

EXHIBIT E

SITE DEVELOPMENT REGULATIONS TABLE

Except as otherwise provided in this ordinance, development of the Property shall comply with the site development regulations for the Commercial Services (CS) district, including the provisions of Subchapter E (*Design Standards and Mixed Use*), and the provisions of Section 25-2-721 (*Waterfront Overlay (WO) Combining District Regulations*), Section 25-2-742 (*South Shore Central Subdistrict Regulations*).

1. The Maximum Height shall be seventy-five (75) feet measured from the highest finished floor elevation for the first floor of the building. HVAC and other equipment and improvements excepted from the maximum height limit under Section 25-2-531 (*Height Limit Exceptions*) shall be placed above the highest occupiable space of the building.
2. The Minimum Setback for the street yard on Riverside shall be fifteen (15) feet, and there are no minimum street yard on South First Street and no minimum interior side yard or rear yard setbacks.
3. The Maximum Floor Area Ratio shall be 4:1.
4. There shall be no minimum site area requirements for any dwelling unit within the building. Except as provided in this ordinance, there are no other restrictions on the number or size of the dwelling units that may be constructed on the Property.
5. All residential development shall comply with Austin Energy Green Building Program (GBP) in effect May 9, 2012, a copy of which is attached hereto, for a minimum two-star rating. Certification from the GBP shall be met.
6. The building shall be designed to earn at least seven (7) points from Section 3.3.2(C)(*Table of Design Options*) of Subchapter E.
7. Except as otherwise provided in the Land Use Plan and this ordinance, the improved Right-of-Way of Riverside Drive and South First Street immediately adjacent to the Property shall be developed as set forth on Exhibit E-1 attached hereto. The portion of the Property and the right-of-way area between the building and the curbs on Riverside Drive and South First Street shall consist of plantings zone, clear zones and supplemental zones as shown on the Land Use Plan and Exhibit E-1. Alternative Equivalent Compliance procedures of Section 1.5.1 of Subchapter E (*Design Standards and Mixed Use*) shall be available for all sections of Subchapter E. The area within the planting zones, clear zones and the supplemental zones shall not be included in any impervious cover calculation, and shall be credited towards satisfying the open space requirements.

8. Native shade trees selected from Appendix N (*City of Austin Preferred Plant List*) of the Environmental Criteria with a minimum diameter of 3 inches shall be planted every 30 feet on center within the clear zones as reflect on Exhibit E-1. All street furniture and other improvements within the planting zones and the supplemental zones shall be installed at the expense of the owner and all such street furniture and improvements (other than street trees and furniture and improvements for accessory outdoor dining) shall be dedicated and conveyed to the public when installed. All street trees and the associated irrigation systems and all furniture and improvements for accessory outdoor dining shall be installed at the expense of the owner and shall be owned, maintained and replaced, as may be necessary, by the owner.

9. No license agreement shall be required for the construction and installation of street furniture and other improvements within the clear zones, the planting zones and the supplemental zones, including the installation of street trees and other private furniture and improvements; provided the owner shall provide evidence of a commercial liability insurance policy with a limit of at least \$1,000,000 reflecting the City as an additional insured with respect to the construction and installation of such street furniture and other improvements.

10. Balconies that are more than 15 feet above the finished grade of the sidewalk within the clear zones and the supplemental zones adjacent to the building shall be permitted, and no license agreement shall be required for the construction or maintenance of any such balconies that do not encroach more than 10 feet into the right-of-way of the adjacent street. All such balconies shall be part of the building and shall be maintained and repaired as necessary by the owner of the building.

11. The minimum total amount of open space shall be 15% of the gross site area of the Property. Decks, balconies, patios, and water quality facilities, such as rain gardens, rainwater collection areas, vegetative filter strips, biofiltration and porous pavement for pedestrian use, shall be included as open space. Vegetative roofs and other landscaped areas of roofs shall be permitted and all such areas that are at least 5 feet in width shall be included as open space for purposes of complying with the 15% minimum open space requirement. All of the open space on the ground floor and all upper floors will be credited toward meeting the minimum open space requirement.

12. A portion of the Property is located within Zone "AO" on the Federal Emergency Management Agency Flood Insurance Map and the building shall encroach on the 100-year flood plain as reflected on the Land Use Plan. The finished floor elevation of the building shall be at least two feet above 100-year flood plain; normal access to the building as shown on the Land Use Plan is by direct connection with an area above the Design Flood Elevation as defined in Section 1612.2 of the Building Code; the construction of the building shall compensate for the flood plain volume displaced by the building; and the building shall comply with the requirements of Section G102.3 of Appendix G (*Flood Resistant Construction*) of the Building Code.

13. All existing overhead electric lines located within the right-of-way adjacent to the Property shall be relocated within such right-of-way to be underground lines as reflected on the Land Use Plan.

14. A payment instead of structural controls under Section 25-8-214 (*Optional Payment Instead of Structural Controls in Urban Watersheds*) of the City Code shall be permitted and is approved for the Property. The amount of such payment shall be calculated and paid at the time the site development permit/site plan for the Property is released.
15. No on-site detention shall be required for the development of the Property.
16. An outdoor seating area for a restaurant or cocktail lounge use shall not be included in the calculation of gross floor area for purposes of determining the parking requirement for such restaurant or cocktail lounge.
17. The minimum off-street parking requirement for residential uses is 60% of the requirement prescribed by Appendix A (*Tables of Off-Street Parking and Loading Requirements*) of Chapter 25-6. The minimum off-street parking requirement for a pedestrian oriented use is 20% of the requirement prescribed by Appendix A (*Tables of Off-Street Parking and Loading Requirements*) of Chapter 25-6.
18. The total number of off-street parking facilities for bicycles shall be a minimum number equal to 5% of the total number of motor vehicle spaces required by Appendix A (*Tables of Off-Street Parking and Loading Requirements*) of Chapter 25-6. Such minimum number of off-street bicycle parking facilities shall be provided within the "planting zone" along Riverside Drive and South First Street and/or within the parking garage constructed on the Property, which bicycle facilities within the garage may include bicycle storage for occupants of the Property.
19. A single driveway is permitted on Riverside Drive and a single driveway is permitted on South First Street as shown on the Land Use Plan or as the Land Use Plan is modified by the site development permit/site plan.
20. A single loading zone shall be required as reflected on the Land Use Plan to serve the combination of uses within the building to be constructed on the Property.
21. All signage on the Property shall comply with the requirements of Section 25-10-129 (*Downtown Sign District Regulations*).
22. The lesser of at least 10 percent of the residential rental units or the residential rental habitable square footage must (a) be affordable to a household whose income is less than 80% of the median family income in the Austin metropolitan statistical area, and (ii) remain affordable for 40 years after the date the certificate of occupancy for the residential rental habitable portion of the building is issued. Notwithstanding the forgoing, in lieu of complying with this affordable housing requirement, the payment of a fee may be made to a Housing Assistance Fund to be used for producing or financing affordable housing, such fund to be identified by the Director of Neighborhood Housing and Community Development Department. The amount of such fee shall be 60% of the fee established under Section 25-2-586(I) (*Affordable Housing Incentives in a Central Business District or Downtown Mixed Use Zoning District*) at the time of the payment of fee.