



C8

## MEMORANDUM

**TO:** Planning Commission

**FROM:** Lee Heckman, AICP  
Planning and Development Review Department

**DATE:** March 12, 2013

**SUBJECT:** C814-2012-0160 / 211 South Lamar Boulevard PUD  
Postponement Request and Additional Materials

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### Postponement Request

City staff is requesting a postponement of this rezoning case until **April 9, 2013**. A memo requesting the postponement distributed to you last week indicated a postponement date of March 26, 2013.

However, the application was postponed by the Waterfront Planning Advisory Board until April 8, 2013, at their meeting yesterday. Consequently, staff is extending the postponement request until April 9, 2013.

### Additional Materials

Attached please find materials received by staff after the current packet was compiled. Included is a letter of opposition from the Zach Theatre and several area resident stakeholders.

Additionally, please find a memo and PUD notes table distributed yesterday by the Zilker Neighborhood Association to the Board Members of the Waterfront Planning Advisory Board.

**Lee Heckman, AICP**  
Planning and Development Review Department



DAVE STEAKLEY  
PRODUCING ARTISTIC DIRECTOR

ELISBETH CHALLENGER  
MANAGING DIRECTOR

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MORT TOPFER  
JIM WHORTON

**City of Austin  
Planning & Development Review Department**

**Case Number:** C814-2012-0160

**Contact:** Lee Heckman, 512-974-7604

**Public Hearing:** March 12, 2013 – Planning Commission  
March 28, 2013 – City Council

Dear Mr. Heckman,

This letter is to inform you that Zachary Scott Theatre Center (ZACH) objects to the rezoning request outlined in case number C814-2012-0160.

In 2008, ZACH was approved to build an 80 ft fly tower in the new Topfer Theatre. A copy of that particular ordinance is attached for your reference. In addition, at that time, ZACH agreed to support objections for requests of additional height buildings in the surrounding area, if asked to do so by the surrounding neighborhood associations.

As you can see from the ordinance, ZACH's right to height in excess of 60 ft was based on the unique requirements of a professional theatre building, which attributes do not apply to commercial or residential buildings. For that reason, the Topfer Theatre fly tower height is not an appropriate precedent to cite in support of additional height for nearby residential buildings.

Thank you for your time and consideration of this opposition.

Sincerely,

Elisbeth Challenger

ZACH Managing Director

**Exhibit C - 57**

PHONE 512.476.0594 FAX 512.476.0314

OFFICES/MAIL 1510 TOOMEY ROAD, AUSTIN, TX 78704

THEATRE/BOX OFFICE 202 S. LAMAR, AUSTIN, TX 78704

ZACHTHEATRE.ORG

**ORDINANCE NO. 20080724-082**

**AN ORDINANCE AMENDING CITY CODE SECTION 25-2-531 TO CREATE A HEIGHT LIMIT EXCEPTION FOR FLY TOWERS ASSOCIATED WITH A PUBLIC PERFORMING ARTS THEATER.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** City Code Section 25-2-531 (*Height Limit Exceptions*) is amended to add a new Subsection (G) to read:

(G) A fly tower that is constructed within a performing arts theater that seats 300 or more people may be up to 80 feet in height, regardless of the zoning district height limit, unless a lower height limit is required by City Code Chapter 25-2, Article 10 (*Compatibility Standards*) The fly tower must be

- (1) located on land owned by the City of Austin, and
- (2) designed and used for moving set pieces, lights, microphones, and other equipment on and off stage.

**PART 2.** The city council finds that public performing arts theaters of sufficient size to include a fly tower for moving set pieces, lights, microphones and other equipment on and off stage generally provide significant community benefits

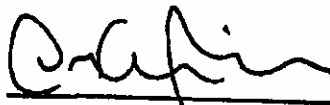
**PART 3.** The city council directs the city manager not to consider the height of a fly tower granted a height exemption under Part 1 of this ordinance as a factor in any recommendation regarding height entitlements for structures in the surrounding area

**PART 4.** This ordinance takes effect on August 4, 2008.

**PASSED AND APPROVED**

\_\_\_\_\_, July 24, 2008

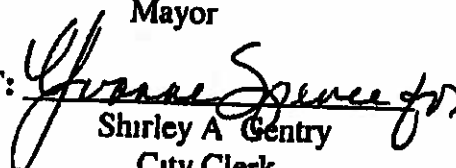
**APPROVED:**

  
David Allan Smith  
City Attorney

§  
§  
§

  
Will Wynn  
Mayor

**ATTEST:**

  
Shirley A. Gentry  
City Clerk

## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:

[www.austintexas.gov](http://www.austintexas.gov)

R 03/08/2013

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C814-2012-0160

Contact: Lee Heckman, 512-974-7604

Public Hearing: Mar 12, 2013, Planning Commission

Mar 28, 2013, City Council

Elisbeth Challenger

Your Name (please print)

510 Tanneley Rd Austin, TX 78704

Your address(es) affected by this application

Elisbeth Challenger

Signature

Daytime Telephone: 512-476-0594

Date

3/7/13

Comments: See attached

☐ I am in favor  
☒ I object

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

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[www.austintexas.gov](http://www.austintexas.gov)

R 03/11/2013

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Case Number: C814-2012-0160

Contact: Lee Heckman, 512-974-7604

Public Hearing: Mar 12, 2013, Planning Commission

Mar 28, 2013, City Council

MONICA A. GREENWELL

Your Name (please print)

210 LEE BARTON DRIVE # 411 AUSTIN, TX 78704

Your address(es) affected by this application

*[Signature]*

Signature

3/10/2013

Date

Daytime Telephone: 512-584-3408

Comments:

If you use this form to comment, it may be returned to:

City of Austin

Planning & Development Review Department

Lee Heckman

P. O. Box 1088

Austin, TX 78767-8810

# Zilker Neighborhood Association

www.zilkerneighborhood.org ♦ zilkerna@austin.rr.com

1115 Kinney Ave. #42 ♦ Austin, TX 78704 ♦ 512-447-7681

March 11, 2013

Waterfront Planning Advisory Board  
City of Austin

At the February 25, 2013, meeting of the Zilker Neighborhood Association, the general membership voted once again, as they have numerous times since the 1980s, to support the Waterfront Overlay and to oppose the construction of a highrise on the banks of the Colorado River. The subject of this particular vote was the PUD proposal at 211 South Lamar. In general, ZNA objects to the creation of this 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 building 35 feet from 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 site.
- Besides the Waterfront Overlay, ZNA's Vertical Mixed Use proposal, which was approved and praised by the Planning Commission and the City Council, governs both parcels in this case. The west parcel, fronting on S. Lamar, was opted into VMU with dimensional standards, affordability, and 60% parking reduction. From what we have seen so far, this PUD rejects the VMU options. The east parcel, on Lee Barton in front of the Paggi House, was specifically opted out of VMU because of our desire to protect the historic Paggi House, its trees, and its connection to the waterfront and the adjacent public green spaces.
- Finally, the objective of the PUD ordinance is to "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 even to nearby projects built before those standards were written into the Code.

The attached draft table addresses each of these points as they relate to the Tier I and II PUD requirements. As you will see, the PUD application seems to be a moving target, and our analysis has generated a great many questions. We hope that the board will postpone any decision on this PUD until these questions are answered and gaps in the information are filled.

Thank you for your service on this vitally important board.

Sincerely yours,

Lorraine Atherton  
Newsletter editor, on behalf of the  
ZNA Executive Committee

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#### ZNA Officers, 2012-2013

Gardner Sumner, *President* ♦ Richard Gravois, *Vice President* ♦ Andy Elder, *Vice President*  
Jacob Scheick, *Secretary* ♦ Merriman Smith, *Treasurer*  
Tony Giustino, *ANC Delegate* ♦ Lorraine Atherton, *Newsletter Editor*

**Exhibit C - 61**

| Tier I Requirement                                                                                                                                                                       | Applicant Note                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | ZNA Note                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| <p>1. Meet the objectives of the City Code.</p>                                                                                                                                          | <p>The project is located within the City of Austin Desired Development Zone, as well as the Urban Core. The project is designed to be a mixed-use building situated at the mouth of the Pfluger Bridge, essentially becoming the front door to pedestrians and cyclists leaving the trail area. The ground floor retail elements of the project, together with the expanded plaza area, will be compatible with pedestrian and cyclist use. In addition, the project substantially complies with Subchapter E, supports affordable housing initiatives, helps sustain the usability of a historic structure, preserves on-site trees, treats untreated, off-site stormwater, provides funding for off-site pedestrian improvements to be utilized by area residents and park users, creates a new public "storefront" for the Parks and Recreation Department and creates both a sustainable and architecturally interesting building, without any visible on-site parking from outside the project. The mixed-use project is designed to be compatible with private and public surrounding land uses.</p> | <p><b>ZNA Note</b></p> <ul style="list-style-type: none"> <li>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 building 35 feet from 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.</li> <li>Besides the Waterfront Overlay, ZNA's Vertical Mixed Use proposal, which was approved and praised by the Planning Commission and the City Council, governs both parcels in this case. The west parcel, fronting on S. Lamar, was opted into VMU with dimensional standards, affordability, and 60% parking reduction. From what we have seen so far, this PUD rejects the VMU options. The east parcel, on Lee Barton in front of the Paggi House, was specifically opted out of VMU because of our desire to protect the historic Paggi House, its trees, and its connection to the waterfront and the adjacent public green spaces.</li> <li>Finally, the objective of the PUD ordinance is to "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 even to nearby projects built before those standards were written into the Code.</li> </ul> |
| <p>2. 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.</p> | <p>The project preserves the natural environment by saving a number of trees along Riverside Drive and Lee Barton Drive that would otherwise be lost. Additionally, the project showcases sustainable design features such as rain gardens, native planting, rain water harvesting and bio-swale systems in a public space with educational signage for green building features, and such water quality treatment extends to the capture and treatment of untreated off-site stormwater.</p> <ul style="list-style-type: none"> <li>The project will create high quality development by utilizing innovative design and high quality construction. The building will be a concrete and steel structure instead of wood framing that is typically</li> </ul>                                                                                                                                                                                                                                                                                                                                                 | <ul style="list-style-type: none"> <li>Under existing standards, the trees along Riverside and Lee Barton would not be lost. Current developments on South Lamar design their projects, from the beginning, around the existing trees. They come to ZNA with a tree plan showing the major trees that the building will be designed around and estimates of the number and size of trees that will have to be replaced and where they are likely to be located. The WO provides bonus density and/or height for preserving trees. These can, and should be preserved under existing zoning—there is nothing that would prevent this; in fact, it is enabled and incented under the WO.</li> <li>Ditto for green building standards, including actual rain gardens (which don't seem to be working very well where they have already been installed), native plants, rainwater harvesting, and innovative stormwater systems. We are exceedingly underwhelmed by the offer of "educational signage" in this regard.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

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|  | <p>used for apartment buildings in this area. The building will contain three levels of below grade parking, together with at-grade parking to support the retail areas that are sheltered from view by those retail areas, eliminating the visual presence of a parking garage from all sides of the building. The architectural design utilizes a multifaceted concept that steps down in height from west to east. The building steps back from Riverside Drive creating an extension of the pedestrian friendly green space of the hike and bike trail across Riverside Drive into a landscaped pedestrian-oriented plaza open to the public at all times. This feature is of particular importance in offering a link between the two major cultural institutions on either side of the project, Zach Scott Theater and the Long Center for the Performing Arts. The project creates a distinct corner at Riverside Drive and South Lamar Boulevard that will complement and enhance the Zach Scott Theater as a gateway to the area south of Lady Bird Lake.</p> <ul style="list-style-type: none"> <li>Given the location of the project, adequate public facilities and services are generally found in the area. Additionally, the project will provide needed retail and restaurant space, and rent free space for the City of Austin Parks and Recreation Department for utilization as a "storefront". The ground floor retail and restaurant space will function as indoor/outdoor space and will work in conjunction with a vibrant public plaza that encourages pedestrian activity. The retail and restaurant space will function harmoniously with the Zach Scott Theater, and will allow for a northward continuation of a retail presence from the current retail space located on the ground floor of the Bridges mixed-use project on the sites southern boundary to the intersection of Riverside Drive and South Lamar Boulevard, and then in an easterly direction along Riverside Drive to Lee Barton Drive.</li> </ul> | <ul style="list-style-type: none"> <li>Steel structure is required of buildings over 75 feet in height. This is not an option. It also increases construction costs enormously, reducing the affordability and economic viability of the building.</li> <li>Structurally shielded ground level parking is required by the WO. It is not an option. The "innovative design" description, especially the hidden parking garage, sounds very much like what ZNA was promised during the rezoning case for the Post project at 1500 S. Lamar, about 10 years ago, before the current commercial design standards or VMU took effect. That project was completed a few weeks ago. Post can and should meet the same design standards within the WO.</li> <li>The Waterfront Overlay sets design standards that must be followed by any project in the overlay. The "storefront" is required by the WO at 60% partially see-through glass—so the facade on commercial first floor is a requirement, not an option.</li> <li>By this design, (as described by the Austin Business Journal) the open space is enclosed by the building, and therefore is not accessible to the public.</li> <li>Much of the existing ground level open green space will be replaced by the building footprint. This will significantly reduce the previous cover for natural ground-level water filtration.</li> <li>The rain gardens are not clearly defined, nor how they will be properly maintained for maximum effectiveness.</li> <li>"Front door" to the park: To be precise, this site is across the street from the Pflugger Bridge. To reach this "front door," walkers and cyclists leaving the trail area must navigate the intersection with the highest traffic counts (&gt; 50,000) of any arterial in the entire city, an arterial to which this project proposes to add about 250 cars, not including the commercial parking. From what we have seen so far, every car associated with this project will come into conflict with walkers and cyclists trying to use the park and trail system. A 96-foot high visual barrier will not help. The PUD proposes no solution to the fundamental problems at this intersection.</li> <li>Are they really suggesting that reducing the height of the east side of the building (to a level that is still 10 feet above the maximum) will extend the pedestrian-friendly parkland and trail across five lanes of traffic and through the building to an interior plaza? Really? Or is "landscaped pedestrian-oriented plaza" a reference to the Zachary Scott entrance, and the proposal is describing a visual link between the theater plaza, the theater's widely despised 75-foot fly tower, and the PUD's 75-foot wall of condos on Lee Barton. Really?</li> <li>What does "distinct corner" mean? The sidewalk improvements required under the existing VMU and commercial</li> </ul> |
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| <p>3. 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: a. A detention or filtration area is excluded from the calculation unless it is designed and maintained as an amenity, and b. The required percentage of open space may be reduced for urban property with characteristics that make open space infeasible if other community benefits are provided.</p> | <ul style="list-style-type: none"> <li>▪ The proposed off-site improvements include additional sidewalks along Lee Barton Drive and Riverside Drive, as well as street crossing facilities that will help provide safe pedestrian connectivity to and from City of Austin parkland.</li> <li>▪ This project will include City of Austin bike share facilities in the public plaza area, as well as enhanced bike parking for retail users of the Project.</li> <li>▪ See additional notes referenced in this chart for other terms described herein.</li> </ul> | <p>design standards will accomplish that. What we need at this corner is a plan for reducing conflicts between pedestrians trying to cross S. Lamar, cars trying to use the Lamar Bridge, cars entering and exiting the parking garages in this block, and buses that need to pick up and drop off pedestrians who are unable to cross the street to get to the bus stops</p> <ul style="list-style-type: none"> <li>▪ Public facilities and services are not adequate to serve the exploding population in this area. Sidewalk and crosswalk connections, bus service, and traffic management are miserable (see item above)</li> <li>▪ This is across the street from Restaurant Row. It does not need more restaurants (although a proposal to expand the historic Paggi House to Riverside, with a Zilker-style Tavern on the Green, would be welcome). The retail space is already required under the existing zoning and VMU overlay, and the PUD offers nothing better.</li> <li>▪ Other developers have offered money to the parks department in return for increased entitlements (most recently the Pico PUD on Barton Springs Road), and the offers have always been rejected as illegal under state law. How is this rent-free deal different?</li> <li>▪ Likewise, off-site improvements like sidewalks have been rejected for other projects. Private developers can build them but they must be reimbursed. How is this different?</li> <li>▪ Bike parking provisions in the Code are currently being revised. Does this PUD meet or exceed the proposed changes to the Code?</li> <li>▪ <u>The vibrant public plaza needs to be more clearly defined, including the public access, size, location, security, seating, allowed public uses, and restroom facilities.</u></li> </ul> |
| <p>3. 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: a. A detention or filtration area is excluded from the calculation unless it is designed and maintained as an amenity, and b. The required percentage of open space may be reduced for urban property with characteristics that make open space infeasible if other community benefits are provided.</p> | <p>The PUD is required to provide 5,164 square feet of open space to meet the Tier 1 PUD requirement of 10% of residential space and 20% of nonresidential space. The PUD will provide a minimum of 14,000 square feet of open space.</p>                                                                                                                                                                                                                                                                                                                       | <p><u>Much of the existing ground level open green space will be replaced by the building footprint. This will significantly reduce the pervious cover for natural ground-level water filtration.</u></p> <p><u>The rain gardens are not clearly defined and how they will be properly maintained for maximum effectiveness.</u></p> <p>Where is this open space? According to the Tier II 1 description, 12,000 square feet of the "open space" is private and above the ground floor (in private balconies, for instance). The proposed 3000 square feet does not meet the requirement for ground-floor public space (at least 70% of the requirement must be on the ground floor).</p> <p>a. Zach Scott provided a detention-filtration area in connection with the new theater. Post could provide something similar on the non-VMU parcel to enhance the green space surrounding the Paggi House.</p> <p>b. This project is not subject to the parkland dedication fee. Other</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

**Zilker Neighborhood Association**  
**Notes on Post PUD Application, March 9, 2013**

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| <p>4. Comply with the City's Planned Unit Development Green Building Program.</p>                                                                                                                                     | <p>The project will comply with the City's Green Building Program at a 3-Star Level (Note: Staff has interpreted the base standard for this Tier I item to be participation in the City's Green Building Program at a 2-Star Level).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p>projects are paying huge parkland fees and also providing substantial open space onsite under VMU and commercial design standards. This PUD does not meet current standards for South Lamar projects.</p> <p><u>The public needs to know specifically how the project will comply with the City's Green Building Program at a 3-Star Level.</u></p> <p>This is standard practice on S. Lamar (see item 2)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>5. Be consistent with the applicable neighborhood plans, neighborhood conservation combining distinct regulations, historic area and landmark regulations and compatible with adjacent property and land uses.</p> | <ul style="list-style-type: none"> <li>The project is in compliance with all aspects of the Waterfront Overlay other than height, and the project does not exceed the Butler Shores Subdistrict maximum height limit.</li> <li>The design of the project respects the historic Paggi House on its southern border, the adjacent Bridges project on its southern border, and the parkland across Lee Barton Drive to the east of the project, by having the "U" opening towards the historic property and Bridges project, including a step down in height as it approaches the southeast property line and by eliminating the view of any parking within the project from neighboring areas. The project further supports the historic Paggi House by providing all necessary parking for Paggi House uses in the project's parking garage.</li> <li>The project is within the South Lamar Combined Neighborhood Planning Area, a neighborhood plan has not been adopted for this area.</li> <li>The uses and design of the project are compatible with the Zach Scott Theatre located across South Lamar Boulevard by providing a significant stepback from Riverside Drive (thereby preserving a view corridor to Lady Bird Lake from the outdoor patio on the second floor of the Zach Scott Theatre) and by providing retail and restaurant uses that will be utilized by patrons of the Zach Scott Theatre.</li> <li>The owner will provide water quality controls superior to those otherwise required by Code through the use of rain</li> </ul> | <ul style="list-style-type: none"> <li>The PUD is not consistent with the ZNA VMU plan.</li> <li><u>The location is a unique corridor view that cannot be replaced. No other south entrance into Downtown has this view of Town Lake.</u></li> <li>The max height in the Butler Shores subdistrict is 60 feet.</li> <li>The PUD does not respect the historic Paggi House or previous agreements with the adjacent Bridges project. ZNA does not have access to the agreements regarding protection of the Paggi House, but during construction of the Bridges, there was great concern about damage caused by excavation. The PUD proposes to cut off the Paggi House from Riverside and the river.</li> <li>The "view corridor" from the second floor of Zach Scott is blocked by the existing 60-foot Bridges building. The height of the PUD building on Riverside will not change that.</li> <li>The PUD does not make it possible for theater patrons to cross South Lamar.</li> <li>Staff note 21 suggests that the PUD has requested Alternative Equivalent Compliance for subchapter E Design Standards and Mixed Use. Based on what ZNA has seen, the alternatives are not equivalent to the standards enforced at other VMU projects on South Lamar.</li> </ul> |
| <p>6. Provide for environmental preservation and protection relating to air quality, water quality, trees, buffer zones and greenbelt areas, critical</p>                                                             | <p>Where are the specific details for the rain gardens and rooftop rainwater collection design?</p> <p><u>Eight existing trees will be removed according to the plans, and</u></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p>Where are the specific details for the rain gardens and rooftop rainwater collection design?</p> <p><u>Eight existing trees will be removed according to the plans, and</u></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

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| environmental features, soils, waterways, topography and the natural and traditional character of the land.                                                                     | gardens, rooftop rainwater collection and other innovative water quality techniques. The rain gardens and rooftop rainwater collection design exceed the Code requirements (via capturing and treating off-site stormwater) and utilize the designs that meet "best practices".<br>The project will also preserve several trees onsite via additional setbacks that would not be saved with a project developed under the standard Code regulations.<br>Given the project's location, adequate school, fire protection, emergency service and police facilities exist to support the project.<br>The project will provide 1,000 square feet of usable retail space within the project for use by the City of Austin Parks and Recreation Department to serve as a "public store-front" for their special events office or other retail uses as determined by the Department.                                                                             | <u>there will be less space available for green space on the ground floor.</u><br>None of these appear to be superior to current projects on S. Lamar (see item 2).<br>The PUD is not providing "additional" setbacks. The PUD is requesting zero setbacks and then offering to restore the required setbacks in limited areas.                                                                                                                                                                                                  |
| 7. Provide for public facilities and services that are adequate to support the proposed development including school, fire protection, emergency service and police facilities. | The PUD will exceed the minimum landscaping requirements of the Code and require the utilization of native and adaptive species and non-invasive plants per the Grow Green Program. - 100% of all landscape planting on site will be those designated by the City of Austin Grow Green Native and adapted Plant Guide (Note: 90% is required under base regulations); - 100% of the 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) (Note: 50% of all required landscaping is required to be irrigated in this manner - or be drought resistant species - under the base regulations.); and - An Integrated Pest Management program will be implemented following the guidelines developed by the Grow Green Program in order to limit the use of pesticides on site (Note: this is not a requirement under the base regulations). | Traffic backed up on the Lamar Bridge is a significant public safety and emergency response problem at this site. The PUD does not address its contribution to that problem.<br>See also item 2.<br><u>Where in the project will this space be provided? The first floor would be most accessible to the public.</u><br><u>Free public parking should be provided in the on-site parking garage on the first floor.</u>                                                                                                          |
| 8. Exceed the minimum landscaping requirements of the City Code.                                                                                                                | The project will be located along the City's                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <u>It's important to remember that ground-level green space will be reduced by the project.</u><br><br><u>The public needs to know the specific details for the size and location of rain gardens and rain harvesting equipment.</u><br>The streetscape dimensions, trees, and other plantings appear to be reduced from those provided in other site plans that ZNA has reviewed for South Lamar projects.<br>The choice of species and irrigation are trivial compared with the overall reduction in landscape and open space. |
| 9. Provide for appropriate transportation and mass                                                                                                                              | The project will be located along the City's                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | The bus stop locations must be confirmed with Capital                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

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| transit connections to areas adjacent to the PUD district and mitigation of adverse cumulative transportation impacts with sidewalks, trails and roadways.   | new bus rapid transit route, and within easy walking distance of bus stops for that new route as well as normal bus service (Note: two existing Cap Metro bus routes are on the same block as the project). Additionally, the most recent proposed new rail routes in the area show a rail route extending along Barton Springs Road and within easy walking distance of the project.<br><ul style="list-style-type: none"> <li>The PUD proposes enhancing sidewalks and pedestrian connectivity both on-site and off-site. Such proposed off-site improvements include funding for a connecting side walk to the south (connecting to a sidewalk on the eastern edge of the Bridges project), a sidewalk connecting the southeast corner of Lee Barton Drive and Riverside Drive with the sidewalk east of the railroad overpass on Riverside Drive and a safe pedestrian crossing at Lee Barton Drive (crossing Lee Barton Drive at Riverside Drive).</li> <li>Two charging stations for electric vehicles will be provided in the parking garage.</li> </ul> No gated roadways will be permitted within the PUD (Note: The parking areas within the project to be utilized by residents may be gated.) | <p>Metro. ZNA's information is that the rapid transit buses will have only 3 stops in the 5 miles from Riverside to Ben White, and a stop is not planned north of Barton Springs Road. The rapid transit buses are scheduled to replace the #3 bus route, so there will likely be only one route stopping north of Barton Springs Road, the 338, which does not go downtown or to UT. This PUD must include a plan to provide transit service appropriate to the increased density.</p> <ul style="list-style-type: none"> <li>The suggestion that a rail line might be added to Barton Springs Road is ludicrous. The most recent rail proposals do not include lines south of the river.</li> <li>The proposed pedestrian improvements do not address the need for a traffic light and pedestrian crossing at Toomey and the difficulty of crossing South Lamar to reach bus stops.</li> <li>Lee Barton should be reconfigured to handle parking garage traffic. Staff note 7 mentions that egress will not be permitted on South Lamar. The PUD does not address the issue of conflicts at parking garage driveways on either S. Lamar or Lee Barton.</li> <li><u>The public should be allowed to use the electric car charging parking spaces.</u></li> </ul> |
| 10. Prohibit gates roadways                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 11. Protect, enhance and preserve the areas that include structures or sites that are of architectural, historical, archaeological or cultural significance. | <ul style="list-style-type: none"> <li>The project has been designed to reduce building mass close to the Paggi House, and to incorporate height step downs (below what could be built under current zoning requirements) at the southeastern edge of the project (closest to the Paggi House). This will allow the Paggi House to be visible from a greater area to the north and east, including the Lady Bird Lake waterfront and Butler Pitch and Putt course.</li> <li>The project will permanently provide code required parking for the Paggi House property in the project parking garage. As long as the Paggi House remains a restaurant, the number of parking spaces provided in the new parking structure will be 40% greater than the on-site parking spaces currently provided. If the Paggi</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                    | <p>The building design increases the building mass on Riverside Drive and Lee Barton beyond the WO height limit and blocks much of the unique Lady Bird Lake waterfront view from the Paggi House.</p> <p>See also item 5.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

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|                                                                                                                                                                                                                                                                  | House changes its use in the future the project shall still be required to park such use in the project parking garage at City Code parking levels.<br>The project design will relocate elevator access to the Paggi House from its present location on the northwest side of the Paggi House to a new, more accessible location at the northeast corner of the Paggi House property.                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
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| 12. Include at least 10 acres of land, unless the property is characterized by special circumstances, including unique topographic constraints.                                                                                                                  | The property is characterized by special circumstances. The PUD is surrounded by public roadways on three sides (including two Core Transit Corridor roadways) and with parkland adjacent to two of those roadways. The project is also located within the City of Austin Waterfront Overlay area. At this time, the only viable way to achieve the additional desired height, together with the adjacent setbacks from those roadways, is through the PUD process. | <ul style="list-style-type: none"> <li>There are probably thousands of commercial properties of similar size in the city with public roadways on three sides. The Waterfront Overlay places no restrictions on the proposed land uses. Therefore there are no special conditions on the site other than the applicant's desire to exploit its location adjacent to Auditorium Shores and Lady Bird Lake to gain additional height, density, and market value.</li> <li>In 1986 the citizens of Austin codified the Waterfront Overlay to deal with the special circumstances of waterfront properties, specifically to prevent the construction of tall buildings too close to the riverbank. The special circumstances claimed here are addressed in the Waterfront Overlay. The maximum height allowed in this subdistrict of the WO is 60 feet. That is not a special circumstance confined to this property. A desire to bypass city code is not a legitimate reason to pursue a PUD.</li> </ul> |
| Tier I - Additional PUD Requirements for a mixed use development                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 1. Comply with Chapter 25-2, Subchapter E (Design Standards and Mixed Use)                                                                                                                                                                                       | Applicant Note                                                                                                                                                                                                                                                                                                                                                                                                                                                      | ZNA Note                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|                                                                                                                                                                                                                                                                  | The PUD substantially complies with the Commercial Design Standards and intends to seek alternative equivalent compliance to obtain full compliance. Note: Generally, the need to request alternative equivalent compliance is to allow the unique design of the project, including the enhanced public plaza area.<br>As required by Chapter 25-2, Subchapter E, the project complies with Core Transit Corridor requirements.                                     | Based on what ZNA has seen, the alternatives are not equivalent to the standards enforced at other VMU projects on South Lamar. The streetscape and public plaza dimensions, public access, trees, and open space appear to be much reduced from those provided in other site plans that ZNA has reviewed for South Lamar projects.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 2. Inside the Urban Roadway boundary depicted in Figure 2, Subchapter E, Chapter 25-2 (Design Standards and Mixed Use), comply with the sidewalk standards in Section 2.2.2, Subchapter E, Chapter 25-2 (Core Transit Corridor Sidewalk and Building Placement). |                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Same as above.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 3. Contain pedestrian oriented uses as defined in Section 25-2-691(C) (Waterfront Overlay District Uses) on the first floor of a multi-story commercial or mixed use building.                                                                                   | The project contains pedestrian-oriented uses on all three street frontage sides totaling 75% of the cumulative frontage of those sides (excluding driveway openings                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

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| <b>Tier II - PUD Requirements</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <p>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.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p><b>Applicant Note</b></p> <p>The Gross Site Area for the project is 40,641 square feet with a maximum 11,000 square feet of nonresidential space. By providing open space equal to 10% of the 29,641 square feet of residential space and 20% open space for the 11,000 square feet of commercial space, the total required amount of open space to meet the Tier I requirement is 5,164 square feet and the total required amount of open space to meet the Tier II requirement is 5,681 square feet. The PUD is providing a minimum of 14,000 square feet of open space (3,000 square feet public and 11,000 square feet private).</p> <ul style="list-style-type: none"> <li>• This PUD will not request any exceptions or modifications of environmental regulations.</li> <li>• The project will provide water quality controls sufficient to meet the elevated Tier II standards identified in subpart "d" through the use of rain gardens and bio-filtration areas.</li> <li>• The project prohibits uses that may contribute to air and water quality pollutants (e.g., Automotive Repair Services, Automotive Washing, Kennels and Service Stations). Such uses are presently allowed on the site pursuant to existing zoning and other regulations.</li> </ul> | <p><b>ZNA Note</b></p> <p><u>The plan needs to provide the number of square feet of rain garden, rain water collection areas, vegetative filter strips, and bio-filtration.</u></p> <p>At least 70% of this open space requirement must be public space on the ground floor. In this case that would be 3,977 square feet. The PUD is providing only 3,000 square feet of public space, and much of that appears to be located in public right-of-way.</p>                                         |
| <p>2. Environment: a. Does not request exceptions to or modifications of environmental regulations. b. Provides water quality controls superior to those otherwise required by code. c. Uses innovative water quality controls that treat at least 25% additional water quality volume and provide 20% greater pollutant removal, in addition to the minimum water quality volume required by code. d. Provide water quality treatment for currently untreated, undeveloped off-site areas with a drainage area of at least 25% of the subject tract. e. Reduces impervious cover or single-family density by 5% below the maximum otherwise allowed by code or include off-site measures that lower overall impervious cover within the same watershed by five percent below that allowed by code. f. Provide minimum 50-foot setback for unclassified waterways with a drainage area of five acres or greater. g. Provides at least a 50% increase in the minimum waterway and critical environmental feature setbacks required by code. h. Clusters impervious cover and distributed areas in a manner that preserves the most environmentally sensitive areas of the site that are not otherwise protected. i. Provides pervious paving for at least 50% or more of all paved areas in non-aquifer recharge areas. j. Prohibits uses that may</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>e. What is the difference in impervious cover? It appears to be a net increase.</p> <p>f. What are the setbacks from the adjacent waterways?</p> <p>g. Does the PUD meet the Code's minimum waterway and critical environmental feature setbacks?</p> <p>j. Under VMU, WO, and state regulations, service stations are not allowed on the site. Existing businesses may be grandfathered, but new uses would not be allowed. We do not need a PUD here to prevent its use as a gas station.</p> |

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| contribute to air or water quality pollutants. k. Employ other creative or innovative measures.                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                     |
| 3. Austin Green Builder Program – Provides a rating under the Austin Green Builder program of three stars or above.                                                                                                                                                  | The project will meet the Austin 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.                                               | The project will provide art approved by the Art In Public Places Program on-site.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                     |
| 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> ). | The PUD is subject to, and will comply with, the requirements in Chapter 25-2, Subchapter E (Design Standards and Mixed Use).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Drenner indicated that the PUD is not subject to VMU standards either. Does subchapter E differ from VMU standards?                 |
| 6. Community Amenities –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.                                              | <ul style="list-style-type: none"> <li>The PUD will provide that neighborhood associations and other area non-profits shall have the right to utilize the approximately 250 square foot community meeting space within the project on a reservation basis, and subject to reasonable rules and regulations.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <ul style="list-style-type: none"> <li>The space should be on the first floor and free public parking should be provided in the on-site parking lot.</li> <li>Is this in addition to meeting and office space used by the condo association?</li> <li>Several public and private buildings in the area already provide this service, including the Twin Oaks Library, Austin Elks Club, Mary Lee Foundation, and numerous restaurants—none of which asked for or received any additional zoning entitlements. Also this offer was already used as a ploy to gain PUD entitlements at the nearby 801 Barton Springs Road. So it seems there's no shortage of public meeting space in the area.</li> </ul> |                                                                                                                                     |
| 7. Transportation – Provides bicycle facilities that connect to existing or planned bicycle routes or provides other multimodal transportation features not required by code.                                                                                        | <ul style="list-style-type: none"> <li>The project will provide bicycle parking for retail patrons, as well as its residents, at above-Code levels. Additionally, the PUD will allow for the placement of a public "bike share kiosk" at a location mutually acceptable to the City of Austin and the applicant in the project's public plaza area or in the planting or supplemental zone of adjacent streets.</li> <li>The project will provide two public dedicated spaces for electric vehicle charging within the project parking garage.</li> <li>The project will provide funding for off-site pedestrian improvements along Lee Barton Drive and Riverside Drive (including sidewalks and a crosswalk) to increase the walking connectivity in the general area of the site.</li> </ul> | <ul style="list-style-type: none"> <li>Bike parking provisions in the Code are currently being revised. Does this PUD meet or exceed the proposed changes to the Code?</li> <li>See Tier 1 items 2 and 9</li> <li><u>Free public showers for bicyclists should be provided.</u></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                     |
| 8. Building Design – Exceed the minimum points required by the Building Design Options of Section                                                                                                                                                                    | The project is required to have 1 point (Required Base Point) as listed on the City                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | In the PUD notes, 5 of the 8 design options appeared to be design elements already required (not optional) under VMU and the city's |

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| 3.3.2 of Chapter 25-2, Subchapter E (Design Standards and Mixed Use)                                                                                                                                                                                                            | of Austin Building Design Calculation Worksheet. The project will obtain a minimum of 13 points by providing a variety of design options.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | commercial design standards. We need to know more about the "distinct" roof and the "sustainable" roof.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 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) (Waterfront Overlay District Uses) in ground floor spaces. | <ul style="list-style-type: none"> <li>There is no above grade structured parking and no parking for the project that is visible to the public.</li> <li>The cumulative amount of pedestrian-oriented uses along the total street frontages of the project (excluding areas not typically included as "frontage" in such calculations) shall exceed 75%.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 10. Affordable Housing -Provides for affordable housing or participation in programs to achieve affordable housing.                                                                                                                                                             | <p>The project will participate in the affordable housing options pursuant to the PUD ordinance. Note: for these purposes, the applicant has assumed, and this PUD is expressly subject to, the interpretation of the PUD ordinance that all affordable housing options will be calculated on the delta between the FAR that the applicant proposes to need for the project and the FAR that could be achieved pursuant to existing zoning and existing applicable site development regulations, including section 25-2-714 of the Land Development Code (Additional Floor Area). Such participation will be provided by either providing on-site units or by paying a fee-in-lieu (calculated consistent with the assumptions above).</p> <p>The project has been designed to reduce building mass close to the Paggi House, and to incorporate height step downs (below what could be built under current zoning requirements) at the southeastern edge of the project (closest to the Paggi House). This will allow the Paggi House to be visible from a greater area to the north and east, including the Lady Bird Lake waterfront and Butler Pitch and Putt course.</p> <p>The project will permanently provide code required parking for the Paggi House property in the project parking garage. As long as the Paggi House remains a restaurant, the number of parking spaces provided in the new parking structure will be 40% greater than the on-site parking</p> | <p>Post is proposing to cheat Austin and Zilker out of the 10% at 60% affordability standard required under the VMU overlay. Allowing this project to calculate the affordable units on the delta, in stark violation of the code, will result in a substantially reduced contribution to affordability. The developer of a smaller condo project a couple of blocks to the west committed to provide \$500,000 toward affordable housing in the Zilker Neighborhood in 2007, in an effort to meet VMU standards before the Post ordinance took effect. The comparable contribution from the Post PUD, based on square feet, would be about \$1.5 million, but Post appears to be trying to get away with \$400,000 or less.</p> |
| 11. Historic Preservation -Preserves historic structures, landmarks, or other features to a degree exceeding applicable legal requirements.                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | See Tier I items 5 and 11.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

**Zilker Neighborhood Association**  
**Notes on Post PUD Application, March 9, 2013**

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|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
|                                                                                                                                                                                                                      | spaces currently provided. If the Paggi House changes its use in the future the project shall still be required to park such use in the project parking garage at City Code parking levels.<br>The project design will relocate elevator access to the Paggi House from its present location on the northwest side of the Paggi House to a new, more accessible location at the northeast corner of the Paggi House property. |                                                      |
| 12. Accessibility – Provides for accessibility for persons with disabilities to a degree exceeding applicable legal requirements.                                                                                    | The project will provide 2.5% of the units to be available for persons with disabilities.<br>Note: This represents a 25% increase above code requirements. Additionally, the applicant shall be required to move the elevator presently serving persons with disabilities who desire access to the adjacent Paggi House to a new, more accessible location.                                                                   | See item 10 on affordability.                        |
| 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. | The proposed PUD 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.                                                                                                                                                                                                                    | Is the Paggi House eligible for this rent reduction? |

