

211 S. Lamar PUD  
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|  |  |  | <p>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.</p> <p><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 ROAD. 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.</p> |
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| <p>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.</p> | <p>Yes.</p> | <ul style="list-style-type: none"> <li>• 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".</li> <li>• 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.</li> </ul> | <p><u>NOTE 25.</u> WATER QUALITY TECHNIQUES UTILIZING RAIN GARDENS AND BIO-FILTRATION AREAS SHALL BE UTILIZED TO MEET ALL CODE REQUIREMENTS WITH RESPECT TO ON-SITE WATER QUALITY TREATMENT, AS WELL AS TO PROVIDE WATER QUALITY TREATMENT FOR CURRENTLY UNTREATED, OFF-SITE AREAS WITH A DRAINAGE AREA OF AT LEAST 25% OF THE SUBJECT TRACT.</p> <p><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 CRITICAL ROOT ZONE AS SHOWN ON THE LAND USE PLAN WILL REMAIN UNDISTURBED.</p> |
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| <p>7. Provide for public facilities and services that are adequate to support the proposed development including school, fire protection, emergency service and police facilities.</p> | <p>Yes.</p> | <ul style="list-style-type: none"> <li>Given the project's location, adequate school, fire protection, emergency service and police facilities exist to support the project.</li> <li>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.</li> </ul> | <p>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 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.</p> |
| <p>8. Exceed the minimum landscaping requirements of the City Code.</p>  | <p>Yes.</p> | <p>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.</p> <ul style="list-style-type: none"> <li>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</li> </ul>  | <p>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.</p> <p>NOTE 16. 100% OF ALL LANDSCAPE PLANTING ON SITE</p>   |

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|  |      | <p>base regulations);</p> <ul style="list-style-type: none"> <li>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</li> <li>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).</li> </ul>  | <p>WILL BE THOSE DESIGNATED BY THE CITY OF AUSTIN GROW GREEN NATIVE AND ADAPTED PLANT GUIDE.</p> <p><u>NOTE 17.</u> 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).</p>   |
| <p>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.</p> | Yes. | <ul style="list-style-type: none"> <li>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.</li> <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 Road and</li> </ul> | <p><u>NOTE 24.</u> THE APPLICANT WILL PROVIDE FUNDING IN AN AMOUNT NOT TO EXCEED \$69,768 FOR PEDESTRIAN IMPROVEMENTS IN THE FOLLOWING LOCATIONS:</p> <p>A. A SIDEWALK ON LEE BARTON ROAD 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</p> |

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|  |  | <p>Riverside Drive with the sidewalk east of the railroad overpass on Riverside Drive and a safe pedestrian crossing at Lee Barton Road (crossing Lee Barton Road at Riverside Drive).</p> <ul style="list-style-type: none"> <li>• Two charging stations for electric vehicles will be provided in the parking garage.</li> </ul> | <p>BARTON ROAD);</p> <p>B. A SIDEWALK ALONG THE SOUTHERN EDGE OF RIVERSIDE DRIVE FROM THE CORNER OF LEE BARTON ROAD 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;</p> <p>C. CREATION OF A PEDESTRIAN CROSSWALK ACROSS LEE BARTON ROAD AT THE INTERSECTION OF LEE BARTON ROAD AND RIVERSIDE DRIVE.</p> <p>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.</p> |
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NOTE 28. THE PROJECT WILL

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|  |      |  | 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.   |
| 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. | <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 House changes its use in the future the project shall still be required to park such use in the</li> </ul> | <p>NOTE 7. DRIVEWAYS ALONG SOUTH LAMAR BOULEVARD AND LEE BARTON ROAD 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.</p> <p>NOTE 22. THE PROJECT WILL UTILIZE A "U-SHAPED" DESIGN WITH THE OPEN PORTION OF THE</p> |

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|  |  | <p>project parking garage at City Code parking levels.</p> <ul style="list-style-type: none"> <li>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.</li> </ul> | <p>"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:</p> <p>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;</p> <p>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 ROAD CORNER AND CONTINUE ON</p> |
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|  |  |  | <p>THE PROJECTS LEE BARTON ROAD EDGE TO A POINT APPROXIMATELY 40 FEET FROM THE SITE'S SOUTHERN PROPERTY LINE; AND</p> <p>C. THE THIRD BUILDING BLOCK WILL HAVE A MAXIMUM HEIGHT OF 35 FEET AND WILL BE SITUATED ALONG THE PROJECTS LEE BARTON ROAD EDGE BETWEEN THE SOUTHERN EDGE OF THE SECOND BUILDING BLOCK DESCRIBED ABOVE AND THE SITE'S SOUTHERN PROPERTY LINE.</p> <p><u>NOTE 31.</u> PARKING FOR THE ADJACENT HISTORIC PAGGI HOUSE SHALL BE PROVIDED IN THE PROJECTS 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 PROJECTS PARKING GARAGE. IF THE USE OF THE PAGGI HOUSE CHANGES, PARKING MEETING THEN CURRENT CODE PARKING</p> |
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|  |  |  | <p>REQUIREMENTS SHALL CONTINUE TO BE PROVIDED IN THE PROJECT'S PARKING GARAGE.</p> <p><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 ROAD. 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.</p> |
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| <p>12. Include at least 10 acres of land, unless the property is characterized by special circumstances, including unique topographic constraints.</p> | <p>Yes.</p> | <p>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.</p> |  |
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| Tier 1 - Additional PUD Requirements for a mixed use development           | Compliance | Superiority   | PUD Note  |
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| 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. | <p>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 &amp; 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 &amp; D).</p> <p>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</p> |

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|  |  |  | <p>AMENITY DECK. THE PROJECT WILL HAVE THREE BUILDING BLOCKS DESCRIBED AS FOLLOWS:</p> <p>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;</p> <p>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 ROAD CORNER AND CONTINUE ON THE PROJECT'S LEE BARTON ROAD EDGE TO A POINT APPROXIMATELY 40 FEET FROM THE SITE'S SOUTHERN PROPERTY LINE; AND</p> <p>C. THE THIRD BUILDING BLOCK</p> |
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|  |      |  | WILL HAVE A MAXIMUM HEIGHT OF 35 FEET AND WILL BE SITUATED ALONG THE PROJECT'S LEE BARTON ROAD EDGE BETWEEN THE SOUTHERN EDGE OF THE SECOND BUILDING BLOCK DESCRIBED ABOVE AND THE SITE'S SOUTHERN PROPERTY LINE.   |
| 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). | Yes. | As required by Chapter 25-2, Subchapter E, the project complies with Core Transit Corridor requirements. | <p>NOTE 21. THE PLANNED UNIT DEVELOPMENT AS APPROVED SHALL MEET ALTERNATIVE COMPLIANCE STANDARDS FOR THE FOLLOWING PROVISIONS OF LAND DEVELOPMENT CODE SUBCHAPTER E (DESIGN STANDARDS AND MIXED USE): SIDEWALK ZONES (PLANTING &amp; 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 &amp; D).</p> |

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| <p>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.</p> | <p>Yes.</p> | <p>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).</p> | <p>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 ROAD 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: 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).</p> |
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| Tier II Requirement  | Compliance | Superiority  | PUD Note   |
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| 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 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, BIO-FILTRATION 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:<br>a. Does not request exceptions to or modifications of environmental regulations.<br>b. Provides water quality   | Yes.       | <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</li> </ul>  | NOTE 25. WATER QUALITY TECHNIQUES UTILIZING RAIN GARDENS AND BIO-FILTRATION AREAS SHALL BE UTILIZED TO MEET ALL CODE REQUIREMENTS WITH RESPECT TO ON-SITE WATER QUALITY TREATMENT, AS WELL AS  |

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| <p>controls superior to those otherwise required by code.</p> <p>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.</p> <p>d. Provide water quality treatment for currently untreated, undeveloped off-site areas with a drainage area of at least 25% of the subject tract.</p> <p>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.</p> <p>f. Provide minimum 50-foot setback for unclassified waterways with a drainage area of</p> | <p>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.</p> | <p>TO PROVIDE WATER QUALITY TREATMENT FOR CURRENTLY UNTREATED, OFF-SITE AREAS WITH A DRAINAGE AREA OF AT LEAST 25% OF THE SUBJECT TRACT.</p> <p>SEE LIST OF PROHIBITED USES ON PAGE 1 OF THE LAND USE PLAN.</p> |
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| <p>five acres or greater.</p> <p>g. Provides at least a 50% increase in the minimum waterway and critical environmental feature setbacks required by code.</p> <p>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.</p> <p>i. Provides pervious paving for at least 50% or more of all paved areas in non-aquifer recharge areas.</p> <p>j. Prohibits uses that may contribute to air or water quality pollutants.</p> <p>k. Employ other creative or innovate measures.</p> |             |  |   |
| <p>3. Austin Green Builder Program<br/>- Provides a rating under the Austin Green Builder program of three stars or above.</p>  | <p>Yes.</p> | <p>The project will meet the Austin Green Builder program at a 3-star level.</p> | <p><u>NOTE 3.</u> THIS PLANNED UNIT DEVELOPMENT WILL COMPLY WITH THE CITY OF AUSTIN GREEN BUILDING COMMERCIAL PROGRAM WITH A (MINIMUM) THREE-STAR RATING.</p> |

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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.  | NOTE 18. 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 (Design Standards and Mixed Use) | Not applicable. | The PUD is subject to, and will comply with, the requirements in Chapter 25-2, Subchapter E (Design Standards and Mixed Use). | NOTE 21. THE PLANNED UNIT DEVELOPMENT AS APPROVED SHALL MEET ALTERNATIVE EQUIVALENT COMPLIANCE STANDARDS FOR THE FOLLOWING PROVISIONS OF LAND CODE DEVELOPMENT (DESIGN SUBCHAPTER E AND MIXED STANDARDS AND USE): SIDEWALK ZONES (PLANTING   |

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| <p>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.</p> | <p>Yes.</p> | <p>• 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.</p> | <p>&amp; 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 &amp; D).</p>  |
|   |             |   | <p><u>NOTE 26.</u> 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.</p> |

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| <p>7. Transportation - Provides bicycle facilities that connect to existing or planned bicycle routes or provides other multi-modal transportation features not required by code.</p> | <p>Yes.</p> | <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 Road and Riverside Drive (including sidewalks and a crosswalk) to increase the walking connectivity in the general area of the site.</li> </ul> | <p><b>NOTE 24.</b> THE APPLICANT WILL PROVIDE FUNDING IN AN AMOUNT NOT TO EXCEED \$69,768 FOR PEDESTRIAN IMPROVEMENTS IN THE FOLLOWING LOCATIONS:</p> <p>A. A SIDEWALK ON LEE BARTON ROAD 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 ROAD);</p> <p>B. A SIDEWALK ALONG THE SOUTHERN EDGE OF RIVERSIDE DRIVE FROM THE CORNER OF LEE BARTON ROAD 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;</p> <p>C. CREATION OF A PEDESTRIAN CROSSWALK ACROSS LEE BARTON ROAD AT THE INTERSECTION OF LEE BARTON ROAD AND RIVERSIDE DRIVE.</p> |
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|  |  |  | <p>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.</p> <p><u>NOTE 27.</u> THE PROJECT WILL PROVIDE THE FOLLOWING BICYCLE FACILITIES:</p> <p>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;</p> |
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|  |  |  | <p>B. BICYCLE PARKING FOR THE RESIDENTS OF THE PROJECT. SUCH BICYCLE PARKING SHALL BE PROVIDED IN A SECURE LOCATION WITHIN THE PROJECT'S PARKING GARAGE; AND</p> <p>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 KIOSKS" 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</p> |
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|  |      |   | <p>"BIKE SHARE KIOSKS" IN THE GENERAL PROXIMITY OF THE PROJECT.</p> <p><u>NOTE 28.</u> THE PROJECT WILL PROVIDE TWO PUBLIC DEDICATED SPACES FOR ELECTRIC VEHICLE CHARGING WITHIN THE PROJECTS PARKING GARAGE. SUCH ELECTRIC VEHICLE CHARGING SPACES WILL BE AVAILABLE FOR USE BY RESIDENTS OF THE PROJECT AND PATRONS OF THE RETAIL LEASE SPACE.</p>   |
| 8. Building Design – Exceed the minimum points required by the Building Design Options of Section 3.3.2 of Chapter 25-2, Subchapter E (Design Standards and Mixed Use) | Yes. | <p>The project is required to have 1 point (Required Base Point) as listed on the City of Austin Building Design Calculation Worksheet.</p> <p>The project will obtain a minimum of 13 points by providing a variety of design options.</p> | <p><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:</p> <p>A. THE PROJECT WILL ACHIEVE A 3 STAR RATING UNDER THE AUSTIN GREEN BUILDING PROGRAM - 3</p> |

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|  |  |  | <p>POINTS</p> <p>B. THE PROJECT WILL HAVE 2 LINER STORES IN THE PROJECT'S GROUND FLOOR RETAIL AREA - 2 POINTS</p> <p>C. THE PROJECT WILL HAVE FACADE ARTICULATION THROUGH A USE OF CHANGE IN MATERIALITY, REPEATING PATTERN OF WALL RECESSES AND PROJECTIONS, OR A CHANGE IN PLANE - 1 POINT</p> <p>D. A PRIMARY ENTRANCE WILL BE DEMARKED BY INTEGRAL PLANTERS, ENHANCED EXTERIOR LIGHT FIXTURES, AND ARCHITECTURAL DETAILS - 1 POINT</p> <p>E. THE PROJECT WILL HAVE A DISTINCT ROOF DESIGN - 1 POINT</p> <p>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</p> <p>G. 75% OF THE FACADE FACING THE PRINCIPAL STREET WILL BE STOREFRONT WITH A MINIMUM OF 2 SEPARATE ENTRANCES - 2 POINTS</p> <p>H. THE PROJECT WILL HAVE A</p> |
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|  |            |   | SUSTAINABLE ROOF AS OUTLINED IN SECTION 3.3.2 OF CHAPTER 25-2, SUBCHAPTER E - 2 POINTS  |
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| <p>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.</p> | <p>Yes</p> | <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> | <p>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 ROAD 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.</p> <p>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 ROAD SHALL BE A MINIMUM OF 75% OF THE</p> |

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| <p>10. Affordable housing programs for participation in affordable housing.</p> | <p>Yes.</p> | <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>CUMULATIVE FRONTAGE (EXCLUDING DRIVEWAY OPENINGS 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).</p>  |
|   |             |  | <p>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</p> |

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| 11. Historic Preservation<br>Preserves historic structures, landmarks, or other features to a degree exceeding applicable legal requirements. | Yes. | <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 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.</li> <li>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.</li> </ul> | 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 ASSUMPTION ABOVE).  |
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|   |      |  | <p>NOTE 6. 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.</p> <p>NOTE 7. DRIVEWAYS ALONG SOUTH LAMAR BOULEVARD AND LEE BARTON ROAD 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.</p> <p>NOTE 22. THE PROJECT WILL UTILIZE A "U-SHAPED" DESIGN WITH THE OPEN PORTION OF THE "U" FACING IN A SOUTHERLY DIRECTION.</p> |

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|  |  |  | <p>DIRECTION. THE OPEN PORTION OF THE "J" 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:</p> <p>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;</p> <p>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 ROAD CORNER AND CONTINUE ON THE PROJECT'S LEE BARTON ROAD EDGE TO A POINT</p> |
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|  |  |  | <p>APPROXIMATELY 40 FEET FROM THE SITE'S SOUTHERN PROPERTY LINE; AND</p> <p>C. THE THIRD BUILDING BLOCK WILL HAVE A MAXIMUM HEIGHT OF 35 FEET AND WILL BE SITUATED ALONG THE PROJECT'S LEE BARTON ROAD EDGE BETWEEN THE SOUTHERN EDGE OF THE SECOND BUILDING BLOCK DESCRIBED ABOVE AND THE SITE'S SOUTHERN PROPERTY LINE.</p> <p>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.</p> <p>NOTE 35. THE ELEVATOR</p> |
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Tier 1 & Tier 2 Compliance

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|   |             |   | <p>CURRENTLY PROVIDING ACCESS TO THE PAGGI HOUSE FOR PERSONS WITH DISABILITIES SHALL BE RELOCATED TO A SITE ADJACENT TO LEE BARTON ROAD. 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.</p> |
| <p>12. Accessibility -- Provides for accessibility for persons with disabilities to a degree exceeding applicable legal requirements.</p> | <p>Yes.</p> | <p>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.</p> | <p>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</p>  |

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|  |  |  | <p>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.</p> <p><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 ROAD. 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</p> |
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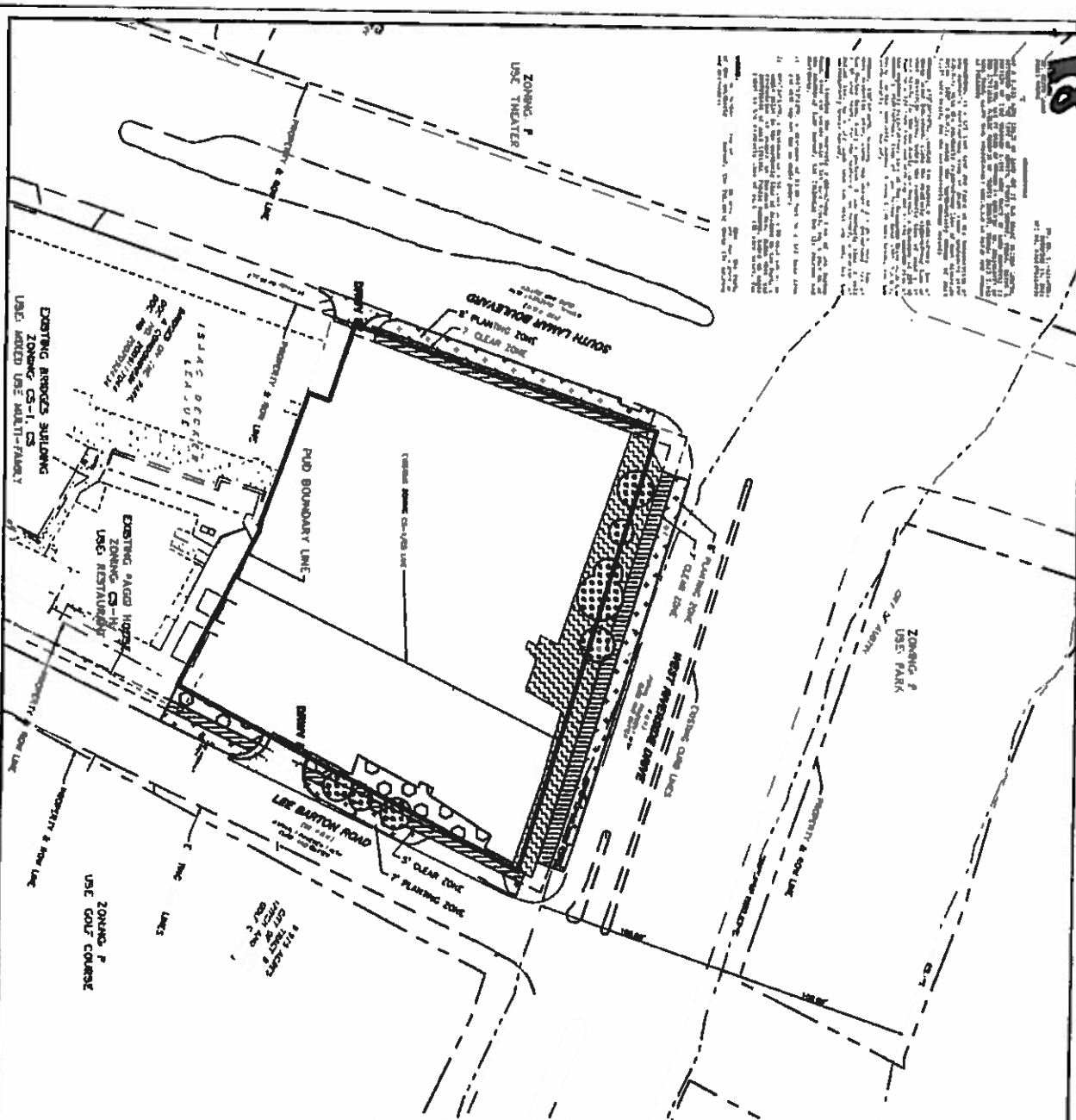
211 S. Lamar PUD  
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|   |      |  | PAGGI HOUSE WILL NOT OPERATE AS A RESTAURANT DURING CONSTRUCTION OF THE PROJECT. THE RELOCATION SHALL BE ACCOMPLISHED BEFORE THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY IS ISSUED FOR THE RESIDENTIAL PORTION OF THE PROJECT.   |
| 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. |

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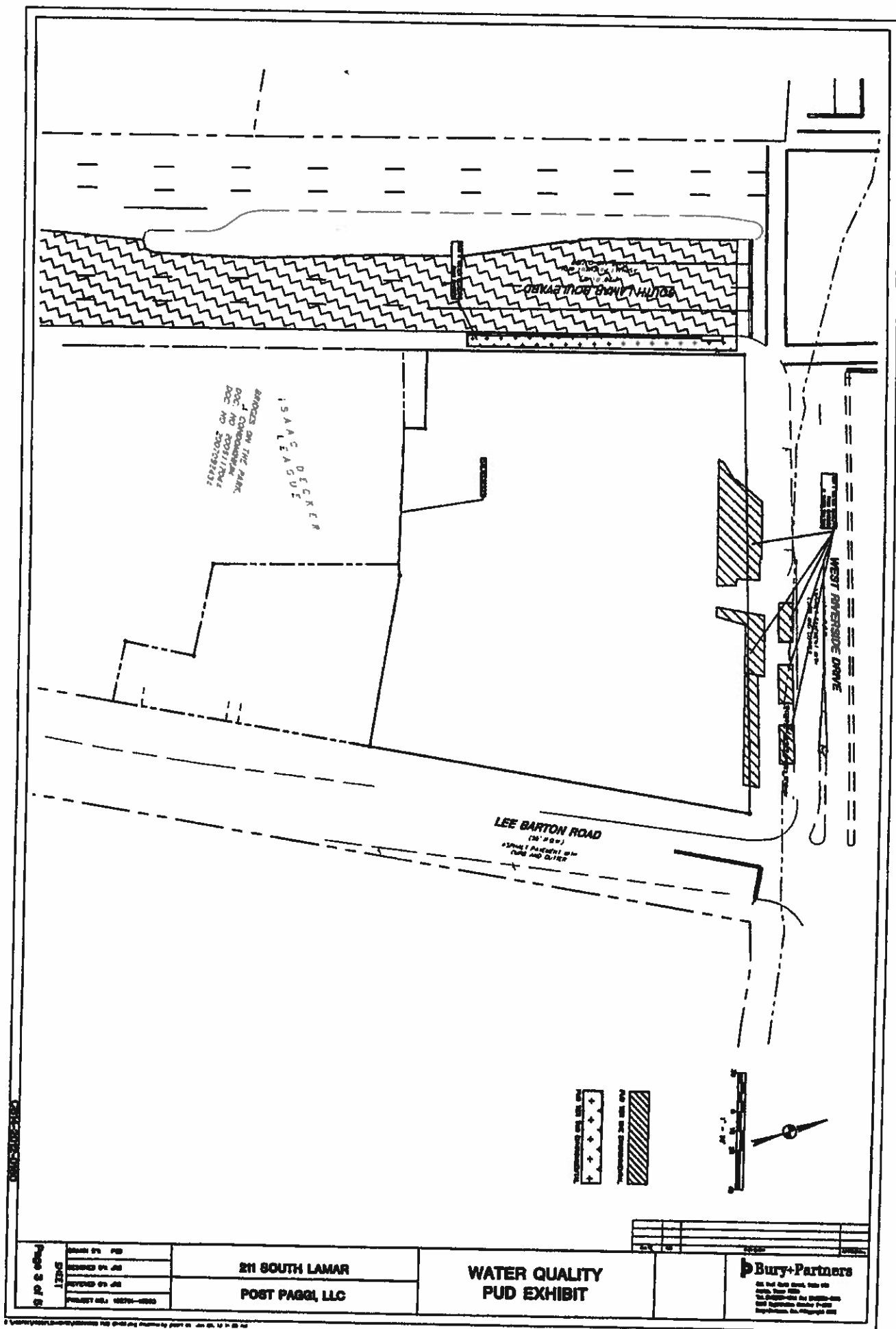
| NO.          | DESCRIPTION  | AREA (SQ. FT.)   | AREA (AC.)  |
|--------------|--|------------------|-------------|
| 1            | PLANNING ZONE  | 1,234,567        | 28.3        |
| 2            | CLEAR ZONE   | 567,890          | 12.9        |
| 3            | PLAZA AND OUTDOOR SEATING AREA (AND SUPPLEMENTAL ZONE) | 123,456          | 2.8         |
| 4            | CORRECTIONAL TREE ROOT ZONE                            | 45,678           | 1.0         |
| 5            | OTHER  | 12,345           | 0.3         |
| <b>TOTAL</b> |  | <b>1,983,836</b> | <b>45.3</b> |

| NO.          | DESCRIPTION  | AREA (SQ. FT.)   | AREA (AC.)  |
|--------------|--|------------------|-------------|
| 1            | PLANNING ZONE  | 1,234,567        | 28.3        |
| 2            | CLEAR ZONE   | 567,890          | 12.9        |
| 3            | PLAZA AND OUTDOOR SEATING AREA (AND SUPPLEMENTAL ZONE) | 123,456          | 2.8         |
| 4            | CORRECTIONAL TREE ROOT ZONE                            | 45,678           | 1.0         |
| 5            | OTHER  | 12,345           | 0.3         |
| <b>TOTAL</b> |  | <b>1,983,836</b> | <b>45.3</b> |

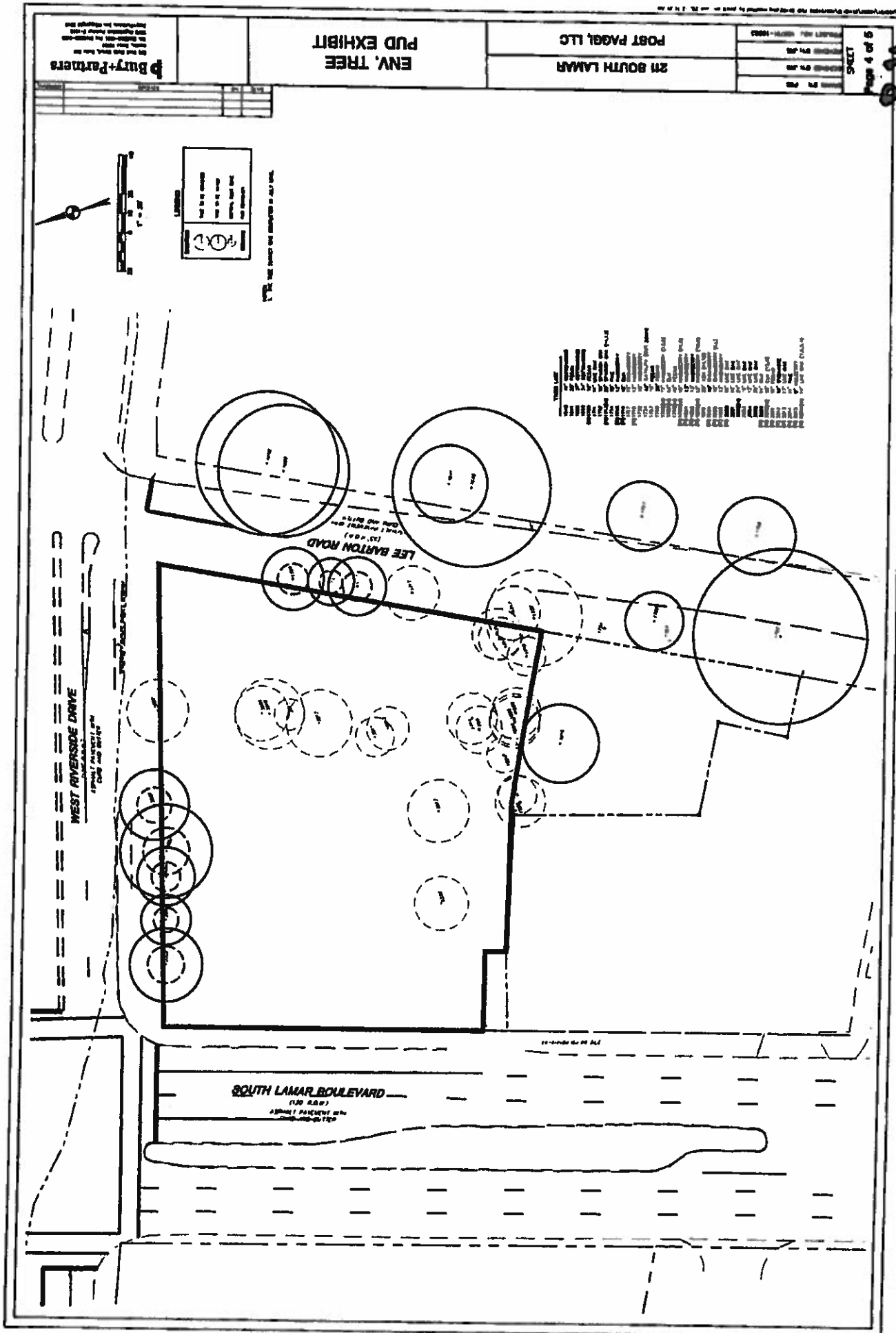
| NO.          | DESCRIPTION  | AREA (SQ. FT.)   | AREA (AC.)  |
|--------------|--|------------------|-------------|
| 1            | PLANNING ZONE  | 1,234,567        | 28.3        |
| 2            | CLEAR ZONE   | 567,890          | 12.9        |
| 3            | PLAZA AND OUTDOOR SEATING AREA (AND SUPPLEMENTAL ZONE) | 123,456          | 2.8         |
| 4            | CORRECTIONAL TREE ROOT ZONE                            | 45,678           | 1.0         |
| 5            | OTHER  | 12,345           | 0.3         |
| <b>TOTAL</b> |  | <b>1,983,836</b> | <b>45.3</b> |

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## **211 South Lamar / C814-2012-0160 / Response to Update #1**

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### **Electric Review - David Lambert - (512) 322-6109**

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Comments cleared – See Email 2013-02-05

### **NPZ Environmental Review - Brad Jackson 512-974-3410**

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Monday, February 11, 2013

#### **UPDATE #1 2/1/13**

EV 01 This PUD is proposing to save 8 of the 10 trees along the perimeter of the site. The applicant has met with this reviewer and the City Arborist Michael Embesi on design techniques to save trees. In order to fully demonstrate environmental superiority of this PUD, the 2 trees proposed for removal must be further reviewed to assess any possible design changes that could save these trees. This comment pending coordination with the City Arborist to assess the site design and the trees.

#### **UPDATE #1 Comment cleared.**

EV 02 The land use plan sheet does not show trees to be preserved and there appears to be sidewalks and planting zones shown within the ½ CRZ of trees proposed for preservation. In addition, the "plaza and outdoor seating area" shown within tree CRZs does not appear to meet tree preservation criteria. It appears the trees with appropriate CRZ preservation areas need to be shown on the Land Use Plan to ensure all planning aspects of the proposed PUD can be accomplished simultaneously.

**UPDATE #1 Note # 32 addresses the tree preservation criteria required to preserve trees in the PUD. The Env. Tree PUD Exhibit, sheet 4, shows tree #1709 to be removed in the list when it is supposed to remain, and it shows tree 1732 with a 50 ft CRZ instead of a 30 ft CRZ as stated in the tree survey list. Please correct these inconsistencies. This comment can be cleared informally.**

### **NPZ PARD/Planning & Design Review - Chris Yanez 512-974-9455**

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UPDATE #1:

PR1-5. Cleared.

PR6. FYI; parkland dedication will be required prior to approval of a site plan on this property.

### **NPZ Site Plan Review - Michael Simmons-Smith (512) 974-1225**

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Comments Cleared – See Email 2013-02-13

## **211 South Lamar / C814-2012-0160 / Response to Update #1**

**NPZ Transportation Review - Ivan Naranjo - (512) 974-7649**

Tuesday, February 12, 2013

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TR1. No additional right-of-way is needed for S. Lamar Blvd. and Riverside Drive per the Austin Metropolitan Area Transportation Plan.

- **Update #1: Cleared.**

TR2. A traffic impact analysis was waived for this case because the traffic that will be generated by the proposed land uses for the PUD do not exceed the threshold of 2,000 vehicle trips per day over the existing land uses. [LDC, 25-6-113] If the PUD zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day over the existing uses. [LDC, 25-6-117]

- **Update #1: Cleared.**

TR3. The proposed PUD must demonstrate superior elements aimed to improve the efficiency for vehicular, bicycle, pedestrian, and accessible traffic networks located in the PUD's surrounding area. All proposed transportation improvements need to be coordinated for approvals by the Public Works Dept., the Austin Transportation Dept., and the Dept. of Planning & Development Review.

- **Update #1: Pending. Written approvals from the Public Works Dept. and the Austin Transportation Dept. have not been received.**

TR4. The proposed PUD would be required to comply with the Great Streets Program or the intent of Subchapter E, Section 25-2, of the Land Development Code. The requirements of Subchapter E pertinent to this development are dependent upon the site's principal roadway types; S. Lamar Blvd. and Riverside Drive are defined as Core Transit Corridors. Approval from PDRD Urban Design Division would be required at the site plan stage.

- **Update #1: Cleared.**

TR5. Sidewalk easements are required when the public sidewalk enters onto private property. Some sections of the proposed PUD include public sidewalks shown within private property and thus will require a sidewalk easement which must be approved by the Legal Dept.

- **Update #1: Pending. This item can be deferred to the site plan stage.**

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TR6. All driveways and parking must be provided in accordance with design and construction standards of the Transportation Criteria Manual. The proposed driveway along S. Lamar Blvd. shows encroachment and will require the consent from the adjacent property owner for approval of the site plan.

- **Update #1: Pending.** This item may be deferred to the site plan stage.

TR7. Written approvals from the Austin Transportation Dept. will be required for the proposed street modification along Riverside Drive and for the On-street loading and Valet-drop-off zone proposed within the Lee Barton Road right-of-way.

- **Update #1: Pending.** Written approval from the Austin Transportation Dept. is needed for the proposed parking shown in the ROW along Lee Barton.

TR8. The proposed PUD is located in the urban core area of the city and should meet the minimum off-street parking requirement which is 80 percent of that prescribed by Chap. 25-6, Appendix A.

- **Update #1: Cleared.**

**NPZ Water Quality Review - Jay Baker 512-974-2636**

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**DATE: 2/7/13**

**UPDATE NO. 1 COMMENTS:**

**FORMAL UPDATE REQUESTED**

Please provide a comment response letter with the update addressing each of the following comments. All engineering representations must be signed by the responsible engineer. Additional comments may be issued as additional information is received.

WQ 1. Include in the land use plan a water quality plan demonstrating how the Tier II requirements can be met including 25% additional water quality volume and 20 % greater pollutant removal as well as treatment of currently untreated off-site drainage areas of at least 25% of the subject tract.

**UPDATE #1:** Thank you for including the water quality plan with this update. It is unclear at this time why the Tier II water quality requirements are "neither directly applicable or constructively achievable". Since this involves superior treatment associated with the site



**211 South Lamar / C814-2012-0160 / Response to Update #1**

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improvements and integrated with the building, coordination will need to be made through the Green Building Reviewer and the case manager to confirm that Tier II water quality is not feasible. The green building program reviewer indicated a comment of two star achievement which sometimes calls for superior water quality so that will also need to be coordinated and discussed. Please contact me to coordinate a meeting with the case manager and the green building reviewer for discussion.

Heckman, Lee

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**From:** Lambert, David <David.Lambert@austinenergy.com>  
**Sent:** Tuesday, February 05, 2013 4:08 PM  
**To:** Heckman, Lee  
**Subject:** RE: PUD Zoning Case C14-2012-0160 / 211 S Lamar

My comment is cleared.

Dave

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**From:** Heckman, Lee [<mailto:Lee.Heckman@austintexas.gov>]  
**Sent:** Tuesday, February 05, 2013 4:05 PM  
**To:** Lambert, David  
**Subject:** PUD Zoning Case C14-2012-0160 / 211 S Lamar

Mr. Lambert:

I'm reviewing the update to this application and see that a meeting was held 1/14/2013 between you and the applicant (probably Amanda Swor). There's supposed to be an email attached indicating your comments were cleared, but I don't see that.

Can you please confirm that your previous review comments have been cleared? Thank you in advance.

Lee Heckman, AICP  
City of Austin  
Planning & Development Review Dept.  
One Texas Center  
505 Barton Springs Road, 5th Fl  
Austin, Texas 78704

Tel: 512 - 974 - 7604  
Fax: 512 - 974 - 6054  
Email: [lee.heckman@austintexas.gov](mailto:lee.heckman@austintexas.gov)

Heckman, Lee

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**From:** Simmons-Smith, Michael  
**Sent:** Wednesday, February 13, 2013 3:46 PM  
**To:** Heckman, Lee  
**Subject:** 211 South Lamar Blvd. (C814-2012-0160)

Lee....

Please note that the Site Plan Review comments for this case have been cleared as of this date, and I have indicated "approved" in the status line of the Process tab in AMANDA.

Thank you for your attention to this matter.

**Michael Simmons-Smith**  
*Senior Planner*

**LAND USE REVIEW**

City of Austin | Planning and Development Review Department  
505 Barton Springs Road | 4<sup>th</sup> floor | Austin TX | 78704

Tel | 512.974.1225

Email | [michael.simmons-smith@austintexas.gov](mailto:michael.simmons-smith@austintexas.gov)

Please note: E-mail correspondence to and from the City of Austin is subject to requests for required disclosure under the Public Information Act.



Please consider the environment before printing this e-mail.

## March 6, 2013 Staff Comment Update

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As of this date there are two environmental comments and one transportation comment to clear through informal updates, that is, through direct contact and coordination between the applicant and staff who issued the comment.

### ENVIRONMENTAL

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The environmental comments relate to trees and water quality. Specifically, there is a labeling inconsistency for tree identification on the land use plan. This is a typographical error, and will likely be corrected with the updated land use plan to be submitted on or before March 7. As indicated below, the proposed plan does surpass minimum requirements for tree preservation.

The water quality issue also involves an update to the land use plan, but represents an agreement between the applicant and the City as regards proposed improvements in the public right-of-way and requirements for onsite green water quality measures. The applicant has proposed water quality controls in South Lamar Boulevard; the City is concerned future public work improvements on that Boulevard may necessitate the need to remove these controls. Currently, city staff and the applicant are discussing notes which will appear on the land use plan to address the desire for these controls and simultaneously what happens if they are to be removed. Additionally, the applicant has proposed green water quality treatment options for onsite water quality. It is unknown what method, or combination of methods will be used as they have yet to be designed. As such, the exact method(s) used to meet or exceed code requirements for onsite water quality treatment will be reviewed and approved as part of the site planning process.

The draft language addressing these issues is as follows, but staff expects that these notes will be finalized prior to scheduling the application for Environmental Board consideration.

GREEN STORM WATER QUALITY TREATMENT METHODOLOGIES, WHICH MAY INCLUDE BUT ARE NOT LIMITED TO, RAIN WATER COLLECTION, RAIN GARDENS, OR BIO-FILTRATION PONDS SHALL BE UTILIZED TO 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 MUTALLY AGREED UPON BY THE CITY AND THE OWNER, THAT ARE DESIGNED TO PROVIDE WATER QUALITY TREATMENT FOR CURRENTLY UNTREATED OFF-SITE AREAS WITH A MINIMUM DRAINAGE AREA OF 10,500 SF THAT PROVIDE A MINIMUM OF 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 RUN OFF BE REMOVED DUE TO FUTURE IMPROVEMENTS INSTALLED AT THE DIRECTION OF THE CITY OF AUSTIN, THE CURRENT OWNER OF THE SITE SHALL PROVIDE PAYMENT OF AN AMOUNT EQUAL TO 25% OF THE FEE CALCULATED BASED ON CURRENT CODE AT THE TIME OF REQUEST FOR FEE IN LIEU OF PROVIDING WATER QUALITY CONTROLS BASED ON THE FULL BUILD OUT OF THE SITE WITHOUT REDEVELOPMENT CONSIDERATIONS AS PAYMENT INTO THE URBAN WATERSHEDS STRUCTURAL

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CONTROL FUND. SUCH PAYMENT SHALL BE MADE BY THE LANDOWNER WITHIN 30 DAYS OF REMOVAL OF SAID WATER QUALITY FACILITIES.

An updated water quality schematic will also likely be added to the land use plan.

**From:** Embesi, Michael  
**Date:** March 6, 2013, 8:42:39 AM CST  
**To:** Scott, Jeffrey  
**Cc:** Amanda Swor; Steve Drenner  
**Subject:** RE: 211 S. Lamar Tree Protection Superiority

Thank you for your email. The proposed plan surpasses the minimum requirement for tree preservation.

Thank you,  
Michael Embesi  
City of Austin - Planning and Development Review Department  
City Arborist  
505 Barton Springs Road, Fourth Floor  
Austin, TX 78704  
Phone (512) 974-1876  
Fax (512) 974-3010

Web Site <http://www.austintexas.gov/department/city-arborist>

**From:** Jackson, Brad  
**Sent:** Tuesday, March 05, 2013 4:53 PM  
**To:** Heckman, Lee  
**Subject:** RE: 211 S Lamar PUD

Hi Lee,  
My comments were really minor, just some slight revisions to the LUP. They can just address them in their next informal submittal of the LUP. We have determined the tree preservation to be superior.

Brad Jackson  
Environmental Review Specialist Sr.  
(512) 974-3410

**TRANSPORTATION**

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The transportation comment is in reference to the proposed maneuvering of trucks in Lee Barton right-of-way to access onsite refuse and recycling facilities. This is not an uncommon practice elsewhere in Austin. While the right to do so may be granted by Council as part of the PUD adoption, there is a desire for such maneuvering to be reviewed and approved by the Austin Transportation Department (ATD). Without the benefit of a site plan illustrating the location of these facilities and how access would function, it is difficult for ATD to grant blanket support of the request. PDR staff is working with ATD staff and the applicant to derive a land use plan note that would allow for this maneuvering, which in this case is a variance to the Transportation Criteria Manual, while still allowing ATD the authority to review and approve the maneuvering plan as part of the site planning process. As with the environmental comments, staff expects this comment may be cleared in short order.

**From:** Heckman, Lee  
**Sent:** Tuesday, March 05, 2013 1:01 PM  
**To:** Naranjo, Ivan  
**Subject:** C814-2012-0160 / 211 S Lamar PUD

Ivan:

To confirm your voice mail:

TR#3. Cleared.

TR#7. Pending.

Parking in ROW along Lee Barton is no longer proposed.

Maneuvering in the ROW for purposes of accessing trash and recycling facilities is under review and, in the absence of a site plan submitted for review that shows location and circulation, may require modification of an appropriate land use plan note requiring ATD approval at the time of site planning.

Lee

**From:** Yanez, Chris  
**Sent:** Monday, April 01, 2013 2:37 PM  
**To:** Heckman, Lee  
**Subject:** RE: 211 South Lamar PUD / C814-2012-0160

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Hi Lee, from a public recreation standpoint the applicants will likely opt to pay a fee-in-lieu of parkland dedication. With the proximity to so much existing public parkland and given the small size of the development area PARD would most likely support the fee-in-lieu option. PARD assess this as typical or standard development practice and not superior.

**Based on the metrics for PUDs provided in the LDC and approved by City Council, this project meets the standards for type and exceeds Tier-1 and Tier-2 requirements for amount of open space and therefore can be assessed as superior.**

Adding office space for PARD would appear to meet the intent of providing an additional community benefit in exchange for a development bonus, but as the proposed lease is only for 20 years with no guaranteed options for renewal at existing or reduced rates, PARD questions whether the community benefit matches or exceeds the permanence of any granted development bonuses.

I hope this helps and let me know if you need anything else.

Chris Yanez  
Principal Planner  
*Austin Parks & Recreation Dept.*  
*Division of Planning & Development*  
512-974-9455

**From:** Naranjo, Ivan  
**Sent:** Wednesday, April 03, 2013 4:49 PM  
**To:** Heckman, Lee  
**Cc:** Rye, Steve  
**Subject:** RE: C814-2012-0160

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Hi Lee,

In response to your question related to exceeding code/superiority as it relates to transportation issues, I have been in contact with the applicant and agree on the following:

The summary of agreed upon transportation improvements demonstrating superiority are as follows:

1. The development proposes a Pedestrian Crosswalk across Lee Barton Drive
2. The developer will contribute Funding for:
  - A) Pedestrian Crossing Improvements across Riverside Drive
  - B) A 12-foot Shared Use Path linking Lee Barton Drive east along the southern ROW of Riverside Drive to Butler Park.
  - C) A 6-foot City of Austin Sidewalk in Lee Barton Drive south connecting the existing sidewalk to the proposed sidewalks on the tract.
3. Bicycle Improvements to be Provided:
  - A) Commercial bicycle parking 20% more than code requires.
  - B) Residential secure bicycle parking.
  - C) A Public Bike Share Kiosk in the proposed plaza area adjacent to Riverside Drive, Lamar Boulevard, The Pedestrian Bridge, and the Hike & Bike Trail.
4. The proposed development will provide additional parking to improve the existing parking situation which includes the Paggi House restaurant.

I hope this is of assistance to you but please let me know if you have any questions or need additional information.

Best regards,

Ivan J. Naranjo, Senior Transportation Planner  
City of Austin - Planning & Development Review Dept.  
Land Use Review Division / Transportation Review Section  
Office: 512.974.7649 / Fax: 512.974.2423  
Email: ivan.naranjo@@austintexas.gov






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## MEMORANDUM

**TO:** Lee Heckman, Senior Planner  
Planning and Development Review Department

**FROM:** Chuck Lesniak, Environmental Officer   
Watershed Protection Department

**DATE:** April 17, 2013

**SUBJECT:** 211 S. Lamar PUD

This memo is to confirm that the proposed Planned Unit Development (PUD) has, in my opinion, met the requirements for environmental superiority as required by City Code. In consultation with other staff, I have reviewed the proposed PUD and made this determination based on these factors:

- Preservation of 8 healthy trees not required to be preserved by City code.
- Water quality treatment of off-site stormwater in an amount equal to or greater than 25% of the required treatment volume.
- Installation and maintenance of curb inlet filters to prevent floatables (litter) from entering Lady Bird Lake.

Also taken into consideration was that the site is an urbanized area, is allowed to be entirely developed under current regulations, and that the project is not asking for any exceptions to current environmental regulations. Given these site conditions and the voluntary environmental aspects of the project that exceed minimum regulatory requirements, it is my opinion that the project is environmentally superior to development under conventional zoning and subdivision regulations.

If you have any questions, please contact me at 974-2699.

211 South Lamar Planned Unit Development  
Waterfront Overlay Ordinance Project Compliance

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| Waterfront Overlay Ordinance Land Development Code Section  | Ordinance Requirements   | Project Compliance   |
|---|--|--|
| <p><b>§ 25-2-692 WATERFRONT OVERLAY DISTRICT USES.</b><br/> <i>Source: Section 13-2-228; Ord. 990225-70; Ord. 990715-115; Ord. 990902-57; Ord. 010607-8; Ord. 031211-11; Ord. 032111-41; Ord. 040617-Z-1.</i></p> | <p>(H) In the Butler Shores subdistrict, not less than 50 percent of the net usable floor area of the ground level of a structure adjacent to Town Lake must be used for pedestrian oriented uses.</p>   | <p><b>THE CUMULATIVE AMOUNT OF PEDESTRIAN-ORIENTED USES ALONG THE TOAL STREET FRONTAGES OF THE PROJECT (EXCLUDING AREAS NOT TYPICALLY INCLUDED AS FRONTAGE IN SUCH CALCULATIONS) SHALL EXCEED 75%.</b></p> |
| <p><b>§ 25-2-721 WATERFRONT OVERLAY (WO) COMBINING DISTRICT REGULATIONS.</b><br/> <i>Source: Section 13-2-700; Ord. 990225-70; Ord. 990715-115; Ord. 010607-8; Ord. 031211-11; Ord. 20090611-074.</i></p>         | <p>(B) In a primary setback area:<br/>           (1) except as otherwise provided in this subsection, parking areas and structures are prohibited; and<br/>           (2) park facilities, including picnic tables, observation decks, trails, gazebos, and pavilions, are permitted if:<br/>               (a) the park facilities are located on public park land; and<br/>               (b) the impervious cover does not exceed 15 percent.</p>   | <p><b>PRIMARY SETBACK AREA LIES OUTSIDE PROJECT BOUNDARY</b></p>   |
|   | <p>(C) In a secondary setback area:<br/>           (1) fountains, patios, terraces, outdoor restaurants, and similar uses are permitted; and<br/>           (2) impervious cover may not exceed 30 percent.<br/>           (D) This subsection provides requirements for parking areas.<br/>           (1) Surface parking:<br/>               (a) must be placed along roadways, if practicable; and<br/>               (b) must be screened from views from Town Lake, the Colorado River, park land, and the creeks named in this part.<br/>           (2) A parking structure that is above grade:</p> | <p><b>SECONDARY SETBACK AREA LIES OUTSIDE PROJECT BOUNDARY</b></p>   |

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|  | <p>(a) must be on a pedestrian scale and either architecturally integrated with the associated building or screened from views from Town Lake, the Colorado River, park land, and the creeks named in this part; and</p> <p>(b) if it is adjacent to Town Lake, the Colorado River, park land, or a creek named in this part, it must incorporate pedestrian oriented uses at ground level.</p> <p>(3) Setback requirements do not apply to a parking structure that is completely below grade.</p> <p>(E) This subsection provides design standards for buildings.</p> |   |
|  | <p>(1) Exterior mirrored glass and glare producing glass surface building materials are prohibited.</p>   | <p><b>THERE WILL BE NO MİRRORED GLASS AND NO GLARE PRODUCING GLASS SURFACE BUILDING MATERIALS AS REQUIRED</b></p>   |
|  | <p>(2) Except in the City Hall subdistrict, a distinctive building top is required for a building that exceeds a height of 45 feet. Distinctive building tops include cornices, steeped parapets, hipped roofs, mansard roofs, stepped terraces, and domes. To the extent required to comply with the requirements of Chapter 13-1, Article 4 (<i>Heliports and Helicopter Operations</i>), a flat roof is permitted.</p>   | <p><b>THE TOP FLOOR IS STEPPED BACK ON ALL 3 SIDES TO PROVIDE A DISTICNTLY DIFFERENT BUILDING TOP, THE ROOF IS UNDULATING AND HAS A THICKNESS TO PROVIDE A DISTINCT BUILDING CORNICE.</b></p> |
|  | <p>(3) Except in the City Hall subdistrict, a building basewall is required for a building that fronts on Town Lake, Shoal Creek, or Waller Creek, that adjoins public park land or Town Lake, or that is across a street from public park land. The basewall may not exceed a height of 45 feet.</p>   | <p><b>BETWEEN THE GORUND FLOOR AND UPPER FLOOR THERE IS A PROJECTION THAT VISUALLY SEPARATES THE BASE AND UPPER PORTION OF THE BUILDING. IN ADDITION THE UPPER FLOORS</b></p>                 |

211 South Lamar Planned Unit Development  
Waterfront Overlay Ordinance Project Compliance

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|  |   | <p><b>WILL CHANGE IN MATERIAL PALLETTE.</b></p> <p><i>(1) BASEWALL means the vertical surface of a building beginning at the finished grade up to a level defined by a setback or an architectural treatment, including a cornice line or similar projection or demarcation, that visually separates the base of the building from the upper portion of the building.</i></p>                                  |
|  | <p>(4) A building facade may not extend horizontally in an unbroken line for more than 160 feet.</p>  | <p><b>THE BUILDING FAÇADE DOES NOT EXTEND HORIZONTALLY UNBROKEN FOR MORE THAN 160 FEET. ON THE GROUND FLOOR OF RETAIL ALONG LAMAR IS LESS THAN 160', ON RIVERSIDE THE GROUND FLOOR IS BROKEN IN THE MIDDLE TO PROVIDE TWO DISTINCT RETAIL LOCATIONS AND ON LEE BARTON THE FAÇADE IS LESS THAN 160'. ON UPPER FLOORS THE BUILDING UNDULATES (CHANGES PLANE) IN AND OUT ALONG THE LENGTH OF THE FAÇADES.</b></p> |
|  | <p>(F) Underground utility service is required, unless otherwise determined by the utility provider.</p>  | <p><b>UNDERGROUND UTILITY SERVICE WILL BE PROVIDED WHERE REQUIRED.</b></p>   |
|  | <p>(G) Trash receptacles, air conditioning or heating equipment, utility meters, loading areas, and external storage must be screened from public view.</p> | <p><b>ALL TRASH RECEPTACLES, AIR CONDITIONING OR HEATING EQUIPMENT, UTILITY METERS, LOADING AREAS, AND EXTERNAL STORAGE</b></p>  |

211 South Lamar Planned Unit Development  
Waterfront Overlay Ordinance Project Compliance

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|   |  | <b>WILL BE SCREENED<br/>FROM PUBLIC VIEW<br/>WHERE REQUIRED.</b>   |
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| <p><b>§ 25-2-722 SPECIAL<br/>REGULATIONS FOR<br/>PUBLIC WORKS.</b><br/><i>Source: Section 13-2-700.1;<br/>Ord. 990225-70; Ord. 010329-<br/>18; Ord. 010607-8; Ord.<br/>031211-11.</i></p> | <p>(A) Development of public works in Town Lake Park, including utility construction, flood control channels, and bridge improvements, must be consistent with the Town Lake Park Plan.</p> <p>(B) The Watershed Protection and Development Review Department shall review an application for development of public works in Town Lake Park and shall work with the Parks and Recreation Department to implement applicable recommendations by the Comprehensive Watershed Ordinance Task Force that were approved by the council on May 22, 1986.</p> <p>(C) The Environmental Board shall review a project if the director determines that the project offers an opportunity for a major urban water quality retrofit. If Land Use Commission review is required, the Environmental Board shall forward its comments to the Land Use Commission.</p> | <b>NOT APPLICABLE</b>  |
| <p><b>§ 25-2-723 SPECIAL<br/>REGULATIONS FOR<br/>PUBLIC RIGHTS-OF-<br/>WAY.</b><br/><i>Source: Section 13-2-700.2;<br/>Ord. 990225-70; Ord. 031211-<br/>11.</i></p>                       | <p>A) For a right-of-way described in Subsection (B), development of the right-of-way, including street, sidewalk, and drainage construction, must be compatible with the development of adjacent park land and consistent with the Town Lake Park Plan. Factors to be considered in determining consistency with the Town Lake Park Plan include park land access, road alignment, utility placement, sidewalk design, railing design, sign design and placement,</p>   | <b>PROJECT WILL BE<br/>COMPATIBLE WITH<br/>DEVELOPMENT OF<br/>ADJACENT PARK LAND<br/>AND CONSISTANT WITH<br/>TOWN LAKE PARK PLAN</b> |

211 South Lamar Planned Unit Development  
Waterfront Overlay Ordinance Project Compliance

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|   | landscaping, and stormwater filtration.-   |   |
|   | <p>(B) Subsection (A) applies to:</p> <p>(1) public rights-of-way within or adjoining the boundaries of the WO combining district, including public rights-of-way for streets designated in the Transportation Plan;</p> <p>(2) Trinity Street, from Cesar Chavez Street to Fifth Street; and</p> <p>(3) Guadalupe Street and Lavaca Street, from Cesar Chavez Street to Fifth Street.</p> <p>(C) For a street described in Subsection (D), streetscape improvements that are consistent with the Town Lake Park Plan are required. A streetscape improvement is an improvement to a public right-of-way, and includes sidewalks, trees, light fixtures, signs, and furniture.</p> | <b>PROJECT WILL BE CONSISTENT WITH TOWN LAKE PARK PLAN STREETSCAPE IMPROVEMENTS</b> |
| <p><b>§ 25-2-733 BUTLER SHORES SUBDISTRICT REGULATIONS.</b></p> <p><i>Source: Section 13-2-702(m); Ord. 990225-70; Ord. 031211-11; Ord. 20090611-074.</i></p> | <p>(A) This section applies in the Butler Shores subdistrict of the WO combining district.</p> <p>(B) The primary setback lines are located:</p> <p>(1) 100 feet landward from the Town Lake shoreline;</p>  | <b>PROJECT LIES OUTSIDE OF PRIMARY SETBACK LINE</b>                                 |
|   | <p>(2) 35 feet south of the southern boundary of Toomey Road;</p> <p>(3) 35 feet south of the southern boundary of Barton Springs Road;</p> <p>(4) 35 feet north of the northern boundary of Barton Springs Road; and</p> <p>(5) 100 feet from the Barton Creek centerline.</p> <p>(C) The secondary setback line is located 100 feet from the primary setback line of Town Lake.</p>  | <b>PROJECT LIES OUTSIDE OF PRIMARY AND SECONDARY SETBACK LINES</b>                  |
|   | (D) Impervious cover is prohibited on land with a gradient that exceeds 25 percent.  | <b>NO GRADIENT EXCEEDS 25%</b>  |



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|  | <p>(E) This subsection applies to a nonresidential use in a building adjacent to park land adjoining Town Lake.</p> <p>(1) For a ground level wall that is visible from park land or a public right-of-way that adjoins park land, at least 60 percent of the wall area that is between 2 and 10 feet above grade must be constructed of clear or lightly tinted glass. The glass must allow pedestrians a view of the interior of the building.</p>  | <p><b>GROUND FLOOR LEVEL ON LAMAR AND RIVERSIDE IS WRAPPED WITH RETAIL STOREFRONT ON OVER 60% OF THE WALL FRONTAGE</b></p> |
|  | <p>(2) Entryways or architectural detailing is required to break the continuity of nontransparent basewalls.</p>  | <p><b>WHERE NO GLAZING, A STRCUTURAL PODIUM AT THE 2ND LEVEL WILL BREAK ANY BASE WALL CONTINUITY ALONG RIVERSIDE</b></p>   |
|  | <p>(3) Except for transparent glass required by this subsection, natural building materials are required for an exterior surface visible from park land adjacent to Town Lake.</p>  | <p><b>WE WILL BE USING NATURAL BUILDING MATERIALS WHERE REQUIRED</b></p>   |
|  | <p>(F) For a structure on property adjacent to and oriented toward Barton Springs Road, a building basewall is required, with a maximum height of:</p> <p>(1) 45 feet, if north of Barton Springs Road; or</p> <p>(2) 35 feet, if south of Barton Springs Road.</p> <p>(G) That portion of a structure built above the basewall and oriented towards Barton Springs Road must fit within an envelope delineated by a 70 degree angle starting at a line along the top of the basewall with the base of the angle being a horizontal plane extending from the line parallel to and away from the surface of Barton Springs Road.</p> <p>(H) The maximum height is:</p> <p>(1) for structures located north of Barton Springs Road, the lower of 96 feet or the maximum height allowed in the base zoning district; and</p> | <p><b>NOT APPLICABLE</b></p>   |

211 South Lamar Planned Unit Development  
Waterfront Overlay Ordinance Project Compliance

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|  | (2) for structures located south of Barton Springs Road, the lower of 60 feet or the maximum height allowed in the base zoning district. |  |
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| Superiority Item   | Applicable PUD Note  |
|--|--|
| 1. The PUD does not request any exceptions to or modifications of environmental regulations.                       |  |
| 2. The PUD prohibits uses that may contribute to air or water quality pollutants.                                  | <p>The PUD prohibits the following uses that may contribute to air or water quality pollutants:</p> <ul style="list-style-type: none"> <li>• Agricultural Sales and Services</li> <li>• Automotive Rentals</li> <li>• Automotive Repair Services</li> <li>• Automotive Sales</li> <li>• Automotive Washing</li> <li>• Construction Sales and Services</li> <li>• Drop-Off Recycling Collection Facility</li> <li>• Equipment Repair Services</li> <li>• Equipment Sales</li> <li>• Extermination Services</li> <li>• Plant Nursery</li> <li>• Printing and Publishing</li> <li>• Service Station</li> <li>• Vehicle Storage</li> <li>• Custom Manufacturing</li> <li>• Limited Warehousing and Distribution</li> <li>• Maintenance and Service Facilities</li> </ul> |
| 3. Project meets or exceeds Austin Energy 3-Star Green Builder Program   | <u>Note 3:</u> The Planned Unit Development will comply with the City of Austin Green Building Commercial Program with a (minimum) Three-Star rating.  |
| 4. The PUD will provide and IPM program and limit pesticide use on site.   | <u>Note 15:</u> 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.  |
| 5. The PUD is exceeding the landscaping irrigation requirements by 100%.   | <u>Note 17:</u> 100% of all landscaping on site will be irrigated by either storm water runoff conveyed to rain gardens for through the use of rainwater harvesting (or a combination of both); provided, however, the applicant shall have the right to supplement such landscape irrigation with potable water, if necessary.  |
| 6. The PUD will exceed native and adaptive landscape requirements by 100%  | <u>Note 16:</u> 100% of all landscape planting on site will be those designated by the City of Austin Grow Green Native and Adapted Plant Guide.   |
| 7. The project will comply with code requirements for on-site water quality treatment. (See included calculations) | <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   |

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|  | reviewed and approved by the City of Austin at the time of site development permit application.  |
| 8. The project will provide enhanced bicycle facilities on site for both residents and the public.   | <p><u>Note 27:</u> The project will provide the following bicycle facilities:</p> <ul style="list-style-type: none"> <li>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.</li> <li>B. Bicycle parking for the residents of the project. Such bicycle parking shall be provided in a secure location within the project's parking garage; and</li> <li>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.</li> </ul> |
| 9. The project is preserving 8 trees (5 along Riverside Drive and 3 along Lee Barton) on the site that would be lost if the project was constructed on current zoning. | <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 critical root zones as shown on the Land Use Plan will remain undisturbed.  |
| 10. The project will exceed the required amount of open space on the project by 140%.  | <u>Note 37:</u> 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, bio-filtration 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. |
| 11. The PUD will exceed onsite water quality treatment requirements.                | <u>Note 38:</u> 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 of Austin 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 of 1,150 CF of treatment volume which is an amount greater than 25% of the project area.  |
| 12. The PUD will provide curb inlet features to remove floatables adjacent to site. | <u>Note 39:</u> The project will provide and maintain the three curb inlet filters in the existing inlets on South Lamar Boulevard, Riverside Drive and Lee Barton Road adjacent to the site.  |



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263

## MEMORANDUM

**TO:** Lee Heckman, Senior Planner  
Planning and Development Review Department

**FROM:** Chuck Lesniak, Environmental Officer   
Watershed Protection Department

**DATE:** April 17, 2013

**SUBJECT:** 211 S. Lamar PUD

This memo is to confirm that the proposed Planned Unit Development (PUD) has, in my opinion, met the requirements for environmental superiority as required by City Code. In consultation with other staff, I have reviewed the proposed PUD and made this determination based on these factors:

- Preservation of 8 healthy trees not required to be preserved by City code.
- Water quality treatment of off-site stormwater in an amount equal to or greater than 25% of the required treatment volume.
- Installation and maintenance of curb inlet filters to prevent floatables (litter) from entering Lady Bird Lake.

Also taken into consideration was that the site is an urbanized area, is allowed to be entirely developed under current regulations, and that the project is not asking for any exceptions to current environmental regulations. Given these site conditions and the voluntary environmental aspects of the project that exceed minimum regulatory requirements, it is my opinion that the project is environmentally superior to development under conventional zoning and subdivision regulations.

If you have any questions, please contact me at 974-2699.

C7  
204

## **Historic Context of the Paggi House With Relation to Proposed Adjacent Development**

Prepared by the City of Austin Historic Preservation Office  
June, 2013

### **History of the Paggi House**

The actual date of construction of the Paggi House is not known, but the original portion of the house is believed to have been built as early as the 1830s, prior to the establishment and platting of the City of Austin. A construction date of the 1830s makes the Paggi House one of the, if not the, oldest buildings in Austin.

The house was built outside the plat of the original city, and was located on the first stable bluff south of the Colorado River on the road which led to Austin from the southwest (from Fredericksburg), crossing Barton Creek and leading to the low-water ford of the Colorado opposite the mouth of Shoal Creek. The road passed by the north-northwest side of the house, paralleling the Colorado River, and would have been in the approximate location of the present intersections of Riverside Drive and Barton Springs Road with South Lamar Boulevard.

Colonel Sterling W. Goodrich, a Virginian, purchased the property from James H. Raymond in 1853, the same year he arrived in Austin. Goodrich had a plantation here – his estate originally encompassed over 1,000 acres, stretching along the Colorado River to the east bank of Barton Creek, where he had a grist mill, sawmill, cotton gin, and hay reaping equipment. It is believed that the house was used by the Goodrich family as their family home, as well as an inn. Robert E. Lee's diaries of his years in Texas in the late 1850s, record that he stayed at an inn at the location of the house which is now known as the Paggi House. The house would have had an ideal location as a roadside inn for travelers coming to Austin from the southwest, arriving too late in the day to make the ford across the Colorado before nightfall.

Goodrich's fortunes waned after the Civil War, and he sold the house and approximately 8 acres surrounding it to George B. Zimpelman and a partner in 1867. Zimpelman was a land speculator, sheriff, surveyor, banker, and insurance agent. He owned the property for 17 years, but it is not clear if he ever lived in the house.

George Zimpelman sold the house to Michael Paggi in 1884; the Paggi family and its descendants owned the property for a good 90 years thereafter, even though the house eventually fell into disrepair and was condemned by the City of Austin as unsafe for habitation. Paggi was born in Italy, and came to Austin in the 1870s. Among his many businesses were an ice factory, grist mill, blacksmith shop (a designated City landmark at 503 Neches Street), and carriage shop (a designated City landmark at 421 E. 6<sup>th</sup> Street). Michael Paggi died in 1911, and the property was passed down to his descendants.

The house was designated as one of Austin's first historic landmarks in the fall of 1974; at that time, it was in a very deteriorated condition, but the heirs of Michael Paggi negotiated a 50-year lease with the architectural firm of Pfluger and Polkinghorn, who restored the house, along with its additions and outbuildings.

The Paggi House also has state and federal designations: it is a Recorded Texas Historic Landmark, and is listed in the National Register of Historic Places.

**Architecture of the Paggi House**

The Paggi House represents an excellent example of vernacular Greek Revival architecture, which was very common in more settled portions of Texas in the 1830s and 1840s, and which has been dubbed America's "National Style" of the 19<sup>th</sup> century. Greek Revival architecture hearkened back to the democracy of Ancient Greece, and became the dominant style for both residential and commercial buildings in the early 19<sup>th</sup> century, reflecting American independence, and the strength of American democracy. Greek Revival architecture is characterized by a symmetrical composition with a central hall and rooms leading off to each side and simple, Classical detailing. The original portion of the Paggi House was two rooms deep with a central hall. The original house had a small, central, gable-pedimented entry porch; the current porch is a result of a Victorian-era remodeling with a much more elaborate porch railing than would have been common or characteristic of Greek Revival design.

The house was built with hand-made bricks and wood-plank floors. The house most likely originally had a cedar-shake roof, as locally-sourced materials were the only ones available to Austinites in the earliest days of settlement. The house has retained a remarkable degree of integrity of materials and design over the years.

**Current conditions of the Paggi House**

The Paggi House is currently in excellent condition, with few modifications that detract from its historic character. Office buildings built in the 1970s south of the house have been demolished, and a new condominium building has been built over part of the southern end of the tract. The courtyard of the Paggi House has been transformed into an outdoor bar and restaurant area with a contemporary design for shelters over the historic courtyard area; various doors and windows on the back of the building have been replaced over the years with modern doors and windows, and the terraces on the front of the house have been converted to a wraparound deck, offering outdoor seating for restaurant patrons. However, despite these changes to the environment of the house, the materials, design, and context of the house have been well-preserved and still convey a strong sense of the property's historic character.

**Current environment of the Paggi House**

The environment of the Paggi House has changed through development of the adjacent sites. Photographs of the house in the early 1970s show an old wooden picket fence on the east side of the house, which lent an air of its historic farmstead character, but the house now has a much more urban feel to it because of adjacent development. Office buildings constructed in the 1970s were demolished in the early 2000s for the construction of a mid-rise condominium complex to the south and west of the house. A fast food restaurant is located on the northwest corner of the original site, and parking lots exist to the north and west of the house. While motorized traffic on Riverside Drive at the north end of the property has been significantly scaled back since the conversion of the street to a parkway, South Lamar Boulevard is one of the city's busiest for urban traffic. The original context of the Paggi House on a bluff overlooking the Colorado River on the old road leading into Austin from the southwest has been mostly obliterated from two sides of the property – the east side of the house best conveys the historic setting of the house with its wooded, bluff-like setting. The north side of the house also gives a sense of the original context of the house, but has been compromised by parking lot paving and the erection of a wooden privacy fence at the southwest corner of Riverside Drive and Lee Barton Drive. These two aspects of the house preserve a perceivable connection with the historic context and setting of the house; although neither remains pristine.

Please see the photographs following the narrative section of this report.

**Applicability of Historic Zoning Regulations**

Historic landmarks in Austin are designated through the historic zoning process, which zones the parcel(s) of land necessary for the reasonable access to and use of a historic property in accordance with provisions of state law. The city of Austin does not regulate development adjacent to parcels which have been zoned historic specifically in terms of the historic landmark, but general compatibility standards for new construction may apply whether the building is a historic landmark or not. It is up to the owner of a property adjacent to a historic landmark to "do the right thing" in taking into consideration the context and architecture of a historic landmark in designing new construction to achieve a compatible balance between old and new and to protect the integrity of the historic landmark.

**Parallel Schools of Thought**

As stated above, the City of Austin does not regulate development on property adjacent to a historic landmark, but there is a strong school of thought in historic preservation to encourage development that does not significantly compromise the historic character of historic properties.

**Section 106 of the National Historic Preservation Act of 1966 (36 CFR 800)**

Section 106 of the National Historic Preservation Act of 1966 requires any agency or entity using federal money or needing a federal permit, to take into consideration the effect of a proposed project on properties that are listed or that are eligible for listing in the National Register of Historic Places. A common example of required Section 106 coordination is highway expansion or new highway construction, which will bring pavement closer to a National Register listed or eligible building, and thus potentially affect the context of the historic building. The effect of the project may be direct, such as the destruction or relocation of the building, or may be indirect, such as the introduction of new elements or construction that would alter any of the characteristics of a historic property that qualify the property for listing in the National Register, or diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. A proposed highway requiring the demolition of the Alamo would certainly be a direct adverse effect; a proposed highway overpass over the Alamo would likely be considered an indirect adverse effect. The underlying philosophy is that proposed new construction should not adversely affect the historic character of historic buildings, whether or not the new construction is proposed for the site of the historic building, or adjacent to it.

**Mitigation of Adverse Effects**

Projects which have been determined will have an adverse effect on historic buildings must devise a plan to mitigate the adverse effect. There are many ways of doing this – commonly used mitigation measures include a buffer, vegetative or otherwise, to protect the integrity of the setting and character of a historic building, and to retain the articulation of the historic property even when new construction is proposed nearby. The South Carolina State Historic Preservation Office recommends an opaque vegetative buffer to protect the integrity of a historic setting or landscape, which "is intended to: avoid diminishing the aesthetic qualities of and scenic views to or from historic sites; minimize adverse visual impacts to historic sites; and preserve the historical or cultural values for which the property is listed or eligible for listing in the National Register of Historic Places."

**Secretary of the Interior's Standards for Rehabilitation**

The Secretary of the Interior's Standards for Rehabilitation, which have been adopted by the City of Austin, apply to historic properties, not to adjacent properties, but further demonstrate the historic preservation philosophy of preserving and protecting the integrity of historic properties. Standard No. 2 states: "The historic character of a property will be retained and

C7  
267

preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided." Again, the Secretary of the Interior's Standards for Rehabilitation apply ONLY to historic properties themselves, but clearly show the trend in protecting the setting and context of those properties.



C7  
268a

Photographs (taken June 5, 2013)



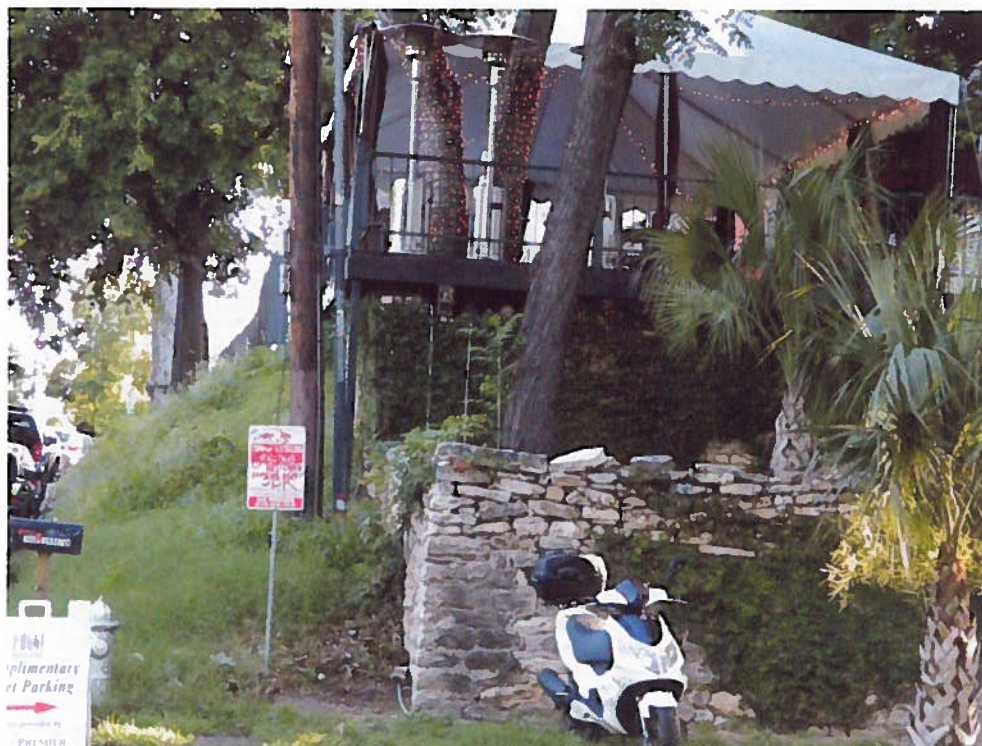
View of the Paggi House from the north parking lot (June 5, 2013)



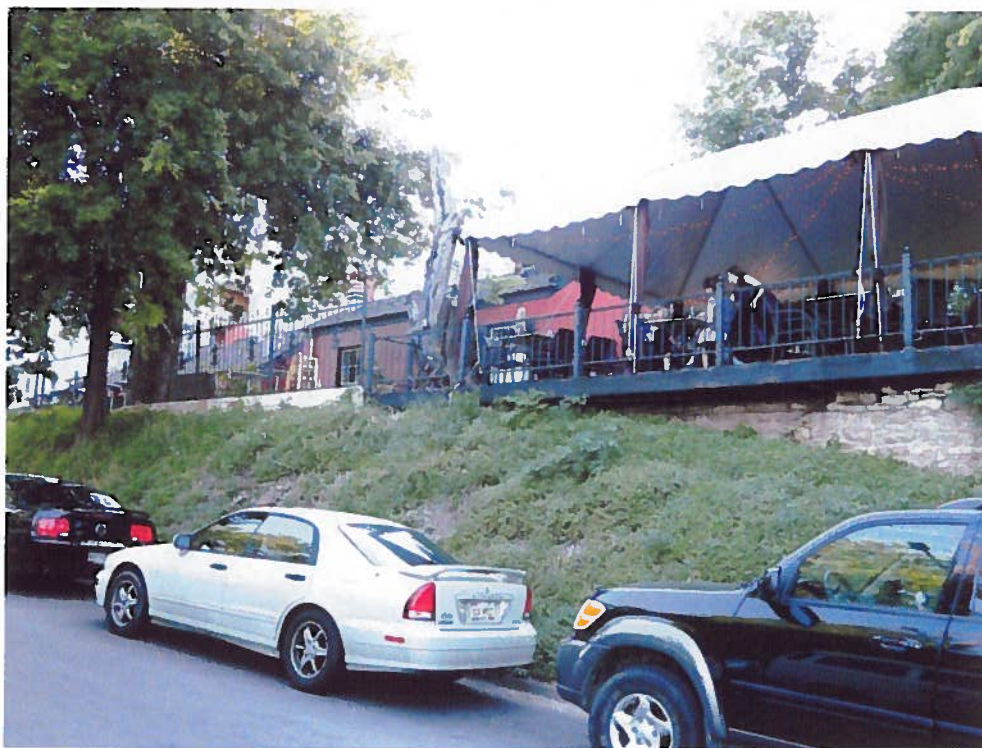
View from the north parking lot towards Riverside Drive, showing the fenced enclosure at the northeast corner of the parking lot (June 5, 2013)



C7  
268b



View of the northeast corner of the Paggi House, showing the remains of the bluff-like setting along the east wall of the house.



View looking south along the east wall of the Paggi House.



C7  
268C



View of the Taco Cabana drive-thru lane just to the west of the Paggi House, the east wall of which is just behind the stone wall shown in the left back-ground of the photograph. The recent condominium building to the south and southwest of the Paggi House is in the right back-ground.



View of the front steps of the Paggi House from the east wall of the Taco Cabana parking lot.



C71 2A

Exhibit I





17/270

Exhibit I





C71271

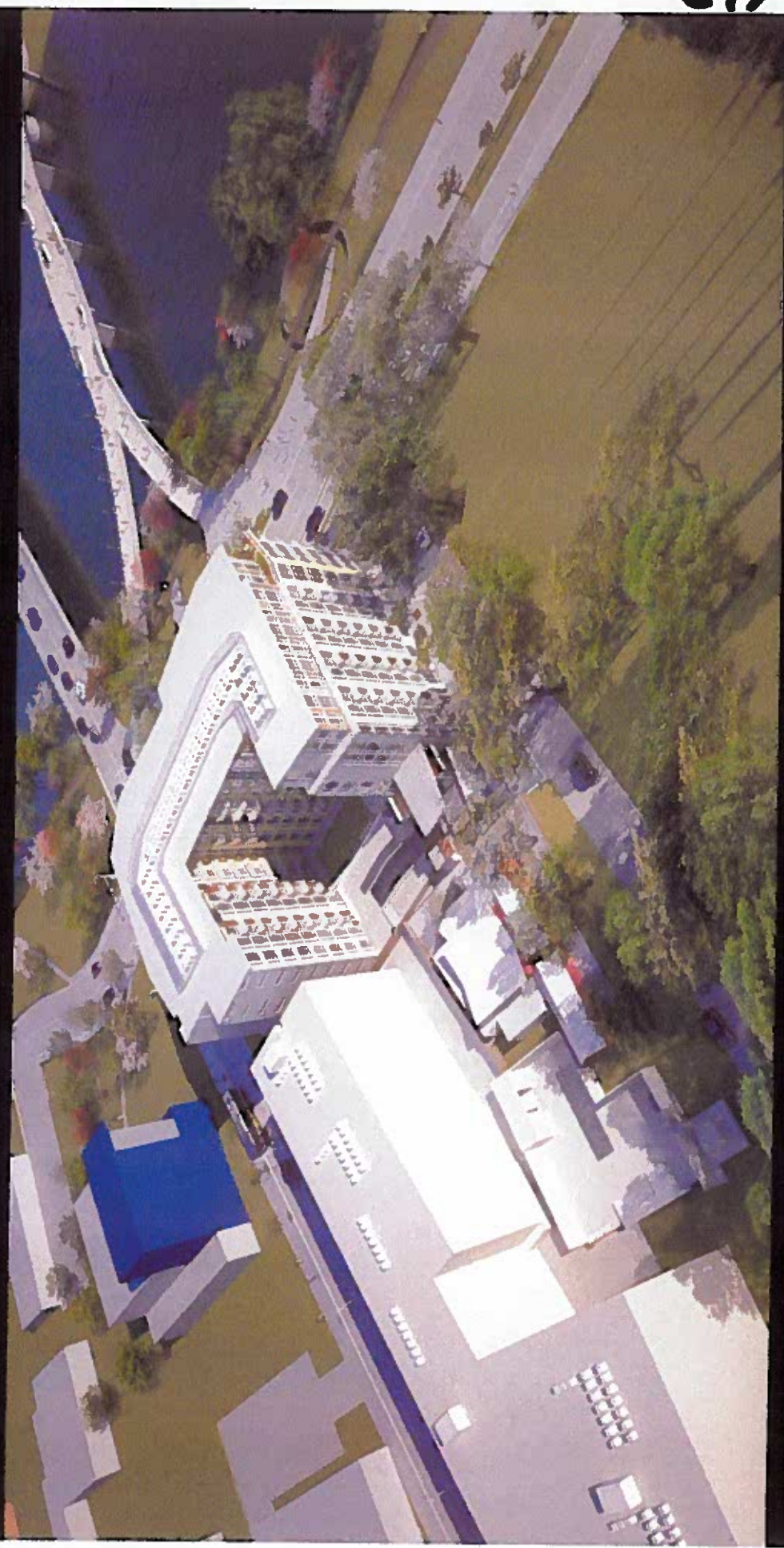
Exhibit I













C7/274

Exhibit I





C7/275



C7/276

**PETITION**

Date: December 10, 2012

File Number: CD-2012-0021

Address of Rezoning Request:  
211 S. Lamar Blvd., Austin, TX 78704

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code, which would zone the property to any classification that exceeds the existing zoning requirements of the Waterfront Overlay and the maximum height permitted in the base zoning district (CS-V) of 60 feet.

While a few PUD applications have been granted south of downtown and in the Waterfront Overlay, we believe that this site offers additional unique considerations that were not applicable to the previously approved PUDs, and as such, the developer should be required to honor existing zoning regulations. We respectfully ask that you consider the following factors when evaluating this PUD application:

- Notably, this site is less than 35 yards from the shoreline of Lady Bird Lake, which makes it distinct from the PUD applications approved for the RunTex and Filling Station sites.
- This location serves as the backdrop for the iconic Pfluger pedestrian bridge and is next to the hike and bike trails along Lady Bird Lake.
- It is also the gateway to Zilker Park and the Austin Arts District as we are directly across Lamar Blvd. from the Zachary Scott Theatre on our west and a neighbor to the Long Center for Performing Arts on our east.
- PUDs are neither intended to provide "spot zoning" for developers nor are they designed to provide "special privilege" to individual owners. The size of this site is far less than the ten acres generally required for a PUD.
- The site is next to Paggi House, which is designated as a historic building. Currently, the historic structure is accessible to the neighborhood and the city as a whole. However, it is our understanding that it may only be accessible to inhabitants of the future development on any sort of regular basis.
- Thus far, we have seen no evidence from the Dallas-based developer that there is significant community benefit to necessitate the approval of the requested 96-foot height. *This staggering height is more than 20 feet higher than the Zachary Scott Theatre and 60 percent higher than our existing building, which was built to code at a height of 60 feet.*


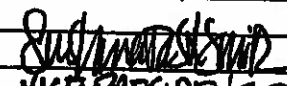
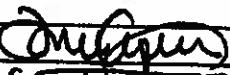
671277

- The PUD application does not include sufficient information on the proposed project, and subsequently, we are unclear as to how it meets the Tier 1 and Tier 2 requirements for a PUD.
- In addition, the following information has not been provided:
  - A description of the proposed uses, including number and types of residential units and square footage of any proposed retail space;
  - the maximum floor-area ratio;
  - total square footage and whether structured parking facilities are proposed;
  - maximum impervious cover;
  - minimum setbacks;
  - the number of curb cuts or driveways serving a non-residential project, which shall be the minimum necessary to provide adequate access to the site;
  - all civic uses by type and proposed site development regulations; and
  - a total amount of open space that equals or exceeds 10 percent of the residential tracts and 20 percent of the nonresidential tracts within the PUD (§2.3. C).

Although we welcome the development of the site, we ask that the City preserve the uniqueness of south shore neighborhoods rather than allowing downtown high-rises to move south of the river.

On a final note, although we have attempted to communicate with the developer and his representatives to find solutions that would alleviate our concerns and result in a project that would augment the existing neighborhood, we have not received a response since mid-September. We wonder how we can trust that a project of "superior" quality will be built when we have been unable to achieve a reasonable level of cooperation thus far.

Sincerely,  
Bridges on the Park Condominium Association, Inc.

| <u>Signature</u>  | <u>Printed Name</u> | <u>Address</u>                            |
|---|---------------------|---|
|  | ROBERT WILSON       | 210 LEE BARTON DR. #405 AUSTIN, TX 78704  |
| PRESIDENT, BRIDGES ON THE PARK CONDOMINIUM ASSOCIATION                              |                     |   |
|  | SUSHMA SMITH        | 210 LEE BARTON DR. #609, AUSTIN, TX 78704 |
| VICE PRESIDENT, BRIDGES ON THE PARK CONDOMINIUM ASSOCIATION                         |                     |   |
|  | Claudia Davila      | 210 Lee Barton Dr #511, Austin, TX 78704  |
| Secretary & Treasurer, Bridges on the Park Condominium Association                  |                     |   |

Date: December 10, 2012

Contact Name: Sushma Jasti Smith  
Phone Number: 281.772.9618

C7/279

# PETITION

Case Number: **Magic Ticket # 1231488**

Date: 2/28/2013

Total Square Footage of Buffer: 288659.50

Percentage of Square Footage Owned by Petitioners Within Buffer: 14.44%



Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

| #  | TCAD ID    | Address                         | Owner   | Signature | Petition Area | Percent        |
|----|------------|---------------------------------|---|-----------|---------------|----------------|
| 1  | 0105020201 | ROBERT E LEE RD<br>78704        | CITY OF AUSTIN  | no        | 14035.11      | 0.00%          |
| 2  | 0105020201 | ROBERT E LEE RD<br>78704        | CITY OF AUSTIN  | no        | 46,997.26     | 0.00%          |
| 3  | 0105020101 | 200 S LAMAR<br>BLVD 78704       | CITY OF AUSTIN  | no        | 56234.15      | 0.00%          |
| 4  | 0104010201 | 1201 W<br>RIVERSIDE DR<br>78704 | CITY OF AUSTIN % REAL<br>ESTATE DIVISION                  | no        | 73565.00      | 0.00%          |
| 5  | 0105020901 | 210 LEE BARTON<br>DR            | MULTIPLE OWNERS<br>PFLUGER MICHAEL CARL<br>& WILLIAM REID | yes       | 41693.41      | 14.44%         |
| 6  | 0105020102 | 218 S LAMAR<br>BLVD 78704       | PFLUGER   | no        | 7767.09       | 0.00%          |
| 7  | 0105020301 | 213 S LAMAR<br>BLVD 78704       | POST PAGGI LLC  | no        | 13195.16      | 0.00%          |
| 8  |            |                                 |   |           |               | 0.00%          |
| 23 |            |                                 |   |           |               | 0.00%          |
| 24 |            |                                 |   |           |               | 0.00%          |
|    |            |                                 |   |           |               | <b>Total %</b> |
|    |            |                                 |   |           |               | <b>14.44%</b>  |



W CESAR CHAVEZ ST

C7/280

S LAMAR BLVD

W RIVERSIDE DR

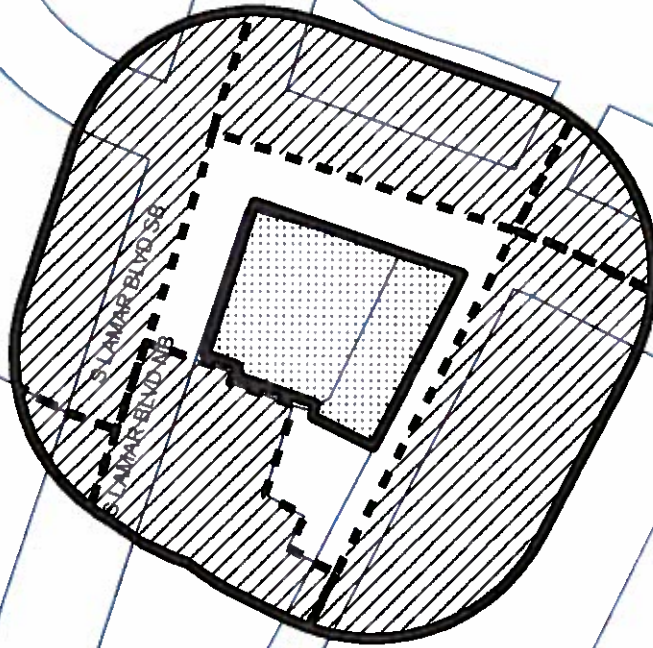
LEE BARTON DR

TOOMEY RD

JESSIE ST

BUTLER RD

JOSEPHINE ST



SUBJECT\_TRACT

PROPERTY\_OWNER

BUFFER

PETITION

CASE#: C814-2012-0160

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

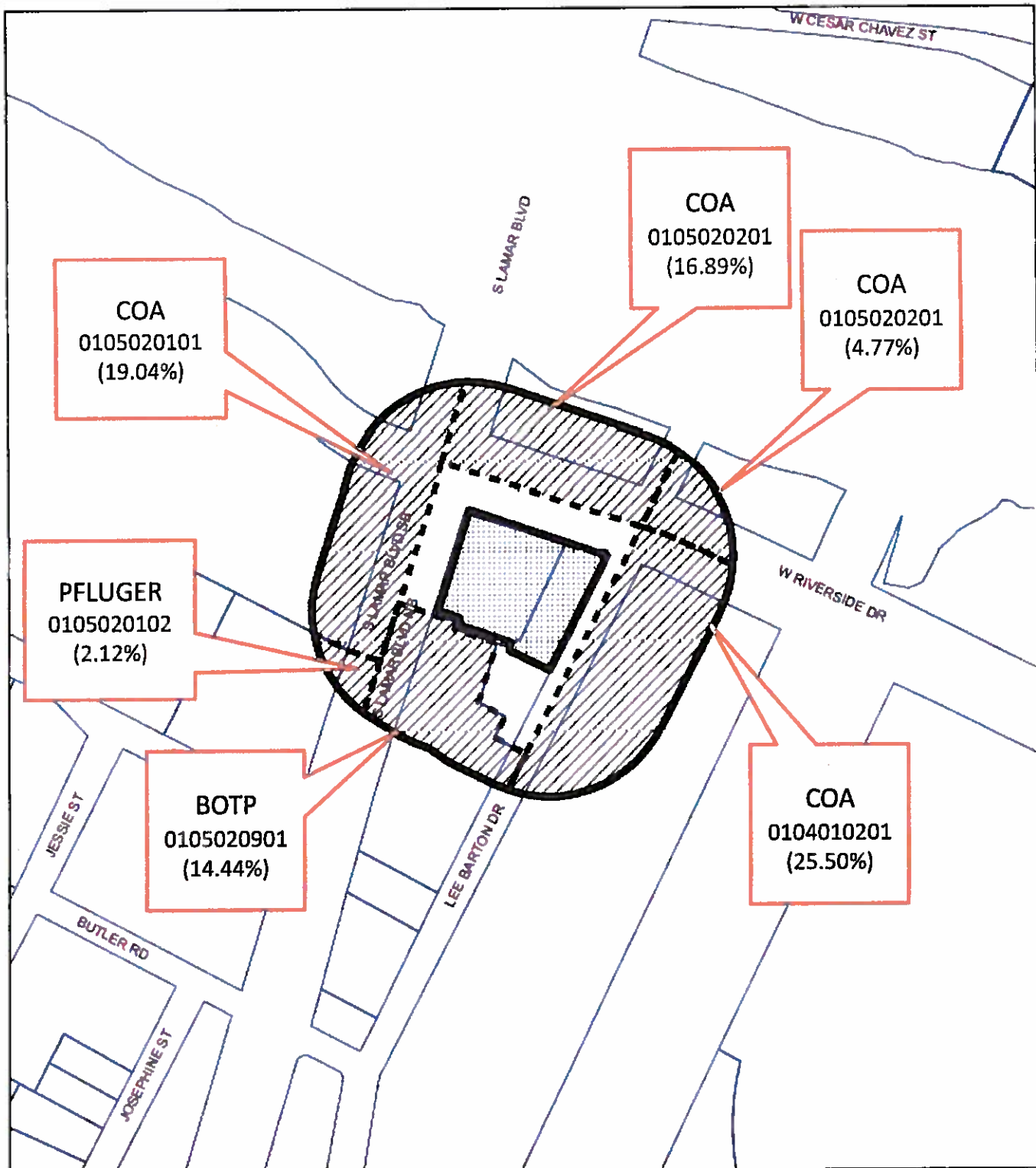
This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Official GIS Staff Map

Exhibit D - 4



C71281



SUBJECT\_TRACT  
PROPERTY\_OWNER  
BUFFER

PETITION  
CASE#: C814-2012-0160

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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**Annotated PDR Staff Map**

**Exhibit P - 5**

C7/282

-----Original Message-----

From: Robert Wilson  
Sent: Thursday, February 28, 2013 4:14 PM  
To: Heckman, Lee  
Subject: Re: C814-2012-0160 / 211 S Lamar Proposed PUD

Lee,

Thank you for spending so much time with us yesterday. I really appreciate it and the information was extremely helpful. I'll follow up with Brad Jackson after reviewing the most current tree survey.

Attached is an updated "valid petition" letter which reflects the proposed PUD case number. Please let me know if this is sufficient to include in the packets or if you would prefer a hard copy.

Best regards,  
Robert Wilson  
(512) 656-4604



C7/283

P E T I T I O N

Date: December 10, 2012

File Number: C814-2012-0160

Address of Rezoning Request:  
211 S. Lamar Blvd., Austin, TX 78704

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code, which would zone the property to any classification that exceeds the existing zoning requirements of the Waterfront Overlay and the maximum height permitted in the base zoning district (CS-V) of 60 feet.

While a few PUD applications have been granted south of downtown and in the Waterfront Overlay, we believe that this site offers additional unique considerations that were not applicable to the previously approved PUDs, and as such, the developer should be required to honor existing zoning regulations. We respectfully ask that you consider the following factors when evaluating this PUD application:

- Notably, this site is less than 35 yards from the shoreline of Lady Bird Lake, which makes it distinct from the PUD applications approved for the RunTex and Filling Station sites.
- This location serves as the backdrop for the iconic Pfluger pedestrian bridge and is next to the hike and bike trails along Lady Bird Lake.
- It is also the gateway to Zilker Park and the Austin Arts District as we are directly across Lamar Blvd. from the Zachary Scott Theatre on our west and a neighbor to the Long Center for Performing Arts on our east.
- PUDs are neither intended to provide "spot zoning" for developers nor are they designed to provide "special privilege" to individual owners. The size of this site is far less than the ten acres generally required for a PUD.
- The site is next to Paggi House, which is designated as a historic building. Currently, the historic structure is accessible to the neighborhood and the city as a whole. However, it is our understanding that it may only be accessible to inhabitants of the future development on any sort of regular basis.
- Thus far, we have seen no evidence from the Dallas-based developer that there is significant community benefit to necessitate the approval of the requested 96-foot height. *This staggering height is more than 20 feet higher than the Zachary Scott Theatre and 60 percent higher than our existing building, which was built to code at a height of 60 feet.*

C7/284

- The PUD application does not include sufficient information on the proposed project, and subsequently, we are unclear as to how it meets the Tier 1 and Tier 2 requirements for a PUD.
- In addition, the following information has not been provided:
  - A description of the proposed uses, including number and types of residential units and square footage of any proposed retail space;
  - the maximum floor-area ratio;
  - total square footage and whether structured parking facilities are proposed;
  - maximum impervious cover;
  - minimum setbacks;
  - the number of curb cuts or driveways serving a non-residential project, which shall be the minimum necessary to provide adequate access to the site;
  - all civic uses by type and proposed site development regulations; and
  - a total amount of open space that equals or exceeds 10 percent of the residential tracts and 20 percent of the nonresidential tracts within the PUD (§2.3. C).

Although we welcome the development of the site, we ask that the City preserve the uniqueness of south shore neighborhoods rather than allowing downtown high-rises to move south of the river.

On a final note, although we have attempted to communicate with the developer and his representatives to find solutions that would alleviate our concerns and result in a project that would augment the existing neighborhood, we have not received a response since mid-September. We wonder how we can trust that a project of "superior" quality will be built when we have been unable to achieve a reasonable level of cooperation thus far.

Sincerely,  
Bridges on the Park Condominium Association, Inc.

Signature

Printed Name

Address

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Date: December 10, 2012

Contact Name: Sushma Jasti Smith

Phone Number: 281.772.9618