

ZONING CHANGE REVIEW SHEET

CASE: C814-2023-0027 (311-315 South Congress PUD)

DISTRICT: 9

ADDRESS: 311, 313, and 315 South Congress Avenue

ZONING FROM: CS-1-V-NP

TO: PUD-NP

SITE AREA: approximately 0.81 acres (approximately 35,283 sq. ft.)

PROPERTY OWNER: Bridgestone Firestone (Wesley H Pearson Jr. & Jerry W. Pearson)

AGENT: Drenner Group PC (Amanda Swor)

CASE MANAGER: Jonathan Tomko (512) 974-1057, jonathan.tomko@austintexas.gov

STAFF RECOMMENDATION:

Staff recommends granting planned unit development-neighborhood plan (PUD-NP) combining district zoning. *For a summary of the basis of Staff's recommendation, please see the basis of recommendation section below.*

PLANNING COMMISSION & OTHER COMMISSION ACTION/ RECOMMENDATION:

September 25, 2023: Case heard by the Parks and Recreation Board, no recommendation

November 1, 2023: Case is scheduled to be heard by the Environmental Commission

December 13, 2023: Case is scheduled to be heard by the Small Area Planning Joint Commission

December 19, 2023: Case is scheduled to be heard by the Planning Commission

CITY COUNCIL ACTION: TBD

ORDINANCE NUMBER: N/A

ISSUES: N/A

CASE MANAGER COMMENTS:

The property in question is currently being utilized as a service garage and office/retail space, both built in 1980 with substantial paved parking lots greater than the size of the structures themselves. The subject tract is approximately 1,500 feet from the recognized central business district of Austin.

The proposed project is proposed to contain approximately 475,000 square feet of multifamily residential space for approximately 450 units, 30,000 square feet of office space and 7,500 square feet of ground floor pedestrian-oriented uses.

SITE DEVELOPMENT REGULATIONS AND CODE MODIFICATIONS:

1. The PUD is subject to the site development regulations associated with the CS Zoning Base District, except as modified on the land use plan and associated notes.
2. The maximum height for the PUD is 480 feet in height. Section 25-2-531, height limitations, still apply to the PUD.
3. The maximum floor to area ratio (FAR) in the PUD is 18:1.

4. Minimum setbacks of the CS base district are reduced to zero feet for the front, rear and side yards.
5. Maximum impervious cover in the PUD shall be 95%.
6. Permitted, conditional and prohibited land uses shall be consistent with the CS base district with the following modifications:

The following are additional permitted uses in the PUD:

- Multifamily residential
- Cocktail lounge (not to exceed 5,000 square feet)

The following are conditional uses in the PUD:

- Cocktail lounge (not to exceed 5,000 square feet)

The following are prohibited uses in the PUD:

- Bed and breakfast residential
- Hospital services
- Adult-oriented businesses
- Automotive rentals
- Automotive repair services
- Automotive sales
- Automotive washing
- Bail bond services
- Business or trade school
- Campground
- Commercial blood plasma center
- Construction sales and services
- Convenience storage
- Drop-off recycling collection facility
- Electronic testing
- Equipment repair services
- Equipment sales
- Extermination services
- Funeral services
- Kennels
- Laundry services
- Monument retail services
- Plant nursery
- Printing and Publishing services
- Service station
- Vehicular storage
- Veterinary services
- Custom manufacturing
- Limited warehousing and distribution

7. Section 25-2-692(F) Waterfront Overlay Subdistrict Uses is modified to require that the cumulative amount of pedestrian-oriented uses, defined in section 25-2-691(c) Waterfront Overlay District Uses shall be minimum of 75 percent of the cumulative frontage excluding driveway openings and other public facilities, including utility vaults, along South Congress Boulevard and the future extension of Barton Springs Road.

8. Should alignment of the Barton Springs Road ROW extension, which makes up the northern boundary of the PUD be amended, any required amendment to this PUD as a result of this alignment change shall be administrative and not require discretionary review.

9. The PUD shall contain a minimum of 7,000 square feet of ground floor pedestrian-oriented uses as defined in 25-2-691(c) site development regulations and code modifications.

10. The PUD is not subject to maximum height limitations of LDC section 25-2-742(G) South Shore Central Subdistrict Regulations

Environmental:

1. An integrated pest management program will be implemented following the guidelines developed by the City of Austin Grow Green Program in order to limit the use of pesticides on site.

2. The project shall achieve a 3-star Austin Green Builder Rating, at a minimum.

3. Project shall be Fitwell Certified.

4. The PUD shall utilize solar energy by installing a minimum of 2,000 square feet of solar panels on the roof of the building.

5. 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.

6. 100% of the site stormwater shall be treated using water quality methods on site. Fee-in-lieu for water quality treatment shall not be allowed.

7. The project shall capture and treat approximately 1,000 cubic feet of off-site stormwater, including a portion from Congress Avenue, that is currently untreated. Such water shall be treated in green water quality controls within the ROW.

8. Project shall incorporate approximately 250 linear feet of off-site storm improvements in Congress Avenue.

9. The PUD shall construct a public reclaimed water system main along the project's frontage along South Congress Avenue. Such line shall be capped for future expansion on the south and extend north to the intersection of Barton Springs Road and South Congress Avenue for connection to the proposed extension by others. Total off-site construction of reclaimed water shall not exceed 350 linear feet. The PUD shall be required to connect to and utilize reclaimed water systems for commercial uses in the PUD only.

10. 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.

11. All new street trees shall be a minimum of 5.5 caliper inches and a minimum of 14 feet in height.

12. Alternative water sources shall be utilized for all on-site irrigation, cooling tower water, and non-potable commercial uses within the PUD. These alternative water sources shall be either city reclaimed water or condensate collection.
13. 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 raise terrace garden planters to be planted with xeriscape plantings with a focus on pollinator friendly species.
14. 100% of the 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 Adaptative Landscape Plants Guide.”
15. The project shall meet or exceed the landscape requirements of subchapter E by providing a diverse mixture of landscaping and utilizing drought-resistant and non-toxic plants.
16. Project shall utilize methods to support local Austin biodiversity through innovative native lant landscaping and/or rooftop installations.
17. Project shall participate in the Urban Beekeeping Initiative to contribute to biodiversity.
18. Project shall have a bird and bat friendly façade and exterior lighting. The project shall be compliant with the LEED Pilot Bird Collision Deterrence Credit, or other mutually agreed upon deterrence program.
19. The PUD shall comply with Dark Skies regulations in conformance with the Austin Energy Green Building Standards identified in ST7 Light Pollution Reduction.
20. The roof terrace of the project shall include a combination of hardscape 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 will be installed in a planter system that optimizes growing conditions on the roof terrace.
21. A minimum of 4 trees shall be incorporated into the northwest corner plaza in excess of the minimum required street tress along the South Congress Avenue streetscape.
22. The PUD shall be subject to City regulations pertaining to reclaimed water requirements as codified on the date of adoption of this PUD and shall provide reclaimed water superiority items as outlined in environmental notes 9 and 12.

Open Space and Parkland:

1. To address parkland superiority, the applicant has under contract to purchase the site located at 1214 South 1st Street. On or before 60 days from the effective date of this PUD, the applicant shall transfer title fo the 1214 South 1st Street property to the City of Austin Parks and Recreation Department as an offsite dedication. Transfer of the title may satisfy all parkland dedication and parks development fees for the property. The value of the property must exceed the fees otherwise required by City Code Title 25, Article 14 Parkland Dedication Requirements in effect during the calendar year 2023 and the FY 22-23 fee schedule.
2. A minimum of 2,200 square feet within the property line along South Congress Avenue and the future potential Barton Springs Road extension shall be utilized to enhance the pedestrian and ground-floor retail experience.

Building Design:

1. The project shall provide an art piece on a portion of the southern façade of the project, said art piece may be incorporated into additional aspects of the project.
2. The project will achieve a minimum of ten points under the building design options of section 3.3.2 of Chapter 25-2, subchapter E (design standards and mixed use).
3. On-site shower facilities shall be provided for use of tenants and employees of the ground floor commercial uses for the project.
4. The project shall provide accessibility for persons with disabilities at a level that exceeds applicable requirements by providing additional ADA-accessible residential units on-site.
5. The project shall provide a water bottle filling/hydration station on the exterior that is accessible to the public.

Affordable Housing:

1. In order to comply with section 2.5.2.B.1 of the PUD ordinance the applicant has under contract to purchase the site located at 1302 South 1st Street on or before 60 days from the effective date of this PUD. The applicant shall transfer title of the 1302 South 1st Street property to Foundation Communities or other non-profit organization that provides affordable housing for the construction of a 100% affordable housing project for families earning no more than 60% of the annual median family income (MFI).
2. The project shall provide 2,5000 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 affordable for rental by businesses at no more than 80% of the market rents for similarly sized and located commercial space.

Transportation:

1. Electric vehicle charging stations shall be provided in the onsite parking garage. Such spaces shall total up to 10% of the total parking spaces within the garage. The electric vehicle charging spaces will be available for use by residents of the project, employees and patrons of the office and retail lease space. Additionally, a minimum of 50% of the vehicular spaces in the project shall be wired for future electric-vehicle charging capabilities.
2. No gated roadways will be permitted within the PUD. However, the structured parking area may be gated.
3. All required parking for the project shall be located in a structured parking garage.
4. Bicycle parking in the project shall be equal or exceed 230% of the code required bicycle parking spaces.
5. Secure bicycle parking shall be provided within the project for use by residents and employees of the commercial space.
6. Parking shall be 35% or more below the code required minimum parking standards.
7. All loading and trash facilities will be provided on site and any maneuvering within the ROW shall be prohibited.
8. The PUD shall comply with the streetscape standards of the Transportation Criteria Manual (TCM). The curb line shall be pushed to the west to encompass the existing bicycle lane and buffer in order to provide back-of-curb improvements in accordance with TCM standards. The PUD shall construct the back-of-curb improvements along South Congress Avenue from the northern boundary of the property down to Riverside Drive.

9. This PUD will be permitted access to the future Barton Springs Extension, provided it has been dedicated for public access, and the proposed driveway generally conforms to TCM standards.

BASIS OF RECOMMENDATION:

Zoning changes should promote compatibility with adjacent and nearby uses.

Sub Area 1 of the approved Statesman PUD adjacent to this site indicates a maximum building height of 525' tapering down to the east away from South Congress Avenue. This precedent for height indicates that this zoning change would be compatible with this approved adjacent use. Additionally, to the north of Lady Bird Lake is Austin's Central Business District which has many similar structures that the proposed PUD zoning in this case would be compatible with.

The proposed zoning should be consistent with the purpose statement of the district sought.

The purpose of a PUD district designation is to, "preserve the natural environment, encourage high quality development and innovative design, and ensure adequate public facilities and services for development within a PUD. A PUD district must include at least 10 acres of land, unless the property is characterized by special circumstances, including unique topographic constraints."

While the request for PUD zoning, we have before us today does not include at least 10 acres of land, it is undeniable that the request is consistent with the purpose statement of a PUD district above both within the PUD and offsite. Developing adequate density proximate to the Central Business District preserves the natural environment in that the development would have occurred—more likely in a sprawling autocentric development pattern. The design proposed is innovative and makes good use of Austin's public infrastructure investments, which are greatest within its downtown core.

Zoning should promote clearly-identified community goals, such as creating employment opportunities or providing for affordable housing.

The rezoning package includes providing land offsite for affordable housing as well as land for parks and open space. The land use plan has a substantial amount of environmental, building design, and transportation considerations. These considerations promote clearly identified community goals. The development also supports increasing density where there are extensive public transportation assets and other transportation choices.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-1-V-NP	An approximately 7,300 sqft service garage built in 1980 and approximately 16,000 sqft paved parking lot. Approximately 5,000 sqft 2-story office/retail space built in 1980 with approximately 6,750 sqft of paved parking lot.
<i>North</i>	PUD-NP	Approximately 280,000 sqft major industrial building (formerly the Austin American-Statesman) and

		approximately 198,000 sqft of paved parking lot, all built in 1980.
<i>South</i>	CS-1-V-NP	Strip center, approximately 2,000 sqft built in 1932, with approximately 6,000 sqft paved parking lot.
<i>East</i>	LI-NP	Texas Department of Transportation Traffic Safety Operations Division, two-story office building approximately 100,000 sqft with approximately 80,000 sqft parking lot
<i>West</i>	CS-1-V-NP	Embassy Suites Hotel – South Congress, approximately 200,000 sqft 5-story full service hotel built in 1984

NEIGHBORHOOD PLANNING AREA: Greater South River City Neighborhood Planning Area

WATERSHED: Lady Bird Lake, and East Bouldin Creek Watersheds

SCHOOLS: A.I.S.D.

Travis Heights Elementary School

Lively Middle School

Travis High School

COMMUNITY REGISTRY LIST:

Austin Independent School District, Austin Lost and Found Pets, Austin Neighborhoods Council, Bouldin Creek Zoning Committee, Downtown Austin Alliance, Friends of Austin Neighborhoods, Greater South River City Combined Neighborhood Plan Contact Team, Homeless Neighborhood Association, Neighborhood Empowerment Foundation, Preservation Austin, SELTexas, Sierra Club, Austin Regional Group, South Central Coalition, South Central Waterfront Advisory Board, South River City Citizens Assn., Zoning Committee of South River City Citizens

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C814-89-0003.02 (302 S. Congress/Austin American-Statesman Site)	The PUD amendment proposes to replace the land use plan, modify the conditional and prohibited uses and revise the development intensity on 18.86 acres.	02.08.2022 PC: Motion by Commissioner Azhar, seconded Vice-Chair Hempel to grant Staff's recommendation of PUD-NP combining district zoning, with conditions, and adopted additional amendments was approved on a vote of 12-0.	12.01.2022: A motion to approve the ordinance as amended was made by Mayor Adler. The amendment was included on a 9-0 vote. Mayor Pro Tem Alter and Council Member Tovo abstained.

		Commissioner Praxis absent.	
C14-2023-0015 (200 S. Congress Ave.)	The Applicant is requesting to amend LI-PDA-NP zoning, to allow Automotive Sales use, indoors only. The purpose of the PDA amendment is to allow the Property to be redeveloped as a community hub for an electric vehicle manufacturer.	08.08.2023 PC: Commissioner Connolly and Maxwell motion to support Staff Recommendation vote of 8-0. Commissioner Haynes abstained. Commissioner Barrera-Ramirez was off the dais. Chair Shaw and Commissioner Mushtaler absent. One vacancy on the dais.	09.14.2023: Staff recommendation was approved on Council Member Ryan Alter's motion, Council Member Kelly's second on a 7-0 vote. Mayor Pro Tem Ellis was off the dais. Council Members Alison Alter, Harper-Madison, and Pool were absent.
C814-2023-0057 (200 E. Riverside PUD)	The Applicant is proposing to rezone approximately 3.955 acres from L-NP to PUD-NP.	10.10.2023: Indefinite Postponement	N/A

RELATED CASES:

CD-2022-0002 – Formal development assessment for a new planned unit development (PUD) on 0.81 acres.

ADDITIONAL STAFF COMMENTS:**Comprehensive Planning**

The project as described meets the intent of the intent of the South Shore Central Vision Framework Plan with its provision residential units, employment, and ground-floor retail. The applicant's proposal to adhere to the regulations set forth in Subchapter E should address the building design and the public realm back of curb designs.

Environmental

EO1 Update2. Please clarify the change in Note 13 from "10% or 780 sqft" to "50% or 455 sqft." It appears that the percentage of pollinator plants associated with the roof top terrace have been adjusted but it is not clear what is proposed compared to the previous plan. Additionally, please clarify how this change is a result of the future roadway network.

EO2 Update2. Please clarify the change in Note 20 from "15%" to "10% or 910 sqft." It is not clear what is proposed compared to the previous plan. Additionally, please clarify how this change is a result of the future roadway network.

EO3 Update 2. Please consider changing note 14 to include only native plants from the ECM appendix N and grow green guide.

Fire

No Comments on Rezoning

PARD – Planning & Design Review

PR1: Is the applicant proposing any additional modifications to the Waterfront Overlay requirements beyond the pedestrian oriented uses? Additional modifications that reduce or otherwise compromise the intent of the Waterfront Overlay requirements (described in part in § 25-2-721) are not supported by PARD. Demonstrate whether the code modification to § 25-2-692(F) would result in either more or less pedestrian-oriented uses (50 percent net usable floor area versus 75 percent of the cumulative frontage after exclusions). The PUD is located in the South Shore Central Subdistrict – see § 25-2-742 – where the maximum height is “(3) for structures located within 100 feet of the right-of-way of South Congress Avenue or South First Street, the lower of 60 feet or the maximum height allowed in the base zoning district.” Is the applicant proposing to modify this requirement, as well?

U1: Cleared.

PR2: Currently, the application only seems to comply with current code for parkland dedication – no superiority sought. Contact reviewer to discuss: thomas.rowlinson@austintexas.gov.

U1: Reviewer acknowledges the proposal of dedicating and transferring title of the 1214 South 1st property. Reviewer recognizes that the dedication of the offsite property would likely exceed what PARD may be able to acquire using the fees generated by this development under Title 25 parkland dedication requirements and the FY 2023 fee schedule. Please revise the proposed note to the following:

To address parkland superiority, the applicant has under contract to purchase the site located at 1214 South 1st street. On or before 60 days from the effective date of this PUD, the applicant shall transfer title of the 1214 South 1st street property to the City of Austin Parks and Recreation Department as an offsite dedication. Transfer of the title may satisfy all parkland dedication and parks development fees for the property; the value of the property must exceed the fees otherwise required by City Code Title 25, Article 14 parkland dedication requirements in effect during the calendar year 2023 and the FY 22-23 fee schedule.

U2: Cleared.

PR3: PARD does not support the reduction or elimination of the PUD open space requirements at this time. While they are not parkland requirements, the open space may still be required. Please demonstrate how the open space is infeasible, and that other community benefits will be provided instead. Provide breakdown of how other community benefits will be commensurate to the open space.

U1: Will the minimum 2,200sf plaza or courtyard be placed in an access easement or right-of-way? If already in an easement, please provide to this reviewer.

U2: Note that the plaza will be in either easement or ROW as a note.

PR4: Please describe how the property furthers the South Central Waterfront Vision Plan's parks and open space. Provide greater detail on the amenity space and plaza – how will they be publicly accessible? Provide greater detail on the enhanced pedestrian experience – what will be provided beyond current code? Will right-of-way or easements be dedicated?

U1: Cleared

Site Plan

SP 1 Please clarify if cocktail lounges under 5000 sf are to be permitted by right, and if cocktail lounges over 5000 sf are conditional, or prohibited.

- Response: We agree to limiting permitted cocktail lounges to 5,000 square feet in area. Cocktail lounges greater than 5,000 square feet shall be conditional uses. This is reflected in the Land Use Plan.

- Noted.

SP 2 Clarify how Article 2, Subchapter E is not applicable, as indicated in the Superiority Table. Will design standards be proposed in lieu? They are not mentioned on the Land Use Plan.

- Response: The Superiority Chart has been corrected to reflect compliance with Subchapter E.

- Noted.

SP 3 As described, the project appears to provide a pedestrian-oriented first floor per 2.3.2.D but the Superiority Table says this section is NA. Please clarify.

- Response: The Superiority Chart has been corrected to reflect compliance with Subchapter E.

- Noted.

Transportation and Public Works Department – Engineering Review

ATD 1. The Austin Strategic Mobility Plan (ASMP) calls for 130 feet of right-of-way for S. Congress Avenue. It is recommended that 65 feet of right-of-way from the existing centerline should be dedicated for S. Congress according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

U1: Comment cleared.

ATD 2. A Transportation Impact Analysis (TIA) analysis is required and has not yet been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA. [LDC 25-6-142]. Comments will be provided in a separate memo. ATD recommends that the TIA review and final memo be issued prior to 3rd reading at Council at the latest. U1: Comment cleared. Applicant has agreed that the final TIA memo will be provided prior to Council prior to 3rd reading at the latest.

U1: Comment cleared. Applicant has agreed that the final TIA memo will be provided prior to Council prior to 3rd reading at the latest.

Article 2, Division 5 (Tier 1 Criteria)

ATD 3. 2.3.1.I – Recommendation pending. The PUD shall be subject to the mitigations, conditions and assumptions outlined by the TIA final memo.

U1: Comment cleared.

ATD 4. 2.3.1.J – ATD recommends approval.

U1: Comment cleared.

ATD 5. 2.3.2.B. – Core Transit Corridor standards

(Tier 2 Criteria)

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 (Design Standards and Mixed Use)

ATD recommends utilizing the streetscape standards prescribed by the TCM/South Central Waterfront Plan In lieu of required Great Streets standards.

U1: Comment cleared

Transportation – Provide bicycle facilities that connect the existing or planned bicycle routes or provides other multi-modal transportation features not required by code.

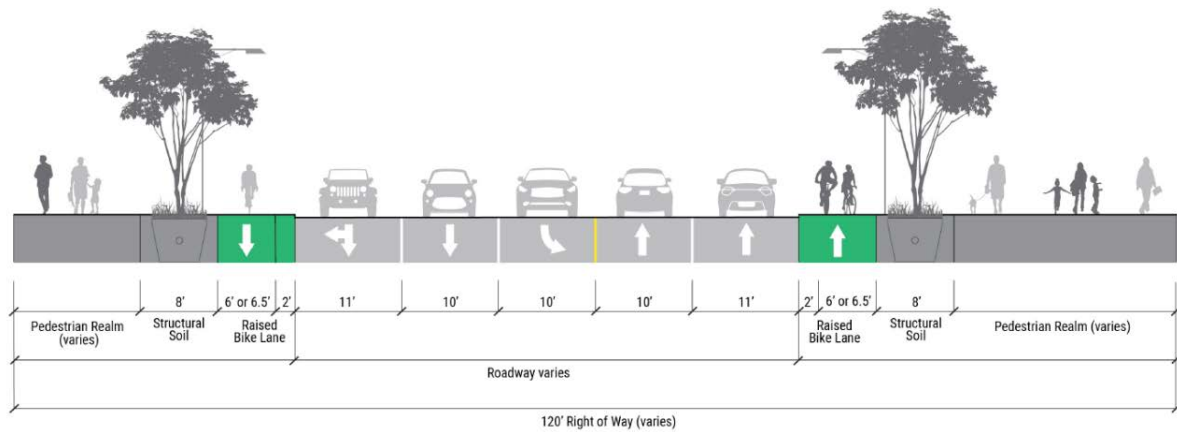
ATD 6. Pending recommendations of the TIA

U1: Comment cleared. Additional measures to be outlined in final TIA memo.

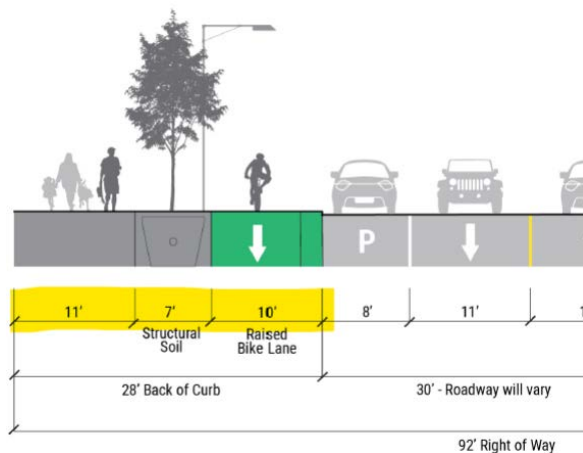
PUD shall comply with Subchapter E and Proposed Subchapter E Core Transit Corridor Requirements for sidewalk clear zone and planting zone requirements, or other regulations as required by the City of Austin.

ATD 7. ATD does not recommend approval of this proposed language of Land Use Plan note #8 (noted above). To provide superiority for the streetscape, we request that the site adhere to the streetscape standards as depicted within the proposed in the South Central Waterfront Plan:

S. Congress: The South Central Waterfront plan calls for a 6’-6.5’ raised bike lane behind a 2’ buffer along the east frontage of S. Congress. The ASMP identifies protected bicycle facility along Congress frontage as well. In order to meet the superior results expected from PUDs, the cross sections should at least meet the baseline set by ASMP.



Barton Springs Road: The South-Central Waterfront plan calls for an 11' pedestrian zone and 8' planting zone, adjacent to an 8' raised bike lane behind a 2' buffer along the southwest frontage of the Barton Springs Road extension. In order to meet the superior results expected from PUDs, the site's frontage along the Barton Springs extension should provide these streetscape elements as depicted below:



U1: Comment cleared.

ATD 8. Response to addition of transportation note #9: ATD does not recommend the proposed note at this time and recommends changing to the following: This PUD will be permitted access to the future Barton Springs extension, provided it has been dedicated for public access, and the proposed driveway generally conforms to TCM standards.

Please remove the language referring to access to “Miller Street” as this currently exists as a private easement which the City cannot guarantee access to and which will be vacated once the Barton Springs extension is dedicated for public use.

U1: Comment cleared. ATD recommends, and the Applicant has agreed, to revise Transportation note #3 to read “All parking for the project shall be located in a

structured parking garage.” Removal of the “required” parking language ensures only structured parking will be provided if and when parking minimums are eliminated.

EXISTING STREET CHARACTERISTICS:

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Congress Avenue (N. or Barton Springs)	~60'	116'	61'	3	Yes	Yes	Yes
Congress Avenue (S. of Barton Springs)	~131'	130'	87'	3	Yes	Yes	Yes
Congress Ave-Barton Springs Rd Connector	None	64'	None	1	No	No	Yes

TIA: A Transportation Impact Analysis (TIA) analysis is required

Austin Water Utility

AW1: Austin Water clears comment AW1 with the following applicant approved language to be embedded in note 9 and subsequent ordinance language:

The 311-315 South Congress PUD shall construct a public reclaimed water system main along the project's frontage along South Congress Avenue. Such line shall be capped for future expansion on the south and extend north to the intersection of Barton Springs Road and South Congress Avenue for connection to the proposed extension by others. Total off-site construction of reclaimed water shall not exceed 350 linear feet. The 311-315 South Congress PUD shall be required to connect to and utilize reclaimed water systems for commercial and multi-family uses in the PUD only.

AW2: Austin Water clears comment AW2 with the following applicant approved language to be embedded in note 12 and subsequent ordinance language:

The 311-315 South Congress PUD shall use reclaimed water for site irrigation, cooling uses, and toilet flushing for both commercial and residential uses.

AW3: Austin Water clears comment AW3 with the following applicant approved language to be embedded in note 12 and subsequent ordinance language:

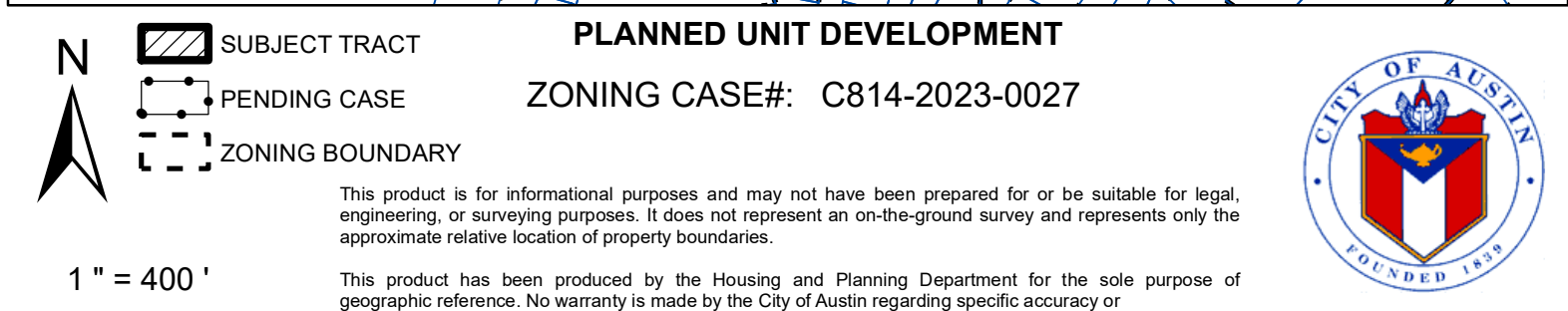
The 311-315 South Congress PUD shall use reclaimed water for site irrigation, cooling uses, and toilet flushing for both commercial and residential uses.

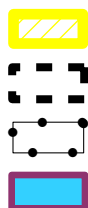
AW4: Austin Water clears comment AW4 with the following applicant approved language to be embedded in note 22 and subsequent ordinance language:





The 311-315 South Congress PUD shall be subject to city regulations pertaining to reclaimed water requirements as codified on the date of adoption of this PUD and shall provide reclaimed water superiority items as outlined in environmental notes 9 and 12.

INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

- A. Zoning Map
- B. Aerial Map
- C. Applicant's Summary Letter
- D. Applicant Responses to Comments - Round 2
- E. Land Use Plan
- F. Superiority Chart
- G. Reclaimed Water Exhibit





 SUBJECT TRACT
 ZONING BOUNDARY
 PENDING CASE
 CREEK BUFFER

ZONING CASE#: C814-2023-0027
LOCATION: 311, 313, 315 S Congress Ave
SUBJECT AREA: 0.8143 Acres
GRID: J21
MANAGER: Jonathan Tomko



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Created: 7/25/2023

Amanda Swor
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aswor@drennergroupp.com

July 27, 2022

Ms. Rosie Truelove
Housing and Planning Department
City of Austin
Street Jones Building
1000 E. 11th St, Ste 200
Austin, TX 78702

Via Electronic Delivery

Re: 311-315 South Congress PUD – Development Assessment (CD-2022-0002) for the 0.8143-acre piece of property located at 311-315 South Congress Avenue, Austin, Travis County, Texas (the “Property”)

Dear Ms. Truelove:

As representatives of the owner of the Property, we respectfully submit the enclosed revised development assessment application package for the 311-315 South Congress PUD project, located at 311-315 South Congress Avenue. A development assessment application was initially submitted for the Property on March 3, 2022 and assigned City of Austin case number CD-2022-0002. The owners still intend to request the rezoning of the Property from CS-1-V-NP, Commercial – Liquor Sales – Vertical Mixed Use – Neighborhood Plan, to PUD, Planned Unit Development.

The purpose of this letter is to amend the uses and site development regulations from the initial submittal on March 3, 2022. This request shall amend the primary use of the Project from office to residential and modify some proposed site development regulations. The proposed project will now contain approximately 475,000 square feet of multifamily residential space for approximately 450 units, 30,000 square feet of office space and 7,500 square feet of ground floor pedestrian-oriented uses. A Traffic Impact Analysis (TIA) will be waived for the PUD with the note that the applicant has agreed to perform a Zoning Transportation Analysis, as indicated in the attached TIA Determination Form executed by Justin Good, P.E. dated July 21, 2022. Revised exhibits include the Land Use Plan and Superiority Chart.

The PUD is located in the South Shore Central District of the Waterfront Overlay and will still substantially comply with the Waterfront Overlay regulations; the modifications proposed are minor in nature and will not impact the superior project developed in close proximity to Lady

Bird Lake. The proposed PUD is also located within the South River City Neighborhood Planning Area with a Future Land Use Map ("FLUM") designation of "Mixed Use;" therefore, a Neighborhood Plan Amendment will not be required.

The PUD proposes to maintain the existing CS base district as the baseline for the PUD. As described in the attached superiority chart, the proposed PUD meets or exceeds all applicable Tier I and Tier II requirements as defined in the Land Development Code, thus resulting in a superior development that could not be achieved with conventional zoning.

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Very truly yours,



Amanda Swor

cc: Jerry Rusthoven, Housing and Planning Department (*via electronic delivery*)
Joi Harden, Housing and Planning Department (*via electronic delivery*)
Wendy Rhoades, Housing and Planning Department (*via electronic delivery*)

Amanda Swor
direct dial: (512) 807-2904
aswor@drennergroupp.com

August 24, 2023

Ms. Lauren Middleton-Pratt
Planning Department
City of Austin
Street-Jones Building
1000 E. 11th Street, Suite 200
Austin, TX 78702

Via Electronic Delivery

Re: Update 2 Comment Response: 311-315 South Congress PUD – Planned Unit Development (“PUD”) application for the property located at 311-315 South Congress Avenue in Austin, Travis County, Texas (the “Property”).

Dear Ms. Middleton-Pratt:

As representatives of the owners of the Property, we respectfully submit this Update 2 Comment Response Letter for comments received on August 7, 2023 for the PUD application for the 311-315 South Congress PUD, City of Austin case number C814-2023-0027 (the “Project”).

In discussion with City staff throughout the PUD application review process, the future roadway network surrounding the Project is not yet finalized. As a result, minor modifications to the site layout of the Project have been incorporated. These minor modifications to the site layout also impact the following PUD Notes on the Land Use Plan: Environmental Notes 13, 20 and 21; Building Design Notes 1 and 5; and Transportation Note 3. These notes are highlighted on the revised Land Use Plan, which is included in this Update package for review.

The PUD Land Use Plan, Superiority Chart and Code Modifications Chart have been revised to reflect the changes outlined above, as well as to address the comments below as necessary. Below please find the responses to comments from Reviewers.

Environmental Review – Pamela Abee-Taulli

EV 1 – EV 4. Comments cleared.

NEW COMMENT

Edit: Please change “of” to “or” in Environmental note #14, p. 2 of the Land Use plan.

14. 100% OF ALL NON-TURF PLANT MATERIALS SHALL BE SELECTED FROM THE ENVIRONMENTAL CRITERIA MANUAL APPENDIX N (CITY OF AUSTIN PREFERRED PLANT LIST) OF THE “GROW GREEN NATIVE AND ADAPTIVE LANDSCAPE PLANTS GUIDE.”

And also on p. 14 of the Tier 1/ Tier 2 superiority list.

the total required landscape area.	u. Employs other creative or innovative measures to provide environmental protection.	100% of all non-turf plant materials shall be selected from the Environmental Criteria Manual Appendix N (City of Austin Preferred Plant List) of the “Grow Green Native and Adaptive Landscape Plants Guide.”
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- **Response:** The above requested change has been made to Environmental Note 14 on the Land Use Plan, and to the PUD Superiority Chart.

PARD Review – Thomas Rowlinson

PR 1 and PR 4 comments cleared.

PR2: Currently, the application only seems to comply with current code for parkland dedication – no superiority sought. Contact reviewer to discuss: thomas.rowlinson@austintexas.gov.

PR2 Update 1: Reviewer acknowledges the proposal of dedicating and transferring title of the 1214 South 1st property. Reviewer recognizes that the dedication of the offsite property would likely exceed what PARD may be able to acquire using the fees generated by this development under Title 25 parkland dedication requirements and the FY 2023 fee schedule. Please revise the proposed note to the following:

To address parkland superiority, the applicant has under contract to purchase the site located at 1214 South 1st street. On or before 60 days from the effective date of this PUD, the applicant shall transfer title of the 1214 South 1st street property to the City of Austin Parks and Recreation Department as an offsite dedication. Transfer of the title may satisfy all parkland dedication and parks development fees for the property; the value of the property must exceed the fees otherwise required by City Code Title 25, Article 14 parkland dedication requirements in effect during the calendar year 2023 and the FY 22-23 fee schedule.

- **Update 2 Response:** Open Space and Parkland Note #1 of the Land Use Plan has been revised as requested. The applicant emphasizes that this offsite parkland dedication represents a PUD open space and parkland superiority item for the value of the offside dedication that exceeds parkland dedication and park development fees that will be required by the Project at the time of site development permit.

PR3: PARD does not support the reduction or elimination of the PUD open space requirements at this time. While they are not parkland requirements, the open space may still be required. Please demonstrate

how the open space is infeasible, and that other community benefits will be provided instead. Provide breakdown of how other community benefits will be commensurate to the open space.

PR3 Update 1: Will the minimum 2,200sf plaza or courtyard be placed in an access easement or right-of-way? If already in an easement, please provide to this reviewer.

- **Update 2 Response:** The approximately 2,200 square foot open space area shall be placed in Congress Avenue right-of-way, or within a public access easement, at the time of site development permit.

Austin Water Utility Review – Virginia Collier

AW1. 311-315 South Congress shall build an off-site reclaimed main from the nearest, existing or planned, point of intersection of the reclaimed system to the development.

Update 1 Response: Per a virtual meeting with review staff held on April 25, 2023, the PUD proposes to construct a public reclaimed system main along the Property's frontage along South Congress Avenue. This line will be capped for future expansion on the south and extend north to the intersection of Barton Springs Road/Miller Street easement and South Congress for connection to the proposed extension by others. The total off-site construction of reclaimed water will be completed up to 350 linear feet. Environmental PUD Note #9 has been revised to reflect this commitment.

Update 1 AW1: Austin Water requests a site map to be provided noting the location of the proposed Miller Street easement and verifying that the 350 linear foot cap is appropriate.

- **Update 2 Response:** A site map exhibit demonstrating the proposed location of the reclaimed water main extension along the frontage of the Property is included with this Update package.

AW2. Any site development permit application within 311-315 South Congress must comply with the City's mandatory connection requirements for Commercial/Multi-family developments located in proximity to a reclaimed water distribution line and shall not be used for irrigation within water quality controls or other prohibited areas.

Update 1 Response: Per a virtual meeting with review staff held on April 25, 2023, the PUD is not located within an area that triggers connection requirements to the reclaimed water system because of its proximity to existing reclaimed water infrastructure. However, as part of proposed superiority, the Project will propose to connect to the City's reclaimed water line via the offsite improvements noted above under comment AW1. The water in this reclaimed line will be used only for onsite irrigation, non-potable commercial uses, and/or cooling tower water.

Update 1 AW2: Austin Water requests clarification and definition of "non-potable commercial uses" and would like to reiterate the need for a commitment that the reclaimed or alternate water shall be used for indoor toilet flushing in both commercial and multi-family settings in addition to irrigation and cooling use.

- **Update 2 Response:** The Project will connect to the reclaimed water main extension as required by this comment. The Project will utilize alternate water sources, such as, reclaimed water, condensate collection, and/or rainwater collection, for site irrigation, colling uses, and toilet flushing for both commercial and residential uses. This commitment is based on the City's ability to meet all state, federal, and other water quality standards for reclaimed water.

AW3. All buildings within 311-315 South Congress shall use alternate water sources (AC condensate, foundation drain water, rainwater, stormwater etc.) to meet all non-potable uses such as irrigation, cooling and toilet/urinal flushing applications within the development not met by reclaimed water.

Update 1 Response: Alternate water sources will be utilized for onsite irrigation, cooling tower water, and non-potable commercial uses within the building. These uses will be met by either City reclaimed water or condensate collection. Environmental PUD Note #12 has been revised to reflect this commitment.

Update 1 AW3: Austin Water requests clarification and definition of "non-potable commercial uses" and would like to reiterate the need for a commitment that the reclaimed or alternate water shall be used for indoor toilet flushing in both commercial and multi-family settings in addition to irrigation and cooling use.

- **Update 2 Response:** The Project will connect to the reclaimed water main extension as required by this comment. The Project will utilize alternate water sources, such as, reclaimed water, condensate collection, and/or rainwater collection, for site irrigation, colling uses, and toilet flushing for both commercial and residential uses. This commitment is based on the City's ability to meet all state, federal, and other water quality standards for reclaimed water.

AW4. All new development within the proposed project will be subject to City Code Chapter 25-9 and any future amendments relating to reclaimed water connections, water benchmarking, and mandatory onsite water reuse.

Update 1 Response: Per a virtual meeting with review staff held on April 25, 2023, the Project shall comply with current City regulations as codified on the date of adoption of this PUD and provide the superiority items listed in the responses to 1-3 above. New Environmental PUD Note #22 has been added to the Land Use Plan to reflect this commitment.

Update 1 AW4: Austin Water reiterates the request for a commitment to comply with future amendments to City Code Chapter 25-9 relating to reclaimed water connections, water benchmarking, and mandatory onsite water reuse.

- **Update 2 Response:** As with all projects, we are unable to commit to compliance with future amendments in City Code Chapter 25-9 relating to water connections, water benchmarking and mandatory onsite water reuse because a) design of the project must continue with known requirements and b) we have already committed to water re-use in this PUD, despite the fact that such re-use is not required by current City Code.

Environmental Office – Leslie Lilly

EO1 and EO2 cleared.

EO3 The Environmental Opportunities Exhibit shows “Pollinator Resources” in the legend but it is not symbolized or indicated in the plan. Please update.

- **Update 2 Response:** At the zoning stage, exact shrubs have not yet been selected for the PUD. A planting plan will be established at the time of site development permit, and we can commit that all pollinator resources will be selected from the City of Austin Preferred Plant List – Appendix N.

ATD Engineering Review - Bryan Golden - 512-974-2426

ATD 1. Comment cleared.

ATD 2. Comment cleared. Applicant has agreed that the final TIA memo will be provided prior to Council 3rd reading at the latest.

ATD 3. – ATD 5. Comments cleared.

ATD 6. Comment cleared. Additional measures to be outlined in final TIA memo.

ATD 7. Comment cleared.

New Comment:

ATD 8. Response to addition of transportation note #9: ATD does not recommend the proposed note at this time and recommends changing to the following: “This PUD will be permitted access to the future Barton Springs extension, provided it has been dedicated for public access, and the proposed driveway generally conforms to TCM standards.”

Please remove the language referring to access to “Miller Street” as this currently exists as a private easement which the City cannot guarantee access to and which will be vacated once the Barton Springs extension is dedicated for public use.

- **Update 2 Response:** Transportation Note #9 has been revised as requested.

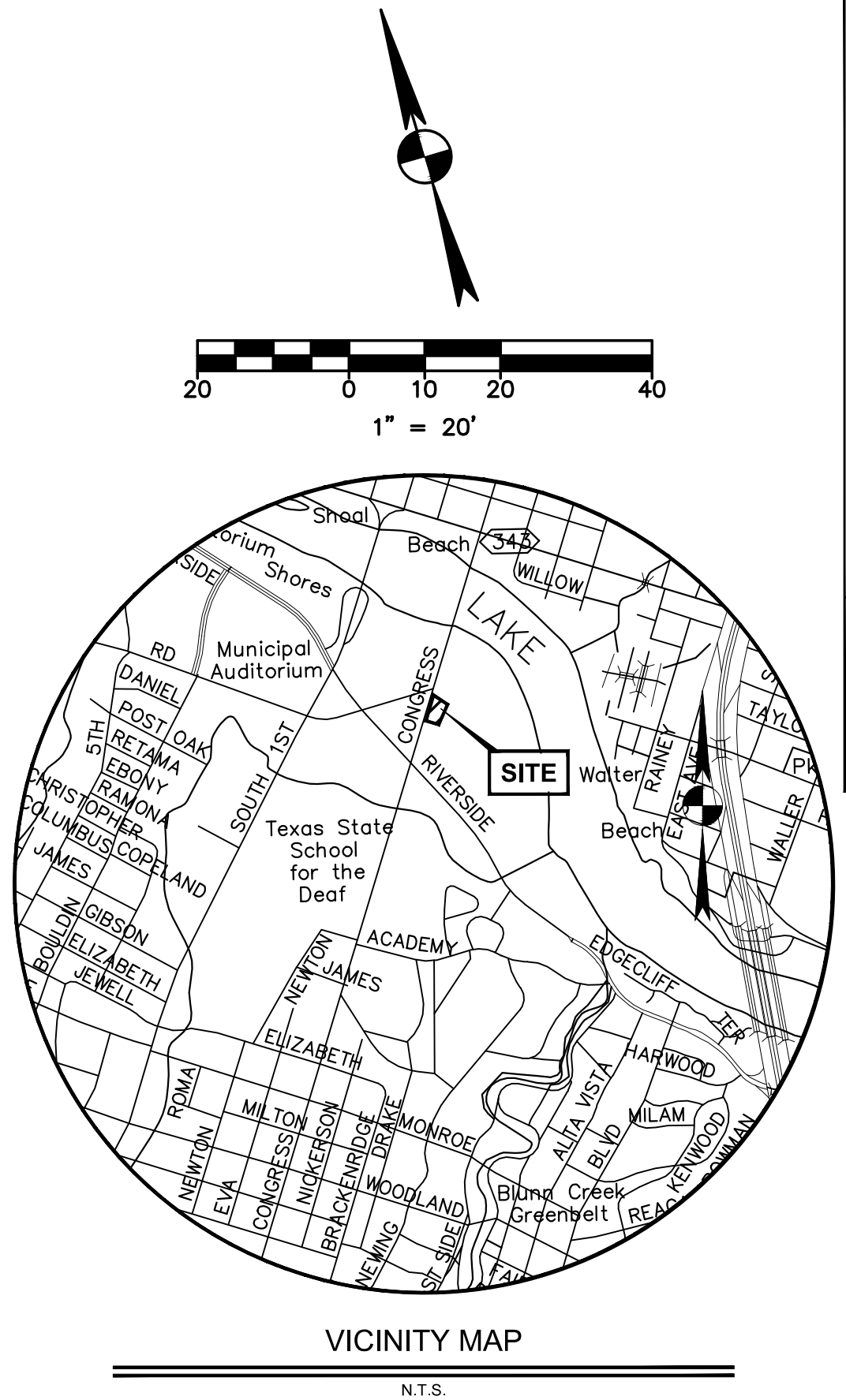
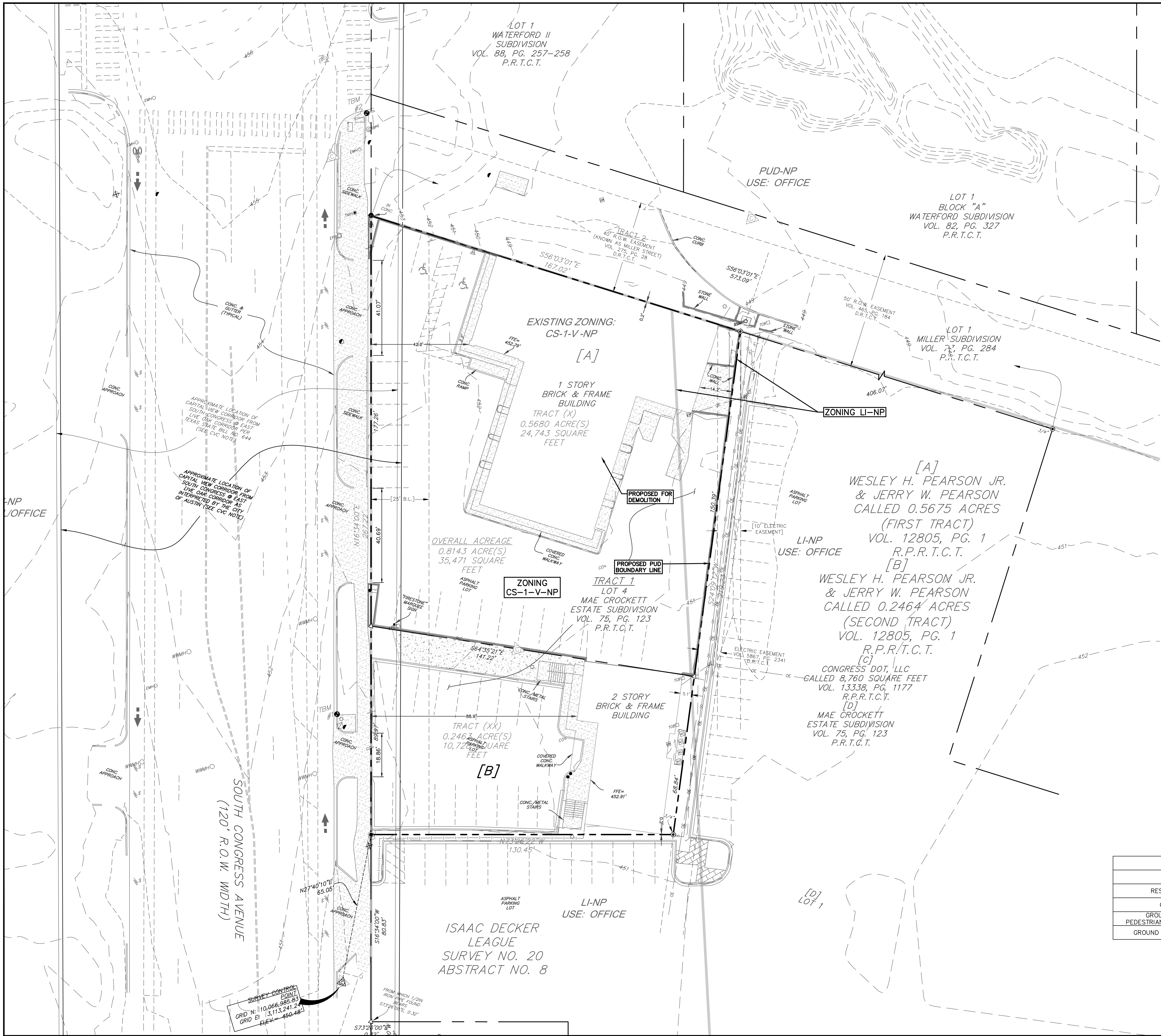
Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this project.

Sincerely,



Amanda Swor
Drenner Group

cc: Joi Harden, Planning Department (*via electronic delivery*)
Jonathan Tomko, Planning Department (*via electronic delivery*)



SUBMITTAL DATE:
JANUARY 12, 2023

ACREAGE:
.8143

LEGAL DESCRIPTION:
TRACT 1: LOT 4, MAE CROCKETT ESTATE SUBDIVISION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 75, PAGE 123 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.
TRACT 2: EASEMENT ESTATE CREATED BY THAT CERTAIN WARRANTY DEED DATED APRIL 10, 1915, RECORDED IN VOLUME 275, PAGE 28 OF THE DEED RECORDS, AS CONFIRMED BY INSTRUMENT RECORDED IN VOLUME 11367, PAGE 1384, AND AS MODIFIED BY INSTRUMENT RECORDED IN VOLUME 13279, PAGE 363, BOTH OF THE REAL PROPERTY RECORDS, ALL AS RECORDED IN TRAVIS COUNTY, TEXAS, UPON AND ACROSS A PORTION OF LOT 1, MILLER SUBDIVISION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 77, PAGE 284 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

FLOODPLAIN INFORMATION:
THIS PROPERTY IS LOCATED WITHIN ZONE "X" (SHADED), AREAS OF 0.2% ANNUAL CHANCE FLOOD HAZARD, AS SHOWN ON F.I.R.M. MAP NO. 44453C0405K, TRAVIS COUNTY, TEXAS AND INCORPORATED AREAS, MAP REVISED JANUARY 22, 2020.

NOTES:
1. PUD BASELINE ZONING IS CS, GENERAL COMMERCIAL SERVICES.

LAND USE SUMMARY TABLE		
USE	AREA	UNITS
RESIDENTIAL	514,000 GSF	485
OFFICE	30,000 GSF	N/A
GROUND FLOOR PEDESTRIAN-ORIENTED USE	7,000 GSF	N/A
GROUND FLOOR LOBBY	1,800 GSF	N/A

garza

7709 Rialto Blvd., Suite 125
Austin, Texas 78725
Tel: (512) 298-3284 Fax: (512) 298-2592
TBP# F-14629
GarzaEMC, LLC © Copyright, 2023

LAND USE PLAN

311-315 SOUTH CONGRESS PUD
311, 313, 315 SOUTH CONGRESS AVE.

TISHMAN SPEYER

DRAWN BY:
DESIGNED BY:
QA / QC:
PROJECT NO.: 113874-00001

SHEET
1
OF 3

- A. THE FOLLOWING ARE ADDITIONAL PERMITTED USES IN THE PUD:

- B. THE FOLLOWING ARE CONDITIONAL USES IN THE PUD

- C. THE FOLLOWING ARE PROHIBITED USES IN THE PUD:

7. SECTION 25-2692(F) (WATERFRONT OVERLAY SUBDISTRICT USES) IS MODIFIED TO REQUIRE THAT THE CUMULATIVE AMOUNT OF PEDESTRIAN-ORIENTED USES, DEFINED IN SECTION 25-2691(C) (WATERFRONT OVERLAY DISTRICT USES), SHALL BE MINIMUM OF 75 PERCENT OF THE CUMULATIVE FRONTAGE EXCLUDING DRIVEWAY OPENINGS AND OTHER PUBLIC FACILITIES, INCLUDING UTILITY VAULTS, ALONG SOUTH CONGRESS BOULEVARD AND THE FUTURE EXTENSION OF BARTON SPRINGS ROAD.
8. SHOULD ALIGNMENT OF THE BARTON SPRINGS ROAD RIGHT-OF-WAY EXTENSION, WHICH MAKES UP THE NORTHERN BOUNDARY OF THE PUD, BE AMENDED, ANY REQUIRED AMENDMENT TO THIS PUD AS A RESULT OF THIS ALIGNMENT CHANGE SHALL BE ADMINISTRATIVE AND NOT REQUIRE DISCRETIONARY REVIEW.
9. THE PUD SHALL CONTAIN A MINIMUM OF 7,000 SQUARE FEET OF GROUND FLOOR PEDESTRIAN-ORIENTED USES AS DEFINED IN 25-2691(C).
- SITE DEVELOPMENT REGULATIONS AND CODE MODIFICATIONS
10. THE PUD IS NOT SUBJECT TO MAXIMUM HEIGHT LIMITATIONS OF LDC SECTION 25-2742(G) SOUTH SHORE CENTRAL SUBDISTRICT REGULATIONS.

ENVIRONMENTAL:

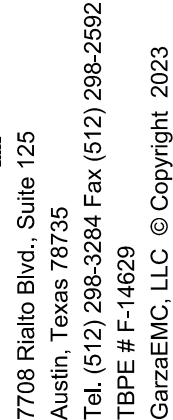
- OPEN SPACE AND PARKLAND:

- BUILDING DESIGN:

AFFORDABLE HOUSING:

- TRANSPORTATION:

- *These minor changes are due to slight design modifications necessitated in order to accommodate ATD comments.

[illegible]

311-315 SOUTH CONGRESS PUD
311, 313, 315 SOUTH CONGRESS AVE.

TISHMAN SPEYER

DRAWN BY:

DESIGNED BY:

QA / QC:

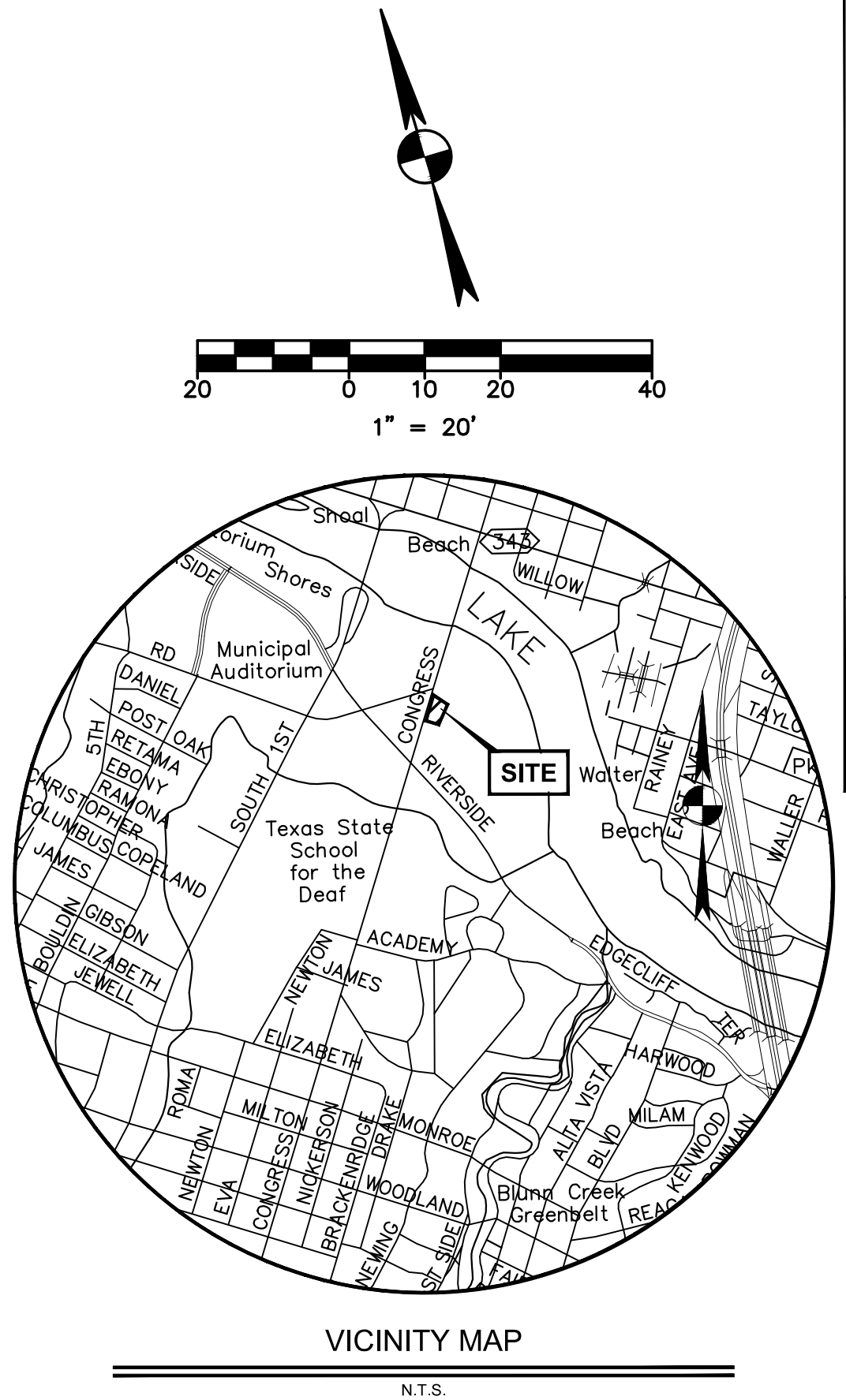
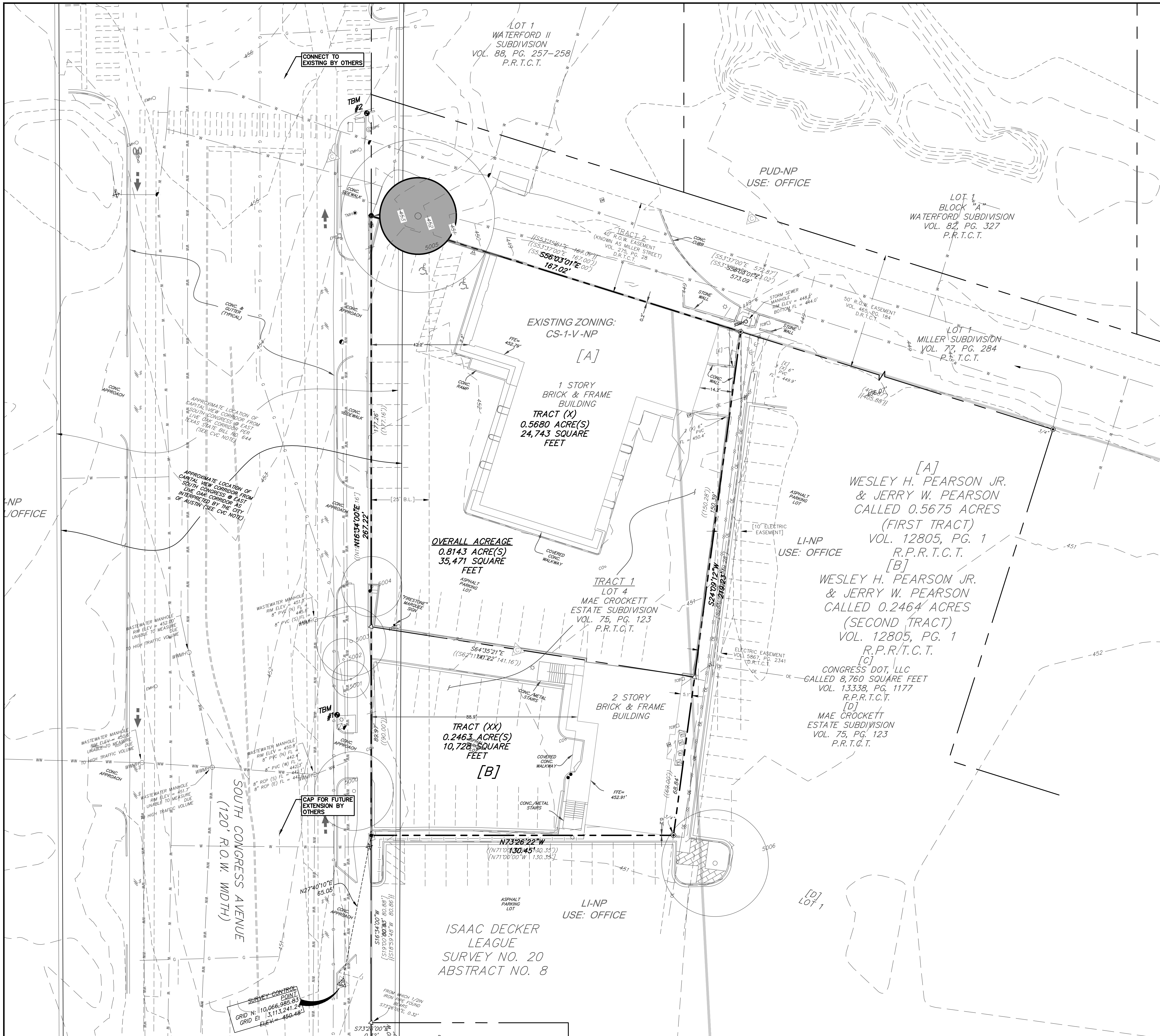
PROJECT NO.: 113874-00001

SHEET

2

OF

3



TREE LIST	
NUMBER	DESCRIPTION
5000	17" LIVE OAK
5001	8" LIVE OAK
5002	9" LIVE OAK
5003	15" LIVE OAK
5004	13" ASH
5005	33" ARIZONA ASH
5006	23" ASH

LEGEND	
	ZONING
	PROPERTY LINE
	EXISTING BUILDING FOOTPRINT
	SETBACKS

TREE INDEX	
TAG NO.	TYPE INDICATES MULTI TRUNK
514	LO 17 14 11
INDIVIDUAL TRUNK DIA. (IN INCHES)	
CRITICAL ROOT ZONES (TREE CIRCLES) ARE SHOWN USING THE COA FORMULA FOR SINGLE AND MULTI TRUNK TREES.	

garza

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TBP# F-14629
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REVISION

NO.

DATE

TREE SURVEY AND LIST

TISHMAN SPEYER

DRAWN BY:

DESIGNED BY:

QA / QC:

PROJECT NO.: 113874-00001

SHEET

3

OF

311-315 SOUTH CONGRESS PUD

311, 313, 315 SOUTH CONGRESS AVE.

CASE NUMBER: C814-2023-0027

V:\113874-0001\CH003-CAD\EXHIBITS\113874-00001-Tree Survey List-EXH.dwg modified by pelabro on Aug 3, 2023 2:56 PM

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

Updated August 22, 2023

	Tier I Requirement	Compliance	Superiority	PUD Note(s):
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 City of 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	

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

Updated August 22, 2023

	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"> 1. A detention or filtration area is excluded from the calculation unless it is designed and maintained as an amenity, and 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. 	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. 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.</p> <p>With the future transit options, this project</p>	BD 5, OS 1

311-315 South Congress PUD
Tier 1 & Tier 2 Compliance
Updated August 22, 2023

			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.	
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

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

Updated August 22, 2023

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>

311-315 South Congress PUD
Tier 1 & Tier 2 Compliance
Updated August 22, 2023

			<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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311-315 South Congress PUD
Tier 1 & Tier 2 Compliance
Updated August 22, 2023

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,

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

311-315 South Congress PUD
Tier 1 & Tier 2 Compliance
Updated August 22, 2023

	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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	Tier I - Additional PUD Requirements for a mixed use development	Compliance	Superiority	PUD Note(s)
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

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

Updated August 22, 2023

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

	2.4 Tier II Requirement	Compliance	Superiority	PUD Note(s)
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

311-315 South Congress PUD
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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. 1st 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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			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.	
18	<p>2. Environment:</p> <ul style="list-style-type: none"> a. Comply with current code instead of asserting entitlement to follow older code provisions by application of law or agreement. b. Provide water quality controls superior to those otherwise required by code. 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. d. Provide water quality treatment for currently untreated, developed off-site areas of at least 10 acres in size. 	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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	<p>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.</p> <p>f. Provide minimum 50-foot setback for at least 50 percent of all unclassified waterways with a drainage area of 32 acres.</p> <p>g. Provides volumetric flood detention as described in the Drainage Criteria Manual.</p> <p>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.</p> <p>i. Propose no modifications to the existing 100-year floodplain.</p> <p>j. Use natural channel design techniques as described in the Drainage Criteria Manual.</p> <p>k. Restores riparian vegetation in existing, degraded Critical Water Quality Zone areas.</p>		<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> <p>- The roof terrace of the project shall include a combination of hardscape</p>	
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	<ul style="list-style-type: none"> l. Removes existing impervious cover from the Critical Water Quality Zone. 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. n. Tree plantings use Central Texas seed stock native with adequate soil volumes. o. Provide at least a 50 percent increase in the minimum waterway and/or critical environmental feature setbacks required by code. 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. q. Provides porous pavement for at least 20 percent or more of all paved areas for non-pedestrian in non-aquifer recharge areas. r. Provides porous pavement for at least 50 percent or more of all paved areas limited to pedestrian use 		<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"> - 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"> 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 o Trees: Desert Willow, Mountain Laurel, Orchid Tree, Redbud 	
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	<ul style="list-style-type: none">s. Provides rainwater harvesting for landscape irrigation to serve not less than 50% of the landscaped areas.t. Directs stormwater runoff from impervious surfaces to a landscaped area at least equal to the total required landscape area.u. Employs other creative or innovative measures to provide environmental protection.		<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
	b. Provides publicly accessible multiuse trail and greenway along creek or waterway.	N/A	Not applicable.	
23	7. Transportation – Provides bicycle facilities that connect to existing or planned bicycle routes or provides other multi-modal transportation features not required by code.	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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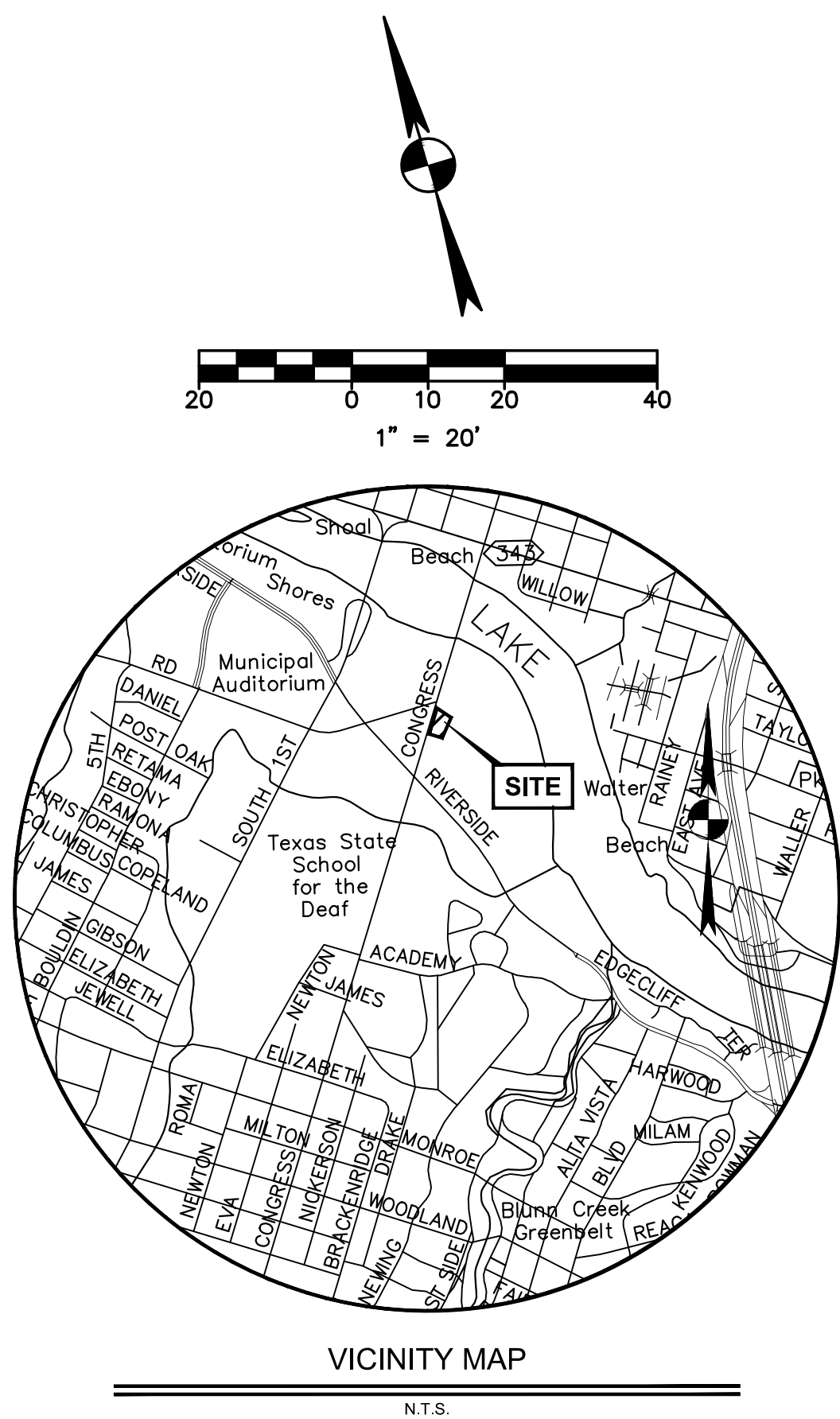
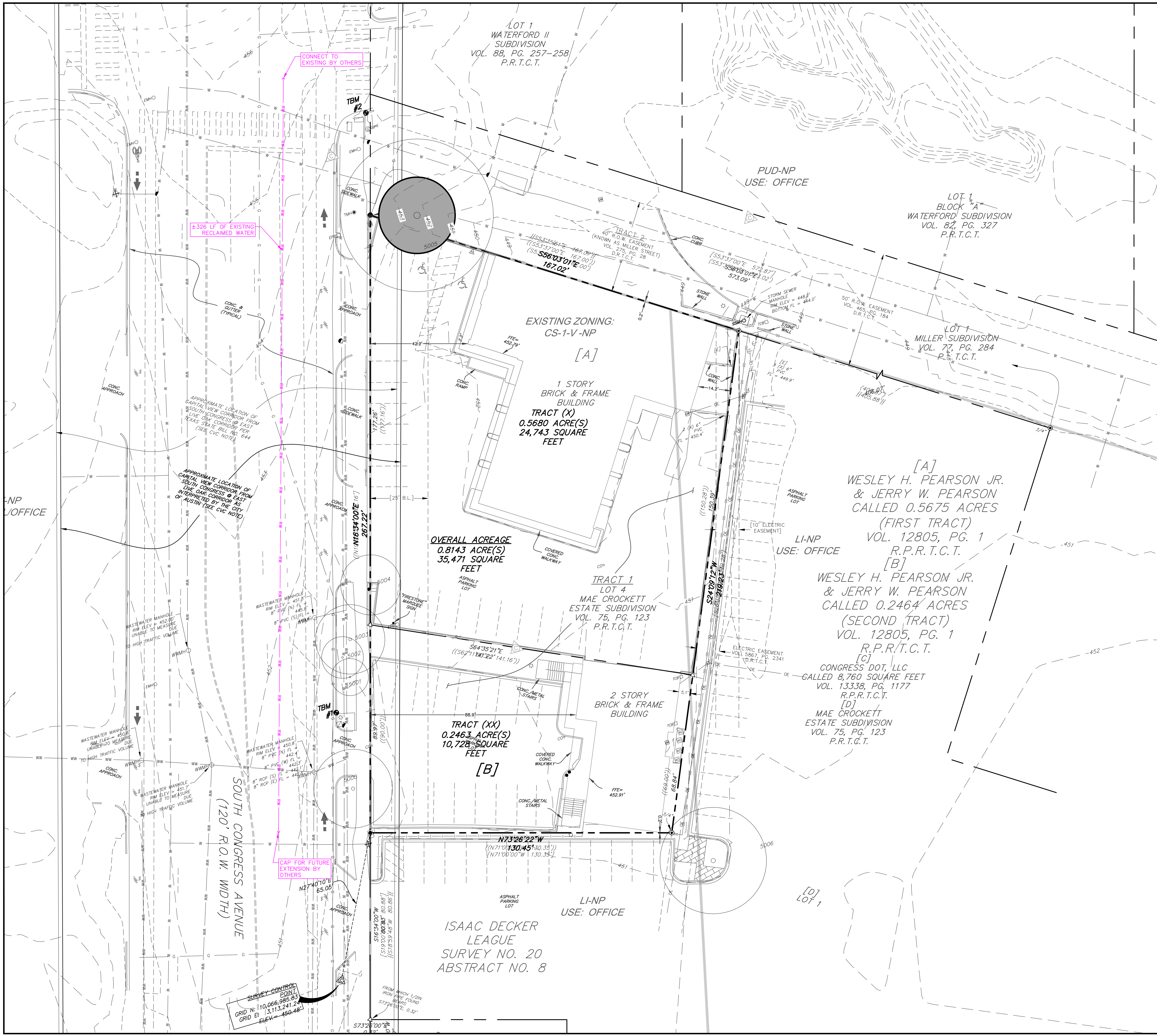
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			conformance with the standards identified by Austin Energy Green Building ST7 “Light pollution reduction.”	
25	9. Parking Structure Frontage – In a commercial or mixed-use development, at least 75% of the building frontage of all parking structures 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



TREE LIST	
NUMBER	DESCRIPTION
5000	17" LIVE OAK
5001	8" LIVE OAK
5002	9" LIVE OAK
5003	15" LIVE OAK
5004	13" ASH
5005	33" ARIZONA ASH
5006	23" ASH

LEGEND	
	ZONING
	PROPERTY LINE
	EXISTING BUILDING FOOTPRINT
	SETBACKS

TREE INDEX	
TAG NO.	TYPE INDICATES MULTI TRUNK
514	LO 17 14 11
INDIVIDUAL TRUNK DIA. (IN INCHES)	
CRITICAL ROOT ZONES (TREE CIRCLES) ARE SHOWN USING THE COA FORMULA FOR SINGLE AND MULTI TRUNK TREES.	

garza

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REVISION

NO.

DATE

PUBLIC RECLAIMED WATER EXHIBIT

TISHMAN SPEYER

311-315 SOUTH CONGRESS PUD
311, 313, 315 SOUTH CONGRESS AVE.

DRAWN BY:

DESIGNED BY:

QA / QC:

PROJECT NO.: 113874-00001

CASE NUMBER: C814-2023-0027

SHEET 3 OF 3

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