

311-315 South Congress PUD  
Tier 1 & Tier 2 Compliance

Updated August 22, 2023

	<b>Tier I Requirement</b>	<b>Compliance</b>	<b>Superiority</b>	<b>PUD Note(s):</b>
1	2.3.1.A. Meet the objectives of the City Code.	Yes	<p>The project is located within the City of Austin’s Desired Development Zone as well as within the Urban Core. The project is situated along South Congress Avenue which is designated as a Cityof Austin Core Transit Corridor and also designated as an Activity Corridor under the City of Austin Imagine Austin Comprehensive Plan. Activity Corridors call for a variety of activities and types of buildings located along the roadways.</p> <p>In addition, the project is located within the South Shore Central subdistrict of the Waterfront Overlay. The South Central Waterfront Vision Framework Plan was originally adopted in 2016 with a modified plan adopted in 2020 which focused on the future vision of the South Central Waterfront. The South Central Waterfront Visioning Plan focused on a mix of uses along South Congress. This has been further punctuated by the approval of the 2020 mobility bond that will provide additional transit in the area.</p>	
2	2.3.1.B. Provide for development standards that achieve equal or greater consistency with the goals in Section 1.1	Yes	This project will create a high-quality development utilizing innovative design. The project will provide for ground floor pedestrian-oriented uses with residential and	

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	than development under the regulations in the Land Development Code.		office space above. The mixed-use nature of the project is consistent with the pedestrian-oriented concept that is core to the Waterfront Overlay Ordinance, the South Shore Central Vision Framework Plan and the development that was envisioned as part of Imagine Austin, meeting the goal of a “live, work, play” environment along this portion of SouthCongress.	
3	<p>2.3.1.C. Provide a total amount of open space that equals or exceeds 10% of the residential tracts, 15% of the industrial tracts, and 20% of the nonresidential tracts within the PUD, except that:</p> <ol style="list-style-type: none"> <li>1. A detention or filtration area is excluded from the calculation unless it is designed and maintained as an amenity, and</li> <li>2. The required percentage of open space may be reduced for urban property with characteristic that make open space infeasible if other community benefits are provided.</li> </ol>	Yes	<p>In accordance with 2.3.1.C.2, for urban properties where the property characteristics make open space infeasible if other community benefits are provided, providing 20% open space is infeasible for this project given its urban location.</p> <p>To address parkland dedication, the applicant has under contract to purchase the site located at 1214 S. 1<sup>st</sup> Street, which makes up approximately 0.4 acres of land that abuts the existing Nicholas Dawson Neighborhood Park. This property is located less than 1 mile from the PUD. On or before 60 days from the effective date of this PUD, the applicant shall transfer title of the 1214 S. 1<sup>st</sup> Street property to the City of Austin Parks and Recreation Department.</p> <p>With the future transit options, this project</p>	BD 5, OS 1

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			<p>been carefully designed to not let the car be the predominate experience of the site and has situated the building to the supplemental zone to allow for truly pedestrian activated spaces on the ground floor for the increased foot traffic that is expected. In addition, the project is providing all of its parking in a parking structure. Providing 20% open space would create an infeasible footprint. Therefore, in addition to the PARD contribution, to meet the intent, the project is providing an enhanced pedestrian experience along South Congress as well as the future extension of Barton Springs Road. This enhanced area will incorporate a publicly-accessible hydration station on the south façade in visual distance to the Congress Avenue bike lane. The project will also provide a community amenity space for tenants of the project.</p>	
4	2.3.1.D. Provide a two-star Austin Energy Green Building Rating.	Yes	The PUD will comply with the City of Austin's Green Building Program at a 3-star level.	EV 2

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5	2.3.1.E. Be consistent with the applicable neighborhood plans, neighborhood conservation combining district regulations, historic area and landmark regulations and compatible with adjacent property and land uses.	Yes	<p>The PUD is located in the Greater South River City neighborhood planning area and is designated as “Mixed-Use” in the Future Land Use Map (FLUM). The proposed residential and office use and associated ground floor retail are consistent with the FLUM designation. Additionally, the South Central Waterfront Vision Framework Plan contemplates a mix of uses along this corridor.</p> <p>There are not neighborhood conservation combining district regulations, historic area or historic landmark regulations for the property.</p>	
6	2.3.1.F. Provide for environmental preservation and protection relating to air quality, water quality, trees, buffer zones and greenbelt areas, critical environmental features, soils, waterways, topography and the natural and traditional character of the land.	Yes	<p>The PUD will provide for a development that exceeds what would be required under current code. The PUD will achieve a 3-star green builder rating as well as provide for additional water quality capture volume.</p> <p>Development of the project removes an auto shop with no water quality control facilities and removes automotive uses as permitted uses on the property.</p> <p>The existing impervious cover on the Property is 96.7% with no on-site water quality controls.</p> <p>As part of the PUD, 100% of required site</p>	<p>EV 2, 6, 7, 9, 18</p> <p>SDR 6</p>

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			<p>water will be treated using on-site water quality methods as opposed to paying the fee-in-lieu of treatment.</p> <p>Rain gardens within the ROW streetscape will treat 1,000 cubic feet of off-site flows from South Congress Avenue. The project will connect to the City's purple pipe system as long as the distance for the extension of that system does not exceed 350 feet. The project will connect to the purple pipe system for commercial uses in the PUD if available. Otherwise, the extension shall be capped and plugged for future connection by others.</p> <p>The project will be compliant with the LEED pilot Bird Collision Deterrence credit in regard to the Bird Collision Threat Rating for reflective glass within the Façade Zone 1 area as defined by LEED. Façade Zone 1 shall not have greater than 15% reflective glass.</p> <p>LEED defines Façade Zone 1 as the first 36 feet above grade. However, with the design of the Podium, this project will be compliant with the Bird Collision Threat Rating all the way up to the top of the Podium.</p>	
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7	2.3.1.G. Provide for public facilities and services that are adequate to support the proposed development including school, fire protection, emergency service and police facilities.	Yes	The project will not necessitate the additional City of Austin infrastructure costs associated with suburban development and will provide density to support the proposed urban infrastructure improvements proposed by the City. The owner will work with City of Austin emergency services, fire and police facilities to determine that there is adequate support for the project during the development process for this proposed PUD.	
8	2.3.1.H. Exceed the minimum landscaping requirements of the City Code.	Yes	The PUD will exceed the minimum landscape requirements of the City Code and will utilize native and adaptive species as well as non-invasive plants per the City of Austin Grow Green program.	EV 14, 15
9	2.3.1.I. Provide for appropriate transportation and mass transit connections to areas adjacent to the PUD district and mitigation of adverse cumulative transportation impacts with sidewalks, trails and roadways.	Yes	The project is situated within 0.20 miles from the planned Orange Line's Auditorium Shores Station, and within 0.30 miles from the planned Blue Line's Waterfront Station. Additionally, there is currently a 13-Dock MetroBike Station at the northwest corner of property along S. Congress Avenue. The site is also less than one block from the Congress Avenue Bridge allowing bicycle and pedestrian access across Lady Bird Lake to Downtown Austin. Lastly, the site is located less than one block from the entrance to the Ann and Roy Butler Hike/Bike Trail.	TR 1, 3, 4, 5,

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			<p>Providing daytime density on this site will support the future transit and provide daytime feet on the street for surrounding businesses</p> <p>As part of the PUD, the Project Team shall coordinate with the Austin Transportation Department to better understand the future vision for pedestrian and bicycle infrastructure improvements along S. Congress as well as better understand the future extension of Barton Springs Road by others.</p> <p>The PUD will exceed on-site bicycle parking requirements. The PUD will also provide electric car charging for 10% of total spaces within the onsite parking garage and will wire 50% of the vehicular parking spaces in the project for electric vehicle charging to meet demand as electric vehicle usage increases.</p>	
10	2.3.1.J. Prohibit gated roadways	Yes	The PUD will not include any gated public roadways.	TR 2
11	2.3.1.K. Protect, enhance and preserve the areas that include structures or sites that are of architectural, historical, archaeological or cultural significance.	N/A	This is not applicable. The site does not contain any structures or sites that are of architectural, historical, archeological or cultural significance.	
12	2.3.1.L. Include at least 10 acres of land, unless the property is characterized by	N/A	The PUD does not include 10 acres as the property is characterized by special circumstances. The property is located in the	

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	special circumstances, including unique topographic constraints.		South Shore Central subdistrict of the Waterfront Overlay and within the South Central Waterfront Visioning Framework plan. Under current code, there are no mechanisms to achieve the goals of the visioning framework other than participating in the PUD process.	
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	<b>Tier I - Additional PUD Requirements for a mixed use development</b>	<b>Compliance</b>	<b>Superiority</b>	<b>PUD Note(s)</b>
13	2.3.2.A. Comply with Chapter 25-2, Subchapter E ( <i>Design Standards and Mixed Use</i> )	Yes.	The PUD will exceed the requirements of Subchapter E and proposes compliance with the Transportation Criteria Manual (TCM) requirements for South Congress Avenue sidewalk clear zone and planting zone requirements. At the direction of Austin Transportation Department, no improvements are proposed along the future extension of Barton Springs Road.	TR 8
14	2.3.2.B. Inside the Urban Roadway boundary depicted in Figure 2, Subchapter E, Chapter 25-2 ( <i>Design Standards and Mixed Use</i> ), comply with the sidewalk standards in Section 2.2.2, Subchapter E, Chapter 25-2 ( <i>Core Transit Corridor Sidewalk and Building Placement</i> ).	Yes.	The PUD will exceed the requirements of Subchapter E and proposes compliance with the TCM requirements for South Congress Avenue sidewalk clear zone and planting zone requirements. At the direction of Austin Transportation Department, no improvements are proposed along the future extension of Barton Springs Road.	TR 8



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15	2.3.2.C. Pay the tenant relocation fee established under 25-1-715 (Tenant Relocation Assistance – Developer Funded) if approval of the PUD would allow multifamily redevelopment that may result in tenant displacement.	N/A	No tenants will be displaced from housing as a result of this PUD.	
16	2.3.2.D. Contain pedestrian oriented uses as defined in Section 25-2-691(C) ( <i>Waterfront Overlay District Uses</i> ) on the first floor of a multi-story commercial or mixed use building.	Yes.	The project incorporates a minimum of 7,000 square feet of ground floor pedestrian oriented uses.	SDR 9

	<b>2.4 Tier II Requirement</b>	<b>Compliance</b>	<b>Superiority</b>	<b>PUD Note(s)</b>
17	1. Open Space – Provide open space at least 10% above the requirements of Section 2.3.1.A ( <i>Minimum Requirements</i> ). Alternatively, within the Urban Roadway boundary established in Figure 2 of Subchapter E of Chapter 25-2 ( <i>Design Standards and Mixed Use</i> ), provide for proportional enhancements to existing or planned trails, parks, or other recreational common open space in consultation with the Director of the Parks and Recreation Department.	Yes	To address parkland superiority, the applicant has under contract to purchase the site located at 1214 S. 1st Street, which makes up approximately 0.4 acres of land that abuts the existing Nicholas Dawson Neighborhood Park. This property is located less than 1 mile from the PUD. On or before 60 days from the effective date of this PUD, the applicant shall transfer title of the 1214 S. 1st Street property to the City of Austin Parks and Recreation Department. An appraisal was performed for the property located at 1214 South 1st Street, which was assessed at over \$3,000,000.00. Utilizing fees effective October 1, 2022, required	OS 1

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			<p>parkland dedication fees are \$3,801.53 per unit for a high-density residential development, plus additional fees for commercial uses. Total parkland dedication fees for the residential portion of the project are estimated to total \$1,900,765.00, assuming 500 units are provided in the PUD. Parkland dedication fees for the commercial uses are estimated to total \$39,107.94. Total parkland dedication fees for the combined residential and commercial components of the PUD total approximately \$1,939,872.94. The difference between the appraised value of the land dedication of 1214 S. 1<sup>st</sup> Street and the required parkland dedication fees amounts to over \$1,000,000.00, which shall represent parkland dedication superiority for the PUD.</p> <p>With the future transit options in close proximity to the property, this project has been carefully designed to not let the car be the predominate experience of the site and has situated the building to the supplemental zone to allow for truly pedestrian activated spaces on the ground floor for the increased foot traffic that is expected. In addition, the project is providing all of its parking in a parking</p>	
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			<p>structure. Providing 20% open space would create an infeasible footprint. Therefore, in addition to the PARD contribution, to meet the intent, the project is providing an enhanced pedestrian experience along South Congress as well as the future extension of Barton Springs Road. This enhanced area will incorporate a publicly-accessible hydration station on the south façade in visual distance to the Congress Avenue bike lane. The project will also provide a rooftop amenity space for tenants of the project.</p>	
18	<p>2. Environment:</p> <ul style="list-style-type: none"> <li>a. Comply with current code instead of asserting entitlement to follow older code provisions by application of law or agreement.</li> <li>b. Provide water quality controls superior to those otherwise required by code.</li> <li>c. Use green water quality controls as described in the Environmental Criteria Manual to treat at least 50 percent of the water quality volume required by code.</li> <li>d. Provide water quality treatment for currently untreated, developed off-site areas of at least 10 acres in size.</li> </ul>	Yes	<p>The project does not request any exceptions or modifications of environmental regulations and will develop under current code as of the date of the approval of the PUD.</p> <p>100% of water quality controls required for this site will be treated on-site as opposed to payment of the fee-in-lieu of on-site treatment.</p> <p>1,000 cubic feet of water quality volume will be provided for an off-site area, including a portion of Congress Avenue.</p> <p>The project will incorporate</p>	EV 1, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21

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	<ul style="list-style-type: none"> <li>e. Reduce impervious cover by 5% below the maximum otherwise allowed by code or include off-site measures that lower overall impervious cover within the same watershed by 5% below that allowed by code.</li> <li>f. Provide minimum 50-foot setback for at least 50 percent of all unclassified waterways with a drainage area of 32 acres.</li> <li>g. Provides volumetric flood detention as described in the Drainage Criteria Manual.</li> <li>h. Provide drainage upgrades to off-site drainage infrastructure that does not meet current criteria in the Drainage or Environmental Criteria Manuals, such as storm drains and culverts that provide a public benefit.</li> <li>i. Propose no modifications to the existing 100-year floodplain.</li> <li>j. Use natural channel design techniques as described in the Drainage Criteria Manual.</li> <li>k. Restores riparian vegetation in existing, degraded Critical Water Quality Zone areas.</li> </ul>		<p>approximately 250 linear feet of off-site storm improvements in Congress Avenue.</p> <p>All required tree plantings shall utilize native tree species selected from Appendix F of the Environmental Criteria Manual (Descriptive Categories of Tree Species) and utilize Central Texas native seed stock.</p> <p>All new street trees within the PUD will be a minimum of 5.5 caliper inches and a minimum of 14 feet in height and will contribute to the biodiversity of tree species of the site and this area of South Congress in addition to being of a species that will thrive in the proposed raingardens.</p> <p>All irrigation on site will be “off grid” of potable water utilizing either purple pipe, rainwater captured on the site and/or condensate capture</p> <ul style="list-style-type: none"> <li>- The roof terrace of the project shall include a combination of hardscape</li> </ul>	
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	<ul style="list-style-type: none"> <li>l. Removes existing impervious cover from the Critical Water Quality Zone.</li> <li>m. Preserve all heritage trees; preserve 75% of the caliper inches associated with native protected size trees; and preserve 75% of all the native caliper inches.</li> <li>n. Tree plantings use Central Texas seed stock native with adequate soil volumes.</li> <li>o. Provide at least a 50 percent increase in the minimum waterway and/or critical environmental feature setbacks required by code.</li> <li>p. Clusters impervious cover and disturbed areas in a matter that preserves the most environmentally sensitive areas of the site that are not otherwise protected.</li> <li>q. Provides porous pavement for at least 20 percent or more of all paved areas for non-pedestrian in non-aquifer recharge areas.</li> <li>r. Provides porous pavement for at least 50 percent or more of all paved areas limited to pedestrian use</li> </ul>		<p>and landscape elements to help activate the space for users. A minimum of 10% or 910 square feet of the roof terrace shall be dedicated to landscape installations. An adaptive vegetation palette comprised of shrubs and groundcovers shall be installed in a planter system that optimizes growing conditions on the roof terrace.</p> <ul style="list-style-type: none"> <li>- This project will include several landscape solutions that meet the intent of the pending Functional Green requirements. This will be achieved with the installation of 50% or 455 square feet of raised terrace garden planters to be planted with xeriscape plantings with a focus on pollinator friendly species including: <ul style="list-style-type: none"> <li>o Shrubs: Blue Mistflower, White Mistflower, Milkweed, Turkscap, Flame Acanthus, Crossvine, Coralbean, Red Yucca, Texas Lantana, Bee Balm, Misc. Sage Species, Texas Betony, Rock Penstemon</li> <li>o Trees: Desert Willow, Mountain Laurel, Orchid Tree, Redbud</li> </ul> </li> </ul>	
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	<ul style="list-style-type: none"><li>s. Provides rainwater harvesting for landscape irrigation to serve not less than 50% of the landscaped areas.</li><li>t. Directs stormwater runoff from impervious surfaces to a landscaped area at least equal to the total required landscape area.</li><li>u. Employs other creative or innovative measures to provide environmental protection.</li></ul>		<p>Project shall utilize methods to support local Austin biodiversity through innovative native plant landscaping and/or rooftop installations.</p> <p>Solar power generation will be incorporated into the building design: the building design will include a minimum of 2,000 gross square feet of area dedicated to a roof-top mounted solar panel array. The project will also contribute to biodiversity through urban beekeeping initiative.</p> <p>The PUD will meet or exceed the landscape requirements of Subchapter E by providing a diverse mixture of landscaping and utilizing drought-resistant and non-toxic plants.</p> <p>100% of all non-turf plant materials shall be selected from the Environmental Criteria Manual Appendix N (City of Austin Preferred Plant List) or the "Grow Green Native and Adaptive Landscape Plants Guide."</p> <p>An integrated pest-management plan will be provided.</p>	
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			As part of the PUD, the project will prohibit uses that may contribute to air or water quality pollutants.	
19	3. Austin Green Builder Program – Provides a rating under the Austin Green Builder program of three stars or above.	Yes	The project will participate in the Austin Energy Green Builder program at a 3-star level. Project will include a fully electric design to reduce the carbon footprint.  The project will be Fitwell certified.	EV 2, 3
20	4. Art – Provides art approved by the Art In Public Places Program in open spaces, either by providing the art directly or by making a contribution to the City’s Art In Public Places Program or a successor program.	Yes	The project shall provide an art piece in a prominent location, either by providing the art directly or by making a contribution to the City of Austin’s Art in Public Place’s Program. Said art piece may be incorporated into additional aspects of the project including a bus stop or other public use.	BD 1
21	5. Great Streets – Complies with City’s Great Streets Program, or a successor program. Applicable only to commercial retail, or mixed-use development that is not subject to the requirements of Chapter 25-2, Subchapter E ( <i>Design Standards and Mixed Use</i> )	No	The Project Team has coordinated with Austin Transportation Department to better understand any specific visions for South Congress Avenue that would differ from Subchapter E. Per these discussions, the project is subject to, and will comply with, the requirements of the South Central Waterfront Plan for improvements to the South Congress streetscape. Additionally, no improvements are proposed along the future Barton Springs Road extension.	TR 8

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22	<p>6. Community Amenities:</p> <p>a. Provides community or public amenities, which may include space for community meetings, day care facilities, non-profit organizations, or other uses that fulfill an identified community need.</p>	Yes	<p>The project will provide a publicly-accessible hydration station on the south façade in visual distance to the Congress bike lane.</p> <p>The project will also provide a plaza-like open space area on the northwest corner of the site, which shall include a minimum of four (4) tree plantings in excess of any street trees required along the abutting roadways.</p>	BD 5, EV 21
	<p>b. Provides publicly accessible multiuse trail and greenway along creek or waterway.</p>	N/A	Not applicable.	
23	<p>7. Transportation – Provides bicycle facilities that connect to existing or planned bicycle routes or provides other multi-modal transportation features not required by code.</p>	Yes	<p>The project will provide bicycle parking at a level equal to or exceeding 230% code-required bicycle parking spaces.</p> <p>Of the additional spaces, a space will be provided within the building to allow for secure bicycle parking for building tenants.</p> <p>The PUD will also provide 10% of overall spaces as dedicated spaces for electric vehicle charging within the parking</p>	TR 1, 4, 5, 6, 7  BD 3



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			<p>garage for use by tenants and employees of the project. Additionally, a minimum of 50% of the vehicular spaces in the project will be wired for future electric-vehicle charging capabilities.</p> <p>The project will be parked at 35% or more below the code minimum requirements.</p> <p>On-site showers will be provided for use of tenants and employees of the project.</p> <p>Loading and trash collection facilities for the PUD shall be locate on-site. Maneuvering for loading and trash facilities shall also be located on-site. Public right-of-way shall not be used for maneuvering.</p> <p>This project will coordinate with the Austin Transportation Department and Capitol Metro during the TIA stage of this process to better understand what transit improvements are needed in this area.</p>	
24	8. Building Design – Exceed the minimum points required by the Building Design Options of Section 3.3.2 of Chapter 25-2, Subchapter E ( <i>Design Standards and Mixed Use</i> )	Yes	Subchapter E requires that every project achieve at least one point from the table in 3.3.2 of the City Code. The project will exceed the minimum required points by achieving a minimum of 10 points.	BD 2 EV 2, 4

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			<p>The building will achieve a 3-star Austin Energy rating, at a minimum.</p> <p>The project will purchase renewable electricity and/or renewable energy credits (RECs) from local Texas-based sources. Project will explore pathways to deliver an efficient, operationally net zero carbon building through the utilization of renewable energy and/or renewable energy credits from local Texas based sources.</p> <p>A minimum of 2,000 square feet of solar panels will be installed on the roof.</p> <p>Building design will be intentionally environmentally-friendly, utilizing materials such as low carbon concrete and requesting environmental project declarations (EPDs) from suppliers.</p> <p>The project will comply with Dark Sky regulations by utilizing of full cut-off fixtures for all exterior lighting and will not up-light the façade. Additionally, the project will use 3000 Kelvin exterior lighting and automated lighting controls to turn off non-essential lights between the hours of 11:00 pm and 6:00 am. Compliance shall be in</p>	
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			conformance with the standards identified by Austin Energy Green Building ST7 “Light pollution reduction.”	
25	9. Parking Structure Frontage – In a commercial or mixed-use development, at least 75% of the building frontage of all parking structures is designed for pedestrian-oriented uses as defined in Section 25-2-691 (C) ( <i>Waterfront Overlay District Uses</i> ) in ground floor spaces.	Yes	This project proposes to provide all parking within a structured parking garage. The PUD will comply with the requirement that a minimum of 75% of the cumulative frontage, excluding driveway openings and other public facilities, including utility vaults, along South Congress Avenue and the future extension of Barton Springs Road.	SDR 7
26	10. Affordable Housing – Provides for affordable housing or participation in programs to achieve affordable housing.	Yes	The PUD will comply with Section 2.5.2.B.1, Requirements for Exceeding Baseline, of the PUD regulations. The applicant has under contract to purchase the site located at 1302 S. 1st Street, which makes up approximately 0.62 acres of land and is located less than 1 mile from the PUD. On or before 60 days from the effective date of this PUD, the applicant shall transfer title of the 1302 S. 1st Street property to Foundation Communities for the construction of a 100% affordable housing project for families earning no more than 60% of the Annual Median Family Income (MFI). In fact, Foundation Communities generally provides housing at largely deeper levels of affordability, including for households earning no more than 30%, 40% and/or 50% MFI.	AH 1

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27	11. Historic Preservation – Preserves historic structures, landmarks, or other features to a degree exceeding applicable legal requirements.	N/A	Not applicable.	
28	12. Accessibility – Provides for accessibility for persons with disabilities to a degree exceeding applicable legal requirements.	Yes	The project will provide accessibility for persons with disabilities at a degree that exceeds applicable legal regulations. The project will provide additional ADA-accessible residential units on-site exceeding minimum legal requirements.	BD 4
29	13. Local Small Business – Provides space at affordable rates to one or more independent retail or restaurant small businesses whose principal place of business is within the Austin metropolitan statistical area.	Yes	<p>The project will provide commercial space for local businesses for lease.</p> <p>The project will provide 2,500 square feet of commercial space for a local business or non-profit for lease at an affordable rate for a period of 25 years. Such affordable space shall be available for rental by businesses at no more than eighty percent (80%) of the market rents for similarly sized and located commercial space.</p>	AH 2