

Late Backup

#97

South Shore District PUD – Superiority & PUD Plan Notes Matrix

Superiority Items	Location of Item	Code Requirement*
Connectivity & Transportation		
Vehicular	PUD Notes 46 & 47 PUD Plan Pgs 1 & 3 TIA	Commercial Design Standards
Bicycle	PUD Notes 29, 37 & 42 PUD Plan Pg 3 TIA	2009 Bike Master Plan PUD Tier 1i
Pedestrian	PUD Notes 17, 20, 27, 29 & 37 PUD Plan Pg 3	PUD Tier 1i
Trails	PUD Notes 29 & 37 PUD Plan Pg 3	
Carshare	PUD Note 40	PUD Tier 2
Water Quality		
Regional Pond and Onsite	PUD Notes 9, 15, 21, 23, 24 & 29	Sed/Fil Pond required for onsite PUD Tier 1F
Landscaping and Trees		
Tree Protection	PUD Notes 22, 28 & 41 PUD Plan Pg 1	1,097 inches required to be mitigated PUD Tier 1F & 1K
Grow Green	PUD Note 12	PUD Tier 1H
Integrated Pest Management Plan (IPM)	PUD Note 26	Not Required
Green Builder		
3 Star	PUD Note 13	PUD Tier 1D
Impervious Cover		
	PUD Note 4	80% allowed in MF-6 74% existing
Open Space, Parkland & Plazas		
Open Space	PUD Notes 19 & 24	Waterfront Overlay Commercial Design Standards PUD Tier 1C & Tier 2
Parkland	Additional \$225K contribution to APF – private covenant	Standard parkland fee PUD Tier 2
Art in Public Places	PUD Note 36	PUD Tier 2

<i>Community & Public Space</i>		
Community Amenities Space	PUD Note 31	PUD Tier 2
Local Small Business Space	PUD Note 32	PUD Tier 2
Public Facilities Space	PUD Note 30	PUD Tier 1G
Capital Metro Donation	PUD Note 38	PUD Tier 2
<i>Historic Preservation</i>		
Norwood House	Contribution to APF – private covenant	PUD Tier 2
<i>Building & Commercial Design Standards</i>		
Stepbacks, Setbacks, Pedestrian Oriented Uses	PUD Notes 18, 19, 33, 34	Waterfront Overlay Commercial Design Standards PUD Tier 1C & Tier 2
Parking Structure Frontage	PUD Notes 18 & 19	PUD Tier 2
Commercial Design Standards - upgrading	PUD Notes 16 & 25	Commercial Design Standards
Bicycle Parking, Showers & Lockers	PUD Note 42	Standard Transportation Code Requirements
<i>Affordability</i>		
	Private Covenant	Not Required
<i>Accessibility</i>		
	PUD Note 35	PUD Tier 2
<i>Relocation of Existing Tenants</i>		
	PUD Note 43 Private Covenant	Not Required
<i>East Riverside Corridor Master Plan (Draft)</i>		
	TIA PUD Plan Pg 3	Not Required - Draft

*PUD Tiers not required but noted for reference

SOUTH SHORE PUD – C814-2008-0087
Basis for Superiority and Recommendation

Item	Code Requirement	PUD Proposal	Superiority
Connectivity (Vehicular) Notes 46 & 47 PUD Plan Pgs 1 & 3	Commercial Design Standards	- Extension of Arena Drive to Tinnin Ford - Extension of Elmont Drive (via driveway) to Lakeshore Blvd. - Additional driveways connecting Arena Drive to Lakeshore Blvd. - Orientation of the Arena Drive extension to coordinate with the major driveway on the 50 acre PUD to the east	- Extending vehicular connections when not required (beyond standard CDS compliance) - Orienting extension of Arena Drive to major driveway within 50-acre project to the east, greatly assisting connectivity between the two properties (70 acres total)
Connectivity (Bicycle) TIA PUD Note 29 & 37 PUD Plan Pg 3	2009 Bicycle Master Plan - Not Required Note: 2008 PUD Tier 1i	BICYCLE LANES: - Extension of bicycle lanes (dual) along Arena Drive to Tinnin Ford - Extension of bicycle lanes (dual) along Lakeshore Blvd. from Riverside Drive to Tinnin Ford - Extension of bicycle lanes (dual) along Town Creek from Riverside Drive to Lakeshore Blvd. - Extension of bicycle lanes (dual) along Tinnin Ford from Riverside Drive to Lakeshore Blvd. - Extension of sharrows along private drives from Arena Drive to Lakeshore Blvd. - Creation of bicycle and pedestrian trail from Arena Drive along eastern edge of wet pond to Lakeshore Blvd and a pervious trail along Lakeshore Blvd. - Creation of a multi-use trail along	- Extending bicycle connections when not required (beyond property boundaries and along both sides of Lakeshore Blvd. from Riverside Drive to Tinnin Ford) - Extending bicycle connections along both sides of Arena Drive, Town Creek and Tinnin Ford. - Providing a multi-use trail along Lakeshore Blvd. to enhance bicycle and pedestrian connectivity to and through the neighborhood to the Lady Bird Lake Hike and Bike Trail to the north and to the existing bus stop on the south side of Lakeshore Blvd. - Construction of a sidewalk to provide connectivity along Lakeshore Blvd. is infeasible due to the location of numerous existing oak trees.

			Lakeshore Blvd. to provide bicycle and pedestrian connectivity to the Lady Bird Lake Hike and Bike trail and the bus stop on the south side of Lakeshore Blvd.	
Connectivity (Pedestrian) PUD Notes 17, 20, 27, 29 & 40	▪ Not Required Note: 2008 PUD Tier 1i	1. Gated community prohibited 2. Extension of sidewalks along Arena Drive from Riverside to Town Creek (dual) 3. Extension of sidewalks along both sides of private drives, Town Creek and one side of Tinnin Ford 4. Dedication of ROW and extension of sidewalks along Arena Drive from Town Creek to Tinnin Ford 5. Extension of sidewalks from Arena Drive to Lakeshore Blvd. along two driveways 6. Extension of bicycle and pedestrian multi-use trail from Arena Drive along eastern edge of wet pond to Lakeshore Blvd. 7. Pedestrian crossing on Lakeshore Blvd. to be provided (if allowed by COA) 8. Provide a publicly accessible pervious multi-use trail within the Waterfront Overlay setback along Lakeshore Drive across Areas 1, 2, 3 and 5 that includes one water fountain	▪ Extending pedestrian connections when not required (beyond Commercial Design Standards for Urban Roadways)	
Water Quality PUD Notes 9, 15, 21, 23,	▪ Sed/Fill Pond (on-site capture only)	1. Regional wet pond capturing over 100 acres of offsite drainage removing TSS of approximately 22,000 lbs/yr (exceeds	▪ Providing for a regional wet pond when not required (and not seeking cost recovery funds from the City)	

24 & 29	Environmental Preservation Not Required Note: 2008 PUD Tier 1F	on-site standard of 9,500 lbs/yr) - Total onsite capture with wet pond and Innovative Water Quality Methods (ECM 1.6.7) - Wet pond designed as an "amenity" with required landscaping, trail, educational signage, etc.	- Exceeds TSS removal by more than 250% - Providing for on-site treatment via wet pond, vegetative filter strips, raingardens and berms - Wet pond required to be landscaped and designed as an "amenity" with fencing by Code only
Trees PUD Notes 22, 28 & 41 PUD Plan Pg 1	1,097 inches required to be mitigated - Environmental Preservation Not Required Note: 2008 PUD Tier 1F & K	- Exceed mitigation/replacement requirement by 10% - Preservation of LCRA trees along Lakeshore Blvd. - All trees will remain in place except for 110 inches 110 inches to be transplanted if recommended by City Arborist - Preservation of 9 trees along west side of Town Creek Drive	- Increasing inches to be mitigated beyond standard requirement by 10% 21 of 26 LCRA trees to be preserved in place. 2 of the 5 LCRA trees to be transplanted as recommended by City Arborist - All 9 trees along west side of Town Creek - Existing impervious cover removed from primary setback to allow for better tree growth
Austin Green Builder Program PUD Note 13	Not Required Note: 2008 PUD Tier 1D	3-Star Green Builder	Meeting Green Building regulations that are only required by new PUD ordinance
Grow Green Landscaping PUD Note 12	- Not Required - Exceed Landscaping Code Not Required Note: 2008 PUD Tier 1H	80% of the site will be native species with a prohibition of invasive plants on the remaining 20% - Providing for 10% above minimum landscaping requirements	- Applying Grow Green regulations when not required - Exceeding landscaping code when not required
Integrated Pest Management Plan	Not Required	IPM Plan to be provided	Applying an IPM Plan when not required

PUD Note 26				
Impervious Cover PUD Note 4	80% Gross for MF-6 in Urban Watershed	74% Gross site area (14.90 acres)	Limiting impervious cover to existing level when not required	
Open Space PUD Notes 19 & 24	- Waterfront Overlay 2% Open Space Required by Commercial Design Standards - Pre and Post 2008 PUD (Tier 1C and Tier 2) requires: 10% Residential 15% Industrial 20% Commercial	- Wet pond area (landscaped as an amenity) shall serve as open space - Increased setback (100 feet instead of 50 feet) from Lakeshore Blvd. on Area 4 shall serve as open space - Additional useful urban open space is provided by the following: - New driveways, sidewalks and bicycle routes (Arena Drive to Tinnin Ford; 2 driveways connections from Arena Drive and Lakeshore Blvd.) - Expanded activity nodes at the intersections of Arena Drive and (i) the 2 driveways to Lakeshore Blvd. and (ii) Town Creek	- Providing for increased waterfront overlay setback - Providing for increased open space with pedestrian, bicycle and road connections - Providing for 20% open space for mixed use despite loss of open space for access and connections to Lady Bird Lake	
Affordability Private Covenant	Not Required Note: 2008 PUD Tier 2	- At the City's option, either: - Provide 10% of the MF units (above existing MF-3 density) at 80% of MFL; - Provide \$1,500,000 in funds to the Austin Housing Finance Corporation or another designated entity to provide affordable housing for senior citizens at another location; or - A value equivalent combination of either of the options listed above.	Providing for affordable housing when not required	

Public Facilities PUD Notes 30 & 38	Not Required Note: 2008 PUD Tier 1 G	- Provide, on a rent-free basis, a minimum of 1,000 square feet of usable space for either fire protection, emergency service or police facilities for a period of 25 years - Provide for a \$25,000 contribution to Capital Metro for improvements to bus stops in the immediate area	Providing for public facilities when not required
Community Amenities PUD Note 31	Not Required Note: 2008 PUD Tier 2	Provide, on a rent-free basis, a minimum of 1,000 square feet of usable space for either community meetings, day care facilities or non-profit organizations for a period of 25 years	Providing space for community amenities when not required on a rent free basis
Local Small Business PUD Note 32	Not Required Note: 2008 PUD Tier 2	Provide one retail space for an independent retail or restaurant small business at a rental rate of 15% below market rate at the time of lease execution	Providing for space at below market rent for a local small business when not required
Historic Preservation Private Covenant with APF	Not Required Note: 2008 PUD Tier 2	- Preserve LCRA trees, as described above under Trees Section - Contribute \$25,000 to the Austin Parks Foundation for the preservation of the Norwood House	- Commitment to preserve LCRA trees when not required - Financial commitment to the renovation of a nearby historic structure located on parkland when not required
Building Design PUD Notes 18, 19, 33 & 34	- Waterfront Overlay - Commercial Design Standards Basic Points - Exceeding Design Points – Not Required Note: 2008 PUD Tier 2	- Proposed 40 foot base wall with 70 degree angle setback for Areas 2, 3 & 4 - Building Coverage shall not exceed 70% from the 50 foot setback to 180 feet from Lakeshore Blvd for Area 2 with an open courtyard either on the ground or on top of a podium parking structure at 28 feet. - Building Coverage shall not exceed	Exceeding Commercial Design Standards and Waterfront Overlay Design Standards when not required

	▪ Ped Oriented Uses on Ground Floor of Mixed Use Buildings -Not Required Note: 2008 PUD Additional Tier 1C)	60% from the 50 foot setback to 180 feet from Lakeshore Blvd for Area 3 with an open courtyard either on the ground or on top of a podium parking structure at 28 feet. 4. Building Coverage shall not exceed 60% from 50 foot setback to 300 feet from Lakeshore Blvd. for Area 4. 5. Areas 2, 3 & 4 shall not consist of continuous building façade at 35 feet from the base of the buildings. 6. Exceed the minimum points for building design by: A. 3 Star Green Building (3 points) B. Providing for liner stores in building façade (1+ points) C. Providing primary entrance design (1 point) D. Providing for roof design (1 point); E. Providing for building materials meeting the standards outlined (1 point) 5. Providing for pedestrian oriented uses on the ground floor of mixed use buildings including kiosks or other areas providing for the sale and consumption of refreshments with indoor or outdoor seating on the northern most ends of buildings in Areas 2 and 3	
Parking Structure Frontage	▪ Waterfront Overlay	1. No surface parking lots shall be allowed	▪ Committing to increased design and use of parking structures beyond that

PUD Notes 18 & 19	- Not Required - Note: 2008 PUD Tier 2	2. Other than on-street parking, all parking shall either be sub-grade, partially sub-grade, surrounded by usable space or architecturally integrated 3. 75% of the ground floor of the building frontage of the parking structure facing the principal street must contain a pedestrian oriented use	required
Accessibility PUD Note 35	- Standard TAS Required - Exceeding – Not Required - Note: 2008 PUD Tier 2	Providing for units to be available for persons with disabilities at a level of 2.5%, exceeding the baseline requirements by 25%	Providing for additional accessible units beyond standard requirement
Art PUD Note 39	- Not Required - Note: 2008 PUD Tier 2	Providing for 5 public plazas along Arena Drive where public art will be provided as approved by Art in Public Places Program	Providing for multiple locations for public art to enhance community space
Transportation TIA PUD Notes 20, 40 & 43	- TIA Improvements - Additional Transportation Features – Not Required - Note: 2008 PUD Tier 2	1. Shall participate in transportation improvements on 6 intersections including 1 traffic signal and striping on 3 roads; 2. The frontage along Riverside Drive was removed from the PUD to allow future planning of such area following further City planning on a possible future rail corridor along Riverside Drive 3. Providing for 3 dedicated parking	- Providing for transportation improvements required by traffic generated - Providing for dedicated CarShare spaces when not required

Although technically exempt from new PUD regulations due to its filing date, the South Shore PUD is meeting and/or exceeding the following items from the new regulations:

Tier 1 (2.3.1) – Meeting/exceeding 12 of 12 items

- a) Meet the objectives of the City Code
 - o The PUD meets the objectives of the City Code by providing for a mixed use project meeting major planning objectives for this neighborhood and this corridor, enhancing vehicular, bicycle and pedestrian connectivity, exceeding environmental site requirements and, additionally, providing significant water quality treatment for off-site drainage, tree preservation and mitigation and many other community benefits, including affordable housing, space for public facilities and community organizations, use of public art, enhanced accessibility and contributions to parks and an area historic structure.
- b) Provide for development standards that achieve equal or greater consistency with the goals in Section 1.1 than development under the regulations in the Land Development Code:
 - o The PUD requires superior development in a number of areas, including:
 - i. preservation of the natural environment (water quality, tree preservation and mitigation, additional landscaping and 3 Star Green Builder);
 - ii. requirements ensuring high quality development and innovative design (vertical mixed use along Arena Drive, no surface parking, all parking shielded from public view, U-shaped buildings along Lakeshore, increased landscaping); and
 - iii. ensuring adequate public facilities and services (leaving Riverside frontage available for future rail planning, free space for public facilities and community amenities, additional contribution to parks, numerous traffic improvements in the area, greatly enhanced bicycle and pedestrian facilities and a contribution to Capital Metro for improvements to bus facilities).
- c) Provide for a total amount of open space that equals or exceeds 10 percent of the residential tracts, 15 percent of the industrial tracts and 20 percent of the nonresidential tracts within the PUD, except that a detention or filtration area is excluded from the calculation unless it is designed and maintained as an amenity, and 2) the required percentage of open space may be reduced for urban property with characteristics that make open space infeasible if other community benefits are provided:
 - o The PUD provides for 20% open space overall, which includes the regional wet pond area that will meet the Code requirements to be considered an “amenity”. Additionally, the PUD requires numerous other community benefits which are consistent with its urban location, including a \$225,000 to area parks, trails or bridge planning.

		prior to site plan approval, a. OR, the PUD may follow the requirements for bicycle parking placement as per the Oregon Bicycle and Pedestrian Planning and Design Manual, published by Oregon Department of Transportation. END-OF-TRIP-FACILITIES-REQUIREMENTS: ▪ 1. Any buildings that contain a cocktail lounge use and/or contain cumulative GR uses larger than 5,000 square feet in size shall trigger a shower requirement (showers may be located outside of building in a common area accessible to all buildings triggering this requirement). Any buildings that contain cocktail lounge use and/or cumulative GR uses larger than 20,000 square feet shall have one shower facility each for both sexes at a minimum. Showers shall be separately accessible from commercial/retail toilet facilities. Any buildings that contain a cocktail lounge use and/or cumulative GR uses larger than 5,000 square feet, but less than 20,000 square feet in size shall contain one unisex shower. Any shower requirement shall be accompanied by an associated changing/personal item storage. ▪ Proving for extensive relocation efforts including items such as: ▪ Full deposit return	contain cumulative commercial/retail uses larger than 5,000 square feet. Buildings larger than 20,000 square feet shall have one shower facility each for both sexes. Buildings larger than 5,000 square feet, but less than 20,000 square feet in size, shall contain one unisex shower.
Relocation of Existing Tenants	▪ Not Required		▪ Not Required

		spaces for use by the Austin CarShare program	
Commercial Design Standards PUD Notes 16 & 25	Urban Roadway	Arena Drive to be Core Transit Corridor (15-feet vs. 12-feet in width)	Upgrading an Urban Roadway to a Core Transit Corridor when not required
Parkland Additional donation via private covenant with APF	- Land or Fees Required based upon Residential Units - Exceeding – Not Required Note: 2008 PUD Tier 2 Open Space	In addition to all required parkland dedication fees (approximately \$897,000 based upon 1,380 units) generated by this project, a \$225,000 donation will be made to either: 1. Fund a study to determine the feasibility of building a pedestrian and bicycle bridge across Lady Bird Lake east of IH-35; or 2. Construction of additional trail facilities along Lady Bird Lake	Providing for additional funding for PARD initiatives beyond commitment to required parkland fees
Bicycle Parking, Showers & Lockers PUD Note 42	Standard Bicycle Requirements - Bicycle parking spaces shall be required at 5% of required motor vehicle parking	BICYCLE PARKING REQUIREMENTS: 1. Bicycle parking spaces shall be required at 10% of required motor vehicle parking. This requirement exceeds the bicycle parking required by current City Code. 2. Of the bicycle parking spaces required above, one-half shall be a "CLASS I" racks/parking spaces, as defined by the City of Austin Transportation Criteria Manual or a locked bicycle storage room (with a means to secure individual bicycles within the room). 3. Review and approval of bicycle parking replacement by the City of Austin Bicycle Program is required	- Increasing bicycle parking requirement by 50%. - One-half of the bicycle parking spaces will be Class I spaces which is the highest security type of parking, is a completely enclosed parking space, which protects the bicycle from inclement weather and is designed so an unauthorized person cannot remove the bicycle from it. - Placement of bicycle parking spaces will be approved by the City Bicycle Program. - Showers facilities and associated changing/personal item storage areas shall be provided for buildings that

		prior to site plan approval, a. OR, the PUD may follow the requirements for bicycle parking placement as per the Oregon Bicycle and Pedestrian Planning and Design Manual, published by Oregon Department of Transportation. END-OF-TRIP-FACILITIES-REQUIREMENTS: ▪ 1. Any buildings that contain a cocktail lounge use and/or contain cumulative GR uses larger than 5,000 square feet in size shall trigger a shower requirement (showers may be located outside of building in a common area accessible to all buildings triggering this requirement). Any buildings that contain cocktail lounge use and/or cumulative GR uses larger than 20,000 square feet shall have one shower facility each for both sexes at a minimum. Showers shall be separately accessible from commercial/retail toilet facilities. Any buildings that contain a cocktail lounge use and/or cumulative GR uses larger than 5,000 square feet, but less than 20,000 square feet in size shall contain one unisex shower. Any shower requirement shall be accompanied by an associated changing/personal item storage. ▪ Proving for extensive relocation efforts including items such as: ▪ Full deposit return	contain cumulative commercial/retail uses larger than 5,000 square feet. Buildings larger than 20,000 square feet shall have one shower facility each for both sexes. Buildings larger than 5,000 square feet, but less than 20,000 square feet in size, shall contain one unisex shower.
Relocation of Existing Tenants	▪ Not Required		▪ Not Required

PUD Note 43 and private covenant		▪ 3-month vacate notice ▪ Relocation during non school/holiday periods ▪ Assistance with placement in desired areas/ projects and accommodating groups ▪ Providing for a stipend for moving costs	
Draft East Riverside Corridor Master Plan TIA PUD Plan Pg 3	▪ Draft – N/A	▪ PUD is within the Lakeshore Center HUB identified as an area of higher density ▪ Heights and density proposed in PUD match proposed increases allowed with community benefits ▪ In discussions with Staff regarding matching bicycle lanes with draft plan vs bicycle master plan	▪ Meeting the intent of the draft East Riverside Corridor Master Plan goals and objectives when not required
New PUD Ordinance Summary	▪ Exempt	▪ Meets 12 of 12 applicable Tier 1 items ▪ Meets 3 of 3 Tier 1 additional items ▪ Meets 13 of 13 Tier 2 sections (see detail below)	▪ Meeting all of the new PUD ordinance items of superiority that are not required or applicable to the project

Although technically exempt from new PUD regulations due to its filing date, the South Shore PUD is meeting and/or exceeding the following items from the new regulations:

Tier 1 (2.3.1) – Meeting/exceeding 12 of 12 items

- a) Meet the objectives of the City Code
 - o The PUD meets the objectives of the City Code by providing for a mixed use project meeting major planning objectives for this neighborhood and this corridor, enhancing vehicular, bicycle and pedestrian connectivity, exceeding environmental site requirements and, additionally, providing significant water quality treatment for off-site drainage, tree preservation and mitigation and many other community benefits, including affordable housing, space for public facilities and community organizations, use of public art, enhanced accessibility and contributions to parks and an area historic structure.
- b) Provide for development standards that achieve equal or greater consistency with the goals in Section 1.1 than development under the regulations in the Land Development Code:
 - o The PUD requires superior development in a number of areas, including:
 - i. preservation of the natural environment (water quality, tree preservation and mitigation, additional landscaping and 3 Star Green Builder);
 - ii. requirements ensuring high quality development and innovative design (vertical mixed use along Arena Drive, no surface parking, all parking shielded from public view, U-shaped buildings along Lakeshore, increased landscaping); and
 - iii. ensuring adequate public facilities and services (leaving Riverside frontage available for future rail planning, free space for public facilities and community amenities, additional contribution to parks, numerous traffic improvements in the area, greatly enhanced bicycle and pedestrian facilities and a contribution to Capital Metro for improvements to bus facilities).
- c) Provide for a total amount of open space that equals or exceeds 10 percent of the residential tracts, 15 percent of the industrial tracts and 20 percent of the nonresidential tracts within the PUD, except that a detention or filtration area is excluded from the calculation unless it is designed and maintained as an amenity, and 2) the required percentage of open space may be reduced for urban property with characteristics that make open space infeasible if other community benefits are provided:
 - o The PUD provides for 20% open space overall, which includes the regional wet pond area that will meet the Code requirements to be considered an “amenity”. Additionally, the PUD requires numerous other community benefits which are consistent with its urban location, including a \$225,000 to area parks, trails or bridge planning.

- d) Comply with the City's PUD Green Building Program:
 - o **The PUD will comply with the City's Green Building Program at a 3 Star level.**
- e) Be consistent with applicable neighborhood plans, neighborhood conservation combining district regulations, historic area and landmark regulations, and compatible with adjacent property and land uses:
 - o **The PUD meets the EROC Neighborhood Plan FLUM (mixed use) and the majority of issues raised in the Neighborhood Plan (the major exception being an increase in multi-family units);**
 - o **The PUD meets the major goals of the draft East Riverside Corridor Master Plan;**
 - o **The PUD is consistent with all requirements of the recently amended Waterfront Overlay Ordinance, except that the proposed buildings along Lakeshore Blvd. are allowed at 90 feet under the PUD instead of 60 feet. Such additionally height is warranted since:**
 - i. **area buildings (on other sites adjacent to or near the project) are allowed up to 120 feet;**
 - ii. **the location of all buildings within this project will be well off the water's edge and will be separated from the water's edge by a significant expanse of parkland and Lakeshore Drive;**
 - iii. **the numerous community benefits required by the PUD; and**
 - iv. **Note: the recently amended Waterfront Overlay Ordinance allows PUDs to modify the terms of the Waterfront Overlay Ordinance---in exchange for significant community benefits;**
 - v. **the PUD matches the draft East Riverside Corridor Master Plan that allows for increased height and density with community benefits in the Lakeshore Center HUB**
- o **The PUD is compatible with adjacent property and land uses since**
 - i. **those adjacent properties are either commercial in nature or multi-family or condominium projects;**
 - ii. **all heights and setbacks within the PUD are consistent or lower with area heights and meet or exceed area setback requirements;**
 - iii. **connectivity with adjacent properties is greatly enhanced by PUD extensions of roadways (being consistent with the major drive location for the Lakeshore PUD), new bicycle paths within and adjacent to the PUD and new pedestrian paths within the PUD; and**
 - iv. **the PUD provides for passive restaurant/retail areas along Arena Drive that will provide needed urban open space locations for area residents.**
- f) Provide for environmental preservation and protection relating to air quality, water quality, trees, buffer zones and greenbelt areas, critical environmental features, soils, waterways, topography, and the natural and traditional character of the land:
 - o **The PUD provides for:**

- i. environmental preservation and protection relating to air quality---by preservation of the major transit site along Riverside, a \$25,000 contribution to Capital Metro and use of Car Share;
 - ii. water quality---by providing the regional wet pond, other innovative water quality controls and no surface parking lots;
 - iii. tree protection and mitigation---by tree preserving trees along Lakeshore Blvd. and Town Creek and enhanced tree mitigation;
 - iv. buffer zones and greenbelt areas---via the open space around the wet pond and increased setback along a portion of Lakeshore Blvd.; and
 - v. the topography and natural character of the land ---although this is a redevelopment project, impervious cover will not exceed current impervious cover levels and the PUD will utilize the natural slope of the land by utilizing sub-grade and partially sub-grade parking along the northern portion of the project).
- g) Provide for public facilities and services that are adequate to support the proposed development including school, fire protection, emergency service and police facilities:
- o The PUD provides for
 - i. 1000 square feet of rent-free space for fire, police or emergency service providers for a period of 25 years;
 - ii. numerous area traffic improvements; and
 - iii. a \$25,000 contribution to Capital Metro to upgrade area bus stops.
- h) Exceed the minimum landscaping requirements by the City Code:
- o The PUD exceeds minimum landscaping requirements of the Code by 10%, with 80% of the plants being native and non-invasive per the Green Grow Program.
- i) Provide for appropriate transportation and mass transit connections to areas adjacent to the PUD and mitigation of adverse cumulative transportation impacts with sidewalks, trails and roadways;
- o ROADWAY ACCESS
 - i. Extension of Arena Drive to Tinnin Ford (located to match major road within adjacent 50-acre project to east of site);
 - ii. Extension of Elmont Road driveway within the site; and
 - iii. Creation of 2 new driveways from Arena Drive to Lakeshore Blvd. to open additional access within the blocks;
 - o BICYCLE LINKAGE
 - i. New dual bicycle lanes along Arena Drive from Riverside to Town Creek;
 - ii. New dual bicycle lanes along Town Creek from Riverside Drive to Lakeshore Blvd.;

- iii. New dual bicycle lanes along Lakeshore Drive for a distance that exceeds the length of this site;
- iv. New dual bicycle lanes along Tinnin Ford from Riverside Drive to Lakeshore Blvd.; and
- v. A new bicycle connection from Arena Drive to Lakeshore Blvd. adjacent to the wet pond and along Lakeshore Blvd;
- o **BICYCLE FACILITIES**
 - i) Creation of bicycle and pedestrian access from off-site areas through this site to public parkland adjacent to Lady Bird Lake, and to the bus stop located on the south side of Lakeshore Blvd.;
 - ii) Inclusion of end-of-trip facilities, including showers and associated changing/personal item storage area for commercial/retail uses over 5,000 square feet;
 - iii) Inclusion of Class I bicycle parking spaces which is the highest security type of parking, is a completely enclosed parking space which protects the bicycle from inclement weather and is designed so an unauthorized person cannot remove the bicycle from it; and
 - iv) Placement of bicycle parking spaces will be approved by the City Bicycle Program.

EDESTRIAN LINKAGE

- iv. Significant enhancement of pedestrian linkage within the site;
- v. Creation of bicycle and pedestrian access from off-site areas through this site to public parkland adjacent to Lady Bird Lake, and to the bus stop located on Lakeshore Blvd.; and
- vi. Payment for new pedestrian access across Lakeshore Blvd.;
- o **TRANSIT ORIENTED DEVELOPMENT**
 - i. Preservation of the Riverside frontage for major transit-oriented development; and
 - ii. Provision of adequate density to support future transit facilities along Riverside Drive;
- o **CAPITAL METRO:** A \$25,000 contribution to Capital Metro to provide enhancements to area bus stops; and
- o **TRAFFIC IMPROVEMENTS:** Contributions to traffic improvements to numerous area streets and signals.
- j) Prohibit gated roadways:
 - o Gates along roadways are prohibited in the PUD.
- k) Protect, enhance and preserve areas that include structures or sites that are of architectural, historical, archaeological, or cultural significance:
 - o The PUD ensures preservation of 21 of 26 large oak trees donated by the LCRA along Lakeshore Blvd. that are of cultural significance, as well as the transplant of 2 of the 5 trees in keeping with the recommendation of the City's Arborist;
 - o The PUD will require removal of existing impervious cover around the trees along Lakeshore Blvd.; and

- o **The PUD requires a \$25,000 contribution for the renovation of the Norwood House located off-site, but adjacent to LadyBird Lake.**

- 1) Include at least 10 acres of land, unless the property is characterized by special circumstances, including unique topographic constraints:
 - o **The PUD land area is more than 20 acres.**

Additional Tier 1 (2.3.2) – Meeting/exceeding 3 of 3 items

- a) Comply with Chapter 25-3, Subchapter E (Design Standards and Mixed Use):
 - o **The PUD complies with Commercial Design Standards and exceeds those standards in some areas as noted below and in Tier 2.**
- b) Inside the urban roadway boundary depicted in Figure 2, Subchapter E, Chapter 25-2 (Design Standards and Mixed Use), comply with the sidewalk standards in Section 2.2.2, Subchapter E, Chapter 25-2 (Core Transit Corridors, Sidewalks and Building Placement)
 - o **Arena Drive will be upgraded from Urban Roadway to Core Transit Corridor standards.**
- c) Contain pedestrian-oriented uses as defined in Section 25-2-691(C) (Waterfront Overlay District Uses) on the first floor of a multi-story commercial or mixed use building:
 - o **Pedestrian oriented uses will be located on the first floor of multi-story commercial or mixed use buildings along Arena Drive including kiosks or other areas providing for the sale and consumption of refreshments with indoor or outdoor seating on the northern most ends of buildings in Areas 2 and 3.**

Tier 2 (2.4) – Meeting 12 of 13 applicable items
Open Space

Provides open space at least 10% above the requirements of Section 2.3.1. A (*Minimum Requirements*) Alternatively, within the urban roadway boundary established in Figure 2 of Subchapter E of Subchapter 25-2 (Design Standards and Mixed Use), provide for proportional enhancements to existing or planned trails, parks, or other recreational common open space in consultation with the Director of the Parks and Recreation Department.

- o **Open space within the PUD shall be 20% (open space required for residential projects is required to be 10%)**

- **In addition to project parkland dedication fees (totaling more than \$850,000), the PUD requires a \$225,000 contribution to be used for (a) a feasibility study of a pedestrian/bicycle bridge across Lady Bird Lake east of IH 35 or (b) enhancement of area trails or parkland.**

Environment

Does not request exceptions to or modifications of environmental regulations. Provides water quality controls superior to those otherwise required by code. Uses innovative water quality controls that treat at least 25 percent additional water quality volume and provide 20 percent greater pollutant removal, in addition to the minimum water quality volume required by code.

Provides water quality treatment for currently untreated, undeveloped off-site measures that lower overall impervious cover within the same watershed by five percent below that allowed by code. Provides minimum 50-foot setback for unclassified waterways with a drainage area of five acres or greater. Provides at least a 50 percent increase in the minimum waterway and critical environment feature setbacks required by code. Clusters impervious cover and disturbed areas in a manner that preserves the most environmentally sensitive areas of the site that are not otherwise protected. Provides pervious paving for at least 50 percent or more of all paved areas in non-aquifer recharge areas. Prohibits uses that may contribute to air or water quality pollutants.

- **The PUD provides for greatly enhanced water quality by**
 - i. **requiring a regional wet pond on the site (with no reimbursement by the City) which will capture and treat the drainage of a minimum of 100 acres located south of Riverside Drive that currently receives no water quality treatment (a 250% enhancement in pollutant removal)**
 - ii. **requiring innovative water quality controls for the drainage from all of the area within the site that does not drain to the regional wet pond;**
 - iii. **the prohibition of surface parking lots; and**
 - iv. **the limitation of impervious cover to the existing level of impervious cover.**

Art

Provides art approved by the Art in Public Places Program in open spaces, either by providing art directly or by making a contribution to the City's Art in Public Places Program or a successor program.

- **The PUD is planned to have 5 plaza locations where public art will be provided.**

Great Streets

Complies with City's Great Streets Program, or a successor program. Applicable only to commercial, retail, or mixed-use development that is not subject to the requirements of Chapter 25-2, Subchapter E (Design Standards and Mixed Use).

- o **N/A - the PUD is subject to Design Standards.**

Community Amenities

Provides community or public amenities, which may include spaces for community meetings, day care facilities, non-profit organizations, or other uses that fulfill an identified community need.

- o **The PUD shall provide a minimum of 1,000 square feet of rent-free space for either community meetings, day care facilities or non-profit organizations for a period of 25 years.**

Transportation

Provide bicycle facilities that connect to existing or planned bicycle routes or provides other multi-modal transportation features not required by code.

- o **The PUD provides for greatly enhanced bicycle routes by providing the following:**
 - i. **New dual bicycle lanes along Arena Drive from Riverside to Town Creek;**
 - ii. **New dual bicycle lanes along Town Creek from Riverside Drive to Lakeshore Blvd.;**
 - iii. **New dual bicycle lanes along Lakeshore Drive for a distance that exceeds the length of this site;**
 - iv. **New bicycle lanes along Tinnin Ford; and**
 - v. **A new bicycle connection from Arena Drive to Lakeshore Blvd. adjacent to the wet pond and along Lakeshore Blvd;**
- o **The PUD provides for three dedicated spaces for the Austin CarShare Program;**

Building Design

Exceeds the minimum points required by the Building Design Options of Section 3.3.2 of Chapter 25-2, Subchapter E (Design Standards and Mixed Use).

- o **The PUD provides for a 40-foot base wall with 70 degree angle step back for Areas 2, 3 & 4, which exceeds Waterfront Overlay Ordinance regulations;**
- o **The PUD provides for limitations on building coverage (not required by Code);**
- o **The PUD exceeds the minimum points for building design related to the following points:**
 - i. **3 Star Green Building (3 points);**
 - ii. **Providing for liner stores in building facade (1+ point)**
 - iii. **Providing primary entrance design (1 point);**
 - iv. **Providing for roof design (1 point); and**
 - v. **Providing for building materials meeting the standards outlined (1 point) .**

Parking Structure Frontage

In a commercial or mixed-use development, at least 75 percent of the building frontage of all parking structures is designed for pedestrian-oriented uses as defined in Section 25-2-691(C)(Waterfront Overlay District Uses) in ground floor spaces.

- **Within mixed-use buildings, at least 75% of the ground floor of the building frontage of the parking structure facing the principal street is designed for pedestrian-oriented uses in ground floor spaces;**

Affordable Housing

Provides for affordable housing or participation in programs to achieve affordable housing.

- **The PUD will be providing for affordable housing via one of the following options (at the City's option):**
 - i. **Provide 10% of the MF units (above existing MF-3 density) at 80% of MFI;**
 - ii. **Provide \$1,500,000 in funds to the Austin Housing Finance Corporation or another designated entity to provide affordable housing for senior citizens at another location; or**
 - iii. **A value equivalent combination of either of the options listed above.**

Historic Preservation

Preserves historic structures, landmarks, or other features to a degree exceeding applicable legal requirements.

- **The PUD provides for preservation of historic trees along Lakeshore Blvd. donated by the LCRA (21 of 26 trees must be preserved, provided that 2 of such trees must be transplanted);**
- **Existing impervious cover shall be removed from the Waterfront Overlay setback to allow for better tree protection; and**
- **A \$25,000 contribution shall be made for the renovation of the Norwood House (a historic house located adjacent to LadyBird Lake).**

Accessibility

Provides for accessibility for persons with disabilities to a degree exceeding applicable legal requirements.

- **The PUD shall provide for accessible units to be available for persons with disabilities at a level of 2.5%, exceeding the baseline requirements.**

Local Small Business

Provides space at affordable rates to one or more independent retail or restaurant small businesses whose principal place of business is within the Austin metropolitan statistical area.

- **The PUD shall provide space to one locally-owned small businesses at a rental rate at least 15% below market value at the time of lease execution.**

