

C20

ZONING CHANGE REVIEW SHEET

CASE: C814-2008-0087.01
South Shore PUD Amendment
(South Shore Subdivision Section One)

P.C. DATE: January 14, 2014

ADDRESS: 1201 Town Creek Drive

AREA: 2.876 acres

OWNER: Sage South Shore, LLC

APPLICANT: Metcalfe, Wolff, Stuart, & Williams, LLP (Michele Rogerson Lynch)

ZONING FROM: PUD-NP; Planned Unit Development-Neighborhood Plan

ZONING TO: PUD-NP; Planned Unit Development-Neighborhood Plan, to change a condition of zoning

NEIGHBORHOOD PLAN AREA: East Riverside Corridor Regulating Plan
(East Riverside Neighborhood Planning Area)

SUMMARY STAFF RECOMMENDATION

To grant the PUD amendment, adding site development regulations for townhouse use to the Land Use Plan for Area 7.

WATERFRONT PLANNING ADVISORY BOARD RECOMMENDATION:

To be considered January 13, 2014

PLANNING COMMISSION RECOMMENDATION:

To be considered January 14, 2014

DEPARTMENT COMMENTS:

The subject tract consists of 2.876 acres located north of East Riverside Drive, between, and with frontage on, Town Creek Drive and Tinnin Ford Road (see Exhibits A). This tract, the extension of Shore District Drive (previously Arena Drive), and property between this extension and Lakeshore Boulevard was (most recently) platted in January 2011 (C8-2010-0111.1A). The tract is Area 7, part of the South Shore District Planned Unit Development (PUD), which is a 20-acre, 7-tract, mixed use proposal based on select commercial uses and modified MF-6 development standards. Each of the tracts were proposed for mixed use, but different height maximums were established for tracts; per the PUD's land use plan, this tract was entitled to development up to 60 feet in height.

The northernmost 170' of the subject tract is within the Southshore subdistrict of the Waterfront Conditional Overlay (WCO), but outside both the primary and secondary setbacks of the subdistrict. For the entire PUD, just less than 13 acres (12.97) is within the WCO subdistrict. PUD tracts along Lakeshore Boulevard contain land area within a primary setback.

The proposed amendment, which only includes Area 7 of the existing PUD, is driven by the stated desire to develop the property with a 71-unit townhouse project. Townhouse, as a use, is currently allowed in the PUD. However, the MF-6 site development standards within the PUD, and standards in the Land Development Code (LDC) for townhouse development,

effectively prohibit a dense, individual lot, townhouse project. The proposal is to amend the MF-6 standards specified in the PUD and incorporate modified townhouse standards found in LDC 25-2-775 to facilitate the townhouse proposal (see Exhibit B). Specifically, a site development standards table (see Exhibit C) would be added to the current Land Use Plan incorporated into the PUD. Although not identical, these standards are modelled after the site development criteria in the Lakeshore PUD, which is just across Tinnin Ford Road from the subject tract (see Exhibit D). The Lakeshore PUD, adopted a couple years before the South Shore District PUD, specifies development criteria specifically for townhouses; in general, that PUD differentiated more discretely between properties in terms of uses and development standards. The townhouse standards were not incorporated into the adjacent South Shore District PUD, as the entire 20-acre PUD was predominantly envisioned as a mixed use commercial and rental residential project.

Adding these site development provisions to the subject tract does not require modification to other Areas or requirements within the PUD. There are other requirements specified in the PUD that currently do apply to this tract. This owes to the construction of the PUD, as reflected in the ordinance. Although there were seven Areas, certain requirements were made at the PUD-wide level, and not for individual Areas.

For example, the PUD allows for a maximum of 1,200 residential units. There are no corresponding density parameters, so the number constructed on any particular tract is constrained only by height specifications or setback specifications. Similarly, the developer of the PUD is required to provide 1,000 square feet of public facilities space and 1,000 square feet of community/non-profit space. The PUD ordinance does not specify where these would be located, tract-wise, only that they must be provided prior to the 400th residential unit or 10,000th square foot of retail/commercial space (they have been depicted on an approved site plan elsewhere).

There are other global requirements, such as that for public art, a minimum number of accessible residential units, and units set aside for households at 60% or less of the median family income in the Austin MSA.

The current amendment does not propose to amend any of these global terms. Indeed, staff expects that requirements of the PUD will be met by the original PUD property owner through the terms of the South Shore Property Owners' Association (POA), as established in the Declaration of Covenants, Conditions, and Restrictions (CCRs) for South Shore, and recorded as Document No. 2013192004, Official Public Records of Travis County. The CCRs document itself anticipates a townhome parcel, and includes definitions and requirements of its participation in the POA, as well as any potential sub-association.

One PUD requirement that does require monitoring is a minimum of 30,000 square feet of retail. As specified in the PUD ordinance:

Unless otherwise allowed by the Director, the amount of retail/commercial square footage in each phase of development in the PUD must bear a ratio to the 30,000 square feet that is equal to the ratio that the number of residential units in that phase bears to the 1200 units allowed in the PUD.

[Based on a previous definition, the reference is to the Director of Planning and Development Review].

The inference is that each Tract of the PUD should have a balance of commercial and residential uses. The current proposal would facilitate townhouse lot development, but the subject tract would be developed without a commercial component. There is nothing in the existing PUD that mandates more than one use per Area; rather, it provides flexibility if individual Areas are combined into a single phase during development, or split into several phases. Viewed from a different perspective, it requires that no phase is solely retail, that is, that all retail development must be incorporated into a residential, mixed use building. Even then, the amount of retail mixed within the residential of a given phase is subject to the Director's discretion.

To date, approximately 23,798 feet of general retail, 7,336 square feet of general restaurant, and 2,338 square feet of residential releasing, for a total of 33,372 square feet, has been approved through the site planning stage and is under construction. In other words, the minimum amount of commercial square footage will have already been met, once the requisite Certificates of Occupancy are issued. It is the Director's opinion that provision of the retail space in the PUD area is a site planning concern; given that the Certificates of Occupancy might be issued prior to the release of a site plan permit for the current proposed project, the consideration of this concern is likely moot.

Given that the proposed construction of 71 residential units on this site is less than what could be developed under a mixed-use scenario with modified MF-6 standards, those foregone units can be constructed elsewhere. Areas 3 and 4 of the PUD, on either side of Town Creek Drive at Lakeshore Boulevard, have the tallest height entitlements. Given that only 506 residential units (of the 1,200 allowed) have been approved to date, one can expect these two tracts to be primarily multifamily residential.

The South Shore District and Lakeshore PUDs were included in the East Riverside Corridor boundaries for purposes of the Master Plan. Though they were included in the Regulating Plan, they were not rezoned to East Riverside Corridor (ERC) zoning nor were they assigned a Corridor subdistrict designation. However, the Master Plan does depict both PUDs as Neighborhood Mixed Use.

Correspondence from stakeholders, in this case the East Riverside/Oltorf Combined Neighborhood Plan Contact Team, is attached (see Exhibit S).

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	PUD-NP	Undeveloped (previous multifamily demolished)
West	PUD-NP	South Shore District PUD - Mixed Use Project Under Development
East	PUD-NP; ERC (Neighborhood Mixed Use)	Lakeshore PUD - Mixed Use Project Under Development (SP-2007-0697D); Existing Condominium
North	PUD-NP	Undeveloped (previous multifamily demolished); South Shore District PUD - Mixed Use Project Under Development
South	ERC (Corridor Mixed Use)	Restaurant; Coffee Shop; Grocery

AREA STUDY: East Riverside Corridor**DESIRED DEVELOPMENT ZONE:** Yes**WATERSHED:** Lady Bird Lake Watershed (Urban)**CAPITOL VIEW CORRIDOR:** No**HILL COUNTRY ROADWAY:** No

TIA: Not required (A TIA was required and approved as part of the South Shore District PUD. The proposed use, if developed, would generate less traffic than the existing approved use).

NEIGHBORHOOD ORGANIZATIONS:

South River City Citizens Assn.	74
Southeast Austin Neighborhood Alliance	189
Crossing Gardenhome Owners Assn. (The)	299
South Central Coalition	498
Austin Neighborhoods Council	511
Austin Independent School District	742
East Riverside / Oltorf Neighborhood Plan Contact Team	763
Waterfront Condominium HOA	794
PODER	972
Save Town Lake.Org	1004
Homeless Neighborhood Organization	1037
Bike Austin	1075
Super Duper Neighborhood Objectors and Appealers Organization	1200
Austin Monorail Project	1224
Sierra Club, Austin Regional Group	1228
The Real Estate Council of Austin, Inc.	1236
Pleasant Valley	1255
Del Valle Community Coalition	1258
Austin Heritage Tree Foundation	1340
Zoning Committee of South River City Citizens Assn.	1360
SEL Texas	1363
Waterfront Planning Advisory Board	1366
Preservation Austin	1424

SCHOOLS:

Austin Independent School District

Sanchez Elementary School

Martin Middle School

Austin High School

ABUTTING STREETS & TRANSIT:

The subject tract lies between Tinnin Ford Road to the east and Town Creek Drive to the East. Riverside Drive is approximately 450 feet to the south and Lakeshore Boulevard is approximately 600 feet to the north.

As part of the redevelopment of this area under the South Shore District PUD, several roads are undergoing enhancement, modification, or new construction. For example, Shore District Drive will be extended from Town Creek through this PUD (immediately north of and

abutting the subject tract) into the Lakeshore PUD where it will turn southward and connect with Elmont Drive.

There are a number of bus and other transit options existing along East Riverside Drive. Moreover, the existing PUD calls for dedicated pedestrian crosswalks, trails, bike lanes, Carshare spaces, bike parking, and shower facilities for bike riders. The expectation is that the PUD will be well served with internal circulation options and well connected to the larger neighborhood and community.

CASE HISTORIES:

NUMBER	REQUEST	LAND USE COMMISSION	CITY COUNCIL
500 Pleasant Valley C14-86-224 (Pleasant Valley District Park)	SF-3 to P	Recommended; 11/25/1986	Approved; 12/04/1986
East Riverside Neighborhood Plan C14-05-0112	Append with NP; change various LR, GR, CS, and CS-1	Forward without recommendation; 09/26/2006	Approved with conditions; 11/16/2006
Lakeshore PUD C814-06-0109	MF-3-NP to PUD-NP	Recommended with conditions; 02/27/2007	Approved with conditions; 05/03/2007
East Riverside Corridor Regulating Plan & Rezoning C14-2012-0111a	Various MF, LO, GO, W/LO; LR, GR, CS, CS-1 and L-based districts to ERC	Recommended with conditions; 10/23/2012	Approved with conditions; 05/23/2013

The area between IH-35 and Pleasant Valley Road, between Riverside and Lady Bird Lake, can be characterized by three phases of zoning, individual rezoning, neighborhood plan rezoning, and corridor plan rezoning. The majority of the land previously used for apartments north of Riverside Drive were granted multifamily zoning in the 1960's. Such rezonings were parcel or project specific. Similarly, the office and commercial uses along Riverside Drive were mostly granted in the 1960s and 1970s. Within 1,000 feet of the subject tract, there were only two rezonings in the 1980s, and only one in the 1990's – all three were on the south side of Riverside Drive.

Zoning remained little changed in the area until the East Riverside/Oltorf Combined Neighborhood Plan was adopted in 2006. Adoption of the zoning ordinance associated with the Plan in November 2006 (C14-05-0112), appended zoning strings with the Neighborhood Plan designation. A number of tracts were also rezoned to a different base district with that ordinance, while others were rezoned separately either prior to the Plan, or at a later date if they were contested at the time of Plan adoption.

In February 2010 the City Council adopted the East Riverside Corridor Master Plan. This Plan, which covers approximately 1,000 acres in the East Riverside, Pleasant Valley, and

Montopolis Neighborhood Plan Areas, is one that "encourages the transformation of the East Riverside Drive Corridor area, emphasizing the importance of transit-oriented and walkable development and sustainable practices throughout the Corridor, while also maintaining housing options for people with a range of incomes. The Plan is intended to be... a guide for the future change and development within the Corridor area."

In May of 2013, the City Council adopted the East Riverside Corridor Regulating Plan, which designated most property within the Plan area as one of 5 land use and site regulation subdistricts. At the same time, adoption of the associated rezoning of 228 acres in the East Riverside Neighborhood Planning Area (C14-2012-0111a) changed all then-existing zoning (including the base district, NP combining district, and any attached Conditional Overlays) to ERC – with a few exceptions: existing PUDs and City-owned property on Pleasant Valley Road at Lakeshore Drive. Similar exceptions were made for the Baty Elementary School (DIVISD) and a handful of single-family residential in Riverside Farms and along Penick Drive in the Pleasant Valley Neighborhood Planning Area.

The result of the ERC zoning is that the subject tract is surrounded by either PUD-NP zoning, or ERC designated property. The ERC zoned property north of Riverside Drive is of the Corridor Mixed Use variety, the highest and most intense of the ERC subdistricts. Meanwhile, the PUDs, though not zoned ERC or designated with a subdistrict in the ERC Regulating Plan, were depicted as Neighborhood Mixed Use in the ERC Master Plan.

PREVIOUS CASE HISTORIES (SUBJECT TRACT):

NUMBER	REQUEST	LAND USE COMMISSION	CITY COUNCIL
Southshore Subdivision Section One C8-2009-0111.1A & C8S-70-034(VAC)		Approved; January 18, 2011	
South Shore District PUD C814-2008-0087	MF-3, MF-3-NP, GR-NP to PUD & PUD-NP	Recommended with conditions; 06/23/2009	Approved with conditions; 12/17/2009
East Riverside Neighborhood Plan C14-05-0112	GR to GR-NP	Forward without recommendation; 09/26/2006	Approved with conditions; 11/16/2006
Townlake Plaza Resubdivision C8S-74-111		Approved; 05/17/1974	
Townlake Plaza Resubdivision C8S-70-034		Approved; 02/25/1970	
1315-1525 Town Creek; 1314-1574 Tinnin Ford; & 2000-2022 East Riverside C14-69-223	"B" to "GR"		Approved; 04/01/1971
Townlake Plaza (Subdivision) C8-63-009		Approved; 07/26/1963	

The subject tract is currently vacant. Previously, it was home to the Regatta Apartments, which may have been called Lake Crest initially. The apartments were developed in the early 1960s, but were demolished with other structures as part of the initial development of the PUD.

CITY COUNCIL DATE:

Scheduled for consideration February 13, 2014

CITY COUNCIL ACTION:**ORDINANCE READINGS:**1st2nd3rd**ORDINANCE NUMBER:****CASE MANAGER:** Lee Heckman

e-mail address: lee.heckman@austintexas.gov

PHONE: 974-7604

STAFF RECOMMENDATION**C814-2008-0087.01****BACKGROUND**

The South Shore District Planned Unit Development was approved in 2008, and covers approximately 20 acres of land between Lakeshore Boulevard and Riverside Drive, west of Tinnin Ford Road. Essentially, the PUD allows for a mixed use development of up to 1,200 residential units and a minimum of retail/pedestrian-oriented space, under modified MF-6 standards. The PUD also includes provisions for affordable housing, art in public spaces, a set-aside for community meeting space, and other community amenities.

The PUD allows for townhouse use. However, the PUD did not modify site development standards for townhouse specific use, thus precluding development of attached townhouses on individual lots. For example, under 25-2-775 of the Land Development Code, the minimum lot width for a townhouse use is 20 feet; however, the PUD specifies a minimum lot width of 50 feet.

The owner of the subject tract wishes to amend the PUD in order to develop single-family attached townhomes, in which each townhome is on its own lot. The proposed amendment would modify site development standards for townhouse use in order to facilitate the proposed development.

SUMMARY STAFF RECOMMENDATION

To grant the PUD amendment, adding site development regulations for townhouse use to the Land Use Plan for Area 7.

BASIS FOR RECOMMENDATION

Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character; and

Zoning should promote a transition between adjacent and nearby zoning districts, land uses, and development intensities.

Both the South Shore District PUD and the adjacent Lakeshore PUD are predominately residential projects. Although each has elements of retail and pedestrian-oriented uses, and the projects as a whole may be considered mixed-use, they are predominately multifamily residential, and predominantly rental residential over ground-floor retail. Townhomes, envisioned here as single-family attached residential on individual lots, may be a departure from the typical mixed-use buildings. However, such a difference is compatible, and may well serve as a transition between the more urban streetscape of Riverside and the parkland appeal of Lakeshore Boulevard.

Property to the south is now designated as Corridor Mixed Use in the East Riverside Corridor Regulating Plan. Property to the west is under construction as part of the South Shore PUD, and follows the multiple stories of residential above ground-floor retail/pedestrian oriented use model. Property to the north, also part of the PUD, will likely be higher density residential, with relatively little retail. Across Tinnin Ford, there is an existing condominium and a PUD which allows for the exact type of townhouse use that is being proposed.

A townhouse project of the scale proposed on the subject tract is compatible with existing and future residential; that it would be a single-use rather than mixed will provide a transition and differentiation to the immediate area, both in terms of building design and residential ownership.

Zoning should allow for a reasonable use of the property; and

The rezoning should be consistent with the policies adopted by the City Council or Planning Commission/Zoning and Platting Commission.

The property remains largely undeveloped nearly 6 years after the PUD was approved, with only three of the seven Areas under construction. Responding to market forces, the new owner wishes to develop the property as a townhouse-style development, one with row-houses (single-family attached) on individual lots. Several lots would be set aside as open space for the residents.

Rezoning from modified MF-6 to allow for townhouse use (through this PUD amendment) may seem like a down-zoning. Indeed, the 71 anticipated residential units are probably a lower number than what could be built under the PUD's modified MF-6 standards. Nevertheless, this is still, mathematically, a density of nearly 25 units per acre. That may be seen as reasonable for the area. That density is in keeping with the compact theme of the Imagine Austin Comprehensive Plan (IACP). Further, these residential units would be on individual lots, and available to homeowners. Such a diversity of housing type, and opportunities for homeownership, are also goals of the IACP.

The South Shore District PUD area was included in the East Riverside Corridor boundaries for purposes of the Master Plan, adopted in 2010. Although the property was also included in the Regulating Plan, it was not rezoned to East Riverside Corridor (ERC) zoning nor was it assigned a subdistrict designation. However, the Master Plan does depict both this and the Lakeshore PUD as Neighborhood Mixed Use.

Neighborhood Mixed Use, as an ERC subdistrict, provides for mid-rise residential and is intended to have opportunities for attached residential. Townhouse residential is specifically permitted in Neighborhood Mixed Use, as well as Urban Residential and Neighborhood Residential subdistricts, per the Regulating Plan. Such use is not permitted in Corridor Mixed Use or Industrial Mixed use subdistricts.

Zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors.

The South Shore District PUD will certainly impact transportation along Lakeshore Boulevard and Riverside Drive, as will the adjacent Lakeshore PUD development. These projects included extending Shore District Drive (formerly Arena) eastward to Tinnin Ford Road, and then through Lakeshore PUD. This extension (which is complete from Town Creek to Tinnin Ford) will help facilitate east-west circulation among and between the two PUD areas without requiring pedestrians, bicyclers, and drivers to exit to Riverside or Lakeshore first. Even so, South District Drive, Town Creek Drive, and Tinnin Ford Road are local streets.

While a retail endeavor on the subject tract, if any, may have been modest, this property is truly interior as compared with Riverside Drive or Lakeshore Boulevard. While pedestrian-oriented uses may be successful at this location, it is unknown whether retail would be. It may be beneficial to have no retail and slightly reduced residential at this interior intersection. Potentially lighter traffic volume, from potentially fewer residences with more transit options, is a justifiable expectation for this type of land use.

EXISTING CONDITIONS & REVIEW COMMENTS**Current Conditions**

The site is located between Town Creek Drive and Tinnin Ford Road, between Lakeshore Boulevard and Riverside Drive. The property is currently vacant, but formerly was home to the Regatta Apartments which dated from the early 1960s. The site is topographically flat, and has no environmental constraints to development. Although the northernmost 170 feet is within the boundaries of the South Lakeshore subdistrict of the Waterfront Conditional Overlay, the property is not within either the primary or secondary setbacks of the subdistrict.

PDR Drainage Engineering Review

December 4, 2013 (RC)

NO DE COMMENTS

NPZ Environmental Review

December 6, 2013 (LJ)

No Environmental Comments.

PDR Flood Plain Review

November 21, 2013 (HP)

NO COMMENTS

Neighborhood Housing & Community Development Review

December 12, 2013 (JD)

- 1.) Per the PUD , 13 residential units were to be set aside as affordable. Have the 13 units been set aside and occupied?
- 2.) Will any of the townhouse units be offered as affordable (sold to households at 80% MFI or below)?

Staff Update: The site plan for Section 1A or PUD Area 6 (south of Shore District Drive, west of Town Creek Drive) included the required 13 affordable residential units. As defined by the PUD, affordability was based on 60% median family income. This phase is currently under construction and so the units are not yet occupied. Therefore, the PUD requirement for affordable housing has been met and is not required for this project

PDR Site Plan Review

December 3, 2013 (DG)

Townhomes in which there are more than 2 units connecting require a site plan. Utilities cannot cross lot lines; therefore a UDA will be required.

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

PDR Transportation Review

December 10, 2013 (IN)

TR1. The Transportation Review section has no objections to the proposed PUD Amendment as it is estimated to generate less traffic than the existing approved land use.

PDR Water Quality Review

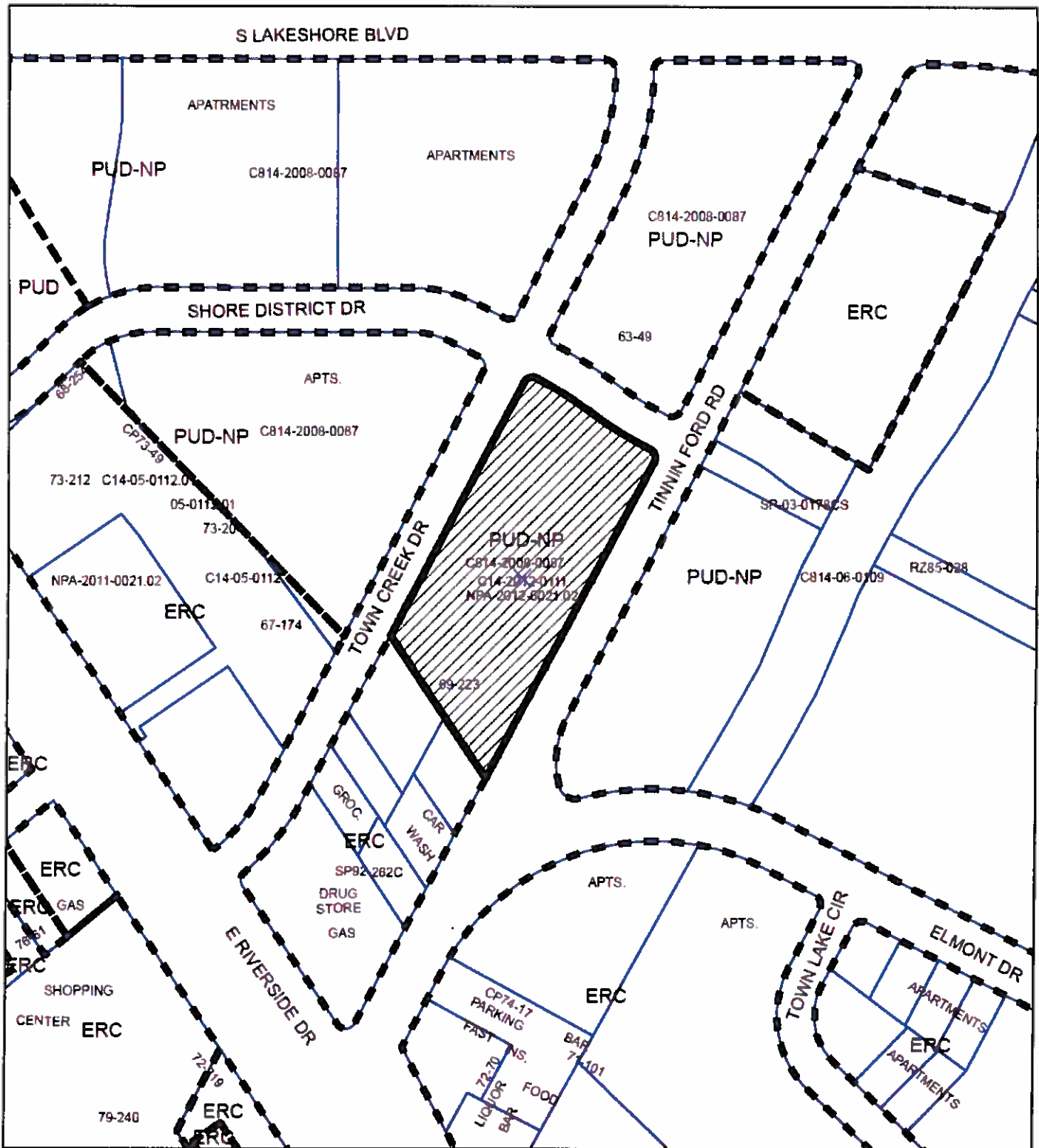
December 4, 2013 (RC)

NO WQ COMMENTS

PDR Austin Water Utility Review

November 18, 2013 (NK)

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests or revision to the existing SERs may be required. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility for compliance with City criteria. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.



SUBJECT TRACT



PENDING CASE



ZONING BOUNDARY

PLANNED UNIT DEVELOPMENT

ZONING CASE#: C814-2008-0087.01

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.



C814-2008-0087.01 / South Shore PUD Amendment

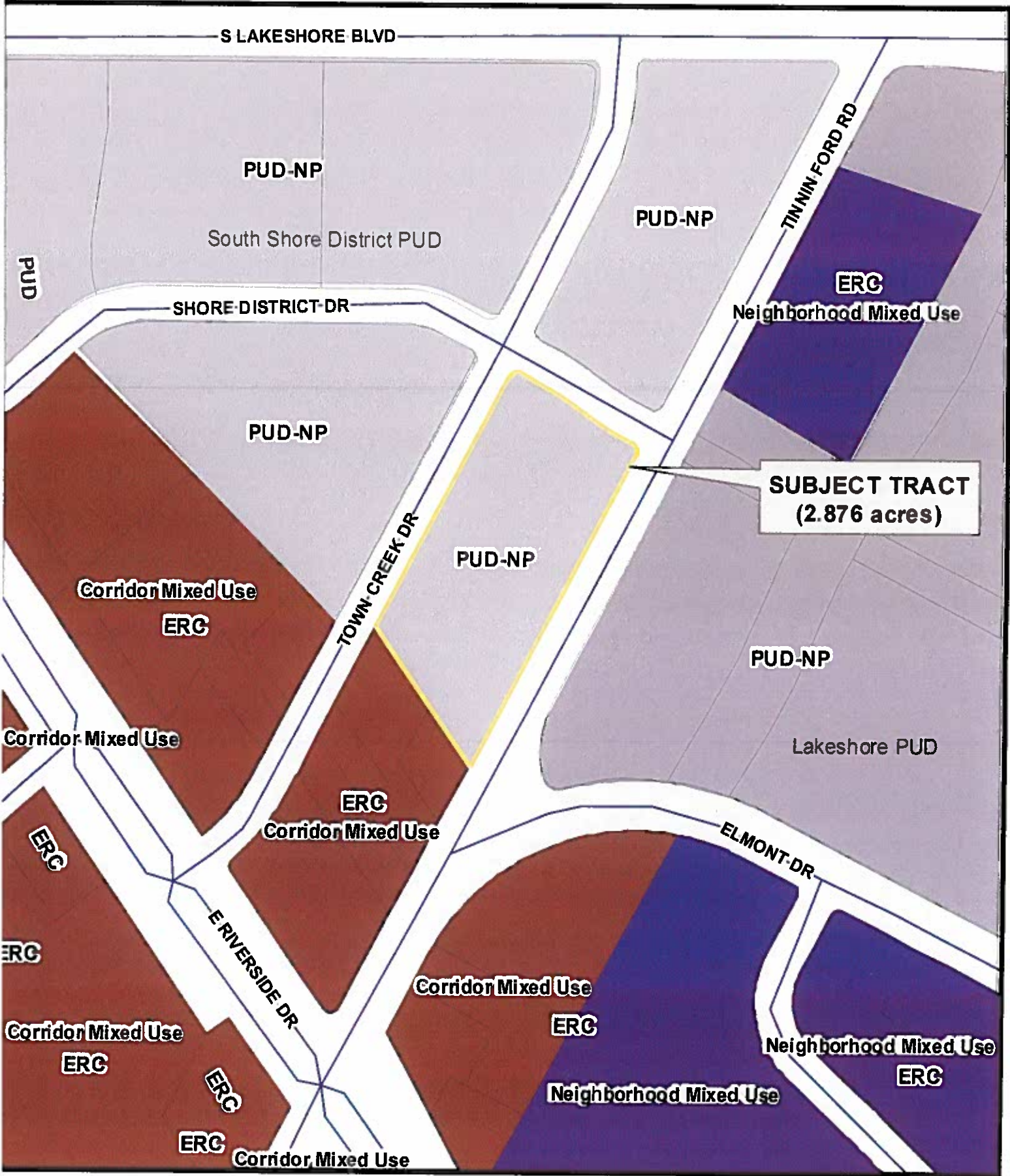
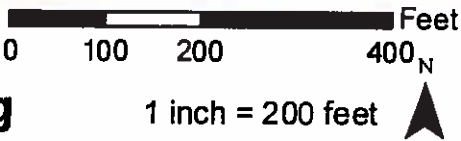
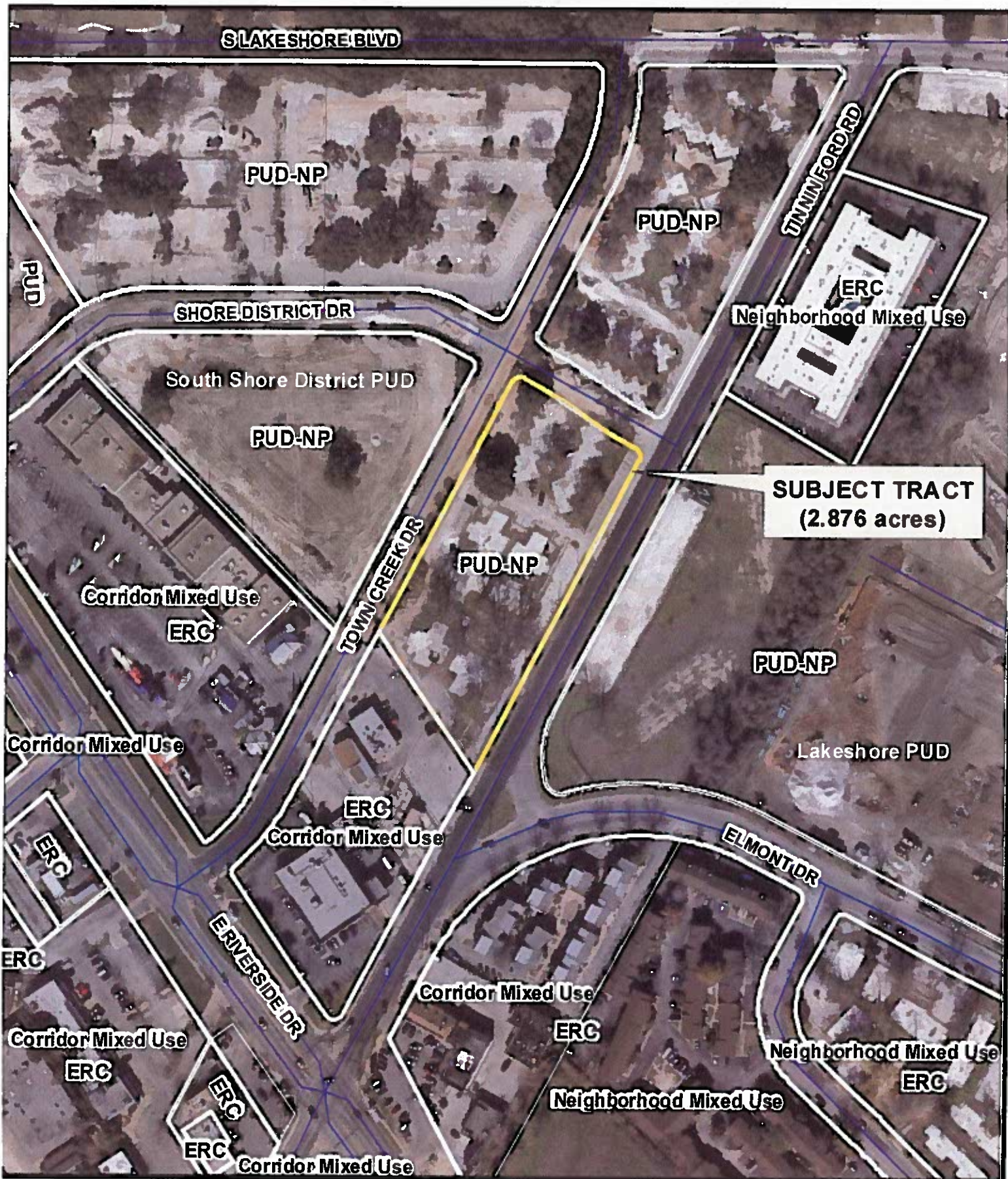


Exhibit A - 1
ERC Subdistrict & Zoning

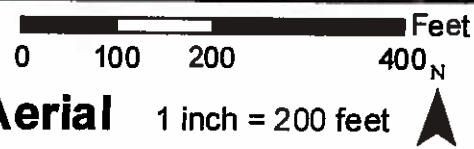


C814-2008-0087.01 / South Shore PUD Amendment



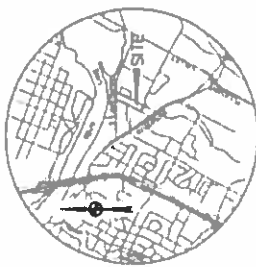
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Exhibit A - 2
ERC Subdistrict, Zoning, & Aerial



6.457 ACRES OF LAND OUT OF THE SANTIAGO DEL VALLE
GRANT SITUATED IN TRAVIS COUNTY, TEXAS.

CITY OF AUSTIN
VOLUME 9405, PAGE 703



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(A)	LOT A D.O. ADDITION BOOK 69, PAGE 31
(B)	LOT C D.O. ADDITION BOOK 69, PAGE 31
(C)	LOT 8-1 RESUB LOT B. D.O. ADDITION BOOK 70, PAGE 75
(D)	LOT 8-2 RESUB LOT B. D.O. ADDITION BOOK 70, PAGE 75

[illegible]

**SUBJECT TRACT
(2.876 acres)**

Renamed Shore District Drive

Exhibit A-4

Existing Subdivision

SOUTHSHORE SUBDIVISION
SECTION ONE

A TWO (2) LOT SUBDIVISION
CONSISTING OF 6.457 ACRES

DATE: AUGUST 2010
PREPARED BY:

Bury+Partners

ENGINEERING SOLUTIONS
221 West Sixth Street, Suite 600, Austin, TX
78701
Tel. 512/520-4011 Fax 512/520-6523
2001 Regulatory Issues: #1044
McGraw-Hill Construction Information Group
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Proposed Code Modifications to Development Regulations
South Shore PUD Amendment C814-2008-0087.01

<u>Category</u>	<u>Code Section</u>	<u>Code Section Description</u>	<u>Existing PUD Regulations</u>	<u>PROPOSED PUD Regulations</u>
Zoning	25-2-492 Site Development Standards	Outlines standard site development regulations for MF-6 zoning districts.	Minimum Lot Size = 8,000 square feet Minimum Lot Width = 50 feet Minimum Setbacks: Front Yard = 15 feet Street Side Yard = 15 feet Interior Side Yard = 5 feet Rear Yard = 10 feet	Minimum Lot Size = 975 square feet Minimum Lot Width = 15 feet Minimum Setbacks: Front Yard = 0 feet Street Side Yard = 0 feet Interior Side Yard = 0 feet Rear Yard = 0 feet
Zoning	25-2-775 Townhouses Article 4, Division 1, Subpart A	Outlines development standards applicable to townhouse uses.	25-2-775: (B) The minimum lot width for a townhouse use is 20 feet (C) At least 3,600 square feet of site area is required for each townhouse (E) A townhouse lot must include a private yard that complies with the zoning district open space requirement. A wall or solid fence, not less than five feet in height, is required along a side lot line that adjoins a required private yard.	25-2-775: (B) The minimum lot width for a townhouse use is 15 feet (C) At least 1,700 square feet of site area is required for each townhouse (E) An average of 200 square feet of open space shall be required for each townhouse. The open space shall include area within a townhouse lot or common open space accessible to a group of townhouses.

Exhibit B - Proposed Code Modifications

**SITE DEVELOPMENT CRITERIA TABLE 2
(Applicable to Area 7 only)**

Regulation	Applicable to Townhouse Use in Area 7
Min Lot Area ³	975 SF
Minimum Lot Width ⁴	15'
Minimum Lot Depth ⁵	30'
Minimum Setbacks:	
Front Yard	0'
Street Side Yard	0'
Interior Side Yard	0'
Rear Yard	0'
Maximum Building Height	*
Maximum Impervious Cover	**
Maximum Building Coverage	70%
Maximum Floor to Area Ratio	-
Maximum Units Townhouse Group ⁶	10
Maximum Units Per Acre	30

*See Height Table on Page 1 of this PUD Plan.

**Refer to PUD Note 3.

NOTES:

1. Site Development Criteria Table 2 applies to townhouse use in Area 7.
2. No building shall be constructed on any lot less than 975 square feet. A lot shall not contain more than one townhouse. A Townhouse lot shall either have access on a public street or right-of-way or through a dedicated access easement with a minimum width of 20 feet.
3. The lot width (as described in the table above) shall be defined as the width of the lot at the building foundation.
4. The lot depth (as described in the table above) shall be defined as the portion of the lot including the front yard and the building foundation.
5. A Townhouse Group is defined as a series of townhouses constructed on a single building foundation.
6. Resident townhouse parking shall be accommodated in a garage or at the rear of the townhouse.
7. An average of two hundred square feet of open space shall be required for each townhouse. The open space may include area within a townhouse lot or common open space accessible to a group of townhouses.
8. At least 1,700 square feet site area is required for each townhouse.

SITE DEVELOPMENT CRITERIA TABLE 2

MINIMUM LOT AREA ⁽³⁾	1,500 SF
MINIMUM LOT WIDTH ⁽⁴⁾	20 FT
MINIMUM LOT DEPTH ⁽⁵⁾	30 FT
MINIMUM FRONT SETBACK	5 FT
MAXIMUM FRONT SETBACK	15'
MINIMUM STREET SIDE SETBACK	10 FT
MINIMUM INTERIOR SIDE YARD SETBACK	0 FT
MINIMUM REAR YARD SETBACK	5 FT
MAXIMUM BUILDING HEIGHT	45 FT
MAXIMUM BUILDING COVERAGE	80%
MAXIMUM FLOOR AREA RATIO	NO LIMIT
MAXIMUM IMPERVIOUS COVER	80%
MAXIMUM UNITS IN TOWNHOUSE GROUP ⁽⁶⁾	10
MAXIMUM UNITS PER ACRE	30

Notes:

1. Site Development Criteria Table 2 applies to townhouses only.
2. Townhouses shall be used for the following purposes: 1) single family attached dwelling units, provided that no dwelling unit is constructed above another dwelling unit; 2) temporary buildings for uses incidental to construction on the premises; and 3) any additional uses permitted within MF-6, or listed in the additional permitted uses table shown here in.
3. No building shall be constructed on any lot less than 1,500 square feet. A lot shall not contain more than one townhouse. A Townhouse lot shall either have access on a public street or right-of-way or through a dedicated access easement with a minimum width of 20 feet.
4. The lot width (as described in the table above) shall be defined as the width of the lot at the building foundation.
5. The lot depth (as described in the table above) shall be defined as the portion of the lot including the front yard and the building foundation.
6. A Townhouse Group is defined as a series of townhouses constructed on a single building foundation.
7. Resident townhouse parking shall be accommodated in a garage or at the rear of the townhouse.
8. Finished floor elevation of the first floor of a townhouse shall be at least 15 inches above the elevation of the sidewalk at the front of the unit.
9. An average of two hundred square feet of open space shall be required for each townhouse. The open space shall include area within a townhouse lot or common open space accessible to a group of townhouses.

January 8, 2014

Re: Case No. SP-2013-0432C South Shore Townhomes

The E. Riverside/Oltorf Combined Neighborhood Plan Contact Team supports this request for the referenced site plan amendment based upon our understanding that this project will be developed in compliance with the waterfront overlay regulations and that the percentage of retail use required for PUD Area 7 under Ordinance No. 20070503-050 has been transferred to another area within the PUD.

While the proposed project is not as dense as the original PUD zoning allows, we believe the benefit of the opportunities for home ownership is far superior to Grayco's original plan. Due to the over-abundance of rental apartments in EROC, increasing home ownership is a primary goal of the EROC Neighborhood Plan, as are the goals of protecting our waterfront and restoring commercial opportunities. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Toni House". The signature is fluid and cursive, with the first name "Toni" and last name "House" clearly distinguishable.

Toni House, Member,
on behalf of the EROC NPCT
1503 Inglewood Street
Austin, TX 78741
Office: 512-615-1219