

211 S. Lamar PUD
Tier 1 & Tier 2 Compliance

Tier I Requirement	Compliance	Superiority	PUD Note
1. Meet the objectives of the City Code.	Yes.	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.	See notes described below, especially the following: 3, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 34, 35, 36 and 37.
2. Provide for development standards that achieve equal or greater consistency with the goals in Section 1.1 than the development under the Land Development Code.	Yes.	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	NOTE 19. THE PROJECT WILL INCORPORATE GROUND FLOOR STRUCTURED PARKING THAT IS SCREENED FROM PUBLIC VIEW ON THE SOUTH LAMAR BOULEVARD EDGE, THE RIVERSIDE DRIVE EDGE AND THE LEE BARTON DRIVE EDGE. NO PARKING SHALL BE PROVIDED ABOVE GRADE OTHER THAN SUCH GROUND

Exhibit B

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		treatment of untreated off-site stormwater. ▪ 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 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 multi-face 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. ▪ Given the location of the project, adequate public facilities and services are generally found in the	FLOOR PARKING. ALL ADDITIONAL PARKING SHALL BE PROVIDED BELOW GRADE. INTERIOR GROUND FLOOR PARKING SPACES WILL NOT BE VISIBLE FROM THE ADJACENT PROJECT ON THE SOUTHERN BOUNDARY OF THE PROJECT.
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		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. ▪ 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. ▪ 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. ▪ See additional notes referenced in this chart for other terms described herein.
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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 characteristic that make open space infeasible if other community benefits are provided.	Yes.	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.	NOTE 37. THE MINIMUM AMOUNT OF OPEN SPACE WITHIN THE PROJECT SHALL BE 14,000 SQUARE FEET. A MINIMUM OF 3,000 SQUARE FEET OF PUBLIC OPEN SPACE SHALL BE PROVIDED ON THE GROUND FLOOR OF THE PROJECT. A MINIMUM OF 11,000 SQUARE FEET OF PRIVATE OR PUBLIC OPEN SPACE SHALL BE PROVIDED ON LEVELS ABOVE THE GROUND FLOOR. DECKS, BALCONIES, PATIOS AND WATER QUALITY FACILITIES SUCH AS RAIN GARDENS, RAIN WATER COLLECTION AREAS, VEGETATIVE FILTER STRIPS, AND POROUS PAVEMENT FOR PEDESTRIAN USE LOCATED ON EITHER THE GROUND FLOOR OR UPPER FLOORS SHALL BE PERMITTED TO BE INCLUDED IN THE CALCULATION OF OPEN SPACE AS LONG AS ANY SUCH AREAS ARE AT LEAST 5 FEET IN WIDTH.
4. Comply with the City's Planned Unit Development Green Building Program.	Yes.	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 1 item to be participation in the City's Green Building	NOTE 3. THIS PLANNED UNIT DEVELOPMENT WILL COMPLY WITH THE CITY OF AUSTIN GREEN BUILDING COMMERCIAL

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		Program at a 2-Star Level).	PROGRAM WITH A (MINIMUM) THREE-STAR RATING.
5. Be consistent with the applicable neighborhood plans, conservation district regulations, historic area and landmark regulations and compatible with adjacent property and land uses.	Yes	• 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. • 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. • The project is within the South Lamar Combined Neighborhood Planning Area, a neighborhood plan has not been adopted for this area. • 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.	<u>NOTE 4.</u> THIS SITE IS WITHIN THE SOUTH LAMAR COMBINED NEIGHBORHOOD PLANNING AREA. <u>NOTE 19.</u> THE PROJECT WILL INCORPORATE GROUND FLOOR STRUCTURED PARKING THAT IS SCREENED FROM PUBLIC VIEW ON THE SOUTH LAMAR BOULEVARD EDGE, THE RIVERSIDE DRIVE EDGE AND THE LEE BARTON DRIVE EDGE. NO PARKING SHALL BE PROVIDED ABOVE GRADE OTHER THAN SUCH GROUND FLOOR PARKING. ALL ADDITIONAL PARKING SHALL BE PROVIDED BELOW GRADE. INTERIOR GROUND FLOOR PARKING SPACES WILL NOT BE VISIBLE FROM THE ADJACENT PROJECT ON THE SOUTHERN BOUNDARY OF THE PROJECT. <u>NOTE 21.</u> THE PLANNED UNIT DEVELOPMENT AS APPROVED SHALL MEET ALTERNATIVE EQUIVALENT COMPLIANCE STANDARDS FOR THE FOLLOWING PROVISIONS OF

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			LAND DEVELOPMENT CODE SUBCHAPTER E (DESIGN STANDARDS AND MIXED USE); SIDEWALK ZONES (PLANTING & CLEAR) INCLUDING TREE SPACING (\$2.2.2.B); SUPPLEMENTAL ZONE WIDTH (\$2.2.2.C.1); GENERAL BUILDING PLACEMENT (\$2.2.2.D.1); CONTINUOUS SHADED SIDEWALK (\$2.2.3.E.3); CONNECTIVITY (\$2.3); PARKING REDUCTIONS (\$2.4); PRIVATE COMMON OPEN SPACE AND PEDESTRIAN AMENITIES (\$2.7.3.C & D). NOTE 22. THE PROJECT WILL UTILIZE A "U-SHAPED" DESIGN WITH THE OPEN PORTION OF THE "U" FACING IN A SOUTHERLY DIRECTION. THE OPEN PORTION OF THE "U" WILL BE ON THE SECOND LEVEL OF THE ABOVE-GRADE STRUCTURE AND WILL BE A PRIVATE COURTYARD AND AMENITY DECK. THE PROJECT WILL HAVE THREE BUILDING BLOCKS DESCRIBED AS FOLLOWS: A. THE FIRST BUILDING BLOCK WILL HAVE A MAXIMUM HEIGHT OF 96 FEET AND WILL BE SITUATED ALONG
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		THE ENTIRE LENGTH OF THE PROJECT'S SOUTH LAMAR BOULEVARD EDGE AND ALONG THE PROJECT'S RIVERSIDE DRIVE EDGE TO A POINT APPROXIMATELY 10 FEET (EXCLUDING BALCONIES) FROM THE SITE'S EASTERN PROPERTY LINE; B. THE SECOND BUILDING BLOCK WILL HAVE A MAXIMUM HEIGHT OF 78 FEET AND WILL BE SITUATED ALONG THE EASTERN PORTION OF THE PROJECT'S RIVERSIDE DRIVE EDGE AND WILL WRAP THE RIVERSIDE DRIVE/LEE BARTON DRIVE CORNER AND CONTINUE ON THE PROJECT'S LEE BARTON DRIVE EDGE TO A POINT APPROXIMATELY 40 FEET FROM THE SITE'S SOUTHERN PROPERTY LINE; AND C. THE THIRD BUILDING BLOCK WILL HAVE A MAXIMUM HEIGHT OF 35 FEET AND WILL BE SITUATED ALONG THE PROJECT'S LEE BARTON DRIVE EDGE BETWEEN THE SOUTHERN EDGE OF THE SECOND BUILDING BLOCK DESCRIBED ABOVE AND THE SITE'S SOUTHERN PROPERTY
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		LINE. NOTE 31. PARKING FOR THE ADJACENT HISTORIC PAGGI HOUSE SHALL BE PROVIDED IN THE PROJECT'S PARKING GARAGE. AS LONG AS THE PRIMARY USE FOR THE PAGGI HOUSE REMAINS A RESTAURANT USE, 38 PARKING SPACES FOR THE PAGGI HOUSE WILL BE PROVIDED IN THE PROJECT'S PARKING GARAGE. IF THE USE OF THE PAGGI HOUSE CHANGES, PARKING MEETING THEN CURRENT CODE PARKING REQUIREMENTS SHALL CONTINUE TO BE PROVIDED IN THE PROJECT'S PARKING GARAGE. NOTE 35. THE ELEVATOR CURRENTLY PROVIDING ACCESS TO THE PAGGI HOUSE FOR PERSONS WITH DISABILITIES SHALL BE RELOCATED TO A SITE ADJACENT TO LEE BARTON DRIVE. SUCH RELOCATION SHALL BE ACCOMPLISHED PRIOR TO THE START OF CONSTRUCTION OF THE PROJECT IF THE PAGGI HOUSE WILL CONTINUE TO OPERATE AS
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6. Provide for environmental preservation and protection relating to air quality, water quality, trees, buffer zones and greenbelt areas, critical environmental features, soils, waterways, topography and the natural and traditional character of the land.	Yes.	- The owner will provide water quality controls superior to those otherwise required by Code through the use of rain 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". - The project will also preserve several trees on-site via additional setbacks that would not be saved with a project developed under the standard Code regulations.	A RESTAURANT DURING CONSTRUCTION OF THE PROJECT, OR, IN THE ALTERNATIVE, IF THE PAGGI HOUSE WILL NOT OPERATE AS A RESTAURANT DURING CONSTRUCTION OF THE PROJECT, THE RELOCATION SHALL BE ACCOMPLISHED BEFORE THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY IS ISSUED FOR THE RESIDENTIAL PORTION OF THE PROJECT.
			<u>NOTE 25.</u> THE DEVELOPMENT SHALL MEET OR EXCEED ALL CURRENT LAND DEVELOPMENT CODE REQUIREMENTS WITH RESPECT TO ON-SITE WATER QUALITY TREATMENT AS REVIEWED AND APPROVED BY THE CITY OF AUSTIN AT THE TIME OF SITE DEVELOPMENT PERMIT APPLICATION. ADDITIONALLY, THE APPLICANT SHALL CONSTRUCT AND MAINTAIN IN PERPETUITY RAIN GARDENS, OR OTHER CITY OF AUSTIN APPROVED WATER QUALITY FACILITIES, ON OR ADJACENT TO SOUTH LAMAR BOULEVARD, OR ANOTHER LOCATION MUTUALLY AGREED UPON BY THE CITY AND THE OWNER, THAT PROVIDE WATER

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		QUALITY TREATMENT FOR CURRENTLY UNTREATED OFF-SITE AREAS WITH A MINIMUM DRAINAGE AREA OF 10,500 SF AND A MINIMUM 1,150 CF OF TREATMENT VOLUME WHICH IS AN AMOUNT GREATER THAN 25% OF THE PROJECT AREA. SHOULD THE WATER QUALITY FACILITIES TREATING OFF-SITE RUNOFF BE REMOVED BY THE CITY OF AUSTIN TO FACILITATE FUTURE IMPROVEMENTS IN THE SOUTH LAMAR BOULEVARD ROW INSTALLED BY OF THE CITY OF AUSTIN, THE OWNER OF THE SITE AT THAT TIME SHALL PROVIDE PAYMENT OF AN AMOUNT EQUAL TO 25% OF THE TOTAL FEE CALCULATED BASED ON THE CURRENT ENVIRONMENTAL CRITERIA MANAL'S APPENDIX T (REQUEST FOR FEE IN LIEU) AT THE TIME OF THIS PUD'S APPROVAL (\$_____). THE CALCULATED FEE SHALL BE BASED ON THE FULL BUILD OUT OF THE DEVELOPMENT WITHOUT REDEVELOPMENT CONSIDERATIONS AS PAYMENT INTO THE URBAN WATERSHEDS STRUCTURAL CONTROL FUND. SUCH PAYMENT SHALL BE
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		MADE BY THE LANDOWNER WITHIN 180 DAYS OF RECEIPT OF NOTICE FROM THE CITY OF AUSTIN FOLLOWING THE REMOVAL OF SAID WATER QUALITY FACILITIES. <u>NOTE 32.</u> THE PROJECT WILL PRESERVE TREES 1709, 1711, 1712, 3001, 3002, 3003, 3004, AND 3005 AS NOTED ON THE LAND USE PLAN. THE PROJECT WILL DEVELOP AND ADOPT A FORMAL TREE CARE PLAN AS PART OF THE SITE DEVELOPMENT PERMIT PROCESS. THE HALF-CRITICAL ROOT ZONES AS SHOWN ON THE LAND USE PLAN WILL REMAIN UNDISTURBED. THE PROJECT WILL DEVELOP AND ADOPT A FORMAL TREE CARE PLAN AS PART OF THE SITE DEVELOPMENT PERMIT PROCESS THAT INCORPORATES THE FOLLOWING PHASE PROTECTIONS, ALL OF WHICH SHALL BE DONE IN CONCERT WITH A CERTIFIED ARBORIST THAT HAS EXPERIENCE IN TRAVIS COUNTY, TEXAS: TREE
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7. Provide for public facilities and services that are adequate to support the proposed development including school, fire protection, emergency service and police facilities.	Yes.	- Given the project's location, adequate school, fire protection, emergency service and police facilities exist to support the project. - 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.	PRUNING AS NECESSARY TO REMOVE LIMBS EXTENDING INTO THE BUILDING ENVELOPE (BUT NOT TO EXCEED ¼ OF THE CANOPY), CHAINLINK FENCING AROUND THE HALF CRITICAL ROOT ZONE, USE OF AN AIR SPADE TO LOOSEN COMPACTED SOILS AND BACKFILLING WITH QUALITY TOPSOIL, USE OF MULCH AT THE BASE OF TREES, VITAMINS INJECTED INTO TREE TRUNKS, AND REGULAR WATERING AND WASHING OF TREE LEAVES.
			NOTE 23. AT LEAST 1,000 SQUARE FEET OF USABLE FIRST FLOOR RETAIL SPACE SHALL BE OFFERED TO THE AUSTIN PARKS AND RECREATION DEPARTMENT ("PARD") ON A "RENT-FREE" BASIS FOR USE BY PARD FOR A PUBLIC "STOREFRONT" OR RETAIL SPACE FOR A PERIOD OF 25 YEARS BEGINNING UPON THE DATE A CERTIFICATE OF OCCUPANCY IS ISSUED FOR THE RESIDENTIAL PORTION OF THE PROJECT. PARD SHALL BE RESPONSIBLE FOR ELECTRIC AND UTILITY CHARGES FOR THE SPACE FOR THE TERM PERIOD. ADDITIONALLY, FOR AS LONG AS

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8. Exceed the minimum landscaping requirements of the City Code.	Yes.	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).	THE SPACE IS UTILIZED BY PARD, THE OWNER SHALL PROVIDE TWO (2) ON-SITE PARKING SPACES IN THE GARAGE RESERVED FOR PARD USE BETWEEN 9:00 AM AND 5:00 PM ON WEEKDAYS.
		NOTE 15. 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 16. 100% OF ALL LANDSCAPE PLANTING ON SITE WILL BE THOSE DESIGNATED BY THE CITY OF AUSTIN GROW GREEN NATIVE AND ADAPTED PLANT GUIDE OR CITY OF AUSTIN RAIN GARDEN PLANT LIST. NOTE 17. 100% OF ALL LANDSCAPING ON SITE WILL BE IRRIGATED BY EITHER STORM WATER RUNOFF CONVEYED TO RAIN GARDENS OR THROUGH THE USE OF RAINWATER HARVESTING (OR A COMBINATION OF BOTH)	

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9. Provide for appropriate transportation and mass transit connections to areas adjacent to the PUD district and mitigation of adverse cumulative transportation impacts with sidewalks, trails and roadways.	Yes.	• The project will be located along the City's 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. • 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). • Two charging stations for electric vehicles will be provided in the parking garage.	PROVIDED, HOWEVER, THE APPLICANT SHALL HAVE THE RIGHT TO SUPPLEMENT SUCH LANDSCAPE IRRIGATION WITH POTABLE WATER, IF NECESSARY.
			NOTE 24. THE APPLICANT WILL PROVIDE FUNDING IN AN AMOUNT NOT TO EXCEED \$99,741 FOR PEDESTRIAN IMPROVEMENTS IN THE FOLLOWING LOCATIONS: A. A SIDEWALK ON LEE BARTON DRIVE FROM THE NORTHERN TERMINUS OF THE SIDEWALK ADJACENT TO THE BRIDGES CONDOMINIUM PROJECT TO THE SOUTHEASTERN EDGE OF THE SITE (SIDEWALK PRESUMED TO BE LOCATED WITHIN THE CURRENTLY PAVED PORTION OF LEE BARTON DRIVE); B. A SIDEWALK ALONG THE SOUTHERN EDGE OF RIVERSIDE DRIVE FROM THE CORNER OF LEE BARTON DRIVE AND RIVERSIDE DRIVE TO THE WESTERN TERMINUS OF THE EXISTING SIDEWALK ON THE SOUTHERN EDGE OF RIVERSIDE DRIVE LOCATED JUST EAST OF THE RAILROAD OVERPASS;

		C. CREATION OF A PEDESTRIAN CROSSWALK ACROSS LEE BARTON DRIVE AT THE INTERSECTION OF LEE BARTON DRIVE AND RIVERSIDE DRIVE. ALL SUCH IMPROVEMENTS MUST BE APPROVED BY THE CITY OF AUSTIN AND THE CITY OF AUSTIN WILL BE RESPONSIBLE FOR CONSTRUCTION OF SUCH IMPROVEMENTS. SUCH FUNDING SHALL BE PROVIDED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE RESIDENTIAL PORTION OF THE PROJECT. <u>NOTE 28.</u> THE PROJECT WILL PROVIDE TWO PUBLIC DEDICATED SPACES FOR ELECTRIC VEHICLE CHARGING WITHIN THE PROJECT'S PARKING GARAGE. SUCH ELECTRIC VEHICLE CHARGING SPACES WILL BE AVAILABLE FOR USE BY RESIDENTS OF THE PROJECT AND PATRONS OF THE RETAIL LEASE SPACE.
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10. Prohibit gates roadways	Yes.	No gated roadways will be permitted within the PUD (Note: The parking areas within the project to be utilized by residents may be gated.)	NOTE 12. NO GATED ROADWAYS WILL BE PERMITTED WITHIN THE PUD (HOWEVER RESIDENT PARKING AREAS MAY BE GATED).
11. Protect, enhance and preserve the areas that include structures or sites that are of architectural, historical, archaeological or cultural significance.	Yes.	- 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. - 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 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. - 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.	<u>NOTE 7.</u> DRIVEWAYS ALONG SOUTH LAMAR BOULEVARD AND LEE BARTON DRIVE WILL BE PERMITTED IN ACCORDANCE WITH THE SITE DEVELOPMENT PERMIT PROCESS CONFORMING TO APPLICABLE TRANSPORTATION CRITERIA MANUAL ORDINANCES, UNLESS WHERE SPECIFICALLY MODIFIED WITHIN THESE PUD NOTES; PROVIDED, HOWEVER EGRESS FROM THE PROJECT TO SOUTH LAMAR BOULEVARD SHALL NOT BE ALLOWED. <u>NOTE 22.</u> THE PROJECT WILL UTILIZE A "U-SHAPED" DESIGN WITH THE OPEN PORTION OF THE "U" FACING IN A SOUTHERLY DIRECTION. THE OPEN PORTION OF THE "U" WILL BE ON THE SECOND LEVEL OF THE ABOVE-GRADE STRUCTURE AND WILL BE A PRIVATE COURTYARD AND AMENITY DECK. THE PROJECT WILL HAVE THREE BUILDING BLOCKS

			DESCRIBED AS FOLLOWS: A. THE FIRST BUILDING BLOCK WILL HAVE A MAXIMUM HEIGHT OF 96 FEET AND WILL BE SITUATED ALONG THE ENTIRE LENGTH OF THE PROJECT'S SOUTH LAMAR BOULEVARD EDGE AND ALONG THE PROJECT'S RIVERSIDE DRIVE EDGE TO A POINT APPROXIMATELY 10 FEET (EXCLUDING BALCONIES) FROM THE SITE'S EASTERN PROPERTY LINE; B. THE SECOND BUILDING BLOCK WILL HAVE A MAXIMUM HEIGHT OF 78 FEET AND WILL BE SITUATED ALONG THE EASTERN PORTION OF THE PROJECT'S RIVERSIDE DRIVE EDGE AND WILL WRAP THE RIVERSIDE DRIVE/LEE BARTON DRIVE CORNER AND CONTINUE ON THE PROJECT'S LEE BARTON DRIVE EDGE TO A POINT APPROXIMATELY 40 FEET FROM THE SITE'S SOUTHERN PROPERTY LINE; AND C. THE THIRD BUILDING BLOCK WILL HAVE A MAXIMUM HEIGHT OF 35 FEET AND WILL BE SITUATED ALONG THE PROJECT'S LEE BARTON
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		DRIVE EDGE BETWEEN THE SOUTHERN EDGE OF THE SECOND BUILDING BLOCK DESCRIBED ABOVE AND THE SITE'S SOUTHERN PROPERTY LINE. NOTE 31. PARKING FOR THE ADJACENT HISTORIC PAGGI HOUSE SHALL BE PROVIDED IN THE PROJECT'S PARKING GARAGE. AS LONG AS THE PRIMARY USE FOR THE PAGGI HOUSE REMAINS A RESTAURANT USE, 38 PARKING SPACES FOR THE PAGGI HOUSE WILL BE PROVIDED IN THE PROJECT'S PARKING GARAGE. IF THE USE OF THE PAGGI HOUSE CHANGES, PARKING MEETING THEN CURRENT CODE PARKING REQUIREMENTS SHALL CONTINUE TO BE PROVIDED IN THE PROJECT'S PARKING GARAGE. NOTE 35. THE ELEVATOR CURRENTLY PROVIDING ACCESS TO THE PAGGI HOUSE FOR PERSONS WITH DISABILITIES SHALL BE RELOCATED TO A SITE ADJACENT TO LEE BARTON DRIVE. SUCH RELOCATION
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			SHALL BE ACCOMPLISHED PRIOR TO THE START OF CONSTRUCTION OF THE PROJECT IF THE PAGGI HOUSE WILL CONTINUE TO OPERATE AS A RESTAURANT DURING CONSTRUCTION OF THE PROJECT, OR, IN THE ALTERNATIVE, IF THE PAGGI HOUSE WILL NOT OPERATE AS A RESTAURANT DURING CONSTRUCTION OF THE PROJECT, THE RELOCATION SHALL BE ACCOMPLISHED BEFORE THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY IS ISSUED FOR THE RESIDENTIAL PORTION OF THE PROJECT.
12. Include at least 10 acres of land, unless the property is characterized by special circumstances, including unique topographic constraints.	Yes.	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.	

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Tier 1 - Additional PUD Requirements for a mixed use development	Compliance	Superiority	PUD Note
1. Comply with Chapter 25-2, Subchapter E (Design Standards and Mixed Use)	Yes.	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.	NOTE 21. THE PLANNED UNIT DEVELOPMENT AS APPROVED SHALL MEET ALTERNATIVE EQUIVALENT COMPLIANCE STANDARDS FOR THE FOLLOWING PROVISIONS OF LAND DEVELOPMENT CODE SUBCHAPTER E (DESIGN STANDARDS AND MIXED USE): SIDEWALK ZONES (PLANTING & CLEAR) INCLUDING TREE SPACING (\$2.2.2.B); SUPPLEMENTAL ZONE WIDTH (\$2.2.2.C.1); GENERAL BUILDING PLACEMENT (\$2.2.2.D.1); CONTINUOUS SHADED SIDEWALK (\$2.2.3.E.3); CONNECTIVITY (\$2.3); PARKING REDUCTIONS (\$2.4); PRIVATE COMMON OPEN SPACE AND PEDESTRIAN AMENITIES (\$2.7.3.C & D). NOTE 22. THE PROJECT WILL UTILIZE A "U-SHAPED" DESIGN WITH THE OPEN PORTION OF THE "U" FACING IN A SOUTHERLY DIRECTION. THE OPEN PORTION OF THE "U" WILL BE ON THE SECOND LEVEL OF THE ABOVE-GRADE STRUCTURE AND WILL BE A PRIVATE COURTYARD AND AMENITY DECK. THE PROJECT WILL HAVE

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			THREE BUILDING BLOCKS DESCRIBED AS FOLLOWS: A. THE FIRST BUILDING BLOCK WILL HAVE A MAXIMUM HEIGHT OF 96 FEET AND WILL BE SITUATED ALONG THE ENTIRE LENGTH OF THE PROJECT'S SOUTH LAMAR BOULEVARD EDGE AND ALONG THE PROJECT'S RIVERSIDE DRIVE EDGE TO A POINT APPROXIMATELY 10 FEET (EXCLUDING BALCONIES) FROM THE SITE'S EASTERN PROPERTY LINE; B. THE SECOND BUILDING BLOCK WILL HAVE A MAXIMUM HEIGHT OF 78 FEET AND WILL BE SITUATED ALONG THE EASTERN PORTION OF THE PROJECT'S RIVERSIDE DRIVE EDGE AND WILL WRAP THE RIVERSIDE DRIVE/LEE BARTON DRIVE CORNER AND CONTINUE ON THE PROJECT'S LEE BARTON DRIVE EDGE TO A POINT APPROXIMATELY 40 FEET FROM THE SITE'S SOUTHERN PROPERTY LINE; AND C. THE THIRD BUILDING BLOCK WILL HAVE A MAXIMUM HEIGHT OF 35 FEET AND WILL BE SITUATED ALONG THE PROJECT'S LEE BARTON DRIVE EDGE BETWEEN THE SOUTHERN EDGE OF THE SECOND BUILDING BLOCK
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			DESCRIBED ABOVE AND THE SITE'S SOUTHERN PROPERTY LINE.
2. Inside the Urban Roadway boundary depicted in Figure 2, Subchapter E, Chapter 25-2 (<i>Design Standards and Mixed Use</i>), comply with the sidewalk standards in Section 2.2.2, Subchapter E, Chapter 25-2 (<i>Core Transit Corridor Sidewalk and Building Placement</i>).	Yes.	As required by Chapter 25-2, Subchapter E, the project complies with Core Transit Corridor requirements.	NOTE 21. THE PLANNED UNIT DEVELOPMENT AS APPROVED SHALL MEET ALTERNATIVE EQUIVALENT COMPLIANCE STANDARDS FOR THE FOLLOWING PROVISIONS OF LAND DEVELOPMENT CODE SUBCHAPTER E (DESIGN STANDARDS AND MIXED USE): SIDEWALK ZONES (PLANTING & CLEAR) INCLUDING TREE SPACING (\$2.2.2.B); SUPPLEMENTAL ZONE WIDTH (\$2.2.2.C.1); GENERAL BUILDING PLACEMENT (\$2.2.2.D.1); CONTINUOUS SHADED SIDEWALK (\$2.2.3.E.3); CONNECTIVITY (\$2.3); PARKING REDUCTIONS (\$2.4); PRIVATE COMMON OPEN SPACE AND PEDESTRIAN AMENITIES (\$2.7.3.C & D).
3. Contain pedestrian oriented uses as defined in Section 25-2-691(C) (<i>Waterfront Overlay District Uses</i>) on the first floor of a multi-story commercial or mixed use building.	Yes.	The project contains pedestrian-oriented uses on all three street frontage sides totaling 75% of the cumulative frontage of those sides (excluding driveway openings and other project facilities not typically included in "frontage" calculations).	NOTE 36. THE CUMULATIVE AMOUNT OF "PEDESTRIAN-ORIENTED USES" (AS DEFINED IN SECTION 25-2-691(C)) ALONG SOUTH LAMAR BOULEVARD, RIVERSIDE DRIVE AND LEE BARTON DRIVE SHALL BE A MINIMUM OF 75% OF THE CUMULATIVE FRONTAGE (EXCLUDING DRIVEWAY OPENINGS

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			AND OTHER PROJECT FACILITIES NOT TYPICALLY INCLUDED IN "FRONTAGE" CALCULATIONS) ALONG THOSE ROADWAYS. NOTE: SUCH REQUIREMENTS WILL RESULT IN MORE THAN 50% OF THE NET USABLE SPACE OF ALL HEATED AND COOLED SPACE ON THE GROUND FLOOR OF THE PROJECT BEING DEVOTED TO "PEDESTRIAN-ORIENTED USES" AS REQUIRED BY SECTION 25-2-692(H).
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Tier II Requirement	Compliance	Superiority	PUD Note
1. Open Space – Provide open space at least 10% above the requirements of Section 2.3.1.A (<i>Minimum Requirements</i>). Alternatively, within the Urban Roadway boundary established in Figure 2 of Subchapter E of Chapter 25-2 (<i>Design Standards and Mixed Use</i>), provide for proportional enhancements to existing or planned trails, parks, or other recreational common open space in consultation with the Director of the Parks and Recreation Department.	Yes.	The Gross Site Area for the project is 40,641 square feet with a maximum 11,000 square feet of non-residential 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).	NOTE 37. THE MINIMUM AMOUNT OF OPEN SPACE WITHIN THE PROJECT SHALL BE 14,000 SQUARE FEET. A MINIMUM OF 3,000 SQUARE FEET OF PUBLIC OPEN SPACE SHALL BE PROVIDED ON THE GROUND FLOOR OF THE PROJECT. A MINIMUM OF 11,000 SQUARE FEET OF PRIVATE OR PUBLIC OPEN SPACE SHALL BE PROVIDED ON LEVELS ABOVE THE GROUND FLOOR. DECKS, BALCONIES, PATIOS AND WATER QUALITY FACILITIES SUCH AS RAIN GARDENS, RAIN WATER COLLECTION AREAS, VEGETATIVE FILTER STRIPS, AND POROUS PAVEMENT FOR PEDESTRIAN USE LOCATED ON EITHER THE GROUND FLOOR OR UPPER FLOORS SHALL BE PERMITTED TO BE INCLUDED IN THE CALCULATION OF OPEN SPACE AS LONG AS ANY SUCH AREAS ARE AT LEAST 5 FEET IN WIDTH.
2. Environment: a. Does not request exceptions to or modifications of environmental regulations. b. Provides water quality controls superior to	Yes.	• This PUD will not request any exceptions or modifications of environmental regulations. • 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. • The project prohibits uses that may contribute to air and water quality pollutants (e.g., Automotive	NOTE 25. THE DEVELOPMENT SHALL MEET OR EXCEED ALL CURRENT LAND DEVELOPMENT CODE REQUIREMENTS WITH RESPECT TO ON-SITE WATER QUALITY TREATMENT AS REVIEWED AND APPROVED BY THE CITY OF AUSTIN AT THE TIME OF

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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.	Repair Services, Automotive Washing, Kennels and Service Stations). Such uses are presently allowed on the site pursuant to existing zoning and other regulations.	SITE DEVELOPMENT PERMIT APPLICATION. ADDITIONALLY, THE APPLICANT SHALL CONSTRUCT AND MAINTAIN IN PERPETUITY RAIN GARDENS, OR OTHER CITY OF AUSTIN APPROVED WATER QUALITY FACILITIES, ON OR ADJACENT TO SOUTH LAMAR BOULEVARD, OR ANOTHER LOCATION MUTUALLY AGREED UPON BY THE CITY AND THE OWNER, THAT PROVIDE WATER QUALITY TREATMENT FOR CURRENTLY UNTREATED OFF-SITE AREAS WITH A MINIMUM DRAINAGE AREA OF 10,500 SF AND A MINIMUM 1,150 CF OF TREATMENT VOLUME WHICH IS AN AMOUNT GREATER THAN 25% OF THE PROJECT AREA. SHOULD THE WATER QUALITY FACILITIES TREATING OFF-SITE RUNOFF BE REMOVED BY THE CITY OF AUSTIN TO FACILITATE FUTURE IMPROVEMENTS IN THE SOUTH LAMAR BOULEVARD ROW INSTALLED BY OF THE CITY OF AUSTIN, THE OWNER OF THE SITE AT THAT TIME SHALL PROVIDE PAYMENT OF AN AMOUNT EQUAL TO 25% OF THE TOTAL FEE CALCULATED BASED ON THE CURRENT ENVIRONMENTAL CRITERIA MANAL'S APPENDIX T
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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 contribute to air or water quality pollutants. k. Employ other creative or innovative measures.		(REQUEST FOR FEE IN LIEU) AT THE TIME OF THIS PUD'S APPROVAL (\$_____). THE CALCULATED FEE SHALL BE BASED ON THE FULL BUILD OUT OF THE DEVELOPMENT WITHOUT REDEVELOPMENT CONSIDERATIONS AS PAYMENT INTO THE URBAN WATERSHEDS STRUCTURAL CONTROL FUND. SUCH PAYMENT SHALL BE MADE BY THE LANDOWNER WITHIN 180 DAYS OF RECEIPT OF NOTICE FROM THE CITY OF AUSTIN FOLLOWING THE REMOVAL OF SAID WATER QUALITY FACILITIES. SEE LIST OF PROHIBITED USES ON PAGE 1 OF THE LAND USE PLAN.
3. Austin Green Builder Program – Provides a rating under the Austin Green Builder program of three stars or above.	Yes. The project will meet the Austin Green Builder program at a 3-star level.	NOTE 3. THIS PLANNED UNIT DEVELOPMENT WILL COMPLY WITH THE CITY OF AUSTIN GREEN BUILDING COMMERCIAL PROGRAM WITH A (MINIMUM) THREE-STAR RATING.

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4. Art – Provides art approved by the Art In Public Places Program in open spaces, either by providing the art directly or by making a contribution to the City's Art In Public Places Program or a successor program.	Yes.	The project will provide art approved by the Art In Public Places Program on-site.	<u>NOTE 18.</u> THE PROJECT SHALL PROVIDE ART APPROVED BY THE ART IN PUBLIC PLACES PROGRAM IN A PROMINENT OPEN SPACE, EITHER BY PROVIDING THE ART DIRECTLY OR BY MAKING A CONTRIBUTION TO THE CITY'S ART IN PUBLIC PLACES PROGRAM OR A SUCCESSOR PROGRAM. ALTERNATIVELY, WITH THE CONSENT OF THE ART IN PUBLIC PLACES PROGRAM (OR SUCCESSOR PROGRAM), THE PROJECT MAY MEET THIS REQUIREMENT BY ENTERING INTO AN ARRANGEMENT WITH THE AUSTIN MUSEUM OF ART (AMOA) OR SUCCESSOR ENTITY FOR AMOA ART TO BE DISPLAYED ON A SEASONAL OR ROTATING BASIS IN A PROMINENT OPEN SPACE, ON A PEDESTAL CONSTRUCTED AND MAINTAINED BY THE OWNER.
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>)	Not applicable.	The PUD is subject to, and will comply with, the requirements in Chapter 25-2, Subchapter E (<i>Design Standards and Mixed Use</i>).	<u>NOTE 21.</u> THE PLANNED UNIT DEVELOPMENT AS APPROVED SHALL MEET ALTERNATIVE EQUIVALENT COMPLIANCE STANDARDS FOR THE FOLLOWING PROVISIONS OF LAND DEVELOPMENT CODE SUBCHAPTER E (DESIGN STANDARDS AND MIXED USE): SIDEWALK ZONES (PLANTING

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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.	Yes.	• 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.	& CLEAR) INCLUDING TREE SPACING (\$2.2.2.B); SUPPLEMENTAL ZONE WIDTH (\$2.2.2.C.1); GENERAL BUILDING PLACEMENT (\$2.2.2.D.1); CONTINUOUS SHADED SIDEWALK (\$2.2.3.E.3); CONNECTIONS (\$2.3); PARKING REDUCTIONS (\$2.4); PRIVATE COMMON OPEN SPACE AND PEDESTRIAN AMENITIES (\$2.7.3.C & D).
			NOTE 26. THE PROJECT WILL CONTAIN A ROOM FOR MEETING SPACE OF AT LEAST 250 SQUARE FEET. SUCH ROOM WILL BE AVAILABLE TO RESIDENTS OF THE PROJECT AND TO COMMUNITY NEIGHBORHOOD GROUPS AND NON-PROFIT ORGANIZATIONS. USE OF THE ROOM BY COMMUNITY NEIGHBORHOOD GROUPS AND NON-PROFIT ORGANIZATIONS SHALL BE ON A RESERVATION BASIS, AND SHALL BE SUBJECT TO SUCH REASONABLE RULES AND REGULATIONS AS SHALL BE IMPOSED BY THE OWNER OF THE PROPERTY OR ANY HOMEOWNER'S ASSOCIATION FOR THE PROJECT.

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7. Transportation - Provides bicycle facilities that connect to existing or planned bicycle routes or provides other multi-modal transportation features not required by code.	Yes. • 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. • The project will provide two public dedicated spaces for electric vehicle charging within the project parking garage. • 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.	<u>NOTE 24.</u> THE APPLICANT WILL PROVIDE FUNDING IN AN AMOUNT NOT TO EXCEED \$99,741 FOR PEDESTRIAN IMPROVEMENTS IN THE FOLLOWING LOCATIONS: A. A SIDEWALK ON LEE BARTON DRIVE FROM THE NORTHERN TERMINUS OF THE SIDEWALK ADJACENT TO THE BRIDGES CONDOMINIUM PROJECT TO THE SOUTHEASTERN EDGE OF THE SITE (SIDEWALK PRESUMED TO BE LOCATED WITHIN THE CURRENTLY PAVED PORTION OF LEE BARTON DRIVE); B. A SIDEWALK ALONG THE SOUTHERN EDGE OF RIVERSIDE DRIVE FROM THE CORNER OF LEE BARTON DRIVE AND RIVERSIDE DRIVE TO THE WESTERN TERMINUS OF THE EXISTING SIDEWALK ON THE SOUTHERN EDGE OF RIVERSIDE DRIVE LOCATED JUST EAST OF THE RAILROAD OVERPASS; C. CREATION OF A PEDESTRIAN CROSSWALK ACROSS LEE BARTON DRIVE AT THE INTERSECTION OF LEE BARTON DRIVE AND RIVERSIDE DRIVE. ALL SUCH IMPROVEMENTS
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			MUST BE APPROVED BY THE CITY OF AUSTIN AND THE CITY OF AUSTIN WILL BE RESPONSIBLE FOR CONSTRUCTION OF SUCH IMPROVEMENTS. SUCH FUNDING SHALL BE PROVIDED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE RESIDENTIAL PORTION OF THE PROJECT. <u>NOTE 27.</u> THE PROJECT WILL PROVIDE THE FOLLOWING BICYCLE FACILITIES: A. BICYCLE PARKING FOR RETAIL PATRONS OF THE PROJECT AT A LEVEL EQUAL TO OR EXCEEDING THE GREATER OF (1) 120% OF CODE REQUIRED BICYCLE PARKING FOR SUCH RETAIL AREA OR (2) 10 BICYCLE PARKING SPACES. ALL SUCH BICYCLE PARKING SPACES SHALL BE LOCATED ON THE GROUND FLOOR OF THE PARKING GARAGE, WITHIN THE PUBLIC PLAZA AREA OR WITHIN THE PLANTING OR SUPPLEMENTAL ZONE ALONG ANY OF THE ADJACENT ROADWAYS; B. BICYCLE PARKING FOR THE RESIDENTS OF THE
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			PROJECT. SUCH BICYCLE PARKING SHALL BE PROVIDED IN A SECURE LOCATION WITHIN THE PROJECT'S PARKING GARAGE; AND C. IF ELECTED BY THE CITY OF AUSTIN WITHIN TWO (2) YEARS OF THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE RESIDENTIAL PORTION OF THE PROJECT, A PUBLIC "BIKE SHARE KIOSK" IN A LOCATION MUTUALLY ACCEPTABLE TO THE CITY OF AUSTIN AND THE APPLICANT IN THE PROJECT'S PUBLIC PLAZA AREA OR THE PLANTING OR SUPPLEMENTAL ZONE ALONG RIVERSIDE DRIVE. SUCH "BIKE SHARE KIOSK" SHALL BE SIZED AS DESIRED BY THE CITY OF AUSTIN (BUT NOT TO EXCEED 10 BIKE PARKING SPACES WITHOUT THE FURTHER CONSENT OF THE OWNER) AND SHALL BE OPERATED AND MAINTAINED BY THE CITY OF AUSTIN CONSISTENT WITH OTHER "BIKE SHARE KIOSKS" IN THE GENERAL PROXIMITY OF THE PROJECT. <u>NOTE 28.</u> THE PROJECT WILL PROVIDE TWO PUBLIC DEDICATED
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8. Building Design – Exceed the minimum points required by the Building Design Options of Section 3.3.2 of Chapter 25-2, Subchapter E (<i>Design Standards and Mixed Use</i>)	Yes.	The project is required to have 1 point (Required Base Point) as listed on the City of Austin Building Design Calculation Worksheet. The project will obtain a minimum of 13 points by providing a variety of design options.	SPACES FOR ELECTRIC VEHICLE CHARGING WITHIN THE PROJECT'S PARKING GARAGE. SUCH ELECTRIC VEHICLE CHARGING SPACES WILL BE AVAILABLE FOR USE BY RESIDENTS OF THE PROJECT AND PATRONS OF THE RETAIL LEASE SPACE.
			<u>NOTE 29.</u> THE PROJECT WILL ACHIEVE A MINIMUM OF 13 POINTS UNDER THE BUILDING DESIGN OPTIONS OF SECTION 3.3.2 OF CHAPTER 25-2, SUBCHAPTER E (DESIGN STANDARDS AND MIXED USE). IT WILL ACHIEVE THOSE POINTS IN THE FOLLOWING MANNER, OR IN SUCH OTHER MANNER AS SHALL BE APPROVED BY THE CITY OF AUSTIN PURSUANT TO SECTION 3.3.2 OF CHAPTER 25-2, SUBCHAPTER E: A. THE PROJECT WILL ACHIEVE A 3 STAR RATING UNDER THE AUSTIN GREEN BUILDING PROGRAM - 3 POINTS B. THE PROJECT WILL HAVE 2 LINER STORES IN THE PROJECT'S GROUND FLOOR RETAIL AREA - 2 POINTS C. THE PROJECT WILL HAVE FACADE ARTICULATION THROUGH A USE OF CHANGE IN

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			MATERIALITY, REPEATING PATTERN OF WALL RECESSES AND PROJECTIONS, OR A CHANGE IN PLANE - 1 POINT D. A PRIMARY ENTRANCE WILL BE DEMARKED BY INTEGRAL PLANTERS, ENHANCED EXTERIOR LIGHT FIXTURES, AND ARCHITECTURAL DETAILS - 1 POINT E. THE PROJECT WILL HAVE A DISTINCT ROOF DESIGN - 1 POINT F. 100% OF THE GLAZING USED ON THE GROUND FLOOR FACADE FACING STREETS OR PARKING WILL HAVE A VISIBLE TRANSMITTANCE OF 0.6 OR HIGHER - 1 POINT G. 75% OF THE FACADE FACING THE PRINCIPAL STREET WILL BE STOREFRONT WITH A MINIMUM OF 2 SEPARATE ENTRANCES - 2 POINTS H. THE PROJECT WILL HAVE A SUSTAINABLE ROOF AS OUTLINED IN SECTION 3.3.2 OF CHAPTER 25-2, SUBCHAPTER E - 2 POINTS
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9. Parking Structure Frontage – In a commercial or mixed-use development, at least 75% of the building frontage of all parking structures is designed for pedestrian-oriented uses as defined in Section 25-2-691 (C) (<i>Waterfront Overlay District Uses</i>) in ground floor spaces.	Yes • There is no above grade structured parking and no parking for the project that is visible to the public. • 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%.	NOTE 19. THE PROJECT WILL INCORPORATE GROUND FLOOR STRUCTURED PARKING THAT IS SCREENED FROM PUBLIC VIEW ON THE SOUTH LAMAR BOULEVARD EDGE, THE RIVERSIDE DRIVE EDGE AND THE LEE BARTON DRIVE EDGE. NO PARKING SHALL BE PROVIDED ABOVE GRADE OTHER THAN SUCH GROUND FLOOR PARKING. ALL ADDITIONAL PARKING SHALL BE PROVIDED BELOW GRADE. INTERIOR GROUND FLOOR PARKING SPACES WILL NOT BE VISIBLE FROM THE ADJACENT PROJECT ON THE SOUTHERN BOUNDARY OF THE PROJECT. NOTE 36. THE CUMULATIVE AMOUNT OF "PEDESTRIAN-ORIENTED USES" (AS DEFINED IN SECTION 25-2-691(C)) ALONG SOUTH LAMAR BOULEVARD, RIVERSIDE DRIVE AND LEE BARTON DRIVE SHALL BE A MINIMUM OF 75% OF THE CUMULATIVE FRONTAGE (EXCLUDING DRIVEWAY OPENINGS AND OTHER PROJECT FACILITIES NOT TYPICALLY INCLUDED IN "FRONTAGE" CALCULATIONS) ALONG THOSE ROADWAYS. NOTE:
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10. Affordable housing programs to achieve affordable housing.	Yes.	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 25-2714 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).	SUCH REQUIREMENTS WILL RESULT IN MORE THAN 50% OF THE NET USABLE SPACE OF ALL HEATED AND COOLED SPACE ON THE GROUND FLOOR OF THE PROJECT BEING DEVOTED TO "PEDESTRIAN-ORIENTED USES" AS REQUIRED BY SECTION 25-2-692(H).
			NOTE 30. 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 F.A.R. THAT THE APPLICANT PROPOSES TO NEED FOR THE PROJECT AND THE F.A.R. 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

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			(CALCULATED CONSISTENT WITH THE ASSUMPTION ABOVE).
11. Historic Preservation - Preserves historic structures, landmarks, or other features to a degree exceeding applicable legal requirements.	Yes.	- 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. - 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 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. - 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.	<u>NOTE 6.</u> THE PAGGI HOUSE TENANT HAS THE OPTION TO REMAIN OPEN DURING CONSTRUCTION OF THE PROJECT. IF THE TENANT REMAINS OPEN, PARKING FOR THE RESTAURANT WILL BE HANDLED ON A VALET BASIS DURING CONSTRUCTION. <u>NOTE 7.</u> DRIVEWAYS ALONG SOUTH LAMAR BOULEVARD AND LEE BARTON DRIVE WILL BE PERMITTED IN ACCORDANCE WITH THE SITE DEVELOPMENT PERMIT PROCESS CONFORMING TO APPLICABLE TRANSPORTATION CRITERIA MANUAL ORDINANCES, UNLESS WHERE SPECIFICALLY MODIFIED WITHIN THESE PUD NOTES; PROVIDED, HOWEVER EGRESS FROM THE PROJECT TO SOUTH LAMAR BOULEVARD SHALL NOT BE ALLOWED. <u>NOTE 22.</u> THE PROJECT WILL UTILIZE A "U-SHAPED" DESIGN WITH THE OPEN PORTION OF THE "U" FACING IN A SOUTHERLY DIRECTION. THE OPEN PORTION

		OF THE "U" WILL BE ON THE SECOND LEVEL OF THE ABOVE-GRADE STRUCTURE AND WILL BE A PRIVATE COURTYARD AND AMENITY DECK. THE PROJECT WILL HAVE THREE BUILDING BLOCKS DESCRIBED AS FOLLOWS: A. THE FIRST BUILDING BLOCK WILL HAVE A MAXIMUM HEIGHT OF 96 FEET AND WILL BE SITUATED ALONG THE ENTIRE LENGTH OF THE PROJECT'S SOUTH LAMAR BOULEVARD EDGE AND ALONG THE PROJECT'S RIVERSIDE DRIVE EDGE TO A POINT APPROXIMATELY 10 FEET (EXCLUDING BALCONIES) FROM THE SITE'S EASTERN PROPERTY LINE; B. THE SECOND BUILDING BLOCK WILL HAVE A MAXIMUM HEIGHT OF 78 FEET AND WILL BE SITUATED ALONG THE EASTERN PORTION OF THE PROJECT'S RIVERSIDE DRIVE EDGE AND WILL WRAP THE RIVERSIDE DRIVE/LEE BARTON DRIVE CORNER AND CONTINUE ON THE PROJECT'S LEE BARTON DRIVE EDGE TO A POINT APPROXIMATELY 40 FEET FROM THE SITE'S SOUTHERN PROPERTY LINE; AND
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		C. THE THIRD BUILDING BLOCK WILL HAVE A MAXIMUM HEIGHT OF 35 FEET AND WILL BE SITUATED ALONG THE PROJECT'S LEE BARTON DRIVE EDGE BETWEEN THE SOUTHERN EDGE OF THE SECOND BUILDING BLOCK DESCRIBED ABOVE AND THE SITE'S SOUTHERN PROPERTY LINE. NOTE 31. PARKING FOR THE ADJACENT HISTORIC PAGGI HOUSE SHALL BE PROVIDED IN THE PROJECT'S PARKING GARAGE. AS LONG AS THE PRIMARY USE FOR THE PAGGI HOUSE REMAINS A RESTAURANT USE, 38 PARKING SPACES FOR THE PAGGI HOUSE WILL BE PROVIDED IN THE PROJECT'S PARKING GARAGE. IF THE USE OF THE PAGGI HOUSE CHANGES, PARKING MEETING THEN CURRENT CODE PARKING REQUIREMENTS SHALL CONTINUE TO BE PROVIDED IN THE PROJECT'S PARKING GARAGE. NOTE 35. THE ELEVATOR CURRENTLY PROVIDING ACCESS TO THE PAGGI HOUSE FOR PERSONS WITH DISABILITIES SHALL BE RELOCATED TO A SITE ADJACENT TO LEE BARTON
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			DRIVE. SUCH RELOCATION SHALL BE ACCOMPLISHED PRIOR TO THE START OF CONSTRUCTION OF THE PROJECT IF THE PAGGI HOUSE WILL CONTINUE TO OPERATE AS A RESTAURANT DURING CONSTRUCTION OF THE PROJECT, OR, IN THE ALTERNATIVE, IF THE PAGGI HOUSE WILL NOT OPERATE AS A RESTAURANT DURING CONSTRUCTION OF THE PROJECT, THE RELOCATION SHALL BE ACCOMPLISHED BEFORE THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY IS ISSUED FOR THE RESIDENTIAL PORTION OF THE PROJECT.
12. Accessibility – Provides for accessibility for persons with disabilities to a degree exceeding applicable legal requirements.	Yes.	The project will provide 2.5% of the units to be available for persons with disabilities. 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.	NOTE 34. 2.5% OF RESIDENTIAL UNITS IN THE PROJECT SHALL BE FULLY ACCESSIBLE TYPE A DWELLING UNITS. NOTE: TO THE EXTENT THAT THE FOREGOING CALCULATION RESULTS IN A FRACTIONAL NUMBER, THE FRACTION SHALL BE ROUNDED UP FOR PURPOSES OF THIS NOTE. NOTE: AS DEFINED IN THE 2009 INTERNATIONAL BUILDING CODE, A TYPE A UNIT HAS SOME ELEMENTS THAT ARE CONSTRUCTED FOR ACCESSIBILITY [E.G., 32-INCH CLEAR WIDTH DOORS FOR MANEUVERING CLEARANCES] AND

		SOME ELEMENTS THAT ARE CONSTRUCTED AS ADAPTABLE [E.G., BLOCKING FOR FUTURE INSTALLATION FOR GRAB BARS]; A TYPE A DWELLING UNIT IS DESIGNED AND CONSTRUCTED TO PROVIDE ACCESSIBILITY FOR WHEELCHAIR USERS THROUGHOUT THE UNIT; AND THE UNITS WILL MEET THE TECHNICAL REQUIREMENTS FOR THE INTERIOR OF A TYPE A UNIT AS DEFINED IN SECTION 1003 OF INTERNATIONAL CODE COUNCIL A117.1. <u>NOTE 35.</u> THE ELEVATOR CURRENTLY PROVIDING ACCESS TO THE PAGGI HOUSE FOR PERSONS WITH DISABILITIES SHALL BE RELOCATED TO A SITE ADJACENT TO LEE BARTON DRIVE. SUCH RELOCATION SHALL BE ACCOMPLISHED PRIOR TO THE START OF CONSTRUCTION OF THE PROJECT IF THE PAGGI HOUSE WILL CONTINUE TO OPERATE AS A RESTAURANT DURING CONSTRUCTION OF THE PROJECT, OR, IN THE ALTERNATIVE, IF THE PAGGI HOUSE WILL NOT OPERATE AS A RESTAURANT DURING CONSTRUCTION OF THE PROJECT, THE RELOCATION SHALL BE ACCOMPLISHED BEFORE THE
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			ISSUANCE OF A CERTIFICATE OF OCCUPANCY IS ISSUED FOR THE RESIDENTIAL PORTION OF THE PROJECT.
13. Local Small Business – Provides space at affordable rates to one or more independent retail or restaurant small businesses whose principal place of business is within the Austin metropolitan statistical area.	Yes.	The 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.	NOTE 13. THE PROJECT SHALL PROVIDE ONE INDEPENDENT RETAIL, RESTAURANT OR LOCAL FRANCHISEE WHOSE PRINCIPAL PLACE OF BUSINESS IS IN THE AUSTIN STANDARD METROPOLITAN STATISTICAL AREA USABLE SPACE AT A RENT 15% BELOW THE PREVAILING MARKET RENT WHEN THE LEASE OR OTHER ARRANGEMENT FOR PROVIDING THE SPACE IS EXECUTED. BEFORE EXECUTION, THE OWNER SHALL SUBMIT THE LEASE OR OTHER ARRANGEMENT TO THE DIRECTOR OF NEIGHBORHOOD HOUSING AND COMMUNITY DEVELOPMENT DEPARTMENT FOR REVIEW.