

MASTER REVIEW REPORT

CASE NUMBER: C814-89-0003.02
CASE MANAGER: Kate Clark

PHONE #: 512-974-1237

REVISION #: 02
PROJECT NAME: 305 S. Congress

UPDATE: 0

SUBMITTAL DATE: July 24, 2019
REPORT DUE DATE: September 3, 2019
FINAL REPORT DATE: October 1, 2019
REPORT LATE: 21 BUSINESS DAYS

LOCATION: 305 South Congress Avenue

STAFF REVIEW:

This report includes all comments received to date concerning your planned unit development. The planned unit development will be approved when all requirements identified in this report have been addressed. However, until this happens, your planned unit development is considered disapproved.

PLEASE NOTE: IF YOU HAVE ANY QUESTIONS, PROBLEMS, CONCERNS OR IF YOU REQUIRE ADDITIONAL INFORMATION ABOUT THIS REPORT, PLEASE DO NOT HESITATE TO CONTACT YOUR CASE MANAGER (referenced above) at the CITY OF AUSTIN, PLANNING AND ZONING DEPARTMENT, 505 Barton Springs Road - 5th Floor, AUSTIN, TX 78704

REPORT:

The attached report identifies those requirements that must be addressed by an update to your application in order to obtain approval. This report may also contain recommendations for you to consider, which are not requirements. ADDITIONAL REQUIREMENTS AND RECOMMENDATIONS MAY BE GENERATED AS A RESULT OF INFORMATION OR DESIGN CHANGES PROVIDED IN YOUR UPDATE.

UPDATE DEADLINE:

It is the responsibility of the applicant or his/her agent to update this planned unit development (PUD) amendment application. The Planning Commission must take an action no later than January 14, 2020 (estimated commission date) which is less than 181 days from the date your PUD amendment application was filed LDC Section 25-246(A)(1). Otherwise, the application will expire.

Austin Energy Green Building – Sarah Talkington – 512-482-5393

AEGB 1. Generally, the 2-Star AEGB requirement is in line with expectations.

FYI: The PUD should begin speaking with the Austin Energy District Cooling Team. Their contact information is: andrew.gallo@austinenergy.com and Sue.Arthur@austinenergy.com

Austin Fire Department Planning – Laura Everett – 512-974-4134

We have no comments at this time.

Austin Fire Review – Tom Migl – 512-974-0164

ADF 1. Please note for Barton Springs Road street sections with less than 25 feet of unobstructed width (void of parked cars or street scape), an Alternate Method of Compliance (AMOC) will be required to designate an operational area for ladder coverage on multistory buildings. Connectivity to Riverside Drive shall be maintained to facilitate two routes for first responder’s access and evacuation.

ADF 2. Please verify uses allowed for “F&B” on next update.

AW Utility Review – Randi Jenkins – 512-972-0117

WW 1. The Landowner shall use alternate water sources (AC condensate, foundation drain water, rainwater, stormwater etc.) as the primary water sources for all landscape irrigation within the 305 S. Congress PUD. Potable and/or reclaimed water shall only be used as a backup supply if the primary sources are depleted. Reclaimed water shall not be used for irrigation within water quality controls or other prohibited areas.

PLEASE NOTE: This comment will need to be incorporated into the new ordinance.

WW 2. All buildings within the 305 S. Congress PUD shall be constructed using a dual distribution pipe system to supply non-potable fixtures within the buildings (including toilets/urinals and cooling towers among other approved fixtures) with the City’s reclaimed water service. Additionally, the 305 S. Congress PUD shall extend a 24” reclaimed water main across the Riverside – Barton Springs Intersection (point of connection to existing reclaimed system under construction), build an off-site reclaimed main from Riverside/Barton Springs to the development, and build internal distribution reclaimed mains to serve buildings within the 305 S. Congress PUD and to facilitate looping of distribution reclaimed mains to the south.

PLEASE NOTE: This comment will need to be incorporated into the new ordinance.

- WW 3. All buildings within the 305 S. Congress PUD shall design distribution mains and private plumbing systems to accommodate domestic service pressures ranging from 105 to 120 PSI and a reclaimed service pressure of 125 to 140 PSI.
- WW 4. As discussed in the meeting on July 31, 2019, the landowner must obtain City approval of a Service Extension Request for water, reclaimed, and wastewater service. For more information pertaining to the Service Extension Request process and submittal requirements contact Alberto Ramirez with Austin Water, Utility Development Services at 625 E. 10th St., 7th floor, phone 512-972-0211. Austin Water reserves the right to make additional comments and to establish other requirements with the Service Extension Request review.

FYI: Dedication of private streets and public utility easements does not obligate the City to approve the placement of City water and wastewater mains within same. Water and wastewater service shall be provided to each lot at their Right of Way frontage.

City Arborist – Jim Dymkowski – 512-974-2772

FYI—ADDITIONAL COMMENTS MAY BE GENERATED WHEN THE REQUESTED INFORMATION HAS BEEN PROVIDED.

- CA 0. The current PUD development amendment proposes no code modifications to LDC SUBCHAPTER B. - TREE AND NATURAL AREA PROTECTION; ENDANGERED SPECIES. ARTICLE 1. - TREE AND NATURAL AREA PROTECTION.
- CA 1. To achieve compliance with Tier 1 requirement 2.3.1 H, the PUD amendment would need to exceed the minimum landscape requirement. The PUD only proposes to meet or exceed the landscape requirement. Please clarify specifically how the PUD will meet or exceed the landscape requirement for tree plantings. Why is the amendment not proposing to meet this requirement (to exceed)? Please clarify how this might occur as the PUD is requesting a code modification to have 25-2 current landscape requirements not apply to the PUD. How this will affect tree planting onsite?
- CA 2. The PUD proposes a code modification to Subchapter E to allow development in accordance with the PUD. Please clarify how this affects street tree planting options? If not complying with Subchapter E, how is the PUD proposing to be superior for street tree planting? The PUD exhibit for the street section of the new Barton Springs Extension currently proposes a smaller tree planting area than the ones envisioned by the South Central Waterfront (SCW) Plan.
- CA 3. In the PUD's Section 2.4 Tier 2 requirements, the applicant's response to the code requirement for planting with Central Texas seed stock is; "The PUD will meet or exceed the landscaping requirements". Please clarify if the PUD will or will not be using this for superiority and if so, what this means for proposed tree planting.
- CA 4. In this same Tier 2 section, the PUD is not proposing to meet the heritage and protected tree preservation percentages as required for a PUD. For overall tree preservation within the PUD, staff requests that the PUD attempt to exceed, but at least commit to the following to meet the intent of

the SCW Plan and the latest working draft of the regulating plan. Include the following requirements for tree preservation, street tree planting, and road and utility design and layout in the PUD. If the PUD will commit to exceeding these requirements, please describe how it will do so.

1) Tree Protections:

- a) 100 percent of heritage trees shall be preserved, unless a tree is dead, fatally diseased, or poses an imminent hazard to life or property which cannot reasonably be mitigated without removing the tree. Heritage trees may be transplanted, if approved by the City Arborist. Transplanting is not considered removal.
- b) The Landowner shall remove existing impervious cover and no new impervious cover shall be placed within the full critical root zone (CRZ) of Protected and Heritage Trees, except as follows:
 - i) If more than 50% of the full critical root zone has impervious cover, a private certified arborist shall investigate the tree and root system condition. If determined by the investigation and concurred by the City Arborist the tree is in decline and removal of impervious cover is not a viable option or will not result in tree recovery, the tree can be removed. For Heritage Trees greater than 30 inches in diameter the land use commission variance process is required. All other Protected or Heritage trees shall be preserved.
 - ii) Structures and access drives from a public street may be located within the outer half of the CRZ in compliance with ECM Section 3.5.2;
 - iii) Internal drive aisles and surface parking may be located within the outer half of the CRZ in compliance with ECM Section 3.5.2 or within the inner half of the CRZ as long as at least 75% of the entire area of the full CRZ is free of impervious cover.

2) Street Trees:

- a) Street trees shall be planted along all streets at an average spacing not greater than 30 feet on center.
- b) At least 1,000 cubic feet of soil volume shall be provided per tree. The City Arborist may approve a smaller soil volume if necessary due to utility conflicts or other unavoidable constraints; however, the project must meet the standards in the Environmental Criteria Manual (ECM).
 - i) Overhead utilities shall be relocated underground to avoid any conflicts with the planting of shade trees.
 - ii) All new utilities shall be located under the street, and with sufficient clearances to allow for the tree planting zone. Lateral lines may cross the planting zone.
 - iii) Root barriers shall be introduced and located solely on the utility side, rather than creating boxes around the tree.

Drainage Engineering – David Marquez – 512-974-3389

- DE 1. Completely fill out the superiority table. It is not clear what sections of code are being modified. Remove sections that will not be applicable such as the volumetric flood detention as I assume detention will not be provided due to the proximity of Lady Bird Lake.
- DE 2. As Karl mentioned in the meeting held on August 26, 2019, if there will be modifications in the language to allow development in the floodplain, we will need details about what modifications are being asked for. Drainage comments will remain open in case coordination is needed with the floodplain office. A few things to consider for my review are: structural certification when building in the floodplain including nonbuilding structures (see ASCE 24-14 Flood resistant design and construction), erosion and scouring, maintenance, ownership if constructing a boardwalk over water and open to the public. I’m not sure of the best avenue to address all items but in other reviews with larger entities there have been legal agreements that speak to many of these items above.

Electric Review – Karen Palacios – 512-322-6110

- EL 1. The following note needs to be added below the Land Use Map and Data Table:
- “Electrical easements shall be required for all developments. Their location and size onsite will be determined at the subdivision plat/site plan submittal and may require more space than minimum building setback.”

Environmental Officer – Chris Herrington and Atha Phillips – 512-974-2132

- EO 1. Please provide a redlined copy of the existing PUD ordinance and all plan sheets.
- EO 2. Provide a code comparison table, similar to what is shown below that outlines Current Code, Current PUD entitlements, and Proposed PUD. The applicant can reach out for a copy of the spread sheet since below is only an example and does not include the chart.

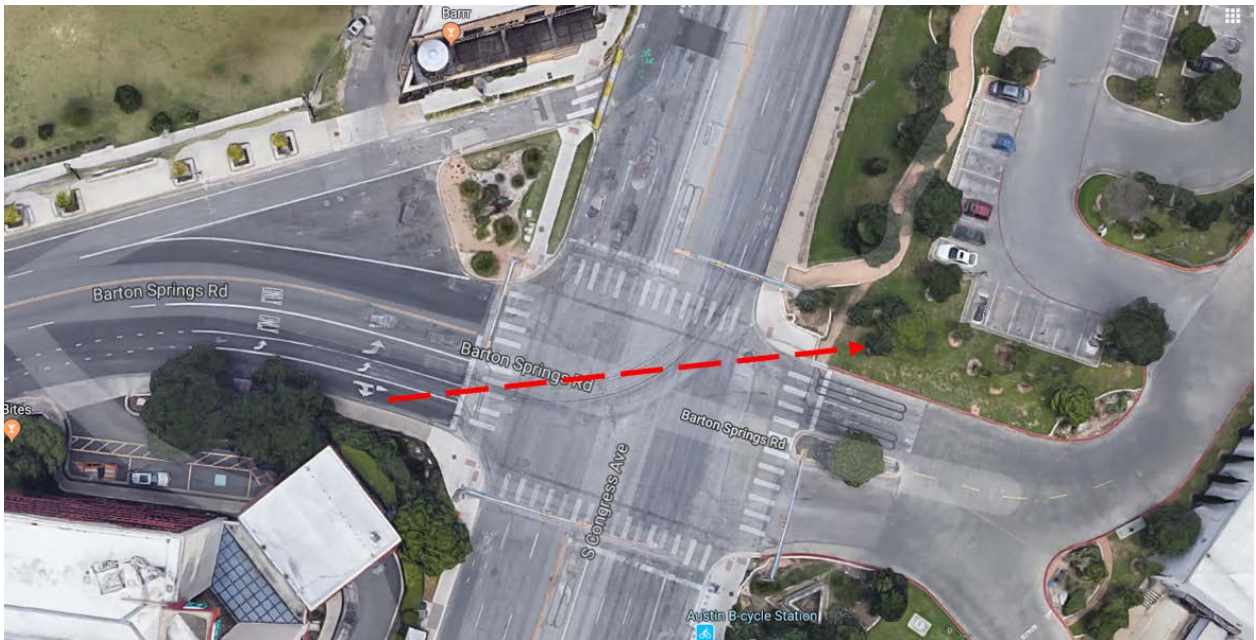
	Current Code	Current PUD (LA Watershed Ord.)	Proposed PUD Amendment
acreage	138.19 land 6.467 water	138.19 land 6.467 water	138.19 land 6.467 water
Use	Commercial, MF, MU	Single Family	Commercial, MF, MU

	Current Code	Current PUD (LA Watershed Ord.)	Proposed PUD Amendment
Water Quality	½” plus for 100% of site	None required (<20% impervious cover)	100% of water quality volume treated, 75% 75% of WQV treated by distributed green controls
Drainage	Current code	Current code	Current code
Floodplain Variance	No	No	Yes; 5,000 sq. ft. of structures proposed in floodplain
Impervious Cover	20% Net Site Area NSA=52.69 acres 20% = 10.54 acres plus 2 acres (Champion) Total =12.54	LA regs tied to SF use per Ordinance IC based on slope* 16.92 acres + 1.23 acres = 18.15 acres plus 2 acres (Champion) Total = 20.15 acres	18.86 acres max plus 3 acres for road Total = 21.86 acres Reduction of 2 acres (Champion) Total = 21.86 acres (19.86 acres)
Limits of Disturbance	18.81 acres	30.2 acres	35.16 acres

- EO 3. Provide a copy of the Plat, the restrictive covenants, and an exhibit of existing easements outlined in Exhibit B #1, 2, 4, 6, 7, 8, 13, 15 with labels. If easements are to be modified with this amendment, provide a separate exhibit showing proposed easements.
- EO 4. Please provide an exhibit that captures the improvements planned for the Parkland/Open Space. Please contact us to set up a meeting about what would be expected on the exhibit. This sheet will become an exhibit within the PUD document.
- EO 5. In the *Superiority Table*, Environmental Preservation, there is a comment about the eroded shoreline. Staff is unclear what the intention of this comment is, and the applicant needs to be very clear about what is proposed within the Parkland/Open Space areas. Please add all proposed construction to the Parkland/Open Space development.
- EO 6. Please add location of proposed landing of bridge across Lady Bird Lake. This location should take into consideration the large number of heritage and protected cypress trees along the lake’s edge.
- EO 7. In *Exhibit A, Code Modifications*, #23 asks to have Parkland/Open Space not count towards impervious cover. Please provide a total impervious cover allowance for the Parkland/Open Space on the exhibit requested in comment 4 and 5.
- EO 8. In *Exhibit A, Code Modifications*, #25 asks for fill in the lake and construction of a bulkhead. Please show this information on the exhibit requested in comment 4 and 5. Further comments are pending exhibit submittal.

Environmental Review – Mike McDougal – 512-974-6380

- EV1. Provide a redlined copy of the existing PUD ordinance and all plan sheets.
- EV2. Sheet 2 of the *Superiority Table* indicates efforts to provide for enhanced habitat for birds, mammals, amphibians, insects, and fish as well as bat conservation. Provide greater detail regarding these items.
- EV3. The applicant's July 24th, 2019, cover letter indicates that the PUD amendment proposes to remove existing building, surface parking areas, and other impervious improvements from the CWQZ. Indicate the amount of impervious cover currently in the CWQZ, how much existing impervious cover will remain in the CWQZ, and the quantity / type of new development and impervious cover proposed in the CWQZ.
- EV4. The proposed two way bike route on the Barton Springs extension will require east bound cyclists to cross the Barton Springs / Congress intersection diagonally or to use crosswalks. To provide for better continuity of bicycle traffic, provide a one-way 5 ½ foot bike lane on each side of the proposed Barton Springs extension.



- EV5. In addition to EV 04, transpose the landscape alignment and bike route alignment such that the bike route is adjacent to the vehicle lanes and the landscape is located between the bike route and pedestrian route.

Floodplain Review – Katina Bohrer – 512-974-3558

Reviewer Notes: site is located on the southeast corner of South Congress and the Colorado River (the old Statesman site). Proposed PUD amendment includes a large swath of proposed parkland along the current hike and bike trail which currently fully encompasses the 100-yr floodplain. The 100-year floodplain ranges from 440.87 at the upstream end of the site to 440.51 at the downstream end, similarly, the 25-year ranges from 432.57 to 432.17. Per included plan sheets, the shore line elevation is 429. Because site is along the Colorado River, it is not impacted by proposed Atlas 14 floodplain regulations. See internal network folder for more information.

FPI. Per letter provided by Armbrust & Brown, PLLC, the applicant proposes to alter the LDC and the International Building code to allow development within the 25-year and 100-year floodplains. Floodplain review does not agree to this proposed code alteration for the following reasons:

- a. It is unclear what is being provided in return which is superior to code as is required by PUD requirements.
- b. LDC Sections 25-7-93, 94, 95, and 96 all allow development within the floodplain therefore altering the LDC and the IBC to allow development within the floodplain is unnecessary. It is possible, however, that the applicant already has plans which have not been shared with this reviewer. Additional guidance or comments may be provided once additional clarification by the applicant has been supplied.

FYI: Updated Atlas 14 floodplain regulations will not affect this site as it is adjacent to the Lady Bird Lake which is specifically being excluded from proposed code alterations. Applicant may learn more about Atlas 14 at <http://austintexas.gov/atlas14>

FYI: As the applicant does not propose to change code outside of allowances of development within the floodplain, other floodplain regulations are expected to be met (e.g. no adverse impact, structurally able to withstand flood forces, finished floor and safe access requirements, etc.). Floodplain regulations which are to be met will be whatever requirements are valid on the date of permit application.

NHCD – Travis Perlman – 512-974-3156

NHCD would support and encourage the applicant to lease on an ongoing basis not less than 10% of total rental units developed in the PUD to households earning no more than 60% MFI for a period not less than 40 years from the date a final certificate of occupancy is issued, and 5% of total ownership units sold at an affordable price to income-eligible households earning no more than 80% MFI and resale restricted for a period not less than 99 years from the date a final certificate of occupancy is issued for the property as a way to demonstrate superiority of the proposed development.

Office of Sustainability – Caitlin Admire – 512-974-9394

- OOS 1. On your *Superiority Table* you list the Carbon Impact Statement (CIS) and opportunity to participate in a pilot program with the Office of Sustainability (OOS) as a “Project Specific Superiority Item”. **Please complete the CIS worksheet provided by the case manager** in order to allow us to see what strategies you may be intending to utilize. We see many promising elements already being mentioned in your application and the OOS welcomes the opportunity to discuss and work with you to implement sustainable strategies in this project.
- OOS 2. We greatly support seeing the restoration and enhancement of wildlife habitat in landscaped areas throughout the project, and we encourage you to **consider utilizing bird friendly architecture** to minimize conflicts between your new buildings and the wildlife you will be fostering. Some good resources to get you started:
- a. Bird Friendly Building Design, by American Bird Conservancy
https://3pktan215dp043gw5f49lvhc-wpengine.netdna-ssl.com/wp-content/uploads/2015/05/Bird-friendly-Building-Guide_LINKS.pdf
 - b. Bird-Friendly Urban Design Guidelines by City of Calgary <http://www.animalarchitecture.org/wp-content/uploads/2013/11/CalgaryBirdingGuidelines.pdf>
 - c. LEED Pilot Credit regarding Bird Collision Deterrence (Note, may be used for an AEGB pilot credit as well) <https://www.usgbc.org/node/4561982?return=/pilotcredits/all/v4>

PARD/Planning and Design Review – Scott Grantham

- PR 1. Please contact this reviewer to set up a meeting to go over the PUD amendment as it relates to current code, the existing PUD and South Central Waterfront Plan. Through this review process we will be discussing whether this project is superior to current code and adopted plans from the standpoint of parks.
- PR 2. Part of superiority will be parkland dedication and parkland development fees to exceed current code and the existing PUD.
- PR 3. Calculations will be based on residential unit count. Current count is 1,378 units, and 275 hotel rooms. Please inform this reviewer if numbers have changed. Units certified as SMART Housing by the Neighborhood Housing and Community Development will not be counted in these calculations.
- PR 4. Thank you for providing a parks table on Sheet 7. Please break down this acreage in the following ways: 25-year floodplain, 100-year floodplain, area outside of floodplain, public parkland to be dedicated to the city, and private open space.
- PR 5. Note on Sheet 6 indicates that parkland areas can change based on Cap Metro station. Consider the sequence and how this might be accomplished. The challenge is to dedicate the parkland, and move towards superiority, while allowing some flexibility for the station. Ideally, the park will be designed to dovetail with a future station.

- PR 6. A Parkland Improvement Agreement with Maintenance will be required in conjunction with this PUD amendment. This reviewer will send a template.
- PR 7. On an exhibit, please show existing elements - park and trail easements (hike and bike trail), contours, and trees.
- PR 8. On an exhibit, please show a detailed plan of the park which includes proposed locations for the boardwalk, pavilion, Great Lawn, and other elements referred to in the *PUD Superiority Table* (2.4 Tier Two PUD Requirements – Open Space).
- PR 9. Show and describe all trail connections from the park to the street network to the south (refer to page 46 of the South Central Waterfront Plan).
- PR 10. In the *PUD Superiority Table*, do any items coincide with the Bat Observation Theater described in the South Central Waterfront Plan (Pages 56 – 58)?
- PR 11. Are there plans for a boat landing, such as the one described as Pontoon Landing in the South Central Waterfront Plan (page 59)?
- PR 12. From the applicant's letter dated July 24, 2019, *Exhibit A, Code Modifications* the following are relevant to parks. These items should be discussed, so changes are offset by superior standards.
- #7. Refers to 25-2-692 (F). Proposed modification is so that it only affects the side of the building that faces Lady Bird Lake.
 - #14. Refers to 25-2-742 (D)(1). Proposed modification is to exclude from transparency requirements, service areas, and loading docks.
- FYI More comments may be added as more details are made available.

Site Plan Review – Ann DeSanctis – 512-974-3102

ADMINISTRATIVE

- SP1. On Sheet 7 (Land Use Map and Data Table), please show your FAR as a ratio.
- SP2. Also on Sheet 7 in your Land Use Map and Data Table, add a column that shows percent of total for each land use listed.
- SP3. Site plans will be required for any new development other than single-family or duplex residential.
- SP4. Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.
- SP5. Any new development is subject to Subchapter E. Design Standards and Mixed Use unless otherwise stated in the amendment and approved.

FYI: Additional design regulations will be enforced at the time a site plan is submitted.

FYI: The subject property is included in an approved site plan (SP-07-0070C) and a Neighborhood Plan Amendment Case (NPA-2019-0022.02) is under review.

FYI: This site is subject to the following overlays on some portion of the site: Capitol View Corridors, Waterfront, Waterfront Setbacks.

FYI: This site is currently part of the South River City Neighborhood Planning Area.

Please coordinate with reviewer on requested changes in order for comments to be cleared through informal update.

SCENIC ROADWAYS

SP6. This site is within the Scenic Roadway Sign District. All signs must comply with Scenic Roadway Sign District regulations. Contact Ciera Flores at (512) 974-2612 for more information.

DEMOLITION AND HISTORIC RESOURCES

SP7. The applicant is responsible for requesting relocation and demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations prior to site plan approval. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

RESIDENTIAL DESIGN STANDARDS OVERLAY

SP8. The site is subject to 25-2 Subchapter F. Residential Design and Compatibility Standards unless stated otherwise in the amendment and approved.

Subdivision Review – David Wahlgren – 512-974-6455

SR 1. The site appears to be platted with whole legal lots, if this is not correct please contact this reviewer. No further comments.

Transportation Engineering – Sangeeta Jain – 512-974-5614

A traffic impact analysis (TIA) is required and has not been submitted to the Austin Transportation Department. Comments are pending until the TIA is received and approved.

DSD Transportation Review – Ivan Naranjo – 512-974-7649

TIA COMMENTS

- TR 1. A Traffic Impact Analysis (TIA) is required and has not been submitted. In addition, TIA review fees have not been paid. LDC, 25-6-113. Please submit the required TIA for review by the Austin Transportation Department (ATD) and contact the DSD Intake Section to arrange the required payment.
- TR 2. Additional right-of-way, participation in roadway improvements, traffic signals, or limitations on development intensity may be recommended based on the review of the TIA (LDC 25-6-142). The approval of the TIA by the ATD will be required.

PUD COMMENTS

- TR 3. Please include a note on the PUD Land Use Plan sheet stating that the 305 S. Congress PUD will comply with the Land Development Code and Transportation Criteria Manual requirements, which include but are not limited to: right-of-way width, street design, driveway criteria, stopping sight distance, sidewalks, block length, accessibility requirements, parking, loading requirements, etc., unless otherwise as clearly identified in the approved PUD amendment.
- TR 4. Please submit a Transportation Demand Management Plan for review or clarify when it will be submitted. This comment is in reference to the proposed code modifications for the minimum off-street parking, bicycle parking and loading requirements for the PUD.
- TR 5. Coordination with ATD will be necessary for the approval of the proposed street section for the extension of Barton Springs Road. Please note that the approved Austin Strategic Mobility Plan (ASMP) calls for 92' of ROW for the extension of Barton Springs Road.
- TR 6. South Congress Avenue is part of a Corridor Mobility Project that is currently being studied and project details are to be determined. The improvements will include mobility, safety, and connectivity improvements to accommodate multiple modes of transportation, including driving, walking, biking, and transit. Coordination with ATD and CPO will be necessary.
- TR 7. Please clarify if the PUD is planned to be re-subdivided into a different lot configuration.
- TR 8. The PUD should meet or exceed the current Land Development Code including Subchapter E and Transportation Criteria Manual requirements for street design criteria, sidewalks, pedestrian zones, emergency access criteria, etc. Please clarify how the PUD will exceed the requirements associated with Core Transit Corridors and Internal Circulation Routes.
- TR 9. All proposed and existing collector streets and higher classification roads must be identified in the PUD Land Use Plan. Please provide a street schematic to clarify the PUD's planned internal circulation streets and the internal "pedestrian" street.
- TR 10. Please provide additional information to clarify how the 305 S. Congress PUD will provide pedestrian and bicycle connections to the Hike-and-Bike Trail System to demonstrate compliance with the adopted Urban Trails Master Plan and the adopted Austin 2014 Bicycle Plan.

OTHER ISSUES

TR 11. A table to identify superiority items for Tiers 1 and 2 was not provided.

TR 12. The approval of the TIA will be required prior to sign-off.

TR 13. The approvals from ATD and Public Works Urban Trails will be required.

TR 14. Additional comments may be generated as more complete information is received.

Urban Design – Alan Holt – 512-974-2716

ORIENTATION:

The Applicant has indicated in the first paragraph of their cover letter for this PUD amendment (July 24, 2019) that:

“The Property is located within the boundaries of the South Central Waterfront Vision Framework Plan (“SCWP”), adopted by City Council on June 16th 2016. The SCWP provides a framework for future redevelopment of property within its boundaries. The project is designed to follow the guiding principles of the SCWP, with deviations to the maximum height and density to allow the proposed project to build upon and enhance the objectives of the SCWP.”

The SCWP promotes a vision and recommends the adoption of implementation tools to coordinate public and private investments, and to guide redevelopment in this district. The goals of the SCWP are to transform the district with a retrofitted network of new open spaces, trails, plazas, streets and streetscapes (the public realm), and affordable housing. The SCWP establishes a conceptual framework for how developers can receive additional density and height in exchange for in-kind and cost-sharing contributions to support the district vision. However, since the implementation measures have not yet been fully developed and adopted by the City of Austin, the PUD process is the only way currently available for an applicant to seek the density bonuses proposed in the SCWP. Therefore, this initial memo focuses on how this PUD amendment submission reflects the intentions of the SCWP.

Under the SCWP, every property has its distinct contribution to make towards realizing the district vision, depending on its location and the entitlements granted. Under the SCWP, the site at 305 S. Congress has an oversized role in contributing to the district’s open space and mobility network. The SCWP calls for approximately 2/3 of the 305 S. Congress site to be devoted to open spaces (parks, plazas, and public gathering spaces) and new street connections with high-quality streetscapes and green features. The SCWP provides guidance to the quality of those open space and mobility contributions. What follows are initial comments on comparing the SCWP to this PUD proposal, in reference to these key contributions.

Open Space:

There are two main considerations to examine with a discussion of Open Space: (1) Quantity – how much open space is required, and (2) Quality – what are the design requirements and amenities of those open space.

Open Space Quantity:

Below is an initial assessment of the open space (quantity) requirements of current City regulations and of the SCWP recommendations, as compared to the PUD proposal.

Current City regulations for Open Space (quantity) requirements @ 305 S. Congress:

- The *Parkland Dedication Ordinance*, administered by Parks and Recreation Department (PARD), is one approach that addresses how much open space needs to be provided onsite or off-site, or satisfied through fee-in-lieu. Staff will defer to PARD with regards to how current Parkland Dedication methodology might determine the appropriate quantity of Open Space.
- The *Waterfront Overlay (WO)* ordinance would, likely, provide a more extensive open space requirement than the Parkland Dedication calculation. The WO lake setback requirements for the South Shore Central Subdistrict prescribes a 150' primary setback from the shoreline, allowing up to 15% impervious cover for park amenities. For the primary setback, park amenities include tables, observation decks, trails, gazebos, and pavilions. In addition, WO prescribes a secondary setback of an additional 50' from the primary line. The WO will allow up to 30% impervious cover in the secondary setback for amenities such as fountains, patios, terraces, outdoor restaurants and similar uses.
 - At the 305 S. Congress site, the WO primary setback from the shoreline, would equal 5.86 acres. The secondary setback adds an additional 1.81 acres; however, if the allowable 30% impervious cover for park plazas, etc. is removed from the secondary setback, the pervious open space requirement in the secondary setback equals 1.09 acres. Therefore, taken together, the WO setbacks prescribe 6.95 acres of pervious open space, and allows up to .7 acres of plazas, etc., to meet the full 7.67 open space requirement.

SCWP requirements for Open Space (quantity) @ 305 S. Congress:

- The SCWP contains an idealized illustrative plan which shows about half of this site (9.6 acres) devoted to open space. The SCWP open space is a combination of pervious open space, approximately 7 acres, with additional pervious open space elements (amphitheater, plazas, terraces) to reach the full open space requirement. An important concept in the illustrative plan is the public plaza connection along Congress Avenue, addressing the grade differential between the Congress Avenue sidewalk and the shoreland open space below. The draft SCW Regulating Plan (the opt-in zoning rules, now under development) provides for flexibility as to the shape and composition of the parks, plazas, park features such as amphitheaters and so on.

The 305 S. Congress PUD amendment indicates that 7.02 acres will be set aside as park land. The amount of this pervious open space, not counting the trail, is consistent in quantity as would be required by the WO standards. The park land in the PUD proposal is augmented with terraces along Congress Avenue which provides views and provides access to the shoreline; landscapes area and plazas; and the grand staircase (analogous to the amphitheater in the illustrative plan). Together, these terraces, plazas and landscape areas comprise 1.77 acres. The PUD application also proposes to build a boardwalk extension over a portion of the lake which is within their property boundaries, providing additional .65 acres of public access amenity. Altogether, this collection of open spaces total 9.44 acres, not counting additional docks or pier extension which have been shown in illustrative plans that the applicant has made available in public presentation.

- The overall conceptual quantities and configurations of the open spaces with the 305 S. Congress PUD application appear to be in alignment with the SCWP. Staff is working with the Applicant to gain more detailed mapping and quantification of the proposed open space elements in order to make a final determination.

Quality:

Below is an initial assessment of the open space (quality) requirements of current City regulations and of the SCWP recommendations, as compared to the PUD proposal.

Current City regulations (open space quality): Staff defers to PARD to provide an in-lieu cost requirement for an equivalent-sized open space in order to establish a baseline for the status quo quality of the open space requirement under the *Park Land Dedication Ordinance* and the *Waterfront Overlay*.

SCWP requirements (open space quality): The SCWP calls for a highly amenitized, open space network which is above the status quo quality requirement for open space. The SCWP illustrates a bat viewing pier, amphitheater, terrace cafe, kayak launch, pavilion deck, Congress Avenue viewing plaza, park pavilion, landscaped water quality ponds, wetland preserve area, and trail enhancements. The SCWP imagines a series of designed spaces, forming a linear park, with a larger lawn/landscape area for major gatherings, and more intimate spaces which engage the shoreline or reach southward into the site.

- Currently the City is working with consultants to update cost estimations for the SCWP public realm and infrastructure network. The updated estimation will be available Fall 2019 to provide a monetary benchmark for the quality of the open space network that the SCWP requires at this location.

The 305 S. Congress PUD proposal (open space quality): Staff has requested the Applicant provide a detailed concept plan, materials, and estimated costs for the proposed open space system. Staff and its consultants will review submitted materials to corroborate costs and quality of the proposed open spaces. Staff will continue to work with the Applicant to gather submissions needed to determine if the PUD proposal is consistent with the requirements of the SCWP with regards to the open space quality.

- Staff requests information on the Applicant's proposal for the management, operations, and maintenance of proposed open space network for public use.

Street Network and Block Pattern:

The SCWP calls for the site at 305 S. Congress to provide a fine-grained network of streets and blocks to provide for multi-modal transportation potential and walkability. The SCWP also aims that the street/block network contribute to a walkable and high-quality public realm.

Below is an initial assessment of how the street/block network in this PUD proposal compares to the current requirements as set forth in the Design Standards and Mixed Use Ordinance (Subchapter E of the Land Development Code) and as compared to the SCWP.

Connectivity:

The SCWP proposes a hierarchy of streets for the 305 S Congress site, comprising Collector, Local, and Shared Streets, to create a block pattern promoting a pedestrian scale walkable environment. Block sizes proposed in the SCWP are reflective of the urban grid found in Austin's downtown core. These standards

in SCWP are finer-grained and superior to the Subchapter E requirements that apply to the 305 S Congress site.

Upon an initial review the 305 S Congress PUD Proposal seems to be conceptually aligned with the enhanced street/streetscape/block pattern connectivity as required in the SCWP. However, in order to make a more complete quantitative review, Staff will work with the Applicant for more details on street sections.

Quality of Connections and Streetscape Superiority:

The SCWP proposes a high quality pedestrian realm that emphasizes pedestrian connectivity and comfort, with amenities to promote an active street life.

- Currently the City is working with consultants to update the street sections and cost estimations for the SCWP mobility network. These updates will be available Fall 2019 to provide a benchmark for the quality of the mobility network that the SCWP requires at this location.

In order to make a more complete quantitative review, Staff will work with the Applicant to gather additional details describing the amenities proposed, type of materials used, on-street green infrastructure proposed, and clarification of sidewalk zones and their widths for all streets.

Public Benefit:

Transit: The SCWP anticipates the accommodation of future transit connection and/or a transit station at this site, across Lady Bird Lake. The Applicant has indicated that their proposal accommodates the potential of future high-capacity transit, as does the SCWP. Pending additional input from CapMetro / Project Connect on requirements for a future transit connection and the subsequent accommodations proposed by the applicant on this site, Staff will work with the Applicant for further details to ensure this public benefit as required by the SCWP.

Barton Springs Extension: The SCWP envisions the extension of Barton Springs Road, east of S Congress Avenue, which extends through two private properties (Crockett-owned property, and the 305 S. Congress property). This extension, approximately 1800 feet eastward, would then turn south to connect to E Riverside Drive. The SCWP considers this Barton Springs Extension as an essential mobility connection that contributes to the district's envisioned street network and is therefore a district level public benefit.

The Applicant, in their efforts to align their PUD proposal to the SCWP, bears the full burden to accommodate the development of this street.

- The SCWP envisioned that the Barton Springs East Extension would place the majority land contribution burden on the Crockett property. According to the SCWP, the 305 S Congress site would contribute 0.82 acres (as shown in Figure 1 in Yellow) towards this street while gaining a roughly equivalent 0.8 acres from the Crockett property (next page, as shown in Figure 1 in Blue) towards the development of the 305 S Congress site., The PUD proposal includes a land contribution (1.61 acres) that would have been otherwise available for development.
 - The SCWP would deem this contribution as a community benefit that should count towards the Applicant's in-kind, on-site community benefit contribution.

Cost Estimates: Staff is working with the Applicant to gather more information on the street network and estimated costs. Staff and its consultants will review this information to benchmark the in-kind community benefit contribution of the Barton Springs East extension.

Additional Information Requested from Applicant:

- Details for potential on-site accommodation of public transit per CapMetro requirement
- Cross sections of internal streets including amenities proposed, high level type of materials used, on-street green infrastructure proposed, and clarification of sidewalk zones and their widths for all streets



Figure 1: SCWP envisioned land-sharing for the Barton Springs East Extension

Waterfront Overlay and Land Swap along Barton Springs Road
South Central Waterfront Vision Framework Plan
Proposed by McKinstry-Albers Studio for City of Austin
Draft August 19, 2016

0 200'

Parking, Urban Form and Density/Height:

As detailed above, more analysis is forthcoming from staff/consultants and more detail is needed from the Applicant before a determination can be made but, generally, the PUD proposal seems to be consistent with the SCWP in terms of the on-site public realm. The major deviation from the SCWP is how this PUD proposes to address structured parking, and in the proposed height and density above what was envisioned in the SCWP. These are interrelated concerns. More analysis will be required from staff/consultants and more information is needed from the applicant. Here are initial comments:

Parking & Urban Form:

The SCWP modeled 2.1 M SF of density at this site. Density, in this case, follows the strict definition which ties people to SF. The 2.1 M SF cited in the SCWP includes active, habitable uses (office, residential, retail, hotel, etc) but did not include structured parking. The SCWP modeled 9,722 parking spaces, with 2,412 underground and 7,310 in above ground, wrapped parking structures (i.e., 75% parking in above ground structures). This means that the SCWP has approximately 800K SF of bulk in above ground structures, adding to the bulk of the 2.1 M SF of active uses. From a purely bulk/urban form point-of-view, this means that the SCWP modeled approximately 2.9 M SF of building bulk. Also, the SCWP modeled that the above ground structured parking be in wrapped base buildings, 60' tall. In order to accommodate the wrapped garage structures, these 60' high base buildings have a footprint of approximately 200' x 200' or greater. The SCWP calls for point towers on top of these base buildings, to provide for a slender skyline above 60' to break up the massing and allow for more light and air. The first 60' of height, however, would be characterized by the bulkier base buildings. The applicant makes a point to indicate, in terms of massing/bulk, the SCWP has modeled 2.9 M SF of structure above ground, and the unaccounted for wrapped parking structures drive a less than ideal urban design form which restricts light, air, and public realm/open space design at the pedestrian level. Setting aside for the moment the impact of added density (i.e., people/SF), Staff opinion is that it is a better use of built space to fill 2.9 M SF of building bulk with active users (people) as opposed to devoting 27% of that same bulk to automobile storage. In addition, by essentially eliminating the bulkier base buildings by relegating parking underground, street-level urban design form can be much more creative and responsive to supporting the public realm. Pending further consideration of the added impacts of added people density, the initial premise that swapping the 2.9 M SF of bulk proposed in the SCWP from an auto-driven form to a more flexible people driven form is compelling and provides for a superior urban design form.

Added Density & Height:

The PUD proposal proposes an additional allocation of density/uses, to approximately 3.5 M SF, above a hypothetical 2.9 M SF. These two factors (eliminating the bulkier base wrapped base buildings in the SCWP to more slender buildings that extend to the ground drive, and the additional uses) drive the buildings to heights greater than the SCWP proposes. Staff assumes that the factors which drive the application to seek higher density of uses and taller buildings is the financial need to cover costs associated with the higher cost for putting 90% of the parking underground. If the City entertains that putting parking underground is a community benefit for the reasons outlined above, it would be important to consider the costs associated with putting parking underground.

Additional Information Requested from Applicant:

- Georeferenced SketchUp Model of proposed development in the PUD application
- Details and costs associated with underground parking proposal

Water Quality Review – David Marquez – 512-974-3389

- WQ 1. As Robert from Austin Water mentioned in our meeting on August 26, 2019, a few details will need to be determined to ensure what will go on the superiority table. Water quality for reuse or irrigation may tie into conservancy measures that Robert may be reviewing. Also mentioned in the meeting, coordination and a meeting with the Environmental Officer and relevant reviewers will be needed to ensure all environmental aspects are addressed as some may overlap.
- WQ 2. Show exhibits of what will be proposed. A few items to note for our review: will be agreeing on the layout of ROW; seeing where the underground parking area will be and determining if it will be considered impervious cover; when designing the water quality controls, the design will need to take into consider velocities of Lady Bird Lake if it is in the floodplain. It is preferred that the control be out of the floodplain but if it does encroach, the velocities of receiving water and floodplain overflow will need to be less than 2 fps.

Wetlands Biologist Review – Liz Johnston – 512-974-2619

- WB 1. Provide an Environmental Resource Inventory, per LDC 25-8-121 and ECM 1.3.0.
- WB 2. Show the location of all significant areas of vegetation along the shoreline, including trees and wetland vegetation.
- WB 3. The plans that were submitted are unclear and more detail is necessary in order conduct a thorough review. Please clearly show the following information on one exhibit:
- Location of the existing 429 Lady Bird Lake Shoreline;
 - Critical Water Quality Zone;
 - Half Critical Water Quality Zone;
 - 100 Year Fully Developed Floodplain;
 - Location of all existing or proposed trails or boardwalks;
 - Proposed width of all trails;
 - Proposed material of all trails (i.e. soft surface or hard surface);
 - Clarification of the location, size, and material of all shoreline access structures;
 - Proposed uses within the Critical Water Quality Zone;
 - General location of proposed grading or other construction within the CWQZ or 100-year floodplain;

- Location and type of all shoreline modifications, including bulkheads, fill, steps, stone revetments, etc.

WB 4. If shoreline modification is proposed, the applicant must meet the requirements of LDC 25-8-367(D): The applicant must demonstrate to the City Council that:

- 1) approving the application will not:
 - a) endanger a water supply, water supply system, storm or sanitary sewer facility, or other public utility facility;
 - b) create a hazard to navigation or swimming;
 - c) create a hazard to the safety, maintenance and operation of a dam, bridge, or other structure not owned by the applicant; and
 - d) materially and adversely affect the use and enjoyment of other property on the Colorado River between the Tom Miller Dam and Longhorn Dam; and
- 2) if similar applications were granted for all similarly situated properties, the water storage or flood capacity of the Colorado River basin would not be materially reduced.

WB 5. Submittal materials assert that a superiority element is that the PUD amendment will “restore and enhance habitat along LBL for birds, mammals, amphibians, and insects”. Please clarify where and how this proposed restoration will occur. Clearly identify what degraded areas are to be restored and clarify what the restoration will entail.

WB 6. Add a note that no reclaimed water will be used for irrigation within the CWQZ and 100-year-floodplain.

WB 7. Please be aware that Floodplain modifications are defined as: “...development that results in any vertical or horizontal change in the cross section of the 100-year floodplain calculated under fully developed conditions as prescribed by the Drainage Criteria Manual.” Any floodplain modifications associated with the PUD amendment will require compliance with LDC 25-8-364.

WB 8. It is unclear if shoreline access structures and boardwalks are allowed accessory uses for the proposed uses. Please verify with the zoning case manager if these accessory uses should be added to the PUD amendment ordinance.

WB 9. If water is proposed to be piped from the lake for irrigation, clarify the proposed method for zebra mussel control of any intake lines/pumps.

Zoning Review – Kate Clark – 512-974-1237

- FYI:** Staff sees that you have provided a copy of the previous ordinance that has been redlined with an “X” through the text and exhibits. It is our understanding that you are replacing this ordinance and its amendments with the submittal of this PUD amendment application and therefore will be subject to all current code requirements.
- FYI:** Staff discussed how the term “boardwalk” was defined and used within the LDC with the Development Assistance Center (DAC). It was determined that from a land use perspective “boardwalk” is treated similar to a trail or sidewalk and would be allowed by right in all locations as a permitted accessory use. However, the physical location of a boardwalk would dictate what environmental regulations and/or restrictions would be applicable to its design and construction. The Planning and Zoning staff shall defer to the appropriate departments within the City when determining a boardwalk’s location, design and/or any regulatory parameters.
- FYI:** Additional comments may be generated when the requested information has been provided.

LAND USE

- ZN 1.** It appears that the applicant is creating a new land use plan (sheet #7) with a single tract to replace the current approved site plan. Staff will not support all land uses and development standards (data table on sheet #7) to be applied uniformly across the site. Please provide an updated land use plan broken into areas with accompanying acreages and intended land uses.
- ZN 2.** Please provide a *Land Use Summary Table* on the updated land use plan or as a separate exhibit to include the proposed maximum densities and acreages of land uses (e.g. single-family, multifamily residential, office, commercial, open space, etc.) within the PUD area.
- ZN 3.** The applicant provided *Exhibit A-1* to show the permitted uses on the property. Please clarify whether it was the intent to not include any conditional uses.
- ZN 4.** Please provide an updated *Exhibit A-1* listing what uses are permitted and/or conditional (if necessary) within each area identified on the updated land use plan.
- ZN 5.** “Automotive Sales” is included as an additional pedestrian-oriented use in *Exhibit A-2*, but not included as a permitted use on *Exhibit A-1*; if being include on *Exhibit A-2* it should be permitted on *Exhibit A-1*.
- ZN 6.** The following are protected uses established by federal case law and cannot be prohibited: Family Home, Group Home, Class I (General); Group Home, Class I (Limited); Group Home, Class II; and Religious Assembly. Please add these uses to *Exhibit A-1*.
- ZN 7.** “Local Utility Services” cannot be prohibited for the potential to impede the City’s ability to place small utility poles and structures on a property. Please add this use to *Exhibit A-1*.

- ZN 8. Please clarify what the intent is for permitting the following uses and what area(s) they could potentially be located in: Auto Repair Services, Automotive Sales, Service Station, Vehicle Storage, Veterinary Services and General Warehousing and Distribution

SITE DEVELOPMENT

- ZN 9. Please provide a *Site Development Standards Table* on the updated land use plan or as a separate exhibit to include the following for each area within the PUD boundary: minimum lot size, minimum lot width, maximum height, minimum setbacks, maximum building coverage, maximum impervious cover, and maximum FAR.
- ZN 10. Staff understands that the applicant is requesting additional height (maximum of 525 feet) with this amendment. The current approved PUD allows for a maximum building height of 96 feet. Please indicate which area on the updated land use plan the applicant is requesting to have more than the existing approved height and provide a justification to its need as it is not consistent with development patterns in this area.
- ZN 11. In *Exhibit A, Code Modification #19* the applicant is modifying Chapter 25-2, Subchapter E to be in accordance with the PUD amendment. In the *Superiority Table (2.3.2.A. Commercial Design Standards)*, it states that “the PUD will comply with Subchapter E of the City’s Land Development Code”. Is your intent to comply with Subchapter E or to provide alternative compliance to all or portions of the code? If proposing alternative compliance, please clearly state what sections you are altering and how with the next submittal.

GENERAL

- ZN 12. Please add the case number and project name of the PUD amendment to all maps and exhibits.
- ZN 13. As the applicant is requesting to develop residential uses within the PUD, an *Educational Impact Statement (EIS)* is required with this amendment. Please submit a completed EIS form with the next submittal and we will forward to the appropriate staff.
- ZN 14. Chapter 25-2, Article 9, Division 3 does not apply, site is not along any Hill Country Roadway Corridors. Please remove from code modification list.
- ZN 15. For items within the *Superiority Table* that you are requesting to show superiority on, please provide more detail and clarity on how this PUD amendment will incorporate these measures.
- ZN 16. Please provide a map or exhibit illustrating potential locations to implement the Art in Public Places program and we will forward to the appropriate staff.
- ZN 17. Please provide a copy of all proposed street sections illustrating superiority to the Great Streets program.

Case Manager – Kate Clark – 512-974-1237

A PRELIMINARY STAFF RECOMMENDATION CANNOT BE DETERMINED AT THIS TIME BASED ON THE INFORMATION PROVIDED IN THIS APPLICATION.

A **formal** update is necessary. **Please schedule an appointment with Intake and submit one copy of the plans and response memo to each of the reviewers listed below. PLEASE CLEARLY LABEL ALL PACKETS WITH THE REVIEWER’S NAME.**

Additional comments may be generated as requested information is provided. Please include a comment response letter indicating how comments have been addressed. If required as part of the PUD approval, please address all fiscal/fee requirements and provide copies of the receipts to the Case Manager prior to final ordinance readings at City Council.

Reviewers:

1. Austin Energy Green Building – Sarah Talkington (**Intake: Put in the Zoning box**)
2. Austin Water Utility Review – Randi Jenkins
3. City Arborist – Jim Dymkowski
4. Drainage Engineering – David Marquez
5. Electric Review – Karen Palacios
6. Environmental Officer – Chris Herrington & Atha Phillips (**Intake: Put in the Zoning box**)
7. Environmental Review – Mike Mcdougal
8. Fire Review – Tom Migl (**Intake: Put in the Zoning box**)
9. Flood Plain Review – Katina Bohrer
10. NHCD – Travis Perlman (**Intake: Put in the Zoning box**)
11. Office of Sustainability – Caitlin Admire (**Intake: Put in the Zoning box**)
12. PARD/Planning and Design Review – Scott Grantham
13. ATD Engineering – Sangeeta Jain
14. DSD Transportation Review – Ivan Naranjo
15. Urban Design – Alan Holt (**Intake: Put in the Zoning box**)
16. Water Quality Review – David Marquez
17. Wetlands Biologist Review – Liz Johnston
18. Zoning Review – Kate Clark