

ORDINANCE NO. _____

1 **AN ORDINANCE AMENDING ORDINANCE NO. 20070326-002 TO MODIFY**
2 **THE LAND USE PLAN FOR THE EAST AVENUE PUD IN THE CENTRAL**
3 **AUSTIN COMBINED NEIGHBORHOOD PLAN AND CHANGING THE ZONING**
4 **MAP FROM PLANNED UNIT DEVELOPMENT-NEIGHBORHOOD PLAN (PUD-**
5 **NP) COMBINING DISTRICT TO PLANNED UNIT DEVELOPMENT-**
6 **NEIGHBORHOOD PLAN (PUD-NP) COMBINING DISTRICT FOR THE**
7 **PROPERTY LOCATED AT 1012, 1012 1/2, 1016, 1018, 1018 1/2 CONCORDIA**
8 **AVENUE AND 3500, 3500 1/2, 3502, 3506, 3508 1/2 NORTH INTERSTATE**
9 **HIGHWAY 35 SERVICE ROAD SOUTHBOUND.**

10
11 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

12
13 **PART 1.** The East Avenue planned unit development (“East Avenue PUD”) was
14 approved by City Council on March 26, 2007, under Ordinance No. 20070326-002 (the
15 “Original Ordinance”). The first amendment proposed in Case No. C814-06-0174.01 to the
16 Original Ordinance was withdrawn. An amendment was approved administratively on
17 February 27, 2009.

18
19 **PART 2.** The East Avenue PUD is comprised of approximately 22 acres of land located
20 generally in the vicinity of 3400 North Interstate Highway 35 in the City of Austin, Travis
21 County, Texas and more particularly described by metes and bounds in the land use plan
22 incorporated into the Original Ordinance. This ordinance only affects Parcel A, identified
23 in the East Avenue PUD as described in Part 3 below.

24
25 **PART 3.** The zoning map established by Section 25-2-191 of the City Code is amended to
26 change the base district from planned unit development-neighborhood plan (PUD-NP)
27 combining district to planned unit development-neighborhood plan (PUD-NP) combining
28 district on the property generally known as Parcel A of the East Avenue PUD, described in
29 Zoning Case No. C814-06-0174.03, on file at the Housing and Planning Department, as
30 follows:

31
32 **LOT 11, BLOCK B, EAST AVENUE SUBDIVISION, a subdivision in the City of**
33 **Austin, Travis County, Texas, recorded in Document No. 200800152 of the**
34 **Official Public Records of Travis County, Texas (the “Property”),**

35
36 locally known as 1012, 1012 1/2, 1016, 1018, 1018 1/2 Concordia Avenue and 3500, 3500
37 1/2, 3502, 3506, 3508 1/2 North Interstate Highway 35 Service Road Southbound, in the

1 City of Austin, Travis County, Texas, and generally identified in the map attached as
2 **Exhibit “A”**.
3

4 **PART 4.** This ordinance and the attached exhibits amend the Original Ordinance for the
5 Property. Development of and uses within the Property shall conform to the limitations and
6 conditions set forth in this ordinance and in **Exhibit “B”**. If this ordinance and the attached
7 exhibits conflict, the ordinance applies. Except as otherwise provided by this ordinance and
8 the Amended Land Use Plan, all other rules, regulations and ordinances of the City apply
9 to the Property.
10

11 **PART 5.** The attached exhibits are incorporated into this ordinance in their entirety as
12 though set forth fully in the text of this ordinance. Exhibit C-2: Maximum Building Area
13 and Height Zones of the Original Ordinance is amended as shown on **Exhibit “B”**. The
14 attached exhibits are as follows:
15

16 Exhibit A: Zoning Map for Parcel A

17 Exhibit B: Amended Exhibit C-2: Maximum Building Area and Height Zones
18

19 **PART 6.** Part 6. C. of the Original Ordinance is amended to read as follows:
20

- 21 C. Section 25-4, Article 3, Division 5 (*Parkland Dedication*) of the City Code as
22 amended, does not apply to the Property or the PUD, and no parkland
23 dedication or payment instead of dedication of land is required for the
24 development of the PUD. Except for Parcel A, which is required to pay a fee in
25 lieu of parkland dedication, per Title 25, Article 14, of the City Code, as
26 amended.
27

28 **PART 7.** Part 8. C. of the Original Ordinance is amended to read as follows:
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- 30 C. Section 4.2.1.D.6.c of Subchapter E (*Design Standards and Mixed Use*) of
31 Chapter 25-2 does not apply to this PUD, provided, however, that at least 650
32 square feet of site area is required for each dwelling unit. Except for Parcel A,
33 which is not subject to any site area requirements.
34

35 **PART 8.** Part 8. L. Building Area of the Original Ordinance is amended to add new
36 Sections 5 to read as follows:
37

- 38 5. Development of Parcel A is limited to a maximum height of 120 feet.
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PART 9. Part 8. of the Original Ordinance is amended to add new Section U to read as follows:

U. To the extent on-site alternative water sources are sufficient, and available, including AC condensate, foundation drain water, rainwater, and stormwater development on Parcel A shall use on-site alternate water sources to meet 100 percent of non-potable uses, including irrigation, cooling, toilet/urinal flushing, and other significant non-potable water uses identified in Austin Water Utility's Water Balance Calculator Tool.

PART 10. The Original Ordinance is amended to add new Part 10 to read as follows:

Landowner shall provide onsite affordable housing on Parcel A, for square footage of the building in excess of 65 feet in height, or pay fee in-lieu for square footage of the building in excess of 65 feet in height prior to initial site plan approvals as follows:

A. Provide a minimum of five percent of the residential units, for at least 99 years from the date of initial sale, for ownership and occupancy by households earning 80 percent or less of the current Austin-Round Rock Metropolitan Statistical Area Median Family Income as determined by the Director of the Housing and Planning Department, including approval of a plan for managing homeowner association fees or including an assumption that a homeowner will be required to pay an ownership association fee when determining the maximum affordable sales price; or

B. Pay as fee in-lieu to the City's Housing Trust an amount of seven dollars (\$7.00) per square foot of bonus area.

PART 11. Except as otherwise provided for in this ordinance, the terms and conditions of Ordinance No. 20070326-002, as amended, remain in effect.

PART 12. Except as specifically modified by this ordinance, the Property is subject to Ordinance No. 040826-59 that established zoning for the Hancock Neighborhood Plan.

PART 13. This ordinance takes effect on _____, 2022.

PASSED AND APPROVED

_____, 2022 § _____
 § _____

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Steve Adler
Mayor

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

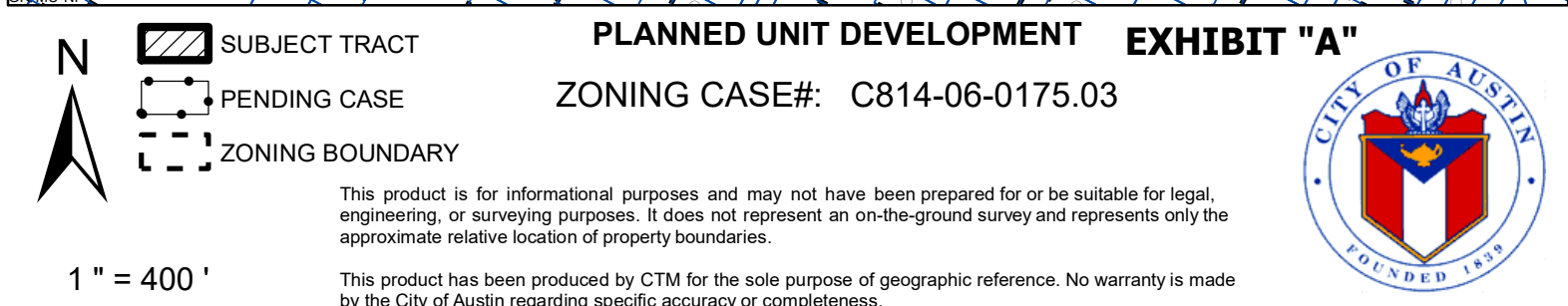
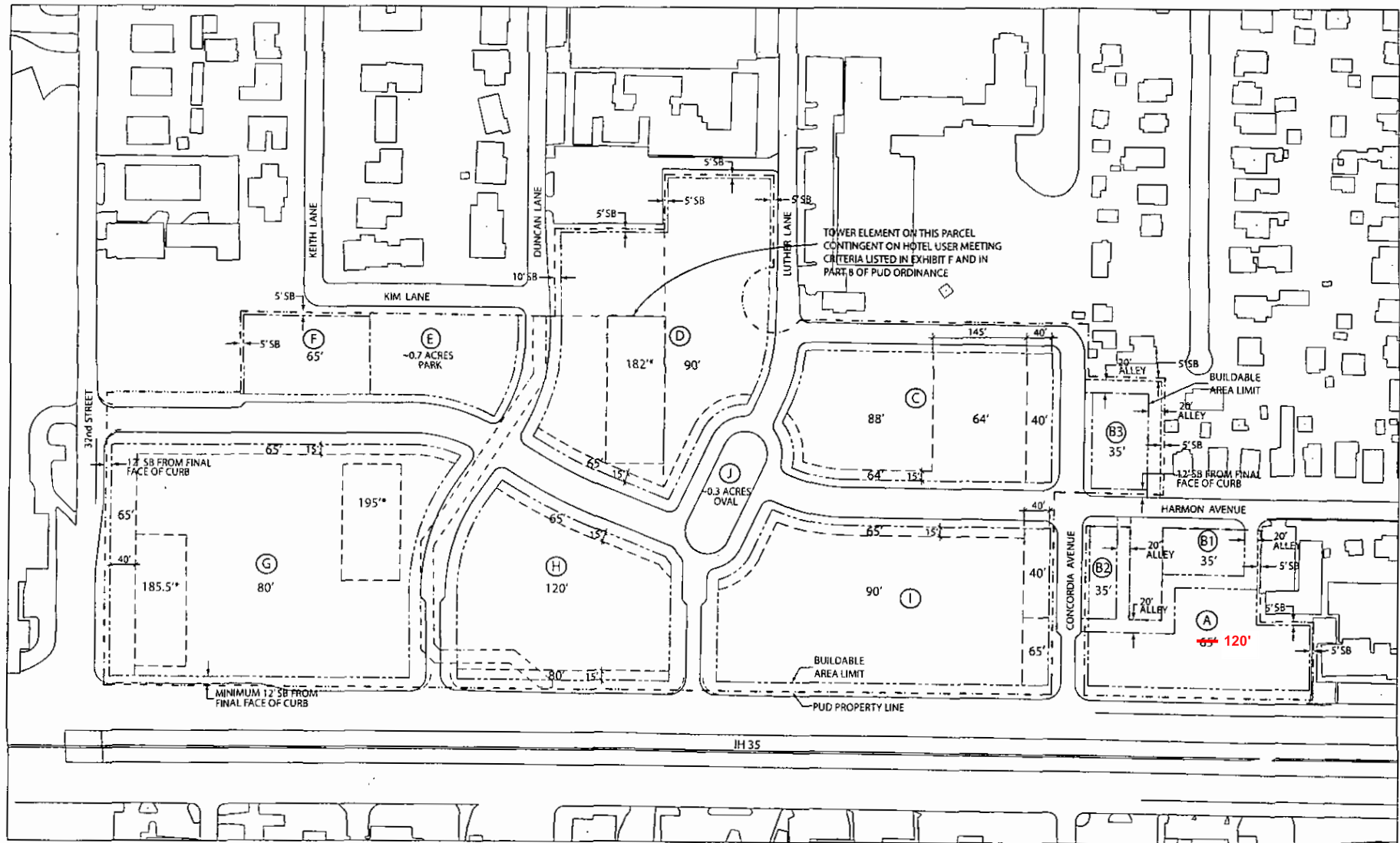


EXHIBIT "B"



* APPROXIMATE TOWER LOCATIONS AND FOOTPRINTS

SB = SETBACK

----- BUILDABLE AREA LIMIT

EAST AVENUE PUD
EXHIBIT C-2: LAND USE PLAN
MAXIMUM BUILDING AREA AND HEIGHT ZONES
Prepared by ROMA Design Group