

#56

ORDINANCE NO. _____

1 AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE
2 PROPERTY COMMONLY KNOWN AS THE EAST RIVERSIDE PUD LOCATED
3 AT 222 AND 300 EAST RIVERSIDE DRIVE IN THE SOUTH RIVER CITY
4 NEIGHBORHOOD PLAN AREA, FROM LAKE COMMERCIAL-VERTICAL
5 MIXED USE BUILDING-NEIGHBORHOOD PLAN (L-V-NP) COMBINING
6 DISTRICT AND LAKE COMMERCIAL-NEIGHBORHOOD PLAN (L-NP)
7 COMBINING DISTRICT TO PLANNED UNIT DEVELOPMENT-
8 NEIGHBORHOOD PLAN (PUD-NP) COMBINING DISTRICT.

9
10 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

11
12 **PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to
13 change the base district from lake commercial-vertical mixed use building-neighborhood
14 plan (L-V-NP) combining district and lake commercial-neighborhood plan (L-NP)
15 combining district to planned unit development-neighborhood plan (PUD-NP) combining
16 district on the property described in Zoning Case No. C814-2008-0165, on file at the
17 Neighborhood Planning and Zoning Department, as follows:

18
19 Tract One: Lot 1, Riverside Square Subdivision, a subdivision in the City of
20 Austin, Travis County, Texas, according to the map or plat of record in Document
21 No. 200600245, of the Official Public Records of Travis County, Texas; and

22
23 Tract Two: A 3.889 acre tract of land, more or less, out of the Isaac Decker
24 League, Travis County, the tract of land being more particularly described by
25 metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

26
27 locally known as 222 and 300 East Riverside Drive, in the City of Austin, Travis County,
28 Texas, and generally identified in the map attached as Exhibit "B".

29
30 **PART 2.** This ordinance, together with the attached Exhibits A through C, are the land use
31 plan for the East Riverside planned unit development district (the "PUD") created by this
32 ordinance. The PUD shall conform to the limitations and conditions set forth in this
33 ordinance and in the East Riverside planned unit development land use plan (the "Land
34 Use Plan"). If this ordinance and the attached exhibits conflict, the ordinance applies.
35 Except as otherwise specifically provided by this ordinance, all other rules, regulations and
36 ordinances of the City effective as of the date of this ordinance, apply to the PUD.

1 In accordance with Part 3 of Ordinance No. 20080618-098, the PUD is subject to the
2 standards in effect on June 18, 2008.

3 **PART 3.** The Property is subject to Ordinance No. 20050929-Z003 that established the
4 South River City neighborhood combining district.

5
6 **PART 4.** The attached exhibits are incorporated into this ordinance in their entirety as
7 though set forth fully in the text of this ordinance. The exhibits are as follows:

8 Exhibit A: Description of Property
9 Exhibit B: Zoning Map
10 Exhibit C: Land Use Plan
11

12 **PART 5.** Definitions.

13
14 A. In this ordinance:

- 15
16 1) **PRIMARY SETBACK** means the Town Lake, East Bouldin Creek, and
17 Riverside setbacks in the Waterfront Overlay District with the following
18 prescribed distances:

19
20 Town Lake 150 feet
21 East Bouldin Creek 80 feet
22 Riverside 35 feet
23

- 24 2) **SECONDARY SETBACK** means the Town Lake, and East Bouldin Creek
25 setbacks in the Waterfront Overlay District with the following prescribed
26 distances:

27
28 Town Lake 50 feet
29 East Bouldin Creek 50 feet
30

31 B. All other terms have the meaning provided in the Code.
32

33 **PART 6.** Except as otherwise provided in this ordinance, the uses and site development
34 regulations of the lake commercial (L) district apply to the PUD instead of otherwise
35 applicable regulations.
36
37
38

1 A. Uses

2
3 The following uses are permitted uses of the PUD:

4

5 Condominium residential	Administrative and business offices
6 Electronic testing	Parks and recreational services
7 Cocktail lounge	Financial services
8 General retail sales (convenience)	Hotel-motel
9 Personal services	Restaurant (general)
10 Cultural services	Multifamily residential
11 Food sales	General retail sales (general)
12 Professional office	Restaurant (limited)
13 Medical offices (not exceeding 5000 sq. ft of gross floor area)	
14 Medical office (exceeding 5000 sq. ft. of gross floor area)	

15

16 B. Site Development regulations

- 17
- 18 1) Division 5, Subpart C, 3.2 (*Planned Unit Development Regulations*) of the
19 City Code do not apply to the PUD.
 - 20
 - 21 2) The maximum height of a building or structure is 96 feet for the area outside
22 the Waterfront Overlay District Setbacks.
 - 23
 - 24 3) Within the Town Lake and East Bouldin Creek Secondary Setbacks the
25 maximum height of a building or structure is 35 feet.
 - 26
 - 27 4) Section 25-2-531 (*Height Limit Exceptions*) apply to the height limitations
28 set forth in Part 6, Sections B.2 and B.3 above.
 - 29
 - 30 5) Section 25-2-1063 (*Height Limitations and Setbacks for Large Site*) and
31 Section 25-2-1065 (*Scale and Clustering Requirements*) do not apply to the
32 PUD.
 - 33
 - 34 6) Section 25-2-721(B) (*Waterfront Overlay (WO) Combining District*
35 *Regulations*) is modified as follows:
36
 - 37 a. Except as shown in (1) and (2) in this Subsection, development is
38 prohibited in the Town Lake and East Bouldin Creek primary setback
39 areas.
40

- (1) Park facilities, including picnic tables, observation decks, trails, and not more than two gazebos are allowed. Each gazebo may not exceed 650 square feet.
- (2) An emergency access route, if constructed of pervious paving material with the appearance of vegetation or trail, is allowed. Except for emergency use, routine vehicular access use is not permitted.

7) Section 25-2-721(C) (*Waterfront Overlay (WO) Combining district Regulations*) is modified as follows:

- a. A use permitted within the PUD may be located within the Town Lake and East Bouldin Creek secondary setback area.
- b. Within the East Bouldin Creek secondary setback areas:

the maximum building coverage is 100 percent, and

the maximum impervious cover is 100 percent.
- c. Within the Town Lake secondary setback area:

the maximum building coverage is 50 percent; and

the maximum impervious cover may not exceed 75 percent.

8) Section 25-2-744(C)(2) (*South Shore Central Subdistrict Regulations*) is modified as follows:

The secondary setback line is located 50 feet from the primary setback line parallel to the East Bouldin Creek centerline.

9) Subchapter E (*Design Standards and Mixed Use*) of Chapter 25-2 of the City Code does not apply to the PUD.

1
2 C. Transportation
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4 Section 25-6-113 (*Traffic Impact Analysis Required*) is modified as follows:
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6 If the expected number of trips generated by the project exceeds 5,730 trips per
7 day, a traffic impact analysis ("TIA") shall be provided prior to site plan approval
8 to the Watershed Protection and Development Review Department, or its successor
9 department, of the City of Austin. All development on the Property shall be subject
10 to the requirements of the TIA as set forth in Section 25-6, Article 3 (*Traffic*
11 *Impact Analysis*) of the City Code and Section 2 of the Transportation Criteria
12 Manual.
13

14 D. Parkland Dedication
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- 16 1) Prior to the issuance of a certificate of occupancy for the first building in the
17 PUD, approximately 1.5 acres of parkland shall be dedicated. The parkland
18 shall be located within the primary setback areas depicted on Exhibit C
19 (*Land Use Plan*). Underground parking is not permitted in the dedicated
20 parkland area.
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- 22 2) Within the dedicated parkland, a hike and bike trail shall be constructed
23 along Town Lake and East Bouldin Creek between the westernmost property
24 line to the southeast corner area of the property at East Riverside Drive and
25 shall be maintained by the owner of the Property.
26
- 27 3) The dedication of parkland and construction of the hike and bike trail shall
28 satisfy all parkland dedication and fee requirements and open space
29 requirements for development within the PUD.
30
- 31 4) All development rights within the parkland area may be used for
32 development within the PUD. For purposes of site plan approvals, the area
33 dedicated as parkland shall be included in the site calculations. The joinder
34 of the City of Austin in any site plan application is not required
35 notwithstanding the inclusion of the parkland area within the site plan.
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