

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 890720-E TO MODIFY THE LAND USE PLAN AND CHANGE CONDITIONS OF ZONING FOR THE AUSTIN AMERICAN STATESMAN PLANNED UNIT DEVELOPMENT AND REZONING AND CHANGING THE ZONING MAP FROM PLANNED UNIT DEVELOPMENT-NEIGHBORHOOD PLAN (“PUD-NP”) COMBINING DISTRICT TO PLANNED UNIT DEVELOPMENT-NEIGHBORHOOD PLAN (“PUD-NP”) COMBINING DISTRICT FOR THE PROPERTY LOCATED AT 305 SOUTH CONGRESS AVENUE.

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

PART 1. Austin-American Statesman Planned Unit Development (“Statesman PUD”) is comprised of approximately 18.856 acres of land locally known as the Austin-American Statesman tract located generally at South Congress Avenue and Miller Street, in Austin, Travis County, Texas, and more particularly described in the metes and bounds in the land use plan incorporated into Ordinance No. 890720-E.

PART 2. The Statesman PUD was approved July 20, 1989, under Ordinance No. 890720-E (the “Original Ordinance”) and amended under Ordinance No. 931202-H.

PART 3. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from planned unit development-neighborhood plan (PUD-NP) combining district to planned unit development-neighborhood plan (PUD-NP) combining district on the property generally known as the Austin-American Statesmen Planned Unit Development, described in Zoning Case No. C814-89-0003.02 on file at the Housing and Planning Department, and more particularly described in **Exhibit “A”** (the “Property”), and being locally known as 305 South Congress Avenue, and generally identified in the map attached as **Exhibit “B”**.

PART 4. 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:

- A. Legal Description
- B. Zoning Map
- C. Setbacks and Land Use Map

- D. Sub Area Height Map
- E. Property Boundary and Right-of-Way Map
- F. Street Sections and Internal Private Driveway Typical Sections
- G. Conceptual Open Space Map
- H. Conceptual Phasing Plan
- I. Trail Realignment Plan
- J. Environmental Protection and Restoration Plan
- K. Tree Preservation and Mitigation Plan
- L. Street Trees
- M. Data Table and Notes
- N. Parkland Credit
- O. Parkland and Plaza Dedication
- P. Estimated ADA Access Point Locations

PART 5. This ordinance and the attached Exhibits are the amended land use plan (collectively, the “Amended Land Use Plan”) for the Statesman PUD and amends the Original Ordinance. Development of and uses within the Statesman PUD shall conform to the limitations and conditions set forth in this ordinance and in the Amended Land Use Plan. If this ordinance and the attached exhibits conflict, this ordinance controls. Except as otherwise provided by this ordinance and the Amended Land Use Plan, all other rules, regulations, and ordinances of the City of Austin (“City”) apply to the Statesman PUD.

PART 6. Definitions.

- A) “Landowner” shall mean the owner of the Property, and the owner’s successors and assigns, except the City. Landowner shall include the party transferring or dedicating property to City.
- B) The term “Public Realm” is defined as public rights-of-way, private streets, and open space areas.
- C) The term “Water Forward” shall mean City of Austin’s 100-year integrated water resource plan, as amended.
- D) The term “light rail line” shall mean the light rail depicted on Exhibit A attached to Resolution No. 20200807-003 (*Project Connect Contract with the Voters*).

- 1 E) Unless otherwise specifically defined, all terms in this ordinance shall have the
2 meaning established in Title 25 of Code of the City of Austin, Texas (the “Land
3 Development Code”).

4
5 **PART 7. Community Amenities.**

- 6
7 A) Except as provided in Part 10, Section H, Landowner shall dedicate as parkland
8 by deed in a form acceptable to the City of Austin (“City”) a minimum of 6.53
9 acres of land adjacent to Lady Bird Lake (“Parkland”) and dedicate in a form
10 acceptable to the City of Austin a minimum of 1.59 acres through public access
11 easements (“Public Easements”) as shown on **Exhibit “O”: Parkland and Plaza**
12 **Dedication** to access the waterfront as shown on **Exhibit “N”: Parkland Credit**
13 **and Exhibit “P”: Estimated ADA Access Point Locations**. Dedication of
14 Parkland and Public Easements are subject to the conditions and shall occur as
15 described in this ordinance.

- 16
17 B) Landowner at the time of initial site plan review shall reconstruct and relocate to
18 the extent deemed appropriate by the City, approximately 1,700 linear feet of the
19 Hike and Bike Trail to ‘best practice’ standards detailed in the March 21, 2021
20 “*Safety & Mobility Study*” of the Ann and Roy Butler Hike-and-Bike Trail
21 commissioned by The Trail Foundation, City of Austin Parks and Recreation
22 Department and Public Works Department.

- 23
24 [CMT] C) Landowner at the time of site plan review shall provide a minimum of five
25 Americans with Disabilities Act (ADA) access points to the Hike and Bike trail
26 within the Property, including one located adjacent to the Great Steps that
27 provides access from the South Congress Avenue right-of-way.

- 28
29 D) Landowner shall provide a larger and enhanced bat viewing area on the Property
30 that will include signage, educational elements, and cameras for virtual bat
31 viewing and education, and as further described in **Exhibit “M”: Data Table**
32 **and Notes**.

- 33
34 E) Landowner shall provide on the Property: (i) a minimum of one building with a
35 primary office use, (ii) a minimum of three buildings with a primary residential
36 or hotel use, and (iii) not less than 40,000 net operating square feet of Pedestrian
37 Oriented Uses, including general retail sales, food sales, cocktail lounge,
38 restaurant, or health club.

- 1
- 2 F) Landowner shall provide and maintain a 2,000 square foot vertical green wall
- 3 within the Public Realm in an area that receives more than four (4) hours of
- 4 sunlight and will either be composed of vine and mesh or a living wall system.
- 5
- 6 G) Landowner shall provide educational signage located in the Parkland for the rain
- 7 gardens that describe the benefits to the ecosystem. The Landowner shall obtain
- 8 approval from the Director of Parks and Recreation Department (“PARD”) and
- 9 the Director of the Watershed Protection Department (“WPD”) for any
- 10 educational or interpretive signage within the Parkland. Each rain garden shall
- 11 have one bench located along the perimeter. Excluding the rain garden cistern,
- 12 rain gardens located in the Parkland will be limited to a maximum of 0.9 surface
- 13 acres. All rain gardens located in the Parkland will be designed in accordance
- 14 with the Environmental Criterial Manual (“ECM”) design specifications and will
- 15 include a minimum of 30 species of native pollinator plants and will be managed
- 16 to less than five percent invasive species.

17

18 **PART 8. Land Use.**

- 19
- 20 [PC] A) All residential use defined in Section 25-2-3 (*Residential Uses Described*) is
- 21 prohibited within 400 feet of the northwest corner of the Property and below 20
- 22 feet above the elevation of the South Congress Avenue bridge.

- 23
- 24 [PC] B) Hotel-Motel use is a conditional use on the Property.

25 **PART 9. Environmental.**

- 26
- 27 A) Green Building Rating

- 28
- 29 [CMT] All buildings in the Statesman PUD shall achieve a three-star or greater rating
- 30 under the Austin Energy Green Building program using the applicable rating
- 31 version in effect at the time a rating registration application is submitted for the
- 32 building.

- 33
- 34 B) Landowner shall treat 100 percent of the required onsite water quality volume
- 35 through green stormwater infrastructure, including but not limited to rain
- 36 gardens, underground cisterns, pervious pavers, porous pavement, non-required

vegetation, and filter strips. Landowner shall be responsible for maintenance of the rainwater cistern and rainwater gardens located within the Parkland. Upon redevelopment of the Property under this ordinance, onsite green stormwater controls located in the Parkland shall be limited to the amount necessary to treat 86,800 cubic feet of stormwater volume. When conveying Parkland, the Landowner must reserve the rights necessary to maintain green stormwater controls if determined necessary by the City. The reservation of rights shall be in a form acceptable to the city attorney.

C) To allow for a larger and enhanced bat viewing area near the Congress Avenue bridge, Landowner shall construct an underground rainwater cistern, as shown on **Exhibit “G”: Conceptual Open Space Map**, to irrigate Parkland. The underground rainwater cistern shall be constructed prior to issuance of the first certificate of occupancy.

[*] D) Landowner shall preserve 100 percent of the Heritage trees, except for the trees that are dead, fatally diseased or poses an imminent hazard. The Landowner shall preserve on the Property 75 percent of the caliper inches associated with native, protected size trees and 75 percent of all native caliper inches as defined in ECM, Appendix F (*Descriptive Categories of Tree Species*).

E) All street trees will have at least 1,000 cubic volume of soil volume per tree. Up to 25 percent of the soil volume can be shared with adjacent trees in contiguous plantings. Where necessary, load bearing soil cells shall be used to meet the soil volume requirement. Nothing in this Subsection limits the City’s authority to reduce the minimum soil volume if necessary to reduce utility conflict or to address other constructability issues. If the City reduces the minimum soil volume, Landowner remains compliant with this Ordinance and the ECM.

F) Except when authorized by the city arborist, street trees will change at every block length. Landowner shall install at least five tree species on the Property. The trees must be approved species under the ECM, Appendix F, “SS-Significant Shade Provider” and “SE-Streetscape” list. The street trees will be a minimum of 3-inch caliper as measured 6-inches above grade, and the sizing will comply with the standards for nursery stock (ANSIZ60.1-2014). No more than 25 percent of street trees will be from the same species. Nothing in this subsection limits the authority of the city arborist to allow for alternative species on a case-by-case

basis and to suggest alternative species based on current availability, site, and climate condition.

- G) Typical spacing of street trees will be 30 feet on center. The city arborist may waive this requirement for the spacing of street trees when the spacing requirement is infeasible due to location of utilities, loading docks, and entrances into the parking garage.
- H) A soil management plan will direct amendment for specific management areas throughout the site associated with soil components, texture, and flora to optimize conditions for the Streetscape, Rain Gardens, Floodplain Forest, Herbaceous Riparian, Lawn, Wetland Fringe, and other landscape types. Soil management is an ongoing process occurring at regular intervals. Soil testing, decompaction, incorporation of organic matter based on best practices for each landscape type shall be required as indicated on **Exhibit “J”: Environmental and Restoration Plan**.
- I) Hardscape materials including concrete, pavers, and other non-impervious materials will be removed by Landowner from the half-critical root zones of impacted trees unless removal is infeasible which is determined at the discretion of the city arborist.
- J) All plant material for streetscape and Parkland will be sourced from nurseries within 300 miles of the site, and trees will be selected from the ECM, the descriptive categories for tree species. All other plant material shall be selected from **ECM, Appendix N: (Preferred Plant List)**.

- [CMT] K) Landowner shall realign the existing trail and construct formalized water access points as illustrated on the **Exhibit “I”: Trail Realignment Plan**, allowing for no less than an average of 25 feet from the shoreline, excluding trails sections built specifically to access water access points. The depiction of the trail realignment on **Exhibit “I”** is intended to be illustrative and may be revised based on site conditions and feasibility. The relocation of the trail and placement shall be finalized during the development review process and are subject to the approval by the Directors of Watershed Protection and Parks and Recreation Department.

- 1 L) The trail realignment shall be designed to provide at a minimum the acres of
2 herbaceous riparian area necessary to restore the shoreline area as shown in the
3 **Exhibit “J”** to a natural state with riparian and wetland vegetation.
4
- 5 M) Shoreline restoration shall follow the details established in **Exhibit “J”**. Split
6 rail fence or other landscape barriers will be installed by the Landowner to
7 prevent impact to restored and protected natural areas on the shoreline.
8
- 9 N) Impervious cover for development within the Statesman PUD within the Critical
10 Water Quality Zone (CWQZ) shall be limited to no more than five percent.
11
- 12 O) Impervious cover calculations exclude (i) multi-use trails, trails open to the
13 public and located on public land or located in a public easement, (ii) areas with
14 gravel placed over pervious surfaces that are used only for landscaping or by
15 pedestrians and are not constructed with compacted base, (iii) porous pavement
16 designed in accordance with the ECM, (iv) sidewalks located in a public right-of-
17 way or public easement, and (v) an underground rainwater cistern.
18
- 19 P) A completed version of Austin Water’s current Water Balance Calculator tool
20 shall be submitted with each site plan application for development within the
21 Statesman PUD to assess non-potable water demands and alternative water
22 supplies for the project.
23
- 24 Q) Landowner shall provide a minimum of 1,500 cubic feet of rain gardens along
25 the extension of Barton Springs Road to treat stormwater runoff from the right-
26 of-way. If a license agreement is required for the stormwater quality controls
27 within the right-of-way, the City shall waive the annual fee associated with this
28 improvement.
29
- 30 [*] R) Water quality shall meet or exceed requirements for each corresponding phase
31 for the development of the Property within the respective phase of development,
32 provided that the existing sedimentation filtration pond may be used to achieve
33 temporary compliance until the permanent water quality controls for any phase
34 are constructed, and that all new controls added for any phase are green
35 stormwater controls. Upon completion of the development of the Property, 100
36 percent of the water quality controls shall be green infrastructure as defined by
37 the ECM as amended.
38

1 S) Subject to approval by the Director of the Watershed Protection Department, and
2 adequate conveyance, the Landowner shall provide water quality treatment for up
3 to 1.4 acres of off-site developed area.

4
5 [CMT] T) The Statesman PUD shall meet the goals and requirements of Water Forward, as
6 incorporated into City codes and ordinances as part of the ongoing Water
7 Forward plan implementation process including dual plumbing within the
8 buildings.

9
10 U) Landowner shall construct a 24-inch reclaimed water main across the Barton
11 Springs Road / East Riverside intersection, build an offsite reclaimed main from
12 Riverside / Barton Springs to the development, and build internal distribution
13 reclaimed mains to serve buildings within the Statesman PUD and to facilitate
14 looping distribution of distribution reclaimed mains to the south. Any site
15 development permit application within the Statesman PUD will comply with the
16 City's mandatory connection requirements for commercial developments located
17 in proximity to a reclaimed water distribution line.

18
19 [CMT] V) The Statesman PUD shall use reclaimed water as a primary water source for all
20 landscape irrigation, except where prohibited.

21
22 W) Reclaimed water shall not be used for outdoor irrigation within the CWQZ and
23 the 100-year floodplain.

24
25 X) Landowner must provide an integrated pest management ("IPM") plan that
26 complies with Section 1.6.9.2 (D) (*Pesticides and Herbicides*) and (F) (*Public*
27 *Education Program*) of the ECM, as amended, with a site plan application filed
28 for commercial, mixed use, multifamily residential, or open space development.
29 The IMP plan must be approved before the site plan may be approved. The
30 Landowner shall provide copies of the IPM Plan to homeowners and commercial
31 property owners.

32
33 [*] Y) Landowner shall comply with the City's Dark Sky regulations as follows:

34
35 1. Use of low Kelvin rated lights (3000 Kelvin or less) for outdoor lighting.
36

2. Outdoor light shall be shielded so that neither the light fixture's light source nor the lens shall be visible from a distance less than the mounting height of the fixture.

3. Focus light on activity and use activity-appropriate lighting.

PART 10. Parks and Recreation.

A) Landowner shall pay an additional \$100.00 per dwelling unit over the fee required under City Code as an additional park development fee.

B) The Parkland Development Fee and, if paid, the parkland Fee in-lieu of Parkland Dedication may be used to build park amenities within the Statesman PUD.

[PC] C) Parkland and Public Easement dedication shall occur prior to issuance of a Certificate of Occupancy for the northernmost building in each of the three phases (respectively, Phase 1, Phase 2, and Phase 3) as shown in **Exhibit H: Phasing Plan**. In the event all Parkland and Public Easements required for Phase 1, Phase 2, and Phase 3 are not dedicated to the City by the first day of the ninth year following the effective date of this ordinance, Landowner shall dedicate all Parkland and Public Easements to the City at that time.

[CMT] D) Design of the Parkland shall take place through a public process led and implemented by PARD.

E) Annual Programming Plan.

[*]

[PC]

1. Landowner may provide the Director of PARD (Director) with an annual plan for programming the Parkland (the "Annual Programming Plan"). The Annual Programming Plan shall be consistent with the City's Public Participation Principles, allow for coordination and cooperation between Landowner and PARD, and include a plan for community engagement and regular reporting requirements.

[*]

[PC]

a. Within 90 days from the issuance of the first certificate of occupancy for the Property, Landowner may provide an Annual Programming Plan for the first full calendar year (the "Initial Annual Programming Plan").

[*]

[PC]

b. Except for the Initial Annual Programming Plan, each Annual Programming Plan submitted by the applicant will include an annual programming report that provides information regarding the previous year, including, but not limited to, events, activities and issues, and vendors' performance.

[PC]

2. The Director may not approve the Annual Programming Plan until the Director obtains a recommendation from the South Central Waterfront Advisory Board and Parks and Recreation Board.

[PC]

3. Annual Programming Plan must be submitted to the Director at least ninety (90) days prior to the beginning of each calendar year. The requirements of the Annual Programming Plan include a biennial amendment process, and PARD shall solicit and consider comments about the Annual Programming Plan requirements from the Director of WPD and Bat Conservation International.

[PC]

F) Landowner shall construct the Great Steps, Great Lawn, Pier, Amenitized Water Quality Ponds, Water Steps as identified and defined in Exhibit "G" and 1,700 linear feet of reconstructed Hike and Bike Trail, contingent upon PARD design approval. Landowner shall provide fiscal surety deposits to the City in amounts equaling the costs of construction for each improvement pursuant to City Code.

[PC]

G) After dedication of the Parkland to the City, the Landowner shall keep and maintain the Parkland in a good state of appearance and repair to at least a "Level 1" standard based on current PARD maintenance standards, as amended, at the sole expense of the Landowner, and its successor and assigns. Level 1 standard includes specific maintenance requirements, intervals, and priority prescribed by PARD in the "Park Maintenance Notebook", as amended, for, including, but not limited to, Turf Care, Edging, Fertilizer, Irrigation, Playgrounds,

Restrooms/Pavilions, Litter Control/Surfaces, Graffiti, Pruning, Disease and Pest Management, Tree and Plant Care, Security Lights, Flag Poles, Park Signage, Sports Courts Trails, and Sustainability.

[PC] H) Landowner shall provide a minimum 10-foot wide vegetative buffer along the Parkland adjacent to the South Congress Avenue bridge, excluding the reconstructed Hike and Bike Trail.

[*] I) If, at the time for the third phase of dedication, the land or a portion of the land that was intended to be dedicated as Parkland or Public Easement is required for light rail line and related infrastructure, resulting in a decrease of land available for dedicated as Parkland or Public Easement, Landowner will pay the City a fee-in-lieu for the parkland dedication to offset the land that is required for light rail line and related infrastructure. The amount of the fee-in-lieu will be calculated based on the City Code at the time the land is no longer available to be dedicated or used for Parkland or Public Easement.

PART 11. Transportation and Parking.

A) Landowner shall dedicate to the City in a form of deed acceptable to the City Attorney, the land as right-of-way necessary to construct, and shall construct all improvements for the Barton Springs Road extension as shown in **Exhibit “F”: Street Sections and Internal Private Driveway Typical Sections**. The design and construction of Barton Springs Road shall be reviewed and accepted by the City, through a site plan process, before the first certificate of occupancy can be issued for any development on the Property.

B) Bollards, or other similar type of barrier shall be used to close the Pedestrian Walkway, as shown on **Exhibit F** as Section EE, from vehicular traffic. Any public right-of-way or public access easement shall not be gated.

[*] C) Landowner shall reserve an area, generally shown on **Exhibit “C”: Setbacks and Land Use Map** and **Exhibit “G”** for the development of a pedestrian bridge and transit station for a period of 15 years after the effective date of this PUD. Landowner is not obligated to construct any improvements associated with a

future pedestrian bridge and transit system, but shall dedicate to the City for transportation purposes the land or portion of the land, in a deed acceptable to the City, if required for light rail line and related infrastructure, prior to dedicated as Parkland or Public Easement.

- D) Landowner shall design and construct a six-foot protected bicycle lane with a two foot curbed buffer along east curb of South Congress Avenue between Congress Bridge and East Riverside Drive. The design and construction of protected bicycle lane shall be reviewed and accepted by the City, through a site plan process, before the first certificate of occupancy may be issued for any development on the Property.

- [PC] E) Landowner shall in addition to the improvement required in Section D above either fund or construct up to \$200,000 of additional bicycle and pedestrian safety upgrades near the Congress Avenue and Riverside Drive intersection as approved by the City.

- [*] F) All development within the PUD shall be subject to a Transportation Demand Management Plan ("TDM"), or as amended, and on file with the office of the Director of Austin Transportation Department. Monitoring and reporting shall be in accordance with the Transportation Criteria Manual ("TCM").

- G) Landowner shall construct 95 percent of the required number of parking spaces for the development as prescribed in the TDM plan, within a below grade structure(s).

- H) Landowner shall comply with the recommendations listed in the Transportation Impact Analysis (TIA) memo dated December 13, 2021, or as amended. If the TIA memo and the attached exhibits conflict, the TIA memo controls.

PART 12. Affordable Housing.

Landowner shall provide onsite affordable housing as follows:

- [CMT] 1. A minimum of ten percent of the residential units within a residential development shall be reserved as affordable for at least 40 years from the date of issuance of the certificate of occupancy, for lease and occupancy by households earning 60 percent or less of the current Austin-Round Rock Metropolitan

1 Statistical Area Medium Family Income as determined by the Director of the
2 Housing and Planning Department.

3 [CMT] 2. A minimum of five percent of the residential units within an owner-occupied
4 residential development shall be reserved as affordable, for at least 99 years from
5 the date of initial sale, for ownership and occupancy by households earning 80
6 percent or less of the current Austin-Round Rock Metropolitan Statistical Area
7 Medium Family Income as determined by the Director of the Housing and
8 Planning Department, including approval of a plan for managing homeowner
9 association fees or including an assumption that a homeowner will be required to
10 pay an ownership association fee when determining the maximum affordable
11 sales price.

12 [CMT] 3. Unless otherwise approved by the Director of Housing and Planning Department
13 Require affordable rental units and affordable owner-occupied units shall include
14 a mix of bedroom units with an emphasis on multi-bedroom units to
15 accommodate multi-generational households.

16 4. All affordable rental units and affordable owner-occupied units shall meet the
17 following requirements:

18 [PC] a) Provide equal access and use of on-site amenities, common areas, and
19 parking facilities as provided to market rate units; and

20 [PC] b) Include interior components that are functionally equivalent to market-rate
21 units; and

22 [PC] c) Have shared access routes among affordable rental units and affordable
23 owner-occupied and market-rate residential units.

24 [PC] 5. The affordable rental units and affordable owner-occupied units will be dispersed
25 throughout the market-rate residential units within the development.

26 [PC] 6. The Landowner shall prohibit discrimination on the basis of an individual's
27 source of income as defined in Section 5-1-13 (*Definitions*).

28 [PC] 7. Landowner shall prepare and utilize an affirmative marketing and outreach plan
29 consistent with U.S. Department of Housing and Urban Development regulations and
30 approved by the Director of the Housing and Planning Department.

PART 13. Affordable Commercial Space.

[PC] A) The Landowner shall provide a minimum of four percent of the commercial square footage at affordable rates inclusive of the space dedicated to bat education. Affordable commercial rates shall be determined and approved by the Director of the Economic Development Department.

[PC] B) The Landowner shall provide a minimum of 1,000 square feet of commercial ground floor space adjacent to the Parkland or plaza at no cost for bat education, in coordination with Bat Conservation International, Austin Bat Refuge, and Merlin Tuttle's Bat Conservation.

PART 14. Public Art.

The Statesman PUD will participate in the Art in Public Places (AIPP) program. The Landowner shall provide a minimum of two art pieces approved by the Director of Economic Development Department to be displayed in a prominent location on the Property, or the Landowner shall make an approved contribution to the AIPP program. The Landowner will review the public art plan with the City's AIPP Manager for approval. The City shall not issue the final certificate of occupancy for any development in the Statesman PUD until the approved art pieces are on display or receipt of contribution has been made to the AIPP.

PART 15. Code Modifications.

A) General Requirements and Procedures

1. Section 25-1-21(105) (*Definitions, Site*) is modified to provide that a site may cross a public street or right-of-way.
2. Chapter 25-1, Article 14 (*Parkland Dedication*) is modified such that parkland dedication shall be satisfied in accordance with **Exhibit "G"** and Exhibit "N".

B) Zoning

- [*] 1. Section 25-2-491 (*Permitted, Conditional and Prohibited Uses*) is

modified to establish the specific set of conditional uses and permitted uses in Notes 4 and 6 of **Exhibit “M”: Data Table and Notes**, allowed within Area 2 identified in **Exhibit “C”**.

2. Section 25-2-517(A) (*Requirements for Amphitheaters*) is modified to allow a site plan approved under Section 25-5, Article 2 (*Administrative Site Plan*) for the construction of an amphitheater associated with a commercial, civic, or residential use.
3. Section 25-2-691(C) (*Waterfront Overlay (WO) District Uses*) is modified to allow as a pedestrian-oriented use those uses provided on Note 5 of **Exhibit “M”**.
4. Section 25-2-691(D)(2) (*Waterfront Overlay (WO) District Uses*) is modified to permit pedestrian-oriented uses above the ground floor of a structure.
5. Section 25-2-692(F) (*Waterfront Overlay (WO) Subdistrict Uses*) is modified to require “Not less than 50 percent of the net usable floor area on the ground level of a structure within 50 feet of the exterior wall directly adjacent to and facing Lady Bird Lake must contain pedestrian-oriented uses.”
6. Section 25-2-721(B)(2) (*Waterfront Overlay (WO) Combining District Regulations*) is modified to allow uses, within Area 1 as identified in **Exhibit “C”**, to be consistent with the allowable uses in Section 25-2-624 (Public (P) Public District Uses).
7. Section 25-2-721(C)(1) (*Waterfront Overlay (WO) Combining District Regulations*) is modified to allow the following additional uses within a secondary setback area: charging stations, bike/scooter repair facilities, shared bicycle facilities, restrooms facilities with or without showers, food and beverage vendors, bike valet, music vendors, retail vendors, boat rentals, bicycle rentals, performance and special events facilities, exercise courses, sports equipment rentals, storm water facilities, and child

1 playscapes/activities.

- 2
- 3 8. Section 25-2-721 (C)(2) (*Waterfront Overlay (WO) Combining District*
- 4 *Regulations*) is modified to allow a maximum of 60 percent impervious
- 5 cover within the secondary setback area.

6

7 [CMT]

- 8 9. Section 25-2-721(E) (*Waterfront Overlay (WO) Combining District*
- 9 *Regulations*) is modified to impose a single regulation on the Property
- 10 requiring that all building glazing systems shall have a 15 percent
- 11 maximum reflectivity.

- 12 10. Section 25-2-721(G) (*Waterfront Overlay (WO) Combining District*
- 13 *Regulations*) is modified to allow loading and unloading from any internal
- 14 driveway without being screened from public view. Loading and
- 15 unloading locations on private internal driveways are subject to
- 16 Transportation Criteria Manual (“TCM”), as amended, spacing and
- 17 dimensional requirements subject to ATD approval.

- 18
- 19 11. Sections 25-2-742(B)(1) (*South Shore Central Subdistrict Regulations*) is
- 20 modified to reduce the primary setback line to 90 feet landward from the
- 21 shoreline as shown on the **Exhibit “C”**.

- 22
- 23 12. Section 25-2-742(C)(1) (*South Shore Central Subdistrict Regulations*) is
- 24 modified to require a “50 feet landward from the primary setback line”.

- 25
- 26 13. Section 25-2-742(D)(1) (*South Shore Central Subdistrict Regulations*) is
- 27 modified to require “For a ground level wall that is visible from parkland
- 28 or a public right-of-way that adjoins parkland, at least 60 percent
- 29 (exclusive of service areas, loading docks, and parking ramps) of the wall
- 30 area that is between 2 and 10 feet above grade must be constructed of clear
- 31 or lightly tinted glass.”

- 32
- 33 14. Section 25-2-742(D)(3) (*South Shore Central Subdistrict Regulations*) is
- 34 modified to allow exposed architectural concrete as a natural building
- 35 material.

15. Development of the Property is exempt from Section 25-2-742(G)(3) and (G)(4) (*South Shore Central Subdistrict Regulations*).
16. Section 25-2-1176(A)(1) (*Site Development Regulations for Docks, Marinas and Other Lakefront Uses*) is modified to allow the construction of a pier to extend up to a maximum of 70 feet from the shoreline.
17. Section 25-2-1176(A)(4) (*Site Development Regulations for Docks, Marinas and Other Lakefront Uses*) is modified to allow for construction of the pier, and park elements and dimensions, except for the boardwalk, as shown in **Exhibit “G”**.
18. ECM Section 1.13.5(B)(3) (*Recommended Guidance for Appropriate Method for Shoreline Stabilization and Modification*) is modified to allow structural modification of the shoreline and associated steps as shown on **Exhibit “G”**. The dimension of the Water Steps and bulkhead are not to exceed 30 linear feet of shoreline frontage and not to exceed 30 feet inland. Steps going into the water are allowed if in compliance with Section 25-2-1174 (Structural Requirements) and ECM Section 1.13 (*Design Guidelines for Shoreline Modification, Stabilization and Access*) and Section 25-8-368 (*Restrictions on Development Impacting Lake Austin, Lady Bird Lake, and Lake Walter E. Long*).

C) Subchapter E (*Design Standards and Mixed Use*)

1. The Barton Springs Road extension shall be considered an Urban Roadway for the purposes of complying with Chapter 25-2, Subchapter E (*Design Standards and Mixed Use*), and will be designed in accordance with the Statesman PUD street cross-sections and streetscape depicted on **Exhibit “F”**.
2. Development of the Property is exempt from Chapter 25-2, Subchapter E (*Design Standards and Mixed Use*), Article 2.2, Article 2.3, and Article 2.4.

3. Chapter 25-2, Subchapter E (*Design Standards and Mixed Use*), Article 2.6 is modified so that loading and unloading shall be allowed from any internal driveway and not required to be screened from South Congress Avenue or Barton Springs Road.
4. Chapter 25-2, Subchapter E (*Design Standards and Mixed Use*), Article 2.7 is modified to allow public open space and parkland to satisfy private common open space and pedestrian amenity gross site area requirements in the Statesman PUD.
5. Chapter 25-2, Subchapter E (*Design Standards and Mixed Use*), Article 2.8 is modified to exclude from the 50% calculation for shaded sidewalk the designated drop-off zone area.
6. Development of the Property is exempt from Chapter 25-2, Subchapter E (*Design Standards and Mixed Use*), Article 3.2.2.E.

D) Subdivision

1. Any extension of Barton Springs Road is exempt from Section 25-4-51 (*Preliminary Plan Requirement*).
2. Section 25-4-171(A) (*Access to Lots*) is modified to require that each lot in a subdivision shall abut a dedicated public right-of-way, private street, or driveway.

E) Site Plan

Section 25-5-81(B) (*Site Plan Expiration*) is modified to require except as provided Subsection (C), (D), or (E) of Section 25-5-81, a site plan expires eight (8) years after the date of its approval.

F) Transportation

1. Section 25-6-381 (*Minimum Frontage for Access*) is modified to allow restricted access to South Congress Avenue. Access is limited to one single lane driveway for right-out only vehicular egress for the entirety of the South Congress Avenue frontage.

[*]

2. The TDM plan shall be updated at the time of each site plan application. All bicycle and vehicular parking shall account as eligible TDM measures and reductions with the required parking total calculated by Appendix A of Chapter 25-6.
3. Section 25-6-532 (*Off-Street Loading Standards*) is modified to allow shared off-street loading facility and common loading spaces for multiple uses in a building irrespective of the location of the shared off-street loading facility and common loading spaces within the Statesman PUD.
4. TCM Section 1.3.2 (*Classification Design Criteria*) is modified to allow the construction of Barton Springs Road to adhere to the street cross-sections as shown in **Exhibit “F”**.
5. The alignment of Barton Springs Road will generally conform to the alignment shown in the TIA Memo as represented on **Exhibit “F”**. At time of site plan review, the Director agrees to administratively modify current TCM sections 1.3.1(B), 1.3.1(D)(2) and Table 5-2, or the equivalent sections in an updated TCM, to accommodate the proposed alignment of Barton Springs Road.
6. If a Temporary Use of Right of Way permit (“TURP”) is required for development of the Property located adjacent to Barton Springs Road extension, the City agrees to waive the right-of-way rental fees for a TURP during construction of any project associated with the Property.

[*]

G) Environmental

1. Section 25-8-63(C)(11) (*Impervious Cover Calculations*) is modified to exclude a parking structure from impervious cover calculations when the parking structure is constructed below the finished grade of the land, is covered by soil having a minimum depth of two feet with an average depth of not less than four (4) feet, and the Landowner shall at the time of site plan submit documentation to the City evidencing the discharge or impoundment of groundwater from the parking structure, if any, will be managed to avoid adverse effects on public health and safety, the environment, and adjacent property. A parking structure meeting the

requirements of this Part 15, G (1) may exceed 15 percent of the site area.

2. Section 25-8-261 (*Critical Water Quality Zone Development*) and the ECM is modified to allow development within the Critical Water Quality Zone (CWQZ) that is in accordance with the **Exhibit “C”** and **Exhibit “G”** subject to the limitation in Part 9, N. This includes vegetation filter strips, rain gardens, underground rainwater cisterns, stormwater outfall structures designed in accordance with the ECM, 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 events facilities, boardwalks, sidewalks, pavilions, gazebos, exercise equipment and courses, water steps, boat landings, piers, rail station, stream bank stabilization to the proposed steps. Additional open space park elements not documented on the **Exhibit “C”** and **Exhibit “G”** can be located within the CWQZ with the following limitations: impervious cover is limited to five (5) percent of the total CWQZ, impervious cover must be located in the outer half of the CWQZ, must be situated to avoid areas shown to be restored with native vegetation on **Exhibit “J”**, and may not include restrooms.
3. Section 25-8-261(H)(4) is modified to allow no more than a maximum of 10% of the green stormwater controls as defined by the ECM within the 100-year floodplain. Encroachment into the 100-year floodplain is limited to the areas shown on **Exhibit “G”**. City staff can administratively modify the boundaries of the encroachment to allow greater design flexibility during the site plan process.
4. Section 25-8-367 (*Relocation of Shoreline Between Tom Miller Dam and Longhorn Dam*) is modified to allow relocation of earthen material for the steps on Lady Bird Lake below the 435-foot contour.

H) Sign Regulations

All signage on the Property shall comply with the requirements of Section 25-10-129 (*Downtown Sign District Regulations*).

[CMT]

PART 19. Council finds participation in the Better Builder Program by Landowner a priority and an element of superiority.

PART 20. Except as otherwise provided in this ordinance, the Property is subject to Ordinance No. 20050929-Z003 that established zoning for the South River City Neighborhood Plan.

PART 21. Except as otherwise provided for in this ordinance, the terms and conditions of the Original Ordinance, as amended, remain in effect.

PART 22. This ordinance takes effect on _____, 2022.

PASSED AND APPROVED

_____, 2022 § _____
 § _____
 § _____
Steve Adler
Mayor

APPROVED: _____ **ATTEST:** _____
Anne L. Morgan Myrna Rios
City Attorney City Clerk

Exhibit A

Legal Description

Lot 1, WATERFORD II, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 88, Page 257, Plat Records of Travis County, Texas, and

Lot 1, Block A, WATERFORD, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 82, Page 327, Plat Records of Travis County, Texas, and

Lot 1, MILLER SUBDIVISION, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 77, Page 284, Plat Records of Travis County, Texas.

 ZONING BOUNDARY

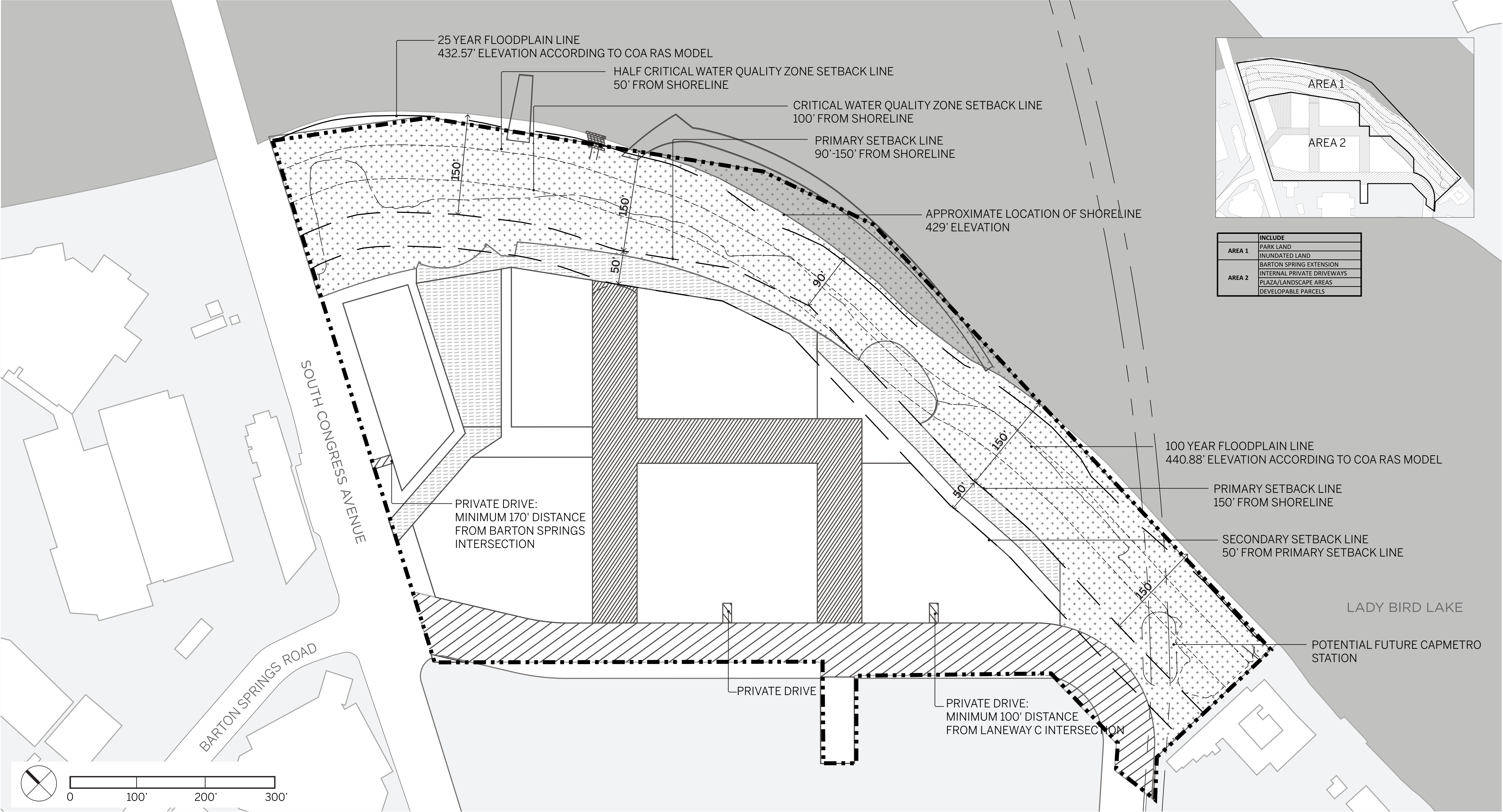
This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



305 S. CONGRESS PUD

Setbacks and Land Use Map

EXHIBIT C

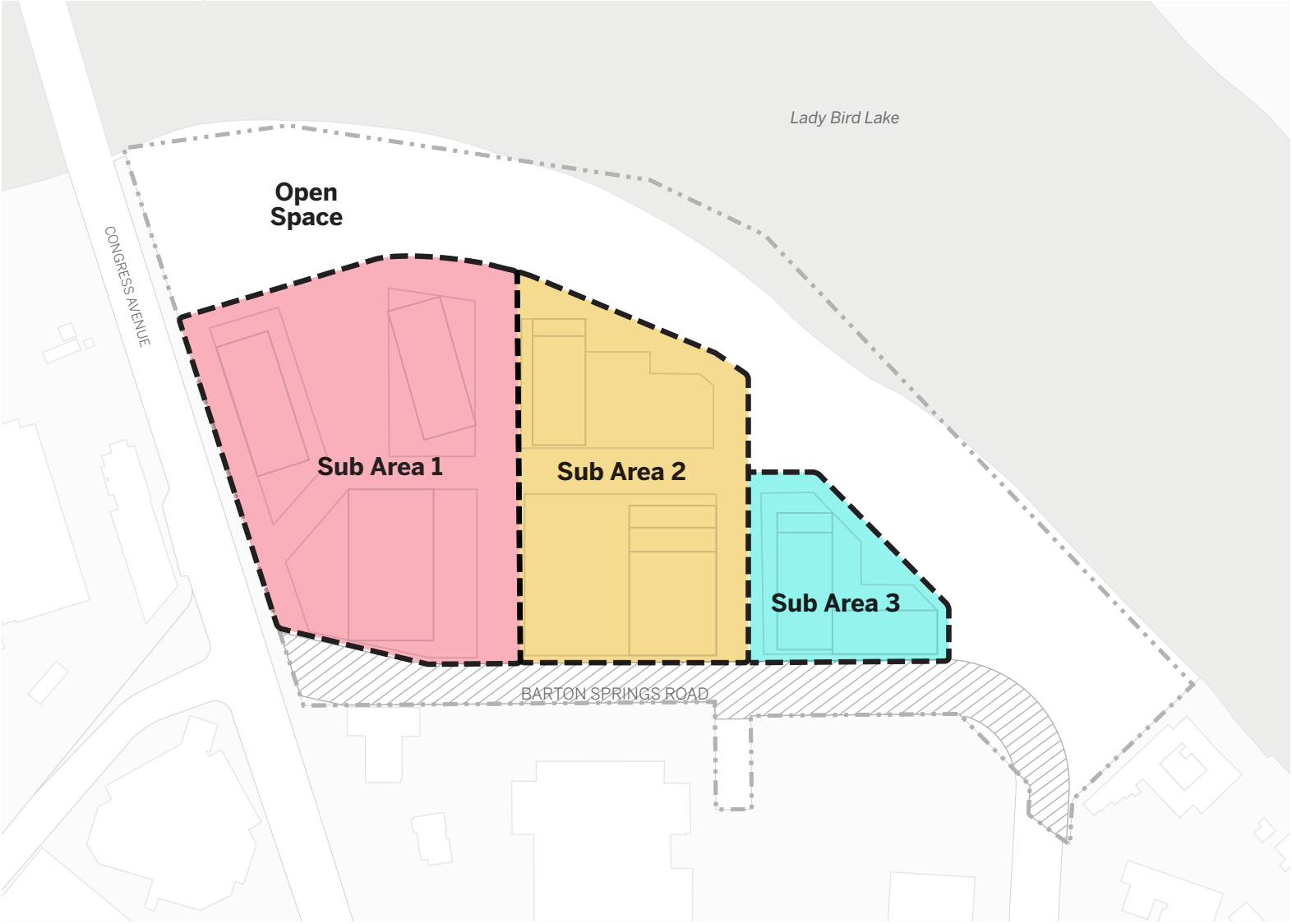


- Site Boundary (821,517 sf/18.86 acre)
- Area 1: Park Land (284,447 sf/6.53 acre, which includes the inundated land.)
- Area 1: Inundated Land (24,342 sf / 0.56 acres)

- Area 2: Future Barton Springs R.O.W. (83,815 sf/1.92 acre)
- Area 2: Internal Private Driveway (77,078 sf/1.77 acre)
- Area 2: Plaza/Landscape Area (69,233 sf/1.59 acre)

- Area 2: Developable Parcel (307,098 sf/7.05 acre)

Sub Area Height Map



Sub Area 1

Maximum Building Height: 525'

Sub Area 2

Maximum Building Height: 485'

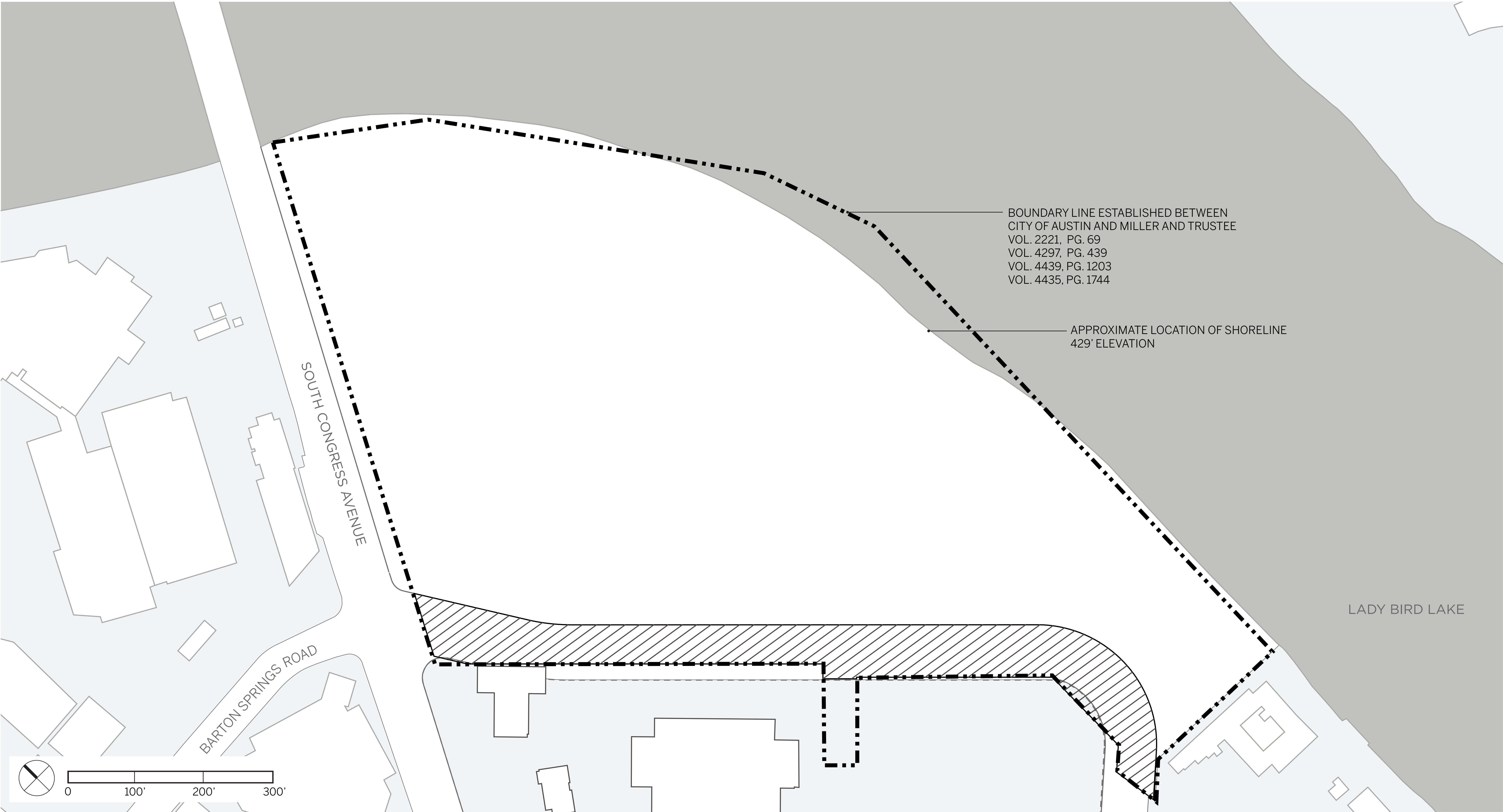
Sub Area 3

Maximum Building Height: 250'

305 S. CONGRESS PUD

Property Boundary and Right of Way Map

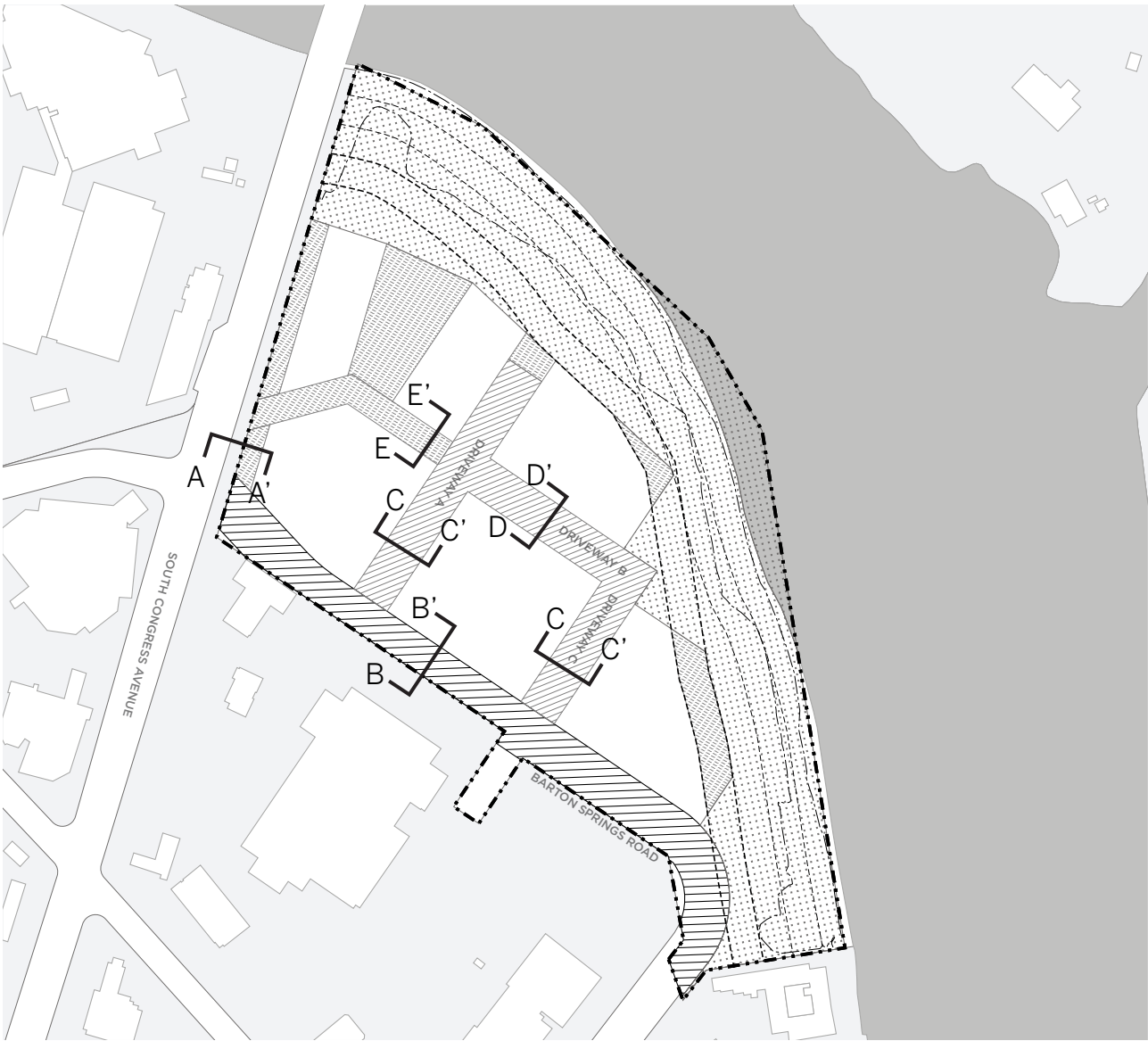
EXHIBIT E



305 S. CONGRESS PUD

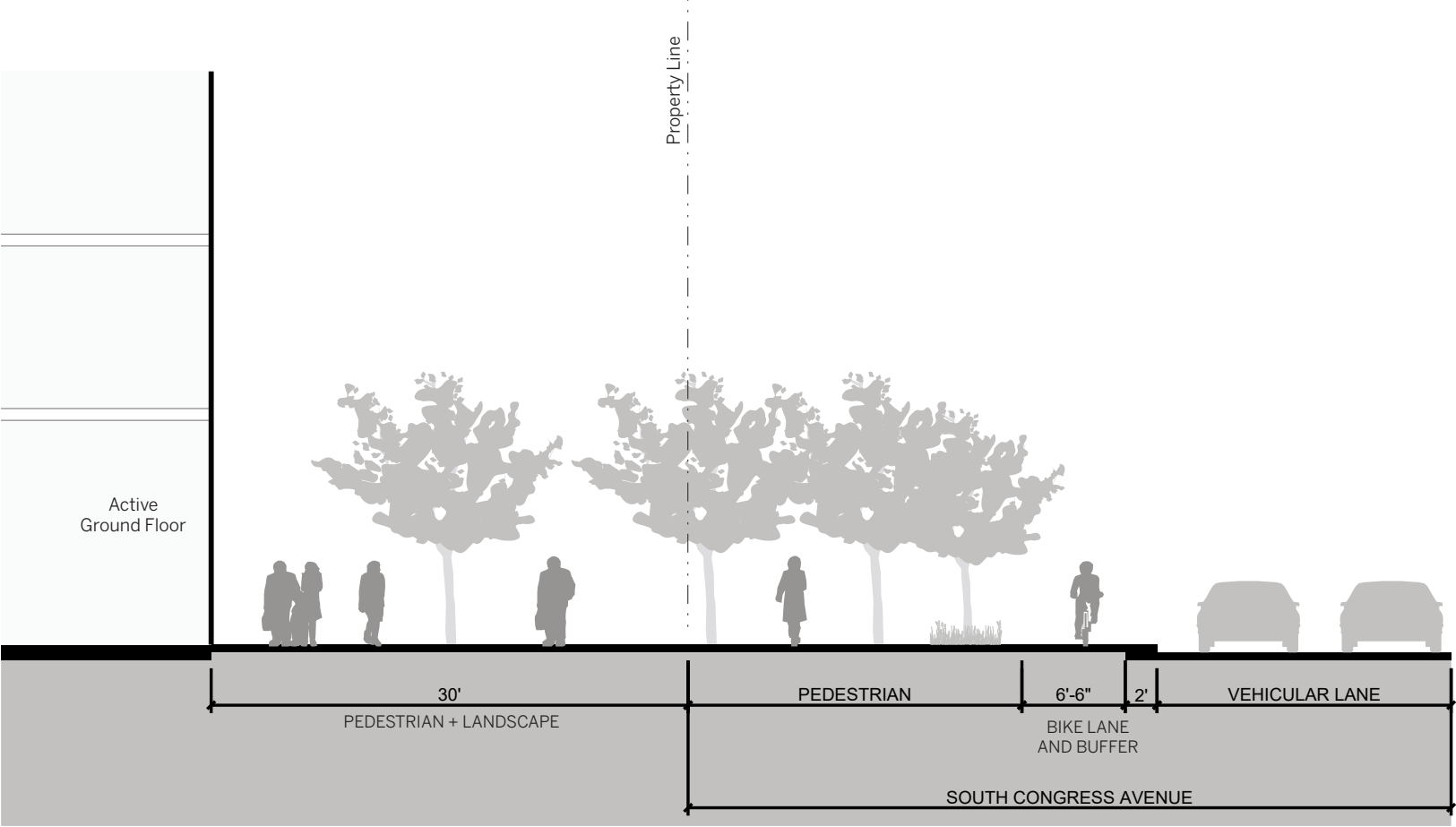
EXHIBIT F

Street Sections and Internal Private Driveway Typical Sections

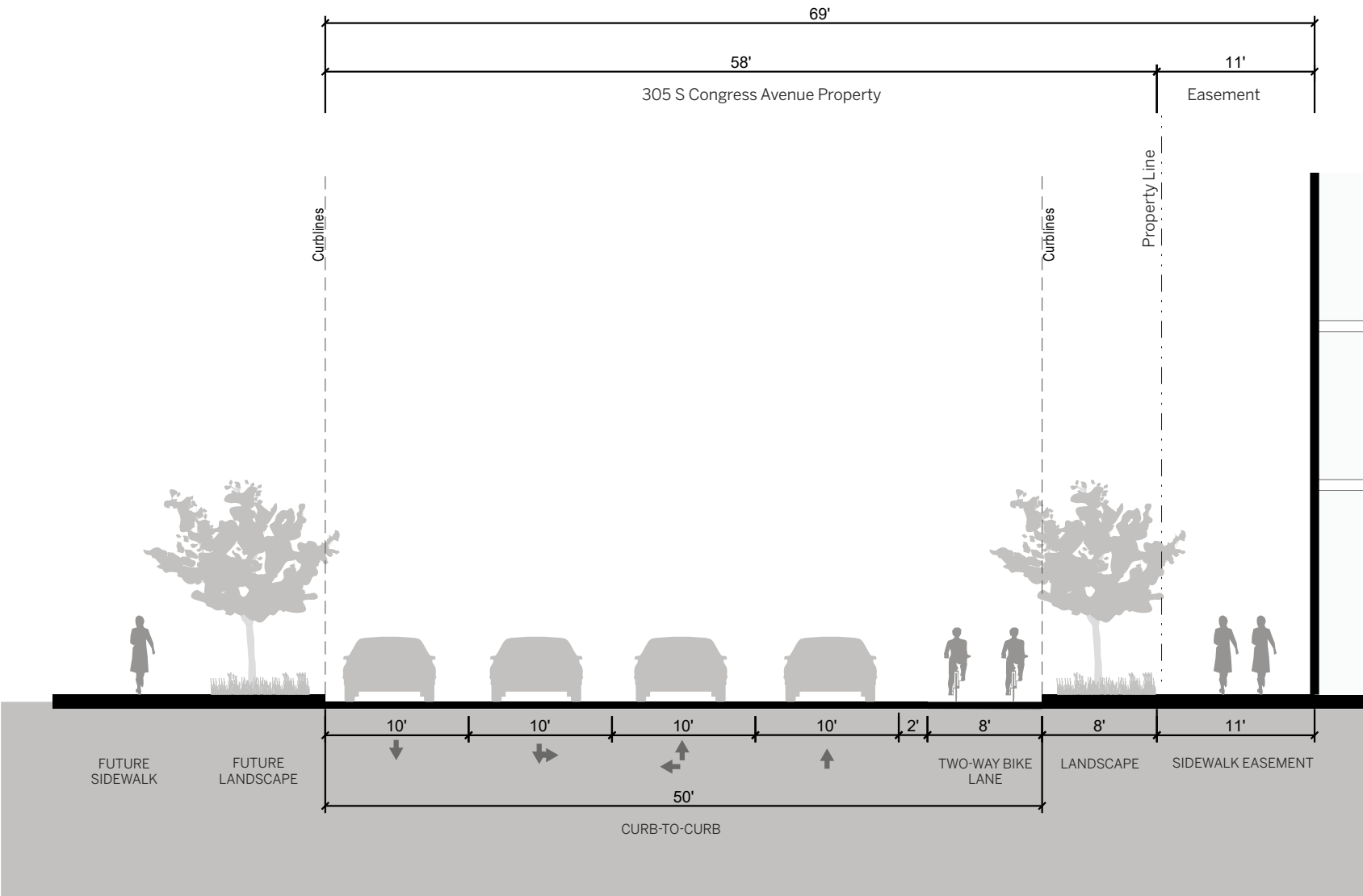


STREET SECTION A-A'
SOUTH CONGRESS AVENUE EDGE CONDITION

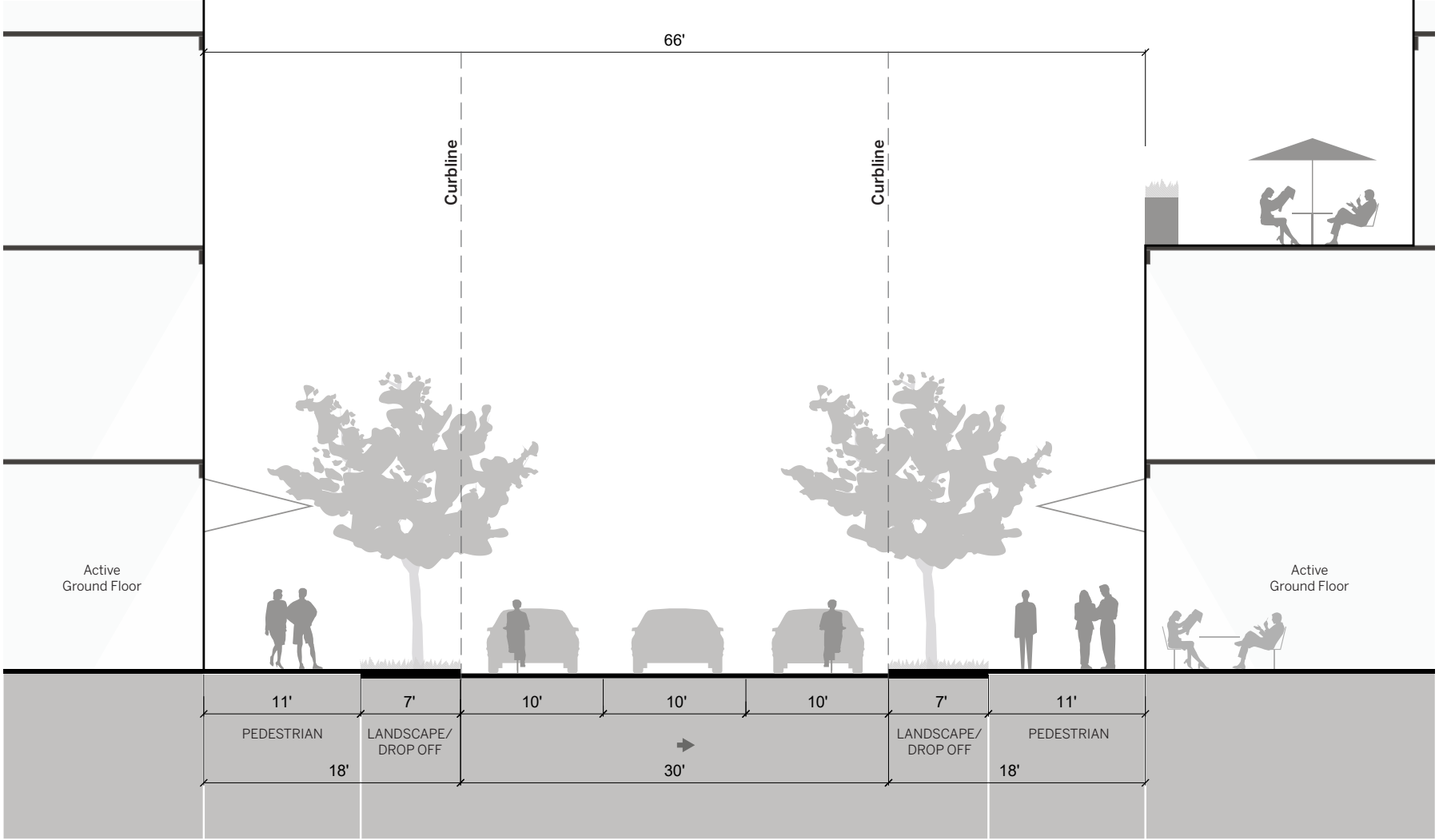
Note: Congress Avenue section represents the condition where the finished floor of the new development aligns with the adjacent elevation of Congress Avenue.



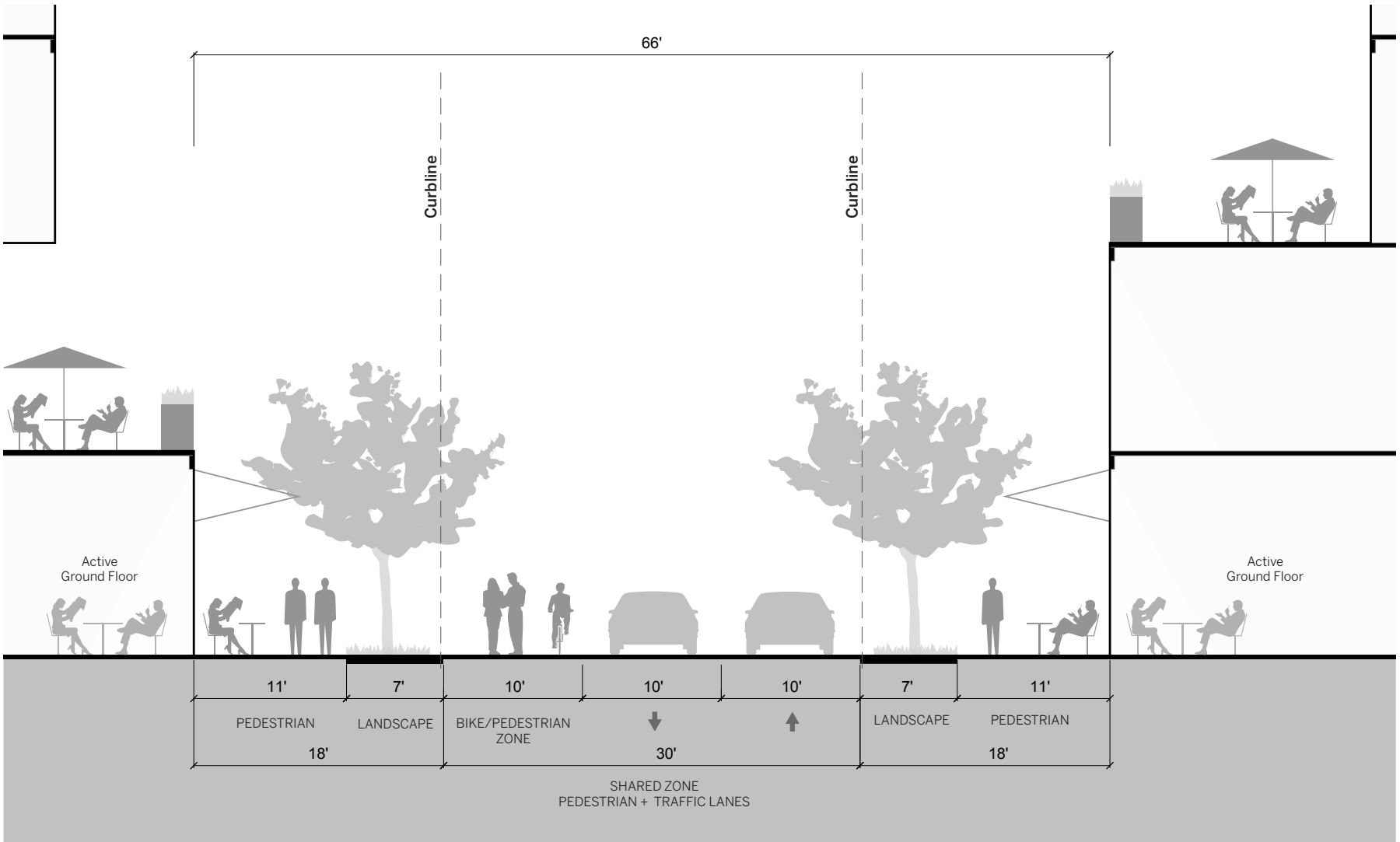
STREET SECTION B-B'
BARTON SPRINGS AVENUE TYPICAL SECTION 58' WIDE



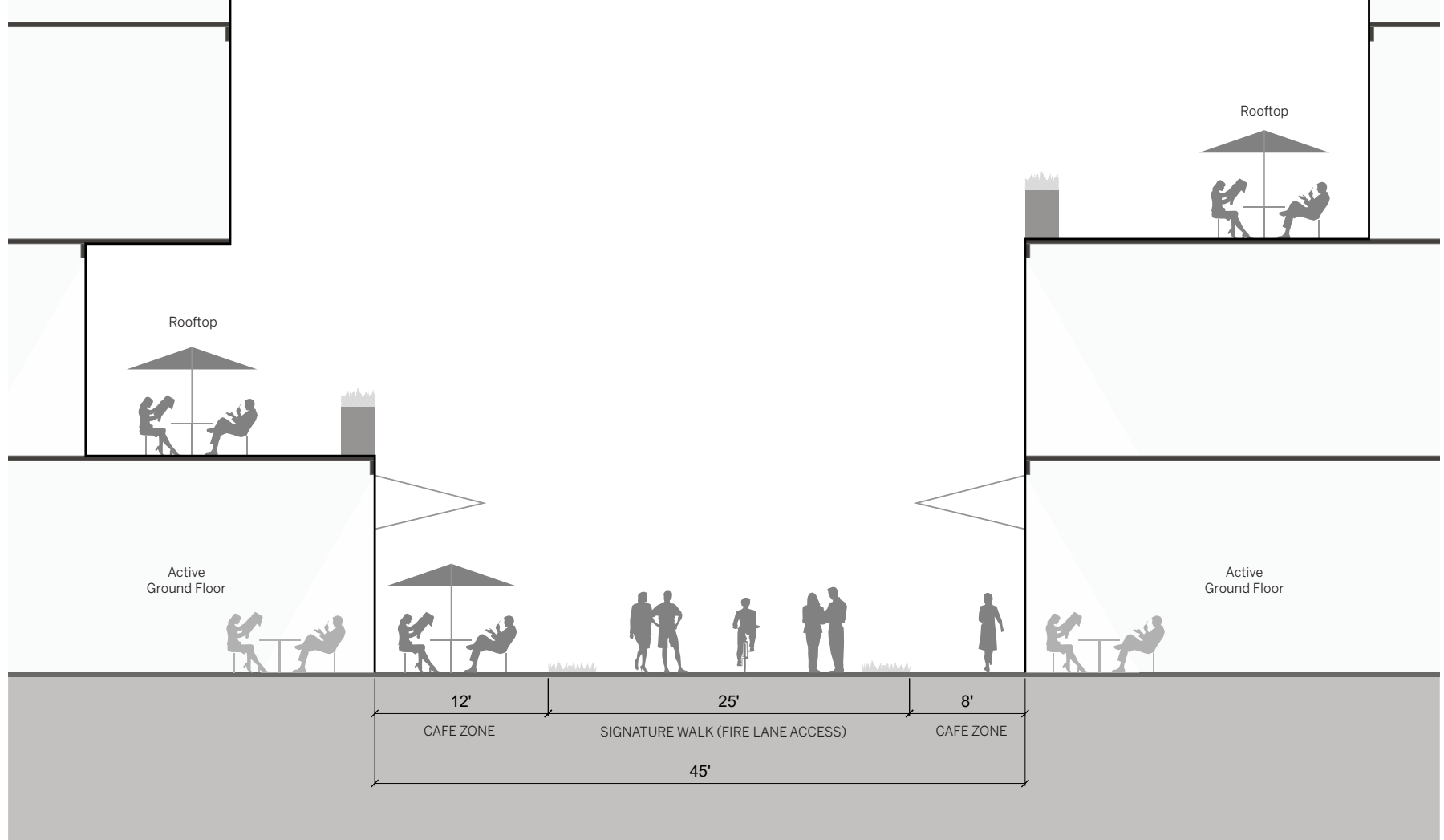
INTERNAL PVT DRIVEWAY SECTION C-C'
ENTRY STREET TYPICAL SECTION 66' WIDE



INTERNAL PVT DRIVEWAY SECTION D-D'
SHARED STREET TYPICAL SECTION 66' WIDE



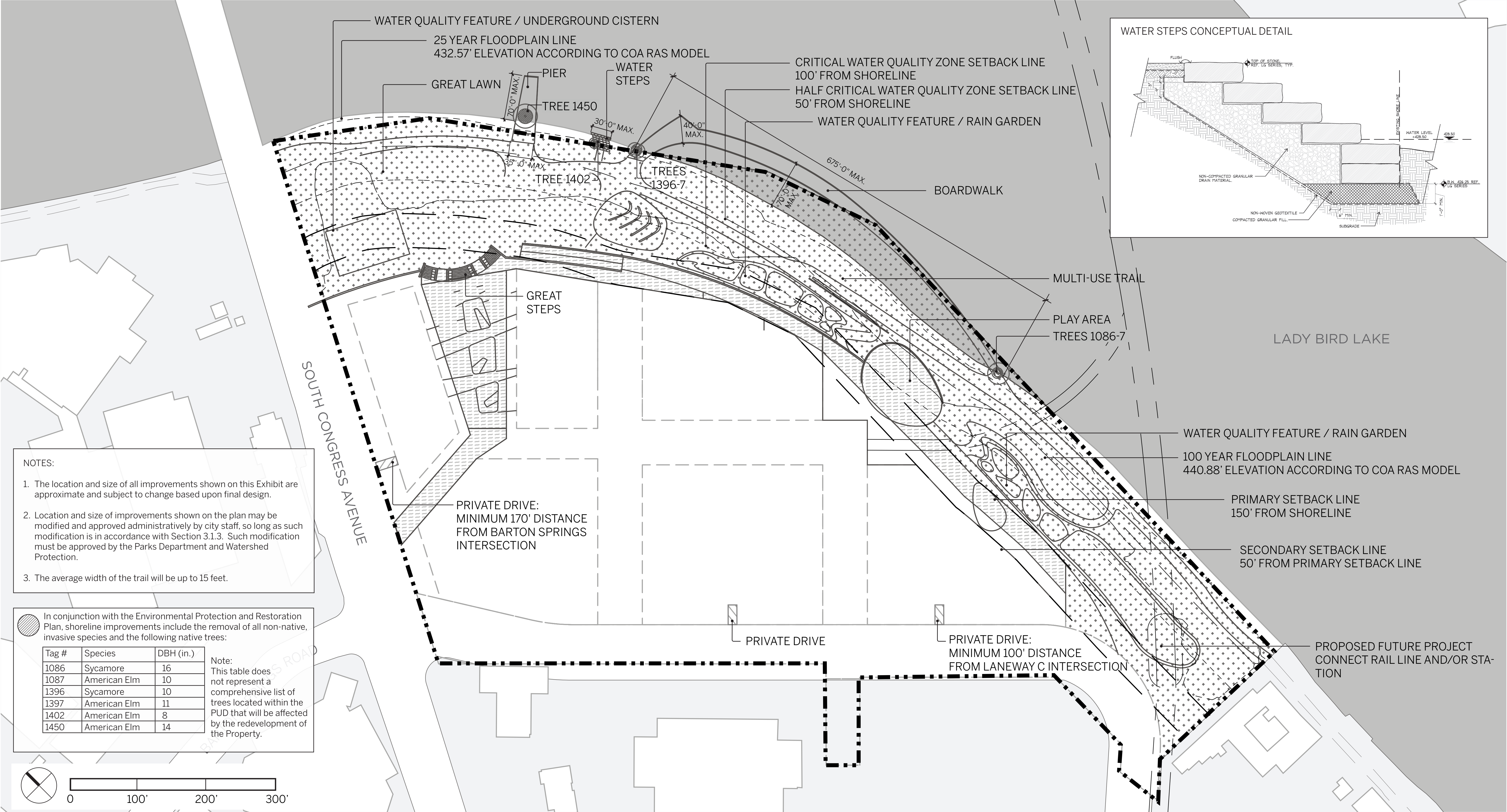
PEDESTRIAN WALKWAY TYPICAL SECTION E-E' 45' WIDE



305 S. CONGRESS PUD

Conceptual Open Space Map

EXHIBIT G



- NOTES:
1. The location and size of all improvements shown on this Exhibit are approximate and subject to change based upon final design.
 2. Location and size of improvements shown on the plan may be modified and approved administratively by city staff, so long as such modification is in accordance with Section 3.1.3. Such modification must be approved by the Parks Department and Watershed Protection.
 3. The average width of the trail will be up to 15 feet.

In conjunction with the Environmental Protection and Restoration Plan, shoreline improvements include the removal of all non-native, invasive species and the following native trees:

Tag #	Species	DBH (in.)
1086	Sycamore	16
1087	American Elm	10
1396	Sycamore	10
1397	American Elm	11
1402	American Elm	8
1450	American Elm	14

Note:
This table does not represent a comprehensive list of trees located within the PUD that will be affected by the redevelopment of the Property.

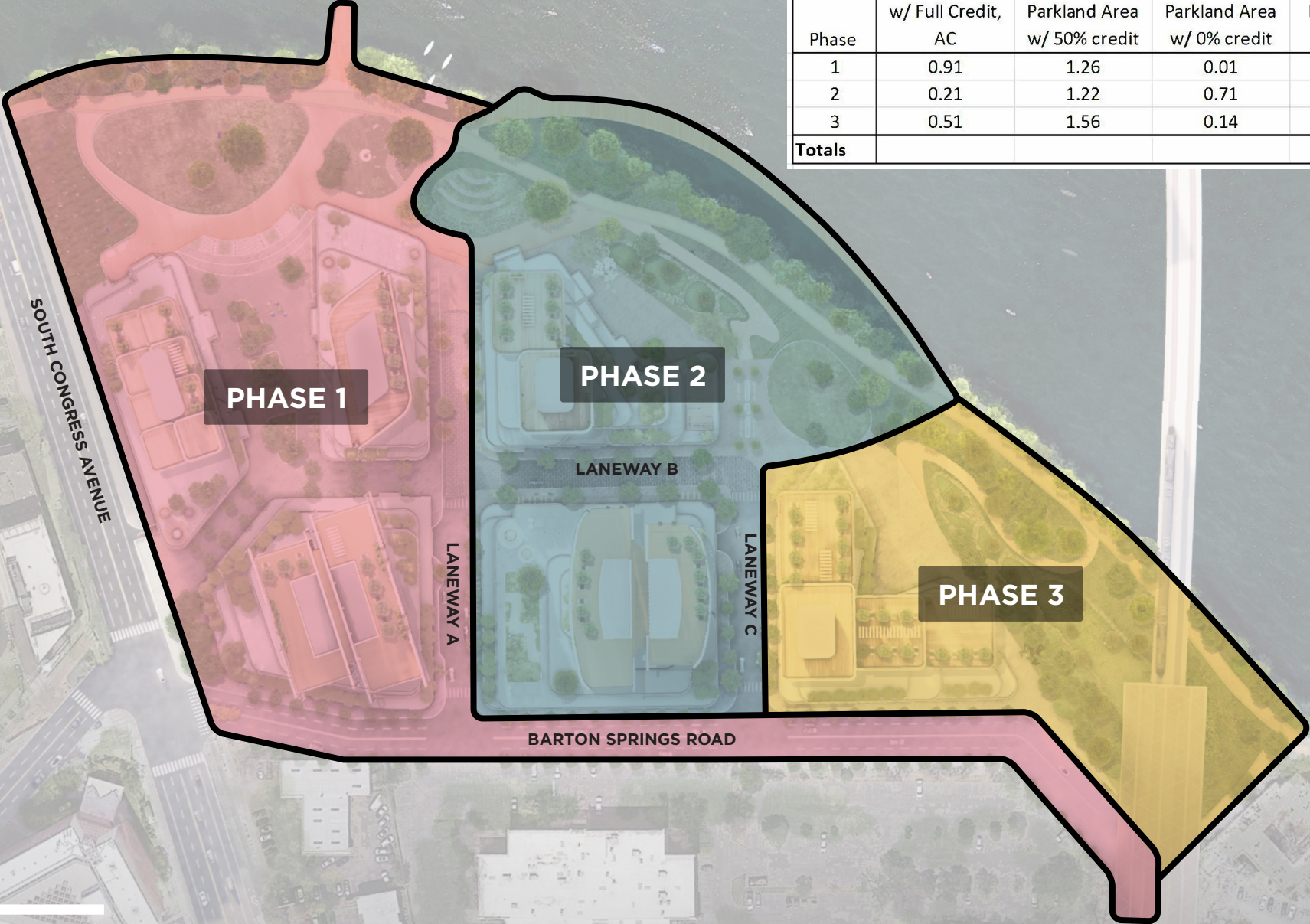
- Site Boundary (821,517 sf/18.86 acre)
- Park Land (284,447 sf/6.53 acre, which includes the inundated land.) *PARKLAND AREA IS SUBJECT TO CHANGE BASED ON FINAL LOCATION AND DESIGN OF CAPMETRO STATION
- Plaza/Landscape Area (69,233 sf/1.59 acre)

- DEFINITIONS:
1. "Amenitized Water Quality Ponds" are drainage and water quality infrastructure designed to function as a filter for storm water runoff through a layer of natural materials before being discharged to the lake. Functionally used to capture pollutants and characteristically have an aesthetically pleasing configuration of native plants, rock configurations, water features, and other natural qualities that may enhance function, and accompanied by education signage. Amenitized Water Quality Ponds cannot be designed as sedimentation/filtration ponds.
 2. "Great Lawn" is an open field lawn, 0.5 to 1.5 acres, which allows for people to gather and observe bats, and which also allows for a variety of recreational activities, open field play and enjoyment of the scenery, respectful of the bat population and their habitat.
 3. "Great Steps" are terraced platforms sufficient in size to allow small scale numbers of patrons to gather, sit and observe activity within the park while still accommodating individuals traversing from top to bottom, and must include ADA access.
 4. "Pier" is a structure extending into navigable water for use as a landing place or promenade for viewing the lake.
 5. "Water Steps" are platforms sufficient in size to allow small scale numbers of patrons to immerse feet into water and observe activity within the park and on the lake.

Submitted: July 24, 2019
Updated: June 26, 2020
Updated: October 12, 2020
Updated: April 14, 2021
Updated: July 9, 2021
Updated: December 7, 2021
Updated: January 31, 2022
Updated: April 6, 2022
Updated: June 1, 2022

305 S. Congress Avenue
Conceptual Phasing Plan

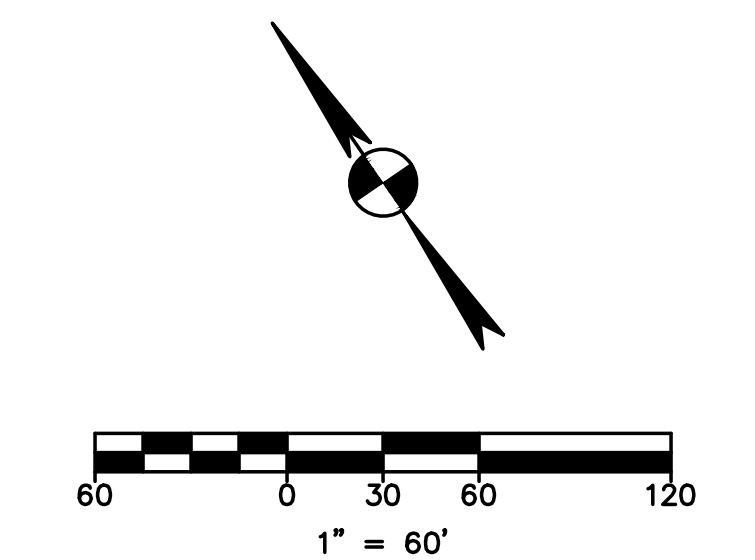
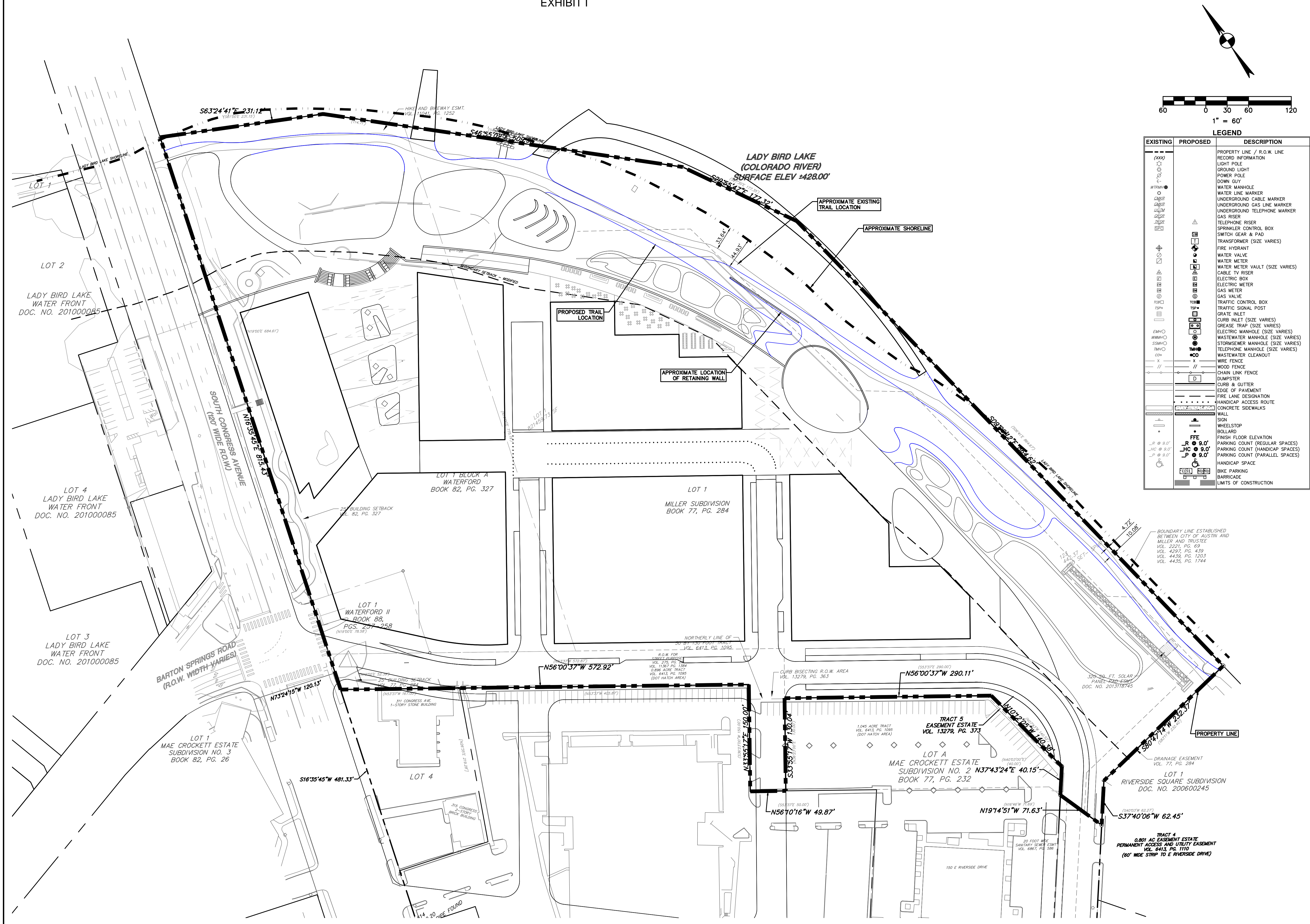
EXHIBIT H



Parkland Dedication By Phase					
	DEDICATED PARKLAND				EASEMENT
Phase	Dedicated Parkland Area w/ Full Credit, AC	Dedicated Parkland Area w/ 50% credit	Dedicated Parkland Area w/ 0% credit	Total Deeded Parkland (by Phase)	Easement (w/50% Credit) by Phase
1	0.91	1.26	0.01	2.18	0.85
2	0.21	1.22	0.71	2.15	0.49
3	0.51	1.56	0.14	2.21	0.25
Totals				6.532	1.59



EXHIBIT I



LEGEND		
EXISTING	PROPOSED	DESCRIPTION
(XXX)		PROPERTY LINE / R.O.W. LINE
---		RECORD INFORMATION
○		LIGHT POLE
○		GROUND LIGHT
○		POWER POLE
○		DOWN GUY
○		WATER MANHOLE
○		WATER LINE MARKER
○		UNDERGROUND CABLE MARKER
○		UNDERGROUND GAS LINE MARKER
○		UNDERGROUND TELEPHONE MARKER
○		GAS RISER
○		TELEPHONE RISER
○		SPRINKLER CONTROL BOX
○		SWITCH GEAR & PAD
○		TRANSFORMER (SIZE VARIES)
○		FIRE HYDRANT
○		WATER VALVE
○		WATER METER
○		WATER METER VAULT (SIZE VARIES)
○		CABLE TV RISER
○		ELECTRIC BOX
○		ELECTRIC METER
○		GAS METER
○		GAS VALVE
○		TRAFFIC CONTROL BOX
○		TRAFFIC SIGNAL POST
○		GRATE INLET
○		CURB INLET (SIZE VARIES)
○		GREASE TRAP (SIZE VARIES)
○		ELECTRIC MANHOLE (SIZE VARIES)
○		WASTEWATER MANHOLE (SIZE VARIES)
○		STORMSEWER MANHOLE (SIZE VARIES)
○		TELEPHONE MANHOLE (SIZE VARIES)
○		WASTEWATER CLEANOUT
○		WIRE FENCE
○		WOOD FENCE
○		CHAIN LINK FENCE
○		DUMPSTER
○		CURB & GUTTER
○		EDGE OF PAVEMENT
○		FIRE LANE DESIGNATION
○		HANDICAP ACCESS ROUTE
○		CONCRETE SIDEWALKS
○		WALL
○		SIGN
○		WHEELSTOP
○		BOLLARD
○		FINISH FLOOR ELEVATION
○		PARKING COUNT (REGULAR SPACES)
○		PARKING COUNT (HANDICAP SPACES)
○		PARKING COUNT (PARALLEL SPACES)
○		HANDICAP SPACE
○		BIKE PARKING
○		BARRICADE
○		LIMITS OF CONSTRUCTION

TRAIL REALIGNMENT
PLAN

STATESMAN TRACT
305 SOUTH CONGRESS, AUSTIN, TEXAS
ENDEAVOR REAL ESTATE GROUP

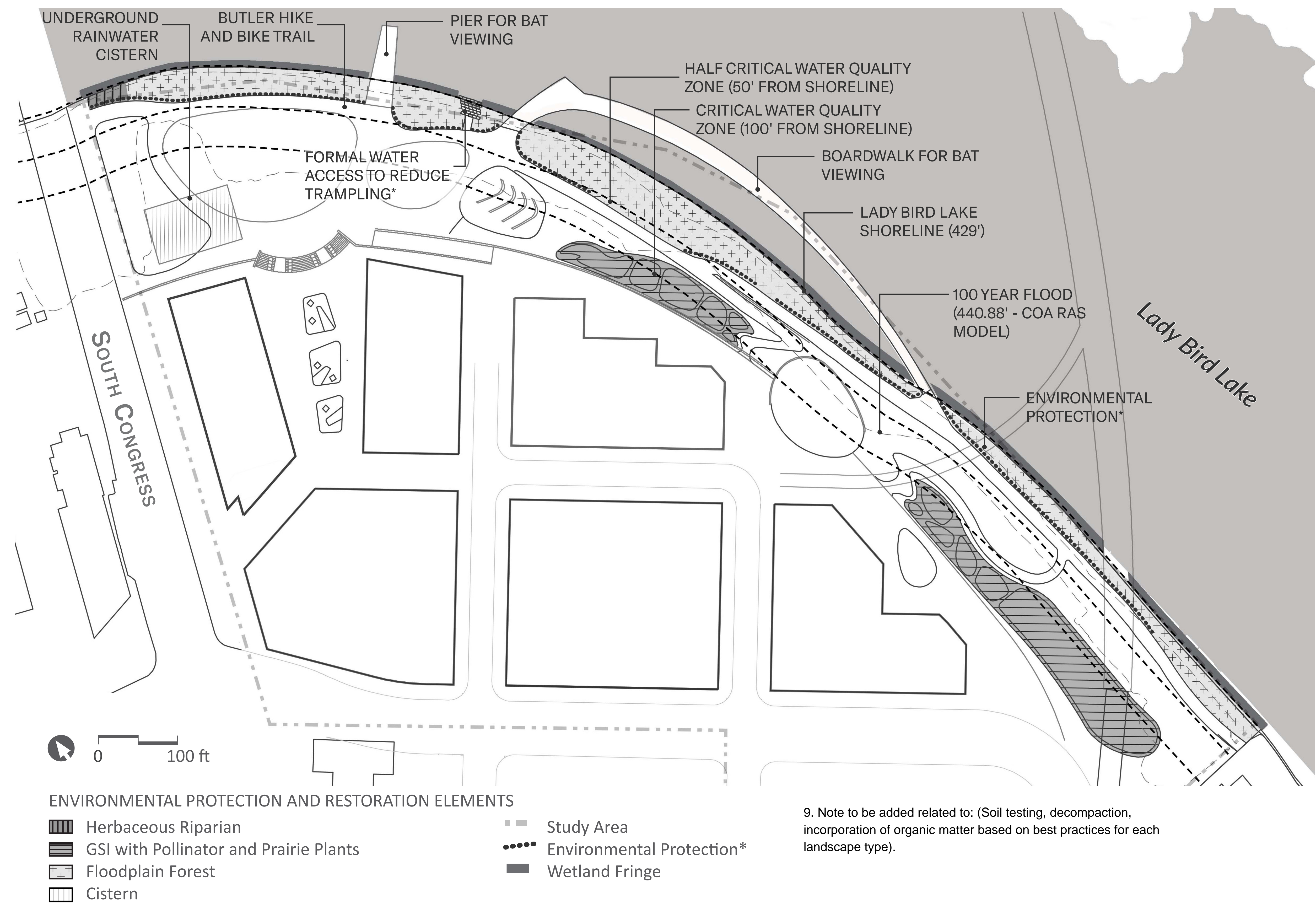
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DESIGNED BY:
QA / QC:
PROJECT NO.: 101231-00003
SHEET
EXH
OF

garza
7708 Rialto Blvd., Suite 125
Austin, Texas 78725
Tel: (512) 298-3284 Fax: (512) 298-2592
TBP# F-14629
Garza EMC, LLC © Copyright 2022

305 S. CONGRESS PUD

Environmental Protection and Restoration Plan

EXHIBIT J



Notes:

- 1. Environmental protection and enhanced cultural experience:**
A major threat to environmental superiority of the site is the regular degradation of areas due to heavy use of the property by the public to view the bats and access the water. To accommodate additional park users, reduce trampling of restored areas, create additional bat viewing areas, and improve the views of Lady Bird Lake and the downtown Austin skyline, this project proposes to construct a pier; a boardwalk, and one hardened water access point. By directing users to these landscape features, other parts of the open space can be protected, restored, and maintained to create an environmentally superior site. Please refer to the Open Space Map for maximum shoreline amenity dimensions.
- 2. Bat conservation:**
The project will protect the Austin Bat Colony by using dark sky compliant lighting (as defined in Note 62 on Sheet 8) within 75' of the shoreline, creating safe vantages for bat viewing that do not disturb bat behavior, maintaining the bald cypress fringe along the shoreline critical for bat navigation, and maintaining an area free of trees directly east of the Congress Avenue Bridge at the lakeshore for bats to congregate before flight. The applicant will also continue to coordinate with local bat conservation groups for best practices during the design and construction phases of the project.
- 3. Protect critical environmental features, floodplain forest, and wetland plantings:**
A combination of split rail fence, cable fence, boulders, and/or equivalent will be used to protect the wetland fringe and floodplain forest adjacent to the trail and will include at least 800 linear feet of protection.
- 4. Restore floodplain forest:**
Restore at least 1 acre of riparian woodland forest between the water edge and the trail. Restoration includes the invasive species removal (Ligustrum, Nandina, Chinaberry, Chinese tallow, Arundo, Japanese honeysuckle, lacebark elm, tree of heaven, English Ivy, Asian Jasmine, Vitex, and poison ivy along with other invasives will occupy no more to less than 5% vegetative cover), temporary irrigation, soil amendments where needed (up to 3" of native compost gently raked into upper surface), planting 500 native herbaceous and ground cover plants (1 gallon) planted in clumps 18" on center, as well as seeding 28 pounds of native riparian seed.
- 5. Restore and enhance the wetland fringe:**
The wetland fringe is shaded out by invasive understory and is trampled in numerous areas. Restoration of the 1,000 square feet of wetland fringe will entail the removal of invasive species as described above in note 4 and begin the establishment of wetland plants where feasible with a total planting of at least 15 obligate and facultative wetland species, planting at least 200 one gallon containers in up to 10 clumps.
- 6. Restore riparian herbaceous vegetation:**
At least 800 square feet of herbaceous riparian vegetation will be planted adjacent to Congress Avenue Bridge between the trail and the lake to keep the area open for the bats and to add plant diversity. The planting will include at least 300 plants (1 gallon) planted in clumps 18" on center to reduce weeds and will include physical barriers to help minimize trampling. Preparation of the area will include woody species removal, invasive species removal, soil amendments as necessary, and temporary irrigation installation.
- 7. Pollinator plants:**
The project will include at least 30 native pollinator and prairie species (both planted and seeded) in green stormwater infrastructure that covers at least 0.75 acre of the site.
- 8. Sustainable management plan:**
The applicant is committed to creating a sustainable land management plan for the site in coordination with appropriate entities that could include the Trail Foundation, bat conservation organizations, South Central Waterfront entities, and others. The plan will use an adaptive management framework that focuses on an enhanced user experience and ecological functionality that results in long-term, sustainable management of the site. At a minimum, the land management plan will include bi-annual management of invasive species (as listed above), increases in diversity through planting and seeding, ensuring native vegetative cover, and annual monitoring.

9. Note to be added related to: (Soil testing, decompaction, incorporation of organic matter based on best practices for each landscape type).

P:\A - 305 South Congress\01 A20224 - 305 S. Congress Mixed Use PUD Approval\07 Permit\Tree Mitigation Plans\305 SoCo - Tree Mitigation_L.01.dwg



TBG

landscape architects, planners & designers

1705 guadalupe street
suite 500
austin, tx 78701

[512] 327-1011
tbgpartners.com

project

305 South Congress - PUD Tree Preservation Plan

305 South Congress Avenue
Austin, TX 78731

project number
A20224

issue date
March 21, 2022

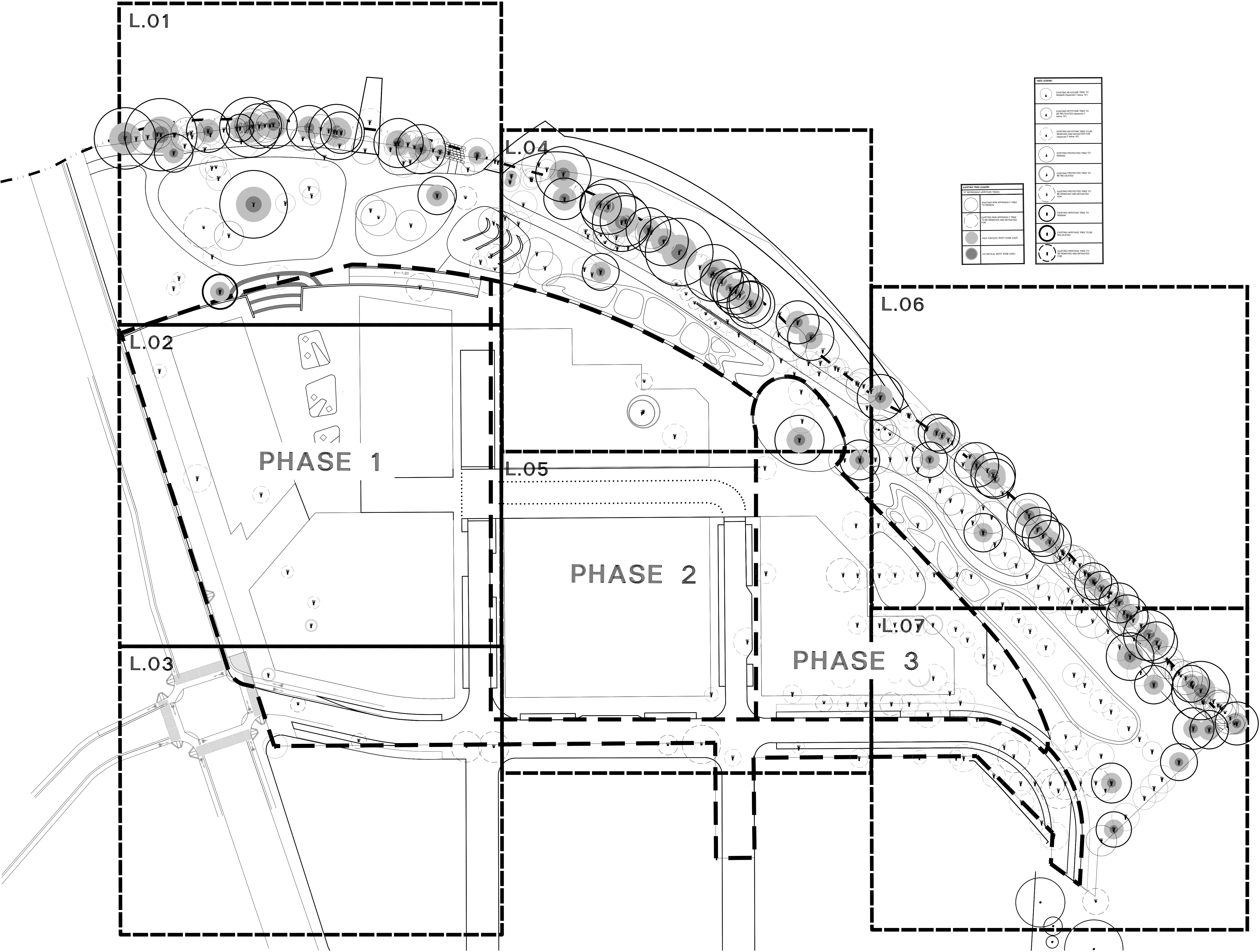
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reviewed: XXX

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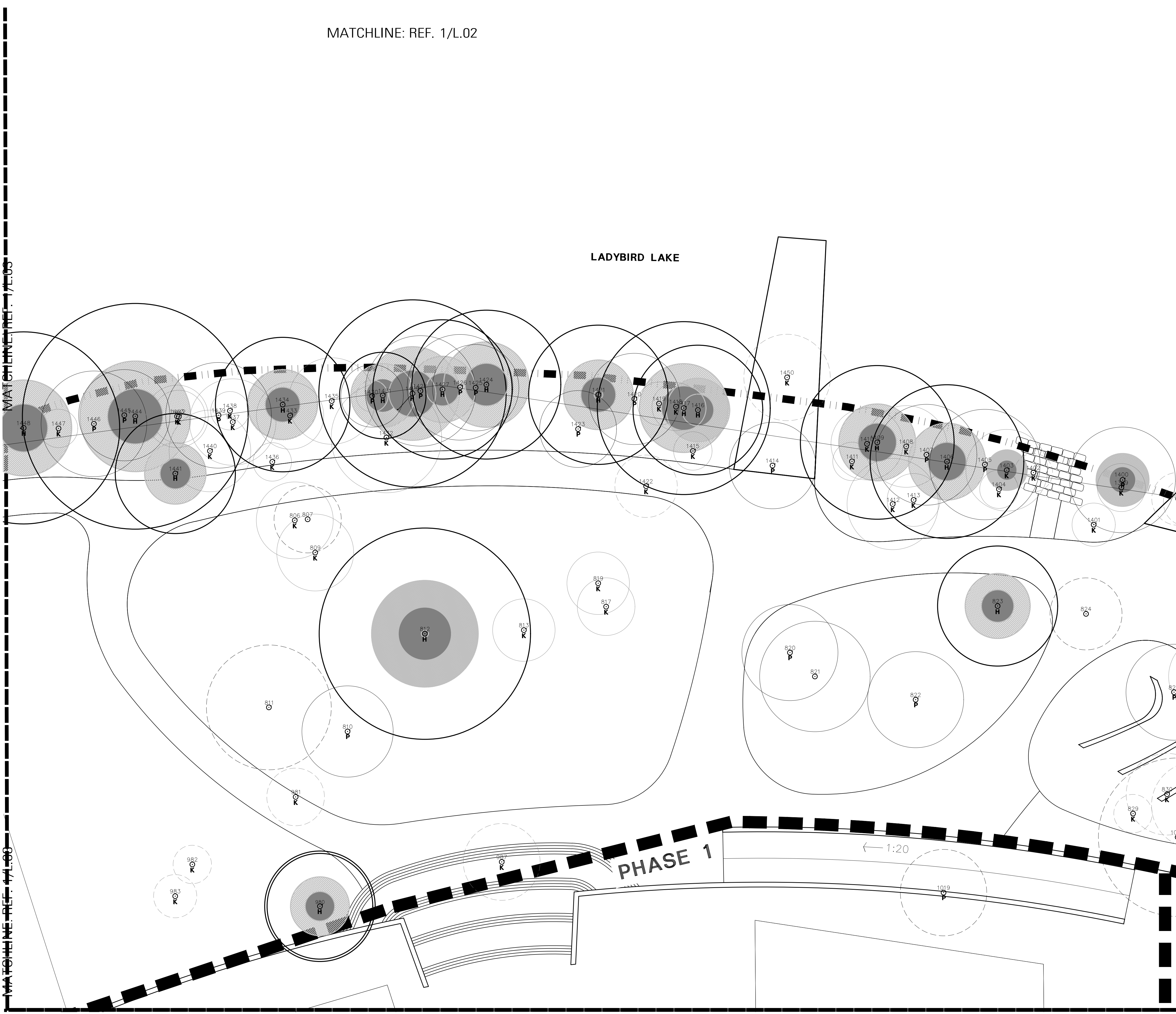
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sheet

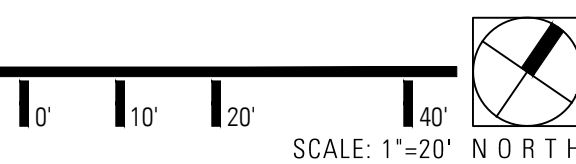
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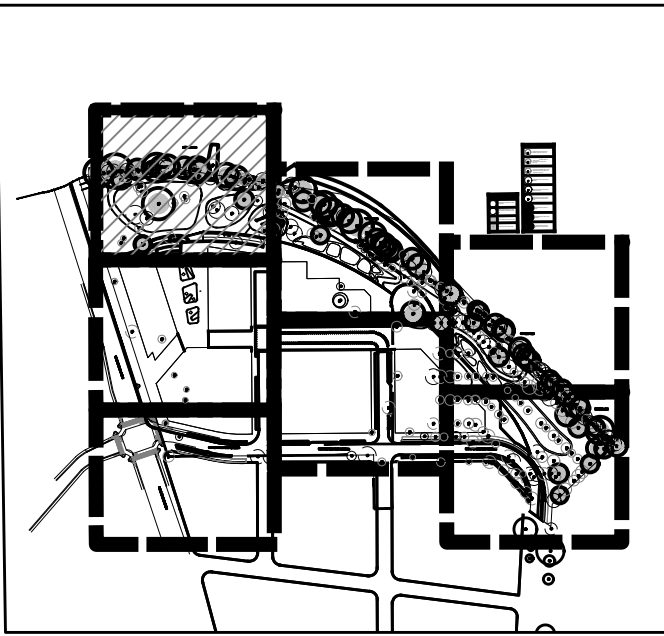


1 LANDSCAPE PLAN



TREE LEGEND:	
	EXISTING KEYSTONE TREE TO REMAIN (Appendix F below 19")
	EXISTING KEYSTONE TREE TO BE RELOCATED (Appendix F below 19")
	EXISTING KEYSTONE TREE TO BE REMOVED AND MITIGATED FOR (Appendix F below 19")
	EXISTING PROTECTED TREE TO REMAIN
	EXISTING PROTECTED TREE TO BE RELOCATED
	EXISTING PROTECTED TREE TO BE REMOVED AND MITIGATED FOR
	EXISTING HERITAGE TREE TO REMAIN
	EXISTING HERITAGE TREE TO BE RELOCATED
	EXISTING HERITAGE TREE TO BE REMOVED AND MITIGATED FOR

EXISTING TREE LEGEND:	
"H" REPRESENT HERITAGE TREES	
	EXISTING NON APPENDIX F TREE TO REMAIN
	EXISTING NON APPENDIX F TREE TO BE REMOVED AND MITIGATED FOR
	HALF CRITICAL ROOT ZONE (CRZ)
	1/4 CRITICAL ROOT ZONE (CRZ)



KEY MAP



TBG

landscape architects, planners & designers

1705 guadalupe street
suite 500
austin, tx 78701

[512] 327-1011
tbgpartners.com

project

305 South Congress - PUD Tree Preservation Plan

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designed: XXX
drawn: XXX
reviewed: XXX

sheet title

permit site plan

sheet

L.01

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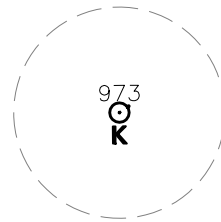
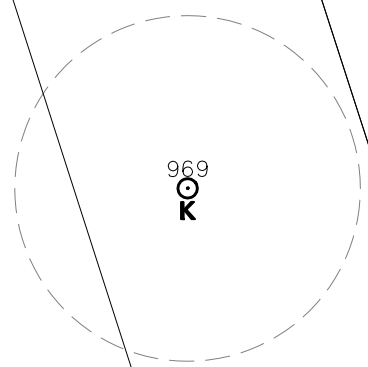
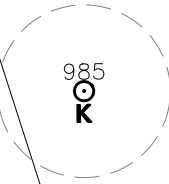
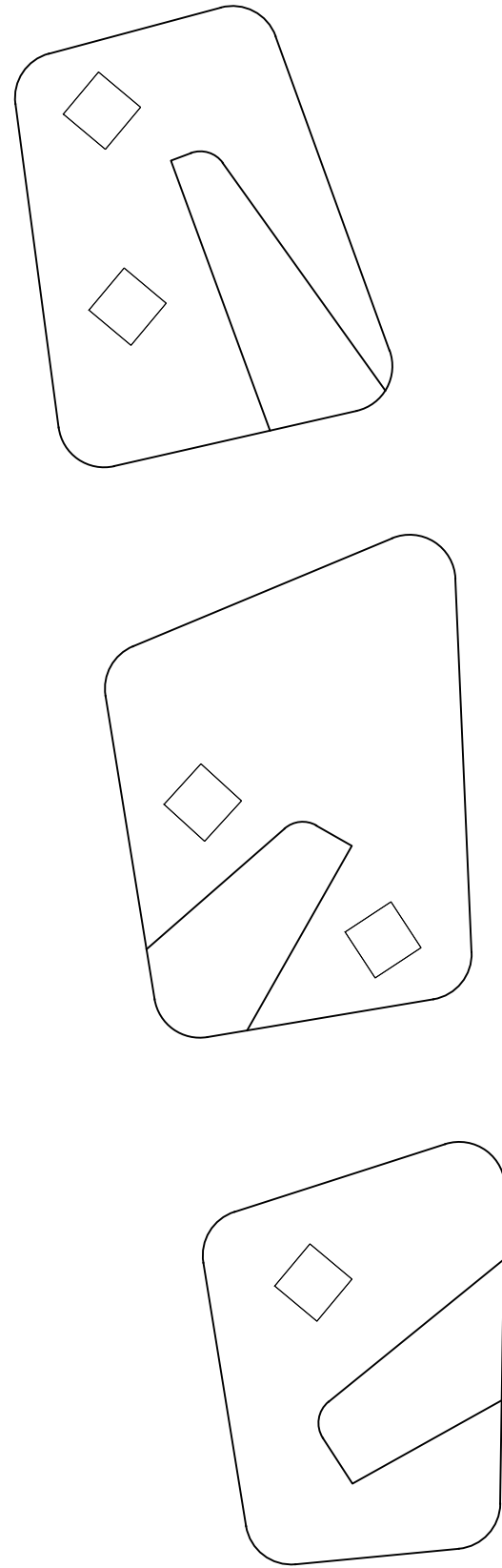
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MATCHLINE: REF. 1/L.03

SOUTH CONGRESS AVENUE

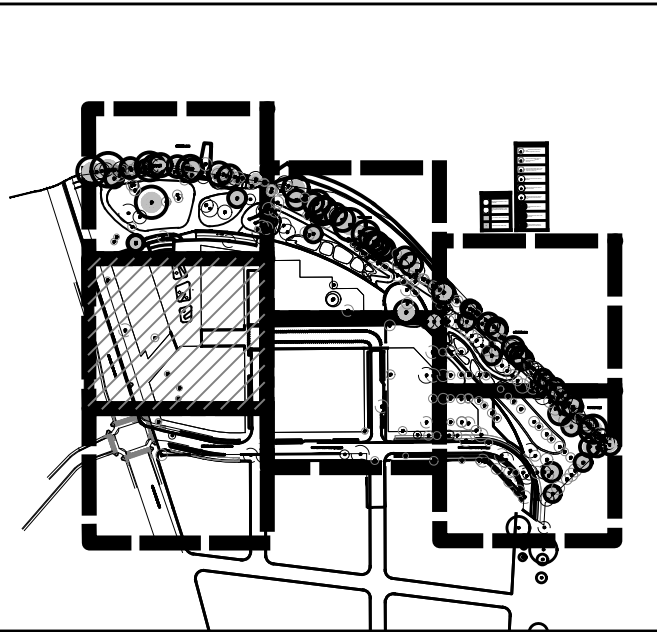
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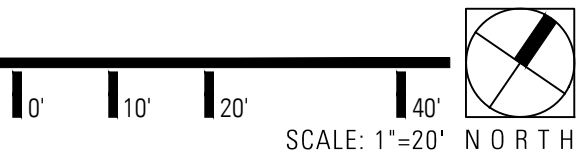


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	EXISTING KEYSTONE TREE TO BE RELOCATED (Appendix F below 19")
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	EXISTING HERITAGE TREE TO REMAIN
	EXISTING HERITAGE TREE TO BE RELOCATED
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	HALF CRITICAL ROOT ZONE (CRZ)
	1/4 CRITICAL ROOT ZONE (CRZ)



KEY MAP



1 LANDSCAPE PLAN



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sheet title

permit site plan

sheet

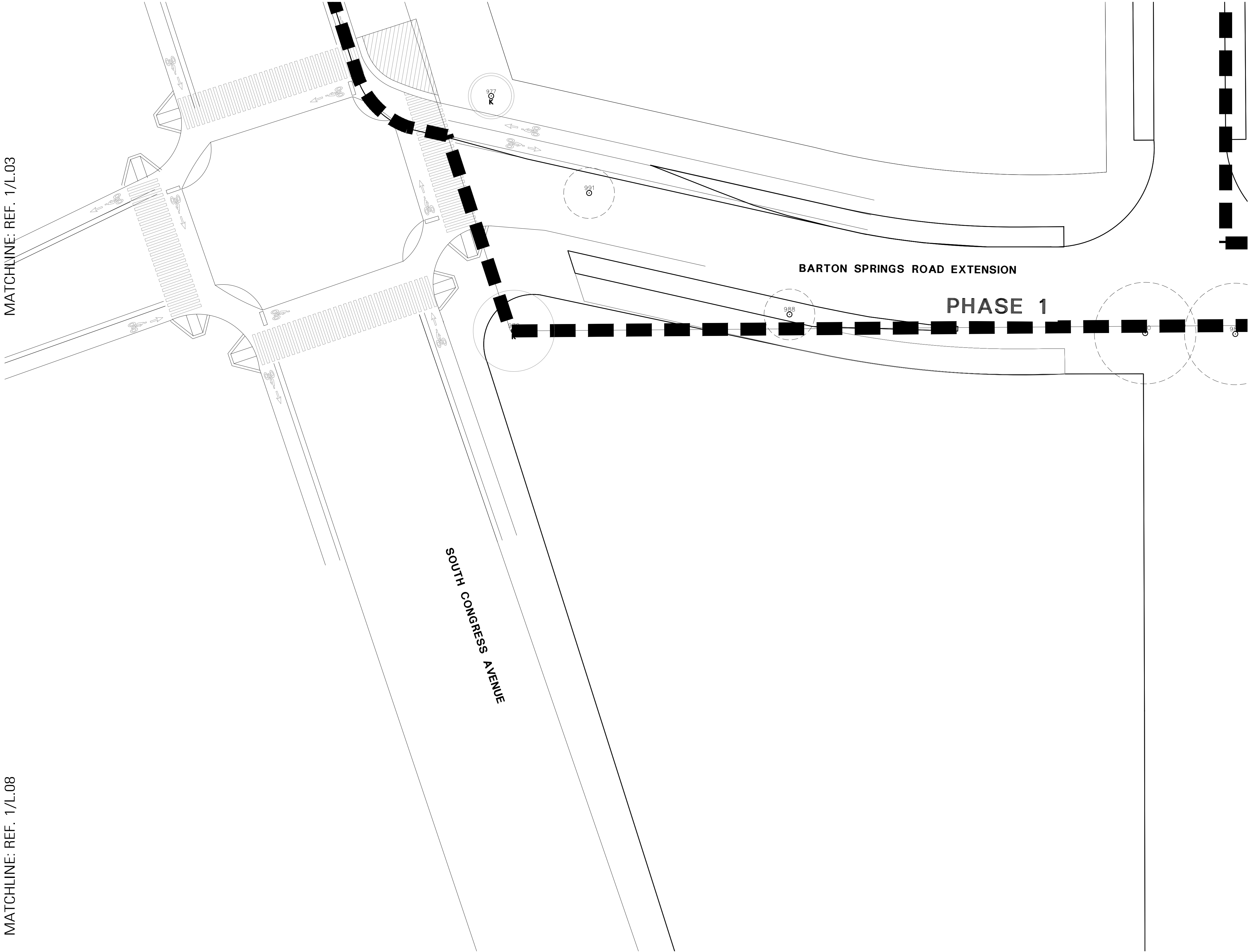
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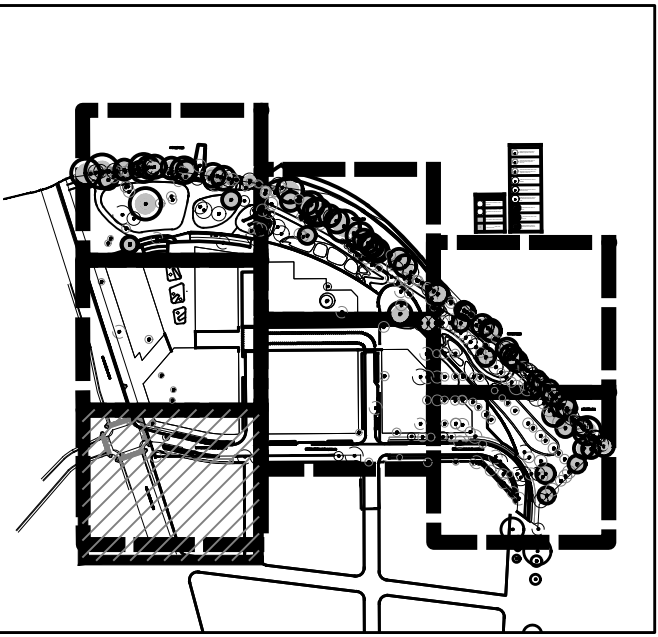
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MATCHLINE: REF. 1/L.02

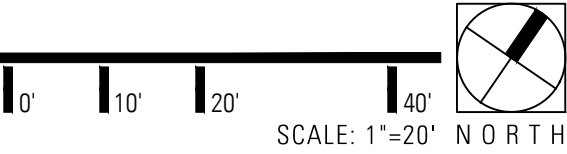


TREE LEGEND:	
	EXISTING KEYSTONE TREE TO REMAIN (Appendix F below 19")
	EXISTING KEYSTONE TREE TO BE RELOCATED (Appendix F below 19")
	EXISTING KEYSTONE TREE TO BE REMOVED AND MITIGATED FOR (Appendix F below 19")
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	EXISTING PROTECTED TREE TO BE REMOVED AND MITIGATED FOR
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EXISTING TREE LEGEND:	
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	EXISTING NON APPENDIX F TREE TO REMAIN
	EXISTING NON APPENDIX F TREE TO BE REMOVED AND MITIGATED FOR
	HALF CRITICAL ROOT ZONE (CRZ)
	1/4 CRITICAL ROOT ZONE (CRZ)



KEY MAP



TBG

landscape architects, planners & designers
1705 guadalupe street
suite 500
austin, tx 78701
[512] 327-1011
tbgpartners.com

project
305 South Congress - PUD Tree Preservation Plan

305 South Congress Avenue
Austin, TX 78731

project number
A20224

issue date
March 21, 2022

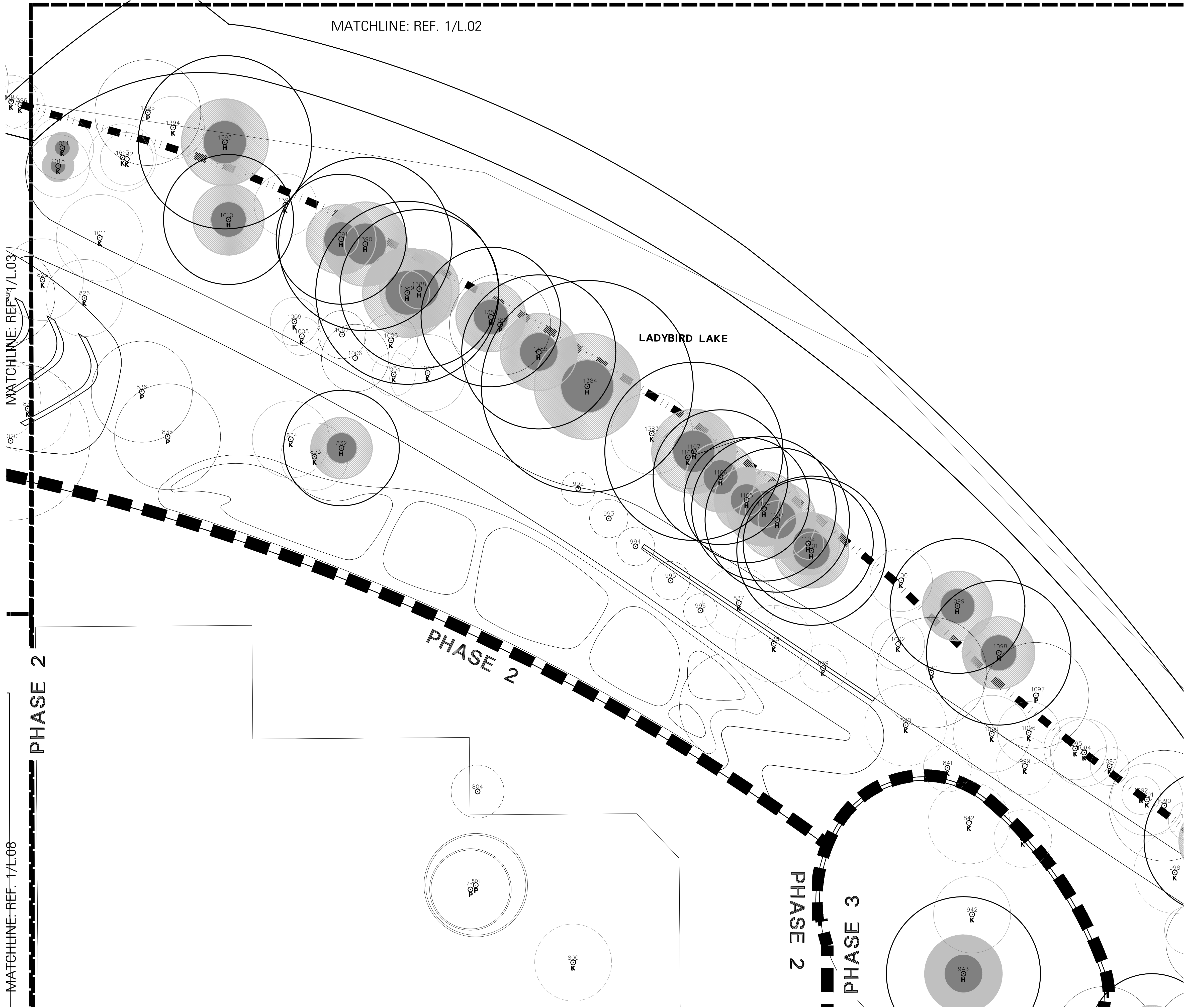
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reviewed: XXX

sheet title
permit site plan

sheet
L.03

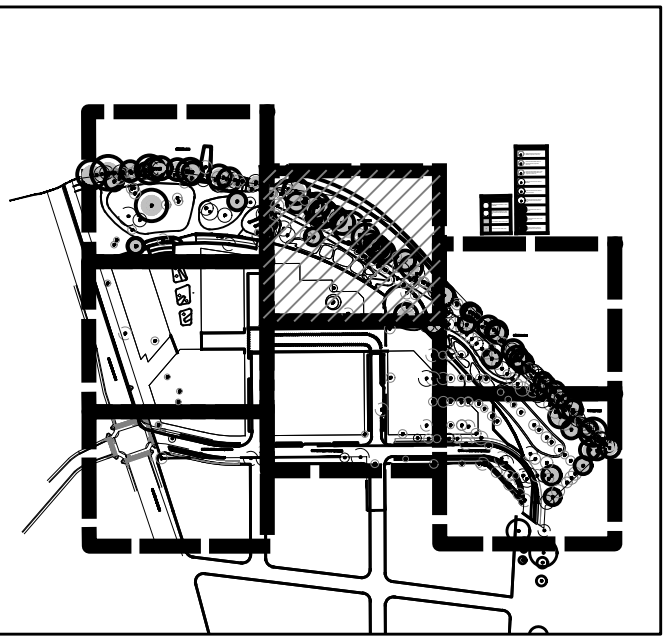
1 LANDSCAPE PLAN

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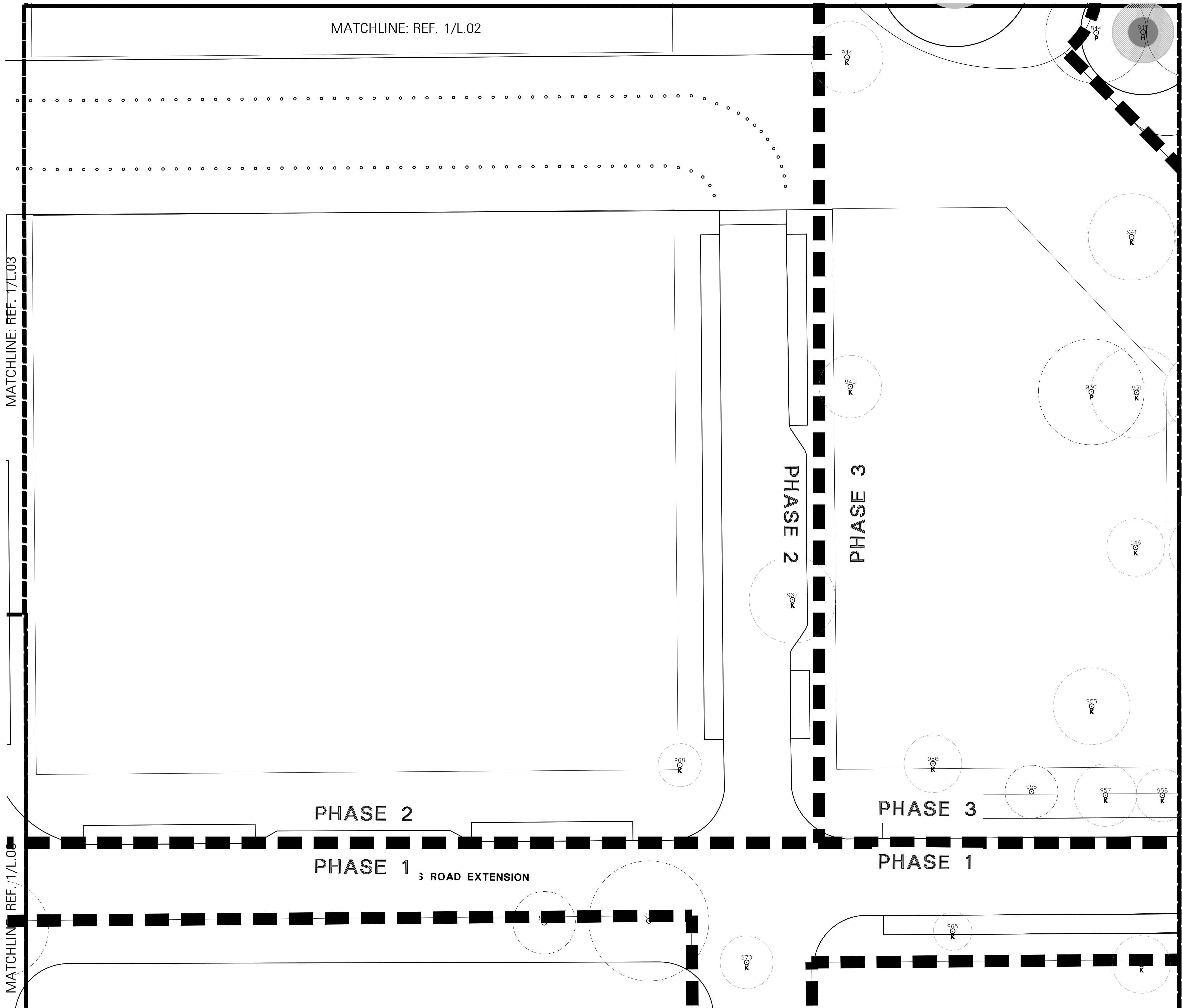
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permit site plan

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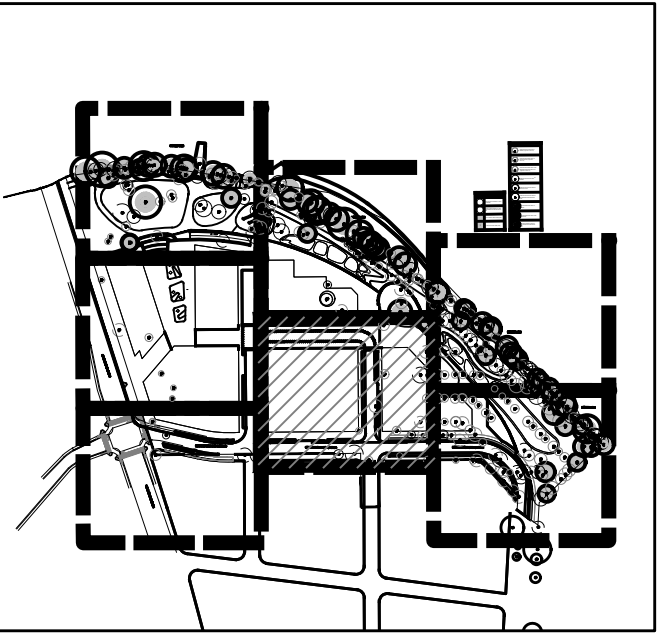
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sheet title

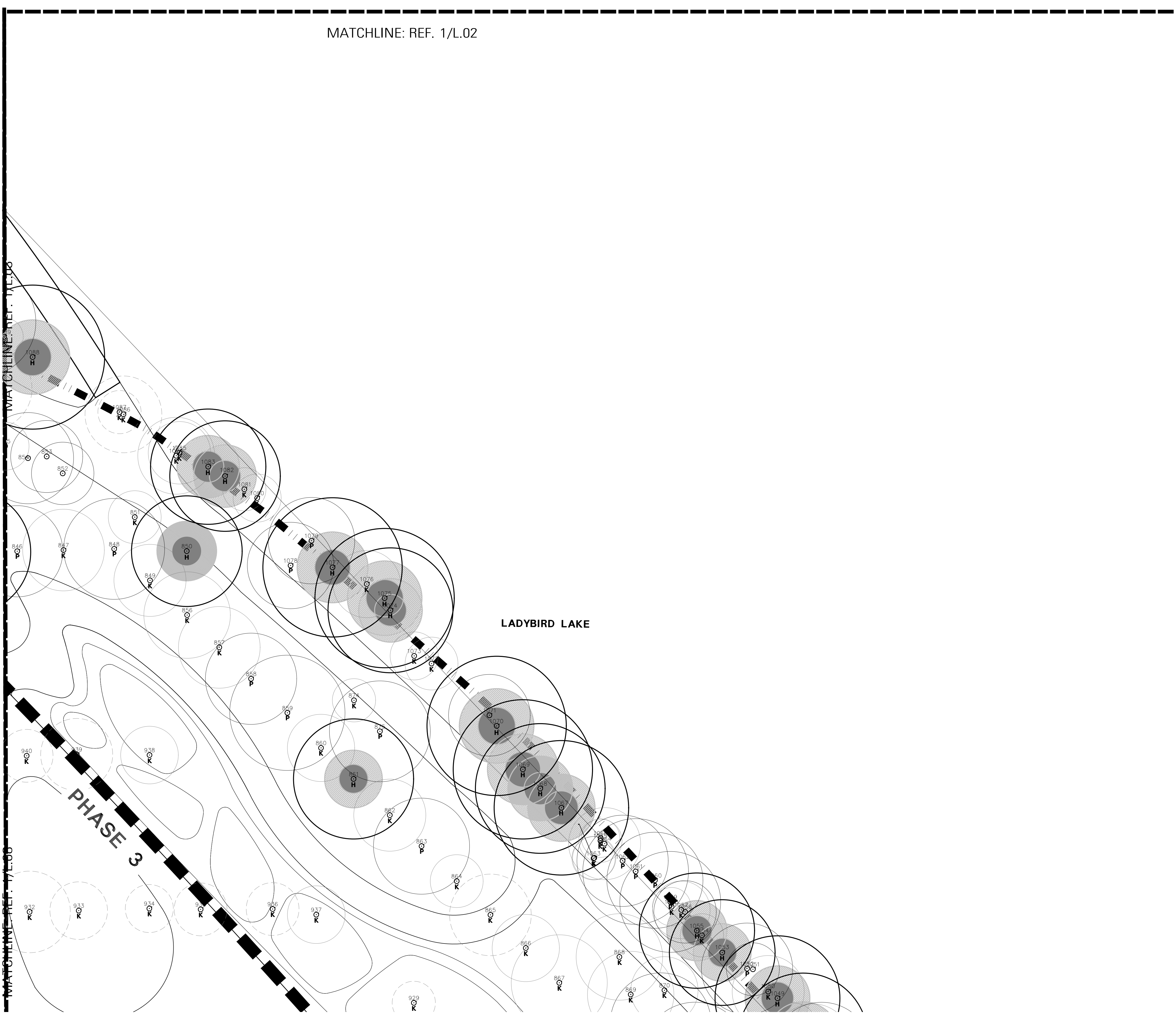
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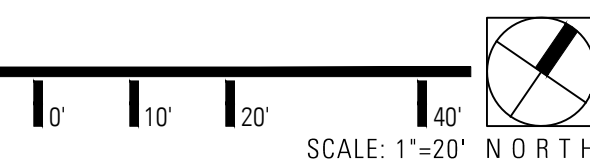
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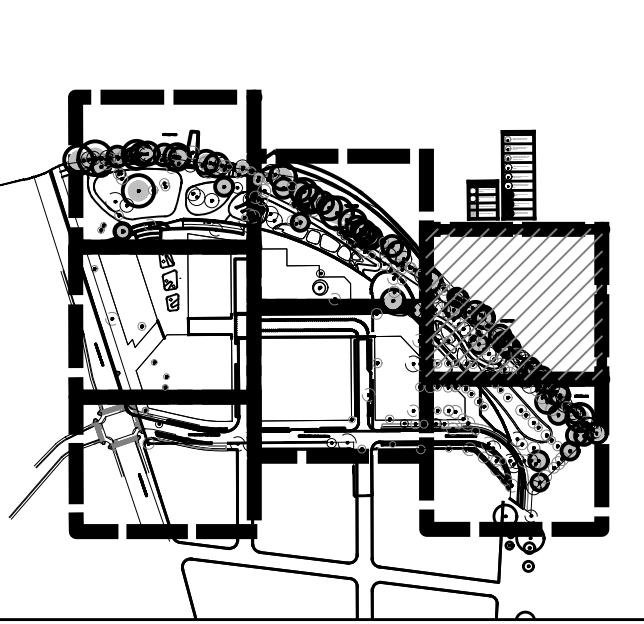


1 LANDSCAPE PLAN



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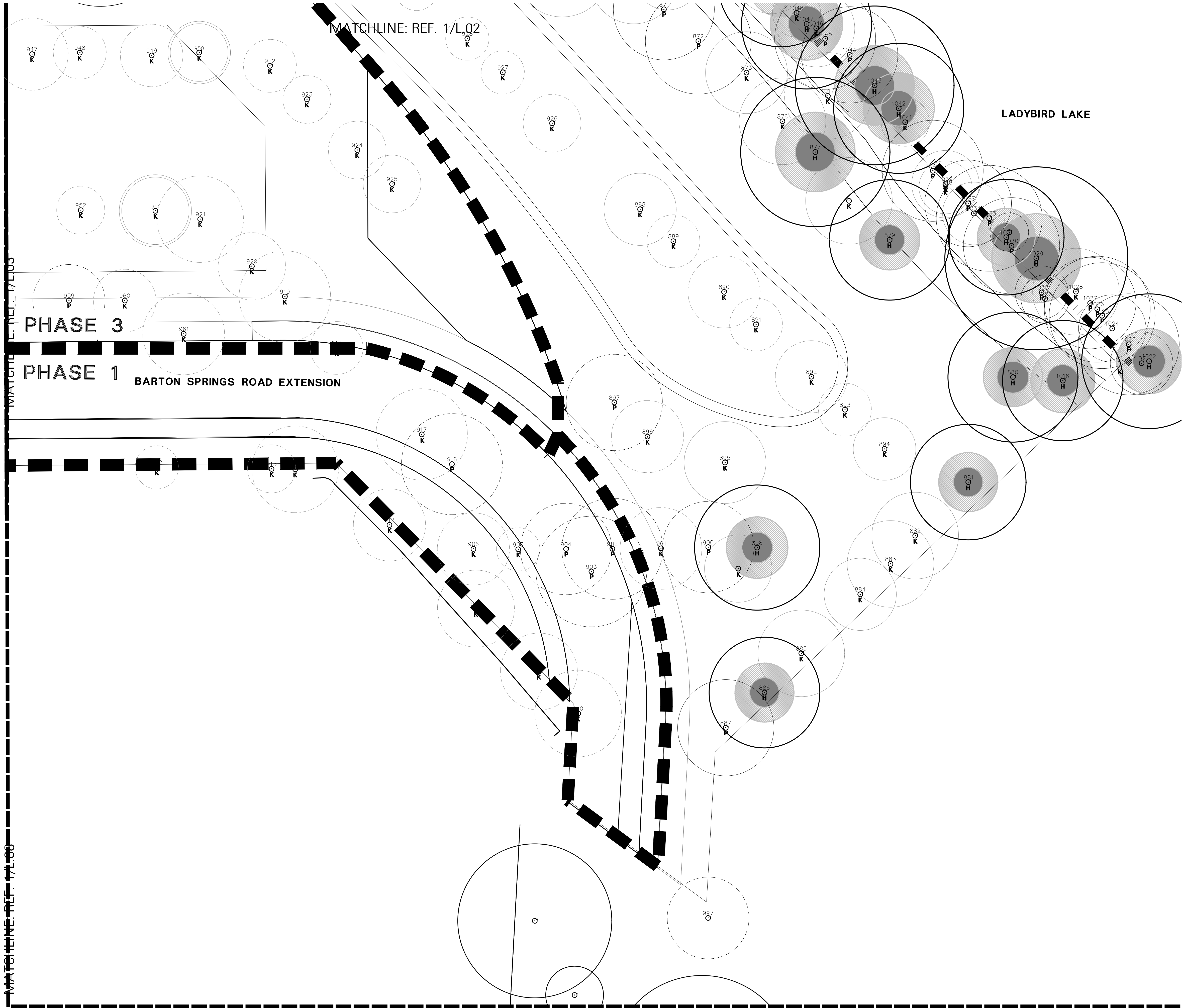
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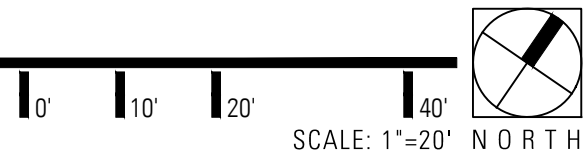
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permit site plan

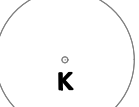

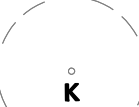
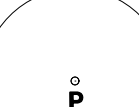
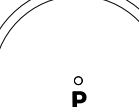
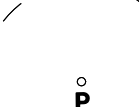



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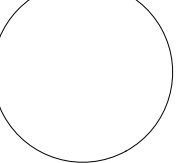
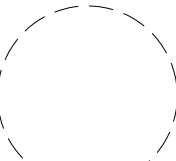
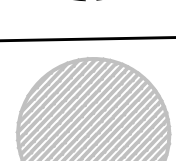
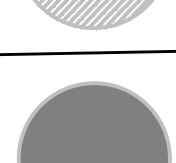
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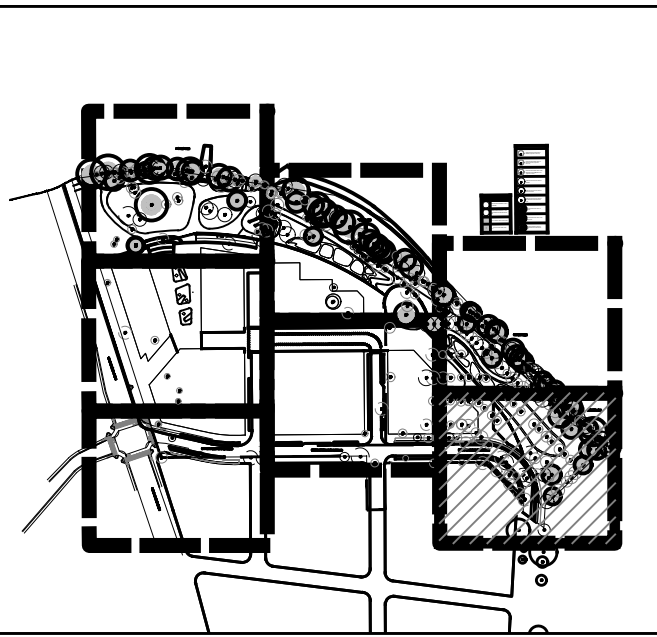


1 LANDSCAPE PLAN



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designed: XXX
drawn: XXX
reviewed: XXX

sheet title

permit site plan

sheet

L.07

Job Number: A20224

INVASIVE CALIPER INCHES IN RED

POOR HEALTH TREES IN BLUE

TOTAL APPENDIX F PRESERVATION RATE: 77.36%

TREE LIST / MITIGATION CALCULATIONS - PROPOSED (APPENDIX F)

												Trees Removed										Trees Preserved																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																			
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SPECIES												HERITAGE 30"+	HERITAGE 24"+	APDX-F 19" & UP	APDX-F 8"-18.9"	NON-APDX-F 19" & UP	NON-APPDX-F 8"-18.9"	APDX-F <8"	NON-APPDX-F <8"	INVASIVE	TREE HEALTH GRADED AS POOR	HERITAGE 30"+	HERITAGE 24"+	APDX-F 19" & UP	APDX-F 8"-18.9"	NON-APDX-F 19" & UP	NON-APPDX-F 8"-18.9"	APDX-F <8"	NON-APPDX-F <8"	INVASIVE	APDX-F TREES INSTALLED PER SPC-2014-0356C																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																										
HERITAGE	MULTI-TRUNK	DEAD OR POOR	TAGS	*removed	CAL 1	CAL 2	CAL 3	CAL 4	CAL 5	CAL 6	(=)																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														

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HERITAGE	MULTI-TRUNK	DEAD OR POOR	TAG#	* removed	SPECIES	CAL 1	CAL 2	CAL 3	CAL 4	CAL 5	CAL 6	(=)	HERITAGE 30"+	HERITAGE 24"+	APDX-F 19" & UP	APDX-F 8"-18.9"	NON-APDX-F 19" & UP	NON-APPODX-F 8"-18.9"	APDX-F <8"	NON-APPODX-F <8"	INVASIVE	TREE HEALTH GRADED AS POOR	HERITAG E 30"+	HERITAG E 24"+	APDX-F 19" & UP	APDX-F 8"-18.9"	NON-APDX-F 19" & UP	NON-APPODX-F 8"-18.9"	APDX-F <8"	NON-APPODX-F <8"	INVASIVE			
					1396*	AMERICAN SYCAMORE	10					10.0				10																		
					1397*	AMERICAN ELM	11					11.0				11																		
					1399	AMERICAN SYCAMORE	10					10.0															10							
					1400	BALD CYPRESS	22					22.0														22								
					1401	CEDAR ELM	9					9.0															9							
					1402*	AMERICAN ELM	8					8.0				8																		
					1403	AMERICAN SYCAMORE	17					17.0																17						
					1404	CEDAR ELM	8					8.0															8							
					1405	BALD CYPRESS	23					23.0														23								
X					1406	BALD CYPRESS	32					32.0													32									
					1407	BALD CYPRESS	21					21.0															21							
					1408	BALD CYPRESS	17					17.0																17						
X					1409	BALD CYPRESS	32					32.0													32									
					1410	BALD CYPRESS	15					15.0																15						
					1411	CEDAR ELM	8					8.0															8							
					1412	LIVE OAK	19					19.0															19							
					1413	HACKBERRY	11					11.0																11						
					1414	PECAN	19					19.0															19							
					1415	LIVE OAK	8					8.0																8						
X					1416	BALD CYPRESS	27					26.5														26.5								
X					1417	BALD CYPRESS	37					37.0													37									
					1418	BALD CYPRESS	10					10.0																10						
					1419	HACKBERRY	9					9.0																9						
					1420	AMERICAN ELM	20					20.0															20							
X					1421	BALD CYPRESS	29					29.0														29								
					1422*	PECAN	14					13.5				13.5																		
					1423	PECAN	14					14.0																14						
X					1424	BALD CYPRESS	31					31.0													31									
					1425	AMERICAN SYCAMORE	19					19.0															19							
					1426	BALD CYPRESS	24					23.5															23.5							
X					1427	BALD CYPRESS	28					27.5														27.5								
					1428	BALD CYPRESS	23					23.0															23							
X					1429	BALD CYPRESS	39					39.0													39									
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					1432	PECAN	23					23.0															23							
					1433	AMERICAN ELM	14					14.0																14						
X					1434	BALD CYPRESS	29					29.0														29								
					1435	AMERICAN SYCAMORE	14					14.0																14						
					1436	HACKBERRY	8					8.0																8						
	P				1437	HACKBERRY	19					18.5																18.5						
					1438	AMERICAN ELM	8					8.0																8						
					1439	BALD CYPRESS	22					22.0															22							
					1440	AMERICAN ELM	18					18.0																18						
X					1441	PECAN	26					25.5														25.5								
					1442	AMERICAN SYCAMORE	11					11.0																11						
					1443	AMERICAN ELM	14					14.0																14						
X					1444	BALD CYPRESS	47					47.0													47									
					1445	AMERICAN SYCAMORE	19					19.0															19							
					1446	BALD CYPRESS	23					23.0															23							
					1447	HACKBERRY	8					8.0																8						
X					1448	BALD CYPRESS	40					40.0													40									
					1450*	AMERICAN ELM	14					14.0				14																		
												0																					0	
												0																					0	
												0																					0	

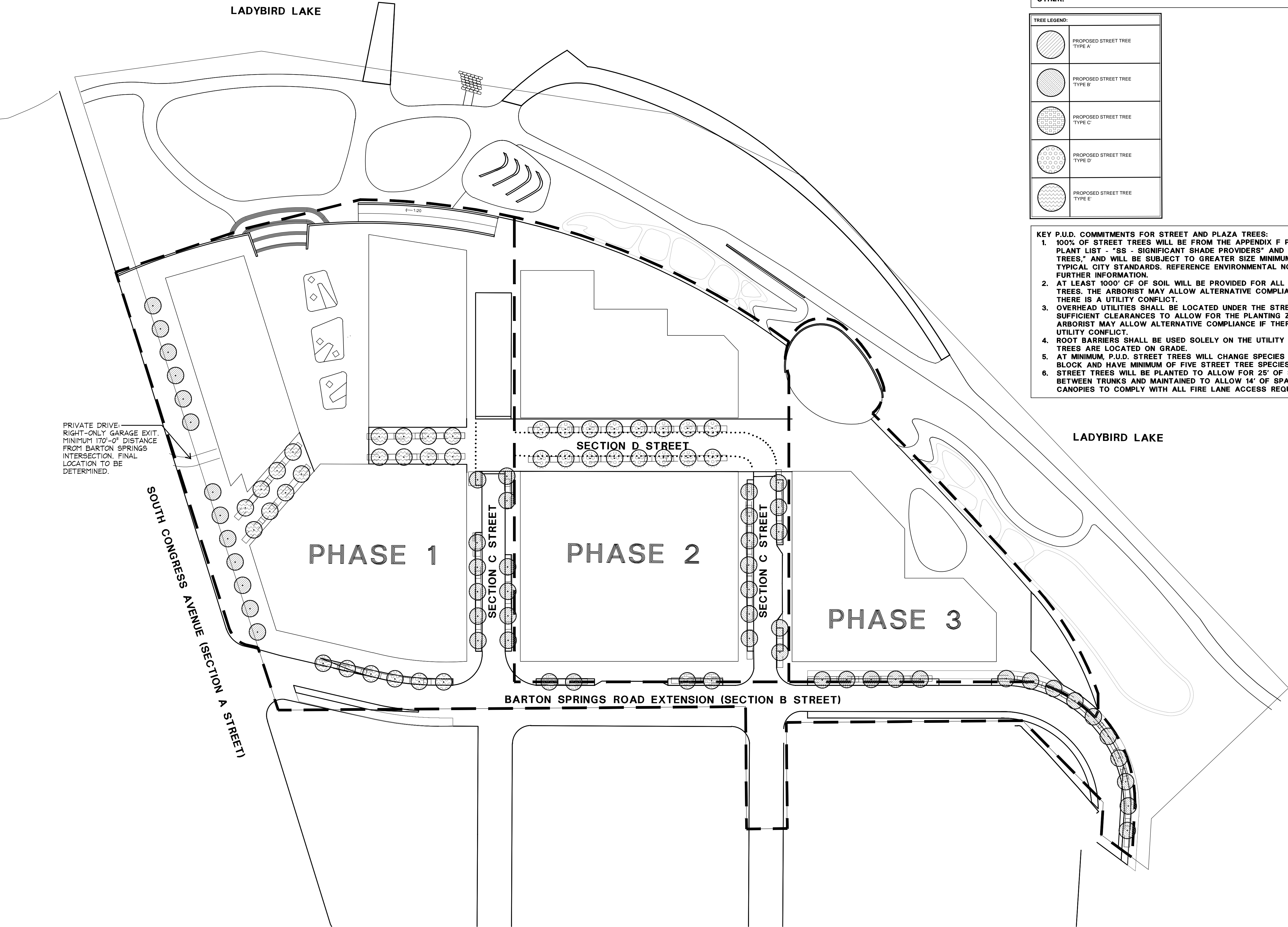
												Trees Removed										Trees Preserved											
												Heritage Trees		ECM 3.5.1 (A)(2) - Tree Type Categories								Heritage Trees		ECM 3.5.1 (A)(2) - Tree Type Categories									
HERITAGE	MULTI-TRUNK	DEAD OR POOR	TAG#	* removed	SPECIES	CAL	CAL	CAL	CAL	CAL	(=)	HERITAGE	HERITAGE	APDX-F	APDX-F	NON-	NON-	APDX-F	NON-	APDX-F	INVASIVE	TREE HEALTH	HERITAGE	HERITAGE	APDX-F	APDX-F	NON-	NON-	APDX-F	NON-	APDX-F	INVASIVE	APDX-F
						1	2	3	4	5		6	30"+	24"+	19" & UP	8"-18.9"	APDX-F	19" & UP	8"-18.9"	<8"	<8"	<8"	GRADED AS POOR	E 30"+	E 24"+	19" & UP	8"-18.9"	APDX-F	19" & UP	8"-18.9"	<8"	<8"	<8"
											0																						
Total cal. inch removed per category:												0	0	224	1109	0	0	0	0	0	0	0											
Grand Total Cal. Inch Removed:												1333										4556											
<u>COA Minimum Replacement</u>												300%	300%	100%	50%	50%	25%	0%	0%	0%	0%	100%											
replace @ %												0.0	0.0	224.0	554.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0											
Subtotal Replacement Inches:												779																					
Total Replacement: (cal. Inches)												Tree REMOVAL Accounting Summary										Tree PRESERVATION Accounting Summary											
												Total Caliper Inches Surveyed 5,889										5,889 Total Caliper Inches Surveyed											
												Total heritage cal. inches 30"+ removed 0										940 Total heritage cal. inches 30"+ preserved											
												Total heritage cal. inches 24"+ removed 0										991 Total heritage cal. inches 24"+ preserved											
												Total cal. inches removed, Appendix F, 19" & up 224										1137.5 Total cal. Inches preserved, Appendix F, 19" & up											
												Total cal. inches removed, Appendix F, 8"-18.9" 1109.0										1487.5 Total cal. Inches preserved, Appendix F, 8"-18.9"											
												Total cal. inches removed, NON-Appendix F, 19" & up 0										0 Total cal. Inches preserved, NON-Appendix F, 19" & up											
												Total cal. inches removed, NON-Appendix F, 8"-18.9" 0										0 Total cal. Inches preserved, NON-Appendix F, 8"-18.9"											
												Total cal. inches removed, Appendix F, <8" 0										0 Total cal. Inches preserved, Appendix F, <8"											
												Total cal. inches removed, NON-Appendix F, <8" 0										0 Total cal. Inches preserved, NON-Appendix F, <8"											
												Total cal. inches removed, Invasives 0										0 Total cal. Inches preserved, Invasives											
												Total cal Inches removed: 1333										4556 Total cal Inches PRESERVED											
												TOTAL APPENDIX F PRESERVATION RATE: 77.36%																					
												PROTECTED TREE APPENDIX F PRESERVATION RATE: 83.55%																					

NOTE:
LOCATION OF THE STREET TREES ARE SUBJECT TO CHANGE BASED ON VEHICLE DROP OFF AND FINAL BELOW GRADE GARAGE PARKING ENTRANCES.

NOTE:
THE PURPOSE OF THIS EXHIBIT IS TO ILLUSTRATE THE OBJECTIVE TO CHANGE STREET TREE SPECIES AT EACH BLOCK LENGTH. THE CITY ARBORIST MAY ALLOW FOR ALTERNATIVE EQUIVALENT COMPLIANCE ON THE TREE "TYPE" TO CHANGE AT TIME OF DESIGN AND PERMITTING BASED ON CASE-BY-CASE BASIS DUE TO UNIQUE SITE AND CLIMATE CONDITIONS, OTHER.

TREE LEGEND:	
	PROPOSED STREET TREE TYPE A
	PROPOSED STREET TREE TYPE B
	PROPOSED STREET TREE TYPE C
	PROPOSED STREET TREE TYPE D
	PROPOSED STREET TREE TYPE E

- KEY P.U.D. COMMITMENTS FOR STREET AND PLAZA TREES:
- 100% OF STREET TREES WILL BE FROM THE APPENDIX F PREFERRED PLANT LIST - "SS - SIGNIFICANT SHADE PROVIDERS" AND "SE - STREET TREES," AND WILL BE SUBJECT TO GREATER SIZE MINIMUMS THAN TYPICAL CITY STANDARDS. REFERENCE ENVIRONMENTAL NOTES FOR FURTHER INFORMATION.
 - AT LEAST 1000' CF OF SOIL WILL BE PROVIDED FOR ALL STREET TREES. THE ARBORIST MAY ALLOW ALTERNATIVE COMPLIANCE IF THERE IS A UTILITY CONFLICT.
 - OVERHEAD UTILITIES SHALL BE LOCATED UNDER THE STREET WITH SUFFICIENT CLEARANCES TO ALLOW FOR THE PLANTING ZONE. THE ARBORIST MAY ALLOW ALTERNATIVE COMPLIANCE IF THERE IS A UTILITY CONFLICT.
 - ROOT BARRIERS SHALL BE USED SOLELY ON THE UTILITY SIDE WHERE TREES ARE LOCATED ON GRADE.
 - AT MINIMUM, P.U.D. STREET TREES WILL CHANGE SPECIES AT EVERY BLOCK AND HAVE MINIMUM OF FIVE STREET TREE SPECIES ON SITE.
 - STREET TREES WILL BE PLANTED TO ALLOW FOR 25' OF SPACE BETWEEN TRUNKS AND MAINTAINED TO ALLOW 14' OF SPACE BETWEEN CANOPIES TO COMPLY WITH ALL FIRE LANE ACCESS REQUIREMENTS.



TBG
landscape architects, planners & designers
1705 guadalupe street
suite 500
austin, tx 78701
[512] 327-1011
tbgpartners.com

project
305 South Congress - PUD Street Tree Plan

305 South Congress Avenue
Austin, TX 78731

project number
A20224

issue date
March 21, 2022

sheet title
street trees

sheet
L.01

305 S. CONGRESS PUD

Data Table and Notes

EXHIBIT M

Total Site Area		821,517 sf / 18.858 acres
Minimum Lot Size		5,750 sf
Minimum Lot Width		50 feet
Maximum Height		525 feet
Maximum Impervious Cover *		68%
Maximum Building Coverage		55%
Maximum Floor Area Ratio *		4.3 : 1
Minimum Setbacks	Front Yard	0 feet
	Street Side Yard	0 feet
	Interior Side Yard	0 feet
	Rear Yard	0 feet

* Impervious cover, building coverage, and floor-to-area is based on gross site area of all of the land within the PUD.
* Impervious cover and building coverage will be higher on a parcel by parcel calculation.

NOTES:

1.

The maximum height of any structure within Area 2 shall not exceed 525 feet from finished grade. Exceptions from the maximum height limit under 25-2-531 shall apply.
2.

The maximum height of any structure within Area 1 shall not exceed 35 feet from finished grade. Exceptions from the maximum height limit under 25-2-531 shall apply.
3.

Intentionally omitted.
4.

Section 25-2-491 (Permitted, Conditional, and Prohibited Uses) is modified to allow so that following uses are conditional uses within Area 2:
 - General Warehousing and Distribution
 - Light Manufacturing
 - Limited Warehousing and Distribution
5.

5. In addition to the uses described in Section 25-2-691 (Waterfront Overlay (WO) District Uses), the following are additional pedestrian-oriented uses allowed in Area 2:
 - Administrative and Business Offices
 - Automotive Sales
 - Automotive Rentals
 - Automotive Repair Services
 - Financial Services
 - Hotel – Motel
 - Indoor Entertainment
 - Indoor Sports/Recreation
 - Medical Offices – exceeding 5,000 sq. ft. gross floor area
 - Medical Office – not exceeding 5,000 sq. ft. gross floor area
 - Personal Improvement Services
 - Personal Services
 - Pet Services
 - Professional Office
 - Recreation and Equipment Sales
 - Theater
 - Transportation Terminal
 - Temporary Uses Described in Section 25-2-921
 - Veterinary Service
6.

Section 25-2-491 (Permitted, Conditional, and Prohibited Uses) is modified so that the following uses are permitted uses within Area 2:
 - Bed & Breakfast (Group 1)
 - Bed & Breakfast (Group 2)
 - Condominium Residential
 - Multifamily Residential
 - Townhouse Residential
 - Short-Term Rental (Types 1 and 3)
 - Administrative and Business Office
 - Art Gallery
 - Art Work Shop
 - Automotive Sales
 - Automotive Rentals
 - Automotive Repair Services
 - Business or Trade School
 - Business Support Services
 - Cocktail Lounge
 - Commercial Off-Street Parking
 - Communications Services
 - Consumer Convenience Services
 - Consumer Repair Services
 - Convenience Storage
 - Electronic Prototype Assembly
 - Electronic Testing
 - Financial Services
 - Food Preparation
 - Food Sales
 - General Retail Sales (Convenience)
 - General Retail Sales (General)
 - Hotel-Motel
 - Indoor Entertainment
 - Indoor Sports and Recreation
 - Kennels
 - Laundry Services
 - Liquor Sales
 - Marina
 - Medical Offices – exceeding 5,000 sq. ft. gross floor area
 - Medical Office – not exceeding 5,000 sq. ft. gross floor area
 - Off-Site Accessory Parking
 - Outdoor Entertainment
 - Outdoor Sports and Recreation
 - Pedicab Storage and Dispatch
 - Personal Improvements Services
 - Personal Services

- Pet Services
 - Plant Nursery
 - Professional Office
 - Recreational Equipment Maint. & Stor.
 - Recreational Equipment Sales
 - Research Assembly Services
 - Research Services
 - Restaurant (General)
 - Restaurant (Limited)
 - Service Station
 - Stables
 - Software Development
 - Theater
 - Vehicle Storage
 - Veterinary Services
 - Custom Manufacturing
 - Community Garden
 - Indoor Crop Production
 - Urban Farm
 - Administrative Services
 - Camp
 - Club or Lodge
 - College and University Facilities
 - Communication Service Facilities
 - Community Events
 - Community Recreation (Private)
 - Community Recreation (Public)
 - Congregate Living
 - Convalescent Services
 - Counseling Services
 - Cultural Services
 - Day Care Services (Commercial)
 - Day Care Services (General)
 - Day Care Services (Limited)
 - Family Home
 - Group Home, Class I (General)
 - Group Home, Class I (Limited)
 - Group Home, Class II
 - Hospital Services (General)
 - Hospital Services (Limited)
 - Local Utility Services
 - Maintenance and Service Facilities
 - Park and Recreation Services (General)
 - Park and Recreation Services (Special)
 - Private Primary Educational Facilities
 - Private Secondary Educational Facilities
 - Public Primary Educational Facilities
 - Public Secondary Educational Facilities
 - Religious Assembly
 - Safety Services
 - Telecommunication Tower 7
 - Transportation Terminal
7.

The construction of the water steps shall not be considered placement of fill within Lady Bird Lake.
8.

New site controls will be constructed to meet or exceed current requirements for the limits of construction of each phase and the impervious cover within the respective phase.
9.

Electrical easements shall be required for all developments. Their location and size on-site will be mutually determined at the subdivision plat/site plan submittal and may require more space than minimum building setback.
10.

Riparian restoration, including removal of invasive species, is allowed as long as it does not destabilize the shoreline and is done as part of a restoration plan submitted for review and approved by the Watershed Protection Department.
11.

A minimum of 9 points will be achieved by participation in the City’s Carbon Statement Pilot Program.
12.

Impervious cover will be reduced in the CWQZ by 10.07%, in the primary setback by 35.44% and the secondary setback by 4%.
13.

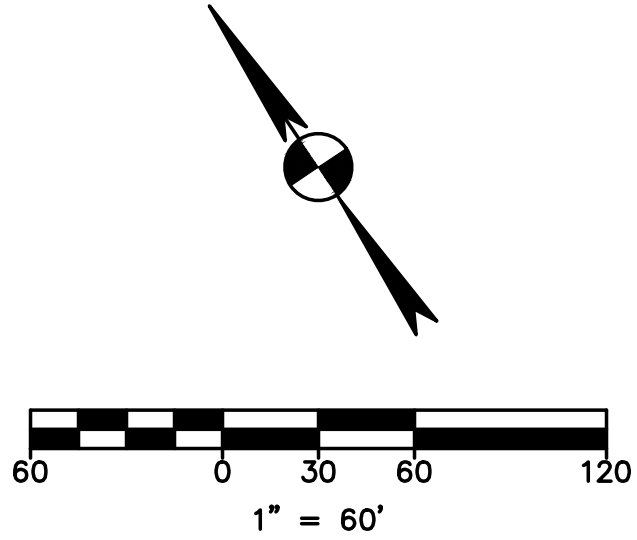
Signage and wayfinding will be used to provide information on Bat Conservation, Water Quality and Riparian Restoration, Tree Preservation and Relocation, and Pollinator Plants.

		Breakdown	Total Acres	Total GSF	Percentage
Public Realm	R.O.W.	Future Barton Springs Road Extension	1.92	83,815	10.2%
		Internal Private Driveways	1.77	77,078	9.4%
	Open Space	Park Land **	6.53	284,447	34.6%
		Plaza / Landscape Area	1.59	69,233	8.4%
	Total Public Realm Area		11.81	514,573	62.6%
Developable Land	Development Parcel		7.03	307,098	37.4%
	Total Developable Area		7.03	307,098	37.4%
Total Land Area			18.86	821,517	100%

** Park Land includes inundated land totaling 0.56 acres / 24,342 sf

Land Use Summary	
Residential	1,378 units
Hotel	275 keys
Commercial	150,000 gsf
Office	1,500,000 gsf

Land use and intensities may change so long as development subject to the PUD adheres to the limitations outlined in the TIA dated July 2, 2021



- PARKLAND AREAS WITH FULL CREDIT – 69,626 SF (1.60 AC)
- PARKLAND AREAS WITH 50% CREDIT – 177,289 SF TOTAL (4.07 AC) – 88,645 SF @ 50% CREDIT (2.035 AC)
- PLAZA AREAS WITH 50% CREDIT – 72,572 SF TOTAL (1.67 AC) – 36,286 SF @ 50% CREDIT (0.83 AC)
- PARKLAND AREAS WITH 0% CREDIT – 37,313 SF TOTAL (0.86 AC) – NO CREDIT

REVISION	
NO.	DATE



7708 Rialto Blvd., Suite 125
Austin, Texas 78725
Tel. (512) 298-3284 Fax (512) 298-2592
TBP# F-14629
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PARKLAND CREDIT
EXHIBIT

305 S. CONGRESS
305 SOUTH CONGRESS AVENUE
ENDEAVOR REAL ESTATE
GROUP

DRAWN BY:	SHEET EXH OF
DESIGNED BY:	
QA / QC:	
PROJECT NO.:	

EXHIBIT N

Estimated ADA Access Point Locations

- Locations of the shown ADA Access Points are approximate and subject to change
- The PUD is committed to providing a minimum of five (5) ADA Access Points to the Parkland once the Project is fully built

