We look forward to communicating our progress with you over the next few months.

Sincerely,

Bart Whatley, Hancock Neighborhood Association President
[redacted] 907 East 37th Austin 78705

September 12, 2006 - Hancock on East Avenue Plan Amendment

To Planning Commission, Neighborhood Planning Staff and Urban Design:

Hancock Neighborhood Association (HNA) understands that Neighborhood Planning staff may be making a draft recommendation to the Planning Commission Meeting this Wednesday, September 13, 2006. HNA thinks the word "draft" is very important. This is a very large development and not enough time/study has passed for a recommendation to go anywhere beyond "draft" at this point. HNA is firmly against any action being taken on a final recommendation of a plan amendment at this time.

This project deserves to be handled carefully and delicately with all parties having a chance for thorough input. HNA has been surprised that the project in that it's submission format to the City has become a lot more vague compared to early plans shown to the neighborhood. The plan seems to be moving backwards, thus it is even more critical to give this Plan Amendment the level of study and input that it deserves.

HNA also thinks that it will be important to add plat notes and further delineate land uses, as both "mixed-use" and "master plan development" land uses are very broad. HNA suggests that Neighborhood Planning staff hold a short workshop meeting for the neighborhood and the developer, in order for all parties to understand each others concerns and try to work towards agreement.

Sincerely,
Bart Whatley, Hancock Neighborhood Association President
[redacted] 907 East 37th Austin 78705

Nick and Kim-Marie Vo
3200 Fairfax Walk
Austin, TX 78705

September 30, 2006

Jorge Rousselin
c/o City of Austin Neighborhood Planning
505 Barton Springs #500
Austin, TX 78704

RE: East Avenue Investment Group Development of Concordia University

Dear Members of the City of Austin Planning Commission,

As you may know, East Avenue Investment Group is in the process of acquiring the 22 acres of Concordia University. The developer is proposing a mixed-use development for this site and is seeking a Planned Unit Development (PUD) and a Neighborhood Plan Amendment.. We are concerned about the speed at which this project is progressing and are requesting that city staff become a facilitator between the developer and the neighborhood.

Concordia University lies within the Hancock Neighborhood Association, of which we are members. Our association recognizes this as a very significant opportunity for our neighborhood and the City of Austin. While we like the general notion of a mixed use development, there are many details to work out concerning integrating this development into our community. We are greatly concerned about infrastructure requirements for such a development, including traffic, availability of mass transit, coordination with the pending St. David's PUD next door, protection of adjacent residential areas, and the particular character of this proposed mixed-use.

Due to the size of this proposed project and its position within an established and thriving urban community filled with historic homes, we believe this proposal deserves the most careful thought and planning. We are concerned by the speed with which the developer is urging project approvals. Originally, the developer planned to take its case to the Planning Commission on October 10th.

There is only one chance to make this a good development. We think all parties need adequate time to make sure thorough thought is given so that this project compliments the character of the neighborhood and the City of Austin.

We look forward to a successful project in our neighborhood, and we trust that your careful study of the proposed PUD will help insure this project is a positive addition.

Sincerely,

Nick and Kim-Marie Vo

September 30, 2006

Dear Members of the City of Austin Planning Commission,

As you may know, East Avenue Investment Group is in the process of acquiring the Concordia University acreage, and is proposing a mixed-use development for this site.

Concordia University lies within the Hancock Neighborhood Association, of which I am a member. Our association recognizes this as a very significant opportunity for our neighborhood and the City of Austin. The Central Austin property along IH-35 and is approximately 22 acres and is bordered by a diversity of land uses, building types, and building sizes.

Due to the size of this proposed project and its position within an established and thriving urban community, I believe this proposal deserves the most careful thought and planning. The developer is meeting with our neighborhood for our input. However, I am concerned by the speed with which the developer is urging project approvals.

The developer is seeking a Planned Unit Development (PUD) and a Neighborhood Plan Amendment for this development.

While I like the general notion of a mixed use development, there are many details to work out with regards to knitting this development into our community.

I am concerned about infrastructure requirements for such a development, including traffic, availability of mass transit, coordination with the pending St. David's PUD next door, protection of adjacent residential areas, and the particular character of this proposed mixed-use.

I think there is a need for city staff to get involved with the developer

and the neighborhood and act as a facilitator, as many of the zoning terms and zoning options are complex.

There is only one chance to make this a good development. I think all parties need adequate time to make sure thorough thought is given and that things are done right.

I look forward to a successful project in my neighborhood, and I trust that your careful study of the proposed PUD will help insure this project is a positive addition.

Sincerely,

Carol Moczygemba

Carol Moczygemba
600 Texas Avenue
Austin TX 78705

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C814-06-0175
Contact: Jorge Rousselin, 512-974-2975
Public Hearing:
December 12, 2006 Planning Commission

☐ I am in favor
☑ I object

Dennis Gangoso + Hannah Wong
Your Name *(please print)*

923 E37th St. Austin Tx 78705
Your address(es) affected by this application

Signature — 12.15.06 Date

Comments: We are concerned about quality of life, property value decline and general safety of our living environment. We do not oppose development but would not like to see 3-5 storey buildings within a block of our property lines.

If you use this form to comment, it may be returned to:
City of Austin
Neighborhood Planning and Zoning Department
Jorge Rousselin
P. O. Box 1088
Austin, TX 78767-8810

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C814-06-0175
Contact: Jorge Rousselin, 512-974-2975
Public Hearing:
December 12, 2006 Planning Commission

Warren Spain
Your Name *(please print)*

☐ I am in favor
☒ I object

915 E. 37th St.
Your address(es) affected by this application

[signature]
Signature

12-5-06
Date

Comments: My property is at 915 E. 37th.
I want to see a site plan first. There needs to be a buffer or green space along the south side of 37th St for the single family homes. I'm concerned about lights, traffic and noise. I don't know what is going to be built immediately behind my property.

If you use this form to comment, it may be returned to:
City of Austin
Neighborhood Planning and Zoning Department
Jorge Rousselin
P. O. Box 1088
Austin, TX 78767-8810

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During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

www.ci.austin.tx.us/development

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C814-06-0175
Contact: Jorge Rousselin, 512-974-2975
Public Hearing:
December 12, 2006 Planning Commission

☐ I am in favor
☑ I object

Dennis Gangoso + Hannah Wong
Your Name *(please print)*

923 E37th St. Austin Tx 78705
Your address(es) affected by this application

Signature

12.15.06
Date

Comments: We are concerned about quality of life, property value decline and general safety of our living environment. We do not oppose development but would not like to see 3-5 storey buildings within a block of our property lines.

If you use this form to comment, it may be returned to:
City of Austin
Neighborhood Planning and Zoning Department
Jorge Rousselin
P. O. Box 1088
Austin, TX 78767-8810

October 30, 2006

Ted, Karen, & Sydney Piper
921 East 37th Street
Austin, TX 78705
H: (512) 699-0119, **W**: (512) 725-1072

Jorge Roussellin, Case Manager
City of Austin
Neighborhood Planning & Zoning Department
PO Box 1088
Austin, TX 78767-8810
(512) 974-2975

RE: "<u>WE OBJECT</u>" to Case#: C814-06-0175, public hearing December 12, 2006

To: Austin Board & Planning Commission, Mayor, and City Council

My name is Ted Piper and I currently live at 921 East 37th Street with my wife Karen and 10-month old daughter Sydney. On behalf of myself, my wife and my daughter, I am writing this letter to express our ***objection*** to the Planned Urban Development (PUD) that is planned for the old Concordia College property **(Case#: C814-06-0175, public hearing Dec. 12, 2006)**.

We have lived at our current address now since August 1999 (over 7 years). I currently work for Dell, Inc and my wife works for Girling Health Care here in Austin. Our home is a cozy 1541sq ft. single story with 3 bedrooms and 2 baths. Our house is uniquely situated right next to Concordia's northwest parking lot. Our backyard shares a fence line on two sides of the Concordia parking lot. This shared fence line extends about 25 yards on the east side and about 25 yards on the south side of our property.

Our understanding of this PUD, amongst other things, is that it involves the building of multiple 3-story condos on the east side of our fence line and multiple 6-story condos to the south side of our fence line. All of these proposed condos are to be built less than 10-15 yards from our property line.

In no specific order, below is a list of our concerns relative to this PUD:

- **<u>Air Quality & Health Risks</u>** – If this PUD is approved, my wife & I are very concerned about the air quality and health risks associated with the demolition of Concordia, the construction of 3-story and 6-story condos, and the significant increase in vehicular emissions/pollution due to the increased number of vehicles from new residents, employees, & consumers. To underscore this concern, Concordia recently resurfaced their parking lot adjacent to our backyard. Albeit a small relative to a major planned urban development like the one being proposed, this resurfacing effort resulted in grayish soot being caked all over our trees, grass, and plants as well as the backside of our house, garage, and shed. We spent a Saturday morning cleaning away this soot with a hose

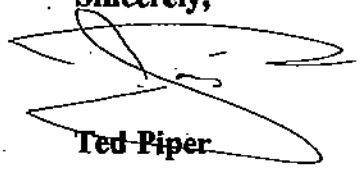
(note: no complaint was filed). We are very concerned that if demolition and construction were allowed to commence, that we would be subject to far worse air quality and health related risks than the resurfacing of the parking lot administered. The potential health risks would undoubtedly last for the entire 2-3 years that it would take to complete the development. I truly do not want the health of my wife and 10-month old daughter or the health of any person in the vicinity to be compromised by this PUD.

- **Increased Traffic** – If this PUD were approved, then this mixed used project would undoubtedly draw many new residents, employees, and consumers as well as their associated cars, trucks, and motorcycles. This will drastically increase traffic congestion in the area. More traffic also means more opportunities for accidents involving other vehicles as well as pedestrians.
- **Reduced Privacy** – We are very concerned that if condos are built as part of this PUD being approved, that our privacy will be drastically impacted. Currently there is no residence or commercial building has viewable access to our backyard. If 3-story and 6-story high condos were allowed to be built, then we would loose this privacy. We would be concerned that any windows or balconies from any condos that face our house would only reduce our privacy further. Privacy was one of the major selling points of our house when we purchased it 7 years ago. We fear that this will all be lost if this PUD is approved.
- **Height of proposed Condos** – Currently, the surrounding residential homes and Concordia buildings are either one or two story buildings. We understand that if this PUD is approved, the developer intends to build 3 story condos to the east side of our property and 6 story condos directly to the South side of our property. The height of these buildings will not only reduce privacy and views but will also be aesthetically displeasing and out-of- place relative to the one & two story buildings that make up the general area. We fear the day when we look at our humble single story home from the front yard only to see a 6-story gargantuan structure overtaking our house from the south and a 3-story building overshadowing it from the east. Today, we have nothing but blue sky above and beyond our house on all sides. We do not want to loose this scenery.
- **Setback of proposed Condos** – Currently, the closest Concordia building to our fence line is roughly 30-40 yards away. If this PUD is approved, the developer wants to build multiple 3 story and 6 story condos within 10-15yards from our fence line. Every morning when the sun rises in the East, the multiple 3-story condos would cast a significant shadow on our property. Obviously, the closer these Condos are to our house the longer the time our property would go without direct morning sunlight. Given reduced exposure to the sun, the ample vegetation on our property would suffer.
- **Loss of Views** – Currently we have views from all sides of our house. If this PUD were approved and multiple 3-story and 6-story condos were built, then we stand to loose ~50% of current view. Today, when we sit in our kitchen, in our bedrooms, on our back porch or in our back yard, we are able to enjoy the unobstructed views of the sun and sky to the east and south. If these 3-story and 6-story condos are built, then the views to the east and south would be destroyed or at the very least dramatically cheapened.
- **Excessive Noise** – If this PUD were approved, we would be very concerned with the noise related to the demolition of Concordia college as well as the construction of multiple condos <10-15 yards from the east and south sides of our property. If the condos were built, we would be concerned about noise from the condo's commercial air

conditioners. Furthermore, we would be concerned with the noise associated with the many vehicles of residents, employees, and consumers that would be living and working in the developed area. Finally, if the condos are built, we would be concerned that any windows or balconies from the condos that face our house would only add to the noise pollution.

Please help to vote NO at the upcoming public hearing on December 12, 2006.

Sincerely,



Ted Piper

cc

Andy Sarwal
Developer, East Avenue IG, LP

Bart Whatley
President, Hancock Neighborhood Association
bartley68@yahoo.com

David Kluth
Concordia University
3400 W I-35
Austin, TX 78705
(512) 452-7661

Alice K. Glasco
Alice Glaso Consulting
5117 Valburn Court
Suite A
Austin, TX 78731
(512) 231-8110

Richard T. Suttle, Jr.
Armburst & Brown, L.L.P
100 Congress Ave.
Suite 1300
Austin, TX 78701
(512) 435-2310

February 7, 2007

VIA EMAIL

Chairman Dave Sullivan and Members
of the Planning Commission
c/o Jorge Rousselin, Project Manager
505 Barton Springs Road, 4th Floor
Austin, Texas 78704
jorge.rousselin@ci.austin.tx.us

RE: PUD Zoning Case # C814-06-0175
NPA Case # 06-0019.01
3400 North IH-35 Service Road
Applicant: Andy Sarwal

Dear Chairman Sullivan and Members of the Commission:

On behalf of Hancock & Eastwoods Neighborhoods, interested stakeholders in the above-referenced case, we hereby submit this letter of opposing the proposed rezoning. The applicant, East Avenue IG, L.P. ("East Avenue"), has submitted an application to rezone the property to a PUD (Planned Unit Development) zoning district. The application is currently before the Commission for consideration. Hancock Neighborhood Association has met with, and is continuing to meet with, East Avenue regarding the rezoning in an effort to establish a mutually-acceptable compromise agreement that will reduce the intensity of the development while still allowing East Avenue to realize a reasonable return on its investment. We have made a diligent effort to pursue these discussions and would like to continue. We believe there are viable alternatives to the current plan that are more respectful of the existing scale and character of the surrounding neighborhood and community. Because we have not had an opportunity to explore these alternatives, we request that the Commission recommend denial of the applicant's request.

Our concerns include the following:

- Land use designations associated with the plan amendment should vary within the tract, as adjacent property uses vary greatly. The applicant requested high density mixed-use is not consistent with adjacent uses, and is certainly incompatible immediately adjacent to single family.
- There are no reasonable restrictions on height, permitted uses, FAR limits, and open space requirements for this proposed development.

- The PUD as proposed is incompatible with the long-existing, established adjacent neighborhoods.
- Traffic and parking needs to be more specifically addressed, as there are no specifics concerning traffic circulation or the location and amount of parking to be developed.
- The TIA should be updated as requested by the City staff.
- Central Business District parking reductions are inappropriate for this site and should not be permitted in the PUD.
- No evidence has been provided that the PUD zoning will yield a superior development than would standard zoning districts.
- Development in the PUD should comply with the City of Austin Commercial Design Standards, Great Streets requirements, affordable housing policies, and LEED green-building standards.
- More attention should be paid to parkland dedication and open space.
- Compliance with height and setback compatibility standards should be strictly and specifically outlined.

East Avenue's current development plan falls short of meeting the expectations of the neighborhood and is inconsistent with our carefully-considered neighborhood plan. For this reason, we request that the Commission recommend denial of the rezoning request and support staff's recommendation.

If the applicant desires to continue discussions with our Association, we will do whatever is required to try to reach agreement. We have expressed to the applicant that we are prepared to continue work with him and are hopeful that a reasonable compromise is possible.

Sincerely,

Bart Whatley, President
Hancock Neighborhood Association

Dana Twombly, President
Eastwoods Neighborhood Association

cc: Andy Sarwal, East Avenue IG, L.P.
Nikelle S. Meade

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CANPAC

Central Austin Neighborhoods Planning Area Committee

February 7, 2007

VIA EMAIL

Chairman Dave Sullivan and Members
of the Planning Commission
c/o Jorge Rousselin, Project Manager
505 Barton Springs Road, 4th Floor
Austin, Texas 78704
jorge.rousselin@ci.austin.tx.us

Re: 3400 North IH-35 Service Road
Ordinance No. 040826-59 (PUD Ordinance)
Zoning Case No. C814-06-0175
Applicant: Andy Sarwal

Dear Chairman Sullivan and Member of the Commission:

On behalf of C.A.N.P.A.C. (Central Austin Neighborhoods Planning Area Committee) I am writing to request your rejection of the proposed rezoning request referenced above and your support of Hancock and Eastwoods neighborhood efforts to negotiate for a development that is consistent with the character of our neighborhoods by supporting the planning staff recommendations on this case.

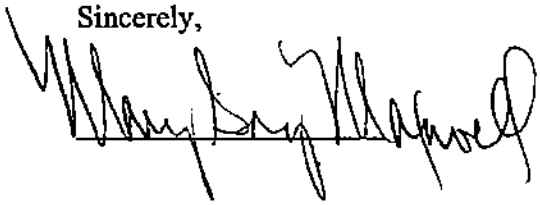
As the planning team for the Central Austin Neighborhood Plan, we are acutely aware of the need for additional residential density close to the urban core. We are also aware of the importance of developing such projects at appropriate scales and in appropriate areas.

During our planning process, we made provisions for vast amounts of new multifamily housing in our planning area, while utilizing detailed planning to ensure compatibility with surrounding single family structures.

We believe that an area the size of the Concordia campus deserves the same careful planning and consideration for compatibility, both of which are lacking with East Avenue's plans. The density of the proposed plan is too great, the proposed height is out of scale with the surrounding neighborhood and exceeds even those heights permitted in the University Neighborhood Overlay area, and the proposed rezoning permits many more uses than are appropriate for the site. Furthermore, the traffic generated by such a plan would be devastating to the adjacent highway, which is already one of the most congested in the region.

We appreciate the Commission's consideration of our objection to this proposed rezoning. We strongly urge the Commission to require a development consistent with the city staff's recommendation: a development that can and should be far more respectful of the carefully-considered policies, regulations, and guidelines of our existing neighborhood plan.

Sincerely,



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