

BRIEFING SUMMARY SHEET

DEVELOPMENT ASSESSMENT CASE NUMBER: CD-2018-0003 – 218 South Lamar

REQUEST:

Presentation of a Development Assessment Report for the 218 South Lamar Planned Unit Development located at 218 South Lamar Boulevard, in the Lady Bird Lake Watershed.

DISTRICT AREA: 5

STAFF COMMENTS:

The Applicant has submitted a development assessment request for 1.266 acres to be known as 218 South Lamar Planned Unit Development (PUD). The site is currently occupied by Schlotzsky's restaurant, and is immediately south and southeast of the Zachary Scott theater campus. The property is located within the Butler Shores subdistrict of the Waterfront Overlay (WO). The property is currently zoned general commercial services- vertical mixed use building (CS-V); the Applicant proposes that the PUD follow the site development regulations of the Waterfront Overlay and CS zoning, except as modified by the Land Use Plan and related exhibits. The proposed development is comprised of a single office building with pedestrian oriented land uses on the ground floor. All parking will be provided sub-grade.

The Applicant requests modification of some of the design standards established by the Waterfront Overlay, as well as a permitted height of 96 feet. Currently the site is limited to 60 feet in height. A brief summary of the requested variances is provided below; a more detailed list is attached as Exhibit D.

§25-2-691 (C) [Waterfront Overlay (WO) District Uses] – Add administrative/business office to list of pedestrian oriented uses for the ground floor.

§25-2-721 (E)(2) [Waterfront Overlay (WO) Combining District Regulations] – Modify to add an amenitized flat rooftop to the list of distinctive building tops.

§25-2-733 (E)(3) [Butler Shores Subdistrict Regulations] - Modify list of permitted materials to include additional material types (Pre-cast concrete, metal panels, stucco, etc.)

§2.7.3.D.4 [Subchapter E: Private Common Open Space and Pedestrian Amenities] – Modify to allow more than 30% of required open space to be located on the roof.

§25-2-531 (C)(1) Height Limit Exceptions – Modify to allow the elevator cab and related structures accessing the roof deck to exceed the maximum height of the PUD by 20%.

The Applicant proposes providing several benefits with the project which are intended to meet Tier 1 and Tier 2 compliance. An abbreviated list of the Tier 1 and Tier 2 benefits is provided below; a more detailed list is attached as Exhibit E.

- No residential uses are proposed but the project will provide a fee-in-lieu for affordable housing assistance for the proposed additional height, to be calculated by the Director of Neighborhood Housing and Community Development Department (NHCD).
- Work with Capital Metro to construct improvements for the existing bus stop located on the property for a cost not to exceed \$20,000.
- Prepare a Traffic Impact Analysis (TIA) and provide mitigation for improvements identified in the analysis.
- This area has been identified as a parking deficient area for the both the adjacent civic uses as well as the City parkland. The proposed underground structured parking will be available for use by the public outside of business hours and on weekends. Additionally, a direct connection between the proposed parking and the adjacent civic use will be provided.
- Meet or exceed open space requirements by providing open space at grade and a rooftop amenity deck.
- Comply with the City of Austin's Green Building Program at a 3-star level.
- Provide water quality controls superior to those required under the current Code.
- Treat a minimum of 75% of the water quality volume required by Code.
- Exceed the minimum landscape requirements and utilize native and adaptive species as well as non-invasive plants per the City of Austin Grow Green program.
- 100% of all landscaping on site will be irrigated by either storm water runoff conveyed to rain gardens or through the use of rainwater harvesting (or a combination of both).
- Provide public art within the development or provide a contribution to the City of Austin's Art in Public Places program.

ATTACHMENTS:

EXHIBIT A: Zoning map

EXHIBIT B: Aerial Exhibit with floodplain

EXHIBIT C: Proposed Land Use Plan

EXHIBIT D: Requested variance table

EXHIBIT E: Proposed Tier 1 and Tier 2 superiority table

ENVIRONMENTAL COMMISSION BRIEFING: July 18, 2018

CITY COUNCIL BRIEFING:

August 23, 2018:

August 9, 2018: TO POSTPONE TO AUGUST 23, 2018, AS DIRECTED BY COUNCIL (10-0)

CASE MANAGER: Heather Chaffin, Planning and Zoning Department
(512) 974-2122, heather.chaffin@austintexas.gov

Zilker Neighborhood Association opposition to the "Schlotzsky's PUD" at 218 S. Lamar Blvd.

August 8, 2018

The Executive Committee of the Zilker Neighborhood Association voted unanimously to support the Waterfront Overlay and to oppose the construction of a high-rise near the banks of the Colorado River at 218 South Lamar Blvd. In general, ZNA objects to the creation of a PUD on this site because:

- The primary objective of the Waterfront Overlay is to preserve the views and public open space along the river by preventing the construction of tall buildings too close to the river. A 96-foot high office building near the south end of the Lamar Bridge and the Pfluger Pedestrian Bridge is a classic example of what the Waterfront Overlay was created to prevent. The 60-foot maximum height limit must be enforced on this 1.26 acre site. In addition, any mixed use project going into this area should have a residential component, as defined by the VMU ordinance. (This PUD is an office building.)
- Besides the Waterfront Overlay, ZNA's Vertical Mixed Use proposal, which was approved and praised by the Planning Commission and the City Council, governs the parcel in this case. The parcel, fronting on S. Lamar with proximity to the waterfront and its adjacent public green spaces, was opted into VMU with dimensional standards, affordability, and 60% parking reduction. From what we have seen so far, this PUD and its variances rejects the VMU options.
- Finally, the objective of the PUD ordinance is to develop at least 10 acres and "result in development superior to that which would occur using conventional zoning." ZNA has participated in ongoing efforts over the last 30 years to improve the development standards that are applied on the South Shore and all along S. Lamar. Those efforts have been codified in the WO, VMU, and current commercial design standards. The PUD proposed here does not meet those standards and will result in a project that is inferior to nearby projects.

Dave Piper

President, Zilker Neighborhood Association

218 S. Lamar PUD / Generational Commercial
PUD Waterfront Overlay Variances Table

May 4, 2018

EXHIBIT D

Code Section	Requirement	Variance Request
§25-2-691 (C) [Waterfront Overlay (WO) District Uses]	A pedestrian-oriented use is a use that serves the public by providing goods and services including: a) Art gallery b) Art workshop c) Cocktail lounge d) Consumer convenience services e) Cultural services f) Day care services (limited, general or commercial) g) Food sales h) General retail sales (convenience or general) i) Park and recreation services j) Residential uses k) Restaurant (limited or general) without drive-in services l) Other uses as determined by the Land Use Commission.	Add administrative and business offices and co-working space to the list of pedestrian oriented uses.
§25-2-721 (E)(2) [Waterfront Overlay (WO) Combining District Regulations]	Except in the City Hall subdistrict, a distinctive building top is required for a building that exceeds a height of 45 feet. Distinctive building tops include cornices, steeped parapets, hipped roofs, mansard roofs, stepped terraces, and domes. To the extent required to comply with the requirements of Chapter 13-1 Article 4 (Heliports and Helicopter operation, a flat roof is permitted.	Modify to add an amenitized flat rooftop to the list of distinctive building tops.

**218 S. Lamar PUD / Generational Commercial
PUD Waterfront Overlay Variances Table**

May 4, 2018

§25-2-733 (E)(3) [Butler Shores Subdistrict Regulations]	This subsection applies to a nonresidential use in a building adjacent to parkland adjoining Town Lake. 3) Except for transparent glass required by this section, natural building materials are required for an exterior surface visible from park land adjacent to Town Lake.	Modification to Section 25-2-733(E)(3) to include FRP, GFRC, Pre-Cast Concrete, metal panels, stucco, EIFS, phenolic panels, composite metal panels and other materials as approved by the Building Official or the Director of the Development Services Department, or successor department.
§2.7.3.D.4 [Subchapter E: Private Common Open Space and Pedestrian Amenities]	Not more than 30 percent of the required open space may be located on a roof, balcony, or other area above ground level. In determining the amount of open space on a roof, an area occupied by a vent, mechanical equipment or structure that does not enhance the usability of the space is excluded.	Alternative Equivalent Compliance (AEC) via the PUD to grant the allowance of greater than 30% of the required open space be located on the roof.
§25-2-531 (C)(1) Height Limit Exceptions	A structure described in Subsection (B) may exceed a zoning district height limit by the greater of: 1) 15 percent.	Modification to Section 25-2-531(C)(1) to allow the elevator cab, and improvements necessary for elevator access to the roof deck, to exceed the maximum height of the PUD by twenty percent (20%)

218 S. Lamar PUD
Tier 1 & Tier 2 Compliance
Updated May 4, 2018

Tier I Requirement	Compliance	Superiority
2.3.1.A. Meet the objectives of the City Code.	Yes.	The project is located within the City of Austin Desired Development Zone as well as within the Urban Core. The project is situated along South Lamar Boulevard which is designated as a City of Austin Core Transit Corridor and also designated as an Activity Corridor under the City of Austin Imagine Austin Comprehensive Plan. Activity Corridors call for a variety of activities and types of buildings located along the roadways. Specifically, this project will provide an office use along the portion of the South Lamar Corridor between Riverside Drive and Barton Springs Road where there are currently no other office uses, thereby providing a vibrant, needed use to the Corridor.
2.3.1.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.	Yes.	This project will create a high quality development utilizing innovative design. In addition, the PUD will ensure adequate public facilities for the area. The mixed-use nature of the project is consistent with the pedestrian-oriented concept that is core to the Waterfront Overlay Ordinance and the development that was envisioned as part of Imagine Austin, adding the "work and play" portions to the goal of a "live, work, play" environment along this portion of South Lamar Boulevard.
2.3.1.C. Provide a total amount of open space that equals or exceeds 10% of the residential tracts, 15% of the industrial tracts, and 20% of the nonresidential tracts within the PUD, except that: 1. 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 characteristic that make open space	Yes.	The PUD will equal or exceed the open space standards by providing open space at grade and by providing a rooftop amenity deck.

EXHIBIT E

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infeasible if other community benefits are provided.			
2.3.1.D. Provide a two-star Austin Energy Green Building Rating.	Yes.	The project will comply with the City of Austin's Green Building Program at a 3-star level.	
2.3.1.E. Be consistent with the applicable neighborhood plans, neighborhood conservation combining district regulations, historic area and landmark regulations and compatible with adjacent property and land uses.	Yes	The project is not located within an adopted City of Austin neighborhood planning area. Additionally, the project is in compliance with the City of Austin Waterfront Overlay regulations. The project is also consistent with surrounding land use as it is surrounded by Zach Scott Theater on the north and west and the Cole multifamily building to the south.	
2.3.1.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.	Yes.	The project is not located within an environmentally sensitive area and the property does not contain any critical environmental features, waterway setback or significant topography changes. The property is partially located within the Edwards Aquifer Recharge Verification Zone and will provide an Environmental Resource Inventory at the time of the site development permit application. To enhance environmental preservation, the project will provide water quality controls that meet or exceed current Code for a site that is currently untreated and will be fully compliant with all tree regulations.	
2.3.1.G. Provide for public facilities and services that are adequate to support the proposed development including school, fire protection, emergency service and police facilities.	Yes.	This project will have a positive impact to the school system by providing an increased tax base without the burden of additional students. Additionally, the project will not necessitate the additional City of Austin infrastructure costs associated with suburban development. The owner will work with City of Austin emergency services, fire and police facilities to determine that there is adequate support for the project during the Development Assessment for this proposed PUD.	

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2.3.1.H. Exceed the minimum landscaping requirements of the City Code.	Yes.	The PUD will exceed the minimum landscape requirements of the City Code and will utilize native and adaptive species as well as non-invasive plants per the City of Austin Grow Green program.
2.3.1.I. Provide for appropriate transportation and mass transit connections to areas adjacent to the PUD district and mitigation of adverse cumulative transportation impacts with sidewalks, trails and roadways.	Yes.	The project is situated within close proximity to two Cap Metro bus routes (including a bus stop on the property), the Bus Rapid Transit lines and operating bike share stations. The site is also less than one-half block from the Pfluger Bridge allowing bicycle and pedestrian access across the river to Downtown Austin. Upon submittal of the PUD, the owner will conduct a full Traffic Impact Analysis to determine the impact of the project on the transportation network and will provide mitigation for improvements identified in the analysis. The project will also work with Capital Metro to construct improvements for the existing bus stop located on the property for a cost not to exceed \$20,000.
2.3.1.J. Prohibit gated roadways	Yes.	No gated roadways will be permitted within the PUD.
2.3.1.K. Protect, enhance and preserve the areas that include structures or sites that are of architectural, historical, archaeological or cultural significance.	Yes.	There are no areas within the PUD area that include structures or sites that are of architectural, historical, archaeological or cultural significance.

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2.3.1.L. Include at least 10 acres of land, unless the property is characterized by special circumstances, including unique topographic constraints.	Yes.	The property does not exceed 10 acres of land but is characterized by special circumstances. The PUD is located within the City of Austin Waterfront Overlay area and this site is prescribed for a maximum height of 96 feet per the overlay. At this time, the only way to achieve the additional height contemplated in the Waterfront Overlay is through the PUD process.
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Tier 1 - Additional PUD Requirements for a mixed use development	Compliance	Superiority
2.3.2.A. Comply with Chapter 25-2, Subchapter E (<i>Design Standards and Mixed Use</i>)	Yes.	The project will comply with the City of Austin Subchapter E, Commercial Design Standards.
2.3.2.B. Inside the Urban Roadway boundary depicted in Figure 2, Subchapter E, Chapter 25-2 (<i>Design Standards and Mixed Use</i>), comply with the sidewalk standards in Section 2.2.2, Subchapter E, Chapter 25-2 (<i>Core Transit Corridor Sidewalk and Building Placement</i>).	Yes.	The project will comply with the Core Transit Corridor sidewalk and building placement requirements.
2.3.2.C. Pay the tenant relocation fee established under 25-1-715 (Tenant Relocation Assistance – Developer Funded) if approval of the PUD would allow multifamily redevelopment that may result in tenant displacement.	N/A	No multifamily residents will be displaced with this PUD project.
2.3.2.D. Contain pedestrian oriented uses as defined in Section 25-2-691(C) (<i>Waterfront Overlay District Uses</i>) on the first floor of a multi-story commercial or mixed use building.	Yes.	The project will contain pedestrian-oriented uses on the ground floor.

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2.4 Tier II Requirement	Compliance	Superiority
1. Open Space – Provide open space at least 10% above the requirements of Section 2.3.1.A (<i>Minimum Requirements</i>). Alternatively, within the Urban Roadway boundary established in Figure 2 of Subchapter E of Chapter 25-2 (<i>Design Standards and Mixed Use</i>), 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.	Yes.	The open space for the project will meet or exceed the elevated open space standards by providing open space at grade and as a rooftop amenity deck.
2. Environment: a. Comply with current code instead of asserting entitlement to follow older code provisions by application of law or agreement.	Yes.	The project will not require any exceptions or modifications of environmental regulations and will develop under current code.
b. Provide water quality controls superior to those otherwise required by code.		The PUD will provide water quality controls superior to those required under the current Code.
c. Use green water quality controls as described in the Environmental Criteria Manual to treat at least 50 percent of the water quality volume required by code.		The PUD will utilize green water quality controls as described in the Environmental Criteria Manual to treat a minimum of 75% of the water quality volume required by Code.
d. Provide water quality treatment for currently untreated, developed off-site areas of at least 10 acres in size.		
e. Reduce impervious cover by 5% below the maximum otherwise allowed by		

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code or include off-site measures that lower overall impervious cover within the same watershed by 5% below that allowed by code.		
f. Provide minimum 50-foot setback for at least 50 percent of all unclassified waterways with a drainage area of 32 acres.		Not applicable. There is not an unclassified waterway on the property.
g. Provides volumetric flood detention as described in the Drainage Criteria Manual.		The project will work with the City of Austin to analyze the benefits of volumetric flood detention as it compares to standard detention. The project will utilize volumetric flood detention if deemed beneficial by the City of Austin.
h. Provide drainage upgrades to off-site drainage infrastructure that does not meet current criteria in the Drainage or Environmental Criteria Manuals, such as storm drains and culverts that provide a public benefit.		
i. Propose no modifications to the existing 100-year floodplain.		Not applicable. The property is not located within the 100-year floodplain.
j. Use natural channel design techniques as described in the Drainage Criteria Manual.		Not applicable.
k. Restores riparian vegetation in existing, degraded Critical Water Quality Zone areas.		Not applicable. There is not a Critical Water Quality Zone on the property.
l. Removes existing impervious cover from the Critical Water Quality Zone.		Not applicable. There is not a Critical Water Quality Zone on the property.
m. Preserve all heritage trees; preserve 75% of the caliper inches associated with native protected size trees; and		There are no heritage or protected trees on the property.

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preserve 75% of all the native caliper inches.		
n. Tree plantings use Central Texas seed stock native with adequate soil volumes.		The PUD will meet or exceed the landscape requirements of Subchapter E by providing a diverse mixture of landscaping from the City of Austin Grow Green Native and Adaptive Landscape Plan Guide utilizing drought-resistant and non-toxic plants.
o. Provide at least a 50 percent increase in the minimum waterway and/or critical environmental feature setbacks required by code.		Not applicable. There is not a waterway or critical environmental future setback on the property.
p. Clusters impervious cover and disturbed areas in a manner that preserves the most environmentally sensitive areas of the site that are not otherwise protected.		All impervious cover is clustered for the single building proposed within the PUD.
q. Provides porous pavement for at least 20 percent or more of all paved areas for non-pedestrian in non-aquifer recharge areas.		
r. Provides porous pavement for at least 50 percent or more of all paved areas limited to pedestrian use		
s. Provides rainwater harvesting for landscape irrigation to serve not less than 50% of the landscaped areas.		100% of all landscaping on site will be irrigated by either storm water runoff conveyed to rain gardens or through the use of rainwater harvesting (or a combination of both). Provided, however, the applicant shall have the right to supplement such landscape irrigation with potable water, if necessary.
t. Directs stormwater runoff from impervious surfaces to a landscaped area at least equal to the total required landscape area.		The project is evaluating the ability to direct stormwater runoff from impervious surfaces to a landscaped area at least equal to the total required landscape area during the Development Assessment process.

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u. Employs other creative or innovative measures to provide environmental protection.		An integrated pest-management plan will be provided. As part of the PUD, the project will prohibit uses that may contribute to air or water quality pollutants.
3. Austin Green Builder Program – Provides a rating under the Austin Green Builder program of three stars or above.	Yes.	The project will meet the Austin Energy Green Builder program at a 3-star level.
4. Art – Provides art approved by the Art In Public Places Program in open spaces, either by providing the art directly or by making a contribution to the City's Art In Public Places Program or a successor program.	Yes.	The owner will work with the City of Austin Art in Public Places program to commission an artist piece within the development or will provide a contribution to the City of Austin's Art in Public Places program.
5. 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 (<i>Design Standards and Mixed Use</i>)	Yes.	The project is subject to, and will comply with, the requirements of Subchapter E.
6. Community Amenities: a. Provides community or public amenities, which may include space for community meetings, day care facilities, non-profit organizations, or other uses that fulfill an identified community need.	Yes.	This area has been identified as a parking deficient area for the both the adjacent civic uses as well as the City parkland. This project will provide underground structured parking above the requirements of Code that will be available for use by the public outside of business hours and on weekends. Additionally, a direct connection between the proposed parking and the adjacent civic use will be provided.

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b. Provides publically accessible multiuse trail and greenway along creek or waterway.	N/A	There are no creeks or waterways traversing the project site.	
7. Transportation – Provides bicycle facilities that connect to existing or planned bicycle routes or provides other multi-modal transportation features not required by code.	Yes.	This project is situated along S. Lamar Boulevard which is anticipating improvements as part of the work specified in the City of Austin Transportation Corridor Bond. The project will be compliant with these efforts and will provide additional enhanced sidewalks along Toomey Road to allow for connections to the west. The project will also provide bicycle parking above the Code requirement for use by office tenants and commercial patrons. The PUD will also provide dedicated spaces for electric vehicle charging within the parking garage.	
8. Building Design – Exceed the minimum points required by the Building Design Options of Section 3.3.2 of Chapter 25-2, Subchapter E (<i>Design Standards and Mixed Use</i>)	Yes.	Subchapter E requires that every project achieve at least one point from the table in 3.3.2 of the City Code. The project will exceed the minimum points by achieving a minimum of six (6) points.	

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9. Parking Structure Frontage – In a commercial or mixed-use development, at least 75% of the building frontage of all parking structures is designed for pedestrian-oriented uses as defined in Section 25-2-691 (C) (<i>Waterfront Overlay District Uses</i>) in ground floor spaces.	Yes	The project will not have above ground structure parking visible at the ground level. All parking for the project will be subgrade.
10. Affordable Housing – Provides for affordable housing or participation in programs to achieve affordable housing.	Yes.	The project will not contain a residential component but will participate in Section 2.5.6 of the PUD program by donating a fee-in-lieu for each square foot of climate-controlled space within the PUD above the CS baseline to a Housing Assistance Fund to be used for producing or financing affordable housing, as determined by the Director of Neighborhood Housing and Community Development Department.
11. Historic Preservation – Preserves historic structures, landmarks, or other features to a degree exceeding applicable legal requirements.	N/A	There are no historic structures or landmarks on the property.
12. Accessibility – Provides for accessibility for persons with disabilities to a degree exceeding applicable legal requirements.	Yes.	The project will provide accessibility for persons with disabilities at a degree that exceeds applicable legal regulations.
13. 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.	Yes.	The project will provide much needed parking for employees and storage space for use by the Zach Scott Theater.

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