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ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY COMMONLY KNOWN AS THE 211 SOUTH LAMAR PUD LOCATED AT 211 SOUTH LAMAR BOULEVARD AND 1211 WEST RIVERSIDE DRIVE FROM GENERAL COMMERCIAL SERVICES (CS) DISTRICT AND GENERAL COMMERCIAL SERVICES-VERTICAL MIXED USE BUILDING (CS-V) COMBINING DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) DISTRICT.

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

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from general commercial services (CS) district and general commercial services-vertical mixed use building (CS-V) combining district to planned unit development (PUD) district on the property described in Zoning Case No. C814-2012-0160, on file at the Planning and Development Review Department, consisting of approximately a 0.93 acre in Travis County, Texas, shown in Exhibit "A" (the "Property"). The Property is locally known as 211 South Lamar Boulevard and 1211 West Riverside Drive and generally identified on the map attached as Exhibit "B".

PART 2. This ordinance and the attached Exhibits A through F are the land use plan (the "Land Use Plan") for the 211 South Lamar planned unit development district (the "PUD") created by this ordinance. Development of and uses within the PUD shall conform to the limitations and conditions set forth in this ordinance and in the Land Use Plan. If this ordinance and the attached exhibits conflict, this ordinance controls. Except as otherwise provided by this ordinance and the Land Use Plan, all other rules, regulations and ordinances of the City apply to the PUD.

PART 3. The attached exhibits are incorporated into this ordinance in their entirety as though set forth fully in the text of this ordinance. The exhibits are as follows:

Exhibit A:	Legal description of the Property
Exhibit B:	Zoning Map
Exhibit C:	Land Use Plan
Exhibit D:	Plant list
Exhibit E:	Environmental Criteria Manual - Appendix T
Exhibit F:	Traffic Impacts & recommended improvements

1 **PART 4.** If the Property is developed with a building or structure between 60 and 96 feet
2 in height, the Property shall be developed according to the planned unit development
3 district standards contained within this ordinance, the general commercial services (CS)
4 district and the Butler Shores sub-district site development regulations and performance
5 standards of the code, including the provisions of Subchapter E (*Design Standards and*
6 *Mixed Use*) requirements for a Core Transit Corridor, Section 25-2-721 (*Waterfront*
7 *Overlay (WO) Combining District Regulations*) and Section 25-2-733 (*Butler Shores Sub-*
8 *district Regulations*).
9

10 If the Property is developed with a building or structure that does not exceed 60 feet in
11 height, Part 4(A-M) and Parts 5 through 13 do not apply to this PUD and the PUD shall be
12 developed according to the general commercial services (CS) district and the Butler Shores
13 sub-district site development regulations and performance standards of the code, including
14 the provisions of Subchapter E (*Design Standards and Mixed Use*) requirements for a Core
15 Transit Corridor, Section 25-2-721 (*Waterfront Overlay (WO) Combining District*
16 *Regulations*) and Section 25-2-733 (*Butler Shores Sub-district Regulations*).
17

- 18 A. Driveways along South Lamar Boulevard and Lee Barton Drive will be
19 permitted during the site development permit process and will conform to the
20 Transportation Criteria Manual. Vehicle egress from the Property to South
21 Lamar Boulevard is prohibited.
22
- 23 B. The Joint Use Access Easement recorded in Travis County, Texas in the
24 Official Public Records as Document No. 2013137002 is applicable to this
25 PUD.
26
- 27 C. Gated roadways within the PUD are not allowed. Private resident parking areas
28 may be secured with a gate.
29
- 30 D. At least 1,000 square feet of usable first floor retail space shall be offered to the
31 Austin Parks and Recreation Department ("PARD") on a 'rent-free' basis for a
32 public 'storefront' or retail space for a period of 25 years beginning on the date
33 a certificate of occupancy is issued for the residential portion of the PUD. If
34 PARD no longer needs the first floor retail space, a City of Austin department
35 or community non-profit, mutually agreed upon by the director of the Planning
36 and Development Review Department and the owner, will take over the first
37 floor retail space. PARD or its successor shall be responsible for electric and
38 utility charges for the space for the term period. Owner shall provide two on-
39 site parking spaces in the parking garage reserved for PARD or its successor
40 during regular business hours.

1
2 E. The project will provide two public dedicated spaces for electric vehicle
3 charging equipped with Level 2 charging stations compatible with and managed
4 by Austin Energy's Plug-In Everywhere TM Network for electric vehicle
5 charging within the project's parking garage. The electric vehicle charging
6 spaces will be available for use by residents of the project and patrons of the
7 retail lease space.

8
9 F. The project will achieve a minimum of 13 points under the building design
10 options of Section 3.3.2 of Chapter 25-2, Subchapter E (*Design Standards and*
11 *Mixed Use*). It will achieve the points in the following manner:

12
13 1. The project will achieve a 3 star rating under the Austin Green Building
14 program. (3 points)

15
16 2. The project will have 2 liner stores in the project's ground floor retail
17 area. (2 points)

18
19 3. The project will have facade articulation through the use of a change in
20 materiality, repeating pattern of wall recesses and projections, or a
21 change in plane. (1 point)

22
23 4. A primary entrance will be demarked by integral planters, enhanced
24 exterior light fixtures, and architectural details. (1 point)

25
26 5. The project will have a distinct roof design. (1 point)

27
28 6. 100% of the glazing used on the ground floor facade facing streets or
29 parking will have a visible transmittance of 0.6 or higher. (1 point)

30
31 7. 75% of the facade facing the principal street will be storefront with a
32 minimum of 2 separate entrances. (2 points)

33
34 8. The project will have a sustainable roof as outlined in Section 3.3.2 of
35 Chapter 25-2, Subchapter E. (2 points)

36
37 G. 2.5 percent of residential units in the project shall be fully accessible type A
38 dwelling units, as defined in the 2009 International Building Code and will
39 meet the technical requirements defined in Section 1003 of the International

1 Code Council A117.1. To the extent that the foregoing calculation results in a
2 fraction, the number shall be rounded up.

3
4 H. The Project will have the following design characteristics:

5
6 1. The project will utilize a "U-shaped" design with the open portion of the
7 "U" facing in a southerly direction. The open portion of the "U" will be
8 on the second level of the above-grade structure and will be a private
9 courtyard and amenity deck.

10
11 2. The project will have three basic building blocks described as follows:

12
13 a. The first building block will have a maximum height of 96 feet and
14 will be situated (1) along the entire length of the project's South
15 Lamar Boulevard Edge; (2) along the entire length of the project's
16 Riverside Drive Edge; and (3) along the project's Lee Barton Drive
17 edge generally from the Project's Riverside Drive edge to a point
18 no closer than 48 feet (excluding balconies) from the project's
19 southern property line along Lee Barton Drive;

20
21 b. The second building block will have a maximum height of 78 feet
22 and will be (1) on the exterior side of the "U"; (2) situated along a
23 portion of the project's Riverside Drive edge (although will not
24 extend all the way to the project's South Lamar Boulevard edge),
25 wrapping the project's Riverside Drive/Lee Barton Drive corner,
26 and extending along the project's Lee Barton Drive edge to the
27 approximate terminus of the first building block described in
28 subpart a above; and,

29
30 c. The third building block will include the area on the Lee Barton
31 Drive edge between a point 40 feet from the southern property line
32 (the "Lee Barton 40 Foot Point") and a point 8 feet to the north of
33 the Lee Barton 40 Foot Point, this point is 48 feet from the
34 southern property line and may be an enclosed or non-enclosed
35 structure. The third building block is limited to a height of 40 feet.

36
37 3. The area on the Lee Barton Drive edge between the southern property
38 line and the Lee Barton 40 Foot Point may not be fully enclosed, but it
39 may contain a roof or shelter structure as long as the roof or shelter
40 structure's height does not exceed 35 feet, as defined by City Code. The

1 terms of the restriction in this subsection shall not apply to the elevator
2 providing access to the Paggi House, mechanical equipment,
3 landscaping, outdoor furniture, grills, or similar items.
4

5 4. The most southerly vertical structure of the project (i.e., the wall closest
6 to the existing Bridges on the Park condominium) will have the following
7 characteristics.
8

9 a. The portion of the wall from the site's southwestern corner (i.e.,
10 adjacent to South Lamar Boulevard) to a point (the "measuring
11 point") approximately 54 feet to the east of the project's
12 southwestern corner (being intended that the measuring point be
13 directly across from the easternmost edge of the existing recessed
14 window on the most northerly face of the Bridges on the Park
15 condominium) must (A) be set back at least 7.5 feet from the site's
16 most southerly property line at the measuring point location (the
17 "setback location") and (B) extend in generally a straight line
18 (running generally east and west) from the setback location to a
19 point on the site's most westerly boundary line (i.e., adjacent to
20 South Lamar Boulevard);
21

22 b. The setback required by subsection a, above shall not be applicable
23 to any portion of the project parking garage, including mechanical
24 equipment accessed from the parking garage;
25

26 c. The portion of the wall identified in subsection a, above shall have a
27 light reflective surface.
28

29 I. The project shall provide one independent retail, restaurant or local franchisee
30 whose principal place of business is in the Austin standard metropolitan
31 statistical area usable space at a rent 15% below the prevailing market rent
32 when the lease or other arrangement for providing the space is executed. Before
33 execution, the owner shall submit the lease or other arrangement to the director
34 of Neighborhood Housing and Community Development Department for
35 approval.
36

37 J. Parking for the adjacent historic Paggi House shall be provided in the project's
38 parking garage. As long as the Paggi House restaurant remains in its current
39 size, (including usable outdoor space), the required 38 parking spaces for the
40 Paggi House restaurant will be provided in the project's parking garage. If the

1 use of the Paggi House changes, then the City of Austin parking requirement
2 applicable to the new use will apply. Parking for the new use will be in the
3 project's parking garage.
4

- 5 K. The elevator providing access to the Paggi House for persons with disabilities
6 shall be relocated to a location on the site adjacent to Lee Barton Drive. If the
7 Paggi House will continue to operate as a restaurant during the construction of
8 the project, the elevator will be available for use prior to the start of
9 construction on the project, or an alternate accessible route will be provided. If
10 the Paggi House does not operate as a restaurant during construction of the
11 project, the elevator will be relocated and available for use by persons with
12 disabilities prior to the issuance of a certificate of occupancy for the residential
13 portion of the project.
14
- 15 L. The project will utilize concrete and/or steel construction, and will meet or
16 exceed all applicable Waterfront Overlay design standards.
17
- 18 M. Development of the Property may not exceed 175 residential units and 11,000
19 square feet of non-residential ground floor space.
20

21 **PART 5: Open Space and Parkland.**

- 22
- 23 A. The owner will establish and set forth in the site development permit the size
24 and configuration of a public plaza. The public plaza will be counted towards
25 the open space requirements and must meet the dimensional standards of
26 Subchapter E, Subsection 2.7.3.A.3.
27
- 28 B. In accordance to Chapter 25-2, Subchapter E, Section 2.7 (*Private Common*
29 *Open Space and Pedestrian Amenities*), the minimum amount of open space
30 within the project shall be 4,636 square feet.
31

32 **PART 6. Environmental.**

- 33
- 34 A. Development of the PUD within Austin Energy's service area, shall comply
35 with the requirements of the Austin Energy Green Building Program (GBP)
36 multifamily, single family, or commercial rating system for a minimum three-
37 star rating. Certification from the GBP shall be based on the version in effect at
38 the time rating applications are submitted for individual buildings.
39

- 1 B. Prior to issuance of the first Certificate of Occupancy for the residential portion
2 of the project, an Integrated Pest Management (IPM) plan that follows the Grow
3 Green Program shall be submitted to the Planning Development and Review
4 Department for approval.
5
- 6 C. The PUD shall meet the minimum City of Austin landscape requirements. 100
7 percent of the landscape on site shall be designed and installed as described in
8 the City of Austin Grow Green Native and Adapted Plant Guide, the
9 Environmental Criteria Manual Appendix N (see Exhibit "D") and in
10 accordance with City of Austin Green Storm Water Quality Infrastructure
11 criteria for Biofiltration, Rainwater Harvesting and Rain Gardens as provided in
12 the Environmental Criteria Manual Section 1.6.7.5.
13
- 14 D. All landscaping within the PUD shall be irrigated by storm water runoff that is
15 conveyed to rain gardens or through the use of rainwater harvesting (or a
16 combination of both). If necessary, owner may supplement the landscape
17 irrigation with potable water.
18
- 19 E. The project will preserve trees 1709, 1711, 1712, 3001, 3002, 3003, 3004, and
20 3005 as noted on the Land Use Plan. The half-critical root zones as shown on
21 the Land Use Plan will remain undisturbed; all proposed impacts within the ½
22 critical root zone must be performed to meet the intent of the tree preservation
23 ordinance and are subject to be reviewed, and/or modified by the City Arborist.
24 The project will develop and adopt a formal tree care plan as part of the site
25 development permit process that incorporates the following construction phase
26 protections: tree pruning is allowed as necessary to remove limbs extending into
27 the building envelope (but not to exceed ¼ of the canopy), chain-link fencing
28 around the half critical root zone, use of an air spade to loosen compacted soils
29 and backfilling with quality topsoil, use of mulch at the base of trees, vitamins
30 injected into tree trunks, and regular watering and washing of tree leaves. The
31 development and adoption of the tree care plan, shall be done in concert with a
32 certified arborist that has not less than 5 years of experience in Travis County,
33 Texas. All mitigation rates shall be based upon code standards existing as of
34 the effective date of this ordinance.
35
- 36 F. The project will provide and maintain the three curb inlet filters in the existing
37 inlets (or a location mutually agreed upon by the Environmental Policy Program
38 manager and the owner) on South Lamar Boulevard, Riverside Drive and Lee
39 Barton Drive, adjacent to the site.
40

1 **PART 7. Water Quality**

2
3 The PUD shall meet or exceed all current land development code requirements with
4 respect to on-site water quality treatment as reviewed and approved by the City of
5 Austin at the time of site development permit application. The owner shall construct
6 and maintain in perpetuity rain gardens, or other City of Austin approved water
7 quality facilities, on or adjacent to South Lamar Boulevard, or another location
8 mutually agreed upon by the city and the owner, that provide water quality treatment
9 for currently untreated off-site areas with a minimum drainage area of 10,500 square
10 feet and a minimum 1,150 cubic feet of treatment volume which is an amount greater
11 than 25% of the project area.
12

13 If the water quality facilities treating off-site runoff are removed at the direction of the
14 City of Austin, the owner of the site at that time shall provide payment of an amount
15 equal to 25% of the total fee calculated based on the Environmental Criteria Manual's
16 Appendix T (request for fee in lieu) at the time of this PUD's approval. A fee of
17 \$18,849 is based on the full build out of the development without redevelopment
18 considerations as payment into the Urban Watersheds Structural Control Fund., (See
19 Exhibit E). Payment shall be made by the owner within 180 days of receipt of notice
20 from the City of Austin following the removal of said water quality facilities.
21

22 **PART 8. Public Facilities.**

23
24 The project will contain a room for a meeting space of at least 250 square feet. The
25 room will be available free of charge to residents of the project, community
26 neighborhood groups and non-profit organizations for a minimum of 25 years
27 beginning on the date a certificate of occupancy is issued for the residential portion of
28 the PUD. Use of the room by community neighborhood groups and non-profit
29 organizations shall be on a reservation basis, and shall be subject to reasonable rules
30 and regulations imposed by the owner of the property or any homeowner's association
31 for the project.
32

33 **PART 9. Affordable Housing Program.**

34
35 The project will comply with the requirements for affordable housing options in
36 accordance with the established PUD regulations. Participation will be provided by
37 either providing on-site units or by paying a fee-in-lieu. The fee-in-lieu will be \$6 for
38 each square foot of bonus square footage above the baseline. The baseline shall
39 include F.A.R. that could be achieved under the existing zoning and existing
40 applicable site development regulations, including additional F.A.R. that may be

1 granted under Section 25-2-714 (*Additional Floor Area*). If rental housing is
2 provided, dwelling units equal to at least 10 percent of the bonus area square footage
3 within the PUD must be affordable. If owner occupied housing is provided, dwelling
4 units equal to at least 5 percent of the bonus area square footage within the PUD must
5 be affordable. Payment of the fee-in-lieu will be made prior to the site plan being
6 released. If the site plan is revised to increase square footage, the project will have to
7 pay additional fees for the additional square footage above baseline.
8

9 **PART 10. Transportation and Bicycle Plan.**

10
11 A. The owner will provide funding in the amount of \$99,741 for pedestrian
12 improvements (See Exhibit F) in the following locations:

- 13
14 1. A sidewalk on Lee Barton Drive from the northern terminus of the
15 sidewalk adjacent to the bridges condominium project to the southeastern
16 edge of the site (sidewalk presumed to be located within the currently
17 paved portion of Lee Barton Drive);
- 18
19 2. A sidewalk along the southern edge of Riverside Drive from the corner of
20 Lee Barton Drive and Riverside Drive to the western terminus of the
21 existing sidewalk on the southern edge of Riverside Drive located just
22 east of the existing (on the effective date of this ordinance) railroad
23 overpass;
- 24
25 3. Creation of a pedestrian crosswalk across Lee Barton Drive at the
26 intersection of Lee Barton Drive and Riverside Drive.

27
28 All improvements must be approved by the City of Austin and the City of
29 Austin will be responsible for construction of such improvements. Funding
30 shall be provided prior to the issuance of a certificate of occupancy for the
31 residential portion of the project.

32
33 B. The project will provide the following bicycle facilities:

- 34
35 1. Bicycle parking for retail patrons of the project at a level equal to or
36 exceeding the greater of:
37
38 a. 120% of code required bicycle parking for such retail area; or,
39
40 b. 10 bicycle parking spaces.

1
2 All bicycle parking spaces shall be located on the ground floor of
3 the parking garage, within the public plaza area or within the
4 planting or supplemental zone along any of the adjacent roadways;
5

6 2. Bicycle parking for the residents of the project. Bicycle parking shall be
7 provided in a secure location within the project's parking garage; and,
8

9 3. If elected by the City of Austin within two (2) years of the issuance of a
10 certificate of occupancy for the residential portion of the project, a public
11 "bike share kiosk" in a location mutually acceptable to the City of Austin
12 and the owner in the project's public plaza area or the planting or
13 supplemental zone along Riverside Drive. The "bike share kiosk" shall be
14 sized as desired by the City of Austin (but not to exceed 10 bike parking
15 spaces without the consent of the owner) and shall be operated and
16 maintained by the City of Austin consistent with other "bike share
17 kiosks" in the general proximity of the project. The owner of the site shall
18 be responsible for the cost of the "bike share kiosk."
19

20 C. The project will incorporate ground floor structured parking that is screened
21 from public view on the South Lamar Boulevard edge, the Riverside Drive edge
22 and the Lee Barton Drive edge. No structured parking shall be provided above
23 grade other than ground floor parking. All additional structured parking shall be
24 provided below grade. Interior ground floor parking spaces will not be visible
25 from the adjacent project on the southern boundary of the project.
26

27 D. The proposed parking in the Lee Barton drive R.O.W. will require approval
28 from the Austin Transportation Department during the site development permit
29 process.
30

31 **PART 11. Art.**

32

33 The PUD shall provide art approved by the art in public places program in a
34 prominent open space, either by providing the art directly, making a
35 contribution to the city's art in public places program (or a successor program).
36 With the consent of the art in public places program (or successor program),
37 the project may meet this requirement by entering into an arrangement with The
38 Contemporary Austin or successor entity for art to be displayed on a seasonal or
39 rotating basis in a prominent open space, on a pedestal constructed and
40 maintained by the owner.

1
2 **PART 12. Code Modifications.** In accordance with Chapter 25-2, Subchapter B, Article
3 2, Division 5 (Planned Unit Development) of the Code, the following site development
4 regulations apply to the PUD instead of otherwise applicable City regulations:
5

- 6 A. Section 25-6, Appendix A (*Tables of Off-Street Parking and Loading*
7 *Requirements*) is modified to require that the minimum off-street parking is 60
8 percent for the entire Property.
9
- 10 B. Development shall meet alternative equivalent compliance standards at the time
11 of site planning for the following Chapter 25-2, Subchapter E (*Design*
12 *Standards and Mixed Use*), Article 2 provisions:
13
- 14 1. Core Transit Corridor Sidewalk Standards (§2.2.2)
15 a. Tree Spacing (§2.2.2.B)
16 b. Supplemental Zone Width (§2.2.2.C.1)
17 c. General Building Placement (§2.2.2.D.1)
18
 - 19 2. Continuous Shaded Sidewalk (§2.2.3.E.3)
 - 20 3. Connectivity (§2.3)
 - 21 4. Parking Reductions (§2.4)
 - 22 5. Private Common Open Space and Pedestrian Amenities (§2.7.3.C & D)
- 23
- 24 C. Subject to approval by the Austin Transportation Department, the
25 Transportation Criteria Manual, Section 9.3.0 (*Loading*) is modified to allow
26 maneuvering for loading/unloading facilities in the public right-of-way along
27 Lee Barton Drive.
28
- 29 D. Section 25-2-692(H) (*Waterfront Overlay (WO) Subdistrict Uses*) is modified to
30 require that the cumulative amount of pedestrian-oriented uses, defined in
31 Section 25-2-691(C) (*Waterfront Overlay (WO) District Uses*), shall be a
32 minimum of 75 percent of the cumulative frontage excluding driveway
33 openings and other public facilities along South Lamar Boulevard, Riverside
34 Drive and Lee Barton Drive. None of the pedestrian oriented uses along
35 Riverside Drive or South Lamar Boulevard shall consist of residential uses.
36
- 37 E. Section 25-2-492 (*Site Development Regulations*) is modified to allow a
38 maximum structure height of 96 feet and Section 25-2-492 (*Site Development*
39 *Regulations*) is modified to require no minimum front yard setback, street side

1 yard setback, interior side yard setback and rear yard setback, except as
2 modified below:

3
4 Building setbacks for South Lamar Boulevard:

- 5
6 1. 5-feet at ground level. Structural columns, retaining
7 walls, steps, handrails and similar pedestrian oriented
8 facilities may be located in the setback area;
9
10 2. 8 feet for all floors above the first level and between the
11 southwestern corner of the Property and a point 100 foot,
12 north of the southwestern corner (the "100 foot point");
13 and,
14
15 3. 0-feet for all floors above the first level and north of the
16 100 foot point.
17

18 The setbacks for floors above the first level and between the
19 southwestern corner of the site and the 100' point shall not be
20 applicable to balconies or canopies or similar improvements
21 other than the primary westerly structural wall of the project in
22 that location and adjacent stairwells.
23

- 24 F. Section 25-2-492 (*Site Development Regulations*) is modified to allow for a
25 maximum floor area ratio of 5:1 over the entire site.
26

27 **PART 13.** Development of the Property shall comply with the following use regulations:

- 28
29 A. Except as provided in Subsection C, all permitted uses, conditional uses and
30 pedestrian-oriented uses in the general commercial services (CS) district,
31 waterfront overlay (WO) district and Butler Shores subdistrict, as provided in
32 Section 25-2-491 (*Permitted, Conditional and Prohibited Uses*); Section 25-2-
33 691 (*Waterfront Overlay (WO) District Uses*); and, Section 25-2-692(H) Butler
34 Shores subdistrict are permitted and conditional uses of the Property.
35

1
2 B. The following are additional permitted uses:
3

4 Condominium residential
5 Multifamily residential
6 Cocktail lounge (not to exceed 5,000 square feet)
7 Liquor Sales (not to exceed 2,500 square feet)
8

9 C. The following are prohibited uses:
10

Agricultural sales and services	Alternative financial services
Automotive rentals	Automotive repair services
Automotive sales	Automotive washing (of any type)
Bail bond services	Bed & breakfast (Group 1)
Bed & breakfast (Group 2)	Business or trade school
Campground	Commercial blood plasma center
Congregate living	Construction sales and services
Convenience storage	Custom manufacturing
Electronic prototype assembly	Drop-off recycling collection facility
Electronic testing	Equipment repair services
Equipment sales	Exterminating services
Funeral services	Hospital services (general)
Hospital services (Limited)	Hotel-motel
Kennels	Limited warehousing and distribution
Maintenance and service facilities	Monument retail services
Outdoor entertainment	Outdoor sports and recreation
Pawn shop services	Plant nursery
Printing and publishing	Research services
Residential treatment	Service station
Theater	Transitional housing
Vehicle storage	Veterinary services

1
2 D. Pursuant to Section 25-2-691 (C) (*Waterfront Overlay (WO) District Uses*) and
3 Section 25-2-692 (H) (*Waterfront Overlay (WO) Subdistrict Uses*), the
4 following are additional pedestrian-oriented uses:

5
6 Personal improvement services

7 Financial services

8 Liquor Sales (not to exceed 2,500 square feet)

9 Personal services

10 Administrative business offices for on-site sales and leasing

11 Administrative business offices if an owner resides on-site

12
13 **PART 14.** This ordinance takes effect on _____, 2013.

14
15 **PASSED AND APPROVED**

16
17 §

18 §

19 _____, 2013 §

20 _____
21 Lee Leffingwell
22 Mayor

23
24 **APPROVED:** _____ **ATTEST:** _____

25 Karen M. Kennard
26 City Attorney

Jannette S. Goodall
City Clerk

0.933 ACRE
221 SOUTH LAMAR
PAGGI HOUSE

FN. NO. 11-421(KWA)
DECEMBER 15, 2011
BPI NO. R010879110001

DESCRIPTION

OF A 0.933 ACRE TRACT OF LAND OUT OF THE ISAAC DECKER LEAGUE, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 1.155 ACRE TRACT OF LAND CONVEYED TO PAGGI HOUSE, LLC BY DEED OF RECORD IN DOCUMENT NO. 2011016777 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.933 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2 inch iron rod found at the intersection of the easterly right-of-way line of South Lamar Boulevard (120' R.O.W.), with the southerly right-of-way line of West Riverside Drive (120' R.O.W.), being the northwesterly corner of said 1.155 acre tract, for the northwesterly corner hereof;

THENCE, S70°34'16"E, leaving the easterly right-of-way line of South Lamar Boulevard, along the southerly right-of-way line of West Riverside Drive, being the northerly line of said 1.155 acre tract, for the northerly line hereof, a distance of 237.80 feet to a 1/2 inch iron rod with cap set at the intersection of the southerly right-of-way line of West Riverside Drive with the westerly right-of-way line of Lee Barton Road (55' R.O.W.), being the northeasterly corner of said 1.155 acre tract, for the northeasterly corner hereof;

THENCE, S30°07'58"W, leaving the southerly right-of-way line of West Riverside Drive, along the westerly right-of-way line of Lee Barton Road, being a portion of the easterly line of said 1.155 acre tract, for the easterly line hereof, a distance of 202.08 feet to a 1/2 inch iron rod with cap set, for the southeasterly corner hereof;

THENCE, leaving the westerly right-of-way line of Lee Barton Road, over and across said 1.155 acre tract, for a portion of the southerly line hereof, the following two (2) courses and distances:

- 1) N59°52'02"W, a distance of 90.00 feet to a 1/2 inch iron rod with cap set for an angle point;
- 2) N77°39'09"W, a distance of 5.54 feet to a PK nail set at an angle point in the northerly line of Bridges on the Park, a condominium of record in Document Nos. 2006117044 and 2007092434 of said Official Public Records, being an angle point in the southerly line of said 1.155 acre tract, for an angle point hereof;

THENCE, along the northerly line of said Bridges on the Park, along the southerly line of said 1.155 acre tract, for a portion of the southerly line hereof, the following three (3) courses and distances:

FN 11-421(KWA)
DECEMBER 15, 2011
PAGE 2 OF 2


- 1) N67°20'15"W, a distance of 70.79 feet to PK nail set for an angle point;
- 2) N21°20'12"E, a distance of 11.03 feet to a punch hole found in concrete for an angle point;
- 3) N68°33'11"W, a distance of 40.69 feet to a PK nail set on said easterly right-of-way line of South Lamar Boulevard, being the northwesterly corner of said Bridges on the Park, for the southwesterly corner of said 1.155 acre tract and hereof;

THENCE, N21°01'42"E, along said easterly right-of-way line of South Lamar Boulevard, being the westerly line of said 1.155 acre tract, for the westerly line hereof, a distance of 166.15 feet to the POINT OF BEGINNING, and containing 0.933 acre (40,643 sq. ft.) of land, more or less, within these metes and bounds.

THE BASIS OF BEARINGS IS THE EASTERLY LINE OF THAT CERTAIN 0.718 ACRE TRACT CONVEYED TO PISCES FOODS, L.L.C. BY DEED OF RECORD IN VOLUME 13400, PAGE 422 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS.

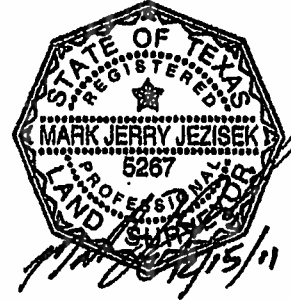
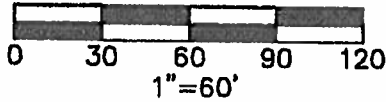
I, MARK J. JEZISEK, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION. A SURVEY EXHIBIT WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION

BURY+PARTNERS, INC.
221 W. SIXTH STREET
SUITE 600
AUSTIN, TEXAS, 78701


MARK J. JEZISEK, R.P.L.S.
NO. 5267
STATE OF TEXAS



CITY OF AUSTIN



WEST RIVERSIDE DRIVE
(120' R.O.W.)

SOUTH LAMAR BOULEVARD
(120' R.O.W.)

LEE BARTON ROAD
(55' R.O.W.)

6.975 ACRES TRACT B
CITY OF AUSTIN
(PITCH AND PUTT
GOLF COURSE)

P.O.B.

S70°34'16"E 237.80'

N21°01'42"E 166.15'

S21°01'42"W 190.17'

S30°07'58"W 202.08'

S30°07'58"W 135.88'

0.933 ACRE
(40,643 SQ. FT.)

1.155 ACRES
PAGGI HOUSE, LLC
DOCUMENT NO. 2011016777

ISAAC DECKER
LEAGUE

BRIDGES ON THE PARK,
A CONDOMINIUM
DOCUMENT NO. 2006117044
DOCUMENT NO. 2007092434

Bury+Partners

221 West Sixth Street, Suite 600
Austin, Texas 78701
Tel. (512)328-0011 Fax (512)328-0325
Bury+Partners, Inc. © Copyright 2011

SKETCH TO ACCOMPANY DESCRIPTION
OF A 0.933 ACRE TRACT OF LAND OUT OF THE ISSAC DECKER
LEAGUE, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY,
TEXAS, BEING A PORTION OF THAT CERTAIN 1.155 ACRE
TRACT OF LAND CONVEYED TO PAGGI HOUSE, LLC BY DEED
OF RECORD IN DOCUMENT NO. 2011016777 OF THE OFFICIAL
PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

**PAGGI HOUSE,
LLC**

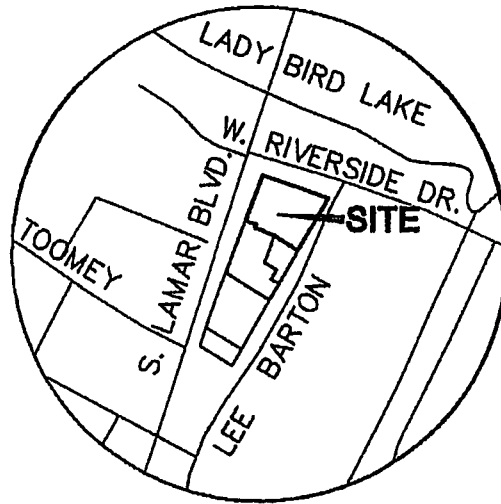
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DRAWN BY: KWA

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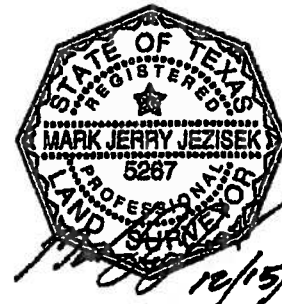
VICINITY MAP
N.T.S.

LEGEND

- 1/2" IRON ROD FOUND (UNLESS NOTED)
- 1/2" IRON ROD WITH CAP SET
- ⊙ IRON PIPE FOUND
- Δ P.K. NAIL WITH WASHER SET
- P.O.B. POINT OF BEGINNING

LINE TABLE

LINE	BEARING	LENGTH
L1	N59°52'02"W	90.00
L2	N77°39'09"W	5.54
L3	N67°20'15"W	70.79
L4	N21°20'12"E	11.03
L5	N68°33'11"W	40.69

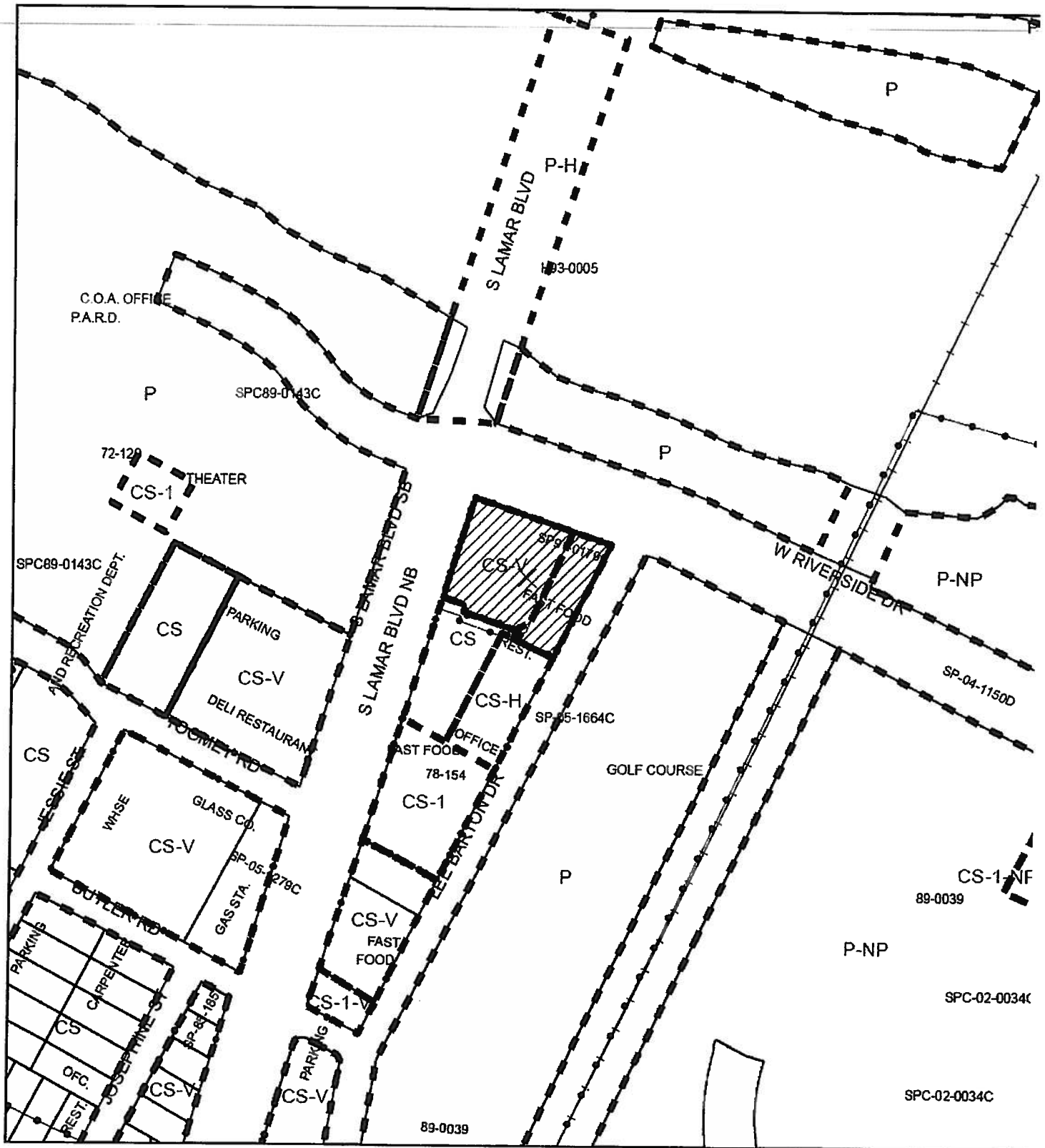





Bury+Partners

231 West Sixth Street, Suite 600
Austin, Texas 78701
Tel. (512)328-0011 Fax (512)328-0325
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SKETCH TO ACCOMPANY DESCRIPTION
OF A 0.933 ACRE TRACT OF LAND OUT OF THE ISSAC DECKER LEAGUE, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN 1.155 ACRE TRACT OF LAND CONVEYED TO PAGGI HOUSE, LLC BY DEED OF RECORD IN DOCUMENT NO. 2011016777 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

**PAGGI HOUSE,
LLC**



-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING
ZONING CASE#: C814-2012-0160

1" = 200'

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.



Exhibit B

EXISTING DRIVE LOCATION, PROPOSED
ON-STREET PARKING AREA SUBJECT TO
APPROVAL FROM AUSTIN TRANSPORTATION
DEPARTMENT DURING SITE PLAN PROCESS.



PLANTING ZONE

CLEAR ZONE

SUPPLEMENTAL
ZONE ONLY

PLAZA AND OUTDOOR
SEATING AREA (AND
SUPPLEMENTAL ZONE)

HALF-CRITICAL TREE
ROOT ZONE

AGREEMENT 0.933

SITE DEVELOPMENT REGULATIONS BASE DISTRICT CS

MAX. IMPERVIOUS COVER PERCENT

MAX. BUILDING FOOTPRINT PERCENT

MAX. BUILDING HEIGHT

MAX. LOT AREA

MAX. LOT AREA

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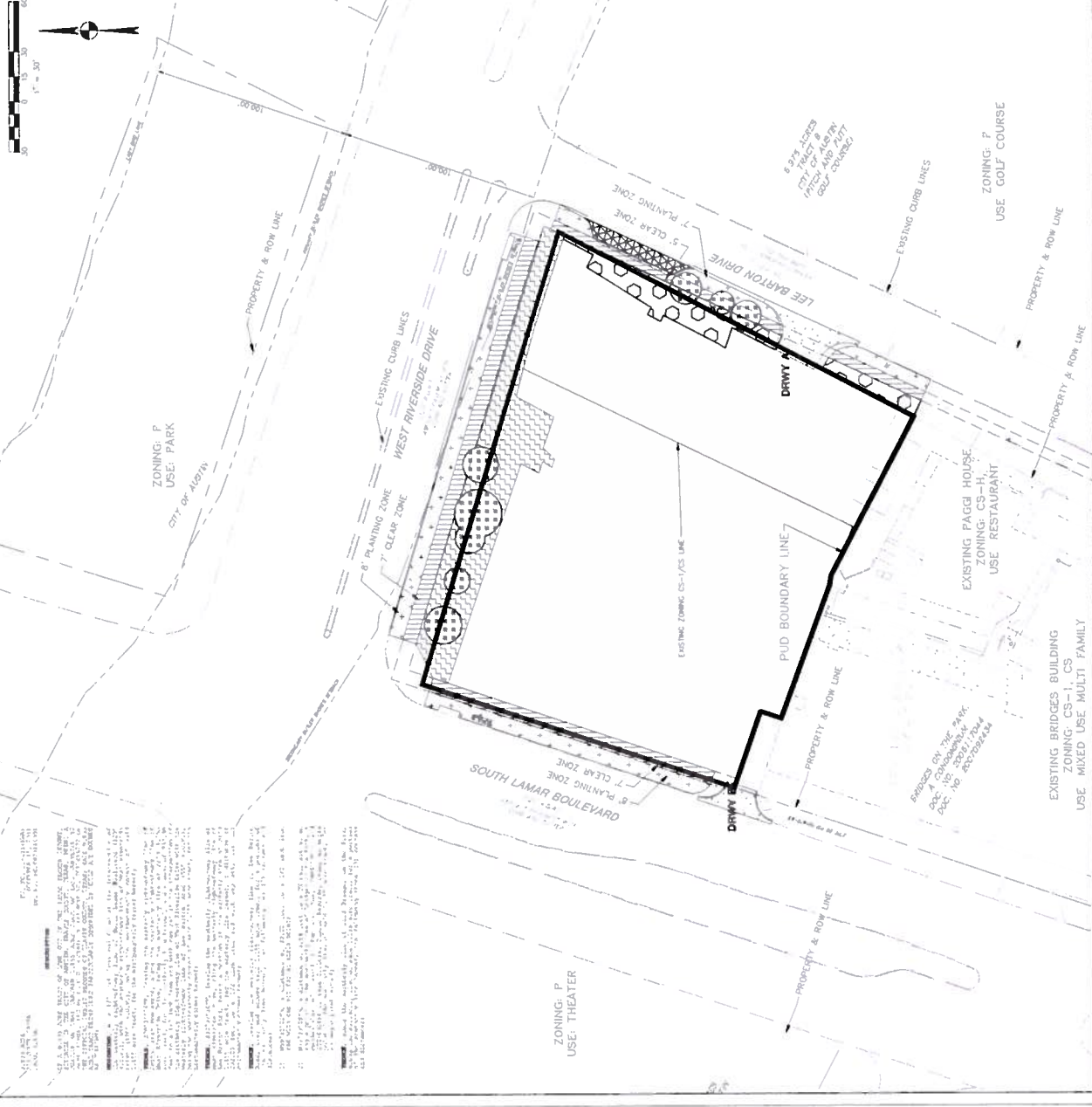
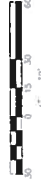
MAX. LOT AREA

MAX. LOT AREA

MAX. LOT AREA

MAX. LOT AREA

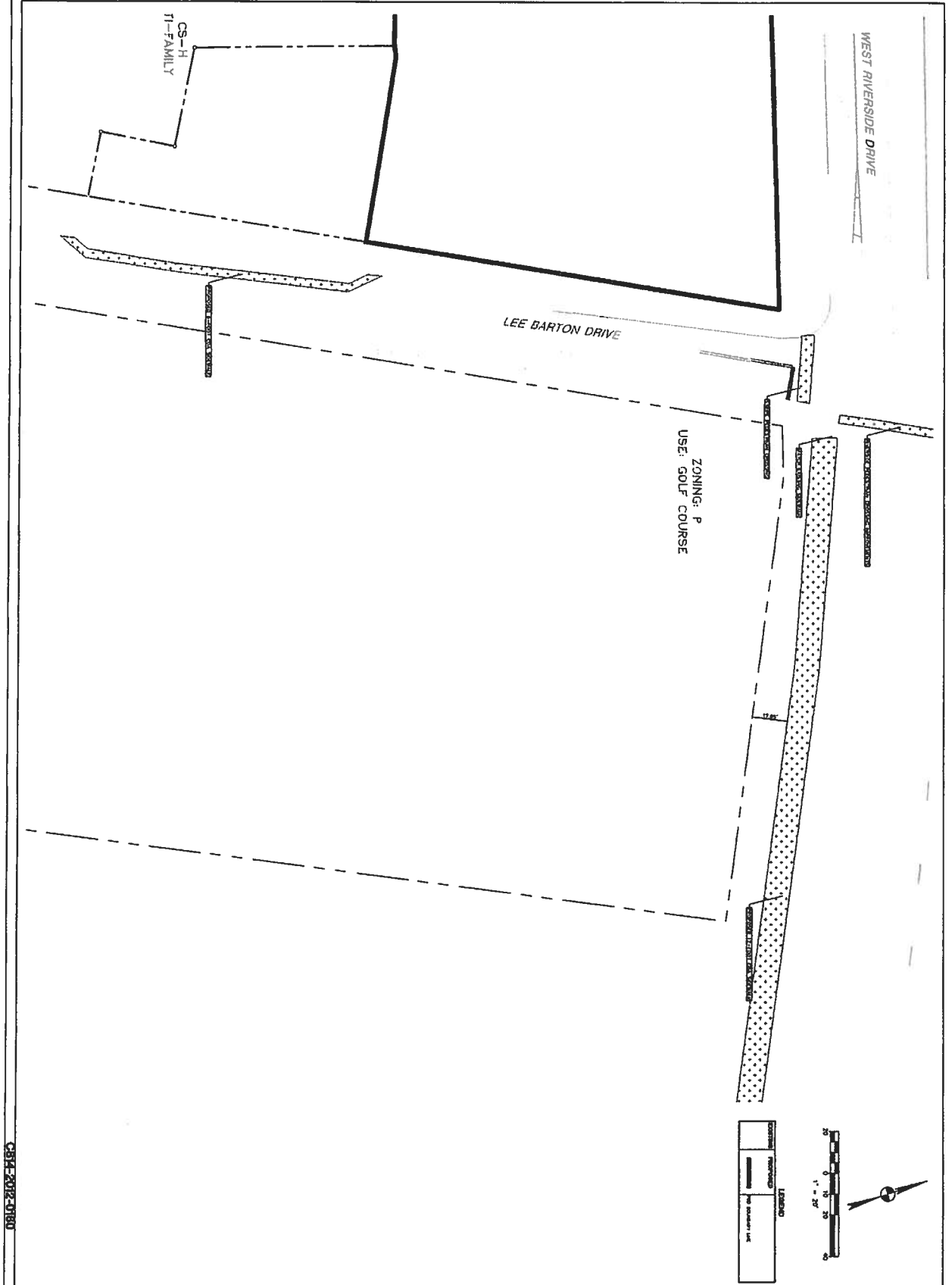
MAX. LOT AREA




*Note: 3.2.1 PART is calculated by taking into account the existing building footprint for the "CS" zoning classification and the applicable regulations outlined in section 25-2.714 (additional floor area) of the land development code for properties in the waterfront overlay.

NEIGHBORHOOD MAP

2. THE SIZE AND CONFIGURATION OF DRIVEWAYS AS SHOWN HEREON IS AN APPROXIMATION FOR ILLUSTRATIVE PURPOSES. THE OWNER WILL ESTABLISH AND SET FORTH THE SIZE AND CONFIGURATION OF DRIVEWAYS ON THE SITE DEVELOPMENT PERMIT.



Page 4 of 4		DRAWN BY: PSD		211 SOUTH LAMAR	OFFSITE PEDESTRIAN IMPROVEMENTS	DATE		BY		REVISION		APPROVAL	
		DESIGNED BY: JRS											
SHEET		REVIEWED BY: JRS		POST PAGGI, LLC									
		PROJECT NO.: 100791-10003											
												211 East North Street, Suite 200 Austin, Texas 75086 Tel: (940) 222-0011 Fax: (940) 222-0012 5001 Eaglewood, Houston, TX 77056 BuryPartners, Inc. Copyright 2013	

City of Austin Preferred Plant List

Environmental Criteria Manual, Appendix N

CITY OF AUSTIN PREFERRED PLANT LIST

Other plants may be used if approved by the City of Austin. This list is a guide and is not meant to be exclusive. Any other native or well adapted plant may be used if drawings are sealed by a registered Texas Landscape Architect.

EVERGREEN TREES

Arizona Cypress	Cupressus arizonica
Cherry Laurel	Prunus caroliniana
Deodar Cedar	Cedrus deodara
Live Oak	Quercus virginiana
Mountain Laurel	Sophora secundiflora
Texas Madrone	Arbutus texana
Yaupon Holly	Ilex vomitoria

DECIDUOUS TREES

American Elm	Ulmus americana
American Smoketree	Cotinus obovatus
Arizona Walnut	Juglans major
Bald Cypress	Taxodium distichum
Bigtooth Maple	Acer grandidentatum
Blackjack Oak	Quercus marilandica
Bradford Pear	Pyrus calleryana 'Bradford'
Bur Oak	Quercus macrocarpa
Cedar Elm	Ulmus crassifolia
Chinese Pistache	Pistacia chinensis
Chinquapin Oak	Quercus Muhlenbergii
Crape Myrtle	Lagerstroemia indica
Desert Willow	Chilopsis linearis
Drake Elm	Ulmus parvifolia 'Drake'
Durand Oak	Quercus sinuata
Eastern Walnut	Juglans nigra
Escarpment Cherry	Prunus serotina
Eve's Necklace	Sophora affinis
Flameleaf Sumac	Rhus copallina and R. glabra
Fragrant Ash	Fraxinus cuspidata
Golden Rain Tree	Koelreuteria bipinnata and K.

Honey Mesquite	paniculata
Kidneywood	Prosopis glandulosa
Lacey Oak	Eysenhardtia texana
Little Walnut	Quercus glaucoides and Q. laceyi
Mexican Buckeye	Juglans microcarpa
Mexican Plum	Ungnadia speciosa
Orchid Tree	Prunus mexicana
Pecan	Bauhinia spp.
Possumhaw	Carya illinoensis
Post Oak	Ilex decidua
Red Buckeye	Quercus stellata
Rusty Blackhaw	Aesculus pavia
Shin Oak	Viburnum rufidulum
Shumard Oak	Quercus sinuata brevifolia
Texas Ash	Quercus shumardii
Texas Persimmon	Fraxinus texensis
Texas Red Oak	Diospyros texana
Texas Redbud	Quercus texana
Vitex, Lilac Tree	Cercis canadensis var. 'Texensis'
Western Soapberry	Vitex Agnus-castus
	Sapindus Drummondii

EVERGREEN SHRUBS

Agarita	Berberis trifoliolata
Barbados Cherry	Malpighia glabra
BurfordHolly	Ilex cornuta 'Burfordii'
Dwarf Burford Holly	Ilex cornuta 'Burfordii nana'
Dwarf Chinese Holly	Ilex cornuta 'Rotunda nana'
Dwarf Yaupon Holly	Ilex vomitoria 'Nana'
Elaeagnus	Elaeagnus pungens
Evergreen Sumac	Rhus virens
Indian Hawthorn	Raphiolepis indica
Mountain Laurel	Sophora secundiflora
Nandina	Nandina domestica
Oleander	Nerium oleander
Pampas Grass	Cortaderia selloana
Red Yucca	Hesperaloe parviflora
Rock Cotoneaster	Cotoneaster horizontalis
Rosemary	Rosmarinus officinalis
Sacahuista, Bear Grass	Nolina texana

Shore Juniper	<i>Juniperus conferta</i>
Silverleaf Cotoneaster	<i>Cotoneaster glaucophyllus</i>
Texas Sage	<i>Leucophyllum frutescens</i>
Texas Sotol	<i>Dasylirion texanum</i>
Wax Myrtle	<i>Myrica cerifera</i>

SEMI-EVERGREEN SHRUBS

Cast Iron Plant	<i>Aspidistra elatior</i>
Glossy Abelia	<i>Abelia grandiflora</i>
Muhly Grass	<i>Muhlenbergia lindheimeri</i>
Pineapple Guava	<i>Feijoa sellowiana</i>
Pomegranate	<i>Punica granatum</i>
Primrose Jasmine	<i>Jasminum mesnyi</i>

DECIDUOUS SHRUBS

Althaea	<i>Hibiscus syriacus</i>
American Beautyberry	<i>Callicarpa americana</i>
Aromatic Sumac	<i>Rhus aromatica</i>
Arrowwood	<i>Viburnum dentatum</i>
Black Dalea	<i>Dalea frutescens</i>
Butterfly Bush	<i>Buddleia Davidii</i>
Flame Acanthus	<i>Anisacanthus Wrightii</i>
Possumhaw Holly	<i>Ilex decidua</i>
Texas Lantana	<i>Lantana horrida</i> and <i>L. camara</i>
Trailing Lantana	<i>Lantana montevidensis</i>

EVERGREEN VINES & GROUNDCOVERS

Asian Jasmine	<i>Trachelospermum asiaticum</i>
Bigleaf Periwinkle	<i>Vinca major</i>
Carolina Jessamine	<i>Gelsemium sempervirens</i>
Coral Honeysuckle	<i>Lonicera sempervirens</i>
Cross Vine	<i>Bignonia capreolata</i>
Damianita	<i>Chrysactinia mexicana</i>
English Ivy	<i>Hedera helix</i>
Fig Vine	<i>Ficus pumila</i>
Lady Banksia Rose	<i>Rosa banksiae</i>
Liriope	<i>Liriope muscari</i>
Littleleaf Periwinkle	<i>Vinca minor</i>
Monkey Grass	<i>Ophiopogon japonicus</i>

Oregano	<i>Origanum vulgare</i>
Santolina	<i>Santolina chamaecyparissus</i>
Stonecrop	<i>Sedum</i> spp.

DECIDUOUS VINES & GROUNDCOVERS

Boston Ivy	<i>Parthenocissus tricuspidata</i> 'Veitchii'
Bush Morning Glory	<i>Ipomoea leptophylla</i>
Coral Vine	<i>Antigonon leptopus</i>
Cypress Vine	<i>Ipomoea quamoclit</i>
Gregg Dalea	<i>Dalea greggii</i>
Mustang Grape	<i>Vitis mustangensis</i>
Old Man's Beard	<i>Clematis Drummondii</i>
Passion Vine	<i>Passiflora incarnata</i>
Sweet Autumn Clematis	<i>Clematis paniculata</i>
Trumpet Vine	<i>Campsis radicans</i>
Virginia Creeper	<i>Parthenocissus quinquefolia</i>

FLOWERING PERNNIALS

Artemisia	<i>Artemisia ludoviciana</i>
Black-eyed Susan	<i>Rudbeckia hirta</i>
Blackfoot Daisy	<i>Melampodium leucanthum</i>
Butterfly Weed	<i>Asclepias tuberosa</i>
Canna Lily	<i>Canna X generalis</i>
Cedar Sage	<i>Salvia roemeriana</i>
Cherry Sage	<i>Salvia greggii</i>
Cigar Plant	<i>Cuphea micropetala</i>
Coreopsis	<i>Coreopsis lanceolata</i>
Daylily	<i>Hemerocallis fulva</i>
Fall Aster	<i>Aster</i> spp.
Firebush	<i>Hamelia patens</i>
Gayfeather	<i>Liatris</i> spp.
Heartleaf Hibiscus	<i>Hibiscus cardiophyllus</i>
Hinckley's Columbine	<i>Aquilegia Hinckleyana</i>
Hymenoxys	<i>Hymenoxys scaposa</i>
Lamb's Ears	<i>Stachys byzantina</i>
Maximillian Sunflower	<i>Helianthus maximiliana</i>
Mealy Blue Sage	<i>Salvia farinacea</i>
Mexican BushSage	<i>Salvia leucantha</i>
Mexican Heather	<i>Cuphea hyssopifolia</i>

Mexican Marigold Mint	<i>Tagetes lucida</i>
Mexican Oregano	<i>Poliomintha longiflora</i>
Oxeye Daisy	<i>Chrysanthemum leucanthemum</i>
Peruvian Verbena	<i>Verbena peruviana</i>
Pink Skullcap	<i>Scutellaria suffrutescens</i>
Plumbago	<i>Plumbago auriculata</i>
Purple Coneflower	<i>Echinacea purpurea</i>
Rose Mallow	<i>Pavonia lasiopetala</i>
Scarlet Sage	<i>Salvia coccinea</i>
Spiderwort	<i>Tradescantia x Andersoniana</i>
Turk's Cap	<i>Malvaviscus arboreus 'Drummondii'</i>
White Mistflower	<i>Eupatorium Wrightii</i>
Wild Petunia	<i>Ruellia nudiflora</i>
Yarrow	<i>Achillea millefolium</i>
Zexmenia	<i>Wedelia hispida</i>

TURF & LOW GRASSES

Bermuda	<i>Cynodon dactylon</i>
Blue Grama	<i>Bouteloua gracilis</i>
Buffalograss	<i>Buchloe dactyloides</i>
Little Bluestem	<i>Schizachyrium scoparium</i>
Side Oats Gramma	<i>Bouteloua curtipendula</i>

APPENDIX T
REQUEST FOR FEE IN LIEU OF OR COST RECOVERY FOR WATER QUALITY
CONTROLS IN THE URBAN WATERSHEDS

A. OWNER / AGENT INFORMATION: Name: BURY / CITY OF AUSTIN
 Company: _____ Telephone: 328 2011
 Fax: _____

B. PROJECT INFORMATION: Name: 211 S. LAMAR
 Location or Address: 211 S. LAMAR
 Permit Number: SP-2012-0211C
 Case Manager: LEE NECKMAN / M. SIMMONS SMITH
 Redeveloped Impervious Cover: 0.933 (sq.) + New Impervious Cover 0 (sq.)
 = Total Impervious Cover 0.933 (sq.)
 Redeveloped IC = 1.1/A / Total IC 1.1/A = 1.1/A (RT)

C. PAYMENT CALCULATION:

1. Site Impervious Cover Component:

\$32,000 x (A1)	<u>0.933 x 0.15</u>	= \$ <u>28,363.20</u>
\$18,000 x (A2)	<u>-</u>	= \$ <u>-</u>
\$11,000 x (A3)	<u>-</u>	= \$ <u>-</u>
\$8,000 x (A4)	<u>-</u>	= \$ <u>-</u>
\$8,000 x (A5)	<u>-</u>	= \$ <u>-</u>

Impervious Cover Component Subtotal (ICCS) = \$ 28,363.20

Annual Adjustment Factor (E) = 1.0

ICCS x E = \$ 28,363.20 (Fee 1)

If subject property drains to a proposed or existing Regional Water Quality facility, then City Portion is:
 City Portion = (RT) 1.1/A x (FEE 1) 1.1/A x 0.78 = \$ 11.1 (CP1);
 Otherwise CP1=0

Andy to Provide: Future
 1.4256 Applied.

\$ 40,434.58

2. Building Component: \$0.10 x (B) 293640 (sf) = \$ 29,364 (FEE 2)
 (Note: City Portion = \$0.00)

3. Site Area Component:

Commercial/Multifamily Site: \$8,000 x (C) 0.933 (sq.) = \$ 5,578 (FEE 3)
 Single Family or Duplex Site: \$4,000 x (C) 1.1/A (sq.) = \$ 11.1 (FEE 3)

If subject property drains to a proposed or existing Regional Water Quality facility, then City Portion is:
 City Portion = (RT) 1.1/A x (FEE 3) 1.1/A x 0.75 = \$ 11.1 (CP3);
 Otherwise CP3=0.

4. Payment Amounts: $40,434.58$ $75,396.58$

$28,363.20 + 29,364 + 5598 = 63,325.20$

TOTAL FEE = (FEE 1) + (FEE 2) + (FEE 3) = \$

CITY PORTION = (CP1) + (CP3) = \$

APPLICANT FEE = (TOTAL FEE) $63,325.20 \times 2.25\%$ - (CITY PORTION) = \$ $15,831.30$

PER NOTE OFFSITE SUPERIOR $\times 25\% =$

$\$15,831.30$

$\$18,349.14$

D. COST RECOVERY:

Construction Cost = \$ N/A (attach an Itemized Engineer's estimate of cost)

City Portion = (R/T) N/A x (Cost) N/A x 0.75 = \$ N/A

Applicant Portion = (Cost) N/A - (City Portion) N/A = \$ N/A

E. AUTHORIZATION:

Owner/Agent [Signature] Date 19 March 2013 updated

Reviewed by [Signature] Date 9/17/13.

For the Director of the Watershed Protection and Development Review Department

Note: This is an estimate for fee-in-lieu of water quality to be provided if in the future, the City of Austin requires that the water quality facilities be removed from the right of way. See PUD ordinance, Part 7, "Water Quality".

[Signature]

**INSTRUCTIONS FOR COMPLETING
REQUEST FOR FEE IN LIEU OF WATER
QUALITY CONTROLS IN THE URBAN WATERSHEDS**

PART A. OWNER/AGENT INFORMATION:

Provide the name of the owner or agent for the project, name of company, and telephone and fax number.

PART B. PROJECT INFORMATION:

Provide the name of the project, location or address, site development or site plan number, and the name of the case manager in the Watershed Protection and Development Review Department.

Provide the area of impervious cover in acres that is considered redevelopment - i.e. the amount of impervious cover being constructed by this project in areas which currently have impervious cover. Provide the area of impervious cover in acres that is considered new - i.e. the amount of impervious cover being constructed by this project in areas which currently do not have impervious cover. Impervious cover shall be measured to the nearest 0.01 acre.

Calculate the total impervious cover by summing the two figures determined above.

Calculate the ratio of redeveloped impervious cover to total impervious cover in this project by dividing the redevelopment impervious cover by the total impervious cover. This ratio is called R/T on the form. If R/T is zero (0), the project is not considered redevelopment and the City will not pay a portion of the fee in lieu of water quality controls or a portion of the Cost Recovery if water quality controls are built on-site.

PART C. PAYMENT CALCULATION:

1. Site Impervious Cover Component: Calculate the portion of the payment related to site impervious cover. The total impervious cover being constructed by this project should be divided into the following increments:

Area of IC 1 (A1) = 0 to 1.00 acres
Area of IC 2 (A2) = 1.01 to 2.00 acres
Area of IC 3 (A3) = 2.01 to 10.00 acres
Area of IC 3 (A4) = 10.01 to 20.00 acres
Area of IC 4 (A5) = 20.01 acres or greater

Insert these areas into the fee formula and calculate the individual parts of the fee and then sum these to calculate the unadjusted total fee associated with site impervious cover -- Impervious Cover Component Subtotal (ICCS).

Calculate FEE 1 by multiplying the ICCS by the construction cost adjustment factor (E). The construction cost adjustment factor must be calculated annually using the Engineering News Record (ENR) 20 city average Construction Cost Index with the base index being the ENR construction cost index of October 2002 (6597). For each fiscal year, the construction cost adjustment factor shall be recalculated in October as the ratio of the then current September ENR Construction Cost Index divided by the October 2002 Construction Cost Index. This new construction cost adjustment factor shall be applied to all fees collected during that fiscal year.

If the site drains to a proposed or existing Regional Water Quality Facility, the applicant qualifies for a 75% Cost Recovery of the fee. Calculate the City's portion of this component of the fee by multiplying FEE 1 by the ratio R/T and by 0.75 (0.75 is the cost share ratio established by City Council for water quality controls associated with redevelopment in the Urban Watersheds).

2. **Building Component.** Calculate the portion of the payment related to building size. Determine the gross square footage of the building, excluding the area of the first or ground floor (B). Subgrade floors (basement floors) shall be included. Multiply this by \$0.10 per square foot to determine this portion of the payment (FEE 2). The City does not pay a proportionate share of the fee associated with multi-story buildings.

3. **Site Area Component.** Calculate the portion of the payment related to size of the site area being developed or redeveloped. Determine the area of the site in acres which is within the limits of construction for the project (C). To calculate the portion of the payment associated with the site area, multiply the site area by \$8,000 for commercial or multifamily development or \$4,000 for single family and duplex development (FEE 3).

If the site drains to a proposed or existing Regional Water Quality Facility, the applicant qualifies for a 75% Cost Recovery of the fee. Calculate the City's portion of this part of the fee by multiplying FEE 3 by the ratio R/T and by 0.75 (0.75 is the cost share ratio established by City Council for water quality controls associated with redevelopment in the Urban Watersheds).

4. **Payment Amounts.** Calculate the total fees owed by the applicant and the City. The total fee is calculated by summing the individual portions of the fee calculated under 1, 2 and 3 above (= FEE 1 + FEE 2 + FEE 3). The City's portion of the fee payment is calculated by adding the City's portion calculated under 1 and 2 above (= City Portion FEE CP1 + City Portion FEE CP3). The applicant's share of the fee payment is calculated by subtracting the City's portion from the total fee.

PART D. COST RECOVERY FOR ON-SITE CONTROLS

This portion of the form shall be used if the applicant proposes or the City requires construction of water quality control on-site and the site is undergoing redevelopment. (See ECM 1.9.2 for criteria for Cost Recovery)

Provide the engineer's estimate of the cost of constructing the water quality control, excluding the cost of land. A detailed estimate of costs shall be attached to the form and sealed by the engineer. The Cost Recovery payment is calculated by multiplying the construction cost by the ratio R/T and 0.75.

Upon completion of construction at the site, the owner or agent shall notify the Environmental Site Inspector that the water quality control is complete. In addition, the engineer's concurrence letter shall be provided which includes a statement that the water quality control has been built in accordance with approved plans.

The City shall inspect the control to ensure that it is built in compliance with the approved plans and is operating properly. If deficiencies are noted during this inspection, the City shall notify the Owner in writing within 30 days of the specific deficiencies. The owner shall remedy any such deficiencies and notify Environmental Site Inspector that the controls are ready for reinspection. When the controls are determined by the City to be in conformance with the approved plans, the City shall issue a check to the owner for the approved amount.

PART E. AUTHORIZATION

The owner or agent for the project must sign and date the Request Form. Upon review and approval of the fee payment or cost recovery amount, the Director of the Watershed Protection and Development Review Department or his designee will sign and date the form indicating approval of the proposed fee. A copy of the approved form will be given to the fiscal staff for processing.

September 18, 2013

Mr. Ivan Naranjo
Planning & Development Review Department
City of Austin
505 Barton Springs Road, 4th Floor
Austin, TX 78704

Subject: Riverside and Lamar Development – Traffic Impacts and Recommended Improvements

Dear Ivan:

The purpose of this letter is to address the traffic impacts as well as vehicular and pedestrian access associated with the proposed Riverside and Lamar development located at the southeast corner of the intersection of South Lamar Boulevard and Riverside Drive in Austin, Texas.

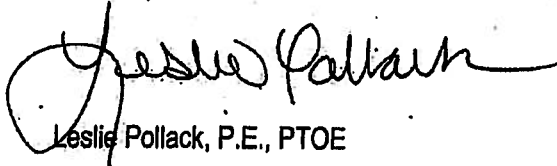
The proposed Riverside and Lamar development has minimal impact on vehicular traffic operations of area intersections. The following recommendations are made to improve pedestrian accessibility in the area:

1. There are currently no sidewalks along Lee Barton Drive from Riverside Drive to the Bridges on the Park development (approximately 350 feet south of the intersection). As part of this development, a sidewalk is recommended to be constructed along the site's frontage on Lee Barton Drive. It is recommended that a sidewalk be constructed on the west side of Lee Barton Drive between the Bridges on the Park development and the proposed Riverside and Lamar development. Due to the steep embankment and presence of trees along Lee Barton, construction of this sidewalk will require extension of the curb line into Lee Barton Drive and removal of six parking spaces on the west side of Lee Barton Drive.

2. There are currently no sidewalks on the south side of Riverside Drive between Lee Barton Drive and Butler Park (approximately 400 feet east of Lee Barton Drive). It is recommended that sidewalks be provided to increase pedestrian connectivity along Riverside Drive.
3. One designated pedestrian crossing on Riverside Drive is located immediately east of the Lee Barton Drive intersection. This pedestrian crossing location has an actuated pedestrian warning system. Pedestrian movements are prohibited across the west leg of Riverside Drive at the intersection with Lee Barton Drive via a sign. However, a pedestrian ramp is still present at this location creating confusion for pedestrians. It is recommended that the pedestrian ramp be removed to further deter pedestrians from utilizing the west crossing. A crosswalk should also be striped on the south leg of Lee Barton Drive at Riverside Drive to encourage utilization of the crosswalk facilities.

Please feel free to contact me if you have any additional comments or concerns.

Sincerely,



Leslie Pollack, P.E., PTOE

Project Manager

HDR Engineering, Inc.

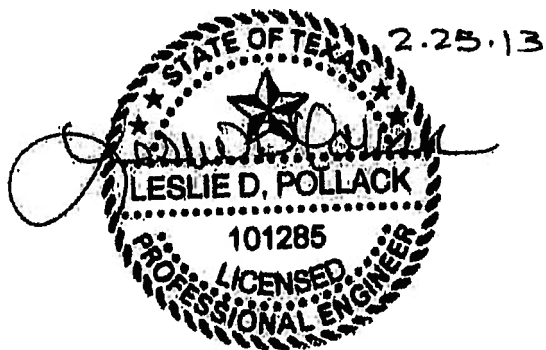
TBPE Firm Registration No. F-754

cc: Steve Drenner, Winstead PC
Amanda Swor, Winstead PC
Will Cureton, Post Investment Group

BG

**211 S. Lamar Traffic Study
Recommendations and Costs**

Recommendation	Total Cost
1. Construct Sidewalk on West Side of Lee Barton Drive	\$30,187
2. Construct Sidewalk on South Side of Riverside Drive	\$67,692
3. Lee Barton Drive and Riverside Drive Intersection Pedestrian Improvements	\$1,862
Total Cost	\$99,741

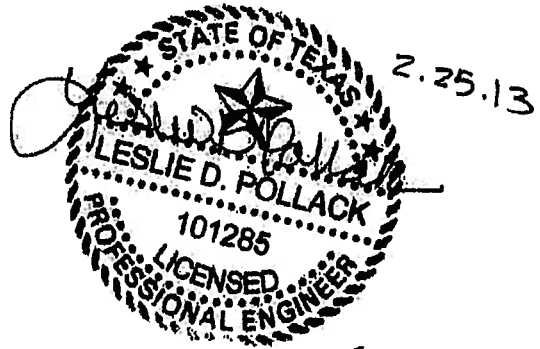


211 S. Lamar Traffic Study
Construct Sidewalk on West Side of Lee Barton Drive
Cost Estimate

<u>ITEM DESCRIPTION</u>	<u>UNIT</u>	<u>QTY</u>	<u>UNIT COST</u>	<u>TOTAL COST</u>
REMOVING CONC (CURB)	LF	175	5.50	962.50
CONC SIDEWALKS (6")(6")	LF	175	37.00	6,475.00
CONC CURB (TY II)	LF	175	10.50	1,837.50
INS SM RD SN SUP&AM TY TWT(1) WA(P)	EA	4	280.00	1,120.00
TOTAL MOBILIZATION	LS	1	1,039.50	1,039.50
MATERIALS				\$ 11,435
ENGINEERING (15%)				1,715
INSPECTION (7%)				800
CONTINGENCY (10%)				1,143
SUBTOTAL				\$ 15,084
SMALL QUANTITY ESCALATION FACTOR (100%)				15,084
TOTAL				30,187

Assumptions used in preparation of estimate:

1. TxDOT 12 Austin District Average Low Bid Unit Prices, dated 11/30/12, used for cost estimates.

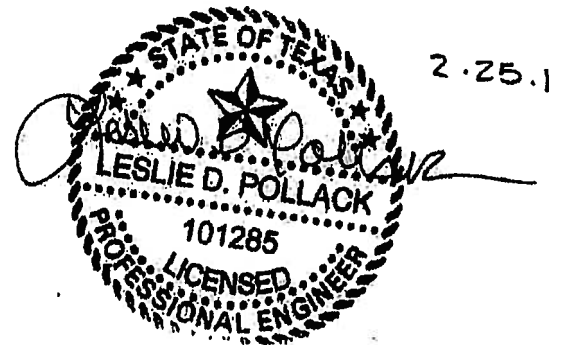


211 S. Lamar Traffic Study
Construct Sidewalk on South Side of Riverside Drive
Cost Estimate

<u>ITEM DESCRIPTION</u>	<u>UNIT</u>	<u>QTY</u>	<u>UNIT COST</u>	<u>TOTAL COST</u>
CONC SIDEWALKS (6")(6")	LF	700	37.00	25,900.00
TOTAL MOBILIZATION	LS	1	2,590.00	2,590.00
	MATERIALS		\$	28,490
	ENGINEERING (15%)			4,274
	INSPECTION (7%)			1,984
	CONTINGENCY (10%)			2,849
			SUBTOTAL \$	37,607
			SMALL QUANTITY ESCALATION FACTOR (80%)	30,085
			TOTAL	67,692

Assumptions used in preparation of estimate:

1. TxDOT 12 Austin District Average Low Bid Unit Prices, dated 11/30/12, used for cost estimates.
2. Doubled the sidewalk length to account for a 12' sidewalk.



211 S. Lamar Traffic Study
Lee Barton Drive and Riverside Drive Intersection Pedestrian Improvements
Cost Estimate

<u>ITEM DESCRIPTION</u>	<u>UNIT</u>	<u>QTY</u>	<u>UNIT COST</u>	<u>TOTAL COST</u>
REMOVING CONC (WHEELCHAIR RAMP)	SY	13	24.50	326.67
CONC SIDEWALKS (6')(6")	LF	20	37.00	740.00
CONC CURB (TY II)	LF	20	10.50	210.00
REFL PAV MRK TY I (W) 24" (SLD) (100 MIL)	LF	75	7.00	525.00
TOTAL MOBILIZATION	LS	1	180.17	180.17
MATERIALS				\$ 705
ENGINEERING (15%)				106
INSPECTION (7%)				49
CONTINGENCY (10%)				71
SUBTOTAL				\$ 931
SMALL QUANTITY ESCALATION FACTOR (100%)				931
TOTAL				1,862

Assumptions used in preparation of estimate:

1. TxDOT 12 Austin District Average Low Bid Unit Prices, dated 11/30/12, used for cost estimates.

