



ENVIRONMENTAL COMMISSION MOTION 20211006 003a

Date: October 6, 2021

Subject: 305 South Congress Planned Unit Development, C814-89-0003.02

Motion by: Kevin Ramberg

Seconded by: Rick Brimer

RATIONALE:

WHEREAS, the Environmental Commission recognizes the applicant is requesting amendment to existing Planned Unit Development (PUD) from 1989;

WHEREAS, the Environmental Commission recognizes the proposed PUD would require six environmental code modifications as noted in the staff presentation; and

WHEREAS, the Environmental Commission also recognizes that staff considers the current proposal as not environmentally superior and thus not recommended. However, staff would recommend the PUD amendment, if fifteen staff conditions were met.

THEREFORE, the Environmental Commission does not recommend the requested amendment to the existing PUD at this time. However, the Commission recommends staff continue to work with the applicant to negotiate unresolved superiority items, Environmental Commission concerns and staff concerns. In the future, the Environmental Commission may recommend the PUD amendment with the following:

1. Section 25-2-1176(A)(1) is modified to allow construction of the pier and boardwalk 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. Section 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, gazeboes, 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.

Staff Conditions:

1. Except for items listed in the amended ordinance, the PUD will be subject to the code at the time of site plan application.
2. Dedicate by deed the area of approximately 6.53 acres as public parkland located along the Lady Bird Lake frontage; and 1.59 acres of parkland easements. The parkland and easements shall not be restricted.
3. Provide public equitable access from South Congress Right Of Way to the Hike and Bike trail that does not force visitors through the development.
4. Provide \$100 over what is required per unit by current code to build park amenities.
5. Complete a Parkland Improvement Agreement that includes maintenance for the water quality ponds located within the parkland.
6. Move and narrow the proposed pier to a location that does not impact existing trees.
7. Relocate the trail a minimum of 25' from the crest of the slope along the shoreline except at approved shoreline access points and restore the area between the shoreline and trail with riparian or wetland vegetation. Protect shoreline and vegetation with a split rail fence.
8. Eliminate redundant paths or trails within the critical water quality zone and reduce proposed impervious cover within the CWQZ to 5%, this number will include proposed concrete sidewalks.
9. Preserve or transplant 100% of all Heritage trees and preserve 77% of tree overall on-site.
10. Provide 1,000 cubic feet of soil for street trees, can be shared by a maximum of two trees.
11. Proposed trees and shrubs shall be native or adaptive to Central Texas.
12. Provide water quality for all phases of the PUD project.
 - A. The project shall capture the maximum amount of stormwater within the project through cisterns, use this water within the building per Water Forward goals and rain gardens located along the extension of Barton Springs Road to treat ROW.
 - B. Water quality located within the CWQZ will utilize rain gardens that are integrated with the Hike and Bike trail.
13. Connect to and use Austin Water Utility reclaimed water for all non-potable water use within the project.
14. Demonstrate that the building design will reduce the potential for bird/building collisions by using glass with a reflectivity of 15% or less.
15. 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 area
 - 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.

and the following Environmental Commission Conditions:

1. Reduce structures extending into Lady Bird Lake (i.e. pier, boardwalk, or others) to less than 30 feet from the adjacent shoreline;

2. The Applicant will work with City staff to explore relocating pier in a manner that is less impactful to trees and will minimize erosion;
3. Remove the fenced water quality pond immediately adjacent to South Congress Avenue; and
4. The Applicant continues to consult with Bat Conservation International as the project is built out in the development phases.

VOTE 9-0

For: Bedford, Qureshi, Scott, Thompson, Barrett Bixler, Bristol, Ramberg, Guerrero, and Brimer

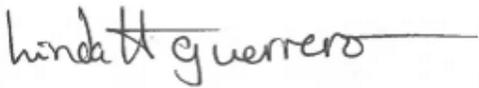
Against: None

Abstain: None

Recuse: Coyne

Absent: None

Approved By:

A handwritten signature in black ink that reads "Linda Guerrero". The signature is written in a cursive style with a horizontal line extending to the right.

Linda Guerrero, Environmental Commission Chair