

# 305 S. Congress PUD

Presentation  
to the  
Parks and Recreation Board  
September 14, 2021

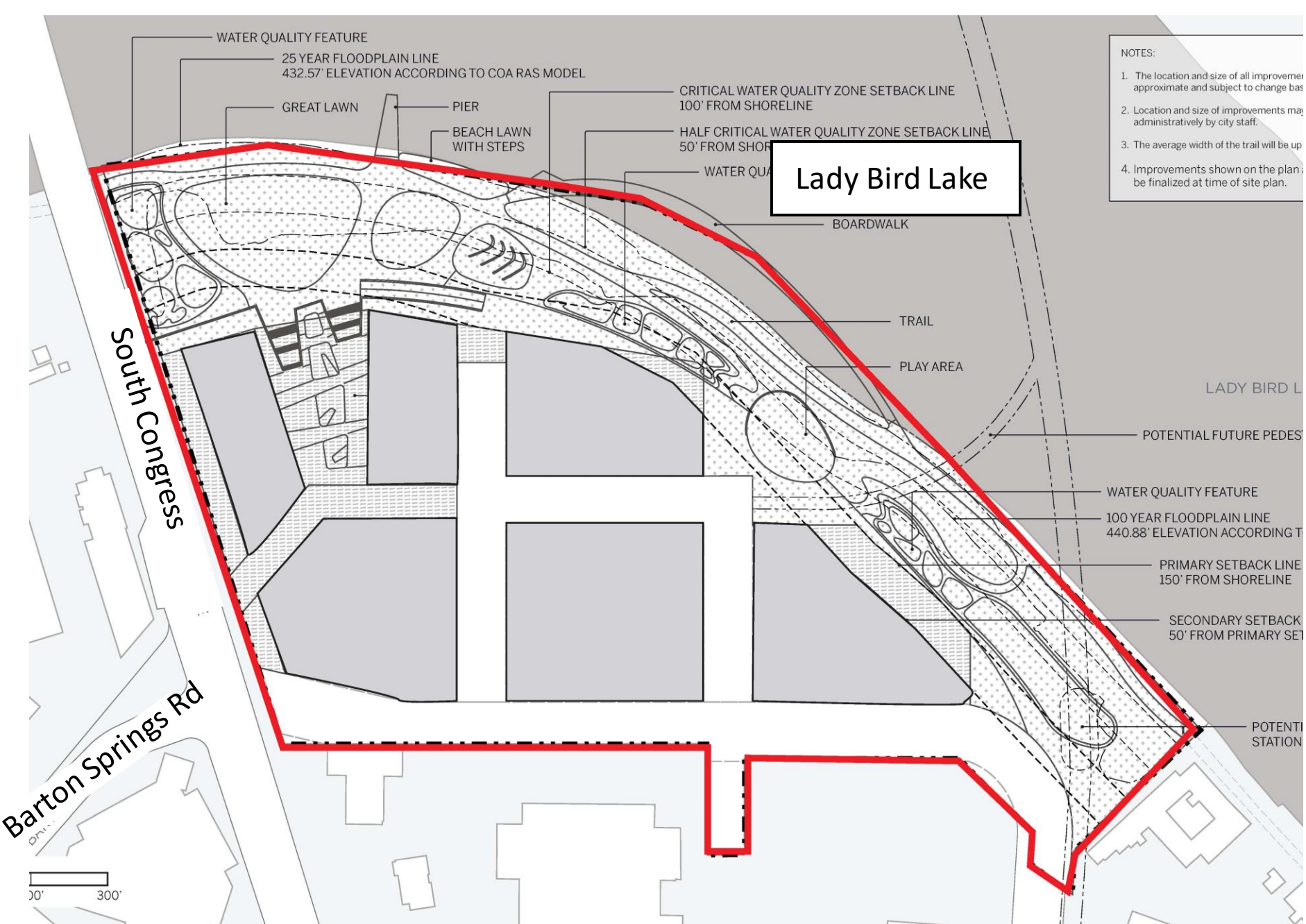
Atha Phillips  
Environmental Program Coordinator  
Environmental Officer's Office

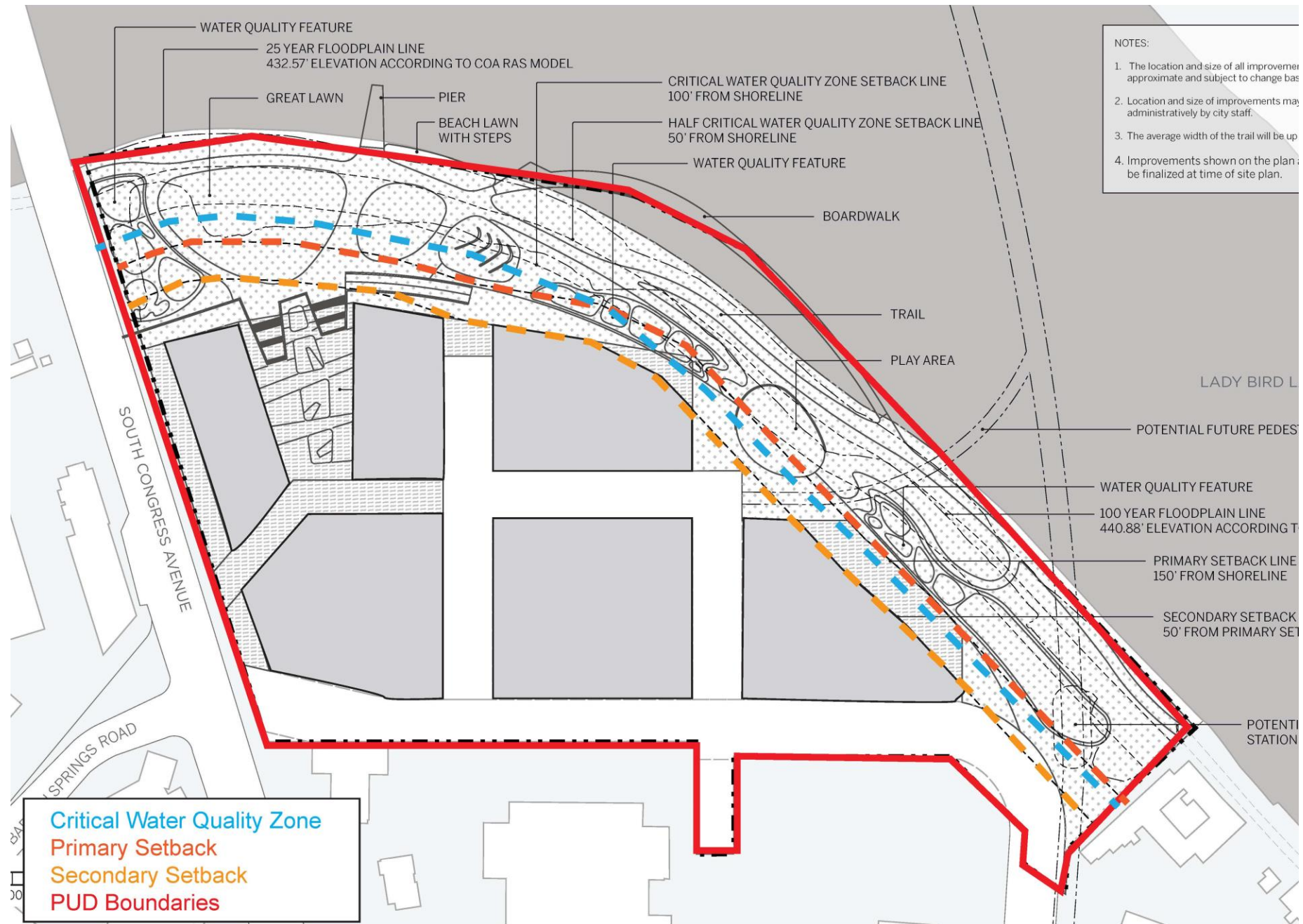
Scott Grantham  
Planner Principal, Park Planning  
Parks & Recreation Department

# Agenda

- Proposed PUD environmental attributes and status
- Proposed superiority
- Code modifications
- Staff evaluation
- Staff proposed conditions for superiority

Proposed PUD

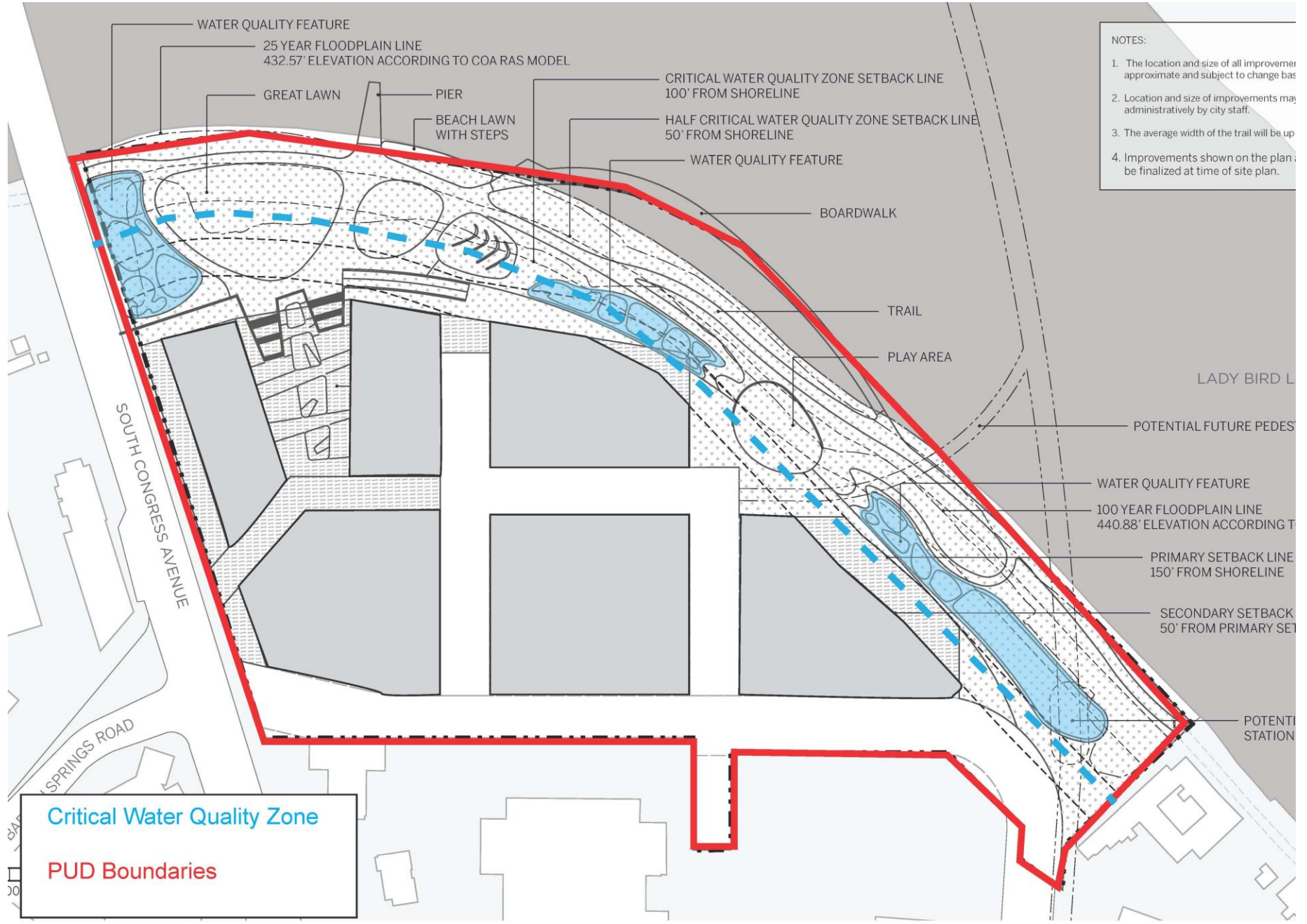




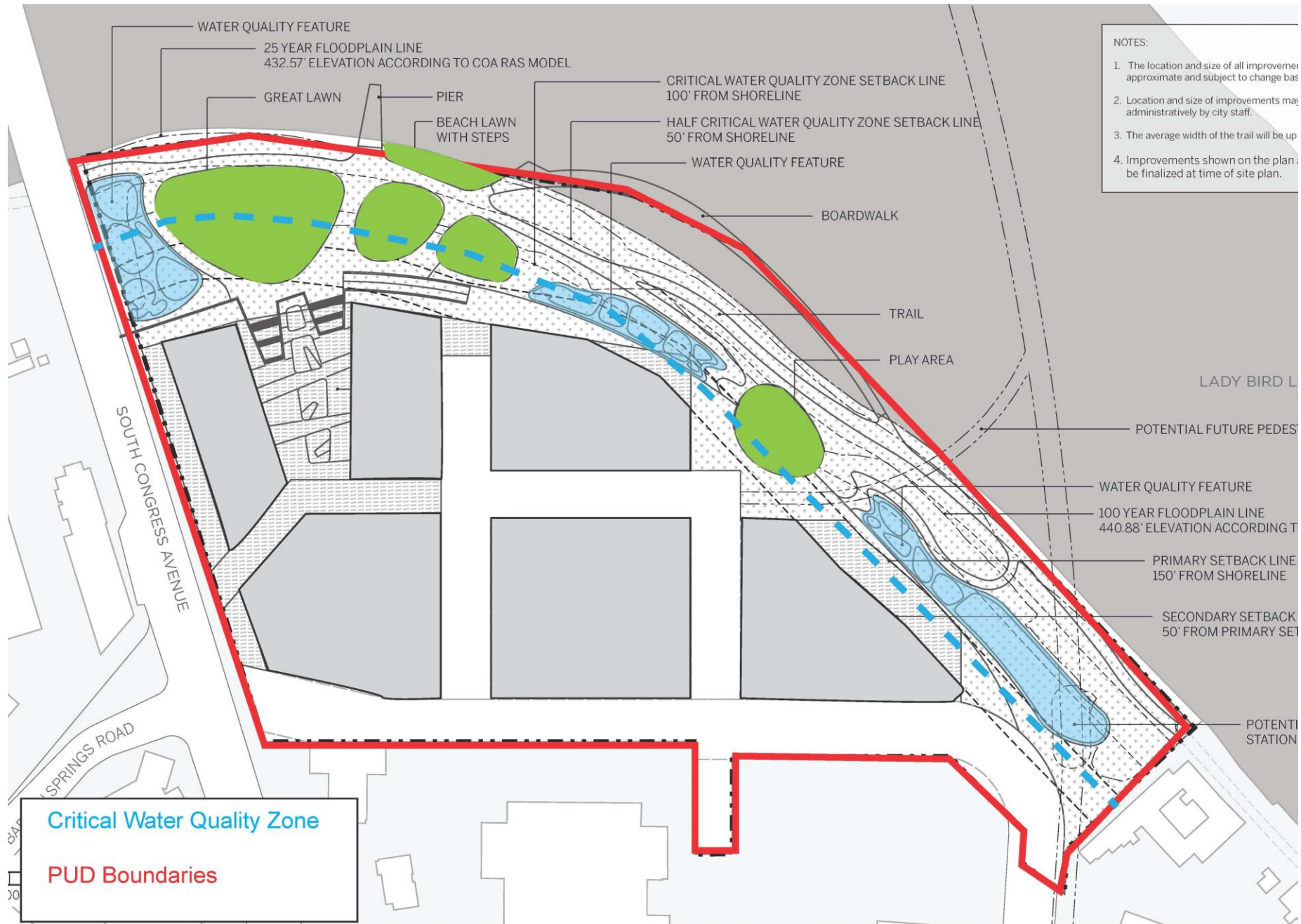
**NOTES:**

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3. The average width of the trail will be up
4. Improvements shown on the plan; be finalized at time of site plan.

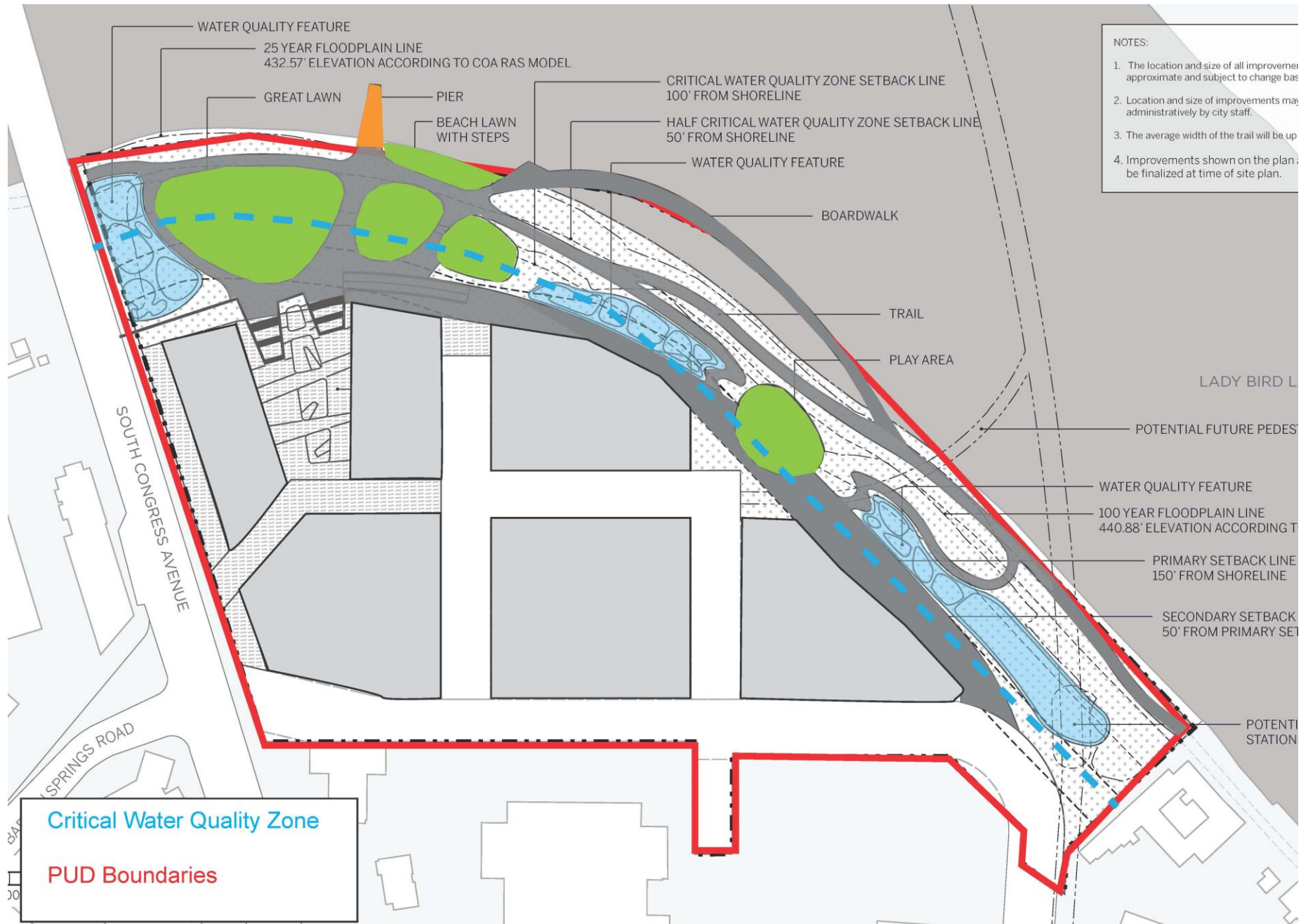




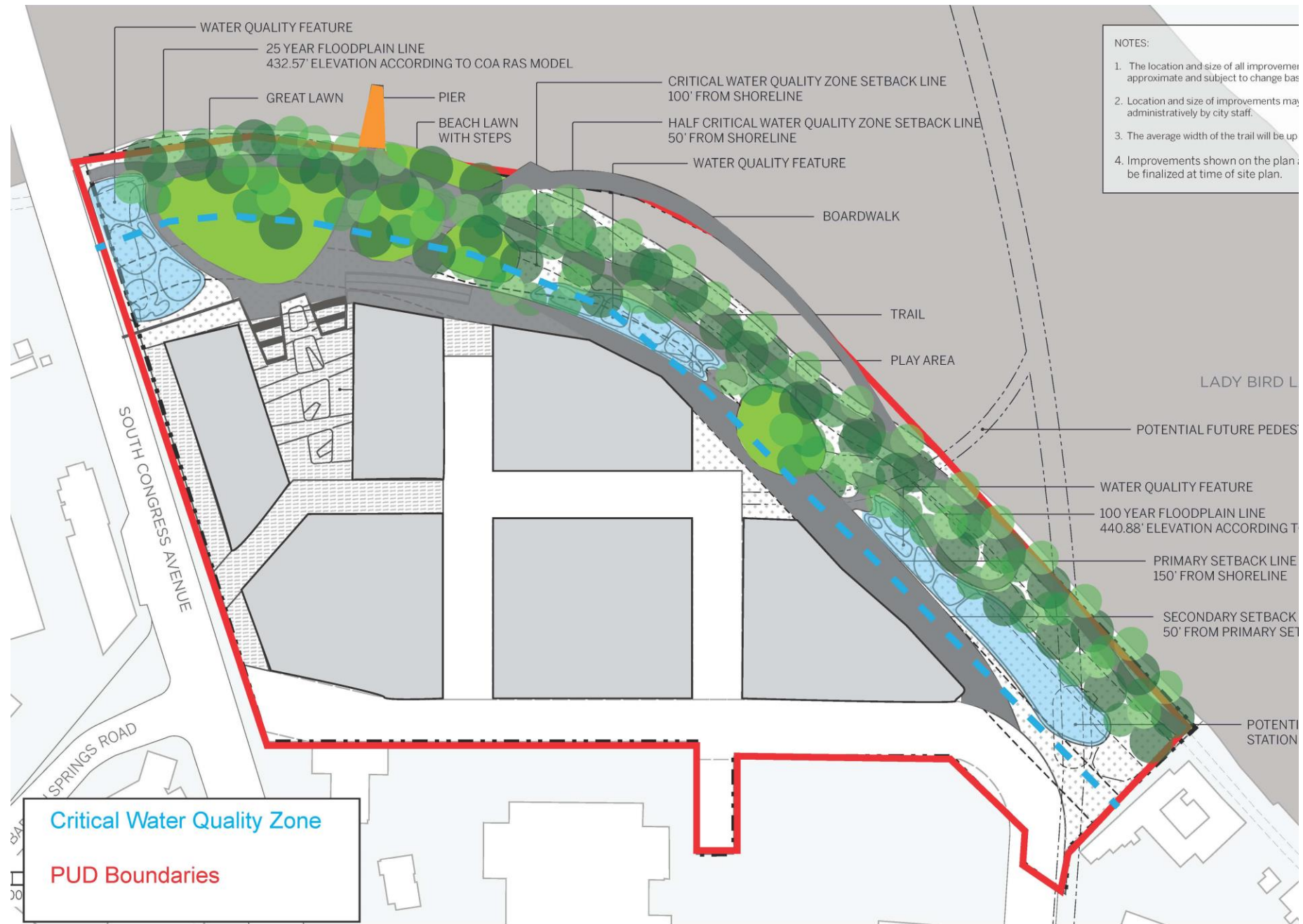
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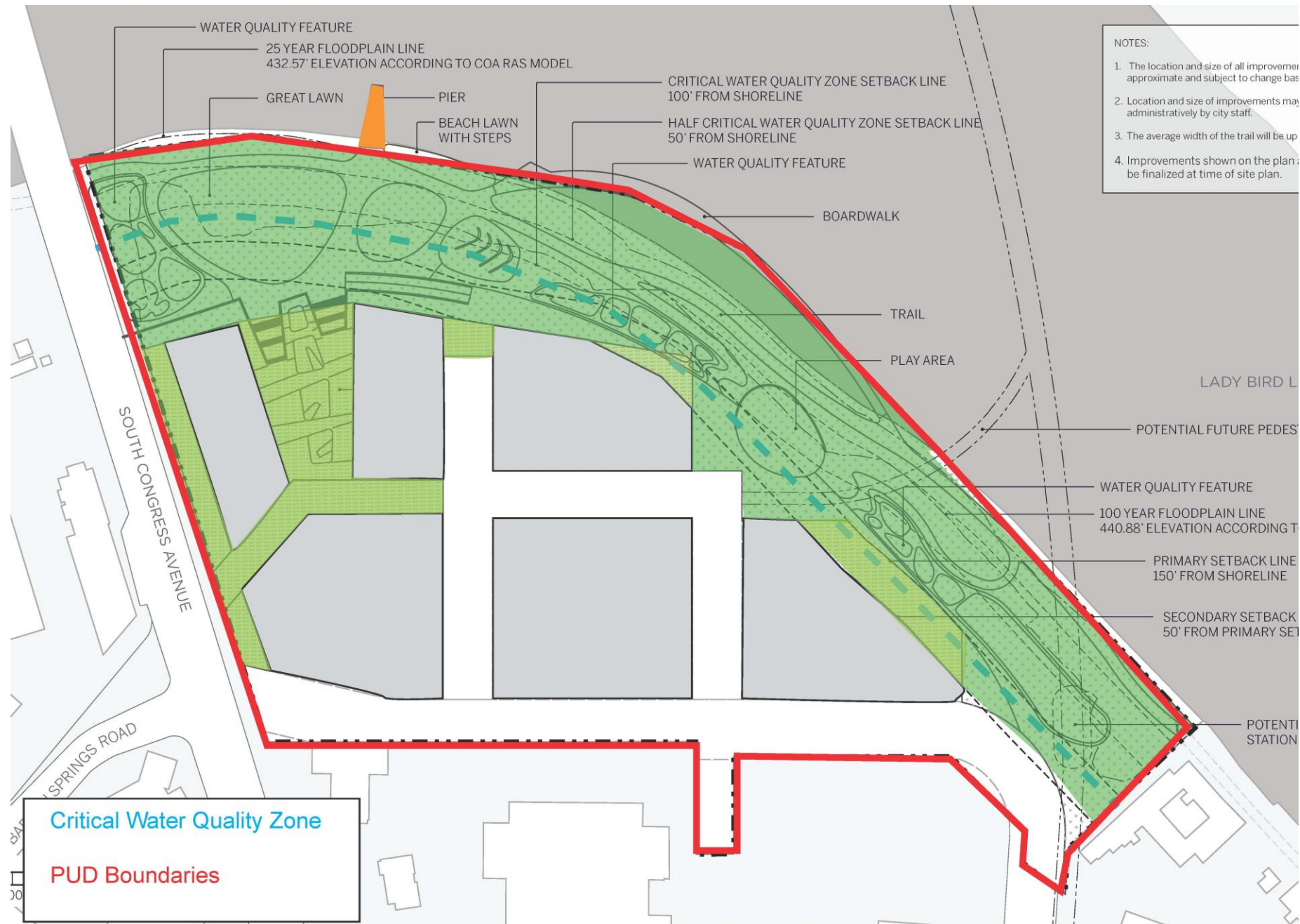












# Staff Evaluation - Environmental

1. PUD proposes to develop portions of the critical water quality zone and floodplain. Redundant concrete paths along with proposed vending in the future will exacerbate erosion. Proposing to cap impervious cover at 24.5% within the critical water quality zone, code allows 5% and Waterfront Overlay allows 15%.
2. Staff understands the need for a public viewing area and heavier programming on the west side of the park. Staff has offered in exchange for more development on the west side of the park, the east side should be restored to a more natural state. This would include relocating the trail a minimum of 25' from the shoreline and moving all water quality to this area.
3. The restrictions proposed on the dedicated parkland by the applicant will not allow for the design necessary to achieve the environmental goals.





There are areas on the west side of the property that are more suited to programming. This area near Congress bridge is full of ragweed and has no trees, it is where shoreline access including the pier and stairs should be located.





There are areas throughout the shoreline that are eroding and need to be restored and protected with a split rail fence.





There are areas along the trail where water is running downhill across the trail and causing erosion along the shoreline.





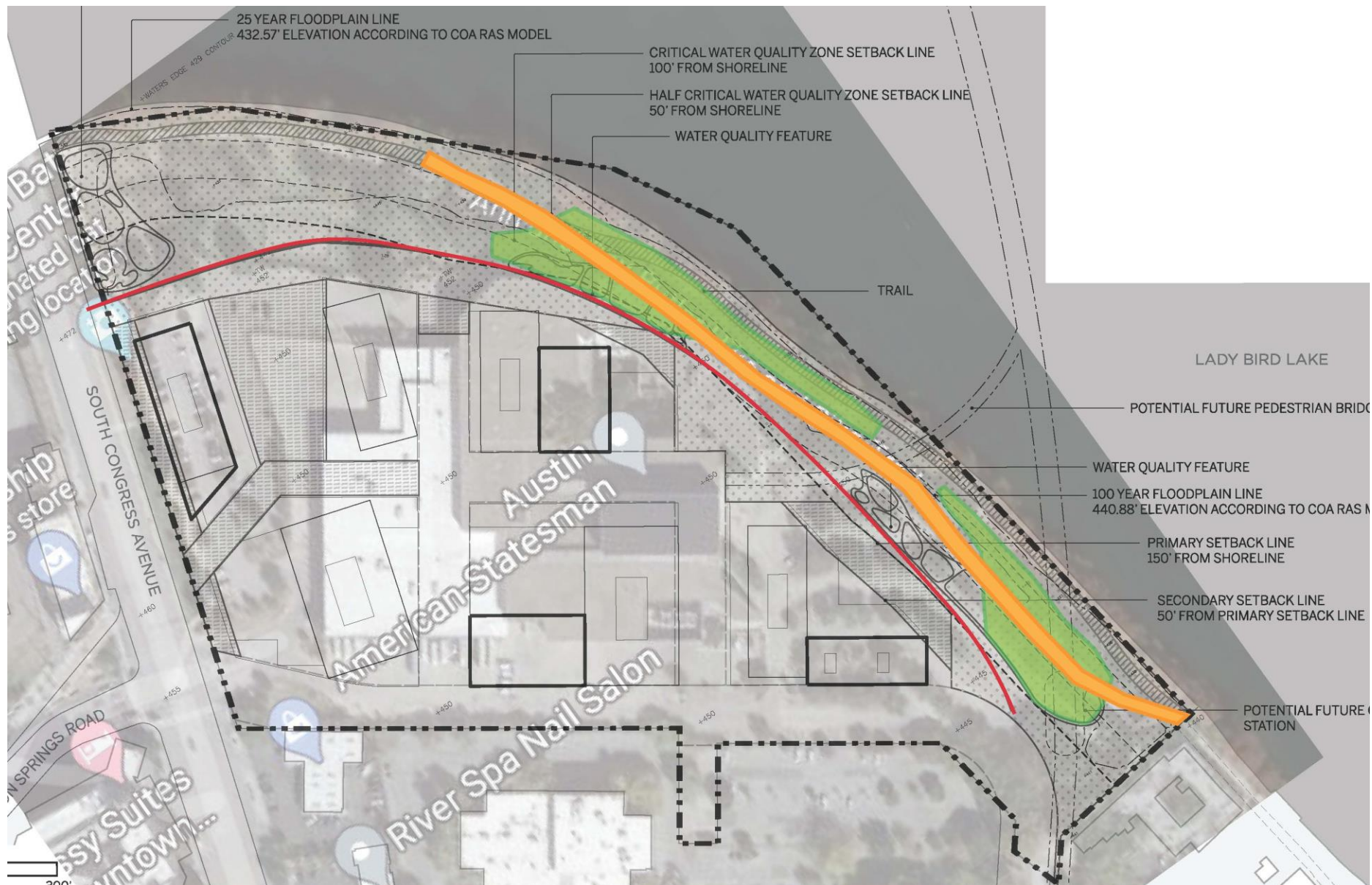
On the eastern half of the property, the trail lies on the edge of the shoreline and is causing erosion downslope. Staff suggests that the trail be moved a minimum of 25' from the shoreline in these areas. The area between the trail and the shoreline should be restored.





Auditorium Shores example of restoration with access points

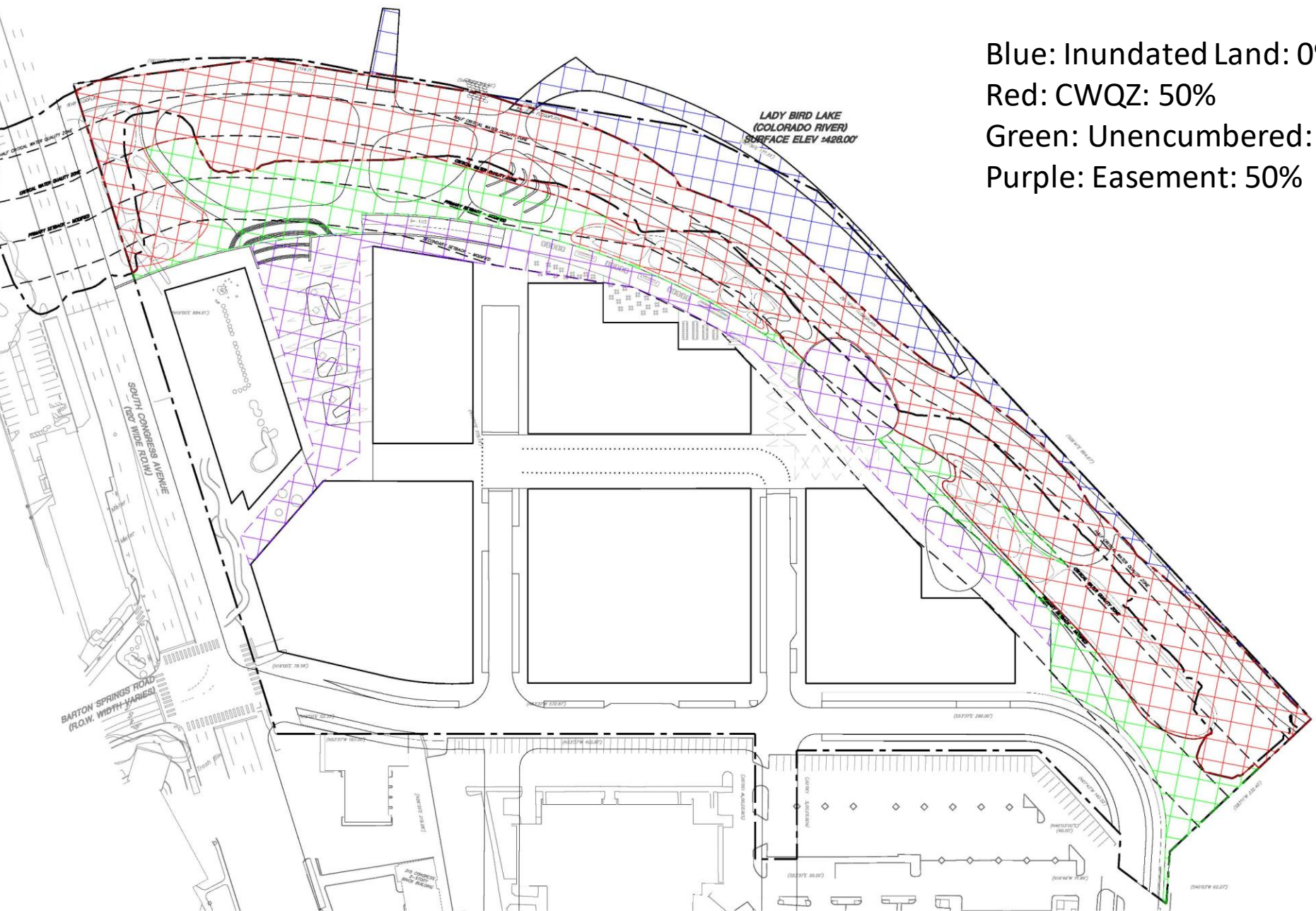




In exchange for denser development on the west side for bat viewing, staff proposes moving the trail off the shoreline as shown. Staff also proposes moving all water quality ponds as shown and integrating the rain gardens with restoration, alleviating the need for a deep biofiltration pond in the bat viewing area.

# Staff Evaluation - Parkland

1. Applicant has committed to deeded parkland, with conditions. Reservation of rights to program or restrict programming would fall under Parkland Improvement Agreement.
2. Timing for dedication and park construction is unclear. Trigger needs to fall towards beginning of construction of a phase.
3. Specificity of commitment to build park amenities. Current code would require park development; superiority would mean committing to build in excess, on a per unit basis. (e.g. >+\$200 per unit), and making improvements clear on plans.
4. Ponds in Parkland, especially if fenced and not designed as amenities. Special focus on Bat Viewing Area.
5. New access from S. Congress to trail and bat viewing via Great Steps. Access should be fully public, direct, and ADA accessible.
6. Land Uses in parkland – commercial uses should be removed.



Blue: Inundated Land: 0%

Red: CWQZ: 50%

Green: Unencumbered: 100%

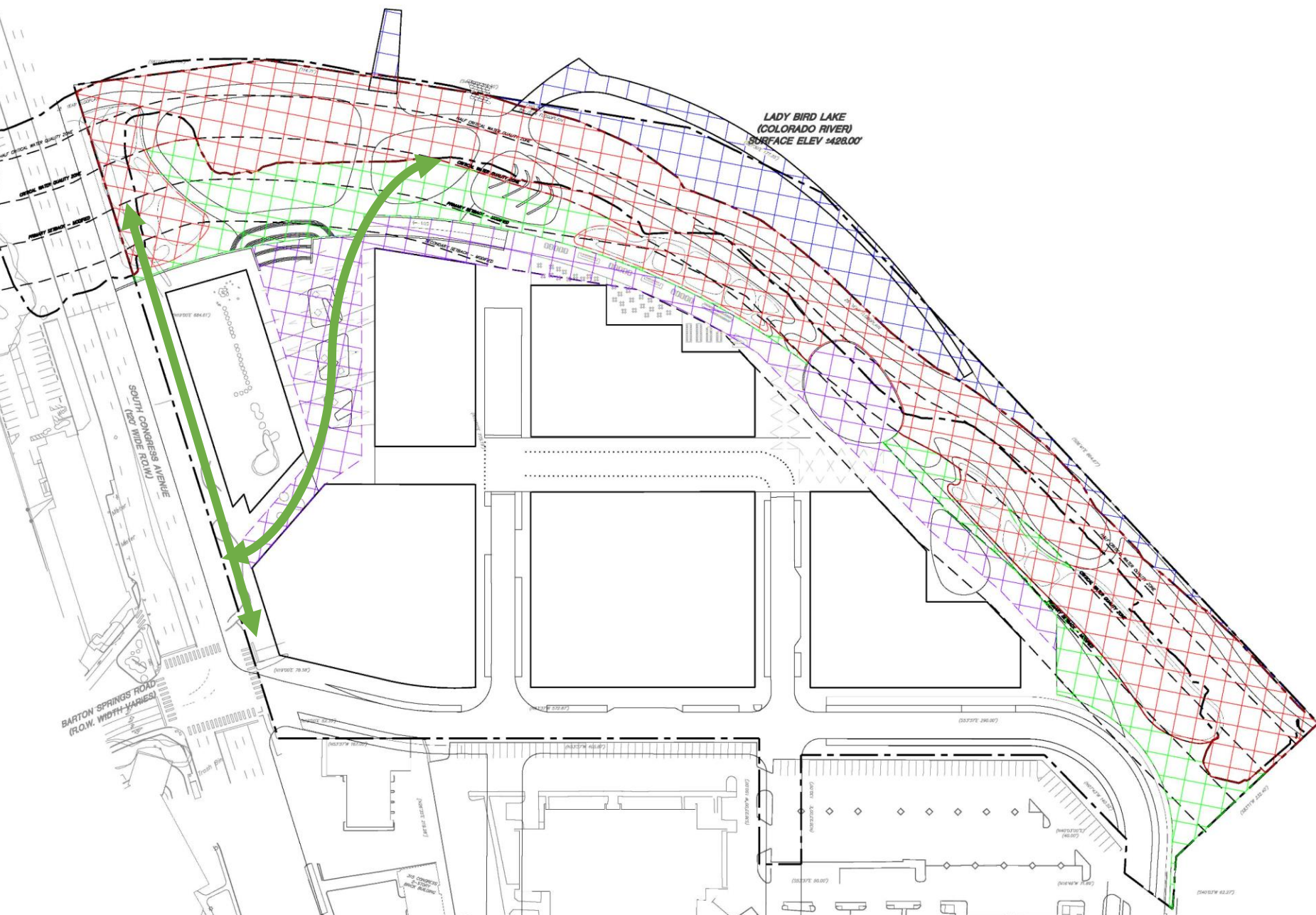
Purple: Easement: 50%



# Parkland Credit

	Acres	Factor	Credit
Unencumbered Land (Full Credit)	1.44	1	1.44
Encumbered Land (e.g CWQZ) (Half Credit)	4.23	0.5	2.12
Inundated Land (Zero Credit)	1.11	0	0
<b>Fully Deeded Land</b>	<b>6.78</b>		<b>3.55</b>
<b>Proposed Easements (Half Credit)</b>	<b>1.59</b>	<b>0.5</b>	<b>0.80</b>
<b>Total (Fully Deeded and Easement)</b>	<b>8.37</b>		<b>4.35</b>
Total Site	18.86		
Gross Percentage	44.4%		
Credited Percentage	23.1%		





# Possible Superiorities

1. Parkland dedication exceeding current code requirement (23% vs 15% site acreage, credited)
2. Commitment to build park amenities at value exceeding current code requirement (\$50 + current code)
3. Saving or transplanting all Heritage trees and saving 77% of all trees on site.

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# Code Modifications-Environmental

1. Section 25-2-1176(A)(1) is modified to allow construction of the pier to extend up to 70' from the shoreline.
2. Section 25-2-1176(A)(4) is modified to exceed the allowed 20% of the shoreline.
3. 25-8-63(11)(a)(IV) is modified to allow the project to exceed 15% of site area allowed by code.
4. Section 25-8-261 and the ECM is modified to allow development within the Critical Water Quality Zone that is in accordance with the PUD Land Use Plan and Open Space Plan. This includes vegetation filter strips, rain gardens, bio-filtration ponds, stormwater outfall structures, park improvements including hard surface trails, bicycle trails, picnic facilities, playscapes, concessions including food and beverage vendors, bicycle rentals, sports equipment rentals, boat rentals, dining facilities, performance and special event facilities, boardwalks, sidewalks, pavilions, gazebos, restrooms, exercise equipment and courses, beach lawn with steps into the water, boat landings, piers, rail station, stream bank stabilization and other similar facilities. Capping impervious cover at 24.5%. Only 5% allowed by code for development within the CWQZ and only 15% is allowed by the Waterfront Overlay.
5. Section 25-8-261(H) is modified to allow green stormwater quality controls (as defined by ECM) within 50 feet of the shoreline of Lady Bird Lake and within the 100-year floodplain.
6. Section 25-8-367 is modified to allow the administrative approval of the steps on the shoreline as opposed to seeking Council approval as required by code.

# Code Modifications -Parkland

1. 25-2-624 (A) allows for commercial uses that are accessory to principal public use on the site, including Personal Services, Personal Improvement Services, Pet Services.
2. Terms for parkland dedication / easements – applicant ability to reserve rights to maintain, program, and build in the space. Typically handled through a Parkland Improvements and Maintenance Agreement.
3. Sequence of parkland dedication, tied to site development. Specific trigger can be built into PUD.



# Staff Conditions for Superiority (EV)

1. Relocate the trail a minimum of 25' from the edge of the shoreline except at approved shoreline access points and restore the area between the shoreline and trail with riparian or wetland vegetation.
2. Eliminate redundant paths or trails within the critical water quality zone.
3. Cap proposed impervious cover within the critical water quality zone to 10% (this number will include concrete paths).
4. Preserve or transplant 100% of all heritage and protect 77% of all trees overall
5. Provide 1000 cubic feet of soil for street trees, can be shared by a maximum of two trees.
6. Provide green stormwater infrastructure for the PUD project.
  - A. The project shall capture the maximum amount of stormwater within the project through cisterns and rain gardens located along the extension of Barton Springs Road.
  - B. Water quality for the remainder of the stormwater will be provided by rain gardens located within the dedicated parkland on the east side of the property.
7. Connect to and use Austin Water Utility reclaimed water within the project.
8. Demonstrate that the building design will reduce the potential for bird/building collisions by using glass with a reflectivity of 15% or less.
9. Enhance City of Austin Dark Sky regulations by adding the following requirements:
  - A. Require warm light: Low Kelvin rated lights (3000 Kelvin or less) are warm and emit less harmful blue-violet light than high Kelvin rated.
  - B. Shielding: outdoor lighting shall be shielded so that the luminous elements of the fixture are not visible from any other property. Outdoor lighting fixtures are not allowed to have light escape above a horizontal plane running through the lowest point of the luminous elements.
  - C. Set a Total Outdoor Light Output: maximum lumens allowed per net acre:
    - Nonresidential property: 100,000 lumens/net acre
    - Residential property: 25,000 lumens/net acre
  - D. Prevent light trespass: Focus light on activity and use activity appropriate lighting.

# Staff Conditions for Superiority (PARD)

1. Dedicate as public parkland at least 8.37 acres, comprised of at least 6.78 acres along Lady Bird Lake dedicated by deed and 1.59 acres in parkland easements.
2. Remove conditions regarding park programming from deed.
3. Triggering for Parkland Dedication specified for each phase, in the first half of the phase.
4. Commit to a level of park investment per unit (current code + \$100 per unit, rather than fixed amount).
5. Provide park plan with commitment to specific improvements.
6. Remove pond from bat viewing area; demonstrate an amenitized design for ponds and rain gardens within parkland.
7. Provide pedestrian access from Congress to trail and bat viewing area that is fully public, direct, and ADA accessible. (Great Steps does not seem to meet all criteria).
8. Remove the following land uses permitted in parkland: Personal Services, Personal Improvement Services, Pet Services.

# Questions

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